

Exhibit "A"

DEVELOPMENT REGULATIONS FOR  
Gateway Allen at Twin Creeks  
PLANNED DEVELOPMENT  
PD 141

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**SECTION 2: DEVELOPMENT STANDARDS.**

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**C. BUILD-TO, SETBACK AND YARD STANDARDS.**

1. Buildings constructed on the Property shall comply with the setback and yard standards set forth in Table 1, below.

**TABLE 1: BUILD -TO, SETBACK AND YARD STANDARDS**

Character Area	Tollway West	Ridgeview-Exchange	Exchange Pkwy.	Tollway East
Primary/Secondary Building Frontage (Build-to-Zone) <sup>(1)(2)(3)</sup>	18' min. - 26' max.	18' min. - 26' max.	Not Applicable	Not Applicable
Front / Side Yard Setback (Facing a Private Street)	12' min – No max.	12' min. – No max.	Not applicable.	12' min. – No max.
Front / Side Yard Setback (Exchange Parkway)	25' min. – No max.	25' min. – No max	20' min. – No max.	Not applicable
Front / Side Yard Setback (Ridgeview Pkwy.) <sup>(4)</sup>	Not applicable	30' min. – No max.	30' min. – No max.	Not applicable
Front/Side Yard Setback (State Hwy. 121)	30' min. - No max. <sup>(5)</sup>	Not Applicable	30' min. - No max.	30' min. - No max.
Side Yard or Rear Yard Setback (Facing interior lot line or alley)	0' min. – No max.	0' min. – No max.	0' min. – No Max.	0' min. – No max.
Side Yard or Rear Yard Setback (Facing exterior lot line adjacent to City Forest Greenbelt) <sup>(5)(6)</sup>	Not Applicable	Not Applicable	5' min. - No max.	5' min. - No max.

Notes:

- 1) Garage facades are included in this frontage calculation.
- 2) The build-to-zone is measured from the back- of-curb to the face-of-building.
- 3) Buildings may be set back farther than the required Build-To-Zone but only to the extent required to bring the

building in compliance with site visibility triangles regulations.

4) ~~All setbacks adjacent to Ridgeview Drive will be not less than 30 feet.~~

4)5) All Urban Residential units constructed in the Tollway West Character Area shall be set back not less than 300 feet from the State Highway 121 service road; provided, however, the minimum setback from the State Highway 121 service road of no more than sixty (60) Urban Residential units constructed on Tract 6A within the mixed-use building consisting primarily of office use as shown in Appendix 11.

5)6) A 15-foot maintenance easement will be established and maintained parallel and adjacent to the 100-year floodplain in which no structure may impede

2. Except as otherwise permitted in these Development Regulations, at-grade structural encroachments other than structural columns are not permitted within the setback. Structural foundation locations shall not impede pedestrian traffic within the designated pedestrian zone below. Support columns may be located anywhere within the setback provided they are located only in a manner that does not violate sight distance requirements.

2.3. Subsurface parking facilities may encroach into the required setbacks, but in no case shall said parking facilities encroach upon an underground or overhead utility easement. No building permit for any subsurface parking facility shall be issued by the Building Official unless a Landscape Plan for said lot has been approved by the Director of Parks and Recreation. The Landscape Plan shall include sufficient permeable soil depth to support the healthy growth of plant materials in the affected area.

## **D. UNITS, DENSITY AND LOT COVERAGE.**

1. **Maximum Number of Residential Units:** No more than 1,700 Urban Residential units may be constructed on the Property. The number of Urban Residential units preconstructed in each Character Area shall not exceed the number of units set forth in Table 2, below. Urban Residential Units constructed on the Property shall be sequentially phased according to the following:

a. ~~The first 400 Urban Residential units may be constructed on the Property without regard to the commencement of construction on the Property of buildings to be developed for uses other than Urban Residential use;~~

b. ~~No building permit(s) authorizing the construction of more than the 400 Urban Residential units authorized to be constructed pursuant to paragraph 1.a., above, shall be granted until one or more building permits for not less than 100,000 square feet of office uses to be constructed on the Property have been issued.~~

a. ~~Approval of a final inspection~~Building permits for no more than the initial 400-255 Urban Residential units authorized in paragraph 1.a, above, shall not be granted until construction of the Gateway Forest improvements is complete in accordance with Appendix 10, including, but not limited to, the streets identified as "Street G" and "Street H" as shown on Appendix 10;

b. ~~No b~~Building permit(s) authorizing the construction of no more than the 800-555 Urban Residential units (i.e., being the 255 units authorized pursuant to paragraphs 1.a. and 1.b., above, plus an additional 300

units), shall be granted until final building inspections have been approved and one or more certificates of occupancy granted for the building shell (but not the finish out) of a cumulative area of 100,000 square feet of office space one or more building permits have been issued for construction on the Property of one or more buildings for office space use with a cumulative floor area of not less than 100,000 square feet;

c. Building permit(s) authorizing the construction of no more than the 800 Urban Residential units (i.e., being the 555 units authorized pursuant to paragraphs 1.a. and 1.b., above, plus an additional 245 units) shall be granted until final building inspections have been approved and one or more certificates of occupancy granted for the building shell (but not the finish out) of a cumulative area of 100,000 square feet of office space constructed on the Property

d. ~~No b~~Building permit(s) authorizing construction of more than the 1,300 Urban Residential units (i.e., being the 800 units authorized pursuant to paragraphs 1.a., 1.b., and 1.d., above plus an additional 500 units) shall be granted until one or more building permits have been issued for construction on the Property of one or more buildings for office space use with a cumulative floor area of not less than 50,000 square feet, of office uses to be constructed on the Property have been issued which buildings shall be in addition to the building(s) required to be constructed for office uses described in paragraphs 1.b. and 1.d., above. For purposes of this paragraph 1.ed., the number of square feet footage of building(s) constructed for office use in satisfaction of paragraphs 1.b. and 1.d., above, in excess of 100,000 shall be credited toward the number of square feet footage of the office building(s) for which building permit(s) must be issued pursuant to this paragraph 1.ed. prior to issuance of a building permit authorizing construction of a building containing the 1,301<sup>st</sup> Urban Residential unit. By way of illustration, if in satisfaction of the requirements for the construction of building(s) for office use pursuant to paragraphs 1.b. and 1.d., above, one or more certificates of occupancy are issued for a total of 120,000 square feet of building shell, then the square footage of building(s) constructed for office use for which building permits must be issued prior to issuance of a building permit authorizing construction of the building containing the 1,301<sup>st</sup> Urban Residential unit shall be reduced to 30,000 square feet.

**TABLE 2: URBAN RESIDENTIAL UNIT ALLOCATION**

Character Area (C.A.)	Maximum Allowed Urban Residential Units or C.A. <sup>(1)</sup>	Maximum Density	Maximum FAR	Maximum Lot Coverage
Tollway West	<del>1,000</del> 500	None	None	None
Ridgeview-Exchange	1,600	<del>None</del>	<del>None</del>	<del>None</del>
Exchange Pkwy.	<del>400-0</del> <sup>(2)</sup>	<del>None</del>	<del>None</del>	<del>None</del>
Tollway East	400	<del>None</del>	<del>None</del>	<del>None</del>

Notes

- 1) The maximum number of Urban Residential units that may be constructed for the District on the Property shall not exceed 1,700 units as described set forth in Section 3.D.1 above. The numbers in this column establish the maximum number of Urban Residential units that may be constructed in the identified Character Area.
- 2) ~~Shall not be less than six (6) stories, including podium parking garage.~~

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**G. BUILDING HEIGHT**

**1. Minimum Number of Stories:**

- a. A maximum of 25% of the gross floor area of principal buildings located in the Tollway West Character Area and the Ridgeview-Exchange Character Area shall be permitted to be less than three stories. The gross floor area of retail and restaurant uses permitted in the Central Square shall not be include in determining compliance with the maximum percentage stated in the prior sentence.
- b. All principal buildings in the Exchange Pkwy. and Tollway East Character Areas may be one story in height, ~~except as limited by Section 2.G.1.c. below.~~
- c. ~~Buildings within the Exchange Pkwy. Character Area developed with Urban Residential units shall not be less than six stories in height inclusive of the above-grade portion of a podium parking garage constructed below the floors of Urban Residential units. When a parking garage is vertically integrated into the overall structure, not less than five stories of Urban Residential units shall be incorporated into the overall structure.~~

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**SECTION 3: STREET TYPES AND TRANSPORTATION NETWORK**

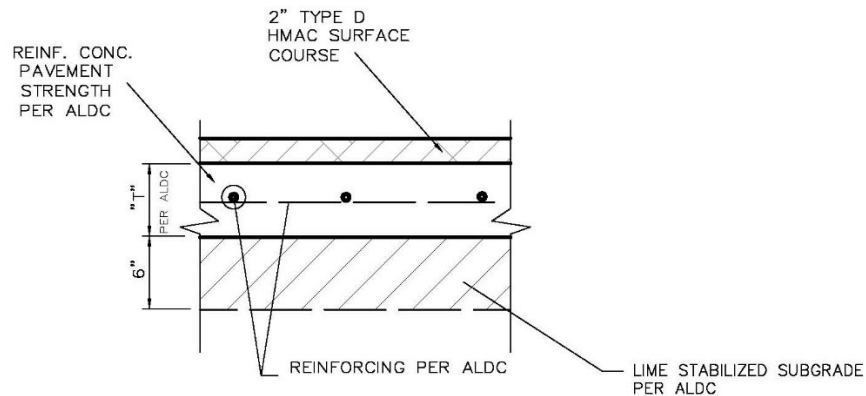
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- D. PRIVATE STREETS.** All streets within the ~~Property~~ Tollway West Character Area and Ridgeview-Exchange Character Area, as generally illustrated in the Streets Diagram, will be private streets and shall be maintained by a property owners' association.

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**F. TOLLWAY EAST CHARACTER AREA.** Within the Tollway East Character Area:

1. Asphalt may be used as a paving material provided such paving complies with the City's design specification for strength and endurance;



**ONSITE HMAC OVER  
CONCRETE PAVEMENT SECTION**

2. Tree islands in required parking areas may be planted with trees below grade level protected by metal grates, subject to the following:
  - a. A licensed professional engineer shall certify with a sealed letter that the tree grates are traffic rated; and
  - b. The planting area shall include subsurface preparation in order to facilitate the healthy growth of trees, including but not limited to, installation of structural soil systems; and
  - c. All trees located within the surface area of the parking lot must, at the time of planting have a trunk diameter of not less than six (6) caliper inches and have a rootball diameter of not less than sixty (60) inches, or a 10:1 ratio of the rootball to the trunk diameter measured at twelve (12) inches above the soil stain; and
  - d. Trees shall be of a species identified as Overstory (shade) trees as listed in Appendix C of the Allen Land Development Code.

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**SECTION 4: PARK LAND, OPEN SPACE, TRAILS, AND TREE MITIGATION**

**A. GENERAL.**

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2. **Ownership, Maintenance and Management.** The owner of the Property, or the owners of the various portions thereof, shall maintain or cause to be maintained all common areas within the Property, including, but not limited to, all parks, open spaces, street medians, entry features, floodplain areas, streetscapes and landscape areas within street right-of-way, detention pond, retention ponds, wall maintenance easements, landscape maintenance easements, and similar areas shown on a final plat, site plan, or the Regulating Plan (collectively the "Common Areas"), until such time that a one or more Property Owners' Associations is/are established for the purpose of ownership, maintenance and management of the Common Areas within the various portions of the Property as required by Section 8.20 of the ALDC. Maintenance of Common Areas shall include, but not be limited to, the various in-ground and above ground plantings/planting beds, irrigation (when required herein), lighting and drainage systems located within the Common Areas.

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- H. **URBAN RESIDENTIAL BUILDING STANDARDS.** Urban Residential dwelling uses shall be subject to the following development and use regulations:

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2. **One-bedroom minimums.**
  - a. No less than 65 percent of the Urban Residential dwelling units in the aggregate within the overall development of the Property shall be one-bedroom and studio units as set forth below.
  - b. A final building inspection to permit the occupancy of the initial 400-255 Urban Residential units shall not be issued until a report is filed with the Director of Community Development or designee demonstrating that no less than 65 percent of the dwelling units in the first 400-255 units are one-bedroom and studio units.
  - b.c. A final building inspection to permit the occupancy of a total of 555 Urban Residential units (i.e., being the 255 units described in paragraph b., above, plus an additional 300 units) shall not be issued until a report is filed with the Director of Community Development or designee demonstrating that no less than 65 percent of the dwelling units in the first 555 units are one-bedroom and studio units.
  - e.d. A final building inspection to permit the occupancy of a total of 800 Urban Residential units (i.e., being the 555 units described in paragraphs b. and c., above, plus an additional 245 units) shall not be issued until a report is filed with the Director of Community Development or designee demonstrating that no less than 65 percent of the dwelling units in the first 800 units are one-bedroom and studio units

d.e. A final building inspection to permit the occupancy of a total of 1,300 Urban Residential units (i.e., being the 800 units described in paragraphs b., c., and d., above, plus an additional 500 units) shall not be issued until a report is filed with the Director of Community Development or designee demonstrating that no less than 65 percent of the dwelling units in the first 1,300 units are one-bedroom and studio units.

e.f. A final building inspection to permit the occupancy of the 1,301<sup>st</sup> through the 1,700<sup>th</sup> Urban Residential unit shall not be issued until a report is filed with the Director of Community Development or designee demonstrating that no less than 65 percent of the dwelling units in the remaining 400 units will be constructed as one- bedroom and studio units.

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## SECTION 7: SIGN STANDARDS.

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**B. ALLOWED SIGNS.** The following signs shall be allowed subject to the size restrictions set forth in the ALDC for unless otherwise indicated below:

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### 2. Off-premise multi-tenant signs.

a. Maximum effective area: 180 square feet per side.

b. Maximum number: ~~three (3)~~two (2) on SH 121 (one (1) ~~for each Character Area bordering SH 121~~for the Tollway West Character Area and Exchange Pkwy. Character Area), ~~two (2)~~one (1) on Exchange Pkwy. (~~one only~~ for Tollway West Character Area; and ~~one~~ for Exchange Pkwy. Character Area), one (1) on Ridgeview Drive (in Exchange Pkwy. Character Area).

### 3. Off-premise district signs.

a. Maximum effective area: 180 square feet per side.

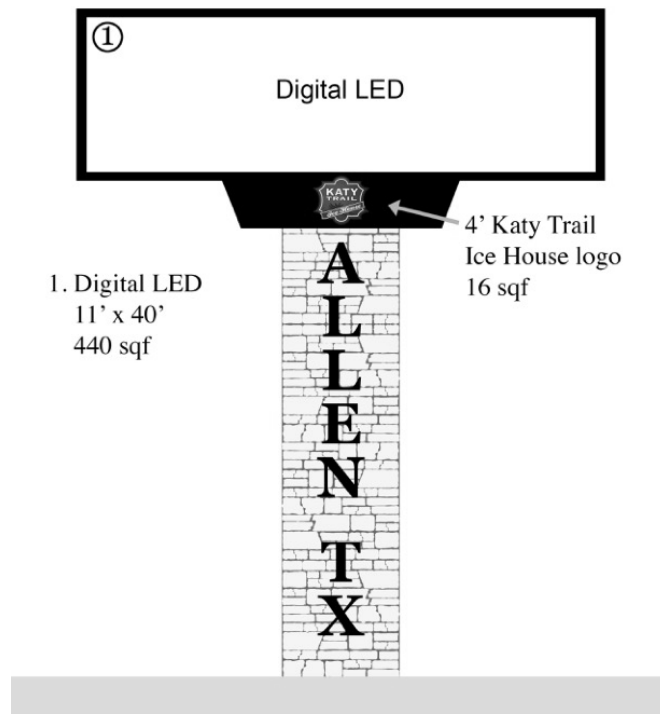
b. Maximum number: ~~three (3)~~two (2) on SH 121 (one (1) ~~for each Character Area bordering SH 121~~for the Tollway West Character Area and Exchange Pkwy. Character Area), two (2) on Exchange Pkwy. (one (1) for Tollway West Character Area and one (1) for Exchange Pkwy. Character Area), two (2) on Ridgeview Drive (in Exchange Pkwy. Character Area) and Ridgeview-Exchange Character Area.

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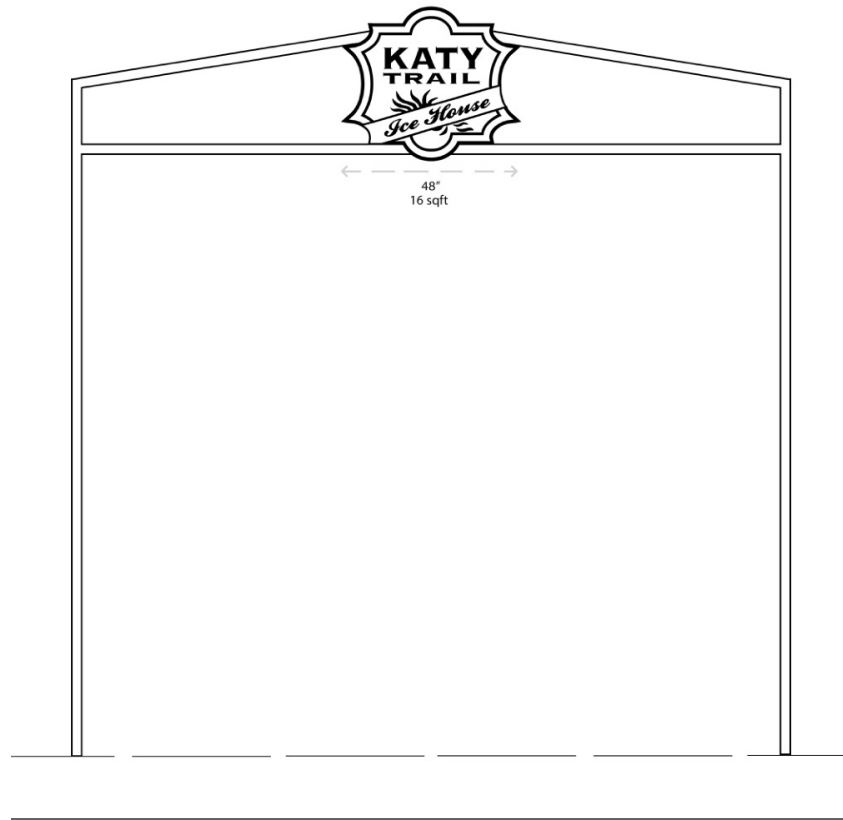
16. Freestanding LED Sign. One (1) Freestanding LED Sign ("FLS") may be installed in the Tollway East Character Area subject to the following:

- a. The area of each sign face shall not exceed 460 square feet;
- b. The FLS shall have no more than two (2) sign faces;
- c. Sign supports must be wrapped in masonry or similar product with no poles visible. "Allen TX" in raised metal letters will be permitted on the masonry and shall not be considered as part of the maximum effective area;
- d. The FLS shall use LED, digital or other similar technology;
- e. The FLS may not display light of such intensity or brilliance to cause glare, impair the vision of the ordinary driver, or constitute a nuisance;
- f. No flashing, dimming, or brightening of message is permitted except to accommodate changes of message;
- g. The light source of the FLS shall not be directly visible;
- h. The edges of the FLS shall be wrapped and not considered as part of the maximum effective area;
- i. The FLS shall not exceed sixty (60) feet, excluding a cutout that extends above the rectangular border of the sign, measured from the grade level of the centerline of the main-traveled way on State Hwy. 121, not including the frontage road of State Hwy. 121, closest to the FLS at a point perpendicular to the sign location;
- j. The FLS shall be setback from any public right-of-way a distance of not less than eight (8) feet; and
- ~~a~~.k. The design of the FLS shall be generally as shown in the following illustration:

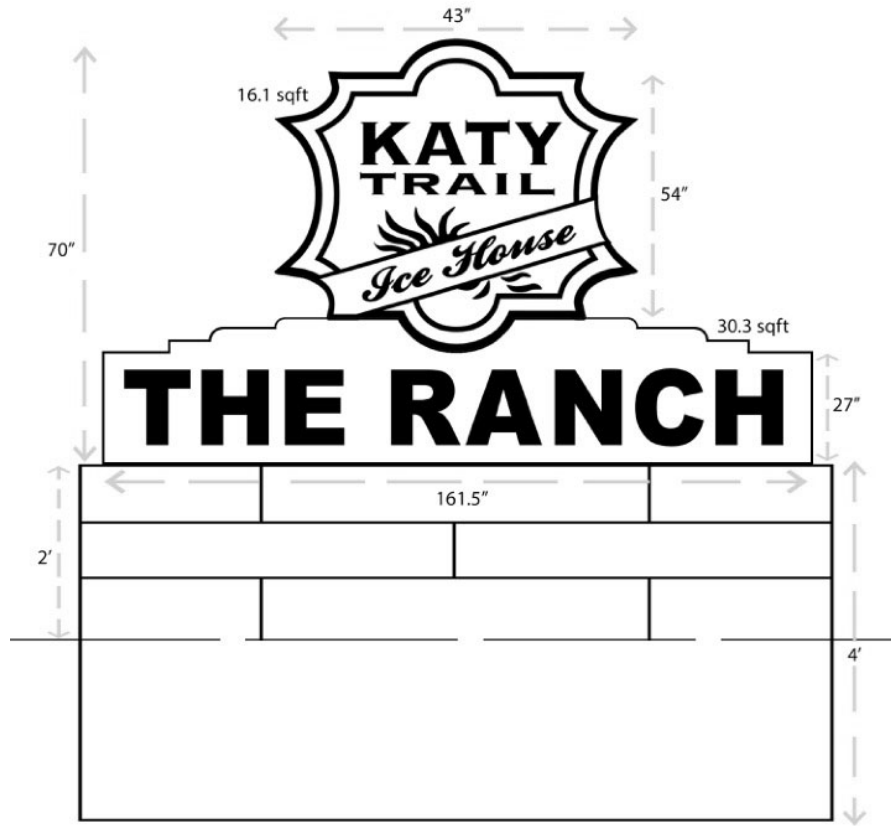




- 17. Ranch Style Entry Sign.** One (1) Ranch Style Entry Sign (“RSE”) may be installed within the Tollway East Character Area subject to the following:
- a. The area of each sign face shall not exceed twenty (20) square feet;
  - b. The RSE shall have no more than two (2) sign faces;
  - c. The RSE shall be set back not less than fifty feet (50') from the State Hwy. 121 frontage road;
  - d. The RSE may be illuminated; and
  - e. The RSE shall consist of metal piping or other similar material overhanging the private entry to a parking lot supporting the copy area of the sign which shall not be considered part of the area of the sign face, as generally shown in the following illustration:



18. **Monument Signs for Tollway East Character Area.** No more than two (2) monument signs may be installed along State Hwy. 121 within the Tollway East Character Area subject to the following:
- a. The area of each sign face shall not exceed ninety (90) square feet.
  - b. Each monument sign shall have no more than two (2) sign faces; and
  - c. The maximum sign height shall not exceed twelve (12) feet; and
  - d. Signs may be illuminated.



Note: The height shown in this figure is for illustrative purposes only. The maximum height of the sign shall be regulated by Section 7.B.18 of this Ordinance.

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### Appendix 3: SCHEDULE OF USES

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Use	Character Areas			
	Tollway West	Ridgeview-Exchange	Exchange Pkwy.	Tollway East
ADULT DAY CARE				
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AMENITY CENTER	X	X		
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