

## DEVELOPMENT REGULATIONS

- I. **Tracts.** The Property shall be divided into two (2) tracts (collectively, the “Tracts” and each separately, a “Tract”) as shown on the Zoning Exhibit attached hereto as Exhibit “C”, which Zoning Exhibit identifies the general geographic location of permitted land uses within the Property. Each Tract shall contain the approximate number of acres shown on the Zoning Exhibit, but such acreage may be increased or decreased by 10%.
- II. **Tract One.** Tract One shall develop in accordance with Section 146-113 (“C3 – Regional Commercial District”) of the Zoning Ordinance, as amended.
- III. **Tract Two.** Tract Two shall develop in accordance with Section 146-113 (“C3 – Regional Commercial District”) of the Zoning Ordinance, as amended, except as follows:
  - a. **Additional Permitted Land Uses.** Uses permitted and developed in accordance with Section 146-81 (“MF-3 - Multiple Family Residential Medium-High Density District”) of the Zoning Ordinance, as amended, except as follows:
    - i. Residential density shall be 28 units per gross acre maximum, not to exceed 420 units;
    - ii. Minimum lot area shall be 1,500 square feet per unit;
    - iii. Building heights shall be 3 stories, not to exceed 45’;
    - iv. Required minimum rear yard setback shall be 25 feet;
    - v. Required minimum side yard setback shall be 20 feet.
  - b. **Parking.** The required parking shall be in accordance with Section 146-130 (“Parking”) of the Zoning Ordinance, as amended, except as follows:
    - i. Required off street parking shall be calculated at 1 space for each bedroom with an additional 0.2 parking spaces per unit;
    - ii. Required number of enclosed parking spaces shall be a minimum of not less than 30% of the total number of units and the additional 0.5 parking space for each enclosed space with a garage door is not required;
    - iii. Required number of covered parking spaces (carports) shall be not less than the number required to bring both enclosed and covered parking spaces to 50% of the total number of units.
  - c. **Screening.** A 6 foot masonry wall on the rear and sides of the property per Section 146-132(3)(b) of the Zoning Ordinance will not apply if a living screen in accordance with Section 146-135(e)(1)(f) is provided adjacent to residential uses or zones.
  - d. **Landscaping.** The required landscaping shall be in accordance with Section 146-135 of the Zoning Ordinance, except as follows:
    - i. If a mutual access easement is provided along the property line of two adjacent tracts, then the required 5’ vehicular use buffer per Section 146-135(f)(15) shall not apply for those portions where the mutual access easement exists ;
    - ii. If a park/open space area of at least one (1) acre is provided within Tract One that is adjacent and accessible to Tract Two, the required landscape

buffer along Tract One may be reduced to 15' extending from the property line or mutual access easement. Canopy trees located therein will be planted at a minimum of one tree per 50 linear feet. These trees may not be clustered.

- e. Amenities. The required amenities shall be in accordance with Section 146-139(f)(2) (“Multi-family residential site design”) of the Zoning Ordinance, as amended, except as follows:
  - i. The number of required amenities shall be increased by two (2) additional amenities.
- f. Certificate of Occupancy Requirements. In addition to the requirements to obtain a certificate of occupancy under Section 146-192 of the Zoning Ordinance, no permanent certificate of occupancy for any unit within Tract One may be issued until temporary certificates of occupancy have been issued for at least two (2) restaurants and one general commercial use within Tract One.