

ZONE-24-0013

EXHIBIT "C"

**CREEKSIDE
PLANNED DEVELOPMENT DISTRICT**

PLANNED DEVELOPMENT STANDARDS

Conformance with the Town's Zoning Ordinance and Subdivision Ordinance: Except as otherwise set forth in these Development Standards, the regulations of the Town's Zoning Ordinance (as it currently exists or may be amended) and Subdivision Ordinance (as it currently exists or may be amended) shall apply.

SINGLE FAMILY RESIDENTIAL (90.73 Acres)

1. **GENERAL DESCRIPTION:** The standards for Single Family-10 District (SF-10) as contained in the Town's Zoning Ordinance as it exists or may be amended, except as otherwise set forth in the development standards below.
2. **AMENITIES AND PARKS:**
 - a. **General:** The Creekside Single Family Residential component will provide a package of amenity features and open areas. These elements will create a family friendly neighborhood. The neighborhood amenities that are addressed within these Standards are:
 1. Enhanced Entrance
 2. Community Amenity Park
 3. Neighborhood Park
 - b. **Enhanced Entrance:** The primary entry to the community from Legacy Road will include an enhanced divided entry drive and a landscaped corridor extending into the community and leading to the Community Amenity Park located in the heart of the community. This greenway corridor shall include a ten-foot (10') hike and bike trail along one side of the roadway and three inch (3") caliper shade trees planted at forty feet (40') intervals along each side of the roadway as generally depicted on Exhibit "G".
 - c. **Community Amenity Park:** A Community Amenity Park shall be developed within the Single Family Residential portion of the Creekside development. The improvements shall be completed with the initial phase of residential development and will provide for a range of active, family-oriented activities. The Community Amenity Park will be located on a lot owned and maintained by the HOA. The program for the Community Amenity Park shall include a minimum of four (4) elements from the following list:
 1. Tennis court / pickleball court
 2. Neighborhood playground facility
 3. Shade structure with seating
 4. Sand volleyball pit
 5. Open natural grass play areas (min of 15,000 SF)
 6. Gathering area with pavers, decomposed granite, and/or turf and seating (min 1,000 SF)
 7. Grill and picnic area
 8. Other amenities as approved by Director of Development Services

- d. **Neighborhood Park:** The Creekside community's design shall include a Neighborhood Park in the eastern portion of the community near the elementary school as generally depicted on Exhibit "D". The land area to be dedicated to the Town of Prosper shall comply with the provisions of Chapter 10, Article 3, Division 6, Section 10.03.150 Dedication Requirements of the Subdivision Ordinance.
- e. **Pedestrian Connectivity:** Sidewalks located within HOA lots shall provide pedestrian corridors between blocks, pathways to the Neighborhood Park, and connection to the Town's hike and bike trail system as generally depicted on Exhibits "D" and "H".

3. **USES, DENSITIES AND REGULATIONS**

- a. **Permitted Uses:** Land uses allowed within the Single-Family Residential Tract are as follows: Uses followed by an **S** are permitted by Specific Use Permit. Uses followed by a **C** are permitted subject to conditional development standards. Conditional development standards are set forth in Chapter 14, Article 3, Division 1, Section 3.1.4 of the Town's Zoning Ordinance.
 - Accessory Building
 - Antenna and/or Antenna Support Structure, Non-Commercial **C**
 - Construction Yard and Field Office, Temporary **C**
 - Homebuilder Marketing Center **C**
 - Home Occupation **C**
 - House of Worship
 - Model Home
 - Park or Playground
 - Private Recreation Center
 - School, Public
 - Single Family Dwelling, Detached
 - Private Street Development **S**
 - School, Private or Parochial **S**
- b. **Lot Yield:** The maximum number of single family detached units shall be two hundred twenty-five (225), subject to the limits per lot type specified below.
- c. **Lot Types:** The single family detached lots developed within the community shall be in accordance with the following two Lot Types that shall be located throughout the community:
 - 1. **Type A Lots:** Minimum lot area shall be ten thousand two hundred and fifty square feet (10,250 sf) Lots.
 - 2. **Type B Lots:** Minimum lot area shall be eleven thousand square feet (11,000 sf) Lots. There shall be a minimum of sixty (60) Type B Lots.
- d. **Area and Building Regulations:** Should a discrepancy exist between the Town Zoning or Subdivision Ordinance and the standards within this PD, the language herein shall prevail. The area and building standards for the single-family lots are as follows:

1. Typical Lot Size: A typical lot shall be 76'x140' but may vary so long as the requirements provided below are accommodated.
2. Minimum Lot Width: The minimum lot width shall be seventy-six feet (76'), except for lots located on a cul-de-sac, curve, or eyebrow which may have a minimum width of seventy feet (70') as measured at the front yard setback provided all other requirements of this section are met.
3. Minimum Lot Depth: The minimum lot depth shall be one hundred and twenty-five feet (125'), except for lots located on a cul-de-sac, curve, or eyebrow or backing to a turn lane which may have a minimum depth of one hundred and twenty feet (120').
4. Minimum Yard Setbacks:
 - a. Minimum Front Yard Setback: The minimum front yard setback shall be twenty-five feet (25'). The minimum front yard setbacks for all lots fronting onto the same street along a block shall be staggered such that roughly one-third of the lots have a front yard setback that is reduced by five feet, one-third of the lots have a front yard setback as defined herein, and one-third of the lots have a front yard setback that is increased by five feet. Not more than two lots in a row may incorporate the same front yard setback. In no case shall the front yard setback be less than twenty feet (20'). The front yard setbacks for each lot shall be established at the time of preliminary plat and shall be included on the final plat.
 - b. Minimum Side Yard Setbacks: The minimum side yard setbacks shall be eight feet (8'). For corner lots immediately adjacent to a side street right-of-way, the minimum side yard setbacks shall be fifteen feet (15').
 - c. Minimum Rear Yard Setback: The minimum rear yard setback shall be twenty five feet (25'). The lots with an increased front yard setback may also decrease the rear yard setback by five feet.
5. Minimum Dwelling Area: Each dwelling shall contain a minimum of two thousand four hundred square feet (2,400 sf) feet of floor space for Type A Lots and two thousand eight hundred square feet (2,800 sf) feet of floor space for Type B Lots. Floor space shall include air conditioned floor areas, exclusive of porches, garages, patios, terraces or breezeways attached to the main dwelling.
6. Maximum Height: The maximum height for a structure shall be two and a half (2 ½) stories, no greater than forty feet (40').
7. Permitted Encroachments: The minimum front yard setback may be reduced by ten feet (10') in the following circumstances. In no case shall the reduction cause the encroachment to be closer than fifteen feet (15') from front property line):

- a. Swing-in garages provided that the wall of the garage that faces the street contains a glass pane window with a minimum size of three feet by five feet (3'x5'). The swing-in garage that extends into the front yard shall be limited to one story in height, but may have a second story dwelling area above it.
 - b. Non-enclosed porch, stoop, or balcony, or an architectural feature, such as a bay window without floor area or chimney.
 - c. Fireplaces, awnings, overhang eaves, suspended planter or flower boxes, and box or bay windows may encroach up to three feet (3') into the side yard setbacks.
8. Front Porches: Dwellings located directly across from the Neighborhood Park and the Community Amenity Park as identified on the Exhibit "D" shall have a front porch.
 - a. The minimum porch depth shall be seven feet (7') when less than eighteen feet (18') wide, and no less than six feet (6') otherwise.
 - b. The minimum porch width shall be seven feet (7').
9. Driveways: Driveways shall be constructed of the following materials: concrete, brick pavers, stone, interlocking pavers, stamped concrete, or concrete with stone or brick border.
10. Exterior Surfaces:
 - a. Masonry is defined as clay fired brick, natural and manufactured stone, granite, marble, stucco, cementitious material, and architectural concrete block. The exterior facade of a main building or structure, excluding glass windows and doors, shall be constructed on one hundred percent (100%) masonry, subject to the following conditions:
 1. Stucco on structures shall be traditional 3-coat process cement plaster stucco.
 2. Cementitious materials may constitute up to fifty percent (50%) of the area for stories other than the first story.
 3. On side and rear elevations, cementitious materials 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.
 4. Any portion of an upper story, excluding windows, that faces a street, public or private open space, public or private parks, or hike and bike trails, shall be one hundred percent (100%) masonry and cementitious fiber board may be used for up to twenty percent (20%).
 5. The exterior cladding of chimneys shall be brick, natural or manufactured

stone, or stucco.

6. Cementitious materials may 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.

- b. EIFS (exterior insulating and finish process) is not allowed on structures.

11. Roofing:

- a. Structures constructed on Lots shall have a composition, slate, clay tile, standing seam metal, or cement/concrete tile roof. Wood shingles are prohibited. All roofs shall be guttered.
- b. Metal roofs shall be non-reflective colors.
- c. A minimum of sixty five percent (65%) of the surface area of composition roofs shall maintain a minimum roof pitch of eight by twelve (8:12).
- d. A minimum of seventy five percent (75%) of the surface area of clay tile, cement tile, slate or slate products, standing seam metal, or concrete tile shall maintain a minimum roof pitch of three by twelve (3:12).

12. Garages:

- a. Dwellings shall have a minimum of two (2) car garage bays totaling a minimum of four hundred square feet (400 sf).
- b. Where a home has three or more garage/enclosed parking spaces, no more than two single garage doors or one double garage door shall face the street, unless the garage door(s) are located behind the main structure.
- c. Side entry garages shall be permitted on corner lots.
- d. Garage doors directly facing a street shall be located no closer than twenty-five (25') from the property line.

13. Plate Height: Each structure shall have a minimum principal plate height of nine feet (9') on the first floor.

14. Fencing: No fence, wall or hedge on a Lot shall exceed eight feet (8') in height unless otherwise specifically required by the Town of Prosper. Unless otherwise specified, wood fence shall be allowed.

- a. All Lots adjacent to open space shall have a decorative metal fence, no greater than six feet (6') in height, abutting to open space.

- b. Key lots may utilize decorative metal fence, no greater than six feet (6') in height, within the front yard setback along the side street of the key lot.
15. Air Conditioners: No window or wall air conditioning units will be permitted on structures on Lots. Outside condensing units (compressors) which are not located within a privacy fenced area shall be screened by evergreen shrubbery save and except access and service space to the condensing units which may no be visible from the street.
16. Accessory Structures: Accessory structures shall be subject to the same exterior construction and architectural standards as the main dwelling. Accessory structures shall be separate from the main dwelling by a minimum of ten feet (10'), have a minimum rear yard setback of ten feet (10'), and a minimum side yard setback of eight feet (8').
17. Maximum Lot Coverage: Fifty percent (50%).
18. Landscaping:
 - a. Required trees shall not be smaller than three (3) caliper inches. A minimum of two (2) - four (4) caliper inch trees shall be located in the front yard of all Lots. The total caliper inches shall be eleven (11) caliper inches. The remaining required trees may be placed in the front or rear of the Lots.
 - b. The minimum of twenty (20) shrubs, each a minimum of three (3) gallon in size when planted, shall be planted in the frontyard of all Lots.
 - c. One hundred percent of all front, side, and rear yards not covered by hardscape / xeriscape or landscaped beds shall be irrigated and sodded.
 - d. All foundations visible from street shall have flower beds or evergreen shrubs generally screening foundation.

COMMERCIAL (29.80 Gross Acres)

1. **GENERAL DESCRIPTION:** This tract shall conform with the standards for Retail District (R) as contained in the Town's Zoning Ordinance as it exists or may be amended, except as otherwise set forth in the development standards below.

2. **AMENITIES:**
 - a. **General:** The Creekside Retail/Office area shall provide the opportunity for area residents to live, work, and shop in the same community. The development will integrate the natural drainage through the area into the design of the development.

 - b. **Creek Area:** The Creek Area shall be improved to provide a natural area within the heart of the development as shown on Exhibit D. This Creek Area shall be located on a separate lot to be owned and maintained by a Property Owners Association (POA). Elements within the Creek Area shall include:
 1. Walking path meandering in / around the Creek Area spanning between Legacy Drive and Frontier Parkway and with pedestrian connections to adjacent buildings
 2. Shaded pedestrian congregation areas

3. **USES AND REGULATIONS**
 - a. **Permitted Uses:** Land uses allowed within the Retail/Office Tract are as follows: Uses followed by an **S** are permitted by Specific Use Permit. Uses followed by a **C** are permitted subject to conditional development standards. Conditional development standards are set forth in Chapter 14, Article 3, Division 1, Section 3.1.3 of the Town's Zoning Ordinance.
 - Administrative, Medical, or Professional Office
 - Antique Shop
 - Artisan's Workshop
 - Bank, Savings and Loan, or Credit Union
 - Beauty Salon/Barber Shop
 - Building Material and Hardware Sales, Minor
 - Business Service
 - Commercial Amusement, Indoor
 - Community Center
 - Construction Yard and Field Office, Temporary **C**
 - Dry Cleaning, Minor
 - Furniture, Home Furnishings and Appliance Store
 - Governmental Office
 - Gymnastics/Dance Studio
 - Health/Fitness Center
 - House of Worship
 - Insurance Office
 - Locksmith/Security System Company
 - Museum/Art Gallery
 - Nursery, Minor
 - Pet Day Care **C**
 - Print Shop, Minor
 - Private Recreation Center

- Restaurant **C**
- Retail Stores and Shops (maximum 80,000 SF per building)
- Retail/Service Incidental
- School, Private or Parochial
- School, Public
- Theater, Neighborhood
- Veterinarian Clinic and/or Kennel, Indoor
- Antenna and/or Antenna Support Structure, Commercial **S**
- Alcoholic Beverage Establishment **S**
- Alcoholic Beverage Sales **S**
- Assisted Care or Living Facility **S**
- Big Box **S**
- Child Care Center, Licensed **S**
- Child Care Center, Incidental **S**
- Convenience Store with Gas Pump **S**
- Convenience Store without Gas Pump **S**
- Day Care Center, Adult **S**
- Gas Pumps **S**
- Massage Therapy, Licensed **S**
- Meeting/Banquet/Reception Facility **S**
- Restaurant, Drive In **S**
- Restaurant with Drive-Through **S**
- Stealth Antenna, Commercial **S**

Clarification for Alcoholic Beverage Establishment and Sales

Alcoholic Beverage Establishment and Sales (By Right):

Gas Stations (i.e. 7/11) - Beer & Wine
 Grocery Stores (i.e. Target) - Beer & Wine
 Private Retailers (i.e. Costco) - Alcohol, Beer, & Wine
 Restaurants (i.e. Chili's) - Alcohol, Beer, & Wine

Regulated by TABC Guidelines

Alcoholic Beverage Establishment and Sales (SUP):

Bars (High Percentage of Sales being Alcohol)
 Liquor Stores (i.e. Specs, Total Wine, etc.)

b. Development Regulations:

a. Size of Yards:

1. Minimum Front Yard – Thirty (30) feet.
2. Minimum Side Yard
 - a. Fifteen (15) feet adjacent to nonresidential district. The minimum side yard setback may be eliminated for attached retail buildings on separate lots as shown on approved site plan.
 - b. Thirty (30) feet for a one (1) story building adjacent to a residential district and sixty (60) feet for a two (2) story building adjacent to a residential district.
 - c. Thirty (30) feet adjacent to a street.
 - d. No Side Yard required adjacent to the Creek Area
3. Minimum Rear Yard
 - a. Fifteen (15) feet adjacent to nonresidential district.
 - b. Thirty (30) feet for a one (1) story building adjacent to a residential district and sixty (60) feet for a two (2) story building adjacent to a residential district.
 - c. No Rear Yard required adjacent to the Creek Area

b. Size of Lots:

1. Minimum Lot Area – Ten thousand (10,000) square feet.
 2. Minimum Lot Width – One hundred (100) feet.
 3. Minimum Lot Depth – One hundred (100) feet.
- c. Maximum Height – Two stories, no greater than forty (40) feet.

- d. Maximum Lot Coverage – Forty (40) percent.
 - e. Floor Area Ratio: Maximum 0.4:1.
 - f. Exterior Surfaces/Building Materials:
 - 1. Permitted primary exterior materials are clay fired brick, natural, precast, and manufactured stone, granite, and marble. Architectural concrete block, split face concrete masonry unit, and architecturally finished concrete tilt wall may be used for big box uses.
 - 2. Secondary materials used on the façade of a building are those that comprise a total of ten (10) percent or less of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, cedar or similar quality decorative wood, stucco, and high impact exterior insulation and finish systems (EIFS). Stucco and EIFS are only permitted a minimum of nine (9) feet above grade.
4. **ADDITIONAL STANDARDS:** Retail/Office development shall employ the following additional measures:
- a. An eight foot (8') masonry screening wall shall be constructed between the Commercial and the Single Family Residential parcels. The screening wall shall be built by the first property to develop. A Wall Maintenance Easement shall be granted along each side of the screening wall.

GENERAL REQUIREMENTS

- 1. Development Plan: A Conceptual Development Plan is hereby attached (Exhibit "D") and made a part of these development standards. It establishes the most general guidelines by identifying the project boundaries, land use types, approximate thoroughfare locations, R.O.W. dedication and roads.
- 2. Maintenance of Facilities: The Developers shall establish a Homeowner's Association ("HOA") for Single Family Residential areas and a Property Owner's Association ("POA") for Retail/Office areas, in which membership is mandatory for each lot, and that will be responsible for operation and maintenance of all common areas and/or common facilities contained within the area of the respective Single Family Residential or Retail/Office development or adjacent Right-of-Way ("ROW").