AGENDA

Planning & Zoning Commission
Prosper Town Hall, Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, August 5, 2025
6:30 PM

Welcome to the Prosper Planning & Zoning Commission Meeting.

Citizens may watch the meeting live by using the following link: www.prospertx.gov/livemeetings

Addressing the Planning & Zoning Commission:

Those wishing to address the Planning & Zoning Commission must complete the Public Comment Request Form located on the Town's website or in the Council Chambers.

If you are attending in person, please submit this form to the Town Secretary or the person recording the minutes for the Board/Commission prior to the meeting. When called upon, please come to the podium, and state your name and address for the record.

If you are watching online, please submit this form to the Town Secretary prior to 4:00 p.m. on the day of the meeting in order for your comments to be read into the record. The Town assumes no responsibility for technical issues beyond our control.

In compliance with the Texas Open Meetings Act, the Town Council/Board/ Commission may not deliberate or vote on any matter that does not appear on the agenda. The Council/Board/Commission, however, may provide statements of fact regarding the topic, request the topic be included as part of a future meeting, and/or refer the topic to Town Staff for further assistance.

Citizens and other visitors attending Planning & Zoning Commission meetings shall observe the same rules of propriety, decorum, and good conduct applicable to members of the Commission. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the Commission or while attending the meeting shall be removed from the room, if so directed by the Chair or presiding officer, and the person shall be barred from further audience before the Commission during that session of the meeting. Disruption of a public meeting could constitute a violation of Section 42.05 of the Texas Penal Code.

1. Call to Order / Roll Call.

2. Pledge of Allegiance.

CONSENT AGENDA:

Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion. Items may be removed from the Consent Agenda by the request of a Commission Member or Staff.

3a. Consider and act upon the minutes from the July 15, 2025, Planning & Zoning Commission work session meeting.

3b. Consider and act upon the minutes from the July 15, 2025, Planning & Zoning Commission regular meeting.

3c. Consider and act upon the minutes from the July 15, 2025, Planning & Zoning Commission work session meeting regarding the Unified Development Code.

3d. Consider and act upon a request for a Preliminary Site Plan for three Restaurant/Retail buildings, a Bank, a Grocery Store with an associated Convenience Store with Gas Pumps, and three Restaurants on Preston and Frontier, Block A, Lots 1-4, on 24.0± acres, located on the southeast corner of Preston Road and Frontier Parkway. (DEVPP-23-0183)

3e. Consider and act upon a request for a Revised Conveyance Plat of Prosper Commons, Block B, Lots 1 and 13-15 on 9.3± acres, located on the south side of Richland Boulevard and 250± feet west of Coit Road. (DEVAPP-25-0034)

3f. Consider and act upon a request for a Final Plat of Bryant's First Addition, Block 14, Lot 12, on 0.3± acre, located on the north side of Second Street and 325± feet east of Coleman Street. (DEVAPP-25-0044)

CITIZEN COMMENTS

The public is invited to address the Commission on any topic. However, the Commission is unable to discuss or take action on any topic not listed on this agenda. Please complete a "Public Comment Request Form" and present it to a Staff member prior to the meeting. Please limit your comments to three minutes. If multiple individuals wish to speak on a topic, they may yield their three minutes to one individual appointed to speak on their behalf. All individuals yielding their time must be present at the meeting, and the appointed individual will be limited to a total of 15 minutes.

REGULAR AGENDA:

If you wish to address the Commission, please fill out a "Public Comment Request Form" and present it to the Chair, preferably before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Planning & Zoning Commission for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may either address the Commission during the Citizen Comments portion of the meeting or when the item is considered by the Planning & Zoning Commission.

4. Conduct a Public Hearing and consider and act upon a request to rezone 373.5± acres from Agricultural to a Planned Development allowing for both Single-Family and Age-Restricted Single-Family Residences, located on the south side of Parvin Road and 2,070± feet east of FM 1385. (ZONE-24-0022)

5. Conduct a Public Hearing and consider and act upon a request to amend the Future Land Use Plan from Medium Density Residential to High Density Residential, on 191.7± acres, located on the south side of Parvin Road and 2,070± feet east of FM 1385. (COMP-24-0002)

6. Conduct a Public Hearing and consider and act upon a request to amend the uses and conceptual layout of a portion of Subdistrict 2 and Subdistrict 3 of Planned Development-67, consisting of 258.3± acres on the west of Preston Road between US 380 (University Drive) and First Street. (ZONE-24-0012)

7. Conduct a Public Hearing and consider and act upon a request to rezone 0.7± acres from Single Family-15 to Planned Development-Downtown Office on Collin County School Land Survey 12, Abstract 147, Tracts 39 & 177, located on the northwest corner of Lane Street and First Street. (ZONE-25-0001)

8. Review actions taken by the Town Council and possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.

9. Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 250 W. First Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said Notice was posted by 5:00 p.m., on Friday, August 1, 2025, and remained so posted at least 72 hours before said meeting was convened.

_____ _____

Michelle Lewis Sirianni, Town Secretary Date Notice Removed

Pursuant to Section 551.071 of the Texas Government Code, the Planning & Zoning Commission reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS: The Prosper Planning & Zoning meetings are wheelchair accessible. For special services or assistance, please contact the Town Secretary's Office at (972) 569-1073 at least 48 hours prior to the meeting time.

MINUTES

Prosper Planning & Zoning Commission
Work Session
Prosper Town Hall
Executive Conference Room
250 W. First Street, Prosper, Texas
Tuesday, July 15, 2025, 5:30 p.m.

Call to Order / Roll Call

The meeting was called to order at 5:36 p.m.

Commissioners Present: Chair Brandon Daniel, Vice Chair Damon Jackson, Secretary Josh Carson, Sekou Harris, John Hamilton, Glen Blanscet, and Matthew Furay

Staff Present: David Hoover, AICP (Director of Development Services), Suzanne Porter, AICP (Planning Manager), Dakari Hill (Senior Planner), Jerron Hicks (Planner) and Trey Ramon (Planning Technician)

Other(s) Present: Jeremy Page, Town Attorney

Items for Individual Consideration:

1. Discuss items on the July 15, 2025, Planning & Zoning Commission agenda.

Town Staff was informed of a correction that was needed in the minutes from the June 17, 2025, meeting. The year was listed as 2024 instead of 2025 on one of the public hearing items.

Town Staff explained that the applicant for Items 4 and 5 is requesting to table, so the items will need to be removed from the table and considered to be discussed at the next Planning & Zoning Commission meeting.

The Commissioners inquired about Item 6. Specifically, there was discussion regarding the list of uses that are allowed at this location. Discussion was also had on how likely it was that the concept plan being presented would come to fruition, and if changes to the concept plan could be requested when considering the case.

2. Adjourn.

The work session was adjourned at 6:11 p.m.

_____ _____

Trey Ramon, Planning Technician Josh Carson, Secretary

MINUTES

Prosper Planning & Zoning Commission
Regular Meeting
Prosper Town Hall
Council Chambers
250 W. First Street, Prosper, Texas
Tuesday, July 15, 2025, 6:00 p.m.

1. Call to Order / Roll Call

The meeting was called to order at 6:14 p.m.

Commissioners Present: Chair Brandon Daniel, Vice Chair Damon Jackson, Secretary Josh Carson, Sekou Harris, John Hamilton, Glen Blanscet, and Matthew Furay

Staff Members Present: David Hoover, AICP (Director of Development Services), Suzanne Porter, AICP (Planning Manager), Dakari Hill (Senior Planner), Jerron Hicks (Planner), and Trey Ramon (Planning Technician)

Other(s) Present: Jeremy Page, Town Attorney

2. Recitation of the Pledge of Allegiance.

CONSENT AGENDA

3a. Consider and act upon the minutes from the June 17, 2025, Planning & Zoning Commission work session meeting.

3b. Consider and act upon the minutes from the June 17, 2025, Planning & Zoning Commission regular meeting.

3c. Consider and act upon the minutes from the June 17, 2025, Planning & Zoning Commission work session meeting regarding the Unified Development Code.

3d. Consider and act upon a request for a Replat of Prosper Ridge, Blocks D-F, on 12.0± acres, located on the southwest corner of Legacy Drive and Prosper Trail. (DEVAPP-25-0057)

Commissioner Hamilton made a motion to approve items 3a, 3b, 3c and 3d subject to changing the date on the June 17, 2025, regular meeting minutes. The motion was seconded by Commissioner Carson. The motion was carried unanimously by a vote of 7-0.

CITIZEN COMMENTS

No citizen comments were received.

REGULAR AGENDA:

4. Conduct a Public Hearing and consider and act upon a request to rezone 373.5± acres from Agricultural to a Planned Development allowing for both Single-Family and Age-Restricted Single-Family Residences, located on the south side of Parvin Road and 2,070± fee east of FM 1385. (ZONE-24-0022)

Commissioner Furay made a motion to remove Agenda Item 4 from the table and continue the public hearing. This motion was seconded by Commissioner Hamilton. The motion was carried unanimously by a vote of 7-0.

Mr. Hill presented an update for this case, explaining that the applicant is requesting the item be tabled to the August 5, 2025, Planning & Zoning Commission meeting to allow additional time to adjust the proposal.

Commissioner Hamilton made a motion to table Item 4 and continue the public hearing to the August 5, 2025, meeting. This motion was seconded by Commissioner Furay. The motion was carried unanimously by a vote of 7-0.

5. **Conduct a Public Hearing and consider and act upon a request to amend the Future Land Use Plan from Medium Density Residential to High Density Residential, on 191.7± acres, located on the south side of Parvin Road and 2,070± fee east of FM 1385. (COMP-24-0002)**

This was a companion to Item 4.

Commissioner Furay made a motion to remove Agenda Item 5 from the table and continue the public hearing. This motion was seconded by Commissioner Jackson. The motion was carried unanimously by a vote of 7-0.

Mr. Hill presented an update for this case, explaining that the applicant is requesting the item also be tabled to the August 5, 2025, Planning & Zoning Commission meeting to allow additional time to adjust the proposal.

Commissioner Hamilton made a motion to table Item 5 and continue the public hearing to the August 5, 2025, meeting. This motion was seconded by Commissioner Jackson. The motion was carried unanimously by a vote of 7-0.

6. **Conduct a Public Hearing and consider and act upon a request to rezone 18.7± acres from Planned Development-14 (Retail) to Planned Development-Retail on Netherly Survey, Abstract 962, Tract 7, located on the northwest corner of Legacy Drive and First Street. (ZONE-25-0004)**

Mr. Hill presented an overview of this case.

Commissioner Carson requested clarification on whether the Town uses building height or number of stories to determine setbacks. Mr. Hill stated that the Zoning Ordinance allows both building height and number of stories to be used when determining setbacks.

Commissioner Carson voiced his concerns about having the use of Farmers Markets by right and suggested this use be by Specific Use Permit instead.

Commissioner Carson requested clarification on the landscaping buffer requirements and where they originated. Mr. Hill explained that there are several different planting requirements that are based upon adjacency to either thoroughfares, commercial development, or residential development. Commissioner Hamilton further inquired if the separation between trees listed is due to tree health. Mr. Hoover confirmed that it has to do with the height and ultimate tree canopy the species will have.

Commissioner Blanscet requested clarification on how bound the Town would be to the concept plan that is being presented if approved. Mr. Hill explained that the plan being shown is only a concept plan, and the locations of the buildings can be relocated at the time of the Preliminary Site Plan.

Chairman Daniel opened the public hearing.

The applicant, Hector Leon, presented the project to the Commission.

Chairman Daniel requested clarification on the timing of the construction of the fuel station. Mr. Leon explained that the developer intends to begin construction as soon as possible. Once work on the building starts, leasing for the overall development will begin soon after.

Commissioner Carson inquired about the amount of parking being presented on the plan. Mr. Leon explained that their team has worked closely with Town Staff and intend to provide whatever aligns with the Town standards when it is time to submit the Preliminary Site Plan.

Chairman Daniel closed the public hearing.

Commissioner Furay commented that he had no further objections or issues with the proposed plan apart from the project being too dense.

Commissioner Blanscet stated his concerns regarding the proximity of the proposed grocery store to the surrounding homes and that a new location should be found, preferably more interior to the development.

Commissioner Jackson commented that when the Preliminary Site Plan is submitted that the number of drive-throughs next to each other is adjusted.

Commissioner Carson echoed what Commissioner Jackson said, as well as a request for better landscaping throughout the development and to make the use of a Farmer's Market by Specific Use Permit.

Commissioner Harris commented that he has no issues with the plan that is presented and echoes the sentiments of the other commissioners.

Commissioner Hamilton requested an increase in the usable open space requirements from seven percent to ten percent of the entire area. Commissioner Hamilton also requested that these usable open spaces contain amenities such as public art instillations, gazebos/pergolas, seating areas with shade structure, water features (fountains or naturalized stream banks), and stone terracing/low masonry seating walls. Commissioner Hamilton also requested the developer include at least a minimum of three items that were listed.

Commissioner Carson then asked Town Staff if detention on site will be required for stormwater. Town Staff commented that the development would not require detention.

Commissioner Hamilton made a motion to approve Agenda Item 6, subject to Town Staff's comments, an increase in usable open space from seven percent on each lot to ten percent of the entire area, and to include a minimum of three of the five amenities requested, which include public art instillations, gazebos/pergolas, seating areas with shade structure, water features (fountains or naturalized stream banks), or stone terracing/low masonry seating walls. Commissioner Hamilton also requested the use of Farmer's Market be changed from by right to by Specific Use Permit. The motion was seconded by Commissioner Carson. The motion was carried unanimously by a vote of 7-0.

7. **Review actions taken by the Town Council and possibly direct Town Staff to schedule topic(s) for discussion at a future meeting.**

Mr. Hill informed the Commissioners of past Town Council actions and upcoming cases for Planning & Zoning Commission consideration.

8. **Adjourn.**

Commissioner Jackson made a motion to adjourn the meeting. The motion was seconded by Commissioner Harris. The motion was carried unanimously by a vote of 7-0.

The meeting was adjourned at 7:00 p.m.

_____ _____

Trey Ramon, Planning Technician Josh Carson, Secretary

Minutes
Prosper Planning & Zoning Commission
Work Session
Prosper Town Hall
Executive Conference Room
250 W. First Street, Prosper, Texas
Tuesday, July 15, 2025, 6:00 p.m.
Immediately Following Regular Meeting

Call to Order / Roll Call

The meeting was called to order at 7:08 p.m.

Commissioners Present: Chair Brandon Daniel, Vice Chair Damon Jackson, Secretary Josh Carson, Sekou Harris, John Hamilton, Glen Blanscet, and Matthew Furay

Staff Present: David Hoover, AICP (Director of Development Services), Suzanne Porter, AICP (Planning Manager), Dakari Hill (Senior Planner), Jerron Hicks (Planner), and Trey Ramon (Planning Technician)

Items for Individual Consideration:

1. **Discussion regarding the Engineering Design Standards of the Unified Development Code.**

Town Staff discussed the Engineering Design Standards of the Unified Development Code with the Commissioners who provided feedback regarding the standards and format.

Adjourn.

The work session was adjourned at 7:55 p.m.

_____ _____

Trey Ramon, Planning Technician Josh Carson, Secretary

TOWN OF PROSPER
A Place Where Everyone Matters

PLANNING

To: **Planning & Zoning Commission** **Item No. 3d**

From: **Suzanne Porter, AICP, Planning Manager**

Through: **David Hoover, AICP, Director of Development Services**

Re: **Preliminary Site Plan for Preston and Frontier, Block A, Lots 1-4**

Meeting: **August 5, 2025**

Agenda Item:
Consider and act upon a request for a Preliminary Site Plan for three Restaurant/Retail buildings, a Bank, a Grocery Store with an associated Convenience Store with Gas Pumps, and three Restaurants on Preston and Frontier, Block A, Lots 1-4, on 24.0± acres, located on the southeast corner of Preston Road and Frontier Parkway. (DEVPP-23-0183)

Future Land Use Plan:
The Future Land Use Plan designates the majority of the property as Retail & Neighborhood Services with the southernmost portion designated Medium Density Residential.

Zoning:
The property is zoned Planned Development-15 (Retail).

Conformance:
The Preliminary Site Plan conforms to the development standards of Planned Development-15.

Description of Agenda Item:
The project was submitted in October of 2023, prior to amending the Zoning Ordinance regarding drive-through standards. Therefore, the project was designed in conformance with the standards in place at the time of submission. The applicant has chosen to comply with some of the ordinance changes since that time, including providing a 5-foot landscape buffer around dumpster enclosures.

The Preliminary Site Plan consists of three Restaurant/Retail buildings, a Bank, a Grocery Store with an associated Convenience Store with Gas Pumps, and three Restaurants totaling 115,825 square feet and associated parking. Additional information regarding the uses on each lot is provided below.

- Lot 1: Retail Building – Grocery Store (78,517 SF)

    - The Grocery Store has a pharmacy drive-through on the north side of the building and a loading area at the back (east) side of the building. The loading area screening is compliant.

- Lot 2: Convenience Store with Gas Pumps with a drive-through lane (3,128 SF)

    - On January 23, 2024, Town Council approved an amendment to the Zoning Ordinance to allow a Convenience Store with Gas Pumps that is associated with a minimum 50,000 square foot grocery store, to have gas pumps located a greater distance greater than 200 feet from the right-of-way lines of intersecting major thoroughfares. Preston Road and Frontier Parkway are designated major thoroughfares. The use is approximately 430 feet from the intersection. The use will not be allowed in this location if the ultimate user of the grocery store is not associated with this facility.

- Lot 3: Bank (4,261 SF) and Restaurant (3,001 SF) and two Restaurant/Retail Buildings (22,898 SF) with outdoor dining (1,962 SF)

    - The Restaurant on the property has been designed with a drive-through. The applicant is aware that a Specific Use Permit is required prior to proceeding with a site plan application for this use. A label stating the SUP requirement is on the preliminary site plan.

- Lot 4: Two Restaurants (8,008 SF) and a Retail/Restaurant Building (16,958 SF)

    - The Restaurants on the property has been designed with drive-throughs. The applicant is aware that a Specific Use Permit is required prior to proceeding with a site plan application for this use. A label stating the SUP requirement is on the preliminary site plan.
    - The detention pond for the development is located on the southern portion of the lot, adjacent to Coleman Road, an entry into the residential subdivision. The plan shows eight golf cart parking spaces and a 12 foot pergola/shade structure on the east side of the pond.

A Property Owners' Association will be created to establish duties and responsibilities for those lots within the development, in accordance with the Subdivision Ordinance. This will need to be finalized prior to platting the property into separate lots.

Access:
Access is provided from Preston Road and Frontier Parkway.

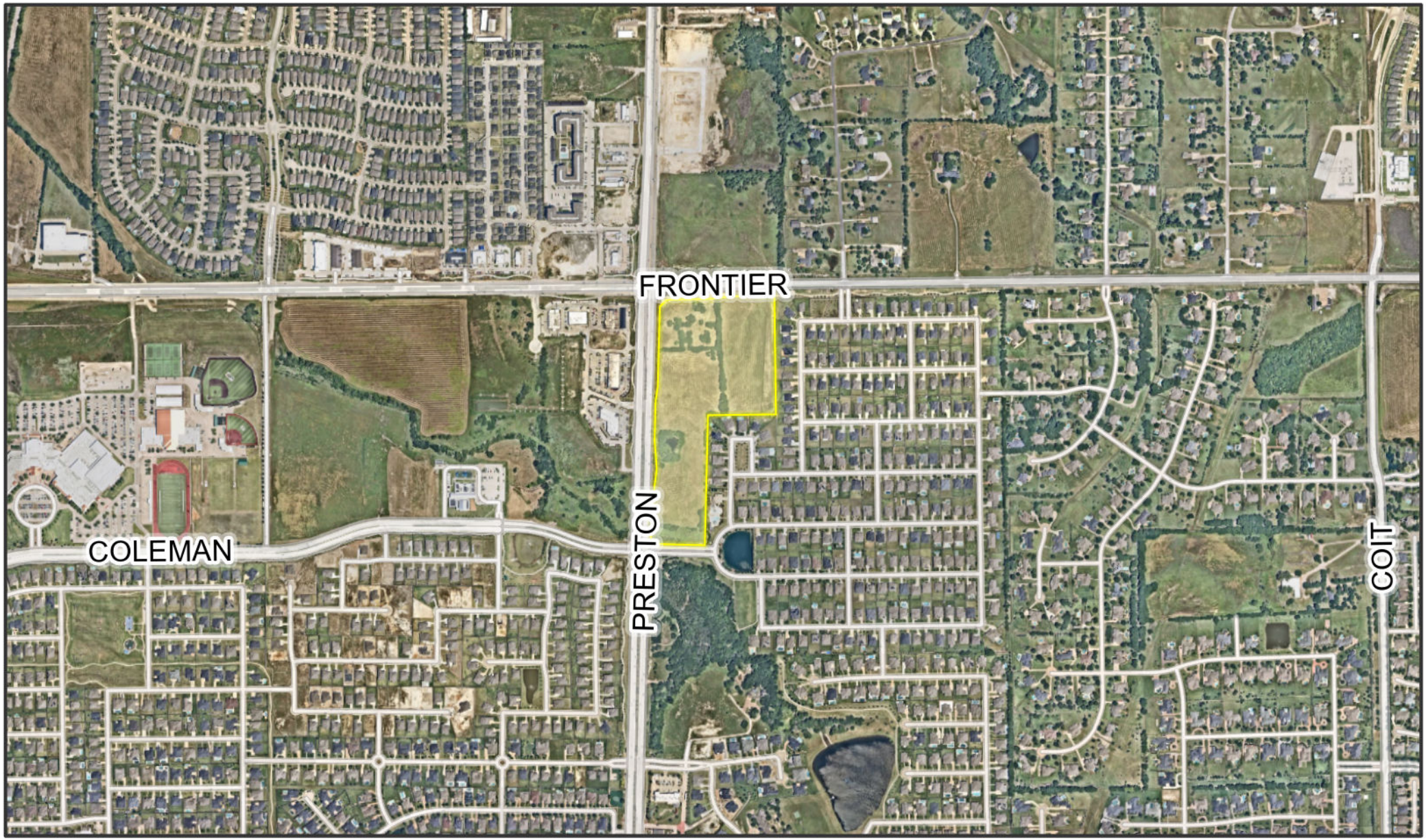
Landscaping, Open Space, and Screening:
The proposed development complies with all landscaping, open space, and screening requirements.

Companion Item:
There are no companion items.

Attachments:
1. Location Map
2. Preliminary Site Plan
3. Open Space Plan

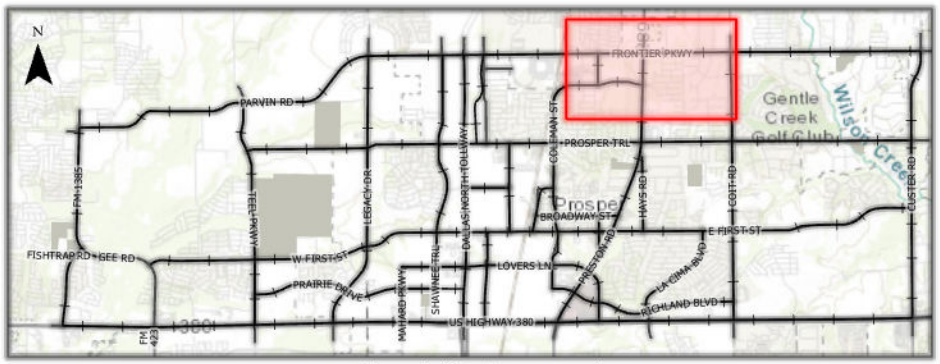
Town Staff Recommendation:
Town Staff recommends approval of the Preliminary Site Plan subject to:

1. The creation of a Property Owners' Association prior to the recordation of a plat to subdivide the property;
2. The Convenience Store with Gas Pumps on Lot 2 shall be associated with the Grocery Store; and
3. A Restaurant with a drive-through is subject to the approval of a Specific Use Permit.



TOWN OF PROSPER

0 500 1,000 2,000 Feet

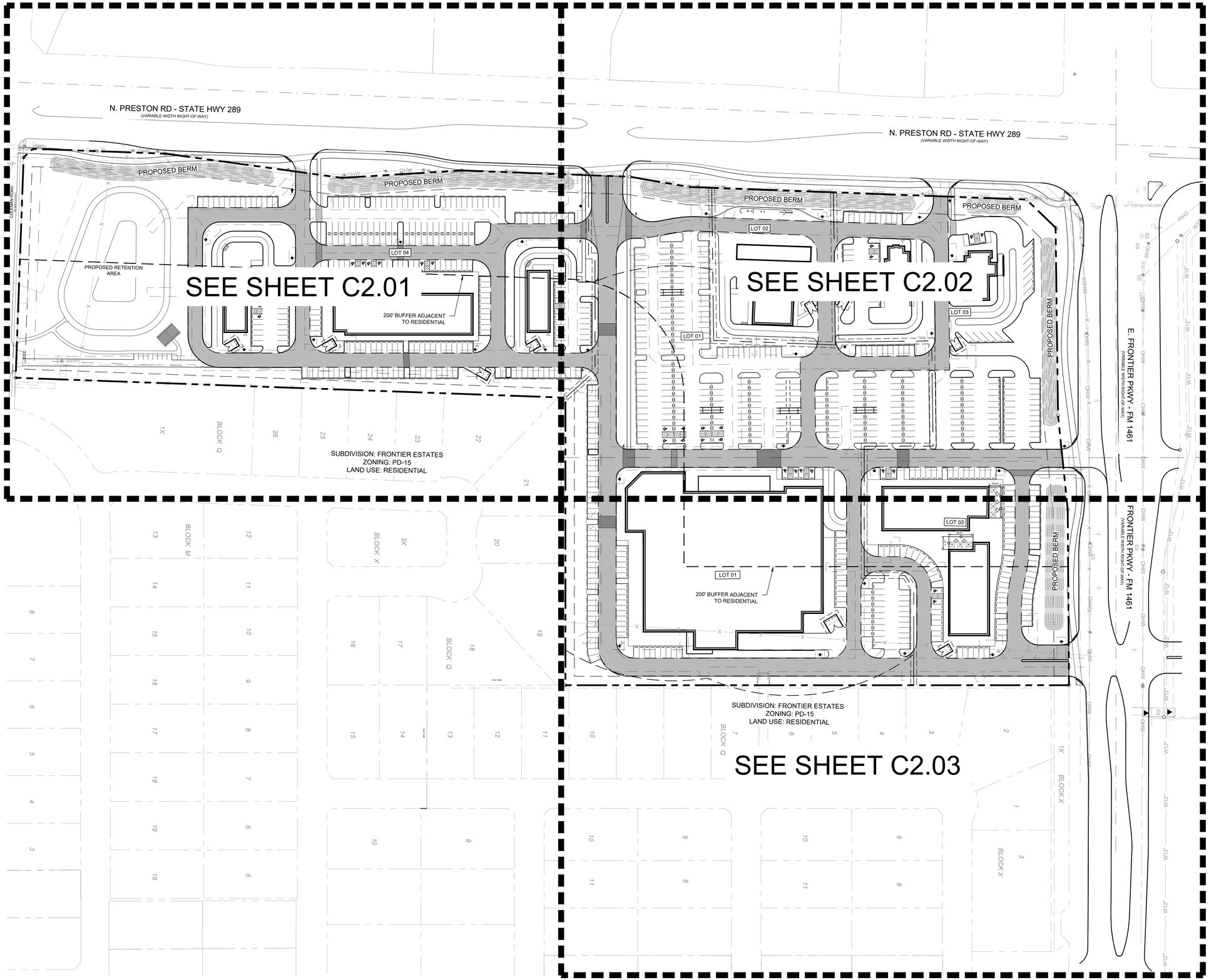


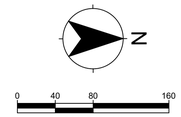
This map for illustration purposes only

DEVAPP-23-0183

Preston and Frontier

Preliminary Site Plan







VICINITY MAP

NTS

PRELIMINARY SITE PLAN LEGEND

- BARRIER FREE RAMP
- BARRIER FREE RAMP
- BARRIER FREE RAMP
- ACCESSIBLE PARKING
- SIGN
- PROPOSED FIRE HYDRANT
- EXISTING FIRE HYDRANT
- FDC
- PROPOSED FIRE LANE, ACCESS, DRAINAGE AND UTILITY EASEMENT

PRELIMINARY SITE PLAN NOTES

1. ALL DEVELOPMENT STANDARDS FOLLOW TOWN STANDARDS.
2. LANDSCAPING SHALL CONFORM TO LANDSCAPE PLANS APPROVED BY THE TOWN OF PROSPER.
3. ALL DEVELOPMENT STANDARDS SHALL FOLLOW FIRE REQUIREMENTS PER THE TOWN OF PROSPER.
4. HANDICAPPED PARKING AREAS AND BUILDING ACCESSIBILITY SHALL CONFORM TO THE AMERICANS WITH DISABILITIES ACT (ADA) AND WITH THE REQUIREMENTS OF THE CURRENT, ADOPTED BUILDING CODE.
5. ALL SIGNAGE IS SUBJECT TO BUILDING OFFICIAL APPROVAL.
6. IMPACT FEES WILL BE ASSESSED IN ACCORDANCE WITH THE LAND USE CLASSIFICATION(S) IDENTIFIED IN THE SITE DATA SUMMARY TABLE; HOWEVER, CHANGES TO THE PROPOSED LAND USE AT THE TIME OF CO AND/OR FINISH-OUT PERMIT MAY RESULT IN ADDITIONAL IMPACT FEES AND/OR PARKING REQUIREMENTS.
7. THE APPROVAL OF A PRELIMINARY SITE PLAN SHALL BE EFFECTIVE FOR A PERIOD OF TWO (2) YEARS FROM THE DATE THAT THE PRELIMINARY SITE PLAN IS APPROVED BY THE PLANNING AND ZONING COMMISSION, AT THE END OF WHICH TIME THE APPLICANT MUST HAVE SUBMITTED AND RECEIVED APPROVAL OF A SITE PLAN BY THE PLANNING AND ZONING COMMISSION. IF A SITE PLAN HAS NOT BEEN APPROVED WITHIN SUCH TWO (2) YEAR PERIOD, THE PRELIMINARY SITE PLAN APPROVAL IS NULL AND VOID. IF SITE PLAN APPROVAL IS ONLY FOR A PORTION OF THE PROPERTY, THE APPROVAL OF THE PRELIMINARY SITE PLAN FOR THE REMAINING PROPERTY IS NULL AND VOID.
8. OPEN SPACE REQUIREMENTS SHALL FOLLOW THE ZONING ORDINANCE, PER TRACT. OPEN SPACE SHALL NOT INCLUDE VEHICULAR PAVING, REQUIRED PARKING LOT LANDSCAPE ISLANDS, BUILDING FOOTPRINT, UTILITY YARDS, REQUIRED LANDSCAPE SETBACKS, SIDEWALKS, AND DETENTION POND.
9. ALL CART CORRAL RETURNS SHALL BE CONSTRUCTED OF ORNAMENTAL METAL AND BE PERMANENTLY AFFIXED TO PAVEMENT.
10. DIMENSIONS ARE REFERENCING FROM THE FACE OF CURB.
11. DUMPSTER SCREENING WALLS SHALL BE BRICK OR STONE WITH 8FT MIN IN HEIGHT(TYP).
12. RESTAURANT WITH DRIVE-THROUGH'S (REQUIRED SUP).
13. ALL BUILDINGS WITH A FOOTPRINT OF LESS THAN 10,000 SQUARE FEET AND LOCATED 100 FEET OR LESS FROM A RESIDENTIAL ZONING DISTRICT SHALL INCORPORATE A PITCHED, GABLED, MANSARD, HIPPED, OR OTHERWISE SLOPED ROOF. ALL SLOPED ROOFS SHALL HAVE A SIX IN 12-INCH MINIMUM SLOPE.
14. ALL RETAIL/COMMERCIAL BUILDINGS WITH FACADES GREATER THAN 200 FEET IN LENGTH SHALL INCORPORATE WALL PLANE PROJECTIONS OR RECESSES THAT ARE AT LEAST SIX FEET DEEP. PROJECTIONS/RECESSES MUST BE AT LEAST 25 PERCENT OF THE LENGTH OF THE FACADE. NO UNINTERRUPTED LENGTH OF FACADE MAY EXCEED 100 FEET IN LENGTH.
15. AT THE SITE PLAN LEVEL, ENSURE ALL PROPOSED COMMERCIAL RESTAURANTS/FOOD FACILITIES INSTALL THEIR OWN INDIVIDUAL MINIMUM 1000 GALLON GREASE TRAP. MUST BE EXTERIOR, IN GROUND. MUST INCLUDE A SAMPLE WELL. DO NOT INSTALL IN PARKING STALLS OR FIRE LANES. SHOW SIZE AND LOCATION. PER HEALTH DEPARTMENT.

OWNER
REMINGTON PRESTON, LLC
331 OAK LAWN AVE STE. 250
DALLAS, TX 75219
PHONE: (214) 387-7780

ENGINEER
KFM ENGINEERING
3501 OLYMPUS BLVD, SUITE 100
DALLAS, TEXAS 75019
PHONE: (469) 899-0536
WWW.KFM-LLC.COM
TBPE #: F-20821

SURVEYOR
CHISHOLM TRAIL LAND SURVEYING
PHONE: (940) 206-3577
MICHAEL@CT-LANDSURVEYING.COM
TX FIRM #: 10194767

PROJECT #: DEVAPP-23-0183

PRELIMINARY SITE PLAN

PRESTON AND FRONTIER

BLOCK A, LOT 1-4
ABS A0172 COLLIN COUNTY SCHOOL LAND SURVEY TRACT 2
23.991 ACRES
TOWN OF PROSPER, TEXAS, COLLIN COUNTY
July 25, 2025

SHEET C2.00

p:\0101290\05\cad\sheet_civ\fpsp\0101290\05_dimP1_dimP01.dwg,zavalvarde,7/28/2025 3:02 PM

N. PRESTON RD - STATE HWY 289
(VARIABLE WIDTH RIGHT-OF-WAY)

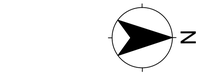
MATCHLINE SHEET C2.02

COLEMAN ROAD
(80' RIGHT-OF-WAY)

EXISTING RAMPS
5' EXISTING SIDEWALK
15' LANDSCAPE AND PEDESTRIAN ACCESS EASEMENT
30' BUILDING SETBACK
SUBDIVISION NAME:FRONTIER ESTATES
ZONING: SF-15
LAND USE: RESIDENTIAL
15' WATERLINE EASEMENT
SIDEWALK
PROPOSED BERM
30' LANDSCAPE AND PEDESTRIAN ACCESS EASEMENT AND 30' BUILDING SETBACK
PROPOSED 15' DRAINAGE EASEMENT
PROPOSED LANDSCAPE BERM (TYP.)
PROPOSED RETENTION AREA
EXISTING TXDOT 120' DRAINAGE EASEMENT
PROPOSED 15' DRAINAGE EASEMENT
PROPOSED 23' DRAINAGE & WATER EASEMENT
12' PERGOLA/SHADE STRUCTURE
EXISTING RAMPS
BARRICADE
15' EXISTING SEWER EASEMENT
30' BUILDING SETBACK
GOLF CART PARKING
30' BUILDING SETBACK (TYP.)
PROPOSED TURN LANE
2' PARKING OVERHANG (TYP.)
PR. FH
FIVE (5) STACKING SPACES (20'X9')
DRIVE-THRU MENU BOARD
DRIVE THRU LANE
ESCAPE LANE
BLDG 1 REST. 4,004 S.F.
5' LANDSCAPE BUFFER
ACCESS RAMPS
10' HIKE AND BIKE TRAIL
PROPOSED 15' DRAINAGE EASEMENT
PROPOSED 15' WATER EASEMENT
LOT 04
BUILDING 2
LAYOUT/ARTICULATION TO CHANGE PER NOTE #14
BUILDING 2 RETAIL / RESTAURANT 16,958 S.F.
PROPOSED 34' DRAINAGE, WATER, WASTEWATER EASEMENT
5' LANDSCAPE BUFFER
15' LANDSCAPE AND PEDESTRIAN ACCESS EASEMENT
2' PARKING OVERHANG (TYP.)
DECORATIVE PAVING (TYP.) AS TRAFFIC CALMING MEASURE
6' BRICK SCREEN WALL W/ TREES 30' ON CENTER
BLDG 3 REST. 4,004 S.F.

SUBDIVISION: FRONTIER ESTATES
ZONING: PD-15
LAND USE: RESIDENTIAL

SDP REQUIRED FOR APPROVAL



PRELIMINARY SITE PLAN LEGEND

- BARRIER FREE RAMP
- BARRIER FREE RAMP
- BARRIER FREE RAMP
- ACCESSIBLE PARKING
- SIGN
- PROPOSED FIRE HYDRANT
- EXISTING FIRE HYDRANT
- FDC
- PROPOSED FIRE LANE, ACCESS, DRAINAGE AND UTILITY EASEMENT



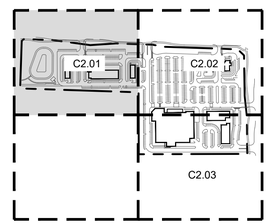
VICINITY MAP
NTS

PRELIMINARY SITE PLAN NOTES

1. ALL DEVELOPMENT STANDARDS FOLLOW TOWN STANDARDS.
2. LANDSCAPING SHALL CONFORM TO LANDSCAPE PLANS APPROVED BY THE TOWN OF PROSPER.
3. ALL DEVELOPMENT STANDARDS SHALL FOLLOW FIRE REQUIREMENTS PER THE TOWN OF PROSPER.
4. HANDICAPPED PARKING AREAS AND BUILDING ACCESSIBILITY SHALL CONFORM TO THE AMERICANS WITH DISABILITIES ACT (ADA) AND WITH THE REQUIREMENTS OF THE CURRENT, ADOPTED BUILDING CODE.
5. ALL SIGNAGE IS SUBJECT TO BUILDING OFFICIAL APPROVAL.
6. IMPACT FEES WILL BE ASSESSED IN ACCORDANCE WITH THE LAND USE CLASSIFICATION(S) IDENTIFIED IN THE SITE DATA SUMMARY TABLE; HOWEVER, CHANGES TO THE PROPOSED LAND USE AT THE TIME OF CO AND/OR FINISH-OUT PERMIT MAY RESULT IN ADDITIONAL IMPACT FEES AND/OR PARKING REQUIREMENTS.
7. THE APPROVAL OF A PRELIMINARY SITE PLAN SHALL BE EFFECTIVE FOR A PERIOD OF TWO (2) YEARS FROM THE DATE THAT THE PRELIMINARY SITE PLAN IS APPROVED BY THE PLANNING AND ZONING COMMISSION, AT THE END OF WHICH TIME THE APPLICANT MUST HAVE SUBMITTED AND RECEIVED APPROVAL OF A SITE PLAN BY THE PLANNING AND ZONING COMMISSION. IF A SITE PLAN HAS NOT BEEN APPROVED WITHIN SUCH TWO (2) YEAR PERIOD, THE PRELIMINARY SITE PLAN APPROVAL IS NULL AND VOID. IF SITE PLAN APPROVAL IS ONLY FOR A PORTION OF THE PROPERTY, THE APPROVAL OF THE PRELIMINARY SITE PLAN FOR THE REMAINING PROPERTY IS NULL AND VOID.
8. OPEN SPACE REQUIREMENTS SHALL FOLLOW THE ZONING ORDINANCE, PER TRACT. OPEN SPACE SHALL NOT INCLUDE VEHICULAR PAVING, REQUIRED PARKING LOT LANDSCAPE ISLANDS, BUILDING FOOTPRINT, UTILITY YARDS, REQUIRED LANDSCAPE SETBACKS, SIDEWALKS, AND DETENTION POND.
9. ALL CART CORRAL RETURNS SHALL BE CONSTRUCTED OF ORNAMENTAL METAL AND BE PERMANENTLY AFFIXED TO PAVEMENT.
10. DIMENSIONS ARE REFERENCING FROM THE FACE OF CURB.
11. DUMPSTER SCREENING WALLS SHALL BE BRICK OR STONE WITH 8FT MIN IN HEIGHT(TYP).
12. RESTAURANT WITH DRIVE-THROUGH'S (REQUIRED SUP).
13. ALL BUILDINGS WITH A FOOTPRINT OF LESS THAN 10,000 SQUARE FEET AND LOCATED 100 FEET OR LESS FROM A RESIDENTIAL ZONING DISTRICT SHALL INCORPORATE A PITCHED, GABLED, MANSARD, HIPPED, OR OTHERWISE SLOPED ROOF. ALL SLOPED ROOFS SHALL HAVE A SIX IN 12-INCH MINIMUM SLOPE.
14. ALL RETAIL/COMMERCIAL BUILDINGS WITH FACADES GREATER THAN 200 FEET IN LENGTH SHALL INCORPORATE WALL PLANE PROJECTIONS OR RECESSES THAT ARE AT LEAST SIX FEET DEEP. PROJECTIONS/RECESSES MUST BE AT LEAST 25 PERCENT OF THE LENGTH OF THE FACADE. NO UNINTERRUPTED LENGTH OF FACADE MAY EXCEED 100 FEET IN LENGTH.
15. AT THE SITE PLAN LEVEL, ENSURE ALL PROPOSED COMMERCIAL RESTAURANTS/FOOD FACILITIES INSTALL THEIR OWN INDIVIDUAL MINIMUM 1000 GALLON GREASE TRAP. MUST BE EXTERIOR, IN GROUND. MUST INCLUDE A SAMPLE WELL. DO NOT INSTALL IN PARKING STALLS OR FIRE LANES. SHOW SIZE AND LOCATION. PER HEALTH DEPARTMENT.

SITE DATA TABLE LOT 4

ZONING	PD-15-R	PRESTON AND FRONTIER SOUTHEAST CORNER		
PROPOSED USE	RESTAURANT W/DRIVE THRU, RETAIL/RESTAURANT			
LOT AREA	8.32	AC		
LOT AREA	362,221.90	SF		
BUILDING AREA	24,966	SF		
BUILDING HEIGHT	30	FT		
NUMBER OF STORIES	1		RE	
LOT COVERAGE	6.9	PERCENT		
FLOOR AREA RATIO	0.07:1			
OPEN SPACE REQUIRED	25,356	SF		
OPEN SPACE PROVIDED	77,779	SF		
PARKING LOT LANDSCAPING REQUIRED	3,015	SF		
PARKING LOT LANDSCAPING PROVIDED	6,967	SF		
IMPERVIOUS AREA	277,476	SF		
UNIT TYPE		BUILDING AREA (SF)	PARKING REQUIRED	PARKING PROVIDED
BUILDING 1 DRIVE THRU		4,004	41 (1 SPACE PER 100 SF)	42
BUILDING 2 RESTAURANT		8,479	85 (1 SPACE PER 100 SF)	174
BUILDING 2 RETAIL		8,479	34 (1 SPACE PER 250 SF)	
BUILDING 3 DRIVE THRU		4,004	41 (1 SPACE PER 100 SF)	40
HANDICAP PARKING		N/A	9	10
TOTAL			201	256



KEYMAP
N.T.S.

PROJECT #: DEVAPP-23-0183

PRELIMINARY SITE PLAN

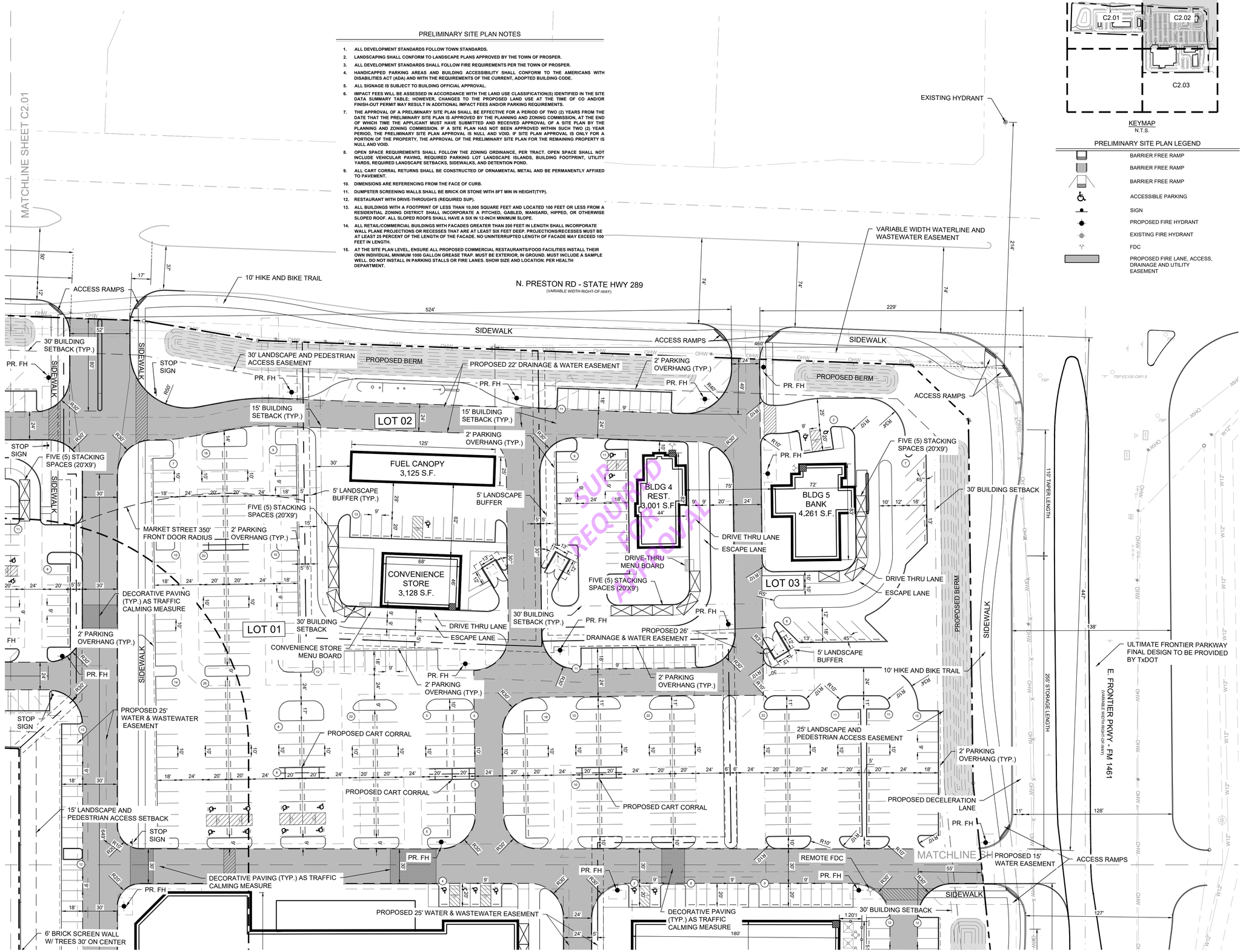
PRESTON AND FRONTIER

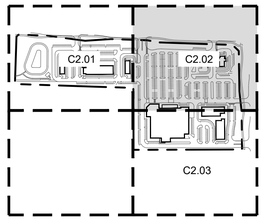
BLOCK A, LOT 1-4
ABS A0172 COLLIN COUNTY SCHOOL LAND SURVEY TRACT 2
23.991 ACRES
TOWN OF PROSPER, TEXAS, COLLIN COUNTY
July 25, 2025
SHEET C2.01

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PRELIMINARY SITE PLAN NOTES

1. ALL DEVELOPMENT STANDARDS FOLLOW TOWN STANDARDS.
2. LANDSCAPING SHALL CONFORM TO LANDSCAPE PLANS APPROVED BY THE TOWN OF PROSPER.
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9. ALL CART CORRAL RETURNS SHALL BE CONSTRUCTED OF ORNAMENTAL METAL AND BE PERMANENTLY AFFIXED TO PAVEMENT.
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15. AT THE SITE PLAN LEVEL, ENSURE ALL PROPOSED COMMERCIAL RESTAURANTS/FOOD FACILITIES INSTALL THEIR OWN INDIVIDUAL MINIMUM 1000 GALLON GREASE TRAP. MUST BE EXTERIOR, IN GROUND. MUST INCLUDE A SAMPLE WELL. DO NOT INSTALL IN PARKING STALLS OR FIRE LANES. SHOW SIZE AND LOCATION. PER HEALTH DEPARTMENT.





KEYMAP
N.T.S.

PRELIMINARY SITE PLAN LEGEND

- BARRIER FREE RAMP
- BARRIER FREE RAMP
- BARRIER FREE RAMP
- ACCESSIBLE PARKING
- SIGN
- PROPOSED FIRE HYDRANT
- EXISTING FIRE HYDRANT
- FDC
- PROPOSED FIRE LANE, ACCESS, DRAINAGE AND UTILITY EASEMENT



VICINITY MAP
NTS

N

0 20 40 80
SCALE 1" = 40'

SITE DATA TABLE LOT 2				
ZONING	PD-15-R	PRESTON AND FRONTIER SOUTHEAST CORNER		
PROPOSED USE	CONVENIENCE STORE WITH GAS PUMPS	(ASSOCIATED WITH LOT 1)		
LOT AREA	1.21	AC		
LOT AREA	52,862	SF		
CONVENIENCE STORE	3,128	SF		
FUEL CANOPY	3,125	SF		
TOTAL BUILDING AREA	6,253	SF		
BUILDING HEIGHT	30	FT		
NUMBER OF STORIES	1			
LOT COVERAGE	12	PERCENT		
FLOOR AREA RATIO	0.12:1			
OPEN SPACE REQUIRED	3,700	SF		
	7	PERCENT		
OPEN SPACE PROVIDED	3,728	SF		
	7	PERCENT		
PARKING LOT LANDSCAPING REQUIRED	195	SF		
PARKING LOT LANDSCAPING PROVIDED	345	SF		
IMPERVIOUS AREA	48,789	SF		
	92.3	PERCENT		
UNIT TYPE		BUILDING AREA (SF)	PARKING REQUIRED	PARKING PROVIDED
FUEL		3,128	13 (1 SPACE PER 250 SF)	12
HANDICAP PARKING		N/A	1	1
TOTAL PARKING			13	13

SITE DATA TABLE LOT 3				
ZONING	PD-15-R	PRESTON AND FRONTIER SOUTHEAST CORNER		
PROPOSED USE	RESTAURANT W/DRIVE THRU, BANK, RETAIL/RESTAURANT			
LOT AREA	5.76	AC		
LOT AREA	250,820.75	SF		
BUILDING AREA	30,160	SF		
BUILDING HEIGHT	30	FT		
NUMBER OF STORIES	1			
LOT COVERAGE	12.0	PERCENT		
FLOOR AREA RATIO	0.12:1			
OPEN SPACE REQUIRED	17,557	SF		
OPEN SPACE PROVIDED	26,936	SF		
PARKING LOT LANDSCAPING REQUIRED	3,060	SF		
PARKING LOT LANDSCAPING PROVIDED	7,427	SF		
IMPERVIOUS AREA	216,458	SF		
UNIT TYPE		BUILDING AREA (SF)	PARKING REQUIRED	PARKING PROVIDED
BUILDING 4 DRIVE THRU		3,001	31 (1 SPACE PER 100 SF)	31
BUILDING 5 BANK		4,261	13 (1 SPACE PER 350 SF)	15
BUILDING 7 & 8 RETAIL		13,233	53 (1 SPACE PER 250 SF)	151
BUILDING 7 & 8 RESTAURANT		9,665	97 (1 SPACE PER 100 SF)	
PATIO		1,962	10 (1 SPACE PER 200 SF)	10
HANDICAP PARKING		N/A	7	8
TOTAL			204	207

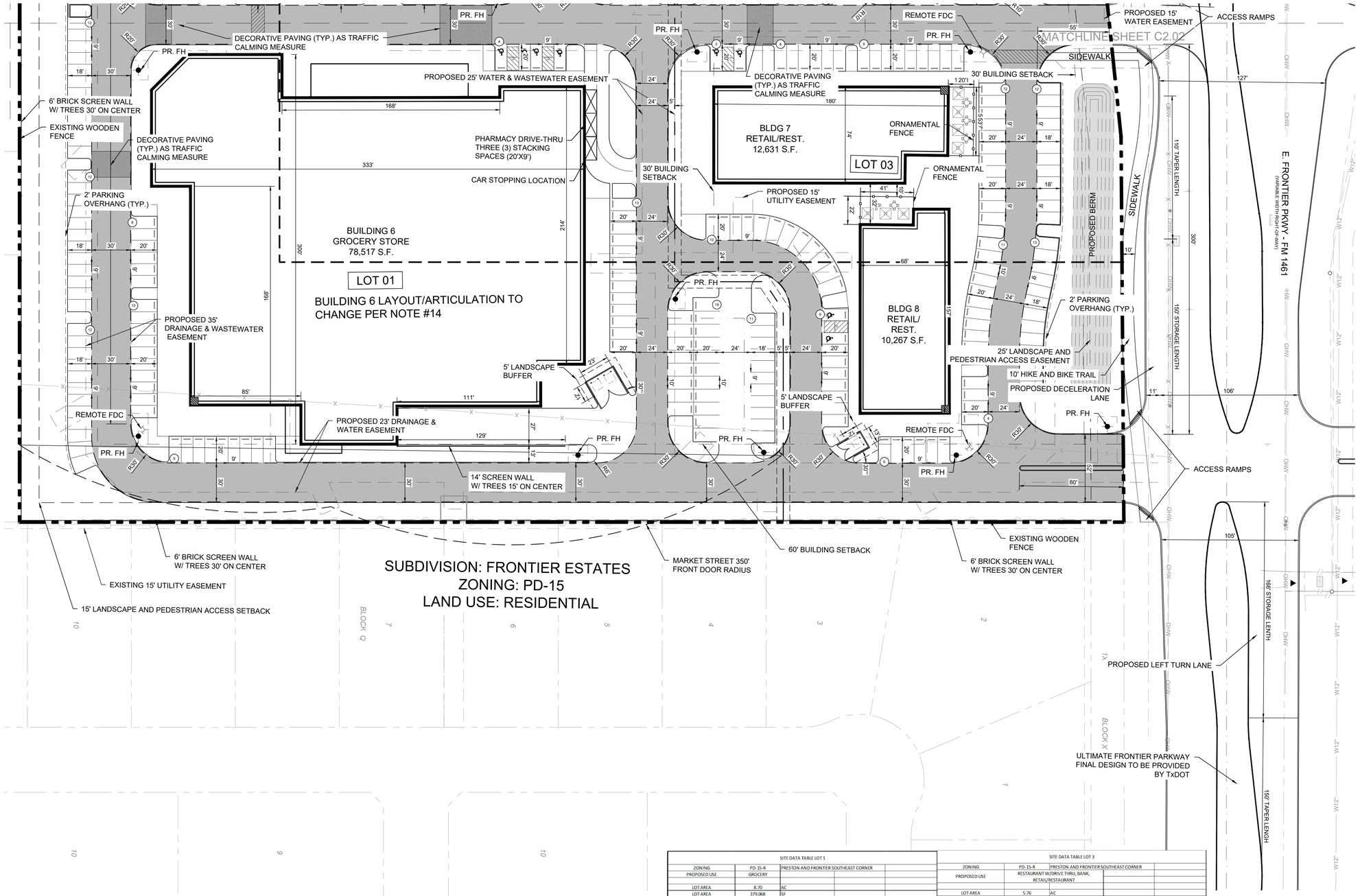
PROJECT #: DEVAPP-23-0183

PRELIMINARY SITE PLAN

PRESTON AND FRONTIER

BLOCK A, LOT 1-4
ABS A0172 COLLIN COUNTY SCHOOL LAND SURVEY TRACT 2
23.991 ACRES
TOWN OF PROSPER, TEXAS, COLLIN COUNTY
July 25, 2025
SHEET C2.02

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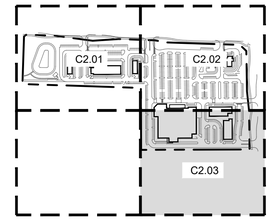


VICINITY MAP

NTS

PRELIMINARY SITE PLAN NOTES

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KEYMAP
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PRELIMINARY SITE PLAN LEGEND

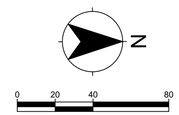
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- SIGN
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- EXISTING FIRE HYDRANT
- FDC
- PROPOSED FIRE LANE, ACCESS, DRAINAGE AND UTILITY EASEMENT

SITE DATA TABLE LOT 1

ZONING	PD-15-R	PRESTON AND FRONTIER SOUTHEAST CORNER		
PROPOSED USE	GROCERY			
LOT AREA	8.70	AC		
LOT AREA	379,068	SF		
BUILDING AREA	78,517	SF		
BUILDING HEIGHT	30	FT.		
NUMBER OF STORIES	1			
LOT COVERAGE	20.7	PERCENT		
FLOOR AREA RATIO	0.21:1			
OPEN SPACE REQUIRED	26,535	SF		
OPEN SPACE PROVIDED	29,441	SF		
PARKING LOT LANDSCAPING REQUIRED	4,710	SF		
PARKING LOT LANDSCAPING PROVIDED	10,233	SF		
IMPERVIOUS AREA	339,394	SF		
UNIT TYPE		BUILDING AREA (SF)	PARKING REQUIRED	PARKING PROVIDED
GROCERY		78,517	314 (1 SPACE PER 250 SF)	362
HANDICAP PARKING		N/A	8	12
TOTAL PARKING WITHIN 350'				346
TOTAL PARKING			314	374

SITE DATA TABLE LOT 3

ZONING	PD-15-R	PRESTON AND FRONTIER SOUTHEAST CORNER		
PROPOSED USE	RESTAURANT W/DRIVE THRU, BANK, RETAIL/RESTAURANT			
LOT AREA	5.76	AC		
LOT AREA	250,820.75	SF		
BUILDING AREA	30,160	SF		
BUILDING HEIGHT	30	FT.		
NUMBER OF STORIES	1			
LOT COVERAGE	12.0	PERCENT		
FLOOR AREA RATIO	0.12:1			
OPEN SPACE REQUIRED	17,557	SF		
OPEN SPACE PROVIDED	26,936	SF		
PARKING LOT LANDSCAPING REQUIRED	3,060	SF		
PARKING LOT LANDSCAPING PROVIDED	7,427	SF		
IMPERVIOUS AREA	216,458	SF		
UNIT TYPE		BUILDING AREA (SF)	PARKING REQUIRED	PARKING PROVIDED
BUILDING 4 DRIVE THRU		3,001	31 (1 SPACE PER 100 SF)	31
BUILDING 5 BANK		4,261	13 (1 SPACE PER 350 SF)	15
BUILDING 7 & 8 RETAIL		13,233	53 (1 SPACE PER 250 SF)	151
BUILDING 7 & 8 RESTAURANT		9,665	97 (1 SPACE PER 100 SF)	
PATIO		1,962	10 (1 SPACE PER 200 SF)	10
HANDICAP PARKING		N/A	7	8
TOTAL			204	207



PROJECT #: DEVAPP-23-0183

PRELIMINARY SITE PLAN

PRESTON AND FRONTIER

BLOCK A, LOT 1-4
ABS A0172 COLLIN COUNTY SCHOOL LAND SURVEY TRACT 2
23.991 ACRES
TOWN OF PROSPER, TEXAS, COLLIN COUNTY
July 25, 2025

SHEET C2.03

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OPEN SPACE TABULATIONS CHART:

OPEN SPACE TABULATIONS	REQUIRED	PROVIDED
LOT 01(8.70 ACRES):		
OPEN SPACE		
7% OF LOT AREA (379,067.80 SFT)	26,535.75 SF	30,418.19 SF
LOT 02 (1.21 ACRES):		
OPEN SPACE		
7% OF LOT AREA (52,861.80 SFT)	3,700.33 SF	3,727.57 SF
LOT 03 (5.76 ACRES):		
OPEN SPACE		
7% OF LOT AREA (250,821.75 SFT)	17,557.45 SF	26,936.13 SF
LOT 04 (8.32 ACRES):		
OPEN SPACE		
7% OF LOT AREA (362,221.90 SFT)	25,355.53 SF	77,778.93 SF
TOTAL NET SITE AREA (23.99 ACRES):		
OPEN SPACE		
7% OF NET SITE AREA (0.07*1,044,927 SFT)	73,148.06 SFT (1.68 ACRES)	137,884.00 SFT (3.17 ACRES)

INTERIOR LANDSCAPING TABULATIONS CHART:

INTERIOR LANDSCAPING TABULATIONS	REQUIRED	PROVIDED
859 TOTAL PARKING SPACES		
15 SF PER PARKING SPACE	11,018.89 SF	24,972.00 SF
15 X 859 = 12,885 SF		

HATCH LEGEND

- OPEN SPACE
- INTERIOR LANDSCAPE

PRESTON ROAD - STATE HWY 289
(VARIABLE WIDTH RIGHT-OF-WAY)

BOZMAN TRAIL

WINCHESTER DRIVE

CHISHOLM TRAIL

OS1.02

OS1.01

LOT 01

LOT 02

LOT 03

LOT 03

LOT 01

LOT 01

LOT 03

SCALE 1" = 60'

KFM ENGINEERING & DESIGN
3501 OLYMPUS BLVD, SUITE 100
DALLAS, TEXAS 75019
PHONE: (469) 899-0536
WWW.KFM-LLC.COM
TBPE #: F-20821

DATE:	DESCRIPTION:	DELTA:
DATE:	DESCRIPTION:	ISSUE:

CLIENT

PROJECT
PRESTON & FRONTIER
SOUTHEAST CORNER

SHEET TITLE
OVERALL OPEN SPACE PLAN

PRELIMINARY
EXHIBIT
NOT FOR CONSTRUCTION

KFM ENGINEERING & DESIGN

PROJECT NUMBER: 010129005

DRAWN BY:	DESIGNED BY:	CHECKED BY:
KZ	KZ	CB

DATE:

SHEET: OS1.00

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HATCH LEGEND

OPEN SPACE

INTERIOR LANDSCAPE

PRESTON ROAD - STATE HWY 289
(VARIABLE WIDTH RIGHT-OF-WAY)

30' LANDSCAPE BUFFER
PROP. 10' HIKE & BIKE TRAIL

15' WIDE WATER LINE EASEMENT
INST. NO. 1997-0092118
(VOL. 4029, PG. 1820)
O.P.R.C.C.T.

INTERNAL LANDSCAPE BUFFER (TYP.)

24' FIRE LANE ACCESS

LOT 01

LOT 02

LOT 03

29' FIRE LANE ACCESS

8' HT DUMPSTER ENCLOSURE

25' LANDSCAPE BUFFER

PROP. 10' HIKE & BIKE TRAIL

DRIVE THRU LANDSCAPE BUFFER

30' FIRE LANE

TRAFFIC CALMING DEVICE, TYP.

FRONTIER PARKWAY - F.M. 1461
(VARIABLE WIDTH R.O.W.)

MATCHLINE SHEET OS1.02

15' LANDSCAPE BUFFER W/ EVERGREEN TREES 30' O.C.

6' HT. MASONRY SCREEN WALL

60'-0" DRIVE THRU STACKING

24' FIRE LANE

20' X 20' DRAINAGE EASEMENT
INST. 20170329000400690
INST. NO. 20170329000400700
15' DRAINAGE EASEMENT
INST. NO. 2021-430, P.R.C.C.T.

5' WALL MAINTENANCE EASEMENT

FRONTIER ESTATES
PHASE 2

SCALE 1" = 50'

KFM
ENGINEERING & DESIGN
3501 OLYMPUS BLVD, SUITE 100
DALLAS, TEXAS 75019
PHONE: (469) 899-0536
WWW.KFM-LLC.COM
TBPE #: F-20821

ISSUE:	DESCRIPTION:	DATE:
DELTA:	DESCRIPTION:	DATE:

CLIENT

PROJECT
PRESTON & FRONTIER
SOUTHEAST CORNER

SHEET TITLE
OPEN SPACE PLAN

PRELIMINARY
EXHIBIT
NOT FOR CONSTRUCTION

KFM ENGINEERING & DESIGN

PROJECT NUMBER: 010129005

DRAWN BY:	DESIGNED BY:	CHECKED BY:
KZ	KZ	CB

DATE:

SHEET:
OS1.01

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HATCH LEGEND

OPEN SPACE

INTERIOR LANDSCAPE

PRESTON ROAD - STATE HWY 289
(VARIABLE WIDTH RIGHT-OF-WAY)

30' LANDSCAPE BUFFER
PROP. 10' HIKE & BIKE TRAIL

COLEMAN STREET
(85' WIDE RIGHT-OF-WAY)

15' LANDSCAPE BUFFER

24' FIRE LANE

DRIVE THRU
LANDSCAPE BUFFER

TRAFFIC CALMING
DEVICE, TYP.

LOT 04

8' HT DUMPSTER
ENCLOSURE

15' LANDSCAPE BUFFER
W/ EVERGREEN TREES 30' O.C.

8' HT. MASONRY
SCREEN WALL
@ DRIVE THRU
ADJACENCY

6' HT. MASONRY
SCREEN WALL

FRONTIER ESTATES
PHASE 1
INST. NO. 2014-696
P.R.C.C.T.

BLOCK Q

BOZMAN TRAIL

CHISHOLM TRAIL

ESTER DRIVE

3X
BLOCK X

PLAT LINE

MATCHLINE SHEET OS1.01

SCALE 1" = 50'

KFM
ENGINEERING & DESIGN
3501 OLYMPUS BLVD, SUITE 100
DALLAS, TEXAS 75019
PHONE: (469) 899-0536
WWW.KFM-LLC.COM
TBPE #: F-20821

DATE:
DESCRIPTION:
DELTA:
DATE:
DESCRIPTION:
ISSUE:

CLIENT

PROJECT
PRESTON & FRONTIER
SOUTHEAST CORNER

SHEET TITLE
OPEN SPACE PLAN

PRELIMINARY
EXHIBIT
NOT FOR CONSTRUCTION

KFM
ENGINEERING & DESIGN

PROJECT NUMBER:
010129005

DRAWN BY:	DESIGNED BY:	CHECKED BY:
KZ	KZ	CB

DATE:

SHEET:
OS1.02

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TOWN OF PROSPER
A Place Where Everyone Matters

PLANNING

To: **Planning & Zoning Commission** **Item No. 3e**

From: **Jerron Hicks, Planner**

Through: **David Hoover, AICP, Director of Development Services**

Cc: **Suzanne Porter, AICP, Planning Manager**

Re: **Revised Conveyance Plat of Prosper Commons, Block B, Lots 1 and 13-15**

Meeting: **August 5, 2025**

Agenda Item:
Consider and act upon a request for a Revised Conveyance Plat of Prosper Commons, Block B, Lots 1 and 13-15 on 9.3± acres, located on the south side of Richland Boulevard and 250± feet west of Coit Road. (DEVAPP-25-0034)

Future Land Use Plan:
The Future Land Use Plan designates this area as US Highway 380 District.

Zoning:
The property is zoned Planned Development-2 (Commercial Corridor).

Conformance:
The Revised Conveyance Plat conforms to the development standards of Planned Development-2.

Description of Agenda Item:
The purpose of this Revised Conveyance Plat is to create four new lots from one platted lot and to dedicate easements.

A Preliminary Site Plan (DEVAPP-23-0131) was approved by the Planning & Zoning Commission on December 3, 2024, subject to the creation of a Property Owner's Association prior to the recordation of a plat to subdivide the property. The Revised Conveyance Plat is in conformance with the approved Preliminary Site Plan and Town Staff has done a cursory review of the Property Owner's Association documents. The Property Owner's Association documents will need final approval prior to recordation of the Revised Conveyance Plat.

Companion Item:
There is no companion item on this Planning & Zoning Commission agenda.

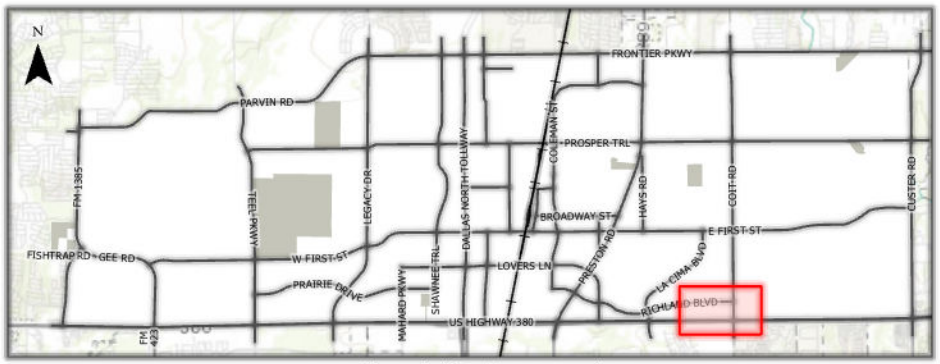
Attached Documents:
1. Location Map
2. Revised Conveyance Plat
3. Approved Preliminary Site Plan (DEVAPP-23-0131)

Town Staff Recommendation:
Town Staff recommends approval of the Revised Conveyance Plat subject to final approval of the Property Owner's Association prior to recordation of the plat.



TOWN OF PROSPER

0 275 550 1,100 Feet



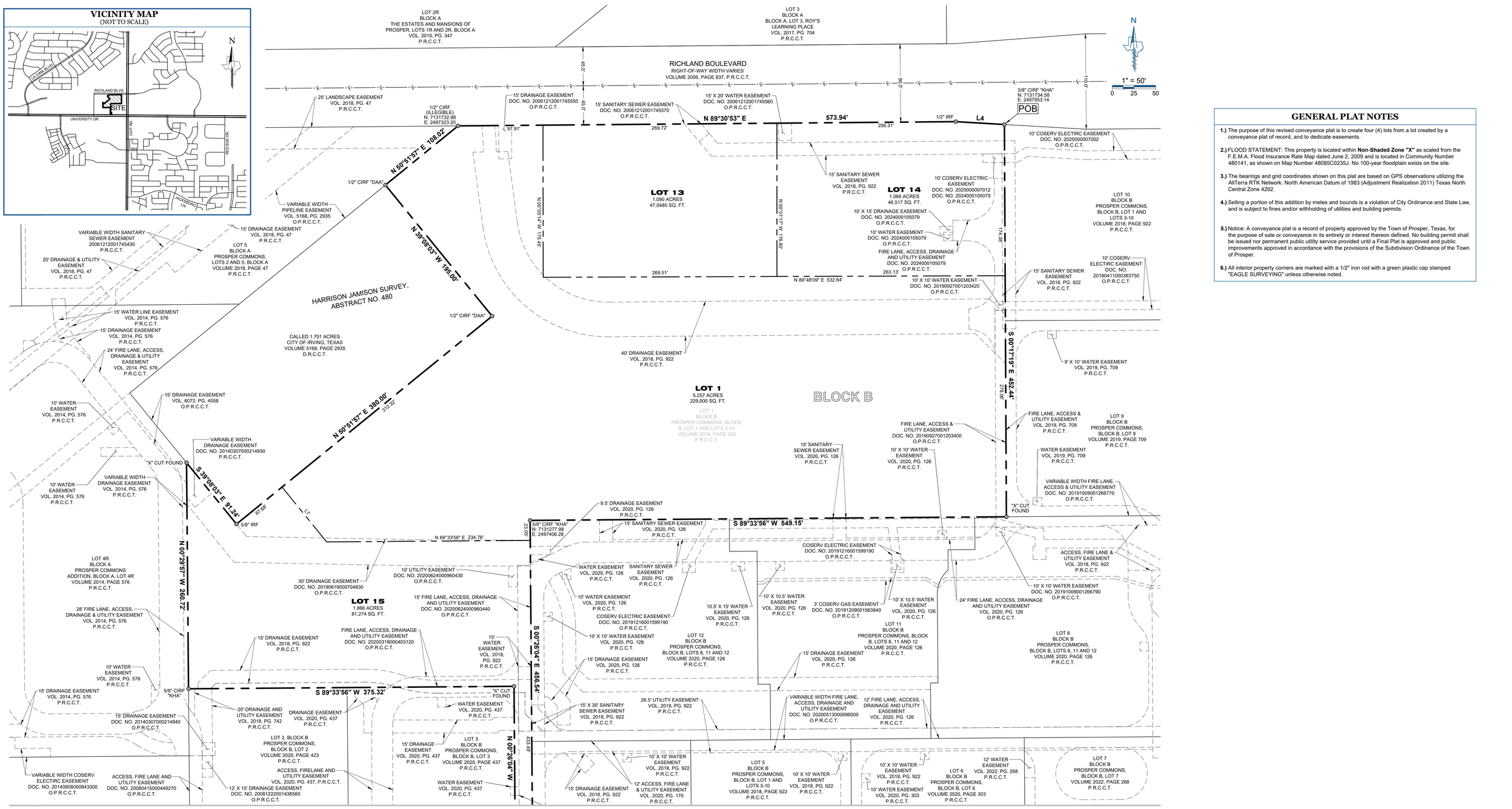
This map for illustration purposes only

DEVAPP-25-0034

Prosper Commons,
Block B, Lots 1 & 13-15

Revised Conveyance Plat 23

VICINITY MAP
(NOT TO SCALE)



MATCH LINE - SEE PAGE 2 OF 2

GENERAL PLAT NOTES

1.) The purpose of this revised conveyance plat is to create four (4) lots from a lot created by a conveyance plat of record, and to dedicate easements.

2.) FLOOD STATEMENT: This property is located within **Non-Shaded Zone "X"** as scaled from the F.E.M.A. Flood Insurance Rate Map dated June 2, 2009 and is located in Community Number 480141, as shown on Map Number 48085C0235J. No 100-year floodplain exists on the site.

3.) The bearings and grid coordinates shown on this plat are based on GPS observations utilizing the AllTerra RTK Network. North American Datum of 1983 (Adjustment Realization 2011) Texas North Central Zone 4202.

4.) Selling a portion of this addition by metes and bounds is a violation of City Ordinance and State Law, and is subject to fines and/or withholding of utilities and building permits.

5.) Notice: A conveyance plat is a record of property approved by the Town of Prosper, Texas, for the purpose of sale or conveyance in its entirety or interest thereon defined. No building permit shall be issued nor permanent public utility service provided until a Final Plat is approved and public improvements approved in accordance with the provisions of the Subdivision Ordinance of the Town of Prosper.

6.) All interior property corners are marked with a 1/2" iron rod with a green plastic cap stamped "EAGLE SURVEYING" unless otherwise noted.

SURVEYOR
Eagle Surveying, LLC
Contact: David Jett
222 S. Elm Street, Suite: 200
Denton, TX 76201
(940) 222-3009

ENGINEER
Thomas Site Development
Engineering, Inc.
Contact: Mathew Thomas
P.O. Box 1261
Colleyville, TX 76034
(214) 680-2728

OWNER
4th India Plaza, LLC
Contact: Anand K. Parbari
8450 Angels Drive
Plano, TX 75024
(469) 982-2587

LEGEND

PG	= PAGE
VOL	= VOLUME
IRF	= IRON ROD FOUND
CIRS	= CAPPED IRON ROD SET
CIRF	= CAPPED IRON ROD FOUND
POB	= POINT OF BEGINNING
SQ. FT.	= SQUARE FEET
DOC. NO.	= DOCUMENT NUMBER
P.R.C.C.T.	= PLAT RECORDS, COLLIN COUNTY, TEXAS
O.P.R.C.C.T.	= OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS
ITALICIZED TEXT	= EASEMENT ANNOTATION / DEDICATION TEXT

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 89°32'37" E	42.04'
L2	S 00°26'48" E	37.99'
L3	S 89°30'52" W	62.05'
L4	S 86°40'14" E	56.11'
L5	S 00°26'48" E	24.01'
L6	S 00°26'04" E	23.95'
L7	S 39°07'34" E	81.57'
L8	N 00°26'04" W	20.00'
L9	N 89°33'56" E	5.00'
L10	S 00°26'04" E	20.00'
L11	S 89°33'56" W	5.00'
L12	S 89°33'56" W	62.05'

Eagle Surveying, LLC
222 South Elm Street
Suite: 200
Denton, TX 76201
940.222.3009
www.eaglesurveying.com
TX Firm # 10194177

JOB NUMBER	2208.068-04
DATE	05/07/2025
REVISION	--/--/----
DRAWN BY	DJJ

DEVAPP-25-0034

REVISED CONVEYANCE PLAT
PROSPER COMMONS
BLOCK B, LOTS 1, 13, 14 & 15
9.281 ACRES

BEING A PORTION OF LOT 1, BLOCK B, PROSPER COMMONS, BLOCK B, LOT 1 AND LOTS 3-10, RECORDED IN VOLUME 2018, PAGE 922, P.R.C.C.T. SITUATED IN THE HARRISON JAMISON SURVEY, ABSTRACT NUMBER 480 AN ADDITION TO THE TOWN OF PROSPER, COLLIN COUNTY, TEXAS
PREPARED ON: 05-07-2025

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

WHEREAS; **4TH INDIAN PLAZA, LLC**, is the owner of a 9.281 acre tract of land out of the Harrison Jamison Survey, Abstract No. 480, situated in the Town of Prosper, Collin County, Texas, being a portion of Lot 1, Block B, of Prosper Commons, Block B, Lot 1 and Lots 3-10, a subdivision of record in Volume 2018, Page 922 of the Plat Records of Collin County, Texas, and conveyed to 4th Indian Plaza, LLC by Special Warranty Deed with Vendor's Lien of record in Document Number 2022000080315 of the Official Public Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found with a red plastic cap stamped "KHA" found in the South line of Richland Boulevard (right-of-way width varies), being the Northwest corner of Lot 10, Block B of said Prosper Commons, Block B, Lot 1 and Lots 3-10 and the Northeast corner of said Lot 1;

THENCE, S00°17'19"E, departing the South right-of-way line of Richland Boulevard, along the West line of said Lot 10 and Lot 9, Block B of Prosper Commons, Block B, Lot 9, a subdivision of record in Volume 2019, Page 709 of said Plat Records, being the common East line of said Lot 1, a distance of 452.44 feet to an 'X' cut found in the North line of Lot 8, Block B of Prosper Commons, Block B, Lots 8, 11 and 12, a subdivision of record in Volume 2020, Page 126 of said Plat Records, being the Southwest corner of said Lot 9 and the most Easterly Southeast corner of said Lot 1;

THENCE, S89°33'56"W, along the North line of said Lot 8 and Lots 11 and 12 in Block B of said Prosper Commons, Block B, Lots 8, 11 and 12, being the common South line of said Lot 1, a distance of 549.15 feet to a 5/8 inch iron rod with a red plastic cap stamped "KHA" found for the Northwest corner of said Lot 12;

THENCE, S00°26'04"E, along the West line of said Lot 12 and Lot 4, Block B of said Prosper Commons, Block B, Lot 1 and Lots 3-10, being the common East line of said Lot 1, a distance of 456.54 feet to an 'X' cut found for the most Westerly Southwest corner of said Lot 4;

THENCE, along the West line of said Lot 4, being the common East line of said Lot 1, the following two (2) courses and distances:

1. N89°32'37"E, a distance of 42.04 feet to a 5/8 inch iron rod with a red plastic cap stamped "KHA" found;
2. S00°26'48"E, a distance of 37.99 feet to a 1/2 inch iron rod with a green plastic cap stamped "EAGLE SURVEYING" set in the North right-of-way line of University Drive (U.S. Highway 380), being the Northeast corner of a called 0.0341 acre tract of land conveyed to the State of Texas by deed of record in Document Number 20240000084001 of said Official Public Records, from which a 5/8 inch iron rod with a red plastic cap stamped "KHA" found bears S00°26'48"E, a distance of 24.01 feet;

THENCE, S89°30'52"W, along the North right-of-way line of University Drive and the common North line of said 0.0341 acre tract, a distance of 62.05 feet to a 1/2 inch iron rod with a green plastic cap stamped "EAGLE SURVEYING" set in the East line Lot 3, Block B of Prosper Commons, Block B, Lot 3, a subdivision of record in Volume 2020, Page 437 of said Plat Records, being the Northwest corner of said 0.0341 acre tract, from which a 5/8 inch iron rod with a red plastic cap stamped "KHA" found bears S00°26'04"E, a distance of 23.95 feet;

THENCE, N00°26'04"W, departing the North right-of-way line of University Drive, along the East line of said Lot 3, being the common West line of said Lot 1, a distance of 303.36 feet to an 'X' cut found for the Northeast corner of said Lot 3;

THENCE, S89°33'56"W, along the North line of said Lot 3 and Lot 2, Block B of Prosper Commons, Block B, Lot 2, a subdivision of record in Volume 2020, Page 423 of said Plat Records, being the common South line of said Lot 1, a distance of 375.32 feet to a 5/8 inch iron rod with a red plastic cap stamped "KHA" found in the West line of Lot 4R, Block A of Prosper Commons Addition, Block A, Lot 4R, a subdivision of record in Volume 2014, Page 576 of said Plat Records, being the Northwest corner of said Lot 2, also being the most Westerly Southwest corner of said Lot 1;

THENCE, N00°29'57"W, along the East line of said Lot 4R, being the common West line of said Lot 1, a distance of 260.72 feet to an 'X' cut found in the Southwest line of a called 1.701 acre tract of land conveyed to the City of Irving, Texas by deed of record in Volume 5168, Page 2935 of the Official Public Records of Collin County, Texas, being the most Westerly Northwest corner of said Lot 1;

THENCE, S39°08'03"E, along the Southwest line of said 1.701 acre tract and the common irregular Northwest line of said Lot 1, a distance of 91.24 feet to a 5/8 inch iron rod found at the South corner of said 1.701 acre tract

THENCE, N50°51'57"E, along the Southeast line of said 1.701 acre tract and the common irregular Northwest line of said Lot 1, a distance of 380.00 feet to a 1/2 inch iron rod with a plastic cap stamped "DAA" found for the East corner of said 1.701 acre tract;

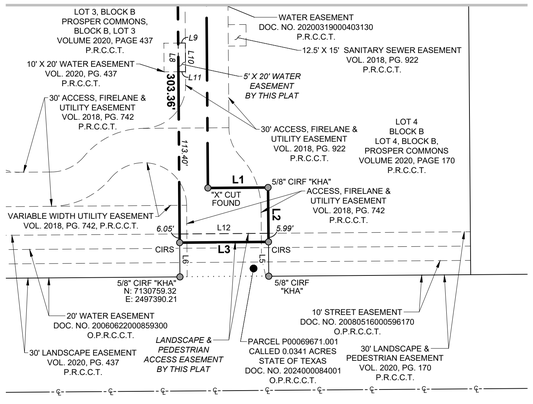
THENCE, N39°08'03"W, along the Northeast line of said 1.701 acre tract and the common irregular Northwest line of said Lot 1, a distance of 195.00 feet to a 1/2 inch iron rod with a plastic cap stamped "DAA" found in the Southeast line of Lot 5, Block A of Prosper Commons, Lots 2 and 5, Block A, a subdivision of record in Volume 2018, Page 47 of said Plat Records, being the North corner of said 1.701 acre tract;

THENCE, N50°51'57"E, along the Southeast line of said Lot 5, being the common irregular Northwest line of said Lot 1, a distance of 108.02 feet to a 1/2 inch iron rod with an illegible plastic cap found in the South right-of-way line of Richland Boulevard, being the Northeast corner of said Lot 5, also being the most Northerly Northwest corner of said Lot 1;

THENCE, along the South right-of-way line of Richland Boulevard, being the common North line of said Lot 1, the following two (2) courses and distances:

1. N89°30'53"E, a distance of 573.94 feet to a 1/2 inch iron rod found;
2. 2. S86°4014"E, a distance of 56.11 feet to the **POINT OF BEGINNING**, containing an area of 9.281 acres (404,276 square feet) of land, more or less.

MATCH LINE - SEE PAGE 1 OF 2



U.S. HIGHWAY 380
(UNIVERSITY DRIVE)
VARIABLE WIDTH RIGHT-OF-WAY

LOT 8, BLOCK A
THREE CORNERS,
BLOCK A, LOTS 1-9
VOL. 2020, PG. 566
P.R.C.C.T.

OWNER'S DEDICATION

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, **4TH INDIAN PLAZA, LLC**, acting herein by and through it's duly authorized officer, does hereby adopt this plat, designating herein described property as **PROSPER COMMONS, BLOCK B, LOTS 1, 13, 14 AND 15**, an addition to the Town of Prosper, and does hereby dedicate to the public use forever, the streets and alleys shown hereon, **4TH INDIAN PLAZA, LLC**, does herein certify the following:

1.) The streets and alleys are dedicated for street and alley purposes.

2.) All public improvements and dedications shall be free and clear of all debt, liens and/or encumbrances.

3.) The easements and public use area, as shown are dedicated for the public use forever for the purposes indicated on this plat.

4.) No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements in approved by the Town of Prosper.

5.) The Town of Prosper is not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair.

6.) Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the user to particular utilities, said use by public utilities being subordinate to the public's and Town of Prosper's use thereof.

7.) The Town of Prosper and public utilities shall have the tight to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in the easements.

8.) The Town of Prosper and public utilities shall, at all times, have the full right of ingress and egress to or from their respective easements for the purpose of constructing reconstructing, inspecting, patrolling, maintaining, reading meters, and adding or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

9.) All modifications to this document shall be by means of plat and approved by the Town of Prosper.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the Town of Prosper, Texas.

WITNESS, my hand, this _____ day of _____, 20_____.

BY:

_____
Signature

_____
Printed Name and Title

STATE OF _____ §
COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the State of _____, on this day personally appeared _____ of **4TH INDIAN PLAZA, LLC**, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this _____ day of _____, 2025.

_____
Notary Public, State of _____

FIRE LANE EASEMENT

The undersigned covenants and agrees that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface paved in accordance with Town standards and that he (they) shall maintain the same in a state of food repair at all times and keep the same free and clear of any structures, fenced trees, shrubs, or other improvements or obstruction, including but not limited to the parking, loading, or unloading of motor vehicles, trailers, boats, or other impediments to the access of fire apparatus. The maintenance of pavement in accordance to Town standards of the fire lane easements is the responsibility of the owner, and the owner shall post and maintain signage in accordance to Town standards in conspicuous places along the fire lanes, stating "Fire Lane, No Parking". The police or their duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.

ACCESS EASEMENT

The undersigned covenants and agrees that the access easement(s) may be utilized by any person of the general public for ingress and egress to other real property, and for the purpose of general public vehicular use and access, and for the Fire Department, Police, and emergency use in along, upon, and across said premises, with the right and privilege at all time of the Town of Prosper, its agents, employees, workmen and representatives having ingress, egress, and regress in, along, upon, and across said premises.

DRAINAGE AND DETENTION EASEMENT

This plat is hereby adopted by the Owners and approved by the Town of Prosper (Called "Town") subject to the following conditions which shall be binding upon the Owners, their heirs, grantees, successors and assigns: The Portion of Block _ , as shown on the plat is called "Drainage and Floodway Easement" and is the natural drainage channel across each lot. The existing creek or creeks traversing along the Drainage and Floodway Easement within the limits of this addition, will remain as an open channel at all times and will be maintained by the owners of the lot or lots that are traversed by or adjacent to the drainage courses in the Drainage and Floodway Easement. The Town will not be responsible for the maintenance and operation or said creek or creeks or for any damage to private property or person that results for the flow of water along said creek, of for the control of erosion. No obstruction to the natural flow of storm water run-off shall be permitted by construction of any type of building, fence, or any other structure within the Drainage and Floodway Easement or the natural drainage channels, as herein above defined. Provided it is understood that in the event it becomes necessary for the Town to erect or consider erecting any type of drainage structure in order to improve the storm drainage that may be occasioned by streets and alleys in or adjacent to the subdivision, then in such event, the Town shall have the right to enter upon the Drainage and Floodway Easement at any point, or points, to investigate, survey or to erect, construct, and maintain any drainage facility deemed necessary for drainage purposes. Each property owner shall keep the natural drainage channels traversing or adjacent to his property clean and free of debris, silt, and any substance which would result in unsanitary conditions or obstruct the flow of water, and the Town shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions which may occur. The natural drainage through the Drainage and Floodway Easement, as in the case of all natural channels, are subject to storm water overflow and natural bank erosion to an extent which cannot be definitely defined. The Town shall not be held liable for any damages of any nature resulting from the occurrence of these natural phenomena, or resulting from the failure of any structure or structures, within the natural drainage channels. Building areas outside the Drainage and Floodway Easement line shall be filled to a minimum elevation as shown on the plat. The minimum floor elevation for each lot shall be as shown on the plat.

CERTIFICATE OF SURVEYOR

STATE OF TEXAS §
COUNTY OF DENTON §

KNOW ALL MEN BY THESE PRESENTS:

That I, MATTHEW RAABE, Registered Professional Land Surveyor, do hereby certify that I prepared this plat and the field notes made a part thereof from and actual and accurate survey of the land and that the corner monuments shown thereon were properly place under my personal supervision, in accordance with the Subdivision Regulations of the Town of Prosper, Texas.

Dated this _____ day of _____, 2025.

PRELIMINARY
this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

_____
Matthew Raabe, R.P.L.S. # 6402

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared **Matthew Raabe**, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this _____ day of _____, 2025.

_____
Notary Public in and for the State of Texas

CERTIFICATE OF APPROVAL

APPROVED on this _____ day of _____, 20__, by the Planning & Zoning Commission of the Town of Prosper, Texas.

_____
Town Secretary

_____
Engineering Department

_____
Development Services Department

DEVAPP-25-0034

REVISED CONVEYANCE PLAT
PROSPER COMMONS
BLOCK B, LOTS 1, 13, 14 & 15
9.281 ACRES

BEING A PORTION OF LOT 1, BLOCK B, PROSPER COMMONS, BLOCK B, LOT 1 AND LOTS 3-10, RECORDED IN VOLUME 2018, PAGE 922, P.R.C.C.T. SITUATED IN THE HARRISON JAMISON SURVEY, ABSTRACT NUMBER 480
AN ADDITION TO THE TOWN OF PROSPER, COLLIN COUNTY, TEXAS
PREPARED ON: 05-07-2025

JOB NUMBER
2208.068-04
DATE
04/23/2025
REVISION
--/--/----
DRAWN BY
DJJ

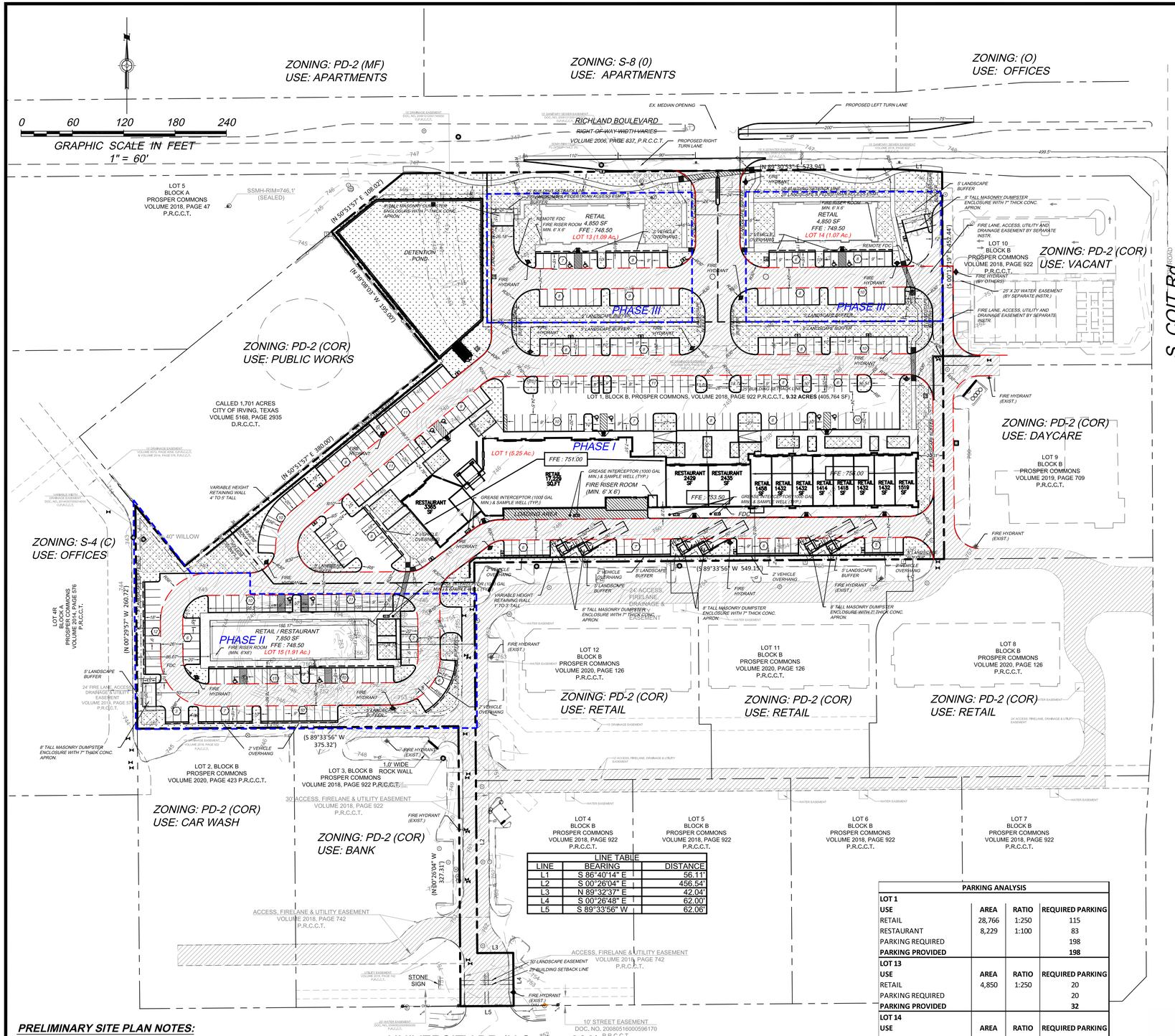
EAGLE SURVEYING

Eagle Surveying, LLC
222 South Elm Street
Suite: 200
Denton, TX 76201
940.222.3009
www.eaglesurveying.com
TX Firm # 10194177

SURVEYOR
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OWNER
4th India Plaza, LLC
Contact: Anand K. Parbari
8450 Angels Drive
Plano, TX 75024
(469) 982-2587



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 86°40'14" E	56.11'
L2	S 00°26'04" E	456.54'
L3	N 89°32'37" E	42.04'
L4	S 00°26'48" E	62.00'
L5	S 89°33'56" W	62.06'

PARKING ANALYSIS			
LOT 1			
USE	**AREA**	**RATIO**	**REQUIRED PARKING**
RETAIL	28,766	1:250	115
RESTAURANT	8,229	1:100	83
PARKING REQUIRED			198
PARKING PROVIDED			**198**
LOT 13			
USE	**AREA**	**RATIO**	**REQUIRED PARKING**
RETAIL	4,850	1:250	20
PARKING REQUIRED			20
PARKING PROVIDED			**32**
LOT 14			
USE	**AREA**	**RATIO**	**REQUIRED PARKING**
RETAIL	4,850	1:250	20
PARKING REQUIRED			20
PARKING PROVIDED			**32**
LOT 15			
USE	**AREA**	**RATIO**	**REQUIRED PARKING**
RETAIL	3,850	1:250	16
RESTAURANT	4,000	1:100	40
PARKING REQUIRED			56
PARKING PROVIDED			**93**
TOTAL REQUIRED PARKING			**294**
TOTAL PARKING PROVIDED			**355**
ADA SPACES REQUIRED			**8**
ADA SPACES PROVIDED			**14**

PARKING NOTE:
CROSS PARKING AGREEEMENT TO BE ESTABLISHED BETWEEN ALL LOTS

PRELIMINARY SITE PLAN NOTES:

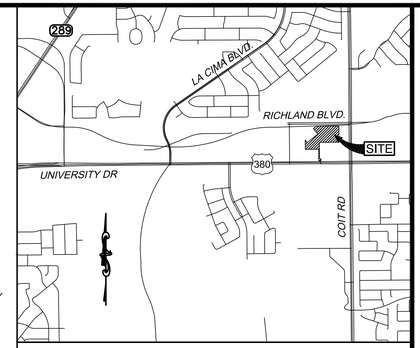
1. *ALL DEVELOPMENT STANDARDS SHALL FOLLOW TOWN STANDARDS.*
2. *LANDSCAPING SHALL CONFORM TO LANDSCAPE PLANS APPROVED BY THE TOWN OF PROSPER.*
3. *ALL DEVELOPMENT STANDARDS SHALL FOLLOW FIRE REQUIREMENTS PER THE TOWN OF PROSPER. HANDICAPPED PARKING AREAS AND BUILDING ACCESSIBILITY SHALL CONFORM TO THE AMERICANS WITH DISABILITIES ACT (ADA) AND WITH THE REQUIREMENTS OF THE CURRENT, ADOPTED BUILDING CODE.ALL SIGNAGE IS SUBJECT TO BUILDING OFFICIAL APPROVAL. IMPACT FEES WILL BE ASSESSED IN ACCORDANCE WITH THE LAND USE CLASSIFICATION(S) IDENTIFIED ON THE SITE DATA SUMMARY TABLE; HOWEVER, CHANGES TO THE PROPOSED LAND USE AT THE TIME OF CO AND/OR FINISH-OUT PERMIT MAY RESULT IN ADDITIONAL IMPACT FEES AND/OR PARKING REQUIREMENTS.*
4. *THE APPROVAL OF A PRELIMINARY SITE PLAN SHALL BE EFFECTIVE FOR A PERIOD OF TWO (2) YEARS FROM THE DATE THAT THE PRELIMINARY SITE PLAN IS APPROVED BY THE PLANNING & ZONING COMMISSION, AT THE END OF WHICH TIME THE APPLICANT MUST HAVE SUBMITTED AND RECEIVED THE APPROVAL OF A SITE PLAN BY THE PLANNING & ZONING COMMISSION. IF A SITE PLAN IS NOT APPROVED WITHIN SUCH TWO (2) YEAR PERIOD, THE PRELIMINARY SITE PLAN APPROVAL IS NULL AND VOID. IF SITE PLAN APPROVAL IS ONLY FOR A PORTION OF THE PROPERTY, THE APPROVAL OF THE PRELIMINARY SITE PLAN FOR THE REMAINING PROPERTY SHALL BE NULL AND VOID.*
5. *OPEN SPACE REQUIREMENTS SHALL FOLLOW THE ZONING ORDINANCE, PER TRACT. OPEN SPACE SHALL NOT INCLUDE VEHICULAR PAVING, REQUIRED PARKING LOT LANDSCAPE ISLANDS, BUILDING FOOTPRINT, UTILITY YARDS, REQUIRED LANDSCAPE SETBACKS, SIDEWALKS, AND DETENTION POND.*
6. *SIDE AND REAR SETBACKS ARE 0'PER ZONING ORDINANCE 84-16*

TOWN OF PROSPER
PLANNING DEPARTMENT
P&Z Conditional Approval
12/3/2024
Subject to the creation of a Property Owners' Association prior to the recordation of a plat to subdivide the property.

FLOOD NOTE
THIS PROPERTY IS LOCATED IN NON-SHADED ZONE "X" AS SCALED FROM THE F.E.M.A. FLOOD INSURANCE RATE MAP DATED JUNE 02, 2009 AND IS LOCATED IN COMMUNITY NUMBER 480130 AS SHOWN ON MAP NUMBER 48085C0235J.

LEGEND:

- *PROPERTY LINE*
- *ADJOINED PROPERTY*
- *BUILDING SETBACK LINE*
- *EASEMENTS*
- *EXISTING CURB*
- *PROPOSED CURB AND GUTTER*
- *PAINTED STRIPE (TRAFFIC WHITE)*
- *NO PARKING AREAS (TRAFFIC WHITE)*
- *CONCRETE SIDEWALK*
- *CONCRETE PAVEMENT*
- *FIRE LANE, ACCESS UTILITY AND DRAINAGE EASEMENT*
- *OPEN SPACE*
- *INTERIOR LANDSCAPED AREA (RE: LANDSCAPE PLANS)*
- *PARKING STALL COUNT*
- *PHASE LINE*



VICINITY MAP (SCALE: 1" = 2000')

SITE DATA SUMMARY TABLE	
LEGAL DESCRIPTION	PROSPER COMMONS, LOT 1, BLK B
EXISTING ZONING	PD2 - COR (CORRIDOR)
PROPOSED USE	RETAIL / RESTAURANTS
LOT AREA	5.25 Ac. (229,000 sf)
BUILDING AREA TOTAL (sf)	35,750
BUILDING HEIGHT (FT / STORIES)	29'-6" /1 STORIES
LOT COVERAGE	15.61%
FLOOR AREA RATIO	0.16
INTERIOR LANDSCAPING REQUIRED (15 sf /PARKING SPACE) sf @ 198 SPACES	2,970
INTERIOR LANDSCAPING PROVIDED SF	63,538
TOTAL IMPERVIOUS SURFACE AREA (sf)	165,152
OPEN SPACE REQUIRED (7% OF LOT AREA) sf	16,008
OPEN SPACE PROVIDED (sf)	16,319

SITE DATA SUMMARY TABLE	
LEGAL DESCRIPTION	PROSPER COMMONS, LOT 13, BLK B
EXISTING ZONING	PD2 - COR (CORRIDOR)
PROPOSED USE	RETAIL / RESTAURANTS
LOT AREA	1.09Ac. (48,480 sf)
BUILDING AREA TOTAL (sf)	4,850
BUILDING HEIGHT (FT / STORIES)	29'-6" /1 STORIES
LOT COVERAGE	7.93%
FLOOR AREA RATIO	0.08
INTERIOR LANDSCAPING REQUIRED (15 sf /PARKING SPACE) sf @ 32 SPACES	480
INTERIOR LANDSCAPING PROVIDED SF	17,800
TOTAL IMPERVIOUS SURFACE AREA (sf)	30,680
OPEN SPACE REQUIRED (7% OF LOT AREA) sf	4,281
OPEN SPACE PROVIDED (sf)	8,496

SITE DATA SUMMARY TABLE	
LEGAL DESCRIPTION	PROSPER COMMONS, LOT 14, BLK B
EXISTING ZONING	PD2 - COR (CORRIDOR)
PROPOSED USE	RETAIL / RESTAURANTS
LOT AREA	1.07 Ac. (46,609 sf)
BUILDING AREA TOTAL (sf)	35,750
BUILDING HEIGHT (FT / STORIES)	29'-6" /1 STORIES
LOT COVERAGE	9.18%
FLOOR AREA RATIO	0.09
INTERIOR LANDSCAPING REQUIRED (15 sf /PARKING SPACE) sf @ 32 SPACES	480
INTERIOR LANDSCAPING PROVIDED SF	16,286
TOTAL IMPERVIOUS SURFACE AREA (sf)	30,323
OPEN SPACE REQUIRED (7% OF LOT AREA) sf	3,623
OPEN SPACE PROVIDED (sf)	8,415

SITE DATA SUMMARY TABLE	
LEGAL DESCRIPTION	PROSPER COMMONS, LOT 15, BLK B
EXISTING ZONING	PD2 - COR (CORRIDOR)
PROPOSED USE	RETAIL / RESTAURANTS
LOT AREA	1.91 Ac. (82,762 sf)
BUILDING AREA TOTAL (sf)	7,850
BUILDING HEIGHT (FT / STORIES)	29'-6" /1 STORIES
LOT COVERAGE	9.49%
FLOOR AREA RATIO	0.10
INTERIOR LANDSCAPING REQUIRED (15 sf /PARKING SPACE) sf @ 93 SPACES	1,385
INTERIOR LANDSCAPING PROVIDED SF	16,211
TOTAL IMPERVIOUS SURFACE AREA (sf)	66,989
OPEN SPACE REQUIRED (7% OF LOT AREA) sf	5,793
OPEN SPACE PROVIDED (sf)	5,906

CITY PROJECT NUMBER : DEVAPP-23-0131

PRELIMINARY SITE PLAN

PROSPER COMMONS, BLOCK B
LOTS 1, 13, 14 & 15
9.32 ACRES (405,764 SF)
VOLUME 2018, PAGE 922 P.R.C.C.T.
TOWN OF PROPER, COLLIN COUNTY, TEXAS

OWNER/ DEVELOPER	*ENGINEER / APPLICANT*
INDIA BAZAAR	*THOMAS SITE DEVELOPMENT*
INDIA BAZAAR STORES	*ENGINEERING INC.*
8450 ANGELS DR, PLANO, TX 75024, USA	*P.O. BOX 1261, COLLEYVILLE, TX 76034*
ATTN: MAHAN BASNET; PH: 469-982-2587	*ATTN: MATHEW THOMAS, PE PH: (214) 680-2728*

THOMAS SITE DEVELOPMENT ENGINEERING INC.
REGISTRATION NO. F-10289
P.O. BOX 1261, COLLEYVILLE, TX 76034
PHONE: (214) 680-2728, THOMAS-ENG.COM
EMAIL: MATHEW@THOMAS-ENG.COM

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF:

MATHEW THOMAS, P.E.
LICENSED ENGINEER # 81576

15 Nov 2024

~~*PRELIMINARY*~~
NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION

DATE	DESCRIPTION	REVISION

INDIA BAZAAR PLAZA
RICHLAND BLVD
PROSPER, TX 75078
COLLIN COUNTY, TEXAS

PSP
DATE: 11-12-2024

C:\USERS\MATHE\ONEDRIVE\C3D WORK FOLDER\2022\29 RETAIL PROSPER DESIGN\SHEETS\C-2.0 PRELIM SITE PLAN - INDIA BAZAAR PLAZA.DWG
11/15/2024 2:15:19 PM

TOWN OF PROSPER
A Place Where Everyone Matters

PLANNING

To: **Planning & Zoning Commission** **Item No. 3f**

From: **Jerron Hicks, Planner**

Through: **David Hoover, AICP, Director of Development Services**

Cc: **Suzanne Porter, AICP, Planning Manager**

Re: **Final Plat of Bryant's First Addition, Block 14, Lot 12**

Meeting: **August 5, 2025**

Agenda Item:
Consider and act upon a request for a Final Plat of Bryant's First Addition, Block 14, Lot 12, on 0.3± acre, located on the north side of Second Street and 325± feet east of Coleman Street. (DEVAPP-25-0044)

Future Land Use Plan:
The Future Land Use Plan designates this area as the Old Town District.

Zoning:
The property is zoned Single Family-15.

Conformance:
The purpose of the Final Plat is to combine all of Lot 12, a portion of Lot 11, and 30 feet of Hall Street (an abandoned street), into one lot for the development of a single-family dwelling. The subject property is smaller in size than the standard Single Family-15 lot because the surrounding lots were platted with 50-foot lot widths and later sold. The Board of Adjustment approved a variance for this lot to allow for a reduction to the Minimum Lot Area and Lot Width requirements in the Single Family-15 District on February 19, 2025.

Description of Agenda Item:
The purpose of the Final Plat is to combine the smaller lot with what is currently Lot 12 and to be able to submit for a permit for a Single Family home.

Access:
Access is provided from Second Street.

Companion Item:
There is no companion item on this Planning & Zoning Commission agenda.

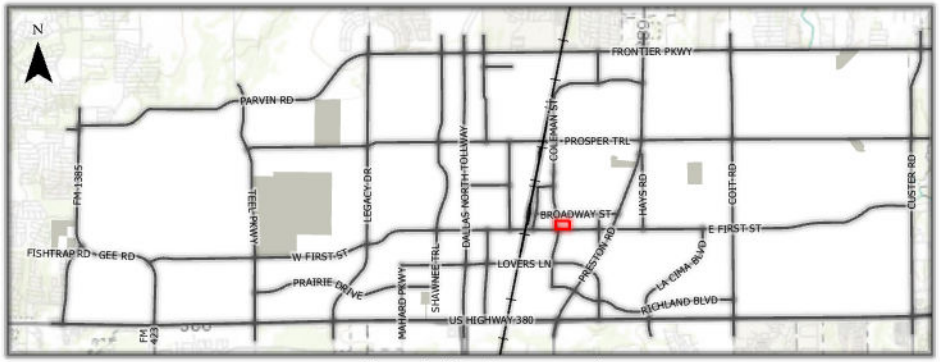
Attached Documents:
1. Location Map
2. Final Plat

Town Staff Recommendation:
Town Staff recommends approval of the Final Plat.



TOWN OF PROSPER

0 45 90 180 Feet

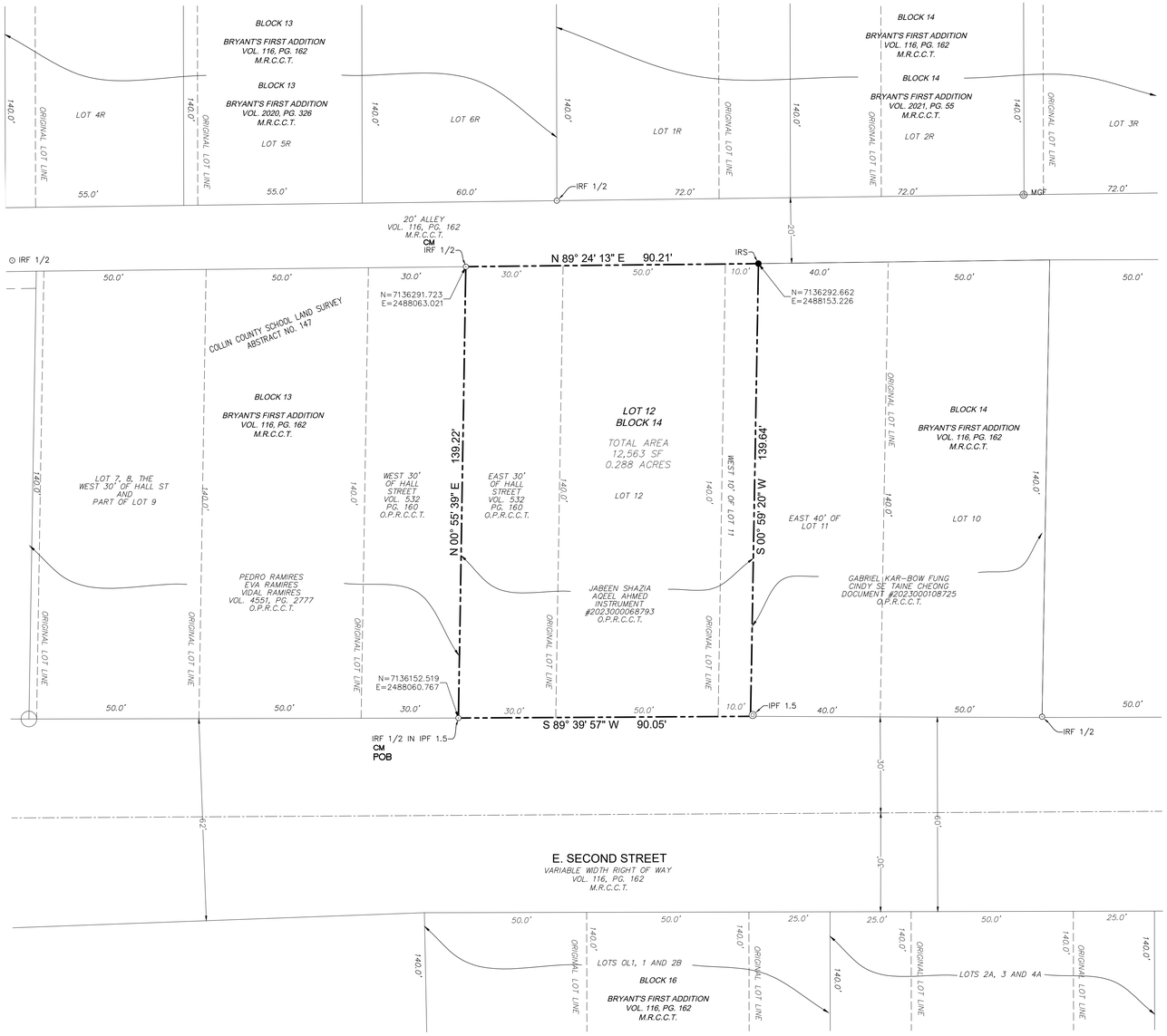


This map for illustration purposes only

DEVAPP-25-0044

Bryant's First Addition, Block 14, Lot 12

Final Plat



OWNER'S CERTIFICATE

STATE OF TEXAS §

COUNTY OF COLLIN §

***WHEREAS** Jabeen Shazia and Aqeel Ahmed are the owners of a tract of land situated in the Collin County School Land Survey, Abstract Number 147, in the Town of Prosper, Collin County, Texas, being all of Lots 12, the West 10 feet of Lot 11, Block 14 and the East 30 feet of the abandoned Hall Street, of Bryant's First Addition, an Addition to the Town of Prosper, Texas, recorded in Volume 116, Page 162, Map Records, Collin County, Texas (M.R.C.C.T.), being all of the 12,563 square foot or 0.288 acre tract of land, conveyed to them by Vivid Partners, LLC and described in a General Warranty Deed to Jabeen Shazia and Aqeel Ahmed, recorded in Document #20230000068793, of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.), and being more particularly described as follows:*

***BEGINNING** at a 1/2 inch iron rod found inside a 1.5 inch pipe (Controlling Monument), at the Southwest corner of said Shazia–Ahmed tract, same being the Southeast corner of a tract of land described in a Warranty Deed with Vendor's Lien to Pedro Ramires, Eva Ramires and Vidal Ramires, recorded in Volume 4551, Page 2777 (O.P.R.C.C.T.), and being in the North right of way line of Second Street;*

***THENCE** North 00 degrees 55 minutes 39 seconds East, with the common line between said Shazia–Ahmed tract and said Ramires tract, a distance of 139.22 feet to a 1/2 inch iron rod found (Controlling Monument) at the Northwest corner of said Shazia–Ahmed tract, and at the Northeast corner of said Ramires tract, same being in the South line of a 20 feet alley;*

***THENCE** North 89 degrees 24 minutes 13 seconds East, with the common line between said Shazia–Ahmed tract and the South line of said 20 feet alley, a distance of 90.21 feet to a 1/2 inch iron rod with orange cap stamped "ARA 6671" set at the Northeast corner of said Shazia–Ahmed tract, same being the Northwest corner of a track of land described in a General Warranty Deed to Gabriel Kar–Bow Fung and Cindy Se Taine Cheong, recorded in Document #20230001087 25 (O.P.R.C.C.T.);*

***THENCE** South 00 degrees 59 minutes 20 seconds West, with the common line between said Shazia–Ahmed tract and said Fung–Cheong tract, a distnce of 139.64 feet to the South common corner between said Shazia–Ahmed tract and said Fung–Cheong tract, same being in the North right of way line of said Second Street;*

***THENCE** South 89 degrees 39 minutes 57 seconds West, with the North right of way line of said Second Street, a distance of 90.05 feet to the **POINT OF BEGINNING**, containing 12,563 square feet or 0.288 acres of land more or less.*

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

*That Jabeen Shazia and Aqeel Ahmed, acting herein by and through it's duly authorized officers, does hereby certify and adopt this plat, designating the herein described property as **BRYANT'S FIRST ADDITION, BLOCK 14, LOT 12,** an addition to the Town of Prosper, and does hereby dedicate to the public use forever, the streets and alleys shown thereon. Jabeen Shazia and Aqeel Ahmed do certify the following:*

1. The streets and alleys are dedicated for street and alley purposes.
2. All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
3. The easements and public use areas, as shown are dedicated for the public use forever for the purposes indicated on this plat.
4. No building, fences, trees, shrubs, or other improvements or growth shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements if approved by the Town of Prosper.
5. The Town of Prosper is not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair.
6. Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by the public utilities being subordinate to the public's and Town of Prosper' s use thereof.
7. The Town of Prosper and public utilities shall have the right to remove and keep removed all or part of any building, fences, trees, shrubs, or other improvements or growths which may in any ways endanger or interfere with the construction, maintenance, or efficiency of their respective systems in the easements.
8. The Town of Prosper and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.
9. All modifications to this document shall be by means of plat and approved by the Town of Prosper.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the Town of Prosper, Texas.

WITNESS, my hand, this the ____ day of, _____, 2025.

_____
Jabeen Shazia
Owner

STATE OF TEXAS

COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Jabeen Shazia, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2025.

_____
Notary Public in and for the State of Texas

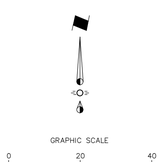
WITNESS, my hand, this the ____ day of, _____, 2025.

_____
Aqeel Ahmed
Owner

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Aqeel Ahmed, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2025.

_____
Notary Public in and for the State of Texas





VICINITY MAP
(NOT TO SCALE)

GENERAL NOTES:

1. All bearings shown are based on the Texas State Plane Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983, (2011). All distances are surface projection, using a scale factor of 1.00015271 (TXDOT scale factor).

2. According to the Flood Insurance Rate Map of Collin County, Texas, Map #48085C0235J, revised date 06/02/2009. The herein described property is located in zone "X", It is desfined as "areas of minimal flood hazard". This flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man–made or natural causes. This flood statement shall not create liability on the part of the surveyor in any way.

3. The purpose of this plat is to combine one lot with part of an abandoned street and part of another lot.

4. This plat is subject to the additional residential zoning standards outlined in Ordinance 15–55.

5. Notice: Selling a portion of this Addition by metes and bounds is a violation of Town Ordinance and State law and is subject to fines and withholding of building permits.

CERTIFICATE OF APPROVAL

Approved this _____day of _____, 2025 , by the Planning & Zoning Commission of the Town of Prosper, Texas.

_____
Town Secretary

_____
Engineering Department

_____
Development Services Department

SURVEYOR CERTIFICATE

Know All Men By These Presents:
That I, Anel Rodriguez, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land, and that the corner monuments shown thereon were found and/or properly placed under my personal supervision, in accordance with the Subdivision Regulations of the Town of Prosper, Texas. Dated this _____ day of _____, 2025.

PRELIMINARY, THIS DRAWING SHALL
NOT BE RECORDED FOR ANY PURPOSE

_____
Anel Rodriguez
Texas Registered Professional
Land Surveyor No. 6671

STATE OF TEXAS

COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Anel Rodriguez, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2025.

_____
Notary Public in and for the State of Texas

LEGEND

CM	CONTROLLING MONUMENT
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
M.R.C.C.T.	MAP RECORDS OF COLLIN COUNTY, TEXAS
D.R.C.C.T.	DEED RECORDS OF COLLIN COUNTY, TEXAS
POB	POINT OF BEGINNING
p, m	PLATTED, MEASURED
VOL./PG.	VOLUME/PAGE
⊙ IRF	IRON ROD FOUND (AS NOTED)
◎ IPF	IRON PIPE FOUND (AS NOTED)
● IRS	IRON ROD SET (ARA 6671)

OWNER:

JABEEN SHAZIA
AQEEL AHMED
7540 BRYCE CANYON DRIVE
FRISCO, TX 75035
571-830-5062

SURVEYOR

ARA SURVEYING
3615 KARNAGHAN LANE
MELISSA, TEXAS 75454
TEL:(972) 946-4172
TBPELS NO. 10194713
ANEL RODRIGUEZ, RPLS
arodriguez@arasurveying.com

DEVAPP-25-0044

FINAL PLAT
BRYANT'S FIRST ADDITION
BLOCK 14, LOT 12
BEING ALL OF LOT 12, THE WEST 10' OF LOT 11
AND 30' OF HALL STREET, BLOCK 14

0.288 ACRES SITUATED IN THE
COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 147
TOWN OF PROSPER, COLLIN COUNTY, TEXAS
DATE: MAY 13, 2025

Plotted by: elosi Plot Date: 7/31/2025 9:53 AM
Drawing: G:\My Drive\Survey\24120-205 E Second Ave_Prosper_TX_Plat\05_CAD\Civil3D\24120-205 E Second St Prosper-Plat.dwg Saved By: elosi Save Time: 7/29/2025 5:11 PM

TOWN OF PROSPER
A Place Where Everyone Matters

PLANNING

To: **Planning & Zoning Commission** **Item No. 4**

From: **Dakari Hill, Senior Planner**

Through: **David Hoover, AICP, Director of Development Services**

Cc: **Suzanne Porter, AICP, Planning Manager**

Re: **Planned Development for Prosper Oaks**

Meeting: **August 5, 2025**

Agenda Item:
Conduct a Public Hearing and consider and act upon a request to rezone 373.5± acres from Agricultural to a Planned Development allowing for both Single-Family and Age-Restricted Single-Family Residences, located on the south side of Parvin Road and 2,070± feet east of FM 1385. (ZONE-24-0022)

Background:
On June 17, 2025, the Planning & Zoning Commission held a Public Hearing on this item. The Public Hearing was closed, and the item was tabled to the next Planning & Zoning Commission meeting on July 15, 2025. On July 15, 2025, the Planning & Zoning Commission held a Public Hearing on this item. The Public Hearing was closed, and the item was tabled to the next Planning & Zoning Commission meeting on August 5, 2025.

The applicant has made the following modifications to the Planned Development standards based on recommendations from the Planning & Zoning Commission.

- **Recommendation 1: Reduce the number of permitted uses in both tracts.**
  - Applicant removed "Golf Course and/or Country Club" and "House of Worship" as permitted uses in the single-family residential section (eastern tract).
  - Applicant removed "Golf Course and/or Country Club", "House of Worship", and "School, Public" as permitted uses in the age-restricted single-family residential section (western tract).
- **Recommendation 2: Increase the amount of non-cementitious fiber board (masonry) on both the Craftsman and Modern Farmhouse style homes.**

- Applicant updated Exhibit F to show a masonry ledge on the bottom of the front façade for both the Craftsman and Modern Farmhouse style homes.

- **Recommendation 3: Increase minimum lot area in the single-family residential section (eastern tract) so the lots fall within the specified range for Medium Density Residential (12,500 SF – 20,000 SF).**

    - Applicant added a requirement for a minimum of ten percent of all lots in the single-family residential section (eastern tract) to be a minimum of 20,000 square feet, with the largest being in excess of 29,000 square feet. The development standards still permit Type B Lots (10,000 SF) in the single-family residential section (eastern tract).

- **Recommendation 4: Increase minimum enclosed parking (garage) area size in the single-family residential section (eastern tract).**

    - Applicant increased the minimum enclosed parking (garage) area size in the single-family residential section (eastern tract) from 400 square feet to 600 square feet.

- **Recommendation 5: Include amenity area/pocket park on the single-family residential section (eastern tract) that is north of future Frontier Parkway/Parvin Road.**

    - Applicant has discussed different options for amenities on this portion of the single-family residential section (eastern tract) with Town Staff but have not finalized what the proposal will be for this area. The amenity area will be centrally located.

- **Recommendation 6: Remove lots that are 55 feet in width in the age-restricted single-family residential section (western tract).**

    - Applicant reduced the maximum number of Type E Lots (7,500 SF and 55' Width) in the age-restricted single-family residential section (western tract) from 225 to 200.

- **Recommendation 7: Include additional amenity area in age-restricted single-family residential section (western tract) in walking distance of homes on the southern side of the development.**

    - Applicant added an "Exhibit H" to further illustrate the amenity areas and trail features provided in the proposed development. The conceptual plan still only shows one amenity area in the age-restricted single-family residential section (western tract).

The applicant has also made the following modifications to the Planned Development standards.

- Added language regarding the inclusion of trail enhancements to the entrance of proposed private trails (butterfly gardens, overlooks, trail heads, trail way stations, etc.)

- Added "Frisbee or Disc Golf Course" as a permitted incidental use in the single-family residential section (eastern tract).

- Added "Frisbee or Disc Golf Course" and "Food Trucks" as permitted incidental uses in the age-restricted single-family residential section (western tract).

Future Land Use Plan:
The Future Land Use Plan recommends Medium Density Residential.

- Medium Density Residential recommends single-family detached dwelling units on lots that range from 12,500 square feet to 20,000 square feet. Medium Density Residential neighborhoods may have a variation of lot sizes provided that the density is within a specific range (1.6 – 2.5 dwelling units per acre). The single-family portion of this development has lot sizes ranging from 10,000 square feet to 12,500 square feet with an overall density of 2.1 units per acre.

The proposed zoning case requires an amendment to the Future Land Use Plan from Medium Density Residential to High Density Residential.

- High Density Residential recommends single-family detached dwelling units on lots that are smaller than 10,000 square feet. High Density Residential neighborhoods have a density of greater than 2.5 dwelling units per acre. The age-restricted single-family portion of this development has lot sizes ranging from 7,500 square feet to 10,000 square feet with an overall density of 3.0 units per acre. This requires the Future Land Use Plan for this portion of the development to be amended from Medium Density Residential to High Density Residential.



Zoning:
The property is zoned Agricultural.

Thoroughfare Plan:
This property has direct access to Parvin Road.

Parks Master Plan:
The Parks Master Plan does not indicate that a park is needed on the subject property.

Hike & Bike Trail:
The Hike & Bike Trail Master Plan requires hike and bike trails along Parvin Road, Frontier Parkway, and Doe Branch that connect to the existing hike and bike trails adjacent to Windsong Ranch.

Legal Obligations and Review:
Notification was provided as required by the Zoning Ordinance and state law. Staff has received two responses in support of the proposed zoning request to date.

Attached Documents:
1. Aerial & Zoning Maps
2. Future Land Use Exhibit
3. Exhibit A-1 – Written Metes and Bounds
4. Exhibit A-2 – Boundary Exhibit
5. Exhibit B – Letter of Intent
6. Exhibit C – Development Standards (Clean)
7. Exhibit C – Development Standards (Redlined)
8. Exhibit D – Conceptual Plan
9. Exhibit E – Development Schedule
10. Exhibit F – Elevations
11. Exhibit G – Landscape, Open Space, and Trail Plan
12. Exhibit H – Amenity Renderings
13. Draft Development Agreement
14. Letter of Support – Carey, S.
15. Letter of Support – Carey, M.

Description of Agenda Item:
The purpose of this request is to rezone the property from Agricultural to a Planned Development with a base zoning of Single Family-12.5 for the single-family residential section and Single Family-10 for the age-restricted single-family residential section. The intent of the request is to construct a maximum of 800 single-family homes on 373.5± acres. On the eastern tract of the property, 181.8± acres, the intent is to construct a maximum of 275 single-family homes. On the western tract of the property, 191.7± acres, the intent is to construct a maximum of 525 age-restricted single-family homes intended for residents 55 years of age and older.

Compatibility:
This zoning change would not be out of character with the existing area due to compatibility with the surrounding properties. The surrounding property to the east is an existing residential neighborhood, Windsong Ranch, with lot sizes ranging from 8,000 square feet to 20,000 square feet. The eastern portion of the proposed subdivision that will be adjacent to Windsong Ranch has lot sizes ranging from 10,000 square feet to 20,000 square feet that will keep the Future Land Use Plan for this section of the property as Medium Density Residential. The surrounding property to the south is vacant, owned by the Town, and will become a Town Park in the future. The surrounding property to the west is vacant with Future Land Use distinctions of High Density Residential and Retail & Neighborhood Services. The proposed change in the Future Land Use Plan to High Density Residential on the western portion of the property aligns with the Future Land Use distinction on the adjacent, vacant property to the west.

The zoning and land use of the surrounding properties are as follows:

	Zoning	Current Land Use	Future Land Use Plan
Subject Property	Agricultural	Vacant	Medium Density Residential
North	City of Celina	Single-Family Residential	N/A
East	Planned Development-40 (Single-Family)	Single-Family Residential (Windsong Ranch)	High Density Residential
South	Planned Development-40 (Single-Family)	Vacant	Parks
West	Agricultural	Vacant	High Density Residential and Retail & Neighborhood Services

SINGLE-FAMILY RESIDENTIAL SECTION (EAST TRACT)

Density:
Per the Town's Future Land Use Plan, the gross density of Medium Density Residential developments will not be less than 1.6 dwelling units per acre or greater than 2.5 dwelling units per acre. The proposed development would allow for a maximum of 275 single-family homes on 181.8± acres, putting the density for this development at 2.1 units per acre.

District Regulations:
The eastern section of this property contains two different lot types, Type A and Type B Lots. Type A Lots will have a lot width of 80 feet or greater and will be developed to the standards of the Single Family-12.5 District in the Zoning Ordinance. A minimum of 100 Type A Lots are required in the east tract. Type B Lots will have lot widths of less than 80 feet but no less than 75 feet. Type B Lots will be developed to the standards of the Single Family-10 District in the Zoning Ordinance. Additionally, a minimum of ten percent of all lots within this tract will be required to be a minimum of 20,000 square feet. The single-family residential district regulations within the Planned Development compared to the regulations in the Single Family-12.5 and Single Family-10 Districts in the Zoning Ordinance are shown below.

	Single Family-12.5 District Regulations (Zoning Ordinance)	Proposed District Regulations (Type A Lots)	Single Family-10 District Regulations (Zoning Ordinance)	Proposed District Regulations (Type B Lots)
Size of Yards	**Front:** 30' **Side:** 8' 15' (Adj. to Side Street) **Rear:** 25'	**Front:** 30' **Side:** 8' 15' (Adj. to Side Street) **Rear:** 25'	**Front:** 25' **Side:** 8' 15' (Adj. to Side Street) **Rear:** 25'	**Front:** 25' **Side:** 8' 15' (Adj. to Side Street) **Rear:** 25'
Size of Lots	**Minimum Lot Area:** 12,500 SF **Minimum Lot Width:** 80' **Minimum Lot Depth:** 135'	**Minimum Lot Area:** 12,500 SF **Minimum Lot Width:** 80' **Minimum Lot Depth:** 135'	**Minimum Lot Area:** 10,000 SF **Minimum Lot Width:** 80' **Minimum Lot Depth:** 125'	**Minimum Lot Area:** 10,000 SF **Minimum Lot Width:** 75' **Minimum Lot Depth:** 125'
Minimum Dwelling Area	**Dwelling Area:** 1,800 SF	**Dwelling Area:** 1,800 SF	**Dwelling Area:** 1,800 SF	**Dwelling Area:** 1,800 SF
Minimum Enclosed Parking (Garage) Area	**Garage Area:** 400 SF	**Garage Area:** 600 SF	**Garage Area:** 400 SF	**Garage Area:** 600 SF
Maximum Height	**Stories:** 2.5 Stories or 40'	**Stories:** 2.5 Stories or 40'	**Stories:** 2.5 Stories or 40'	**Stories:** 2.5 Stories or 40'
Maximum Lot Coverage	**Lot Coverage:** 45%	**Lot Coverage:** 45%	**Lot Coverage:** 45%	**Lot Coverage:** 45%

Uses:

The list of permitted uses within the single-family residential section of this Planned Development is shown below.

- By Right:
  - Accessory Building
  - Antenna and/or Antenna Support Structure, Non-Commercial
  - Child Care Center, Home
  - Home Occupation
  - Homebuilder Marketing Center
  - Household Care Facility
  - Model Home
  - Municipal Uses Operated by the Town of Prosper

- Park or Playground
- Private Recreation Center
- Private Street Development
- Private Utility, Other Than Listed
- School, Public
- Single-Family Dwelling, Detached
- Wireless Communications and Support Structures less than 15 Feet in Height
- Incidental Uses (Amenity Centers, Community Pools, Sports Courts, etc.)

- By Specific Use Permit:
  - Child Care Center, Licensed
  - Utility Distribution Facility
  - Wireless Communications and Support Structures greater than 15 Feet in Height

Open Space and Amenities:

The open space standards within the single-family residential section of this Planned Development require a minimum of 30 acres of open space that is non-contiguous provided that each open space area be a minimum of 10,000 square feet and a minimum of 40 feet in width. The amenity standards within the single-family residential section of this Planned Development require a resident amenity area, pocket park with a playground, and at least three amenities from the list below. The amenity area must be completed prior to issuance of a Certificate of Occupancy for the 138th home (out of 275), or halfway through the development of this tract.

- Potential Amenities (Minimum of 3):
  - Event Lawn
  - Fire Pit
  - Fishing Pier
  - Game Lawn
  - Outdoor Grilling Station
  - Pavillion
  - Putting Green
  - Sports Court

AGE-RESTRICTED SINGLE-FAMILY RESIDENTIAL SECTION (WEST TRACT)

Density:

Per the Town's Future Land Use Plan, the gross density of High Density Residential developments will be greater than 2.5 dwelling units per acre. The proposed development would allow for a maximum of 525 single-family homes on 191.7± acres, putting the density for this development at 3.0 units per acre.

District Regulations:

The western section of this property contains three different lot types, Type C, Type D, and Type E Lots. Type C Lots will have a lot width of 75 feet or greater and will be developed to the standards of the Single Family-10 District in the Zoning Ordinance. A minimum of 100 Type C Lots are required within the west tract. Type D Lots will have lot widths of less than 75 feet but no less than 65 feet. Type D Lots will be developed to the standards of the Single Family-10 District in the Zoning Ordinance. Type E Lots will have lot widths of less than 65 feet but no less than 55 feet. Type E Lots will be developed to the standards of the Single Family-10 District in the Zoning

Ordinance. A maximum of 200 Type E Lots are permitted in the west tract. These lot types will be inter-mixed within the west tract so that each block will have a different variation of the lot types. The age-restricted single-family residential district regulations within the Planned Development compared to the regulations in the Single Family-10 District in the Zoning Ordinance are shown below.

	Single Family-10 District Regulations (Zoning Ordinance)	**Proposed District Regulations (Type C Lots)**	**Proposed District Regulations (Type D Lots)**	**Proposed District Regulations (Type E Lots)**
Size of Yards	**Front:** 25’ **Side:** 8’ 15’ (Adj. to Side Street) **Rear:** 25’	**Front:** 25’ **Side:** 8’ 15’ (Adj. to Side Street) **Rear:** 25’	**Front:** 25’ **Side:** 8’ 15’ (Adj. to Side Street) **Rear:** 25’	**Front:** 25’ **Side:** 8’ 15’ (Adj. to Side Street) **Rear:** 25’
Size of Lots	**Minimum Lot Area:** 10,000 SF **Minimum Lot Width:** 80’ **Minimum Lot Depth:** 125’	**Minimum Lot Area:** 10,000 SF **Minimum Lot Width:** 75’ **Minimum Lot Depth:** 125’	**Minimum Lot Area:** 8,800 SF **Minimum Lot Width:** 65’ **Minimum Lot Depth:** 125’	**Minimum Lot Area:** 7,500 SF **Minimum Lot Width:** 55’ **Minimum Lot Depth:** 125’
Minimum Dwelling Area	**Dwelling Area:** 1,800 SF	**Dwelling Area:** 2,000 SF	**Dwelling Area:** 1,800 SF	**Dwelling Area:** 1,550 SF
Minimum Enclosed Parking (Garage) Area	**Garage Area:** 400 SF	**Garage Area:** 400 SF	**Garage Area:** 400 SF	**Garage Area:** 400 SF
Maximum Height	**Stories:** 2.5 Stories or 40’	**Stories:** 2.5 Stories or 40’	**Stories:** 2.5 Stories or 40’	**Stories:** 2.5 Stories or 40’
Maximum Lot Coverage	**Lot Coverage:** 45%	**Lot Coverage:** 45%	**Lot Coverage:** 45%	**Lot Coverage:** 45%

Uses:

The list of permitted uses within the age-restricted single-family residential section of this Planned Development is shown below.

- By Right:
  - Accessory Building
  - Antenna and/or Antenna Support Structure, Non-Commercial

- Home Occupation
- Homebuilder Marketing Center
- Household Care Facility
- Model Home
- Municipal Uses Operated by the Town of Prosper
- Park or Playground
- Private Recreation Center
- Private Street Development
- Private Utility, Other Than Listed
- Single-Family Dwelling, Detached (Active Adult Community)
- Wireless Communications and Support Structures less than 15 Feet in Height
- Incidental Uses (Amenity Centers, Community Pools, Food Trucks, etc.)

- By Specific Use Permit:
  - Utility Distribution Facility
  - Wireless Communications and Support Structures greater than 15 Feet in Height

Open Space and Amenities:

The open space standards within the age-restricted single-family residential section of this Planned Development require a minimum of 20 acres of open space that is non-contiguous provided that each open space area be a minimum of 10,000 square feet and a minimum of 40 feet in width. The amenity standards within the single-family residential section of this Planned Development require an amenity center or clubhouse, swimming pool with shade structure(s), and at least three amenities from the list below. The amenity area must be completed prior to issuance of a Certificate of Occupancy for the 263rd home (out of 525), or halfway through the development of this tract.

- Potential Amenities (Minimum of 3):
  - Bocce Ball Court
  - Event Lawn
  - Fire Pit
  - Game Lawn
  - Outdoor Spa
  - Pavillion with Outdoor Grilling Station
  - Putting Green
  - Shuffleboard Court or Table
  - Sports Court

GENERAL REGULATIONS (BOTH TRACTS)

Architectural Standards:

The architectural standards within this Planned Development are shown below.

- Building Materials:
  - Permitted Materials
    - Cementitious Fiber Board
    - Clay Fired Brick
    - Granite
    - Marble

        - Stone (Natural or Manufactured)
        - Stucco (Three-Coat)

    - Design
        - The exterior façade of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred percent (100%) masonry.
        - On front façades, cementitious fiber board may constitute up to fifty percent (50%) of the area for stories other than the first story. Additionally, cementitious fiber board may be used as a façade cladding material for portions of upper stories that are in the same vertical plane as the first story.
        - On side and rear façades, cementitious fiber board may constitute up to twenty percent (20%) of all stories.
        - Any portion of an upper story, excluding windows, that faces public or private open space, public or private parks, or hike and bike trails, shall be one hundred percent (100%) masonry and may be comprised of cementitious fiber board.
        - The exterior cladding of chimneys shall be brick, natural, or manufactured stone, or stucco.
        - On Craftsman and Modern Farmhouse style homes (see Exhibit F), cementitious fiber board may constitute up to eighty percent (80%) of the area for stories other than the first story.
        - Cementitious fiber board may be used for architectural features, including window box outs, bay windows, roof dormers, garage door headers, columns, exposed sidewalls/gable ends above lower roofs, exposed rafter tails, or other architectural features as approved by the Director of Development Services.

- Roofing:

    - Materials
        - Roof material shall consist of standing seam copper, standing seam metal, natural slate shingles, imitation slate shingles, cementitious tile, or composition 30-year laminated shingles, or other materials as approved by the Director of Development Services.

    - Pitch
        - Main residential structures shall have a minimum slope of six by twelve (6:12).
        - Accessory structures shall have a minimum slope of 1.25:12.

- Entries and Driveways

    - Entries
        - All homes shall have a covered porch, stoop, or portico at the main front entry.

    - Driveways
        - All driveways shall be broomed finished concrete, salt finished concrete, stained patterned concrete, or brick/stone pavers.

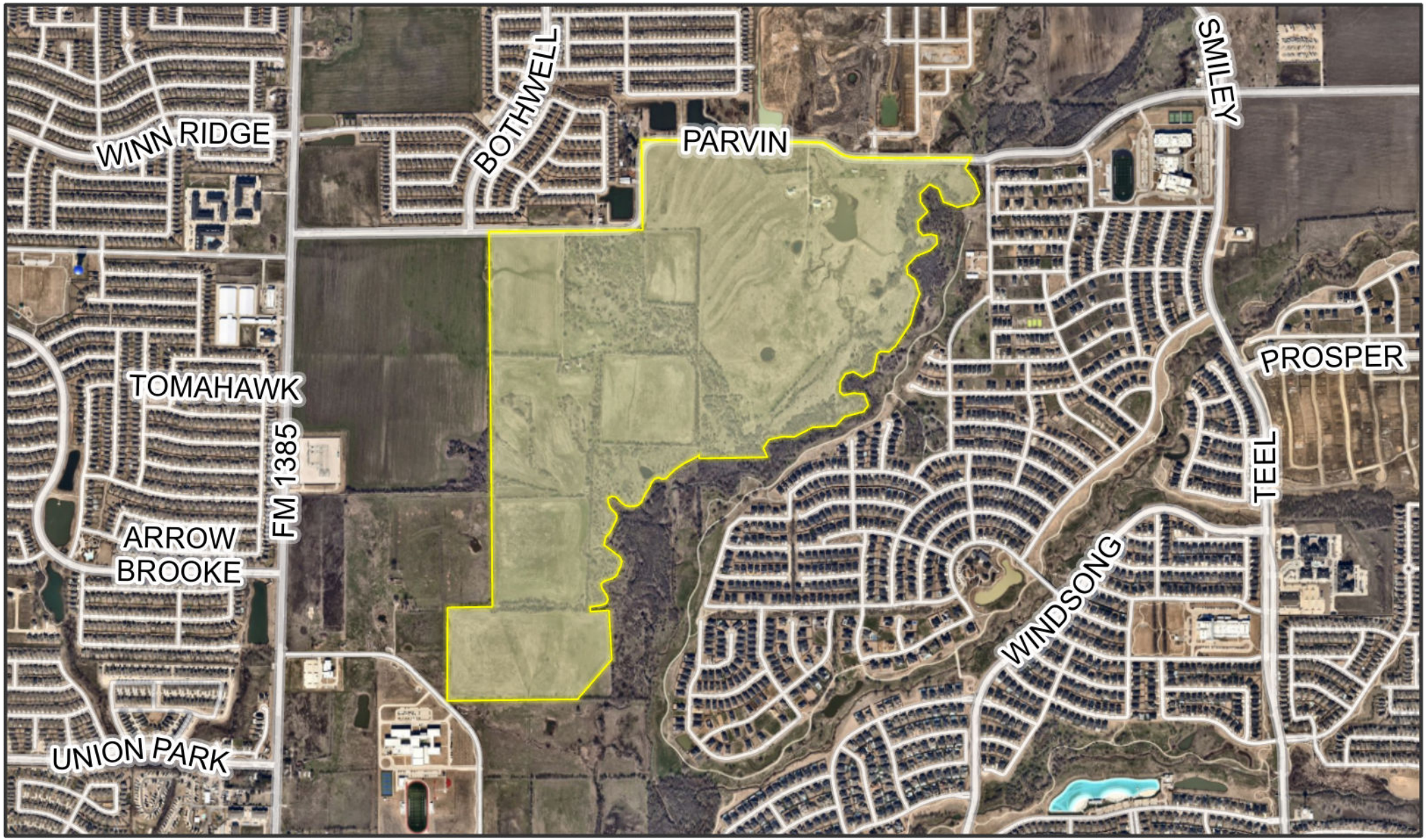
Screening and Fencing:

The screening and fencing standards within this Planned Development require all fencing along Parvin Road and Frontier Parkway to be constructed with a minimum of fifty percent (50%) ornamental metal to provide openness along adjacent thoroughfares.

Pedestrian Connectivity:
The pedestrian connectivity standards within this Planned Development reference compliance with Exhibit G, or the Landscape Plan, which indicates six-foot hike and bike trails along Parvin Road, Frontier Parkway, and Doe Branch that connect to the existing hike and bike trails adjacent to the neighboring community to the east, Windsong Ranch. Additionally, trail enhancements such as butterfly gardens, overlooks, trail heads, trail way stations, etc. will be provided at the entrances of private community trails.

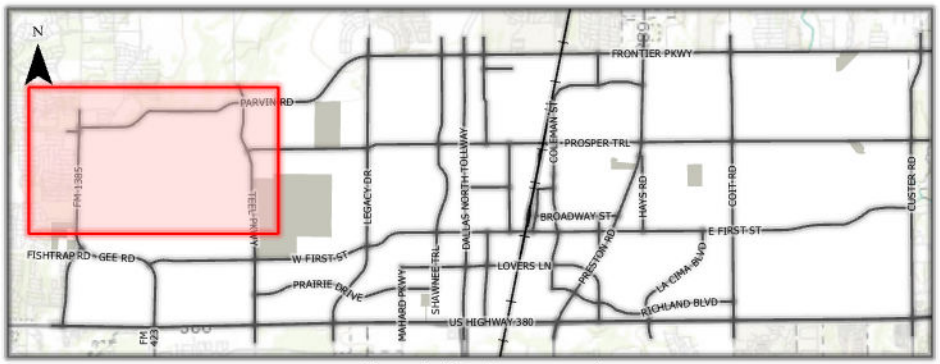
Town Staff Recommendation:
The proposed zoning request is not compliant with the Future Land Use Plan; however, the western tract of this property is adjacent to vacant land that is designated as High Density Residential and Retail & Neighborhood Services. The western tract of this property, containing the age-restricted single-family section, would be compatible with future residential development to the west due to a similar Future Land Use designation and would provide a transition between any future commercial development and larger single-family homes that have a designation of Medium Density Residential. The eastern tract of this property, containing the single-family residential section, is compatible with the existing residential development to the east, Windsong Ranch, as they would have similar lot types and provide a transition between the age-restricted single-family residential and Windsong Ranch. For these reasons, Town Staff recommends approval of the request to rezone 373.5± acres from Agricultural to a Planned Development allowing for both Single-Family and Age-Restricted Single-Family Residences, located on the south side of Parvin Road and 2,070± feet east of FM 1385.

Town Council Public Hearing:
Upon a recommendation by the Planning & Zoning Commission, a Public Hearing for this item will be scheduled for the Town Council at their Regular meeting on August 26, 2025.



TOWN OF PROSPER

0 500 1,000 2,000 Feet

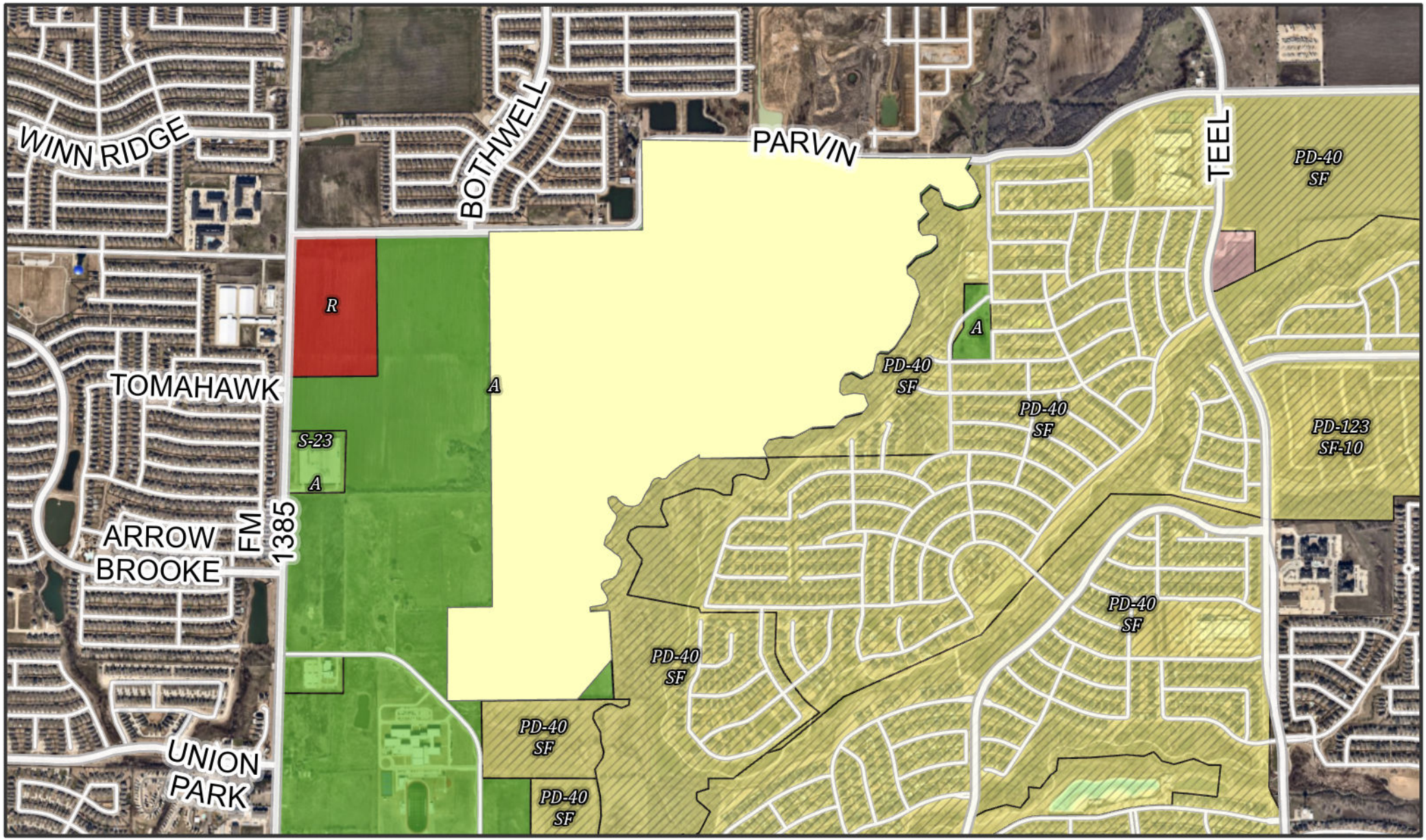


This map for illustration purposes only

ZONE-24-0022

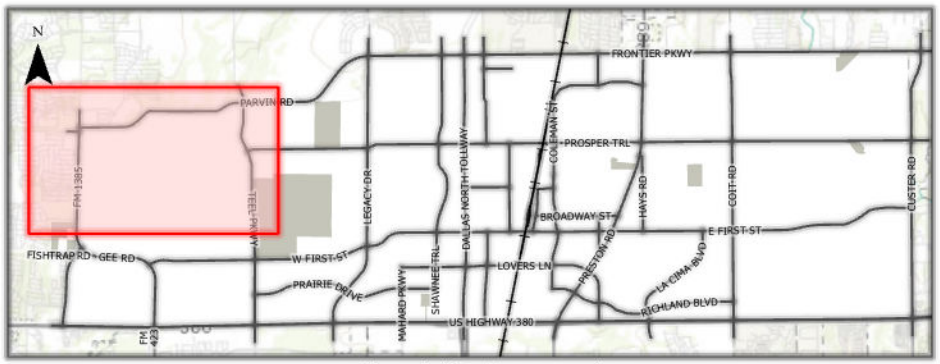
Prosper Oaks

Planned Development



TOWN OF PROSPER

0 500 1,000 2,000 Feet



This map for illustration purposes only

ZONE-24-0022

Prosper Oaks

Planned Development

Future Land Use Exhibit

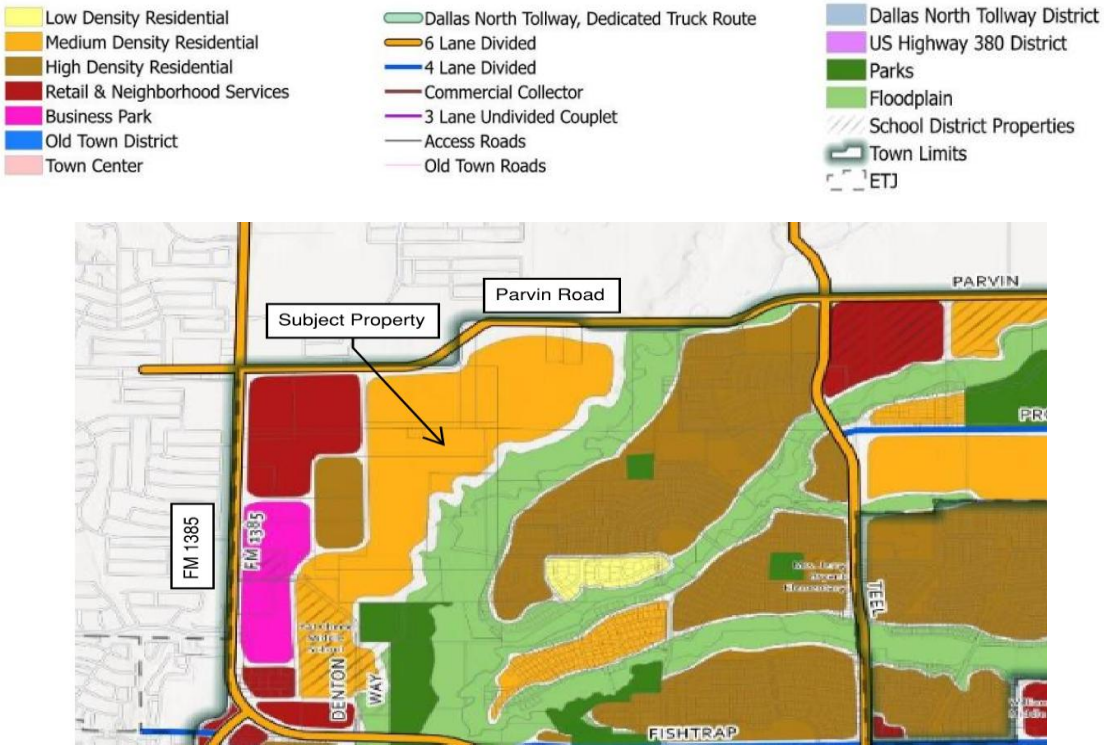


EXHIBIT A-1:WRITTEN METES AND BOUNDS
ZONE-24-0022

BEING a tract of land situated in the L. Rue Survey, Abstract No. 1110, the H. Rue Survey Abstract No. 1111, the B. Rue Survey, Abstract No. 1113, the P.R. Rue Survey, Abstract No. 1555, the C. Jackson Survey, Abstract No. 1546, the F. Wilkerson Survey, Abstract No. 1411, the J. Morton Survey, Abstract No. 793, and the J. Teeter Survey, Abstract 1262, Denton County, Texas and being all of a called 189.695-acre tract of land described in a deed to Prosper Oaks LP, as recorded in Instrument No. 2021-120739, Official Records, Denton County, Texas, and all of a called 155.903-acre tract of land described in a deed to Prosper Oaks LP, as recorded in Instrument No. 2021-187834, said Official Records, and all of a called 5.00-acre tract of land, described in a deed to Jo Lynn Carey Ninemire & Laura Jean Carey Varner, recorded in Instrument No. 2014-16824 said Official Records, and all of a called 5.3266-acre tract of land, described in a deed to Mark and Cathi Carey, recorded in Instrument No. 2007-985, said Official Records, and all of a called 17.070 acre tract of land described in a deed to Prosper Oaks LP, described in a deed to Prosper Oaks LP, recorded in Instrument No. 2024-93696, said Official Records, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found in Parvin Road (a public road) for the northwest corner of said 189.695-acre tract and the northeast corner of a called 91.001-acre tract of land described in a deed to Jaianjaneya Real Estate Services LLC, recorded in Instrument No. 2022-120979, said Official Records, also being on the south line of Sutton Fields Phase 4A, recorded in Instrument No, 2023-294, Plat Records, Denton County, Texas;

THENCE North 89°18'40" East, along the northerly line of said 189.695-acre tract and said Parvin Road, a distance of 1,610.43 feet to the southeast corner of said Sutton Fields Phase 4A, same being the westernmost southwest corner of said 155.903-acre tract;

THENCE North 00°39'42" West, departing said northerly line, along the westerly line of said 155.903-acre tract, the easterly line of said Sutton Fields Phase 4A, the easterly line of a called 1.000 acre tract of land described in a deed to Dale & Vicki Travis, as recorded in Instrument No. 2019-53525, said Official Records, the easterly line of a called 1.398 acre tract of land described in a deed to Claude and Kathleen Adams, as recorded in Instrument No. 2011-67775, said Official Records, the easterly line of a called 0.366 acre tract of land described as Tract 2 in a deed to Michael Bohn and Lori Bohn, as recorded in Instrument No. 2020-19369, said Official Records, and continuing along said Parvin Road, a distance of 944.52 feet to the northwest corner of said 155.903-acre tract, common to the southwest corner of Sutton Fields Phase 3D, recorded in Instrument No. 2022-44, said Plat Records;

THENCE South 89°11'31" East, departing the easterly line of said Sutton Fields Phase 4A, and along the northerly line of said 155.903-acre tract, said 5.00-acre tract, said 5.3266-acre tract, and the southerly line of said Sutton Fields Phase 3D, and a called 109.926-acre tract of land described in a deed to Sutton Fields East, LLC, recorded in Instrument No. 2021-192973, said Official Records, a distance of 1,163.72 feet to the northernmost northeast corner of said 5.3266-acre tract;

THENCE South 89°13'09" East, continuing along the northerly line of said 155.903-acre tract, along the northerly line of said 5.00-acre tract, said 5.3266-acre tract, and the southerly line of said 109.926-acre tract, a distance of 740.89 feet to the northernmost northeast corner of said 5.3266-acre tract;

THENCE South 56°15'56" East, continuing along the northerly line of said 5.3266-acre tract and the southerly line of said 109.926-acre tract, and along the northerly line of said 155.903-acre tract, a distance of 180.59 feet to a point at the beginning of a tangent curve to the left with a radius of 350.00 feet, a central angle of 33°01'08", and a chord bearing and distance of South 72°46'30" East, 198.92 feet;

THENCE in an easterly direction, continuing along the northerly line of said 155.903-acre tract and the southerly line of said 109.926-acre tract, with said tangent curve to the left, an arc distance of 201.70 feet to a point for corner;

THENCE South 89°17'04" East, continuing along said northerly line, and the southerly line of said 109.926-acre tract, a distance of 505.80 feet to a mag nail found for the southeast corner of said 109.926-acre tract, common to the southwest corner of a called 101.60-acre tract of land described in a deed to MM Celina Parvin 101, LLC, recorded in Instrument No. 2023-32350, said Official Records;

THENCE South 89°13'57" East, continuing along said northerly line, and along the southerly line of said 101.60-acre tract, a distance of 697.72 feet to an “X” cut in concrete found for the northeast corner of said 155.903-acre tract, common to the northernmost northwest corner of a called 48.323-acre tract of land described in a deed to VP Windsong Investments LLC, recorded In Instrument No. 2021-74160, said Official Records;

THENCE departing the southerly line of said 101.60-acre tract, and along the easterly line of said 155.903-acre tract and the west line of said 48.323-acre tract, Windsong Ranch Phase 6D, recorded in Instrument No. 2023-390, said Plat Records, Windsong Ranch Phase 7D&7H, recorded in Instrument No. 2022-232, said Plat Records, the following courses and distances:

South 28°30'00" West, a distance of 111.84 feet to a point for corner;

South 37°30'00" East, a distance of 160.31 feet to a point for corner;

South 20°00'00" East, a distance of 146.57 feet to a point for corner;

South 33°30'00" West, a distance of 125.24 feet to a point for corner;

South 77°00'00" West, a distance of 163.96 feet to a point for corner;

North 70°00'00" West, a distance of 159.08 feet to a point for corner;

North 20°00'00" West, a distance of 145.13 feet to a point for corner;

North 64°00'00" West, a distance of 105.82 feet to a point for corner;

South 46°00'00" West, a distance of 137.91 feet to a point for corner;

South 03°30'00" East, a distance of 88.33 feet to a point for corner;

South 36°30'00" East, a distance of 126.60 feet to a point for corner;

South 46°00'00" West, a distance of 143.43 feet to a point for corner;

South 03°30'00" East, a distance of 96.44 feet to a point for corner;

South 39°30'00" East, a distance of 67.58 feet to a point for corner;

North 82°30'00" East, a distance of 89.32 feet to a point for corner;

South 73°30'00" East, a distance of 61.35 feet to a point for corner;

South 03°30'00" East, a distance of 80.35 feet to a point for corner;

South 44°30'00" West, a distance of 98.69 feet to a point for corner;

South 68°00'00" West, a distance of 162.38 feet to a point for corner;

South 42°30'00" West, a distance of 146.51 feet to a point for corner;

South 05°30'00" East, a distance of 79.52 feet to a point for corner;

South 53°30'00" East, a distance of 96.87 feet to a point for corner;

South 18°00'00" East, a distance of 161.60 feet to a point for corner;

South 20°00'00" West, a distance of 148.19 feet to a point for corner;

South 15°00'00" West, a distance of 172.18 feet to a point for corner;

South 33°30'00" West, a distance of 286.52 feet to a point for corner;

South 49°00'00" West, a distance of 92.68 feet to a point for corner;

North 86°30'00" West, a distance of 86.67 feet to a point for corner;

South 51°00'00" West, a distance of 46.11 feet to a point for corner;

South 12°00'00" West, a distance of 183.60 feet to a point for corner;

South 61°00'00" West, a distance of 125.65 feet to a point for corner;

North 62°00'00" West, a distance of 117.81 feet to a point for corner;

South 74°30'00" West, a distance of 83.62 feet to a point for corner;

South 32°30'00" West, a distance of 99.40 feet to a point for corner;

South 03°00'00" West, a distance of 103.89 feet to a point for corner;

South 46°00'00" East, a distance of 51.34 feet to a point for corner;

North 78°30'00" East, a distance of 112.64 feet to a point for corner;

South 83°30'00" East, a distance of 109.64 feet to a point for corner;

South 20°30'00" East, a distance of 123.94 feet to a point for corner;

South 37°00'00" West, a distance of 84.31 feet to a point for corner;

South 75°30'00" West, a distance of 201.74 feet to a point for corner;

South 44°30'00" West, a distance of 137.72 feet to a point for corner;

South 86°30'00" West, a distance of 242.05 feet to a point for corner;

South 62°30'00" West, a distance of 215.47 feet to a point for corner;

North 89°00'00" West, a distance of 124.44 feet to a point for corner;

South 77°30'00" West, a distance of 146.53 feet to a point for corner;

South 33°00'00" West, a distance of 105.98 feet to a point for corner;

South 23°30'00" East, a distance of 103.84 feet to the southeast corner of said 155.903 acre tract, being on the northerly line of called Tract 2, described In a deed to VP Windsong Operations LLC, recorded in Instrument No. 2018-142926, said Official Records;

THENCE South 88°59’25” West, departing the westerly line of said Windsong Ranch Phase 7D&7H, along the southerly line of said 155.903 acre tract and the northerly line of said Tract 2, a distance of 713.52 feet to the southerly southwest corner of said 155.903 acre tract, common to an ell corner of said Tract 2, from which, a 1/2 inch iron rod (bent) found for witness bears South 32°24’ East, 3.95 feet;

THENCE North 00°13’47” East, along the westerly line of said 155.903 acre tract and the easterly line of said Tract 2, a distance of 40.46 feet to the northernmost southeast corner of aforesaid 17.070 acre tract;

THENCE departing the westerly line of said 155.903 acre tract and the easterly line of said Tract 2, and along the easterly line of said 17.070 acre tract, the following courses and distances:

South 41°38'20" West, a distance of 25.71 feet to a point for corner;

South 62°22'50" West, a distance of 74.71 feet to a point for corner;

South 63°16'30" West, a distance of 46.88 feet to a point for corner;

South 60°27'30" West, a distance of 36.25 feet to a point for corner;

South 59°53'21" West, a distance of 29.79 feet to a point for corner;

South 56°31'23" West, a distance of 28.94 feet to a point for corner;

South 53°35'37" West, a distance of 60.89 feet to a point for corner;

South 50°17'02" West, a distance of 31.83 feet to a point for corner;

South 46°18'29" West, a distance of 31.30 feet to a point for corner;

South 44°23'27" West, a distance of 33.07 feet to a point for corner;

South 40°37'06" West, a distance of 32.29 feet to a point for corner;

South 78°39'26" West, a distance of 42.01 feet to a point for corner;

North 68°40'40" West, a distance of 41.63 feet to a point for corner;

South 71°30'22" West, a distance of 47.59 feet to a point for corner;

South 39°08'53" West, a distance of 42.46 feet to a point for corner;

South 21°42'51" West, a distance of 42.39 feet to a point for corner;

South 27°16'51" West, a distance of 36.07 feet to a point for corner;

South 35°37'20" West, a distance of 35.68 feet to a point for corner;

South 32°14'30" West, a distance of 37.49 feet to a point for corner;

South 25°12'19" West, a distance of 85.30 feet to a point for corner;

South 46°44'43" West, a distance of 42.18 feet to a point for corner;

South 71°49'19" West, a distance of 42.89 feet to a point for corner;

South 87°47'15" West, a distance of 47.42 feet to a point for corner;

North 78°43'04" West, a distance of 45.72 feet to a point for corner;

North 57°26'44" West, a distance of 44.71 feet to a point for corner;

North 47°21'40" West, a distance of 45.17 feet to a point for corner;

North 41°16'31" West, a distance of 44.92 feet to a point for corner;

North 79°16'21" West, a distance of 46.36 feet to a point for corner;

South 61°42'18" West, a distance of 42.39 feet to a point for corner;

South 00°00'15" East, a distance of 45.45 feet to a point for corner;

South 21°42'40" East, a distance of 44.11 feet to a point for corner;

South 33°02'14" East, a distance of 45.17 feet to a point for corner;

South 46°40'29" East, a distance of 44.26 feet to a point for corner;

South 31°27'40" East, a distance of 38.89 feet to a point for corner;

South 13°15'46" West, a distance of 44.03 feet to a point for corner;

South 26°26'42" West, a distance of 49.23 feet to a point for corner;

South 24°34'46" West, a distance of 57.69 feet to a point for corner;

South 32°19'05" West, a distance of 44.83 feet to a point for corner;

South 45°22'04" West, a distance of 49.31 feet to a point for corner;

South 15°04'50" West, a distance of 44.34 feet to a point for corner;

South 12°20'13" West, a distance of 47.05 feet to a point for corner;

South 51°32'28" East, a distance of 47.72 feet to a point for corner;

South 55°22'11" East, a distance of 46.41 feet to a point for corner;

South 49°57'31" East, a distance of 45.99 feet to a point for corner;

South 55°16'13" East, a distance of 45.45 feet to a point for corner;

South 49°03'34" East, a distance of 25.79 feet to a point for corner;

South 23°24'33" East, a distance of 45.63 feet to a point for corner;

South 10°19'26" West, a distance of 47.19 feet to a point for corner;

South 25°15'31" West, a distance of 48.85 feet to a point for corner;

South 21°39'38" West, a distance of 44.51 feet to a point for corner;

South 28°24'12" West, a distance of 26.50 feet to a point for corner;

South 55°15'13" West, a distance of 49.81 feet to a point for corner;

South 75°22'27" West, a distance of 44.43 feet to a point for corner;

South 69°07'42" West, a distance of 44.61 feet to a point for corner;

South 49°23'46" West, a distance of 41.71 feet to a point for corner;

South 06°59'20" East, a distance of 46.31 feet to a point for corner;

South 35°52'00" East, a distance of 46.30 feet to a point for corner;

South 32°07'08" East, a distance of 49.72 feet to a point for corner;

South 14°51'13" East, a distance of 44.18 feet to a point for corner;

South 28°25'05" West, a distance of 42.52 feet to a point for corner;

South 67°49'28" West, a distance of 46.70 feet to a point for corner;

South 79°32'24" West, a distance of 40.33 feet to a point for corner;

South 81°36'49" West, a distance of 49.95 feet to a point for corner;

South 78°01'15" West, a distance of 36.49 feet to a point for corner;

South 05°35'28" East, a distance of 47.80 feet to the southernmost southeast corner of said 17.070 acre tract, being on the westerly line of said Tract 2 and the easterly line of aforesaid 189.695 acre tract;

THENCE North 85°37'47" East, along the westerly line of said Tract 2 and the easterly line of said 189.695 acre tract, a distance of 193.33 feet to a 5/8 inch iron rod with plastic cap stamped “KHA” set for an ell corner of said Tract 2, common to a northeast corner of said 189.695 acre tract;

THENCE South 03°33'27" East, continuing along the westerly line of said Tract 2 and the easterly line of said 189.695 acre tract, a distance of 516.01 feet to the northerly southeast corner of said 189.695 acre tract, common to the north corner of a called 1.84-acre tract of land described in a certified copy of probate to Walter C. Fain, recorded in Document No. 2004-95008, said Official Records;

THENCE South 40°46'41" West, departing said westerly line, and along the northwesterly line of said 1.84-acre tract, same being the southeasterly line of said 189.695-acre tract, a distance of 552.59 feet to a 1/2 inch iron rod with plastic cap (illegible) found for the southerly southeast corner of said 189.695-acre tract, common to the southwest corner of said 1.84-acre tract, also being on the northerly line of a called 23.507 acre tract of land described as Tract 3 in a deed to Town of Prosper, as recorded in Instrument No. 2022-69025, said Official Records;

THENCE South 89°21'41" West, along the northerly line of said Tract 3, and the southerly line of said 189.695-acre tract, a distance of 1,002.42 feet to a 1/2 inch iron rod found for the northwest corner of said Tract 3 and the easternmost northeast corner of the Middle School #9 Addition, recorded in Instrument No. 2023-375, said Plat Records;

THENCE South 89°18'00" West, continuing along said southerly line, and along the northerly line of said Middle School #9 Addition, a distance of 363.44 feet to the southwest corner of said 189.695-acre tract, common to an ell corner of said Middle School #9 Addition;

THENCE along the westerly line of said 189.695-acre tract, and the easterly line of said Middle School addition, and a called Tract 1 and a called Tract 2, described in a deed to VEE Prosper Oaks, LLC, recorded in Instrument No. 2022-53773, said Official Records, and the aforesaid 91.001-acre tract, the following courses and distances:

North 00°12'17" East, a distance of 978.51 feet to an ell corner of said Tract 2, common to the southernmost northwest corner of said 189.695-acre tract, from which, a 5/8 inch iron rod found for witness bears North 11°17’ West, 1.16 feet;

North 89°06'26" East, a distance of 471.46 feet to a 4 inch metal post found for an ell corner of said 189.695-acre tract, from which, a 1/2 inch iron rod found for witness bears North 02°24’ East, 1.67 feet;

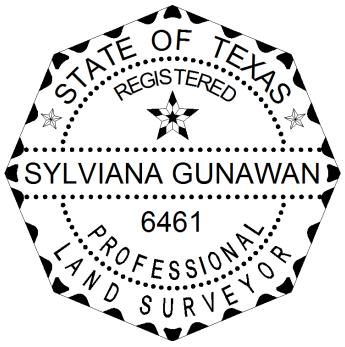
North 00°29'54" West, a distance of 720.64 feet to a 1/2 inch iron rod found for the northeast corner of said Tract 2, common to the southeast corner of said Tract 1;

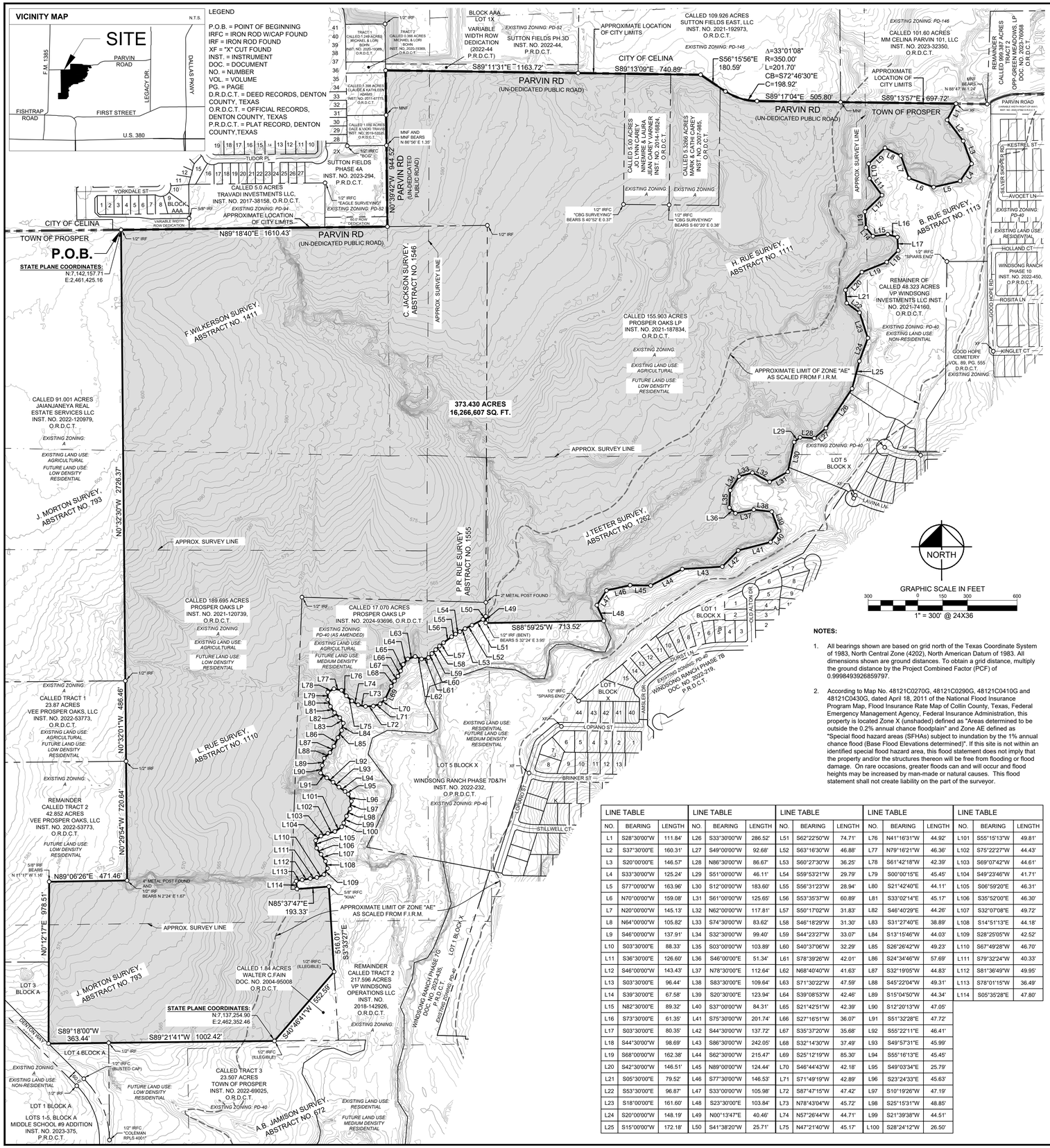
North 00°32'01" West, a distance of 486.46 feet to a 1/2 inch iron rod found for the northeast corner of said Tract 1, common to the southeast corner of said 91.001-acre tract;

North 00°32'30" West, a distance of 2,726.37 feet to the **POINT OF BEGINNING** and containing 16,266,607 square feet or 373.430 acres of land, more or less.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

Sylviana Gunawan
Registered Professional Land Surveyor No. 6461
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Ph. 972-335-3580
sylviana.gunawan@kimley-horn.com





NOTES:

1. All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. All dimensions shown are ground distances. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.9998493926859797.
2. According to Map No. 48121C0270G, 48121C0290G, 48121C0410G and 48121C0430G, dated April 18, 2011 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Collin County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, this property is located Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain" and Zone AE defined as "Special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood (Base Flood Elevations determined)". If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	S28°30'00"W	111.84'	L26	S33°30'00"W	286.52'	L51	S62°22'50"W	74.71'	L76	N41°16'31"W	44.92'	L101	S55°15'13"W	49.81'
L2	S37°30'00"E	160.31'	L27	S49°00'00"W	92.68'	L52	S63°16'30"W	46.88'	L77	N79°16'21"W	46.36'	L102	S75°22'27"W	44.43'
L3	S20°00'00"E	146.57'	L28	N86°30'00"W	86.67'	L53	S60°27'30"W	36.25'	L78	S61°42'18"W	42.39'	L103	S69°07'42"W	44.61'
L4	S33°30'00"W	125.24'	L29	S51°00'00"W	46.11'	L54	S59°53'21"W	29.79'	L79	S00°00'15"E	45.45'	L104	S49°23'46"W	41.71'
L5	S77°00'00"W	163.96'	L30	S12°00'00"W	183.60'	L55	S56°31'23"W	28.94'	L80	S21°42'40"E	44.11'	L105	S06°59'20"E	46.31'
L6	N70°00'00"W	159.08'	L31	S61°00'00"W	125.65'	L56	S53°35'37"W	60.89'	L81	S33°02'14"E	45.17'	L106	S35°52'00"E	46.30'
L7	N20°00'00"W	145.13'	L32	N62°00'00"W	117.81'	L57	S50°17'02"W	31.83'	L82	S46°40'29"E	44.26'	L107	S32°07'08"E	49.72'
L8	N64°00'00"W	105.82'	L33	S74°30'00"W	83.62'	L58	S46°18'29"W	31.30'	L83	S31°27'40"E	38.89'	L108	S14°51'13"E	44.18'
L9	S46°00'00"W	137.91'	L34	S32°30'00"W	99.40'	L59	S44°23'27"W	33.07'	L84	S13°15'46"W	44.03'	L109	S28°25'05"W	42.52'
L10	S03°30'00"E	88.33'	L35	S03°00'00"W	103.89'	L60	S40°37'06"W	32.29'	L85	S26°26'42"W	49.23'	L110	S67°49'28"W	46.70'
L11	S36°30'00"E	126.60'	L36	S46°00'00"E	51.34'	L61	S78°39'26"W	42.01'	L86	S24°34'46"W	57.69'	L111	S79°32'24"W	40.33'
L12	S46°00'00"W	143.43'	L37	N78°30'00"E	112.64'	L62	N68°40'40"W	41.63'	L87	S32°19'05"W	44.83'	L112	S81°36'49"W	49.95'
L13	S03°30'00"E	96.44'	L38	S83°30'00"E	109.64'	L63	S71°30'22"W	47.59'	L88	S45°22'04"W	49.31'	L113	S78°01'15"W	36.49'
L14	S39°30'00"E	67.58'	L39	S20°30'00"E	123.94'	L64	S39°08'53"W	42.46'	L89	S15°04'50"W	44.34'	L114	S05°35'28"E	47.80'
L15	N82°30'00"E	89.32'	L40	S37°00'00"W	84.31'	L65	S21°42'51"W	42.39'	L90	S12°20'13"W	47.05'			
L16	S73°30'00"E	61.35'	L41	S75°30'00"W	201.74'	L66	S27°16'51"W	36.07'	L91	S51°32'28"E	47.72'			
L17	S03°30'00"E	80.35'	L42	S44°30'00"W	137.72'	L67	S35°37'20"W	35.68'	L92	S55°22'11"E	46.41'			
L18	S44°30'00"W	98.69'	L43	S86°30'00"W	242.05'	L68	S32°14'30"W	37.49'	L93	S49°57'31"E	45.99'			
L19	S68°00'00"W	162.38'	L44	S62°30'00"W	215.47'	L69	S25°12'19"W	85.30'	L94	S55°16'13"E	45.45'			
L20	S42°30'00"W	146.51'	L45	N89°00'00"W	124.44'	L70	S46°44'43"W	42.18'	L95	S49°03'34"E	25.79'			
L21	S05°30'00"E	79.52'	L46	S77°30'00"W	146.53'	L71	S71°49'19"W	42.89'	L96	S23°24'33"E	45.63'			
L22	S53°30'00"E	96.87'	L47	S33°00'00"W	105.98'	L72	S87°47'15"W	47.42'	L97	S10°19'26"W	47.19'			
L23	S18°00'00"E	161.60'	L48	S23°30'00"W	103.84'	L73	N78°43'04"W	45.72'	L98	S25°15'31"W	48.85'			
L24	S20°00'00"W	148.19'	L49	N00°13'47"E	40.46'	L74	N57°26'44"W	44.71'	L99	S21°39'38"W	44.51'			
L25	S15°00'00"W	172.18'	L50	S41°38'20"W	25.71'	L75	N47°21'40"W	45.17'	L100	S28°24'12"W	26.50'			

DESCRIPTION OF PROPERTY:

BEING a tract of land situated in the L. Rue Survey, Abstract No. 1110, the H. Rue Survey Abstract No. 1111, the B. Rue Survey, Abstract No. 1113, the P.R. Rue Survey, Abstract No. 1555, the C. Jackson Survey, Abstract No. 1546, the F. Wilkerson Survey, Abstract No. 1411, the J. Morton Survey, Abstract No. 793, and the J. Teeter Survey, Abstract 1262, Denton County, Texas and being all of a called 189.695-acre tract of land described in a deed to Prosper Oaks LP, as recorded in Instrument No. 2021-187834, said Official Records, and all of a called 5.00-acre tract of land, described in a deed to Jo Lynn Carey Ninemire & Laura Jean Carey Varner, recorded in Instrument No. 2014-16824 said Official Records, and all of a called 5.3266-acre tract of land, described in a deed to Mark and Cathi Carey, recorded in Instrument No. 2007-985, said Official Records, and all of a called 17.070 acre tract of land described in a deed to Prosper Oaks LP, described in a deed to Prosper Oaks LP, recorded in Instrument No. 2024-93696, said Official Records, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found in Parvin Road (a public road) for the northwest corner of said 189.695-acre tract and the northeast corner of a called 91.001-acre tract of land described in a deed to Jaianjaneya Real Estate Services LLC, recorded in Instrument No. 2022-120979, said Official Records, also being on the south line of Sutton Fields Phase 4A, recorded in Instrument No. 2023-294, Plat Records, Denton County, Texas;

THENCE North 89°18'40" East, along the northerly line of said 189.695-acre tract and said Parvin Road, a distance of 1,610.43 feet to the southeast corner of said Sutton Fields Phase 4A, same being the westernmost southwest corner of said 155.903-acre tract;

THENCE North 00°39'42" West, departing said northerly line, along the westerly line of said 155.903-acre tract, the easterly line of said Sutton Fields Phase 4A, the easterly line of a called 1.000 acre tract of land described in a deed to Dale & Vicki Travis, as recorded in Instrument No. 2019-53525, said Official Records, the easterly line of a called 1.398 acre tract of land described in a deed to Claude and Kathleen Adams, as recorded in Instrument No. 2011-67775, said Official Records, the easterly line of a called 0.366 acre tract of land described as Tract 2 in a deed to Michael Bohn and Lori Bohn, as recorded in Instrument No. 2020-19369, said Official Records, and continuing along said Parvin Road, a distance of 944.52 feet to the northwest corner of said 155.903-acre tract, common to the southwest corner of Sutton Fields Phase 3D, recorded in Instrument No. 2022-44, said Plat Records;

THENCE South 89°11'31" East, departing the easterly line of said Sutton Fields Phase 4A, and along the northerly line of said 155.903-acre tract, said 5.00-acre tract, said 5.3266-acre tract, and the southerly line of said Sutton Fields Phase 3D, and a called 109.926-acre tract of land described in a deed to Sutton Fields East, LLC, recorded in Instrument No. 2021-192973, said Official Records, a distance of 1,163.72 feet to the northernmost northeast corner of said 5.3266-acre tract;

THENCE South 89°13'09" East, continuing along the northerly line of said 155.903-acre tract, along the northerly line of said 5.00-acre tract, said 5.3266-acre tract, and the southerly line of said 109.926-acre tract, a distance of 740.89 feet to the northernmost northeast corner of said 5.3266-acre tract;

THENCE South 56°15'56" East, continuing along the northerly line of said 5.3266-acre tract and the southerly line of said 109.926-acre tract, and along the northerly line of said 155.903-acre tract, a distance of 180.59 feet to a point at the beginning of a tangent curve to the left with a radius of 350.00 feet, a central angle of 33°01'08", and a chord bearing and distance of South 72°46'30" East, 198.92 feet;

THENCE in an easterly direction, continuing along the northerly line of said 155.903-acre tract and the southerly line of said 109.926-acre tract, with said tangent curve to the left, an arc distance of 201.70 feet to a point for corner;

THENCE South 89°17'04" East, continuing along said northerly line, and the southerly line of said 109.926-acre tract, a distance of 505.80 feet to a mag nail found for the southeast corner of said 109.926-acre tract, common to the southwest corner of a called 101.60-acre tract of land described in a deed to MM Celina Parvin 101, LLC, recorded in Instrument No. 2023-32350, said Official Records;

THENCE South 89°13'57" East, continuing along said northerly line, and along the southerly line of said 101.60-acre tract, a distance of 697.72 feet to an "X" cut in concrete found for the northeast corner of said 155.903-acre tract, common to the northernmost northwest corner of a called 48.323-acre tract of land described in a deed to VP Windsong Investments LLC, recorded in Instrument No. 2021-74160, said Official Records;

THENCE departing the southerly line of said 101.60-acre tract, and along the easterly line of said 155.903-acre tract and the west line of said 48.323-acre tract, Windsong Ranch Phase 6D, recorded in Instrument No. 2023-390, said Plat Records, Windsong Ranch Phase 7D&7H, recorded in Instrument No. 2022-232, said Plat Records, the following courses and distances:

South 28°30'00" West, a distance of 111.84 feet to a point for corner;

South 37°30'00" East, a distance of 160.31 feet to a point for corner;

South 20°00'00" East, a distance of 146.57 feet to a point for corner;

South 33°30'00" West, a distance of 125.24 feet to a point for corner;

South 77°00'00" West, a distance of 163.96 feet to a point for corner;

North 70°00'00" West, a distance of 159.08 feet to a point for corner;

North 20°00'00" West, a distance of 145.13 feet to a point for corner;

North 64°00'00" West, a distance of 105.82 feet to a point for corner;

South 46°00'00" West, a distance of 137.91 feet to a point for corner;

South 03°30'00" East, a distance of 88.33 feet to a point for corner;

South 36°30'00" East, a distance of 126.60 feet to a point for corner;

South 46°00'00" West, a distance of 143.43 feet to a point for corner;

South 03°30'00" East, a distance of 96.44 feet to a point for corner;

South 39°30'00" East, a distance of 67.58 feet to a point for corner;

North 82°30'00" East, a distance of 89.32 feet to a point for corner;

South 73°30'00" East, a distance of 61.35 feet to a point for corner;

South 03°30'00" East, a distance of 80.35 feet to a point for corner;

South 44°30'00" West, a distance of 98.69 feet to a point for corner;

South 68°00'00" West, a distance of 162.38 feet to a point for corner;

South 42°30'00" West, a distance of 146.51 feet to a point for corner;

South 05°30'00" East, a distance of 79.52 feet to a point for corner;

South 53°30'00" East, a distance of 96.87 feet to a point for corner;

South 18°00'00" East, a distance of 161.60 feet to a point for corner;

South 20°00'00" West, a distance of 148.19 feet to a point for corner;

South 15°00'00" West, a distance of 172.18 feet to a point for corner;

South 33°30'00" West, a distance of 286.52 feet to a point for corner;

South 49°00'00" West, a distance of 92.68 feet to a point for corner;

North 86°30'00" West, a distance of 86.67 feet to a point for corner;

South 51°00'00" West, a distance of 46.11 feet to a point for corner;

South 12°00'00" West, a distance of 183.60 feet to a point for corner;

South 61°00'00" West, a distance of 125.65 feet to a point for corner;

North 62°00'00" West, a distance of 117.81 feet to a point for corner;

South 74°30'00" West, a distance of 83.62 feet to a point for corner;

South 32°30'00" West, a distance of 99.40 feet to a point for corner;

South 03°00'00" West, a distance of 103.89 feet to a point for corner;

South 46°00'00" East, a distance of 51.34 feet to a point for corner;

North 78°30'00" East, a distance of 112.64 feet to a point for corner;

South 83°30'00" East, a distance of 109.64 feet to a point for corner;

South 20°30'00" East, a distance of 123.94 feet to a point for corner;

South 37°00'00" West, a distance of 84.31 feet to a point for corner;

South 75°30'00" West, a distance of 201.74 feet to a point for corner;

South 44°30'00" West, a distance of 137.72 feet to a point for corner;

South 86°30'00" West, a distance of 242.05 feet to a point for corner;

South 62°30'00" West, a distance of 215.47 feet to a point for corner;

North 89°00'00" West, a distance of 124.44 feet to a point for corner;

South 77°30'00" West, a distance of 146.53 feet to a point for corner;

South 33°00'00" West, a distance of 105.98 feet to a point for corner;

South 23°30'00" East, a distance of 103.84 feet to the southeast corner of said 155.903 acre tract, being on the northerly line of called Tract 2, described in a deed to VP Windsong Operations LLC, recorded in Instrument No. 2018-142926, said Official Records;

THENCE South 88°59'25" West, departing the westerly line of said Windsong Ranch Phase 7D&7H, along the southerly line of said 155.903 acre tract and the northerly line of said Tract 2, a distance of 713.52 feet to the southerly southwest corner of said 155.903 acre tract, common to an ell corner of said Tract 2, from which, a 1/2 inch iron rod (bent) found for witness bears South 32°24' East, 3.95 feet;

THENCE North 00°13'47" East, along the easterly line of said 155.903 acre tract and the easterly line of said Tract 2, a distance of 40.46 feet to the northernmost southeast corner of aforesaid 17.070 acre tract;

THENCE departing the westerly line of said 155.903 acre tract and the easterly line of said Tract 2, and along the easterly line of said 17.070 acre tract, the following courses and distances:

South 41°38'20" West, a distance of 25.71 feet to a point for corner;

South 62°22'50" West, a distance of 74.71 feet to a point for corner;

South 63°16'30" West, a distance of 46.88 feet to a point for corner;

South 60°27'30" West, a distance of 36.25 feet to a point for corner;

South 59°53'21" West, a distance of 29.79 feet to a point for corner;

South 56°31'23" West, a distance of 28.94 feet to a point for corner;

South 53°35'37" West, a distance of 60.89 feet to a point for corner;

South 50°17'02" West, a distance of 31.83 feet to a point for corner;

South 46°18'29" West, a distance of 31.30 feet to a point for corner;

South 44°23'27" West, a distance of 33.07 feet to a point for corner;

South 40°37'06" West, a distance of 32.29 feet to a point for corner;

South 78°39'26" West, a distance of 42.01 feet to a point for corner;

North 68°40'40" West, a distance of 41.63 feet to a point for corner;

South 71°30'22" West, a distance of 47.59 feet to a point for corner;

South 39°08'53" West, a distance of 42.46 feet to a point for corner;

South 21°42'51" West, a distance of 42.39 feet to a point for corner;

South 27°16'51" West, a distance of 36.07 feet to a point for corner;

South 35°37'20" West, a distance of 35.68 feet to a point for corner;

South 32°14'30" West, a distance of 37.49 feet to a point for corner;

South 25°12'19" West, a distance of 85.30 feet to a point for corner;

South 46°44'43" West, a distance of 42.18 feet to a point for corner;

South 71°49'19" West, a distance of 42.89 feet to a point for corner;

South 87°47'15" West, a distance of 47.42 feet to a point for corner;

North 78°43'04" West, a distance of 45.72 feet to a point for corner;

North 57°26'44" West, a distance of 44.71 feet to a point for corner;

North 47°21'40" West, a distance of 45.17 feet to a point for corner;

North 41°16'31" West, a distance of 44.92 feet to a point for corner;

North 79°16'21" West, a distance of 46.36 feet to a point for corner;

South 61°42'18" West, a distance of 42.39 feet to a point for corner;

South 00°00'15" East, a distance of 45.45 feet to a point for corner;

South 21°42'40" East, a distance of 44.11 feet to a point for corner;

South 33°02'14" East, a distance of 45.17 feet to a point for corner;

South 46°40'29" East, a distance of 44.26 feet to a point for corner;

South 31°27'40" East, a distance of 38.89 feet to a point for corner;

South 13°15'46" West, a distance of 44.03 feet to a point for corner;

South 26°26'42" West, a distance of 49.23 feet to a point for corner;

South 24°34'46" West, a distance of 57.69 feet to a point for corner;

South 32°19'05" West, a distance of 44.83 feet to a point for corner;

South 45°22'04" West, a distance of 49.31 feet to a point for corner;

South 15°04'50" West, a distance of 44.34 feet to a point for corner;

South 12°20'13" West, a distance of 47.05 feet to a point for corner;

South 51°32'28" East, a distance of 47.72 feet to a point for corner;

South 55°22'11" East, a distance of 46.41 feet to a point for corner;

South 49°57'31" East, a distance of 45.99 feet to a point for corner;

South 55°16'13" East, a distance of 45.45 feet to a point for corner;

South 49°03'34" East, a distance of 25.79 feet to a point for corner;

South 23°24'33" East, a distance of 45.63 feet to a point for corner;

South 10°19'26" West, a distance of 47.19 feet to a point for corner;

South 25°15'31" West, a distance of 48.85 feet to a point for corner;

South 21°39'38" West, a distance of 44.51 feet to a point for corner;

South 28°24'12" West, a distance of 26.50 feet to a point for corner;

South 55°15'13" West, a distance of 49.81 feet to a point for corner;

South 75°22'27" West, a distance of 44.43 feet to a point for corner;

South 69°07'42" West, a distance of 44.61 feet to a point for corner;

South 49°23'46" West, a distance of 41.71 feet to a point for corner;

South 06°59'20" East, a distance of 46.31 feet to a point for corner;

South 35°52'00" East, a distance of 46.30 feet to a point for corner;

South 32°07'08" East, a distance of 49.72 feet to a point for corner;

South 14°51'13" East, a distance of 44.18 feet to a point for corner;

South 28°25'05" West, a distance of 42.52 feet to a point for corner;

South 67°49'28" West, a distance of 46.70 feet to a point for corner;

South 79°32'24" West, a distance of 40.33 feet to a point for corner;

South 81°36'49" West, a distance of 49.95 feet to a point for corner;

South 78°01'15" West, a distance of 36.49 feet to a point for corner;

South 05°35'28" East, a distance of 47.80 feet to the southernmost southeast corner of said 17.070 acre tract, being on the westerly line of said Tract 2 and the easterly line of aforesaid 189.695 acre tract;

THENCE North 85°37'47" East, along the westerly line of said Tract 2 and the easterly line of said 189.695 acre tract, a distance of 193.33 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for an ell corner of said Tract 2, common to a northeast corner of said 189.695 acre tract;

THENCE South 03°33'27" East, continuing along the westerly line of said Tract 2 and the easterly line of said 189.695 acre tract, a distance of 516.01 feet to the northerly southeast corner of said 189.695 acre tract, common to the north corner of a called 1.84-acre tract of land described in a certified copy of probate to Walter C. Fain, recorded in Document No. 2004-95008, said Official Records;

THENCE South 40°46'41" West, departing said westerly line, and along the northwesterly line of said 1.84-acre tract, same being the southeasterly line of said 189.695-acre tract, a distance of 552.59 feet to a 1/2 inch iron rod with plastic cap (illegible) found for the southerly southeast corner of said 189.695-acre tract, common to the southwest corner of said 1.84-acre tract, also being on the northerly line of a called 23.507 acre tract of land described as Tract 3 in a deed to Town of Prosper, as recorded in Instrument No. 2022-69025, said Official Records;

THENCE South 89°21'41" West, along the northerly line of said Tract 3, and the southerly line of said 189.695-acre tract, a distance of 1,002.42 feet to a 1/2 inch iron rod found for the northwest corner of said Tract 3 and the easternmost northeast corner of the Middle School #9 Addition, recorded in Instrument No. 2023-375, said Plat Records;

THENCE South 89°18'00" West, continuing along said southerly line, and along the northerly line of said Middle School #9 Addition, a distance of 363.44 feet to the southwest corner of said 189.695-acre tract, common to an ell corner of said Middle School #9 Addition;

THENCE along the westerly line of said 189.695-acre tract, and the easterly line of said Middle School addition, and a called Tract 1 and a called Tract 2, described in a deed to VEE Prosper Oaks, LLC, recorded in Instrument No. 2022-53773, said Official Records, and the aforesaid 91.001-acre tract, the following courses and distances:

North 00°12'17" East, a distance of 978.51 feet to an ell corner of said Tract 2, common to the southernmost northwest corner of said 189.695-acre tract, from which, a 5/8 inch iron rod found for witness bears North 11°17' West, 1.16 feet;

North 89°06'26" East, a distance of 471.46 feet to a 4 inch metal post found for an ell corner of said 189.695-acre tract, from which, a 1/2 inch iron rod found for witness bears North 02°24' East, 1.67 feet;

North 00°29'54" West, a distance of 720.64 feet to a 1/2 inch iron rod found for the northeast corner of said Tract 2, common to the southeast corner of said Tract 1;

North 00°32'01" West, a distance of 486.46 feet to a 1/2 inch iron rod found for the northeast corner of said Tract 1, common to the southeast corner of said 91.001-acre tract;

North 00°32'30" West, a distance of 2,726.37 feet to the **POINT OF BEGINNING** and containing 16,266,607 square feet or 373.430 acres of land, more or less.

SYLVIANA GUNAWAN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6461
6160 WARREN PKWY., SUITE 210
FRISCO, TEXAS 75034
PH. 972-335-3580
sylviana.gunawan@kimley-horn.com

STATE OF TEXAS
REGISTERED
SYLVIANA GUNAWAN
6461
PROFESSIONAL
LAND SURVEYOR

OWNER:
Mark & Cathi Carey
15080 Parvin Road
Prosper, Texas 75078
Ph: (214)-535-9452

OWNER:
Sammie Carey
401 Navajo Trail
Gainesville, Texas 76240
Ph: (972)-658-1069

OWNER:
Prosper Oaks LP
9111 Cypress Waters Blvd.
Suite 140
Coppell, Texas 75019
Ph: (937)-219-4987
Contact: Vijay Borra

EXHIBIT A-2: BOUNDARY EXHIBIT
ZONE-24-0022
373.430 ACRES

L. RUE SURVEY, ABSTRACT NO. 1110; H. RUE SURVEY, ABSTRACT NO. 1111; B. RUE SURVEY, ABSTRACT NO. 1113; P.R. RUE SURVEY, ABSTRACT NO. 1555; C. JACKSON SURVEY, ABSTRACT NO. 1546; F. WILKERSON SURVEY, ABSTRACT NO. 1411; J. MORTON SURVEY, ABSTRACT NO. 793; J. TEETER SURVEY, ABSTRACT 1262
TOWN OF PROSPER, DENTON AND COLLIN COUNTY, TEXAS
DATE PREPARED: 05/28/2025

Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 300'	GGL/SG	KHA	05/28/2025	068625036	1 OF 1

DEVELOPER:
Toll Southwest, LLC.
2555 SW Grapevine Parkway
Grapevine, TX 76051
Ph: (817) 329-7973
Contact: Mike Boswell

ENGINEER:
Kimley-Horn and Associates, Inc.
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
Ph: 972.335.3580
Contact: Casey Ross, P.E.

DWG NAME: K:\FRI_SURVEY\068625036-PROSPER OAKS - TOWN OF PROSPER\DWG\068625036 ZONING EXHIBIT.DWG PLOTTED BY: GUNAWAN, SYLVIANA 5/28/2025 6:33 PM LAST SAVED: 5/28/2025 6:38 PM Copyright © 2025 Kimley-Horn and Associates, Inc. All rights reserved

Exhibit B: Statement of Intent
ZONE-24-0022
Prosper Oaks

Statement of Intent and Purpose

Toll Brothers is pleased to submit this Statement of Intent and Purpose for the master planned community Prosper Oaks which is generally located east of FM 1385, west of Windsong Ranch, north of Noles Road, and South of Parvin Road / Frontier Parkway.

Prosper Oaks will consist of approximately ±800 age-qualified and market rate residential lots situated on approximately 373.5 acres. The east portion of the community will consist of typical detached single family residential with community trail, pond, and amenity area amenities. The west portion is currently designed as a gated, age-qualified, detached single family housing for adults aged 55 and over. It will include an amenity center with a design that will focus on seniors, including, but not limited to, indoor meeting spaces, sports courts and medical office uses. The project will include active and passive amenities for the use of the Prosper Oaks and Prosper residents.

The community will be designed in accordance with the zoning and subdivision standards of the Town of Prosper; moreover, the attached Planned Development District will further layout the overall concept for the Prosper Oaks community with its amenities. A development agreement is also contemplated to address offsite infrastructure needs to support the community in accordance with the Town's comprehensive plan.

ZONE-24-0022
EXHIBIT C
DEVELOPMENT REGULATIONS
(373.5107 acres; approx. 310.4 Net Acres)

- Conformance with the Town's Zoning Ordinance and Subdivision Ordinance: Except as otherwise set forth in these Development Regulations, the regulations of the Town's Zoning Ordinance (Ordinance No. 05-20), as it exists or may be amended, and the Subdivision Ordinance (Ordinance No. 17-41), as it exists or may be amended, shall apply.
    - In the event of a conflict between the Town's Zoning Ordinance and this PD Ordinance, this PD Ordinance shall control. In the event of a conflict between these Development Regulations and the Concept Plan, these Development Regulations shall control.

1. **Development Plans**:
    a) Concept Plan: The property shall be developed in general accordance with the attached concept plan, set forth in **Exhibit D** (the "Concept Plan"), except as modified as provided herein. The Concept Plan shall satisfy all requirements under the Zoning Ordinance to submit/ approve a conceptual development plan for this PD and no further conceptual development plan, or approvals by the Planning & Zoning Commission or Town Council with respect to a conceptual development plan shall be required.
    b) Open Space and Trail Plan: The property shall be developed in general accordance with the attached Open Space and Trail Plan, set forth in **Exhibit G** (the "Open Space and Trail Plan"), except as modified as provided herein.
    c) Changes of detail or amendments to the Concept Plan, the Open Space and Trail Plan (except changes to any Hike and Bike Trails shown on the Open Space and Trail Plan, which are subject to subsection 1(e) below) or any other exhibits attached hereto may be authorized by the Development Services Director so long as such changes or amendments:
        i. do not alter the basic relationship of the proposed development to adjacent property;
        ii. do not alter the uses permitted;
        iii. do not increase the number of dwelling units above 800 dwelling units;
        iv. do not increase building height above 40 feet;
        v. do not increase lot coverage for any residential lot above 45 percent;
        vi. do not decrease the required off street parking ratio; and
        vii. do not reduce the minimum yards required pursuant to Section 5 and Section 6 of these Development Regulations (below).
    d) The applicant may appeal the Development Services Director's decision to deny an amendment to the Concept Plan or any other exhibits attached hereto to the Town's Planning & Zoning Commission and may appeal the Planning & Zoning Commission's decision to the Town Council. For any amendments that are not authorized to be approved by the Development Services Director herein or in the Zoning Ordinance (or by the Town's Planning & Zoning Commission in the Zoning Ordinance), the applicant may apply for an amendment through the same process as a zoning amendment.

e) Changes of detail or amendments to any Hike and Bike Trails shown on the Open Space and Trail Plan may be authorized by the Town's Director of Parks & Recreation or his/her designated representative (the "Parks Director") so long as such changes or amendments: do not alter the basic relationship of the proposed development to adjacent property and which do not alter the uses permitted, or reduce the minimum yards required pursuant to Section 5 and Section 6 of these Development Regulations (below).

i. The applicant may appeal the Parks Director's decision to deny an amendment to the Open Space and Trail Plan to the Town's Planning & Zoning Commission and may appeal the Planning & Zoning Commission's decision to the Town Council. For any amendments that are not authorized to be approved by the Parks Director herein or in the Zoning Ordinance (or by the Town's Planning & Zoning Commission in the Zoning Ordinance), the applicant may apply for an amendment through the same process as a zoning amendment.

2. **Tracts; Defined Terms**.

a) Tracts.

i. The property is referred to herein as two separate tracts, the "East Tract", labeled as the "East Tract" on the Concept Plan and the "West Tract", labeled as the "West Tract" on the Concept Plan.

b) Defined Terms.

i. "**Amenity Center**" means a facility that provides amenities primarily for the use of a private group, association, subdivision or neighborhood. Amenity centers can include without limitation (but are not required to include) pools, playgrounds, fitness centers, and other facilities.

ii. "**Community Pool**" means a swimming pool that is available for use by residents and their guests in the subdivision or neighborhood in which it is located. It may be part of an Amenity Center.

iii. "**Development Services Director**" means the Town's Director of Development Services or his/her designated representative.

iv. "**Fire Pit Amenity**" means a designated outdoor area with a fire pit, provided as a feature for residents or guests to gather around, enjoy warmth from the fire, and socialize.

v. "**Gazebo**" means a freestanding roofed structure usually open on the sides.

vi. "**Game Lawn**" means an outdoor lawn, grass or other outdoor area that may be used for outdoor games such as but not limited to cornhole, bocce ball, croquet, and horseshoes.

vii. "**Hike and Bike Trail**" means a concrete trail ten feet (10') in width (except where approved to be less than ten feet in width as described below) generally shown in yellow and labeled as the "Public Trail" on the Open Space and Trail Plan. The trail may be used for walking, running, hiking, biking and/or similar uses. The trail shall not be required to be greater than 10' in width (and may be less than 10' in width where natural features or vegetation prevent such width as approved by the Development Services Director). The Development Services Director may approve less than 10' in

width for the Hike and Bike Trail where the owner or developer is able to show that natural features or vegetation prevent or impede a ten foot width. The Hike and Bike Trail will be available for access by the public. No part of the Hike and Bike Trail as such term is used herein is required to be within the gated area of the residential community.

viii. "**Net acreage**" or "**net acres**" means gross land area less any:

1. Land located within a floodplain or special flood hazard area as designated by the Federal Emergency Management Agency on its Flood Hazard Boundary Map and Flood Insurance Rate Maps, or the Department of Housing and Urban Development, Federal Insurance Administration, Special Flood Hazard Area Maps.

2. Right-of-way dedicated for major thoroughfares.

3. Required parkland dedication.

4. Detention.

5. Land used for non-residential purposes.

Notwithstanding the foregoing, net acreage or net acres may include the following:

- Private open space.

- Park dedication in excess of minimum park dedication requirements.

- Detention ponds that contain a constant water level, are landscaped, or otherwise treated as an amenity for the development, as determined by the Development Services Director.

ix. "**Outdoor Grilling Station**" means a set of tools and/or equipment for grilling or cooking and preparing food outdoors. It typically will include one or more grills and related counter space.

x. "**Pavilion**" means a usually open, covered structure in a garden, open space, or place of recreation that is used for entertainment or shelter.

xi. "**Pocket Park**" means a small, outdoor park or open space area.

xii. "**Pond**" means a small, still, land-based body of water formed by pooling inside a depression, either naturally or artificially.

xiii. "**Putting Green**" means a small area of short grass or turf on which people can hit golf balls into a series of holes for entertainment or for practice.

xiv. "**Sports Court**" means a court or hardscape area designed for athletic or recreational purposes (e.g., such as a full or half basketball court, tennis court, or pickleball court, etc.) surrounded by fencing or on a standalone pad. A half basketball court counts as one sports court.

xv. "**Utility Distribution Facility**" means a structure or facility used to deliver utilities from their source to consumers. These facilities can include without limitation pipelines, wires, a lift station and/or other equipment.

3. **Uses**.

a) The following uses are permitted by right within the East Tract:

1. Model home;
2. Private Street Development[1];
3. Single-Family Dwelling, Detached;
4. Accessory Building;
5. Homebuilder Marketing Center;
6. Home Occupation;
7. Household Care Facility;
8. Municipal Uses Operated by the Town of Prosper;
9. Park or Playground;
10. Private Recreation Center;
11. School, Public;
12. Antenna and/or Antenna Support Structure, Non-Commercial;
13. Private Utility, Other Than Listed;
14. Wireless Communications and Support Structures less than 15 feet in height; and
15. Child Care Center, Home.

ii. Incidental Uses – including, but not limited to Amenity Centers, Community Pools, Gazebos, Pavilions, Sports Courts, Putting Greens, frisbee or disc golf course, and Ponds.

b) The following uses are permitted by Specific Use Permit (SUP) within the East Tract:

i. Child Care Center, Licensed.
ii. Wireless Communications and Support Structures 15 feet or greater in height.
iii. Utility Distribution Facility.

c) The following uses are permitted by right within the West Tract:

1. Model home;
2. Accessory Building;
3. Homebuilder Marketing Center;
4. Home Occupation;
5. Household Care Facility;
6. Municipal Uses Operated by the Town of Prosper;
7. Park or Playground;
8. Private Recreation Center;
9. Antenna and/or Antenna Support Structure, Non-Commercial;

[1] Use is permitted subject to compliance with conditional development standards or limitations in the corresponding numeric end note in Article 3, Division 1, Permitted Uses and Definitions, Section 3.1.4, Conditional Development Standards of the Zoning Ordinance.

10. Private Utility, Other Than Listed;
11. Wireless Communications and Support Structures less than 15 feet in height;
12. Single Family Dwelling, Detached Active Adult Community. "Active Adult Community" shall mean Single Family Dwelling, Detached that may be marketed and/or designed as a planned community primarily for residents who have retired from an active working life. A residential development that contains the West Tract Required Amenities will be considered a community designed primarily for residents who have retired from an active working life. Homeownership and/or occupancy on all or a portion of the lots within the West Tract may be limited to certain qualified ages, and may include without limitation Single Family Dwelling, Detached age restricted to residents 55 years of age and older. By way of example and not limitation, this use may include an age qualified community that restricts all lots to certain qualified ages, or may restrict a certain percentage of the lots to one or more qualified age(s). Any restrictions limiting the age(s) of any resident(s) (and any exceptions to such limitations) shall be contained within private Covenants, Conditions and Restrictions for the West Tract as this PD Ordinance does not provide any such regulations, just an allowance for an age qualified community to be developed.

13. Private Street Development is allowed by right.[2]

14. Incidental Uses – including, but not limited to Amenity Centers, Community Pools, Recreation Centers, food trucks, Gazebos, Pavilions, Sports Courts, Putting Greens, frisbee or disc golf course, and Ponds.

    (a) An Amenity Center may include but is not limited to the following uses:

        (i) Office, business center or co-working space, a café, a kitchen and/or catering kitchen, clubroom, fitness center, conference rooms, locker room or changing room with or without shower facilities, lounge, storage areas, restroom facilities, social gathering areas.

        (ii) Storage of equipment (such as but not limited to physical therapy, medical equipment, and pool equipment).

[2] Private Street Development is allowed by right within the West Tract pursuant to this PD and is excluded from the requirement for a Specific Use Permit in the Zoning Ordinance.

(iii) Administrative, Medical, or Professional Office is allowed as an accessory use as part of an Amenity Center in a Single Family Dwelling, Detached Active Adult Community.

(b) Examples of food trucks (an allowed incidental use within the West Tract) are included with the Inspirational Images attached as **Exhibit H**. Food trucks or food truck stations are not required to exactly match the images or design included with **Exhibit H**, rather **Exhibit H** provides some examples of what this use may look like.

d) The following uses are permitted by Specific Use Permit (SUP) within the West Tract:
   i. Wireless Communications and Support Structures 15 feet or greater in height.
   ii. Utility Distribution Facility.

4. **Maximum Overall Density**.
   a) Maximum Permitted Density for the entire property (including both the East Tract and the West Tract): 800 dwelling units, which may be a mix of the lot types defined herein. There is no minimum number of dwelling units per acre. Notwithstanding the proposed locations of lots and lot types as shown on the Concept Plan, the developer may change the location of lots and/or lot types and relocate lots/ lot types and such amendments to the Concept Plan will be approved by the Development Services Director so long as: (i) the total number of dwelling units located on the property is not more than 800 dwelling units, and (ii) the Concept Plan otherwise complies with the requirements herein.

5. **Development Regulations for the East Tract**.

   a) Type A Lots: "Type A Lots" shall be considered any lots within the East Tract with a lot width of 80' or greater. Except as otherwise provided herein, Type A Lots shall comply with the requirements and regulations for the Single Family-12.5 District of the Town's Zoning Ordinance, subject to the following changes:

      i. Minimum Enclosed Parking (Garage) Area: 600 square feet.

   b) Type B Lots: "Type B Lots" shall be considered any lots within the East Tract with a lot width of less than 80'. Except as otherwise provided herein, Type B Lots shall comply with the requirements and regulations for the Single Family-10 District of the Town's Zoning Ordinance, subject to the following changes:

      i. Minimum Lot Width: 75 feet.
      ii. Minimum Enclosed Parking (Garage) Area: 600 square feet.

c) At least 100 lots within the East Tract will be Type A Lots. The maximum number of dwelling units within the East Tract is 275.

d) At least ten percent (10%) of all lots within the East Tract (calculated based on the aggregate of all lots within the East Tract within all phases rather than on a phase by phase basis) will have a lot area of at least 20,000 square feet.

e) Please see Table 1 below for a summary of the development standards for the East Tract. In the event of a conflict between Table 1 and the text in Section 5(a)-(d) above, the text in Section 5(a)-(d) above shall control.

Table 1

	SF-12.5 Base District	**Type A Lots**	**SF-10 Base District**	**Type B Lots**
Min. or Max. # of lot type (if applicable)	n/a	At least 100 within the East Tract	n/a	n/a
Minimum Front Yard	30 feet	30 feet	25 feet	25 feet
Minimum Side Yard	Eight feet; 15 feet on corner adjacent to side street.	Eight feet; 15 feet on corner adjacent to side street.	Eight feet; 15 feet on corner adjacent to side street.	Eight feet; 15 feet on corner adjacent to side street.
Minimum Rear Yard	25 feet	25 feet	25 feet	25 feet
Minimum Lot Area	12,500 square feet	12,500 square feet	10,000 square feet	10,000 square feet
Minimum Lot Width	80 feet	80 feet	80 feet	75 feet
Minimum Lot Depth	135 feet	135 feet	125 feet	125 feet
Minimum Dwelling Area	1,800 square feet	1,800 square feet	1,800 square feet	1,800 square feet
Minimum Enclosed Parking (Garage) Area	400 square feet	600 square feet	400 square feet	600 square feet
Maximum Height	Two and a half stories, no greater than 40 feet.	Two and a half stories, no greater than 40 feet.	Two and a half stories, no greater than 40 feet.	Two and a half stories, no greater than 40 feet.
Maximum Lot Coverage	45 percent	45 percent	45 percent	45 percent

6. Development Regulations for the West Tract

a) Except as otherwise provided herein, Type C Lots, Type D Lots and Type E Lots (as defined herein) shall comply with the requirements and regulations for the Single Family-10 District of the Town's Zoning Ordinance.

b) Type C Lots: "Type C Lots" shall be considered any lots within the West Tract with a lot width of 75 feet or greater. Type C Lots shall be developed to the standards in Table 2 for Type C Lots.

c) Type D Lots: "Type D Lots" shall be considered any lots within the West Tract with a lot width of at least 65 feet, but less than 75 feet. Type D Lots shall be developed to the standards in Table 2 for Type D Lots.

d) Type E Lots: "Type E Lots" shall be considered any lots within the West Tract with a lot width of at least 55 feet, but less than 65 feet. Type E Lots shall be developed to the standards in Table 2 for Type E Lots.

Table 2

	SF-10 Base District	**Type C Lots**	**Type D Lots**	**Type E Lots**
Min. or Max. # of lot type (if applicable)	n/a	At least 100 within the West Tract	n/a	A maximum of 200 within the West Tract
Minimum Front Yard	25 feet	25 feet	25 feet	25 feet
Minimum Side Yard	Eight feet; 15 feet on corner adjacent to side street.	Eight feet; 15 feet on corner adjacent to side street.	Eight feet; 15 feet on corner adjacent to side street.	Eight feet; 15 feet on corner adjacent to side street.
Minimum Rear Yard	25 feet	25 feet	25 feet	25 feet
Minimum Lot Area	10,000 square feet	10,000 square feet	8,800 square feet	7,500 square feet
Minimum Lot Width	80 feet	75 feet	65 feet	55 feet
Minimum Lot Depth	125 feet	125 feet	125 feet	125 feet
Minimum Dwelling Area	1,800 square feet	2,000 square feet	1,800 square feet	1,550 square feet
Minimum Enclosed Parking (Garage) Area	400 square feet	400 square feet	400 square feet	400 square feet
Maximum Height	Two and a half stories, no greater than 40 feet.	Two and a half stories, no greater than 40 feet.	Two and a half stories, no greater than 40 feet.	Two and a half stories, no greater than 40 feet.
Maximum Lot Coverage	45 percent	45 percent	45 percent	45 percent

e) No more than 200 lots within the West Tract may be Type E Lots. At least 100 of the lots within the West Tract are required to be Type C Lots. The maximum number of dwelling units within the West Tract is 525.

f) Article 4, Division 9, Section 4.9.3.F. of the Zoning Ordinance regarding staggered front yard setbacks does not apply. No staggered front yard setback is required; however, lot types (i.e., Type C, Type D and Type E) will be inter-mixed on each street on a block, so that each street has at least two lot types. Inter-mixing of lot types will result in a staggering of different home product types rather than staggering the setbacks to create visual interest on a street or block. Lot types will be mixed so that one side of a street is not identical (e.g., does not mirror) the opposite side of the street. For example, if one side of the street consists of ten (10) Type C Lots and ten (10) Type D Lots, then the opposite side of the street must have either a different number of Type C and Type D Lots or should include Type E Lots so that one side of the street does not exactly match the opposite side of the street. By way of clarification, the requirement to inter-mix lot types on a block or street does not prevent two of the same lot type being adjacent to each other on a street; rather the requirement is that more than one lot type will be provided on a block or street. Examples of how lot types may be inter-mixed is shown on **Exhibit D** and **Exhibit D-1** attached. Streets/ blocks are not required to conform exactly to **Exhibit D** and/or **Exhibit D-1**; rather, **Exhibit D** and **Exhibit D-1** are meant to show a graphic depiction of how lot types may be inter-mixed along a street or block.

g) A Single Family Dwelling, Detached Active Adult Community may be gated and separated from the surrounding communities along the perimeter subject to Section 7(d) herein, Screening and Fencing.

h) Internal to a Single Family Dwelling, Detached Active Adult Community there shall be connectivity throughout with access points to surrounding neighborhoods or trails.

i) Private Street Development.

i. The proposed streets shall be privately owned, maintained, and regulated by the applicable homeowners' association. Storm drainage for private streets shall also be maintained by the applicable homeowners' association.

ii. The property owner or developer will dedicate water and sewer easements to the Town within or adjacent to the streets in order for the development to be connected to the Town water and sewer systems.

iii. Otherwise, private streets shall be constructed in accordance with the requirements for private streets and gated subdivisions contained in Section 10.03.134 of Chapter 10, Article 3, Division 6 of the Code of Ordinances, Town of Prosper, Texas.

7. **General Development Regulations**

a) Architectural Regulations:

i. Dwelling units shall be in general conformance with one of the home styles shown in the renderings included with **Exhibit F**, with regard to design. Materials shall be governed by subsection (a)(ii) below. Otherwise stated, building materials are not required to match what is shown on **Exhibit F**;

rather, building material(s), including without limitation color palettes or types of materials may consist of any of the materials allowed in subsection (a)(ii) herein, subject to the requirements in that section. The property owner or developer shall submit building elevations with the application for a building permit. The Town will approve the building elevations if they substantially conform to the requirements of this subsection (a)(i) and subsection (a)(ii) below. The architectural styles depicted on **Exhibit F** are an example of the different styles that homes must be in general conformance with (e.g., each separate home will be in general conformance with one of the styles shown). Building elevations are not required to exactly match or be the same color palette as what is shown on **Exhibit F** so long as they are in general conformance with one of the styles on **Exhibit F**. The applicant may submit alternate/different elevations that do not comply with the requirements of this subsection (a) (e.g., are a different style/design than **Exhibit F** or deviate from subsection (a)(ii)) and such alternate elevations may be approved by the Development Services Director, except that any elevations that differ by more than ten percent (10%) from the percentages required pursuant to subsection (a)(ii) herein will require review by the Planning & Zoning Commission and approval by the Town Council.

ii. The exterior facades of a main building or structure, excluding windows, doors and area above the roof line shall comply with the following requirements:

1. The exterior facades shall be constructed of 100 percent (100%) masonry, unless otherwise specified herein.

2. Cementitious fiber board is considered masonry, but may only constitute:

(a) <u>For the front façade of any home</u>: Up to fifty percent (50%) of stories other than the first story on the front façade of a residential home[3], except for the modern farmhouse and craftsman styles as noted below. Cementitious fiber board may be used as a façade cladding material for portions of upper stories on the front façade of a home that are in the same vertical plane as the first story so long as the home generally complies with one of the architectural styles included with **Exhibit F**; and

(b) <u>For the side and rear facades of any home</u>: Up to twenty percent (20%) of all stories on the side and rear facades of a

[3] For clarification, up to 100 percent (100%) of the first story on the front façade of any residential home may be cementitious fiberboard.

residential home (e.g., eaves, soffits, and rear gables above the first floor).

3. Unless an alternate material is approved by the Development Services Director, any portion of an upper story, excluding windows, architectural features or area above the roof line, that faces Parvin Road or Frontier Parkway shall be 100 percent (100%) masonry and shall not be comprised of cementitious fiber board except for eaves, soffits, and rear gables (which may be comprised of cementitious fiber board).

4. Unless an alternate material is approved by the Development Services Director, any portion of an upper story, excluding windows, architectural features or area above the roof line, that faces and fronts on public or private open space, public or private parks, or the Hike and Bike Trail, shall be 100 percent masonry and may be comprised of cementitious fiber board subject to the limitations in Section 7(a)(ii)(2) above.

5. Unless an alternate material is approved by the Development Services Director, the exterior cladding of chimneys shall be brick, natural or manufactured stone, or three coat stucco.

6. Notwithstanding any limitation above, for modern farmhouse and craftsman style homes, cementitious fiber board is considered masonry, and may constitute up to eighty percent (80%) of stories other than the first story on the front façade of a residential home. The modern farmhouse and craftsman style homes are shown in the renderings included with **Exhibit F**.

7. Notwithstanding any limitation above, cementitious fiber board may be used for architectural features, including window box-outs, gables, bay windows, roof dormers, garage door headers, columns, exposed sidewalls/gable ends above lower roofs, exposed rafter tails, or other architectural features approved by the Development Services Director.

8. Masonry Construction means clay fired brick, natural and manufactured stone, granite, marble, three-coat stucco, and cementitious fiber board (subject to the limitations in this section) as exterior construction materials for all residential structures. Three-coat stucco means stucco applied using a three-step process over diamond metal lath mesh to a minimum of seven-eighths of an inch thickness or by other process producing comparable cement stucco finish with equal or greater strength and durability specifications.

iii. An applicant may appeal any denial by the Development Services Director to a request for approval of an alternate material (as noted above) to the Town's Planning & Zoning Commission and may appeal the Planning & Zoning Commission's decision to the Town Council.

iv. The primary massing of the roof on the main residential building shall have a minimum slope of 6:12. Accessory roof structures (including, but not limited to garages) and architectural features shall have a minimum slope of 1.25:12.

v. Roof material shall be standing seam copper, metal roof or standing seam metal, natural slate shingles, imitation slate shingles, cementitious tile, or composition 30-year laminated shingles or other approved roof materials. "Other approved roof materials" mean roof materials other than listed herein that are approved by the Development Services Director. By way of clarification, roofing or roof materials are not required to match what is shown on **Exhibit F** hereto; rather, roof material may consist of any of the materials listed in this subsection.

vi. The requirements in this section shall apply in lieu of any exterior construction, building materials or design requirements in the Town's Zoning Ordinance and shall be the exclusive exterior construction, building materials, and design requirements that apply to the development of the property.

b) All homes shall have a covered porch, stoop, or portico at the main front entry into the home.

c) Driveway Pavement Enhancements:
   i. All driveways for single-family homes will be broom finished concrete; salt finish concrete; stained-patterned concrete; or brick, stone or inter-locking pavers.

d) Screening and fencing.
   i. Screening and fencing may be provided generally as shown on the Open Space and Trail Plan.
   ii. The area labeled as "Minimum 50% Open Fencing" along portions of Parvin Road and Frontier Parkway on the Open Space and Trail Plan (the "Perimeter Fence") will be constructed with at least fifty (50%) ornamental metal or tubular steel, with masonry columns and will be a minimum height of six feet and a maximum height of eight feet (except for columns which may be up to nine feet). The Perimeter Fence may include masonry materials so long as less than 50% of the total fence is masonry. The following requirements apply for the Perimeter Fence:
      1. Masonry columns shall be spaced between 75 feet and 100 feet.

2. The maximum height of the masonry columns, including capstones, shall be nine feet.
3. The minimum height of required walls and fences shall be measured from the nearest alley edge, the property line (where no alley exists) or sidewalk grade, whichever is higher, and shall be constructed in accordance with town design standards.
4. The ornamental metal fence shall be constructed of solid-stock materials and tubular steel with a minimum of 16 gauge pickets and 11 gauge posts.

e) Trees on Corner Lots.
   i. A minimum of one tree from the large tree list in Section 4.2.7 of the Zoning Ordinance shall be planted in the side yard area adjacent to the street on a corner lot. When more than two trees are required per lot, the corner lot, side yard tree may count toward the requirement. Street trees (trees located in the parkway area between the curb and the sidewalk) adjacent to the side yard of a corner lot may count toward the requirement.

8. **Open Space and Amenities**

a) East Tract Open Space: Open space shall be provided generally in the areas shown as "open space" on the Open Space and Trail Plan. The open space within the East Tract is not required to conform exactly to the boundaries as shown on the Open Space and Trail Plan, so long as at least 30 acres of open space is provided within the East Tract (such minimum open space acreage refers to open space within the aggregate, including all phases and all open space areas within the East Tract – the open space is not required to be contiguous).

b) West Tract Open Space: Open space shall be provided generally in the areas shown as "open space" on the Open Space and Trail Plan. The open space within the West Tract is not required to conform exactly to the boundaries as shown on the Open Space and Trail Plan, so long as at least 20 acres of open space is provided within the West Tract (such minimum open space acreage refers to open space within the aggregate, including all phases and all open space areas within the West Tract – the open space is not required to be contiguous).

c) Detention and retention may be provided in open space areas.

d) Open space areas may include area within the floodplain or special flood hazard area.

e) In order for an open space area to be counted towards the minimum 30 acre requirement for the East Tract (referenced above) and the minimum 20 acre requirement for the West Tract (referenced above), a given open space area must be (1) at least 10,000 square feet in size; and (2) have a minimum width of at least 40 feet.

f) The following amenities are required to be installed within the East Tract and may be installed in open space areas or common areas ("East Tract Required Amenities"):

i. A resident amenity area that includes a swimming pool, shade structure(s) totaling a minimum of 300 square feet, seating areas or a pool deck, and restroom facilities (the "East Amenity Area").
ii. At least one pocket park with a playground having a minimum of 40' x 29' use zone.
iii. At least three (3) of the following:
    1. Sports court;
    2. Fishing pier;
    3. Event lawn;
    4. Game lawn;
    5. Fire Pit Amenity;
    6. Outdoor Grilling Station;
    7. Putting Green; or
    8. Pavilion.

g) The following amenities are required to be installed within the West Tract and may be installed in open space areas or common areas ("West Tract Required Amenities", and together with the East Tract Required Amenities, the "Required Amenities"):
i. An Amenity Center or clubhouse including at a minimum a resident lounge area or social area, fitness center, and restrooms (the "West Amenity Center").
ii. A swimming pool with shade structure(s) totaling a minimum of 300 square feet and seating areas or a pool deck.
iii. At least three (3) of the following amenities ("Elective West Tract Amenities"):
    1. Pavilion with Outdoor Grilling Station;
    2. Bocce ball court;
    3. Sports Court;
    4. Shuffleboard court or table;
    5. Fire Pit Amenity;
    6. Putting Green;
    7. Outdoor spa;
    8. Game Lawn; or
    9. Event Lawn.

h) An example of representative photographs of the Elective West Tract Amenities is included with **Exhibit H** ("Inspirational Images"). For the avoidance of doubt, the design of the amenities is conceptual in nature and the developer or property owner shall not be held to the design of an amenity as shown on **Exhibit H**. The Inspirational Images are meant to illustrate the types of amenities that will be provided, but the developer or property owner may use a different supplier, design and/or model for the amenities or improvements. Otherwise stated, the developer may make changes to the design and specifications of the Elective West Tract Amenities shown on **Exhibit H** so long as at least three (3) of the Elective West Tract Amenities are provided within the West Tract.

i) The location of any one or more of the Required Amenities may change during the final design process from what is shown on any exhibits attached hereto. Additional amenities may be provided in addition to the Required Amenities.

j) The Required Amenities may be completed in phases (corresponding with the respective phases of development as determined by the developer). The East Amenity Area shall be complete prior to issuance of a certificate of occupancy for the 138th single-family home within the East Tract. The West Amenity Center shall be complete prior to issuance of a certificate of occupancy for the 263rd single-family home within the West Tract. The remaining Required Amenities shall be completed prior to the issuance of the last certificate of occupancy in the phase in which the respective amenity is located within. Completion of the Required Amenities, or any one of them shall not be a condition to issuance of building permits or approval of plats or construction plans.

k) The open space, amenities and trails requirements in this section and Section 9 below shall be the exclusive open space, amenities and trails requirements that apply to the development of the property.

9. **Trails and Sidewalks**

i. A Hike and Bike Trail shall be provided generally as shown in yellow and labeled as the "Public Trail" on the Open Space and Trail Plan. By way of clarification, the Hike and Bike Trail referenced herein does not include any of the trails shown as "Public Trail Installed by Others" on the Open Space and Trail Plan. The Hike and Bike Trail shall be located within a twenty-foot (20') public trail easement or pedestrian access easement and may overlap with other Town easements as approved by the Town's Engineering Department. A dog waste station, bench, and trash receptacle will be provided at least every 500 feet along the Hike and Bike Trail. The Hike and Bike Trail is flexible and not strictly bound to the locations shown on the Open Space and Trail Plan. The Hike and Bike Trail may shift or otherwise be modified with the final engineering design so long as the trail complies with the requirements herein. The Hike and Bike Trail may be completed in phases and is required to be completed (and a public easement for such portion(s) of the trail dedicated) prior to the issuance of the last certificate of occupancy in the phase in which the respective portion(s) of the Hike and Bike Trail are located within or adjacent to. The developer or property owner may designate the phases of the development.

ii. Private trails are not required to be within a dedicated easement and may overlap with other Town easements.

iii. The developer or property owner may (1) provide one or more of the following along or at the entrance to private trails: trail heads, trail way stations, overlooks, butterfly gardens and/or other types of trail enhancements; and (2) reserve or restrict the use of such areas for residents, each in its discretion. Examples of these types of trail enhancements are included on the pages titled "Walking/ Fitness Trails" and "Nature Overlooks & Butterfly Gardens" in **Exhibit H**. For the avoidance of doubt, the design of any trail heads, trail way stations, overlooks or other trail

enhancements is conceptual in nature and the developer or property owner shall not be held to the designs or types of such items as shown on **Exhibit H**. The Inspirational Images are meant to illustrate the types of trail enhancements that may be provided, but the developer or property owner may use a different design or type of enhancement or improvement(s).

iv. Except as provided herein, sidewalks shall be a minimum of five feet (5') in width. Sidewalks along Parvin Road and Frontier Parkway shall be a minimum of six feet (6') in width.

10. **Miscellaneous**

a) Building permits for model homes may be issued prior to the final acceptance of the proposed subdivision (or any portion thereof) or any public infrastructure for the subdivision, subject to the Town's Early Model Home Permit Policy; provided that two homes per lot type (i.e., two each of Lot Type A, Lot Type B, Lot Type C, Lot Type D and Lot Type E) may be permitted for model home purposes and such permits shall not be limited to two homes per builder.

b) Permits and a certificate of occupancy for a Sales Trailer may be issued prior to final acceptance of the proposed subdivision (or any portion thereof) or any public infrastructure for the subdivision; provided that all streets adjacent to the Sales Trailer have been completed and the water system and fire hydrants related thereto have been completed and are functional. "Sales Trailer" means a mobile structure used to accommodate temporary offices for the purposes of meeting with the general public during construction projects.

c) Plans for design and construction of any amenities, including without limitation any of the Required Amenities may be submitted and reviewed/approved by the Town while public infrastructure for the subdivision is being constructed (i.e., such plans may be submitted and approved prior to acceptance of public infrastructure or recording of a final plat). If such plans are submitted, once submitted, the City will review and approve such plans within 45 days of submittal. Once any amenity plans are approved and sufficient roads and water facilities have been provided within the subdivision to provide fire access and fire fighting capability to the area where the applicable amenity or amenities will be constructed, the Town will issue a permit that will allow the applicant to begin construction of any such amenities (i.e., construction of such amenities may begin prior to acceptance of all public infrastructure for the subdivision or recording of a final plat).

ZONE-24-0022
EXHIBIT C
DEVELOPMENT REGULATIONS
(373.5107 acres; approx. 310.4 Net Acres)

- Conformance with the Town's Zoning Ordinance and Subdivision Ordinance: Except as otherwise set forth in these Development Regulations, the regulations of the Town's Zoning Ordinance (Ordinance No. 05-20), as it exists or may be amended, and the Subdivision Ordinance (Ordinance No. 17-41), as it exists or may be amended, shall apply.
    - In the event of a conflict between the Town's Zoning Ordinance and this PD Ordinance, this PD Ordinance shall control. In the event of a conflict between these Development Regulations and the Concept Plan, these Development Regulations shall control.

1. **Development Plans**:
    a) Concept Plan: The property shall be developed in general accordance with the attached concept plan, set forth in **Exhibit D** (the "Concept Plan"), except as modified as provided herein. The Concept Plan shall satisfy all requirements under the Zoning Ordinance to submit/ approve a conceptual development plan for this PD and no further conceptual development plan, or approvals by the Planning & Zoning Commission or Town Council with respect to a conceptual development plan shall be required.
    b) Open Space and Trail Plan: The property shall be developed in general accordance with the attached Open Space and Trail Plan, set forth in **Exhibit G** (the "Open Space and Trail Plan"), except as modified as provided herein.
    c) Changes of detail or amendments to the Concept Plan, the Open Space and Trail Plan (except changes to any Hike and Bike Trails shown on the Open Space and Trail Plan, which are subject to subsection 1(e) below) or any other exhibits attached hereto may be authorized by the Development Services Director so long as such changes or amendments:
        i. do not alter the basic relationship of the proposed development to adjacent property;
        ii. do not alter the uses permitted;
        iii. do not increase the number of dwelling units above 800 dwelling units;
        iv. do not increase building height above 40 feet;
        v. do not increase lot coverage for any residential lot above 45 percent;
        vi. do not decrease the required off street parking ratio; and
        vii. do not reduce the minimum yards required pursuant to Section 5 and Section 6 of these Development Regulations (below).
    d) The applicant may appeal the Development Services Director's decision to deny an amendment to the Concept Plan or any other exhibits attached hereto to the Town's Planning & Zoning Commission and may appeal the Planning & Zoning Commission's decision to the Town Council. For any amendments that are not authorized to be approved by the Development Services Director herein or in the

Zoning Ordinance (or by the Town's Planning & Zoning Commission in the Zoning Ordinance), the applicant may apply for an amendment through the same process as a zoning amendment.

e) Changes of detail or amendments to any Hike and Bike Trails shown on the Open Space and Trail Plan may be authorized by the Town's Director of Parks & Recreation or his/her designated representative (the "Parks Director") so long as such changes or amendments: do not alter the basic relationship of the proposed development to adjacent property and which do not alter the uses permitted, or reduce the minimum yards required pursuant to Section 5 and Section 6 of these Development Regulations (below).

i. The applicant may appeal the Parks Director's decision to deny an amendment to the Open Space and Trail Plan to the Town's Planning & Zoning Commission and may appeal the Planning & Zoning Commission's decision to the Town Council. For any amendments that are not authorized to be approved by the Parks Director herein or in the Zoning Ordinance (or by the Town's Planning & Zoning Commission in the Zoning Ordinance), the applicant may apply for an amendment through the same process as a zoning amendment.

2. **Tracts; Defined Terms**.

a) Tracts.

i. The property is referred to herein as two separate tracts, the "East Tract", labeled as the "East Tract" on the Concept Plan and the "West Tract", labeled as the "West Tract" on the Concept Plan.

b) Defined Terms.

i. "**Amenity Center**" means a facility that provides amenities primarily for the use of a private group, association, subdivision or neighborhood. Amenity centers can include without limitation (but are not required to include) pools, playgrounds, fitness centers, and other facilities.

ii. "**Community Pool**" means a swimming pool that is available for use by residents and their guests in the subdivision or neighborhood in which it is located. It may be part of an Amenity Center.

iii. "**Development Services Director**" means the Town's Director of Development Services or his/her designated representative.

iv. "**Fire Pit Amenity**" means a designated outdoor area with a fire pit, provided as a feature for residents or guests to gather around, enjoy warmth from the fire, and socialize.

v. "**Gazebo**" means a freestanding roofed structure usually open on the sides.

vi. "**Game Lawn**" means an outdoor lawn, grass or other outdoor area that may be used for outdoor games such as but not limited to cornhole, bocce ball, croquet, and horseshoes.

vii. "**Hike and Bike Trail**" means a concrete trail ten feet (10') in width (except where approved to be less than ten feet in width as described below) generally shown in yellow and labeled as the "Public Trail" on the Open Space and Trail Plan. The trail may be used for walking, running, hiking, biking and/or similar uses. The trail shall not be required to be

greater than 10’ in width (and may be less than 10’ in width where natural features or vegetation prevent such width as approved by the Development Services Director). The Development Services Director may approve less than 10’ in width for the Hike and Bike Trail where the owner or developer is able to show that natural features or vegetation prevent or impede a ten foot width. The Hike and Bike Trail will be available for access by the public. No part of the Hike and Bike Trail as such term is used herein is required to be within the gated area of the residential community.

viii. “**Net acreage**” or “**net acres**” means gross land area less any:

1. Land located within a floodplain or special flood hazard area as designated by the Federal Emergency Management Agency on its Flood Hazard Boundary Map and Flood Insurance Rate Maps, or the Department of Housing and Urban Development, Federal Insurance Administration, Special Flood Hazard Area Maps.

2. Right-of-way dedicated for major thoroughfares.

3. Required parkland dedication.

4. Detention.

5. Land used for non-residential purposes.

Notwithstanding the foregoing, net acreage or net acres may include the following:

- Private open space.

- Park dedication in excess of minimum park dedication requirements.

- Detention ponds that contain a constant water level, are landscaped, or otherwise treated as an amenity for the development, as determined by the Development Services Director.

ix. “**Outdoor Grilling Station**” means a set of tools and/or equipment for grilling or cooking and preparing food outdoors. It typically will include one or more grills and related counter space.

x. “**Pavilion**” means a usually open, covered structure in a garden, open space, or place of recreation that is used for entertainment or shelter.

xi. “**Pocket Park**” means a small, outdoor park or open space area.

xii. “**Pond**” means a small, still, land-based body of water formed by pooling inside a depression, either naturally or artificially.

xiii. “**Putting Green**” means a small area of short grass or turf on which people can hit golf balls into a series of holes for entertainment or for practice.

xiv. "**Sports Court**" means a court or hardscape area designed for athletic or recreational purposes (e.g., such as a full or half basketball court, tennis court, or pickleball court, etc.) surrounded by fencing or on a standalone pad. A half basketball court counts as one sports court.

xv. "**Utility Distribution Facility**" means a structure or facility used to deliver utilities from their source to consumers. These facilities can include without limitation pipelines, wires, a lift station and/or other equipment.

3. **Uses**.

a) The following uses are permitted by right within the East Tract:

1. Model home;
2. Private Street Development[1];
3. Single-Family Dwelling, Detached;
4. Accessory Building;
5. Homebuilder Marketing Center;
6. Home Occupation;
7. Household Care Facility;
~~8. House of Worship;~~

8. ~~9.~~ Municipal Uses Operated by the Town of Prosper;
9. ~~10.~~ Park or Playground;
10. ~~11.~~ Private Recreation Center;
11. ~~12.~~ School, Public;
12. ~~13.~~ Antenna and/or Antenna Support Structure, Non-Commercial;
13. ~~14.~~ Private Utility, Other Than Listed;
14. ~~15.~~ Wireless Communications and Support Structures less than 15 feet in height; and
15. ~~16.~~ Child Care Center, Home~~;~~.

~~17. Golf Course and/or Country Club.~~

ii. Incidental Uses – including, but not limited to Amenity Centers, Community Pools, Gazebos, Pavilions, Sports Courts, Putting Greens, frisbee or disc golf course, and Ponds.

b) The following uses are permitted by Specific Use Permit (SUP) within the East Tract:

i. Child Care Center, Licensed.
ii. Wireless Communications and Support Structures 15 feet or greater in height.
iii. Utility Distribution Facility.

c) The following uses are permitted by right within the West Tract:

[1] Use is permitted subject to compliance with conditional development standards or limitations in the corresponding numeric end note in Article 3, Division 1, Permitted Uses and Definitions, Section 3.1.4, Conditional Development Standards of the Zoning Ordinance.

1. Model home;
2. Accessory Building;
3. Homebuilder Marketing Center;
4. Home Occupation;
5. Household Care Facility;
~~6. House of Worship;~~

6. ~~7.~~ Municipal Uses Operated by the Town of Prosper;
7. ~~8.~~ Park or Playground;
8. ~~9.~~ Private Recreation Center;
~~10. School, Public;~~

9. ~~11.~~ Antenna and/or Antenna Support Structure, Non-Commercial;
10. ~~12.~~ Private Utility, Other Than Listed;
11. ~~13.~~ Wireless Communications and Support Structures less than 15 feet in height;
~~14. Golf Course and/or Country Club.~~

12. ~~15.~~ Single Family Dwelling, Detached Active Adult Community. "Active Adult Community" shall mean Single Family Dwelling, Detached that may be marketed and/or designed as a planned community primarily for residents who have retired from an active working life. A residential development that contains the West Tract Required Amenities will be considered a community designed primarily for residents who have retired from an active working life. Homeownership and/or occupancy on all or a portion of the lots within the West Tract may be limited to certain qualified ages, and may include without limitation Single Family Dwelling, Detached age restricted to residents 55 years of age and older. By way of example and not limitation, this use may include an age qualified community that restricts all lots to certain qualified ages, or may restrict a certain percentage of the lots to one or more qualified age(s). Any restrictions limiting the age(s) of any resident(s) (and any exceptions to such limitations) shall be contained within private Covenants, Conditions and Restrictions for the West Tract as this PD Ordinance does not provide any such regulations, just an allowance for an age qualified community to be developed.

13. ~~16.~~ Private Street Development is allowed by right.[2]

14. ~~17.~~ Incidental Uses – including, but not limited to Amenity Centers, Community Pools, Recreation Centers, food trucks,

[2] Private Street Development is allowed by right within the West Tract pursuant to this PD and is excluded from the requirement for a Specific Use Permit in the Zoning Ordinance.

Gazebos, Pavilions, Sports Courts, Putting Greens, frisbee or disc golf course, and Ponds.

(a) An Amenity Center may include but is not limited to the following uses:

(i) Office, business center or co-working space, a café, a kitchen and/or catering kitchen, clubroom, fitness center, conference rooms, locker room or changing room with or without shower facilities, lounge, storage areas, restroom facilities, social gathering areas.

(ii) Storage of equipment (such as but not limited to physical therapy, medical equipment, and pool equipment).

(iii) Administrative, Medical, or Professional Office is allowed as an accessory use as part of an Amenity Center in a Single Family Dwelling, Detached Active Adult Community.

(b) Examples of food trucks (an allowed incidental use within the West Tract) are included with the Inspirational Images attached as **Exhibit H**. Food trucks or food truck stations are not required to exactly match the images or design included with **Exhibit H**, rather **Exhibit H** provides some examples of what this use may look like.

d) The following uses are permitted by Specific Use Permit (SUP) within the West Tract:
   i. Wireless Communications and Support Structures 15 feet or greater in height.
   ii. Utility Distribution Facility.

4. **Maximum Overall Density**.

a) Maximum Permitted Density for the entire property (including both the East Tract and the West Tract): 800 dwelling units, which may be a mix of the lot types defined herein. There is no minimum number of dwelling units per acre. Notwithstanding the proposed locations of lots and lot types as shown on the Concept Plan, the developer may change the location of lots and/or lot types and relocate lots/ lot types and such amendments to the Concept Plan will be approved by the Development Services Director so long as: (i) the total number of dwelling units located on the property is not more than 800 dwelling units, and (ii) the Concept Plan otherwise complies with the requirements herein.

5. **Development Regulations for the East Tract**.

a) Type A Lots: "Type A Lots" shall be considered any lots within the East Tract with a lot width of 80' or greater. Except as otherwise provided herein, Type A Lots shall comply with the requirements and regulations for the Single Family-12.5 District of the Town's Zoning Ordinance~~.~~, subject to the following changes:

i. Minimum Enclosed Parking (Garage) Area: 600 square feet.

b) Type B Lots: "Type B Lots" shall be considered any lots within the East Tract with a lot width of less than 80'. Except as otherwise provided herein, Type B Lots shall comply with the requirements and regulations for the Single Family-10 District of the Town's Zoning Ordinance, subject to the following changes:

i. Minimum Lot Width: 75 feet.
ii. Minimum Enclosed Parking (Garage) Area: 600 square feet.

c) At least 100 lots within the East Tract will be Type A Lots. The maximum number of dwelling units within the East Tract is 275.

d) At least ten percent (10%) of all lots within the East Tract (calculated based on the aggregate of all lots within the East Tract within all phases rather than on a phase by phase basis) will have a lot area of at least 20,000 square feet.

e) ~~d)~~ Please see Table 1 below for a summary of the development standards for the East Tract. In the event of a conflict between Table 1 and the text in Section 5(a)-(~~c~~d) above, the text in Section 5(a)-(~~c~~d) above shall control.

Table 1

	SF-12.5 Base District	**Type A Lots**	**SF-10 Base District**	**Type B Lots**
Min. or Max. # of lot type (if applicable)	n/a	At least 100 within the East Tract	n/a	n/a
Minimum Front Yard	30 feet	30 feet	25 feet	25 feet
Minimum Side Yard	Eight feet; 15 feet on corner adjacent to side street.	Eight feet; 15 feet on corner adjacent to side street.	Eight feet; 15 feet on corner adjacent to side street.	Eight feet; 15 feet on corner adjacent to side street.
Minimum Rear Yard	25 feet	25 feet	25 feet	25 feet
Minimum Lot Area	12,500 square feet	12,500 square feet	10,000 square feet	10,000 square feet
Minimum Lot Width	80 feet	80 feet	80 feet	75 feet
Minimum Lot Depth	135 feet	135 feet	125 feet	125 feet

Minimum Dwelling Area	1,800 square feet	1,800 square feet	1,800 square feet	1,800 square feet
Minimum Enclosed Parking (Garage) Area	400 square feet	~~400~~600 square feet	400 square feet	~~400~~600 square feet
Maximum Height	Two and a half stories, no greater than 40 feet.	Two and a half stories, no greater than 40 feet.	Two and a half stories, no greater than 40 feet.	Two and a half stories, no greater than 40 feet.
Maximum Lot Coverage	45 percent	45 percent	45 percent	45 percent

6. **Development Regulations for the West Tract**

a) Except as otherwise provided herein, Type C Lots, Type D Lots and Type E Lots (as defined herein) shall comply with the requirements and regulations for the Single Family-10 District of the Town's Zoning Ordinance.

b) Type C Lots: "Type C Lots" shall be considered any lots within the West Tract with a lot width of 75 feet or greater. Type C Lots shall be developed to the standards in Table 2 for Type C Lots.

c) Type D Lots: "Type D Lots" shall be considered any lots within the West Tract with a lot width of at least 65 feet, but less than 75 feet. Type D Lots shall be developed to the standards in Table 2 for Type D Lots.

d) Type E Lots: "Type E Lots" shall be considered any lots within the West Tract with a lot width of at least 55 feet, but less than 65 feet. Type E Lots shall be developed to the standards in Table 2 for Type E Lots.

Table 2

	SF-10 Base District	**Type C Lots**	**Type D Lots**	**Type E Lots**
Min. or Max. # of lot type (if applicable)	n/a	At least 100 within the West Tract	n/a	A maximum of ~~225~~200 within the West Tract
Minimum Front Yard	25 feet	25 feet	25 feet	25 feet
Minimum Side Yard	Eight feet; 15 feet on corner adjacent to side street.	Eight feet; 15 feet on corner adjacent to side street.	Eight feet; 15 feet on corner adjacent to side street.	Eight feet; 15 feet on corner adjacent to side street.
Minimum Rear Yard	25 feet	25 feet	25 feet	25 feet
Minimum Lot Area	10,000 square feet	10,000 square feet	8,800 square feet	7,500 square feet
Minimum Lot	80 feet	75 feet	65 feet	55 feet

Width				
Minimum Lot Depth	125 feet	125 feet	125 feet	125 feet
Minimum Dwelling Area	1,800 square feet	2,000 square feet	1,800 square feet	1,550 square feet
Minimum Enclosed Parking (Garage) Area	400 square feet	400 square feet	400 square feet	400 square feet
Maximum Height	Two and a half stories, no greater than 40 feet.	Two and a half stories, no greater than 40 feet.	Two and a half stories, no greater than 40 feet.	Two and a half stories, no greater than 40 feet.
Maximum Lot Coverage	45 percent	45 percent	45 percent	45 percent

e) No more than ~~225~~200 lots within the West Tract may be Type E Lots. At least 100 of the lots within the West Tract are required to be Type C Lots. The maximum number of dwelling units within the West Tract is 525.

f) Article 4, Division 9, Section 4.9.3.F. of the Zoning Ordinance regarding staggered front yard setbacks does not apply. No staggered front yard setback is required; however, lot types (i.e., Type C, Type D and Type E) will be inter-mixed on each street on a block, so that each street has at least two lot types. Inter-mixing of lot types will result in a staggering of different home product types rather than staggering the setbacks to create visual interest on a street or block. Lot types will be mixed so that one side of a street is not identical (e.g., does not mirror) the opposite side of the street. For example, if one side of the street consists of ten (10) Type C Lots and ten (10) Type D Lots, then the opposite side of the street must have either a different number of Type C and Type D Lots or should include Type E Lots so that one side of the street does not exactly match the opposite side of the street. By way of clarification, the requirement to inter-mix lot types on a block or street does not prevent two of the same lot type being adjacent to each other on a street; rather the requirement is that more than one lot type will be provided on a block or street. Examples of how lot types may be inter-mixed is shown on **Exhibit D** and **Exhibit D-1** attached. Streets/ blocks are not required to conform exactly to **Exhibit D** and/or **Exhibit D-1**; rather, **Exhibit D** and **Exhibit D-1** are meant to show a graphic depiction of how lot types may be inter-mixed along a street or block.

g) A Single Family Dwelling, Detached Active Adult Community may be gated and separated from the surrounding communities along the perimeter subject to Section 7(d) herein, Screening and Fencing.

h) Internal to a Single Family Dwelling, Detached Active Adult Community there shall be connectivity throughout with access points to surrounding neighborhoods or trails.

i) Private Street Development.

i. The proposed streets shall be privately owned, maintained, and regulated by the applicable homeowners' association. Storm drainage for private

streets shall also be maintained by the applicable homeowners' association.

ii. The property owner or developer will dedicate water and sewer easements to the Town within or adjacent to the streets in order for the development to be connected to the Town water and sewer systems.

iii. Otherwise, private streets shall be constructed in accordance with the requirements for private streets and gated subdivisions contained in Section 10.03.134 of Chapter 10, Article 3, Division 6 of the Code of Ordinances, Town of Prosper, Texas.

7. **General Development Regulations**

a) Architectural Regulations:

i. Dwelling units shall be in general conformance with one of the home styles shown in the renderings included with **Exhibit F**, with regard to design. Materials shall be governed by subsection (a)(ii) below. Otherwise stated, building materials are not required to match what is shown on **Exhibit F**; rather, building material(s), including without limitation color palettes or types of materials may consist of any of the materials allowed in subsection (a)(ii) herein, subject to the requirements in that section. The property owner or developer shall submit building elevations with the application for a building permit. The Town will approve the building elevations if they substantially conform to the requirements of this subsection (a)(i) and subsection (a)(ii) below. The architectural styles depicted on **Exhibit F** are an example of the different styles that homes must be in general conformance with (e.g., each separate home will be in general conformance with one of the styles shown). Building elevations are not required to exactly match or be the same color palette as what is shown on **Exhibit F** so long as they are in general conformance with one of the styles on **Exhibit F**. The applicant may submit alternate/different elevations that do not comply with the requirements of this subsection (a) (e.g., are a different style/design than **Exhibit F** or deviate from subsection (a)(ii)) and such alternate elevations may be approved by the Development Services Director, except that any elevations that differ by more than ten percent (10%) from the percentages required pursuant to subsection (a)(ii) herein will require review by the Planning & Zoning Commission and approval by the Town Council.

ii. The exterior facades of a main building or structure, excluding windows, doors and area above the roof line shall comply with the following requirements:

1. The exterior facades shall be constructed of 100 percent (100%) masonry, unless otherwise specified herein.

2. Cementitious fiber board is considered masonry, but may only constitute:

(a) For the front façade of any home: Up to fifty percent (50%) of stories other than the first story on the front façade of a residential home[3], except for the modern farmhouse and craftsman styles as noted below. Cementitious fiber board may be used as a façade cladding material for portions of upper stories on the front façade of a home that are in the same vertical plane as the first story so long as the home generally complies with one of the architectural styles included with **Exhibit F**; and

(b) For the side and rear facades of any home: Up to twenty percent (20%) of all stories on the side and rear facades of a residential home (e.g., eaves, soffits, and rear gables above the first floor).

3. Unless an alternate material is approved by the Development Services Director, any portion of an upper story, excluding windows, architectural features or area above the roof line, that faces Parvin Road or Frontier Parkway shall be 100 percent (100%) masonry and shall not be comprised of cementitious fiber board except for eaves, soffits, and rear gables (which may be comprised of cementitious fiber board).

4. Unless an alternate material is approved by the Development Services Director, any portion of an upper story, excluding windows, architectural features or area above the roof line, that faces and fronts on public or private open space, public or private parks, or the Hike and Bike Trail, shall be 100 percent masonry and may be comprised of cementitious fiber board subject to the limitations in Section 7(a)(ii)(2) above.

5. Unless an alternate material is approved by the Development Services Director, the exterior cladding of chimneys shall be brick, natural or manufactured stone, or three coat stucco.

6. Notwithstanding any limitation above, for modern farmhouse and craftsman style homes, cementitious fiber board is considered masonry, and may constitute up to eighty percent (80%) of stories other than the first story on the front façade of a residential home. The modern farmhouse and craftsman style homes are shown in the renderings included with **Exhibit F**.

7. Notwithstanding any limitation above, cementitious fiber board may be used for architectural features, including window box-outs,

[3] For clarification, up to 100 percent (100%) of the first story on the front façade of any residential home may be cementitious fiberboard.

gables, bay windows, roof dormers, garage door headers, columns, exposed sidewalls/gable ends above lower roofs, exposed rafter tails, or other architectural features approved by the Development Services Director.

8. Masonry Construction means clay fired brick, natural and manufactured stone, granite, marble, three-coat stucco, and cementitious fiber board (subject to the limitations in this section) as exterior construction materials for all residential structures. Three-coat stucco means stucco applied using a three-step process over diamond metal lath mesh to a minimum of seven-eighths of an inch thickness or by other process producing comparable cement stucco finish with equal or greater strength and durability specifications.

iii. An applicant may appeal any denial by the Development Services Director to a request for approval of an alternate material (as noted above) to the Town's Planning & Zoning Commission and may appeal the Planning & Zoning Commission's decision to the Town Council.

iv. The primary massing of the roof on the main residential building shall have a minimum slope of 6:12. Accessory roof structures (including, but not limited to garages) and architectural features shall have a minimum slope of 1.25:12.

v. Roof material shall be standing seam copper, metal roof or standing seam metal, natural slate shingles, imitation slate shingles, cementitious tile, or composition 30-year laminated shingles or other approved roof materials. "Other approved roof materials" mean roof materials other than listed herein that are approved by the Development Services Director. By way of clarification, roofing or roof materials are not required to match what is shown on **Exhibit F** hereto; rather, roof material may consist of any of the materials listed in this subsection.

vi. The requirements in this section shall apply in lieu of any exterior construction, building materials or design requirements in the Town's Zoning Ordinance and shall be the exclusive exterior construction, building materials, and design requirements that apply to the development of the property.

b) All homes shall have a covered porch, stoop, or portico at the main front entry into the home.

c) Driveway Pavement Enhancements:

i. All driveways for single-family homes will be broom finished concrete; salt finish concrete; stained-patterned concrete; or brick, stone or inter-locking pavers.

d) Screening and fencing.

i. Screening and fencing may be provided generally as shown on the Open Space and Trail Plan.

ii. The area labeled as "Minimum 50% Open Fencing" along portions of Parvin Road and Frontier Parkway on the Open Space and Trail Plan (the "Perimeter Fence") will be constructed with at least fifty (50%) ornamental metal or tubular steel, with masonry columns and will be a minimum height of six feet and a maximum height of eight feet (except for columns which may be up to nine feet). The Perimeter Fence may include masonry materials so long as less than 50% of the total fence is masonry. The following requirements apply for the Perimeter Fence:

1. Masonry columns shall be spaced between 75 feet and 100 feet.
2. The maximum height of the masonry columns, including capstones, shall be nine feet.
3. The minimum height of required walls and fences shall be measured from the nearest alley edge, the property line (where no alley exists) or sidewalk grade, whichever is higher, and shall be constructed in accordance with town design standards.
4. The ornamental metal fence shall be constructed of solid-stock materials and tubular steel with a minimum of 16 gauge pickets and 11 gauge posts.

e) Trees on Corner Lots.

i. A minimum of one tree from the large tree list in Section 4.2.7 of the Zoning Ordinance shall be planted in the side yard area adjacent to the street on a corner lot. When more than two trees are required per lot, the corner lot, side yard tree may count toward the requirement. Street trees (trees located in the parkway area between the curb and the sidewalk) adjacent to the side yard of a corner lot may count toward the requirement.

8. **Open Space and Amenities**

a) East Tract Open Space: Open space shall be provided generally in the areas shown as "open space" on the Open Space and Trail Plan. The open space within the East Tract is not required to conform exactly to the boundaries as shown on the Open Space and Trail Plan, so long as at least 30 acres of open space is provided within the East Tract (such minimum open space acreage refers to open space within the aggregate, including all phases and all open space areas within the East Tract – the open space is not required to be contiguous).

b) West Tract Open Space: Open space shall be provided generally in the areas shown as "open space" on the Open Space and Trail Plan. The open space within the West Tract is not required to conform exactly to the boundaries as shown on the Open Space and Trail Plan, so long as at least 20 acres of open space is provided within the West Tract (such minimum open space acreage refers to open space within the aggregate, including all phases and all open space areas within the West Tract – the open space is not required to be contiguous).

c) Detention and retention may be provided in open space areas.

d) Open space areas may include area within the floodplain or special flood hazard area.

e) In order for an open space area to be counted towards the minimum 30 acre requirement for the East Tract (referenced above) and the minimum 20 acre requirement for the West Tract (referenced above), a given open space area must be (1) at least 10,000 square feet in size; and (2) have a minimum width of at least 40 feet.

f) The following amenities are required to be installed within the East Tract and may be installed in open space areas or common areas ("East Tract Required Amenities"):

i. A resident amenity area that includes a swimming pool, shade structure(s) totaling a minimum of 300 square feet, seating areas or a pool deck, and restroom facilities (the "East Amenity Area").

ii. At least one pocket park with a playground having a minimum of 40' x 29' use zone.

iii. At least three (3) of the following:

1. Sports court;
2. Fishing pier;
3. Event lawn;
4. Game lawn;
5. Fire Pit Amenity;
6. Outdoor Grilling Station;
7. Putting Green; or
8. Pavilion.

g) The following amenities are required to be installed within the West Tract and may be installed in open space areas or common areas ("West Tract Required Amenities", and together with the East Tract Required Amenities, the "Required Amenities"):

i. An Amenity Center or clubhouse including at a minimum a resident lounge area or social area, fitness center, and restrooms (the "West Amenity Center").

ii. A swimming pool with shade structure(s) totaling a minimum of 300 square feet and seating areas or a pool deck.

iii. At least three (3) of the following amenities ("Elective West Tract Amenities"):

1. Pavilion with Outdoor Grilling Station;
2. Bocce ball court;
3. Sports Court;
4. Shuffleboard court or table;
5. Fire Pit Amenity;
6. Putting Green;
7. Outdoor spa;
8. Game Lawn; or
9. Event Lawn.

h) An example of representative photographs of the Elective West Tract Amenities is included with **Exhibit H** ("Inspirational Images"). For the avoidance of doubt, the design of the amenities is conceptual in nature and the developer or property owner shall not be held to the design of an amenity as shown on **Exhibit H**. The Inspirational Images are meant to illustrate the types of amenities that will be provided, but the developer or property owner may use a different supplier, design and/or model for the amenities or improvements. Otherwise stated, the developer may make changes to the design and specifications of the Elective West Tract Amenities shown on **Exhibit H** so long as at least three (3) of the Elective West Tract Amenities are provided within the West Tract.

i) ~~h)~~ The location of any one or more of the Required Amenities may change during the final design process from what is shown on any exhibits attached hereto. Additional amenities may be provided in addition to the Required Amenities.

j) ~~i)~~ The Required Amenities may be completed in phases (corresponding with the respective phases of development as determined by the developer). The East Amenity Area shall be complete prior to issuance of a certificate of occupancy for the 138th single-family home within the East Tract. The West Amenity Center shall be complete prior to issuance of a certificate of occupancy for the 263rd single-family home within the West Tract. The remaining Required Amenities shall be completed prior to the issuance of the last certificate of occupancy in the phase in which the respective amenity is located within. Completion of the Required Amenities, or any one of them shall not be a condition to issuance of building permits or approval of plats or construction plans.

k) ~~j)~~ The open space, amenities and trails requirements in this section and Section 9 below shall be the exclusive open space, amenities and trails requirements that apply to the development of the property.

9. **Trails and Sidewalks**

i. A Hike and Bike Trail shall be provided generally as shown in yellow and labeled as the "Public Trail" on the Open Space and Trail Plan. By way of clarification, the Hike and Bike Trail referenced herein does not include any of the trails shown as "Public Trail Installed by Others" on the Open Space and Trail Plan. The Hike and Bike Trail shall be located within a twenty-foot (20') public trail easement or pedestrian access easement and may overlap with other Town easements as approved by the Town's Engineering Department. A dog waste station, bench, and trash receptacle will be provided at least every 500 feet along the Hike and Bike Trail. The Hike and Bike Trail is flexible and not strictly bound to the locations shown on the Open Space and Trail Plan. The Hike and Bike Trail may shift or otherwise be modified with the final engineering design so long as the trail complies with the requirements herein. The Hike and Bike Trail may be completed in phases and is required to be completed (and a public easement for such portion(s) of the trail dedicated) prior to the issuance of the last certificate of occupancy in the phase in which the respective portion(s) of the Hike and Bike Trail are located within or adjacent to. The developer or property owner may designate the phases of the development.

ii. Private trails are not required to be within a dedicated easement and may overlap with other Town easements.

iii. The developer or property owner may (1) provide one or more of the following along or at the entrance to private trails: trail heads, trail way stations, overlooks, butterfly gardens and/or other types of trail enhancements; and (2) reserve or restrict the use of such areas for residents, each in its discretion. Examples of these types of trail enhancements are included on the pages titled "Walking/ Fitness Trails" and "Nature Overlooks & Butterfly Gardens" in **Exhibit H**. For the avoidance of doubt, the design of any trail heads, trail way stations, overlooks or other trail enhancements is conceptual in nature and the developer or property owner shall not be held to the designs or types of such items as shown on **Exhibit H**. The Inspirational Images are meant to illustrate the types of trail enhancements that may be provided, but the developer or property owner may use a different design or type of enhancement or improvement(s).

iv. ~~iii.~~ Except as provided herein, sidewalks shall be a minimum of five feet (5') in width. Sidewalks along Parvin Road and Frontier Parkway shall be a minimum of six feet (6') in width.

10. **Miscellaneous**

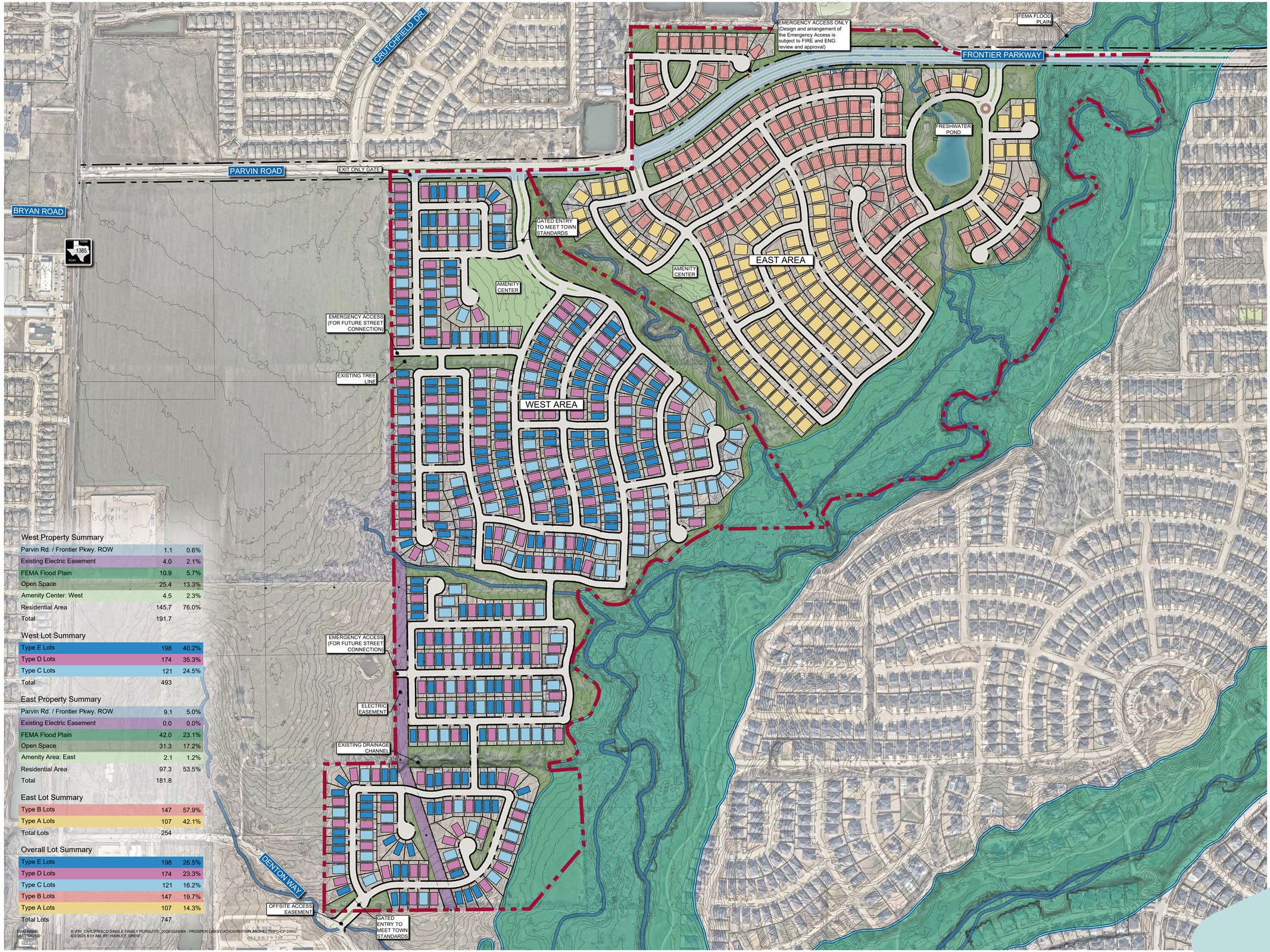
a) Building permits for model homes may be issued prior to the final acceptance of the proposed subdivision (or any portion thereof) or any public infrastructure for the subdivision, subject to the Town's Early Model Home Permit Policy; provided that two homes per lot type (i.e., two each of Lot Type A, Lot Type B, Lot Type C, Lot Type D and Lot Type E) may be permitted for model home purposes and such permits shall not be limited to two homes per builder.

b) Permits and a certificate of occupancy for a Sales Trailer may be issued prior to final acceptance of the proposed subdivision (or any portion thereof) or any public infrastructure for the subdivision; provided that all streets adjacent to the Sales Trailer have been completed and the water system and fire hydrants related thereto have been completed and are functional. "Sales Trailer" means a mobile structure used to accommodate temporary offices for the purposes of meeting with the general public during construction projects.

c) Plans for design and construction of any amenities, including without limitation any of the Required Amenities may be submitted and reviewed/approved by the Town while public infrastructure for the subdivision is being constructed (i.e., such plans may be submitted and approved prior to acceptance of public infrastructure or recording of a final plat). If such plans are submitted, once submitted, the City will review and approve such plans within 45 days of submittal. Once any amenity plans are approved and sufficient roads and water facilities have been provided within the subdivision to provide fire access and fire fighting capability to the area where the applicable amenity or amenities will be constructed, the Town will issue a permit that will allow the applicant to begin construction of any such amenities (i.e., construction of such amenities may begin

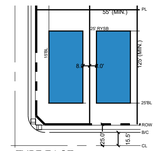
prior to acceptance of all public infrastructure for the subdivision or recording of a final plat).

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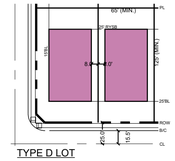


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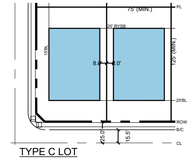
WEST AREA



TYPE E LOT

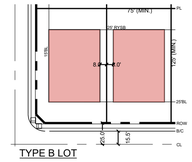


TYPE D LOT

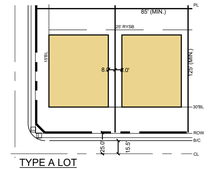


TYPE C LOT

EAST AREA



TYPE B LOT



TYPE A LOT

West Property Summary

Parvin Rd. / Frontier Pkwy. ROW	1.1	0.6%
Existing Electric Easement	4.0	2.1%
FEMA Flood Plain	10.9	5.7%
Open Space	25.4	13.3%
Amenity Center: West	4.5	2.3%
Residential Area	145.7	76.0%
Total	191.7	

West Lot Summary

Type E Lots	198	40.2%
Type D Lots	174	35.3%
Type C Lots	121	24.5%
Total	493	

East Property Summary

Parvin Rd. / Frontier Pkwy. ROW	9.1	5.0%
Existing Electric Easement	0.0	0.0%
FEMA Flood Plain	42.0	23.1%
Open Space	31.3	17.2%
Amenity Area: East	2.1	1.2%
Residential Area	97.3	53.5%
Total	181.8	

East Lot Summary

Type B Lots	147	57.9%
Type A Lots	107	42.1%
Total Lots	254	

Overall Lot Summary

Type E Lots	198	26.5%
Type D Lots	174	23.3%
Type C Lots	121	16.2%
Type B Lots	147	19.7%
Type A Lots	107	14.3%
Total Lots	747	

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CONCEPT PLAN

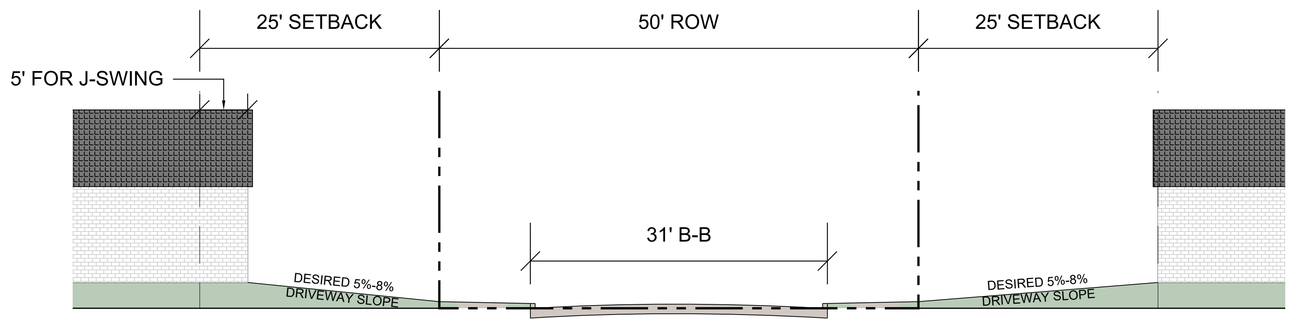
Prosper Oaks

Prosper, Texas

Kimley»Horn
400 North Oklahoma Drive, Suite 105
Celina, TX 75009
P 469-501-2200
State of Texas Registration No. F-928

June 2025





SECTION A-A

NOTE:
1. FOOTPRINTS ARE CONCEPTUAL AND MAY BE REVISED BEFORE PERMITS ARE APPLIED FOR.

Exhibit D-1

Prosper Oaks

Prosper, Texas

Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
P 972-335-3580
State of Texas Registration No. F-928

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Exhibit E: Development Schedule
ZONE-24-0022
Prosper Oaks

Development Schedule

It is anticipated the development of Prosper Oaks will begin within one to two years after approval and signing of this Planned Development zoning ordinance. Immediately following the zoning process, a preliminary plat and development agreement shall be prepared and submitted for Town review and approval. Overall, the development schedule for the approximate 373.5 acres will be phased over the next five to eight years and is primarily dependent on the marketability of the market rate and age qualified products.

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.



TUDOR



TRANSITIONAL



HIGH PLAINS



MODERN FARMHOUSE

Exhibit F – Architectural Styles (ZONE-24-0022)



CLASSIC



CHATEAU



MEDITERRANEAN



HILL COUNTRY

Exhibit F – Architectural Styles (ZONE-24-0022)



SPANISH



MISSION

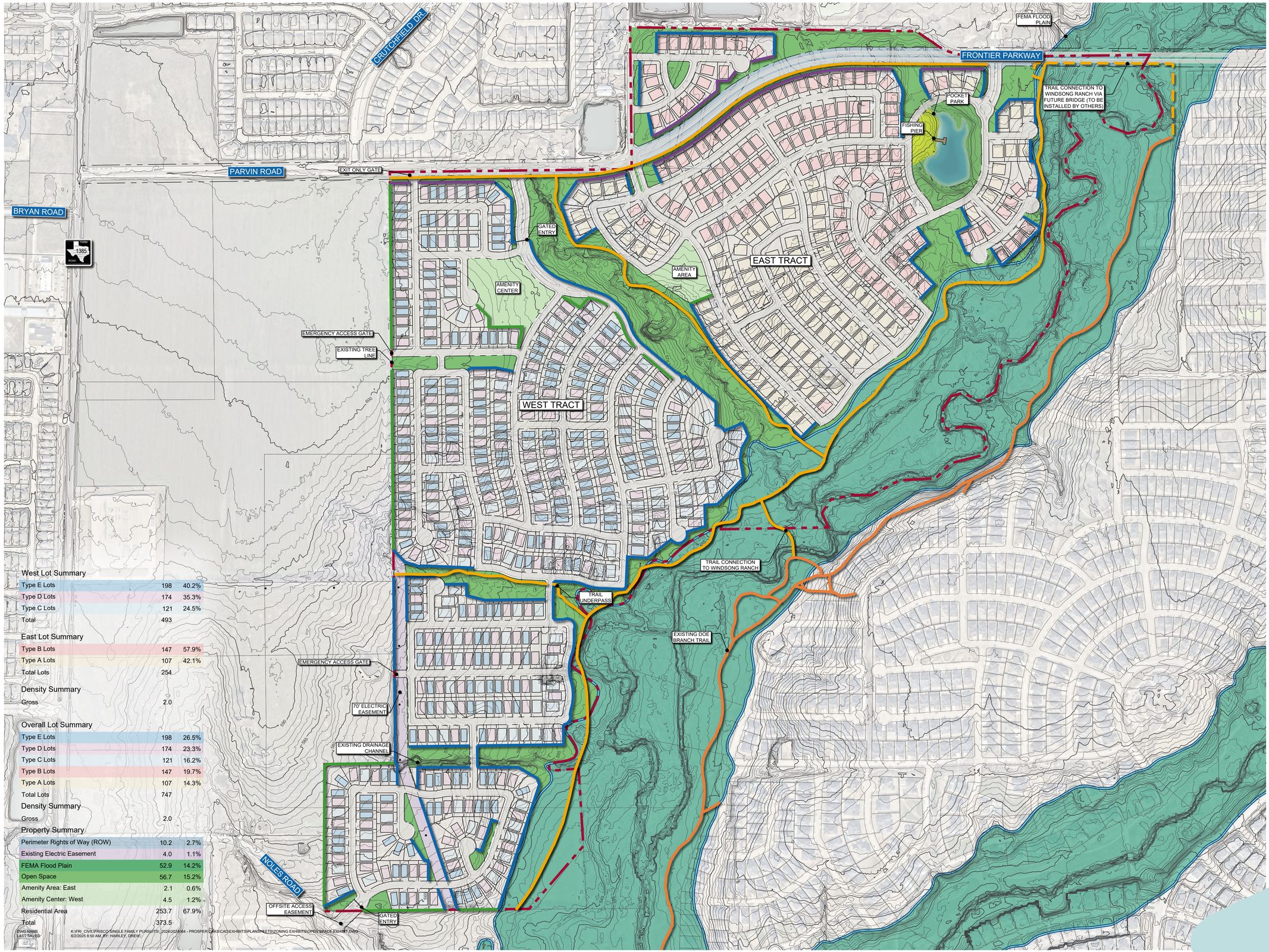


TRADITIONAL



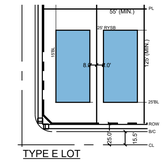
CRAFTSMAN

Exhibit F – Architectural Styles (ZONE-24-0022)

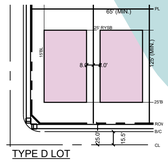


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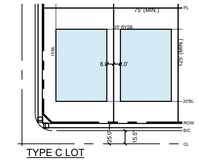
WEST TRACT



TYPE E LOT

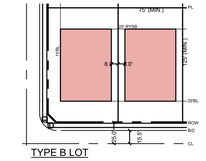


TYPE D LOT

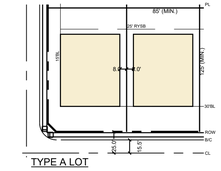


TYPE C LOT

EAST TRACT



TYPE B LOT



TYPE A LOT

TRAIL LEGEND

PUBLIC TRAIL	
PUBLIC TRAIL INSTALLED BY OTHERS	
EXISTING TRAIL	

FENCE LEGEND

MINIMUM 50% OPEN FENCING	
DECORATIVE METAL FENCE	
BOARD-ON-BOARD WOOD FENCE	

NOTES:
1. THIS PLAN IS CONCEPTUAL IN NATURE AND MAY HAVE BEEN PRODUCED WITHOUT THE BENEFIT OF A SURVEY OR CONTACT WITH THE CITY, COUNTY, ETC.
2. FLOOD PLAIN SHOWN IS SUBJECT TO CHANGE BASED ON A MORE DETAILED FULLY DEVELOPED FLOOD STUDY ANALYSIS.
3. AERIAL IMAGE BY NEARMAP, COPYRIGHT 2025.
4. TRAIL ALIGNMENTS ARE CONCEPTUAL. FINAL ALIGNMENTS TO BE DETERMINED AT TIME OF FINAL CONSTRUCTION PLANS.
5. SIDEWALK CONNECTIONS TO THE TRAIL WITHIN THE AGE QUALIFIED SECTION SHALL BE GATED.

West Lot Summary

Type E Lots	198	40.2%
Type D Lots	174	35.3%
Type C Lots	121	24.5%
Total	493	

East Lot Summary

Type B Lots	147	57.9%
Type A Lots	107	42.1%
Total Lots	254	

Density Summary

Gross	2.0

Overall Lot Summary

Type E Lots	198	26.5%
Type D Lots	174	23.3%
Type C Lots	121	16.2%
Type B Lots	147	19.7%
Type A Lots	107	14.3%
Total Lots	747	

Density Summary

Gross	2.0

Property Summary

Perimeter Rights of Way (ROW)	10.2	2.7%
Existing Electric Easement	4.0	1.1%
FEMA Flood Plain	52.9	14.2%
Open Space	56.7	15.2%
Amenity Area: East	2.1	0.6%
Amenity Center: West	4.5	1.2%
Residential Area	253.7	67.9%
Total	373.5	

DWG NAME
LAST SAVED
K:\FRI_CIVIL\FRISCO\SINGLE FAMILY PURSUITS_2024\202404 - PROSPER OAKS\CAD\EXHIBITS\PLANSHEETS\ZONING EXHIBITS\OPEN SPACE EXHIBIT.DWG
6/2/2025 8:50 AM, BY: HAWLEY, DREW

EXHIBIT G: LANDSCAPE, OPEN SPACE & TRAIL PLAN
ZONE-24-0022

Prosper Oaks
Prosper, Texas

Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
P 972-335-3580
State of Texas Registration No. F-928

June 2025





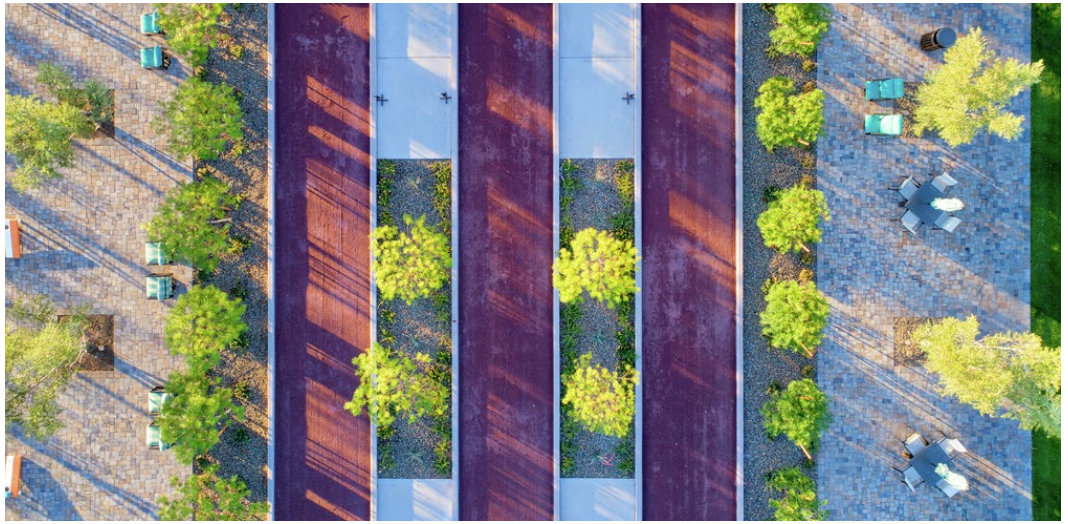




Pavilions

Exhibit H – Inspirational Images (ZONE-24-0022)









Bocce

Exhibit H – Inspirational Images (ZONE-24-0022)







Event Lawn

Exhibit H – Inspirational Images (ZONE-24-0022)



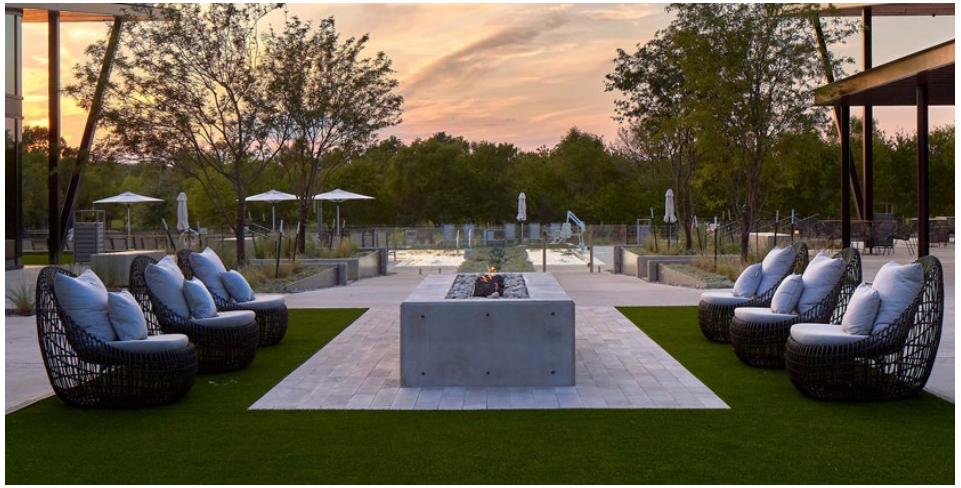




Game Lawn

Exhibit H – Inspirational Images (ZONE-24-0022)



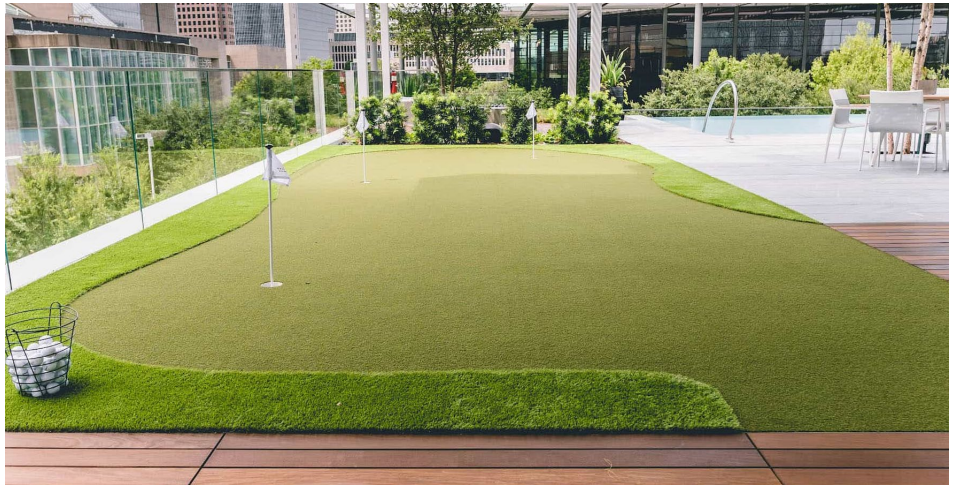






Fire Pit Amenity

Exhibit H – Inspirational Images (ZONE-24-0022)



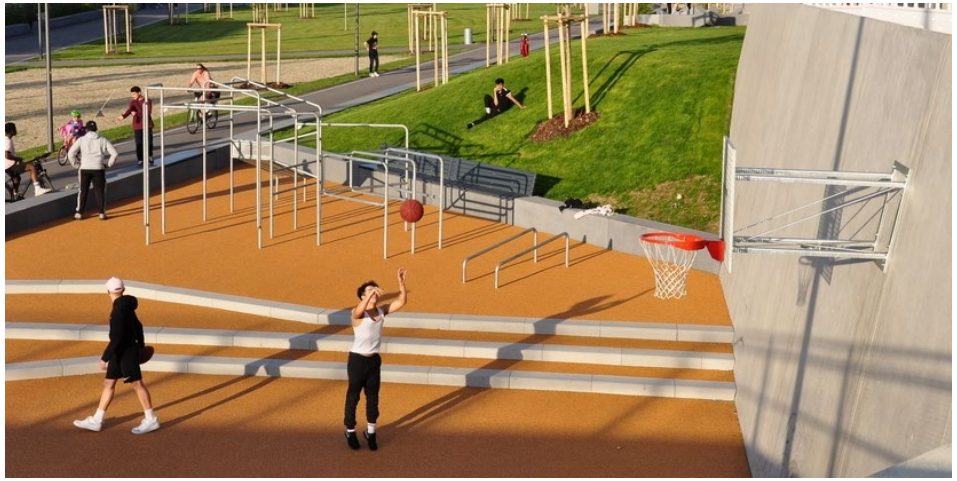






Putting Green

Exhibit H – Inspirational Images (ZONE-24-0022)









Sports Court

Exhibit H – Inspirational Images (ZONE-24-0022)









Outdoor Spa

Exhibit H – Inspirational Images (ZONE-24-0022)









Shuffleboard

Exhibit H – Inspirational Images (ZONE-24-0022)









Walking / Fitness Trails

Exhibit H – Inspirational Images (ZONE-24-0022)









Nature Overlooks & Butterfly Gardens

Exhibit H – Inspirational Images (ZONE-24-0022)









Food Truck Stations

Exhibit H – Inspirational Images (ZONE-24-0022)

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT ("Agreement") is entered into by and between the Town of Prosper, Texas ("Town"), Prosper Oaks LP, a Texas limited partnership ("Owner A"), Mark Carey and Cathi Carey ("Owner B") and Sammie J. Carey ("Owner C") to be effective on the latest date executed by a Party (the "Effective Date"). Owner A, Owner B and Owner C are each referred to herein as an "Owner" and collectively as the "Owners"). Each Owner and the Town are referred to herein individually as a "Party" and collectively as the "Parties".

WHEREAS, the Town is a home-rule municipal corporation, located in Collin County and Denton County, Texas, organized and existing under the laws of the State of Texas; and

WHEREAS, Owner A owns certain real property more particularly described and depicted on **Exhibit A-1** attached hereto and incorporated herein by reference for all purposes; and

WHEREAS, Owner B owns certain real property more particularly described and depicted on **Exhibit A-2** attached hereto and incorporated herein by reference for all purposes; and

WHEREAS, Owner C owns certain real property more particularly described and depicted on **Exhibit A-3** attached hereto and incorporated herein by reference for all purposes; and

WHEREAS, the entirety of the property subject to this Agreement is more particularly described and depicted on **Exhibit A** attached hereto and incorporated herein by reference for all purposes (the "Property"); and

WHEREAS, the Owners are planning to develop or cause the development of one or more projects on the Property, more commonly known as the Prosper Oaks development, which development has previously been approved by the Town or will be approved by the Town substantially concurrent with this Agreement; and

WHEREAS, the Property was rezoned by the Town Council as PD-___ pursuant to Ordinance No. _____ approved by the Town Council on _____ ____, 2025 (as amended, the "PD Ordinance"); and

WHEREAS, certain requirements of applicable law enumerated in Chapter 3000 of the Texas Government Code ("Chapter 3000") call into question the applicability of certain provisions of the PD Ordinance with respect to building materials and aesthetic methods; and

WHEREAS, the Parties desire to clarify the applicability of certain terms of the PD Ordinance in order for there to be assurance in the development requirements for the

Property, incorporate agreed upon development standards for building materials and aesthetic methods for residential development of the Property, and recognize Owners' reasonable investment-backed expectations in the development of the Property, as more fully described herein.

NOW, THEREFORE, in consideration of the foregoing premises, and for other good and valuable consideration the receipt and adequacy of which are hereby acknowledged, the Parties to this Agreement agree as follows:

1. Development Standards.

A. Notwithstanding Chapter 3000, the Parties may agree to building materials requirements for the Property pursuant to this Agreement. Therefore, the Parties agree that any residential structure built on the Property following the Effective Date will comply with the requirements contained in **Exhibit B**, "Building Materials and Architectural Regulations," attached hereto and incorporated herein, notwithstanding any conflicting provision of Chapter 3000. The Parties agree and acknowledge that the provisions of this Paragraph 1.A. shall apply to any residential structure constructed subsequent to the Effective Date. The requirements in **Exhibit B** are the only building materials and aesthetic methods required by the Town for development of the Property. No other building materials, aesthetic methods or architectural requirements shall apply for the development of the Property.

B. The Town agrees and confirms that the Property is not a place or area designated by the Town for its historical, cultural, or architectural importance and significance as set forth in Section 3000.002(d) of the Texas Government Code.

C. The Town confirms that Chapter 4, Section 9.8 (Exterior construction of residential buildings) and Chapter 4, Section 9.14 (Alternating single family plan elevations) of the Zoning Ordinance of the Town of Prosper, as amended, does not apply to development of the Property pursuant to Chapter 3000.

2. Weed-Free Landscape Areas. Each Owner agrees to maintain its respective portion of the Property, or establish one or more homeowners association(s) to maintain, all common areas of the Property, excluding floodplain areas, free of weeds, tall grass, rubbish, brush and other objectionable, unsightly or unsanitary matter, as defined in Article 6.03 of Chapter 6 of the Town's Code of Ordinances, as amended. Failure to comply with the terms of this Paragraph relative to weeds, tall grass, rubbish, brush and other objectionable, unsightly or unsanitary matter may result in the Town taking action pursuant to and in accordance with the Town's Code of Ordinances and applicable law.

3. Covenant Running with the Land. The terms, conditions, rights, obligations, benefits, covenants and restrictions of the provisions of this Agreement shall be deemed covenants running with the land, and shall be binding upon and inure to the

benefit of the Owners and their heirs, representatives, successors and assigns. This Agreement shall be deemed to be incorporated into each deed and conveyance of the Property or any portion thereof hereafter made by any other owners of the Property, regardless of whether this Agreement is expressly referenced therein.

4. Applicability of Town Ordinances. The Property shall otherwise be developed and all structures shall otherwise be constructed in accordance with all applicable Town ordinances and building/construction codes.

5. Default. No Party shall be in default under this Agreement until notice of the alleged failure of such Party to perform has been given (which notice shall set forth in reasonable detail the nature of the alleged failure) and until such Party has been given a reasonable time to cure the alleged failure (such reasonable time determined based on the nature of the alleged failure, but in no event less than thirty (30) days after written notice of the alleged failure has been given). In addition, no Party shall be in default under this Agreement if, within the applicable cure period, the Party to whom the notice was given begins performance and thereafter diligently and continuously pursues performance until the alleged failure has been cured. If a Party is in default under this Agreement, a non-defaulting Party shall have the right to enforce the Agreement in accordance with applicable law, provided, however, in no event shall any Party be liable for consequential or punitive damages.

6. Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Collin County, Texas. Exclusive venue for any action arising under this Agreement shall lie in Collin County, Texas.

7. Notice. Any notices required or permitted to be given hereunder (each, a "Notice"), shall be given in writing and may be served (i) by depositing same in the United States Mail, addressed to the party to be notified, postage pre-paid and registered or certified with return receipt requested; (ii) by electronic mail; (iii) by delivering the same in person to such party via hand-delivery service that provides a return receipt showing the actual date of delivery of the same to the addressee; or (iv) any overnight courier service such as FedEx that provides a return receipt showing the date of actual delivery of same to the addressee thereof. Notice given in accordance with (ii) herewith shall be effective upon receipt at the address of the addressee if received by 5:00 pm CT, otherwise notice shall be effective on the next business day. Notice given in accordance with (iii) and (iv) herewith shall be effective upon receipt at the address of the addressee. Notice given in accordance with (i) herewith shall be effective within three (3) business days of deposit. For purposes of this Agreement, "business day" shall mean a day that is not a Saturday, Sunday or legal holiday in the State of Texas. All other references to "days" under this Agreement shall mean calendar days.

For purposes of notification, the addresses of the Parties shall be as follows:

If to the Town: The Town of Prosper

250 W. First Street
P.O. Box 307
Prosper, Texas 75078
Attention: Mario Canizares, Town Manager
Email: mcanizares@prospertx.gov

If to Owner A: Prosper Oaks LP
826 Mango Court
Coppell, TX 75019-4764
Attn: Vijay Borra
Email: vijay@dfwland.com

If to Owner B: Mark and Cathi Carey
PO Box 433
Prosper, TX 75078-0433
Email: mccarey2020@gmail.com

If to Owner C: Sammie Carey
401 Navajo Trail
Gainesville, TX 76240-9425
Email: mccarey2020@gmail.com

Any party may change its address by written notice in accordance with this section.

8. Prevailing Party. In the event any person initiates or defends any legal action or proceeding to enforce or interpret any of the terms of this Agreement, the prevailing party in any such action or proceeding shall be entitled to recover its reasonable costs and attorney's fees (including its reasonable costs and attorney's fees on any appeal).

9. Entire Agreement. This Agreement contains the entire agreement between the Parties hereto with respect to development of the Property and supersedes all prior agreements, oral or written, with respect to the subject matter hereof. The provisions of this Agreement shall be construed as a whole and not strictly for or against any Party.

10. Savings/Severability. In the event any provision of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable, the Agreement shall, to the extent reasonably possible, remain in force as to the balance of its provisions as if such invalid provision were not a part hereof.

11. Binding Agreement. A telecopied facsimile of a duly executed counterpart of this Agreement shall be sufficient to evidence the binding agreement of each Party to the terms herein, including without limitation a scanned copy sent via electronic mail by either Party.

12. Authority to Execute. This Agreement shall become a binding obligation on the Parties upon execution by all Parties hereto. The Town warrants and represents that the individual executing this Agreement on behalf of the Town has full authority to execute this Agreement and bind the Town to the same. Each Owner warrants and represents that the individual(s) executing this Agreement on behalf of such Owner, as applicable, has full authority to execute this Agreement and bind such Owner to the same. The Town Council hereby authorizes the Town Manager of the Town to execute this Agreement on behalf of the Town.

13. Filing in Deed Records. This Agreement, and any and all subsequent amendments to this Agreement, shall be filed in the deed records of Collin County, Texas.

14. Mediation. The Parties shall attempt in good faith to resolve any disagreement or conflict concerning this Agreement, including but not limited to any disagreement or conflict concerning the interpretation of this Agreement. Any Party may initiate negotiations to resolve such a disagreement or conflict by providing written Notice to the other Parties (the "Initial Notice"), setting forth the subject of the conflict and the proposed solution. In the event such disagreement cannot be resolved by the Parties hereto within sixty (60) days of the receiving Party's or Parties' receipt of the Initial Notice, the Parties agree to submit such disagreement to nonbinding mediation before a single mediator mutually agreed upon by the Parties who has had at least ten (10) years' relevant experience in the commercial real estate industry. If within fifteen (15) days after the date of mediation, the Parties have not reached agreement on resolution of the conflict or disagreement, then any Party may (but shall not be obligated to) commence an action in accordance with the requirements of Section 6 herein.

15. Assignment. Each Owner has the right (from time to time without the consent of the Town, but upon written notice to the Town) to assign this Agreement, in whole or in part, and including any obligation, right, title, or interest of such Owner under this Agreement, to (i) any person or entity that is or will become an owner of all or any portion of the Property; (ii) a homeowners association or property owners association for all or a portion of the Property; or (iii) any entity that is controlled by or under common control with any Owner (each such person or entity, an "Assignee"). Each assignment shall be in writing executed by one or more Owner(s), as applicable, and the Assignee(s) and shall obligate the Assignee(s) to be bound by this Agreement to the extent of any rights so assigned. A copy of each assignment shall be provided to the Town. Provided that an Assignee assumes the liabilities, responsibilities, and obligations of the assignor under this Agreement, the assigning party will be released from any rights and obligations under this Agreement as to the Property (or portion thereof) that is the subject of such assignment, effective upon receipt of the assignment by the Town. No assignment by an Owner shall release such Owner from any liability that resulted from an act or omission by such Owner that occurred prior to the effective date of the assignment. Each Owner shall maintain true and correct copies of all such assignments by such Owner, including a copy of each executed assignment and the Assignee's Notice information.

16. Sovereign Immunity. The Parties are entering into this Agreement in reliance upon its enforceability. Consequently, the Town irrevocably waives all claims of sovereign and governmental immunity which it may have (including, but not limited to, immunity from suit and immunity to liability), if any, to the extent, but only to the extent, that a waiver is necessary to enforce specific performance of this Agreement and to give full effect to the intent of the Parties under this Agreement. Notwithstanding the foregoing, the waiver contained herein shall not waive any immunities that the Town may have with respect to claims of injury to persons or property, which claims shall be subject to all of their respective immunities and to the provisions of the Texas Tort Claims Act. Further, the waiver of immunity herein is not enforceable by any party not a Party to this Agreement. Except as provided herein, the Parties agree that the Town has not waived its sovereign immunity from suit by entering into and performing its obligations under this Agreement.

17. Force Majeure. It is expressly understood and agreed by the Parties to this Agreement that if the performance of any obligations hereunder is delayed by reason of war; civil commotion; acts of God; strike; inclement weather; shortages or unavailability of labor, supplies, or materials; incidence of disease or other illness that reaches outbreak, epidemic, or pandemic proportions or other causes affecting the area in which the Property is located; utility failures or delays; or other circumstances that are reasonably beyond the control of the Party obligated or permitted under the terms of this Agreement to do or perform the same, regardless of whether any such circumstance is similar to any of those enumerated or not, the Party so obligated or permitted shall be excused from doing or performing the same during such period of delay, so that the time period applicable to such obligation or performance requirement and any applicable completion deadline shall be extended for a period of time equal to the period such Party was delayed.

18. Estoppel. Any Party shall, at any time upon reasonable request by any other Party, provide an estoppel certificate or similar document evidencing that this Agreement is in full force and effect, that no event of default exists hereunder (or, if appropriate, specifying the nature and duration of any existing default and the steps required to cure the same), and/or any other improvements or obligations set forth in this Agreement.

19. Effect of Recitals. The recitals contained in this Agreement: (a) are true and correct as of the Effective Date; (b) form the basis upon which the Parties negotiated and entered into this Agreement; (c) are legislative findings of the Town Council; and (d) reflect the final intent of the Parties with regard to the subject matter of this Agreement. In the event it becomes necessary to interpret any provision of this Agreement, the intent of the Parties, as evidenced by the recitals, shall be taken into consideration and, to the maximum extent possible, given full effect. The Parties have relied upon the recitals as part of the consideration for entering into this Agreement and, but for the intent of the Parties reflected by the recitals, would not have entered into this Agreement.

20. **Consideration**. This Agreement is executed by the Parties hereto without coercion or duress and for substantial consideration, the sufficiency of which is forever confessed.

21. **Counterparts**. This Agreement may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes. An electronic mail or facsimile signature will also be deemed to constitute an original if properly executed and delivered to the other Party.

22. **Amendment**. This Agreement shall not be modified or amended except in writing signed by all Parties.

23. **Miscellaneous Drafting Provisions**. This Agreement shall be deemed drafted equally by all Parties hereto. The language of all parts of this Agreement shall be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any Party shall not apply.

24. **No Third Party Beneficiaries.** Nothing in this Agreement shall be construed to create any right in any third party not a signatory to this Agreement, and the Parties do not intend to create any third party beneficiaries by entering into this Agreement.

25. **Condition Precedent to Agreement**. The Parties enter into this Agreement expressly conditioned in reliance upon the Town's consideration and approval of a rezoning for the Property per the PD Ordinance consistent with this Agreement, **Exhibit B** and the zoning application previously submitted to the Town which rezoning and approval of the PD Ordinance shall occur in accordance with all requirements of applicable law prior to September 1, 2025 or this Agreement shall be null and void.

[Remainder of page intentionally left blank. Signature pages follow.]

IN WITNESS WHEREOF, the Parties hereto have caused this document to be executed as of the date referenced herein.

TOWN:

THE TOWN OF PROSPER, TEXAS

By: _____
Name: Mario Canizares
Title: Town Manager, Town of Prosper

Date: _____

STATE OF TEXAS §
§
COUNTY OF COLLIN §

This instrument was acknowledged before me on the ___ day of _____, 2025, by James W. Childers, Town Manager of the Town of Prosper, Texas, on behalf of the Town of Prosper, Texas.

_____
Notary Public, State of Texas
My Commission Expires: _____

OWNER A:

Prosper Oaks LP,
a Texas limited partnership

By: Prosper Oaks GP LLC,
a Texas limited liability company,
its General Partner

By: _____
Vijay K. Borra, Manager

Date: _____

STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on this the ___ day of _____, 2025 by Vijay K. Borra, the Manager of Prosper Oaks GP LLC, a Texas limited liability company, the General Partner of Prosper Oaks LP, a Texas limited partnership, on behalf of said entities.

Given under my hand and seal of office this _____ day of _____, 2025.

_____
Notary public in and for the State of Texas
My commission expires: _____

OWNER B:

Mark Carey,

an individual

By: _____

Name: Mark Carey

STATE OF TEXAS §

§

COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2025, by Mark Carey, an individual for the purposes therein stated and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2025.

_____

Notary Public, State of Texas

My Commission Expires:_____

Cathi Carey,

an individual

By: _____

Name: Cathi Carey

STATE OF TEXAS **§**

§

COUNTY OF _____ **§**

This instrument was acknowledged before me on _____, 2025, by Cathi Carey, an individual for the purposes therein stated and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2025.

_____

Notary Public, State of Texas

My Commission Expires:_____

OWNER C:

Sammie J. Carey,

an individual

By: _____

Name: Sammie J. Carey

STATE OF TEXAS §

§

COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2025, by Sammie J. Carey, an individual for the purposes therein stated and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2025.

_____

Notary Public, State of Texas

My Commission Expires:_____

EXHIBIT A

Property Description and Depiction

(see attached)

BEING a tract of land situated in the L. Rue Survey, Abstract No. 1110, the H. Rue Survey Abstract No. 1111, the B. Rue Survey, Abstract No. 1113, the P.R. Rue Survey, Abstract No. 1555, the C. Jackson Survey, Abstract No. 1546, the F. Wilkerson Survey, Abstract No. 1411, the J. Morton Survey, Abstract No. 793, and the J. Teeter Survey, Abstract 1262, Denton County, Texas and being all of a called 189.695-acre tract of land described in a deed to Prosper Oaks LP, as recorded in Instrument No. 2021-120739, Official Records, Denton County, Texas, and all of a called 155.903-acre tract of land described in a deed to Prosper Oaks LP, as recorded in Instrument No. 2021-187834, said Official Records, and all of a called 5.00-acre tract of land, described in a deed to Jo Lynn Carey Ninemire & Laura Jean Carey Varner, recorded in Instrument No. 2014-16824 said Official Records, and all of a called 5.3266-acre tract of land, described in a deed to Mark and Cathi Carey, recorded in Instrument No. 2007-985, said Official Records, and all of a called 17.070 acre tract of land described in a deed to Prosper Oaks LP, described in a deed to Prosper Oaks LP, recorded in Instrument No. 2024-93696, said Official Records, and being more particularly described as follows:

BEGINNING at a point in Parvin Road (a public road) for the northwest corner of said 189.695-acre tract and the northeast corner of a called 91.001-acre tract of land described in a deed to Jaianjaneya Real Estate Services LLC, recorded in Instrument No. 2022-120979, said Official Records, also being on the south line of Sutton Fields Phase 4A, recorded in Instrument No, 2023-294, Plat Records, Denton County, Texas;

THENCE North 89°18'40" East, along the northerly line of said 189.695-acre tract, a distance of 1,610.38 feet to the southeast corner of said Sutton Fields Phase 4A, same being the westernmost southwest corner of said 155.903-acre tract;

THENCE North 00°40'48" West, departing said northerly line, and along the westerly line of said 189.695-acre tract, and the easterly line of said Sutton Fields Phase 4A, a distance of 944.35 feet to the northwest corner of said 155.903-acre tract, common to the southwest corner of Sutton Fields Phase 3D, recorded in Instrument No. 2022-44, said Plat Records;

THENCE South 89°11'33" East, departing the easterly line of said Sutton Fields Phase 4A, and along the northerly line of said 155.903-acre tract, said 5.00-acre tract, said 5.3266-acre tract, and the southerly line of said Sutton Fields Phase 3D, and a called 109.926-acre tract of land described in a deed to Sutton Fields East, LLC, recorded in Instrument No. 2021-192973, said Official Records, a distance of 1,904.79 feet to the northernmost northeast corner of said 5.3266-acre tract;

THENCE South 56°24'33" East, continuing along the northerly line of said 5.3266-acre tract and the southerly line of said 109.926-acre tract, a distance of 142.06 feet to the northeast corner said 5.3266-acre tract, common to a northwest corner of said 155.903-acre tract, and at the beginning of a non-tangent curve to the left with a radius of 368.27 feet, a central angle of 37°21'13", and a chord bearing and distance of South 70°07'56" East, 235.86 feet;

THENCE in an easterly direction, along the northerly line of said 155.903-acre tract, and continuing along the southerly line of said 109.926-acre tract, with said non-tangent curve to the left, an arc distance of 240.09 feet to a point for corner;

THENCE South 89°17'04" East, continuing along said northerly line, and the southerly line of said 109.926-acre tract, a distance of 505.81 feet to a point for corner being the southeast corner of said 109.926-acre tract, common to the southwest corner of a called 101.60-acre tract of land described in a deed to MM Celina Parvin 101, LLC, recorded in Instrument No. 2023-32350, said Official Records;

THENCE North 89°21'20" East, continuing along said northerly line, and along the southerly line of said 101.60-acre tract, a distance of 707.09 feet to the northeast corner of said 155.903-acre tract, common to the northernmost northwest corner of a called 48.323-acre tract of land described in a deed to VP Windsong Investments LLC, recorded In Instrument No. 2021-74160, said Official Records;

THENCE departing the southerly line of said 101.60-acre tract, and along the easterly line of said 155.903-acre tract and the west line of said 48.323-acre tract, Windsong Ranch Phase 6D, recorded in Instrument No. 2023-390, said Plat Records, Windsong Ranch Phase 7D&7H, recorded in Instrument No. 2022-232, said Plat Records, the following courses and distances:

South 28°30'00" West, a distance of 131.49 feet to a point for corner;

South 37°30'00" East, a distance of 160.31 feet to a point for corner;

South 20°00'00" East, a distance of 146.57 feet to a point for corner;

South 33°30'00" West, a distance of 125.24 feet to a point for corner;

South 77°00'00" West, a distance of 163.96 feet to a point for corner;

North 70°00'00" West, a distance of 159.08 feet to a point for corner;

North 20°00'00" West, a distance of 145.13 feet to a point for corner;

North 64°00'00" West, a distance of 105.82 feet to a point for corner;

South 46°00'00" West, a distance of 137.91 feet to a point for corner;

South 03°30'00" East, a distance of 88.33 feet to a point for corner;

South 36°30'00" East, a distance of 126.60 feet to a point for corner;

South 46°00'00" West, a distance of 143.43 feet to a point for corner;

South 03°30'00" East, a distance of 96.44 feet to a point for corner;

South 39°30'00" East, a distance of 67.58 feet to a point for corner;

North 82°30'00" East, a distance of 89.32 feet to a point for corner;

South 73°30'00" East, a distance of 61.35 feet to a point for corner;

South 03°30'00" East, a distance of 80.35 feet to a point for corner;

South 44°30'00" West, a distance of 98.69 feet to a point for corner;

South 68°00'00" West, a distance of 162.38 feet to a point for corner;

South 42°30'00" West, a distance of 146.51 feet to a point for corner;

South 05°30'00" East, a distance of 79.52 feet to a point for corner;

South 53°30'00" East, a distance of 96.87 feet to a point for corner;

South 18°00'00" East, a distance of 161.60 feet to a point for corner;

South 20°00'00" West, a distance of 148.19 feet to a point for corner;

South 15°00'00" West, a distance of 172.18 feet to a point for corner;

South 33°30'00" West, a distance of 286.52 feet to a point for corner;

South 49°00'00" West, a distance of 92.68 feet to a point for corner;

North 86°30'00" West, a distance of 86.67 feet to a point for corner;

South 51°00'00" West, a distance of 46.11 feet to a point for corner;

South 12°00'00" West, a distance of 183.60 feet to a point for corner;

South 61°00'00" West, a distance of 125.65 feet to a point for corner;

North 62°00'00" West, a distance of 117.81 feet to a point for corner;

South 74°30'00" West, a distance of 83.62 feet to a point for corner;

South 32°30'00" West, a distance of 99.40 feet to a point for corner;

South 03°00'00" West, a distance of 103.89 feet to a point for corner;

South 46°00'00" East, a distance of 51.34 feet to a point for corner;

North 78°30'00" East, a distance of 112.64 feet to a point for corner;

South 83°30'00" East, a distance of 109.64 feet to a point for corner;

South 20°30'00" East, a distance of 123.94 feet to a point for corner;

South 37°00'00" West, a distance of 84.31 feet to a point for corner;

South 75°30'00" West, a distance of 201.74 feet to a point for corner;

South 44°30'00" West, a distance of 137.72 feet to a point for corner;

South 86°30'00" West, a distance of 242.05 feet to a point for corner;

South 62°30'00" West, a distance of 215.47 feet to a point for corner;

North 89°00'00" West, a distance of 124.44 feet to a point for corner;

South 77°30'00" West, a distance of 146.53 feet to a point for corner;

South 33°00'00" West, a distance of 105.98 feet to a point for corner;

South 23°30'00" East, a distance of 103.84 feet to the southeast corner of said 155.903 acre tract, being on the northerly line of called Tract 2, described in a deed to VP Windsong Operations LLC, recorded in Instrument No. 2018-142926, said Official Records;

THENCE South 88°59'25" West, departing the westerly line of said Windsong Ranch Phase 7D&7H, along the southerly line of said 155.903 acre tract and the northerly line of said Tract 2, a distance of 713.54 feet to the southerly southwest corner of said 155.903 acre tract, common to an ell corner of said Tract 2;

THENCE North 00°10'32" East, along the westerly line of said 155.903 acre tract and the easterly line of said Tract 2, a distance of 40.89 feet to the northernmost southeast corner of aforesaid 17.070 acre tract;

THENCE departing the westerly line of said 155.903 acre tract and the easterly line of said Tract 2, and along the easterly line of said 17.070 acre tract, the following courses and distances:

South 41°38'35" West, a distance of 25.32 feet to a point for corner;

South 62°23'05" West, a distance of 74.71 feet to a point for corner;

South 63°16'45" West, a distance of 46.88 feet to a point for corner;

South 60°27'45" West, a distance of 36.25 feet to a point for corner;

South 59°53'36" West, a distance of 29.79 feet to a point for corner;

South 56°31'38" West, a distance of 28.94 feet to a point for corner;

South 53°35'52" West, a distance of 60.89 feet to a point for corner;

South 50°17'17" West, a distance of 31.83 feet to a point for corner;

South 46°18'44" West, a distance of 31.30 feet to a point for corner;

South 44°23'42" West, a distance of 33.07 feet to a point for corner;

South 40°37'21" West, a distance of 32.29 feet to a point for corner;

South 78°39'41" West, a distance of 42.01 feet to a point for corner;

North 68°40'25" West, a distance of 41.63 feet to a point for corner;

South 71°30'37" West, a distance of 47.59 feet to a point for corner;

South 39°09'08" West, a distance of 42.46 feet to a point for corner;

South 21°43'06" West, a distance of 42.39 feet to a point for corner;

South 27°17'06" West, a distance of 36.07 feet to a point for corner;

South 35°37'35" West, a distance of 35.68 feet to a point for corner;

South 32°14'45" West, a distance of 37.49 feet to a point for corner;

South 25°12'34" West, a distance of 85.30 feet to a point for corner;

South 46°44'58" West, a distance of 42.18 feet to a point for corner;

South 71°49'34" West, a distance of 42.89 feet to a point for corner;

South 87°47'30" West, a distance of 47.42 feet to a point for corner;

North 78°42'49" West, a distance of 45.72 feet to a point for corner;

North 57°26'29" West, a distance of 44.71 feet to a point for corner;

North 47°21'25" West, a distance of 45.17 feet to a point for corner;

North 41°16'16" West, a distance of 44.92 feet to a point for corner;

North 79°16'06" West, a distance of 46.36 feet to a point for corner;

South 61°42'33" West, a distance of 42.39 feet to a point for corner;

South 00°00'00" East, a distance of 45.45 feet to a point for corner;

South 21°42'25" East, a distance of 44.11 feet to a point for corner;

South 33°01'59" East, a distance of 45.17 feet to a point for corner;

South 46°40'14" East, a distance of 44.26 feet to a point for corner;

South 31°27'25" East, a distance of 38.89 feet to a point for corner;

South 13°16'01" West, a distance of 44.03 feet to a point for corner;

South 26°26'57" West, a distance of 49.23 feet to a point for corner;

South 24°35'01" West, a distance of 57.69 feet to a point for corner;

South 32°19'20" West, a distance of 44.83 feet to a point for corner;

South 45°22'19" West, a distance of 49.31 feet to a point for corner;

South 15°05'05" West, a distance of 44.34 feet to a point for corner;

South 12°20'28" West, a distance of 47.05 feet to a point for corner;

South 51°32'13" East, a distance of 47.72 feet to a point for corner;

South 55°21'56" East, a distance of 46.41 feet to a point for corner;

South 49°57'16" East, a distance of 45.99 feet to a point for corner;

South 55°15'58" East, a distance of 45.45 feet to a point for corner;

South 49°03'19" East, a distance of 25.79 feet to a point for corner;

South 23°24'18" East, a distance of 45.63 feet to a point for corner;

South 10°19'41" West, a distance of 47.19 feet to a point for corner;

South 25°15'46" West, a distance of 48.85 feet to a point for corner;

South 21°39'53" West, a distance of 44.51 feet to a point for corner;

South 28°24'27" West, a distance of 26.50 feet to a point for corner;

South 55°15'28" West, a distance of 49.81 feet to a point for corner;

South 75°22'42" West, a distance of 44.43 feet to a point for corner;

South 69°07'57" West, a distance of 44.61 feet to a point for corner;

South 49°24'01" West, a distance of 41.71 feet to a point for corner;

South 06°59'05" East, a distance of 46.31 feet to a point for corner;

South 35°51'45" East, a distance of 46.30 feet to a point for corner;

South 32°06'53" East, a distance of 49.72 feet to a point for corner;

South 14°50'58" East, a distance of 44.18 feet to a point for corner;

South 28°25'20" West, a distance of 42.52 feet to a point for corner;

South 67°49'43" West, a distance of 46.70 feet to a point for corner;

South 79°32'39" West, a distance of 40.33 feet to a point for corner;

South 81°37'04" West, a distance of 49.99 feet to a point for corner;

South 78°01'30" West, a distance of 36.45 feet to a point for corner;

South 05°35'13" East, a distance of 47.57 feet to the southernmost southeast corner of said 17.070 acre tract, being on the westerly line of said Tract 2 and the easterly line of aforesaid 189.695 acre tract;

THENCE North 85°47'35" East, along the southerly line of said Tract 2 and the easterly line of said 189.695 acre tract, a distance of 194.03 feet to an ell corner of said Tract 2, common to a northeast corner of said 189.695 acre tract;

THENCE South 03°27'59" East, continuing along the westerly line of said Tract 2 and the easterly line of said 189.695 acre tract, a distance of 515.78 feet to the northerly southeast corner of said 189.695 acre tract, common to the north corner of a called 1.84-acre tract of land described in a certified copy of probate to Walter C. Fain, recorded in Document No. 2004-95008, said Official Records;

THENCE South 40°46'41" West, departing said westerly line, and along the northwesterly line of said 1.84-acre tract, same being the southeasterly line of said 189.695-acre tract, a distance of 552.51 feet to the southwest corner of said 1.84-acre tract, also being on the northerly line of a called 23.507 acre tract of land described as Tract 3 in a deed to Town of Prosper, as recorded in Instrument No. 2022-69025, said Official Records;

THENCE South 89°21'41" West, along the northerly line of said Tract 3, and said southerly line, a distance of 1,002.31 feet to the northwest corner of said Tract 3 and the easternmost

northeast corner of the Middle School #9 Addition, recorded in Instrument No. 2023-375, said Plat Records;

THENCE South 89°17'30" West, continuing along said southerly line, and along the northerly line of said Middle School #9 Addition, a distance of 363.42 feet to the southwest corner of said 189.695-acre tract, common to an ell corner of said Middle School #9 Addition;

THENCE along the westerly line of said 189.695-acre tract, and the easterly line of said Middle School addition, and a called Tract 1 and a called Tract 2, described in a deed to VEE Prosper Oaks, LLC, recorded in Instrument No. 2022-53773, said Official Records, and the aforesaid 91.001-acre tract, the following courses and distances:

North 00°13'22" East, a distance of 978.26 feet to an ell corner of said Tract 2, common to the southernmost northwest corner of said 189.695-acre tract;

North 89°01'33" East, a distance of 470.85 feet to an ell corner of said 189.695-acre tract;

North 00°28'00" West, a distance of 720.06 feet to the northeast corner of said Tract 2, common to the southeast corner of said Tract 1;

North 00°32'18" West, a distance of 486.36 feet to the northeast corner of said Tract 1, common to the southeast corner of said 91.001-acre tract;

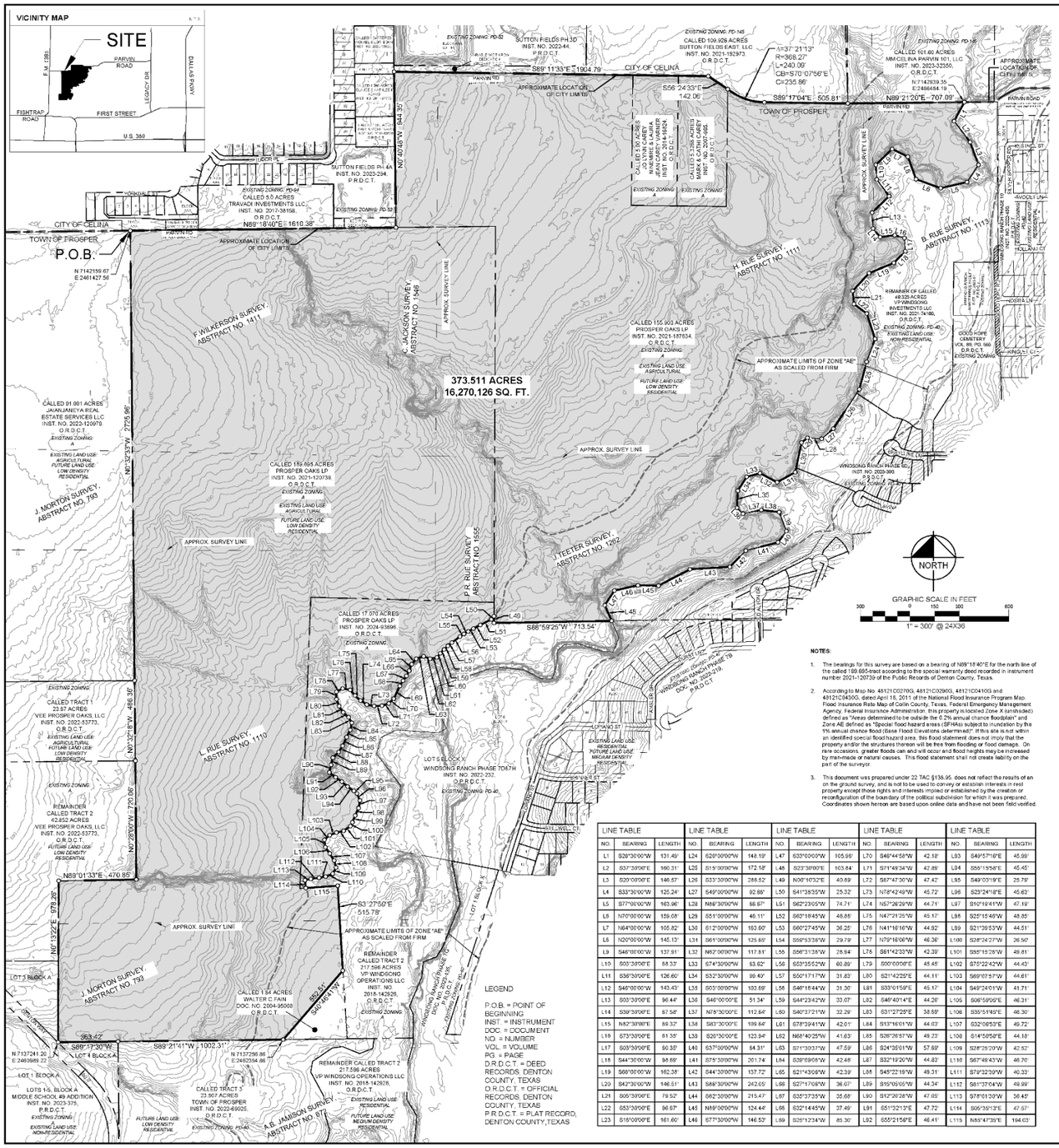
North 00°32'33" West, a distance of 2,725.96 feet to the **POINT OF BEGINNING** and containing 16,270,126 square feet or 373.5107 acres of land, more or less.

The bearings for this exhibit are based on a bearing of N89°18'40"E for the north line of the called 189.695-tract according to the special warranty deed recorded in instrument number 2021-120739 of the Public Records of Denton County, Texas.

This document was prepared under 22 TAC §138.95, 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.

Sylviana Gunawan
Registered Professional Land Surveyor No. 6461
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Ph. 972-335-3580
sylviana.gunawan@kimley-horn.com





NOTES:

1. The bearings for this survey are based on a bearing of N89°18'40"E for the north line of the called 189.695-tract according to the special warranty deed recorded in instrument number 2021-120739 of the Public Records of Denton County, Texas.
2. According to Map No. 48121C0270G, 48121C0290G, 48121C0410G and 48121C0430G, dated April 16, 2011 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Collin County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, this property is located Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain" and Zone AE defined as "Special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood (Base Flood Elevations determined)". If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
3. This document was prepared under 22 TAC §138.95, 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. Coordinates shown hereon are based upon online data and have not been field verified.

LEGEND

P.O.B. = POINT OF BEGINNING
INST. = INSTRUMENT
DOC. = DOCUMENT
NO. = NUMBER
VOL. = VOLUME
PG. = PAGE
D.R.D.C.T. = DEED RECORDS, DENTON COUNTY, TEXAS
O.R.D.C.T. = OFFICIAL RECORDS, DENTON COUNTY, TEXAS
P.R.D.C.T. = PLAT RECORD, DENTON COUNTY,TEXAS

LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	S28°30'00"W	131.49'	L24	S20°00'00"W	148.19'	L47	S33°00'00"W	105.99'	L70	S46°44'58"W	42.18'	L93	S49°57'16"E	45.99'
L2	S37°30'00"E	160.31'	L25	S15°00'00"W	172.18'	L48	S23°30'00"E	103.84	L71	S71°49'34"W	42.89'	L94	S55°13'58"E	45.45'
L3	S20°00'00"E	146.57'	L26	S33°30'00"W	288.62'	L49	N56°10'32"E	40.89'	L72	S87°47'30"W	47.42'	L95	S49°03'16"E	25.79'
L4	S33°30'00"W	125.24'	L27	S49°00'00"W	92.88'	L50	S41°38'35"W	25.32'	L73	N78°42'49"W	45.72'	L96	S25°24'18"E	45.63'
L5	S77°00'00"W	163.96'	L28	N88°30'00"W	56.87'	L51	S62°23'05"W	74.71'	L74	N57°26'29"W	44.71'	L97	S10°19'41"W	47.19'
L6	N70°00'00"W	159.08'	L29	S51°00'00"W	46.11'	L52	S63°18'45"W	48.88'	L75	N47°21'25"W	45.17'	L98	S25°15'46"W	48.85'
L7	N64°00'00"W	105.82'	L30	S12°00'00"W	153.60'	L53	S60°27'45"W	36.25'	L76	N41°18'16"W	44.92'	L99	S21°39'53"W	44.51'
L8	N20°00'00"W	145.13'	L31	S61°00'00"W	125.69'	L54	S58°53'36"W	29.79'	L77	N79°18'06"W	46.36'	L100	S28°24'27"W	26.50'
L9	S46°00'00"W	137.91'	L32	N52°00'00"W	117.81'	L55	S66°31'38"W	28.94'	L78	S61°42'33"W	42.39'	L101	S55°15'28"W	49.81'
L10	S03°30'00"E	68.53'	L33	S74°30'00"W	63.62'	L56	S53°35'52"W	60.89'	L79	S00°00'00"E	45.45'	L102	S75°22'42"W	44.43'
L11	S38°30'00"E	126.60'	L34	S32°30'00"W	99.40'	L57	S50°17'17"W	31.83'	L80	S21°42'25"E	44.11'	L103	S69°07'57"W	44.61'
L12	S46°00'00"W	143.43'	L35	S03°00'00"W	193.69'	L58	S46°18'44"W	31.30'	L81	S33°01'59"E	45.17'	L104	S49°24'01"W	41.71'
L13	S03°30'00"E	96.44'	L36	S46°00'00"E	51.34'	L59	S44°23'42"W	33.07'	L82	S46°40'14"E	44.26'	L105	S06°59'06"E	46.31'
L14	S39°30'00"E	87.58'	L37	N78°30'00"E	112.84'	L60	S40°37'21"W	32.29'	L83	S31°27'25"E	38.89'	L106	S35°51'45"E	46.30'
L15	N52°30'00"E	89.32'	L38	S83°30'00"E	199.84'	L61	S78°39'41"W	42.01'	L84	S13°16'01"W	44.63'	L107	S32°06'53"E	49.72'
L16	S73°30'00"E	61.35'	L39	S20°30'00"E	123.94'	L62	N68°40'25"W	41.63'	L85	S28°26'57"W	49.23'	L108	S14°58'56"E	44.18'
L17	S03°30'00"E	60.35'	L40	S37°00'00"W	84.31'	L63	S71°30'37"W	47.59'	L86	S24°35'01"W	57.89'	L109	S28°28'20"W	42.52'
L18	S44°30'00"W	98.69'	L41	S75°30'00"W	261.74'	L64	S39°09'08"W	42.46'	L87	S32°19'20"W	44.82'	L110	S67°49'43"W	46.70'
L19	S66°00'00"W	162.38'	L42	S44°30'00"W	137.72'	L65	S21°43'08"W	42.39'	L88	S45°22'19"W	49.31'	L111	S79°22'39"W	40.33'
L20	S42°30'00"W	146.51'	L43	S86°30'00"W	242.05'	L66	S27°17'08"W	36.07'	L89	S15°05'05"W	44.34'	L112	S81°37'04"W	49.99'
L21	S05°30'00"E	79.52'	L44	S62°30'00"W	215.47'	L67	S35°37'35"W	35.88'	L90	S12°20'28"W	47.66'	L113	S78°01'30"W	36.45'
L22	S53°30'00"E	96.67'	L45	N89°00'00"W	124.44'	L68	S32°14'45"W	37.49'	L91	S51°32'13"E	47.72'	L114	S05°35'13"E	47.57'
L23	S18°00'00"E	161.60'	L46	S77°30'00"W	146.53'	L69	S25°12'34"W	45.30'	L92	S55°21'58"E	46.41'	L115	N53°47'39"E	194.03'

DESCRIPTION OF PROPERTY:

BEING a tract of land situated in the L. Rue Survey, Abstract No. 1110, the H. Rue Survey, Abstract No. 1111, the B. Rue Survey, Abstract No. 1113, the P.R. Rue Survey, Abstract No. 1555, the C. Jackson Survey, Abstract No. 1546, the F. Wilkerson Survey, Abstract No. 1411, the J. Morton Survey, Abstract No. 793, and the J. Teeter Survey, Abstract 1262, Denton County, Texas and being all of a called 189.695-acre tract of land described in a deed to Prosper Oaks LP, as recorded in Instrument No. 2021-120739, Official Records, Denton County, Texas, and all of a called 155.903-acre tract of land described in a deed to Prosper Oaks LP, as recorded in Instrument No. 2021-187834, said Official Records, and all of a called 5.00-acre tract of land, described in a deed to Jo Lynn Carey Nienmier & Laura Jean Carey Varner, recorded in Instrument No. 2014-16824 said Official Records, and all of a called 5.3295-acre tract of land, described in a deed to Mark and Cathi Carey, recorded in Instrument No. 2007-985, said Official Records, and all of a called 17.070 acre tract of land described in a deed to Prosper Oaks LP, described in a deed to Prosper Oaks LP, recorded in Instrument No. 2024-93696, said Official Records, and being more particularly described as follows:

BEGINNING at a point in Parvin Road (a public road) for the northwest corner of said 189.695-acre tract and the northeast corner of a called 91.001-acre tract of land described in a deed to Javalunavya Real Estate Services LLC, recorded in Instrument No. 2022-120979, said Official Records, also being on the south line of Sutton Fields Phase 4A, recorded in Instrument No. 2023-294, Plat Records, Denton County, Texas;

THENCE North 89°18'40" East, along the northerly line of said 189.695-acre tract, a distance of 1,610.38 feet to the southeast corner of said Sutton Fields Phase 4A, same being the westernmost southwest corner of said 155.903-acre tract;

THENCE North 00°40'48" West, departing said northerly line, and along the westerly line of said 189.695-acre tract, and the easterly line of said Sutton Fields Phase 4A, a distance of 944.25 feet to the northwest corner of said 155.903-acre tract, common to the southeast corner of Sutton Fields Phase 3D, recorded in Instrument No. 2022-44, said Plat Records;

THENCE South 89°11'33" East, departing the easterly line of said Sutton Fields Phase 4A, and along the northerly line of said 155.903-acre tract, said 5.00-acre tract, said 5.3295-acre tract, and the southerly line of said Sutton Fields Phase 3D, and a called 109.926-acre tract of land described in a deed to Sutton Fields East, LLC, recorded in Instrument No. 2021-192973, said Official Records, a distance of 1,904.79 feet to the northernmost northeast corner of said 5.3268-acre tract;

THENCE South 06°24'33" East, continuing along the northerly line of said 5.3268-acre tract and the southerly line of said 109.926-acre tract, a distance of 142.06 feet to the northeast corner said 5.3295-acre tract, common to a northwest corner of said 155.903-acre tract, and at the beginning of a non-tangent curve to the left with a radius of 368.27 feet, a central angle of 37°21'13", and a chord bearing and distance of South 70°07'56" East, 235.86 feet;

THENCE in an easterly direction, along the northerly line of said 155.903-acre tract, and continuing along the southerly line of said 109.926-acre tract, with said non-tangent curve to the left, an arc distance of 240.09 feet to a point for corner;

THENCE South 89°17'04" East, continuing along said northerly line, and the southerly line of said 109.926-acre tract, a distance of 505.81 feet to a point for corner being the southeast corner of said 109.926-acre tract, common to the southwest corner of a called 101.60-acre tract of land described in a deed to MMI Celina Parvin 101, LLC, recorded in Instrument No. 2023-32350, said Official Records;

THENCE North 89°21'20" East, continuing along said northerly line, and along the southerly line of said 101.60-acre tract, a distance of 707.09 feet to the northeast corner of said 155.903-acre tract, common to the northernmost northwest corner of a called 48.323-acre tract of land described in a deed to VP Windsong Investments LLC, recorded in Instrument No. 2021-74160, said Official Records;

THENCE departing the southerly line of said 101.60-acre tract, and along the easterly line of said 155.903-acre tract and the west line of said 48.323-acre tract, Windsong Ranch Phase 6D, recorded in Instrument No. 2023-380, said Plat Records, Windsong Ranch Phase 7D6TH, recorded in Instrument No. 2022-232, said Plat Records, the following courses and distances:

South 28°30'00" West, a distance of 131.49 feet to a point for corner;
South 37°30'00" East, a distance of 160.31 feet to a point for corner;
South 20°00'00" East, a distance of 146.57 feet to a point for corner;
South 33°30'00" West, a distance of 125.24 feet to a point for corner;
South 77°00'00" West, a distance of 163.96 feet to a point for corner;
North 70°00'00" West, a distance of 159.08 feet to a point for corner;
North 64°00'00" West, a distance of 105.82 feet to a point for corner;
South 46°00'00" West, a distance of 137.91 feet to a point for corner;
South 03°30'00" East, a distance of 68.53 feet to a point for corner;
South 38°30'00" East, a distance of 126.60 feet to a point for corner;
South 46°00'00" West, a distance of 143.43 feet to a point for corner;
South 03°30'00" East, a distance of 96.44 feet to a point for corner;
South 39°30'00" East, a distance of 87.58 feet to a point for corner;
North 82°30'00" East, a distance of 89.32 feet to a point for corner;
South 73°30'00" East, a distance of 61.35 feet to a point for corner;
South 03°30'00" East, a distance of 60.35 feet to a point for corner;
South 44°30'00" West, a distance of 98.69 feet to a point for corner;
South 66°00'00" West, a distance of 162.38 feet to a point for corner;
South 42°30'00" West, a distance of 146.51 feet to a point for corner;
South 05°30'00" East, a distance of 79.52 feet to a point for corner;
South 53°30'00" East, a distance of 96.67 feet to a point for corner;
South 18°00'00" East, a distance of 161.60 feet to a point for corner;
South 20°00'00" West, a distance of 145.19 feet to a point for corner;
South 15°00'00" West, a distance of 172.18 feet to a point for corner;
South 33°30'00" West, a distance of 288.62 feet to a point for corner;
South 49°00'00" West, a distance of 92.88 feet to a point for corner;
North 88°30'00" West, a distance of 56.87 feet to a point for corner;
South 51°00'00" West, a distance of 46.11 feet to a point for corner;
South 12°00'00" West, a distance of 153.60 feet to a point for corner;
South 61°00'00" West, a distance of 125.65 feet to a point for corner;
North 62°00'00" West, a distance of 117.81 feet to a point for corner;
South 74°30'00" West, a distance of 63.62 feet to a point for corner;
South 32°30'00" West, a distance of 99.40 feet to a point for corner;
South 03°00'00" West, a distance of 193.69 feet to a point for corner;
South 46°00'00" East, a distance of 51.34 feet to a point for corner;
North 78°30'00" East, a distance of 112.84 feet to a point for corner;
South 83°30'00" East, a distance of 199.84 feet to a point for corner;
South 20°30'00" East, a distance of 123.94 feet to a point for corner;
South 37°00'00" West, a distance of 84.31 feet to a point for corner;
South 75°30'00" West, a distance of 261.74 feet to a point for corner;
South 44°30'00" West, a distance of 137.72 feet to a point for corner;
South 86°30'00" West, a distance of 242.05 feet to a point for corner;
South 62°30'00" West, a distance of 215.47 feet to a point for corner;
North 89°00'00" West, a distance of 124.44 feet to a point for corner;
South 77°30'00" West, a distance of 146.53 feet to a point for corner;
South 33°00'00" West, a distance of 105.99 feet to a point for corner;
South 23°30'00" East, a distance of 103.84 feet to the southeast corner of said 155.903 acre tract, being on the northerly line of called Tract 2, described in a deed to VP Windsong Operations LLC, recorded in Instrument No. 2016-142926, said Official Records;

THENCE South 88°59'25" West, departing the westerly line of said Windsong Ranch Phase 7D6TH, along the southerly line of said 155.903 acre tract and the northerly line of said Tract 2, a distance of 713.54 feet to the southerly southwest corner of said 155.903 acre tract, common to an ell corner of said Tract 2;

THENCE North 00°19'32" East, along the westerly line of said 155.903 acre tract and the easterly line of said Tract 2, a distance of 40.89 feet to the northernmost southeast corner of aforesaid 17.070 acre tract;

THENCE departing the westerly line of said 155.903 acre tract and the easterly line of said Tract 2, and along the easterly line of said 17.070 acre tract, the following courses and distances:

South 41°38'35" West, a distance of 25.32 feet to a point for corner;
South 62°23'05" West, a distance of 74.71 feet to a point for corner;
South 63°18'45" West, a distance of 48.88 feet to a point for corner;
South 60°27'45" West, a distance of 36.25 feet to a point for corner;
South 58°53'36" West, a distance of 29.79 feet to a point for corner;
South 58°31'38" West, a distance of 28.94 feet to a point for corner;
South 53°35'52" West, a distance of 60.89 feet to a point for corner;
South 50°17'17" West, a distance of 31.83 feet to a point for corner;
South 46°18'44" West, a distance of 31.30 feet to a point for corner;
South 44°23'42" West, a distance of 33.07 feet to a point for corner;
South 40°37'21" West, a distance of 32.29 feet to a point for corner;
South 78°39'41" West, a distance of 42.01 feet to a point for corner;
North 68°40'25" West, a distance of 41.63 feet to a point for corner;
South 71°30'37" West, a distance of 47.59 feet to a point for corner;
South 39°09'08" West, a distance of 42.46 feet to a point for corner;
South 21°43'08" West, a distance of 42.39 feet to a point for corner;
South 27°17'08" West, a distance of 36.07 feet to a point for corner;
South 35°37'35" West, a distance of 35.88 feet to a point for corner;
South 32°14'45" West, a distance of 37.49 feet to a point for corner;
South 25°12'34" West, a distance of 45.30 feet to a point for corner;
South 28°28'57" West, a distance of 49.23 feet to a point for corner;
South 24°35'01" West, a distance of 57.89 feet to a point for corner;
South 32°19'20" West, a distance of 44.82 feet to a point for corner;
South 45°22'19" West, a distance of 49.31 feet to a point for corner;
South 15°05'05" West, a distance of 44.34 feet to a point for corner;
South 12°20'28" West, a distance of 47.66 feet to a point for corner;
South 51°32'13" East, a distance of 47.72 feet to a point for corner;
South 55°21'58" East, a distance of 46.41 feet to a point for corner;
South 49°57'16" East, a distance of 45.99 feet to a point for corner;
South 55°15'56" East, a distance of 45.45 feet to a point for corner;
South 49°03'16" East, a distance of 25.79 feet to a point for corner;
South 33°24'18" East, a distance of 45.63 feet to a point for corner;
South 10°19'41" West, a distance of 47.19 feet to a point for corner;
South 25°15'46" West, a distance of 48.85 feet to a point for corner;
South 21°39'53" West, a distance of 44.51 feet to a point for corner;
South 28°24'27" West, a distance of 26.50 feet to a point for corner;
South 55°15'28" West, a distance of 49.81 feet to a point for corner;
South 75°22'42" West, a distance of 44.43 feet to a point for corner;
South 69°07'57" West, a distance of 44.61 feet to a point for corner;
South 49°24'01" West, a distance of 41.71 feet to a point for corner;
South 06°59'06" East, a distance of 46.31 feet to a point for corner;
South 35°51'45" East, a distance of 46.30 feet to a point for corner;
South 32°06'53" East, a distance of 49.72 feet to a point for corner;
South 14°58'56" East, a distance of 44.16 feet to a point for corner;
South 28°26'20" West, a distance of 42.52 feet to a point for corner;
South 67°49'43" West, a distance of 46.70 feet to a point for corner;
South 79°22'39" West, a distance of 40.33 feet to a point for corner;
South 81°37'04" West, a distance of 49.99 feet to a point for corner;
South 78°01'30" West, a distance of 36.45 feet to a point for corner;
South 05°35'13" East, a distance of 47.57 feet to the southernmost southeast corner of said 17.070 acre tract, being on the westerly line of said Tract 2 and the easterly line of aforesaid 189.695 acre tract;

THENCE North 85°47'35" East, along the southerly line of said Tract 2 and the easterly line of said 189.695 acre tract, a distance of 194.03 feet to an ell corner of said Tract 2, common to a northeast corner of said 189.695 acre tract;

THENCE South 03°27'50" East, continuing along the westerly line of said Tract 2 and the easterly line of said 189.695 acre tract, a distance of 515.78 feet to the northerly southeast corner of said 189.695 acre tract, common to the north corner of a called 1.84-acre tract of land described in a certified copy of probate to Walter C. Fain, recorded in Document No. 2004-95008, said Official Records;

THENCE South 49°48'41" West, departing said westerly line, and along the northwesterly line of said 1.84-acre tract, same being the southeasterly line of said 189.695-acre tract, a distance of 552.51 feet to the southwest corner of said 1.84-acre tract, also being on the northerly line of a called 23.507 acre tract of land described as Tract 3 in a deed to Town of Prosper, as recorded in Instrument No. 2022-69025, said Official Records;

THENCE South 89°21'41" West, along the northerly line of said Tract 3, and said southerly line, a distance of 1,002.31 feet to the northwest corner of said Tract 3 and the easternmost northeast corner of the Middle School #9 Addition, recorded in Instrument No. 2023-375, said Plat Records;

THENCE South 89°17'30" West, continuing along said southerly line, and along the northerly line of said Middle School #9 Addition, a distance of 363.42 feet to the southwest corner of said 189.695-acre tract, common to an ell corner of said Middle School #9 Addition;

THENCE along the westerly line of said 189.695-acre tract, and the easterly line of said Middle School addition, and a called Tract 1 and a called Tract 2, described in a deed to VEE Prosper Oaks, LLC, recorded in Instrument No. 2022-53773, said Official Records, and the aforesaid 91.001-acre tract, the following courses and distances:

North 00°13'22" East, a distance of 978.26 feet to an ell corner of said Tract 2, common to the southernmost northwest corner of said 189.695-acre tract;
North 89°01'33" East, a distance of 470.85 feet to an ell corner of said 189.695-acre tract;
North 00°28'00" West, a distance of 720.06 feet to the northeast corner of said Tract 2, common to the southeast corner of said Tract 1;
North 00°32'18" West, a distance of 486.36 feet to the northeast corner of said Tract 1, common to the southeast corner of said 91.001-acre tract;
North 00°32'33" West, a distance of 2,725.66 feet to the **POINT OF BEGINNING** and containing 16,270,126 square feet or 373.511 acres of land, more or less.

EXHIBIT A-2: BOUNDARY EXHIBIT
ZONE-24-0022
373.511 ACRES

L. RUE SURVEY, ABSTRACT NO. 1110; H. RUE SURVEY, ABSTRACT NO. 1111; B. RUE SURVEY, ABSTRACT NO. 1113; P.R. RUE SURVEY, ABSTRACT NO. 1555; C. JACKSON SURVEY, ABSTRACT NO. 1546; F. WILKERSON SURVEY, ABSTRACT NO. 1411; J. MORTON SURVEY, ABSTRACT NO. 793; J. TEETER SURVEY, ABSTRACT 1262
TOWN OF PROSPER, DENTON AND COLLIN COUNTY, TEXAS
DATE PREPARED: 03/20/2025

SYLVIANA GUNAWAN
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6461
6160 WARREN PKWY , SUITE 210
FRISCO, TEXAS 75034
PH: 972-335-3580
sylviana.gunawan@kimley-horn.com

STATE OF TEXAS REGISTERED SYLVIANA GUNAWAN 6461 PROFESSIONAL LAND SURVEYOR

OWNER:
Mark & Cathi Carey
15080 Parvin Road
Prosper, Texas 75078
Ph: (214)-535-9452

OWNER:
Vijay Borra
6111 Cypress Waters Blvd
Suite 140
Coppell, Texas 75019
Ph: (937)-219-4987

OWNER:
Sammie Carey
401 Navajo Trail
Gainesville, Texas 76240
Ph: (972)-658-1069

Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
Tel: No. (972) 335-3580
Fax No. (972) 335-3779
FIRM # 10103822

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 300'	GGL	KHA	03/20/2025	066625036	1 OF 1

DEVELOPER
Toll Southwest, LLC.
2555 SW Grapevine Parkway
Grapevine, TX 76051
Ph: (817) 329-7973
Contact: Mike Boswell

ENGINEER
Kimley-Horn and Associates, Inc.
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
Ph: 972.335.3580
Contact: Casey Ross, P.E.

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EXHIBIT A-1

Owner A Property Description

TRACT 1:

BEING a tract of land situated in the J. Teeter Survey, Abstract No. 1262, the P. Rue Survey, Abstract No. 1555, the H. Rue Survey, Abstract No. 1111, the B. Rue Survey, Abstract No. 1113, and the C. Jackson Survey, Abstract No. 1546, Town of Prosper, Denton County, Texas, being part of a tract conveyed to Jo Lynn Carey Ninemire, et al, by deed recorded in Document No. 2014-16824, Official Public Records, Denton County, Texas (OPRDCT), with the subject tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap found for an inset northeasterly corner of Tract 2, conveyed to VP Windsong Investments LLC, recorded in Document No. 2018-142926 OPRDCT;

THENCE N 00°13'47" E, along an easterly line thereof, passing at 125.32 feet a 1/2" iron rod with plastic cap found for a northeasterly corner of Tract 2, being a southeast corner of Tract conveyed to the Rue Family Trust, recorded in Volume 5032, Page 3961, Deed Records, Denton County, Texas (DRDCT), and continuing along the east line thereof a total distance of 2403.48 feet to a 1/2" iron rod found;

THENCE S 89°18'18" W, 604.04 feet along the north line thereof to a 1/2" iron rod with plastic cap stamped "SPIARSENG" set for the southeast corner of a tract conveyed to CADG Sutton Fields LLC, recorded in Document No. 2015-30387 OPRDCT;

THENCE N 00°40'48" W, along the east line thereof, and being along the east line of Parvin Road, a public road, passing at 490.70 feet a PK nail found for the southeast corner of a tract conveyed to Dale and Vicki Travis, recorded in Document No. 2019-53525 OPRDCT, continuing along the east line thereof, passing at 674.11 feet another PK nail found for the southeast corner of a tract conveyed to Claude and Kathleen Adams, recorded in Document No. 2011-67775 OPRDCT, continuing along the east line thereof, passing at 929.67 feet a PK nail found for the southeast corner of a tract conveyed to Michael and Lori Bohn, recorded in Document No. 2020-19369 OPRDCT, and continuing along the east line thereof a total distance of 944.41 feet to a point being a southwesterly corner of another tract conveyed to CADG Sutton Fields LLC, recorded in Document No. 2015-15963 OPRDCT;

THENCE S 89°12'10" E, 1163.88 feet along the south line thereof, and being along Parvin Road, to a PK nail found for the southeast corner of said CADG tract;

THENCE S 89°11'44" E, 284.25 continuing along Parvin Road to a PK nail found for the northwest corner of a tract described as the "Save and Except Tract 1" described in Document No. 2014-16824 OPRDCT;

THENCE S 00°42'41" W, 789.66 feet along the west line thereof;

THENCE S 89°17'19" E, 575.96 feet along the south line thereof, and of a tract conveyed to Mark and Cathi Carey, recorded in Document No. 2007-985 OPRDCT;

THENCE N 00°42'41" E, 711.55 feet along the east line of said Carey tract to a PK nail found in Parvin Road;

THENCE along said road, the following:

S 56°15'56" E, 38.28 feet;

A non-tangent curve to the left having a radius of 350.00 feet, a central angle of 33°01'01", a long chord of S 72°46'28" E - 198.91 feet, and an arc length of 201.69 feet;

S 89°17'04" E, 505.81 feet to a 3/8" iron rod found;

And N 89°21'20" E, 707.09 feet to a point in the approximate centerline of a creek;

THENCE along said creek, the following:

S 28°30'00" W, 131.49 feet;

S 37°30'00" E, 160.31 feet;

S 20°00'00" E, 146.57 feet;

S 33°30'00" W, 125.24 feet;

S 77°00'00" W, 163.96 feet;

N 70°00'00" W, 159.08 feet;

N 20°00'00" W, 145.13 feet;

N 64°00'00" W, 105.82 feet;

S 46°00'00" W, 137.91 feet;

S 03°30'00" E, 88.33 feet;

S 36°30'00" E, 126.60 feet;

S 46°00'00" W, 143.43 feet;

S 03°30'00" E, 96.44 feet;

S 39°30'00" E, 67.58 feet;

N 82°30'00" E, 89.32 feet;

S 73°30'00" E, 61.35 feet;

S 03°30'00" E, 80.35 feet;

S 44°30'00" W, 98.69 feet;

S 68°00'00" W, 162.38 feet;

S 42°30'00" W, 146.51 feet;

S 05°30'00" E, 79.52 feet;

S 53°30'00" E, 96.87 feet;

S 18°00'00" E, 161.60 feet;

S 20°00'00" W, 148.19 feet;

S 15°00'00" W, 172.18 feet;

S 33°30'00" W, 286.52 feet;

S 49°00'00" W, 92.68 feet;

N 86°30'00" W, 86.67 feet;

S 51°00'00" W, 46.11 feet;

S 12°00'00" W, 183.60 feet;

S 61°00'00" W, 125.65 feet;

N 62°00'00" W, 117.81 feet;

S 74°30'00" W, 83.62 feet;

S 32°30'00" W, 99.40 feet;

S 03°00'00" W, 103.89 feet;

S 46°00'00" E, 51.34 feet;

N 78°30'00" E, 112.64 feet;

S 83°30'00" E, 109.64 feet;

S 20°30'00" E, 123.94 feet;

S 37°00'00" W, 84.31 feet;

S 75°30'00" W, 201.74 feet;

S 44°30'00" W, 137.72 feet;

S 86°30'00" W, 242.05 feet;

S 62°30'00" W, 215.47 feet;

N 89°00'00" W, 124.44 feet;

S 77°30'00" W, 146.53 feet;

S 33°00'00" W, 105.98 feet;

And S 23°30'00" E, 103.84 feet to the north line of said VP Windsong Investments tract;

THENCE S 88°59'25" W, 713.52 feet along the common line thereof to the POINT OF BEGINNING with the subject tract containing 6,791,150 square feet or 155.903 acres of land.

TRACT 2:

Being a tract of land situated in the F. Wilkerson Survey, Abstract No. 1411, the C. Jackson Survey, Abstract No. 1546, the H. Rue Survey, Abstract No. 1111, the J. Morton Survey, Abstract No. 793, the P. Rue Survey, Abstract No. 1555, and the Lewis Rue Survey, Abstract No. 1110, Denton County, Texas and being all of a called 90 acres tract of land (Tract 1) and all of a called 99 1/2 acres tract of land (Tract 2) described in Affidavit of Heirship to Lanell Rue Giles as recorded in Volume 2955, Page 370, Real Property Records, Denton County, Texas, in the Distribution Deed to Nancy Jane Ferguson as recorded in Instrument No. 2007-145675, said Real Property Records, and in the Distribution Deed to Grover Cc. Rue, Jr., as recorded in Instrument No. 2007-145676, said Real Property Records, and being more particularly described herein as follows:

BEGINNING at a 1/2 inch iron rod found in Parvin Road (a public road) for the Northwest corner of said 99 1/2 acres and the Northeast corner of a called 129.978 acres tract of land described in Deed to Swisher Partners, L.P. as recorded in Instrument No. 2004-7927, Official Records, Denton County, Texas;

THENCE North 89 degrees 18 minutes 40 seconds East, with the North line of said 99 1/2 acres tract, along said Parvin Road, passing the most Northerly Northeast corner of said 99 1/2 acres tract and the most Northerly Northwest corner of said 90 acres tract, and continuing along said course for a total distance of 2,214.41 feet to a 1/2 inch iron rod found for the Northeast corner of said 90 acres tract and an ell corner of a called 319.005 acres tract of land described in Deed to Jo Lynn Carey Ninemire, Laura Jean Carey Varner and Mark Carlton Carey as recorded in Instrument No. 2014-16824, said Official Records;

THENCE South 01 degrees 03 minutes 38 seconds West, with the East line of said 90 acres tract and a West line of said 319.005 acres tract, a distance of 1,321.64 feet to a 2 inch steel fence corner post found for an angle point corner;

THENCE South 00 degrees 54 minutes 02 seconds East, continuing with the East line of said 90 acres tract and a West line of said 319.005 acres tract, a distance of 957.16 feet to a 2 inch steel fence corner post found for the Southeast corner of said 90 acres tract and the most Westerly Northeast corner of a called 217.596 acres tract of land (Tract 2) described in Deed to VP WIndsong Investments, LLC. as recorded in Instrument No. 2018-142926, said Official Records;

THENCE North 88 degrees 23 minutes 26 seconds West, with the South line of said 90 acres tract and the North line of said 217.596 acres tract, a distance of 1,111.84 feet to a 3/8 inch iron rod found for an ell corner of said 90 acres tract and the Northwest corner of said 217.596 acres tract;

THENCE South 02 degrees 07 minutes 31 seconds West, with the East line of said 90 acres tract and the West line of said 217.596 acres tract, a distance of 1,767.54 feet to a 4 inch wood fence

corner post found for an interior corner of said 99 1/2 acres tract and the most Northerly Southwest corner of said 217.596 acres tract;

THENCE North 85 degrees 37 minutes 47 seconds East, with a North line of said 99 1/2 acres tract and a South line of said 217.596 acres tract, a distance of 228.92 feet to a 1/2 inch capped iron rod stamped "KHA" found for the most Southerly Northeast corner of said 99 1/2 acres tract and interior corner of said 217.596 acres tract;

THENCE South 03 degrees 33 minutes 27 seconds East, with the East line of said 99 1/2 acres tract and the West line of said 217.596 acres tract, a distance of 515.93 feet to a 1/2 inch capped iron rod found for an angle point corner of said 99 1/2 acres tract and being the North corner of a called 1.84 acres tract of land described in Deed to Walter C. Fain as recorded in Instrument No. 2004-95008, said Official Records;

THENCE South 40 degrees 46 minutes 41 seconds West, with the Southeast line of said 99 1/2 acres tract and the Northwest line of said 1.84 acre tract, a distance of 552.51 feet to a 1/2 inch capped iron rod found in a North line of said 217.596 acres tract for the Southeast corner of said 99 1/2 acres tract and the Southwest corner of said 1.84 acre tract;

THENCE South 89 degrees 21 minutes 41 seconds West, with the South line of said 99 1/2 acres tract and a North line of said 217.596 acres tract, a distance of 1,002.31 feet to a 1/2 inch iron rod found for the most Southerly Northeast corner of a called 65.133 acres tract of land described in Deed to the Denton Independent School District as recorded in Instrument No. 2017-65208, said Official Records;

THENCE South 89 degrees 17 minutes 30 seconds West, with the South line of said 99 1/2 acres tract and a North line of said 65.133 acres tract, a distance of 363.42 feet to a 1/2 inch iron rod found for the Southwest corner of said 99 1/2 acres tract and ell corner of said 65.133 acres tract;

THENCE North 00 degrees 13 minutes 22 seconds East, with the West line of said 99 1/2 acres tract and a East line of said 65.133 acres tract, passing the Northeast corner of said 65.133 acres tract and the most Southerly Southeast corner of a called 42.822 acres tract of land described in Deed to John Doyle Noles as recorded in Volume 2299, Page 89, said Real Property Records, and continuing along said course for a total distance of 978.26 feet to a 10 inch wood fence corner post found for the most Southerly Northwest corner of said 99 1/2 acres tract and an interior corner of said 42.822 acres tract;

THENCE North 89 degrees 01 minutes 33 seconds East, with a North line of said 99 1/2 acres tract and a South line of said 42.822 acres tract, a distance of 470.85 feet to a 4 inch steel fence corner post found for an interior corner of said 99 1/2 acres tract and the most Northerly Southeast corner of said 42.822 acres tract;

THENCE North 00 degrees 28 minutes 00 seconds West, with the West line of said 99 1/2 acres tract and the East line of said 42.822 acres tract, a distance of 720.06 feet to a 1/2 inch iron rod found for the Northeast corner of said 42.822 acres tract and the Southeast corner of a called 23.818 acres tract of land described in Deed to Tommy Wilson Noles as recorded in Volume 2299, Page 82, said Real Property Records;

THENCE North 00 degrees 32 minutes 18 seconds West, with the West line of said 99 1/2 acres tract and the East line of said 23.818 acres tract, a distance of 486.36 feet to a 1/2 inch iron rod found for the Northeast corner of said 23.818 acres tract and the Southeast corner of said 129.978 acres tract;

THENCE North 00 degrees 32 minutes 33 seconds West, with the West line of said 99 1/2 acres tract and the East line of said 129.978 acres tract, a distance of 2,725.96 feet to the POINT OF BEGINNING and containing, within the metes and bounds herein recited, 189.695 acres of land, more or less.

TRACT 3:

BEING a tract of land situated in the L. Rue Survey, Abstract No. 1110, and P. Rue Survey, Abstract No. 1555, Town of Prosper, Denton County, Texas, being part of a tract conveyed to VP WINDSONG INVESTMENTS LLC, by deed recorded in Document No. 2018-142926 of the Official Public Records, Denton County, Texas (OPRCCT), with the subject tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the west line of a tract conveyed to Prosper Oaks LP, according to the deed recorded in Document Number 2021-187834 OPRDCT at the southeast corner of another tract conveyed to Prosper Oaks LP according to the deed recorded in Document Number 2021-120739 OPRDCT;

THENCE S 00°10'32" W, 84.43 feet along the west line thereof from which a 1/2 iron rod found at the southwest corner thereof bears S 00°10'32" W, 40.89 feet;

THENCE through said VP WINDSONG INVESTMENTS LLC tract and along the approximate 100-year flood line the following:

S 41°38'35" W, 25.32 feet; S 62°23'05" W, 74.71 feet; S 63°16'45" W, 46.88 feet;

S 60°27'45" W, 36.25 feet; S 59°53'36" W, 29.79 feet; S 56°31'38" W, 28.94 feet;

S 53°35'52" W, 60.89 feet; S 50°17'17" W, 31.83 feet; S 46°18'44" W, 31.30 feet;

S 44°23'42" W, 33.07 feet; S 40°37'21" W, 32.29 feet; S 78°39'41" W, 42.01 feet;

N 68°40'25" W, 41.63 feet; S 71°30'37" W, 47.59 feet; S 39°09'08" W, 42.46 feet;

S 21°43'06" W, 42.39 feet; S 27°17'06" W, 36.07 feet; S 35°37'35" W, 35.68 feet;

S 32°14'45" W, 37.49 feet; S 25°12'34" W, 85.30 feet; S 46°44'58" W, 42.18 feet;

S 71°49'34" W, 42.89 feet; S 87°47'30" W, 47.42 feet; N 78°42'49" W, 45.72 feet;

N 57°26'29" W, 44.71 feet; N 47°21'25" W, 45.17 feet; N 41°16'16" W, 44.92 feet;

N 79°16'06" W, 46.36 feet; S 61°42'33" W, 42.39 feet; S 00°00'00" E, 45.45 feet;

S 21°42'25" E, 44.11 feet; S 33°01'59" E, 45.17 feet; S 46°40'14" E, 44.26 feet;

S 31°27'25" E, 38.89 feet; S 13°16'01" W, 44.03 feet; S 26°26'57" W, 49.23 feet;

S 24°35'01" W, 57.69 feet; S 32°19'20" W, 44.83 feet; S 45°22'19" W, 49.31 feet;

S 15°05'05" W, 44.34 feet; S 12°20'28" W, 47.05 feet; S 51°32'13" E, 47.72 feet;

S 55°21'56" E, 46.41 feet; S 49°57'16" E, 45.99 feet; S 55°15'58" E, 45.45 feet;

S 49°03'19" E, 25.79 feet; S 23°24'18" E, 45.63 feet; S 10°19'41" W, 47.19 feet;

S 25°15'46" W, 48.85 feet; S 21°39'53" W, 44.51 feet; S 28°24'27" W, 26.50 feet;

S 55°15'28" W, 49.81 feet; S 75°22'42" W, 44.43 feet; S 69°07'57" W, 44.61 feet;

S 49°24'01" W, 41.71 feet; S 06°59'05" E, 46.31 feet; S 35°51'45" E, 46.30 feet;

S 32°06'53" E, 49.72 feet; S 14°50'58" E, 44.18 feet; S 28°25'20" W, 42.52 feet;

S 67°49'43" W, 46.70 feet; S 79°32'39" W, 40.33 feet; S 81°37'04" W, 49.99 feet;

S 78°01'30" W, 36.45 feet;

S 05°35'13" E, 47.57 feet to a point in the southern north line of said Prosper Oaks LP tract from which a capped iron rod found bears N 85°47'35" E, 194.02 feet;

S 85°47'35" W, 34.75 feet to a wood fence post found at an ell corner of said Prosper Oaks LP tract;

THENCE N 02°06'10" E, 1767.38 feet along the east line thereof;

THENCE S 88°23'11" E, 1111.78 feet along the south line thereof to the POINT OF BEGINNING with the subject tract containing 743,582 square feet or 17.070 acres of land.

EXHIBIT A-2

Owner B Property Description

BEING a tract of land situated in the H. RUE SURVEY, ABSTRACT NO. 1111, in Denton County, Texas, being part of that same tract of land conveyed to Sammie Jean Carey and John C. Carey by deed recorded in Volume 2336, Page 541 of the Deed Records of Denton County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 3/8 inch iron rod found for corner at the most Westerly Northwest corner of said Carey tract, said point being the Southwest corner of a tract of land conveyed to Mike A. Myers Investment Holdings, L.P. by deed recorded in Instrument No. 2005-33382 of the Deed Records of Denton County, Texas;

THENCE South 89 degrees 11 minutes 35 seconds East, along the South line of said Mike A. Myers Investment Holding, L.P. tract, a distance of 1163.26 feet to a PK nail found, said point being the Southeast corner of said Mike A. Myers Investment Holdings, L.P. tract;

THENCE South 89 degrees 11 minutes 35 seconds East, a distance of 560.18 feet to a PK nail set in Parvin Road, in asphalt for corner, said point being the Point of Beginning and the Northwest corner of herein described tract;

THENCE South 89 degrees 11 minutes 35 seconds East, along said Parvin Road, a distance of 180.70 feet to a 1/2 inch iron rod set for angle point with a yellow cap stamped (DC&A INC);

THENCE South 56 degrees 24 minutes 19 seconds East, a distance of 142.09 feet to a PK nail set in asphalt for corner, said point being the Northeast corner of herein described tract;

THENCE South 00 degrees 41 minutes 42 seconds West, departing said Parvin Road, a distance of 711.49 feet to a 1/2 inch iron rod set for corner with a yellow cap stamped (DC&A INC), said point being the Southeast corner of herein described tract;

THENCE North 89 degrees 18 minutes 18 seconds West, a distance of 300.00 feet to a 1/2 inch iron rod set for corner with a yellow cap stamped (DC&A INC), said point being the Southwest corner of herein described tract;

THENCE North 00 degrees 41 minutes 42 seconds East, a distance of 789.02 feet to the POINT OF BEGINNING and containing 232,027.22 square feet or 5.3266 acres of land.

EXHIBIT A-3

Owner C Property Description

Being a tract of land situated in the H. Rue Survey, Abstract No. 1111, in Denton County, Texas, being part of that same tract of land conveyed to Sammie Jean Carey and John C. Carey by deed recorded in Volume 2336, Page 541 of the Deed Records of Denton County, Texas, and being more particularly described by metes and bounds as follows:

Commencing at a 3/8 inch iron rod found for corner at the most westerly Northwest corner of said Carey tract, said point being the Southwest corner of a tract of land conveyed to Amanda S. Myers Irrevocable Asset Trust, by deed recorded in Instrument No. 201100125051 of the Deed Records of Denton County, Texas;

Thence South 89 Degrees 11 Minutes 35 Seconds East, along the South line of said Myers tract, a distance of 1,163.26 feet to a PK nail found, said point being the Southeast corner of said Myers;

Thence South 89 Degrees 11 Minutes 35 Seconds East, a distance of 284.84 feet to a P/K nail set in Parvin Road (public right—of—way), in asphalt for corner, said point being the point of beginning;

Thence South 89 Degrees 11 Minutes 35 Seconds East, along said Parvin Road, a distance of 275.96 feet to a P/K nail set for corner;

Thence South 00 degrees 41 minutes 42 seconds West, a distance of 789.02 feet to a 1/2 inch iron rod set for corner;

Thence North 89 degrees 18 minutes 18 seconds West, a distance of 275.96 feet to a 1/2 inch iron rod set for corner;

Thence North 00 degrees 41 minutes 42 seconds East, a distance of 789.56 feet to the point of beginning containing 217,815 square feet or 5.00 acres of land.

EXHIBIT B

Building Materials and Architectural Regulations

1. Dwelling units shall be in general conformance with one of the home styles shown in the renderings included with *Attachment 1*, with regard to design. Materials shall be governed by Section 2 below. The property owner or developer shall submit building elevations with the application for a building permit. The Town will approve the building elevations if they substantially conform to the requirements of this Section 1 and Section 2 below. The architectural styles depicted on *Attachment 1* are an example of the different styles that homes must be in general conformance with (e.g., each separate home will be in general conformance with one of the styles shown). Building elevations are not required to exactly match or be the same color palette as what is shown on *Attachment 1* so long as they are in general conformance with one of the styles on *Attachment 1*. The applicant may submit alternate/different elevations that do not comply with the requirements of this **Exhibit B** (e.g., are a different style/design than *Attachment 1* or deviate from Section 2) and such alternate elevations may be approved by the Town's Development Services Director or his/her designee ("Development Services Director"), except that any elevations that differ by more than ten percent (10%) from the percentages required pursuant to Section 2 herein will require review by the Planning & Zoning Commission and approval by the Town Council.

2. The exterior facades of a main building or structure, excluding windows, doors and area above the roof line shall comply with the following requirements:

i. The exterior facades shall be constructed of 100 percent (100%) masonry, unless otherwise specified herein.

ii. Cementitious fiber board is considered masonry, but may only constitute:

1. <u>For the front façade of any home</u>: Up to fifty percent (50%) of stories other than the first story on the front façade of a residential home[1], except for the modern farmhouse and craftsman styles as noted below. Cementitious fiber board may be used as a façade cladding material for portions of upper stories on the front façade of a home that are in the same vertical plane as the first story so long as the home generally complies with one of the architectural styles included with *Attachment 1*; and

2. <u>For the side and rear facades of any home</u>: Up to twenty percent (20%) of all stories on the side and rear facades of a residential home (e.g., eaves, soffits, and rear gables above the first floor).

[1] For clarification, up to 100 percent (100%) of the first story on the front façade of any residential home may be cementitious fiberboard.

iii. Unless an alternate material is approved by the Development Services Director of the City or his/her designee (the "Development Services Director"), any portion of an upper story, excluding windows, architectural features or area above the roof line, that faces Parvin Road or Frontier Parkway shall be 100 percent (100%) masonry and shall not be comprised of cementitious fiber board except for eaves, soffits, and rear gables (which may be comprised of cementitious fiber board).

iv. Unless an alternate material is approved by the Development Services Director, any portion of an upper story, excluding windows, architectural features or area above the roof line, that faces and fronts on public or private open space, public or private parks, or the Hike and Bike Trail, shall be 100 percent masonry and may be comprised of cementitious fiber board subject to the limitations in Section 2(ii) above.

v. Unless an alternate material is approved by the Development Services Director, the exterior cladding of chimneys shall be brick, natural or manufactured stone, or three coat stucco.

vi. Notwithstanding any limitation above, for modern farmhouse and craftsman style homes, cementitious fiber board is considered masonry, and may constitute up to eighty percent (80%) of stories other than the first story on the front façade of a residential home. The modern farmhouse and craftsman style homes are shown in the renderings included with *Attachment 1*.

vii. Notwithstanding any limitation above, cementitious fiber board may be used for architectural features, including window box-outs, gables, bay windows, roof dormers, garage door headers, columns, exposed sidewalls/gable ends above lower roofs, exposed rafter tails, or other architectural features approved by the Development Services Director.

viii. Masonry Construction means clay fired brick, natural and manufactured stone, granite, marble, three-coat stucco, and cementitious fiber board (subject to the limitations in this section) as exterior construction materials for all residential structures. Three-coat stucco means stucco applied using a three-step process over diamond metal lath mesh to a minimum of seven-eighths of an inch thickness or by other process producing comparable cement stucco finish with equal or greater strength and durability specifications.

ix. An applicant may appeal any denial by the Development Services Director to a request for approval of an alternate material (as noted above) to the Town's Planning & Zoning Commission and may appeal the Planning & Zoning Commission's decision to the Town Council.

x. The primary massing of the roof on the main residential building shall have a minimum slope of 6:12. Accessory roof structures (including, but not limited to garages) and architectural features shall have a minimum slope of 1.25:12.

xi. Roof material shall be standing seam copper, standing seam metal, natural slate shingles, imitation slate shingles, cementitious tile, or composition 30-year laminated shingles or other approved roof materials. "Other approved roof materials" mean roof materials other than listed herein that are approved by the Development Services Director.

3. The requirements in this **Exhibit B** shall apply in lieu of any exterior construction, building materials or design requirements in the Town's Zoning Ordinance and shall be the exclusive exterior construction, building materials, and design requirements that apply to the development of the Property.

Attachment 1 to Exhibit B

Architectural Styles

(see attached)



TUDOR



TRANSITIONAL



HIGH PLAINS



MODERN FARMHOUSE



CLASSIC



CHATEAU



MEDITERRANEAN



HILL COUNTRY



SPANISH



MISSION



TRADITIONAL



CRAFTSMAN

TOWN OF PROSPER
A Place Where Everyone Matters

DEVELOPMENT SERVICES DEPARTMENT
250 W. First Street
Prosper, TX 75078
Phone: 972-346-3502

REPLY FORM

SUBJECT:

Zoning Case ZONE-24-0022: The Town of Prosper has received a request for a Planned Development for Single-Family Residences and Age-Restricted Single-Family Residences, on 373.5± acres. The property is currently zoned Agricultural.

LOCATION OF SUBJECT PROPERTY:

The property is located on the south side of Parvin Road and 2,070± feet east of FM 1385.

☐ I **OPPOSE** the request as described in the notice. If in opposition, please provide a reason for opposition.
☒ I **DO NOT OPPOSE** the request as described in the notice.

COMMENTS (ATTACH ADDITIONAL SHEETS IF NECESSARY):

Sammie Carey
Name (please print)

Sammie Carey
Signature

401 Navajo Trail
Address

6-12-25
Date

Lake Kiowa, TX 76240
City, State, and Zip Code

SammieJcarey@gmail.com
E-mail Address

972-658-1069
Phone Number

TOWN OF PROSPER
A Place Where Everyone Matters

DEVELOPMENT SERVICES DEPARTMENT
250 W. First Street
Prosper, TX 75078
Phone: 972-346-3502

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☒ I **DO NOT OPPOSE** the request as described in the notice.

COMMENTS (ATTACH ADDITIONAL SHEETS IF NECESSARY):

We fully support the planned development.

Mark & Cathi Carey
Name (please print)

Cathi Carey
Mark Carey
Signature

P.O. Box 433
Address

6-13-2025
Date

Prosper, Texas 75078
City, State, and Zip Code

mccarey2020@gmail.com
E-mail Address

(214) 535-9452
Phone Number

TOWN OF PROSPER
A Place Where Everyone Matters

PLANNING

To: **Planning & Zoning Commission** **Item No. 5**

From: **Dakari Hill, Senior Planner**

Through: **David Hoover, AICP, Director of Development Services**

Cc: **Suzanne Porter, AICP, Planning Manager**

Re: **Comprehensive Plan Amendment for Prosper Oaks**

Meeting: **August 5, 2025**

Agenda Item:
Conduct a Public Hearing and consider and act upon a request to amend the Future Land Use Plan from Medium Density Residential to High Density Residential, on 191.7± acres, located on the south side of Parvin Road and 2,070± feet east of FM 1385. (COMP-24-0002)

Background:
On June 17, 2025, the Planning & Zoning Commission held a Public Hearing on this item. The Public Hearing was closed, and the item was tabled to the next Planning & Zoning Commission meeting on July 15, 2025. On July 15, 2025, the Planning & Zoning Commission held a Public Hearing on this item. The Public Hearing was closed, and the item was tabled to the next Planning & Zoning Commission meeting on August 5, 2025.

Description of Agenda Item:
The purpose of this request is to amend the Future Land Use Plan from Medium Density Residential to High Density Residential to allow for an age-restricted single-family residential development. The development consists of 525 single-family homes on 191.7± acres, bringing the density of the development to 3.0 units per acre. This exceeds the allowed density within Medium Density Residential of 2.5 units per acre, requiring an amendment to High Density Residential.

Rezoning requests, which do not conform to the Future Land Use Plan, shall be accompanied by a request to amend the Future Land Use Plan. The Comprehensive Plan document anticipates the Town will encounter “development proposals that do not directly reflect the purpose and intent of the land use pattern as shown on the Future Land Use Plan map.”

Land use districts designated on the Future Land Use Plan are intended to depict general areas where land uses are considered appropriate for an area, and such districts are not intended to be parcel specific. If the Planning & Zoning Commission and Town Council believe the property is more appropriately classified as High Density Residential on the Future Land Use Plan, then it would be appropriate to reclassify the property.

Comprehensive Factors:
Changes in overall development patterns that deviate from the Future Land Use Plan's recommendations could impact the ultimate capacity of the community.

The Future Land Use Plan states, "it should be incumbent upon the applicant making such a proposal to provide evidence that the proposal meets the aforementioned considerations, supports community goals and objectives as set forth within this Plan, and represents long term economic and/or social benefits for the community as a whole, not just a short-term financial gain for whoever is developing the project."

The Future Land Use Plan recommends that "development proposals that are inconsistent with the Future Land Use Plan map (or that do not meet its general intent)" should be reviewed based on the following questions and should be reviewed on their own merit. The responses from the applicant to each criterion are listed below:

1. **Will the proposed change enhance the site and the surrounding area?**

    - *"The community sits adjacent to the Doe Branch corridor which provides an abundance of open space not previously accessible to the public. A system of trails and open space enhancements will be elements constructed within the community to connect residents to the Doe Branch ecosystem. The community will be designed in accordance with the zoning and subdivision standards of the Town of Prosper; moreover, the attached Planned Development District will further layout the overall concept for the Prosper Oaks community with its amenities."*

2. **Is the proposed change a better use than that originally envisioned and depicted on the Future Land Use Plan map?**

    - *"The east portion of the tract aligns with the Future Land Use Plan while the west portion of the tract fulfills a need for senior housing in the Town of Prosper. The proposed uses are in separate school districts, but the entire neighborhood will be marketed and branded as one community."*

3. **Will the proposed use impact adjacent residential areas in a negative manner?**

    - *Not Answered.*

4. **Will the proposed use be compatible with and/or enhance adjacent residential uses?**

    - *"The residential uses do not change. Moreover, it creates two residential markets (i.e. market rate and age-qualified), thus accelerating completion of the trails systems and providing access to the open spaces along Doe Branch."*

5. **Are uses adjacent to the proposed use similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility?**

    - *"The community will be branded and operated in the same manner. It is currently surrounded and adjacent to both institutional and single-family residential. The compatibility will be carried through in the zoning documents and by way of developing in accordance with the development standards and regulations of the Town of Prosper."*

6. **Does the proposed use present a significant benefit to the public health, safety, welfare and/or social well-being of the community?**

    - *"No, the change seeks to add public tax base, while at the same time offering a community that fills needed segment of age-qualified, senior housing, capitalizing on a property that is uniquely split between two school districts (i.e. PISD and DISD)."*

7. **Would it contribute to the Town's long-term economic stability?**

    - *Not Answered.*

The Future Land Use Plan also recommends that "it is important to recognize that proposals not directly consistent with the Plan could reflect higher and better long-term uses than those originally envisioned and shown on the Future Land Use Plan map for a particular area. This may be due to changing markets, demographics, and/or economic trends that occur at some point in the future after the Plan is adopted. If such changes occur, and especially if there are demonstrated significant social and/or economic benefits to the Town of Prosper, then these proposals should be approved, and the Future Land Use Plan map should be amended accordingly."

Legal Obligations and Review:
The Planning & Zoning Commission is required to hold a Public Hearing prior to acting on an amendment to the Future Land Use Plan.

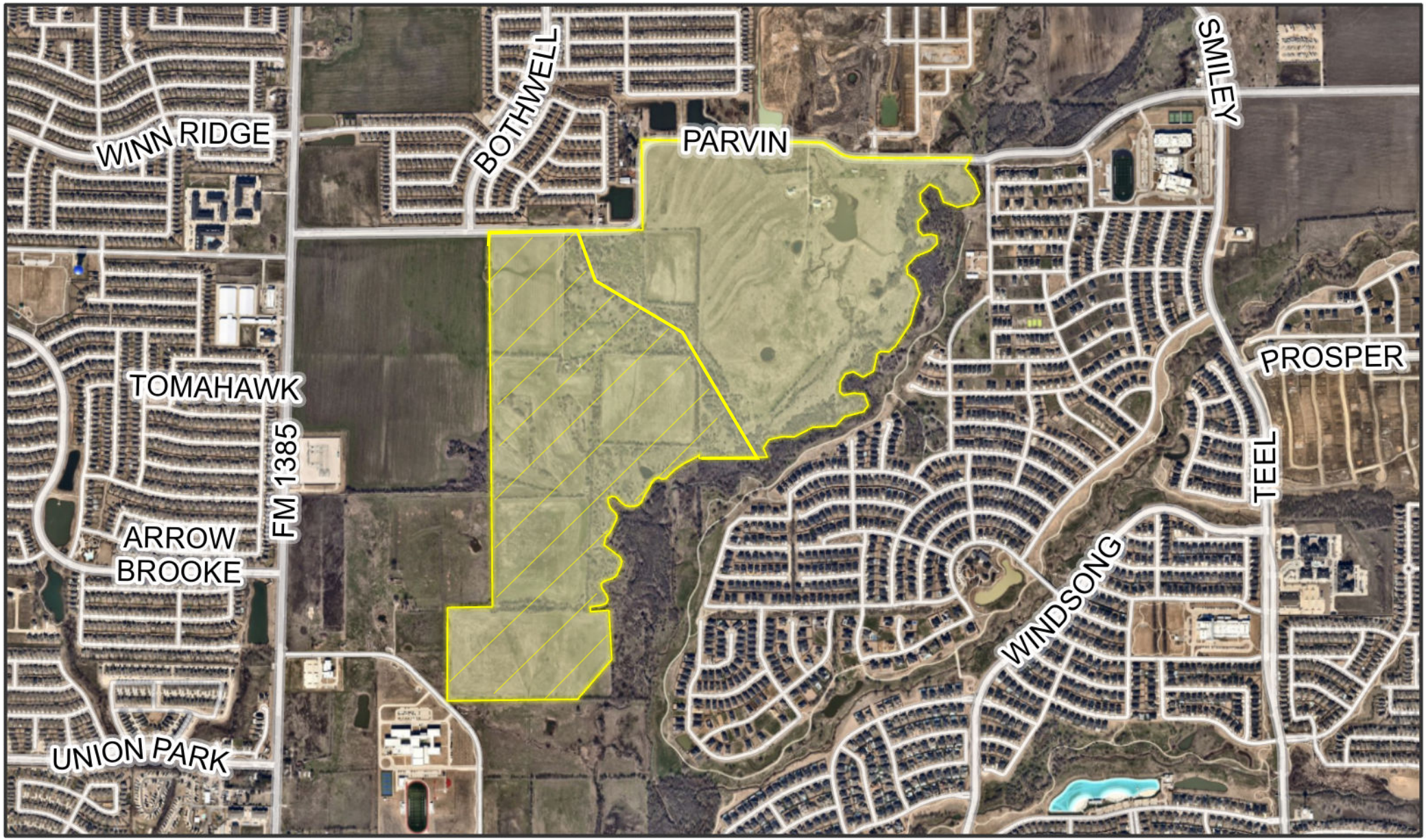
Attached Documents:
1. Aerial Map
2. Future Land Use Exhibit
3. Request Letter
4. Boundary Exhibit

Town Staff Recommendation:
There are two options for a recommendation, subject to the action taken on the companion case (ZONE-24-0022) for the amendment to the Future Land Use Plan:

1. If the Planning & Zoning Commission recommends approval of the rezoning request, the Commission should recommend approval of the amendment to the Future Land Use Plan.
2. If the Planning & Zoning Commission recommends denial of the rezoning request, the Commission should recommend denial of the amendment to the Future Land Use Plan.

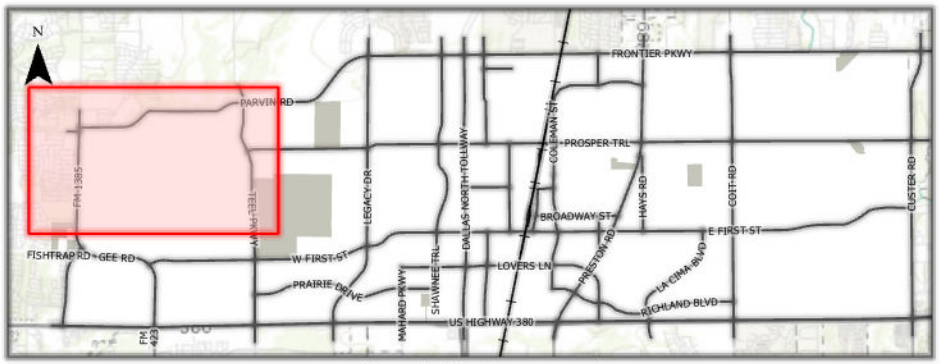
Town Council Public Hearing:

Upon a recommendation by the Planning & Zoning Commission, a Public Hearing for this item will be scheduled for the Town Council at their Regular meeting on August 26, 2025.



TOWN OF PROSPER

0 500 1,000 2,000 Feet



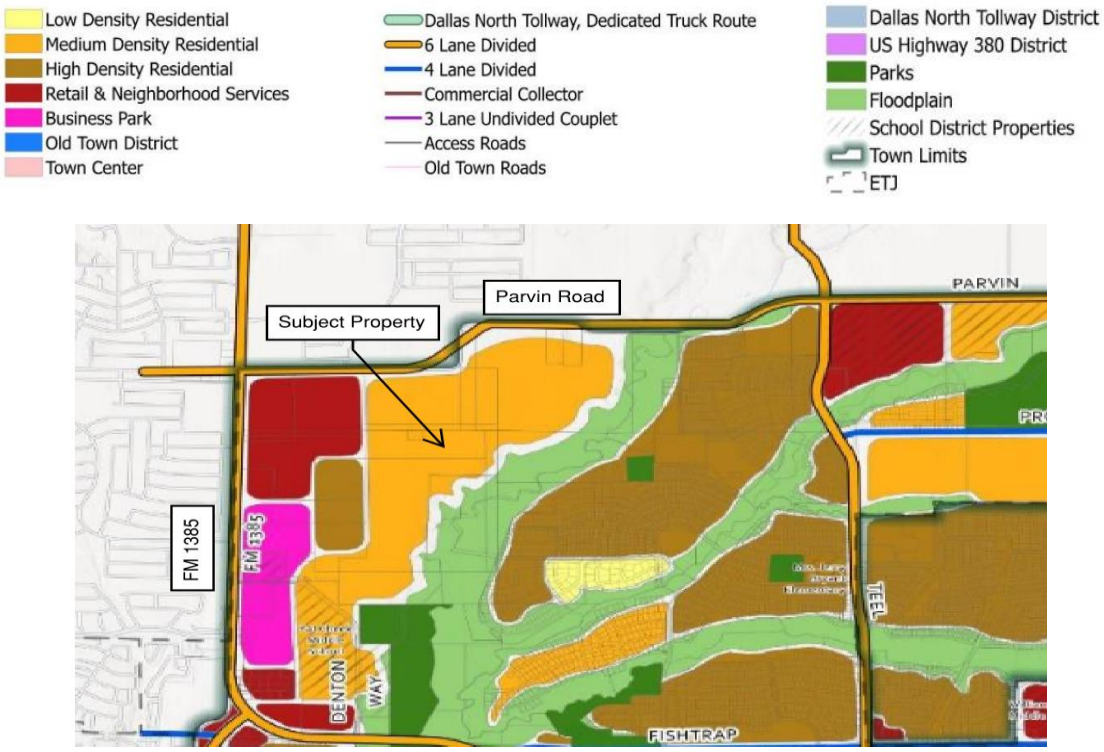
This map for illustration purposes only

COMP-24-0002

Prosper Oaks

Comprehensive Plan Amendment

Future Land Use Exhibit



Toll Brothers®
LAND DEVELOPMENT

PAVING THE WAY FOR AMERICA'S LUXURY HOMEBUILDER

February 13, 2025

Suzanne Porter, AICP
Planning Manager
Town of Prosper
250 W. First Street
Prosper, TX 75078

RE: Prosper Oaks FLUP
Prosper, Texas

Dear Ms. Porter,

Toll Brothers is pleased to submit this Letter of Intent with our Future Land Use Plan Amendment for Prosper Oaks which is generally located east of FM 1385, west of Windsong Ranch, north of Noles Road, and South of Parvin Road / Frontier Parkway.

Prosper Oaks will consist of approximately ±800 age-qualified and market rate residential lots situated on approximately 373.0 acres. The east portion of the community will consist of traditional detached single family residential homes with community trails, a central pond feature and amenity center as part of the amenity package. The Future Land Use Plan (FLUP) of the Town of Prosper currently allows the density required for this proposed section as the FLUP depicts this area as medium density residential. We are proposing SF-12.5 and SF-10 on this portion of the tract. However, the west portion is currently designed as a gated, age-qualified, detached single family home community for adults aged 55 and over. It will include an amenity center with a design that will focus on seniors, including, but not limited to, indoor meeting spaces, sports courts and medical office uses. The project will include active and passive amenities for the use of the Prosper Oaks and Prosper residents. The inclusion of the senior housing is not compatible with the current "Low Density" allowed by the current Future Land Use Plan designation is no longer appropriate.

While the land is in the Town of Prosper, this portion of the property is not in Prosper ISD, rather it is in the Denton ISD. To avoid a situation where the community is split between districts, we have elected to brand the community as one community. Moreover, we plan to introduce the senior housing on the Denton ISD side.

With this submittal, included below are response to following questions:

- Will the proposed change enhance the site and the surrounding area?

  Response: The community sits adjacent to the Doe Branch corridor which provides an abundance of open space not previously accessible to the public. A system of trails and open space enhancements will be elements constructed within the community to connect residents to the Doe Branch ecosystem. The community will be designed in accordance with the zoning and subdivision standards of the Town of Prosper; moreover, the attached Planned Development District will further layout the overall concept for the Prosper Oaks community with its amenities.

2555 SW Grapevine Hwy, Suite 100, Grapevine, TX 76051
Phone: (817) 329-8770 Fax: (817) 251-7309

- Is the proposed change a better use than that originally envisioned and depicted on the Future Land Use Plan map?

  Response: The east portion of the tract aligns with the FLUP while the west portion of the tract fulfills a need for senior housing in the Town of Prosper. The proposed uses are in separate school districts, but the entire neighborhood will be marketed and branded as one community.

- Will the proposed use be compatible with and/or enhance adjacent residential uses?

  Response: The residential uses do not change. Moreover, it creates two residential markets (i.e. market rate and age-qualified), thus accelerating completion of the trails systems and providing access to the open spaces along Doe Branch.

- Are uses adjacent to the proposed use similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility?

  Response: The community will be branded and operated in the same manner. It is currently surrounded and adjacent to both institutional and single-family residential. The compatibility will be carried through in the zoning documents and by way of developing in accordance with the development standards and regulations of the Town of Prosper.

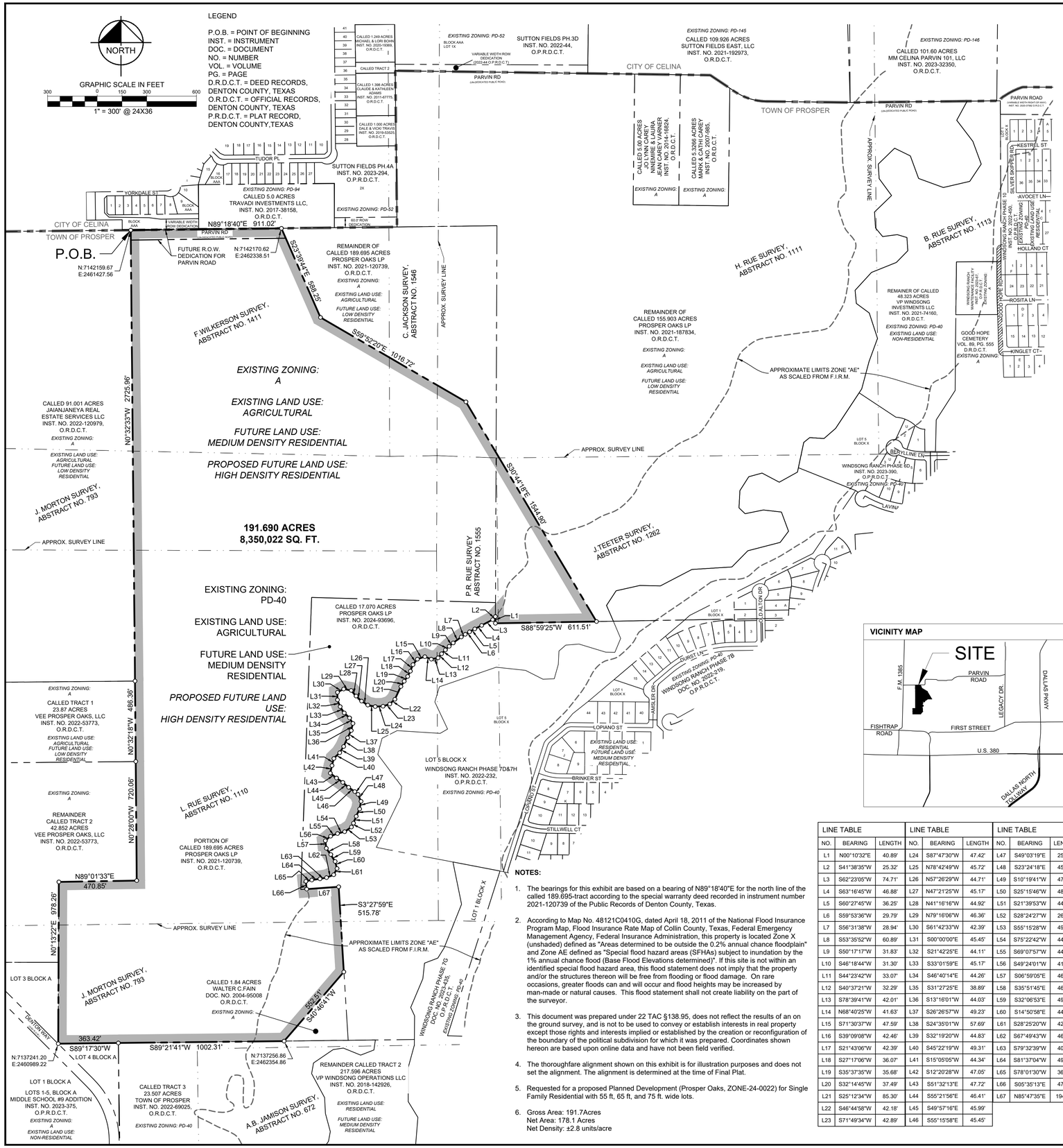
- Does the proposed use present a significant benefit to the public health, safety, welfare and/or social well-being of the community?

  Response: No. The change seeks to add public tax base, while at the same time offering a community that fills a needed segment of age-qualified, senior housing, capitalizing on a property that is uniquely split between to school districts, i.e. PISD and DISD.

Please contact me at 817-329-7973 should you have any questions regarding our request.

Thank you,

Mike Boswell, VP of Land Development
Dallas/Austin Land Development


NORTH
GRAPHIC SCALE IN FEET
300 0 150 300 600
1" = 300' @ 24X36
LEGEND
P.O.B. = POINT OF BEGINNING
INST. = INSTRUMENT
DOC. = DOCUMENT
NO. = NUMBER
VOL. = VOLUME
PG. = PAGE
D.R.D.C.T. = DEED RECORDS, DENTON COUNTY, TEXAS
O.R.D.C.T. = OFFICIAL RECORDS, DENTON COUNTY, TEXAS
P.R.D.C.T. = PLAT RECORD, DENTON COUNTY,TEXAS
CITY OF CELINA
TOWN OF PROSPER
P.O.B.
N:7142159.67
E:2461427.56
PARVIN RD
FUTURE R.O.W. DEDICATION FOR PARVIN ROAD
N:7142170.62
E:2462338.51
N89°18'40"E 911.02'
S30°39'41"E 598.25'
S68°52'20"E 1016.72'
S30°44'18"E 1544.90'
S88°59'25"W 611.51'
S3°27'59"E 515.78'
N89°01'33"E 470.85'
S89°17'30"W 363.42'
S89°21'41"W 1002.31'
N0°32'33"W 2725.96'
N0°32'18"W 486.36'
N0°20'00"W 720.06'
N0°13'22"E 978.26'
S40°46'41"W 552.51'
CALLED 5.0 ACRES TRAVADI INVESTMENTS LLC, INST. NO. 2017-38158, O.R.D.C.T.
EXISTING ZONING: PD-94
EXISTING ZONING: PD-52
SUTTON FIELDS PH.3D INST. NO. 2022-44, O.P.R.D.C.T.
SUTTON FIELDS PH.4A INST. NO. 2023-294, O.P.R.D.C.T.
CALLED 1.249 ACRES MICHAEL & LORI BOHN INST. NO. 2020-19069, O.R.D.C.T.
CALLED TRACT 2
CALLED 1.398 ACRES CLAUDE & KATHLEEN ADAMS INST. NO. 2011-67775, O.R.D.C.T.
CALLED 1.099 ACRES DALE & VICKI TRAVIS INST. NO. 2018-53525, O.R.D.C.T.
CALLED 109.926 ACRES SUTTON FIELDS EAST, LLC INST. NO. 2021-192973, O.R.D.C.T.
EXISTING ZONING: PD-145
CALLED 101.60 ACRES MM CELINA PARVIN 101, LLC INST. NO. 2023-32350, O.R.D.C.T.
EXISTING ZONING: PD-146
CALLED 5.00 ACRES JO LYNN CAREY NANCY ANN & JEAN CAREY VARNER INST. NO. 2014-16824, O.R.D.C.T.
CALLED 5.3098 ACRES MARK & CATHI CAREY INST. NO. 2007-985, O.R.D.C.T.
EXISTING ZONING: A
APPROX. SURVEY LINE
CALLED 91.001 ACRES JAIANJANEYA REAL ESTATE SERVICES LLC INST. NO. 2022-120979, O.R.D.C.T.
EXISTING ZONING: A
EXISTING LAND USE: AGRICULTURAL
FUTURE LAND USE: LOW DENSITY RESIDENTIAL
REMAINDER OF CALLED 189.695 ACRES PROSPER OAKS LP INST. NO. 2021-120739, O.R.D.C.T.
EXISTING ZONING: A
EXISTING LAND USE: AGRICULTURAL
FUTURE LAND USE: LOW DENSITY RESIDENTIAL
REMAINDER OF CALLED 155.903 ACRES PROSPER OAKS LP INST. NO. 2021-187834, O.R.D.C.T.
REMAINER OF CALLED 48.323 ACRES VP WINDSONG INVESTMENTS LLC INST. NO. 2021-74160, O.R.D.C.T.
EXISTING ZONING: PD-40
EXISTING LAND USE: NON-RESIDENTIAL
GOOD HOPE CEMETERY VOL. 89, PG. 555 D.R.D.C.T.
EXISTING ZONING: A
APPROXIMATE LIMITS ZONE "AE" AS SCALED FROM F.I.R.M.
EXISTING ZONING: A
EXISTING LAND USE: AGRICULTURAL
FUTURE LAND USE: MEDIUM DENSITY RESIDENTIAL
PROPOSED FUTURE LAND USE: HIGH DENSITY RESIDENTIAL
191.690 ACRES
8,350,022 SQ. FT.
EXISTING ZONING: PD-40
EXISTING LAND USE: AGRICULTURAL
FUTURE LAND USE: MEDIUM DENSITY RESIDENTIAL
PROPOSED FUTURE LAND USE: HIGH DENSITY RESIDENTIAL
CALLED TRACT 3 23.87 ACRES VEE PROSPER OAKS, LLC INST. NO. 2022-53773, O.R.D.C.T.
EXISTING ZONING: A
EXISTING LAND USE: AGRICULTURAL FUTURE LAND USE: LOW DENSITY RESIDENTIAL
REMAINDER CALLED TRACT 2 42.852 ACRES VEE PROSPER OAKS, LLC INST. NO. 2022-53773, O.R.D.C.T.
EXISTING ZONING: A
PORTION OF CALLED 189.695 ACRES PROSPER OAKS LP INST. NO. 2021-120739, O.R.D.C.T.
CALLED 17.070 ACRES PROSPER OAKS LP INST. NO. 2024-93696, O.R.D.C.T.
CALLED TRACT 3 23.507 ACRES TOWN OF PROSPER INST. NO. 2022-69025, O.R.D.C.T.
EXISTING ZONING: PD-40
REMAINDER CALLED TRACT 2 217.596 ACRES VP WINDSONG OPERATIONS LLC INST. NO. 2018-142926, O.R.D.C.T.
EXISTING LAND USE: RESIDENTIAL
FUTURE LAND USE: MEDIUM DENSITY RESIDENTIAL
CALLED 1.84 ACRES WALTER C.FAIN DOC. NO. 2004-95008 O.R.D.C.T.
EXISTING ZONING: A
CALLED 1.000 ACRES DOC. NO. 2023-219, O.P.R.D.C.T.
EXISTING ZONING: PD-78
WINDSONG RANCH PHASE 7D&7H INST. NO. 2022-232, O.P.R.D.C.T.
EXISTING ZONING: PD-40
LOT 5 BLOCK X
LOT 1 BLOCK X
LOT 3 BLOCK A
LOTS 1-5, BLOCK A MIDDLE SCHOOL #9 ADDITION INST. NO. 2023-375, O.P.R.D.C.T.
EXISTING ZONING: A
EXISTING LAND USE: NON-RESIDENTIAL
LOT 1 BLOCK A
LOT 4 BLOCK A
N:7137241.20
E:2460989.22
N:7137256.86
E:2462354.86
L. RUE SURVEY, ABSTRACT NO. 1110
H. RUE SURVEY, ABSTRACT NO. 1111
B. RUE SURVEY, ABSTRACT NO. 1113
P.R. RUE SURVEY, ABSTRACT NO. 1555
C. JACKSON SURVEY, ABSTRACT NO. 1546
F.WILKERSON SURVEY, ABSTRACT NO. 1411
J. MORTON SURVEY, ABSTRACT NO. 793
J.TEETER SURVEY, ABSTRACT NO. 1262
A.B. JAMISON SURVEY, ABSTRACT NO. 672
APPROX. SURVEY LINE
TUDOR PL
YORKDALE ST
BLOCK AAX
VARIABLE WIDTH ROW DEDICATION
40.0' ROW DEDICATION
PARVIN ROAD
PARVIN RD
TOWN OF PROSPER
CITY OF CELINA
APPROX. SURVEY LINE
SILVER SNIPER RD
KESTREL ST
AVOCET LN
HOLLAND CT
ROSITA LN
KINGLET CT
BERYLLINE LN
LAVINA
DURST LN
LAMBER DR
O-NATION DR
LOPIANO ST
BRINKER ST
LOMING ST
STILLWELL CT
TEXAS WAY
WINDSONG RANCH PHASE 6D
WINDSONG RANCH PHASE 7G
WINDSONG RANCH PHASE 7B
EXISTING ZONING: PD-40
EXISTING LAND USE: RESIDENTIAL
FUTURE LAND USE: MEDIUM DENSITY RESIDENTIAL
EXISTING ZONING: PD-78
EXISTING ZONING: PD-40
EXISTING LAND USE: RESIDENTIAL
FUTURE LAND USE: MEDIUM DENSITY RESIDENTIAL

TOWN OF PROSPER
A Place Where Everyone Matters

PLANNING

To: **Planning & Zoning Commission** **Item No. 6**

From: **Suzanne Porter, AICP, Planning Manager**

Through: **David Hoover, AICP, Director of Development Services**

Re: **Amendment of Planned Development-67 (Gates of Prosper) - Subdistricts 2 and 3**

Meeting: **August 5, 2025**

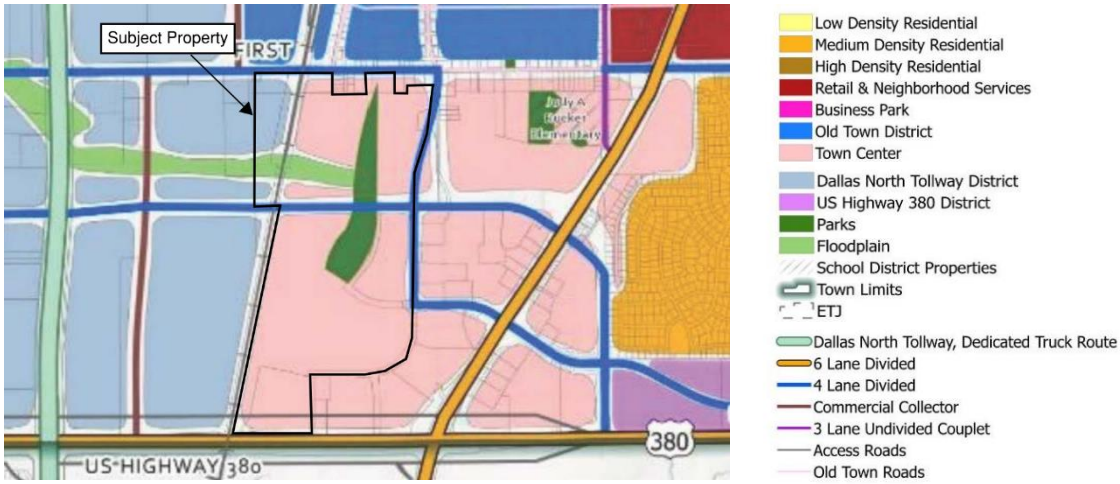
Agenda Item:
Conduct a Public Hearing and consider and act upon a request to amend the uses and conceptual layout of a portion of Subdistrict 2 and Subdistrict 3 of Planned Development-67, consisting of 258.3± acres on the west of Preston Road between US 380 (University Drive) and First Street. (ZONE-24-0012)

Background:
On September 17, 2024, the Town Council and Planning & Zoning Commission held a Joint Work Session to discuss the proposed amendment. The applicant, Mr. Shipp, presented plans to amend a portion of the Gates of Prosper. A portion of Subdistrict 2 would be modified to add 600 additional multifamily units that would be completed in two phases. Subdistrict 3 would be modified to add the allowance of 150 alley-served single-family lots, of which a maximum 110 lots would have a 40-foot lot width; the district already includes 150 townhomes.

The Town Council and Commission Members discussed each Subdistrict and the impact the proposed changes may have with the addition of the multi-family units regarding the increased density, the size of the residential lots in Subdistrict 3, and the placement of the townhomes. It was noted that the Town Council and Commission Members are looking at the developing area holistically for future impact and best uses for buildout.

During the past year, the applicant has been working with staff to evaluate and update the proposal. The modifications currently proposed are described within the staff report.

Future Land Use Plan:
The Future Land Use Plan recommends Town Center for the property east of Burlington Railroad. A small portion of the property is west of the railroad and designated Dallas North Tollway District. There are also Park and Floodplain designations within the property.



Zoning:
The property is zoned Planned Development-67 (Mixed Use).

Thoroughfare Plan:
This property has direct access to First Street, Coleman Street, Gates Parkway, and University Drive (US 380).

Parks Master Plan:
The Parks Master Plan shows does not indicate that a park is needed on the subject property.

Hike & Bike Trail:
The Hike & Bike Trail Master Plan requires trails along First Street, Lovers Lane, and the railroad.

Legal Obligations and Review:
Notification was provided as required by the Zoning Ordinance and state law. Staff has not received any response to the proposed zoning request to date.

Attached Documents:
1. Aerial & Zoning Maps
2. Future Land Use Exhibit
3. Exhibits A & A-1 – Boundary and Legal Description
4. Letter of Intent
5. Summary of Proposed Zoning Changes
6. Gates of Prosper Planned Development Ordinance (Clean)
7. Gates of Prosper Planned Development Ordinance (Redlined)
8. Exhibit D – Conceptual Plan
9. Previously Approved Conceptual Plan

Description of Agenda Item:
The purpose of this request is to modify a portion of Subdistrict 2 and Subdistrict 3 of the Gates of Prosper Planned Development (PD) regarding the allocation of residential units.

An additional 600 multifamily units are proposed to be added to the undeveloped portion of Subdistrict 2 for a total of 1,200 multifamily units. There are 344 constructed units in Phase 1 of

the apartment development located south of Lovers Lane. Phase 2 consists of 256 units and is under construction.

The addition of single-family units is proposed in Subdistrict 3. Vertical mixed-use is removed from this subdistrict, but retail, office, and commercial uses will be maintained along First Street.

Below is an overview of the current criteria and existing conditions of the property compared to the proposed criteria.

Multifamily

Current Criteria for Multifamily:

- Maximum 600 units for all Subdistricts
- Maximum 600 units for Subdistrict 2
- Maximum 300 Multifamily Units for Subdistrict 3

Proposed Criteria for Multifamily:

- Maximum 1,200 units for all Subdistricts
- Existing 600 units in Subdistrict 2
- Additional 600 units allowed in Subdistrict 2
- A clarification was added to the standard that 40 percent of units will have private garages to state that structured garages shall qualify as a private garage

Townhome

Existing Criteria for Townhomes:

- Maximum 150 units for all Subdistricts
- Maximum 150 units in Subdistrict 2
- Maximum 150 units in Subdistrict 3
- Minimum lot area of 2,500 square feet

Proposed Criteria for Townhomes:

- Townhomes still allowed in each subdistrict; the concept plan shows all 150 units within Subdistrict 3
- Minimum lot area of 1,800 square feet
- Addition that greater articulation will be provided on sides of townhomes adjacent to public streets and open spaces

Single Family

Existing Criteria for Single Family

- Maximum 200 units
- Only permitted within Subdistrict 4
- Two lot types at 8,640 sq ft (64 ft x 125 ft) and 9,990 sq ft (74 ft x 125 ft)

Proposed Criteria for Single Family

- 200 Maximum units in Subdistrict 4 per lot types listed above (no change)
    - Starview Phases 1 and 2 consist of 173 front-entry lots
- No Maximum of Allowable units in Subdistrict 3
    - Front-entry lots
    - Provision added that front yard setbacks will not be staggered
    - Addition of architectural criteria for single family buildings
    - Minimum lot width – 55 ft
    - Minimum lot depth – 100 ft

- Minimum lot area – 6,875 sq ft
- Minimum dwelling size – 1,800 sq ft
- Maximum height – 40 ft / two-stories
- Lots may be center loaded or zero lot line patio homes
    - Center Loaded Setbacks: 15' front / 7' side / 20' rear
    - Side Loaded (Patio Home) Setbacks: 15' front / 0' side / 20' rear
    - A 10 ft separation is required between adjacent side loaded units

Compatibility:

This amendment would not be out of character with the purpose of this planned development. The overall 621-acre Gates of Prosper development created subdistricts "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."

In the Joint Work Session, the applicant discussed the need for an additional 600 multifamily units to activate Subdistrict 2 to attract more high-end restaurant and shopping tenants. It was also necessary for the development to stay competitive with nearby mixed-use developments. The additional single-family units in Subdistrict 3 came from a change in the original concept for this area as an office development and was described as a benefit for the area in its location between downtown and more intense retail to the south.

Descriptions of Subdistricts 2 and 3 from the existing PD:

- 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 a 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.

The zoning and land use of the surrounding properties are as follows:

	Zoning	Current Land Use	Future Land Use Plan
Subject Property (Subdistricts 2 & 3)	Planned Development-67	Vacant	Town Center
North	Downtown Commercial & Single Family-15	Church, Retail, Vacant	Old Town District
East	Planned Development-67	Single-Family & Retail	Town Center
South	City of Frisco Highway & Industrial	Vacant	City of Frisco
West	Single Family-15 & Planned Development-42	Vacant	Dallas North Tollway District

Town Staff Recommendation:

The proposed zoning request is compliant with the Future Land Use Plan and the intent of this Planned Development. Town Staff recommends approval of the request to amend the uses and conceptual layout of a portion of Subdistrict 2 and Subdistrict 3 of Planned Development-67, consisting of 258.3± acres on the west of Preston Road between US 380 (University Drive) and First Street.

Town Council Public Hearing:

Upon a recommendation by the Planning & Zoning Commission, a Public Hearing for this item will be scheduled for the Town Council at their Regular meeting on August 26, 2025.



TOWN OF PROSPER

0 500 1,000 2,000 Feet

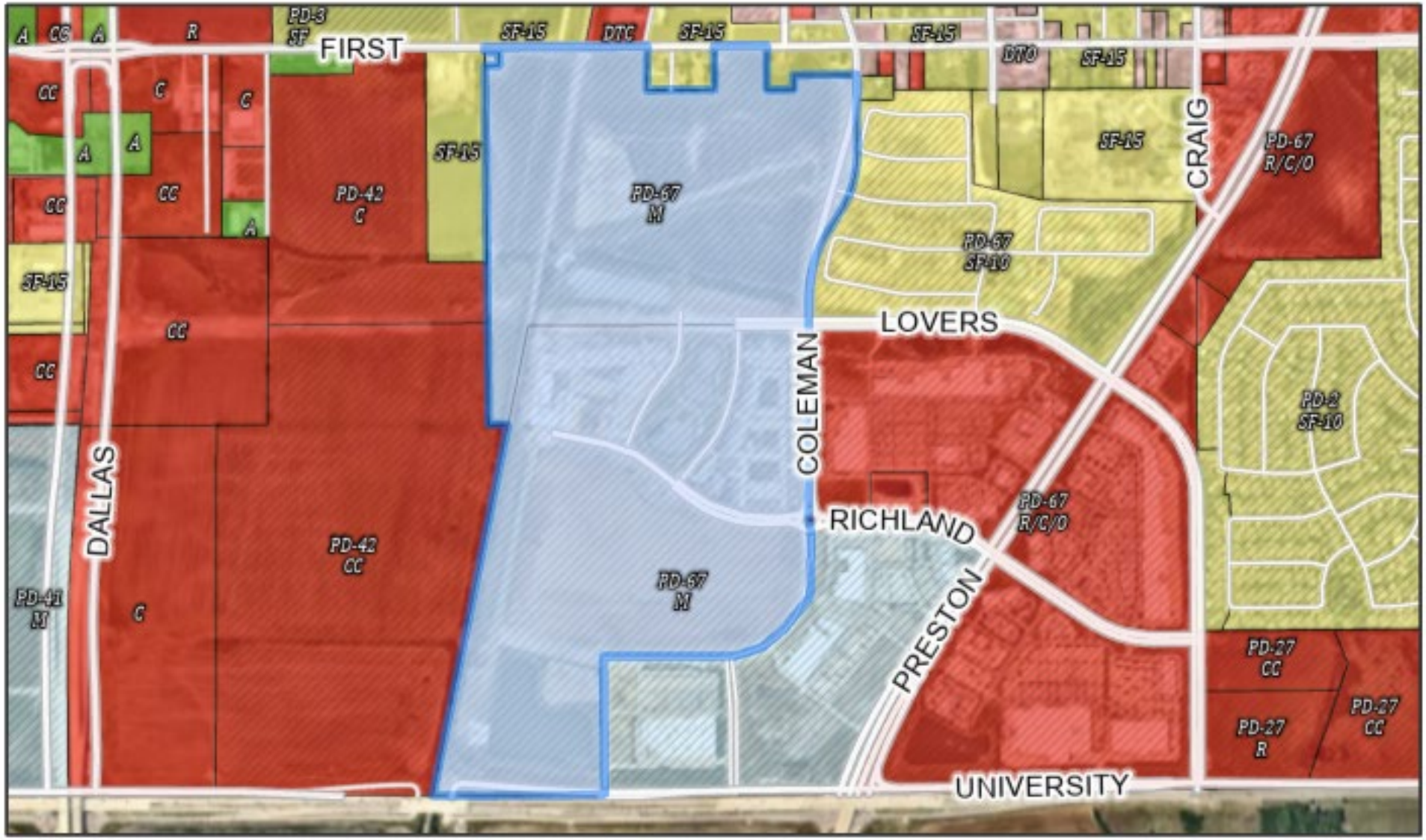


This map for illustration purposes only

ZONE-24-0012

Gates of Prosper

Planned Development Rezoning



TOWN OF PROSPER

0 500 1,000 2,000 Feet



This map for illustration purposes only

ZONE-24-0012

Gates of Prosper

Planned Development Rezoning

Future Land Use Exhibit

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Retail & Neighborhood Services
- Business Park
- Old Town District
- Town Center
- Dallas North Tollway District
- US Highway 380 District
- Parks
- Floodplain
- School District Properties
- Town Limits
- ETJ
- Dallas North Tollway, Dedicated Truck Route
- 6 Lane Divided
- 4 Lane Divided
- Commercial Collector
- 3 Lane Undivided Couplet
- Access Roads
- Old Town Roads



PD-SUBDISTRICT 3
(DOWNTOWN CENTER)
111.81 GROSS ACRES
94.92 NET ACRES

PD-SUBDISTRICT 4
(RESIDENTIAL NEIGHBORHOOD)
71.43 GROSS ACRES
62.09 NET ACRES

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

PD-SUBDISTRICT 2
(LIFESTYLE CENTER)
146.49 GROSS ACRES
129.43 NET ACRES

PD-SUBDISTRICT 1
(REGIONAL RETAIL).
244.38 GROSS ACRES
197.21 NET ACRES

THE MAHARD 2003 PARTNERSHIP, L.P. VOL. 5652 PG. 4191 L.R.C.C.T. F.L.U.P. TOLLWAY DISTRICT CURRENT USE AGRICULTURAL ZONED SF-15

F.L.U.P. TOLLWAY DISTRICT CURRENT USE AGRICULTURAL ZONED SF-15 JERRY HANSEL C.C.C.F.# 92-0032392 L.R.C.C.T.

183 LAND CORPORATION C.C.F.# 97-0005168 L.R.C.C.T.

F.L.U.P. TOLLWAY DISTRICT ZONED PD-3 MIDDLE SCHOOL CURRENT USE - AGRICULTURAL

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

APPROX. LOCATION FEMA 100-YR FLOODPLAIN

COLLIN COUNTY SCHOOL LAND SURVEY ABST. NO. 147

J. YARNALL SURVEY ABST. NO. 1038

B. RENISON SURVEY ABST. 755

PROPOSED LOVERS LANE

FUTURE LOVERS LANE

90' ROW

SURVEY LINE

BURLINGTON NORTHERN SANTA FE RAILROAD

PCCP ALBERTA FRISCO TEXAS, LLC DOC. 20070125000461840 O.P.R.C.C.T.

POINT OF BEGINNING

SOUTHWEST CORNER OF JOHN YARNELL SURVEY, ABSTRACT NO. 1038, BEARS S 83°50' E, 161.7'

S89°46'43"W 2671.91'

U.S. HIGHWAY 380

S89°12'47"W 2794.95'

183 LAND CORPORATION C.C.F.# 97-0005168 L.R.C.C.T.

BLUE STAR AUSTIN INVESTMENTS PHASE 1 DOC. 20060919001346200 O.P.R.C.C.T.

CITY OF IRVING WATERLINE ESMT. VOL. 4932 PG. 3627 L.R.C.C.T.

TXDOT ESMT. TRACT 3 PART 1 VOL. 630 PG. 1 D.R.C.C.T.

TXDOT ESMT. TRACT 3 PART 2 VOL. 626 PG. 567 O.R.C.C.T.

TXDOT ESMT. TRACT 2 VOL. 630 PG. 1 D.R.C.C.T.

TXDOT DRAINAGE ESMT. TRACT 1 VOL. 630 PG. 1 D.R.C.C.T.

JOBE PROPERTIES, LTD. DOC. 20091009001250200 DOC. 20080908001082340 O.R.C.C.T. EXISTING ZONING RETAIL/COMMERCIAL F.L.U.P. - PRESTON CORRIDOR DIST. EXISTING USE - VACANT

JOBE PROPERTIES, LTD. VOL. 4705 PG. 3351 L.R.C.C.T. EXISTING ZONING - PD-2 RETAIL / COMMERCIAL / OFFICE SF-10 F.L.U.P. - LOW DENSITY RESIDENTIAL AND PRESTON CORRIDOR EXISTING USE - VACANT

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

PROSPER STATE BANK VOL. 684 PG. 178 DOC. 20080620000752430 L.R.C.C.T. EXISTING ZONING RETAIL F.L.U.P. - OLD TOWN CORE DIST. EXISTING USE - BANK/VACANT

DRAINAGE ESMT. DOC. 20101026001165120 O.P.R.C.C.T.

BROADWAY 78 INVESTORS, LTD. DOC. 2003-0164153 L.R.C.C.T. EXISTING ZONING COMMERCIAL F.L.U.P. - COMMERICAL/RETAIL EXISTING USE - VACANT

FIRST BAPTIST CHURCH OF PROSPER VOL. 1725 PG. 830 VOL. 1909 PG. 675 L.R.C.C.T. EXISTING ZONING SINGLE FAMILY F.L.U.P. - CIVIC / SCHOOL EXISTING USE - SCHOOL

PROSPER I.S.D. VOL. 1723 PG. 868 L.R.C.C.T. EXISTING ZONING SINGLE FAMILY F.L.U.P. - CIVIC / SCHOOL EXISTING USE - SCHOOL

SANITARY SEWER & ACCESS ESMT. VOL. 5022 PG. 765 L.R.C.C.T.

WILLOW RIDGE PHASE ONE CAB. M PG. 624 M.R.C.C.T.

WILLOW RIDGE PHASE TWO CAB. P PG. 598 M.R.C.C.T.

WILLOW RIDGE PHASE FOUR A CAB. 2009 PG. 124 M.R.C.C.T.

FIRST STREET

SECOND STREET

CROCKETT

MAHONEY

CHURCH

BUSINESS 289

COLEMAN STREET

CRAIG ROAD

PRESTON ROAD STATE HIGHWAY 289

RICHAND DRIVE

FUTURE 4 LANE DIVIDED THOROUGHFARE

FUTURE 90' ROW

FUTURE 60' ROW

60'ROW

30'

COMMON AREA LOT 1X-R

N89°37'06"E 509.94' S86°07'09"E 202.29' N89°38'54"E 454.44' N89°38'54"E 377.25' S00°06'52"E 314.47' N89°41'07"E 455.63' S89°56'58"E 257.38' N89°18'22"E 555.18' S00°39'50"E 675.52' S89°06'24"E 1107.34' N00°09'58"W 104.29' S00°05'32"E 177.82' N89°49'10"E 189.92' N89°29'33"E 481.12' S00°45'07"W 313.06' N00°21'57"W 311.63' N89°31'34"E 1084.95' N89°30'30"E 205.11' N00°14'40"W 289.97' S01°02'13"E 1546.12' S89°20'50"W 899.18' S00°39'10"W 336.04' N54°01'34"W 401.88' S15°47'28"W 477.44' S35°19'15"E 408.23' N11°27'13"E 2718.98'

LOCATION MAP
NOT TO SCALE

Note: The throroughfare 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.C.C.T. = Deed Records of Collin County, Texas
F.L.U.P. = Future Land Use Plan

N
W E
S

GRAPHIC SCALE IN FEET
300' 0 150' 300' 600'
1"=300" @ 24"X36"

EXHIBIT "A"
FOR ZONING CASE NO. Z21-0004
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.
106 West Louisiana Street
McKinney, TX 75069
Ph. 469-301-2590
Contact : Joe Riccardi

Owner:
380 & 289 LP
1 Cowboys Way
Frisco, TX 75034
Ph. 972-497-4367

Owner:
183 Land Corporation, Inc.
1 Cowboys Way
Frisco, TX 75034
Ph. 972-497-4367

Kimley»Horn
260 East Davis Street, Suite 100
McKinney, Texas 75069 FIRM # 10115500 Tel. No. (469)-201-2590

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 300'	RAB	RAK	Feb 2021	068109030	1 OF 2

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DWG NAME: K:\MKX_CIVIL\068109030\GATES OF PROSPER\CAD\EXHIBITS\20210212 - GATES ZONING EXHIBIT.DWG PLOTTED BY KORUS, RACHEL 7/31/2023 3:55 PM LAST SAVED 3/3/2021 8:53 AM

Property ID	Owner	Volume	Page	Doc. No.	Existing Zoning	Existing Land Use	Future Land Use
1	COSERV PROPERTY HOLDINGS LLC			20140812000856950	DTC	INDUSTRIAL	OLD TOWN CORE DISTRICT
2	PROSPER EDC			20181030001348020	SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
3	PROSPER EDC				SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
4	PROSPER EDC				SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
5	RUTILIO & YOLANDA AGUILAR	5236	4438		SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
6	PROSPER EDC			20180504000548560	SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
7	TOWN OF PROSPER			20170616000784290	SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
8	TOWN OF PROSPER			20190119010003140	SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
9	TOWN OF PROSPER			20170421000509890	SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
10	RODOLFO SOTO			20151218001578610	SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
11	ABE & TOMOKO MANSOORI			20121211001574800	SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
12	DARIL R NIX REVOCABLE LVG TRUST	94-	0014368		SF-15	RESIDENTIAL	TOWN CENTER
13	FRANCISCO IBARRA	5848	4553		SF-15	RESIDENTIAL	TOWN CENTER
14	SAYDA HERNANDEZ	5982	2009		SF-15	RESIDENTIAL	TOWN CENTER
15	JOSE & ISIDRA GRANADOS	97-	0003293		SF-15	RESIDENTIAL	TOWN CENTER
16	JOSE & ISIDRA GRANADOS	97-	0003293		SF-15	RESIDENTIAL	TOWN CENTER
17	JOSE & MARIA E. GONZALEZ JOSE	1395	0333		SF-15	RESIDENTIAL	TOWN CENTER
18	FLAVIO IBARRA LOZANO	99-0132985	4531-2501		SF-15	RESIDENTIAL	TOWN CENTER
19	SAYDA HERNANDEZ			20070509000626600	SF-15	RESIDENTIAL	TOWN CENTER
20	BLUE STAR LAND LP			20140411000350200	SF-15	RESIDENTIAL	TOWN CENTER
21	SHRADER SANDRA OMOHUNDRO			20170925001280500	SF-15	RESIDENTIAL	TOWN CENTER
22	183 LAND CORPORATION INC	97-	0005168		SF-15	RESIDENTIAL	TOWN CENTER
23	FIRST PRESBYTERIAN CHURCH	14700102			SF-15	Church	TOWN CENTER
24	PRESBYTERIAN CHURCH				SF-15	Church	TOWN CENTER
25	VISION AND STRUCTURE LLC			20200903001480220	DTO	RESIDENTIAL	TOWN CENTER
26	BLISS PET RESORT LLC			20151230001621710	C	COMMERCIAL	TOWN CENTER
27	HOLLMAN HOLDING LLC			20190830001065010	SF-15	RESIDENTIAL	TOWN CENTER
28	MONTE & BARBARA KAUFFMAN	2904	892		SF-15	RESIDENTIAL	TOWN CENTER
29	FIRST BAPTIST CHURCH PROSPER	01-0130186	5023-3304		DTO	CHURCH	TOWN CENTER
30	ERNEST MAHARD, JR.				DTO	COMMERCIAL	TOWN CENTER
31	MAHARD EGG FARM INC				DTO	COMMERCIAL	TOWN CENTER
32	TOWN OF PROSPER			20070709000937360	RETAIL	COMMERCIAL	TOWN CENTER
33	GRIFFIN 4 HOLDINGS LLC			20170803001030760	DTO	RESIDENTIAL	TOWN CENTER
34	BLUE MONKEY PROPERTIES LLC			20171213001647850	SF15	RESIDENTIAL	TOWN CENTER

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:
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 wit:
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°21'33" 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, he 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. Z21-0004
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.
106 West Louisiana Street
McKinney, TX 75069
Ph. 469-301-2590
Contact : Joe Riccardi

Owner:
380 & 289 LP
1 Cowboys Way
Frisco, TX 75034
Ph. 972-497-4367

Owner:
183 Land Corporation, Inc.
1 Cowboys Way
Frisco, TX 75034
Ph. 972-497-4367

Kimley»Horn
260 East Davis Street, Suite 100
McKinney, Texas 75069 FIRM # 10115500 Tel. No. (469)-201-2590

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	RAB	RAK	Feb 2021	068109030	2 OF 2

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DWG NAME: K:\MKN_CIVIL\068109030\04-GATES OF PROSPER\CAD\EXHIBITS\20210212 - GATES ZONING EXHIBIT.DWG PLOTTED BY KORUS, RACHEL 7/31/2021 3:55 PM LAST SAVED 3/3/2021 8:55 AM

BEING a tract of land situated in the Collin County School Land No. 12 Survey, Abstract No.147, the Ben Renison Survey, Abstract No. 755, and the John Yarnell Survey, Abstract No. 1038, the Town of Prosper, Collin County, Texas and being a portion of Block B, Lot 1 and Lot 2 of the Gates of Prosper, Phase 2, an addition to the Town of Prosper, according to the Conveyance Plat recorded in Volume 2020, Page 807 of the Plat Records of said county, same being a part of Tract 2, a called 4.448 acres tract described in a Warranty Deed to GOP #2 LLC, as recorded in Instrument No. 20190605000641620 of the Official Public Records of said county, a part of a called 157.1346 acres tract described in a Deed to 289 (Preston) & 380, LP, as recorded in 20121221001629970 and 20121221001629970 of said Official Public Records, a part of Tract Seven, a called 123.850 acres tract described in Deed to 289 (Preston) & 380 L.P., as recorded in Instrument No. 2019011800061180 of said Official Public Records, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with a red plastic cap, stamped "KHA", set for the southerly, southeast corner of said Block b, Lot 2, same being at the intersection of the northwesterly right-of-way line of State Highway 289 (Preston Road) (variable width Right-of-way) with the northerly right-of-way line of University Drive (U. S. Highway 380) (variable width Right-of-way);

THENCE along the northerly right-of-way line of said University Drive (U. S. Highway 380) and the southerly line of said Lot 2, the following courses and distances:

South 89°12'09" West, a distance of 792.64 feet to a 5/8 inch iron rod with a red plastic cap, stamped "KHA", set;

South 84°43'41" West, a distance of 92.74 feet to a 1/2 inch iron rod found for corner;

North 89°50'14" West, a distance of 430.49 feet to a 5/8 inch iron rod with a red plastic cap, stamped "KHA", set for corner;

North 87°55'41" West, a distance of 42.02 feet to a point for corner;

THENCE North 00°00'00" East, departing the northerly right-of-way line of said University Drive (U. S. Highway 380), the southerly line of said Lot 2, crossing said Lot 2, a distance of 923.23 feet to a point at the beginning of a non-tangent curve to the left having a central angle of 4°02'38", a radius of 850.00 feet, a chord bearing and distance of South 87°58'41" East, 59.98 feet;

THENCE in an easterly direction, continuing across said Lot 2, with said curve to the left, an arc distance of 59.99 feet to a point for corner;

THENCE North 90°00'00" East, continuing across said Lot 2, a distance of 747.44 feet to a point at the beginning of a tangent curve to the left having a central angle of 90°00'00", a radius of 650.00 feet, a chord bearing and distance of North 45°00'00" East, 919.24 feet;

THENCE in a northeasterly direction, continuing across said Lot 2, with said curve to the left, an arc distance of 1021.02 feet to a point for corner;

THENCE South 00°00'00" East, continuing across said Lot 2, a distance of 301.08 feet to a point for corner;

THENCE North 90°00'00" East, continuing across said Lot 2, passing the common line of said Lot 2 and aforesaid Block b, Lot 1, continuing across said Lot 1, a distance of 927.55 feet to a point for corner;

THENCE South 52°50'32" East, continuing across said Lot 1, a distance of 25.77 feet to a point for corner on the southeasterly line of said Lot 1 and the northwesterly right-of-way line of aforesaid State Highway 289 (Preston Road);

THENCE along the northwesterly right-of-way line of said U. S. Highway 289 (Preston Road), the southeasterly line of said Lot 1 and the southeasterly line of aforesaid Lot 2, the following courses and distances:

South 37°09'28" West, a distance of 358.47 feet to a 5/8 inch iron rod with a red plastic cap, stamped "KHA", set;

South 44°07'24" West, a distance of 418.54 feet to a 5/8 inch iron rod with a red plastic cap, stamped "KHA", set for corner;

North 60°08'40" West, a distance of 32.61 feet to a 5/8 inch iron rod with a red plastic cap, stamped "KHA", set for corner;

North 16°37'20" West, a distance of 93.29 feet to a 5/8 inch iron rod found for corner;

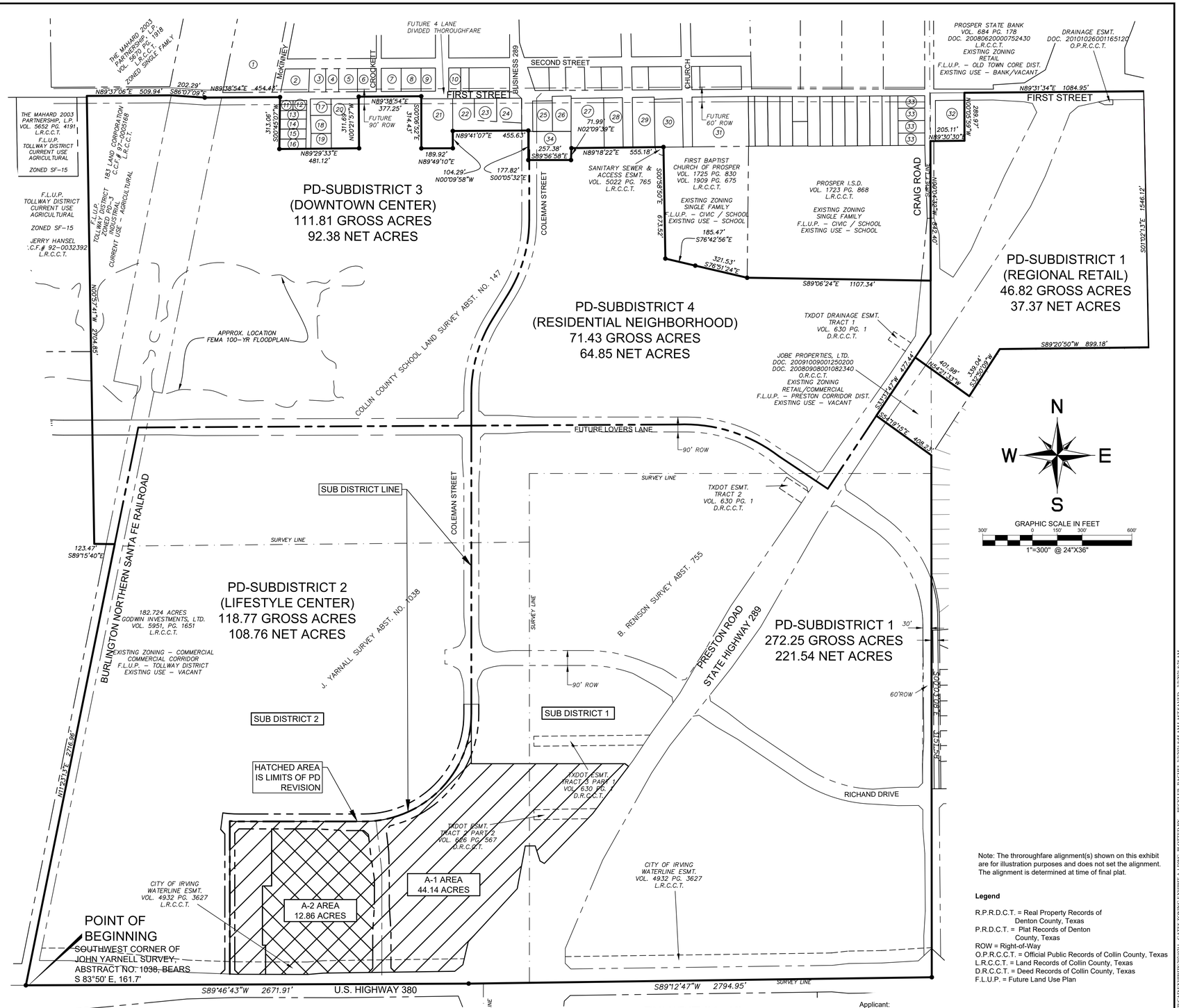
South 89°43'04" West, passing at a distance of 30.16 feet, a 1/2 inch iron rod found for the most westerly southwest corner of the aforementioned Tract Seven, continuing a total distance of 59.48 feet to a 5/8 inch iron rod found;

South 10°42'09" West, a distance of 261.71 feet to a TxDot aluminum disk found for corner;

South 42°38'30" West, a distance of 436.76 feet to a 5/8 inch iron rod with a red plastic cap, stamped "KHA", set;

South 13°02'09" West, a distance of 142.64 feet to a TxDot aluminum disk found for corner;

South 51°12'09" West, a distance of 62.97 feet to the **POINT OF BEGINNING** and containing 44.137 acres (1,922,620 square feet) of land, more or less.



Note: The throroughfare 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.C.C.T. = Deed Records of Collin County, Texas
F.L.U.P. = Future Land Use Plan

EXHIBIT "A-1"
FOR ZONING CASE NO. Z21-0004
GATES OF PROSPER
BEING 44.14 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.
260 East Davis St, Suite 100
McKinney, TX 75069
Ph. 469-301-2580
Contact : Joe Riccardi

Owner:
380 & 289 LP
1 Cowboys Way
Frisco, TX 75034
Ph. 972-497-4367

Owner:
183 Land Corporation, Inc.
1 Cowboys Way
Frisco, TX 75034
Ph. 972-497-4367

Kimley»Horn
260 EAST DAVIS ST, SUITE 100
McKinney, Texas 75069
FIRM # 10115500
Tel. No. (469)-301-2580

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 300'	RAB	RAK	Feb 2021	068109030	1 OF 2

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DWG NAME: K:\MSN_CIVIL\068109030\GATES OF PROSPER\CAD\EXHIBITS\20210211 - GATES ZONING EXHIBIT A-1.DWG PLOTTED BY BECKLER, RACHEL 3/3/2021 8:55 AM LAST SAVED 3/3/2021 8:28 AM

Property ID	Owner	Volume	Page	Doc. No.	Existing Zoning	Existing Land Use	Future Land Use
1	COSERV PROPERTY HOLDINGS LLC			20140812000856950	DTC	INDUSTRIAL	OLD TOWN CORE DISTRICT
2	PROSPER EDC			20181030001348020	SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
3	PROSPER EDC				SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
4	PROSPER EDC				SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
5	RUTILIO & YOLANDA AGUILAR	5236	4438		SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
6	PROSPER EDC			20180504000548560	SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
7	TOWN OF PROSPER			20170616000784290	SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
8	TOWN OF PROSPER			20190119010003140	SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
9	TOWN OF PROSPER			20170421000509890	SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
10	RODOLFO SOTO			20151218001578610	SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
11	ABE & TOMOKO MANSOORI			20121211001574800	SF-15	RESIDENTIAL	OLD TOWN CORE DISTRICT
12	DARIL R NIX REVOCABLE LVG TRUST	94-	0014368		SF-15	RESIDENTIAL	TOWN CENTER
13	FRANCISCO IBARRA	5848	4553		SF-15	RESIDENTIAL	TOWN CENTER
14	SAYDA HERNANDEZ	5982	2009		SF-15	RESIDENTIAL	TOWN CENTER
15	JOSE & ISIDRA GRANADOS	97-	0003293		SF-15	RESIDENTIAL	TOWN CENTER
16	JOSE & ISIDRA GRANADOS	97-	0003293		SF-15	RESIDENTIAL	TOWN CENTER
17	JOSE & MARIA E. GONZALEZ JOSE	1395	0333		SF-15	RESIDENTIAL	TOWN CENTER
18	FLAVIO IBARRA LOZANO	99-0132985	4531-2501		SF-15	RESIDENTIAL	TOWN CENTER
19	SAYDA HERNANDEZ			20070509000626600	SF-15	RESIDENTIAL	TOWN CENTER
20	BLUE STAR LAND LP			20140411000350200	SF-15	RESIDENTIAL	TOWN CENTER
21	SHRADER SANDRA OMOHUNDRO			20170925001280500	SF-15	RESIDENTIAL	TOWN CENTER
22	183 LAND CORPORATION INC	97-	0005168		SF-15	RESIDENTIAL	TOWN CENTER
23	FIRST PRESBYTERIAN CHURCH	14700102			SF-15	Church	TOWN CENTER
24	PRESBYTERIAN CHURCH				SF-15	Church	TOWN CENTER
25	VISION AND STRUCTURE LLC			20200903001480220	DTO	RESIDENTIAL	TOWN CENTER
26	BLISS PET RESORT LLC			20151230001621710	C	COMMERCIAL	TOWN CENTER
27	HOLLMAN HOLDING LLC			20190830001065010	SF-15	RESIDENTIAL	TOWN CENTER
28	MONTE & BARBARA KAUFFMAN	2904	892		SF-15	RESIDENTIAL	TOWN CENTER
29	FIRST BAPTIST CHURCH PROSPER	01-0130186	5023-3304		DTO	CHURCH	TOWN CENTER
30	ERNEST MAHARD, JR.				DTO	COMMERCIAL	TOWN CENTER
31	MAHARD EGG FARM INC				DTO	COMMERCIAL	TOWN CENTER
32	TOWN OF PROSPER			20070709000937360	RETAIL	COMMERCIAL	TOWN CENTER
33	GRIFFIN 4 HOLDINGS LLC			20170803001030760	DTO	RESIDENTIAL	TOWN CENTER
34	BLUE MONKEY PROPERTIES LLC			20171213001647850	SF15	RESIDENTIAL	TOWN CENTER

BEING a tract of land situated in the Collin County School Land No. 12 Survey, Abstract No.147, the Ben Renison Survey, Abstract No. 755, and the John Yarnell Survey, Abstract No. 1038, the Town of Prosper, Collin County, Texas and being a portion of Block B, Lot 1 and Lot 2 of the Gates of Prosper, Phase 2, an addition to the Town of Prosper, according to the Conveyance Plat recorded in Volume 2020, Page 807 of the Plat Records of said county, same being a part of Tract 2, a called 4.448 acres tract described in a Warranty Deed to GOP #2 LLC, as recorded in Instrument No. 20190605000641620 of the Official Public Records of said county, a part of a called 157.1346 acres tract described in a Deed to 289 (Preston) & 380, LP, as recorded in 20121221001629970 and 20121221001629970 of said Official Public Records, a part of Tract Seven, a called 123.850 acres tract described in Deed to 289 (Preston) & 380 L.P., as recorded in Instrument No. 20190118000611180 of said Official Public Records, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with a red plastic cap, stamped "KHA", set for the southerly, southeast corner of said Block b, Lot 2, same being at the intersection of the northwesterly right-of-way line of State Highway 289 (Preston Road) (variable width Right-of-way) with the northerly right-of-way line of University Drive (U. S. Highway 380) (variable width Right-of-way);

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THENCE in an easterly direction, continuing across said Lot 2, with said curve to the left, an arc distance of 59.99 feet to a point for corner;

THENCE North 90°00'00" East, continuing across said Lot 2, a distance of 747.44 feet to a point at the beginning of a tangent curve to the left having a central angle of 90°00'00", a radius of 650.00 feet, a chord bearing and distance of North 45°00'00" East, 919.24 feet;

THENCE in a northeasterly direction, continuing across said Lot 2, with said curve to the left, an arc distance of 1021.02 feet to a point for corner;

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THENCE South 52°50'32" East, continuing across said Lot 1, a distance of 25.77 feet to a point for corner on the southeasterly line of said Lot 1 and the northwesterly right-of-way line of aforesaid State Highway 289 (Preston Road);

THENCE along the northwesterly right-of-way line of said U. S. Highway 289 (Preston Road), the southeasterly line of said Lot 1 and the southeasterly line of aforesaid Lot 2, the following courses and distances:

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South 44°07'24" West, a distance of 418.54 feet to a 5/8 inch iron rod with a red plastic cap, stamped "KHA", set for corner;

North 60°08'40" West, a distance of 32.61 feet to a 5/8 inch iron rod with a red plastic cap, stamped "KHA", set for corner;

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Applicant:
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1 Cowboys Way
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	RAB	RAK	Feb 2021	068109030	2 OF 2

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DWG NAME: K:\MKX_CIVIL\068109030\GATES OF PROSPER\CAD\EXHIBITS\2021021 - GATES ZONING EXHIBIT A-1.DWG PLOTTED BY: BECKER, RACHEL 3/3/2021 8:16 AM LAST SAVED 3/1/2021 9:05 PM

BLUE STAR LAND

8000 Warren Parkway
Building 1, Suite 100
Frisco, Texas 75034

972-867-1886
Fax: 214-387-7781

August 1, 2025

David Hoover
Director of Development Services
Town of Prosper
250 W. First St.
Prosper, TX 75078

Re: *Letter of Intent to Amend Zoning for PD 67, Gates of Prosper, Subdistricts two and three.*

Mr. Hoover:

The Gates of Prosper is an existing master planned development located along either side of Preston Road just north of U.S. Highway 380 comprising approximately 621 acres. The current Planned Development Zoning Ordinance for this property was approved by the Prosper Town Council in April of 2014 and has been amended three times since then. This letter of intent is to amend the zoning for two of the four subdistricts located within this planned development. The purpose of the requested amendments are described below.

Subdistrict Two is characterized as the Lifestyle Center of the development, the purpose of which is to provide a compact, neighborhood and pedestrian-scale mixture of office, retail, personal service, residential and community activities on single or contiguous building sites. A significant amount of retail space has already been developed within this subdistrict and construction is currently under way to provide 600 multi-family residences. The proposed amendment will allow the construction of up to 600 additional multi-family residences within this subdistrict. Doing so will provide the opportunity to further energize the area with a local population which will lend to the success of the retail businesses in the area. The additional multifamily units will be constructed to meet the development standards of the existing planned development.

Subdistrict Three is characterized as the Downtown Center of the development, the purpose of which is to provide an active living and working community benefitting from its proximity to the existing town core and the planned Lifestyle and/or Regional Retail Centers to the south. The original concept for this subdistrict anticipated that this area would consist primarily of commercial office space along with some complimentary residential housing made up of townhome units. With the shifting trends away from the office following the pandemic, we believe that a reduction in office space is justified and that a higher and better use for the property at this time would be additional residential units. The proposed amendment would allow for the addition of detached, single family residences, along with the townhomes that would serve to fill a need for those seeking a high quality residence in the Town of Prosper on a more urban style lot. The additional detached residential units would generally consist of front loaded lots that are typically 55' x 125'.

We believe that the proposed amendments to PD 67 will further enhance the success of the Gates of Prosper and will provide a complimentary transition to the downtown area of Prosper.

Should you have questions or require additional information, please do not hesitate to contact me at (214) 728-9274 or at sshipp@bluestarland.net.

Sincerely,

Wm. Scott Shipp, P.E.
Director of Engineering

Proposed Amendment to PD – 67 – Gates of Prosper

Summary of Changes

Subdistrict 2

1. **Addition of 600 multi-family dwelling units within the future Town Center area.**

Subdistrict 3

1. **Addition of single family dwelling units.**
    a. **Typical 55'x125' lots**
    b. **Street loaded driveways**
    c. **Lots may be center loaded or zero lot line patio homes.**
2. **Maintain Commercial frontage along First Street.**

GATES OF PROSPER

Planned Development Ordinance





Adopted by Ordinance No. 14-92
May 27, 2014

Amended in its Entirety by Ordinance No. 2021-
April 27, 2021

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APPENDICES

Appendix A—Zoning Exhibit & Legal Description (Exhibit "A")

Appendix A-1–Zoning Exhibit & Legal Description (Exhibit "A-1")

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.

EXHIBIT "A"

LEGAL DESCRIPTION

The Zoning Exhibit and legal description of the area within the proposed Planned Development is included in Appendix 'A' as 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 11º23'13" 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 89º15'40" West, a distance of 123.47 feet to a point for corner;
North 00º57'41" 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 89º37'06" East, a distance of 509.94 feet to a point for corner;
South 86º07'09" East, a distance of 202.29 feet to a point for corner;
North 89º38'54" East, a distance of 454.43 feet to a point for corner;

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

South 00º45’07” West, a distance of 313.06 feet to a point for corner;
North 89º29’33” East, a distance of 481.12 feet to a point for corner;
North 00º21’57” 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 89º38’54” East, a distance of 377.25 feet to a point for corner;

THENCE leaving said centerline, the following courses and distances to wit:
South 00º06’52” East, a distance of 314.43 feet to a point for corner;
North 89º49’10” East, a distance of 189.92 feet to a point for corner;
North 00º09’58” West, a distance of 104.29 feet to a point for corner;
North 89º41’07” 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 00º05’32” East, a distance of 177.82 feet to a point for corner;

THENCE leaving said centerline, the following courses and distances to wit:
South 89º56’58” East, a distance of 257.38 feet to a point for corner;
North 02º09’39” East, a distance of 71.99 feet to a point for corner;
North 89º18’22” East, a distance of 555.18 feet to a point for corner;
South 00º58’50” East, a distance of 673.52 feet to a point for corner;
South 76º42’56” East, a distance of 185.47 feet to a point for corner;
South 76º51’24” East, a distance of 321.53 feet to a point for corner;
South 89º06’24” 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 00º04’32” East, a distance of 842.40 feet to a point for corner;

THENCE leaving said centerline, the following courses and distances to wit:
North 89º30’30” East, a distance of 205.11 feet to a point for corner;
North 00º05’59” 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 89º31’34” 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 01º02’13” East, a distance of 1546.12 feet to a point for corner;
South 89º20’50” West, a distance of 899.18 feet to a point for corner;
South 32º50’09” West, a distance of 339.04 feet to a point for corner;
North 54º21’333” 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 33º37’47” West, a distance of 423.21 feet to a point for corner;

THENCE leaving said east right-of-way lien, he following courses and distances to wit:
South 54º19’15” East, a distance of 408.23 feet to a point for corner;

South 00º03’08” 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 89º12’47” West, a distance of 2794.95 feet to a point for corner;

South 89º46’43” West. a distance of 2671.91 feet to the POINT OF BEGINNING and containing 621.07 acres of land.

EXHIBIT “A-1”
LEGAL DESCRIPTION

The Zoning Exhibit and legal description of the area within the proposed Planned Development is included in Appendix ‘A-1’ as Exhibit ‘A-1’.

BEING a tract of land situated in the Collin County School Land No. 12 Survey, Abstract No. 147 and the Ben Renison Survey, Abstract No. 755, Town of Prosper, Collin County, Texas, and being a portion of a called “Tract Six”, conveyed to 183 Land Corporation, Inc., as evidenced in a Special Warranty Deed, recorded in County Clerk’s File No. 97-0005168 of the Deed Records of Collin County, Texas, a portion of a called “Tract Seven”, conveyed to 380 & 289, L.P., as evidenced in a Warranty Deed, recorded in Instrument No. 20121219001617180, Official Public Records of Collin County, Texas, and a portion of a called 157.1346-acre tract of land, conveyed to 289 (Preston) & 380, LP, as evidenced in Warranty Deeds, recorded in Instrument No. 20121221001629970 and Instrument No. 20121221001629980, both of the Official Public Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a TXDOT brass disk right of way monument found for the southerly, northeast corner of said “Tract Seven”, and being the intersection of the northwesterly right of way line of State Highway 289 (Preston Road), a variable width right of way with the westerly right of way line of South Craig Road, from said corner, a found wooden TXDOT right of way marker bears South 16°19’ West, 1.35 feet;

THENCE South 33°38’18” West, along the southeasterly line of said “Tract Seven” and the northwesterly right of way line of said State Highway 289 (Preston Road), a distance of 111.45 feet to a TXDOT brass disk right of way monument found for the northerly corner of a called 0.2813-acre tract of land, as evidenced in a Deed to the State of Texas, recorded in Instrument No. 20110818000872270 of the Official Public Records of Collin County, Texas, from said corner, a found wooden TXDOT right of way marker bears North 76°00’ East, 0.54 feet;

THENCE in a southwesterly direction, departing the southeasterly line of said “Tract Seven”, and along the northwesterly right of way line of State Highway 289 (Preston Road), as described in said 0.2813-acre tract, the following:

South 40°20’31” West, a distance of 85.55 feet to a corner;

South 33°38’35” West, a distance of 300.00 feet to a corner;

South 37°27’25” West, a distance of 300.67 feet to a corner;

South 33°38’35” West, a distance of 208.89 feet to the POINT OF BEGINNING of the herein described tract;

THENCE South 33°38'35" West, continuing along the northwesterly right of way line of State Highway 289 (Preston Road), as described in said 0.2813-acre tract, a distance of 91.11 feet to a corner;

THENCE South 29°26'34" West, continuing along the northwesterly right of way line of State Highway 289 (Preston Road), as described in said 0.2813-acre tract, a distance of 200.54 feet to the southernmost corner of said 0.2813-acre tract, and being on the southeasterly line of aforesaid "Tract Seven", from said corner, a found wooden TXDOT right of way marker bears North 31°18' East, 16.00 feet;

THENCE South 35°04'16" West, along the southeasterly line of said "Tract Seven" and continuing along the northwesterly right of way line of State Highway 289 (Preston Road), a distance of 385.16 feet to a corner, from which, a found wooden TXDOT right of way marker bears North 44°12' East, 1.65 feet;

THENCE South 33°38'20" West, continuing along the southeasterly line of said "Tract Seven" and the northwesterly right of way line of said State Highway 289 (Preston Road), a distance of 300.00 feet to a TXDOT brass disk right of way monument found for a corner, from said corner, a found wooden TXDOT right of way marker bears South 07°00' East, 2.25 feet;

THENCE South 30°18'02" West, continuing along the southeasterly line of said "Tract Seven" and the northwesterly right of way line of said State Highway 289 (Preston Road), a distance of 392.59 feet to a TXDOT brass disk right of way monument found for the northerly corner of a called 0.0656-acre tract of land, as evidenced in a Deed to the State of Texas, recorded in Instrument No. 20110818000872270 of the Official Public Records of Collin County, Texas;

THENCE in a southwesterly direction, departing the southeasterly line of said "Tract Seven", and along the northwesterly right of way line of State Highway 289 (Preston Road), as described in said 0.0656-acre tract, the following:

South 33°38'35" West, a distance of 323.03 feet to a corner;
South 30°46'46" West, a distance of 100.13 feet to the southerly corner of said 0.0656-acre tract, and being on the southeasterly line of aforesaid "Tract Seven";

THENCE South 35°32'53" West, along the southeasterly line of said "Tract Seven" and continuing along the northwesterly right of way line of State Highway 289 (Preston Road), a distance of 85.20 feet to a corner;

THENCE South 33°56'57" West, continuing along the southeasterly line of said "Tract Seven" and continuing along the northwesterly right of way line of State Highway 289 (Preston Road), a distance of 199.89 feet to a 5/8-inch iron rod found for a corner;

THENCE South 37°09'28" West, continuing along the southeasterly line of said "Tract Seven" and continuing along the northwesterly right of way line of State Highway 289 (Preston Road), a distance of 42.31 feet to a corner;

THENCE North 52°50'32" West, departing the southeasterly line of said "Tract Seven" and continuing along the northwesterly right of way line of State Highway 289 (Preston Road), crossing said "Tract Seven", a distance of 25.77 feet to a corner;

THENCE North 90°00'00" West, continuing across said "Tract Seven", passing the westerly line of said "Tract Seven", the easterly line of aforesaid 157.1346-acre, 289 (Preston) & 380, LP tract, and crossing a public use road known as South Coleman Street, a distance of 972.55 feet to a corner;

THENCE in a northerly direction, continuing across said 157.1346-acre tract, the following:

North 00°00'00" East, a distance of 431.84 feet to the point of curvature of a tangent curve to the left;

Along the arc of said curve to the left, through a central angle of 21°18'24", having a radius of 338.00 feet, a chord bearing of North 10°39'12" West, a chord distance of 124.97 feet and an arc length of 125.69 feet to the point of compound curvature of a curve to the left;

Along the arc of said curve to the left, through a central angle of 39°59'13", having a radius of 38.00 feet, a chord bearing of North 41°18'00" West, a chord distance of 25.99 feet and an arc length of 26.52 feet to the point of tangency of said curve;

North 61°17'36" West, a distance of 36.82 feet to the point of curvature of a tangent curve to the left;

Along the arc of said curve to the left, through a central angle of 30°02'25", having a radius of 83.00 feet, a chord bearing of North 76°18'49" West, a chord distance of 43.02 feet and an arc length of 43.52 feet to the end of said curve;

North 00°00'00" East, a distance of 84.31 feet to the point of curvature of a non-tangent curve to the left;

Along the arc of said curve to the left, through a central angle of 13°19'52", having a radius of 338.00 feet, a chord bearing of North 75°21'32" East, a chord distance of 78.47 feet and an arc length of 78.64 feet to the point of compound curvature of a curve to the left;

Along the arc of said curve to the left, through a central angle of 39°59'13", having a radius of 38.00 feet, a chord bearing of North 48°42'00" East, a chord distance of 25.99 feet and an arc length of 26.52 feet to the point of tangency of said curve;

North 28°42'24" East, a distance of 36.82 feet to the point of curvature of a tangent curve to the left;

Along the arc of said curve to the left, through a central angle of 35°41'21", having a radius of 83.00 feet, a chord bearing of North 10°51'43" East, a chord distance of 50.87 feet and an arc length of 51.70 feet to the point of tangency of said curve;

North 06°58'57" West, a distance of 35.50 feet to the point of curvature of a tangent curve to the right;

Along the arc of said curve to the right, through a central angle of 06°58'57", having a radius of 546.00 feet, a chord bearing of North 03°29'29" West, a chord distance of 66.50 feet an an arc length of 66.54 feet to the point of tangency of said curve;

THENCE North 00°00'00" East, continuing across said 157.1346-acre tract, crossing the northerly line of said 157.1346-acre tract and the southerly line of aforesaid "Tract Six", continuing across said "Tract Six", a distance of 785.38 feet to a corner;

THENCE in a northerly and easterly direction, continuing across said 157.1346-acre tract, the following:

North 03°48'51" West, a distance of 150.33 feet to a corner;
North 00°00'00" East, a distance of 125.00 feet to a corner;
North 45°00'00" West, a distance of 35.36 feet to a corner;
North 00°00'00" East, a distance of 110.00 fee to a corner;
North 45°00'00" East, a distance of 35.36 feet to a corner;
North 90°00'00" East, a distance of 110.00 feet to a corner;
South 45°00'00" East, a distance of 35.36 feet to a corner;
North 90°00'00" East, a distance of 150.00 feet to a corner;

THENCE South 86°11'09" East, continuing across said "Tract Six", passing the easterly line of said "Tract Six", the westerly line of aforesaid "Tract Seven", and crossing aforesaid public use road known as South Coleman Street, a distance of 150.33 feet to a corner;

THENCE in an easterly direction, continuing across said "Tract Seven", the following:

North 90°00'00" East, a distance of 923.53 feet to the point of curvature of a tangent curve to the right;
Along the arc of said curve to the right, through a central angle of 34°09'35", having a radius of 895.00 feet, a chord bearing of South 72°55'13" East, a chord distance of 525.73 feet and an arc length of 533.60 feet to the point of tangency of said curve;
South 55°50'25" East, a distance of 56.69 feet to a corner;
South 59°39'16" East, a distance of 150.33 feet to a corner;
South 55°50'25" East, a distance of 125.21 feet to a corner;
North 78°55'07" East, a distance of 13.56 feet to the **POINT OF BEGINNING** and containing 78.508 acres (3,419,790 square feet) of land, more or less.

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[1]	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[1]	Minimum Lot Area	Minimum Lot Width	Minimum Lot Depth[2]	Maximum Lot Coverage	Maximum FAR
Retail	10,000 sq. ft.	100 ft.	100 ft.	40%[3]	0.4:1.0
Commercial	10,000 sq. ft.	100 ft.	100 ft.	50%[3]	0.5:1.0
Office	7,000 sq. ft.	70 ft.	100 ft.	50%[3]	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 [1]	# Stories
Non-Residential	40 ft.	2

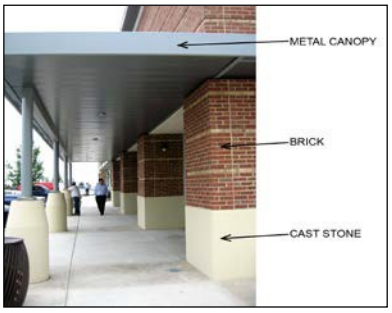
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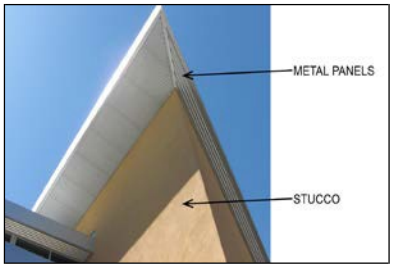
1. Non-habitable elements integral to the design of buildings shall be allowed to exceed the height limit in accordance with Ordinance Chapter 4 Section 9.5.

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 façades shall be architecturally finished with 100% masonry with an allowance for up to 15% 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, 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.

2.3.8 Area A-2. The following specific criteria shall apply to development within Area A-2 as depicted on Exhibit A-1.

1. The support columns for the covered parking structures shall be permitted the use of metal.
2. The required parking ratio for retail businesses shall apply to the net retail area only.
3. Facade Plans shall be approved by the Town Council, subject to a recommendation by the Planning & Zoning Commission.
4. For instances where provisions of this section (Section 2.3) conflict with the conceptual elevations found in Section 2.5.2, the conceptual elevations shall govern.

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.

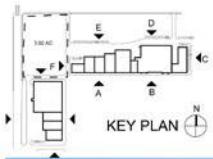



la Manna
The Gates of PROSPER


SPORT STORE


CASE
PROMO
BOUTIQUE

2.5.1 The following conceptual renderings shall be representative of the architectural style, color and material selections in the location identified in Exhibit A-





SOUTH ELEVATION - FRONT "A"



SOUTH ELEVATION - FRONT "B"



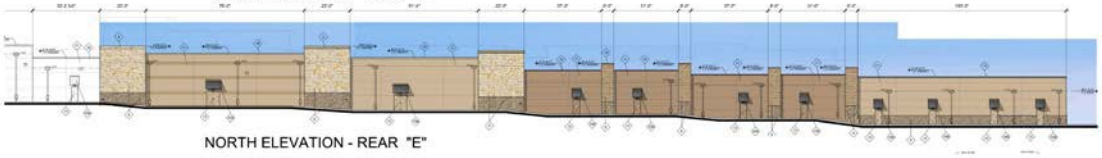
EAST ELEVATION - FRONT "C"



NORTH ELEVATION - REAR "D"

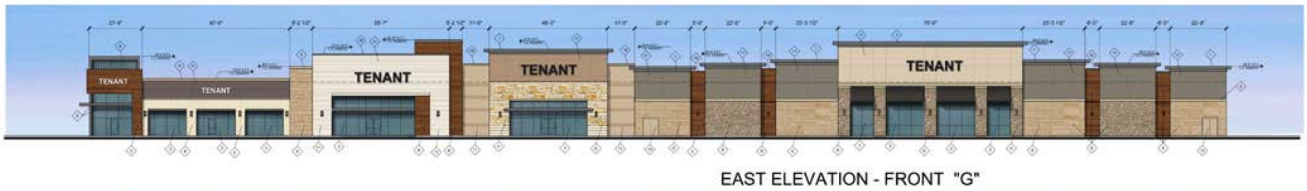


WEST ELEVATION - SIDE "F"



NORTH ELEVATION - REAR "E"

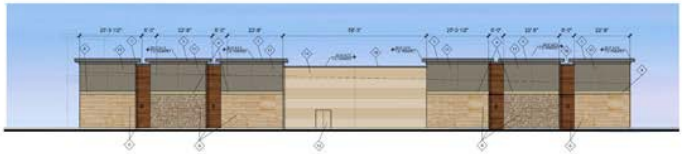
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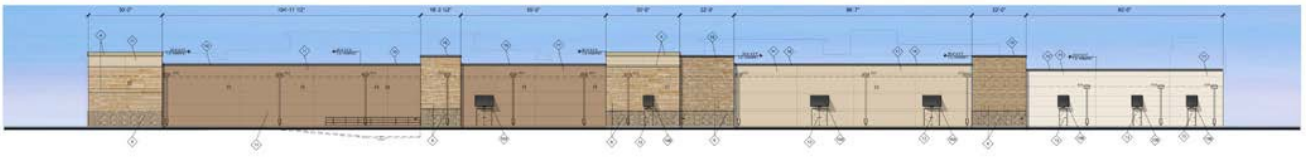
EAST ELEVATION - FRONT "G"



SOUTH ELEVATION - FRONT "J"

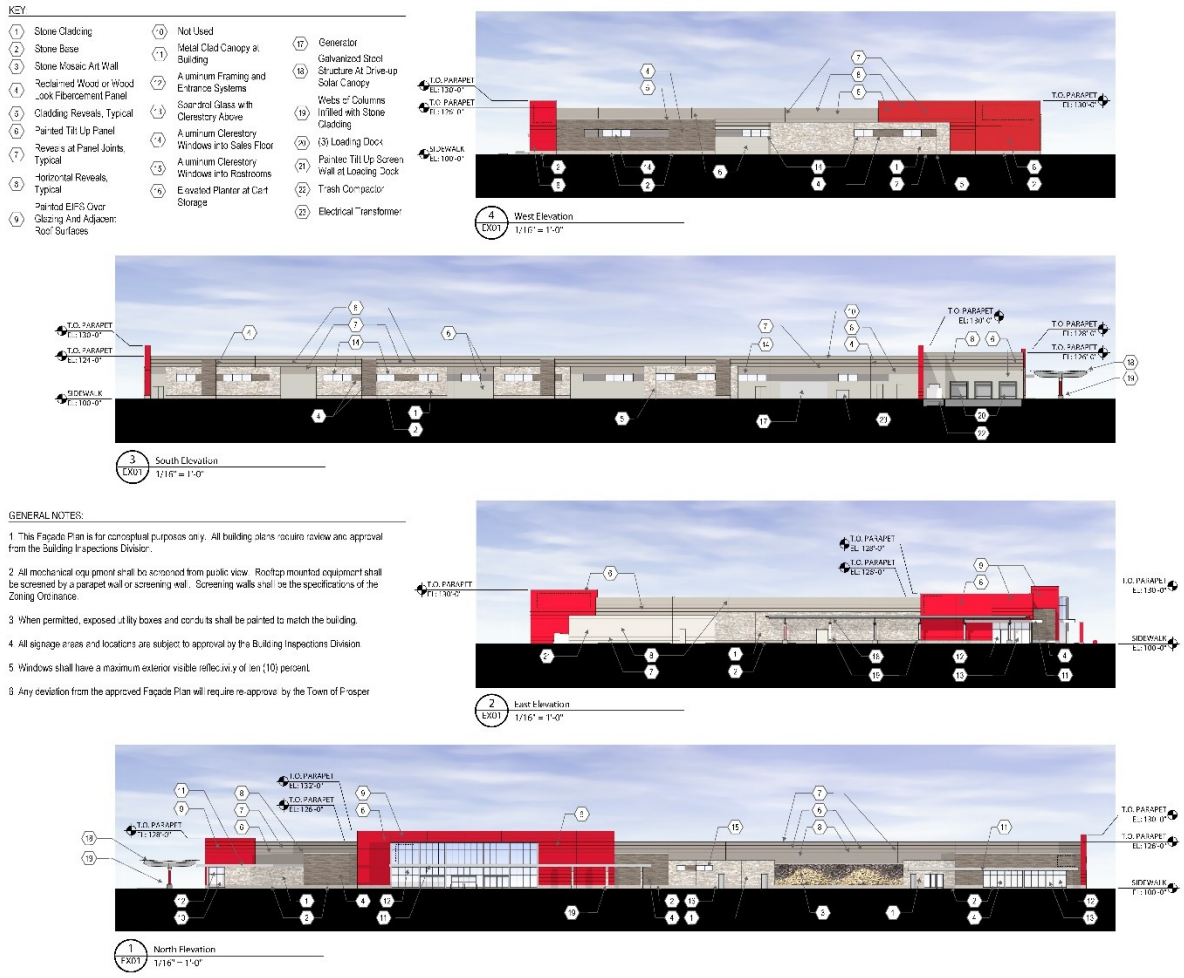


NORTH ELEVATION - SIDE "H"



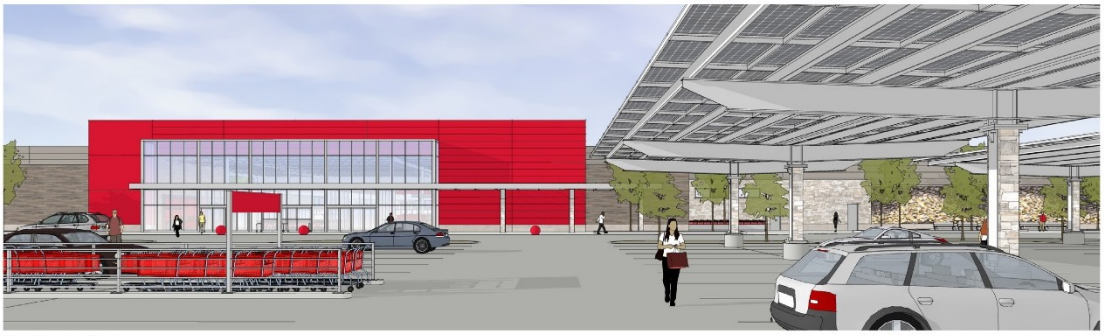
WEST ELEVATION - REAR "I"

*2.*5.2 The following conceptual elevations and renderings shall be representative of the architectural style, colors and material selections and placement for the building located within Area A-2, as depicted on Exhibit A-1.





View from the Northwest



View from the North



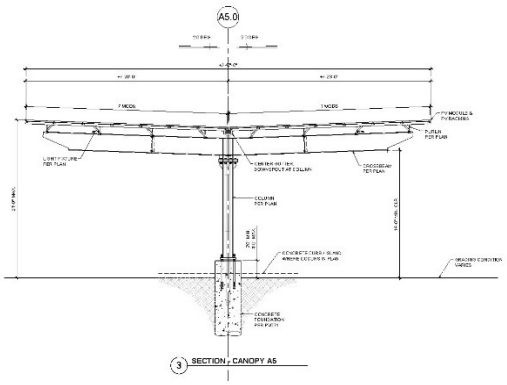
Birds Eye View from the Northwest

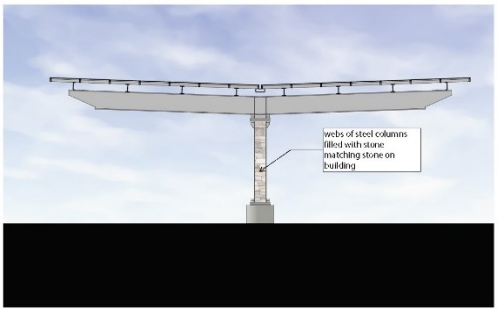


View from the North East



View from the West


A5.0
SECTION - CANOPY A5


webs of steel columns
filled with stone
matching stone on
building

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

Land Use/Housing Type[1]	Minimum Front[5]	Minimum Side	Minimum Corner[5]	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	5 ft.	(2)	5 ft.	(2)
Townhome[3]	5 ft.	5 ft.[4]	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

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

Housing Type	Minimum Lot Area	Minimum Lot Width	Minimum Lot Depth	Maximum Lot Coverage	Maximum Density
Townhome	1800 sq. ft.	20 ft.	90 ft.	90%	10 du/ac
Multifamily, Urban Living[2]	10,000 sq. ft.	80 ft.	100 ft.	90%[1]	N/A

Notes

1. Includes main building, accessory buildings and structured parking facilities.

3.2.2 Minimum Dwelling Area.

a. Townhome. The minimum dwelling area shall be 1,500 square feet and 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 1200 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, and (iii) that portion of land identified as the Lifestyle Center which is located west of Coleman Road, south of Richland Boulevard, east of the BNSF railroad line and north of Gates Parkway. Townhomes may be constructed in (i) the same locations as the apartments referenced herein, and (ii) in subdistrict 3 in accordance with the requirements therein.

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. Upon the issuance by the Town of tenant Certificates of Occupancy of 900,000 square feet of retail the developer may construct up to a total of 1200 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

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

Notes

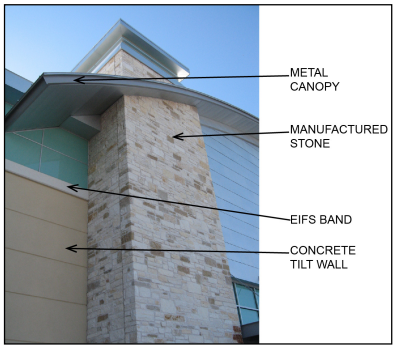
1. Non-habitable elements integral to the design of buildings shall be allowed to exceed the height limit in accordance with the Town's Zoning Ordinance Chapter 4, Section 9.5.
2. Includes all non-residential buildings except hotel, office buildings and mixed use. Hospitals will have an allowed height 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.

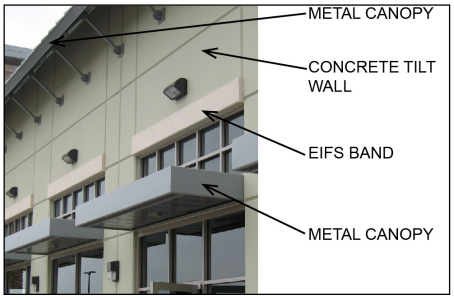
3.3.3 Building Materials. Exterior materials used in the construction of buildings shall comply with the following standards.

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 cementicious fiber board (not to exceed 50% of 2nd 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.

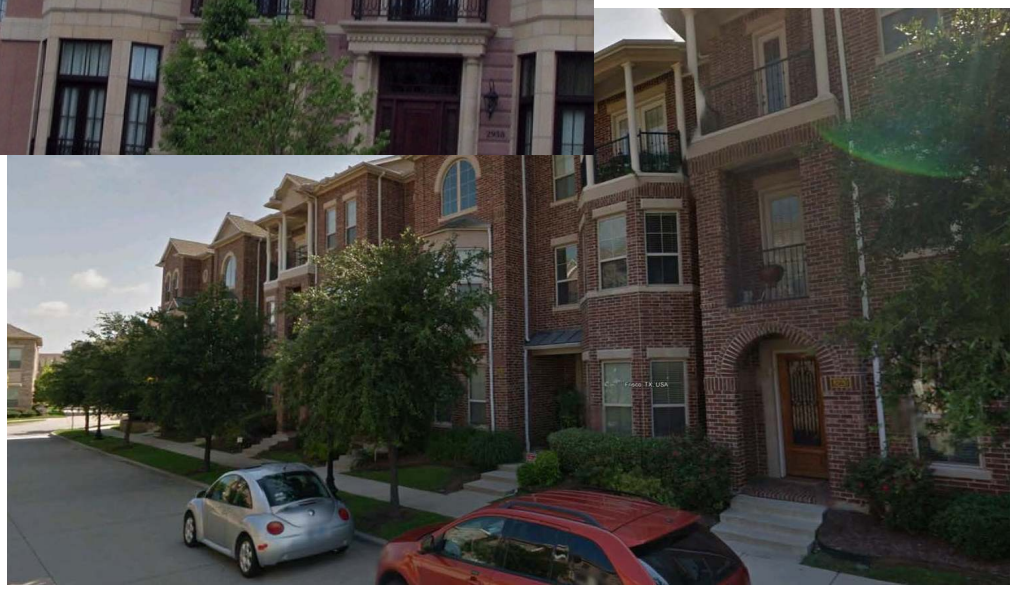
2. Townhomes shall be a minimum of two stories.

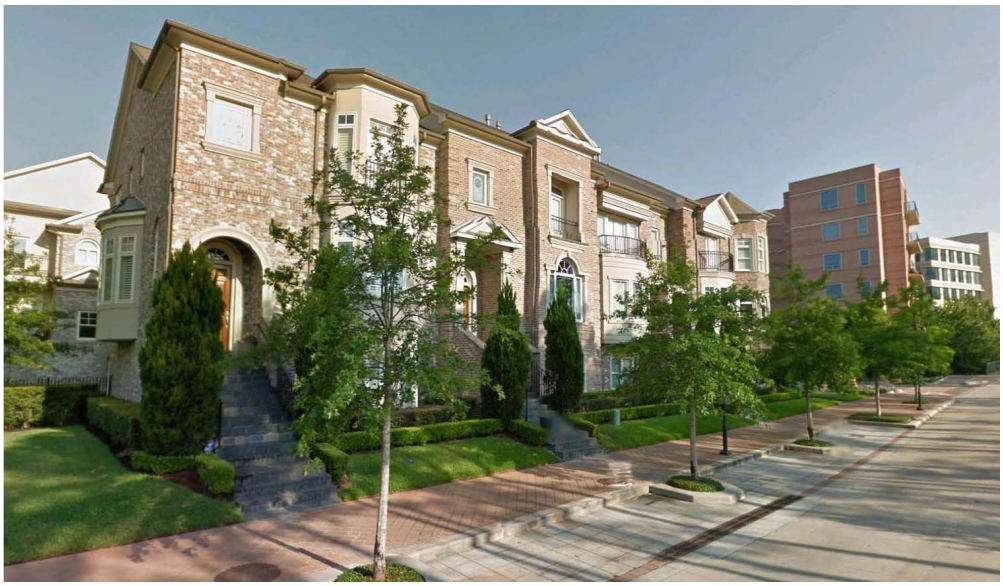
3. Each townhome unit shall have an attached garage. Garages shall open to the rear of the townhome and shall not face the public right-of-way.

Conceptual Photos – The following photographs shall be generally representative of the architectural style, 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 (1st 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

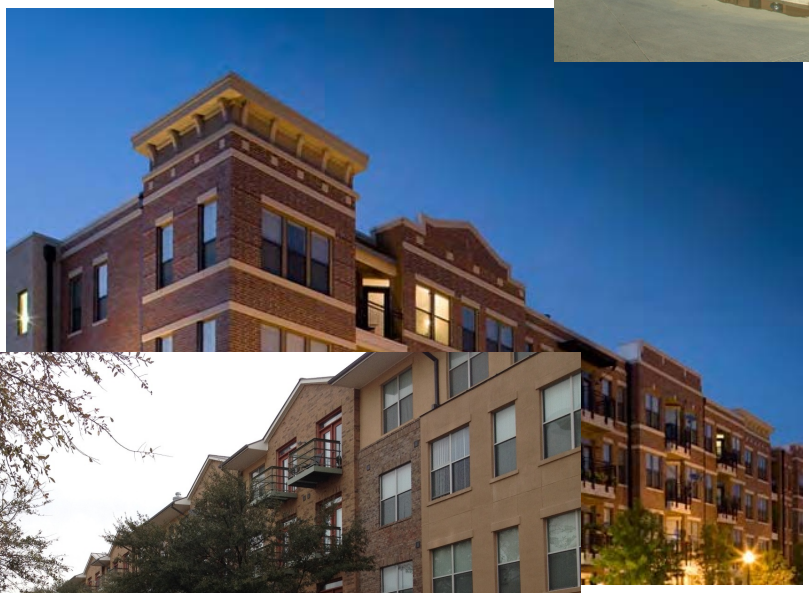
Multifamily construction within this development shall conform to the following urban-style criteria:

1. A minimum of forty (40) percent of the units will have private garages. Structured garages shall qualify as private garages.
2. 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.
3. All on-site surface parking will be located towards the interior of the site to minimize viewing from surrounding public streets.
4. 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.
5. Front porches and/or stoops are required on facades which front public streets.

6. 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.
7. 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.
8. 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 generally 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 Single Family 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 convenient recreational space and a central focal element for this Subdistrict, along with a walkable connection to the retail and entertainment districts provided to the south.. 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 – Non Residential and Townhome

Land Use/Housing Type[1]	Minimum Front[6]	Minimum Side[4]	Minimum Corner[6]	Minimum Rear
Retail	5 ft.	(2)	5 ft.	(2)
Commercial	5 ft.	(2)	5 ft.	(2)
Office	5 ft.	(2)	5 ft.	(2)
Townhome	20 ft.[3]	10 ft.	15 ft.	20 ft.

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.

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

Land Use[1]	Minimum Lot Area	Minimum Lot Width	Minimum Lot Depth	Maximum Lot Coverage	Maximum FAR
Retail	10,000 sq. ft.	70 ft.	100 ft.	50%[2]	0.6:1.0
Commercial	10,000 sq. ft.	70 ft.	100 ft.	50%[2]	3.0:1.0
Office	7,000 sq. ft.	70 ft.	100 ft.	60%[2]	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 – Residential (Urban Standards)

Land Use/Housing Type	Minimum Front[3]	Minimum Side	Minimum Corner	Minimum Rear
Townhome[1]	5 ft.	5 ft.[3]	15 ft.	20 ft.
Single Family (Center Loaded)	15 ft.	7 ft. [2]	15 ft.	20 ft.
Single Family (Side Loaded)	15 ft.	0 ft.[4]	15 ft.	20 ft.

Notes

1. 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 shall be finished to give the appearance of a real wood door.. Plain metal garage doors are not permitted.

2A minimum building separation of 10 feet is required.

3. Due to the urban nature of this development, the front setback shall not be staggered.
4. If side loaded or zero lot line alternate is used the opposite side yard shall be a minimum of 10'. All buildings shall have a minimum separation of 10'.

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

Housing Type	Minimum Lot Area	Minimum Lot Width[2]	Minimum Lot Depth	Maximum Lot Coverage	Maximum No. of Lots
Townhome	1,800 sq. ft.	20 ft.	90 ft.	90%	150
Single Family	6875 sq. ft.	55 ft.	100 ft.	90%[1]	

Notes

1. Includes main building, accessory buildings and structured parking facilities.
2. Measured at the front setback line, except for lots located at the terminus of a cul-de-sac, curve or eyebrow which may have a minimum width of forty-five (45) at the front setback provided all other requirements of this section are met.

4.2.2 Minimum Dwelling Area.

a. Townhome. The minimum dwelling area shall be 1,500 square feet and a minimum 2 story.

b. Single Family . The minimum dwelling area for a single family home on a 55 foot wide lot shall be 1800 square feet.

4.2.3 Maximum Residential Dwelling Units. The maximum number of Townhome units in Subdistrict 3 shall be 150 units. There is no maximum on the allowable number of Single Family detached lots.

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 [5]

Building Type	Height [1]	# Stories
Non-Residential [2]	60 ft.	4
Hotel	80 ft.	5
Office	100 ft.	8
Hospital	100 ft.	8
Townhome	40 ft.	3[4]

Single Family Detached	40 ft.	2
Parking Structures[3]	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. 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.
4. The minimum height of a townhome is two-story.
5. No structure within 750' of First Street can exceed 4-stories in height (60 feet max.).

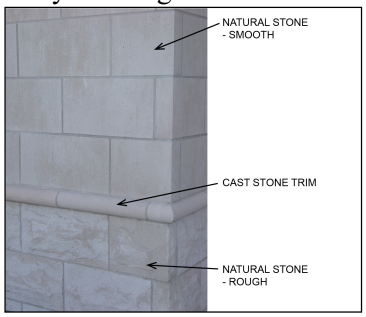
4.3.2 Maximum Building Length. There shall be no maximum length for buildings located within Subdistrict 3. However, all buildings shall be required to conform to the Building Articulation standards set forth in the Town's zoning ordinance.

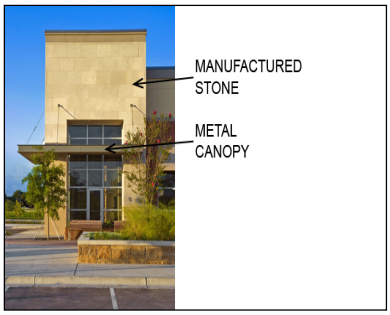
4.3.3 Building Materials. Exterior materials used in the construction of buildings shall comply with the following standards.

a. Non-Residential 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.







2. 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.

3. Windows, doors, porches, gables, balconies and accent materials shall be excluded from the façade area for the purposes of calculating primary building materials.

4. 



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 cementicious fiber board (not to exceed 50% of 2nd 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.
4. Additional articulation shall be provided on the sides of townhome units that are adjacent to a public street or open space.

c. Single Family Residential 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 cementicious fiber board (not to exceed 50% of 2nd 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. Architectural features and porches may encroach into required front and rear yards up to five (5) feet.
3. Each Single Family home shall have an attached garage. Garages shall be minimum 2-car.

4. Carports are not allowed.
5. All fencing shall be 6 feet tall and constructed of either decorative metal, masonry or board on board cedar based upon the developer provided guidelines.
6. Ornamental metal fencing shall be required for any fencing located adjacent to a public park or public hike and bike trail.
7. For lots with a zero (0) side yard setback
    a. A roof overhang equipped with a gutter may extend a maximum of twelve (12) inches into a neighboring property. No other roof overhangs or extensions from a wall may extend into a neighboring lot.
    b. The closest exterior roofline to an adjacent property shall be storm guttered if the general slope of the roof falls toward the neighboring property. Gutters shall include returns to direct the water to the lot of origin.
    c. The "zero" side shall be designated on the Final Plat. All access, maintenance, and use easements shall be provided on preliminary and Final Plats.
    d. A five (5) foot wide access, maintenance, and use easement shall be dedicated on the Final Plat for all lots adjacent to lots with a "zero" side. The purpose of this easement is to the give the adjoining owner access for maintenance of his/her dwelling.
    e. The majority of one side of the structure shall be located within three (3) feet of one side lot line. Building walls which are located adjacent to the "zero" side of the lot shall not have any doors, windows, ducts, grills, vents, or other openings. This requirement precludes exterior walls forming enclosures for courts, patios, or similar indentations to the "zero" wall.

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





4.3.4 Window Areas. The window area for Non-residential buildings shall not exceed 80% of any façade 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 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 (1st 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 Firstt 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 or Single Family 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 commerical uses are allowed for the parcel(s) located on the west side of the railroad as noted in Section 6.7 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 6.7 of this Ordinance.

5.0 SUBDISTRICT 4 – RESIDENTIAL NEIGHBORHOOD

5.1 GENERAL PURPOSE AND DESCRIPTION

The *Residential Neighborhood* Subdistrict will serve the primary purpose of providing a planned residential community to serve the needs of the Town by facilitating a range of detached single-family housing opportunities. In addition, a small commercial tract will provide additional limited retail and commercial uses along Preston Road. Conformance with the Town's Zoning Ordinance and Subdivision Ordinance: Except as otherwise set forth in these Development Standards, the regulations of the Town's Zoning Ordinance (as it currently exists or may be amended) and Subdivision Ordinance (as it currently exists or may be amended) shall apply.

5.2 SINGLE FAMILY RESIDENTIAL TRACT

5.2.1 **Property Development Regulations**: This property may develop, under the standards for SF-10 as contained in the Town's Zoning Ordinance as it exists or may be amended, as front entry lot product subject to the specific provisions contained herein below. There will be no alley-served lots within the property.

5.2.2 **Density**: The maximum number of single family detached dwelling units for this PD is 200. This equates to an overall gross density of 2.82 units per acre.

5.2.3 **Lot Types**: The single family detached lots developed within the Properties shall be in accordance with the following Lot Types, provided a minimum of 40% are Type B lots:

Type A Lots: Minimum 8,640 square foot lots
Type B Lots: Minimum 9,990 square foot lots

5.2.4 **Area and building regulations**:

1. **Type A Lots:** The area and building standards for Type A Lots are as follows and as set forth in Table 1:

   (a) **Minimum Lot Size**. The minimum lot size for Type A Lots shall be eight thousand six hundred forty (8640) square feet. A typical lot will be 64' x 135' but may vary provided that the requirements in Table 1 are accommodated.

   (b) **Minimum Lot Width**. The minimum lot width for Type A Lots shall be sixty four (64) feet, as measured at the front setback, except for lots located at the terminus of a cul-de-sac, curve or eyebrow which may have a minimum width of fifty four (54) feet at the front setback provided all other requirements of this section are met.

   (c) **Minimum Yard Setbacks**.

   (1) Minimum Front Yard Setback: The minimum front yard setback for Type A Lots shall be twenty-five (25) feet.

(2) Minimum Side Yard Setback: The minimum side yard setback for Type A Lots shall be seven (7) feet. For corner lots adjoining a street, the minimum side yard setback shall be fifteen (15) feet on the side adjacent the street.

(3) Minimum Rear Yard Setback: The minimum rear yard setback shall be twenty-five (25) feet.

(4) Permitted Encroachment. Architectural features and porches may encroach into required front and rear yards up to five (5) feet. Swing-in garages may encroach into required front yards up to ten (10) feet provided that the wall of the garage facing the street contains a glass pane window with a minimum size of three (3) feet by five (5) feet and the height of the garage does not exceed one (1) story. Front facing garages are permitted to extend to the front façade of the main structure but may not encroach into the required front yard.

(d) **Minimum Floor Space**. Each one-story dwelling constructed on a Type A Lot shall contain a minimum of two thousand, three hundred (2300) square feet of floor space; two story dwellings shall be a minimum of two thousand six hundred fifty (2650) square feet. Floor space shall include air-conditioned floor areas, exclusive of porches, garages, patios, terraces or breezeways attached to the main dwelling

(e) **Height**. The maximum height for structures on Type A Lots shall be forty (40) feet.

(f) **Driveways**. Driveways fronting on a street on Type A Lots shall be constructed of any of the following materials: colored concrete, brick pavers, stone, interlocking pavers, stamped concrete, salt finish concrete, concrete with stone or brick border OR any other treatment as approved by the Director of Development Services.

No broom finish concrete driveways will be allowed.

(g) **Exterior Surfaces**. The exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred (100) percent masonry. Cementitious fiber board is considered masonry but may only constitute thirty (30) percent of the area for stories other than the first story. However, cementitious fiber board may not be used as a façade cladding material for portions of upper stories that are in the same vertical plane as the first story. Cementitious fiber board may also be used for architectural features, including window box-outs, bay windows, roof dormers, garage door headers, columns, chimneys not part of an exterior wall, or other architectural features approved by the Building Official.

No cementitious fiber board or any other siding material will be allowed on any front elevation nor on any side/rear elevation which is visible from an adjacent community street, common area, open space, park or perimeter.

(h) **Windows**. All window framing shall be bronzed, black, cream, sand or white anodized aluminum, vinyl or wood.

(i) **Roofing**. Structures constructed on the Type A Lots shall have a composition, slate, clay tile or cement/concrete tile roof.

The color of any composition roof must appear to be weathered wood shingles, black or slate.

Composition roof shingles must be laminated and have a minimum warranty of 30 years.

The main roof pitch of any structure shall have a minimum slope of 8" in 12" except for clay tile and cement/concrete tile roofs which shall have a minimum slope of 3" in 12". Pitch ends shall be 100% guttered.

(j) **Garages**.

(1) Homes shall have a minimum of two (2) car garages but no more than three (3). No carports shall be permitted.

(2) Homes with three (3) garages shall not have more than two (2) garage doors facing the street.

(3) No standard, traditional steel garage doors, painted or stained, will be allowed.

(4) Doors must be constructed of a material that gives the appearance of a real wood door when viewed from any community street. Materials may consist of paint or stain grade wood (Cedar, Ash, Hemlock, etc.) or other material, including fiberglass or steel, that when stained or painted gives the appearance of a real wood door.

(5) Doors may be single or double wide doors.

(6) Additionally, two of the following upgrades must be incorporated:

(a) If single doors, doors must be separated by a masonry column.

(b) Garage doors may be "carriage style door" designs giving the appearance of a classic swing-open design with the flexibility of an overhead door operation.

(c) Doors may incorporate decorative hardware.

(d) Doors may incorporate windows.

(k) **Plate Height**. Each structure on a Type A Lot shall have a minimum principal plate height of 9' on the first floor.

(l) **Fencing**. Fences, walls and/or hedges on Type A Lots shall be constructed to meet the following guidelines.

(1) All Type A Lots backing or siding to land designated by plat as public park or public hike and bike trail shall have a decorative metal fence, minimum 6 foot in height, abutting said public area.

(2) All other Type A lot fencing shall be constructed of masonry, decorative metal or cedar. All cedar fencing will be board on board with a top rail and shall be supported with galvanized steel posts, 8-foot OC minimum. A common fence stain color as well as fence detail shall be established for the community by the developer.

(3) Solid masonry fencing shall only be allowed on lots adjacent to or abutting HOA-owned common area lots.

(4) Type A corner lots adjacent to a street shall be constructed of either decorative metal or cedar board-on-board along the side yard adjoining the street with masonry columns, per developer guidelines, placed at 21 feet OC.

(5) No fencing shall extend beyond a point fifteen feet (15') behind the front wall plane of the structure into the front yard.

(m) **Landscaping**.

(1)Corner lots adjacent to a street require two additional trees be planted in the side yard @ 30 feet OC.

(2)The front, side and rear yard must be fully sodded with grass and irrigated by an automated underground irrigation system.

(n) **Accessory Structures**. Accessory structures used as a garage, a garage apartment, or guest house, will not be allowed.

2. **Type B Lots**: The area and building standards for Type B Lots are as follows and as set forth in Table 1:

(a) **Minimum Lot Size**. The minimum lot size for Type B Lots shall be nine thousand nine hundred ninety (9990) square feet. A typical lot will be 74' x 135' but may vary provided that the requirements in Table 1 are accommodated.

(b) **Minimum Lot Width**. The minimum lot width for Type B Lots shall be seventy-four (74) feet as measured at the front setback, except for lots located at the terminus of a cul-de-sac, curve or eyebrow which may have a minimum width of sixty-four (64) feet at the front setback provided all other requirements of this section are met.

(c) **Minimum Yard Setbacks**.

(1) **Minimum Front Yard Setback**: The minimum front yard setback for Type B Lots shall be twenty-five (25) feet.

(2) **Minimum Side Yard Setback**: The minimum side yard setback for Type B Lots shall be seven (7) feet. For corner lots adjoining a street, the minimum side yard setback shall be fifteen (15) feet on the side adjacent the street.

(3) **Minimum Rear Yard Setback**: The minimum rear yard setback shall be twenty-five (25) feet.

(4) **Permitted Encroachment**. Architectural features and porches may encroach into required front and rear yards up to five (5) feet. Swing-in garages may encroach into required front yards up to ten (10) feet provided that the wall of the garage facing the street contains a glass pane window with a minimum size of three (3) feet by five (5) feet and the height of the garage does not exceed one (1) story. Front facing garages are permitted to extend to the front façade of the main structure but may not encroach into the required front yard.

(d) **Minimum Floor Space**. Each single-story dwelling constructed on a Type B Lot shall contain a minimum of two thousand five hundred (2500) square feet of floor space; two story dwellings shall contain a minimum of three thousand (3000) square feet of floor space. Floor space shall include air-conditioned floor areas, exclusive of porches, garages, patios, terraces or breezeways attached to the main dwelling.

(e) **Height.** The maximum height for structures on Type B Lots shall be forty (40) feet.

(f) **Driveways**. Driveways fronting on a street on Type B Lots shall be constructed of any of the following materials: colored concrete, brick pavers, stone, interlocking pavers, stamped concrete, salt finish concrete, concrete with stone or brick border OR any other treatment as approved by the Director of Development Services

No broom finish concrete driveways will be allowed.

(g) **Exterior Surfaces**. The exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of

one hundred (100) percent masonry. Cementitious fiber board is considered masonry but may only constitute thirty (30) percent of the area for stories other than the first story. However, cementitious fiber board may not be used as a façade cladding material for portions of upper stories that are in the same vertical plane as the first story. Cementitious fiber board may also be used for architectural features, including window box-outs, bay windows, roof dormers, garage door headers, columns, chimneys not part of an exterior wall, or other architectural features approved by the Building Official.

No cementitious fiber board or any other siding material will be allowed on any front elevation nor on any side/rear elevation which is visible from an adjacent community street, common area, open space, park or perimeter.

(h) **Windows**. All window framing shall be bronzed, black, cream, sand or white anodized aluminum, vinyl or wood.

(i) **Roofing**. Structures constructed on the Type B Lots shall have a composition, slate, clay tile or cement/concrete tile roof.

The color of any composition roof must appear to be weathered wood shingles, black or slate.

Composition roof shingles must be laminated and have a minimum warranty of 30 years.

The main roof pitch of any structure shall have a minimum slope of 8” in 12” except for clay tile and cement/concrete tile roofs which shall have a minimum slope of 3” in 12”. Pitch ends shall be 100% guttered.

(j) **Garages**.

(1) Homes shall have a minimum of two (2) car garages but no more than four (4). No carports shall be permitted.

(2) Homes with three (3) car garages shall not have more than two (2) garage doors facing the street.

(3) No standard, traditional steel garage doors, painted or stained, will be allowed.

(4) Doors must be constructed of a material that gives the appearance of a real wood door when viewed from any community street. Materials may consist of paint or stain grade wood (Cedar, Ash, Hemlock, etc.) or other material, including fiberglass or steel, that when stained or painted gives the appearance of a real wood door.

(5) Doors may be single or double wide doors.

(6) Additionally, two of the following upgrades must be incorporated:

a. If single doors, doors must be separated by a masonry column.

b. Garage doors may be “carriage style door” designs giving the appearance of a classic swing-open design with the flexibility of an overhead door operation.

c. Doors may incorporate decorative hardware.

d. Doors may incorporate windows.

(k) **Plate Height**. Each structure on a Type B Lot shall have a minimum principal plate height of 9’ on the first floor.

(l) **Fencing**. Fences, walls and/or hedges on Type B lots shall be constructed to meet the following guidelines.

(1) All Type B Lots backing or siding to land designated by plat as a public park or public hike and bike trail shall have a decorative metal fence, minimum 6 foot in height, abutting said public area.

(2) All other fencing shall be constructed of masonry, decorative metal or cedar. All cedar fencing will be board on board with a top rail, and shall be supported with galvanized steel posts, 8-foot OC minimum. A common fence stain color as well as fence detail shall be established for the community by the developer.

(3) Solid masonry fencing shall only be allowed on lots adjacent to or abutting HOA-owned common area lots.

(4) Type B corner lots adjacent to a street shall be constructed of either decorative metal or cedar board-on-board along the side yard adjoining the street with masonry columns, per Developer guidelines, placed at 21 feet OC.

(5) No fencing shall extend beyond a point fifteen feet (15’) behind the front wall plane of the structure into the front yard.

(m) **Landscaping**.

(1) Corner lots adjacent to a street require two additional trees be planted in the side yard @ 30 feet OC.

(2) The front, side and rear yard must be fully sodded with grass and irrigated by an automated underground irrigation system.

(n) **Accessory Structures**. Accessory structures used as a garage, a garage apartment, a storage building or guest house, will not be allowed.

TABLE 1

	Lot Type A	Lot Type B
Min. permitted lot sizes	8640 sq. ft.	9990 sq. ft.
Min. Front Yard	25 ft.	25 ft.
Min. Side Yard	7 ft.	7 ft.
Corner Lot	15 ft.	15 ft.
Min. Rear Yard	25 ft.	25 ft.
Max. building Height	40 ft.	40 ft.
Max. Lot Coverage	50%	50%
Min. Lot Width	64 ft.	74 ft.
Min. Lot Depth	125 ft.	125 ft.
Min. Dwelling Area	2300 sq. ft. single story 2650 sq. ft. two story	2500 sq. ft. single story 3000 sq. ft. two story

5.3 COMMERCIAL TRACT

5.3.1 PROPERTY DEVELOPMENT REGULATIONS: The approximately 5.5 acre Commercial Tract of this subdistrict shall develop in conformance to the property development regulations established within this planned development ordinance for Subdistrict 1 except as indicated below.

5.4 PERMITTED USES

5.4.1 General. The following conditions apply to Subdistrict 4.
a. Big Boxes are not permitted within Subdistrict 4.

5.4.2 Permitted Use Matrix. The permitted uses within Subdistrict 4 shall be in accordance with the Permitted Use Matrix in Section 6.7 of this Ordinance.

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 building line, and two maneuvering spaces for each unit.
- **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.

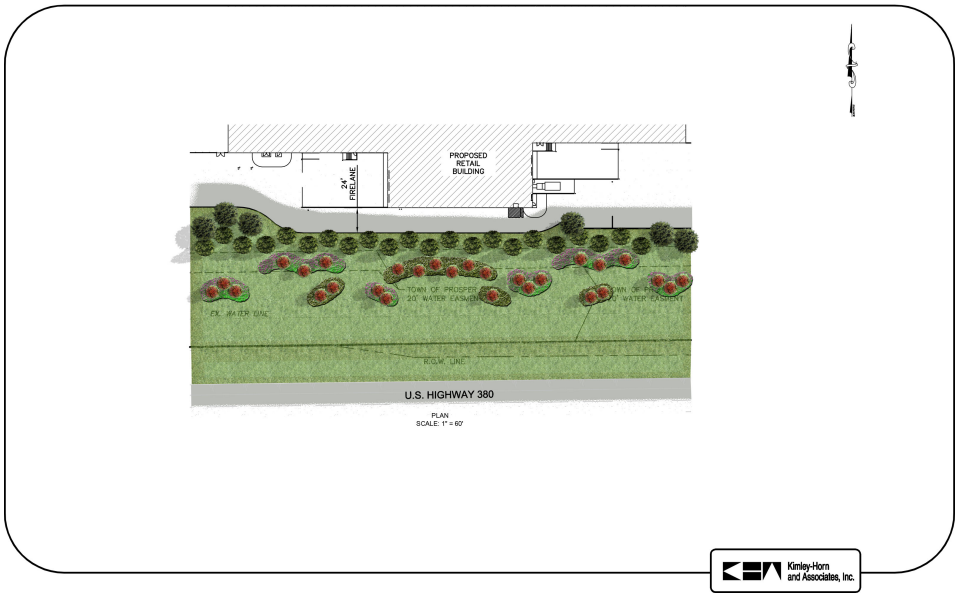
6.5 LANDSCAPING

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	*TEMPORARY BUILDING PERMIT ISSUED BY BUILDING OFFICIAL*			
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	●	●	●	18
Corporate Campus		●	●	
Governmental Office	●	●	●	18
Insurance Office	●	●	●	18
Multi-Tenant Office Building	●	●	●	18
Research and Development Center –see conditions in Town Zoning Ord.	S	S	S	18, S

RETAIL USES	SUBDISTRICT 1	2	3	4
Antique Shop and Used Furniture	●	●	●	18, S
Alcohol Sales (Must comply with all the conditional standards in the zoning ordinance as it exists, or may be amended.)	●	●	●	18
Building Material and Hardware Sales, Major	●	S		
Building Material and Hardware Sales, Minor	●	●	●	18, S
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	●	●	●	18, S
Farmer's Market	S	S	S	18, S
Feed Store				
Flea Market, Inside				
Flea Market, Outside				
Furniture, Home Furnishings and Appliance Store	●	●	●	18
Gas Pump as Accessory Use	13	13		
Nursery, Major	S	S		
Nursery, Minor	●	●	●	18
Pawn Shop				
Retail Stores and Shops	●	●	●	18

SERVICE USES	SUBDISTRICT 1	2	3	4
Artisan's Workshop		●	●	18
Bank, Savings and Loan, or Credit Union	●	●	●	18
Beauty Salon/Barber Shop	●	●	●	18
Bed and Breakfast Inn				S
Body Art Studio				
Business Service	●	●	●	
Cabinet/Upholstery Shop	●	●	●	18
Campground or Recreational Vehicle Park				
Catering Establishments	●	●	●	
Commercial Amusement, Indoor	●	●	●	
Commercial Amusement, Outdoor	S	S	S	
Computer Sales and Repairs	●	●	●	18
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	●	●	●	18
Fairgrounds/Exhibition Area		S	S	
Fortune Teller/Psychic				
Furniture Restoration			S	
Golf Course and/or Country Club	S	S	S	
Gunsmith				
Gymnastics/Dance Studio	●	●	●	18
Health/Fitness Center	●	●	●	18
Hotel – see conditions in Town Zoning Ord.,	17	●	●	
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	●	●	●	18

SERVICE USES (continued)	SUBDISTRICT 1	2	3	4
Private Club	S	S	S	
Residence Hotel – See conditions in Town Zoning Ord.	●	●		
Restaurant or Cafeteria	●	●	●	18
Restaurant, Drive Through	16	16	16	
Sexually Oriented Uses				
Small Engine Repair Shop				
Stable, Commercial				
Taxidermist				
Theater, Drive In				
Theater, Neighborhood	●	●	●	18
Theater, Regional	●	●		
Trailer Rental				
Veterinarian Clinic and/or Kennel, Indoor	●	●	●	18
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	*TEMPORARY BUILDING PERMIT ISSUED BY BUILDING OFFICIAL*			
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 6.7.1 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 out door 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 the east side of Preston and 3 locations on the west side of Preston and no more than 2 adjacent to each other. Additional drive-through restaurants are permitted subject to approval of a Specific Use Permit (SUP).
17. Subject to conditions in Town Zoning Ord., except as follows:
    a. Hotels in Subdistrict 1, as shown on Exhibit D, shall have a maximum height of eighty feet (80').
18. Use is permitted only within Commercial tract of this subdivision in addition to any other conditions listed.

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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 or 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 or 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.

Single Family Detached Residence. An independent structure occupying a single platted lot designed for occupancy by one family with no physical attachment to any adjacent structure.

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.

APPENDIX A—ZONING EXHIBIT & LEGAL DESCRIPTION

EXHIBIT "A"

APPENDIX A-1—ZONING EXHIBIT & LEGAL DESCRIPTION

EXHIBIT "A-1"

APPENDIX B—CONCEPTUAL DEVELOPMENT PLAN

EXHIBIT "D"

GATES OF PROSPER

Planned Development Ordinance





Adopted by Ordinance No. 14-92
May 27, 2014

Amended in its Entirety by
Ordinance No. 2021-
April 27, 2021

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APPENDICES

Appendix A—Zoning Exhibit & Legal Description (Exhibit "A")

Appendix A-1–Zoning Exhibit & Legal Description (Exhibit "A-1")

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.

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'.

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 11º23'13" 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 89º15'40" West, a distance of 123.47 feet to a point for corner;
North 00º57'41" 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 89º37'06" East, a distance of 509.94 feet to a point for corner;
South 86º07'09" East, a distance of 202.29 feet to a point for corner;
North 89º38'54" East, a distance of 454.43 feet to a point for corner;

THENCE leaving said centerline, the following courses and distances to wit:
South 00º45'07" West, a distance of 313.06 feet to a point for corner;
North 89º29'33" East, a distance of 481.12 feet to a point for corner;
North 00º21'57" 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 89º38'54" East, a distance of 377.25 feet to a point for corner;

THENCE leaving said centerline, the following courses and distances to wit:
South 00º06'52" East, a distance of 314.43 feet to a point for corner;
North 89º49'10" East, a distance of 189.92 feet to a point for corner;

North 00º09'58" West, a distance of 104.29 feet to a point for corner;
North 89º41'07" 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 00º05'32" East, a distance of 177.82 feet to a point for corner;

THENCE leaving said centerline, the following courses and distances to wit:
South 89º56'58" East, a distance of 257.38 feet to a point for corner;
North 02º09'39" East, a distance of 71.99 feet to a point for corner;
North 89º18'22" East, a distance of 555.18 feet to a point for corner;
South 00º58'50" East, a distance of 673.52 feet to a point for corner;
South 76º42'56" East, a distance of 185.47 feet to a point for corner;
South 76º51'24" East, a distance of 321.53 feet to a point for corner;
South 89º06'24" 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 00º04'32" East, a distance of 842.40 feet to a point for corner;

THENCE leaving said centerline, the following courses and distances to wit:
North 89º30'30" East, a distance of 205.11 feet to a point for corner;
North 00º05'59" 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 89º31'34" 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 01º02'13" East, a distance of 1546.12 feet to a point for corner;
South 89º20'50" West, a distance of 899.18 feet to a point for corner;
South 32º50'09" West, a distance of 339.04 feet to a point for corner;
North 54º21'333" 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 33º37'47" West, a distance of 423.21 feet to a point for corner;

THENCE leaving said east right-of-way lien, he following courses and distances to wit:
South 54º19'15" East, a distance of 408.23 feet to a point for corner;
South 00º03'08" 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 89º12'47" West, a distance of 2794.95 feet to a point for corner;
South 89º46'43" West. a distance of 2671.91 feet to the POINT OF BEGINNING and containing 621.07 acres of land.

EXHIBIT "A-1"

~~ZONING EXHIBIT &~~ LEGAL DESCRIPTION

The Zoning Exhibit and legal description of the area within the proposed Planned Development is included in Appendix 'A-1' as Exhibit 'A-1'.

BEING a tract of land situated in the Collin County School Land No. 12 Survey, Abstract No. 147 and the Ben Renison Survey, Abstract No. 755, Town of Prosper, Collin County, Texas, and being a portion of a called "Tract Six", conveyed to 183 Land Corporation, Inc., as evidenced in a Special Warranty Deed, recorded in County Clerk's File No. 97-0005168 of the Deed Records of Collin County, Texas, a portion of a called "Tract Seven", conveyed to 380 & 289, L.P., as evidenced in a Warranty Deed, recorded in Instrument No. 20121219001617180, Official Public Records of Collin County, Texas, and a portion of a called 157.1346-acre tract of land, conveyed to 289 (Preston) & 380, LP, as evidenced in Warranty Deeds, recorded in Instrument No. 20121221001629970 and Instrument No. 20121221001629980, both of the Official Public Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a TXDOT brass disk right of way monument found for the southerly, northeast corner of said "Tract Seven", and being the intersection of the northwesterly right of way line of State Highway 289 (Preston Road), a variable width right of way with the westerly right of way line of South Craig Road, from said corner, a found wooden TXDOT right of way marker bears South 16°19' West, 1.35 feet;

THENCE South 33°38'18" West, along the southeasterly line of said "Tract Seven" and the northwesterly right of way line of said State Highway 289 (Preston Road), a distance of 111.45 feet to a TXDOT brass disk right of way monument found for the northerly corner of a called 0.2813-acre tract of land, as evidenced in a Deed to the State of Texas, recorded in Instrument No. 20110818000872270 of the Official Public Records of Collin County, Texas, from said corner, a found wooden TXDOT right of way marker bears North 76°00' East, 0.54 feet;

THENCE in a southwesterly direction, departing the southeasterly line of said "Tract Seven", and along the northwesterly right of way line of State Highway 289 (Preston Road), as described in said 0.2813-acre tract, the following:

South 40°20'31" West, a distance of 85.55 feet to a corner;
South 33°38'35" West, a distance of 300.00 feet to a corner;
South 37°27'25" West, a distance of 300.67 feet to a corner;
South 33°38'35" West, a distance of 208.89 feet to the POINT OF BEGINNING of the herein described tract;

THENCE South 33°38'35" West, continuing along the northwesterly right of way line of State Highway 289 (Preston Road), as described in said 0.2813-acre tract, a distance of 91.11 feet to a corner;

THENCE South 29°26'34" West, continuing along the northwesterly right of way line of State Highway 289 (Preston Road), as described in said 0.2813-acre tract, a distance of 200.54 feet to the southernmost corner of said 0.2813-acre tract, and being on the southeasterly line of aforesaid "Tract Seven", from said corner, a found wooden TXDOT right of way marker bears North 31°18' East, 16.00 feet;

THENCE South 35°04'16" West, along the southeasterly line of said "Tract Seven" and continuing along the northwesterly right of way line of State Highway 289 (Preston Road), a distance of 385.16 feet to a corner, from which, a found wooden TXDOT right of way marker bears North 44°12' East, 1.65 feet;

THENCE South 33°38'20" West, continuing along the southeasterly line of said "Tract Seven" and the northwesterly right of way line of said State Highway 289 (Preston Road), a distance of 300.00 feet to a TXDOT brass disk right of way monument found for a corner, from said corner, a found wooden TXDOT right of way marker bears South 07°00' East, 2.25 feet;

THENCE South 30°18'02" West, continuing along the southeasterly line of said "Tract Seven" and the northwesterly right of way line of said State Highway 289 (Preston Road), a distance of 392.59 feet to a TXDOT brass disk right of way monument found for the northerly corner of a called 0.0656-acre tract of land, as evidenced in a Deed to the State of Texas, recorded in Instrument No. 20110818000872270 of the Official Public Records of Collin County, Texas;

THENCE in a southwesterly direction, departing the southeasterly line of said "Tract Seven", and along the northwesterly right of way line of State Highway 289 (Preston Road), as described in said 0.0656-acre tract, the following:

South 33°38'35" West, a distance of 323.03 feet to a corner;
South 30°46'46" West, a distance of 100.13 feet to the southerly corner of said 0.0656-acre tract, and being on the southeasterly line of aforesaid "Tract Seven";

THENCE South 35°32'53" West, along the southeasterly line of said "Tract Seven" and continuing along the northwesterly right of way line of State Highway 289 (Preston Road), a distance of 85.20 feet to a corner;

THENCE South 33°56'57" West, continuing along the southeasterly line of said "Tract Seven" and continuing along the northwesterly right of way line of State Highway 289 (Preston Road), a distance of 199.89 feet to a 5/8-inch iron rod found for a corner;

THENCE South 37°09'28" West, continuing along the southeasterly line of said "Tract Seven" and continuing along the northwesterly right of way line of State Highway 289 (Preston Road), a distance of 42.31 feet to a corner;

THENCE North 52°50'32" West, departing the southeasterly line of said "Tract Seven" and continuing along the northwesterly right of way line of State Highway 289 (Preston Road), crossing said "Tract Seven", a distance of 25.77 feet to a corner;

THENCE North 90°00'00" West, continuing across said "Tract Seven", passing the westerly line of said "Tract Seven", the easterly line of aforesaid 157.1346-acre, 289 (Preston) & 380, LP tract, and crossing a public use road known as South Coleman Street, a distance of 972.55 feet to a corner;

THENCE in a northerly direction, continuing across said 157.1346-acre tract, the following:

North 00°00'00" East, a distance of 431.84 feet to the point of curvature of a tangent curve to the left;

Along the arc of said curve to the left, through a central angle of 21°18'24", having a radius of 338.00 feet, a chord bearing of North 10°39'12" West, a chord distance of 124.97 feet and an arc length of 125.69 feet to the point of compound curvature of a curve to the left;
Along the arc of said curve to the left, through a central angle of 39°59'13", having a radius of 38.00 feet, a chord bearing of North 41°18'00" West, a chord distance of 25.99 feet and an arc length of 26.52 feet to the point of tangency of said curve;
North 61°17'36" West, a distance of 36.82 feet to the point of curvature of a tangent curve to the left;

Along the arc of said curve to the left, through a central angle of 30°02'25", having a radius of 83.00 feet, a chord bearing of North 76°18'49" West, a chord distance of 43.02 feet and an arc length of 43.52 feet to the end of said curve;
North 00°00'00" East, a distance of 84.31 feet to the point of curvature of a non-tangent curve to the left;
Along the arc of said curve to the left, through a central angle of 13°19'52", having a radius of 338.00 feet, a chord bearing of North 75°21'32" East, a chord distance of 78.47 feet and an arc length of 78.64 feet to the point of compound curvature of a curve to the left;
Along the arc of said curve to the left, through a central angle of 39°59'13", having a radius of 38.00 feet, a chord bearing of North 48°42'00" East, a chord distance of 25.99 feet and an arc length of 26.52 feet to the point of tangency of said curve;
North 28°42'24" East, a distance of 36.82 feet to the point of curvature of a tangent curve to the left;
Along the arc of said curve to the left, through a central angle of 35°41'21", having a radius of 83.00 feet, a chord bearing of North 10°51'43" East, a chord distance of 50.87 feet and an arc length of 51.70 feet to the point of tangency of said curve;
North 06°58'57" West, a distance of 35.50 feet to the point of curvature of a tangent curve to the right;
Along the arc of said curve to the right, through a central angle of 06°58'57", having a radius of 546.00 feet, a chord bearing of North 03°29'29" West, a chord distance of 66.50 feet an an arc length of 66.54 feet to the point of tangency of said curve;

THENCE North 00°00'00" East, continuing across said 157.1346-acre tract, crossing the northerly line of said 157.1346-acre tract and the southerly line of aforesaid "Tract Six", continuing across said "Tract Six", a distance of 785.38 feet to a corner;

THENCE in a northerly and easterly direction, continuing across said 157.1346-acre tract, the following:
North 03°48'51" West, a distance of 150.33 feet to a corner;
North 00°00'00" East, a distance of 125.00 feet to a corner;
North 45°00'00" West, a distance of 35.36 feet to a corner;
North 00°00'00" East, a distance of 110.00 fee to a corner;
North 45°00'00" East, a distance of 35.36 feet to a corner;
North 90°00'00" East, a distance of 110.00 feet to a corner;
South 45°00'00" East, a distance of 35.36 feet to a corner;
North 90°00'00" East, a distance of 150.00 feet to a corner;

THENCE South 86°11'09" East, continuing across said "Tract Six", passing the easterly line of said "Tract Six", the westerly line of aforesaid "Tract Seven", and crossing aforesaid public use road known as South Coleman Street, a distance of 150.33 feet to a corner;

THENCE in an easterly direction, continuing across said "Tract Seven", the following:

North 90°00'00" East, a distance of 923.53 feet to the point of curvature of a tangent curve to the right;
Along the arc of said curve to the right, through a central angle of 34°09'35", having a radius of 895.00 feet, a chord bearing of South 72°55'13" East, a chord distance of 525.73 feet and an arc length of 533.60 feet to the point of tangency of said curve;
South 55°50'25" East, a distance of 56.69 feet to a corner;
South 59°39'16" East, a distance of 150.33 feet to a corner;
South 55°50'25" East, a distance of 125.21 feet to a corner;
North 78°55'07" East, a distance of 13.56 feet to the **POINT OF BEGINNING** and containing 78.508 acres (3,419,790 square feet) of land, more or less.

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[1]	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[1]	Minimum Lot Area	Minimum Lot Width	Minimum Lot Depth[2]	Maximum Lot Coverage	Maximum FAR
Retail	10,000 sq. ft.	100 ft.	100 ft.	40%[3]	0.4:1.0
Commercial	10,000 sq. ft.	100 ft.	100 ft.	50%[3]	0.5:1.0
Office	7,000 sq. ft.	70 ft.	100 ft.	50%[3]	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 [(1)]	# Stories
Non-Residential	40 ft.	2

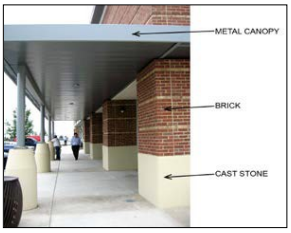
Notes

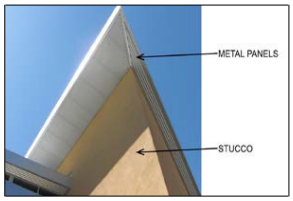
1. Non-habitable elements integral to the design of buildings shall be allowed to exceed the height limit in accordance with Ordinance Chapter 4 Section 9.5.

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 façades shall be architecturally finished with 100% masonry with an allowance for up to 15% 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, 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%.

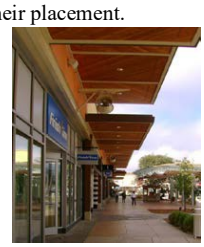
2.3.5 ***Building Entries.*** Building entries shall be clearly defined by incorporating distinguishing architectural features, awnings, canopies, lighting, signage or building articulation.







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.

2.3.8 Area A-2. The following specific criteria shall apply to development within Area A-2 as depicted on Exhibit A-1.

1. The support columns for the covered parking structures shall be permitted the use of metal.
2. The required parking ratio for retail businesses shall apply to the net retail area only.
3. Facade Plans shall be approved by the Town Council, subject to a recommendation by the Planning & Zoning Commission.
4. For instances where provisions of this section (Section 2.3) conflict with the conceptual elevations found in Section 2.5.2, the conceptual elevations shall govern.

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.




Gianna
la Manna
The Gates of
PROSPER

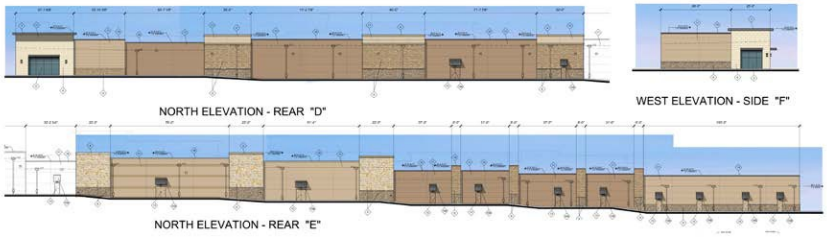

SPORT STORE


CASE
PROMO
BOUTIQUE

2.5.1 The following conceptual renderings shall be representative of the architectural style, color and material selections in the location identified in Exhibit A-



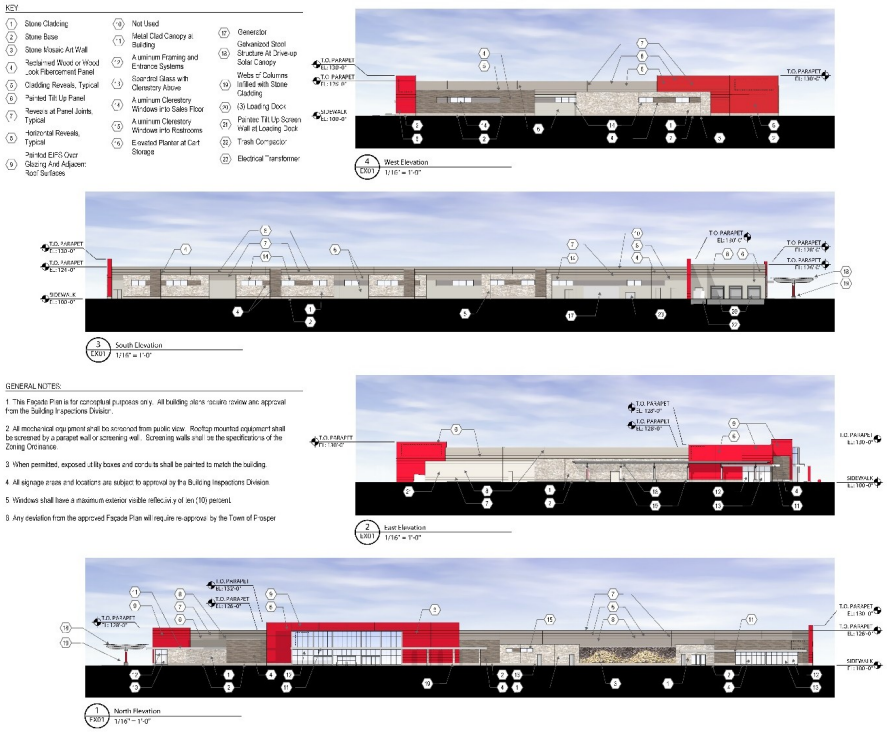




1.



2.5.2 The following conceptual elevations and renderings shall be representative of the architectural style, colors and material selections and placement for the building located within Area A-2, as depicted on Exhibit A-1.

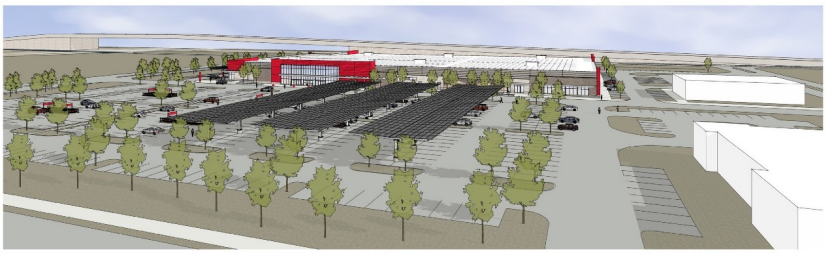




View from the Northwest



View from the North



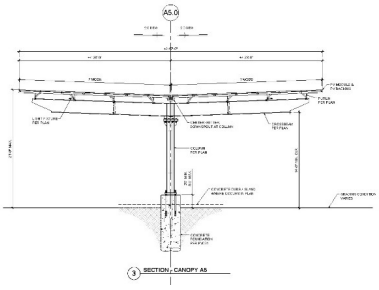
Birds Eye View from the Northwest

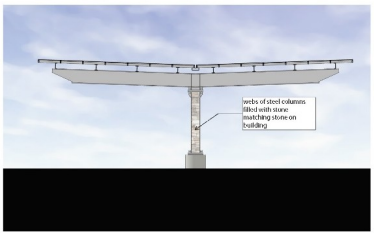


View from the North East



View from the West


A5.0
3 SECTION - CANOPY A5


webs of steel columns
filled with stone
matching stone on
building

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

Land Use/Housing Type[1]	Minimum Front[5]	Minimum Side	Minimum Corner[5]	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	5 ft.	(2)	5 ft.	(2)
Townhome[3]	5 ft.	5 ft.[4]	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

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

Housing Type	Minimum Lot Area	Minimum Lot Width	Minimum Lot Depth	Maximum Lot Coverage	Maximum Density
Townhome	~~2,500~~1800 sq. ft.	20 ft.	90 ft.	90%	10 du/ac
Multifamily, Urban Living[2]	10,000 sq. ft.	80 ft.	100 ft.	90%[1]	N/A

Notes

1. Includes main building, accessory buildings and structured parking facilities.

3.2.2 Minimum Dwelling Area.

a. Townhome. The minimum dwelling area shall be 1,500 square feet and 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 1200~~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,~~. and (iii) that portion of land identified as the Lifestyle Center which is located west of Coleman Road, south of Richland Boulevard, east of the BNSF railroad line and north of Gates Parkway. Townhomes may be constructed in (i) the same locations as the apartments referenced herein, and (ii) in subdistrict 3 in accordance with the requirements therein.~~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. Upon the issuance by the Town of tenant Certificates of Occupancy of 900,000 square feet of retail the developer may construct up to a total of 1200 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

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

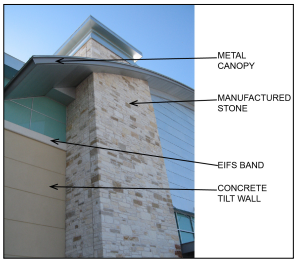
4. No structure shall exceed two stories or 40' when located 150 feet or less from a single family zoning district.
5. Main parking structure should not exceed the height of adjacent building it is serving. The maximum allowed height is reduced to 40' if predominately visible to public ROW unless otherwise 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.

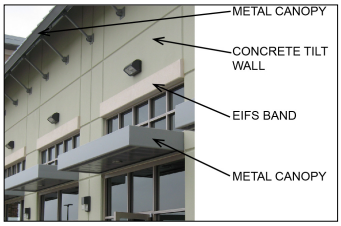
3.3.3 Building Materials. Exterior materials used in the construction of buildings shall comply with the following standards.

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.



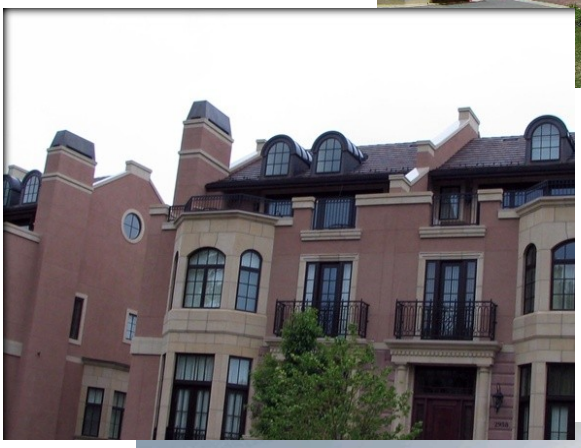


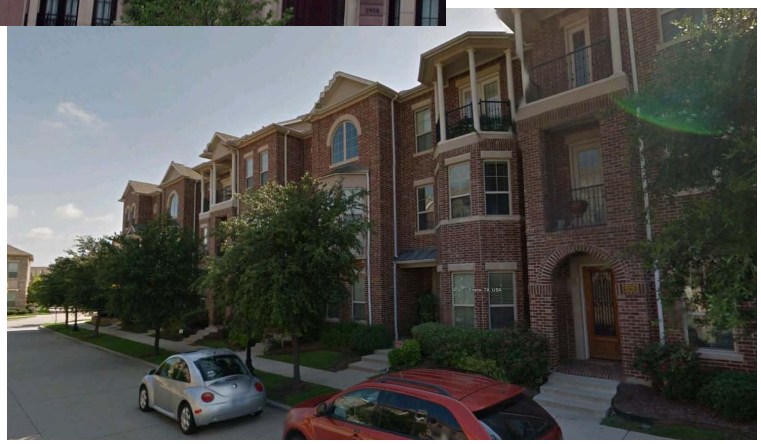


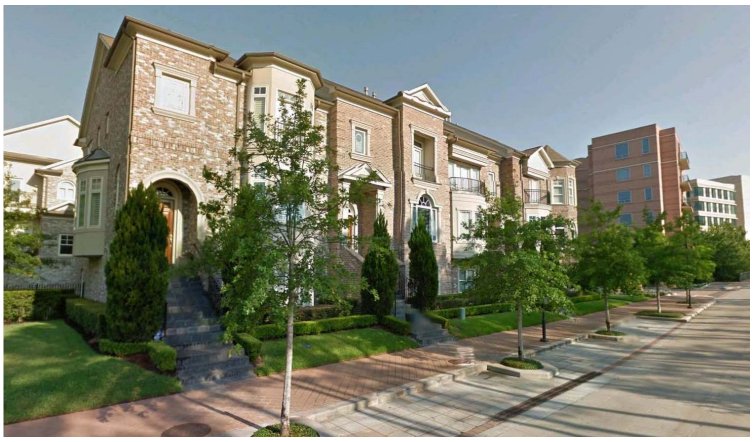
b. Townhome building types shall comply with the following standards.
   1. The exterior facades shall be constructed at 100% masonry. Masonry finishes include clay fired brick, natural and manufactured stone, cast stone, stucco (second floor or above), and cementicious fiber board (not to exceed 50% of 2nd 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 generally 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 (1st 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. A minimum of forty (40) percent of the units will have private garages. Structured garages shall qualify as private garages.
2. 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.
3. All on-site surface parking will be located towards the interior of the site to minimize viewing from surrounding public streets.
4. 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.
5. Front porches and/or stoops are required on facades which front public streets.
6. 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.
7. 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.
8. 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 generally 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 Single Family ~~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 convenient recreational space and a central focal element for this Subdistrict, along with a walkable connection to the retail and entertainment districts provided to the south.~~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 – Non Residential and Townhome

Land Use/Housing Type[1]	Minimum Front[6]	Minimum Side[4]	Minimum Corner[6]	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.[3]	10 ft.	15 ft.	20 ft.[5]

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[1]	Minimum Lot Area	Minimum Lot Width	Minimum Lot Depth	Maximum Lot Coverage	Maximum FAR
Retail	10,000 sq. ft.	70 ft.	100 ft.	50%[2]	0.6:1.0
Commercial	10,000 sq. ft.	70 ft.	100 ft.	50%[2]	3.0:1.0
Office	7,000 sq. ft.	70 ft.	100 ft.	60%[2]	5.0:1.0
~~Mixed Use (Vertical)~~	~~10,000 sq. ft.~~	~~70 ft.~~	~~100 ft.~~	~~100%[2]~~	~~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 – Residential (Urban Standards)

Land Use/Housing Type	Minimum Front[3]	Minimum Side	Minimum Corner	Minimum Rear
Townhome[12]	5 ft.	5 ft.[3]	15 ft.	20 ft.
Single Family (Center Loaded)~~Multifamily, Urban Living~~	15 ft.	7 ft. [2]~~(1,3)~~	15 ft.	20 ft.~~(1)~~
Single Family (Side Loaded)	15 ft.	0 ft.[4]	15 ft.	20 ft.

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.~~

12. 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 shall be finished to give the appearance of a real wood door.~~equivalent~~. Plain m~~M~~etal garage doors are not permitted.

23. ~~–~~A minimum building separation of 105 feet is required.

3. Due to the urban nature of this development, the front setback shall not be staggered.

4. If side loaded or zero lot line alternate is used the opposite side yard shall be a minimum of 10'. All buildings shall have a minimum separation of 10'.

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

Housing Type	Minimum Lot Area	Minimum Lot Width[2]	Minimum Lot Depth	Maximum Lot Coverage	Maximum No. of Lots~~Density~~
Townhome	1,8002,500 sq. ft.	20 ft.	90 ft.	90%	15010 du/ac
Single Family ~~Multifamily~~[2]	687510,000 sq. ft.	5580 ft.	100100 ft.	90%[1]	~~N/A~~

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Notes

1. Includes main building, accessory buildings and structured parking facilities.
2. Measured at the front setback line, except for lots located at the terminus of a cul-de-sac, curve or eyebrow which may have a minimum width of forty-five (45) at the front setback provided all other requirements of this section are met.

4.2.2 Minimum Dwelling Area.

a. Townhome. The minimum dwelling area shall be 1,500 square feet and a minimum 2 story.

b. Single Family ~~Multifamily~~. The minimum dwelling area for a single family home on a 55 foot wide lot shall be 1800 square feet.~~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 Subidstricts 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.~~ There is no maximum on the allowable number of Single Family detached lots.

~~***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 (~~5~~7)

Building Type	Height (1)	# Stories
Non-Residential (2)	60 ft.	4
Hotel	80 ft.	5
Office	100 ft.	8
Hospital	100 ft.	8
Townhome	40 ft.	3(~~4~~6)
Single Family Detached ~~Multifamily, Urban Living~~(~~3~~)	40~~80~~ ft.	2~~5~~(~~4~~)
Parking Structures(~~3~~5)	80 ft.	4

Notes

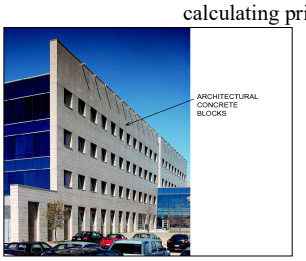
1. Non-habitable elements integral to the design of buildings shall be allowed to exceed the height limit by a maximum of 20 feet.
2. Does not include hospitals, hotels, office, or medical office buildings.
3. ~~Refer to Section 8.0 for definition of building type.~~
4. ~~No structure shall exceed two 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.).

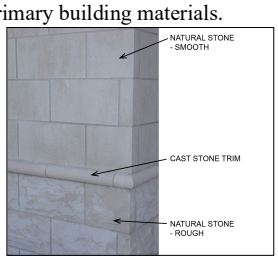
4.3.2 ***Maximum Building Length.*** There shall be no maximum length for buildings located within Subdistrict 3. However, all buildings shall be required to conform to the Building Articulation standards set forth in the Town's zoning ordinance.

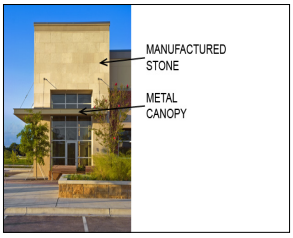
4.3.3 ***Building Materials.*** Exterior materials used in the construction of buildings shall comply with the following standards.

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.







~~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.~~2. 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.~~3. Windows, doors, porches, gables, balconies and accent materials shall be excluded from the façade area for the purposes of calculating primary building materials.




~~5.~~4. ~~All multifamily criteria and conceptual photos in section 3.4 of this~~







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~~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 cementicious fiber board (not to exceed 50% of 2nd 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.
~~3.~~4. Additional articulation shall be provided on the sides of townhome units that are adjacent to a public street or open space.

c. Single Family Residential 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 cementicious fiber board (not to exceed 50% of 2nd 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. Architectural features and porches may encroach into required front and rear yards up to five (5) feet.
3. Each Single Family home shall have an attached garage. Garages shall be minimum 2-car.
4. Carports are not allowed.
5. All fencing shall be 6 feet tall and constructed of either decorative metal, masonry or board on board cedar based upon the developer provided guidelines.
6. Ornamental metal fencing shall be required for any fencing located adjacent to a public park or public hike and bike trail.
7. For lots with a zero (0) side yard setback
    a. A roof overhang equipped with a gutter may extend a maximum of twelve (12) inches into a neighboring property. No other roof overhangs or extensions from a wall may extend into a neighboring lot.
    b. The closest exterior roofline to an adjacent property shall be storm guttered if the general slope of the roof falls toward the neighboring property. Gutters shall include returns to direct the water to the lot of origin.

c. The "zero" side shall be designated on the Final Plat. All access, maintenance, and use easements shall be provided on preliminary and Final Plats.

d. A five (5) foot wide access, maintenance, and use easement shall be dedicated on the Final Plat for all lots adjacent to lots with a "zero" side. The purpose of this easement is to the give the adjoining owner access for maintenance of his/her dwelling.

e. The majority of one side of the structure shall be located within three (3) feet of one side lot line. Building walls which are located adjacent to the "zero" side of the lot shall not have any doors, windows, ducts, grills, vents, or other openings. This requirement precludes exterior walls forming enclosures for courts, patios, or similar indentations to the "zero" wall.

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





4.3.4 Window Areas. The window area for Non-residential buildings ~~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 (1st 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 Firstrost 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 or Single Family 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 commerical uses are allowed for the parcel(s) located on the west side of the railroad as noted in Section 6.76 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 6.76 of this Ordinance.

5.0 SUBDISTRICT 4 – RESIDENTIAL NEIGHBORHOOD

5.1 GENERAL PURPOSE AND DESCRIPTION

The *Residential Neighborhood* Subdistrict will serve the primary purpose of providing a planned residential community to serve the needs of the Town by facilitating a range of detached single-family housing opportunities. In addition, a small commercial tract will provide additional limited retail and commercial uses along Preston Road. Conformance with the Town's Zoning Ordinance and Subdivision Ordinance: Except as otherwise set forth in these Development Standards, the regulations of the Town's Zoning Ordinance (as it currently exists or may be amended) and Subdivision Ordinance (as it currently exists or may be amended) shall apply.

5.2 SINGLE FAMILY RESIDENTIAL TRACT

5.2.1 **Property Development Regulations**: This property may develop, under the standards for SF-10 as contained in the Town's Zoning Ordinance as it exists or may be amended, as front entry lot product subject to the specific provisions contained herein below. There will be no alley-served lots within the property.

5.2.2 **Density**: The maximum number of single family detached dwelling units for this PD is 200. This equates to an overall gross density of 2.82 units per acre.

5.2.3 **Lot Types**: The single family detached lots developed within the Properties shall be in accordance with the following Lot Types, provided a minimum of 40% are Type B lots:

Type A Lots: Minimum 8,640 square foot lots
Type B Lots: Minimum 9,990 square foot lots

5.2.4 **Area and building regulations**:

1. **Type A Lots:** The area and building standards for Type A Lots are as follows and as set forth in Table 1:

   (a) **Minimum Lot Size**. The minimum lot size for Type A Lots shall be eight thousand six hundred forty (8640) square feet. A typical lot will be 64' x 135' but may vary provided that the requirements in Table 1 are accommodated.

   (b) **Minimum Lot Width**. The minimum lot width for Type A Lots shall be sixty four (64) feet, as measured at the front setback, except for lots located at the terminus of a cul-de-sac, curve or eyebrow which may have a minimum width of fifty four (54) feet at the front setback provided all other requirements of this section are met.

   (c) **Minimum Yard Setbacks**.

   (1) Minimum Front Yard Setback: The minimum front yard setback for Type A Lots shall be twenty-five (25) feet.

(2) **Minimum Side Yard Setback**: The minimum side yard setback for Type A Lots shall be seven (7) feet. For corner lots adjoining a street, the minimum side yard setback shall be fifteen (15) feet on the side adjacent the street.

(3) **Minimum Rear Yard Setback**: The minimum rear yard setback shall be twenty-five (25) feet.

(4) **Permitted Encroachment**. Architectural features and porches may encroach into required front and rear yards up to five (5) feet. Swing-in garages may encroach into required front yards up to ten (10) feet provided that the wall of the garage facing the street contains a glass pane window with a minimum size of three (3) feet by five (5) feet and the height of the garage does not exceed one (1) story. Front facing garages are permitted to extend to the front façade of the main structure but may not encroach into the required front yard.

(d) **Minimum Floor Space**. Each one-story dwelling constructed on a Type A Lot shall contain a minimum of two thousand, three hundred (2300) square feet of floor space; two story dwellings shall be a minimum of two thousand six hundred fifty (2650) square feet. Floor space shall include air-conditioned floor areas, exclusive of porches, garages, patios, terraces or breezeways attached to the main dwelling

(e) **Height**. The maximum height for structures on Type A Lots shall be forty (40) feet.

(f) **Driveways**. Driveways fronting on a street on Type A Lots shall be constructed of any of the following materials: colored concrete, brick pavers, stone, interlocking pavers, stamped concrete, salt finish concrete, concrete with stone or brick border OR any other treatment as approved by the Director of Development Services.

No broom finish concrete driveways will be allowed.

(g) **Exterior Surfaces**. The exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of one hundred (100) percent masonry. Cementitious fiber board is considered masonry but may only constitute thirty (30) percent of the area for stories other than the first story. However, cementitious fiber board may not be used as a façade cladding material for portions of upper stories that are in the same vertical plane as the first story. Cementitious fiber board may also be used for architectural features, including window box-outs, bay windows, roof dormers, garage door headers, columns, chimneys not part of an exterior wall, or other architectural features approved by the Building Official.

No cementitious fiber board or any other siding material will be allowed on any front elevation nor on any side/rear elevation which is visible from an adjacent community street, common area, open space, park or perimeter.

(h) **Windows**. All window framing shall be bronzed, black, cream, sand or white anodized aluminum, vinyl or wood.

(i) **Roofing**. Structures constructed on the Type A Lots shall have a composition, slate, clay tile or cement/concrete tile roof.

The color of any composition roof must appear to be weathered wood shingles, black or slate.

Composition roof shingles must be laminated and have a minimum warranty of 30 years.

The main roof pitch of any structure shall have a minimum slope of 8" in 12" except for clay tile and cement/concrete tile roofs which shall have a minimum slope of 3" in 12". Pitch ends shall be 100% guttered.

(j) **Garages**.

(1) Homes shall have a minimum of two (2) car garages but no more than three (3). No carports shall be permitted.

(2) Homes with three (3) garages shall not have more than two (2) garage doors facing the street.

(3) No standard, traditional steel garage doors, painted or stained, will be allowed.

(4) Doors must be constructed of a material that gives the appearance of a real wood door when viewed from any community street. Materials may consist of paint or stain grade wood (Cedar, Ash, Hemlock, etc.) or other material, including fiberglass or steel, that when stained or painted gives the appearance of a real wood door.

(5) Doors may be single or double wide doors.

(6) Additionally, two of the following upgrades must be incorporated:

(a) If single doors, doors must be separated by a masonry column.

(b) Garage doors may be "carriage style door" designs giving the appearance of a classic swing-open design with the flexibility of an overhead door operation.

(c) Doors may incorporate decorative hardware.

(d) Doors may incorporate windows.

(k) **Plate Height**. Each structure on a Type A Lot shall have a minimum principal plate height of 9' on the first floor.

(l) **Fencing**. Fences, walls and/or hedges on Type A Lots shall be constructed to meet the following guidelines.

(1) All Type A Lots backing or siding to land designated by plat as public park or public hike and bike trail shall have a decorative metal fence, minimum 6 foot in height, abutting said public area.

(2) All other Type A lot fencing shall be constructed of masonry, decorative metal or cedar. All cedar fencing will be board on board with a top rail and shall be supported with galvanized steel posts, 8-foot OC minimum. A common fence stain color as well as fence detail shall be established for the community by the developer.

(3) Solid masonry fencing shall only be allowed on lots adjacent to or abutting HOA-owned common area lots.

(4) Type A corner lots adjacent to a street shall be constructed of either decorative metal or cedar board-on-board along the side yard adjoining the street with masonry columns, per developer guidelines, placed at 21 feet OC.

(5) No fencing shall extend beyond a point fifteen feet (15') behind the front wall plane of the structure into the front yard.

(m) **Landscaping**.

(1)Corner lots adjacent to a street require two additional trees be planted in the side yard @ 30 feet OC.

(2)The front, side and rear yard must be fully sodded with grass and irrigated by an automated underground irrigation system.

(n) **Accessory Structures**. Accessory structures used as a garage, a garage apartment, or guest house, will not be allowed.

2. Type B Lots: The area and building standards for Type B Lots are as follows and as set forth in Table 1:

(a) **Minimum Lot Size**. The minimum lot size for Type B Lots shall be nine thousand nine hundred ninety (9990) square feet. A typical lot will be 74' x 135' but may vary provided that the requirements in Table 1 are accommodated.

(b) **Minimum Lot Width**. The minimum lot width for Type B Lots shall be seventy-four (74) feet as measured at the front setback, except for lots located at the terminus of a cul-de-sac, curve or eyebrow which may have a minimum width of sixty-four (64) feet at the front setback provided all other requirements of this section are met.

(c) **Minimum Yard Setbacks**.

(1) **Minimum Front Yard Setback**: The minimum front yard setback for Type B Lots shall be twenty-five (25) feet.

(2) **Minimum Side Yard Setback**: The minimum side yard setback for Type B Lots shall be seven (7) feet. For corner lots adjoining a street, the minimum side yard setback shall be fifteen (15) feet on the side adjacent the street.

(3) **Minimum Rear Yard Setback**: The minimum rear yard setback shall be twenty-five (25) feet.

(4) **Permitted Encroachment**. Architectural features and porches may encroach into required front and rear yards up to five (5) feet. Swing-in garages may encroach into required front yards up to ten (10) feet provided that the wall of the garage facing the street contains a glass pane window with a minimum size of three (3) feet by five (5) feet and the height of the garage does not exceed one (1) story. Front facing garages are permitted to extend to the front façade of the main structure but may not encroach into the required front yard.

(d) **Minimum Floor Space**. Each single-story dwelling constructed on a Type B Lot shall contain a minimum of two thousand five hundred (2500) square feet of floor space; two story dwellings shall contain a minimum of three thousand (3000) square feet of floor space. Floor space shall include air-conditioned floor areas, exclusive of porches, garages, patios, terraces or breezeways attached to the main dwelling.

(e) **Height.** The maximum height for structures on Type B Lots shall be forty (40) feet.

(f) **Driveways**. Driveways fronting on a street on Type B Lots shall be constructed of any of the following materials: colored concrete, brick pavers, stone, interlocking pavers, stamped concrete, salt finish concrete, concrete with stone or brick border OR any other treatment as approved by the Director of Development Services

No broom finish concrete driveways will be allowed.

(g) **Exterior Surfaces**. The exterior facades of a main building or structure, excluding glass windows and doors, shall be constructed of

one hundred (100) percent masonry. Cementitious fiber board is considered masonry but may only constitute thirty (30) percent of the area for stories other than the first story. However, cementitious fiber board may not be used as a façade cladding material for portions of upper stories that are in the same vertical plane as the first story. Cementitious fiber board may also be used for architectural features, including window box-outs, bay windows, roof dormers, garage door headers, columns, chimneys not part of an exterior wall, or other architectural features approved by the Building Official.

No cementitious fiber board or any other siding material will be allowed on any front elevation nor on any side/rear elevation which is visible from an adjacent community street, common area, open space, park or perimeter.

(h) **Windows**. All window framing shall be bronzed, black, cream, sand or white anodized aluminum, vinyl or wood.

(i) **Roofing**. Structures constructed on the Type B Lots shall have a composition, slate, clay tile or cement/concrete tile roof.

The color of any composition roof must appear to be weathered wood shingles, black or slate.

Composition roof shingles must be laminated and have a minimum warranty of 30 years.

The main roof pitch of any structure shall have a minimum slope of 8" in 12" except for clay tile and cement/concrete tile roofs which shall have a minimum slope of 3" in 12". Pitch ends shall be 100% guttered.

(j) **Garages**.

(1) Homes shall have a minimum of two (2) car garages but no more than four (4). No carports shall be permitted.

(2) Homes with three (3) car garages shall not have more than two (2) garage doors facing the street.

(3) No standard, traditional steel garage doors, painted or stained, will be allowed.

(4) Doors must be constructed of a material that gives the appearance of a real wood door when viewed from any community street. Materials may consist of paint or stain grade wood (Cedar, Ash, Hemlock, etc.) or other material, including fiberglass or steel, that when stained or painted gives the appearance of a real wood door.

(5) Doors may be single or double wide doors.

(6) Additionally, two of the following upgrades must be incorporated:

a. If single doors, doors must be separated by a masonry column.

b. Garage doors may be "carriage style door" designs giving the appearance of a classic swing-open design with the flexibility of an overhead door operation.

c. Doors may incorporate decorative hardware.

d. Doors may incorporate windows.

(k) **Plate Height**. Each structure on a Type B Lot shall have a minimum principal plate height of 9' on the first floor.

(l) **Fencing**. Fences, walls and/or hedges on Type B lots shall be constructed to meet the following guidelines.

(1) All Type B Lots backing or siding to land designated by plat as a public park or public hike and bike trail shall have a decorative metal fence, minimum 6 foot in height, abutting said public area.

(2) All other fencing shall be constructed of masonry, decorative metal or cedar. All cedar fencing will be board on board with a top rail, and shall be supported with galvanized steel posts, 8-foot OC minimum. A common fence stain color as well as fence detail shall be established for the community by the developer.

(3) Solid masonry fencing shall only be allowed on lots adjacent to or abutting HOA-owned common area lots.

(4) Type B corner lots adjacent to a street shall be constructed of either decorative metal or cedar board-on-board along the side yard adjoining the street with masonry columns, per Developer guidelines, placed at 21 feet OC.

(5) No fencing shall extend beyond a point fifteen feet (15') behind the front wall plane of the structure into the front yard.

(m) **Landscaping**.

(1) Corner lots adjacent to a street require two additional trees be planted in the side yard @ 30 feet OC.

(2) The front, side and rear yard must be fully sodded with grass and irrigated by an automated underground irrigation system.

(n) **Accessory Structures**. Accessory structures used as a garage, a garage apartment, a storage building or guest house, will not be allowed.

TABLE 1

	Lot Type A	Lot Type B
Min. permitted lot sizes	8640 sq. ft.	9990 sq. ft.
Min. Front Yard	25 ft.	25 ft.
Min. Side Yard	7 ft.	7 ft.
Corner Lot	15 ft.	15 ft.
Min. Rear Yard	25 ft.	25 ft.
Max. building Height	40 ft.	40 ft.
Max. Lot Coverage	50%	50%
Min. Lot Width	64 ft.	74 ft.
Min. Lot Depth	125 ft.	125 ft.
Min. Dwelling Area	2300 sq. ft. single story 2650 sq. ft. two story	2500 sq. ft. single story 3000 sq. ft. two story

5.3 COMMERCIAL TRACT

5.3.1 PROPERTY DEVELOPMENT REGULATIONS: The approximately 5.5 acre Commercial Tract of this subdistrict shall develop in conformance to the property development regulations established within this planned development ordinance for Subdistrict 1 except as indicated below.

5.4 PERMITTED USES

5.4.1 General. The following conditions apply to Subdistrict 4.
a. Big Boxes are not permitted within Subdistrict 4.

5.4.2 Permitted Use Matrix. The permitted uses within Subdistrict 4 shall be in accordance with the Permitted Use Matrix in Section 6.7 of this Ordinance.

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.

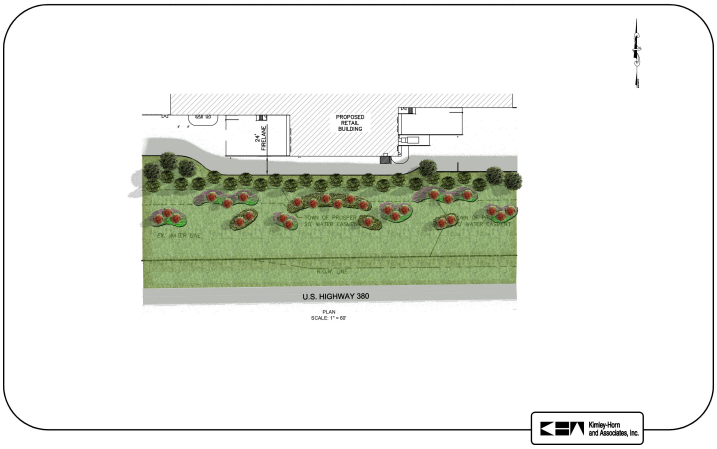
6.5 LANDSCAPING

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

	SUBDISTRICT			
RESIDENTIAL USES	**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)				

	SUBDISTRICT			
ACCESSORY & INCIDENTAL USES	**1**	**2**	**3**	**4**
Accessory Building	●	●	●	●
Caretaker's/Guard's Residence				
Construction Yard and Field Office, Temporary	*TEMPORARY BUILDING PERMIT ISSUED BY BUILDING OFFICIAL*			
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	●	●	●	18
Corporate Campus		●	●	
Governmental Office	●	●	●	18
Insurance Office	●	●	●	18
Multi-Tenant Office Building	●	●	●	18
Research and Development Center –see conditions in Town Zoning Ord.	S	S	S	18, S

RETAIL USES	SUBDISTRICT 1	2	3	4
Antique Shop and Used Furniture	●	●	●	18, S
Alcohol Sales (Must comply with all the conditional standards in the zoning ordinance as it exists, or may be amended.)	●	●	●	18
Building Material and Hardware Sales, Major	●	S		
Building Material and Hardware Sales, Minor	●	●	●	18, S
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	●	●	●	18, S
Farmer's Market	S	S	S	18, S
Feed Store				
Flea Market, Inside				
Flea Market, Outside				
Furniture, Home Furnishings and Appliance Store	●	●	●	18
Gas Pump as Accessory Use	13	13		
Nursery, Major	S	S		
Nursery, Minor	●	●	●	18
Pawn Shop				
Retail Stores and Shops	●	●	●	18

SERVICE USES	SUBDISTRICT 1	2	3	4
Artisan's Workshop		●	●	18
Bank, Savings and Loan, or Credit Union	●	●	●	18
Beauty Salon/Barber Shop	●	●	●	18
Bed and Breakfast Inn				S
Body Art Studio				
Business Service	●	●	●	
Cabinet/Upholstery Shop	●	●	●	18
Campground or Recreational Vehicle Park				
Catering Establishments	●	●	●	
Commercial Amusement, Indoor	●	●	●	
Commercial Amusement, Outdoor	S	S	S	
Computer Sales and Repairs	●	●	●	18
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	●	●	●	18
Fairgrounds/Exhibition Area		S	S	
Fortune Teller/Psychic				
Furniture Restoration			S	
Golf Course and/or Country Club	S	S	S	
Gunsmith				
Gymnastics/Dance Studio	●	●	●	18
Health/Fitness Center	●	●	●	18
Hotel – see conditions in Town Zoning Ord.,	17	●	●	
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	●	●	●	18

SERVICE USES (continued)	SUBDISTRICT 1	2	3	4
Private Club	S	S	S	
Residence Hotel – See conditions in Town Zoning Ord.	●	●		
Restaurant or Cafeteria	●	●	●	18
Restaurant, Drive Through	16	16	16	
Sexually Oriented Uses				
Small Engine Repair Shop				
Stable, Commercial				
Taxidermist				
Theater, Drive In				
Theater, Neighborhood	●	●	●	18
Theater, Regional	●	●		
Trailer Rental				
Veterinarian Clinic and/or Kennel, Indoor	●	●	●	18
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	*TEMPORARY BUILDING PERMIT ISSUED BY BUILDING OFFICIAL*			
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 6.76.1 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 out door 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 the east side of Preston and 3 locations on the west side of Preston and no more than 2 adjacent to each other. Additional drive-through restaurants are permitted subject to approval of a Specific Use Permit (SUP).
17. Subject to conditions in Town Zoning Ord., except as follows:
    a. Hotels in Subdistrict 1, as shown on Exhibit D, shall have a maximum height of eighty feet (80').
18. Use is permitted only within Commercial tract of this subdivision in addition to any other conditions listed.

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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 or 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 or 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.

Single Family Detached Residence. An independent structure occupying a single platted lot designed for occupancy by one family with no physical attachment to any adjacent structure.

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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.

APPENDIX A—ZONING EXHIBIT & LEGAL DESCRIPTION

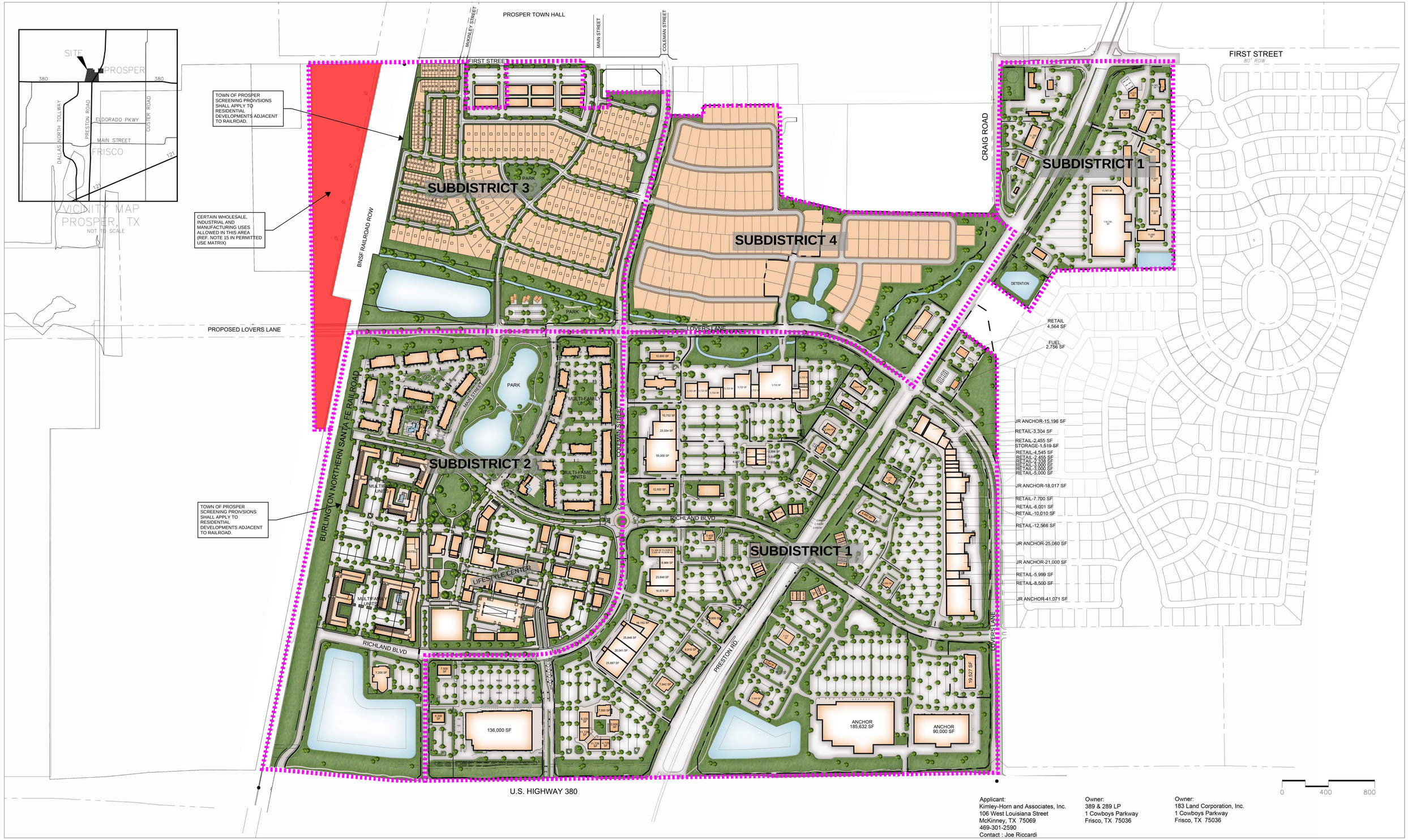
EXHIBIT "A"

APPENDIX A-1—ZONING EXHIBIT & LEGAL DESCRIPTION

EXHIBIT "A-1"

APPENDIX B—CONCEPTUAL DEVELOPMENT PLAN

EXHIBIT "D"



Applicant:
Kimley-Horn and Associates, Inc.
106 West Louisiana Street
McKinney, TX 75069
469-301-2590
Contact : Joe Riccardi

Owner:
389 & 289 LP
1 Cowboys Parkway
Frisco, TX 75036

Owner:
183 Land Corporation, Inc.
1 Cowboys Parkway
Frisco, TX 75036

Gates of Prosper

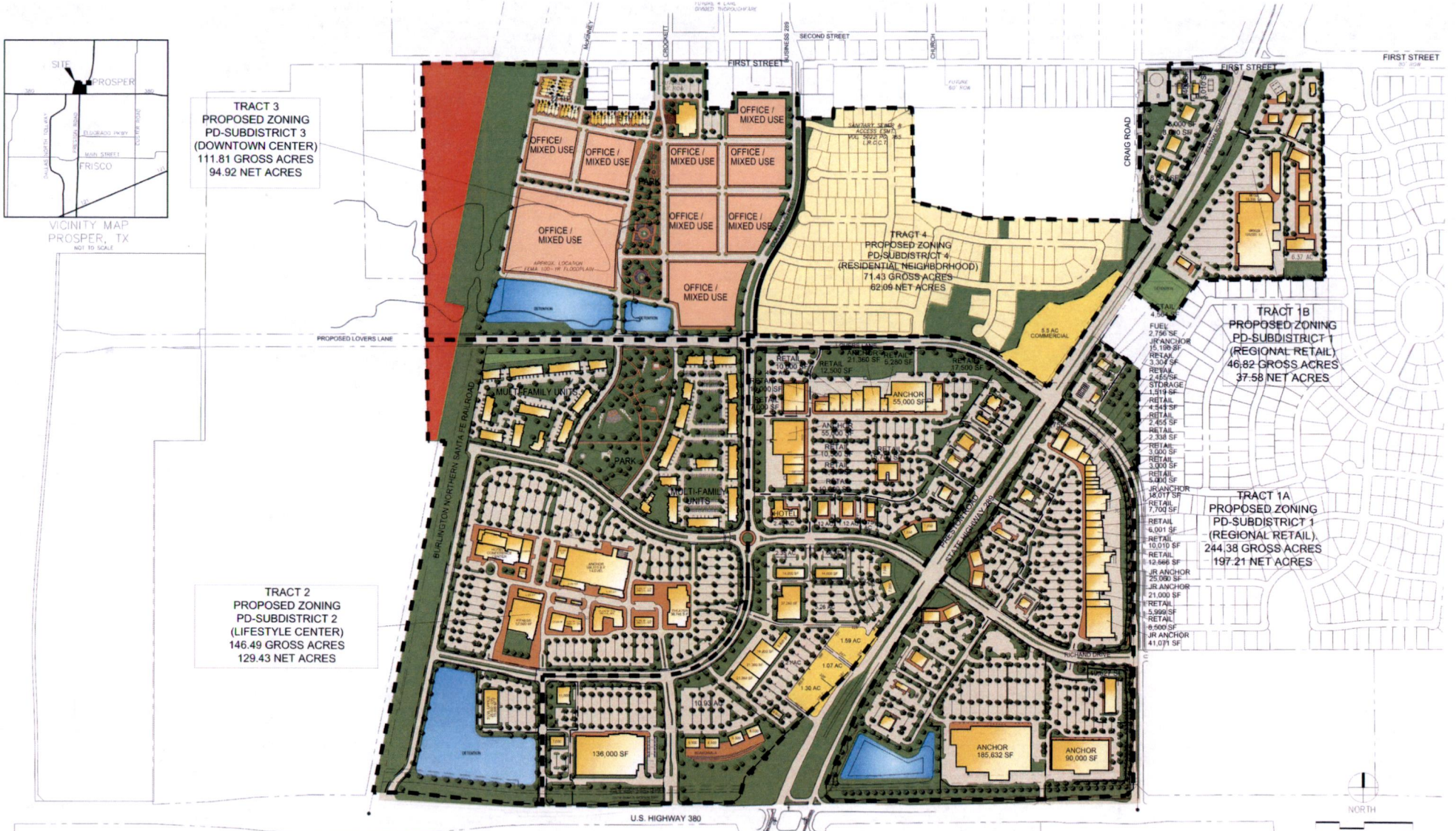
Blue Star Land

Exhibit D

Date:07.02.25 Scale 1" = 300'

O'BRIEN

Previously Approved Conceptual Plan



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.

Applicant:
Kimley-Horn and Associates, Inc.
106 West Louisiana Street
McKinney, TX 75069
469-301-2590
Contact : Joe Riccardi

Owner:
389 & 289 LP
1 Cowboys Parkway
Frisco, TX 75036

Owner:
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1 Cowboys Parkway
Frisco, TX 75036

Gates of Prosper

Blue Star Land

Exhibit D-621.07 Acres

Date: 03.03.21 Scale 1" = 300'

O'BRIEN ARCHITECTS

PLANNING

To: **Planning & Zoning Commission** **Item No. 7**

From: **Dakari Hill, Senior Planner**

Through: **David Hoover, AICP, Director of Development Services**

Cc: **Suzanne Porter, AICP, Planning Manager**

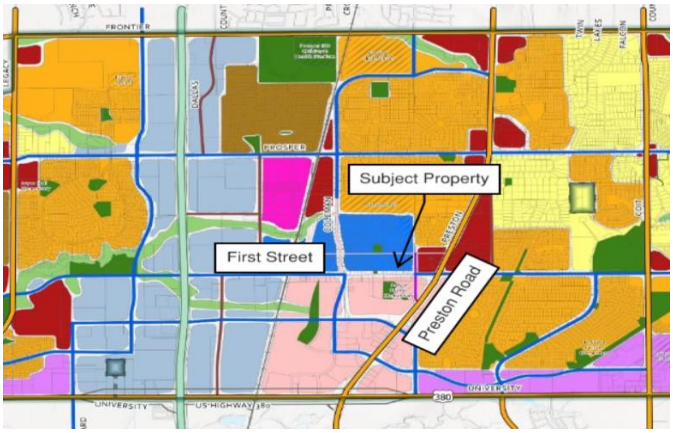
Re: **Planned Development for 607 East First Street**

Meeting: **August 5, 2025**

Agenda Item:
Conduct a Public Hearing and consider and act upon a request to rezone 0.7± acres from Single Family-15 to Planned Development-Downtown Office on Collin County School Land Survey 12, Abstract 147, Tracts 39 & 177, located on the northwest corner of Lane Street and First Street. (ZONE-25-0001)

Future Land Use Plan:
The Future Land Use Plan recommends Old Town District.

- The Old Town District recommends a variety of boutique type land uses, ranging from unique and local and local retail establishments, restaurants, and offices. Additionally, it is recommended that historic homes within the Old Town District, particularly areas along First Street and Broadway, may gradually convert to boutique office and retail establishments.





Zoning:
The property is zoned Single Family-15.

Thoroughfare Plan:
This property has direct access to Lane Street and First Street.

Parks Master Plan:
The Parks Master Plan does not indicate that a park is needed on the subject property.

Hike & Bike Trail:
The Hike & Bike Trail Master Plan does not recommend a hike and bike trail along the property.

Legal Obligations and Review:
Notification was provided as required by the Zoning Ordinance and state law. Staff has received one response in support of the proposed zoning request, with restrictions, to date.

Attached Documents:
1. Aerial & Zoning Maps
2. Future Land Use Exhibit
3. Exhibit A-1 – Written Metes and Bounds
4. Exhibit A-2 – Boundary Exhibit
5. Exhibit B – Letter of Intent
6. Exhibit C – Development Standards
7. Exhibit D – Conceptual Plan
8. Exhibit E – Development Schedule
9. Exhibit F – Elevations
10. Exhibit G – Landscape Plan
11. Draft Development Agreement
12. Letter of Support (With Restrictions) – Pool, J.

Description of Agenda Item:
The purpose of this request is to rezone the property from Single Family-15 to a Planned Development with a base zoning of Downtown Office, to allow for the property to be sold as is for residential uses as well as limited commercial uses in the future. The future buyer will develop the site based on the permitted uses and regulations stipulated in the Planned Development.

Compatibility:
The proposed zoning change would not be out of character with the existing neighborhood due to similar conversions of residential structures to commercial structures near the property. Businesses such as Ameriprise Financial (Craig A. Saunders), Prosper Pantry, and Social House Chiropractic, etc. are all located along First Street and zoned Downtown Office. The surrounding properties and the Future Land Use Plan demonstrate that the proposed zoning change is consistent with both the current zoning districts and long-term vision in this area.

The zoning and land use of the surrounding properties are as follows:

	Zoning	Current Land Use	Future Land Use Plan
Subject Property	Single Family-15	Single-Family Residential	Old Town District
North	Single Family-15	Single-Family Residential	Old Town District
East	Downtown Office	Professional Office	Old Town District
South	Single Family-15	Single-Family Residential	Old Town District
West	Single Family-15	Single-Family Residential	Old Town District

District Regulations:

The district regulations within the Planned Development compared to the regulations in the Downtown Office District in the Town's Zoning Ordinance are shown below.

	DTO Regulations (Zoning Ordinance)	Proposed Regulations (Development Standards)
Size of Yards	**Front:** 25' **Side:** 5' (Adj. to Residential) 15' (Adj. to First Street) **Rear:** 10'	**Front:** 25' **Side:** 5' (Adj. to Residential) 15' (Adj. to First Street) **Rear:** 10'
Size of Lots	**Minimum Area:** 6,000 SF **Minimum Lot Width:** 50' **Minimum Lot Depth:** 120'	**Minimum Area:** 6,000 SF **Minimum Lot Width:** 50' **Minimum Lot Depth:** 120'
Maximum Height	**Stories:** Two Stories or 40'	**Stories:** Two Stories or 40'
Maximum Lot Coverage	**Lot Coverage:** 55 Percent	**Lot Coverage:** 55 Percent

Uses:
The list of permitted uses within this Planned Development is shown below.

- By Right:
  - Administrative/Medical and Professional Office
  - Architectural or Interior Design Studio
  - Boutique Retail
  - Materials Showroom
  - Single-Family Dwelling

- By Specific Use Permit:
  - Bed and Breakfast
  - Coffee Shop
  - Tea Room

Landscaping:
The landscaping regulations within the Planned Development compared to the regulations in the Town's Zoning Ordinance are shown below.

	DTO Regulations (Development Standards)	**Proposed Regulations (Development Standards)**
Adjacent to Thoroughfares	**Easement:** 5' (Legacy Drive) 5' (First Street) **Plantings:** One ornamental tree every 30 linear feet.	**Easement:** 5' (Legacy Drive) 5' (First Street) **Plantings:** One ornamental tree every 30 linear feet.
Adjacent to Residential Development	**Buffer:** 5' (Northern Boundary) 5' (Western Boundary) Plantings: One ornamental tree every 30 linear feet.	**Buffer:** 5' (Northern Boundary) 5' (Western Boundary) **Plantings:** One ornamental tree every 30 linear feet.

Architectural Standards:
The architectural standards within this Planned Development are shown below.

- Permitted Building Materials:

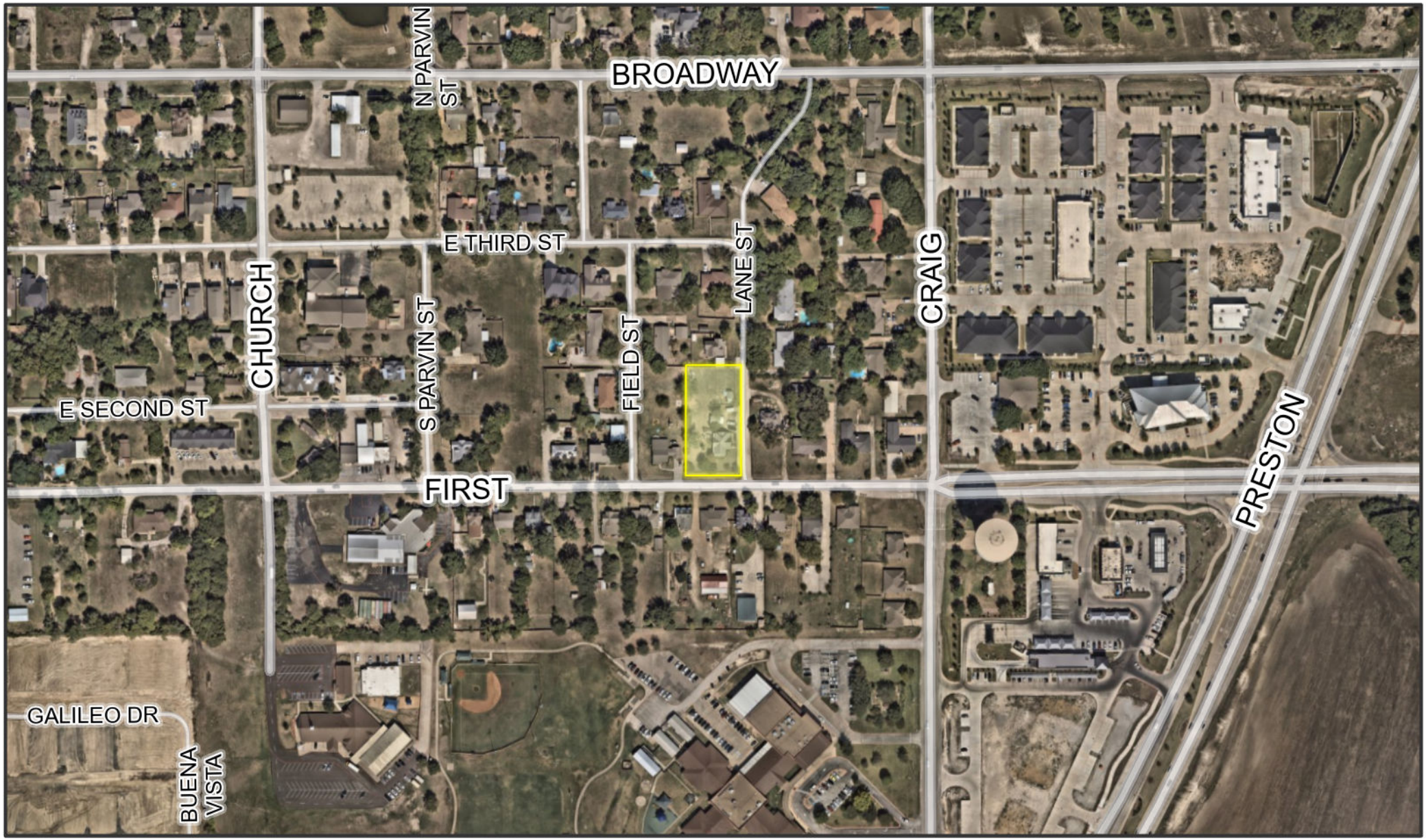
  - Clay Fired Brick
  - Granite
  - Marble
  - Stone (Natural, Precast, or Manufactured)
  - Other Materials as Approved by Director of Development Services

- Design:
    - Existing Structures
        - Exterior alterations, not related to maintenance, must be approved by the Director of Development Services.
    - New Structures
        - Buildings shall incorporate covered porches into the front façade, a multiplicity of roof forms, and high pitch roof lines.
        - Architectural styles such as Craftsman, Folk Traditional, and Victorian are recommended.

Screening and Fencing:
The screening and fencing standards within this Planned Development require a six-foot cedar board-on-board wooden fence to be installed adjacent to residential development.

Town Staff Recommendation:
The proposed zoning request is compliant with the Future Land Use Plan designation of this area as Old Town District. Additionally, the proposed zoning request is consistent with the surrounding area based upon previous conversions of residential structures to commercial along First Street. Lastly, the Planned Development allows for a Development Agreement that requires Town approval for alterations on existing structures and ensures the building materials for any new structures. For these reasons, Town Staff recommends approval of the request to rezone 0.7± acres from Single Family-15 to Planned Development-Downtown Office on Collin County School Land Survey 12, Abstract 147, Tracts 39 & 177, located on the northwest corner of Lane Street and First Street.

Town Council Public Hearing:
Upon a recommendation by the Planning & Zoning Commission, a Public Hearing for this item will be scheduled for the Town Council at their Regular meeting on August 26, 2025.



TOWN OF PROSPER

0 175 350 700 Feet



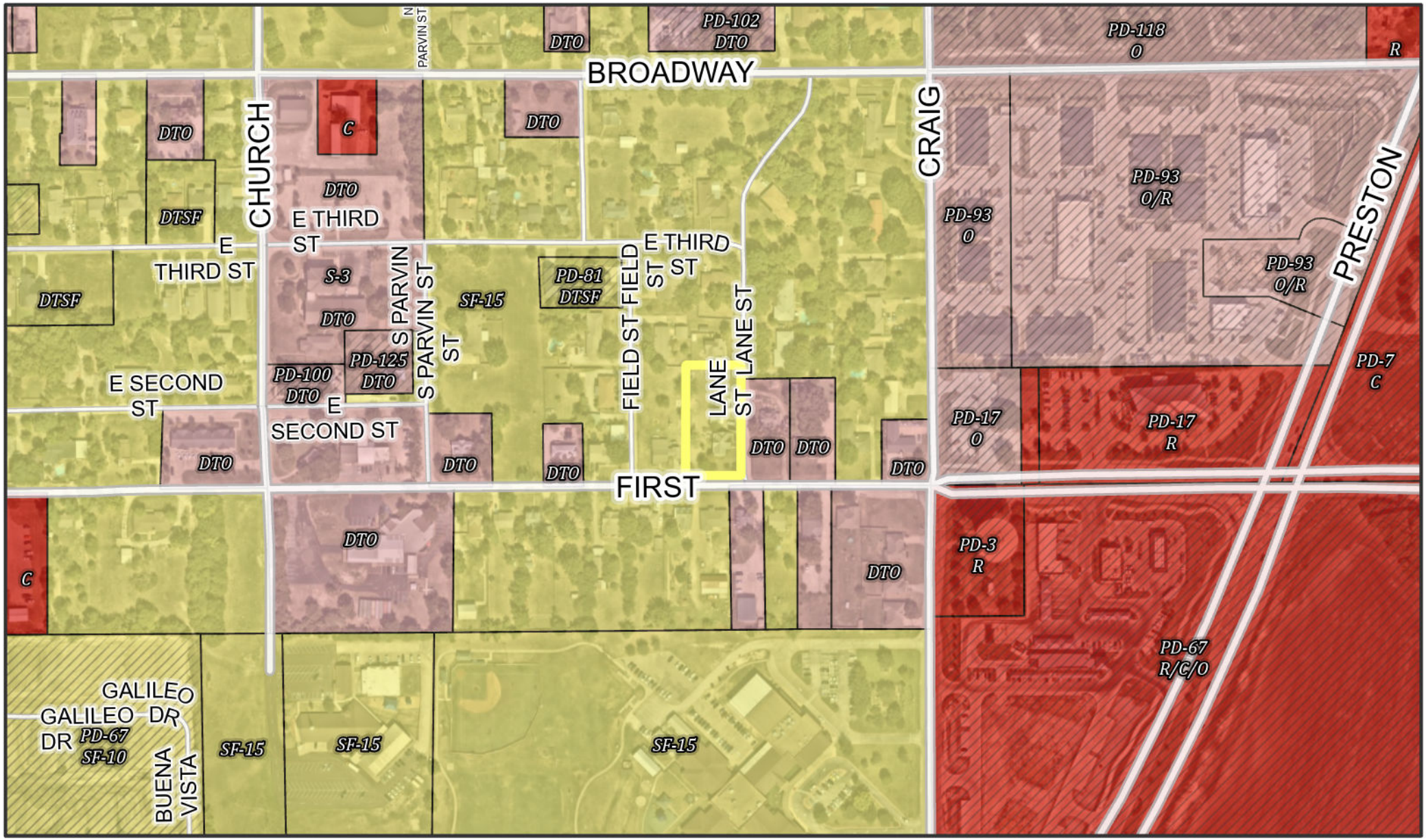
This map for illustration purposes only

ZONE-25-0001

607 E First St

341

Planned Development





TOWN OF PROSPER

0 175 350 700 Feet

This map for illustration purposes only

ZONE-25-0001

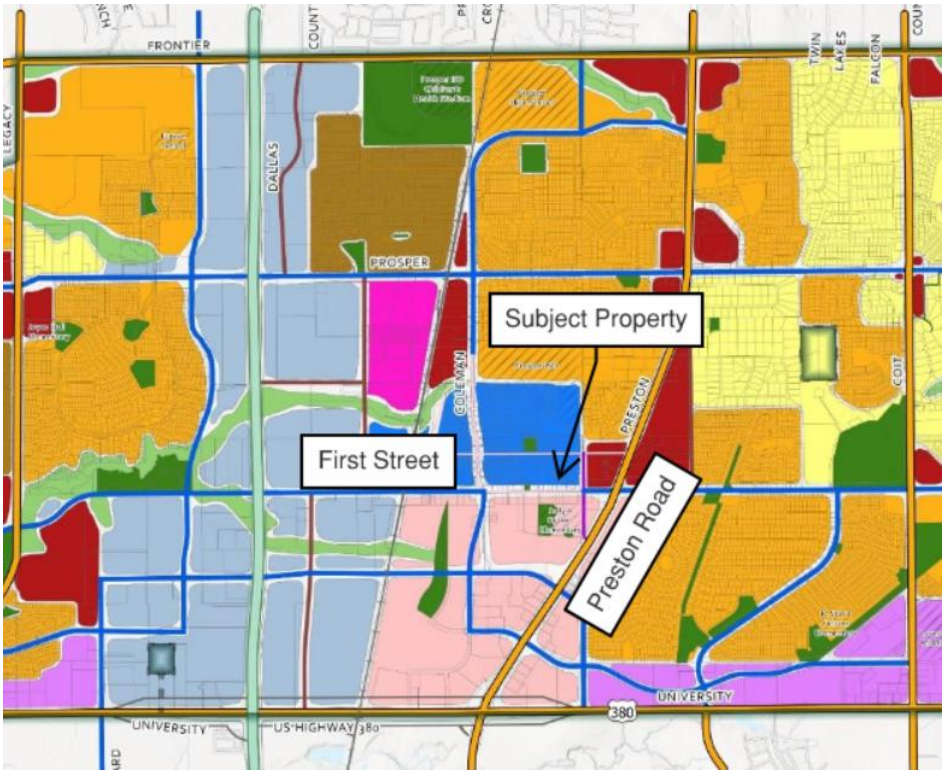
607 E First St

342

Planned Development

Future Land Use Exhibit





ZONE-25-0001

Exhibit "A-1"

Metes & Bounds Description of Property

BEING A 0.681 ACRE TRACT OF LAND SITUATED IN THE COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 147, BEING ALL THAT CERTAIN TRACT OF LAND CONVEYED IN DEED TO CARRIE ANN GAPPINGER, ASRECORDED IN INSTRUMENT NO. 20200131000139690, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, AND ALL THAT CERTAIN TRACT OF LAND CONVEYED IN DEED TO CARRIE A. GAPPINGER, AS RECORDED IN INSTRUMENT NO. 20130114000055400, SAID OFFICIAL PUBLIC RECORDS, SAID TRACTS BEING FULLY DESCRIBED BY METES AND BOUNDS IN DEED RECORDED IN INSTRUMENT NO. 20070705000921820, SAID OFFICIAL PUBLIC RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD SET WITH CAP STAMPED "PREMIER SURVEYING" AT THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, SAID IRON ROD BEIN THE INTERSECTION OF THE WEST LINE OF S. LANE STREET AND THE NORTH LINE OF E. FIRST STREET; THENCE NORTH 89° 59' 16" WEST, A DISTANCE OF 121.92 FEET ALONG SAID NORTH LINE TO A 1/2-INCH IRON ROD SET WITH CAP STAMPED "PREMIER SURVEYING" AT THE SOUTHWEST CORNER OF THIS TRACT; THENCE NORTH 00° 06' 38" EAST, DEPARTING SAID NORTH LINE, A DISTANCE OF 243.17 FEET TO A 1/2-INCH IRON ROD SET WITH CAP STAMPED "PREMIER SURVEYING" AT THE NORTHWEST CORNER OF THIS TRACT, SAID IRON ROD BEING ON THE SOUTH LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO TERRANCE G. QUIGLEY AND WIFE, LINDA CAROL QUIGLEY, AS RECORDED IN INSTRUMENT NO. 93-0096153, AFORESAID OFFICIAL PUBLIC RECORDS; THENCE SOUTH 89° 54' 45" EAST, A DISTANCE OF 122.00 FEET TO AN "X" SET IN CONCRETE AT THE NORTHEAST CORNER OF THIS TRACT AND THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO INYMAC LLC, AS RECORDED IN INSTRUMENT NO. 20210428000849260, SAID OFFICIAL PUBLIC RECORDS, SAID "X" BEING ON THE AFORESAID WEST LINE OF S. LANE STREET; THENCE SOUTH 00° 07' 49" WEST, A DISTANCE OF 243.01 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING AND CONTAINING 29,648 SQUARE FEET OR 0.681 OF ONE ACRE OF LAND.

See Survey for signed Metes and Bounds Description

PROPERTY DESCRIPTION:

BEING A 0.681 ACRE TRACT OF LAND SITUATED IN THE COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 147, BEING ALL THAT CERTAIN TRACT OF LAND CONVEYED IN DEED TO CARRIE ANN GAPPINGER, AS RECORDED IN INSTRUMENT NO. 20200131000139690, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, AND ALL THAT CERTAIN TRACT OF LAND CONVEYED IN DEED TO CARRIE A. GAPPINGER, AS RECORDED IN INSTRUMENT NO. 20130114000055400, SAID OFFICIAL PUBLIC RECORDS, SAID TRACTS BEING FULLY DESCRIBED BY METES AND BOUNDS IN DEED RECORDED IN INSTRUMENT NO. 20070705000921820, SAID OFFICIAL PUBIC RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

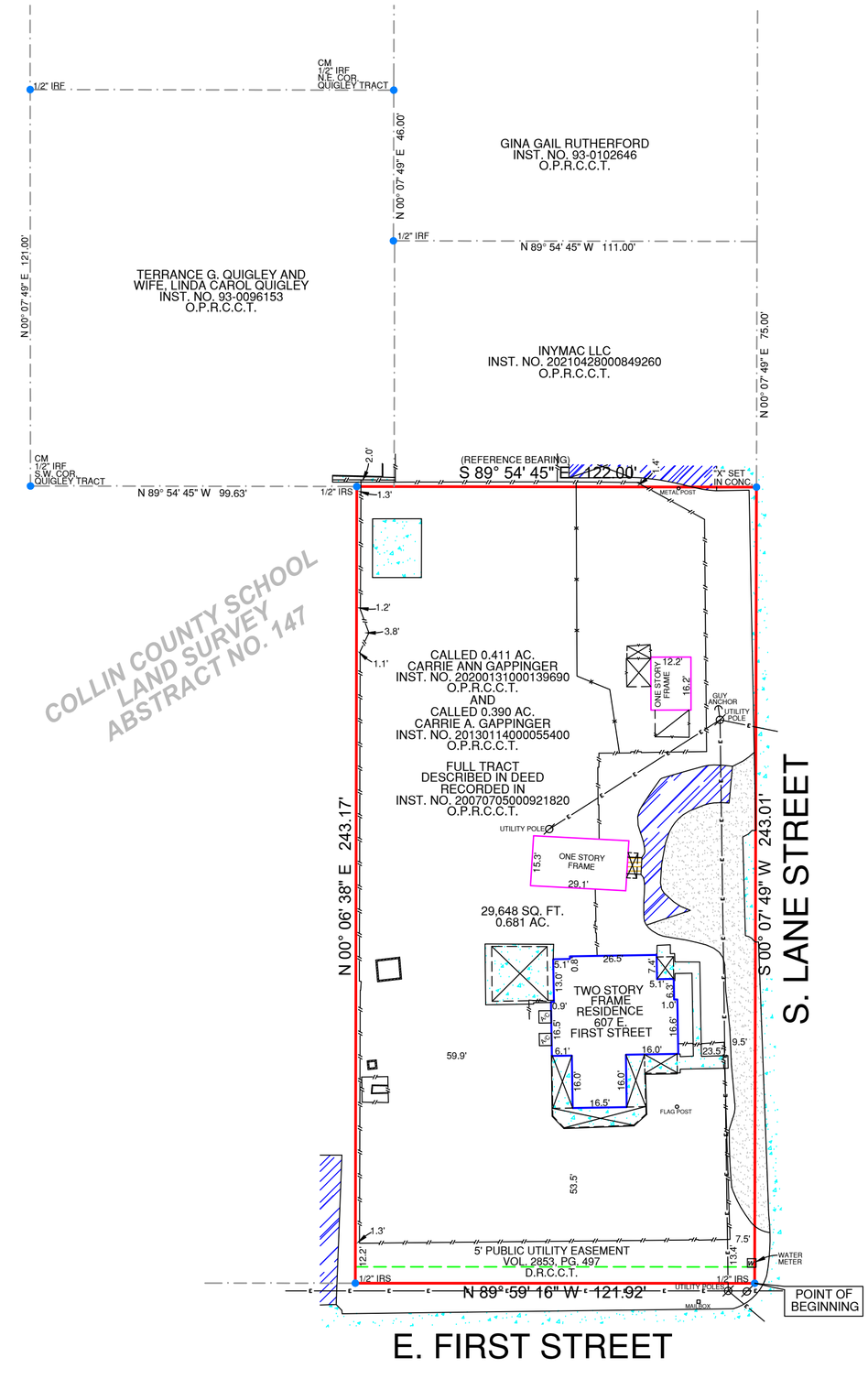
BEGINNING AT A 1/2-INCH IRON ROD SET WITH CAP STAMPED “PREMIER SURVEYING” AT THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, SAID IRON ROD BEIN THE INTERSECTION OF THE WEST LINE OF S. LANE STREET AND THE NORTH LINE OF E. FIRST STREET;

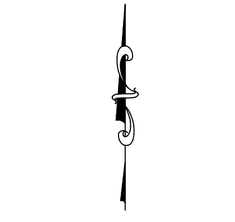
THENCE NORTH 89° 59' 16” WEST, A DISTANCE OF 121.92 FEET ALONG SAID NORTH LINE TO A 1/2-INCH IRON ROD SET WITH CAP STAMPED “PREMIER SURVEYING” AT THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 00° 06' 38” EAST, DEPARTING SAID NORTH LINE, A DISTANCE OF 243.17 FEET TO A 1/2-INCH IRON ROD SET WITH CAP STAMPED “PREMIER SURVEYING” AT THE NORTHWEST CORNER OF THIS TRACT, SAID IRON ROD BEING ON THE SOUTH LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO TERRANCE G. QUIGLEY AND WIFE, LINDA CAROL QUIGLEY, AS RECORDED IN INSTRUMENT NO. 93-0096153, AFORESAID OFFICIAL PUBLIC RECORDS;

THENCE SOUTH 89° 54' 45” EAST, A DISTANCE OF 122.00 FEET TO AN “X” SET IN CONCRETE AT THE NORTHEAST CORNER OF THIS TRACT AND THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO INYMAC LLC, AS RECORDED IN INSTRUMENT NO. 20210428000849260, SAID OFFICIAL PUBLIC RECORDS, SAID “X” BEING ON THE AFORESAID WEST LINE OF S. LANE STREET;

THENCE SOUTH 00° 07' 49” WEST, A DISTANCE OF 243.01 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING AND CONTAINING 29,648 SQUARE FEET OR 0.681 OF ONE ACRE OF LAND.





FEMA NOTE

FLOOD INFORMATION:
THE SUBJECT PROPERTY DOES NOT APPEAR TO LIE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD ZONE ACCORDING TO THE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND HAS A ZONE "X" RATING AS SHOWN BY MAP NO. 48085C0235 J, DATED JUNE 2, 2009.

SURVEYOR'S CERTIFICATION:
THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS. THERE ARE NO VISIBLE AND APPARENT EASEMENTS, CONFLICTS, INTRUSIONS OR PROTRUSIONS, EXCEPT AS SHOWN. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND IS FOR THE EXCLUSIVE USE OF THE HEREON NAMED PURCHASER, MORTGAGE COMPANY, AND TITLE COMPANY ONLY AND THIS SURVEY IS MADE PURSUANT TO THAT CERTAIN TITLE COMMITMENT UNDER THE GF NUMBER SHOWN HEREON, PROVIDED BY THE TITLE COMPANY NAMED HEREON AND THAT THIS DATE, THE EASEMENTS, RIGHTS-OF-WAY, OR OTHER LOCATABLE MATTERS OF RECORD THAT THE UNDERSIGNED HAS KNOWLEDGE OR HAS BEEN ADVISED ARE AS SHOWN OR NOTED HEREON. THIS SURVEY IS SUBJECT TO ANY AND ALL COVENANTS AND RESTRICTIONS PERTAINING TO THE RECORDED DEED REFERENCED HEREON.

GENERAL NOTES

1.) THE BASIS OF BEARINGS FOR THIS SURVEY WAS DERIVED FROM DATA PROVIDED IN THE DEED RECORDED IN INST. NO. 20070705000921820, O.P.R.C.C.T.
2.) THERE ARE NO VISIBLE CONFLICTS OR PROTRUSIONS, EXCEPT AS SHOWN. FENCES MAY BE MEANDERING.
3.) THIS SURVEY IS FOR THE EXCLUSIVE USE OF THE NAMED CLIENT, MORTGAGE COMPANY, TITLE COMPANY, OR OTHER, AND IS MADE PURSUANT TO THAT ONE CERTAIN TITLE COMMITMENT UNDER THE GF NUMBER LISTED HEREON.
4.) AS OF THIS DATE, ALL EASEMENTS, RIGHTS-OF-WAY OR OTHER LOCATABLE MATTERS OF RECORD SHOWN OR NOTED HEREON WERE DERIVED FROM THE RECORDED PLAT, THE VESTING DEED, OR THE TITLE REPORT AND SUPPORTING DOCUMENTS. ALL SUCH ITEMS WERE OBTAINED DURING THE RESEARCH PHASE OF THIS SURVEY OR PROVIDED BY THE CLIENT/TITLE COMPANY LISTED HEREON. PREMIER SURVEYING MAKES NO REPRESENTATION AS TO THE ACCURACY OR COMPLETENESS OF SUCH ITEMS AND HAS MADE NO ATTEMPTS TO OBTAIN OR SHOW ANY ADDITIONAL RESTRICTIONS ON OR NEAR THIS PROPERTY PUT IN PLACE BY LOCAL MUNICIPALITIES OR ASSOCIATIONS.
5.) THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.
6.) THIS SURVEY IS NOT INTENDED TO ADDRESS OR IDENTIFY WETLANDS, FAULT LINES, TOXIC OR HAZARDOUS WASTE AREAS, SUBSIDENCE OR ANY OTHER ENVIRONMENTAL OR GEOLOGICAL ISSUE.
7.) THE EXISTING UTILITIES DEPICTED HEREON ARE BASED ON FIELD LOCATION OF VISIBLE, ABOVE GROUND EVIDENCE. UTILITIES AND OTHER MINOR IMPROVEMENTS MAY EXIST THAT ARE NOT SHOWN ON THIS SURVEY. PREMIER SURVEYING IS NOT RESPONSIBLE FOR THE EXACT LOCATION OF SUBSURFACE UTILITIES, NOR FOR ANY DAMAGES BY ANY CONSTRUCTION OR EXCAVATION ON OR NEAR SAID UTILITIES.
8.) SYMBOLS AS SHOWN IN THE LEGEND ARE NOT TO SCALE AND MAY HAVE BEEN MOVED FROM THE ACTUAL HORIZONTAL LOCATION FOR CLARITY.

ZONE-25-0001

Exhibit "A-2"
Boundary Exhibit

607 E. FIRST STREET
CITY OF PROSPER
COLLIN COUNTY, TEXAS

GF#: 2442615-ATDA	
BORROWER: HEATHER FUJIKAWA AND TYSON FUJIKAWA	
TITLE CO.: INDEPENDENCE TITLE	
PREMIER JOB #: 24-09255	
TECH: MSP/AV	DATE: 01/07/25
FIELD: MJ	FIELD DATE: 01/06/25



CONCRETE
BRICK
ASPHALT
WOOD
STONE
GRAVEL
COVERED AREA
CM = CONTROLLING MONUMENT

WOOD FENCE
CHAIN LINK FENCE
WROUGHT IRON FENCE
BARBWIRE FENCE
R.R. TIE RETAINING WALL
BRICK WALL
STONE WALL
OVERHEAD TELEPHONE LINE
OVERHEAD ELECTRIC LINE
IRF = IRON ROD FOUND
IPF = IRON PIPE FOUND
IRS = IRON ROD SET WITH CAP STAMPED "PREMIER"
MFCP = METAL FENCE COR POST
WFCP = WOOD FENCE COR POST

Independence Title

Premier Surveying LLC
5700 W. Plano Parkway
Suite 1200
Plano, Texas 75093
Office: 972-612-3601
Fax: 855-892-0468
Firm Registration No. 10146200

STATE OF TEXAS
REGISTERED
DAVID APPLE
5932
PROFESSIONAL
LAND SURVEYOR
Registered Professional Land Surveyor

ZONE-25-0001

Exhibit "B"

Statement of Intent & Purpose

4/15/25

607 East First Street
Prosper, TX 75078

Current Zoning: SF-15
Proposed Zoning: Planned Development

Intent & Purpose of Proposed Rezoning:

The exterior of the home will not be significantly altered as a part of the change from a residential use. Keeping the historical nature of the home is viewed as an asset. Minor interior improvements may occur at a later date. At this time, no square footage will be added or removed.

We believe this use is consistent with adjacent parcels, which have previously re-zoned to Downtown Office District. A few examples of businesses located within a block of the subject parcel:

Prosper Pantry- 608 First Street
Social House Chiropractic - 704 E First Street
Ameriprise Financial Services - 705 E First Street
Prosper Insurance Agency - 713 E First Street

Exhibit "B"
Statement of Intent & Purpose (Continued)

Property Description:

The applicant has provided a location for off-street parking as required by city ordinance.

A small sign will be necessary. This sign will comply with signage regulations and be similar to the Prosper Pantry sign in scale.

ZONE-25-0001

Exhibit "C"

Development Standards

This tract shall develop under the regulation of the Downtown Office (DTO) District as outlined in the Town's Zoning Ordinance as it exists or may be amended with the following conditions:

1.0 Permitted Uses

1.1 The permitted uses within this Planned Development District are as follows:

- Administrative, Medical, and Professional Office
- Architectural or Interior Design Studio
- Bed and Breakfast **S**
- Boutique Retail
- Coffee Shop **S**
- Materials Showroom
- Single-Family Dwelling
- Tea Room **S**

2.0 District Regulations

2.1 The district regulation requirements within this Planned Development District are as follows:

- Size of Yards
  - Front Setback (Lane Street) – 25'
  - Side Setback (Northern Boundary) – 5'
  - Side Setback (First Street) – 15'
  - Rear Setback (Western Boundary) – 10'

- Size of Lots
  - Minimum Lot Area – 6,000 SF
  - Minimum Lot Width – 50'
  - Minimum Lot Depth – 120'

- Maximum Height
  - Two stories, no greater than 40'.

- Maximum Lot Coverage
  - Fifty-Five Percent (55%)

3.0 Landscaping & Open Space

3.1 The landscaping requirements within this Planned Development District are as follows:

- Northern Boundary (Adjacent to Residential) – 5’ Landscape Buffer
  - One ornamental tree every 30 linear feet.

- Eastern Boundary (Adjacent to Lane Street) – 5’ Landscape Buffer
  - One ornamental tree every 30 linear feet.

- Southern Boundary (Adjacent to First Street) – 5’ Landscape Buffer
  - One ornamental tree every 30 linear feet.

- Western Boundary (Adjacent to Residential) – 5’ Landscape Buffer
  - One ornamental tree every 30 linear feet.

3.2 The open space requirements within this Planned Development District are as follows:

- Seven percent (7%) of the lot area is required to be open space.

4.0 Screening

4.1 The screening requirements within this Planned Development District are as follows:

- Six-foot (6’) cedar board-on-board wooden fence adjacent to residential development on the northern and western boundaries.

5.0 Architectural Standards

5.1 The architectural standards within this Planned Development District are as follows:

- Existing Structures
  - Exterior alterations not related to maintenance must be approved by the Director of Development Services.

- New Structures
  - Shall consist of masonry materials including clay fired brick, natural, precast, and manufactured stone, granite, and marble. Other materials may be approved by the Director of Development Services.
  - Shall incorporate covered porches into the front façade, a multiplicity of roof forms, and high pitch roof lines. Recommended architectural styles are Craftsman, Folk Traditional, and Victorian.

Site Data Summary Table

Lot Area: 29,664.36 SF (0.689 AC)
Square Footage of Existing Structure: 1,365 SF
Proposed Use: Office*
Required Parking: 4 Spaces*
Provided Parking: 5 Spaces*

*** Final use will dictate required parking count**

"Approx. 250 feet to nearest fire hydrant."

5’ 10’

"Ten-foot (10') ROW dedication with a five-foot (5') access and utility easement"

EXISTING FENCE TO REMAIN

EXISTING FENCE TO REMAIN

15.0'

6 ft tall board on board fence to be installed on north and west boundaries if property is used for commercial purposes.

This tree can remain if parking lot is shifted 20 ft north

REMOVE EXISTING CHICKEN COOP

Pool shown on google maps has been removed

18.0'

9.0'

OE

PROPOSED PARKING AREA

24.0'

EXISTING FENCE TO REMAIN

9.0'

5.0'

Existing shed to remain for storage

LANE STREET

ROW

607 EAST FIRST STREET

EXISTING HOME
1,365 SF - MAIN LEVEL

EXISTING FENCE TO REMAIN

Per the Fire Department, fire hydrant may be added to the property near the corner of Lane Street and First Street.

PROPOSED LANDSCAPE EASEMENT

Variable

UTILITY EASEMENT

ROW

Approx. 130 feet to nearest fire hydrant.

"ROW Dedication as required for Town CIP project."

"Approx. 380 feet to nearest fire hydrant."

OE OE OE OE OE OE OE OE OE OE OE OE OE OE OE OE

Text

FIRST STREET

Parking shown is general concept of parking spaces to be provided. The final configuration will depend on the final parking space count. Parking spaces shall be shifted to accommodate a 15-foot setback before the first stall, measured from the right-of-way line. If it is deemed that more than five to six spaces are required based on the proposed use, the parking area will be shifted more north to accommodate the increase.

607 EAST FIRST STREET

ACREAGE: 0.681 ACRES
TOWN PROJECT NUMBER: ZONE-25-0001
EXHIBIT D - CONCEPT PLAN
PROSPER, TEXAS
APRIL 8, 2025

0 10 20
SCALE IN FEET

Exhibit "E"

Development Schedule

The applicant intends to begin business operations at this location within 90 days of obtaining the required rezoning.

ZONE-25-0001

Exhibit "F"

Elevations

Only Minor alterations of the exterior are anticipated (maintenance related painting).



View from First Street Looking North



View from side yard, looking East



View from First Street Looking Northeast



View from lane Street Looking South/Southwest

Five-foot landscape buffer will one ornamental tree every 30 linear feet shall be shown on official Landscape Plan that is submitted with Site Plan.

Five-foot landscape buffer will one ornamental tree every 30 linear feet shall be shown on official Landscape Plan that is submitted with Site Plan.

Pool has been removed.

Detailed tree survey will be provided at the time of Site Plan.

Landscape islands shall be provided at the terminus of all parking rows, contain one large tree, and not be located within landscape easements.

Parking shown is general concept of parking spaces to be provided. The final configuration will depend on the final parking space count. Parking spaces shall be shifted to accommodate a 15-foot setback before the first stall, measured from the right-of-way line. If it is deemed that more than four to five spaces are required based on the proposed use, the parking area will be shifted more north to accommodate the increase.

Landscape easement (along Lane Street) shall be exclusive of five-foot (5') utility and access easement, be five feet (5') in width, and have one ornamental tree every 30 linear feet. This shall be shown on official Landscape Plan that is submitted with Site Plan.

Landscape easement shall be five feet (5') in width and have one ornamental tree every 30 linear feet. This shall be shown on official Landscape Plan that is submitted with Site Plan.

Ornamental tree species will be in accordance with hardiness zone of North Texas and determined at the time of a Site Plan.

5’
10’
15.0'
EXISTING FENCE TO REMAIN
REMOVE EXISTING CHICKEN COOP
HT 4
TS 9
18.0'
9.0'
OE
PROPOSED PARKING AREA
24.0'
9.0'
5.0'
TS 46
EXISTING SHED TO REMAIN
607 EAST FIRST STREET
EXISTING HOME
1,365 SF - MAIN LEVEL
ROW
LANE STREET
EXISTING FENCE TO REMAIN
PROPOSED LANDSCAPE EASEMENT
Variable
UTILITY EASEMENT
ROW Dedication as required for Town CIP project.
FIRST STREET
BO 2

PLANT SCHEDULE					
SYMBOL	CODE	COMMON / BOTANICAL NAME	SIZE	TYPE	QTY
TREES					
+	BO	BURR OAK / QUERCUS MACROCARPA	B & B	3" Cal	2
ORN. TREES					
	HT	THORNLESS HAWTHORN / CRATAEGUS CRUS-GALLI `INERMIS`	B & B	3" Cal	4
	CODE	COMMON / BOTANICAL NAME	SIZE	TYPE	QTY
SHRUBS					
	TS	BIRCHLEAF SPIREA / SPIRAEA BETULIFOLIA `TOR`	5 GAL		55

607 EAST FIRST STREET

ACREAGE: 0.681 ACRES
TOWN PROJECT NUMBER: ZONE-25-0001
EXHIBIT G - LANDSCAPE PLAN
PROSPER, TEXAS
APRIL 8, 2025

0 10 20
SCALE IN FEET

607 EAST FIRST STREET DEVELOPMENT AGREEMENT

THIS 607 EAST FIRST STREET DEVELOPMENT AGREEMENT ("Agreement") is entered into by and between the Town of Prosper, Texas ("Town"), and Carrie Gappinger ("Developer"), individually, a "Party" and collectively, the "Parties," to be effective (the "Effective Date") on the latest date executed by a Party.

WHEREAS, the Town is a home-rule municipal corporation, located in Collin County and Denton County, Texas, organized and existing under the laws of the State of Texas; and

WHEREAS, Developer is developing a project in the Town known as 607 East First Street ("Property"), a legal description of which Property is attached hereto as Exhibit A and incorporated by reference; and

WHEREAS, the Property was rezoned by the Town Council on or about _____, 2025, and this Agreement seeks to incorporate, in part, the negotiated and agreed upon development standards contained in the underlying zoning ordinance, as may be amended, and/or this Development Agreement, to recognize Developer's reasonable investment-backed expectations in said development, as may be amended, and as more fully described herein.

NOW, THEREFORE, in consideration of the foregoing premises, and for other good and valuable consideration the receipt and adequacy of which are hereby acknowledged, the Parties to this Agreement agree as follows:

1. Development Standards. For any structure built on the Property following the Effective Date, it shall comply with the requirements contained in Exhibit B, "Building Materials," attached hereto and incorporated herein. The Parties agree and acknowledge that the provisions of this Paragraph shall apply to any structure constructed subsequent to the execution of this Agreement. Nothing in this Agreement shall be deemed to modify or otherwise amend any zoning regulation duly adopted by the Town, previously or in the future.

2. Maintenance of Landscape Areas.

A. Developer agrees to maintain all Landscape Areas (including all vegetation) on the Property, as referenced and/or depicted in the applicable zoning ordinance, as amended, free of weeds, tall grass, rubbish, brush and other objectionable, unsightly or unsanitary matter, as defined in Article 6.03 of Chapter 6 of the Town's Code of Ordinances, as amended. Further, Developer agrees that landscape maintenance obligations referenced herein include mulching of Landscape Areas, prompt replacement of dead or dying vegetation with new vegetation, mowing of

Landscape Areas, where required, and other routine and regular maintenance of plants and other vegetation.

B. In the event that any Landscape Area or plants or vegetation is/are not properly maintained in accordance with this Agreement, the Town may give written notice to Developer of such failure to maintain and Developer shall promptly address such failure, taking into account the type(s) and species of such plants and vegetation and applicable planting cycles of same. After such notice, and Developer's failure to address same, Developer agrees and acknowledges that the Town shall have the right to go onto Developer's property and replace, replant or otherwise address such failure to maintain any Landscape Area or plants or vegetation, with an invoice of costs incurred by the Town being promptly provided by the Town to Developer. In the event Developer does not pay such invoice within thirty (30) days of receipt by Developer, the Town may file a lien on the Property for the costs it incurred for the work done, including a reasonable administrative fee. Any failure to maintain any Landscape Area, plants or vegetation shall not be considered a default in accordance with Paragraph 7 of this Agreement, and any obligations referenced in said Paragraph shall not be applicable to this Paragraph 2.

C. Notwithstanding any provision in this Paragraph to the contrary, the Town specifically reserves the right to take enforcement action and/or file a complaint against Developer in the Town's municipal court (or other appropriate forum) relative to weeds, tall grass, rubbish, brush and other objectionable, unsightly or unsanitary matter on the Property, in accordance with Article 6.03 of Chapter 6 of the Town's Code of Ordinances, as amended.

3. **Certain Business Establishments Prohibited**. Developer agrees and acknowledges that it will not lease, sell or otherwise permit or authorize on the Property any of the following business establishments: (1) credit access businesses, as defined in Texas Finance Code § 393.601, as amended, including but not limited to payday lending businesses, "cash for title" lenders, and credit services businesses, as defined in Texas Finance Code § 393.001, as amended); (2) body art facilities; (3) smoke or vape shops; (4) any business entity that sells drug paraphernalia; (5) any business establishment offering gaming or slot machines; (6) sex shops, including but not limited to business entities whose primary purpose is the sale of lewd merchandise; (7) pawn shops; and (8) business entities which primarily utilize outdoor storage or displays. Additionally, Developer agrees and acknowledges that it will not lease, sell or otherwise permit or authorize on the Property a package liquor store, which for purposes of this Agreement is defined as any business entity that is required to obtain a Package Store Permit (P) from the Texas Alcoholic Beverage Commission for the off-premises consumption of alcohol.

4. **Covenant Running with the Land**. The terms, conditions, rights, obligations, benefits, covenants and restrictions of the provisions of this Agreement shall

be deemed covenants running with the land, and shall be binding upon and inure to the benefit of the Developer and its heirs, representatives, successors and assigns. This Agreement shall be deemed to be incorporated into each deed and conveyance of the Property or any portion thereof hereafter made by any other Developers of the Property, regardless of whether this Agreement is expressly referenced therein.

5. Applicability of Town Ordinances. Developer shall develop the Property, and construct all structures on the Property, in accordance with all applicable Town ordinances and building/construction codes.

6. Default. No Party shall be in default under this Agreement until notice of the alleged failure of such Party to perform has been given (which notice shall set forth in reasonable detail the nature of the alleged failure) and until such Party has been given a reasonable time to cure the alleged failure (such reasonable time determined based on the nature of the alleged failure, but in no event less than thirty (30) days after written notice of the alleged failure has been given). In addition, no Party shall be in default under this Agreement if, within the applicable cure period, the Party to whom the notice was given begins performance and thereafter diligently and continuously pursues performance until the alleged failure has been cured. If either Party is in default under this Agreement, the other Party shall have the right to enforce the Agreement in accordance with applicable law, provided, however, in no event shall any Party be liable for consequential or punitive damages

7. Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Collin County, Texas. Exclusive venue for any action arising under this Agreement shall lie in Collin County, Texas.

8. Notice. Any notices required or permitted to be given hereunder (each, a "Notice") shall be given by certified or registered mail, return receipt requested, to the addresses set forth below or to such other single address as either party hereto shall notify the other:

If to the Town: The Town of Prosper
250 W. First Street
Prosper, Texas 75078
Attention: Town Manager

If to Developer: Carrie Ann Gappinger
607 E. First Street
Prosper, Texas 75078
Attention: Carrie Gappinger

9. Prevailing Party. In the event any person initiates or defends any legal action or proceeding to enforce or interpret any of the terms of this Agreement, the

prevailing party in any such action or proceeding shall be entitled to recover its reasonable costs and attorney's fees (including its reasonable costs and attorney's fees on any appeal).

10. Entire Agreement. This Agreement contains the entire agreement between the Parties hereto with respect to development of the Property and supersedes all prior agreements, oral or written, with respect to the subject matter hereof. The provisions of this Agreement shall be construed as a whole and not strictly for or against any Party.

11. Savings/Severability. In the event any provision of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable, the Agreement shall, to the extent reasonably possible, remain in force as to the balance of its provisions as if such invalid provision were not a part hereof.

12. Binding Agreement. A telecopied facsimile of a duly executed counterpart of this Agreement shall be sufficient to evidence the binding agreement of each party to the terms herein, including without limitation a scanned copy sent via electronic mail by either Party.

13. Authority to Execute. This Agreement shall become a binding obligation on the Parties upon execution by all Parties hereto. The Town warrants and represents that the individual executing this Agreement on behalf of the Town has full authority to execute this Agreement and bind the Town to the same. Developer warrants and represents that the individual executing this Agreement on behalf of Developer has full authority to execute this Agreement and bind Developer to the same. The Town Council hereby authorizes the Town Manager of the Town to execute this Agreement on behalf of the Town.

14. Filing in Deed Records. This Agreement, and any and all subsequent amendments to this Agreement, shall be filed in the deed records of Collin County, Texas.

15. Mediation. In the event of any disagreement or conflict concerning the interpretation of this Agreement, and such disagreement cannot be resolved by the signatories hereto, the signatories agree to submit such disagreement to nonbinding mediation.

16. Notification of Sale or Transfer; Assignment of Agreement. Developer shall notify the Town in writing of any sale or transfer of all or any portion of the Property, within ten (10) business days of such sale or transfer. Developer has the right (from time to time without the consent of the Town, but upon written notice to the Town) to assign this Agreement, in whole or in part, and including any obligation, right, title, or interest of Developer under this Agreement, to any person or entity (an "Assignee") that is or will

become a Developer of any portion of the Property or that is an entity that is controlled by or under common control with Developer. Each assignment shall be in writing executed by Developer and the Assignee and shall obligate the Assignee to be bound by this Agreement. A copy of each assignment shall be provided to the Town within ten (10) business days after execution. Provided that the successor Developer assumes the liabilities, responsibilities, and obligations of the assignor under this Agreement, the assigning party will be released from any rights and obligations under this Agreement as to the Property that is the subject of such assignment, effective upon receipt of the assignment by the Town. No assignment by Developer shall release Developer from any liability that resulted from an act or omission by Developer that occurred prior to the effective date of the assignment. Developer shall maintain true and correct copies of all assignments made by Developer to Assignees, including a copy of each executed assignment and the Assignee's Notice information.

17. **Sovereign Immunity**. The Parties agree that the Town has not waived its sovereign immunity from suit by entering into and performing its obligations under this Agreement.

18. **Effect of Recitals**. The recitals contained in this Agreement: (a) are true and correct as of the Effective Date; (b) form the basis upon which the Parties negotiated and entered into this Agreement; (c) are legislative findings of the Town Council; and (d) reflect the final intent of the Parties with regard to the subject matter of this Agreement. In the event it becomes necessary to interpret any provision of this Agreement, the intent of the Parties, as evidenced by the recitals, shall be taken into consideration and, to the maximum extent possible, given full effect. The Parties have relied upon the recitals as part of the consideration for entering into this Agreement and, but for the intent of the Parties reflected by the recitals, would not have entered into this Agreement.

19. **Consideration**. This Agreement is executed by the Parties hereto without coercion or duress and for substantial consideration, the sufficiency of which is forever confessed.

20. **Counterparts**. This Agreement may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes. A facsimile signature will also be deemed to constitute an original.

21. **Amendment**. This Agreement shall not be modified or amended except in writing signed by the Parties. A copy of each amendment to this Agreement, when fully executed and recorded, shall be provided to each Party, Assignee and successor Developer of all or any part of the Property; however, the failure to provide such copies shall not affect the validity of any amendment.

22. **Miscellaneous Drafting Provisions**. This Agreement shall be deemed drafted equally by all Parties hereto. The language of all parts of this Agreement shall

be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any Party shall not apply.

23. Waiver of Texas Government Code § 3000.001 *et seq*. With respect to any and all Structures to be constructed on the Property pursuant to this Agreement, Developer hereby waives any right, requirement or enforcement of Texas Government Code §§ 3000.001-3000.005, as amended.

24. Third-Party Beneficiaries. Nothing in this Agreement shall be construed to create any right in any Third-Party not a signatory to this Agreement, and the Parties do not intend to create any third-party beneficiaries by entering into this Agreement.

25. Rough Proportionality. Developer hereby agrees that any land or property donated and/or dedicated pursuant to this Agreement, whether in fee simple or otherwise, to the Town relative to any development on the Property is roughly proportional to the need for such land and Developer hereby waives any claim therefor that it may have. Developer further acknowledges and agrees that all prerequisites to such a determination of rough proportionality have been met, and that any costs incurred relative to said donation are related both in nature and extent to the impact of the development referenced herein. Both Developer and the Town further agree to waive and release all claims one may have against the other related to any and all rough proportionality and individual determination requirements mandated by the United States Supreme Court in *Dolan v. City of Tigard*, 512 U.S. 374 (1994), and its progeny, as well as any other requirements of a nexus between development conditions and the provision of roadway services to the Property.

26. Exactions/Infrastructure Costs. Developer has been represented by legal counsel in the negotiation of this Agreement and been advised or has had the opportunity to have legal counsel review this Agreement and advise Developer, regarding Developer's rights under Texas and federal law. Developer hereby waives any requirement that the Town retain a professional engineer, licensed pursuant to Chapter 1001 of the Texas Occupations Code, to review and determine that the exactions required by the Town are roughly proportional or roughly proportionate to the proposed development's anticipated impact. Developer specifically reserves its right to appeal the apportionment of municipal infrastructure costs in accordance with § 212.904 of the Texas Local Government Code; however, notwithstanding the foregoing, Developer hereby releases the Town from any and all liability under § 212.904 of the Texas Local Government Code, as amended, regarding or related to the cost of those municipal infrastructure requirements imposed by this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this document to be executed as of the date referenced herein.

TOWN:

THE TOWN OF PROSPER, TEXAS

By: _____
Name: Mario Canizares
Title: Town Manager, Town of Prosper

STATE OF TEXAS)
)
COUNTY OF COLLIN)

This instrument was acknowledged before me on the ___ day of _____, 2025, by Mario Canizares, Town Manager of the Town of Prosper, Texas, on behalf of the Town of Prosper, Texas.

_____
Notary Public, State of Texas
My Commission Expires:

_____

DEVELOPER:

CARRIE ANN GAPPINGER

By: _____
Name: Carrie Gappinger
Title: _____

STATE OF TEXAS)
)
COUNTY OF COLLIN)

This instrument was acknowledged before me on the ___ day of _____, 2025, by Carrie Gappinger on behalf of Carrie Ann Gappinger, known to be the person whose name is subscribed to the foregoing instrument, and that he executed the same on behalf of and as the act of Developer.

_____
Notary Public, State of Texas
My Commission Expires:

_____

EXHIBIT A
(Property Description & Depiction)

PROPERTY DESCRIPTION:

BEING A 0.681 ACRE TRACT OF LAND SITUATED IN THE COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 147, BEING ALL THAT CERTAIN TRACT OF LAND CONVEYED IN DEED TO CARRIE ANN GAPPINGER, AS RECORDED IN INSTRUMENT NO. 20200131000139690, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, AND ALL THAT CERTAIN TRACT OF LAND CONVEYED IN DEED TO CARRIE A. GAPPINGER, AS RECORDED IN INSTRUMENT NO. 20130114000055400, SAID OFFICIAL PUBLIC RECORDS, SAID TRACTS BEING FULLY DESCRIBED BY METES AND BOUNDS IN DEED RECORDED IN INSTRUMENT NO. 20070705000921820, SAID OFFICIAL PUBIC RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD SET WITH CAP STAMPED "PREMIER SURVEYING" AT THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, SAID IRON ROD BEIN THE INTERSECTION OF THE WEST LINE OF S. LANE STREET AND THE NORTH LINE OF E. FIRST STREET;

THENCE NORTH 89° 59' 16" WEST, A DISTANCE OF 121.92 FEET ALONG SAID NORTH LINE TO A 1/2-INCH IRON ROD SET WITH CAP STAMPED "PREMIER SURVEYING" AT THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 00° 06' 38" EAST, DEPARTING SAID NORTH LINE, A DISTANCE OF 243.17 FEET TO A 1/2-INCH IRON ROD SET WITH CAP STAMPED "PREMIER SURVEYING" AT THE NORTHWEST CORNER OF THIS TRACT, SAID IRON ROD BEING ON THE SOUTH LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO TERRANCE G. QUIGLEY AND WIFE, LINDA CAROL QUIGLEY, AS RECORDED IN INSTRUMENT NO. 93-0096153, AFORESAID OFFICIAL PUBLIC RECORDS;

THENCE SOUTH 89° 54' 45" EAST, A DISTANCE OF 122.00 FEET TO AN "X" SET IN CONCRETE AT THE NORTHEAST CORNER OF THIS TRACT AND THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO INYMAC LLC, AS RECORDED IN INSTRUMENT NO. 20210428000849260, SAID OFFICIAL PUBLIC RECORDS, SAID "X" BEING ON THE AFORESAID WEST LINE OF S. LANE STREET;

THENCE SOUTH 00° 07' 49" WEST, A DISTANCE OF 243.01 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING AND CONTAINING 29,648 SQUARE FEET OR 0.681 OF ONE ACRE OF LAND.

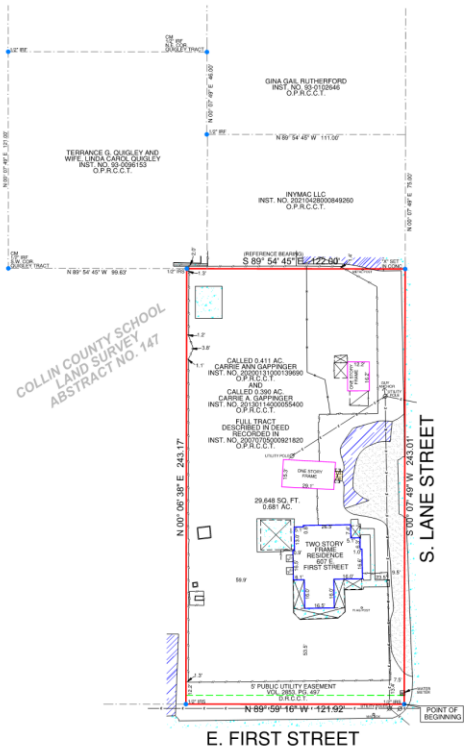




Exhibit "A-2"
Boundary Exhibit

607 E. FIRST STREET	GF#: 2442615-ATDA
CITY OF PROSPER	BORROWER: HEATHER FUJIKAWA AND TYSON FUJIKAWA
COLLIN COUNTY, TEXAS	TITLE CO.: INDEPENDENCE TITLE
	PREMIER JOB #: 24-09255
	TECH: MSP/AV DATE: 01/07/25
	FIELD: MJ FIELD DATE: 01/06/25



Independence Title

Premier Surveying LLC
5700 W. Plano Parkway
Suite 1200
Plano, Texas 75093
Office: 972-612-3601
Fax: 855-892-0468
Firm Registration No. 10146200

EXHIBIT B
(Building Materials)

Architectural and Material Standards.

i. Review and Approval Process.

1. The conceptual elevations are intended to evoke a general look and feel of the architecture. Changes to materials and architectural elements are permitted so long as the building elevations adhere to the regulations outlined in the Design Guidelines of this Exhibit B.

ii. Design Guidelines.

1. Exterior alterations to existing structures, not related to maintenance, must be approved by the Director of Development Services.
2. New structures shall consist of masonry materials including clay fired brick, natural, precast, and manufactured stone, granite, three-step stucco, and marble. Other materials may be approved by the Director of Development Services.
3. New structures shall incorporate covered porches into the front façade, a multiplicity of roof forms, and high pitch roof lines. Recommended architectural styles are Craftsman, Folk Traditional, and Victorian.









[redacted]

Sent: Tuesday, May 13, 2025 9:42 AM
To: Planning
Subject: [*EXTERNAL*] - Re Zoning 25-0001 Request - 607 E 1st Street, Prosper, Texas 75078

***** This is an email from an EXTERNAL source. DO NOT click links or open attachments without positive sender verification of purpose. Never enter USERNAME, PASSWORD or sensitive information on linked pages from this email. *****

Planning Dept,

Please accept this email to support a few objections/concerns I have regarding the proposed zoning change 25-0001. I understand the proposed use is for a business office such as a small architectural/design office. While I do not object to this type of commercial office use; as a local resident I do have some concerns about the re-development of its lot if this zoning request is to be permitted.

If the North side of their lot (the backyard area) is converted into parking spaces for the business, I would have concerns as a neighbor having to look at a busy parking lot from my home. I understand they would need to make parking available for a business but I would suggest they need to implement some sort of barrier, or wall (that is aesthetically pleasing), to hide the parking lot from visibility.

If this property is zoned commercial I am okay with that as long as extra precautions are made to keep in with the local look and feel. I would not support this request if the current projected use (small business office) could in the future change into a larger commercial building, like a pre-school or medical office building with heavier traffic. That would be concerning as a resident.

I understand East 1st Street & Broadway Street is becoming popular for commercial use and I feel there should be strict criteria/restrictions given to these zoning requests in our area here as it is still largely residential. I am not opposed to these changes on these streets but I would be if it disturbed the peace of our neighborhood such as: the noise level, traffic, building structure/privacy, et cet. Thank you for your time.

Regards,
Jaime Pool