

ZONE-26-0003

EXHIBIT “C”

PLANNED DEVELOPMENT STANDARDS

A. Conformance with the Town’s Zoning Ordinance and Subdivision Ordinance.

1. Unless expressly identified and referenced within this ordinance, the regulations of the Town’s Zoning Ordinance (Ordinance No. 05-20), as it exists on the date of approval of this Planned Development, and the Subdivision Ordinance, as it exists on the date of approval of this Planned Development, shall apply. Upon approval by the Town Council of the ordinance establishing this District, this District is vested in accordance with Tex. Loc Gov’t Code Ch. 245 and this Planned Development Ordinance, inclusive of exhibits herein, is a vesting document for purposes of Chapter 245 of the Texas Local Government Code.
2. The zoning exhibits attached and incorporated into this Planned Development shall serve as a guide for development of the Property. The ultimate layout (including streets, site layout, building uses, and open space areas) shall be determined at the time of Preliminary Site Plan by the Planning and Zoning Commission.
3. This Planned Development document shall be the governing document for development of the Property and in the event of any conflict or inconsistency between any Town Ordinances and this document, the terms and provisions of this Planned Development shall control. This PD document is a vesting document for purposes of Chapter 245 of the Texas Local Government Code.
4. This Planned Development is in compliance with the Town’s Comprehensive Plan and meets or exceeds Goals and Objectives identified throughout the Prosper Comprehensive Plan.

B. Exhibits. Use and development of the Property shall be in general conformance with the following exhibits:

1. Exhibit A-1, Metes & Bounds
2. Exhibit A-2, Survey
3. Exhibit B, Statement of Intent and Purpose
4. Exhibit C, Planned Development Standards
5. Exhibit D, Conceptual Plan
6. Exhibit E, Tentative Development Schedule
7. Exhibit E-1, Phasing

8. Exhibit F, Character Images
9. Exhibit G, Open Space/Green Space Plan

C. Conceptual Plan:

1. Development of the Property shall be in general conformance with the Conceptual Plan attached hereto as Exhibit D. General locations of proposed uses are generally shown on the Conceptual Plan. Specific locations of proposed land uses will be shown on a Preliminary Site Plan.
2. The Director of Development Services or his/her designee may approve a minor amendment to the Conceptual Plan. Minor amendments are limited to minor changes in the Conceptual Plan that otherwise comply with this Planned Development District and do not:
 - a. alter the basic relationship of the proposed development to adjacent property;
 - b. increase a height shown on the original Conceptual Plan by more than 10 percent or 12 feet, whichever is less, provided there is no increase in the number of habitable stories or parking levels above grade;
 - c. decrease the amount of off-street parking ratios shown on the Conceptual Plan; or
 - d. reduce building setbacks at the boundary of the site shown on the Conceptual Plan.
3. Disapproval of a minor amendment request may be appealed by the Developer to the Planning and Zoning Commission and Town Council (see article 4, § 4.1.6(B)(7) for appeal procedure).
4. All other amendments shall be considered major amendments and will be considered by the Planning and Zoning Commission at a public meeting in accordance with the same procedures and requirements for the approval of a plan.

D. Uses:

1. Except as otherwise stated herein, the following uses are permitted by right on the Property. Uses followed by an "(S)" suffix are permitted only by Specific Use Permit. Uses followed by an "(C)" are permitted with the Conditional Standards set forth for such uses in the Zoning Ordinance.
 - a. Civic/Convention Center
 - b. College, University, Trade, or Private Boarding School (S)
 - c. Community Center (S)

- d. Municipal Uses Operated by the Town of Prosper
- e. Museum/Art Gallery
- f. School, Private or Parochial
- g. Stealth Antenna, Commercial (C)
- h. Private Utility, Other Than Listed
- i. Administrative, Medical, or Professional Office
- j. Governmental Office
- k. Alcoholic Beverage Sales (C)
- l. Building Material and Hardware Sales, Minor
- m. Convenience Store with Gas Pumps (S)
- n. Convenience Store without Gas Pumps
- o. Retail Stores and Shops
- p. Artisan's Workshop
- q. Bank, Savings and Loan, or Credit Union
- r. Bank, Savings and Loan, or Credit Union, Drive-Through (S)
- s. Beauty Salon/Barber Shop
- t. Business Service
- u. Catering
- v. Child Care Center, Licensed (S)
- w. Child Care Center, Incidental (S)
- x. Commercial Amusement, Indoor
- y. Dry Cleaning, Minor
- z. Gymnastics/Dance Studio
- aa. Health/Fitness Center
- bb. Hotel, Full Service
- cc. Massage Therapy, Licensed
- dd. Meeting/Banquet/Reception Facility
- ee. Pet Day Care (S)
- ff. Print Shop, Minor
- gg. Restaurant (C)
- hh. Restaurant, Drive In (C)
- ii. Restaurant, Drive-Through (S)
- jj. Theater, Neighborhood
- kk. Theater, Regional
- ll. Mobile Food Vendor (S)
- mm. Retail/Service Incidental Use

E. Development Standards. Development of the Property shall be in general conformance with the Commercial (C) District Regulations as set forth in the Town's Zoning Ordinance (Ordinance No. 05-20 as it currently exists) and the Subdivision Ordinance (Ordinance No. 17-41 as it currently exists) as modified herein.

1. Minimum lot dimensions.
 - a. Minimum lot width is 100 feet.
 - b. Minimum lot depth is 100 feet.
2. Front Yard Setback. Minimum 30 feet.
3. Side Yard Setback.
 - a. Minimum 15 feet when adjacent to a non-residential zoning district.
 - b. Minimum 30 feet when building is 1-story and adjacent to a residential zoning district.
 - c. Minimum 60 feet when building is 2 or more stories and adjacent to a residential zoning district.
 - d. Minimum 30 feet when adjacent to a public street.
 - e. No minimum for internal side yards.
4. Rear Yard Setback.
 - a. Minimum 15 feet when adjacent to a non-residential zoning district.
The minimum side yard setback may be eliminated for attached retail buildings on separate lots as shown on an approved site plan.
 - b. Minimum 30 feet when building is 1-story and adjacent to a residential zoning district.
 - c. Minimum 60 feet when building is 2 or more stories and adjacent to a residential zoning district.
5. Height.
 - a. Maximum building height is 40 feet, except that the maximum building height for a Hotel, full service (not extended stay) is 55 feet.
6. Floor to Area Ratio. Maximum 0.5:1.
7. Lot Coverage. Maximum 40%.
8. Building Area. Building square footage may be increased subject to compliance with the other Development Standards.
9. Parking.
 - a. Required parking for a use may be located on another lot so long as the lot providing the required parking still satisfies minimum parking requirements after allocating excess parking to the receiving lot. Shared parking shall not be greater than 600 feet from the use being served and shall be subject to a shared parking agreement.
 - b. Required parking for sport courts: 8 spaces per court.
10. Required Screening along the East property line. Where the development directly borders Single-Family Residential properties, a continuous Living

Screen Wall may be provided in lieu of a six foot masonry wall, designed as follows provided it is approved by the Planning and Zoning Commission:

- a. A continuous row of evergreen trees offset 3' from the property line, planted 30' on center.
- b. A continuous row of evergreen shrubs offset 3' from the property line, planted 4' on center.
- c. Shrubs must be 4' height at the time of planting and have a mature height of 6' minimum.

However, a Living Screen Wall is not required where it would conflict with the following:

- i. Vehicular drives ingress/egress and associated visibility triangles.
- ii. Required buffer trees spaced 30' O.C.
- iii. Public or private sidewalks and pedestrian paths.
- iv. Existing or proposed utility infrastructure and easements.

11. Exterior appearance of buildings and structures. Building and structures shall generally comply with the Character Images attached hereto as Exhibit F. Each building façade shall consist of a minimum of 80% masonry materials as defined in the Town's Zoning Ordinance excluding stucco (except as otherwise provided), EIFS, and cementitious fiber board. Stucco, which includes only the three-step process and specifically excludes EIFS and cementitious fiber board, is an allowed material but may not exceed 20% of a building façade. Non-masonry exterior materials shall only start at 10'-0" above the ground level finish floor elevation.

12. Open Space. Each lot shall provide a minimum of five (5) percent open space, provided, Open Space for the entire Property shall be a minimum of twelve (12%) percent in the aggregate.

13. Open Space Amenities: Open Space amenities may include, but not be limited to, the following and shall be in general conformance with the amenities shown in Exhibit F, Character Images, and Exhibit G, the Open Space/Green Space Plan:

- a. Open space and green space
- b. Outdoor event space / Pavilion
- c. Performance venue
- d. Art / Sculpture Features
- e. Benches and seating
- f. Shaded structures
- g. Pedestrian-scale lighting including festoon lighting
- h. Splash pad(s)
- i. Game Lawn Areas such as Bocce Ball, Cornhole, etc.

- j. Playground equipment, fitness equipment and similar interactive recreational equipment
- k. Other amenities as determined by the Director of Development Services

14. Proposed Roadway. The proposed roadway shall be constructed in general conformance with the cross-section and in the location as generally shown on the Conceptual Plan. Street parking is permitted to be included in the proposed roadway. In addition, for the purpose of creating an aesthetically pleasant and pedestrian-friendly environment, street trees and street furniture such as benches, street lights, and trash receptacles are allowed to be located within the public right-of-way subject to Town approval. A public realm plan will be submitted at the time of Site Plan which will include benches, trash receptacles, etc. and a license agreement to identify maintenance responsibilities.

15. Phasing. The first phase of this development shall include "Block A, Lot 1" (Tennis Club) and "Street A" as shown in Exhibit E-1. The foundation for the Tennis Club building as generally shown in the Conceptual Plan shall be constructed and approved for vertical construction and Street "A" shall be constructed prior to the commencement of vertical construction for buildings in the remainder of Block A, and for buildings in Blocks B and C. Commencement of construction for buildings in Block D are not subject to construction of the Tennis Club foundation and completion of Street "A".