

CITY OF CELINA, TEXAS

ORDINANCE 2020-28

STEARMAN

PLANNED DEVELOPMENT #107

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS, AMENDING ORDINANCE NO. 2006-57, AS HERETOFORE AMENDED, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY DESIGNATING THE ZONING OF LAND THAT IS AN APPROXIMATELY 138 ACRE TRACT OF LAND LOCATED IN THE JOHN RAGSDALE SURVEY, ABSTRACT NO. 734, CITY OF CELINA, COLLIN COUNTY, TEXAS, AND GENERALLY LOCATED WEST OF DALLAS NORTH TOLLWAY AND SOUTH OF THE FUTURE COLLIN COUNTY OUTER LOOP, WITHIN THE CITY LIMITS; AS DESCRIBED IN EXHIBIT “A” AND INCORPORATED HEREIN TO BE ZONED “PD” PLANNED DEVELOPMENT DISTRICT NO. 107; PROVIDING FOR INCORPORATION OF PREMISES, FINDINGS, AMENDMENT OF ZONING CLASSIFICATION, ZONING DESIGNATION AND DEVELOPMENT REGULATIONS, REVISION OF ZONING MAP, COMPLIANCE; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00 PER OFFENSE AND OTHER ENFORCEMENT MECHANISMS; PROVIDING CUMULATIVE REPEALER, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Celina is a home rule municipality located in Collin and Denton County, Texas created in accordance with the provisions of the Texas Local Government Code, The Texas Constitution and operating pursuant to the enabling legislation of the state of Texas; and

WHEREAS, the City Council of the City of Celina, Texas is empowered under Local Government Code 54.001 to do all acts and make all regulations which may be necessary or expedient for the promotion of the public health, safety and general welfare; and

WHEREAS, Section 211.003 of the Texas Local Government Code, empowers a municipality to, among other things, establish and amend zoning districts, classifications of land use, adopt a comprehensive plan to regulate the use of land and open spaces, adopt and amend zoning regulations, regulate population density, and regulate the use and location of buildings; and

WHEREAS, the establishment of a zoning classification has been requested for the property more specifically described in Exhibit “A” attached hereto and incorporated as though fully set forth herein (the “Property”); and

WHEREAS, the Concept Plan and Development Regulations set forth in Exhibit “B” and Exhibit “C”, attached hereto and incorporated herein, define the base zoning districts and provide for certain modifications to such district regulations.

WHEREAS, the City Council has considered, among other things, the character of the property and its suitability for particular uses, with a view of encouraging the most appropriate use of land in the City, and is in the interest of public health, safety, and welfare, and does hereby find that the requested zoning accomplishes such objectives and is consistent with the provisions of the 2030 Comprehensive Plan of the City of Celina; and

WHEREAS, the Planning and Zoning Commission of the City of Celina and the City Council of the City of Celina, in compliance with the laws of the State of Texas and the ordinances of the City of

Celina, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof; and

WHEREAS, the City Council, in the exercise of its legislative discretion has concluded that the zoning classification on the tract of land described herein should be changed and the zoning map so amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CELINA, 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
FINDINGS

After due deliberations the City Council has concluded that the adoption of this Ordinance is in the best interest of the City of Celina, Texas and of the public health, safety and welfare.

SECTION 3
AMENDMENT OF ZONING CLASSIFICATION

That Ordinance No. 2006-57 of the City of Celina, Texas, as heretofore amended, the same being the City's Comprehensive Zoning Ordinance, is hereby amended to establish the zoning classification for the Property as "PD" Planned Development District No. 107 and is subject to the following PD regulations, which exhibits are incorporated as if fully set forth herein:

- Exhibit B: Concept Plan
- Exhibit C: Development Regulations

SECTION 4
ZONING DESIGNATION AND DEVELOPMENT REGULATIONS

That Ordinance No. 2006-57 of the City of Celina, Texas, as heretofore amended, the same being the City's Comprehensive Zoning Ordinance, is hereby amended by designating the zoning on the land, depicted in Exhibit "A" attached hereto and incorporated herein as PD No. 107, and incorporates the Concept Plan attached hereto as Exhibit "B" and the Development Regulations attached hereto as Exhibit "C."

SECTION 5
REVISION OF ZONING MAP

That the City Manager for the City of Celina is hereby directed to mark and indicate on the official Zoning District Map of the City the zoning change herein made.

SECTION 6
COMPLIANCE REQUIRED

That the property depicted on Exhibit "A" hereto shall be used only in the manner and for the purposes provided for in this ordinance and the Comprehensive Zoning Ordinance, of the City of Celina as amended.

SECTION 7

PENALTY

7.01 Any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Code of Ordinances as amended hereby, shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Celina, and upon conviction shall be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense.

7.02 If the governing body of the City of Celina determines that a violation of this Ordinance has occurred, the City of Celina may bring suit in district court to enjoin the person, firm, partnership, corporation, or association from engaging in the prohibited activity.

SECTION 8 **CUMULATIVE REPEALER CLAUSE**

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. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 9 **SAVINGS CLAUSE**

All rights and remedies of the City of Celina, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting zoning regulation 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 court.

SECTION 10 **SEVERABILITY**

The provisions of the Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the City shall promptly promulgate new revised provisions in compliance with the authority's decisions or enactment.

SECTION 11 **PUBLICATION CLAUSE**

The City Secretary of the City of Celina is hereby directed to publish in the Official Newspaper of the City of Celina the Caption, and Effective Date of this Ordinance as required by Section 52.013 of the Local Government Code.

SECTION 12 **ENGROSSMENT AND ENROLLMENT**

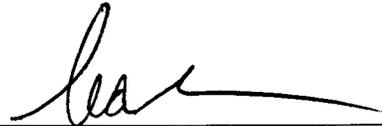
The City Secretary is hereby directed to engross and enroll this Ordinance by copying the descriptive Caption in the minutes of the City Council and by filing this Ordinance in the Ordinance records of the City.

SECTION 13
EFFECTIVE DATE

This Ordinance shall become effective from and after its date of passage and publication as required by law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED by the City Council of the City of Celina, Texas this 14th day of April, 2020.



Sean Terry, Mayor
City of Celina, Texas

ATTEST:



Vicki Tarrant, City Secretary
City of Celina, Texas



[SEAL]

APPROVED AS TO FORM:



City Attorney
City of Celina, Texas

Exhibit A Legal Description

BEING a tract of land situated in the John Ragsdale Survey, Abstract No. 734, Collin County, Texas and being part of a called 103.61 acres tract described in a Special Warranty Deed to Central Frisco, LTD., as recorded in Instrument No. 20061031001557890 of the Official Public Records of said county, part of a called 39.532 acres tract described in a Warranty Deed to Celina Stearman 39, LP, as recorded in Instrument No. 20070605000757520 of said Official Public Records, and all of a called 2.042 acres tract described in a Street Right-Of-Way Deed to the City of Celina, Texas, as recorded in Instrument No. 20190642000671040 of said Official Public Records, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the southerly right-of-way line of Collin County Outer Loop, a variable width right-of-way, on the common line dividing the west line of said 39.532 acres tract and an east line of a called 525.531 acres tract described in a Special Warranty Deed with Vendor's Lien to Tollway/Outer Loop, L.P., as recorded in Instrument No. 20140827000927470 of said Official Public Records;

THENCE North 89°32'05" East, leaving said common line and along the southerly line of said Collin County Outer Loop, a distance of 893.05 feet to a point at the beginning of a non-tangent curve to the right having a central angle of 40°53'07", a radius of 1017.91 feet, a chord bearing and distance of South 47°58'35" East, 711.05 feet;

THENCE in a southeasterly direction, continuing along the southerly line of said Collin County Outer Loop and with said curve to the right, an arc distance of 726.37 feet to a point at the end of said curve, said point being in the westerly line of Dallas North Tollway, a variable width right-of-way;

THENCE along the westerly right-of-way line of said Dallas North Tollway, the following courses and distances:

South 08°37'15" East, a distance of 704.27 feet to a point for corner;

South 08°36'04" East, a distance of 1,565.48 feet to a point at the beginning of a tangent curve to the left having a central angle of 03°01'46", a radius of 5744.58 feet, a chord bearing and distance of South 10°07'20" East, 303.71 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 303.75 feet to a point for corner;

South 11°38'13" East, a distance of 130.74 feet to a point at the beginning of a tangent curve to the right having a central angle of 15°28'15", a radius of 1417.40 feet, a chord bearing and distance of South 3°54'05" East, 381.56 feet;

In a southeasterly direction, with said curve to the right, an arc distance of 382.72 feet to a point for corner;

South 03°50'03" West, a distance of 1320.00 feet to a point at the beginning of a tangent curve to the right having a central angle of 24°40'30", a radius of 1417.40 feet, a chord bearing and distance of South 16°10'18" West, 605.71 feet;

In a southwesterly direction, with said curve to the right, an arc distance of 610.42 feet to a point for corner;

South 28°30'33" West, a distance of 473.37 feet to a point on a southerly line of the aforementioned 103.61 acres tract;

THENCE North 59°00'21" West, leaving said westerly right-of-way line and along the southerly line of said 103.61 acres tract, a distance of 37.14 feet to a point at the beginning of a tangent curve to the left having a central angle of 31°36'14", a radius of 430.00 feet, a chord bearing and distance of North 74°48'29" West, 234.19 feet;

THENCE in a northwesterly direction, continuing along the southerly line of said 103.61 acres tract and with said curve to the left, an arc distance of 237.19 feet to a point for corner;

THENCE South 89°23'23" West, continuing along the southerly line of said 103.61 acres tract, a distance of 171.49 feet to a point for corner;

THENCE North 00°36'37" West, along the westerly line of said 103.61 acres tract, a distance of 3779.55 feet to a point for corner, said point being the northeast corner of Tract 1, a called 182.598 acres tract described in a Quitclaim Deed to Two-J Partners, LLLP, as recorded in Instrument No. 20080509000562500 of said Official Public Records and the southwest corner of the aforementioned 39.532 acres tract;

THENCE South 89°51'05" West, along the common line dividing the south line of said 39.532 acres tract and the north line of said 182.598 acres tract, a distance of 888.51 feet to a point for the southwest corner of said 39.532 acres tract and a southeast corner of the aforementioned 525.531 acres tract;

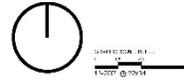
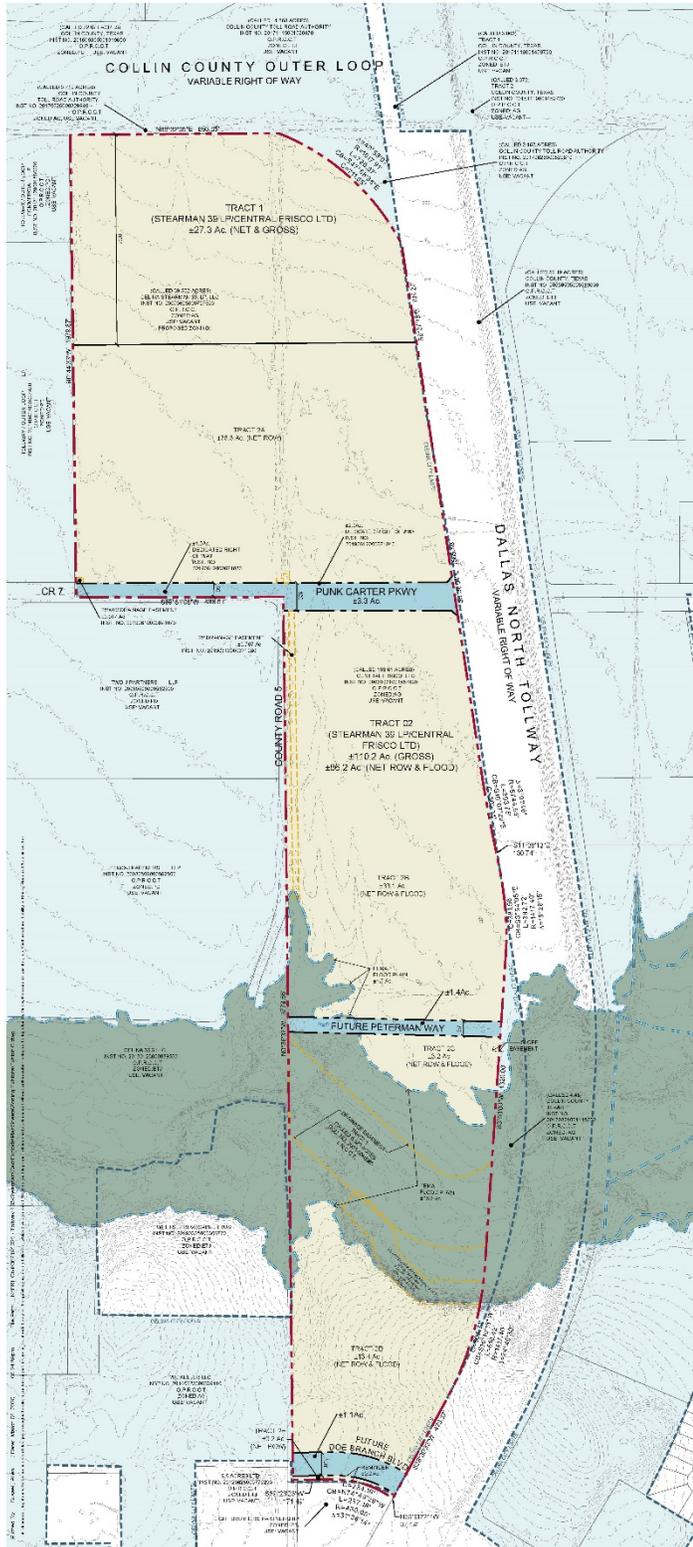
THENCE North 00°44'33" West, along the common line dividing the west line of said 39.532 acres tract and the east line of said 525.531 acres tract, a distance of 1979.87 feet to the **POINT OF BEGINNING** and containing 137.501 acres (5,989,557 square feet) of land, more or less.

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

Michael B. Marx
Registered Professional Land Surveyor No. 5181
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Ph. 972-335-3580
michael.marx@kimley-horn.com



Exhibit B Concept Plan



Tract 1	
Tract 1 Gross Area	27.3

Tract 2	
Tract 2A	17.3
Right of Way: Punk Carter Parkway	3.3
Tract 2B	11.02
FEMA Floodplain	1.5
Right of Way: Peterman Way	1.4
Tract 2C	14.2
FEMA Floodplain	1.7
Tract 2D	13.4
Right of Way: Doe Branch Boulevard	1.1
Tract 2E (Area under south of Doe Branch Boulevard)	1.2
Tract 2 Gross Area	116.2
Tract 2 Net of Rights of Way and FEMA Floodplain	86.2
Total Area	137.5

NOTE:
 1. ALL FLOODPLAIN AREAS ARE BASED ON THE 100-YEAR FLOODPLAIN AND ARE NOT TO BE CONSIDERED AS A BASIS FOR DESIGN.
 2. ALL FLOODPLAIN AREAS ARE BASED ON THE 100-YEAR FLOODPLAIN AND ARE NOT TO BE CONSIDERED AS A BASIS FOR DESIGN.
 3. ALL FLOODPLAIN AREAS ARE BASED ON THE 100-YEAR FLOODPLAIN AND ARE NOT TO BE CONSIDERED AS A BASIS FOR DESIGN.



EXHIBIT "C" - CONCEPT PLAN Stearman & Central Frisco LTD

APPLICANT / OWNER:
 STEARMAN & CENTRAL FRISCO LTD
 10000 STEARMAN BLVD
 FORT WORTH, TX 76134
 (817) 335-1100
 www.stearmanandcentral.com

ENGINEER / SURVEYOR:
 KIMLEY-HORN ASSOCIATES
 10000 STEARMAN BLVD
 FORT WORTH, TX 76134
 (817) 335-1100
 www.kimley-horn.com



Exhibit C Development Regulations

Development within this Planned Development (PD) District will follow the regulations outlined below and meet the intent of the Concept Plan that is attached as Exhibit B and the permitted uses as noted herein. Any significant changes to the land uses set forth herein shall require approval of the City of Celina Planning & Zoning Commission, as well as the City of Celina City Council as outlined in Sec. 14.01.303.

These planned development standards are established to provide areas for mixed-use development, encourage and promote well-planned, compact and viable retail/commercial development, large scale office, or high-density multi-family.

All development within Tract 1 (see Exhibit B) shall meet the standards of the Dallas North Tollway Overlay (High Rise Subzone) zoning district as established in the City of Celina Zoning Ordinance, with the exceptions noted herein. All development within Tract 2 (see Exhibit B) shall meet the standards of the Dallas North Tollway Overlay (Suburban Subzone) zoning district as established in the City of Celina Zoning Ordinance, with the exceptions noted herein.

These planned development regulations will hold precedence over any conflicting regulations created by the Dallas North Tollway Overlay District, the Collin County Outer Loop Overlay District, the Zoning Ordinances, etc.

- (a) **Permitted Uses:** The following uses are allowed by right or by the approval of a Specific Use Permit (SUP) as noted herein. Other uses may be allowed, as allowed within the specific zoning district or the base zoning designation of the Planned Development, as applicable (see the Schedule of Uses Chart).

Schedule of Permitted Uses ¹		
<i>Land Use</i>	<i>Tract 1 (High Rise)</i>	<i>Tract 2 (Suburban)</i>
Alcohol Sales, Primary	S	S
Alcohol Sales, Secondary	P	P
Assisted Living		S
Auto Laundry or Carwash	S	S
Auto Repair, Minor		S
Auto Sales, Accessories Only		P
Auto Wash, Secondary Use		S
Bank, Savings & Loan, or Credit Union		P
Batch Plant, Temporary	C	C
Child Daycare (business)	S	P
Church/Place of Worship		P
Club, Private (Class I and II)	S	S
Commercial Amusement, all types	S	P
Dwelling, Senior Living, all types		S
Funeral Home/Mortuary		S
Funeral Home (without crematorium)		S
Gas Pumps/Fuel Sales, incl convenience stores, gas stations, etc ²		P
Greenhouse or Nursery, Retail		P
Hardware Stores/Home Garden Center		P
Helistop	S	S

Hospital	S	P
Hotels ^{3 & 4}	P	P
Kiosk (providing a service, must have a principal use)	S	S
Laundry/Dry Cleaning, Pickup Station	S	P
Manufacturing and Industrial Uses, Light		S
Media Studio (without tower)		P
Medical Facilities (secondary / ancillary)	P	P
MF-1, Multi-Family Garden Style ⁵		S
MF-2, Multi-Family Urban Edge ⁵		P
MF-3, Multi-Family Urban Living ⁵	P	P
Microbrewery Sales and Consumption (onsite mfg)	S	S
Mini Warehouse & Self-Storage ⁶		S
Municipal Uses Operated by the City of Celina	P	P
Nurse (retail sales outdoor)	S	S
Office, all types	P	P
Outdoor Display – Sales	S	S
Parking Structure	P	P
Research Lab (nonhazardous)	S	S
Restaurant, Dine-In	P	P
Restaurant, Drive-In or Drive-Thru	S	P
Restaurant, Pick-Up or Delivery Only	S	P
Seasonal Sales	S	S
Single Family Attached (Townhomes or other similar products)		S
Store, Big Box ⁷	S	P
Store, General Retail	S	P
Store, Grocery	S	P
Store, Shopping Centers ⁸	S	P
Stores, Regional Mall ⁹	P	P
Theater, Indoor ¹⁰	P	P
Veterinarian (indoor kennels)		P

1. Other similar/complimentary uses may be approved by the City in addition to the specific uses noted herein. Other uses consistent with an urban mixed-use environment may be approved by the City with a Specific Use Permit.
2. A maximum of 3 separate facilities are allowed by right (excluding fueling stations that are allowed as accessory uses herein). Additional facilities may be allowed by the City with a specific use permit process.
3. Must have a minimum height of 4 stories in Tract 1.
4. The Extended Stay use is limited to Tract 2 only with an SUP.
5. Age restricted senior living is allowed within this multiple family use.
6. Must be a majority climate controlled and majority 2 story minimum in height.
7. A “Big Box” is defined as a major department store, a full-service grocery store, or similarly sized business and may include accessory fueling station facilities.
8. “Shopping Centers” are defined as generally one-to-two story and linear in form, with parking at the front and associated pad sites nearer the roadway.
9. “Regional Malls” are defined as a one or more story building containing shops either with an air-conditioned court/walkways (examples are Stonebriar Mall or The Galleria Mall) or with outdoor walkable areas (such as Fire Wheel Center or Fairview Town Center).
10. On Tract 1, the use is permitted by right only if integrated into a mixed use environment. Otherwise, on Tract 1, the use requires an SUP

(b) Development Regulations:

1. Residential Density:

- A) Multiple-family units (Urban Living Style), minimum forty (40) dwelling units per acre with no maximum.

- B) Multiple-family units (Urban Edge Style), maximum thirty-five (35) dwelling units per acre.
- C) Multiple-family units (Garden Style), maximum twenty-four (24) dwelling units per acre.
- D) Single Family Attached (Townhomes), maximum twelve (12) dwelling units per acre.

2. Open Space:

- A) All multi-family districts require twenty percent (20%) of the gross acreage as open space with a minimum of fifty percent (50%) of that open space being “usable open space,” as defined in Section 14.01.115, *Other Zoning Ordinance Definitions*. Any open space area shall be platted as a common area lot, be owned and maintained by the owner or management firm and be designated with an “X” on the plat. Open space should be located to preserve existing trees and other desirable physical features. Detention/retention ponds may count towards up to 50% of the “useable open space” if amenitized and acceptable as determined by the City at the time of approvals for the preliminary site plan.
- B) MF-3 districts are subject to twenty percent (20%) open space of the building footprint (rather than the gross acreage of MF-1 and MF-2 districts). The Director has the discretion to reduce this percentage if conditions dictate that reducing the open space will be in the best interest of the City.
- C) It is expected that some or all of the shared amenities for MF-3 developments will be provided within interior spaces. Therefore, the open space requirement for this type of multi-family development may be reduced by the amount of shared interior open space provided, such as interior or rooftop swimming pools, sports courts, community rooms, etc.
- D) Non-residential developments have no open space requirements beyond the standard landscape buffers, landscape islands, etc. This requirement does not preclude the requirements related to detention/retention facilities as specified in the City’s engineering standards.

3. Setbacks:

ARTICLE II, PART FOUR, TABLE 1A		
SETBACKS AND LANDSCAPE BUFFERS ADJACENT TO SINGLE-FAMILY		
<i>Structures – Number of Stories</i>	<i>Setback from Adjacency to SF</i>	<i>Buffer Width within Setback</i>
1 or 2 story	40 feet	20 feet
3+ story	60 feet	30 feet

Note 1. Parking and/or drive aisles may be located within the setback, but not within the buffer.

Note 2. Refer to Section 14.04.207(c) for landscaping requirements within buffers.

ARTICLE II, PART FOUR, TABLE 1B		
SETBACKS AND LANDSCAPE BUFFERS ADJACENT TO OTHER THAN SINGLE-FAMILY DISTRICTS		
<i>Structures – Number of Stories</i>	<i>Setback from Adjacency to Other than SF</i>	<i>Buffer Width within Setback</i>
1+ story	10 feet	10 feet

Note 1. Parking and/or drive aisles may be located within the setback, but not within the buffer.

Note 2. Refer to Section 14.04.207(c) for landscaping requirements within buffers.

Additional Notes:

1. There is no setback requirement when the building is attached.
2. The front setback for non-residential buildings is a minimum 20’
3. The front yard setback may be reduced to a minimum of fourteen (14) feet behind the face of curb in an urban mixed-use environment upon approval by the City at the time of approvals for the preliminary site plan/preliminary plat.
4. If setbacks are less than the required landscape buffers along ROW’s, the greater setback/buffer will take precedence.
5. The required buffer may be adjusted by the City at the time of development, if the use is integrated into a mixed use/urban environment.

4. Heights:

- A) There is no maximum height limitation in Tract 1.
- B) There is a minimum height limitation in Tract 1 of two (2) stories unless otherwise approved by the City.
- C) The maximum height in Tract 2 for non-residential and urban living (MF 3) structures is seven (7) stories unless otherwise approved by the City. The minimum height is one (1) story.
- D) There is a maximum height of four (4) stories for garden style apartments.
- E) All buildings within an Urban Edge (MF 2) development shall be a minimum of two (2) stories in height and a maximum height of six (6) stories.
- F) All buildings within an Urban Living (MF 3) development shall be a minimum of four (4) stories in height.

5. Multiple Family Parking:

MULTI-FAMILY PARKING SPACES PER UNIT SIZE*	
<i>Type of Unit</i>	<i>Number of Spaces</i>
Studio	1.5
1 bedroom	1.5
2 bedrooms	2.0
3+ bedrooms	2.5
Total required spaces	No less than 1.6 spaces per dwelling unit overall

* Age restricted multifamily complexes can park at a ratio of 1 space per unit count, no matter what the size of an individual unit.

MULTI-FAMILY PERCENT OF ENCLOSED OR STRUCTURED PARKING	
<i>Type of Multi-Family</i>	<i>Minimum Percent of Enclosed or Structured Parking</i>
MF-1, Garden Style *	10%
MF-2, Urban Edge *	none required
MF-3, Urban Living	75%

*An increase in density of five percent (5%) for the total units allowed per net acre is permitted when at least fifty percent (50%) of the parking spaces are constructed as a combination of structured parking, covered parking, or enclosed parking (garage).

6. Multiple Family Amenities:

- A) MF-1 Garden Style - A minimum of four (4) of the following must be incorporated into each MF-1 development. A minimum of two (2) major amenities must be provided. The scale of the amenities as well as other comparable amenities shall be approved through the site plan approval process.
 - 1. Major amenities:
 - i. Dog park.
 - ii. Indoor exercise facility.

- iii. Jogging trail.
 - iv. Sport courts or fields (volleyball, baseball, tennis etc.).
 - v. Swimming pool.
2. Minor amenities:
- i. Gazebo.
 - ii. Improved picnic areas (with tables, grills, shading).
 - iii. Playground or tot lot.
 - iv. Splash pad.
 - v. Putting green.

B) *MF-2 Urban Edge* - A minimum of four (4) of the following must be incorporated into each MF-2 development. A minimum of two (2) major amenities must be provided. The scale of the amenities as well as other comparable amenities shall be approved through the site plan approval process.

1. Major amenities:
- i. Indoor exercise facility.
 - ii. Jogging trail.
 - iii. Sport courts or fields (volleyball, baseball, tennis etc.).
 - iv. Swimming pool.
2. Minor amenities:
- i. Gazebo.
 - ii. Improved picnic areas (with tables, grills, shading).
 - iii. Playground or tot lot.
 - iv. Splash pad.

C) *MF-3 Urban Living* - A minimum of three (3) of the following must be incorporated into each MF-3 development. A minimum of two (2) major amenities must be provided. The scale of the amenities as well as other comparable amenities shall be approved through the site plan approval process.

1. Major amenities:
- i. Indoor exercise facility.
 - ii. Indoor jogging trail.
 - iii. Sport courts or fields (volleyball, baseball, tennis etc.).
 - iv. Swimming pool.
 - v. Meeting room.
2. Minor amenities:
- i. Playground or tot lot.
 - ii. Splash pad.

7. Miscellaneous Requirements:

- A) No detailed concept plan is required beyond Exhibit B as provided herein.
- B) Alternative street sections are allowed in an urban mixed-use environment, subject to City approval (i.e. Director of Engineering and Director of Development Services) at the time of preliminary site plan/preliminary plat review and approvals.
- C) In MF-1 and MF-2, boats, campers, trailers, and other recreational vehicles shall be prohibited unless oversize parking areas are provided as a part of an approved site plan. This parking area shall not be used to meet the minimum parking requirements and shall generally not be visible from

a public street.

- D) Multiple family buildings with enclosed garages in MF-1 and MF-2, when adjacent to a public street, must face the garage doors internally to the development. Garage doors may not face a public street unless otherwise approved by the City at time of approval of the preliminary site plan/site plan.
 - E) Outdoor Sales: Large retail centers may include departments on the exterior of the air-conditioned portion of the building that allows for sales of additional goods and services including, but not limited to, plants and garden materials, equipment, tools, appliances, etc. When this option is utilized, the structure must be built of permanent materials and connected to the main building. Screening shall provide 85% opacity and be constructed with a dark grey mesh or other materials as approved by the City. Nothing shall be stored higher than the screening.
 - F) The common boundary between Tract 1 and Tract 2 may be adjusted to accommodate minor changes to actual development uses, not to exceed five (5) percent change in area of either Tract.
 - G) It is agreed that any prescriptive ROW for CR5 (north of Punk Carter) may be abandoned by the City at the time of development at the request of the landowner (developer). Any prescriptive ROW for CR5 (south of Punk Carter) may also be abandon at the time of development if agreed to by the City and/or the adjacent landowner.
 - H) Architectural Standards: The spirit and intent of the architectural standards, as outlined in Section 14.04.101 of the Development Code (as may be amended), shall apply to the property. These standards are not intended to prohibit architectural innovation, nor are they to mandate specific architectural styles and concepts. Rather, they are intended to provide for developments of enduring quality that provide visual character and intent. The provisions of this section shall be administered by the Director of Development Services who shall have the authority to approve any façade plan that is deemed to satisfy the spirit and intent of the requirements of this section to the extent possible. Alternative façade plans deemed to meet the intent of the requirements, including any minor deviations or waivers, and to make necessary interpretations regarding any subjectivity or frustrations of purpose contained within the requirements. Alternative architectural styles and/or concepts, deviations, waivers, etc. will not be unreasonably withheld.
- Façade orientations (i.e. layouts) to the single family do not apply. Buildings within a common development may have varying architectural styles, materials, colors, and/or detailing as long as they have similar quality, visual character, and interest.
- I) The thoroughfare alignments shown are for illustration purposes only and do not set the alignment(s), which will be determined at the time of the Final Plat.