

## PLANNED DEVELOPMENT STANDARDS WHISPERING FARMS

Final Version August 30<sup>th</sup>, 2001  
Includes Council Meeting Agreements

### 1.0 PLANNED DEVELOPMENT – RESIDENTIAL – 210.73 acres

**Tracts I-A (± 37.62 acres), I-B (± 87.58 acres), I-TH (± 8.34 acres) and I-D (± 77.19 acres)**

- 1.01 General Description:** The residential tracts are intended to accommodate a variety of single-family residential uses. The residential units may be comprised of Single Family-Type A, Single Family-Type B, Single Family-Type C, Detached Patio Home Units and/or Attached Town Home Units. Development standards for each of the aforementioned housing types are outlined within this text. All street signs will incorporate the City of Prosper logo as provided by the city to the developer.
- 1.02 Density:** The overall allowed residential density for Tracts I-A, I-B, I-TH, and I-D shall be 1.95 units per gross acre or a total of five hundred and twenty-two (522) units, as calculated on a gross land area based on approximately two hundred and eighty-nine (289) acres as contained within the entire tract of land covered by this PD. Additional acreage currently owned by Chuck Green to the south of the development is included as a portion of Tract I-B.
- 1.03 Permitted Uses:** Land uses permitted within residential areas, indicated as Tracts I-A, I-B, I-TH, and I-D on Exhibit "B", are as follows:
- a. Residential units as described herein.
  - b. Permitted uses referenced in the Prosper Zoning Ordinance 84-16 for use SF-1 as it currently exists or may be amended.
  - c. Private or public recreation facilities.
  - d. Churches/rectories
  - e. Schools - public or state accredited.
  - f. Utility distribution lines and facilities.
  - g. Parks, playgrounds and neighborhood recreation facilities including, but not limited to, swimming pools, clubhouse facilities and tennis courts.
  - h. Fire stations and public safety facilities.
  - i. Real estate sales offices during the development and marketing of the residential areas.
  - j. Public streets.
  - k. Accessory buildings and uses customarily incidental to the permitted uses. The total land area used for accessory buildings shall not exceed twenty-five percent (25%) of the total area designated for the main buildings. Accessory buildings shall not be permitted within any "front yard" area but shall be permitted within any portion of the "side yard" or "rear yard" of a building lot as set forth in Prosper Zoning Ordinance for accessory buildings.
  - l. Temporary buildings and uses incidental to construction work on the premises, which shall be removed upon completion.
  - m. Detached freestanding garages with "Granny Flats," collectively called accessory buildings, shall be permitted. A minimum of ten feet (10') separation shall be provided between the garage and the main building. "Detached" shall allow for an unenclosed breezeway connecting roof canopies between garages and residences. Detached structures not incorporating a breezeway to the main building shall be

subject to accessory building setbacks of five-foot (5') rear and side yards. Accessory buildings that are attached to the main building with a breezeway shall be subject to the main building setbacks as specified herein. The maximum area of enclosed space for quarters shall not exceed eight hundred square feet (800 s.f.). The quarters may be leased to a non-related party only if the main residence is currently owner-occupied. Should the main residence be leased, then the same party leasing the main structure may only occupy the quarters. A maximum of one "Granny Flat" per lot is allowed. Granny Flats are not allowed within Tract I-TH.

- n. Any residence abutting and/or adjoining a trail built to serve as an equestrian trail is permitted to house one (1) horse in the permitted accessory building on one acre or larger lots.

**1.04 Required Parking:** Parking requirements for single-family development areas shall be as follows: two (2) off-street parking spaces shall be provided on the same lot as the main structure. In conjunction with this requirement, a two (2)-car garage shall be provided for each unit. Garage parking shall be behind the front building line.

**1.05 Building Materials:**

- a. **Masonry:** A minimum of seventy-five percent (75%) of the total exterior wall surfaces of all main buildings shall have an exterior finish of glass, natural and/or cultured stone, Hardi-plank and/or other cementitious-type siding, stucco, brick, cut- or split-face CMU or similar materials as approved by the City of Prosper, Texas, or any combination thereof. The use of wood as a primary exterior building material shall be limited to a maximum of twenty-five percent (25%) of the total exterior wall surfaces.
- b. **Roofing Materials:** Wood-roofing materials shall not be permitted within the development.
- c. **Fire Sprinkler Requirements:** All residential structures in excess of 6000 ft of gross space shall be required to have working sprinkler systems in accordance with UBC requirements at the time of adoption of this agreement by the city council of Prosper.
- d. **Fencing Requirements:**
  - a. **Bridle / Hike & Bike trails:** All fencing installed against the hike & bike trail and/or green belts shall be of open-type fencing, with a height not to exceed 4 feet above grade at the base of fence.
  - b. **Lot Fencing:** No residential fencing regardless of material may exceed 8 feet in overall height above grade at the base of the fence.
  - c. **General Wood Fencing restrictions:** Any wood fence that faces a residential street shall be of board-on-board construction of cedar or better.
- e. **Bar Ditches and Culverts:** Developer agrees that all lots serviced by bar ditches within the development will require:
  - a. Developer-installed culverts and driveway monuments to ensure continuity within the development and designed drainage capacity.
  - b. Developer-maintained engineered grades and drainage capacity within the bar ditches during the development to ensure the designed drainage capacity.
  - c. HOA to assume maintenance of Bar Ditches for a period 5 years after date of final acceptance by City of that particular phase of the subdivision.
- f. **Garage Orientation:** For Tracts I-B and I-D, no more than 1/3 of the homes will have two or more garages facing the street which the front elevation of the house is

oriented toward unless said garage is located atleast 25 feet behind the front building line.

**1.06 Single Family - Type A in Tract I-A:** Single Family - Type A units are a form of single family, detached housing. Building and area requirements are as follows:

- a. **Minimum Dwelling Size:** The minimum area of the main building shall be twenty-six hundred (2600) square feet, exclusive of garages breezeways and porticos.
- b. **Lot Area:** The minimum area of any lot within Tract I-A shall be twenty-one thousand square feet (21,000).
- c. **Lot Coverage:** In no case shall more than thirty-five percent (35%) of the total lot area be covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, decks, patios, driveways, walks and other paved areas shall not be included in determining maximum lot coverage.
- d. **Lot Width:** The minimum width of any lot shall be a minimum of one hundred feet (100') at the front building line, except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum width of seventy feet (70') at the building line; provided all other requirements of this section are fulfilled.
- e. **Lot Depth:** The minimum depth of any lot shall be a minimum of one hundred and ninety feet (190'), except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have minimum lot depth, measured at mid-points on front and rear lot lines, of one hundred feet and forty feet (140') provided all other requirements of this section are fulfilled.
- f. **Front Yard:** The minimum depth of the front yard shall be thirty-five feet (35') for any lot containing less than 30,000 square feet, and forty-five feet (45') for any lot of 30,000 square feet or greater.
- g. **Side Yard:** The minimum side yard on each side of the lot shall be ten feet (10'). A side yard adjacent to a street shall be a minimum of fifteen feet (15').
- h. **Rear Yard:** The minimum depth of the rear yard shall be thirty feet (30'). If the rear lot line abuts a dedicated alley; the garage door, if provided, must be set back a minimum of twenty feet (20').
- i. **Maximum Building Height:** Buildings shall be a maximum of two and one-half (2-1/2) stories with the exception that split-level homes may have a maximum of two and one-half (2-1/2) stories on either the front or rear, elevation and a maximum of three and one-half (3-1/2) stories on the elevation which begins at the lowest grade.

**1.07 Single Family - Type B on Tract I-B:** Single Family - Type B units are another form of detached housing. Building and area requirements are as follows:

- a. **Minimum Dwelling Size:** The minimum area of the main building shall be two thousand four hundred (2400) square feet, exclusive of garages breezeways and porticos.
- b. **Lot Area:** The minimum area of any lot within Tract I-B shall be fourteen thousand four hundred and ninety square feet (14,490).

- c. **Lot Coverage:** In no case shall more than forty percent (40%) of the total lot area be covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, decks, patios, driveways, walks and other paved areas shall not be included in determining maximum lot coverage.
- d. **Lot Width:** The minimum width of any lot shall be a minimum of ninety feet (90') at the front building line, except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum width of sixty feet (60') at the building line; provided all other requirements of this section are fulfilled.
- e. **Lot Depth:** The minimum depth of any lot shall be a minimum of one hundred and sixty feet (160'), except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have minimum lot depth, measured at mid-points on front and rear lot lines, of one hundred feet and twenty feet (120') provided all other requirements of this section are fulfilled.
- f. **Front Yard:** The minimum depth of the front yard shall be thirty-five feet (35') for any lot containing less than 30,000 square feet, and forty-five feet (45') for any lot of 30,000 square feet or greater.
- g. **Side Yard:** The minimum side yard on each side of the lot shall be ten feet (10'). A side yard adjacent to a street shall be a minimum of fifteen feet (15').
- h. **Rear Yard:** The minimum depth of the rear yard shall be thirty feet (30'). If the rear lot line abuts a dedicated alley, the garage drive entry, if provided, must be set back a minimum of twenty feet (20').
- i. **Maximum Building Height:** Buildings shall be a maximum of two and one-half (2-1/2) stories with the exception that split-level homes may have a maximum of two and one-half (2-1/2) stories on the front or rear, elevation and a maximum of three and one-half (3-1/2) stories on the elevation, which begins at the lowest grade.

**1.08 Single Family - Type C on Tract I-D:** Single Family - Type C units are another form of detached housing. Building and area requirements are as follows:

- a. **Minimum Dwelling Size:** The minimum area of the main building shall be two thousand two hundred (2200) square feet, exclusive of garages breezeways and porticos.
- b. **Lot Area:** The minimum area of any lot within Tract I-D shall be twelve thousand eight hundred square feet (12,800).
- c. **Lot Coverage:** In no case shall more than forty percent (40%) of the total lot area be covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, decks, patios, driveways, walks and other paved areas shall not be included in determining maximum lot coverage.
- d. **Lot Width:** The minimum width of any lot shall be a minimum of eighty feet (80') at the front building line, except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum width of fifty five feet (55') at the building line; provided all other requirements of this section are fulfilled.
- e. **Lot Depth:** The minimum depth of any lot shall be a minimum of one hundred and forty feet (140'), except that a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have minimum lot depth, measured at mid-points on front

and rear lot lines, of one hundred feet and ten feet (110') provided all other requirements of this section are fulfilled.

- f. **Front Yard:** The minimum depth of the front yard shall be twenty-five feet (25') for any lot containing less than 15,000 square feet, and thirty-five feet (35') for any lot of 15,000 square feet or greater.
- g. **Side Yard:** The minimum side yard on each side of the lot shall be ten feet (10').
- h. **Rear Yard:** The minimum depth of the rear yard shall be thirty feet (30'). If the rear lot line abuts a dedicated alley; the garage door, if provided, must be set back a minimum of twenty feet (20').
- i. **Maximum Building Height:** Buildings shall be a maximum of two and one-half (2-1/2) stories with the exception that split-level homes may have a maximum of two and one-half (2-1/2) stories on the front or rear, elevation and a maximum of three and one-half (3-1/2) stories on the elevation, which begins at the lowest grade.

**1.09. Town Home / Patio Home Tract I-TH:** These units are another form of single-family housing. Town Home Units are attached housing, and Patio Home Units are detached housing. Product types will not be mixed within this tract, and the preliminary plat will reflect the choice made by the Developer between the Town Home and the Patio Home product. Maximum number of units to be built on this tract is 15. Building and area requirements are as follows:

- a. **Minimum Dwelling-Size:** The minimum area of the main building shall be one thousand four hundred fifty (1,450) square feet, exclusive of garages, breezeways and porticos.
- b. **Lot Area:** The minimum area of any lot shall be five thousand (5,000) square feet.
- c. **Lot Coverage:** In no case shall more than sixty percent (60%) of the total lot area be covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, decks, patios, driveways, walks and other paved areas shall not be included in determining maximum lot coverage.
- d. **Lot Width:** The minimum width of any lot shall be forty-five feet (45') at the front building line, except lots at the terminus of a cul-de-sac or, along street elbows/eyebrows may have a minimum width of forty feet (40') at the building line; provided all other requirements of this section are fulfilled.
- e. **Lot Depth:** The minimum depth of any lot shall be one hundred feet (100'), except a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum lot depth, measured at mid-points on front and rear lot lines, of ninety feet (90'); provided all other requirements of this section are fulfilled.
- f. **Front Yard:** The minimum depth of the front yard shall be twenty feet (20').
- g. **Side Yard:** Town Home: No side yard requirements apply to attached Town Home structures. Patio Home: Side yard setbacks shall be zero (0) to three feet (3') on one side (the zero side) and seven feet (7') to ten feet (10'), on the opposite side. A minimum separation of ten feet (10') is required between structures, unless the adjacent structures are attached. A side yard adjacent to a street shall be a minimum of fifteen feet (15').

- h. **Rear Yard:** The minimum depth of the rear yard shall be ten feet (10'). If the rear lot line abuts a dedicated alley, the garage door, if provided, must be set back a minimum of twenty feet (20').
- i. **Maximum Building Height:** Buildings shall be a maximum of two and one-half (2-1/2) stories with the exception that split-level homes may have a maximum of two and one-half (2-1/2) stories on the front or rear, elevation and a maximum of three and one-half (3-1/2) stories on the elevation, which begins at the lowest grade.

**1.10 Internal Utilities for Development:**

All franchise utilities within the development shall be run underground.

**1.11 Work – Live (Village) Units on Tract I-VL:** Work-Live (Village) units offer a unique opportunity for residents and tenants. The first floor of the units shall be designed to accommodate single-family residential, office, light retail and/or neighborhood services. The upper floor(s) of the units shall be designed primarily for single family or multi-family residential uses. Village units are another form of single and/or multi-family, detached or attached housing. If not attached, the units shall be zero-lot line homes in which the unit is sided on, or adjacent to, one of the side lot lines. The village lots will have access and frontage on a public road. Building and area requirements are as follows:

- a. **Minimum Structure Size:** The minimum area of the structure shall be twelve hundred square feet (1,200), exclusive of garages, breezeways and porticos.
- b. **Lot Area:** The minimum area of any lot shall be twenty-five hundred (2500) square feet, with a maximum area not to exceed twelve thousand five hundred (12,500) square feet.
- c. **Lot Coverage:** In no case shall more than eighty percent (80%) of the total lot area be covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, decks, patios, driveways, walks and other paved areas shall not be included in determining maximum lot coverage.
- d. **Lot Width:** The minimum width of any lot shall be forty-five feet (45') at the front building line, except lots at the terminus of a cul-de-sac or, along street elbows/eyebrows may have a minimum width of forty feet (40') at the building line; provided all other requirements of this section are fulfilled.
- e. **Lot Depth:** The minimum depth of any lot shall be one hundred feet (100'), except a lot at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum lot depth, measured at mid-points on front and rear lot lines, of ninety feet (90'); provided all other requirements of this section are fulfilled.
- f. **Flag Lots:** To assist in recreating the feel of a true European Village, Flag Lots are permitted within the Tract I-VL. Minimum street frontage of a Flag Lot shall be no less than ten feet (10'). This frontage is to allow for pedestrian access to the unit only. All direct vehicular access to units on Flag Lots will be from the alley.
- g. **Number of total lots within village:** The maximum number of lots to be platted within the I-VL tract is not to exceed twenty (20).
- g. **Front Yard:** The minimum depth of the front yard shall be five feet (5').

- h. **Side Yard:** If developed as detached units, the side yard setbacks shall be zero (0) to three feet (3') on one side (the zero side) and seven feet (7') to ten feet (10'), on the opposite side. A minimum separation of ten feet (10') is required between structures. A side yard adjacent to a street shall be a minimum of fifteen feet (15'). No side yard requirements apply to attached structures.
- i. **Rear Yard:** The minimum depth of the rear yard shall be ten feet (10'). If the rear lot line abuts a dedicated alley; the garage door, if provided, must be set back a minimum of twenty feet (20').
- h. **Maximum Building Height:** Buildings shall be a maximum of two and one-half (2-1/2) stories with the exception that split-level homes may have a maximum of two and one-half (2-1/2) stories on the front or rear, elevation and a maximum of three and one-half (3-1/2) stories on the elevation, which begins at the lowest grade.

**1.12 Architectural Standards for Live - Work (Village) Units:**

- a. Up to fifty (50%) of the structure may be faced with a cementitious siding. Stone, brick, stucco or cast stone may be incorporated into the exterior.
- c. A sidewalk canopy may extend to the lot line or sidewalk edge or parking curb on the street and parking elevations of the building.
- d. Structures may be attached or detached within Tract I-VL.
- e. The second floor use will be limited to a maximum of two (2) residential units or clerical office as an auxiliary to the first floor uses.
- f. The first floor uses shall be per Prosper Neighborhood Retail District and in addition to the approved uses as listed in Section 3.02, shall allow for the following: residential, catering, restaurant with outdoor dining, private club subject to approval of a SUP, laundry drop off and pick up, art galleries, copy and business services center, antique shop, real estate sales, title company, gift shop, day care, bakery, and general store.
- g. A minimum of 25% of the first floor units will be used for retail-type purposes.
- h. Signage shall be permitted on the canopy and/or building face and if illuminated, the sign shall be illuminated with low-intensity lamps. Neon lighting on the exterior shall not be permitted.
- i. The residential unit shall have a separate entrance to the street and/or access easement.
- j. The residential unit may or may not have a detached garage on the same lot. The separation between the buildings shall be a minimum of ten feet (10'). The setbacks shall apply to the detached structure.

**1.13. General Landscaping Requirements for Tracts I-A, I-B, I-D and I-TH:**

- a. For lots developed on Tracts I-A, I-B, and I-D two hardwood shade trees with a minimum of three caliper inches (3") shall be planted within the lot area. One shade tree in the lot may be substituted for three (3) ornamental trees. A credit toward these requirements shall be granted by preserving existing trees on any lot equal to one caliper inch credit for each caliper inch of tree preserved regardless of specie of preserved tree. These requirements shall satisfy landscape and tree requirements for single-family homes.
- b. For lots on Tract I-TH developed to Town Home (TH) standards, one (1) hardwood shade tree with a minimum of three caliper inches (3") shall be planted in the parkway between the sidewalk and street six feet (6') from the back of the curb. The tree shall be centered on the lot. One additional hardwood shade tree with a minimum of three caliper inches (3") or three (3) ornamental trees shall be planted

within the lot area. These requirements shall satisfy landscape and tree requirements for single-family homes.

**1.14 General Requirements for Tracts I-A, I-B, I-D, and I-TH:**

- a. **Driveways:** Covered drives and porte-cocheres that are architecturally designed as an integral element of the residential or garage structure of Single Family, detached structures shall be permitted to extend up to fifteen feet (15') from the established front building line into the front yard area; that area between the street pavement and the front building line
- b. **Side Yards:** If approved by the City of Prosper, Texas, at the time of platting, side and rear yard requirements may be waived where they abut a common open space.
- c. **Streets:** All interior streets for the development shall be 24' from edge of concrete to edge of concrete. The streets providing direct access to the school site from CR 80 and CR 122 are to be 27' wide from edge of concrete to edge of concrete. All lots in tracts I-A, I-B and I-D to be serviced by bar ditches. All lots in tracts I-VL and I-TH to be serviced by mountable curb and gutter.
- d. **Roof Materials:** No wood roofing materials are permitted within the development.
- e. **Fire Sprinkler Requirements:** All residential structures in excess of 6000 ft of gross space shall be required to have working sprinkler systems in accordance with UBC requirements at the time of adoption of this agreement by the city council of Prosper.
- f. **Sidewalks:** The Developer shall be permitted to construct an eight foot (8') wide sidewalk on either side of the collector road system to serve as a park bridle hike/bike trail system providing adequate width for the designated use. This requirement shall be an allowable option to the current requirement providing a four-foot (4') sidewalk on each side of the collector road system.
- h. **Park Trail:** The Developer shall be permitted to construct a parallel trail system. One trail is specifically to service pedestrian traffic that will consist of a 4' wide and 4" thick concrete ribbon. The second trail will consist of a 6 to 8 foot wide cinder trail for equestrian use. These trails are to run on a basically parallel path with no physical separation barrier. The Developer may vary the separation of the two trails where restraining topographic conditions exist creating an unsafe condition for pedestrian, equestrian and bicycle users.
- i. **Bridle Trail:** All trails specifically designated for equestrian use will be improved using pea gravel or similar material bounded on both sides by a landscape border.
- j. **Perimeter Screening:** The developer shall not be required to erect, but shall be permitted to erect living screens, screen walls and/or fencing along the major thoroughfares and collector roads to include masonry; iron, plastic or wood fencing and/or landscape materials (living screen), provided plans are submitted and approved by City of Prosper staff.
- j. **Walls:** Privacy walls and fences are not allowed on any lot larger than 20,000 square feet, with the sole exception being for a privacy fence surrounding a pool or spa. For any lot smaller than 20,000 square feet regardless of Tract, a privacy fence may be constructed (builder/owner choice) along the property line, within the front, rear or side yard space. There may exist special lot conditions where the



front building lines are off-set for adjacent lots whereby privacy walls may be required within the front building line for privacy conditions. Fences and walls shall be set back a minimum of ten feet (10') from the front elevation of the home. Such walls will be constructed of materials consistent with the exterior architectural elements of the home. Fencing material to be a durable treated or seasoned wood material of cedar or better and is to utilize metal posts, concrete footer for these metal posts and board-on-board only with further construction details as further defined within the CCR package for each phase of development. No front yard fencing is to be allowed in Tracts I-A, I-B, and I-D unless approved by City Council through a variance request.

**2.0 EQUESTRIAN CENTER - COMMERCIAL Tract I-EQ (± 2 acres on southern edge of entry road.)**

**2.01 General Description:** The Equestrian Center is designed to accommodate a multiple stall stable with appropriate tack, storage and demonstration facilities. Architecture of the building is to complement the overall neighborhood, but may be barn-like in nature.

**2.02 Permitted Uses:** Area is to be designated for the Equestrian Center only. No other commercial or residential activity may be developed/platted on Tract I-EQ.

**3.0 PLANNED DEVELOPMENT - COMMERCIAL Tracts I-C (± 6 acres located at the Southeast corner of CR 80 and CR 122), and Tract I-SC (± 7 acres located adjacent to the Village area and proposed City Park).**

**3.01 General Description:** The Commercial areas will provide the ability to encourage and to accommodate the further development of neighborhood service centers along future Coit Road and CR 122 along with the proposed elementary school site within the development (Tract I-SC). In the event the Prosper Independent School District does not assume or retain possession of Tract I-SC, the Tract may then be developed under the conditions as applicable to the adjacent tract, I-D at the sole discretion of the Developer.

**3.02 Permitted Uses:** The following uses shall be permitted in the commercial areas indicated as Tracts I-C on Exhibit "B". Tract I-SC may only be used as a school (public, charter or private) or revert to I-D residential standards.

- Antique Shops - Indoor Display Only
- Appliance Stores
- Artist Materials and Supplies
- Auto Laundries/ Car Wash Facilities
- Auto Parts Sales - No Outdoor Storage/Display
- Baby Shops
- Bakery and Confectionery Shops
- Banks, Savings and Loan and Credit Unions
- Banks, Savings and Loan and Credit Unions - With Drive-Thru Services
- Barber/Beauty Shops
- Beverage Stores - In accordance with other applicable City of Prosper, Texas Ordinances as they presently exist or may be amended
- Billboard and Advertising Signs - Permitted in compliance with the City of Prosper, Texas Sign Ordinance as it presently exists or may be amended
- Book and Stationery Shops
- Bus Stops
- Business Services

- Cafeterias
- Camera Shops
- Candy and Cake Shops
- Catering Establishments
- Churches/Rectories
- Cleaning, Dyeing, Pressing, Pick-up and Collection Agencies
- Clothing and Apparel Stores
- Clothing, Footwear and Textile Centers
- Computer Sales and Repairs
- Computer Training Facilities
- Convenience Stores
- Convenience Stores - With Gas Service
- Copy Services (i.e. Quick Copy)
- Corporate and Professional Office Facilities and Headquarters
- Curio and Gift Shops
- Dairy Products and Ice Cream Stores
- Day Care Centers for Children
- Delicatessens
- Drapery Shops
- Dress Shops
- Drug Stores/Pharmacies
- Dry Good Stores
- Electronic Product Sales
- Electronic Security Facilities
- Feed Stores
- Financial Institutions
- Fitness and Health Centers
- Florist and Garden Shops
- Fraternal Organizations, Lodges and Civic Clubs
- Furniture and Upholstery Centers - Including Repairs
- Furniture, Home Furnishings and Equipment Showrooms and Sales
- Furniture Stores
- General Merchandise Stores
- Governmental and Utility Agencies, Offices and Facilities - No outdoor storage unless screened
- Greenhouse and Nursery Facilities - Sales Permitted
- Grocery Stores and Supermarkets
- Guard and Patrol Services
- Hardware and Building Materials Stores - No outdoor storage unless screened
- Health Product Sales
- Hospitals and Emergency Centers
- Household Appliance Services and Repairs
- Interior Decorating Stores
- Jewelry Stores
- Key Shops/Locksmiths
- Laundromats
- Laundry and Dry Cleaning Establishments
- Leather Goods Shops
- Meat Markets - No Slaughter Houses or Packing Plants
- Medical Equipment Showrooms
- Medical and Health Care Facilities/Clinics
- Medical Offices

- Messenger/Courier and Telegraph Services
- Municipal Buildings and Facilities
- Museums, Libraries, Art Schools and Art Galleries
- Musical Instrument Sales
- Newspaper and Magazine Sales
- Novelty/Notion Stores
- Offices - Professional, Administrative and General Offices - Including but not limited to, doctors, optometrists, psychiatrists, attorneys, architects, engineers, planners, travel agents, advertising, insurance and real estate offices
- Office Showroom Facilities - Sales Permitted
- Office Businesses
- Office Equipment Repairs and Maintenance
- Office Supplies and Sales
- Optical Stores - Sales and Services
- Paint Stores
- Parks, Playgrounds, Recreational Facilities and Community Centers
- Pet Grooming and Supplies
- Pet Shops
- Photographic Services
- Play Equipment - Sales and Display
- Post Office Facilities
- Printing and Duplicating Establishments
- Private Club Facilities - In accordance with other applicable City of Prosper, Texas Ordinances as they presently exist or may be amended
- Radio and Television Sales and Services
- Recreation Centers - Public and Private
- Restaurants
- Restaurants - With Drive-In/Drive-Thru Service
- Retail Sales
- Retail Shops and Stores
- Schools - Public or State Accredited
- Scientific/Research Facilities - Emissions of hazardous or toxic chemicals shall be prohibited
- Securities and Commodities Offices - Including, but not limited to, brokers, dealers, underwriters, exchange offices and similar offices
- Service Stations Full Service (Including Bays)
- Service Stations - Self Service
- Sewing Machine Sales and Services
- Shoe and Boot Sales and Repair Stores
- Sign Sales, Sign installation to be in compliance with the City of Prosper, Texas Sign Ordinance as it presently exists or may be amended
- Small enclosed Machinery Sales and Services - Service and repair facilities to be under roof and enclosed.
- Specialty Shops and Boutiques
- Sporting Good Sales
- Studios - Art, Photography, Music, Dance, Gymnastics, Health, etc.
- Tailor Shops
- Theaters - Indoor
- Theatrical Centers
- Tire Dealers - No Outdoor Storage
- Toy Stores
- Trade and Commercial Schools
- Travel Bureaus

- Trophies and Awards Shops
- Utility Distribution Systems and Facilities
- Variety Stores
- Veterinarian Clinics and Kennels - Limited to Small Animals (No Outside Runs)
- Watch Making Shops
- Accessory buildings and uses customarily incidental to the permitted uses
- Temporary buildings and uses incidental to construction work on the premises to be removed upon completion or abandonment of construction work
- Uses similar to the above-mentioned permitted uses, provided the Prosper City Council approves said uses prior to the issuance of a building permit.

**3.03 Density:** Allowed density for Tracts I-C shall be as follows:

The allowed floor area ratio for buildings located within Tracts I-C shall be 4:1.

**3.04 Required Parking:** Parking shall be provided according to \_\_\_\_\_ established in the \_\_\_\_\_ for the City of Prosper, Texas, Ordinance No. \_\_\_\_\_, as it presently exists or may be amended. Parking shall be permitted within all required yard areas.

**3.05 Off-Street Parking and Loading Conditions:** Off-street parking and loading requirements shall conform to \_\_\_\_\_ of the City of Prosper, Texas Ordinance No. \_\_\_\_\_ as it presently exists or may be amended. Off-street parking and loading shall be permitted within all required yard areas.

**3.06 Shared Parking:** all owners or parties involved must submit shared parking agreements, in writing to the City of Prosper. The agreement must be approved by the City of Prosper, Texas. If approved, the reduction shall be tied to the uses listed in the shared agreement. If any of the uses change, a reassessment of the shared parking agreement will be required. The City of Prosper, Texas shall not permit new uses until another agreement is approved by the City of Prosper, Texas or the individual parking requirements are met.

**3.07 Building Materials:** A minimum of seventy-five percent (75%) of the total exterior wall surfaces of all main buildings shall have an exterior finish of glass, natural and/or cultured stone, stucco, brick, split-face CMU or similar materials (as approved by the City of Prosper, Texas) or any combination thereof. The use of wood as a primary exterior building material shall be limited to a maximum of twenty-five percent (25%) of the total exterior wall surfaces. Additionally, a structure may be comprised of 50% brick, stone or other conventional material and the balance of the exterior finish to be Hardi-plank.

**3.08 Building Heights:** The permitted height of all buildings within the commercial tracts, Tracts I-C and I-SC shall be two (2) stories.

**3.09 Lot Area:** The minimum area of any lot shall be twelve thousand five hundred (12,500) square feet.

**3.10 Lot Width:** The minimum width of any lot shall be one hundred feet (100').

**3.11 Lot Depth:** The minimum depth of any lot shall be one hundred twenty-five feet (125').

**3.12 Lot Coverage:** In no case shall more than fifty percent (50%) of the total lot area be covered by the combined area of the main buildings. Parking structures and surface parking facilities shall be excluded from the coverage computations.

**3.13 Front Yard:** There shall be a front yard having a depth of not less than thirty feet (30'). Front yard setbacks are required on both streets for corner lots.

**3.14 Side Yard:** Side yard requirements for commercial areas shall be as follows:

- a. No side yard shall be required where commercial structures are attached.
- b. A ten foot (10') side yard shall be required where commercial structures are located adjacent to one another and where vehicle access is not required.
- c. A twenty-four foot (24') side yard shall be provided where fire lane access is required and provision for a vehicular access/fire lane easement is not available on the adjoining property.
- d. A twenty-five foot (25') side yard shall be provided adjacent to a single family zoned district.
- e. A thirty foot (30') side yard shall be provided adjacent to a dedicated street.

**3.15 Rear Yard:** Rear yard requirements for commercial areas shall be as follows:

- a. No rear yard shall be required where commercial structures are attached.
- b. A ten foot (10') rear yard shall be required where commercial structures are located adjacent to one another and where vehicle access is not required.
- c. A twenty-four foot (24') rear yard shall be provided where fire lane access is required and provision for a vehicular access/fire lane easement is not available on the adjoining property.
- d. A twenty-five foot (25') rear yard shall be provided adjacent to a single family zoned district.
- e. A thirty-foot (30') rear yard shall be provided adjacent to a dedicated street.

**3.16 Screening Wall:** Unless otherwise approved by the Prosper City Council or their designee, a six-foot (6') screening wall shall be provided between areas developed for residential uses and those areas developed for commercial uses on Tract I-C only. The commercial user shall be responsible for the construction of the six-foot (6') screening wall. This screening wall shall be constructed at the time a commercial property is developed, and shall only be required adjacent to the specific commercial property that is being developed.

Unless otherwise approved by the Prosper City Council or their designee, the above referenced six-foot (6') screening wall shall be constructed of stone, stucco, brick, tile, concrete or similar materials as approved by the City of Prosper, Texas, or any combination thereof.

#### **4.0 PLANNED DEVELOPMENT - GENERAL CONDITIONS**

**4.01 General Compliance:** Except as amended by these conditions, development of property within this Planned Development must comply with the requirements of all ordinances, rules and regulations of the City of Prosper, Texas as they presently exist or may be amended.

- a. All paved areas, permanent drives, streets and drainage structures must be constructed in accordance with standard City of Prosper, Texas specifications as they presently exist or may be amended.
- b. The Building Inspector shall not issue a building permit or a certificate of occupancy for a use in a phase of this Planned Development District until there has been full compliance with these codes and all other rules and regulations of the City of Prosper, Texas as they presently exist or may be amended and area applicable to that phase.

**4.02 Maintenance of Facilities:** The Owner(s) shall establish, which each development plan submittal, a property owner's association, or other designation that will be responsible for the improvement and maintenance of all common areas and/or common facilities contained within the area of the development plan.

**4.03 Performance Bond.** Developer agrees to provide to the City a Performance Bond on all public improvements dedicated to the City. This bond is to be a 2 year, 10% bond.

**4.04 Common Driveway detail:** As part of the common driveway entrance feature for all lots smaller than 15,000 square feet in Tract I-D, developer will install a 24" wide green space between the two driveways that share the common culvert and entrance. This green space is to begin at a point no farther than 6' from the edge of the road way.