

**DRAFT OF PROPOSED DEVELOPMENT REGULATIONS FOR**  
**LEXINGTON ESTATES**

The Property shall be developed and used in accordance with the applicable provisions of the Allen Land Development Code, as amended, ("ALDC") except to the extent modified by the Development Regulations set forth below:

- A. BASE ZONING DISTRICTS:** The Property shall be developed and used only in accordance with use and development regulations of the Single Family Residential District "R-6" and Townhome Residential "TH" except as otherwise provided in this Ordinance.
- B. CONCEPT PLAN:** The Property shall be developed in general conformance with the Concept Plan attached hereto as Exhibit "B" and incorporated herein by reference (the "Concept Plan"). Minor modifications to streets that do not alter the general alignment shown on the Concept Plan may be made at the time of plat approval.
- C. BUILDING ELEVATIONS:** Buildings to be constructed on the Property shall be developed in general conformance with the height, materials, and architectural style set forth in the Building Elevations attached hereto as Exhibit "C" and incorporated herein by reference ("the Elevations") and shall be further subject to the following.
- (1) Building Materials: Except for window and door areas, exterior facades of all walls shall be 100% masonry.
- (2) Building Design for "TH" lots: Each of the three elevation types shown on the Elevations shall be used on no fewer than four (4) of the 19 buildings constructed on the "TH" lots.
- D. LOT DESIGN CRITERIA AND BUILDING SETBACKS:** The minimum lot dimensions and building setbacks for the lot types shown on the Concept Plan shall be modified as follows:

(1) **"TH" Townhome Lots:**

Minimum Lot Area	1,870 square feet
Minimum Lot Width	22 feet
Minimum Lot Depth	85 feet
Rear Yard Setback	20 feet
Minimum Dwelling Unit Size	1,300 square feet (excluding garage)

(2) **"R-6" Single Family Lots:**

Minimum Lot Area	5,750 square feet
Minimum Lot Width	50 feet
Minimum Lot Depth	110 feet
Rear Yard Setback	15 feet
Minimum Dwelling Unit Size	1,800 square feet (excluding garage)

- E. GARAGE SETBACK:** Not less than 20 feet between the property line and face of the structure.

**F. SCREENING:** Screening fences and/or walls shall be constructed and/or installed along the boundaries of the Property in general conformance with the Screening Plan attached hereto as Exhibit “D” and incorporated herein by reference subject to the following additional conditions:

- (1) No building permit shall be issued for construction of any dwelling unit on the South Tract (i.e. Blocks E and F) as shown on the Concept Plan and described in Exhibit “A” hereto until construction of all screening walls and fences shown on the Screening Plan and located on the exterior boundaries of the South Tract has been completed as determined by the Chief Building Official;
- (2) No building permit shall be issued for construction of any dwelling unit on the North Tract (i.e. Blocks A, B and C) as shown on the Concept Plan and described in Exhibit “A” hereto until construction of all screening walls and fences shown on the Screening Plan and located on the exterior boundaries of the North Tract has been completed as determined by the Chief Building Official;
- (3) Prior to or concurrent with the approval of a final plat for any portion of the North Tract, a perpetual landscape and screening wall maintenance easement with a width of not less than five feet (5.0’) and in a form approved by the City Attorney shall be conveyed by the owner of the property adjacent to the western boundary of the North Tract in favor of the owner of the North Tract and the homeowner’s association established as required by Section 8.20 of the ALDC which easement shall, among other provisions:
  - (a) Require the developer and/or homeowner’s association to be responsible for the maintenance, repair, and replacement of all walls, fences, landscaping, irrigation systems, and any other improvements located within said easement and as may otherwise be required by this Ordinance or applicable provisions of the ALDC;
  - (b) Prohibit any amendments to, or termination of, the easement, in whole or in part, without the written consent of the City of Allen; and
  - (c) Provide that the City of Allen, as a third-party beneficiary of the easement, may, but shall not be obligated, to enforce the provisions of the easement; and
- (4) The declaration of covenants and restrictions relating to the North Tract and required by Section 8.20 of the ALDC shall contain a provision that obligates the homeowner’s association established pursuant to said declaration to maintain the landscaping and improvements located within the easement described in paragraph (3), above, in the same manner and to the same extent as all other common areas within the North Tract for which the homeowner’s association shall be responsible.

Notwithstanding the above to the contrary, if, prior to final plat of any portion of the Property, fee title to the land on which the easement described in paragraph (3) above is located is conveyed to the owner of the balance of the North Tract so that such land is under common ownership, the easement described in paragraph (3) shall not be required provided (i) such area is established as a common area lot and (ii) a note is included on said final plat that provides that said common area shall be maintained in accordance with this Ordinance.

**G. VISITOR PARKING:** Visitor parking for Lot 44, Block A, may exceed the 100-foot requirement to a dwelling unit provided it is located as shown on the Concept Plan.

- H. SIGNAGE:** Signs shall comply with the general location, number, and dimensions shown on the Screening Plan.
- I. SIDEWALK EXTENSION:** The off-site sidewalk connection on the southern side of Ridgeview Drive shall be constructed by the Developer prior to issuance of a building permit for any dwelling unit on any lot.
- J. TRAFFIC IMPROVEMENTS:** A median opening between Street A and Street D on Ridgeview Drive and the associated east bound left turn lane and west bound left turn lane must be constructed prior to issuance of a building permit for any dwelling unit on any lot.