

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE ZONING REGULATIONS AND ZONING MAP, AS PREVIOUSLY AMENDED, BY CHANGING THE ZONING REGULATIONS RELATING TO THE DEVELOPMENT AND USE OF 260.94± ACRES IN THE JONATHAN PHILLIPS SURVEY, ABSTRACT NO. 719 DESCRIBED IN EXHIBIT “A,” HERETO FROM AGRICULTURAL-OPEN SPACE “AO,” PLANNED DEVELOPMENT NO. 24 OFFICE/LIGHT INDUSTRIAL “O/LI,” PLANNED DEVELOPMENT NO. 24 OFFICE “O,” PLANNED DEVELOPMENT NO. 24 LIGHT INDUSTRIAL “LI,” PLANNED DEVELOPMENT NO. 24 SHOPPING CENTER “SC,” PLANNED DEVELOPMENT NO. 24 LOCAL RETAIL “LR,” AND PLANNED DEVELOPMENT NO. 94 MIXED USE “MIX,” TO PLANNED DEVELOPMENT NO. 139 (“PD-139”) FOR URBAN RESIDENTIAL, TOWNHOUSE, HOTEL, COMMERCIAL, OFFICE, AND RETAIL USES; ADOPTING DEVELOPMENT REGULATIONS; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Allen, Texas, in compliance with the laws of the State of Texas and the Ordinances of the City of Allen, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Texas, as previously amended, should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

SECTION 1. The Allen Land Development Code Zoning Regulations and Zoning Map, of the City of Allen, Texas, as amended, is hereby further amended by changing the zoning regulations relating to the development and use of 260.91± acres in the Jonathan Phillips Survey, Abstract No. 719, City of Allen, Collin County, Texas, described in Appendix 1 of Exhibit “A,” attached hereto and incorporated herein by reference (“The Property”) from Agricultural-Open Space “AO,” Planned Development No. 24 Office/Light Industrial “O/LI,” Planned Development No. 24 Office “O,” Planned Development No. 24 Light Industrial “LI,” Planned Development No. 24 Shopping Center “SC,” Planned Development No. 24 Local Retail “LR,” and Planned Development No. 94 Mixed Use “MIX,” to Planned Development No. 139 (“PD-139”) for Urban Residential, Townhouse, Hotel, Commercial, Office, and Retail Uses.

SECTION 2. The Property shall be developed and used in accordance with applicable provisions of the Allen Land Development Code, as amended (“ALDC”) except to the extent modified by the Development Regulations set forth in Exhibit “A,” attached hereto and incorporated herein by reference.

SECTION 3. To the extent of any irreconcilable conflict with the provisions of the Ordinance and other Ordinances of the City of Allen governing the use and development of the Property and which are not expressly amended by this Ordinance, the provisions of this Ordinance shall be controlling.

SECTION 4. Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance, or of the Allen Land Development Code Zoning Regulations, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance or the Allen Land Development Code Zoning Regulations, as amended hereby, which shall remain in full force and effect.

SECTION 5. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Allen Land Development Code Zoning Regulations, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 6. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in Allen Land Development Code Zoning Regulations of the City of Allen, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense.

SECTION 7. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Allen, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 25th DAY OF JUNE 2019.

APPROVED:

Stephen Terrell, MAYOR

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, CITY ATTORNEY
(kbl:6/13/19:108793)

Shelley B. George, TRMC, CITY SECRETARY

**DEVELOPMENT REGULATIONS FOR
MONARCH CITY PLANNED DEVELOPMENT
DISTRICT – PD 139**

Monarch City PD 139
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SECTION 1: PLANNED DEVELOPMENT SUMMARY AND PURPOSE

City of Allen, Texas, Ordinance No. _____, enacted on June 25, 2019, amended the Allen Land Development Code Zoning Regulations and the Zoning Map of the City of Allen, Collin County, Texas, relating to the use and development of 260.94± acres of land described in Appendix 1, attached hereto and incorporated herein by reference (“the Property”) and established “PD” Planned Development No. ____ for Urban Residential, Townhouse, Hotel, Commercial, Office and Retail Uses (referred to herein alternatively as “PD-____”, “the District,” or “the Monarch City PD”).

The District is designed to permit flexibility and encourage a more creative, efficient and aesthetically desirable design and placement of buildings, parks and open space, circulation patterns, by (i) allowing a mixture or combination of uses, and (ii) using special site features such as topography, size and shape for the following purposes:

- Provide for a diversity of pedestrian-oriented retail, office, hotel, residential and mixed uses indicative of an urban center.
- Provide a venue for culture, art, and other community attractions and serve as a community center.
- Provide gathering places throughout the development for the residents of Allen.
- Create a lively day and night urban environment for residents, workers and visitors through the integration of a range of uses, public spaces, public realm, building types, and parks and open space.
- Produce a quality environment by combining inviting streetscapes and excellence in building design.
- Increase property values and stimulate development with strategically placed civic features such as parks, medians, street trees, and public art.

SECTION 2: PLANNED DEVELOPMENT STRUCTURE

The Property shall be developed and used in accordance with the Development Regulations, set forth in this Exhibit “A” to Ordinance No. _____, attached thereto and incorporated therein by reference (“the Development Regulations”) and applicable provisions of the Allen Land Development Code (“ALDC”) identified herein. When there is an irreconcilable conflict between the Development Regulations and the ALDC, the provisions of the Development Regulations shall control. When the Development Regulations are silent on a development standard, the provisions of the ALDC shall control. The District is a mixed-use district and shall not be considered a residential district.

- A. **DEVELOPMENT STANDARDS.** The Development Regulations establish the regulations by which the Property is to be developed and used.
- B. **REGULATING PLAN ESTABLISHED.** The Property shall be developed and used in general conformance with the Regulating Plan attached hereto as Appendix 2 and incorporated herein by reference (the “Regulating Plan”). The Regulating Plan is comprised of:

1. **Character Areas.** Character Areas, established and defined in Section 2.C. below, provide the neighborhood development patterns, the general development character, and the use of property within such areas.
2. **Streets.** Public and private streets are classified as various types in Section 4.A, are designated on the Regulating Plan as “Primary Streets” and “Secondary Streets,” and, subject to modification as set forth herein, shall be placed in the general location shown on the Regulating Plan. Additional developer-driven public and private streets may be needed to ensure connectivity and comply with block size requirements.
3. **Parks and Open Space.** Parks and open space are defined in Section 5. The general location of the parks, open space and trails are depicted on the Regulating Plan and the Parks and Open Space Plan attached hereto as Appendix 6 and incorporated herein by reference (“the Parks and Open Space Plan”).
4. **Building Frontage Requirement.** The required percentage of a building façade that fronts along a block face on a particular street is depicted on the Regulating Plan as either “Primary Building Frontage” or “Secondary Building Frontage”.

C. **CHARACTER AREAS DEFINED.** The following Character Areas, as identified on the Regulating Plan, are established and shall have the following respective base zoning districts. Amendments to the ALDC that modify the use and/or development regulations of the base zoning district applicable to a Character Area shall not make the existing uses or existing structures within said Character Area non-conforming for purposes of Section 4.05 of the ALDC.

1. **Urban Main Street Character Area.** The Urban Main Street Character Area has a base zoning district of Corridor Commercial (CC) zoning district. The Urban Main Street Character Area is the central core of the District centered around a walkable “Main Street” environment with active first floor spaces able to accommodate restaurant, retail and commercial uses. This Character Area is designed in a dense and walkable urban context.
2. **Employment Character Area.** The Employment Character Area has a base zoning district of Corridor Commercial (CC) zoning district. The Employment Character Area shall consist of larger-scale office and commercial uses with regional highway access and a hybrid walkable connection to the interior of the District.
3. **Urban Neighborhood Character Area.** The Urban Neighborhood Character Area has a base zoning district of Multifamily 18 (MF-18) zoning district. The Urban Neighborhood Character Area is primarily a residential walkable neighborhood with connections to large areas of parks and open space within walking distance of the core retail, restaurant and commercial areas.
4. **Flex Zone Character Area.** The Flex Zone Character Area has a base zoning district of Light Commercial (LC) zoning district. The Flex Zone Character area is intended to be a transition zone in height and density to lower density uses on sites across Chelsea Boulevard. The uses within the Flex Zone Character Area may include conventional or

regionally-scaled commercial, residential and office, while still maintaining a hybrid walkable and urban context.

SECTION 3: DEVELOPMENT STANDARDS.

A. PERMITTED USES. The Property, as divided into the Character Areas, may be developed and used for the purpose either by right or following approval of a specific use permit in accordance with the Schedule of Uses attached hereto as Appendix 3 and incorporated herein by reference (“Schedule of Uses”).

B. TEMPORARY USES AND SPECIAL EVENTS USES

1. Temporary uses conducted within the Property shall be conducted in accordance with ALDC Section 6.04 “Temporary Use Permits” except that Temporary Uses shall not be limited by number or duration in a calendar year.
2. Special events conducted within the Property shall be conducted in accordance with Chapter 8, Article VII of the Allen Code of Ordinances. In no instance shall Special Events be limited by number or duration in a calendar year.

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	Primary/Secondary Building Frontage (Build-to-Zone) ^{(1) (2)}	Other Front/ Side Yard Setback (Facing a Street)	Side Yard or Rear Yard Setback (Facing interior lot line or alley)
Urban Main Street	0’ Min-25’ Max.	0’ Min-No Max.	0’ Min-No Max.
Employment	0’ Min-100’ Max.	0’ Min- No Max.	10’ Min- No Max.
Urban Neighborhood	5’ Min- 25’ Max.	5’ Min- No Max.	0’ Min- No Max.
Flex Zone	0’ Min-100’ Max.	0’ Min- No Max.	0’ Min- No Max.

Notes

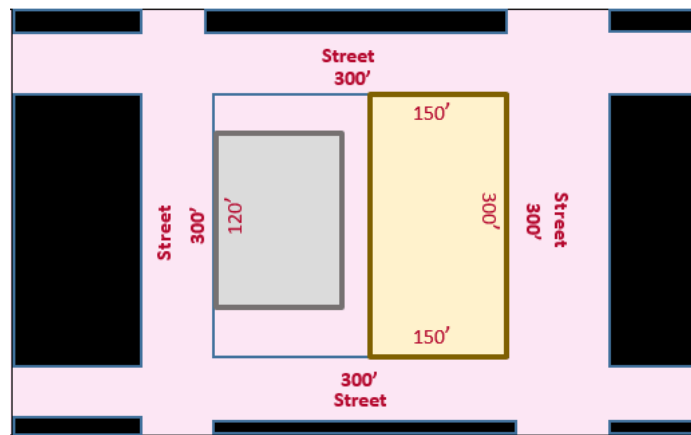
- (1) Garage facades are included in this frontage calculation
- (2) The ground level façade of a building shall be located a minimum of 18-feet from back of curb along primary frontage zones; 12-feet from back of curb along secondary frontage zones; and 10-feet from back of curb along all other frontage zones.

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 in a manner that does not violate sight distance requirements.

D. DENSITY AND LOT COVERAGE.

1. **Maximum Number of Residential Units:** No more than 4,000 Urban Residential units may be constructed on the Property. Subject to the foregoing, Urban Residential units may be allocated in any manner throughout the Property and densities transferred among Character Zones in which the Urban Residential use is permitted. Urban Residential Units constructed on the Property shall be phased according to the following:
 - a. An initial 700 units may be constructed without restriction with respect to applications for building permits or issuance of certificates of occupancy;
 - b. Building permits for no more than 700 Urban Residential units shall be granted until applications for building permits for a cumulative total of not less than 50,000 square feet of office uses have been submitted to the City;
 - c. Building permits for no more than 1,400 Urban Residential units shall be granted until certificates of occupancy for a cumulative total of not less than 50,000 square feet of office uses have been granted by the City and applications for building permits for a cumulative total of not less than 100,000 square feet of office uses have been submitted to the City;
 - d. Building permits for no more than 2,100 Urban Residential units shall be granted until certificates of occupancy for a cumulative total of not less than 100,000 square feet of office uses have been issued by the City and applications for building permits for a cumulative total of not less than 375,000 square feet of office uses have been submitted to the City; and
 - e. Building permits for no more than 2,800 Urban Residential units shall be granted until certificates of occupancy for a cumulative total of not less than 375,000 square feet of office uses have been issued by the City.
2. **No Maximum Density.** There shall be no maximum density for any Urban Residential use in any Character Area.
3. **Maximum FAR.** There shall be no maximum FAR for any use in any Character Area.

4. **Minimum FAR.** The minimum cumulative FAR for properties with Primary Building Frontage in the Urban Main Street Character Area shall be 0.5. Each successive phase shall maintain the minimum FAR requirement, calculated in a cumulative manner.
 5. **Maximum Lot Coverage.** There shall be no maximum lot coverage in any Character Area.
- E. **BLOCK LENGTH.** The block lengths within each Character Areas shall not exceed the following:
1. **Urban Main Street and Urban Neighborhood Character Areas.** 700 feet.
 2. **Employment and Flex Zone Character Areas.** 1,000 feet except as follows:
 - a. Blocks longer than 1,000 feet are permitted to accommodate a mixed-use/office campus development, provided that either of the following conditions are satisfied:
 - i. Minimum FAR of 0.6; or
 - ii. Minimum FAR of 0.4 and minimum gross floor area of 400,000 square feet.
 - b. The area subject to block length exceptions made under paragraph a., above, shall not exceed 33% of the total area within the respective Character Area. For illustration purposes, if the total area in all Employment Character Areas is 80 acres, then an exception to the block lengths may be allowed for only 26.4 acres within the Employment Character Areas. The area with the exception may be located within any Employment Character Area within the Property.
- F. **BUILDING FRONTAGE REQUIREMENTS.**
1. **Minimum Building Frontage.**
 - a. Minimum building frontage shall be provided for facades included in the “Primary Building Frontage” or “Secondary Building Frontage” areas identified on the Regulating Plan.
 - b. Character Areas without a building frontage indicated on the Regulating Plan shall be considered “General Frontage”.
 - c. Minimum building frontage percentages shall be calculated based on a percentage of building frontage for each individual block face. For illustration purposes only as depicted below, each street (300 feet frontage each) is required to comply with the minimum building frontage as dictated by the street type/zone. Block frontage requirements shall not apply to the Flex Zone character zone.



- d. Site Plans shall indicate where future phases of development are being used to meet building frontage requirements.

2. **Additional Building Features.** For purposes of calculating the frontage requirement, building façades may include patios, forecourts, and other similar people-spaces integrated into a building as well as mid-block paseos providing public access through the block.

3. **Minimum Frontage Requirements.**

- a. The minimum required percentage of building façade frontage shall be as follows:
 - i. **Primary Building Frontage:** 75%
 - ii. **Secondary Building Frontage:** 60%
 - iii. **General Frontage:** 30%.
- b. Parking garage facades shall be included in the calculation of building façade frontage.
- c. Detention and retention areas and parks and open spaces shall not be included in the overall block frontage measurement for purposes of calculating the minimum building façade frontage.
- d. Except as otherwise permitted herein, the minimum building façade frontage shall only apply to frontages along streets as shown on the Regulating Plan (i) in the Urban Main Street Character Area, (ii) in the Urban Neighborhood Character Area, and (iii) along the east side of the north-south Secondary Street in the Employment Character Area across from the Urban Main Street Character Area. The minimum building façade frontage requirement shall not apply to buildings in Central Park.

G. **BUILDING HEIGHT**

1. **Minimum Number of Stories:**

- a. Principal buildings shall be not less than three (3) stories except for retail, restaurants, townhouses, allowed accessory uses, and buildings in parks and open spaces as limited in this subsection.
- b. Except for the Flex Character Area and Central Park in which all buildings may be less than three (3) stories, buildings less than three (3) stories may not occupy more than the following percentages of land area in each of the other Character Areas:
 - i. Urban Main Street Character Area: 20%
 - ii. Urban Neighborhood Character Area: 30%
 - iii. Employment Character Area: 20%
- 2. **Maximum Height:** None, except as otherwise provided in Section 3.G.3 below
- 3. **Maximum Number of Stories in Flex Zone Character Area:** None, except for those blocks depicted in the Regulating Plan where the maximum height shall not exceed five stories.

H. PARKING STANDARDS

- 1. **Parking Minimums.**
 - a. Urban Residential use: 1.2 spaces per dwelling unit
 - b. Dwelling, Condominium: 1.4 spaces per dwelling unit
 - c. Retail use: 3 spaces per 1,000 square feet of gross floor area
 - d. Restaurant use (stand-alone): 10 spaces per 1,000 square feet of gross floor area
 - e. Restaurant use (when in-line with other retail or part of a multiple use building): 3 spaces per 1,000 square feet of gross floor area
 - f. Office: 2.5 spaces per 1,000 square feet of gross floor area
 - g. Hotel: 0.75 space per room
 - h. Other uses: per ALDC
- 2. **Parking Reduction.** The Director of Community Development and Director of Engineering may jointly grant a modification to off-street parking requirements when necessary for the efficient operation of any part of the development of the Property. Such modification must be justified through the development of a parking study prepared by a professional engineer or transportation planner which demonstrates

need, reviews industry standards, and proposes a modification that will not result in a parking deficiency.

3. **Cross Access.** Except for single-family residential lots, a perpetual cross-access easement for vehicle and pedestrian travel as well as cross-easements for parking shall be granted between and among all lots within the Property. The cross-access easement may be provided by plat or separate instrument.
4. **On-Street Parking.** On-street parking spaces located within 200 feet of a building/use may be counted towards the number of off-street parking spaces requirement for such building or use; provided, however, such spaces may only be counted once and not counted for purposes of determining the number of required off-street parking spaces for other uses or buildings. Nothing in this Section 3.H.4 shall be construed as prohibiting a shared parking agreement (defined in Section 3.H.5 below) from allowing off-street parking spaces to be counted toward satisfying the minimum number of off-street parking requirements for multiple uses or buildings.
5. **Shared Parking.**
 - a. Off-street parking for non-shared uses shall be provided in conformance to ALDC standards.
 - b. Subject to the approval of the Director of Community Development and the Director of Engineering, a Shared Parking Study may be used to reduce the minimum required off-street parking spaces set forth in the ALDC. A parking study shall use independently collected empirical data or use data by an acceptable industry-standard resource.
 - c. Off-street parking requirements may be satisfied through the use of shared parking agreements, provided that:
 - i. The parking lot or garage containing the shared spaces is located no greater than 800 feet from the building/use for which the off-street spaces are being counted;
 - ii. The shared parking agreement provides for an easement establishing a perpetual use of the off-site parking spaces by the building/use for which the off-street spaces are being counted;
 - iii. The shared parking area(s) identified in a shared parking agreement shall generally be limited to areas where the users who owners, tenants, employees, customers, and/or clients sharing the parking are open to the public during different times of the day with minimal overlap in business hours;
 - iv. The shared parking agreement must be recorded in the Official Public Records of Collin County, Texas, after execution; and

- v. Prior to execution and recordation, the form of the shared parking agreement will be reviewed and approved by the City Attorney to determine if it conforms to the requirements set forth above and in the ALDC as modified herein.
- 6. **Surface Parking Lots.** Surface Parking shall comply with the parking lot screening and landscape requirements set forth in the ALDC.

SECTION 4: STREET TYPES AND TRANSPORTATION NETWORK

- A. **Street Types.** Street Types, as identified in the Regulating Plan, are as follows:
 - 1. **Primary Street.** Primary Streets are streets with a right-of-way not less than 70 feet wide that serve vehicular and pedestrian users with no fewer than two lanes, parkways (landscape zone and sidewalk) and optional on-street parking, bicycle lane and median. Any street section in Appendix 4 (the “Street Cross Sections”) with a Collector designation may be applied to Primary Streets.
 - 2. **Secondary Street.** Secondary Streets are streets with a right-of-way not less than 50 feet wide that serves vehicular and pedestrian users with no fewer than two lanes, parkways (landscape zone and sidewalk) and optional on-street parking and bicycle lane.
 - 3. **Additional Streets.** The location of additional streets shall be determined at the time of site plan approval. Additional developer-driven public and private streets may be approved by the Director of Engineering to ensure connectivity, comply with block size requirements and provide adequate emergency coverage and access.
- B. **Street Cross Sections.** Streets shall conform to the street cross section details in the Street Cross Sections. Minor Modifications to the Street Cross Sections may be approved by the Director of Community Development and the Director of Engineering.
- C. **Street and Character Area Modifications.** Streets may be modified as follows:
 - 1. **Street Modification.** Street alignments as depicted on the Regulating Plan may shift in location up to 400 feet as long as spacing requirements are satisfied for streets connecting with State Highway 121 and U.S. Highway 75, the required block lengths are maintained, and street intersections with Chelsea Boulevard and Ridgeview Drive satisfy ALDC spacing standards.
 - 2. **Character Area Modification.** If the location of a street that is the boundary of a Character Area shifts, the Character Area may shift in size and location consistent with the shift of the street location.
 - 3. **Street Removal.** Secondary Streets shown on the Regulating Plan may be removed or moved beyond the street modification threshold to correspond with the block length requirements in these Development Regulations.

4. **Street Continuity Flexibility.** Streets not affected by the relocation of other streets shall not be modified unless environmental or other constraints require alternative connectivity.
- D. **Public and Private Streets.** Ownership of streets is shown in Appendix 5 (the “Public and Private Streets Plan”). Public roadways shall conform to the ALDC access management requirements and the ALDC street sections or the alternate public street sections shown in the Street Cross Sections.
- E. **Access.** Access points and improvements to the adjoining arterials shall be installed as generally illustrated in Appendix 8: On-site Traffic Movement Exhibit.

SECTION 5: PARK LAND, OPEN SPACE, TRAILS, AND TREE MITIGATION

A. General.

1. **Conformance with Parks and Open Space Plan.** Parks, Open Space, and Trails shall be generally provided as set forth in the Regulating Plan, the Parks and Open Space Plan, and in accordance with the other requirements set forth in these Development Regulations. Nothing in these Development Regulations shall be construed as prohibiting the development of Character Area Parks in addition to those required by these Development Regulations and seeking from the City agreement for additional credits against the required dedication of park land or payment of funds in lieu of such dedication in accordance with Article X of the ALDC.
- a. **Mandatory Parks, Open Space and Trails.** The following parks and open space shall be constructed within the Property:
- i. **Central Park.** A centrally located park no less than 20 acres which shall be provided in the general location as set forth on the Regulating Plan and identified as “Central Park”. Such 20 acres shall be generally contiguous but may be comprised of adjacent parcels separated by crossings of streets or easements. Central Park may include internal trails or vehicular service or event access drives (non-streets) that do not traverse the park, easements, plaza improvements, other similar hardscape improvements, ponds, creeks, floodplain, and stand-alone restaurants or retail kiosk areas.
 - ii. **Monarch Trail.** A minimum 10-foot wide concrete trail shown on the Regulating Plan as “Monarch Trail”.
 - iii. **Lateral Trails to Monarch Trail.** Development adjacent to Monarch Trail shall provide trails connecting such development to Monarch Trail.
 - iv. **Ridgeview Trail.** A 12-foot concrete meandering trail within a 20-foot trail easement outside and adjacent to the right-of-way of Ridgeview Drive as set forth in the *City of Allen: Parks, Recreation & Open Space*

Master Plan Update 2015 identified as the “Ridgeview Trail”. A trailhead shall be constructed no greater than 1,500 feet from the northwest corner of Ridgeview and US 75 .

- v. **Character Area Parks.** Each Character Area, except for the southeast Employment Character Area at US 75 and Ridgeview Drive, shall have at least one (1) Character Area Park within area of not less than the minimum acreage as described in Section 5.B, and shall be of the following variety: Neighborhood Parks, Plaza, Paseos, Special Use Parks (the “Character Area Parks”). No Character Area shall contain less Character Area Park acreage on a cumulative basis than as described in Table 2 below:

TABLE 2: PARKS

Character Area	Minimum Cumulative Character Area Parks**
Urban Main Street	0.5 acres Min.
Employment	1.5 acres Min.
Urban Neighborhood	0.5 acres Min.
Flex Zone	0.5 acres Min.

** Minimum sizes of parks are identified in Section 5.B.

- vi. **Landscape Buffer Open Space.** Landscape buffer open space shall be provided along the perimeter of the Property as shown on the Regulating Plan (the “Landscape Buffer Open Space”) and with a minimum open area width as specified in the ALDC.
- vii. **Calculation of Required Area of Parks and Open Space.** The determination of compliance with the minimum area of the Property to be dedicated as park land and/or open space when a minimum area is required by these Development Regulations shall be subject to the following:
- (a) Any detention pond or retention pond shall not be counted toward the minimum area required unless the pond is designed with curvilinear embankments (as opposed to straight and/or angular embankments). Ponds will be graded with side slopes from top of bank to the bottom of pond, or in the case of retention ponds to the water surface level, gently sloped with a gradient of 4:1. Retaining walls may be incorporated when slope requirements exceed such a 4:1 gradient. In the case of a detention pond the floor/bottom of such pond shall be designed to drain completely within seven days after the end of a 100-year rain event; provided, however, a detention pond with straight and/or angular embankments or with slopes of greater than 4:1, inclusive of hard edged walls and natural areas in the vicinity of creeks, may be counted toward the minimum area of the
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Property to be dedicated as park land and/or open space if enhanced with pedestrian amenities such as boardwalks, decorative lighting, vegetation, decorative terracing, enhanced landscape treatment or other treatments approved by the Director of Parks and Recreation;

- (b) An area located within a 100-year floodplain shall not be counted toward the minimum area required unless it is left in its natural state, used as an amenity, or is confined to a detention pond or retention pond that is modified in the manner described in paragraph (1), above;
- (c) An area of any park occupied by Principal and Accessory Uses outlined in the Schedule of Uses, with the exception of park or playground (public) use shall not be included;
- (d) Parking areas located in or adjacent to a park area that is subject to use for non-park uses, service drives and cross-access easements shall not be included; and
- (e) Landscape Buffer Open Space may be counted toward the required park and open space areas if developed with a continuous hike and bike trail not less than ten feet (10') wide.

b. Parks and Open Space Phasing.

- i. Each nonresidential building greater than 50,000 square feet and each residential building shall be located no greater than 0.25 miles from a park or open space (inclusive of Central Park, Monarch Trail, Ridgeview Trail and Character Area Parks), with that park or open space being completed not later than one year after the issuance of certificates of occupancy for such nonresidential building or residential buildings.
- ii. All buildings and residential buildings shall be located no greater than 0.25 miles from an existing or planned Character Area Park. Character Area Parks shall be constructed no later than one (1) year following the issuance of a certificate of occupancy for the building or residential building that brings the total developed area of the property platted within said Character Area to over 50% of such platted property.
- iii. If construction of a required park or open space is not completed within the time required by paragraphs (i) or (ii), above, the City Manager shall have the authority to withhold building permits for construction of buildings to be constructed on the Property until such time as such park is completed as required by these Development Regulations.
- iv. A deferral of planting may be permitted in cases in which a certificate of occupancy is sought during a season of the year in which the Director

of Community Development determines that it would be impractical to plant trees or shrubs, or turf. In such cases, a temporary certificate of occupancy shall be granted for a maximum period of 180 days.

- c. **Park Space Adjustment.** Except as otherwise provided for Character Area Parks, the boundaries of any park may shift up to 200 feet while still maintaining the minimum size of such park. The location of the Character Area Park, as indicated by asterisks on the Regulating Plan and the Parks and Open Space Plan, may shift in direction up to 600 feet.
 - d. **Parkland and Open Space Dedication.** Parkland and Open Space shall be dedicated and shall conform to these Development Regulations. Parks, open space and improvements provided in accordance with these Development Regulations shall comply with all parkland and open space improvement requirements set forth in the ALDC and the Code of Ordinances.
 - e. **Required Trails.** The locations of required trails shall be as generally shown on the Regulating Plan. The final location of each trail to be constructed on the Property shall be approved by the Director of Parks and Recreation or designee prior to commencement of construction of said trail.
 - f. **Trail Construction.** Trails shown on the Regulating Plan shall be constructed in accordance with Appendix I of the ALDC as amended from time to time City standards. The Ridgeview Trail shall be located within a 20-foot wide public trail easement, adjacent to and outside the Ridgeview Drive right-of-way.
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, street medians, entry features, open spaces, floodplain areas, 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 Property Owners’ Association or Homeowners’ Association is established for the purpose of ownership, maintenance and management of the Common Areas 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. Detention systems within parks and open spaces shall be maintained in accordance with the standards set forth in Section 6-204 of the ALDC provided, however, the mowing of grasses and other native flora not impacting the drainage function of these areas may be reduced in frequency or in keeping with growing season periods in order to reestablish pollinator supportive or natural habitat. The foregoing shall not include the Ridgeview Trail and the trailhead at Ridgeview Drive which shall be dedicated to the City.

B. Park Land, Open Space and Trail Standards

- 1. Neighborhood Park Requirements.** Neighborhood parks are publicly accessible open spaces that are used for passive or active recreational use or a combination of the two.
 - a.** Neighborhood parks shall:
 - i. have street frontage on one or more sides;
 - ii. in the Urban Neighborhood Character Areas, be located within 1,200 feet of residential uses; and
 - iii. have an area of not less than 10,000 square feet.
 - b.** All neighborhood parks shall be constructed to include the following amenities:
 - i. benches, various types of outdoor seating;
 - ii. trash receptacles;
 - iii. irrigated turf grass (not all turf areas within a park or open space are required to be irrigated);
 - iv. pedestrian paving;
 - v. at least one shade tree with a minimum of four caliper inches in diameter per 4,000 square feet of neighborhood park area, shall be planted not less than 30 feet apart;
 - vi. a maximum of 25% of the shade trees required by paragraph b.v., above, may be substituted with ornamental trees at a ratio of two ornamental trees for each shade tree, which ornamental trees may be planted in groups or separately with no minimum spacing requirement;
 - vii. ornamental trees planted as part of paragraph b.vi., above, with a size of four caliper inches (single trunk) or five caliper inches (multi-trunk) may be used as a substitute for canopy trees at a ratio of one ornamental tree for each shade tree, provided that this substitute may only occur for a maximum of 25% of required shade trees; and
 - viii. bicycle racks.
 - c.** All neighborhood parks shall be constructed to include at least five of the following amenities:
 - i. dog waste receptacles;
 - ii. drinking fountains;
 - iii. bottle fillers;

- iv. chilled bottle fillers;
 - v. electrical receptacles at tables;
 - vi. wi-fi;
 - vii. grill;
 - viii. interpretive signage or markers;
 - ix. pedestrian lighting;
 - x. wayfinding signage;
 - xi. one additional shade tree (minimum of four caliper inches) or ornamental tree (minimum of four caliper inches (single trunk) or five caliper inches (multi-trunk), or combination thereof, per 4,000 square feet of neighborhood park area in conjunction with the neighborhood park amenity trees (if more than four trees, 75% of the shade or ornamental trees shall be native trees);
 - xii. native drought tolerant ornamental plantings;
 - xiii. native turf/lawn;
 - xiv. certified pollinator habitat;
 - xv. rainwater cisterns;
 - xvi. “smart” irrigation controllers; or
 - xvii. One (1) green stormwater infrastructure improvement such as bioswales, bioretention, permeable pavements, and stormwater curb extensions.
- d. In addition to the amenities required by paragraphs b. and c., above, neighborhood parks with an area of 0.5 acres or greater shall be constructed to include at least five of the following recreational amenities:
- i. shade pavilion;
 - ii. picnic tables in open areas;
 - iii. outdoor movable tables and chairs;
 - iv. stage for outdoor movies or small performances;
 - v. privately operated restaurants or cafes;

- vi. splash pad;
- vii. active playground;
- viii. musical play trail;
- ix. nature play area;
- x. demonstration gardens;
- xi. hardscape gathering space;
- xii. lawn gathering space;
- xiii. bocce ball;
- xiv. yard games;
- xv. interactive public art;
- xvi. public art;
- xvii. boardwalk; or
- xviii. water feature.

- e. Prohibited amenities include, but are not limited to, active sports fields including baseball fields, softball fields, soccer fields, tennis centers of more than two courts, and water parks that charge an admission fee (more than a splash-pad).

2. Plaza Requirements. Plazas are small, publicly accessible urban open spaces that are used for passive or active recreation, or a combination of the two.

- a. Plazas are typically connected to a building and can be located between buildings, next to a building and a street, or on a corner.
- b. Softscape may include raised planters, at-grade plantings in the hardscape, or potted plant material.
- c. Plazas shall be constructed to include at least three of the following amenities
 - i. fabric shade structures;
 - ii. stage for small performances;
 - iii. splash pad;

- iv. water feature;
- v. hardscape gathering space;
- vi. interactive public art;
- vii. public art;
- viii. benches;
- ix. outdoor seating;
- x. movable tables and chairs;
- xi. trash receptacles;
- xii. bike racks;
- xiii. wi-fi;
- xiv. electrical receptacles;
- xv. pedestrian lighting;
- xvi. wayfinding signage;
- xvii. native shade trees;
- xviii. native ornamental trees;
- xix. native drought tolerant ornamental plantings;
- xx. certified pollinator habitat with a minimum area of 100 square feet;
- xxi. “smart” irrigation controllers; and
- xxii. One (1) green stormwater infrastructure improvement such as rainwater cisterns, permeable pavements and stormwater curb extensions.

d. Plazas shall have an area of not less than 400 square feet.

3. Paseo Requirements. Paseos are publicly accessible urban linear open spaces used for pedestrian connectivity designed and constructed in accordance with the following:

- a. To the extent possible, paseos shall be straight with the opening at the opposite end readily visible from the other end;
- b. A minimum of two public access points is required;

- c. Buildings with a minimum of 25% façade transparency or restaurants with outdoor dining shall line the paseo;
- d. Blank walls in adjacent buildings shall be interrupted with planting, vines, murals, or other types of art;
- e. Service vehicles shall be restricted from the paseo, and any back of house services shall be contained to designated areas and screened;
- f. Focal points shall anchor each end of the paseo;
- g. Where a paseo pivots, a focal point or slightly expanded open area shall be provided at the pivot;
- h. Planting shall be provided with raised planters or at-grade plantings in the hardscape;
- i. Hardscape of pedestrian scaled detail, texture, and color shall be provided to enhance the pedestrian experience;
- j. Focal points include, but are not limited to, water features, public art, or distinctive planters;
- k. Fabric shade structures, independent or connected to the building, are permitted in paseos;
- l. Supportive standard amenities including, but not limited to, benches, trash receptacles, pedestrian lighting, wayfinding, native drought tolerant ornamental plantings, wayfinding and signage, are permitted;
- m. Additional amenities including, but not limited to, certified pollinator habitat, irrigation controllers, and stormwater infrastructure (such as permeable pavements) are permitted; and
- n. A paseo shall be a minimum of 18 feet in width and, in cases where a paseo passes through a building. must have a minimum height clearance of 10 feet.

4. Special Use Park Requirements. Special use parks are publicly accessible open spaces that are predominantly designed for at least one specific use and user group.

- a. Types of special use parks can include a dog park, dog park with restaurant, ecological center, destination splash pad, children's nature play, botanical gardens, sculpture park, community garden, heritage park, children's adventure park, and skatepark.
- b. Supportive standard amenities of a special use park shall include, but are not limited to, shade pavilions, outdoor restrooms, benches, various types of outdoor seating, trash receptacles, dog waste receptacles, bike racks, drinking

fountains, bottle fillers, chilled bottle fillers, picnic tables, electrical receptacles at tables, grill, interpretive signage or markers, pedestrian lighting, wayfinding, native shade trees, native ornamental trees, native drought tolerant ornamental plantings, and lawn.

- c. Sustainable supportive amenities such as certified butterfly habitat, native turf, smart irrigation controllers, green stormwater infrastructure such as bioswales, bioretention, rainwater cisterns, permeable pavements, and stormwater curb extensions are permitted.
- d. Special use parks shall have an area of not less than 5,000 square feet.

5. Trail Requirements. Trails are publicly accessible linear open spaces that are used for pedestrian connectivity and active recreational use

- a. Required sidewalks are not part of the trail system, but connectivity within the trail system requires connection to sidewalks and other.
- b. Permitted amenities include, but are not limited to, the following:
 - i. Trailheads;
 - ii. neighborhood connections;
 - iii. seating nodes;
 - iv. wayfinding;
 - v. benches;
 - vi. trash receptacles;
 - vii. dog waste receptacles;
 - viii. bike racks;
 - ix. drinking fountains;
 - x. native drought tolerant ornamental plantings;
 - xi. certified pollinator habitat; and
 - xii. public art.
- c. Minimum trail width for local hike and bike trails: 10 feet, except for the Ridgeview Trail as shown on the Regulating Plan, the minimum width of which shall be 12 feet, located in a 20 foot wide public access and trail easement as shown on the Regulating Plan.

- d. Material for required trails shall be concrete in accordance with Appendix I of the ALDC or other material approved by the Director of Parks and Recreation or designee
 - e. Minimum trail width for supplementary nature trails: 4 feet.
 - f. Supplementary trails may be improved with gravel or unimproved.
 - g. All trails other than nature trails shall be constructed with lighting.
 - h. Except for nature trails, seating nodes shall be provided for all trails at a minimum rate of one for every 600 feet of trail length.
 - i. Sustainable supportive amenities such as certified pollinator habitat, native turf, smart irrigation controllers, green stormwater infrastructure such as bioswales, bioretention, permeable pavements, and stormwater curb extensions are permitted.
6. **Open Space Requirements.** Open Space is predominantly used for passive recreational use.

C. **PARK AND OPEN SPACE DEDICATION FEES**

1. **Park and Open Space Dedication/Fees in Lieu.** Parks and Open Space shall be provided in accordance with one of the following:
 - a. Dedication of combined parks/open space in an amount equal to 2.33 acres per 100 residential units and any fraction thereof; or
 - b. Payment of a fee in lieu of dedication equal to the current rate of fee in lieu as set forth in the ALDC; or
 - c. A combination of the methods above.
 - d. Landscape Buffers at the perimeter of the development shall be counted as open space for the purposes of dedication calculations if developed with a continuous 10-foot wide recreational trail.
2. **Credit Against Park/Open Space Dedication.** A credit against the fee-in-lieu of park land dedication may be considered and permitted by the Director of Parks and Recreation, if the developer demonstrates that the value of amenities in a Character Area park required by these Development Regulations and constructed in publicly-accessible (i.e. not restricted to use by residents or other occupants of the District) parks and open space exceed the fee-in-lieu otherwise to be paid pursuant to Article X of the ALDC.
3. **Park/Open Space Fees Reconciliation.**

- a. Upon application for development of the 66th acre of the Property, a report shall be provided to the Director of Parks and Recreation or his designee showing total parkland/open space dedication requirements, and the amount of park dedication fees due. Park dedication credit in lieu of park dedication fees shall be considered by the Director of Parks and Recreation who at his discretion at that time may approve or deny such credit. No payments will be required at that time.
- b. Upon application for development of the 131st acre of the Property, a report shall be provided to the Director of Parks and Recreation or his designee for approval, showing total parkland/open space dedication requirements and paid fees in lieu of parkland dedication. If there is an outstanding amount of parkland/open space dedication required (i.e. deficit), a Monarch City Park/Open Space Account will be established and held by the City in which any funds paid into the Monarch City Park/Open Space Account shall be dedicated and restricted for the exclusive purpose of providing recreational (non-landscape) amenities in designated park and open space within the Property. In the event of a deficit, the developer will pay into the Monarch City Park/Open Space Account an amount equal to the City's fee-in lieu of parkland dedication for the deficit prior to the issuance of the permit for the development of the 131st acre of property less any credit available to the developer.
- c. Upon application for development of the 196th acre of the Property, a report shall be provided to the Director of Parks and Recreation or his designee for approval, showing total parkland/open space dedication requirements and credits for dedication and fees paid in-lieu-of parkland dedication. In the event of a deficit, the developer will pay into the Monarch City Park/Open Space Account (cf. item b above) an amount equal to the City's fee in-lieu of parkland dedication for the deficit prior to the issuance of the permit for the development of the 196th acre of property less any credit available to the developer.
- d. Upon application for development of the remaining acreage of the Property, a report shall be provided to the Director of Parks and Recreation or his designee for approval, showing total parkland/open space dedication requirements and credits for dedication and fees paid in-lieu-of parkland dedication. If there is a deficit, a plan shall be implemented to spend the remaining fees and the funds in the Monarch City Park/Open Space Account for installing additional recreational amenities in the parks and open spaces within the Property within one year from the date of approval of the final plat for the final development.
- e. Any fees to be paid as the result of a deficit as described herein shall be used for non-vegetative, capital improvements to park and open space areas that directly serve the District's residential population.

D. TREE MITIGATION

1. **Tree Mitigation.** Development of the Property shall comply with ALDC Section 7.06 except as follows:

- a. Fence row trees shall not be considered protected trees.
- b. Tree mitigation required due to the removal of Hackberries will be reduced by 25%.
- c. Negative tree credits will not be assessed for a tree that is removed following the City arborist's determination the tree is at the end of its life, diseased, dead or dying per a tree condition survey.
- d. Negative tree credits will not be assessed for Siberian Elm (*Ulmus pumila*), hybridized elms of Siberian Elm following the City arborist's determination, or Chinaberry (*Melia azedarach*).
- e. Trees removed within the Central Park as shown on the Regulating Plan shall be exempt under the following conditions:
 - i. The removal is necessary to install park amenities or grading for the purposes of enhancing the park area; or
 - ii. The removal is necessary to install retention ponds. Mitigation credits will not be approved for tree removal for a detention pond that is not developed in accordance with the amenity characteristics described in these Development Regulations.
- f. Tree credits will be provided for street trees.

2. **Tree Mitigation Fees Reconciliation**

- a. Upon application for development of the 66th acre of the Property, a report shall be provided to the Director of Parks and Recreation or his designee showing total credits and debits on tree mitigation fees. No payment will be required with or in relation to the submission of the foregoing report.
- b. Upon application for development of the 131st acre of the Property, a report shall be provided to the Director of Parks and Recreation or his designee showing total credits and debits on tree mitigation fees. If there is an outstanding debit, a Monarch City Tree Mitigation Account will be established by the City in which funds equal to the outstanding debit shall be deposited and dedicated and restricted to be used towards tree mitigation through on-site tree replacement along the guidelines established in the District.
- c. Upon application for development of the 196th acre, a report shall be provided to the Director of Parks and Recreation or his designee showing total credits and debits on tree mitigation fees. If there is an outstanding debit, a Monarch City Tree Mitigation Account will be established by the City in which funds equal to the outstanding shall be deposited and dedicated and restricted to be used towards tree mitigation through on-site tree replacement along the guidelines established in the District.

- d. Upon application for development of the remaining acres of the Property, a report shall be provided to the Director of Parks and Recreation or his designee showing total credits and debits on tree mitigation fees. If there is an outstanding debit, a plan shall be identified to use the remaining fees for on-site tree replacement along the guidelines established in the PD.

SECTION 6. BUILDING DESIGN STANDARDS.

A. BUILDING ORIENTATION

1. At intersections, corner buildings may have their primary entrances oriented at an angle to the intersection.
2. All primary entrances shall be oriented to the public sidewalk for ease of pedestrian access; provided, however, if a cluster of buildings surrounds a parking lot or open space, the primary entrance may be oriented towards the parking lot or open space.
3. A porte-cochere is permitted as a primary entrance as long as a pedestrian connection from the sidewalk to the primary entrance is maintained.
4. Secondary and service entrances may be located from internal parking areas or alleys.

B. DESIGN OF PARKING STRUCTURES

1. Upper floor structured parking facades shall be designed so that vehicles on all parking levels are substantially screened from view from adjacent public streets and rights-of-way that are internal to the Property.
2. Except for ramps at the entrances of parking garages, parking garage ramps shall not face any Secondary Street; provided, however, entrances to parking structures and ramps may be located on Secondary Streets if designed to comply with Section 6.B.4.
3. When parking structures are located at corners of Primary and Secondary Streets, corner architectural elements such as corner entrance, signage and glazing shall be incorporated at the Primary Street corner.
4. Parking structures and adjacent sidewalks shall be designed so pedestrians are clearly visible to entering and exiting automobiles.
5. The following images are intended to convey a general range of architectural features that would be approved as described in the regulatory text. Approval of final elevations by the Director of Community Development or designee shall be based on application of the text.



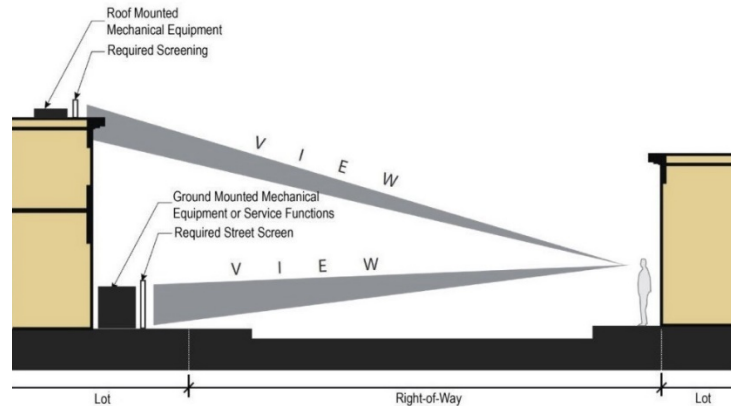
C. DESIGN OF AUTOMOBILE RELATED BUILDING SITE ELEMENTS

1. Drive-through lanes for commercial uses shall not be located along a Primary Street.
2. Drive-through lanes for commercial uses may be located along a secondary street if incorporated into the building frontage.
3. All off-street loading, unloading, and trash pick-up areas shall be located along alleys or internal drives. If an alley or internal drive is not available, a Secondary Street may be used. Any off-street loading, unloading, or trash pick-up areas shall be screened using a Street Screen that is at least as tall as the trash containers and/or service equipment it is screening. The Street Screen shall be a continuous masonry wall consisting of (i) the same or complementary materials as the principal building or (ii) if approved by the Planning and Zoning Commission, a living screen or a combination of a masonry screen and living screen.

D. Mechanical and Service Screening

1. All buildings shall be designed such that no mechanical equipment (HVAC, etc.) except vents or stacks, is visible from the public right-of-way or open space, whether the equipment is located on the ground, exterior wall or roof.

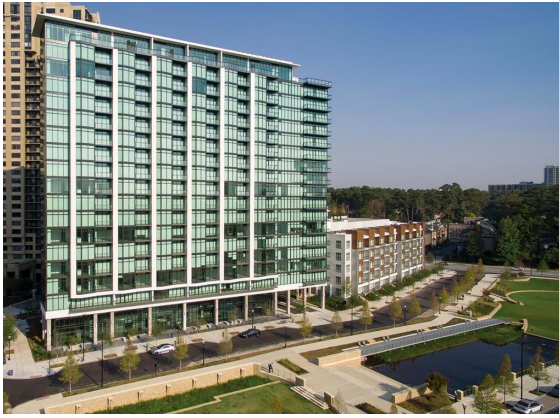
2. The screening material required by Paragraph a, above, shall be raised at least one (1) foot above the top of the mechanical equipment. Metal or a complimentary material may be used as a screen and is permitted above the roof level, but do not count towards elevation maximums.



E. FAÇADE COMPOSITION

1. All Building Facades should be designed with an architectural rhythm, which may be expressed by changing materials, or color, or by using design elements such as fenestration, columns and pilasters, or by varying the setback of portions of the façade.
2. Buildings shall be designed such that the underside of the second floor structure be built to a height to allow a minimum first floor ceiling height of not less than 14-feet and provide a discernible architectural design that provides pedestrian interest and encourages walkability.
3. A transom, display window area, bulkhead at the base, or similar feature shall be used in the design of retail storefronts unless an alternative design provides similar visual permeability into the storefront.
4. The following images are intended to convey a general range of architectural features that would be approved as described in the regulatory text. Approval of final elevations by the Director of Community Development or designee shall be based on application of the text.





F. WINDOWS AND DOORS

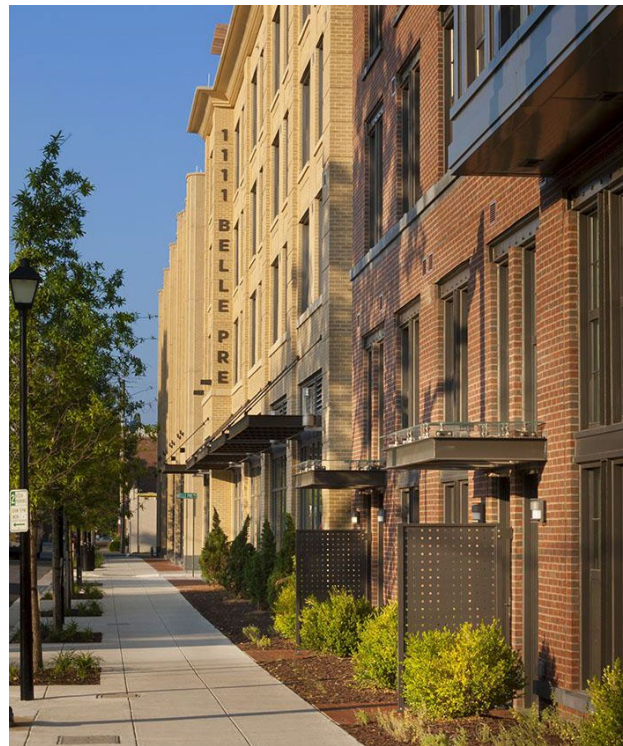
1. The required first floor windows along a primary storefront façade of a building on any street or along any façade facing a Primary or Secondary Street shall not be opaque, heavily tinted or mirrored glass other than glass/glazing features not intended as window areas identified in Section 6.F.2.
2. All ground floor primary facades of nonresidential buildings and residential buildings in which the ground floor is a nonresidential use shall have windows (not opaque, heavily tinted or mirrored) covering no less than 60% of the façade area. Each upper floor of the same primary building facades shall contain windows covering at least 30% of the façade area. All other street facing facades (not including façades facing alleys) shall have windows covering at least 15% of the façade area for all floors.



G. BUILDING MATERIALS

- 1. Retail.** All main building exterior wall construction materials for ground-level retail in a mixed-use building or in a stand-alone building (excluding doors and windows) that are exposed shall be constructed of at least 90 percent Masonry. Metal, wood, cementitious board, synthetic stucco (such as exterior finish and insulation system (EFIS)) may be utilized as an architectural accent material, not to exceed ten percent (10%) of the exterior surface of the ground-level building façade. In cases where retail uses encompass a two-story portion of the structure, the maximum amount shall include both stories in the calculation.
- 2. Office.** All main building exterior wall construction materials (excluding doors and windows) that are exposed shall be constructed of at least 85 percent masonry or architectural composite panel. Metal and cementitious fiber clapboard (not sheet) with at least a 50-year life warranty may be utilized as an architectural accent material, not to exceed fifteen percent (15%) of the exterior surface of any building façade. Synthetic stucco (such as exterior finish and insulation system (EFIS)) may be utilized as an architectural accent material, not to exceed ten percent of the exterior surface of any building façade.
- 3. Hospitality.** All main building exterior wall construction materials (excluding doors and windows) that are exposed shall be constructed of at least 85 percent masonry. Metal, composite panel and cementitious fiber clapboard (not sheet) with at least a 50-year life warranty may be utilized as an architectural accent material, not to exceed fifteen percent of the exterior surface of any building façade. Synthetic stucco (such as exterior finish and insulation system (EFIS)) may be utilized as an architectural accent material, not to exceed ten percent (10%) of the exterior surface of any building façade.
- 4. Urban Residential.** All main building exterior wall construction materials (excluding doors and windows) that are exposed shall be constructed of at least 85 percent Masonry. Metal and cementitious fiber clapboard (not sheet) with at least a 50-year life warranty may be utilized as an architectural accent material, not to exceed fifteen percent of the exterior surface of any building façade. Synthetic stucco (such as exterior finish and insulation system (EFIS)) may be utilized as an architectural accent material, not to exceed ten percent (10%) of the exterior surface of any building façade.
- 5. Accessory Buildings.** Accessory buildings shall be constructed of materials that complement the main structure.
- 6. Rear Facades.** Rear facades visible from adjoining properties and/or a public right-of-way shall be of a finished quality and consist of colors and materials that blend with the remainder of the building's primary facade(s).
- 7. Roofing Materials.** Roofing materials visible from any public right-of-way shall be one of the following: copper, factory finished standing seam metal, slate, synthetic slate, architectural asphalt shingle or similar materials.

8. **Representative Images.** The following images are intended to convey a general range of architectural features that would be approved as described in the regulatory text. Approval of final elevations by the Director of Community Development or designee would be based on application of the text.





H. Urban Residential Building Standards. Urban Residential dwelling uses shall be subject to the following development and use regulations:

- 1. Mixed-use integration.** Urban residential projects shall be planned and designed to be integrated as part of horizontal or vertical mixed-use development on the Property. Residential units may be located in separate freestanding buildings or may be combined in multi-use buildings of multi-story design.
- 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.** No certificate of occupancy shall be issued for the 1,001st Urban Residential unit 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 1,000 units are one-bedroom and studio units.
 - c.** No certificate of occupancy shall be issued for the 2,001st Urban Residential unit 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 2,000 units are one-bedroom and studio units.
 - d.** No certificate of occupancy shall be issued for the 3,001st Urban Residential unit 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 3,000 units are one-bedroom and studio units.
 - e.** No certificate of occupancy shall be issued for the 4,000th Urban Residential unit 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 3,999 units are one-bedroom and studio units.

3. **Internal Access.** All dwelling units shall be accessed through an interior climate-controlled corridor, except for individual units designed along a street with access to a sidewalk such as a “stoop” design.
4. **Parking.** Surface parking is allowed to satisfy the parking requirement for up to 600 Urban Residential dwelling units subject to the following:
 - a. Urban Residential parcels adjacent to the existing North/South powerline easement in the Urban Neighborhood and Flex Zone Character Areas.
 - b. Surface parking shall be primarily contained in the interior of the block.
 - c. The block face along primary or secondary streets shall meet a 75% building frontage requirement.
 - d. Urban Residential with surface parking shall be a minimum of three-story buildings with upper floors accessed from climate-controlled corridors.
 - e. A certificate of occupancy for the first 300 surface-parked Urban Residential units shall not be issued until a building permit is issued for a nonresidential building, with office as the primary use, containing no less than 100,000 square feet.
 - f. Parking for Urban Residential in excess of 600 units shall be provided by the Urban Residential parking requirement with not less than 70 percent of parking located in a parking structure or enclosed garage.
5. **Connectivity.** Pedestrian walkways shall, with the exception of private amenities, connect all on-site common areas, parking areas, open space, recreational facilities and to the adjacent public sidewalks within the Property.
6. **Retail Component.** The first floor of buildings located on a Primary Building Frontage as depicted on the Regulating Plan shall be retail ready and constructed so that the underside of the second floor structure be built to a height to allow a minimum 14-foot-high first floor ceiling height and mechanical chases necessary for conversion to commercial uses.
7. **Architecture.** All buildings containing dwelling units shall be a minimum of three stories. Street-facing facades shall incorporate articulation and mix of color and materials consistent with the architectural style of the building to create diversity in the streetscape. All buildings are required to have consistent "four-sided" architectural treatments except for facades that are not visible from a street. Sloped roofs shall provide articulation, variations, parapets, gables, dormers or similar architectural elements to screen the roof and to break up the massiveness of the roof.

SECTION 7. STREETSCAPE STANDARDS.

A. General.

1. The streetscape standards contained herein shall apply to all streets within the Property except service drives, alleys, mews streets and fire lanes.
2. All private streets and landscaping within them shall be maintained by a property owners association.

B. Planting Standards

1. Minimum caliper for required trees at time of planting: **three (3) inches** measured six (6) inches above the top of the root ball.
2. Trees in the landscape along streets shall be from the list of recommended trees in the ALDC unless other species are approved by the City Forester.
3. Trees planted along streets in the right-of-way shall include a root barrier between the tree and back-of-curb.
4. No more than fifty percent (50%) of the landscape buffer areas in the Flex Zone, Urban Main Street, Employment and Urban Neighborhood Character Areas shall be planted with turf. The following shall not be considered "turf": shrubs, trees and groundcover in combination with mulch, crushed granite, river rock, decorative pavers or similar material.

C. Street Trees

1. Landscape zone will extend at least 50% of the block face.
2. In the landscape zone, streets trees will be planted as follows:
 - a. In the Employment Character Area, no fewer than one shade tree for every 40 feet of street frontage, or portion thereof, and one ornamental tree for every two shade trees shall be planted.
 - b. In the Flex Zone Character Area, no fewer than one shade tree for every 40 feet of street frontage, or portion thereof, and one ornamental tree for every two shade trees shall be planted.
 - c. In the Urban Neighborhood Character Area, no fewer than one shade tree for every 40 feet of street frontage, or portion thereof, shall be planted.
 - d. In the Urban Main Street Character Area, the landscape zone shall be at least 50% of the block face. No fewer than one shade tree for every 40 feet of street frontage, or portion thereof, shall be planted.

3. Street trees shall be planted approximately three (3) feet behind the curb line or placed in curb extensions (bump-outs into the parking lane) as long as the spacing meets the standard below.
4. Each tree shall be planted in a planting area not less than 36 square feet; provided, however, the tree well area may be no smaller than five feet by five feet (5' x 5') or 25 square feet. Trees in urban settings will include structural soil or other approved system to remediate reduced planting areas.
5. Tree wells shall be irrigated in accordance with the City of Allen Water Conservation Code and include a connecting subsurface drainage system.

D. Streetscape Furnishings

1. All street furniture shall be located in such a manner as to allow a clear sidewalk passageway of not less than six (6) feet.
2. Furnishings may include one or more of the following:
 - a. Benches
 - b. Wayfinding signage or kiosks
 - c. Bollards
 - d. Planters
 - e. Bicycle racks
 - f. Trash/recycling receptacles
 - g. Water feature
 - h. Public art

E. Sidewalks

1. Sidewalks throughout the development shall be not less than six (6) feet wide; provided, however, the sidewalk on the main North/South Street bisecting the Urban Main Street Character Area shall be not less than eight (8) feet wide.
2. Sidewalks located along a curb shall be not less than eight (8) feet wide inclusive of a loading zone of two (2) feet and path of travel of six (6) feet. Light poles, signs, and other street improvements. can be located in the loading zone but outside of the path of pedestrian travel.

F. Lighting

1. Lighting shall be installed along all streets and be no taller than 20 feet.
2. Street lights shall be placed at uniform locations based on the placement of street trees and other street furniture to provide safety for both pedestrians and automobiles while limiting spill-over and light pollution effects.
3. Lighting shall not spillover into properties outside the District and development in the Property shall not cause lighting to exceed 0 foot-candles or existing lighting levels at property lines of property adjacent to or across public streets from this District.
4. Light poles on public streets shall comply with ALDC base standards.

G. Landscape Strip Materials

Materials used in the landscape strip of the right of way may be hardscape or softscape and shall be compatible with the character of the neighborhood.

SECTION 8: SIGNAGE STANDARDS.

A. General.

Signage in the District shall conform to ALDC standards except as provided in this Section 8.

B. Allowed Signs. The following signs shall be allowed subject to the size restrictions set forth in the ALDC unless otherwise indicated:

1. *Sandwich/A-Frame Sign.* A Sandwich/A-frame sidewalk sign may be located in Urban Main Street, Employment and Urban Neighborhood Character Areas subject to the following:

- a. The sign height shall not exceed four (4) feet;
- b. Each sign face shall not exceed an area of eight (8) square feet;
- c. The sign may be placed in the pedestrian amenity zone created by street trees and pedestrian lighting, provided that:
 - i. The sign shall be located no closer than one foot (1.0') to the face of the curb; and
 - ii. A minimum unobstructed sidewalk width of six (6) feet is maintained;
- d. A sign permit must be obtained from the City prior to placement of the sign on the Property;
- e. Only one (1) A-frame signs is permitted per occupancy; and
- f. A-frame signs may be placed on the sidewalk adjacent to a restaurant associated with the sign only during the restaurant's business hours.

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

- a. Maximum effective area: 180 square feet per side
- b. Maximum number: two (2) on US 75, two (2) on SH 121, two (2) on Ridgeview Drive, two (2) on Chelsea Boulevard

3. *Off-premise district signage.*
 - a. Maximum effective area: 180 square feet per side
 - b. Maximum amount: two (2) on US 75, two (2) on SH 121, two (2) on Ridgeview Drive, two (2) on Chelsea Boulevard
4. A maximum of one of each type of the following signs area allowed per retail, restaurant or service business: A-frame (sandwich board) signs and menu signs.
5. Outdoor patio umbrellas may contain advertising and be allowed for special events, retail, service or restaurant uses.
6. Vehicular Signage on food trucks and trailers.
7. Wall signs.
8. *Blade Signs.*
 - a. No more than one (1) blade sign will be allowed for each building face. The use of a blade sign on a building face will preempt the use of any permitted monument sign on the same street frontage adjacent to that building face. Wall signage on the same building face may be approved by the Sign Control Board.
 - b. Blade signs will be a maximum of fifty (50) square feet per building face and shall not exceed five (5) feet in width.
 - c. The lowest edge of the Blade sign shall be not less than twelve (12) feet above the ground beneath the sign.
 - d. The top edge of the Blade sign shall not exceed a height that is two-thirds (2/3) (in linear feet) of the height of the building face at the location of the building face where the sign is attached.
9. *Hanging/Projecting Signs.*
 - a. No more than one (1) hanging sign will be allowed for each first-floor occupancy; provided, however, a first floor building occupant with public entrances on more than one street frontage may have one (1) hanging sign on each street frontage;
 - b. Each sign face shall not exceed an area of twelve (12) square feet;
 - c. Each sign face shall not exceed a width of five (5) feet;
 - d. The lowest edge of the sign shall not be less than eight (8) feet above the ground below the sign; and

- e. No hanging sign shall be closer than fifteen (15) feet from another hanging sign.
10. Window signs.
11. *Illuminated signage.* Allowed within 150 feet of a residential district internal to the District, but only if illumination does not exceed 2.0 foot-candles measured at a level five feet above the shared property line.
12. *Changeable Electronic variable message signs.* One sign allowed per frontage of SH 121 and US 75 oriented towards the highway, located no closer than 300 feet from the highway right-of-way, limited to 700 square feet in copy area per side and no more than 50 feet in height.
13. Signs painted directly on the surface of a building or structure if approved in advance by the Sign Control Board.
14. Signs may be attached to public utility poles or light poles if approved in advance by the Sign Control Board.
15. Banners for special events shall not be restricted for number of permits per year or restrictions on running consecutively, may be installed no more than two weeks prior to such special event ,and may remain in place for no later than two weeks after such special event.
16. Multistory Office Wall Signs
- a. Multistory office wall signs shall not be required to be placed above a tenant's lease space.
 - b. Multistory office wall signs are limited to three signs per elevation not including ground floor signage.
 - c. Signs may be located on the face of a building in either a horizontal or vertical direction or near the top of the building facade.
 - d. Multistory office wall signs may be illuminated.
 - e. A Multistory office wall sign may project no more than four feet (4.0') from the building surface.
 - f. Ground floor tenants in a multistory office shall be treated separately, and have signage regulated per the standards in these Development Regulations and in the ALDC.
 - g. The allowable number and size of cumulative signage, per façade for Multistory Office wall signs is as follows:
 - i. Multistory Office buildings may have three premise signs per façade.

- ii. Single Story building signage shall conform to the standards in these Development Regulations and in the ALDC for attached (wall) signs
- iii. Buildings between 20 feet and 60 feet in height shall have signage no larger than 25 square feet plus an additional three (3) square feet for every one (1) foot in building height over 20 feet.
- iv. Buildings greater than 60 feet in height shall have signage no larger than 25 square feet plus an additional five (5) square feet for every one (1) foot in building height over 60 feet. This signage shall be restricted to placement anywhere in the top 20% of the building façade.

C. **Undefined Signs.** Sign types not clearly defined in the ALDC will be allowed if approved by the Sign Control Board after a recommendation by the Director of Community Development.

SECTION 9: SUSTAINABILITY

Incorporation of one or more of the following sustainable features may be used at the developer's option if privately owned and maintained:

- 1. Permeable pavement
- 2. Bioswale/bioretention feature
- 3. Rainwater cistern
- 4. Drought tolerant plant material
- 5. Pollinator supportive habitat
- 6. Smart irrigation controllers

SECTION 10: DETENTION.

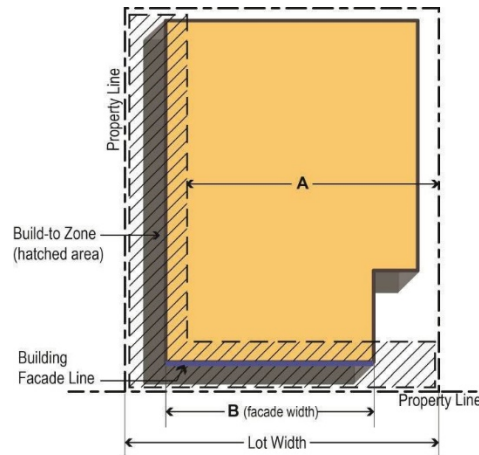
Detention facilities for the Property are provided in regional ponds, as shown in the preliminary flood study and may be developed as follows:

- 1. Regional detention facility construction may be phased so long as a supporting drainage study has been approved by the Director of Engineering.
- 2. Once a pond is identified to be constructed, the pond shall be excavated to its buildout condition, and not phase excavation of an individual pond.
- 3. Detention facilities may be constructed on an exclusive lot provided it is owned and maintained by the Property Owners Association (POA.)

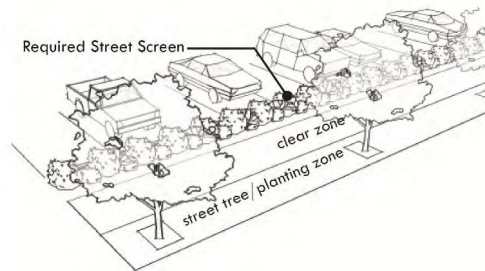
SECTION 11: DEFINITIONS

Unless the context indicates otherwise, the following words and phrases shall have the following meanings as used in these Development Regulations:

- A. **Building Frontage** means the percentage of a building's façade that is required to be located in the Build-to Zone as a proportion of that lot's frontage along the public street. Publicly accessible and activated people spaces, such as outdoor cafes, forecourts, patios and plazas differentiated from the sidewalk shall be considered as buildings for the calculation of building frontage.



- B. **Build to Zone** means the distance in which a building shall be constructed from the street or property line along a Primary or Secondary Frontage. Publicly accessible and activated people spaces, such as outdoor cafes, patios and plazas differentiated from the sidewalk shall be considered as buildings for the calculation of building frontage.
- C. **Street Screen** means a low screening wall built at the edge of a parking area or utility/ service area made up of:
1. the same material as the principal building the parking is serving or;
 2. a living screen or;
 3. a combination of the two.



- D. **Park.**

For purposes of these Development Regulations, and in addition to the provisions of the ALDC, parks may include:

1. Floodplain (100-year), drainage easements, natural drainage areas or creeks, as long as developed or preserved and maintained as an amenity;
2. Ponds and bodies of water as maintained as an amenity; and
3. Permitted amenities;

but shall not include:

1. Areas reserved for the exclusive use and benefit of an individual tenant or owner; and
2. Dedicated streets, parking, cross-access easements, alleys and public rights-of-way.

E. Open Space.

For purposes of this these Development Regulations, and in addition to the provisions of the ALDC, open space shall also include:

1. Land area including easements accessible to and permanently reserved for the common use and enjoyment of the residents, tenants and visitors within the District for leisure, and active and passive recreational purposes;
2. Floodplain (100-year), drainage easements, natural drainage areas or creeks as long as maintained as an amenity;
3. Ponds and bodies of water; See prior section under Central Park; and
4. ROW setbacks developed with a planting mix supportive of native wildlife.

but shall not include:

1. Areas reserved for the exclusive use and benefit of an individual tenant or owner; and
2. Dedicated streets, parking for non-park uses, alleys and public rights-of-way.

F. Sign.

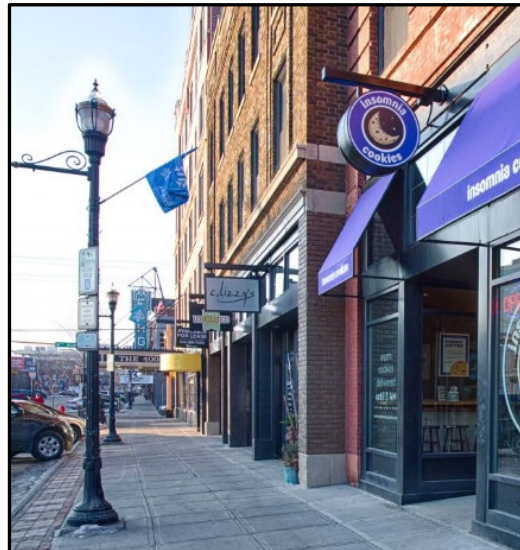
1. *A-Frame/Sandwich Board Sign* means a self-supporting A-shaped sign with two (2) visible sides that is situated on or adjacent to a sidewalk.
2. *Menu sign* means a window or freestanding sign containing menu items for the on-site retail or restaurant business.
3. *Patio Umbrella with advertising* means a patio umbrella containing incidental advertising directly or indirectly associated with the on-site retail or restaurant business.

4. *Vehicular Signage on food trucks and trailers* means vehicular signage attached to the food truck or trailer that is serving as the place of business.
5. *Blade Sign* means a projecting sign mounted on a building facade perpendicular to the street or sidewalk, typically spanning multiple stories along a facade.



Sample Blade Sign

6. *Hanging/Projecting Sign* means a single tenant sign mounted on a building façade and projecting perpendicular to a street or sidewalk, with the location/mounting of



the sign at or below the indicated architectural break between the ceiling of the first story use and the floor of the second story use.

Sample Hanging/Projecting Sign

- G. **Masonry:** Masonry includes, but is not limited to stone, brick, tiles, concrete masonry units, cast concrete, stucco, rock, marble, granite, curtain glass, glass block, etc.
- H. **Bedroom** means a room intended to be used for sleeping purposes and not as a kitchen, bathroom, living room, den, closet, hallway, utility space, entry way, garage, patio or breezeway.

SECTION 12: ADMINISTRATION

- A. SITE PLAN ADMINISTRATION.** This Section 12 sets forth the exclusive procedures for reviewing and approving site plan applications for the Property. The intent is to ensure that all development is consistent with the provisions of these Development Regulations and the Regulating Plan. All sections of these Development Regulations shall be applied during the review process.

1. Site Plan Review Process

- a. *Site Plan Details.*** Site plan details to be provided on a site plan shall comply with Section 6.05.3 of the ALDC.
- b. *Site Plan Review Standards.*** The Director of Community Development shall be authorized to approve a site plan if such site plan complies with the Regulating Plan and conforms to the standards set forth in these Development Regulations and the ALDC.
- c. *Amendments to Approved Site Plans.*** The Director of Community Development shall be authorized to approve changes to approved site plans that comply with the Regulating Plan and the provisions in these Development Regulations.

2. Amendments to the Regulating Plan

- a. Minor Changes.** Except as otherwise provided in these Development Regulations, the Director of Community Development shall have the authority to administratively approve minor changes to the Regulating Plan. “Minor changes” include changes that:
 - i.** Do not materially change the circulation on the Property;
 - ii.** Do not change the relationship between buildings and streets;
 - iii.** Do not amend the overall area allocation between different Character Areas by more than 15%;
 - iv.** Relocate mandatory parks. provided the amount of park area satisfies the amount of park area required as shown on the Regulating Plan or as required by these Development Regulations;
 - v.** Add amenities to the parks and open space requirements which may be used in addition to or in lieu of the amenities identified as approved by the Director of Parks and Recreation; or
 - vi.** Relocate required trails provided pedestrian and bike connectivity is provided as intended by the Regulating Plan.

- b. **Non-Minor Changes.** Changes to the Regulating Plan that do not qualify as minor changes shall be processed as an amendment to a zoning ordinance pursuant to the ALDC.
- c. **Changes Mandated by Law.** Any modification to a street location shown on the Regulating Plan that is necessitated by a Federal, State, or Local action may be administratively approved by the Director of Engineering.

B. CITY/DEVELOPER FACILITIES AGREEMENT. A facilities agreement must be negotiated and executed between the City and the applicant for a final plat for one or more portions of the Property prior to or contemporaneous with approval of a final plat for said portion(s) of the Property. The facilities agreements required by this Section 12.B shall reflect the agreement of the City and the developer as to the mandatory construction or dedication of park or open space area, landscaping or greenbelt development or other comparable items, phasing of the development, the maintenance of open space within the portion(s) of the Property described within the application for final plat, and the amount of any credits relating to park land dedication fees and/or tree mitigation fees. For purposes of Section 8.03.1.2 of the ALDC, an application for final plat for a portion of the Property shall not be considered complete until the facilities agreement required by this Section 12.B. with respect to the portion of the Property described in said application has been fully signed by the City and the applicant.

Appendix 1: DESCRIPTION OF PROPERTY

BEING a tract of land out to the Jonathan Phillips Survey, Abstract No. 719 in the City of Allen, Collin County, Texas, being all of the 31.272 acre tract of land described in deed to the Allen Economic Development Corporation recorded in Document No. 20150611000696250 of the Official Public Records of Collin County, Texas, being part of the 173.0607 acre tract of land described in deed to Allentowne Mall, LP recorded in Document No. 20060403000429310 of the Official Public Records of Collin County, Texas, being all the 5.1474 acre tract of land described in deed to Allentowne Mall, LP recorded in Document No. 20091228001538310 of the Official Public Records of Collin County, Texas, being part of the 43.444 and 10.73 acre tracts of land described in deed to Allentowne Mall, LP recorded in Document No. 20060403000429330 of the Official Public Records of Collin County, Texas, being part of the tracts of land described in deed to Allentowne Mall, LP recorded in Document No. 20060403000429340 of the Official Public Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a point for the intersection of the south right-of-way line of President George Bush Highway (Highway 121, a variable width ROW) and the east right-of-way line of Chelsea Road (variable width ROW);

THENCE with said south right-of-way line, the following courses and distances to wit:

North 64°36'36" East, a distance of 369.04 feet to a point for corner;
North 67°12'38" East, a distance of 321.86 feet to a point for corner;
North 60°11'48" East, a distance of 514.72 feet to a point for corner;
North 64°35'48" East, a distance of 281.90 feet to a point for corner;
South 89°07'59" East, a distance of 362.52 feet to a point for corner;
North 1°02'05" East, a distance of 179.43 feet to a point for corner;
North 64°36'03" East, a distance of 802.06 feet to a point for corner;
North 25°27'00" West, a distance of 23.11 feet to a point for corner;
North 64°34'27" East, a distance of 228.86 feet to a point for the northwest corner of said 10.73 acre tract of land;

THENCE leaving said south right-of-way line and with the north line of said 10.73 acre tract and 43.444 acre tracts, the following courses and distances to wit:

North 89°05'39" East, a distance of 1438.97 feet to a point for corner;
South 4°44'26" East, a distance of 607.56 feet to a point for corner;
North 86°47'59" East, a distance of 371.88 feet to a point for corner in the west right-of-way line of U.S. Highway 75 (variable width ROW);

THENCE with said west right-of-way line, the following courses and distances to wit:

South 16°33'35" West, a distance of 1081.74 feet to a point for corner;
South 53°08'58" West, a distance of 30.48 feet to a point for corner;
South 16°39'04" West, a distance of 66.92 feet to a point for corner;
South 36°50'56" East, a distance of 31.63 feet to a point for corner;

South 16°40'37" West, a distance of 225.60 feet to a point for corner;
North 73°23'26" West, a distance of 127.51 feet to a point for corner;
South 16°36'34" West, a distance of 80.00 feet to a point for corner;
South 73°23'26" East, a distance of 127.42 feet to a point for corner;
South 16°40'37" West, a distance of 1306.68 feet to a point for corner at the intersection of said west right-of-way line and the north right-of-way line of Ridgeview Drive (variable width ROW);

THENCE with said north right-of-way line, the following courses and distances to wit:

North 74°41'30" West, a distance of 300.00 feet to a point for corner;
South 60°16'40" West, a distance of 49.47 feet to a point for corner;
South 89°53'00" West, a distance of 570.93 feet to a point for corner;
South 87°46'58" West, a distance of 150.05 feet to a point at the beginning of a non-tangent curve to the left having a central angle of 2°29'47", a radius of 3060.00 feet, a chord bearing and distance of South 88°37'48" West, 133.31 feet;
In a southwesterly direction, with said curve to the left, an arc distance of 133.32 feet to a point for corner;
South 87°22'54" West, a distance of 327.22 feet to a point at the beginning of a tangent curve to the right having a central angle of 2°27'09", a radius of 2940.00 feet, a chord bearing and distance of South 88°36'29" West, 125.84 feet;
In a southwesterly direction, with said curve to the right, an arc distance of 125.85 feet to a point for corner;
South 89°50'04" West, a distance of 1440.34 feet to a point for corner;
South 89°15'47" West, a distance of 100.92 feet to a point at the beginning of a non-tangent curve to the left having a central angle of 1°42'06", a radius of 5060.00 feet, a chord bearing and distance of North 88°18'49" West, 150.27 feet;
In a northwesterly direction, with said curve to the left, an arc distance of 150.28 feet to a point for corner;
South 87°18'04" West, a distance of 221.29 feet to a point for the east corner of a corner clip at the intersection of said north right-of-way line and the said east right-of-way line of Chelsea Road;

THENCE with said east right-of-way line, the following courses and distances to wit:

North 50°11'56" West, a distance of 29.49 feet to a point for corner;
North 7°38'45" West, a distance of 188.71 feet to a point for corner;
North 11°27'35" West, a distance of 150.33 feet to a point for corner;
North 7°38'45" West, a distance of 224.59 feet to a point at the beginning of a tangent curve to the right having a central angle of 7°08'55", a radius of 3940.00 feet, a chord bearing and distance of North 4°04'17" West, 491.27 feet;
In a northwesterly direction, with said curve to the right, an arc distance of 491.59 feet to a point for corner;
North 0°29'49" West, a distance of 398.20 feet to a point for corner;
North 3°19'01" East, a distance of 150.33 feet to a point for corner;
North 0°29'49" West, a distance of 262.71 feet to a point for corner;

North 7°13'52" East, a distance of 62.89 feet to the **POINT OF BEGINNING** and containing 260.94 acres of land.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Appendix 2: REGULATING PLAN

Appendix 3: SCHEDULE OF USES

The use of land and buildings listed shall be in accordance with those listed in the following schedule of permitted principal uses and schedule of permitted accessory uses by Character Area. Specific Use Permits shall not be required for any use unless established herein.

Legend for interpreting schedules of permitted uses:

- X — Use permitted in district indicated.
- Use prohibited in district indicated.
- S — Use may be permitted upon approval of specific use permit.
- T — Use may be permitted as temporary use.

Schedule of Principal Uses

USE	Urban Main Street	Employment	Urban Neighborhood	Flex Zone	Central Park
ADULT DAY CARE			X	X	
AGRICULTURAL USE	X	X	X	X	X
AMPHITHEATER	X		X	X	X
AMUSEMENT, COMMERCIAL (INDOOR)	X	X	X	X	X
AMUSEMENT, COMMERCIAL (OUTDOOR)	X	X	X	X	X
ANTIQUE SHOP (INCLUDING ANTIQUE FAIRS)	X	X		X	T
ARTISANS AND ARTIST STUDIO (INCLUDING ART FAIRS)	X	X	X	X	X
ASSISTED LIVING	X	X	X	X	
AUTO PAINTING OR BODY SHOP				S	
AUTO PARTS SALES	X	X		X	
AUTO, TRAILER, TRUCK RENTAL				S	
AUTOMOTIVE REPAIRS, MAJOR				S	
AUTOMOTIVE REPAIRS, MINOR				S	

USE	Urban Main Street	Employment	Urban Neighborhood	Flex Zone	Central Park
BAKERIES (WHOLESALE)				X	
BAKERY OR CONFECTIONERY	X	X	X	X	X
BANKS AND FINANCIAL INSTITUTIONS	X	X	X	X	
BED & BREAKFAST	X	X	X	X	
BEER & WINE PACKAGE SALES	X	X	X	X	X
BEER & WINE PACKAGE SALES WITH GREATER THAN 50% OF REVENUE FROM BEER & WINE	X	X	X	X	X
BICYCLE SHOP/REPAIR SERVICE	X	X	X	X	
BOAT DISPLAY SALES AND REPAIR				X	
BOOK, CARD OR NOVELTY SHOPS	X	X	X	X	
BOTTLING WORKS & DISTRIBUTION	X	X	X	X	
BUILDING MATERIALS SALES (Outdoor)				S	
BUILDING MATERIALS SALES (Indoor)	X	X		X	
CAR WASH				X	
CARNIVAL OR CIRCUS	T	T		T	T
CARPENTRY, PAINTING SHOP	S	X		X	
CATERING	X	X		X	
CHURCH, TEMPLE OR RECTORY	S	S	X	X	
CLINIC, MEDICAL	X	X	X	X	
COLLEGE UNIVERSITY OR TRADE SCHOOL	X	X	X	X	
COMMUNITY CENTER	X	X	X	X	X

USE	Urban Main Street	Employment	Urban Neighborhood	Flex Zone	Central Park
CONCRETE BATCH PLANT (NON-TEMP)					
CONCRETE BATCH PLANT (TEMPORARY) (Shall be located a minimum of 500 feet from any existing residential structure)	T	T	T	T	
CONGREGATE RESIDENCE			X	X	
CONSTRUCTION OFFICE (TEMPORARY)	T	T	T	T	
CONVENIENCE STORE	X	X	X	X	X
COUNTRY CLUB	X	X	X	X	
DANCE/MARTIAL ARTS STUDIOS	X	X	X	X	T
DAY CARE FACILITY	X	X	X	X	T
DEPARTMENT OR DISCOUNT STORES	X	X	X	X	
DRUG STORE OR PHARMACY	X	X	X	X	
DWELLING, CONDOMINIUM	X	X	X	X	
DWELLING, MULTI-FAMILY (APARTMENT)	X	X	X	X	
DWELLING, SINGLE-FAMILY (ATTACHED)	X	X	X	X	
DWELLING, SINGLE-FAMILY (DETACHED)			X	X	
DWELLING, TWO-FAMILY			X	X	
EQUIPMENT RENTAL				X	
FABRICS OR NEEDLEWORK SHOP	X	X		X	
FAIRGROUNDS OR RODEO	T	T	T	T	T
FAMILY HOME			X	X	

USE	Urban Main Street	Employment	Urban Neighborhood	Flex Zone	Central Park
FARM IMPLEMENT SALES AND SERVICE				X	
FARMER'S MARKET	T			T	T
FIREARMS SALE & SERVICE	X	X		X	
FITNESS AND HEALTH CENTER	X	X	X	X	T
FLORIST	X	X		X	T
FOOD HALL OR CAFETERIA	X	X	X	X	X
FOOD PROCESSING (HEAVY)				S	
FOOD SERVICE	X	X	X	X	T
FOOD TRUCK PARKS/LOTS/LOCATIONS	X	X	X	X	X
FOOD TRUCK PARK	X	X	X	X	X
FRATERNAL ORG., LODGE, CIVIC CLUBS	X	X	X	X	
FUELING STATION	S	S		X	
FUNERAL HOMES AND MORTUARIES	X	X		X	
FURNITURE/APPLIANCE SALES	X	X		X	
GARAGE, PUBLIC PARKING	X	X	X	X	
GOLF COURSE	S	S			
GOLF COURSE (PUBLIC)	S	S			
GROCERY	X	X	X	X	
GYMNASTICS AND SPORTS TRAINING FACILITY	X	X	X	X	T
HARDWARE STORE	S	S		X	

USE	Urban Main Street	Employment	Urban Neighborhood	Flex Zone	Central Park
HELISTOP	S	S		S	
HELISTOP (TEMPORARY)	T	T		T	
HOSPICE	X	X	X	X	
HOSPITAL	X	X	X	X	
HOTEL	X	X	X	X	
KEY SHOP, LOCKSMITH	X	X		X	
LABORATORIES: BIO SAFETY LEVEL 2	X	X		X	
LABORATORIES: BIO SAFETY LEVEL 3	X	X		S	
LABORATORIES: DENTAL	X	X		X	
LAUNDRY, SELF-SERVICE			X	X	
LAUNDRY/CLEANING PLANT, COMMERCIAL				S	
LAUNDRY/CLEANING PLANT, RETAIL w/PK/UP	X	X	X	X	
LAUNDRY/DRY CLEANING, PICK-UP ONLY	X	X	X	X	
LAWN EQUIPMENT SALES & REPAIR				X	
LONG-TERM CARE FACILITY	X	X	X	X	
MACHINE SHOP OR WELDING				S	
MAINTENANCE & STORAGE FACILITIES			X	X	
MANUFACTURING, LIGHT	S	X		X	
MASSAGE ESTABLISHMENT	X	X	X	X	X
MEDICAL OR DENTAL OFFICE	X	X	X	X	

USE	Urban Main Street	Employment	Urban Neighborhood	Flex Zone	Central Park
MICRO BREWERY	X	X	X	X	X
MICRO DISTILLERY	X	X	X	X	X
MINI-WAREHOUSES				X	
MONUMENT SALES				X	
MOTORCYCLE SALES & SERVICE	X	X		X	
MUSEUM/ART GALLERY	X	X		X	X
NURSERY, RETAIL PLANT	S	S	S	X	
OFFICE SHOWROOM/WAREHOUSE	X	X		X	T
OFFICE USE	X	X	X	X	
OIL AND GAS WELLS	S	S	S	S	S
OPEN STORAGE	S	S	S	S	
OUTDOOR PRODUCE MARKET	X	X	X	X	X
PARK (PRIVATE)	X	X	X	X	
PARK OR PLAYGROUND (PUBLIC)	X	X	X	X	X
PAWN SHOPS				X	
PEST CONTROL SERVICE	S	S		X	
PRINTING OR NEWSPAPER ESTABLISHMENT	X	X		X	
PRIVATE CLUB	X	X	S	X	S
PUBLIC SERVICE FACILITY	S	S		X	
RADIO OR TV BROADCAST STUDIO	X	X	X	X	T

USE	Urban Main Street	Employment	Urban Neighborhood	Flex Zone	Central Park
REAL ESTATE SALES OFFICE (TEMP.)	T	T	T	T	
RECREATION CENTER (PUBLIC)	X	X	X	X	X
RENTAL, AUTO, TRAILER, TRUCK				S	
RESTAURANT (DRIVE-IN OR THROUGH)	X	X	X	X	
RESTAURANT (NO DRIVE-IN OR THROUGH)	X	X	X	X	X
RESTAURANT (WITH LIVE MUSIC INDOORS)	X	X	X	X	X
RESTAURANT (WITH LIVE MUSIC OUTDOORS)	X	X	X	X	X
RETAIL STORE	X	X	X	X	X
SCHOOL, PRIVATE OR PAROCHIAL			X	X	
SCHOOL, PUBLIC			X	X	
SEASONAL SALES	T	T	X	X	X
SENIOR INDEPENDENT LIVING	X	X	X	X	
SERVICE CONTRACTOR				X	
SPECIALTY/ HEALTH FOOD	X	X	X	X	X
STUDIO	X	X	X	X	X
SWIM OR TENNIS CLUB			X	X	
TARGET RANGE	S	S		S	
TATTOO STUDIO (Res. #1512-7-97(R))	X	X		X	
TEMPORARY FAIRS, FESTIVALS, SPECIAL EVENTS	T	T	T	T	T
TEEN CLUB	X	X	X	X	

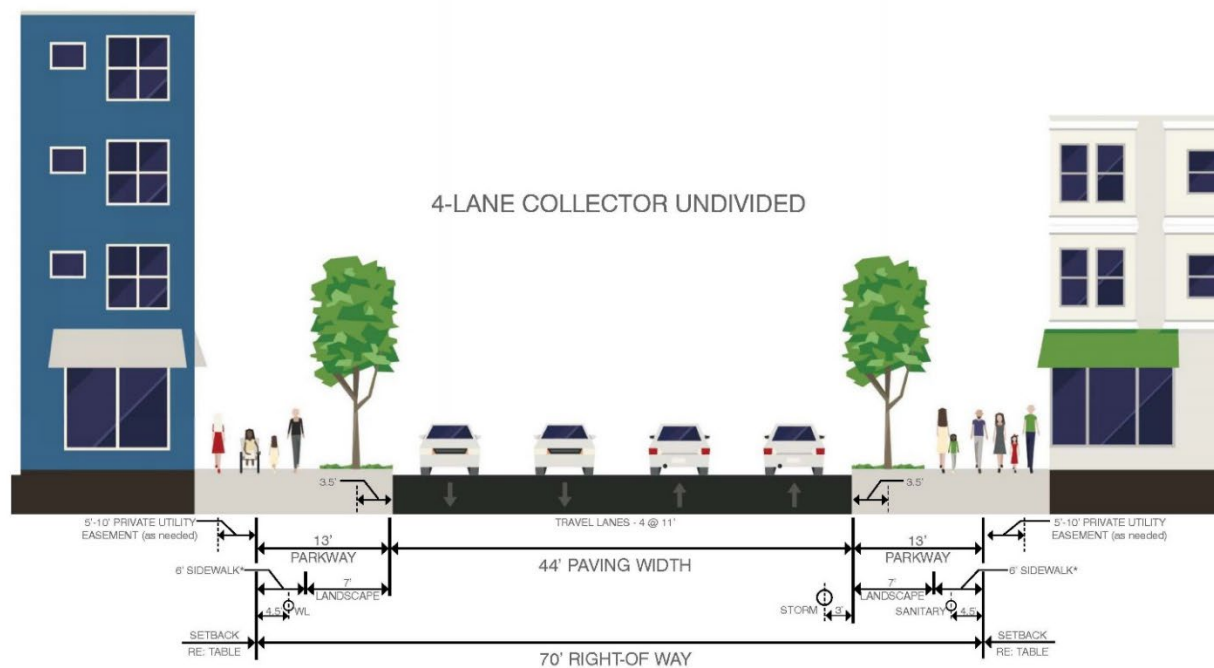
USE	Urban Main Street	Employment	Urban Neighborhood	Flex Zone	Central Park
THEATER (CINEMA)	X	X	X	X	
THEATER (LIVE)	X	X	X	X	X
TRUCK SALES AND REPAIR - NEW				S	
UPHOLSTERY SHOP	X	X	X	X	
VETERINARY HOSPITAL, ANIMAL CLINIC OR ANIMAL BOARDING FACILITY	X	X	X	X	
VIDEO REDEMPTION MACHINES (8-LINER MACHINES) - 5 or more	S	S		S	

Schedule of Accessory Uses

USE	Urban Main Street	Employment	Urban Neighborhood	Flex Zone	Central Park
AGRICULTURAL USE	X	X	X	X	X
BAKERY OR CONFECTIONARY	X	X	X	X	X
BANKS AND FINANCIAL INSTITUTIONS	X	X	X	X	
BOOK, CARD OR NOVELTY SHOP	X	X	X	X	X
CAR WASH	X			X	
CONVENIENCE STORE	X	X	X	X	X
DAYCARE FACILITY	X	X	X	X	X
DRUG STORE OR PHARMACY	X	X	X	X	
FITNESS AND HEALTH CENTER	X	X	X	X	X
FLORIST	X	X	X	X	X
FOOD SERVICE	X	X	X	X	X
FRATERNAL ORG., LODGE, CIVIC CLUBS	X	X	X	X	X
FUELING STATION	X			X	
GARAGE, PUBLIC PARKING	X	X	X	X	
GYMNASTICS/ DANCE STUDIO	X	X	X	X	
KEY SHOP, LOCKSMITH	X	X		X	
LABORATORIES: BIO SAFETY LEVEL 2	X	X		X	
LABORATORIES: DENTAL	X	X		X	
LAUNDRY/ SELF-SERVICE	X	X	X	X	
LAUNDRY/ DRY CLEANING, PICK-UP ONLY	X	X	X	X	
LIVE MUSIC VENUE	X	X	X	X	X
MEDICAL OR DENTAL OFFICE	X	X	X	X	
OFFICE USE	X	X	X	X	
OUTDOOR DISPLAY	X			X	
OUTDOOR STORAGE	X			X	
PARK-AND-RIDE FACILITY	X	X	X	X	
PLAYFIELD OR STADIUM	X	X	X	X	X
PRIVATE CLUB	X	X	X	X	X

USE	Urban Main Street	Employment	Urban Neighborhood	Flex Zone	Central Park
RADIO OR TV BROADCAST STUDIO	X	X	X	X	X
RECREATION CENTER (PUBLIC)	X	X	X	X	X
RESTAURANT (DRIVE-IN OR THROUGH)	X	X	X	X	
RESTAURANT (NO DRIVE-IN OR THROUGH)	X	X	X	X	X
RESTAURANT/PRIVATE CLUB	X	X	X	X	X
RETAIL STORE	X	X	X	X	X
SIGN SHOP		X		X	
SWIM OR TENNIS CLUB	X	X	X	X	X
SWIM POOL	X	X	X	X	X
TELECOMMUNICATIONS (MONOPOLE TOWER)	X	X	X	X	X
WIND ENERGY SYSTEM, MEDIUM	X	X	X	X	
WIND ENERGY SYSTEM, SMALL	X	X	X	X	

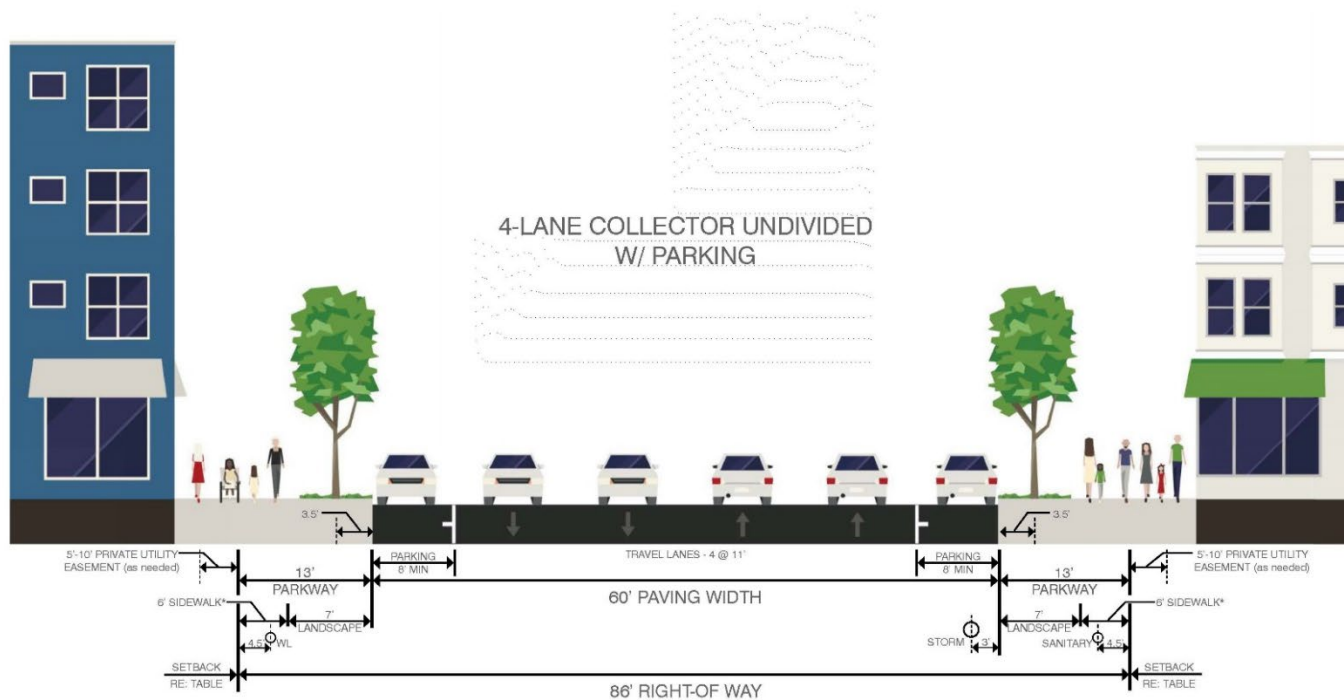
Appendix 4: STREET CROSS SECTIONS



CHARACTER AREA	FRONT/SIDEYARD SETBACK	BUILDING FRONTAGE (BUILD-TO-ZONE)
URBAN MAIN STREET	0' MIN / NO MAX	0' MIN / 25' MAX
EMPLOYMENT	0' MIN / NO MAX	0' MIN / 100' MAX
URBAN NEIGHBORHOOD	5' MIN / NO MAX	5' MIN / 25' MAX
FLEX ZONE	0' MIN / NO MAX	0' MIN / 100' MAX

Notes:

1. Street trees must be located outside of sight visibility triangles.
 2. ROW adjustments illustrated in chart are per each direction, and may only be included in one direction at the option of the developer.
 3. Additional easement requirements that may impact the setback area and located outside ROW include: additional depth sanitary sewer, franchise utility easements for conduit, transformers & switchgears, restrictions due to site visibility triangles, etc.
 4. Street trees require root barrier along back of curb and sidewalk
 5. Location of Bicycle Lanes at a minimum dimension of 5' to be determined at time of Site Planning, with approval by Director of Engineering
 6. Dimensions shown are to face of curb
 7. Building face at ground level will be minimum 18' from back of curb
- * Minimum Sidewalk width: (6) feet throughout development and a minimum (8) eight feet on the main North/South Street bisecting the Urban Main Street Character Area

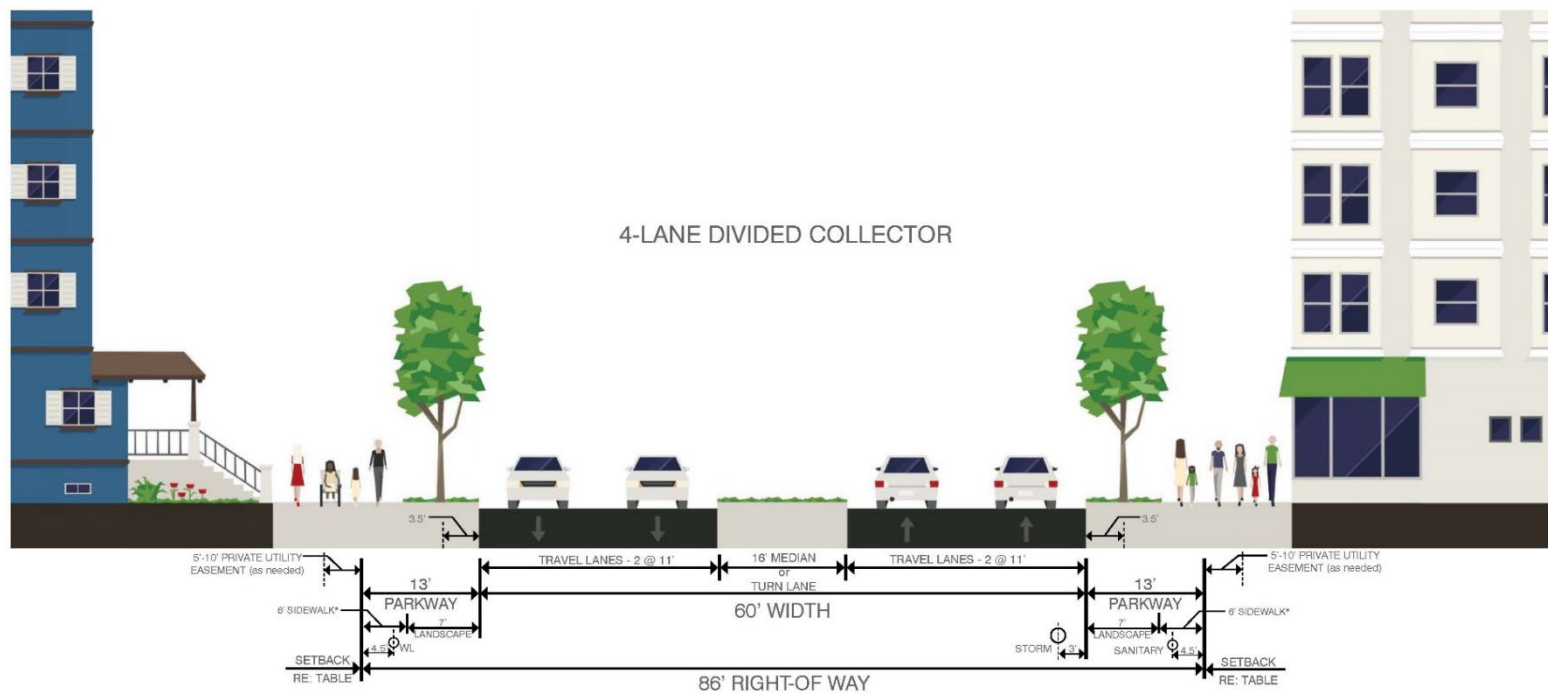


CHARACTER AREA	FRONT/SIDEYARD SETBACK	BUILDING FRONTAGE (BUILD-TO-ZONE)
URBAN MAIN STREET	0' MIN / NO MAX	0' MIN / 25' MAX
EMPLOYMENT	0' MIN / NO MAX	0' MIN / 100' MAX
URBAN NEIGHBORHOOD	5' MIN / NO MAX	5' MIN / 25' MAX
FLEX ZONE	0' MIN / NO MAX	0' MIN / 100' MAX

ACCESSORY	ROW/PAVEMENT ADJUSTMENT (PER DIRECTION)
ON-STREET PARALLEL PARKING	8'
ON-STREET ANGLED PARKING	16'
ON-STREET HEAD-IN PARKING	20'
BICYCLE LANE	5' min

Notes:

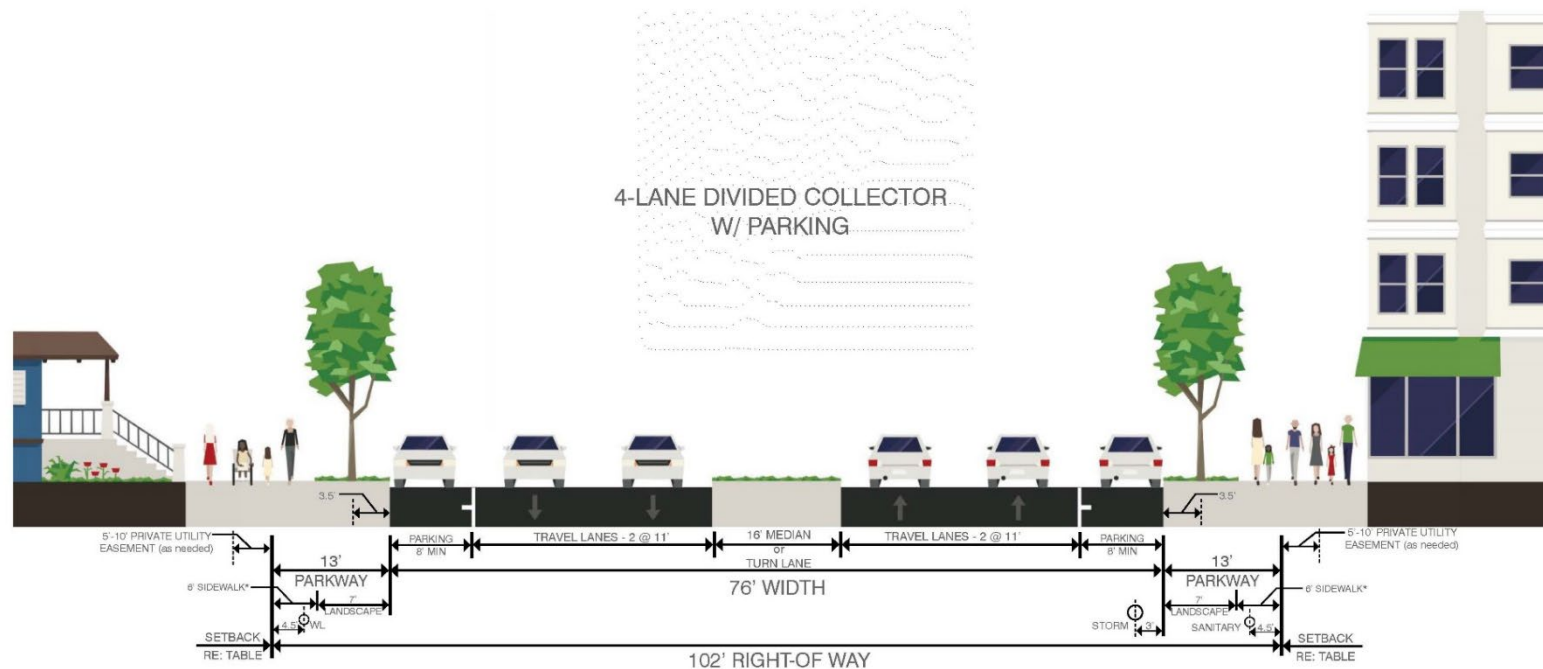
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 6. Dimensions shown are to face of curb
 7. Building face at ground level will be minimum 18" from back of curb
- * Minimum Sidewalk width: (6) feet throughout development and a minimum (8) eight feet on the main North/South Street bisecting the Urban Main Street Character Area



CHARACTER AREA	FRONT/SIDEYARD SETBACK	BUILDING FRONTAGE (BUILD-TO-ZONE)
URBAN MAIN STREET	0' MIN / NO MAX	0' MIN / 25' MAX
EMPLOYMENT	0' MIN / NO MAX	0' MIN / 100' MAX
URBAN NEIGHBORHOOD	5' MIN / NO MAX	5' MIN / 25' MAX
FLEX ZONE	0' MIN / NO MAX	0' MIN / 100' MAX

Notes:

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7. Building face at ground level will be minimum 18' from back of curb
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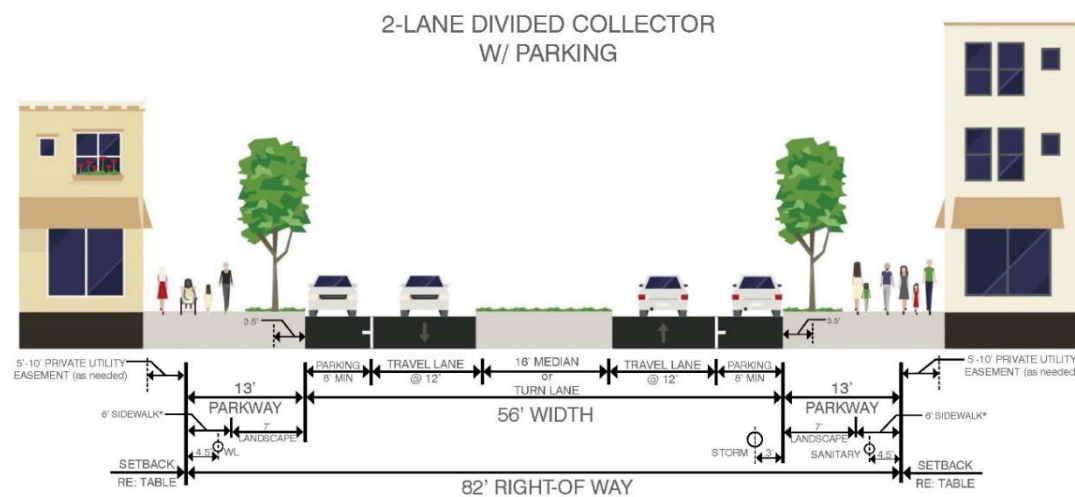


CHARACTER AREA	FRONT/SIDEYARD SETBACK	BUILDING FRONTAGE (BUILD-TO-ZONE)
URBAN MAIN STREET	0' MIN / NO MAX	0' MIN / 25' MAX
EMPLOYMENT	0' MIN / NO MAX	0' MIN / 100' MAX
URBAN NEIGHBORHOOD	5' MIN / NO MAX	5' MIN / 25' MAX
FLEX ZONE	0' MIN / NO MAX	0' MIN / 100' MAX

ACCESSORY	ROW/PAVEMENT ADJUSTMENT (PER DIRECTION)
ON-STREET PARALLEL PARKING	8'
ON-STREET ANGLED PARKING	16'
ON-STREET HEAD-IN PARKING	20'
BICYCLE LANE	5' min

Notes:

1. Street trees must be located outside of sight visibility triangles.
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 4. Street trees require root barrier along back of curb and sidewalk.
 5. Location of Bicycle Lanes at a minimum dimension of 5' to be determined at time of Site Planning, with approval by Director of Engineering.
 6. Dimensions shown are to face of curb.
 7. Building face at ground level will be minimum 18' from back of curb.
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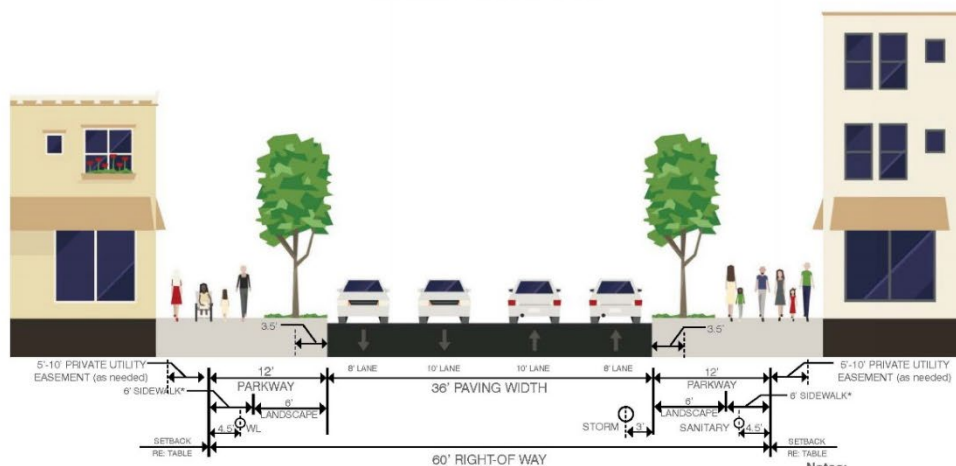
CHARACTER AREA	FRONT/SIDEYARD SETBACK	BUILDING FRONTAGE (BUILD-TO-ZONE)
URBAN MAIN STREET	0' MIN / NO MAX	0' MIN / 25' MAX
EMPLOYMENT	0' MIN / NO MAX	0' MIN / 100' MAX
URBAN NEIGHBORHOOD	5' MIN / NO MAX	5' MIN / 25' MAX
FLEX ZONE	0' MIN / NO MAX	0' MIN / 100' MAX

ACCESSORY	ROW/PAVEMENT ADJUSTMENT (PER DIRECTION)
ON-STREET PARALLEL PARKING	8'
ON-STREET ANGLED PARKING	16'
ON-STREET HEAD-IN PARKING	20'
BICYCLE LANE	5' min

Notes:

1. Street trees must be located outside of sight visibility triangles.
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MINOR COLLECTOR

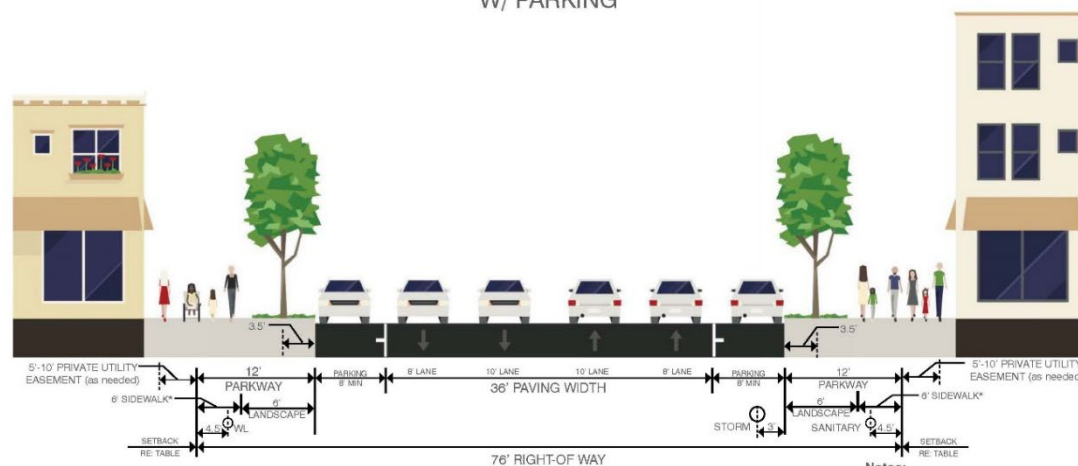


CHARACTER AREA	FRONT/SIDEYARD SETBACK	BUILDING FRONTAGE (BUILD-TO-ZONE)
URBAN MAIN STREET	0' MIN / NO MAX	0' MIN / 25' MAX
EMPLOYMENT	0' MIN / NO MAX	0' MIN / 100' MAX
URBAN NEIGHBORHOOD	5' MIN / NO MAX	5' MIN / 25' MAX
FLEX ZONE	0' MIN / NO MAX	0' MIN / 100' MAX

Notes:

1. Street trees must be located outside of sight visibility triangles.
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MINOR COLLECTOR W/ PARKING

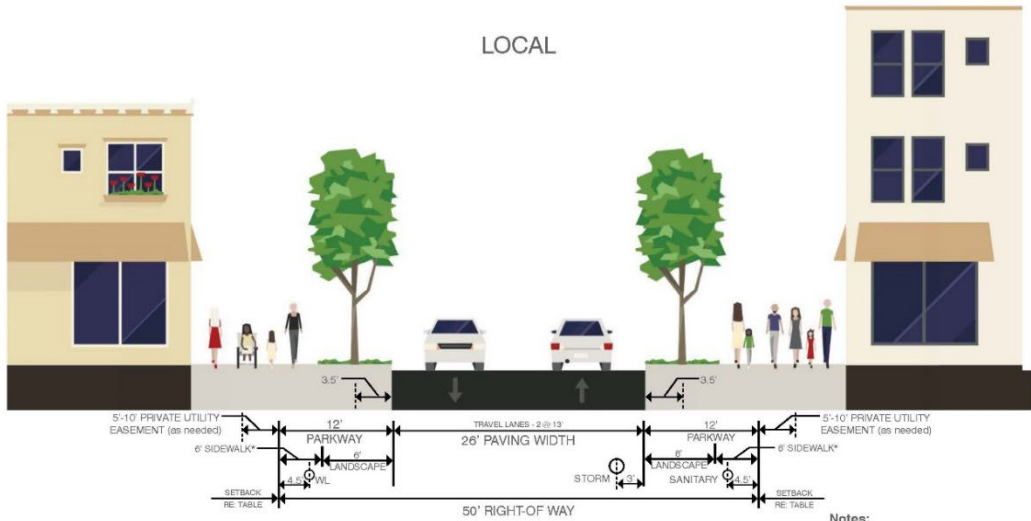


CHARACTER AREA	FRONT/SIDEYARD SETBACK	BUILDING FRONTAGE (BUILD-TO-ZONE)
URBAN MAIN STREET	0' MIN / NO MAX	0' MIN / 25' MAX
EMPLOYMENT	0' MIN / NO MAX	0' MIN / 100' MAX
URBAN NEIGHBORHOOD	5' MIN / NO MAX	5' MIN / 25' MAX
FLEX ZONE	0' MIN / NO MAX	0' MIN / 100' MAX

ACCESSORY	ROW/PAVEMENT ADJUSTMENT (PER DIRECTION)
ON-STREET PARALLEL PARKING	8'
ON-STREET ANGLED PARKING	16'
ON-STREET HEAD-IN PARKING	20'
BICYCLE LANE	5' min

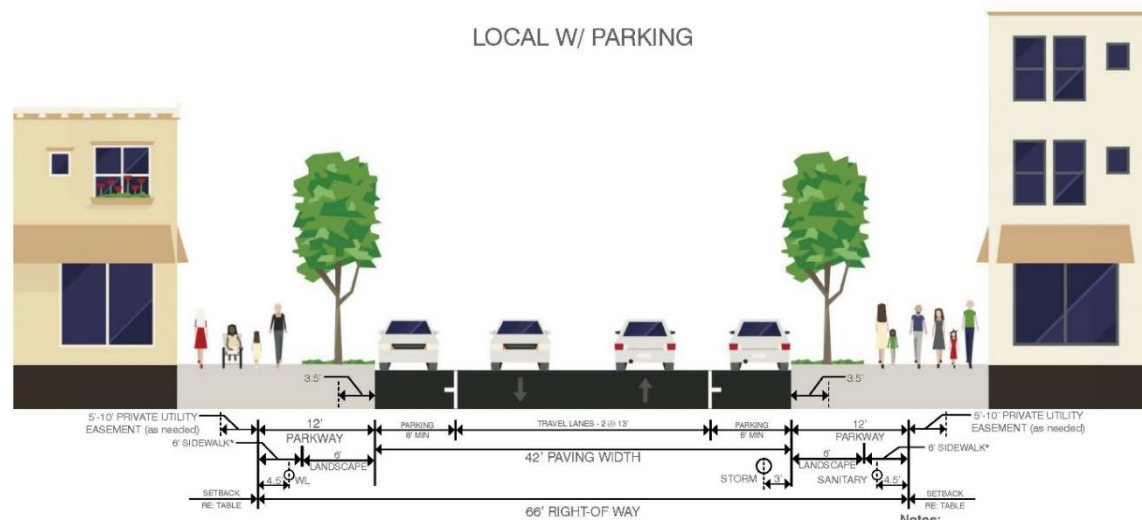
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CHARACTER AREA	FRONT/SIDEYARD SETBACK	BUILDING FRONTAGE (BUILD-TO-ZONE)	ACCESSORY	ROW/PAVEMENT ADJUSTMENT (PER DIRECTION)
URBAN MAIN STREET	0' MIN / NO MAX	0' MIN / 25' MAX	ON-STREET PARALLEL PARKING	8'
EMPLOYMENT	0' MIN / NO MAX	0' MIN / 100' MAX	ON-STREET ANGLED PARKING	16'
URBAN NEIGHBORHOOD	5' MIN / NO MAX	5' MIN / 25' MAX	ON-STREET HEAD-IN PARKING	20'
FLEX ZONE	0' MIN / NO MAX	0' MIN / 100' MAX	BICYCLE LANE	5' min

Notes:

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Appendix 5: PUBLIC AND PRIVATE STREET PLANS

Appendix 6: PARKS AND OPEN SPACE PLAN

Appendix 7: ZONING EXHIBIT

Appendix 8: ON-SITE TRAFFIC MOVEMENT EXHIBIT