

TOWN OF TROPHY CLUB, TEXAS

*The Plaza*

ORDINANCE NO. 1999- 17 P&Z

AN ORDINANCE OF THE TOWN OF TROPHY CLUB, TEXAS AMENDING ORDINANCE NO. 98-29 OF THE TOWN, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE, BY AMENDING THE OFFICIAL ZONING MAP OF THE TOWN BY CHANGING THE ZONING ON A CERTAIN TRACT OF LAND DESCRIBED AS A 13.97 ACRE TRACT OF LAND FROM ITS CURRENT ZONING OF COMMERCIAL-GENERAL TO PD PLANNED DEVELOPMENT #21 FOR PROFESSIONAL, BUSINESS AND RETAIL USES; PROVIDING THAT SUCH TRACT OF LAND SHALL BE USED IN ACCORDANCE WITH THE REQUIREMENTS OF THE COMPREHENSIVE ZONING ORDINANCE AND ALL OTHER APPLICABLE ORDINANCES OF THE TOWN; PROVIDING THAT THE ZONING MAP SHALL REFLECT THE PD PLANNED DEVELOPMENT #21 ZONING DISTRICT FOR THE SUBJECT PROPERTY; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of the tract of land (the "Land"), described as a 13.97 acre tract of land currently zoned Commercial-General, said tract generally known as the Trophy Club Plaza and as described in Exhibit "A" attached hereto and incorporated herein, filed an application with the Town Planning and Zoning Commission requesting a change in zoning of the Land into PD Planned Development #21 for Professional, Business and Retail uses and an amendment to the official Zoning District Map of the Town in accordance with Ordinance No. 98-29 of the Town (the "Comprehensive Zoning Ordinance"); and

WHEREAS, all legal notices, requirements and conditions having been complied with, the case to rezone the Land came on before the Planning and Zoning Commission and Town Council; and

WHEREAS, the Town Council, at a public hearing held jointly with the Planning and Zoning Commission, had an opportunity to consider the following factors in making a determination as to whether the requested changes should be granted or denied: effect on the congestion in the streets, safety of the motoring public and the pedestrians using the facilities in the area immediately surrounding the Land, noise producing elements and glare of vehicular and stationary lights and effect of such lights on the established character of the neighborhood, the fire hazards and other dangers possibly present and the securing of safety from the same, lighting and type of signs and the relation of signs to traffic control and adjacent property, street size and adequacy of width for traffic reasonably expected to be generated for proposed uses around the Land and in the immediate neighborhoods, the effect on the promotion of health and the general welfare, effect on adequate light and air, the effect on the transportation, water, sewerage, schools, parks and other public facilities;

and

WHEREAS, the Town Council further considered among other things the character of the districts and their peculiar suitability for particular uses, with a view of conserving the value of buildings and encouraging the most appropriate use of land in the Town, and does hereby find that the rezoning approved hereby accomplishes such objectives; and

WHEREAS, the Town Council finds that the zoning granted herein utilizes innovative land development concepts and is consistent with the Town's Comprehensive Land Use Plan; and

WHEREAS, after public notices were given in compliance with State law and public hearings were conducted, and after considering the information submitted at the said public hearings and all other relevant information and materials, the Planning and Zoning Commission of the Town has recommended to the Town Council the adoption of the amendments to the Comprehensive Zoning Ordinance as set forth in this Ordinance; and

WHEREAS, the Town Council has determined that there is a necessity and need for the change in zoning and that there has been a change in the conditions of the Land surrounding and in close proximity to the Land since the Land was originally classified and therefore the change in zoning herein made is needed; and

WHEREAS, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission and the information and other materials received at the public hearing, the Town Council has concluded that the adoption of this Ordinance is in the best interests of the Town of Trophy Club, Texas and of the public health, safety and welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TROPHY CLUB, TEXAS:**

Section 1. Incorporation of Premises. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Rezoning. Ordinance No. 98-29 of the Town of Trophy Club, Texas, the same being the Town's Comprehensive Zoning Ordinance, is hereby amended in the following particulars, and all other articles, chapters, sections, paragraphs, sentences, phrases and words are not amended but are hereby ratified and affirmed:

- A. The zoning on the Land, being a 13.79 acre tract of land described in Exhibit "A" attached hereto and incorporated herein, heretofore zoned Commercial-General, is hereby changed to PD Planned Development District for Professional, Business and Retail uses in accordance with the requirements of this Ordinance (including Exhibits "B", "C", "D", "E", "F", "G", "H", and "I" each of which Exhibits is incorporated herein for all purposes), all applicable parts of the Comprehensive Zoning Ordinance, and all other applicable ordinances, rules and regulations of the Town.

Section 3. Site Plan. A planned development site plan for the Land or any part thereof which shall be in substantial conformity with Exhibits described in Section 2. A. above, shall be

submitted by the Owner of the Land as required by and in accordance with the Comprehensive Zoning Ordinance and shall be attached hereto and incorporated herein as a part of this Ordinance and labeled Exhibit "B".

Section 4. Zoning Map. The Planning and Zoning Administrator is hereby directed to mark and indicate on the official Zoning District Map of the Town to reflect the zoning change herein made.

Section 5. Development Conditions. In carrying out the development of the Land in accordance with this Ordinance, the Development Standards set forth in Exhibit "C" shall be conditions precedent to the granting of any certificate of occupancy.

Section 6. Building Elevations. The standards for building elevation for the Planned Development shall be in accordance with the criteria set forth in Exhibit "D".

Section 7. Site Line Studies. Site lines shall comply with the Site Line Studies as set forth in Exhibit "E".

Section 8. Plant List and Plan. Plants, trees, and landscaping shall comply with the list as set forth in Exhibit "F".

Section 9. Preliminary Grading. Preliminary grading shall comply with the standards as set forth in Exhibit "G".

Section 10. Light Fixtures. Light fixtures shall comply with the standards as set forth in Exhibit "H".

Section 11. Sign Criteria. The standards for the configuration, fabrication, installation, and operation of tenant signage for the Planned Development shall be in accordance with the criteria set forth in Exhibit "I".

Section 12. Applicable regulations. In all respects the Land shall be subject to the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances and regulations of the Town.

Section 13. Purpose. The amendment to zoning herein made has been made in accordance with the Comprehensive Plan of the Town for the purpose of promoting the health, safety and welfare of the community, and with consideration of the reasonable suitability for the particular use and with a view of conserving the value of the buildings and encouraging the most appropriate use of land within the community.

Section 14. Savings. This Ordinance shall be cumulative of all other ordinances of the Town affecting the regulation of land and zoning and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those Ordinances are in direct conflict with the provisions of this Ordinance.

Section 15. Penalty. It shall be unlawful for any person to violate any provision of this

Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

Section 16. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the Town Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

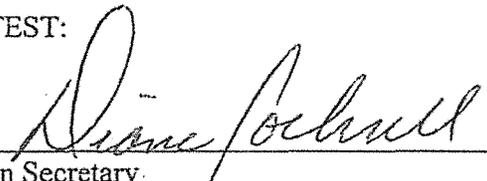
Section 17. Effective Date. This Ordinance shall become effective from and after its date of adoption and publication as provided by law.

**AND IT IS SO ORDAINED**

**PASSED AND APPROVED** by a vote of 4 to 0, this the 6th day of July, 1999.

  
\_\_\_\_\_  
Mayor  
Town of Trophy Club, Texas

ATTEST:

  
\_\_\_\_\_  
Town Secretary  
Town of Trophy Club, Texas

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Town Attorney  
Town of Trophy Club, Texas

SIGN CRITERIA  
FOR

TROPHY CLUB CENTER

RETAIL DEVELOPMENT AT

STATE HIGHWAY 114

&

TROPHY LAKE DRIVE

TROPHY CLUB, TEXAS

A DEVELOPMENT OF:  
REGENCY REALTY CORPORATION

June 17, 1999

## I. INTRODUCTION

### A. INTENT:

The purpose of these criteria is to establish the standards for the configuration, fabrication, installation, and operation of tenant signage at properties that are owned and operated by Regency Realty Corporation

Compliance with these regulations insures the tenant of a sign that meets industry standards of materials, and fabrication. It insures the center's owners of properly installed signage and in addition, a center free of poorly designed, fabricated and installed signs.

### B. SUBMISSION REQUIREMENTS:

This booklet should be given to the sign contractor to serve as a guide in preparing his design and cost estimates. The contractor must have this booklet in order to give you a price, which reflects a sign that complies with the standards as outlined in this booklet.

After your approval, the sign contractor must submit four (4) copies of your fabrication drawings to the offices of Regency Realty Corporation. These drawings must show:

1. The sign in elevation on the full extent of the storefront.
2. Complete specifications of all materials and colors in the sign.
3. One or more section drawings as necessary to fully describe the methods of assembly and electrical components used.

These drawings should be sent to the offices of Regency Realty Corporation, 8140 Walnut Hill, Suite 400, Dallas, Texas, 75231.

### C. RESPONSIBILITIES, LIMITATIONS, LIABILITIES:

All tenants must have a sign that conforms to this sign criteria:

- The tenant shall be responsible for the sign and its erection.
- No sign may be erected on the buildings or property without first securing written approval of Regency Realty Corporation.
- All permits as required by local building, or sign codes, shall be obtained by the tenant or his sign contractor.

- All costs for permitting, fabrication, and installation of signs shall be borne by the tenant.
- Sign message shall consist of tenant name only. Descriptions of services, symbols, product names, or merchandise trade names, are prohibited.
- Landlord reserves the right to prohibit logos in conjunction with tenant signs.
- Channelume construction, utilizing "Armor-Ply" plywood as letter backs is prohibited.
- The use of banners, flags, or pennants, is prohibited.
- Box signs are prohibited.
- Flashing signs are prohibited.
- Exposed neon signs are prohibited.
- Portable, trailer, changeable copy signs are prohibited.
- Visible sign company names on tenant signage are prohibited.
- "COMING SOON" signs must be coordinated with and approved by Regency Realty Corporation.
- The tenant and his sign contractor will be held liable for all costs required to remove and/or correct signs, sign installations and damage to buildings caused by signs or installations which do not conform to this criteria.
- Regency Realty Corporation will remove any signs prohibited by these criteria at tenant's expense.

**D. LANDLORD RESPONSIBILITIES:**

Landlord shall review and approve sign drawings within seven (7) calendar days, provided sign drawings submitted meet the required specifications.

## II. TENANT WALL SIGN

### A. DESCRIPTION:

#### TYPE OF SIGN

- Individually lighted aluminum channel letters with 1/8" Plexiglas fronts.

#### LETTER STYLE

- Per tenant discretion with landlord approval.

#### SIZE AND LOCATION

- Maximum copy height: 2'-5" (typical) 5'-0" (Tom Thumb/Walgreens)
- Minimum copy height: 1'-2"
- Mounted copy depth: 5"
- Sign shall be no more than 15% of the front surface area of a wall and 5% of the surface area of a side or rear wall, subject to landlord review and approval, centered on the store and centered vertically in the store field area.

#### TYPEFACE AND COLORS

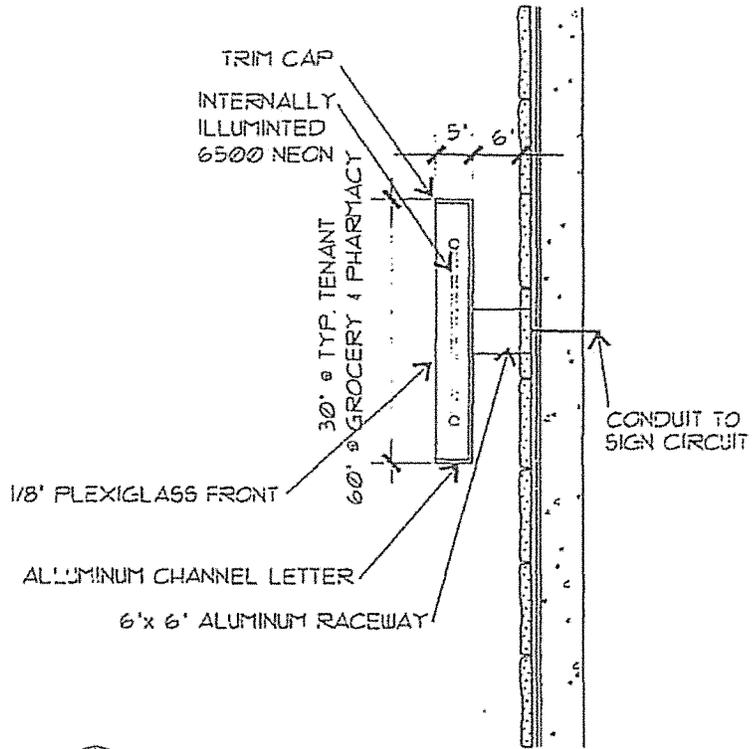
- Color and typeface is subject to landlord approval.
- Channel letters with plexiglass fronts and internally illuminated.
- Raceway painted: To match stone facade.

#### LETTER AND RACEWAY CONSTRUCTION

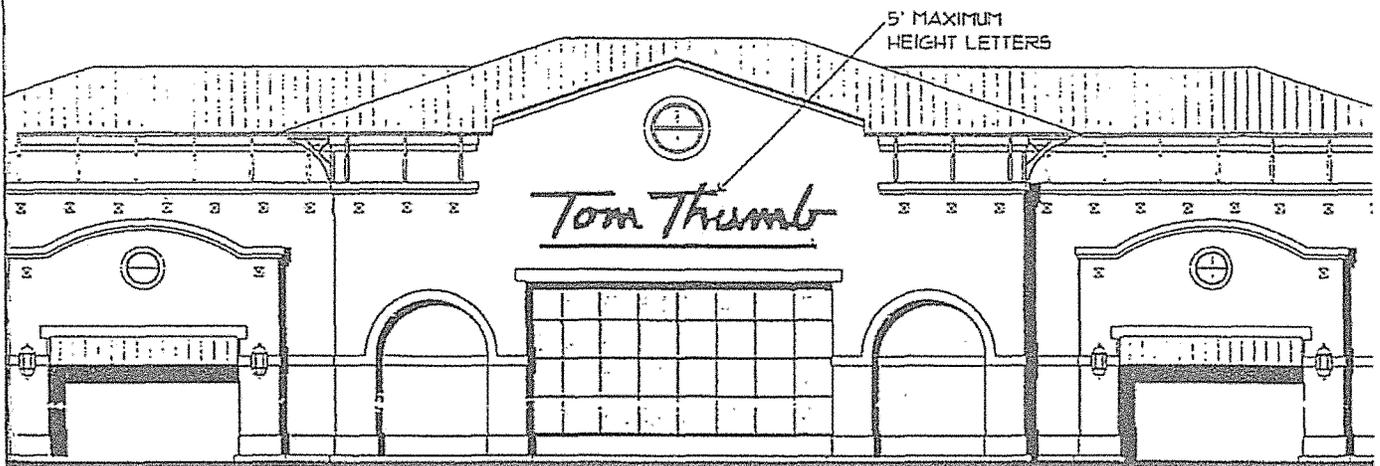
- The letters shall be fabricated of painted aluminum. The return and trim caps are to be painted to match aluminum, the interior to be painted white, both with aluminum paint.
- The raceway shall be fabricated of 22 gage galvanized sheet metal. The raceway shall be 6" high by 6" deep by length as required. The raceway shall allow appropriate internal reinforcing and adequate service access to all hardware. No exposed angle iron or other supports will be allowed. Drain holes are to be placed in the bottom of the raceway and letters. The raceway shall contain all transformers and wiring for the letters.

## INSTALLATION

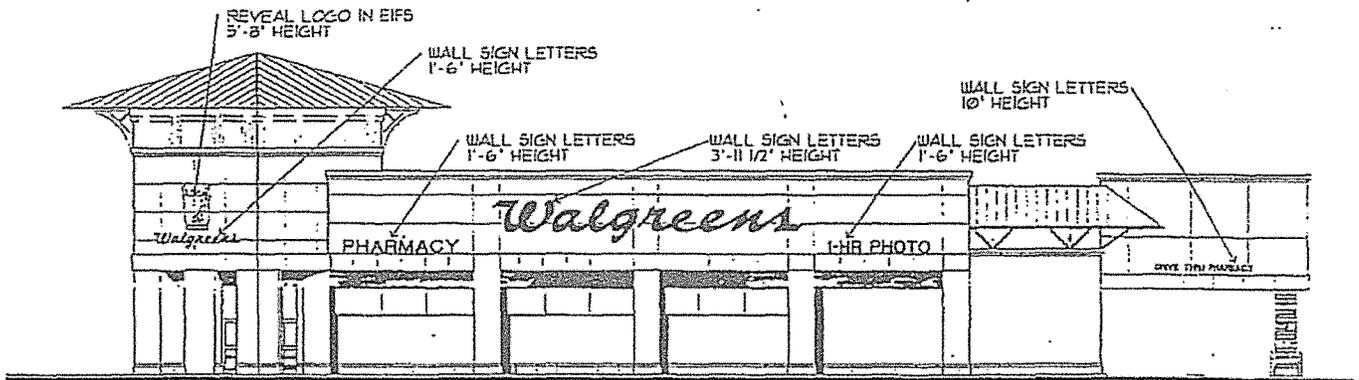
- A licensed electrician shall perform final electrical hookup. Shop drawings shall be submitted to the Landlord for approval. All signage to be mounted on raceway. All penetrations through the masonry shall be through the mortar joints. All signage installation shall be in accordance with City Codes and Ordinances, and the National Electrical Code. No secondary wiring running between letters shall occur on the front face of the raceway. The tenant shall provide the J box, rigid conduit to the panel and wiring. The plenum is accessible through the tenant ceiling.



TENANT WALL SIGN  
 BUILDINGS A & B



TOM THUMB WALL SIGN



WALGREENS WALL SIGNS

### III. MONUMENT SIGNS

#### A. DESCRIPTION:

##### TYPE OF SIGN

- Rear illuminated Plexiglas sign panels recessed in both faces of stone monument sign 6' high x 12' wide.

##### NUMBER AND LOCATION

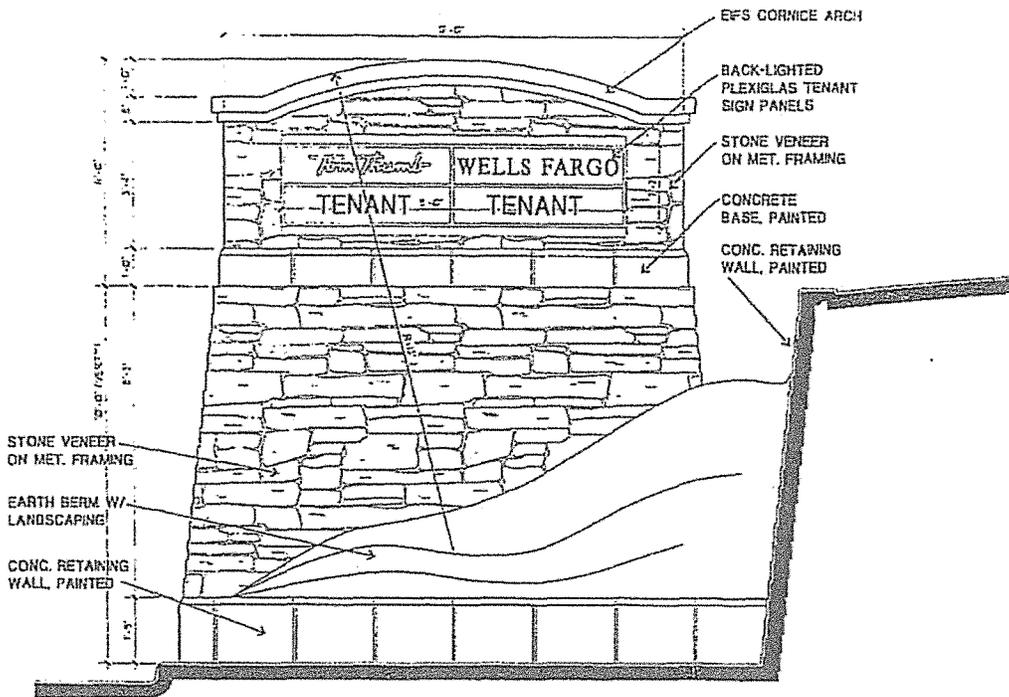
- There are 4 monument signs as located on the site plan.

##### TYPEFACE AND COLOR

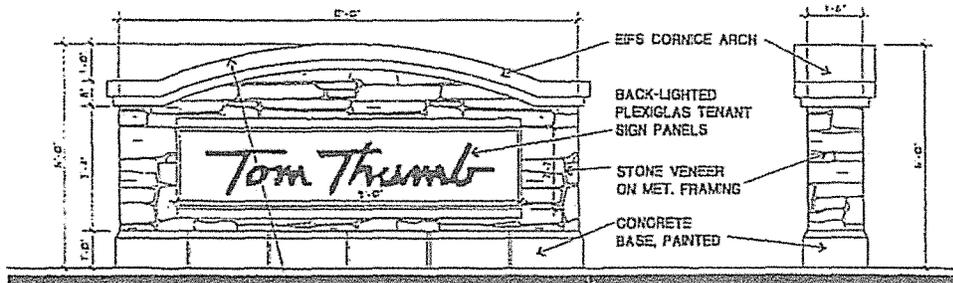
- Logos and typefaces subject to landlord approval.
- Plexiglass front panels internally illuminated.

##### INSTALLATION

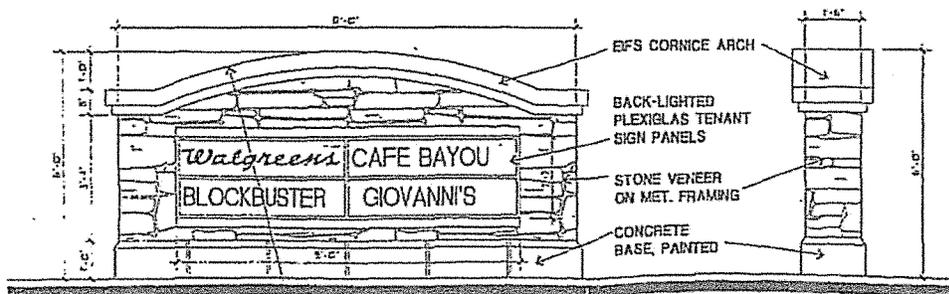
A licensed electrician shall perform final electric hookup. Shop drawings shall be submitted to the landlord for approval. All signage installation shall be in accordance with the City Codes and Ordinances, and the National Electric Code.



**MONUMENT  
03 SIGN ELEVATION**  
SCALE: 1/2" = 1'-0" TYPE 'C'



**MONUMENT  
02 SIGN ELEVATIONS**  
SCALE: 1/2" = 1'-0" TYPE 'B'



**MONUMENT  
01 SIGN ELEVATIONS**  
SCALE: 1/2" = 1'-0" TYPE 'A'



**O'BRIEN  
& ASSOCIATES**

ARCHITECTURE  
PLANNING  
INTERIORS

510 HARVEST HILL ROAD  
SUITE 136  
DALLAS, TEXAS 75230  
972-315-2020  
FAX 972-315-4111

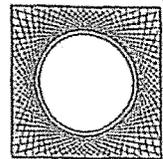
WWW.OBRIENARCH.COM

SH114 - TROPHY LAKE DR.  
TROPHY CLUB, TEXAS  
A DEVELOPMENT OF:  
REGENCY REALTY CORP.

**ISSUE LOG**

NO.	DESCRIPTION	DATE
PD SUBMITAL		5/20/02
MARK REVISION		5/23/02
PD SUBMITAL		6/10/02

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JOHN O'BRIEN - ARCHITECT  
REGISTRATION NO. 198

DATE: SIGNED  
JOB NO: 5124  
SCALE: AS NOTED

SHEET NO.

**A5.5**

**EXHIBIT “C”**

**DEVELOPMENT STANDARDS  
SHOPPING CENTER  
TROPHY LAKE DRIVE & TROPHY CLUB DRIVE  
TROPHY CLUB, TEXAS**

The development of the Land described in Exhibit “A” consisting of approximately 13.07 acres of land shall be in accordance with the PD Site Plan of the development (attached hereto as Exhibit “B”), all other Exhibits attached to or to be made a part of this Ordinance, the Comprehensive Zoning Ordinance (Ordinance No. 98-29 P&Z), all other applicable ordinances and regulations of the Town of Trophy Club, and the following Development Standards, conditions and requirements:

A. Purpose: This Planned Development is designed to accommodate a variety of retail commercial uses. For development purposes, the Land is divided into three tracts (Tracts 1 2 & 3 as shown on Exhibit "B" attached hereto (PD Site Plan)), and the use and development of each of the tracts shall be in accordance with the following:

1. **Tracts 1, 2 & 3 (Retail uses, as depicted in Exhibit “B”)**: The following standards shall apply to Tracts 1, 2 & 3:

(a) Size of tracts: Tract 1 shall contain approximately 10.99 acres of land.  
Tract 2 shall contain approximately 1.14 acres of land.  
Tract 3 shall contain approximately 1.85 acres of land.

(b) Uses generally: In the development and use of Tracts 1, 2 & 3, no land shall be used and no building or structure shall be installed, erected or converted to any use other than the following:

(c) Permitted uses:

(i) All uses listed in Section 13 of the Use Table in the Comprehensive Zoning Ordinance under Divisions E-Professional, F-Business, and G-Retail.

(ii) Other uses permitted include:

Antiques Store  
Audio, Video, Stereo (no arcade games or adult rentals)  
Bank Building & Drive Through  
Bath Shop  
Book Stores  
Cameras/Film Processing  
Cards and Gifts  
Children's Wear  
China and Glassware

With Amendments through 2013-05

Computer/Software  
Cosmetics/Beauty Supply  
Curtains and Drapes  
Fitness/Workout Facility (Ordinance No. 2007-26 P&Z, October 1, 2007)  
Floor Coverings  
Food Service  
Formal Wear/Rental  
Fuel Station Accessory to Grocery Store or Other Anchor Type  
Use (Only allowed in Tract 1) (Ordinance No. 2012-02 P&Z, January 23,  
2012)  
Furniture  
Grocery Store  
Ice-cream Store  
Juice Store  
Kitchen Store  
Lamps  
Laundry and Dry Cleaning (on-site dry cleaning facility limited to  
Exxon DF-2000 or equivalent). This facility shall not provide  
equipment or services for another laundry or dry cleaning location.  
(Ordinance No. 2000-14 P&Z, July 18, 2000)  
Liquor Store (with SUP and only allowed in Tract 1) (Ordinance No.  
2011-27 P&Z, July 18, 2011)  
Luggage and Leather  
Mailing And Packaging/Post Office;  
Men's Wear  
Nail Salon  
Newspaper/magazine  
Office Supplies  
Party Supplies  
Pharmacy  
Picture Framing  
Records and tapes  
Restaurants  
Shoe Repair  
Shoes  
Sporting Goods Store  
Stationery-School Supplies  
Tailor  
Telephone Store  
Tobacco  
Toys  
Women's Ready-To-Wear/Women's Specialty

(iii) Outdoor pay phones shall not be permitted.

With Amendments through 2013-05

- (d) \*General Provisions: The Landlord and tenant of said dry cleaning facility agree to assume jointly and severally liability in regards to any clean-up costs, fines, or penalties assessed or incurred as related to the spillage or release of any substance into the waterways.
- (e) Conditional uses: Conditional uses may be permitted in accordance with regulations provided in Section 6.01, Conditional Use Permit, of the Comprehensive Zoning Ordinance.
- (f) Limitation of uses: Any use not expressly permitted herein or allowed by permit is prohibited.
- (g) Area and building regulations:
  - (i) Maximum building coverage: The combined area of all main and accessory buildings shall not exceed 21% of the total site area.
  - (ii) Maximum floor area, number of buildings: The maximum combined square footage of all main and accessory buildings shall be 126,563 square feet. No more than six (6) buildings shall be constructed or located in Tracts 1, 2 & 3. No building shall contain more than 64,100 square feet. (Ordinance No. 2012-02 P&Z, January 23, 2012)
  - (iii) Maximum impervious area: The combined area occupied by all buildings, structures, off-street parking and paved areas shall not exceed eighty percent (80%) of the total site area.
  - (iv) Minimum open space: All areas (but in any event at least twenty percent (20%) of the total site area) not devoted to buildings, walkways, structures or off-street parking area shall be devoted to grass, trees, gardens, shrubs, or other suitable landscape material.
  - (v) Depth of front yard, feet\*: There shall be a front yard having a depth of not less than thirty (30) feet.
  - (vi) Depth of rear yard, feet\*: There shall be a rear yard having a depth of not less than ten (10) feet.
  - (vii) Width of side yard on each side, feet\*: A minimum of a ten (10) foot side yard shall be required.
  - (viii) Height: No building or structure shall exceed thirty-five (35) feet in height (1 story maximum) to the eave line and a maximum of forty-five (45) feet to the gable or ridge line. Building and/or structure heights shall be measured from the adjacent finished sidewalk elevation.

\* All yards shall comply with Section 5.05, "Required Yards," of the Comprehensive Zoning Ordinance.

- (h) Parking, loading regulations: The minimum number of off-street parking spaces shall be one (1) space for each 215 square feet of building area. In all other respects, off-street parking shall comply with Section 7.04, Off-Street Parking Requirements of the Comprehensive Zoning Ordinance. Off-street loading shall be in accordance with Section 7.05, Off-Street Loading Regulations of the Comprehensive Zoning Ordinance. Landscaped islands shall, on an overall site plan average, be provided for every twelve (12) parking spaces. Handicapped parking, including van accessible spaces, shall be provided according to Town standards.

B. Additional development standards applicable to this Planned Development District:

- 1. Landscaping: Landscaping shall be in accordance with Section 7.03, Landscaping Regulations," of the Comprehensive Zoning Ordinance and with the following:
  - (a) Berming shall be utilized along street frontages, when possible, to screen parking from public view.
  - (b) All landscaped areas shall be irrigated.
  - (c) Landscaping shall be maintained by the developer/owner of the Land. Any dead plant material shall be removed and replaced within three (3) months.
  - (d) All plant materials must be selected from the mandatory plant list attached hereto as Exhibit "F".
  - (e) Landscaping shall be provided and maintained in the street rights-of-way abutting the development as part of the total landscaping package. Said landscaping shall consist of that area and material as indicated on the Landscape Plan (LP-1).
  - (f) In addition, off-site landscaping shall be installed as part of this development, and in the initial stage of this development, in the west right-of-way of Trophy Lake Dr., extending from Village Trail Drive to Shasta Drive. Particular attention shall be paid to the general vicinity of the cul-de-sacs of Paint Rock Ct. and Round Rock Ct. A total of fifty-seven (57) trees shall be planted between and adjacent to Paint Rock Court and Round Rock Court.
    - (1) Landscaping shall consist of live tree planting consisting of 4" caliper trees planted a maximum of 15 feet on centers. Trees shall

include the Bradford Pear variety, providing rapid growth and dense foliage, as well as evergreen type trees such as Live Oaks which bear leaves year round. Tree planting material shall be integrated and spaced such that Paint Rock Ct. and Round Rock Ct. are screened and maintained with significant foliage during the winter months. Screening for these courts may be achieved by utilizing a decorative masonry wall in coordination with live screening. Effective height of combined screening shall be six (6) feet measured from the top of curb on Trophy Lake Drive. Screening for Paint Rock Court and Round Rock Court each shall consist of sixty (60) lineal feet of shrubbery and decorative masonry wall with five-gallon, container-grown, Nellie R. Stevens holly planted three (3) feet on center. Decorative masonry wall, when used, shall not exceed fifteen (15) feet in length.

- (2) Screening consisting of tree material, at a minimum, shall be placed along the side property lines of residences to augment the screening capability of existing fences. Said screening shall be presented as an integrated and coordinated landscape system.
  - (3) Maintenance of the landscaping at this location shall be the responsibility of the developer/owner for a period of twelve months from the completion of the planting. The Town of Trophy Club shall assume maintenance and care after 12 months. The irrigation for the off-site landscaping shall, after the initial installation, be the responsibility of the Town of Trophy Club.
- (g) The caliper of a tree is defined as the diameter of the tree trunk as measured at a point twelve (12) inches above the finished grade in accordance with standard nursery practice.

The Landscape Concept Plan (Exhibit "F") has been included with this Ordinance to generally illustrate the intent and location of landscaping tree massing. Trees shall be 3-1/2"– 4-1/2" minimum caliper, as the case may be, at the time of installation.

Detailed landscape plans, sealed by a registered landscape architect, shall be provided on each tract at the time of final Site Plan submittal.

2. Median cut. The developer/owner of the Land has voluntarily agreed to and shall provide one new median cut and one modification median cut in Trophy Lake Drive as shown on Exhibit "B" (Site Plan).

3. Hours of operation of uses: Hours of operation for the uses set forth herein shall be from 6:00 a.m. to 11:00 p.m. except the Grocery Store, Pharmacy, Fuel Station Accessory to Grocery Store or Other Anchor Type Use, and

Fitness/Workout Facility shall be twenty four (24) hours. No outside sales of any kind shall be conducted, including but not limited to, truck lot, pedestrian walkway, tent or other sales. Hours of delivery services shall be from 6:00 a.m. to 6:00 p.m. (Ordinance No. 2012-02 P&Z, January 23, 2012)

4. Building materials: All main and accessory buildings shall be of exterior fire resistant construction having one hundred percent (100%) of the total exterior walls, excluding doors, windows and porches, constructed of stone, concrete or other masonry or material of equal characteristics in accordance with the Town's Building Code and Fire Code. All buildings and structures shall be veneered with stone, texture coated concrete, a dull finish metal type roof, EIFS trim and wood brackets. All windows and doors shall be of aluminum construction. Typical elevations are provided with this Ordinance (see Exhibit "D") to illustrate the conceptual architectural style and detail. Alternate materials may be used if approved by Planning & Zoning Commission. Color selection for roof material shall be approved by the Town Council upon recommendation from the Planning and Zoning Commission prior to issuing of the building permit.

5. Development schedule: Tracts 1, 2 & 3 shall be developed in accordance with the following schedule submitted by the developer/owner:

Start Construction:	Summer 1999
Occupy Space:	Summer 2000

If, in the opinion of the Planning and Zoning Commission or the Town Council, the developer/owner has failed to meet the approved development schedule, the Planning and Zoning Commission or the Town Council may initiate proceedings to amend all or part of the zoning on the Land or to amend the provisions of this Ordinance. Upon receiving the recommendation of the Planning and Zoning Commission, after all hearings have been held as required by law, the Town Council may amend all or part of the zoning of the Land and/or amend the provisions of this Ordinance to extend the development schedule or adopt such new development schedule as may be indicated by the facts and conditions then existing.

6. Lighting: All parking lot lighting shall be located approximately as shown on the PD Site Plan (Exhibit B). Poles shall be a maximum of 30 feet in height on 24" concrete bases in the parking lots, and 12 feet ornamental street lights at the perimeter drive approaches. Pole lighting shall be oriented down and away from all adjacent properties. Building lighting shall be mounted to building face or in ground fixtures and oriented to wash building with light. Wall mounted down directional lights will be on the rear of buildings A & B. Perimeter lights will be shielded to minimize overspill.

7. Signs: Prior to the issuance of a building permit for the Land or any part thereof, an overall sign plan, accompanying the final site plan for the Land, shall

With Amendments through 2013-05

have been approved by the Town Council. Upon approval of the sign plan, the plan shall become a part of this ordinance as if copied herein in its entirety. The signs reflected on the sign plan shall conform to applicable ordinances of the Town and with the following:

- a. Monument signs -- Four (4) Monument type signs located within landscaped area as shown on the PD Site Plan. Three of the signs located at the entrances/exits of Trophy Lake Drive to be a maximum of eight (8) feet in height, above finish grade of the adjacent concrete curb within the highway right-of-way and twelve (12) feet in length. The monument sign along Highway 114 will be taller than 6' above the adjacent grade to get the sign 6' above Highway 114 street grade.
- b. LED Signage – Allowed for Tom Thumb fuel signage. No other LED signage is allowed in the Plaza Shopping Center without approval of the Town Council upon recommendation by the Planning and Zoning Commission.
- c. Building Signage – Internally lighted aluminum channel letters with plexiglass fronts, type signage shall be permitted on the building face.
- d. Directional Signage -all directional, safety and handicapped signage shall be of a character so as to complement the project and conform to Town standards.
- e. No signage and/or advertising of any type shall be displayed in window areas of any building. No banner or temporary sign shall be allowed on the exterior of any building with the exception of the grand opening and if the permanent sign is not available at opening.
- f. All signage shall be located so as to avoid traffic obstructions and outside of any sight easements.
- g. Special sign considerations may be approved by the Town Council and the Planning & Zoning Commission.
- h. This planned development shall provide two (2) illuminated school crossing signs on Trophy Lake Drive in the vicinity of Village Trail at locations to be determined by the Director of Public Safety of the Town of Trophy Club.
8. Fire lanes: Fire lanes are as shown on the site plan. Location and detail shall be provided at the time of Final Site Plan approval and shall be approved by the fire department.
9. Final Site Plan: Any Final Site Plan shall include, among other things:

- (a) The detailed site plan per Town standards;
- (b) The final architectural elevations and materials;
- (c) The final landscape and irrigation plans.

Upon approval, the said Site Plan shall become a part of this Ordinance.

10. Outdoor storage: No outdoor storage, except for refuse disposal shall be permitted on the land. A dumpster may be located or relocated at a convenient location on any lot. Such location shall be subject to the prior approval of the Planning and Zoning Commission. Dumpsters are to be enclosed on all sides with Masonry walls and gates of similar architectural style of the buildings. Minimum height of the enclosures shall be determined by the height of the dumpster. When possible, landscaping shall provide additional screening for the enclosure. Operating hours for trash service shall be in accordance with the Town of Trophy Club standards.

11. Outdoor Display: Outdoor display is allowed only on the sidewalk in front of the grocery store as shown on the PD Site Plan, and as expressly set forth below:

Outdoor display of propane, for sale inside the store, at Walgreen #06047, 541 Trophy Lake Dr. is allowed. No more than two cabinets allowed (maximum size of each cabinet shall be 80" length, 27" depth and 71.5" height). Cabinets shall remain on sidewalks, may be placed on either side of the front entry, and shall be in compliance with all ADA requirements. (Ordinance No. 2010-20 P&Z, August 2, 2010)

12. Mechanical and electrical equipment: Mechanical and electrical equipment, including air conditioning units, shall be designed, installed and operated to minimize noise impact on surrounding property. All such equipment shall be screened from public view.

13. Amendments to the Site Plan: Amendments to the Site Plan for items that are not determined to be substantial by the Planning & Zoning Administrator shall be permitted. The Planning & Zoning Administrator shall determine items as not substantial.

14. On all building elevations, the tenant signs shown are included for purposes of illustration only and, with the exception of Tom Thumb Grocery, are not intended to identify a specific tenant.

15. Traffic impact analysis will be subject to the approval of the Town Engineer prior to the issuance of building permits.