

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



TABLE OF CONTENTS

PROJECT FOUNDATION.....	1
Relationship to Town of Prosper Comprehensive Plan	1
ZONING REGULATIONS.....	2
Exhibit A— Zoning Exhibit & Legal Description	2
Exhibit A-1— Zoning Exhibit & Legal Description.....	3
Exhibit B—Statement of Intent and Purpose.....	8
Exhibit C—Planned Development Standards	9
<i>Planned Development General Provisions</i>	10
<i>Subdistrict 1—Regional Retail</i>	11
<i>Subdistrict 2—Lifestyle Center</i>	17
<i>Subdistrict 3—Downtown Center</i>	28
<i>Subdistrict 4—Residential Neighborhood</i>	35
<i>General Requirements</i>	39
<i>Permitted Use Matrix</i>	44
<i>Infrastructure Design Standards</i>	54
<i>Definitions</i>	55
Exhibit E—Development Schedule	57
Exhibit F—Supplemental Design Guidelines	59
<i>Design Principles</i>	60
<i>Site Design</i>	61
<i>Building Design</i>	62
<i>Public Realm Design</i>	64
<i>Urban Residential Development Guidelines</i>	65
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 11°23'13" East, a distance of 2716.96 feet to a point for corner;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



GATES OF PROSPER

North 00°09'58" West, a distance of 104.29 feet to a point for corner;
North 89°41'07" East, a distance of 455.63 feet to a point for corner in the centerline of Coleman Street;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**EXHIBIT “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 $30^{\circ}02'25''$, having a radius of 83.00 feet, a chord bearing of North $76^{\circ}18'49''$ West, a chord distance of 43.02 feet and an arc length of 43.52 feet to the end of said curve;

North $00^{\circ}00'00''$ 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 $13^{\circ}19'52''$, having a radius of 338.00 feet, a chord bearing of North $75^{\circ}21'32''$ 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 $39^{\circ}59'13''$, having a radius of 38.00 feet, a chord bearing of North $48^{\circ}42'00''$ 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 $28^{\circ}42'24''$ 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 $35^{\circ}41'21''$, having a radius of 83.00 feet, a chord bearing of North $10^{\circ}51'43''$ 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 $06^{\circ}58'57''$ 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 $06^{\circ}58'57''$, having a radius of 546.00 feet, a chord bearing of North $03^{\circ}29'29''$ West, a chord distance of 66.50 feet and an arc length of 66.54 feet to the point of tangency of said curve;

THENCE North $00^{\circ}00'00''$ 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 $03^{\circ}48'51''$ West, a distance of 150.33 feet to a corner;

North $00^{\circ}00'00''$ East, a distance of 125.00 feet to a corner;

North $45^{\circ}00'00''$ West, a distance of 35.36 feet to a corner;

North $00^{\circ}00'00''$ East, a distance of 110.00 feet to a corner;

North $45^{\circ}00'00''$ East, a distance of 35.36 feet to a corner;

North $90^{\circ}00'00''$ East, a distance of 110.00 feet to a corner;

South $45^{\circ}00'00''$ East, a distance of 35.36 feet to a corner;

North $90^{\circ}00'00''$ East, a distance of 150.00 feet to a corner;

THENCE South $86^{\circ}11'09''$ 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 $90^{\circ}00'00''$ 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 $34^{\circ}09'35''$, having a radius of 895.00 feet, a chord bearing of South $72^{\circ}55'13''$ 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 $55^{\circ}50'25''$ East, a distance of 56.69 feet to a corner;

South $59^{\circ}39'16''$ East, a distance of 150.33 feet to a corner;

South $55^{\circ}50'25''$ East, a distance of 125.21 feet to a corner;

North $78^{\circ}55'07''$ 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

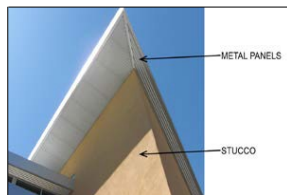
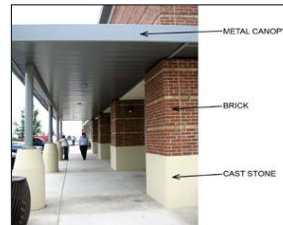
Notes

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.

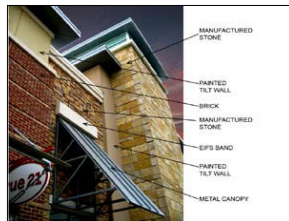
2.3.3 Building Materials. Exterior materials used in the construction of buildings shall comply with the following standards.

- 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.





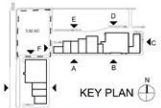
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GATES OF PROSPER

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-



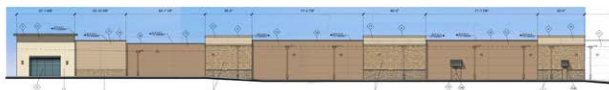
SOUTH ELEVATION - FRONT "A"



SOUTH ELEVATION - FRONT "B"



EAST ELEVATION - FRONT "C"



NORTH ELEVATION - REAR "D"

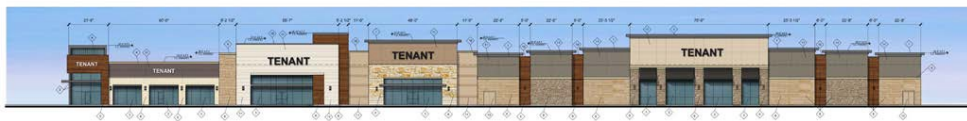


WEST ELEVATION - SIDE "F"



NORTH ELEVATION - REAR "E"

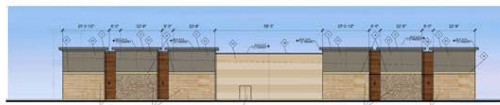
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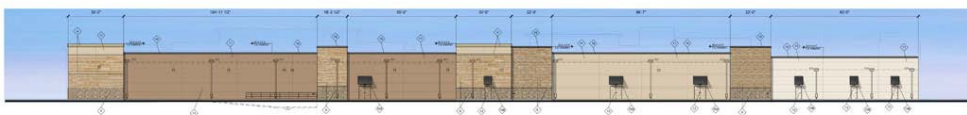
EAST ELEVATION - FRONT "G"



SOUTH ELEVATION - FRONT "J"



NORTH ELEVATION - SIDE "H"

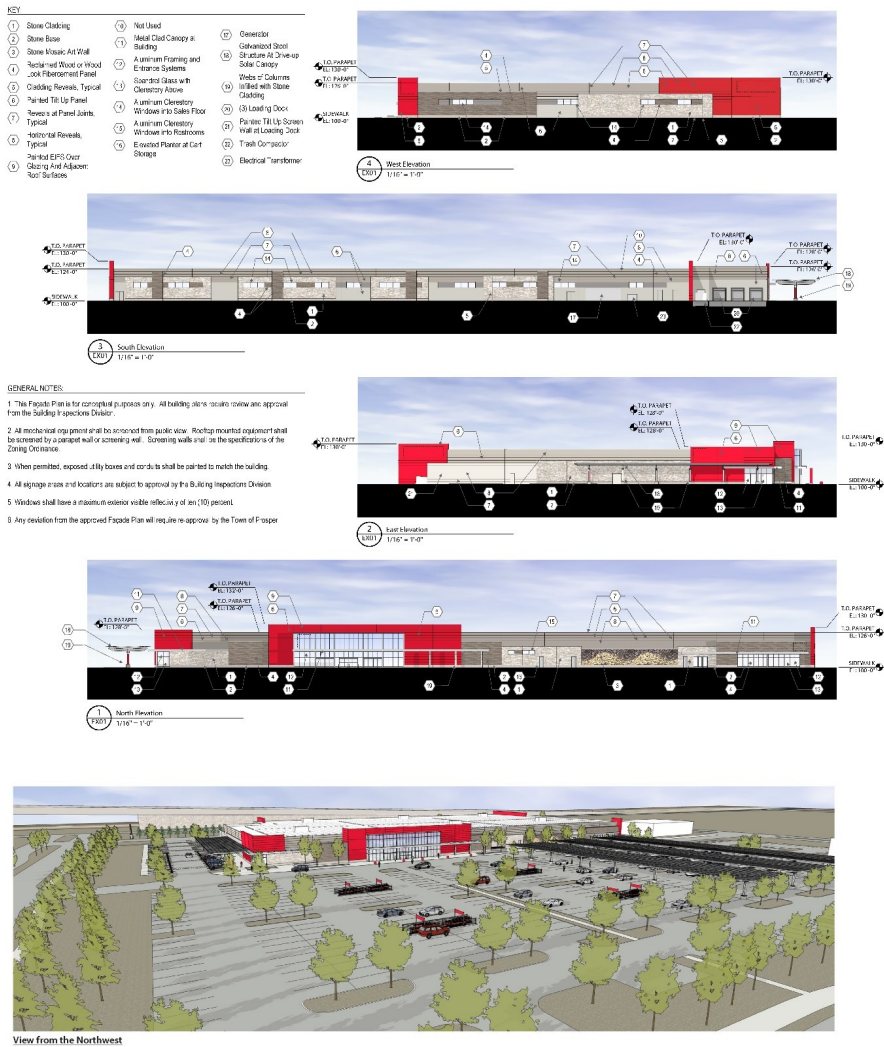


WEST ELEVATION - REAR "I"



GATES OF PROSPER

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.

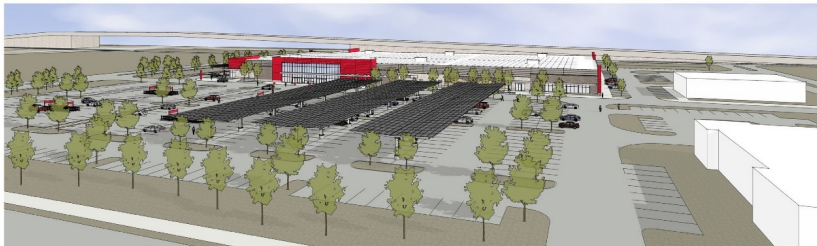




GATES OF PROSPER



View from the North



Birds Eye View from the Northwest



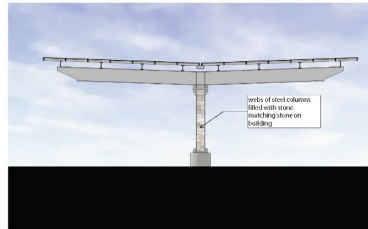
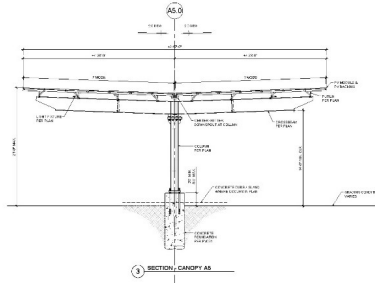
View from the North East



View from the West



GATES OF PROSPER





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.



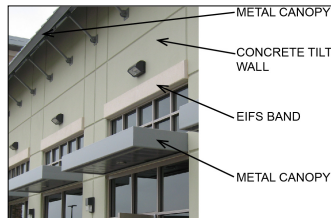
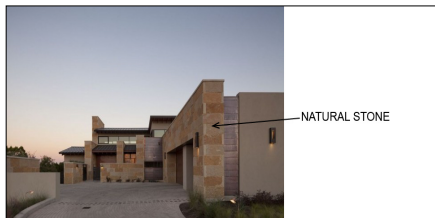
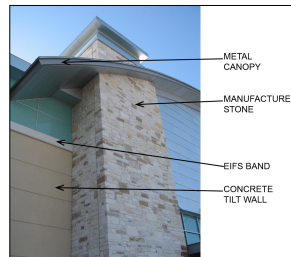
4. No structure shall exceed two stories or 40' when located 150 feet or less from a single family zoning district.
5. Main parking structure should not exceed the height of adjacent building it is serving. The maximum allowed height is reduced to 40' if predominately visible to public ROW unless otherwise 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.



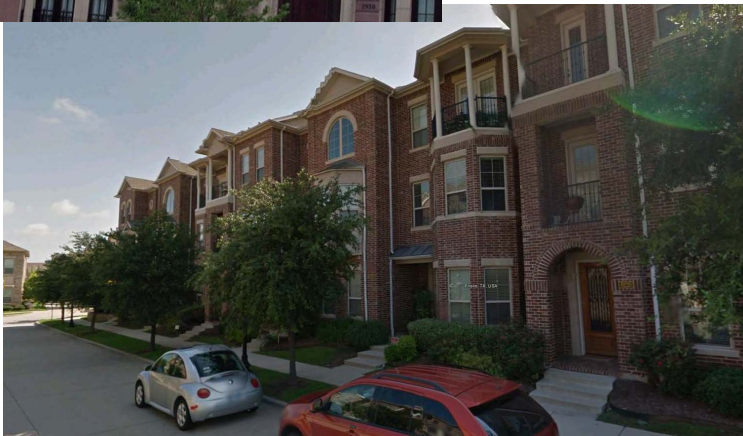
b. Townhome building types shall comply with the following standards.

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 cementitious 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.



GATES OF PROSPER

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 oriel; 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.





GATES OF PROSPER





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 ⁽¹⁾	Minimum Side	Minimum Corner	Minimum Rear
Townhome ^(1,2)	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. ⁽⁴⁾
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.
2. Vehicular access for Townhomes shall be provided at the rear of the unit via alleys.
 - All garage doors are to be cedar/wood clad or shall be finished to give the appearance of a real wood door equivalent. Plain metal garage doors are not permitted.
3. A minimum building separation of 10 feet is required.
4. Due to the urban nature of this development, the front setback shall not be staggered.
5. 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	1,800-2,500 sq. ft.	20 ft.	90 ft.	90%	150 du/ae
Single Family Multifamily ⁽²⁾	6,875-10,000 sq. ft.	55-80 ft.	100-100 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 Subdistricts may not exceed 600 units. The maximum number of Townhome units in Subdistrict 3 shall be 150 units. However, the maximum combined number of Townhome units in all subdistricts may not exceed 150 units. Any residential units not developed within Subdistrict 3 shall be allowed to be developed in Subdistrict 2 provided the density standards for each Housing Type (See Tables 3-3 and 3-5) for Subdistrict 2 are followed. 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⁽⁵⁷⁾

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 ⁽⁴⁶⁾
Single Family Detached	40 ft.	2 ⁽⁴⁾
Multifamily, Urban Living ⁽³⁾	40 ft.	2 ⁽⁴⁾
Parking Structures ⁽³⁵⁾	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.~~
35. 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.
46. The minimum height of a townhome is two-story.
57. 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.



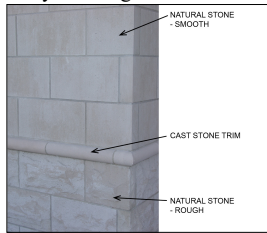
GATES OF PROSPER

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

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



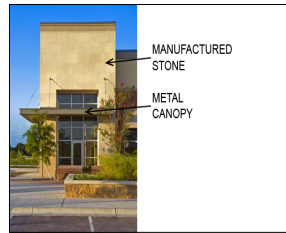
ARCHITECTURAL
CONCRETE
BLOCKS



NATURAL STONE
- SMOOTH

CAST STONE TRIM

NATURAL STONE
- ROUGH



MANUFACTURED
STONE

METAL
CANOPY

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

- ~~3.2.~~ 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~~



WOOD
FACADE

WOOD
SOFFIT

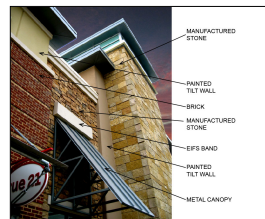


PAINTED
TILT WALL

EPS BAND

METAL CANOPY

NATURAL
STONE



MANUFACTURED
STONE

PAINTED
TILT WALL

BRICK

MANUFACTURED
STONE

EPS BAND

PAINTED
TILT WALL

METAL CANOPY



~~ordinance also applies in this subdistrict.~~

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

1. The exterior facades shall be constructed of 100% masonry. Masonry finishes include clay fired brick, natural and manufactured stone, cast stone, stucco (second floor and above), and cementitious fiber board (not to exceed 50% of 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 cementitious 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.~~

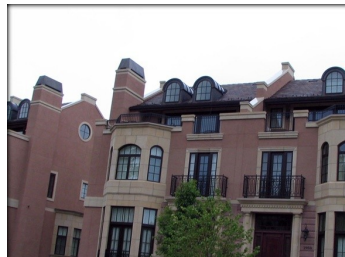


GATES OF PROSPER

- 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 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.



Planned Development

37



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 ~~First~~rest 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 commercial 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

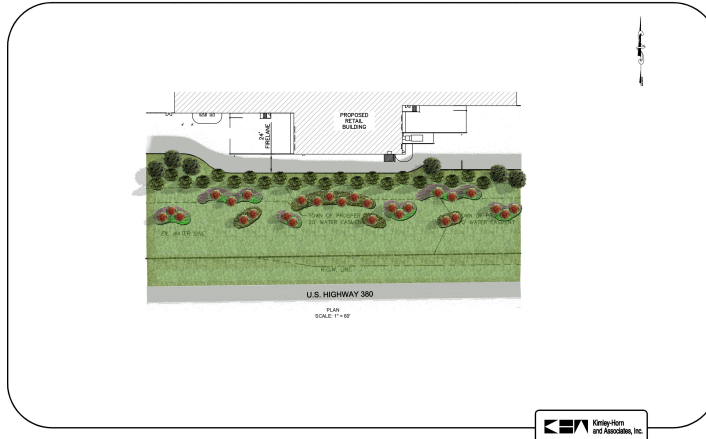
Detention Ponds located adjacent to Preston Road or at other high visibility locations as generally depicted on Exhibit D, shall be treated as open space amenities and landscaped as such. If there are no prohibitive regulatory permitting issues or design constraints, these ponds will be constructed to 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

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



GATES OF PROSPER

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				



GATES OF PROSPER

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



GATES OF PROSPER

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



GATES OF PROSPER

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	



GATES OF PROSPER

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 outdoor model displays. A maximum of two rows of display parking (one drive) is allowed along any street frontage. The use shall only be allowed if permitted by SUP.
12. Only allowed in Subdistrict 4 as detached units.
13. Gas Pumps as Accessory Use – Accessory gas pumps are only allowed as an accessory use to a big box tenant and are subject to the following development standards.
 - a. Accessory gas pumps must be located on the same lot as a big box tenant.
 - b. A sales kiosk servicing the accessory gas pumps shall be less than five hundred (500) square-feet in floor area.
 - c. Accessory gas pumps shall be located at least two hundred and fifty (250) feet from a property line of a residential lot.



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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

Rehabilitation Care Institution. Subject to being licensed to operate by the Texas Department of Aging 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”