

**TOWN OF TROPHY CLUB, TEXAS
ORDINANCE NO. 2016-11 P&Z**

AN ORDINANCE OF THE TOWN OF TROPHY CLUB, TEXAS, AMENDING ORDINANCE NO. 2014-06 P&Z WHICH SUCH ORDINANCE AMENDED ORDINANCE NO. 2012-04 P&Z, KNOWN AS PD PLANNED DEVELOPMENT NO. 30, AND ALSO KNOWN AS THE SHOPS AT TROPHY CLUB, DESCRIBED ON EXHIBIT "A" HERETO, THE SAME HAVING AMENDED ORDINANCE NO. 2000-06 P&Z OF THE TOWN, THE COMPREHENSIVE ZONING ORDINANCE, AND HAVING AMENDED THE OFFICIAL ZONING MAP OF THE TOWN, BY ADOPTING THIS ORDINANCE PROVIDING VARIOUS AMENDMENTS TO EXHIBIT "B" OF ORDINANCE NO. 2014-06 ENTITLED "PLANNED DEVELOPMENT DISTRICT DEVELOPMENT STANDARDS", WITH AMENDMENTS AND ADDITIONS TO SECTION I, ENTITLED "GENERAL" AND SECTION II, ENTITLED "DEVELOPMENT STANDARDS" AS MORE SPECIFICALLY SET FORTH IN EXHIBIT "B", ATTACHED HERETO AND INCORPORATED HEREIN, AND AMENDING ORDINANCE NO. 2000-06 THE COMPREHENSIVE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP, AND REPLACING EXHIBIT "I" OF ORDINANCE NO. 2012-04 P&Z WITH THE ATTACHED EXHIBIT "C" ENTITLED PRELIMINARY SITE PLAN; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENTS; PROVIDING APPLICABLE REGULATIONS; PROVIDING A ZONING MAP AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING SEVERABILITY; 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 FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Trophy Club (hereinafter referred to as "Town") is a Home Rule Municipality acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the Town previously approved Ordinance No. 2014-06 P&Z amending **Exhibit "B"** on March 3, 2014 as the Developer determined it necessary to request various amendments ; and

WHEREAS, Exhibit "B", entitled "Planned Development District Development Standards" to Ordinance No. 2012-04 P&Z sets forth definitions, development standards, procedures and exhibits, each of which collectively and individually regulate the use and development of land within PD-30; and

WHEREAS, the requested amendments to **Exhibit "B"** are specifically set forth in the amended **Exhibit "B"**, a copy of which is attached hereto and incorporated herein; and

WHEREAS, Exhibit "I" of Ordinance 2012-04 P&Z is hereby replaced by the amended **Exhibit "C"**, a copy of which is attached hereto and incorporated herein; and

WHEREAS, all legal notices, requirements and conditions having been complied with, the case to amend **Exhibit "B"** and replace **Exhibit "I"** to PD No. 30 came before the Planning and Zoning Commission; and

WHEREAS, after public notices were given in compliance with State law and public hearings were conducted, and after considering the information submitted at those 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 **Exhibit "B"** of Ordinance No. 2014-06 P&Z and replacement of **Exhibit "I"** of Ordinance No. 2012-04 P&Z as set forth in this Ordinance; and

WHEREAS, after complying with all legal notices, requirements, and conditions, a public hearing was held before Town Council at which the Town Council considered the proposed amendments and considered, among other things, the impact of the proposed amendments on density, the character of the land and its suitability for particular uses, with a view of encouraging the most appropriate use of land in the Town, and the Council does hereby find that the adoption of the amendments to **Exhibit "B"** and **"C"** as set forth in this Ordinance hereby accomplish such objectives; and

WHEREAS, the Town Council has determined that the proposed standards provide appropriate regulatory requirements to control future residential and non-residential developments in accordance with the Town's Comprehensive Land Use Plan; and

WHEREAS, the Town Council has determined that there is a necessity for the amendments to Ordinance No. 2014-06 P&Z, and the Town Council has also determined that this Ordinance should be adopted, that the proposed changes amending **Exhibit "B"** and **"C"** are consistent with the Comprehensive Land Use Plan, and that the terms of this Ordinance shall replace those terms contained in **Exhibit "B"** to Ordinance No. 2014-06 P&Z and **Exhibit "C"** to Ordinance No. 2012-06 P&Z in their entirety as specifically set forth herein and that all terms of Ordinance No. 2014-06 P&Z and Ordinance No. 2012-06 P&Z not expressly amended hereby shall continue in full force and effect;

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.
AMENDMENTS**

2.01 After due deliberations and consideration of the recommendation of approval made by 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 and amendment is consistent with the Comprehensive Land Use Plan and general zoning of the Town and is in the best interests of the Town of Trophy Club, Texas, and of the public health, safety and welfare. Therefore, Ordinance No. 2014-06, the same being PD No. 30 is hereby amended in accordance with this Ordinance and as more particularly set forth in **Exhibit "B" and "C"**, a copy of which is attached hereto and incorporated herein.

A. The following Sections of **Exhibit "B"** entitled "Planned Development District Development Standards" are specifically amended:

- (1)** Section I(D) – Definitions related to hotels, rowhouses, retail ready uses and specific use permits.

Number 13(iv) – "Hotel (full-service)": "exception by SUP is added to "a minimum of five thousand (5,000) square feet of meeting or conference room space requirement".

Number 13(v),– "Hotel (full-service)": "exception by SUP" is added to the "No fewer than 150 rooms" requirement.

Number 14,– "Hotel (limited-service)" definition is added as follows:

"Hotel (limited-service)" shall mean a building with habitable rooms or suites which are reserved for temporary lodging for guests who rent rooms or suites on a daily basis, and with no fewer than 150 rooms nor less than 2,000 square feet of meeting area. Select food service shall be required for limited-service hotels. The following shall be required.

- i. A lobby for public reception and check-in;
- ii. A minimum area of 300 square feet in each guest room;
- iii. On-site staff required seven (7) days a week, twenty-four (24)

hours per day;

Number 29,– “Rowhouse” definition is added as follows, replacing the definition for “Retail Ready”, which is deleted:

“Rowhouse shall mean an attached dwelling unit that appears to be separated from other dwelling units in a row by some architectural feature such as a vertical, unpierced wall extending from grade to roof.

- (2) Section II(A)1 – Residential permitted uses adding hotel SUP exception; under “residential” “Hotels (limited service with SUP)” is added.
- (3) Section II(B)1(l)iii – Street paving enhancements; the following section is added:

“A minimum of two enhanced paving features as defined in this section shall be installed within the road that runs between the apartment property and the hotel property, with the specific intent of calming traffic.”
- (4) Section II(B)3 – Lot coverage, Floor area and height: reducing urban residential maximum height, deleting mixed-use with urban residential or retail ready first floors structure type, modifying mixed use with office or hotel structure type, modifying the maximum height based on building line-of-vision from Indian Creek Drive and Trophy Club Drive, and prescribing design requirements for urban residential buildings;

Subsection c. Lot Coverage, Floor Area and Heights table:

- 1. Urban Residential only: Maximum height is reduced from 60 to 58 feet and the maximum building height for roof peaks and rooftop projections is reduced from 70 feet to 64 feet.
- 2. “Mixed Use with Urban Residential or Retail Ready first floors” is deleted.
- 3. “Retail” is added to Mixed Use with office or hotel.

Subsection c(2)a:

“three stories” is added to the allowance for building projections above the line of vision. The following text is added to the end of the paragraph “Urban Residential buildings must comply with the design standards set forth in Section II.F.4.b herein.”

- (5) Section II(D)1 – Mixed use design standards: deletion of restriction on first floor retail ready requirements including phasing and minimum unit size for all floors of Building B.

Subsection a(iv): First floor retail ready requirements for Urban Residential are deleted. This is proposed by the applicant in order to lower the height of the Urban Residential units and provide a retail focus on the “A” buildings shown on the preliminary site plan.

- (6) Section II(D)3 – Uses allowed on specific frontages: deletion of this section.

This section, relating to mixed-use first and second floor requirements on Indian Creek Drive is deleted. This change allows any residential with frontage along Indian Creek Drive to not contain any commercial use requirements.

- (7) Section II(E)2 – Structured parking garages: additional design requirements

Subsection b: the phrase “architecture and materials” is added to this subsection in order to ensure that the parking garage façade matches the Urban Residential façade.

- (8) Section II(E)4 – Specific building requirements: providing for additional exterior wall cladding materials.

Subsection d Additional building materials are added for front facing facades, 85% of which must be composed of: “masonry (brick, natural and manmade stone, architectural-colored concrete masonry block both smooth and split-face, stucco using the 3 step process, tile, cast stone, or glass block). (Cementitious plank and siding may be utilized in recessed areas only not visible from the street).” Cementitious plank and siding includes materials such as Hardy Plank.

- (9) Section II(F)1 – General urban residential design guidelines: deletion of subsection c regulating ground floor location requirements for urban residential.

Subsection c: This section, relating to ground floor Urban Residential and Adult Active Living units is deleted.

- (10) Section II(F)3 – Building materials: providing for additional exterior wall cladding materials.

Additional building materials for 85% of the front facade are added as follows: “A minimum of 85% of the front facades of residential buildings and residential building facades along Type 'A' street or open space shall be finished in masonry (brick, natural and manmade stone, architectural-colored concrete masonry block both smooth and split-face, stucco using the 3 step process, tile, cast stone, or glass block). (Cementitious plank and siding may be utilized in recessed areas only not visible from the street).”

- (11) Section II(F)4 and 5 – Urban residential and townhome specific requirements: providing for additional rowhouse and townhome requirements, deletion of efficiency units, changes to minimum unit size and maximum number of units and addition of average unit size requirements, deletion of residential phasing requirements and addition of driveway construction and paving requirements for buildings A-2, A-3, A-4, and A-5, and addition of gate requirements for the road accessing the townhomes.

Subsection a: “townhomes/townhouses” are added to buildings that may front on Indian Creek Drive

Subsection b:, the following language is added:

“Urban Residential buildings facing Trophy Club Drive shall be designed as rowhouses, as defined in this ordinance, and each ground floor urban residential unit facing Trophy Club Drive shall be designed to have a separate pedestrian entrance. There shall be no limit on the number of rowhouses that may be connected to each other. Each individual rowhouse shall be separated by a minimum two foot offset per unit elevation. Balconies shall be allowed on units facing Trophy Club Drive at two locations for a maximum total of 12 balconies.”

Subsection c: the following language is added to the beginning of the sentence: “Except where provided herein..”

Subsection d(i)(ii): “Efficiency units” are deleted and the minimum unit size for a one bedroom unit is reduced to 750 square feet from 800 square feet.

Subsection e: the following language is added: “The average unit size shall be 1,000 square feet.”

Subsection g and f: ground floor retail ready requirements are deleted and phasing construction requirements for 26,300 square feet of retail to be built simultaneous with the Urban Residential units is deleted.

Subsection h: the following language is added: "Driveways and public infrastructure necessary for future development in the areas designated as Buildings A-2, A-3, A-4 and A-5 shall be constructed at the same time as the development of Urban Residential units in Block B."

Buildings A-2, A-3, A-4, and A-5 are retail buildings located between the Urban Residential units and State Highway 114.

Subsection 5(a)ix: the following language is added:

"Prior to the issuance of any building permit authorizing construction of any Townhome allowed by this ordinance, bollards shall be installed at the end of the main road providing access to the Townhomes that is nearest to Indian Creek Drive. Said bollards shall be spaced to accommodate passage by a standard golf cart, and meet all requirements of the Town's fire code and shall require the final approval of the Fire Chief and Town Manager."

- (12) Section II(F)5(b) – Townhome maximum number increased to 39 units with a staggered layout to read as follows:

"Townhome Residential maximum density: the maximum number of Townhome/Townhouse units is 39 staggered units."

- (13) Section II(G) – Parking guidelines: additional requirements for garaged parking related to urban residential units with allowances for other uses in the development to utilize said parking, elimination of required parking for efficiency units and meeting/convention floor area.

Subsection 3(c): the following language is added:

"Notwithstanding anything contained herein, garaged parking in Building B shall apply to required parking for Urban Residential uses in Building B. Such required spaces may be gated and assigned to the Urban Residential units in Building B. Excess and guest parking in the parking garage in Building B may be used for valet parking."

Subsection f(ii): the following language is added: "Parking provided in Urban Residential may be used for required parking for any other use on the Property."

Subsection 4(b)ii and iii: parking requirements for Urban Residential efficiency units and Hotel gross meeting/convention floor area space are deleted.

(14) Section II(H)3 – Location of existing clock tower

this section is amended as follows: “The existing clock tower, as shown on the Concept Plan, shall may remain in its current location within the Property or be removed or relocated within the Property. A new Clock Tower, of similar size and scale of the existing Clock Tower, and of an architectural style compatible with surrounding structures shall may be allowed to replace the existing Clock Tower.”

(15) Section II(H)8– Addition of new sub-section titled “Design and Location of Stormwater Detention Facilities”

This proposed section provides standards for above ground detention facilities in order to provide minimum standards for on-site drainage facilities. There are currently no detention requirements contained in the PD 30 regulations. The proposed section reads as follows:

“Design and Location of Stormwater Detention Facilities.

- a. Detention or facilities shall be utilized to reduce peak discharges where conditions prevent conveying storm water to an adequate discharge point. Detention facilities shall be privately maintained.
- b. Location of any detention facility shall be consistent with the recommendations of the accepted flood and drainage study for the site and shall be indicated on the final site plan and final plat.
- c. Any detention facility shall require the final approval of the Town Engineer.
- d. The wall facing Indian Creek Drive shall be consistent with the exhibits shown below. (*Exhibits provided in the attached Exhibit “B”*)
- e. Where wrought iron fences are present surrounding the detention area, these fences shall be screened with a living screen with a minimum height of 42 inches, excluding access gates.”

(16) Attachment labeled as Exhibit I - Preliminary Site Plan

Attached as Exhibit C. This replaces the preliminary site plan approved with the 2014 PD 30 ordinance amendment.

- (17) Changes to other sections of PD-30 necessitated by, associated with, or resulting from the requested amendments.

These include minor changes to numbering and formatting within the regulations as well as revisions to other related provisions in various sections as required for consistency with approved amendments.

2.02 Amendment to CZO – Exhibit “B” Development Standards: Ordinance No. 2000-06 P&Z of the Town of Trophy Club, Texas, the same being the Town's Comprehensive Zoning Ordinance, is hereby amended to reflect the development standards set forth in **Exhibit “B”** and all other articles, chapters, sections, paragraphs, sentences, phrases and words are not amended but are hereby ratified and affirmed:

The development standards for this PD Planned Development are attached hereto as **Exhibit “B”**, “Planned Development District Development Standards”, and are incorporated herein as if copied in their entirety. Such standards and regulations include, but are not limited to, General Conditions, Development Standards, Procedures, and Exhibits. Such Planned Development District Development Standards as amended hereby shall be adhered to in carrying out the development of the Land in accordance with this Ordinance, and shall individually and collectively constitute conditions precedent to the granting of any building permit or Certificate of Occupancy for all structures and Land within PD Planned Development No. 30.

SECTION 3. 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 4. ZONING MAP AMENDMENT

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

SECTION 5. CUMULATIVE REPEALER

That this Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance.

**SECTION 6.
SAVINGS**

All rights and remedies of the Town of Trophy Club, Texas, are expressly saved as to any and all violations of the provisions of any other Ordinance affecting regulations governing and regulating the zoning, platting, and subdivision of land which have secured at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7.
SEVERABILITY**

If any section, article, paragraph, sentence, clause, phrase 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 it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 8.
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 or part of a day during or on which a violation occurs or continues.

**SECTION 9.
PUBLICATION**

The Town Secretary of the Town of Trophy Club is hereby directed to publish the Caption, Penalty and Effective Date of this Ordinance as required by Section 52.011 of the Texas Local Government Code and Town Charter.

**SECTION 10.
ENGROSSMENT & ENROLLMENT**

The Town Secretary of the Town of Trophy Club is hereby directed to engross and enroll this Ordinance in accordance with the home rule charter and procedures of the Town.

**SECTION 11.
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.

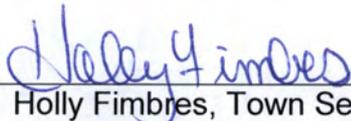
PASSED AND APPROVED by the Town Council of the Town of Trophy Club, Texas on this 29th day of March 2016.



C. Nick Sanders, Mayor
Town of Trophy Club, Texas

[SEAL]

ATTEST:



Holly Fimbres, Town Secretary
Town of Trophy Club, Texas



APPROVED TO AS FORM:



Patricia A. Adams, Town Attorney
Town of Trophy Club, Texas

EXHIBIT "B"

**PLANNED DEVELOPMENT DISTRICT DEVELOPMENT STANDARDS
THE BECK PROPERTY
STATE HIGHWAY 114 AND TROPHY CLUB DRIVE
26.354 ACRES**

**C. MEDLIN SURVEY ABSTRACT NO. 283
TROPHY CLUB, TEXAS**

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I. GENERAL CONDITIONS FOR MIXED-USE ZONING

A. PURPOSE.

PD-30 is intended to be a high quality focal point of the community. This is achieved by promoting an efficient, homogeneous, compact land use pattern; encouraging pedestrian activity; reducing the reliance on private automobiles within the district; promoting a functional and attractive community through the use of urban design principles; and allowing the developer flexibility in land use and site design.

PD-30 is to be an area with a mixture of moderately intense uses that are developed over an identifiable core. Buildings are close to and oriented toward the street. There is a connected street pattern, shared parking, and pedestrian amenities.

B. APPLICABILITY.

This ordinance shall establish site, building, and use standards for development within the following legally described property (the "Property"):

Being a 26.354 Acre Overall Site in the C. Medlin Survey, Abstract No. 823, Town of Trophy Club in Denton County, Texas. The Site is bounded to the South by State Highway 114, to the West by Trophy Club Drive, to the North by Indian Creek Drive and to the East by Urban Residential Development "Lake Forest Village, Phase III.

C. CONCURRENT COMPLIANCE.

This ordinance shall apply to all development within the PD-30 boundaries. Except as otherwise set forth herein, all regulations, development standards and procedures of the Town shall apply to development within PD-30. The zoning ordinance of the Town, as amended, shall remain in full force and effect, save, and except as amended by this ordinance. In the event of a conflict between any provision in this ordinance including, but not limited to, any regulation, development standard or procedure, with any provision in a Town ordinance or resolution, the provisions in this Ordinance shall control. For purposes of the development standards set forth in this ordinance, the entire Property is considered one lot.

D. DEFINITIONS.

In addition to Definitions in Chapter 13, Article II of the Town of Trophy Club Zoning Ordinance, the following terms shall have the corresponding interpretations and meanings:

1. "Adult Active Living" shall mean an Urban Residential facility intended for retirees and senior citizens.
2. "Building Design" shall mean the orientation, design and development elements set forth in the Exhibits, illustrations, and images in this Ordinance.
3. "Building Line" shall mean the nearest location of a structure measured from the respective right-of-way, street easement, or property line.
4. "Building Line-of-Vision Plane" shall mean a plane by which maximum height is established taking into consideration line-of-vision from the Indian Creek Drive and Trophy Club Drive.
5. "Circulation Zone" shall mean the pedestrian maneuvering areas set forth in the Exhibits.
6. "Concept Plan" shall mean a general plan for development within the Property that identifies land uses, ingress/egress, and densities for development.
7. "Encroachment" means any structural or non-structural element such as a sign, awning, canopy, terrace, or balcony that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, into the Public R.O.W, or above a height limit.
8. "Facade Elevations" shall mean the elevations of structures to be constructed on the Property.
9. "Floor Area Ratio" shall mean the ratio of all enclosed building areas divided by the total area of the Property.
10. "Full Service Restaurant" shall mean a restaurant that provides food services to patrons who order and are served (i.e. waiter/waitress service) while seated indoors or outdoors and pay after eating. They may provide this service in combination with selling alcoholic beverages, providing takeout services, or presenting live non-theatrical entertainment.
11. "Garden Apartments" shall mean stand-alone, low density, two-story Urban Residential buildings with the following characteristics: lack of functionality as a component of (in terms of layout, appearance, etc.), any larger planned grouping of buildings; low density; lack of pedestrian circulation, active street-life, or a larger sense of community beyond that of the individual complex itself; no integrated mixed uses; lack of building amenities and site enhancements; and contain all surface parking.

12. "Hardscape" shall mean the impervious areas within a development that are used for streets, drives, sidewalks, walkways, retaining walls, trails, and other similar features.
13. "Hotel (full-service)" shall mean a building with habitable rooms or suites which are reserved for temporary lodging for guests who rent rooms or suites on a daily basis, and with:
 - i. A lobby for public reception and check-in;
 - ii. A minimum area of 300 square feet in each guest room;
 - iii. On-site staff required seven (7) days a week, twenty-four (24) hours per day;
 - iv. A minimum of five thousand (5,000) square feet of meeting or conference room space(exception by SUP);
 - v. No fewer than 150 rooms (exception by SUP); and
 - vi. A full service restaurant (exception by SUP).
14. "Hotel (limited-service)" shall mean a building with habitable rooms or suites, which are reserved for temporary lodging for guests who rent rooms or suites on a daily basis, and with no fewer than 150 rooms nor less than 2,000 square feet of meeting area. Select food service shall be required for limited-service hotels. The following shall be required:
 - i. A lobby for public reception and check-in;
 - ii. A minimum area of 300 square feet in each guest room;
 - iii. On-site staff required seven (7) days a week, twenty-four (24) hours per day;
15. "Lot Coverage" shall mean the area of each proposed lot that is covered by buildings.
16. "Maximum Building Setback" shall be the maximum distance between the front building line and the property line or right-of-way line along that corresponding building line.
17. "Minimum Building Setback" shall be the minimum distance between the front building line and the property line or right-of-way line along that corresponding building line.

18. "Mews Street" shall mean a small street, or courtyard constructed in accordance with Exhibit "C" and "C1".
19. "Mixed Use Building or Structure" shall mean a building or structure in which at least one of the upper floors of the building has uses different from the ground floor.
20. "Mixed Use Land Use" shall mean a combination of uses integrated either vertically within structures or horizontally throughout the Property.
21. "Open Space" shall mean areas unobstructed to the sky designated for the recreational enjoyment and/or natural beauty of the area which serve as an amenity to the Property including, but not limited to park areas, creekways, trails, landscape features, hardscape areas, courtyards and drives incorporated into courtyards. Parking spaces and vehicular pathways shall not be credited towards open space requirements.
22. "Parking Zone" shall mean the areas designated for parking both on-street and off-street.
23. "Paseo" shall mean an open space primarily dedicated for pedestrian movement between blocks or buildings.
24. "Preliminary Site Plan" shall mean a preliminary detailed plan for development within the Property that identifies building location, parking, general landscaping, and other surface accommodations for the site.
25. "Property" shall mean the tract of land described in Section I.B. herein.
26. "Property Owners Association" shall mean an incorporated or unincorporated association that is designated as the representative of the owner(s) of property in PD-30 and manages and maintains the common areas and open spaces of the planned development.
27. "Public Access Area" shall mean those areas open to the public including, but not limited to patios, courts, plazas and other similar areas.
28. "Quick Service Restaurant" shall mean a restaurant that specializes in providing a full meal in a few minutes. Such meals often consist of a permutation of hamburger or chicken, french fries, and a soft drink or a milkshake.
29. "Rowhouse" shall mean an attached dwelling unit that appears to be separated from other dwelling units in a row by some architectural feature such as a vertical, unpierced wall extending from grade to roof.

30. "Secondary Street" shall mean an interior (public or private) street within the development intended to provide access to development and for circulation within the property.
31. "Service Area" shall mean an area, which is used, for employee, delivery, and utility service access between buildings, for vehicle access for loading and delivery, trash area and trash pick-up, for maintenance and service vehicle access, and for routing of base building and tenant utilities.
32. "Serviceway" shall be a private drive that provides access to service areas, loading/unloading areas, and parking.
33. "Sign Kiosk" shall mean a kiosk structure that complies with the provisions of this Ordinance and used only for signage purposes.
34. "Site Plan" shall mean a detailed plan for development within the Property that complies with the regulations of this Ordinance.
35. "Stacked Parking" shall mean parking in which vehicles are parked immediately in front of, behind, or adjacent to other vehicles without each vehicle being adjacent to a maneuvering aisle or drive. Stacked parking is permitted for valet parking only.
36. "Street Trees" shall mean trees required to be planted along street frontages as set forth herein.
37. "SUP" shall mean Specific Use Permit as required by the Town's ordinances; provided however that the SUP shall have a 45-day approval timeline from date of official submittal to consideration on a Town Council agenda (with recommendation by the Planning and Zoning Commission). Public hearing and property owner notification shall be required and any expenses related to providing proper notification shall be paid by the applicant. If the SUP is neither approved nor denied within the 45-day period, it shall be deemed approved.
38. "Supplemental Uses" shall mean uses coincident with primary, permitted uses including "patio" dining; beer, wine and mixed beverage consumption; beverage sales, service, and consumption; entry vestibules; entry stoops; structured canopies; patron waiting; valet stand; bicycle racks; street furnishings; feature hardscape or landscape; water features; and/or incidental retail display and sales, or other similar uses approved by Town Staff.
39. "Supplemental Use Zones" shall mean the areas designated for supplemental uses as described in this Ordinance.

40. "Town Staff" shall mean the Town Manager and/or his designee.
41. "Townhouse/Townhome" means a single-family dwelling in a row of at least three attached units, but no more than 7, whereby each unit has its own front and rear access to the outside. No unit shall be located over another unit and each unit shall be separated from other units by one or more vertical common firewalls.
42. "Type 'A' Drive" shall mean the drives identified on the Concept Plan that are the primary pedestrian walking corridors. Buildings along Type 'A' Drives shall be held to the highest standard of pedestrian-oriented design.
43. "Type '13' Drive" shall mean the drives identified on the Concept Plan that are intended to primarily accommodate access to parking, service, and other auto-oriented functions.
44. "Urban Residential Units" shall include, in addition to the multi-family definition contained in the Town's Zoning Code, flats, flats with mezzanines, two floor units, Adult Active Living and Urban Residential Units grouped together into a single building.
45. "Vendor Kiosk" shall mean a small, stand- alone booth used for marketing purposes and for the sale or rental of goods or products.

E. PHOTOGRAPHS.

All photographs included in this ordinance are for illustrations purposes only of the features permitted by this planned development district and are not intended to be representative of exact construction requirements.

II. DEVELOPMENT STANDARDS

A. PERMITTED USES.

Within this planned development district, the only uses permitted are the following. Uses not listed in the following schedule, but are substantially similar, may be permitted upon the approval of the Town Staff, subject to appeal directly to the Town Council:

1. RESIDENTIAL
 - Dwelling, Urban Residential Units [Garden Style Apartments are prohibited]
 - Hotels (full service)
 - Hotels (limited service with SUP)
 - Adult Active Living
 - Townhouse/Townhome
2. RELIGIOUS AND PHILANTHROPIC
 - Eleemosynary Institutions (CUP Required)
3. EDUCATIONAL
 - Children's Day Care Center & Kindergarten
 - Junior Colleges, Colleges & Universities (limited to 20,000 sq ft or less)
 - Schools, Private Business & Professional
 - Schools, Vocational, Technical & Trade
4. COMMUNITY FACILITIES
 - Auditorium, Gym
 - Heliport/Helipad
 - Municipal Admin
 - Park, Playground, Playlots, Related Facilities
 - Parking Garage
 - Privately Owned & Operated Playground
 - Public Safety Facilities
 - Radio, Television, Microwave, Cellular towers attached to buildings (if camouflaged so that they are not visible to the public)
 - Social, Recreational, Assembly Buildings
 - Tennis, Handball, Racquet Ball Clubs
 - Utility Facilities, Office
5. PROFESSIONAL AND FINANCIAL INSTITUTIONS
 - Accounting Office
 - Admin, Executive, Editorial Office
 - Architectural, Engineering, Planning Office

- Attorney's Office
- Banks and Financial Institutions
- Hospital
- Insurance Office
- Extended Stay Surgery Center
- Personal/Family Counselor
- Physician and/or Dentist
- Public Secretary
- Barber, Beauty, Styling Shops
- Health, Athletic Shops
- Medical, Dental, Chiropractic, Optometry, etc.
- Real Estate Office
- Travel Bureau or Agency
- Weight Reduction Studio

6. RETAIL

- Antique Shop
- Art Studio
- Art Supply Store
- Arts, Crafts, Hobby Shops
- Bakery Shops
- Bicycle Shop
- Beer, Wine and Liquor Sales (Off-Premise Consumption Only)
(SUP Required)
- Coffee Shop
- Confectionary Shop
- Dairy Food Shop
- Dance Studio
- Dinner theater
- Donut Shop
- Drug Store, Apothecary, Pharmacy
- Dry Cleaners, Pick-up and Drop-off [Dry cleaner plants are prohibited]
- Duplication and Mailing Service
- Electrical Goods and Fixtures
- Fabric and Knitting Shop
- Florist
- Grocery Store
- Hardware Store (less than 50,000 square feet)
- Household Appliance Store
- Household Furnishings, Fixtures
- Ice Cream Shop
- Jewelry, Watch Store
- Liquor Store (SUP Required)

- Music Store
- Tanning Salon
- Performing Arts Center
- Photograph Service & Studio
- Printing, Publishing, Engraving
- Quick Service Restaurant (SUP Required)
- Restaurant
- Restaurant w/Alcoholic Beverage Sales (Appropriate TABC Required) (SUP Required)
- Sporting Goods Store
- Theater
- Wallpaper, Paint Store
- Wearing Apparel Store

7. RECREATIONAL

- Community Center (Non-Profit)
- Private Health Club
- Swimming Pool (Private Club)
- Swimming Pool, Tennis Court (Non-Profit)
- Tennis Court (Private)

8. MIXED USES: Mixed uses are permitted within the Property.

9. SPECIFIC USE PERMIT REQUIRED FOR CERTAIN RETAIL USES: Any individual retail use with a ground level floor area in excess of 50,000 square feet shall require a Specific Use Permit.

10. ACCESSORY USES: Any use accessory to any permitted use is permitted within this planned development district.

11. ANY PERMITTED USE WITH A DRIVE-THRU FACILITY. Standards in this Ordinance shall apply.

B. SITE DEVELOPMENT.

1. General Requirements.

- a. Concept Plan. A concept plan (Exhibit "H") is incorporated with this Ordinance.
- b. Building Location. Buildings shall generally be located within the Property as set forth in Exhibits "A"-"D". The Building Line shall be measured from the respective right-of-way, street easement, or property line.

- c. Preliminary Site Plan. A preliminary site plan (Exhibit "I") is incorporated with this Ordinance.
- d. Maintenance of Open Space and Circulation Zones. The Property Owners Association shall be responsible for maintaining public access areas, open space, and Circulation Zones within the Property.
- e. Street Naming. All streets shall be named, with the exception of Serviceways.
- f. Gated Streets. No streets shall be gated, with the exception of Serviceways, which can be gated or regulated by means of access control devices.
- g. Paving Materials. Hardscaped areas shall incorporate a variety of paving materials. Bricks, pavers, stone, stained concrete, or imprinted concrete may be used as hardscape area paving. The balance of hardscaped areas shall be concrete (light broom, salt finished, patterned, integrally colored). Contrasting colored pavers and concrete and/or truncated dome pavers and stamped concrete shall be used where required by accessibility requirements at ramps and curb ramps.



Paving Materials and Plant Variety



Paving Materials and Plant Variety



Paving Materials and Plant Variety



Paving Materials and Plant Variety

- h. Landscaping. Landscaping shall incorporate a variety of plant types including seasonal color and native low moisture foliage. Decomposed rock and decorative gravels will be considered landscaping. Appendix A shall be the planting list for landscaping within the development.
- i. Screening Walls/Fences. Screening Walls/Fences shall be constructed of brick, stone, ornamental metal with evergreen landscaping, or any other material consistent with that of the adjacent building or a combination thereof.
- j. Supplemental Uses in Public Right-of-ways and Public Easements.
 - i. Supplemental uses are permitted in the areas designated on Exhibits "A"- "D", and "G".
 - ii. Supplemental use zones may occur in public right of ways, public easements or on private property.
 - iii. Supplemental use areas shall only be used by adjacent tenants. Supplemental Uses specifically exclude parking and permanent enclosed structures.
- k. Drive Type Designation. The Concept Plan for the Beck Property Planned Development District shall establish the following drive types:
 - i. Type 'A' Drives Established -Type 'A' Drives are intended to be the primary pedestrian walking corridors. Streets and buildings along Type 'A' Drives shall be held to the highest standard of pedestrian-oriented design.
 - ii. Type 'IV Drives Established -Buildings along Type 'IV Drives may be permitted to accommodate some service and vehicular traffic including surface parking and drive-thrus.
- l. Street Paving Enhancements.
 - i. All street types shall employ areas of enhanced paving for speed control, to demark pedestrian crosswalks, and/or for decorative purposes.
 - ii. Enhanced paving may include speed humps, pavement striping, pavers, stone cobbles, stamped concrete, integrally colored concrete.

- iii. A minimum of two enhanced paving features as defined in this section shall be installed within the road that runs between the apartment property and the hotel property, with the specific intent of calming traffic.



Enhanced Paving



Enhanced Paving



Enhanced Paving



Enhanced Paving

2. Tree Preservation and Open Space:

- a. General. The provisions of the Town's Tree Preservation Ordinance shall apply except as modified herein.
- b. Tree Preservation.
- i. A tree preservation plan shall be submitted with a Site Plan.
 - ii. A tree preservation plan shall:
 - Indicate the general location of existing tree canopies on the property, tree caliper sizes, and tree species;
 - Indicate the extent to which existing environmental features are proposed to be altered to accommodate the proposed development;
 - Locate site plan existing trees to be preserved, if any, adjoining a natural or man-made drainage creek; and

- Indicate the extent to which removed trees shall be mitigated through the Town's tree mitigation regulations.
- c. Tree Removal Permit. In addition to the exceptions for a tree removal permit under Section 10.02.243 of the Town's Code of Ordinances, a tree removal permit shall not be required for the removal of any tree within the proposed footprint of a structure or within a drive or street.
- d. Tree Replacement Standards. Any protected, specimen, historic or majestic tree removed for which a tree removal permit is required, shall be replaced with trees having a total caliper width equivalent to the total caliper width removed. Tree replacement shall not be required for any tree within the proposed footprint of a structure or within a drive or street.
- e. Applicability of Street Trees. All proposed street trees along public and private streets and drives shall count towards the proposed tree replacement on the property.
- f. Credit for Preserved Trees. A caliper-inch per caliper-inch credit shall be granted against tree replacement requirements for any protected, specimen, historic or majestic tree preserved within the Property.
- g. Open Space.
- i. Open space shall be at least 15% of the Property area.
 - ii. For purposes of calculating open space, the entire Property is considered one lot.
 - iii. The design of open spaces shall meet the following criteria:
 - Existing water bodies and creeks shall be preserved in a natural and contiguous state;
 - Pedestrian connectivity shall be provided in the form of sidewalks, natural walking paths along stream and creek corridors; and
 - A variety of open spaces shall be provided including, but not limited to, plazas, squares, playgrounds, parks and environmental preserves.

- iv. Open Space may use any combination of hardscape, landscape, and/or water features provided, however, that parking spaces and vehicular pathways shall not be credited towards open space requirements.
- v. Public access open areas may include amenities such as seating, bike racks, art installations, and waste receptacles.



Public Amenities



Public Amenities



Public Amenities



Public Amenities



Open Space



Open Space



Open Space



Open Space

- h. Public Access Area. A maximum of 50% of the required Open Space area may be satisfied by Public Access Areas. These shall be limited to breezeways, courtyards with cafe seating, and pedestrian paseos.



Public Access Area



Public Access Area



Public Access Area

i. Sidewalks and Community Bicycle/Pedestrian Trail.

- i. Minimum 6'-0" wide sidewalks shall be required along Trophy Club Drive and Indian Creek Drive. The sidewalk may be located within the R.O.W or in a landscaped parkway with street trees in the minimum setback area.
- ii. A public access multi-use (bicycle/pedestrian) trail shall be provided connecting to the nearest point on the Town of Trophy Club's bicycle/pedestrian trail system contiguous with development within the Property. If the Town of Trophy Club's bicycle/pedestrian trail system is not contiguous to the Property, then a connection point is not required.
- iii. The multi- use (bicycle/pedestrian) trail may cross streets of all types, at typical pedestrian crosswalks, as exclusively designed by the Owner.
- iv. The Property Owner shall plan and design the multi-use (bicycle/pedestrian) trail to be integrated with the internal pedestrian circulation paths.
- v. The minimum width of a multi-use (bicycle/pedestrian) trail shall be eight (8) feet of hardscape surface.

j. Design of Drive-thru Facilities.

The following standards shall apply to the design of all drive-thru facilities in the development.

- i. Drive-thru lanes for commercial uses may have direct access to interior streets and indirect access to any Type 'A' Drive and the perimeter streets.
- ii. Any buildings associated with a drive-thru use shall also have a pedestrian entrance at a Type 'A' Drive.
- iii. A minimum of five stacking spaces shall be provided if a restaurant has one drive-thru serving station. If the restaurant has two or more serving stations, then a minimum of two additional stacking spaces shall be provided for the second and subsequent serving stations.
- iv. An escape lane shall be provided parallel to the drive-thru lane extending from the beginning of the drive-thru lane to the serving station.

v. For purposes of this planned development district, a "stacking space" is an area measuring 8 feet by 20 feet with direct forward access to a serving station. An escape lane shall be an area measuring a minimum of eight feet wide that provides access around the drive-thru facility. An escape lane may be part of a circulation aisle.

k. Property Owners Association. Prior to approval of a final plat for the Property, a property owners association shall be established by the owner of the Property to ensure compatibility of structures within the Property and to provide maintenance of all common areas.

3. Setbacks.

a. Required Setbacks. Except as otherwise provided for State Highway 114 Frontage Road and Trophy Club Drive in this section, setbacks for buildings on the Property shall be provided as set forth on the following Setback Table:

Location	Minimum setback	Maximum Setback
Front Setback Along SH114 Frontage Road	15'	300'
Front Setback Along Trophy Club Drive	15'	100'
Indian Creek Drive	15'	100'
Side and Rear Setbacks	0' except along the east boundary line which shall be 50'	None
Clock Tower	None	None

b. Encroachments. Encroachments within the required setbacks are permitted. Encroachments include architectural elements of a structure including, but not limited to decorative trim, cornice work, canopies, eaves, balconies, porches, steps, planters, window and door trim, and other similar features. In no case shall any encroachment be located over an on-street parking space or travel lane.

c. Lot Coverage, Floor Area, and Heights.

i. Maximum lot coverage. The maximum lot coverage is 100%. Open Space areas shall not be included in the lot area for purposes of calculating lot coverage.

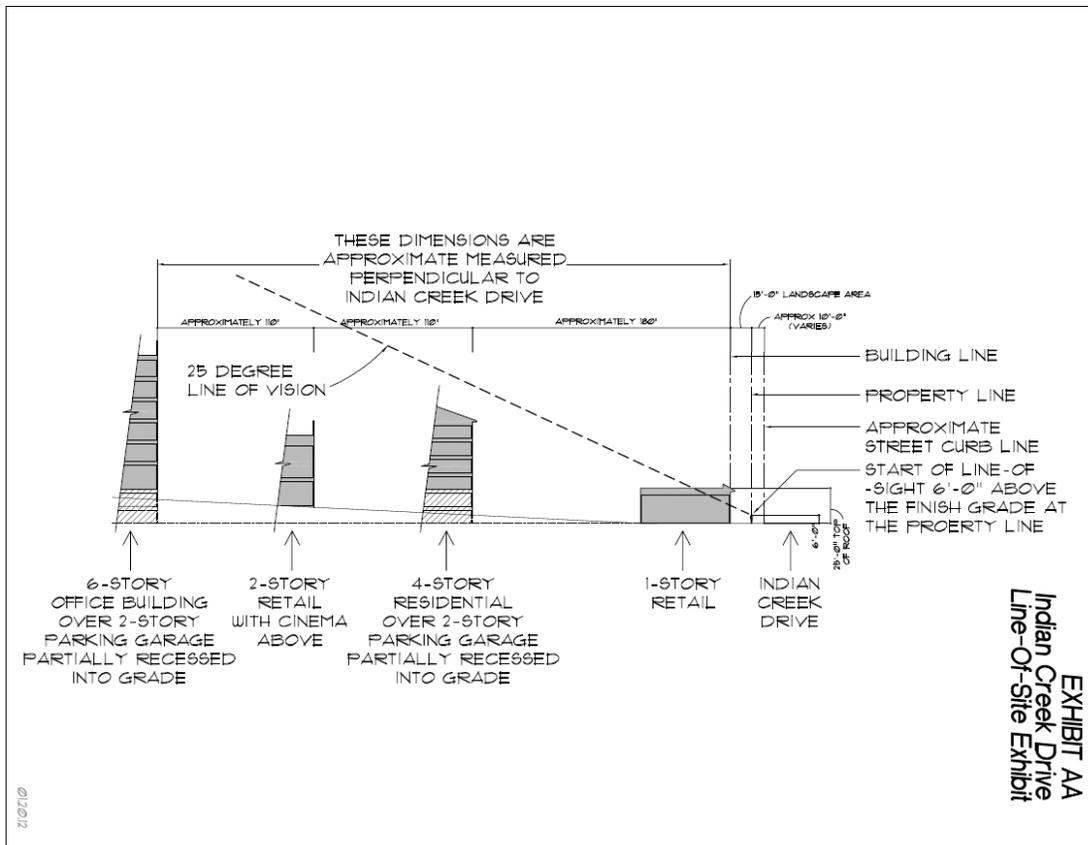
- ii. Maximum floor area ratio. The maximum floor area ratio ("FAR") for all uses is 4:1 maximum.
- iii. Property considered one lot. For purposes of calculating FAR, the entire Property is considered one lot.
- iv. Maximum height. The maximum height for structures within the Property shall be as set forth in the following table (the "Maximum Height Table"):

Structure Type	Maximum Number of Stories	Maximum Height of Structure* in Feet
1. Urban Residential only	4	58 ft The maximum building height for roof peaks and rooftop projections is 64'-0" from typical finish grade to highest part of construction.
2. Office only	6	90 ft
3. Hotel only	6 8 (SUP Required)**	90 ft 135 ft.
4. Retail/Commercial Only	2	40 ft The maximum building height for roof peaks and tower elements is 50'-0" from typical finish grade to highest part of construction.
5. Mixed Use with retail, office, or hotel	6	90 ft
6. Townhouses/ Townhomes	3	50 ft

* For purposes of this planned development district, height is the vertical distance measured from the highest elevation at grade at the exterior surface of the structure to the highest point of the structure.

** The SUP shall have a 45-day approval timeline from date of official submittal to consideration on a Town Council agenda (with recommendation by the Planning and Zoning Commission). Public hearing and property owner notification shall be required and any expenses related to providing proper notification shall be paid by the applicant.

- v. Minimum height: The minimum height for structures within the Property is twenty (20) feet in height.
- vi. The following standards shall also apply to the height of buildings on the Property:
 1. Residential proximity. The maximum height for structures within 150' of residential uses adjacent to the Property shall be 60'.
 2. Maximum Height Based on Building Line-of-Vision from Indian Creek Drive and Trophy Club Drive:
 - a. Except as otherwise provided herein, a building greater than two stories may not project above the Building Line-of-Vision Plane projecting from Indian Creek Drive and three stories from Trophy Club Drive unless a structure is constructed between the property line and the building so as to block the line-of-vision in which event the building may project above the Building Line-of-Vision Plane. Urban Residential buildings must comply with the design standards set forth in Section II.F.4.b herein.
 - b. Buildings two stories or less may project above the Building Line-of-Vision Plane.
 - c. The Building Line-of-Vision Plane shall commence six feet above the property line of the Property along Indian Creek Drive and Trophy Club Drive and project upward and inward into the Property at a 25° angle to said six foot measurement.
 - d. The Building Line-of-Vision Maximum Height is depicted below:



3. Mezzanines. Mezzanines will not be counted as a floor.
4. Parking. The maximum height for all parking structures shall be no higher than the highest adjoining building.
5. Rooftop projections. The following structures may project a maximum of twelve (12) feet above the maximum structure height specified in the district regulations:
 - a. Elevator penthouse or bulkhead.
 - b. Mechanical equipment room.
 - c. Cooling tower.
 - d. Ornamental cupola or dome.
 - e. Skylights.
 - f. Visual screens shall be provided and shall surround roof mounted mechanical equipment.
 - g. Chimney and vent stacks.
 - h. Parapet wall.

C. STREETScape STANDARDS.

1. State Highway 114 Frontage Road, Trophy Club Drive, and Indian Creek Drive with Non-Residential Frontage.
 - a. General. State Highway 114 Frontage Road, Trophy Club Drive, and Indian Creek Drive shall comply with the Street Standards set forth in Exhibits "A1", "A2," and "A3".
 - b. Any parking frontage along State Highway 114 and Trophy Club Drive shall be screened by a 3-foot high Street Screen. Required Street Screens shall be of either the same building material as the principal structure on the lot or masonry or a living screen composed of shrubs planted to be opaque at maturity. Species shall be selected from the Planting List in Appendix A. The required Street Screen shall be located at the edge of the R-O-W/property line along the corresponding frontage.
 - c. Street Trees.
 - i. Street trees shall be required on all the above streets.
 - ii. Street trees shall be planted in the R.O.W or with the street screen or setback area, but shall be located between the travel lanes and parking/building.
 - iii. Spacing shall be an average of 40 feet on center (measured per block face) along all streets.
 - iv. Street trees shall be at least three-inch (3") caliper at the time of planting.
 - v. Preservation of an existing tree, tree relocated from elsewhere within the Property, or new tree in which such preserved, relocated or new tree has a caliper greater than 8", shall increase the required tree spacing to an average of one tree per 60'-0" of street frontage.
 - vi. Street tree species shall be selected from the Planting List in Appendix A.
 - d. Parking Zone.
 - i. Each side of the parking drive shall include (i) a Parking Zone for use in head-in, 60 degree or 30 degree angled parking, or (ii) optional parallel or drop-off/valet parking.

- ii. Parking spaces shall be 9'-0" wide and 18'-0" deep. A 2'-0" overhang from vehicles parked in the Parking Zone is allowed into adjacent Circulation Zone.
- iii. A landscaped island shall be provided every ninth parking space, or 81'-0" of frontage, and shall be a minimum 9 feet by 18 feet.

e. Circulation Zone.

- i. The Circulation Zone shall be located closest to the Parking Zone and parallel to the Building Line.



Circulation Zone



Circulation Zone

- ii. The Circulation Zone shall have a minimum 4'-0" wide clear zone dedicated for pedestrian circulation.
- iii. Ramps and/or steps and railings required to mitigate changes in grade may be placed in the Circulation Zone.



Circulation Ramps/Steps Circulation Ramps/Steps Circulation Ramps/Steps

- iv. Landscape walls, steps, planters, tree wells, decorative landscape pots, site lighting, any decorative landscape feature (fountains, waterfalls, etc.) shall be allowed in the Circulation Zone provided the required four (4) foot wide clear zone is maintained.



iv. This Circulation Zone shall connect to adjacent curb ramps leading to adjacent lots, blocks and buildings.

f. Supplemental Use Zone.

i. The Supplemental Use Zone shall be located between the Circulation Zone and the Building Line (adjacent to the building).



ii. The Supplemental Use Zone shall be allowed to encroach into the Circulation Zone per description in the following "Modification of Zones" provided a minimum of 4'-0" wide clear zone is established for pedestrian circulation.

- iii. The Supplemental Use Zone is provided for the use of commercial tenants for accessory "patio" dining, beer, wine and mixed beverage consumption, beverage sales, service and consumption, entry vestibules, entry stoops, structured canopies, patron waiting, feature hardscape or landscape, water features, incidental display and sales.
- iv. Accessory "patio" dining, beer, wine and mixed beverage consumption, beverage sales, service and consumption, and patron waiting shall be separated from the Circulation Zone and any shared public circulation to adjacent buildings by planters or decorative fencing as designed by the Owner and/or Tenant.



Supplemental Use Zone Patio



Supplemental Use Zone Patio



Supplemental Use Zone Patio



Supplemental Use Zone Patio

- v. The hardscape and landscape used in the Supplemental Zone shall be consistent with the landscape and hardscape used in the Project. Landscape plants shall be selected from the Planting List in Appendix A.
- vi. The Owner and/or Tenant are responsible for maintenance of the Supplemental Zone.

2. Modification of Zones.

- a. At the Property Owner's discretion and upon approval of Town Staff, parking may be redesigned and/or reconfigured so that the Circulation Zones can be rerouted, allowing the Supplemental Use Zone to be reconfigured where desired for any Tenant's use. Any revision to the parking shall meet the required parking count as established by Ordinance. However, a minimum of 4'-0" wide clear zone shall be provided for pedestrian circulation.
- b. At the Property Owner's discretion and upon approval of Town Staff, parking can be redesigned and/or reconfigured so the parking area may be used for patron drop-off/pick-up and /or valet service.

3. Indian Creek Drive with Residential Frontage.

- a. General. Indian Creek Drive with Urban Residential Frontage shall comply with the Street Standards set forth in herein.
- b. Street Trees. Street Trees shall be provided along Indian Creek Drive as follows:
 - i. Street trees shall be required along Indian Creek Drive.
 - ii. Street trees shall be planted in the R.O.W or within the setback area, but shall be located between the travel lanes and building.
 - iii. Spacing shall be an average of 40 feet on center (measured per block face) along all streets.
 - iv. Street trees shall be at least three-inch (3") caliper at the time of planting.
 - v. Street tree species shall be selected from the Planting List in Appendix A.
 - vi. Preservation of an existing tree, tree relocated from elsewhere

within the Property, or new tree in which such preserved, relocated or new tree has a caliper greater than 8", shall increase the required spacing of street trees to an average of one tree per 60'-0" of frontage.

c. Parking Zone.

- i. Each side of the parking drive shall include (i) a Parking Zone for use in head-in, 60 degree or 30 degree angled parking, or (ii) optional parallel or drop-off/valet parking.
- ii. Parking spaces shall be 9'-0" wide and 18'-0" deep. A 2'-0" overhang from vehicles parked in the Parking Zone is allowed into adjacent Circulation Zone.
- iii. A landscaped island shall be provided every ninth parking space, or 81'-0" of frontage, and shall be a minimum 9 feet by 18 feet. One canopy tree (3" min. caliper size at the time of planting) shall be required within each landscaped island. Canopy tree species may be selected from the Planting List in Appendix A.

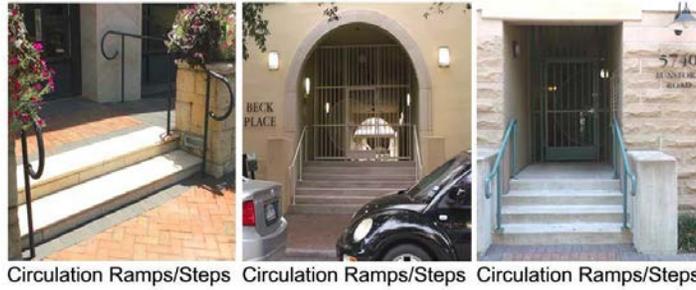
d. Circulation Zone.

- i. The Circulation Zone shall be located closest to the Parking Zone and parallel to the Building Line.



Residential Frontage Circulation Zone

- ii. The Circulation Zone shall have a minimum 4'-0" wide clear zone dedicated to pedestrian circulation.
- iii. Ramps and/or steps and railings required to mitigate changes in grade may be placed in the Circulation Zone.



Circulation Ramps/Steps Circulation Ramps/Steps Circulation Ramps/Steps

- iv. Landscape walls, steps, planters, tree wells, decorative landscape pots, site lighting, any decorative landscape feature (fountains, waterfalls, etc.) shall be allowed in the Circulation Zone provided the required four (4) foot wide clear zone is maintained.



Landscape Features



Landscape Features



Landscape Features



Landscape Features

- v. This Circulation Zone shall connect to adjacent curb ramps leading to adjacent lots, blocks and buildings.
- e. Supplemental Use Zone:
 - i. The Supplemental Use Zone shall be located between the Circulation Zone and the Building Line (adjacent to the building).
 - ii. The Supplemental Use Zone shall be allowed to encroach into the Circulation Zone per description in the following "Modification of Zones" provided a minimum of 4'-0" wide clear zone is established for pedestrian circulation.

- iii. The Supplemental Use Zone is provided for the use of commercial tenants for accessory "patio" dining, mixed beverage, beer and wine beverage service, entry vestibules, entry stoops, structured canopies, patron waiting, feature hardscape or landscape, water features, incidental display and sales.
 - iv. Accessory "patio" dining, mixed beverage, beer and wine beverage service, and patron waiting shall be separated from the Circulation Zone and any shared public circulation to adjacent buildings by planters or decorative fencing as designed by the Owner and/or Tenant.
 - v. The hardscape and landscape used in the Supplemental Zone shall be consistent with the landscape and hardscape used in the Project. Landscape plants shall be selected from the Planting List in Appendix A.
 - vi. The Owner and/or Tenant is responsible for maintenance of the Supplemental Zone.
- f. Modification of Zones.
- i. At the Property Owner's discretion and upon approval of Town Staff, parking may be redesigned and/or reconfigured so that the Circulation Zones can be rerouted, allowing the Supplemental Use Zone to be reconfigured where desired for any Tenant's use. Any revision to the parking shall meet the required parking count as established by Ordinance. However, a minimum of 4'-0" wide clear zone shall be provided for pedestrian circulation.
 - ii. At the Property Owner's discretion and upon approval of Town Staff, parking may be redesigned and/or reconfigured so the parking area may be used for patron drop-off/pick-up and /or valet service.
4. Secondary Street with Non-Residential Frontage.
- a. General. Secondary Streets with Non-Residential Frontage shall comply with Exhibits "B" and "BI".
 - b. Parking Frontage. Any parking frontage along any Type A Drive/Street shall be screened by a 3-foot high Street Screen. Required Street Screens shall be of either the same building material as the principal structure on the lot or masonry or a living

screen composed of shrubs planted to be opaque at maturity. Species shall be selected from the Planting List in Appendix A. The required Street Screen shall be located to screen the parking lot from the sidewalk along that frontage.

- c. Street Trees. Street Trees shall be provided along these streets as follows:
- i. Street trees shall be required along all Secondary streets.
 - ii. Street trees shall be planted within the Circulation area between the parking lane and building. Spacing shall be an average of 40 feet on center (measured per block face) along all streets.
 - iii. Street trees shall be at least three-inch (3") caliper at the time of planting.
 - iv. Street tree species shall be selected from the Planting List in Appendix A.
 - v. Preservation of an existing tree, tree relocated from elsewhere within the Property, or new tree in which such preserved, relocated or new tree has a caliper greater than 8", shall increase the required spacing of street trees to one per 100'-0" of frontage.
- d. Parking Zone.
- i. Parking in this Parking Zone is limited to 90-degree or 30-degree "head-in" parking spaces and parallel parking.
 - ii. Ninety-degree and 30-degree head-in parking spaces shall be 9'-0" wide and 18'-0" deep. A 2'-0" overhang from vehicles parked in the Parking Zone is allowed into the adjacent Circulation Zone.
 - iii. Parallel parking spaces shall be a minimum of 7'0" wide and 18'0" deep.
 - iv. A landscaped island shall be provided every ninth parking space, or every (a) 81'-0" of frontage for "head-in" parking, or (b) 100'0" for parallel parking. Landscape islands in this Parking Zone shall be a minimum 9 feet by 18 feet.

e. Circulation Zone.

- i. The Circulation Zone shall be located closest to the Parking Zone and parallel to the Building Line.
- ii. The Circulation Zone is dedicated to allowing pedestrian circulation and shall be a minimum of 6'-0" wide with a 4'-0" wide clear pedestrian zone.
- iii. Ramps and/or steps and railings required to mitigate changes in grade may be placed in the Circulation Zone.
- iv. Landscape walls, steps, planters, tree wells, decorative landscape pots, site lighting, any decorative landscape feature (fountains, waterfalls, etc.) shall be allowed in the Circulation Zone provided the required four (4) foot wide clear zone is maintained.
- v. This Circulation Zone shall connect to adjacent curb ramps leading to adjacent lots, blocks, and buildings.
- vi. Doors for adjacent buildings cannot swing into this zone.

f. Supplemental Use Zone.

- i. The Supplemental Use Zone shall be located between the Circulation Zone and the Building Line (adjacent to the building) as set forth in Exhibits "B" and "BI".
- ii. The Supplemental Use Zone shall be allowed to encroach into the Circulation Zone per description in accordance with the following "Modification of Zones".
- iii. The Supplemental Use Zone is provided for (a) the use of ground floor commercial tenants for accessory "patio" dining, mixed beverage, beer and wine beverage service, entry vestibules, entry stoops, structured canopies, patron waiting, feature hardscape or landscape, water features, incidental display and sales, or (b) the use of ground floor residential for hardscape or landscape.
- iv. If used at ground floor residential uses, the resulting hardscaped and/or landscaped yards shall be separated from the Circulation Zone and any shared public circulation to adjacent buildings by planters (at sidewalk level or raised) or decorative fencing as designed by the Owner or Tenant.

- v. The Owner and/or Tenant shall be responsible for maintenance of the Supplemental Zone.

g. Modification of Zones.

- i. At the Owner's discretion and upon approval of Town Staff, parking may be redesigned and/or reconfigured so that the Circulation Zones can be rerouted, allowing the Supplemental Use Zone to be reconfigured where desired for any Tenant's use. Any revision to the parking shall meet the required parking count as established by Ordinance.
- ii. At the Property Owner's discretion and upon approval of Town Staff, parking may be redesigned and/or reconfigured so the parking area may be used for temporary patron drop-off/pick-up and /or valet service.
- iii. Use of parallel spaces to create supplemental use areas will follow similar requirements as stipulated above.

5. Secondary Street with Residential Frontage.

- a. General. Secondary Streets with Residential Frontage shall comply with the standards set forth herein.
- b. Parking Frontage. Any parking frontage along any Type A Drive/Street shall be screened by a 3-foot high Street Screen. Required Street Screens shall be of either the same building material as the principal structure on the lot or masonry or a living screen composed of shrubs planted to be opaque at maturity. Species shall be selected from the Planting List in Appendix A. The required Street Screen shall be located to screen the parking lot from the sidewalk along that frontage.
- c. Street Trees.
 - i. Street Trees shall be provided along these streets as follows:
 - a) If parking is provided immediately adjacent to the street, one (1) Street Tree shall be provided for every eight (8) contiguous parking spaces or fraction thereof.
 - b) If no parking is provided immediately adjacent to the street, two Street Trees shall be provided for every 81' 0" of frontage.

- c) If parallel parking is provided immediately adjacent to the street, one Street Tree shall be provided for every 60' 0" of frontage.
 - d) For purposes of this Section, parking is not immediately adjacent to the street if a drive aisle is located between the street and parking.
 - e) Street Trees provided within a row of parking spaces shall be located and centered in the Parking Zone landscaped islands.
- ii. Street trees shall be at least three-inch (3") caliper at the time of planting.
 - iii. Preservation of an existing tree, tree relocated from elsewhere within the Property, or new tree in which such preserved, relocated or new tree has a caliper greater than 8", shall reduce the required spacing of landscaping islands to one per ten (10) contiguous parking spaces, or one tree per 100'-0" of frontage.
- d. Parking Zone.
- i. Parking in this Parking Zone is limited to 90-degree or 30-degree "head-in" parking spaces and parallel parking.
 - ii. Ninety-degree and 30-degree head-in parking spaces shall be 9'-0" wide and 18'-0" deep. A 2'-0" overhang from vehicles parked in the Parking Zone is allowed into the adjacent Circulation Zone.
 - iii. Parallel parking spaces shall be a minimum of 7'0" wide and 18'0" deep.
 - iv. A landscaped island shall be provided every ninth parking space, or every (a) 81'-0" of frontage for "head-in" parking, or (b) 100'0" for parallel parking. Landscape islands in this Parking Zone shall be a minimum 9 feet by 18 feet.
- e. Circulation Zone.
- i. The Circulation Zone shall be located adjacent to the Parking Zone and parallel to the frontage.

- ii. The Circulation Zone is dedicated to allowing pedestrian circulation.
 - iii. Ramps and/or steps and railings required to mitigate changes in grade may be placed in the Circulation Zone.
 - iv. Landscape walls, steps, planters, tree wells, decorative landscape pots, site lighting, any decorative landscape feature (fountains, waterfalls, etc.) shall be allowed in the Circulation Zone provided the required four (4) foot wide clear zone is maintained.
 - v. This Circulation Zone shall connect to adjacent curb ramps leading to adjacent lots, blocks and buildings.
 - vi. Doors for adjacent buildings cannot swing into this zone.
 - vii. The Supplemental Use Zone shall be allowed to encroach into the Circulation Zone per description in accordance with the following "Modification of Zones".
- f. Modification of Zones.
- i. At the Owner's discretion and upon approval of Town Staff, parking may be redesigned and/or reconfigured so that the Circulation Zones can be rerouted. Any revision to the parking shall meet the required parking count as established by Ordinance.
 - ii. At the Property Owner's discretion and upon approval of Town Staff, parking can be redesigned and/or reconfigured so the parking area may be used for patron drop-off/pick-up and /or valet service.
 - iii. Use of parallel spaces to create supplemental use areas will follow similar requirements as stipulated above.
6. Private Street or Mews Street with Frontage of Any Uses.
- a. General. Private Street or Mews Street with Frontage of Any Uses shall comply with the standards set forth in Exhibits "C" and "C 1".
 - b. Private Streets or Mews Streets provide public access by public right-of-way or public easement.

- c. Street Trees. Street Trees shall be provided along these streets as follows:
- i. If parking is provided immediately adjacent to the street, one (1) Street Tree shall be provided for every eight (8) contiguous parking spaces or fraction thereof.
 - ii. If no parking is provided immediately adjacent to the street, one Street Tree shall be provided for every 81' 0" of frontage.
 - iii. If parallel parking is provided immediately adjacent to the street, one Street Tree shall be provided for every 60' 0" of frontage.
 - iv. For purposes of this Section, parking is not immediately adjacent to the street if a drive aisle is located between the street and parking.
 - v. Street Trees provided within a row of parking spaces shall be located and centered in the Parking Zone landscaped islands.
 - vi. Street trees shall be at least three-inch (3") caliper at the time of planting.
- d. Parking Zone.
- i. Parking in this Parking Zone is limited to 90-degree or 30-degree "head-in" parking spaces and parallel parking.
 - ii. Ninety-degree and 30-degree head-in parking spaces shall be 9'-0" wide and 18'-0" deep. A 2'-0" overhang from vehicles parked in the Parking Zone is allowed into the adjacent Circulation Zone.
 - iii. Parallel parking spaces shall be a minimum of 7'0" wide and 18'0" deep.
 - iv. A landscape island shall be provided every ninth parking space, or every (a) 81'-0" of frontage for "head-in" parking, or (b) 100'0" for parallel parking. Landscape islands in this Parking Zone shall be a minimum 9 feet by 18 feet.
- e. Circulation Zone.
- i. This zone shall be located immediately adjacent to the Parking Zone and parallel to the frontage.

- ii. This zone is dedicated to allowing clear, unobstructed pedestrian circulation.
 - iii. Ramps and/or steps and railings required to mitigate changes in grade can be placed in this zone.
 - iv. This Circulation Zone shall connect to adjacent curb ramps leading to adjacent lots, blocks, and buildings.
 - v. Doors for adjacent buildings cannot swing into this zone.
 - vi. The Supplemental Use Zone shall be allowed to encroach into the Circulation Zone per description in accordance with the following "Modification of Zones".
 - vii. Landscape walls, steps, planters, tree wells, decorative landscape pots, site lighting, any decorative landscape feature (fountains, waterfalls, etc.) shall be allowed in the Circulation Zone provided the required four foot (4') wide clear zone is maintained.
- f. Supplemental Use Zone.
- i. This Supplemental Use Zone shall be located between the Circulation Zone and the Building Line (adjacent to the building) as set forth in Exhibits "B" and "B 1".
 - ii. The Supplemental Use Zone is provided for (a) the use of ground floor commercial tenants for accessory "patio" dining, beer and wine beverage service, entry vestibules, entry stoops, structured canopies, patron waiting, feature hardscape or landscape, water features, incidental display and sales, or (b) the use of ground floor residential for hardscape or landscape.
 - iii. If used at ground floor residential uses, the resulting hardscaped and/or landscaped yards shall be separated from the Circulation Zone and any shared public circulation to adjacent buildings by planters (at sidewalk level or raised) or decorative fencing as designed by the Owner or Tenant.
 - iv. The Owner and/or Tenant shall be responsible for maintenance of the Supplemental Zone.

g. Modification of Zones.

- i. At the Owner's discretion and upon approval of Town Staff, parking may be redesigned and/or reconfigured so that the Circulation Zones can be rerouted, allowing the Supplemental Use Zone to be reconfigured where desired for any Tenant's use. Any revision to the parking shall meet the required parking count as established by Ordinance.
- ii. At the Property Owner's discretion and upon approval of Town Staff, parking can be redesigned and/or reconfigured so the parking area may be used for patron drop-off/pick-up and /or valet service.
- iii. Use of parallel spaces to create supplemental use areas will follow similar requirements as stipulated above.

7. Serviceways.

a. General.

- i. Serviceways shall comply with the standards set forth in Exhibit "D". Serviceways shall be considered as Type 'B' Drives for the purposes of this Ordinance.
- ii. Serviceways will be on the Owner's property and shall be used for pedestrian circulation between buildings on the same lot, for vehicle access to loading and trash areas, for maintenance and service vehicle access, and for routing of base building and tenant utilities.
- iii. Serviceways may be within physical separations and setbacks as required by building codes between uses and buildings.
- iv. Private utilities, grease interceptors, vaults, fire mains and other similar features may be located in the Serviceways.
- v. Serviceways which are identified by the Fire Department for possible use shall meet Fire Department requirements.
- vi. Ground level pedestrian circulation and upper level connective bridges between buildings may cross the Serviceways.
- vii. Service Areas shall not be visible from Indian Creek, Trophy Club Drive, and SH114.



b. Base Building and Tenant Utilities.

- i. Base building and tenant utilities may be routed under serviceways whenever possible.
- ii. Base building and tenant utility related equipment, taps, meters, distribution, and similar equipment exposed to view shall be grouped in an ordered fashion on building walls abutting the serviceways.



D. DESIGN STANDARDS.

1. Mixed Use.

- a. General. The following standards shall apply to all Type 'A' Drive facades and the SH 114 Frontage Road, and Trophy Club Drive facades.
 - i. Combinations of uses permitted on the Property may be incorporated either vertically within structures or horizontally

throughout the Property. Residential uses shall not be allowed on the ground floor except as otherwise provided herein. Mixed-use provisions are intended to address the standards and recommendations for the horizontal adjacency and the vertical mixing of varying uses.



- ii. Close horizontal adjacency of different uses is permitted for ground floor adjacencies for commercial, office, and residential uses as set forth herein. Residential and Commercial occupancies may be located on the same floor of the same Building, but residential uses shall not be located on the ground floor, except as otherwise permitted herein.
- iii. Close vertical adjacency of different uses is permitted for ground floor commercial and/or office uses with second floor office and/or Urban Residential uses above, and second floor office and/or Urban Residential uses with possible third floor Urban Residential uses.
- iv. Urban Residential is permitted on all floors of Buildings B.

2. Visual Orientation and Entrance Location for Mixed-Use Development.

- a. Ground floor commercial, office and residential uses as set forth herein retail, in a mixed-use development shall be visually oriented toward and have their primary entrance oriented toward the street or private drive frontage.



Mixed Use Orientation Mixed Use Orientation Mixed Use Orientation



Mixed Use Orientation Mixed Use Orientation Mixed Use Orientation

- b. Upper floor office and Urban Residential uses may use ground floor lobbies placed toward the middle or rear of buildings. These lobbies shall be clearly visible and easily accessed from the street frontages via public access open areas, public circulation paths between the street frontage and structured parking internal to the block, or similar public access patios, courts, or plazas.



Mixed Use Entrance Orientation Mixed Use Entrance Orientation Mixed Use Entrance Orientation

- c. Rear facades of buildings facing Trophy Club Drive and Indian Creek Drive shall have a similar level of design and articulation as the front facades of the same respective buildings.
- d. Visual orientation and entrance location for Mixed-Use Development as set forth in this section shall generally comply with Exhibit "E".

E. NON-RESIDENTIAL/MIXED USE BUILDING DESIGN GUIDELINES.

1. General. The following standards shall apply to all Type 'A' Drive facades and the SH 114 Frontage Road, and Trophy Club Drive Facades.
 - a. Building design provisions are intended to address the physical appearance of buildings within the subject area and establish certain common design treatments, thus supporting individual buildings relatedness to adjacent buildings.
 - b. Building design provisions include building's location relative to street rights-of-way and easements, building materials, general requirements for glazing, shading, and encroachment, building height, screening of equipment, loading, trash, and utilities, exterior lighting, and the vehicular and pedestrian circulation within blocks and between buildings, within the same block to one another, and public pedestrian and vehicular circulation.
 - c. Visual orientation and entrance location for buildings shall generally comply with the General Requirements for Mixed Use set forth in Section II of this Ordinance.
2. Structured Parking Garages.
 - a. Structured parking garages shall comply with the requirements listed below.
 - b. The facades of parking garages that are visible from Trophy Club Drive, Indian Creek Drive, or from the east boundary line must be of similar color, architecture and materials as the adjacent building. Screening of internal parking garages is not required.
3. Building Locations.
 - a. For each facade of a building facing a street, 25% of the ground floor face shall be constructed within 6'0" maximum of the Building Line and 50% shall be constructed within 12'0" of the Building Line. The balance of the ground floor face is unrestricted in its proximity to the Building Line. Area of the building face satisfying these proximity requirements need not be continuous and can be divided per the building designer's discretion. These proximity requirements are set forth in Exhibits "A", "A1", "A2", "A3", "B", "B1", "C" and "C1".
 - b. Where setbacks from the property line are stipulated in this section, the setback line shall be understood as the Building Line.

- c. Building Facades shall have a change in plane of not less than 5'-0" every 200'-0" of frontage or of not less than 2'-0" every 100'-0" of frontage at the building designer's discretion. The change in plane shall continue at least 10'-0" before the Facade returns to its previous position.



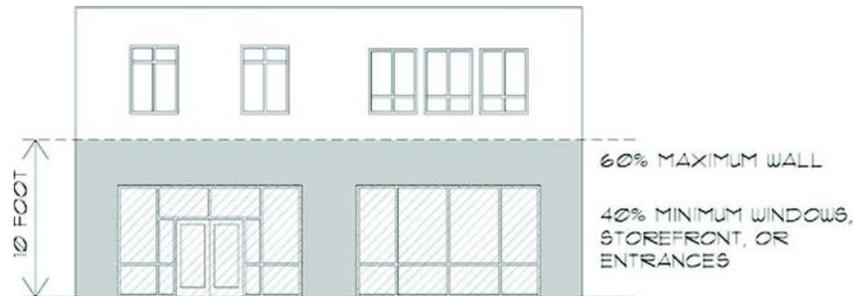
- d. Structured canopies may encroach into Supplemental Use Zones.
- e. Balconies (not allowed in facades fronting Trophy Club Drive) projecting from the building face, framed canopies, awnings, bay windows, decorative projections, moldings, cornices, trim, and signage may project 6'-0" into 43 rights-of-way and easements.
- f. Ground floor arcades (covered walkway) with air-conditioned, enclosed space at the second floor shall be considered as meeting the requirements for percent of building within 6'-0" or 12'-0" of rights-of-way and easements.



- g. The requirements for percent of building within 6'-0" or 12'-0" of right-of-ways and easements shall not apply to structures that have building elements on facades above the second floor.

4. Specific Building Requirements.

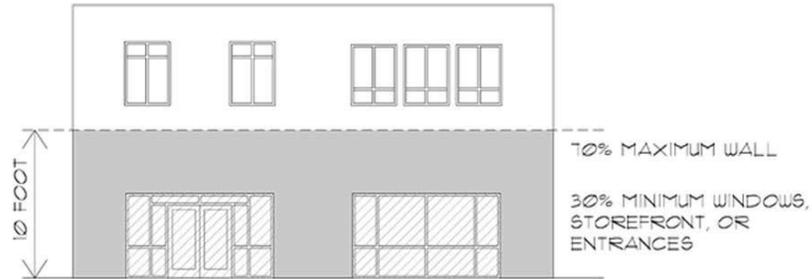
- a. The ground floor shall be defined as the first occupied floor occurring at the typical street frontage, finished sidewalk level, up to the bottom of the second floor. Mezzanines as defined by the building code may be allowed, but do not constitute second floors.
- b. Unless otherwise dictated by applicable codes and ordinances, nonresidential and non-parking buildings shall have a minimum of 30% and a maximum of 40% of the ground floor facade, up to 10'-0" above the typical street frontage finished sidewalk level, comprised of windows, storefronts, and/or entrances. This standard shall only apply to all Type 'A' Drive facades and the SH 114 Frontage Road, and Trophy Club Drive facades.



Typical Non-Residential / Non-Parking Street Frontage Opening Wall Ratio

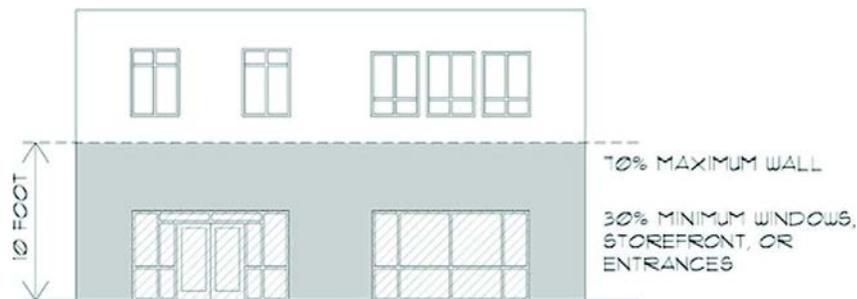


- c. Unless otherwise dictated by applicable codes and ordinances, nonresidential and non-parking buildings fronting State Highway 114 Frontage Road and Trophy Club Drive, within 400 feet of State Highway 114 frontage road, shall have a minimum of 30% and a maximum of 40% of the ground floor facade, up to 10'-0" above the typical street frontage finished sidewalk level, comprised of windows, storefronts, and/or entrances.

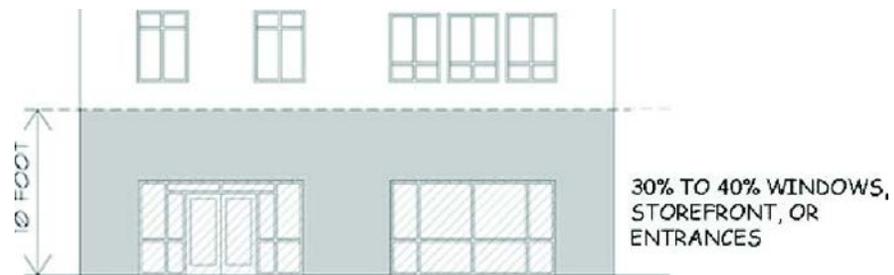


State Hwy 114 and Trophy Club Dr (within 400' of SH114)
Non-Residential / Non-Parking
Street Frontage Opening/Wall Ratio

- d. Materials and finishes used for windows, storefronts, entrances, and entrance vestibules shall be at the discretion of the Property Owner and/or Tenants as long as a minimum of 85% of Type 'A' Drive facades are finished in masonry (brick, natural and manmade stone, architectural-colored concrete masonry block both smooth and split-face, stucco using the 3 step process, tile, cast stone, or glass block). (Cementitious plank and siding may be utilized in recessed areas only not visible from the street).
- e. Variation in the size, shape, and detailing of upper floor windows is permitted.
- f. Unless otherwise dictated by applicable codes and ordinances, for each building frontage on Indian Creek Drive, secondary streets, and private and mews streets, a minimum of 30% and a maximum of 40% of the ground floor facade, up to 10'-0" above the typical street frontage finished sidewalk level, comprised on windows, storefronts, and/or entrances.

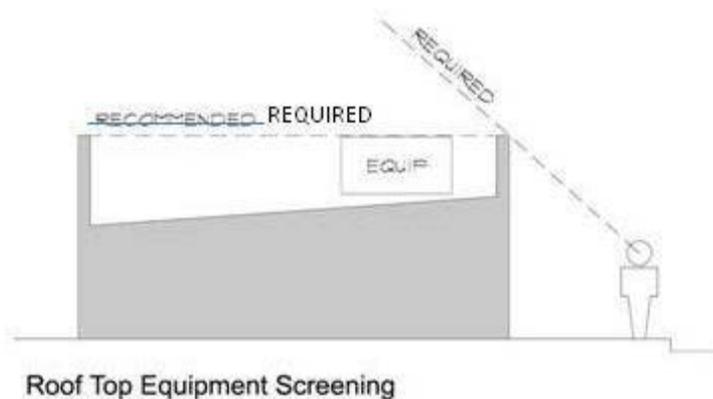


Indian Creek Drive Non-Residential / Non-Parking Street Frontage Opening Wall Ratio



Indian Creek Drive Non-Residential / Non-Parking Street Frontage Opening / Wall Ratio

- g. EIFS use is limited to top cornices, top parapets and walls, second floor and above if the application is exposed from the top. The EIFS must be hail resistant or protected.
- h. Roofs may be flat-roofs sloped for drainage. Parapets shall be 3'-6" minimum higher than the adjacent roof.
- i. Roof top equipment shall be screened from view from a person standing at any area of the adjoining Circulation Zone of the respective building, and the top of the equipment shall not be higher than the top of the parapet.



5. Loading and Trash Zones.

- a. Each Non-Residential building shall have one loading zone 10' -0" x 25' -0" and one dumpster/compactor location 10'-0" x 25' -0". This requirement does not apply to Urban Residential, parking, or public access open areas. A grouping of structures may be designated by the Owner or developer to allow one dumpster/compactor location to accommodate said grouping of structures.
- b. The loading and trash zones may be grouped at a single building or may be dispersed on the lot at multiple buildings. Loading and trash

may be hand-trucked within the block as required.

- c. The loading and trash zones shall not be open to view from Highway 114 frontage road, Trophy Club Drive, or Indian Creek. They may open onto Secondary Streets, Private Streets, or Mews Streets, but in all instances the loading and trash zones shall be fully screened with walls finished to match or complement adjacent buildings and gates.



- d. The loading and trash zones may be located in buildings, structured parking garages, and any Serviceways.

F. URBAN RESIDENTIAL GUIDELINES.

1. General.

- a. Urban Residential design provisions are intended to address the physical appearance of buildings within the subject area and establish location relative to street right-of-ways and easements, building materials, general requirements for glazing, shading, and encroachment, building height, screening of equipment, loading, trash, and utilities, exterior lighting, and unit densities.
- b. Visual orientation and entrance location for residential buildings shall comply with the General Requirements for Mixed Use set forth in Section II of this Ordinance.
- c. No minimum Open Space per residential unit shall be required.

2. Building Location.

- a. Building Facades shall have a change in plane of not less than 5'-0" every 200'-0" of Facade. The change in plane shall continue at least 10'-0" before Facade returns to its previous position.

- h. Driveways and public infrastructure necessary for future development in the areas designated as Buildings A-2, A-3, A-4 and A-5 shall be constructed at the same time as the development of Urban Residential units in Block B.

5. Townhome Residential Requirements.

a. Townhome Residential General:

- i. Townhome Residential shall be single family residential units on individually platted lots.
- ii. The lots (and the dwelling unit primary pedestrian entry) must front on public street(s), vehicle access drives, pedestrian circulation areas, or public landscaped areas.
- iii. Townhome Residential garages shall be oriented to public streets or vehicle access drives.
- iv. Accessory buildings shall not be allowed on lots.
- v. Townhome Residential lots shall be clustered into a maximum of 7 units per cluster separated by pedestrian circulation areas (minimum 15 feet in width) or vehicle access drives (minimum of 35 feet in width - 25 foot drive with 5 foot sidewalks both sides). Clustering must meet all building/fire code requirements.
- vi. Where Townhome Residential lots are clustered, individual dwelling units shall abut one another, but must contain code compliant fire separation walls as required by the Town building and fire codes, centered on the common lot lines.
- viii. Each Townhome Residential lot shall be served individually by water, sewer, electric, gas, and other typical utilities.
- ix. Areas for recreational, open space and service may be platted into one or more lots. Prior to the issuance of any building permit authorizing construction of any Townhome allowed by this ordinance, bollards shall be installed at the end of the main road providing access to the Townhomes that is nearest to Indian Creek Drive. Said bollards shall be spaced to accommodate passage by a standard golf cart, and meet all requirements of the Town's fire code and shall require the final approval of the Fire Chief and Town Manager.

- b. Townhome Residential maximum density: the maximum number of Townhome/Townhouse units is 39 staggered units.
- c. Townhome Residential minimum floor areas are as follows:
 - i. Ground floor - 800 sf minimum inclusive of garage parking and covered breezeways and vestibules associated with Townhome Residential pedestrian entry/exit.
 - ii. Second floor -800 sf minimum.
 - iii. Third floor-not to exceed second floor.
 - iv. Townhome Residential shall not exceed 3 stories.
 - v. Townhome Residential minimum total floor area -1,400 sf.
- d. Townhome Residential lot size and lot coverage:
 - i. Minimum lot size per dwelling shall be 1200 sf.
 - ii. Minimum lot width per dwelling shall be 20 feet.
 - iii. Minimum lot depth per dwelling shall be 60 feet.
 - iv. Minimum lot coverage per dwelling shall be 60%.
 - v. Maximum lot coverage shall be 80%.
- e. Townhome Residential Setbacks:
 - i. Front setback
 - 1) Front setback shall be a minimum of 10 feet, dedicated to landscaping, hardscaping, and/or driveways.
 - 2) Decorative building elements, canopies, eaves, covered breezeways and vestibules associated with Townhome Residential pedestrian entry/exit, balconies, and bay windows may project up to 6 feet into this setback.
 - 3) No off-street parking or ancillary buildings will be allowed within this setback.

ii. Side setback

- 1) Where Townhome Residential units abut adjacent Townhome Residential units and a code compliant fire separation wall is provided, there shall be no required side setback.
- 2) Where Townhome Residential units abut public streets, vehicle access drives, or pedestrian circulation areas, a 10 foot set back shall be required dedicated to landscaping and hardscaping. Decorative building elements may project up to 5 feet into this setback except where limited by building/fire code requirements.
- 3) No off-street parking or ancillary buildings will be allowed within this setback.

iii. Rear setback

- 1) The minimum rear setback shall be 5 feet.
- 2) No decorative building elements, eaves, covered breezeways and vestibules associated with Townhome Residential pedestrian entry/exit, balconies, and bay windows may project past the lot line.

f. Townhome Residential Design Guidelines:

A minimum of 85% of the front, side and rear facade of Townhome Residential shall be finished in masonry (brick, stone, stucco using the 3 step process, cast stone, or glass block).

g. Townhome Residential Garage and Parking Requirements:

- i. Each town home shall have a minimum of a single car garage.
- ii. Garages must be sized to be a minimum of ten feet (10') by eighteen feet (18')
- iii. Townhome Residential garages shall be oriented to public streets or vehicle access drives.
- iv. Each Townhome Residential unit requires one (1) guest parking space. The total of guest parking required for clustered Townhome Residential may be accommodated in nearby public street parking or in designated off-street parking

areas dispersed throughout the Townhome Residential development.

h. Townhome Residential Trash:

- i. Each dwelling unit shall individually house trash in an area not visible from adjacent units or from public drives and protected from weather and pests.
- ii. Each dwelling unit shall be allowed to place trash containers in a designated area adjacent to the unit's garage on designated trash collection days.

i. A separate property owners association shall be created for the area developed with Townhomes.



Multi-family Frontage



Multi-family Frontage



Multi-family Frontage



Multi-family Encroachments



Multi-family Encroachments



Multi-family Encroachments



Multi-family Encroachments

j. Structured parking garages may be used for required parking for Urban Residential uses.



Residential Integrated Garage



Residential Free-standing Garage

- k. Roof top equipment shall be screened from view from a person standing at the sidewalk abutting and the top of the equipment shall not be higher than the top of the parapet.

6. Loading & Trash Zones for Residential.

- a. Loading zones are not required for Urban Residential buildings.
- b. Either one (1) dumpster location, measuring 10' -0" x 10%0", shall be provided for each Urban Residential building or one (1) compactor location shall be provided for each grouping of six (6) Urban Residential buildings. They shall be accessed and located along serviceways or alleys along the backs of the Urban Residential buildings.

G. PARKING GUIDELINES.

1. Street Parking.

- a. Street parking within 300'-0" of a proposed use shall be counted toward satisfying the parking requirements for such use.
- b. Street parking shall not be assigned or reserved other than as required for accessible parking.
- c. Street parking may be deleted where the Property Owner is providing a valet drop-off/pick-up lane.
- d. Parking is permitted between the facade of a building fronting on Indian Creek Drive and the right-of-way for Indian Creek Drive.



Street Parking as Valet/Pick-up

2. Surface Parking. Surface parking lots within the development that accommodate 75 or more cars within one contiguous area shall only be permitted with a Special Site Plan (SSP) approval by Town Staff. Applications for an SSP for a Surface Parking lot shall include a phasing plan for development on the site that would be in compliance with the standards in this Ordinance. A Surface Parking lot may be converted into a building site with Site Plan approval at any time.
3. Garaged Parking.
 - a. Garaged parking within 300'-0" of an associated non-residential use shall be counted toward satisfying the parking requirements for that use. Garaged parking is considered to be shared equally by all associated non-residential uses.
 - b. Garaged parking within 300'-0" of an assigned Urban Residential unit shall be counted toward satisfying the parking requirements for that Urban Residential unit.
 - c. Notwithstanding anything contained herein, garaged parking in Building B shall apply to required parking for Urban Residential uses in Building B. Such required spaces may be gated and assigned to the Urban Residential units in Building B. Excess and guest parking in the parking garage in Building B may be used for valet parking.



- d. Above-ground parking garages may be open parking structures and shall have minimum 3-ft. exterior masonry screening walls on all levels. Structured parking garages with open ground floor frontages shall have minimum 3-ft. high landscape screening on the ground floor. Post tensioning cable design shall be prohibited on exterior facing walls, but may be used on interior walls. Parking garages fronting on the SH 114 frontage road shall not have exposed concrete finishes and shall match the architectural standards of the contiguous buildings.
- e. Below grade parking garages may be used for required parking of Urban Residential buildings.
- f. Disposition of Parking within Garages:
 - i. Within structured garage parking, individual parking spaces or groups of parking spaces may be reserved, assigned, and designated for the use of specific tenants, for the use of Urban Residential parking, for short-term parking, or for employee parking.
 - ii. Parking provided in Urban Residential may be used for required parking for any other use on the Property.
- g. Location of Garages Relative to Streets:
 - i. Structured parking garages may have frontages and vehicular access to all streets.
 - ii. Where structured parking garages have ground floor frontages, decorative building components, low walls, or landscaping approximately 3'-0" high shall be provided as a headlight screen on the ground floor. Solid enclosed walls of structures facing Type "A" streets, shall have exterior masonry walls on the ground floor. All other floors shall have exterior

masonry walls, 3'-0" in height for headlight screening.



Garage Head-light-Screen



Garage Head-light-Screen

- iii. Parking spaces shall be allowed at sloped garage floors or decks per the Property Owner's discretion.



Parking Sloped or Flat Deck

- iv. The facades of parking garages that are visible from Trophy Club Drive, Indian Creek Drive, or from the east boundary line must be of a similar color as the adjacent building. Screening of internal parking garages is not required.
- v. The elevated levels of structured parking garages may utilize bridges to provide direct pedestrian circulation from garage levels to Non-Residential and Residential uses as set forth in Exhibits "E" and "F".



Pedestrian Bridges



Pedestrian Bridges

4. Parking Ratios:
 - a. Parking calculations shall be based on enclosed air-conditioned areas only. Non-Residential use areas included in Supplemental Use Zones, exterior waiting, dining, beverage service, vestibules, public seating in Public Access Open Areas, and structured parking garages shall not be included in parking calculations.
 - b. Required Parking Ratios by Use.
 - i. Retail/Restaurant/Office — 1 parking space per 275 sf of gross floor area
 - ii. Urban Residential —one (1) parking space per bedroom
 - iii. Hotel — 1 parking space per guest room
 - iv. All other uses — 1 space per 300 sf of gross floor area
 - c. Shared parking study: The applicant/property owner may submit a request to the Town Staff for approval of a maximum of 25% reduction of required parking based on an assessment of parking demand by uses proposed at any time. Town Staff will evaluate the proposal based on a parking study of any proposed development, specific demand for the uses proposed, any proposed parking management and/or valet parking.
5. Stacked Parking: Stacked parking is permitted within the Property subject to compliance with the following standards:
 - a. Stacked Parking shall only be permitted in conjunction with a valet parking plan.
 - b. Each parking space in stacked parking shall be at least 8 feet wide by 18 feet long.
 - c. An area reserved for stacking spaces may not double as a circulation driveway or maneuvering area.
6. Valet Parking: Valet parking is permitted within the Property. The following standards shall apply:
 - a. A valet parking plan shall be required and submitted to the Town Staff for review and approval.
 - b. A valet parking plan shall require the following information:

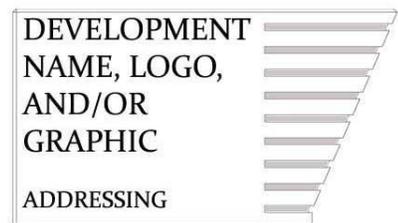
- i. A plan of the proposed pick up/drop off area,
- ii. The number of spaces required.
- iii. A plan of the proposed area to be used for parking including where stacked parking is to be used.

H. SIGNAGE, CLOCK TOWER AND MISCELLANEOUS.

- 1. Signage: All signs shall comply with the Town's sign regulations except as those regulations are modified herein. In addition to signs permitted by the Town's Zoning Ordinance, the following additional signs and/or revised sign definitions and standards are permissible:
 - a. General: for purposes of signage, the entire Property is considered one lot.
 - b. Monument signs.
 - i. Monument signs, for the sole purpose of identifying the development only (not tenants) (see picture to the left below) may be located anywhere on the private property side of property lines without setback restrictions, except for vehicular vision triangles as set forth by the Town of Trophy Club's Ordinances.
 - ii. Monument signs may be lighted internally or externally and shall comply with all applicable Town ordinances.
 - iii. Maximum number of monument signs: 5.
 - iv. Maximum height of monument signs along Trophy Club Drive and Indian Creek Drive: 10' with a Maximum effective area of 200 square feet per side.



Development Sign Example



Development Sign Example

- c. Freestanding development identification signs (as shown in the picture to the right above) — by Specific Use Permit (SUP)

Number of signs, location, size, and lighting shall be determined by the SUP.

- d. Direction Signs.

- i. Direction signs are to direct the public to various locations within the development such as (but not limited to) retail, office, Urban Residential, hotel, parking lots and structured parking garages.
- ii. Direction signs may be freestanding, post mounted, wall mounted, projecting or flat mounted.
- iii. Where mounted to a vertical support the directional sign size shall not exceed 50 sf and not exceed 5'-0" in width.



Direction Signs



Direction Signs



Direction Signs



Direction Signs



Direction Signs

- e. Banners.

- i. Banners may be mounted to a vertical support, building, structured parking garage, street light pole, or may span an internal street of the PD property.
- ii. Banners may display artwork, photos, and/or text that pertains to the development district, special events, activities, exhibits, holidays, or civic events.

- iii. Maximum area: 50 square feet per side.
- iv. Banner design is at the sole discretion of the Property Owner.



Pole Mount Banner



Building Mount Banner

- f. Directory Map.
 - i. Directory maps shall identify the location of streets, tenants, amenities, service, and features within the development.
 - ii. The directory map may be freestanding, post mounted, wall mounted, kiosk mounted, projecting or flat mounted.
 - iii. The directory map shall not exceed 50 sf in size.
- g. Architectural Roof Signs.
 - i. An architectural sign is a sign which may extend above or on top of the roof top or highest point of a building roof line.



Architectural Roof Sign



Architectural Roof Sign

- ii. Architectural Roof Signs are prohibited on frontages along Trophy Club Drive and Indian Creek Drive.
- iii. Architectural roof signs shall not exceed 150 sf, or exceed 9'-0" in height. They shall be limited to two per building/roof.

h. Signage at Sloped Roofs.



Sloped Roof Signage Sloped Roof Signage Sloped Roof Signage



Sloped Roof Signage Sloped Roof Signage

- i. Tenant signage may be allowed at sloped roofs and/or parapets to meet signage requirements of the Tenant based upon the building Facade design.
 - ii. Signage shall be installed at the lower leading edge of a sloping roof, canopy, or parapet and not extending above the top edge of the sloping roof material.
 - iii. Roof signage shall not exceed one-third of the height of the sloping roof as seen in true elevation.
- i. Projecting Blade and Hanging Signs.
- i. Projecting blade and hanging signs shall be allowed within the limits of the development for the use by Tenants and Property Owner.



Blade Signage

Blade Signage

Blade Signage



Blade Signage

Blade Signage

- ii. Projecting blade and hanging signs may project a maximum of 6'- 0" into the public right-of-way or public easement, into any Supplemental Zone, or from the face of any building. Projecting blade signs and hanging signs are to be mounted such that their lowest edge is at least 8'-0" above the typical finished sidewalk, or the minimum height to meet ADA regulation.
- iii. Projecting blade and hanging signs shall not exceed 50 sf.
- j. Murals.
 - i. Murals are permitted upon approval of Town Staff.
 - ii. Murals may be painted or attached to the exterior building walls of any structure.
 - iii. Murals may incorporate artwork, photos, and/or text that pertains to the development district, special events, activities, exhibits, holidays, or civic events by means easily understood by a general audience.
- k. Wall Signs.
 - i. Only one sign and one logo shall be permitted per tenant per street (public and private) frontage.
 - ii. The smallest rectangle encompassing all the letters may not exceed 30 inches in height, nor 40 feet in length nor 75% of the length of the frontage of the demised premises.

- iii. Businesses located on a corner may be permitted one sign on each frontage.



Corner Wall Signage



Corner Wall Signage

- iv. Signage shall be located on the wall surface above the storefront windows and above the storefront awnings or canopies.



Above Storefront Signs



Above Storefront Signs



Above Storefront Signs



Above Storefront Signs

- v. Logos or Business marks, measured separately, may not exceed 30 SF, and may be located on the facade wall or on the business awning over the primary entry.



Logo Wall Signs



Logo Wall Signs



- I. Sign Kiosks.

- i. Freestanding kiosk structures, permanent or temporary, may be placed within public right-of-ways and/or public easements,

with the exception of vehicle vision triangles.

- ii. Kiosks are limited in height to 15'0".
- iii. The total allowed signage for each kiosk in public right-of-ways and/or public easements is 40 sf. The allowed gross vertical (not roof) surface area for each kiosk in public right-of-ways and/or public easements is 80 sf.
- iv. The total allowed signage for each kiosk within the lot limits is 60 sf. The allowed gross vertical (not roof) surface area for each kiosk in public right-of-ways and/or public easements is 120 sf.
- v. Kiosks may incorporate directional signage, directory maps, public service announcements, artwork, photos, and/or text that pertains to the development district, special events, activities, exhibits, holidays, or civic events.
- vi. Kiosks may incorporate lighting and ambient audio.
- vii. Kiosks installed within the lot limits are not limited in number and may display commercial content.
- m. Seasonal decorations. Seasonal decorations are permitted within the Property and may be attached to building elevations. Decorative tree lighting is allowed year round.
- n. Existing Clock Tower. The existing clock tower, as shown on the Concept Plan, may remain in its current location within the Property or be relocated within the Property. A new Clock Tower, of similar size and scale of the existing Clock Tower and of an architectural style compatible with surrounding structures may be allowed to replace the existing Clock Tower.
- o. Vendor Kiosks. Vendor kiosks are permitted on the Property subject to the following requirements:
 - i. Vender kiosks are intended for pedestrian ("walk-up") customers only.
 - ii. During hours of operation, merchandise display and customer waiting may extend beyond the kiosk enclosure.
 - iii. Kiosks are to be located in or immediately adjacent to pedestrian areas with the express intent of providing inviting

and convenient casual shopping and service opportunities suitable for an active pedestrian urban environment.

- iv. Merchandise display and patron waiting areas may be covered by awnings or canopies. Merchandise display and customer waiting area may extend beyond the kiosk enclosure in all directions (this area is to be vacated during nonoperating hours).
 - v. During non-business hours the kiosk and all merchandise is to be fully secured.
 - vi. Food preparation and sales must meet applicable health ordinances.
 - vii. Deliveries to kiosks are to be made during designated times coordinated by the Town Manager's Designee.
 - viii. Kiosk may not exceed 15 feet in height exclusive of architectural and decorative features.
 - ix. Kiosks may not exceed 400 sq. ft in floor area.
 - x. Awnings or canopies, fixed or retractable, may extend in all directions beyond the kiosk enclosure itself with specific extent to be determined on a case-by-case basis by the Development Management.
 - xi. Kiosk construction must meet all applicable municipal building and life safety codes and shall be secure after business hours.
 - xii. Kiosks may have electrical, gas, water, cable TV/data, and/or telephone service. All utility services are to be routed underground (no overhead wiring/cabling is allowed).
 - xiii. Permanent signage pertinent to the primary business of the kiosk tenant may be mounted on the kiosk itself.
2. Environmental standards. Development and uses within the Property shall comply with all Town environmental standards including, but not limited to glare, noise, vibration, and odors.
 3. Utility Placement and Routing.
 - a. Utility Services shall be defined as electrical service and distribution, telecommunications, data and cabling, electrical service for street lighting, signal cabling and wiring, proprietary

cabling, natural gas service, water, sanitary sewer & storm sewer.

- b. Overhead utility lines are prohibited within the limits of the development.
- c. All utility lines within the limits of the development shall be placed underground from the provider connection into each serviced building and in general conformance with the location set forth in Exhibit "G".
- d. Major provider electrical distribution, natural gas distribution, and water utilities shall be routed below drive paving within public right-of-ways and/or public easements.
- e. Private utilities shall be routed through Serviceways and similar Circulation Zones and physical building separations internal to each block. Individual taps, meters, disconnects, and distribution should be located in these same areas, grouped in a purposeful and planned manner, easily accessed for reading and service, but visually screened into alcoves, fenced enclosures, or similar areas.



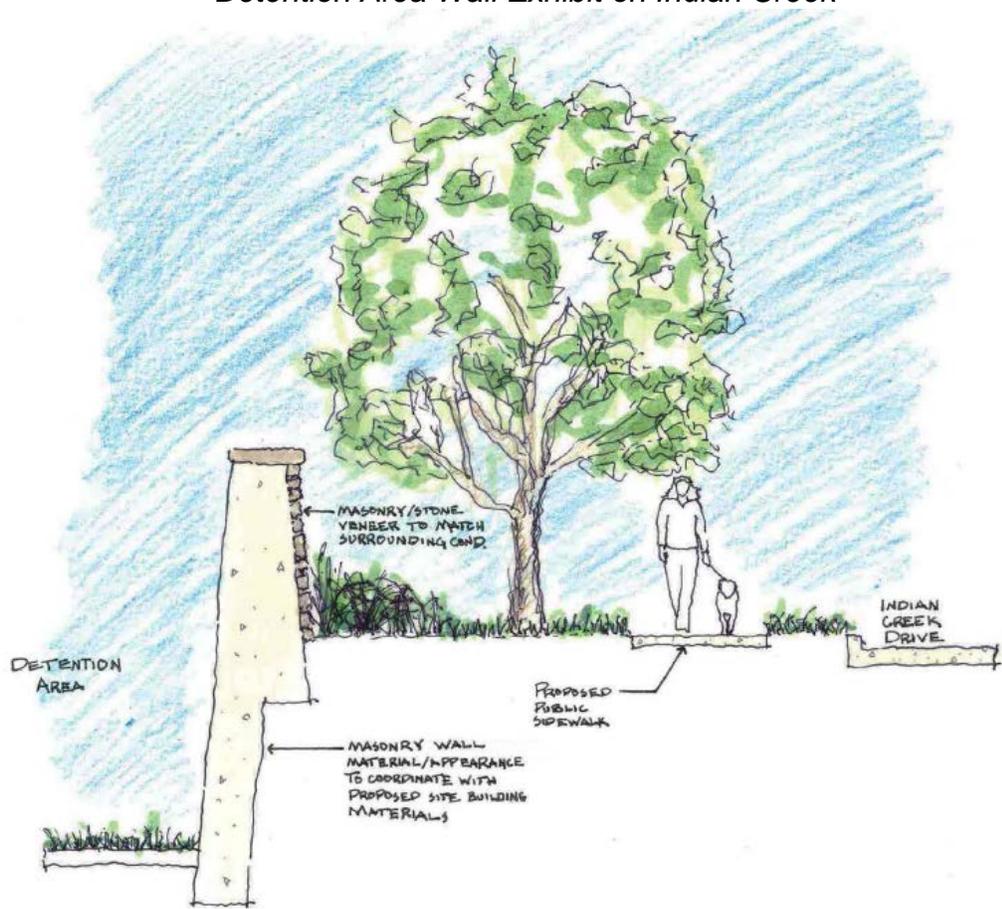
I. LIGHTING.

1. Exterior lighting shall be architecturally integrated with the building's style, material, and color.
2. Lighting intensities shall be controlled to ensure that excessive light spillage and glare are not directed toward neighboring areas and motorists.
3. Pedestrian level lighting of building entrance-ways shall be provided.
4. Illuminations of portions of buildings, direct or indirect, may be used for safety or aesthetic results.
5. Lighting shall not exceed zero foot candles at property line.

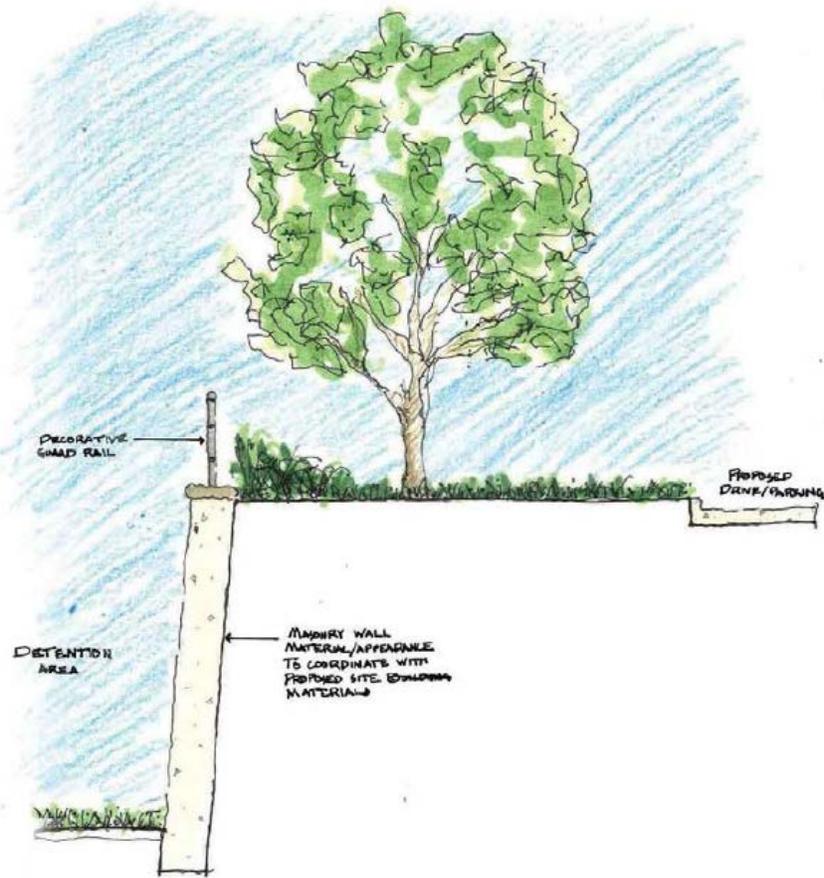
J. DESIGN AND LOCATION OF STORMWATER DETENTION FACILITIES.

1. Detention facilities shall be utilized to reduce peak discharges where conditions prevent conveying storm water to an adequate discharge point. Detention facilities shall be privately maintained.
2. Location of any detention facility shall be consistent with the recommendations of the accepted flood and drainage study for the site and shall be indicated on the final site plan and final plat.
3. Any detention facility shall require the final approval of the Town Engineer.
4. The wall facing Indian Creek Drive shall be consistent with the exhibits shown below:
5. Where wrought iron fences are present surrounding the detention area, these fences shall be screened with a living screen with a minimum height of 42 inches, excluding access gates.

Detention Area Wall Exhibit on Indian Creek



Detention Area Wall Exhibit on all other sides not on Indian Creek



III. PROCEDURES

A. Summary of the Process.

1. PD Standards. Development of the Property shall comply with the standards set forth in this Ordinance and with all other Town regulations not otherwise in conflict with these planned development regulations.
2. Concept Plan. Development of the Property shall generally comply with the Concept Plan attached hereto, including all modifications as authorized and approved by this Ordinance.
3. Preliminary Site Plan. Development of the Property shall generally comply with the Preliminary Site Plan attached as Exhibit "I" The Preliminary Site Plan is subject to change with staff approval after design charette process. Town Staff shall approve a modified Preliminary Site Plan if it complies with the standards set forth in the planned development district.
4. Site Plan and Facade Plans. Applicant shall submit a Site Plan and Façade plans for each phase of development to Town Staff for approval. Development of the Property shall comply with the Site Plan and Facade plans approved by the Staff as set forth herein.
5. Phasing. Each phase of development shall comply with steps 3 and 4 of this Section III. A.

B. Concept Plan.

1. Information to be provided on the Concept Plan shall comply with the standards set forth in this Ordinance and all other applicable Town Ordinances and shall include:
 - i. the general location for proposed land uses;
 - ii. delineation of all undeveloped open areas except for required yards, landscaped areas, areas unobstructed to the sky, and open recreation facilities such as tennis courts and swimming pools;
 - iii. indication of maximum heights for all structures in feet and stories;
 - iv. location of all proposed screening between the site and adjacent property;
 - v. location of minimum building setbacks along the site boundaries, on dedicated streets;

- vi. approximate location of major access points and rights-of-way to be dedicated to the Town; and
- vii. indication of each phase of development if separate phases are proposed.

2. There shall be no expiration date for an approved Concept Plan.

C. Modified Preliminary Site Plan.

- 1. A request for a modified Preliminary Site Plan shall be submitted and may be approved by Town Staff as set forth herein.
- 2. Modified Preliminary Site Plans shall contain the following information:
 - i. Delineation of the Property;
 - ii. Proposed public rights-of-way;
 - iii. Proposed uses;
 - iv. General building footprints, and locations of vehicle and pedestrian ingress and egress;
 - v. Total number of dwelling units proposed;
 - vi. General location of parking;
 - vii. General location of parks and open space with the general locations of existing tree clusters; and,
- 3. Process:
 - i. The Applicant shall submit the Modified Preliminary Site Plan and general facade standards to the Town Staff.
 - ii. The Town Staff shall review the documents. If Town Staff determines that the Modified Preliminary Site Plan complies with the Concept Plan and the provisions of this planned development district, Town Staff shall approve the Modified Preliminary Site Plan. If the Modified Preliminary Site Plan does not comply with this Ordinance, Town Staff shall specify the deficiencies.
 - iii. Town Staff shall return one copy of the Modified Preliminary Site Plan to the Applicant with review comments which indicate the noncompliance from this Ordinance or any non-compliance with

prevailing standards of health, safety, welfare, or infrastructure standards of the Town.

- iv. Town Staff shall review the re-submittal and respond whether all deviations, previously noted, have been clarified and/or corrected. Should Town Staff determine that the re-submittal complies with this Ordinance's requirements, Town Staff shall approve the Modified Preliminary Site Plan or repeat the notice of noncompliance set forth above.
- v. The Applicant may appeal any Town Staff decision to the Planning and Zoning Commission, which shall review the Modified Preliminary Site Plan and make a recommendation of approval to the Town Council if the Commission determines that the Modified Preliminary Site Plan conforms to the Concept Plan and the provisions of this planned development district. The Town Council shall review the Modified Preliminary Site Plan and the recommendation of the Commission, and upon making a determination that the Modified Preliminary Site Plan conforms to the Concept Plan and the provisions of this planned development district Town Council shall approve the Modified Preliminary Site Plan. No public hearing or landowner notification shall be required for the appeal process authorized by this subsection.
- vi. There shall be no expiration date for an approved Modified Preliminary Site Plan.

D. Site Plan.

1. Prior to the issuance of a building permit application for a building to be constructed on the Property, a Site Plan shall be approved as set forth herein.
2. Site Plans shall contain the following information:
 - i. Metes and Bounds of Site Plan area;
 - ii. Proposed Lot lines;
 - iii. Proposed Public Rights-of-way with curbing, sidewalk, street tree locations and parking space indicated. The drawing shall also show the location of existing or proposed traffic signals, location of existing or proposed median cuts, acceleration/deceleration lanes, and turn lanes with traffic control signage and a description of special paver treatment if proposed.

- iv. Proposed uses.
 - v. Building footprints, gross area in square feet per floor and cumulative area of all floors, number of floors above and below grade, and proposed uses for each floor, and all locations of vehicle and pedestrian ingress and egress to all proposed blocks and buildings and parking areas.
 - vi. Total number of dwelling units proposed and the square footage of each of the proposed dwelling units.
 - vii. Parking: On-street parking shown with parking counts, surface parking shown with parking counts, garage parking shown with parking counts. Parking Counts shall be shown by block and in total and the parking demand shall be shown by block and in total. For purposes of calculating parking, the entire property shall be considered one lot.
 - viii. Parks, Open Space and trails shall be shown with calculation of areas to confirm compliance with these regulations. Landscape plans are not required, but the Site Plan shall show the approximate number of proposed trees to be planted and general locations of existing tree clusters, providing average size and number and indication of species.
 - ix. Proposed and existing grading in 1'0" contour lines.
 - x. Dumpster locations and proposed screening devices.
 - xi. Location, size and lighting of Project Identification Sign(s), Monument Sign(s), Kiosks in public ROW's, or other major feature readily visible from viewpoints off-site.
3. Process.
- i. The Applicant shall submit the required number of copies of the Site Plan to the Town Staff.
 - ii. Town Staff shall review the documents to determine if they comply with the Concept Plan, Preliminary Site Plan and the provisions of this planned development district. If Town Staff determines that the Site Plan complies with the Concept Plan, Preliminary Site Plan and the provisions of this planned development district, Town Staff shall approve the Site Plan. If Town Staff determines that the Site Plan does not comply with this Ordinance, Town Staff shall specify the deficiencies.

- iii. Town Staff shall return one copy of the Site Plan to the Applicant with review comments which indicate the noncompliance from this Ordinance or any non-compliance with prevailing standards of health, safety, welfare, or infrastructure standards of the Town.
- iv. Town Staff shall review the re-submittal and respond whether all deviations, previously noted, have been clarified and/or corrected. Should Town Staff determine that the re-submittal complies with this Ordinance's requirements, Town Staff shall approve the Site Plan or repeat the notice of noncompliance set forth above.
- v. The Applicant may appeal any Town Staff decision to the Planning and Zoning Commission which shall review the Site Plan and make a recommendation of approval to the Town Council if the Commission determines that the Site Plan conforms to the Concept Plan, Preliminary Site Plan, and the provisions of this planned development district. The Town Council shall review the Site Plan and the recommendation of the Commission, and upon making a determination that the Site Plan conforms to the Concept Plan, Preliminary Site Plan and the provisions of this planned development district, Town Council shall approve the Site Plan. No public hearing or landowner notification shall be required for the appeal process authorized in this subsection.
- vi. There shall be no expiration date for an approved Modified Preliminary Site Plan.

E. Facade Elevations.

1. Development of the Property shall comply with Facade Elevations which substantially comply with the standards set forth herein and with all other Town regulations not otherwise in conflict with these planned development regulations. Facade Elevations are required to be submitted by an owner, developer, or subdivider and reviewed and approved by the Town Staff prior to the issuance of a building permit. Facade Elevations may be submitted individually for separate buildings rather than for all structures to be constructed on the Property.
2. Submittal requirements for Facade Elevations shall include:
 - i. Data block including project name, legal description (Town, county, state, survey and abstract, subdivision, lot and block, existing and proposed zoning, overlay districts), gross acreage, drawing title, drawing scale, preparation/revision and submission dates, contact information (name, address, phone, and email) of the property owner, architect, engineer, surveyor, and landscape architect.

- ii. Elevations of every side of every building shown on the Site Plan, drawn at a scale sufficient to depict building detail. Small scale drawings may be supplemented with large scale portions of the building facade.
 - iii. Location plan keying the drawings of the elevations to their location within the site plan and the extent of the proposed facade on each building.
 - iv. Identification and tabulation of ground floor areas relative to residential or non-residential uses.
 - v. Identification and area tabulation of material finishes, including areas of glass, masonry, and EIFS. Tabulation does not include sloping roof surfaces.
 - vi. Windows, window and door jamb, sill and head dimensions, balconies, balcony rail details, finishes, and parapets.
 - vii. Roof in elevation or plan, as appropriate, with slopes and material identifications.
 - viii. Identification and dimension of floor levels.
 - ix. Vertical property lines through buildings where applicable.
3. Process.
- i. The Facade Elevation submittal shall be reviewed by Town Staff for compliance to design requirements cited in this Ordinance.
 - ii. Town Staff shall review the submittal and respond whether the Facade Elevations meet the standards set forth by this Ordinance or shall specify the deficiencies. Should Town Staff determine that the submittal complies with this Ordinance's requirements, Town Staff shall approve the Facade Elevations, the submittal shall be so noted "Approved", with copies retained by Town Staff for Town records, and one (1) copy returned each to the Property Owner and Designer. Once the Facade Elevations has been reviewed and approved, then the Applicant may apply for a building permit.
 - iii. Should Town Staff identify items that are not compliant, one copy of the Facade Elevations shall be returned to the Property Owner with review comments which indicate the noncompliance from this Ordinance or any non-compliance with prevailing codes or Ordinances.

- iv. Town Staff shall review the re-submittal and respond whether all deviations, previously noted, have been clarified and/or corrected. Should Town Staff determine that the re-submittal complies with this Ordinance's requirements, Town Staff shall approve the Façade Elevations, the re-submittal shall be so noted "Approved", with copies retained by Town Staff for Town records, and one (1) copy returned each to the Property Owner and Applicant's Designer.
- v. The Applicant may appeal any decision of Town Staff to the Planning and Zoning Commission. The Planning and Zoning Commission shall review and make a recommendation of approval to the Town Council if the Commission determines that the Facade Elevations conform to the Site Plan and the provisions of this planned development district. The Town Council shall review the Facade Elevations and the recommendation of the Commission, and upon making a determination that, the Facade Elevations conform to the Site Plan and the provisions of this planned development district, the Council shall approve the Facade Elevations.
- vi. Once the Site Plan and Facade Elevations have been approved, Construction Documents and Specifications may be reviewed for building permit in accordance with the Town's Building Code.
- vii. There shall be no expiration date for an approved Facade Elevation, other than the specified expiration periods that apply to all Preliminary Plats and Final Plats.

F. Process for Minor Modifications to the Concept Plan, Preliminary Site Plan, Site Plan or Facade Elevations.

1. Minor modifications to the Concept Plan, Preliminary Site Plan, Site Plan or Facade Elevations including, but not limited to components, colors, locations, extent, number, size, area, and detailing, may be approved administratively by Town Staff, provided, however that Town Staff may not approve any one or more of the following:
 - i. A requested land use that is not expressly allowed under this planned development district;
 - ii. A proposed modification that increases maximum densities permitted under this planned development;
 - iii. A proposed modification that increases maximum heights permitted under this planned development; and/or,

- iv. A proposed modification that changes required parking count except as otherwise specifically provided for in this ordinance.
2. Changes to accommodate the requirements of a Tenant may be considered a minor modification provided the changes comply with this Ordinance and all applicable codes and Ordinances.
3. Minor modifications as described above shall be incorporated into the construction documents prepared for building permits, and considered to comply with the approved Site Plan and Facade Elevations reviews and approvals.
4. The Applicant may appeal any decision of the Town Staff to the Planning and Zoning Commission. The Planning and Zoning Commission shall review and make a recommendation of approval to the Town Council if the Commission determines that the proposed modification satisfies the standards set forth in this ordinance. The Town Council shall approve the proposed modification if the Council determines that the modification satisfies the standards set forth in this ordinance.