

DEVELOPER - City of McKinney 2018

Low Income Housing Tax Credit (LIHTC) Checklist

- When completing this checklist, please reference attached "Low Income Housing Tax Credits Resolution Policy"
- Developer provides:
 - #1 Is the project one linear mile or less from another LIHTC development? Does this development serve the same population?
 - #3 **Project characteristics:**
 - **Program and Owner Data:** project name, location, finance structure, program year, partnership name, general partner name, general partner owner,
 - **Project and Site Data:** census tract, site acreage, density (units/acre), allowable density per zoning, max. units per zoning,
 - **Building Data:** Unit Mix & Rents, total net rentable square footage, total overall square footage
 - #4: sponsor and developer information
 - Demographics of tenant population: #5 persons with special needs; #7 individuals with children, #8 eventual tenant ownership
 - #9: energy efficiency of the project
 - #10 Historic Impact: areas, sites, building or other structures
 - #12 Notification of Interested Parties
 - #13 and #14. Does **current** zoning of property constitute and approved land use? If not, is applicant in process of seeking appropriate zoning?

Attachments:

- Site plan
- Elevations
- 15 yr Operating Proforma
- Sources and Uses
- Executed Hold Harmless Agreement

Evergreen at McKinney 380 (McKinney Senior Community, L.P.)

Application for January 16 City Council support Resolution

Checklist for Resolution Policy

- 1- The proposed site on the north side of U.S. 380 east of proposed Stonebridge Parkway is not within one linear mile of a property financed with housing tax credits.
- 2- Housing needs characteristics- There currently is not a similar senior affordable property west of Central Expressway and north of 121. There are long waiting lists on similar properties throughout the Metroplex. Churchill Residential has developed and operates 2200 senior living units in this region that stay 100% leased.
- 3- This site is in a High Opportunity Area and is not in a Revitalization Area. It is new construction.
- 4- We are enclosing a resume showing applicant Churchill Residential experience. We have developed in the last 15 years the most number of similar properties of any company in North Texas. The Architect, Arrive Architectural group has produced more projects of this type than any architect in DFW. The attorney Coats Rose has the largest affordable housing practice in Texas. Churchill Residential Management has won #1 in the U.S. the last five years for customer satisfaction. The market study analyst Apartment Market Data does the most number of similar affordable housing market studies in Texas. The tax credit syndicator, NEF, is either the first or second largest tax credit syndicator in the U.S. Mark Messer, the land broker, lives in McKinney and has been on the Planning Board. The owners of the land have developed several market rate senior living communities and have been successful real estate investors. The general contractor, NE Construction, has built several properties for Churchill and is one of the largest developer/builder of apartments based in DFW. See attached list of Developer Information for email and phone contacts.
- 5- Many seniors are qualified to have special needs. We accommodate all special needs.
- 6- McKinney Housing Authority (MHA). The MHA may have voucher holders that will apply for residency. There will probably be a small percentage of units occupied by MHA clients based on our similar properties.
- 7- No children are allowed to live on Evergreen senior living properties.
- 8- The property will always be senior rental, rather than ownership.

9- We have many energy saving features noted below:

E-Star Appliances; Dishwasher/Refrigerator/Ceiling Fans/Lighting
Low Flow Faucets; Kitchen, Bathroom & Shower & Low Flow Commodes
HVAC/SEER greater than 14
R-15 Walls & R-30 Ceilings
Windows Energy Efficient Double Paned
Native plantings
Drip Irrigation
Individual Electric Meters
Landscape Sprinkler System
Automatic Switching power for all non-security exterior lighting
Green Seal V0E 11 paints/stains/sealant
Recycling Service (if available)
Radiant Barrier

10- This is a Greenfield site with no historic consequence.

11- We have confirmed with TDHCA that the city of McKinney does not have more than twice the state average of units per capita supported by housing tax credits or private activity bonds.

12- We will notify any nearby neighborhood HOA's, and all elected officials at the ISD, City, County and State level prior to January 9.

13- We are seeking a zoning determination letter but believe this site meets the comprehensive plan and is an allowed use in the current zoning code, with an SUP.

14- See enclosed hold harmless agreement and release signed by applicant.

15- This is a competitive 9% application and tax exempt bonds are not involved.

16- The development complies with all accessibility standards.

17- We believe the proposed development will not require any unusual impacts of city utility services, first responders, traffic, or environmental.

18- The project will submit to an evaluation and compliance with city health and safety codes

Additional Project Characteristics-

Project Name- Evergreen at McKinney 380

Location- North Side of U.S. 380 east of future Stonebridge Parkway extension.

Finance Structure- Housing tax credit equity, conventional bank financing for construction and permanent from large national bank like Capital One

Program year- 2018

Partnership Name- Evergreen Senior Community, L.P.

General Partner- Evergreen McKinney GP, L.L.C.

General Partner Owner- TBD

Site Size- Approximately 8 acres- see site plan

Census Tract- 303.01

Density- 116 units on 8 acres-14.5 UPA 3 story Allowed density – more than 14.5

Building Data- see enclosed schedule for unit mix and rents and NRA, GBA

Attachments-

Churchill Resume

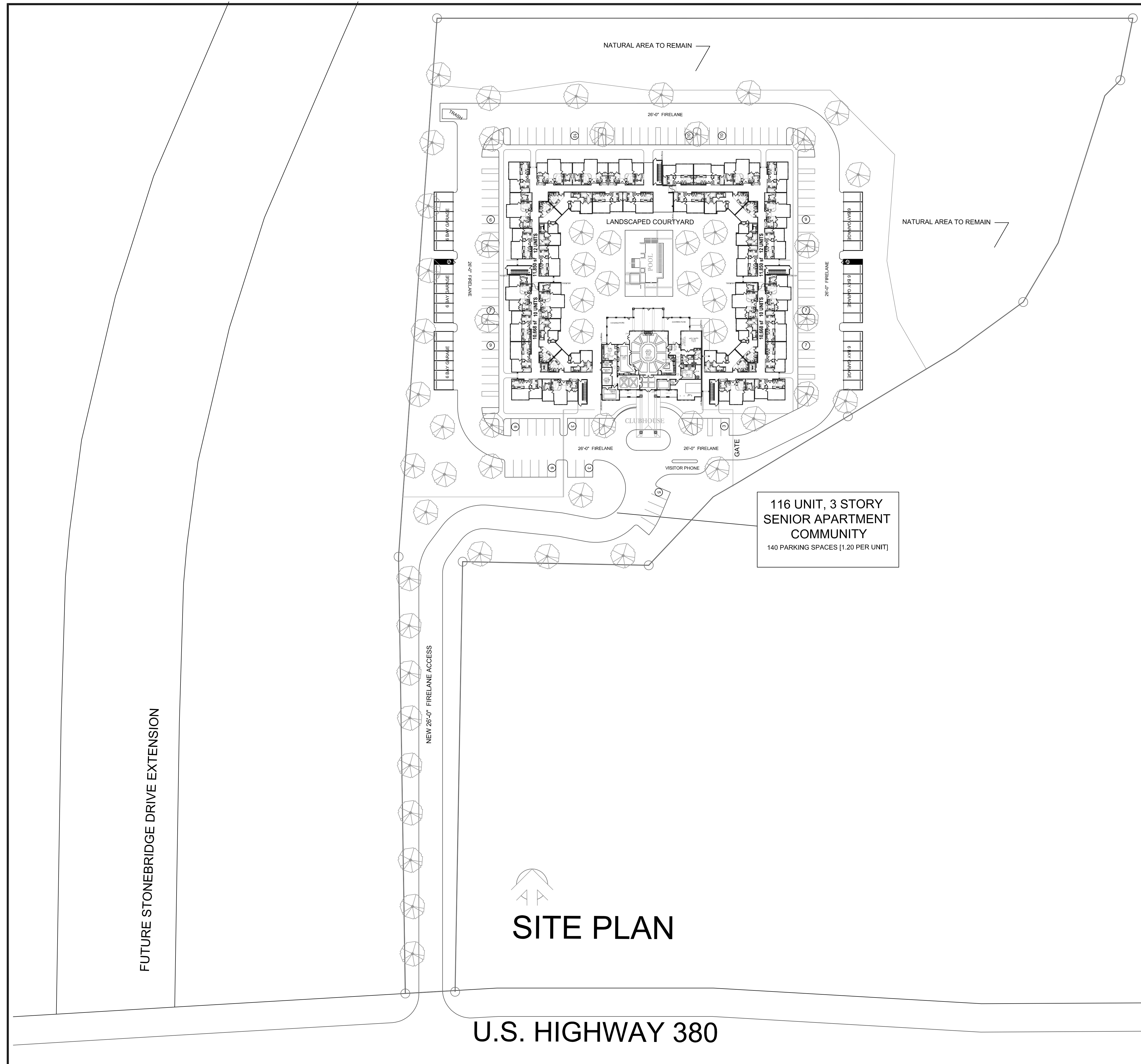
Architectural Site Plan

Elevations- We have enclosed pictures of Evergreen at Richardson in place of elevations

15 year operating summary- attached

Source and Uses- attached

Executed Hold Harmless- attached



FUTURE STONEBRIDGE DRIVE EXTENSION

NATURAL AREA TO REMAIN

26'-0" FIRELANE

NATURAL AREA TO REMAIN

116 UNIT, 3 STORY
SENIOR APARTMENT
COMMUNITY
140 PARKING SPACES (1.20 PER UNIT)

NEW 26'-0" FIRELANE ACCESS

SITE PLAN

U.S. HIGHWAY 380

Evergreen At McKinney

McKinney, TX

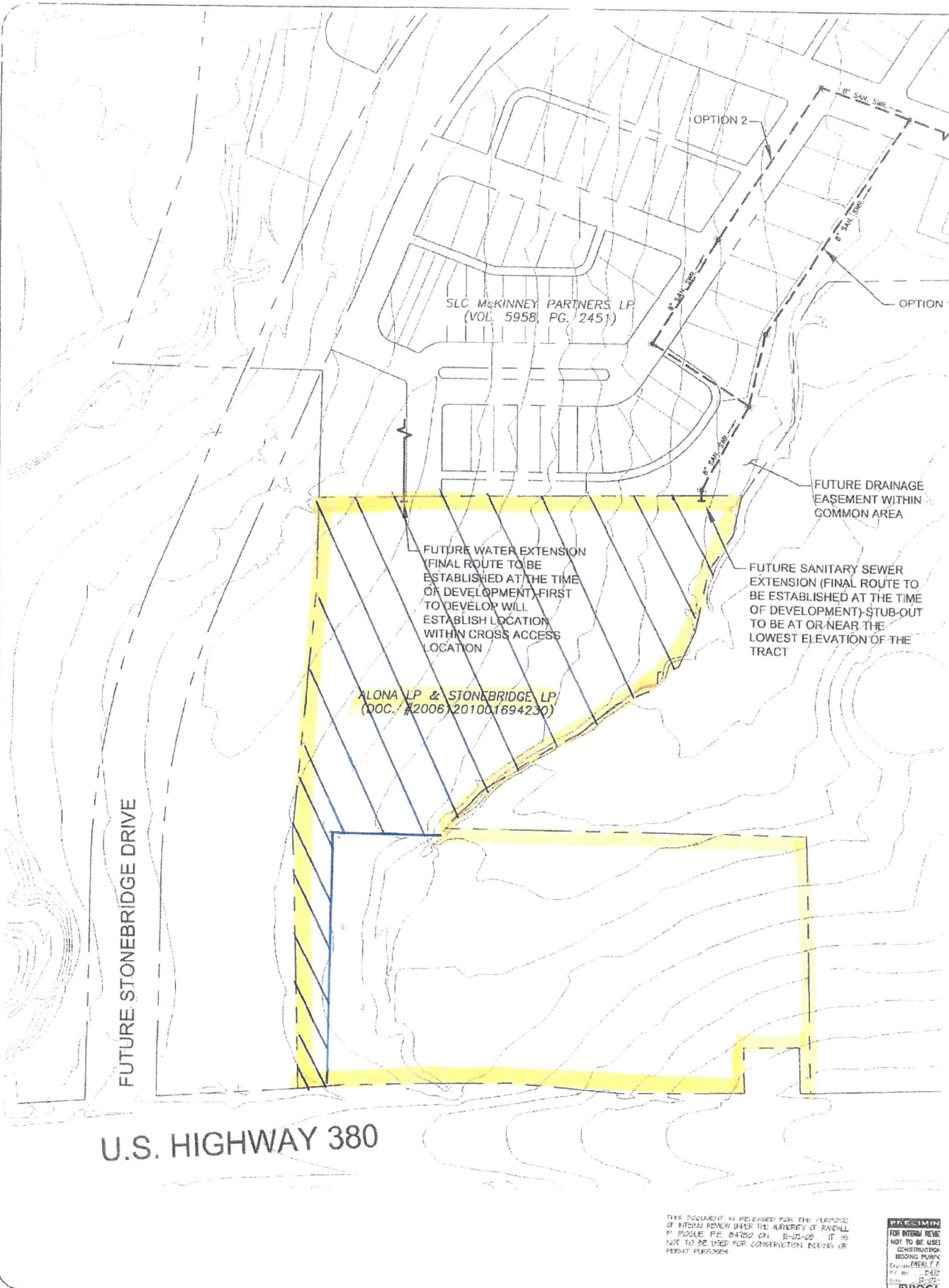
ARRIVE
ARCHITECTURE GROUP
Architecture
Planning
Project Management
2344 Highway 121 - Suite 100 - Bedford, Texas 76021 - www.ArriVeAG.com
Ph 817.514.0584 - Fx 817.514.0694

SEAL

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ORIG. DATE:	REV. DATE:
2017	
ISSUED FOR:	SHEET NO.
REVIEW	
SCALE:	
AS NOTED	

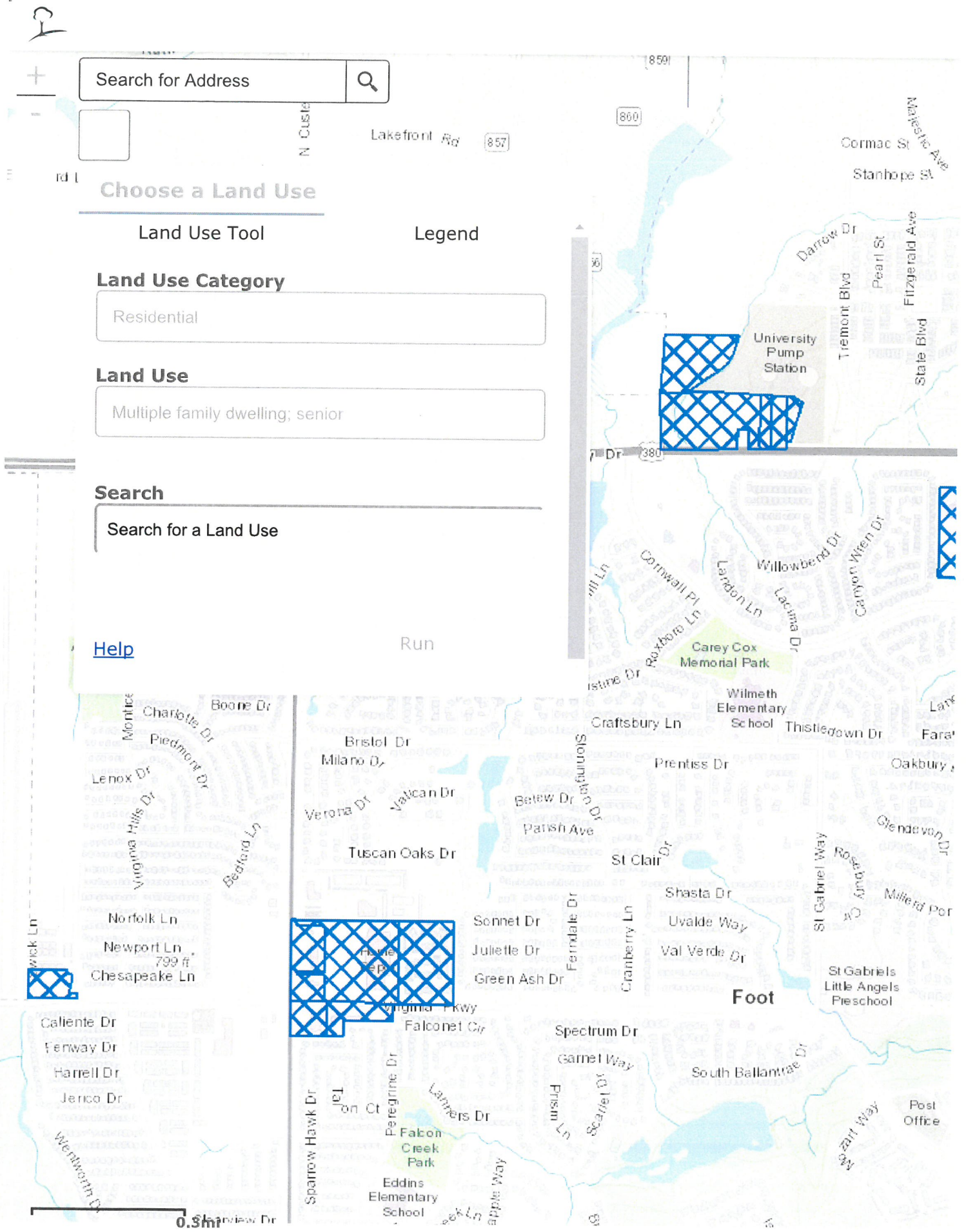
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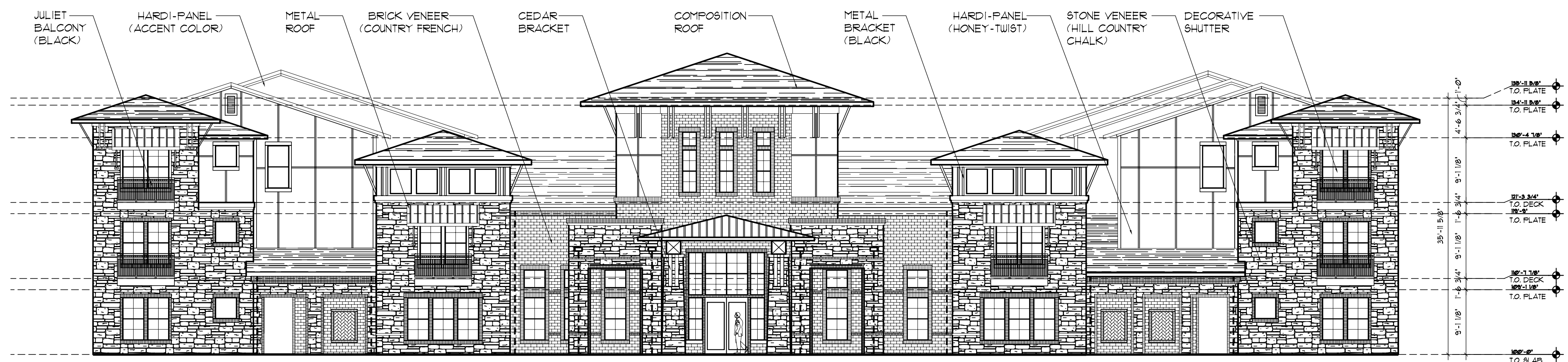
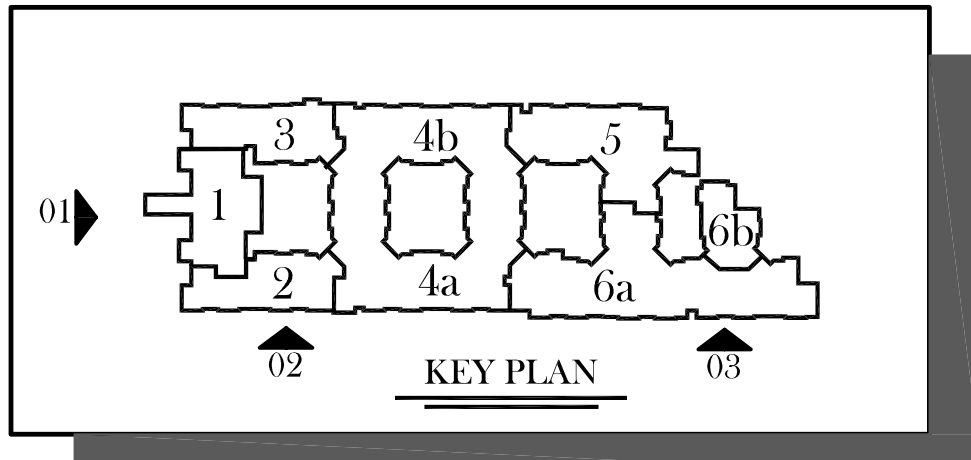
U.S. HIGHWAY 380

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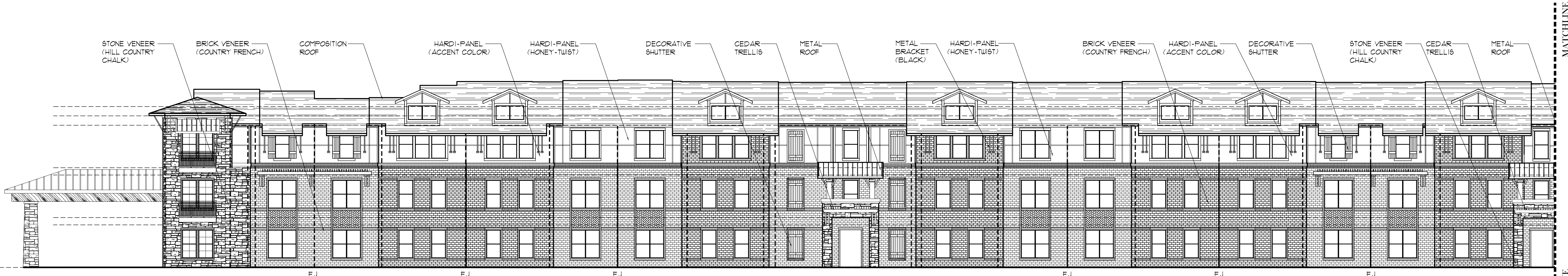


--- A5.01 EXTERIOR ELEVATIONS
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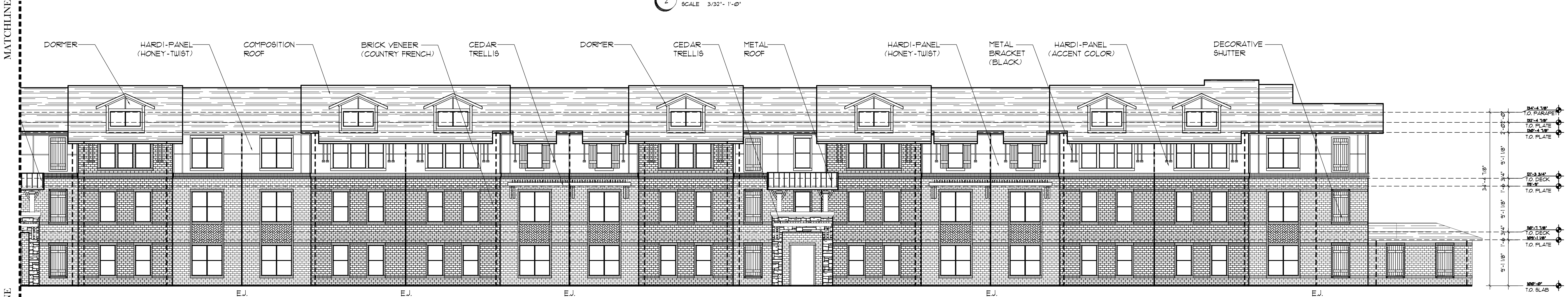


EXTERIOR MATERIAL PERCENTAGE
MASONRY = 80%
(STONE/BRICK)
SIDING = 20%
** FOR ALL ELEVATIONS SHOWN

1 EXTERIOR ELEVATION (NORTH STAR ROAD)
SCALE 3/32" = 1'-0"



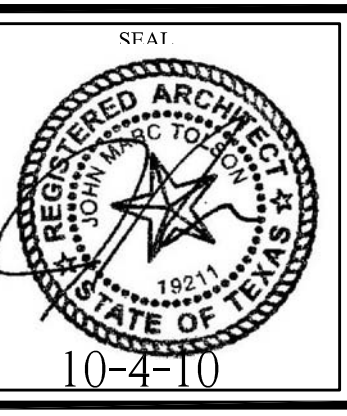
2 EXTERIOR ELEVATION (RENNER ROAD)
SCALE 3/32" = 1'-0"



3 EXTERIOR ELEVATION (RENNER ROAD)
SCALE 3/32" = 1'-0"

Evergreen @ Richardson
RICHARDSON, TEXAS

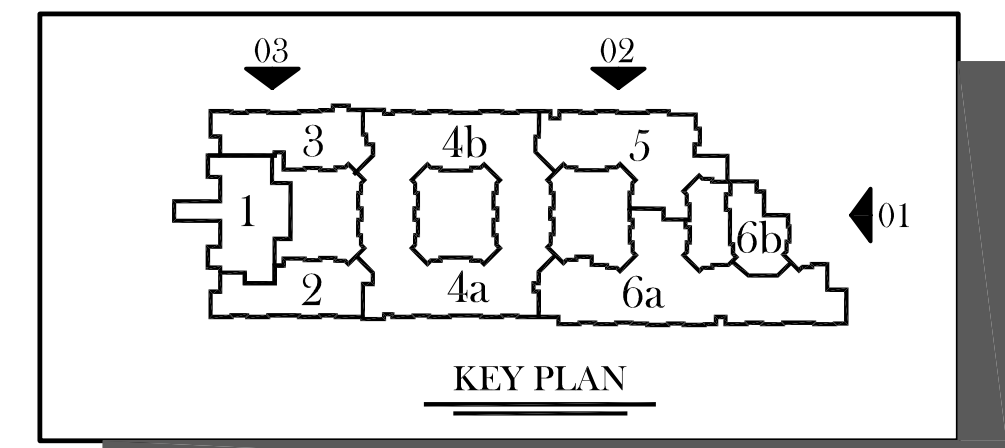
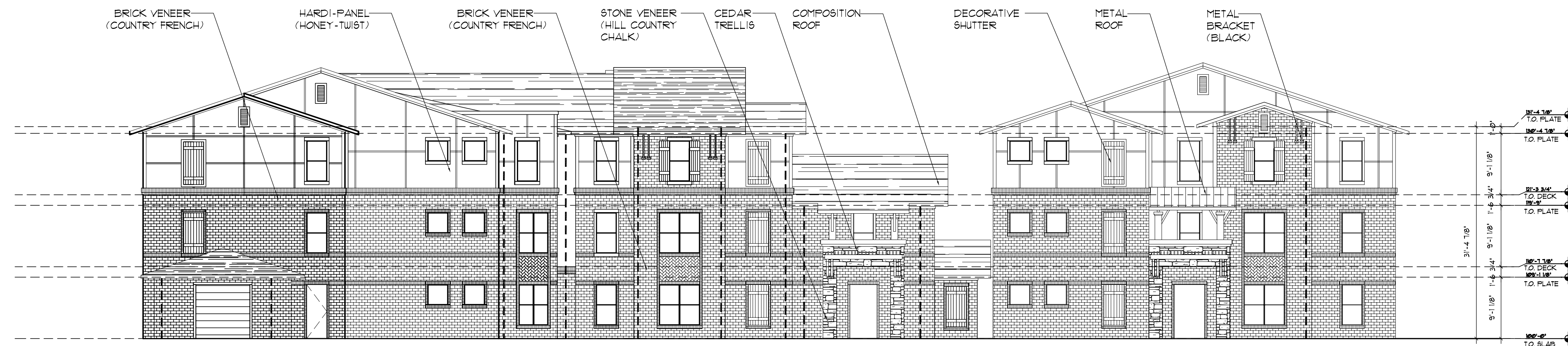
PROJECT: 817.514.0884
ARCHITECTURE: 817.514.0884
PLANNING: 817.514.0884
Project Management: www.GTFdesign.com
2344 State Highway 121, Suite 100 • Bedford, Texas, 76021



REVISION

NO.	DESCRIPTION	DATE

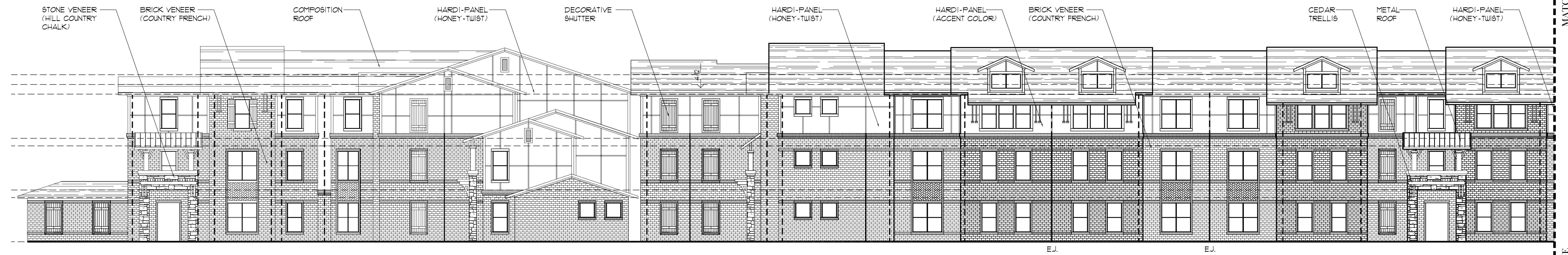
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SUBMITTAL DATE: 10-04-10	PROJECT NUMBER: ---
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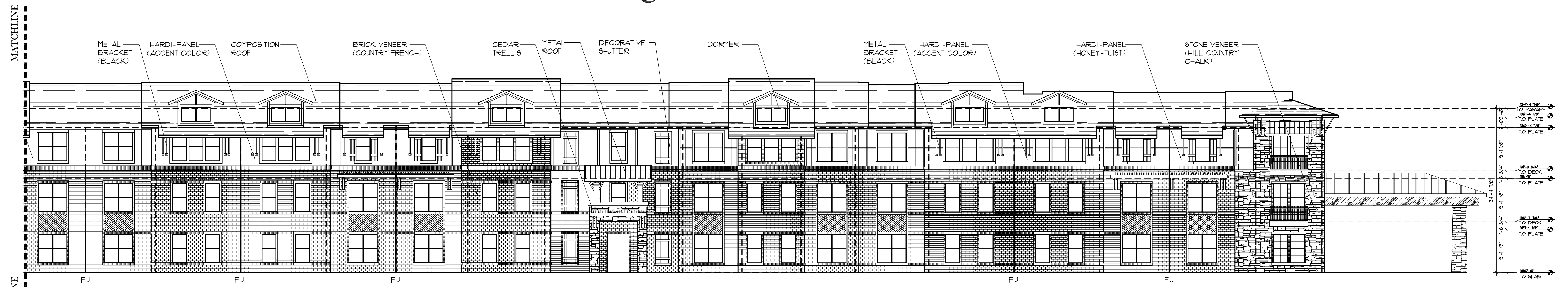
EXTERIOR MATERIAL PERCENTAGE

MASONRY	= 80%
(STONE/BRICK)	
SIDING	= 20%
** FOR ALL ELEVATIONS SHOWN	

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 SCALE 3/32" = 1'-0"



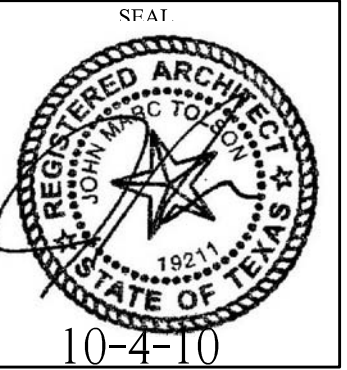
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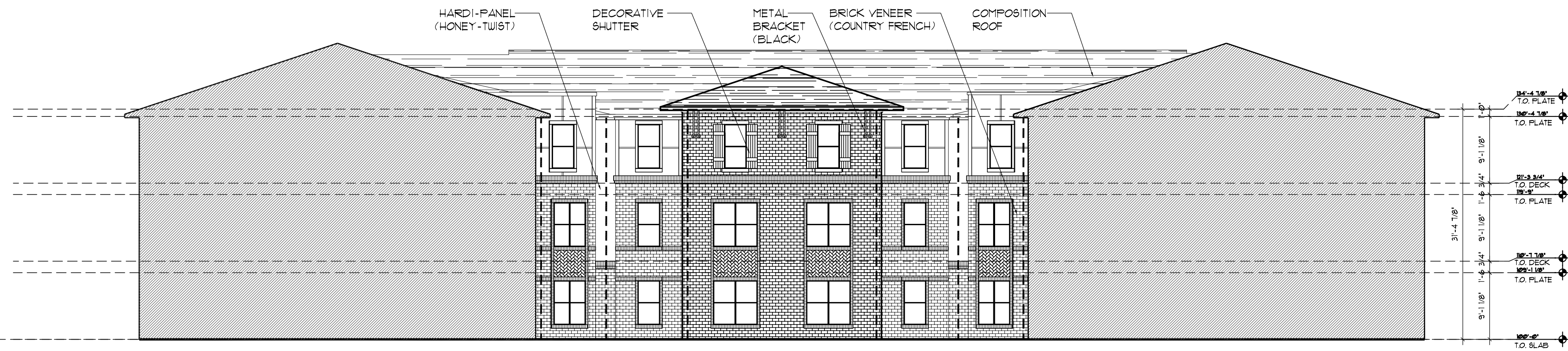
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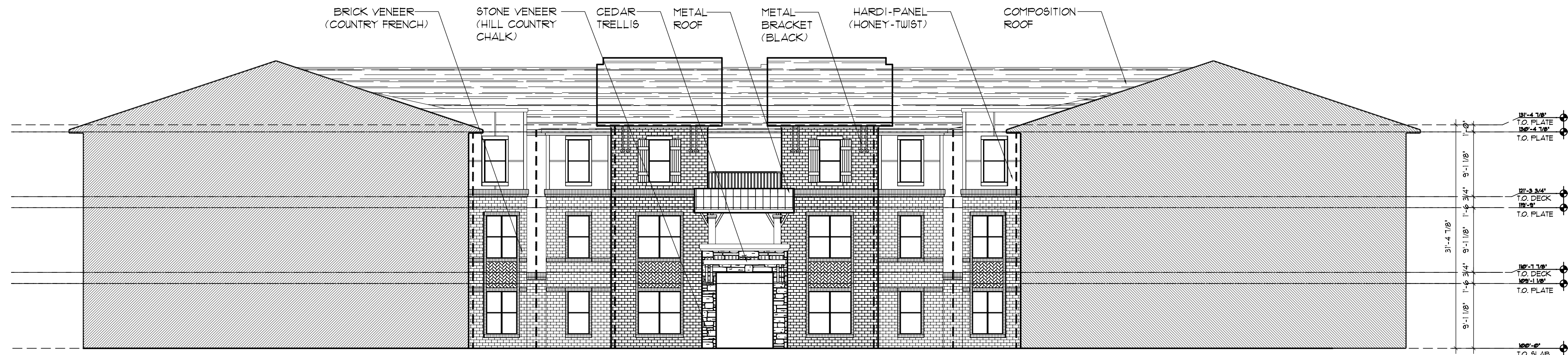


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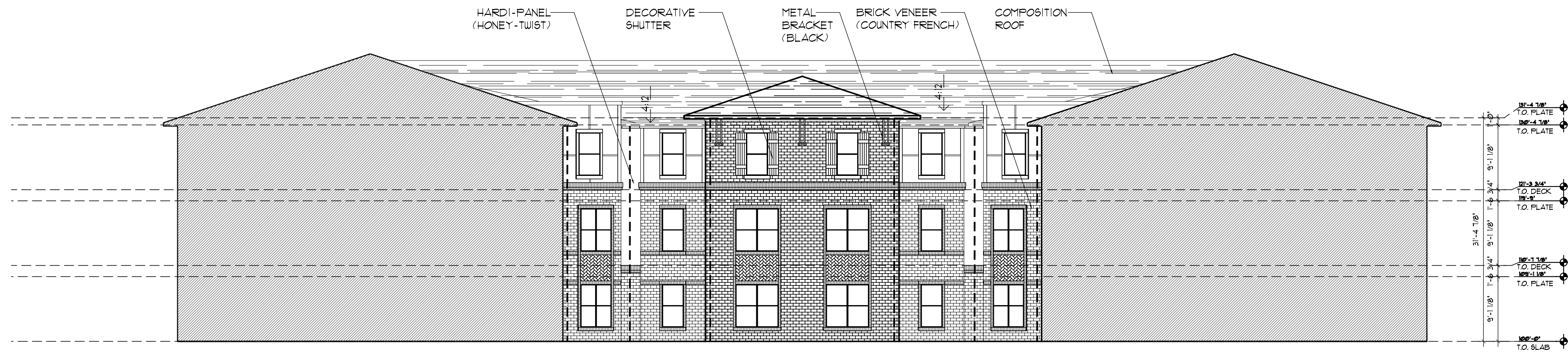
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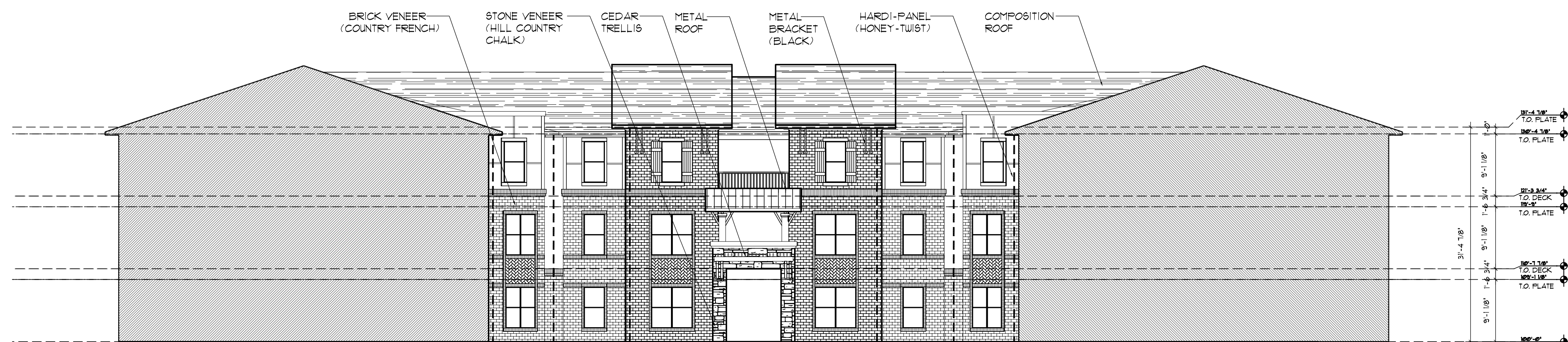
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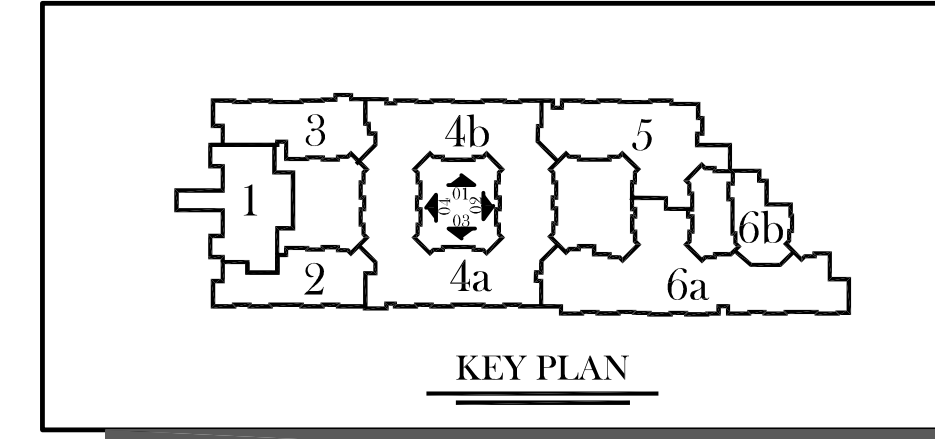
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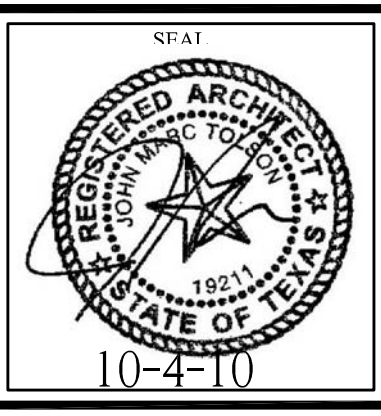
4 EXTERIOR ELEVATION
 SCALE 3/32" = 1'-0"



EXTERIOR MATERIAL PERCENTAGE
 MASONRY - 80%
 (STONE/BRICK)
 SIDING - 20%
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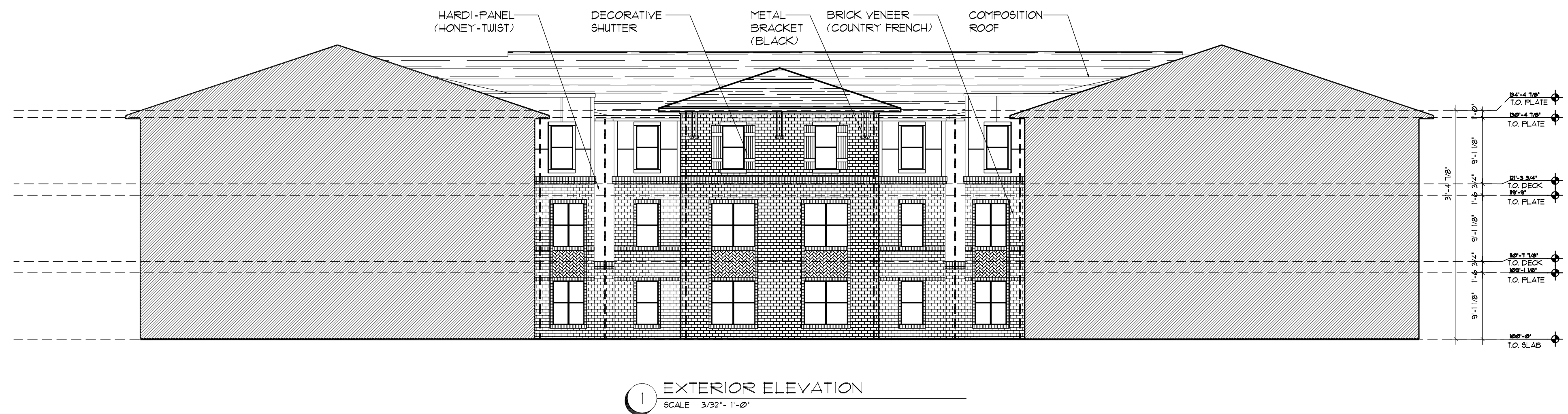


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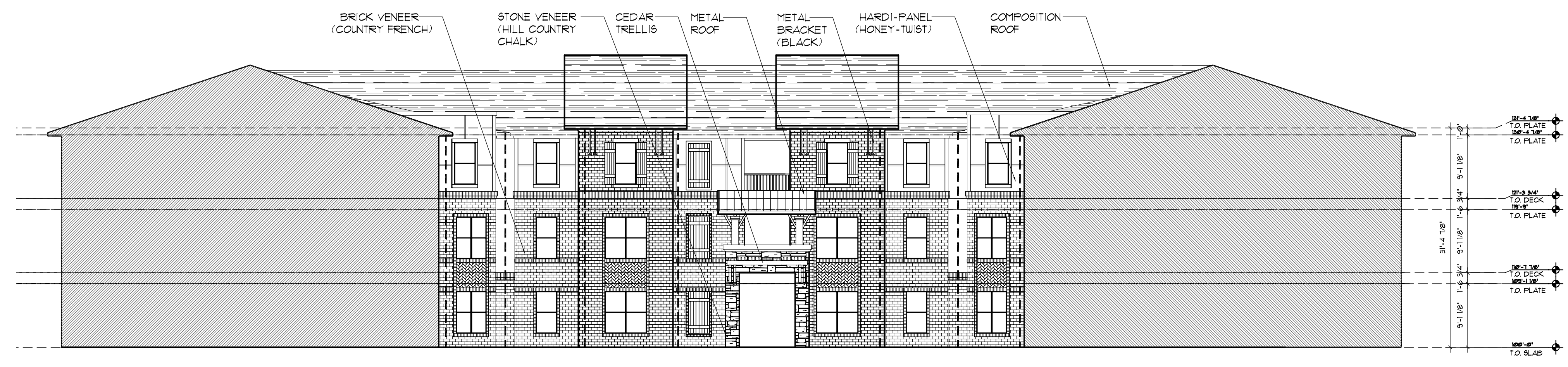
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--- A5.05 EXTERIOR ELEVATIONS

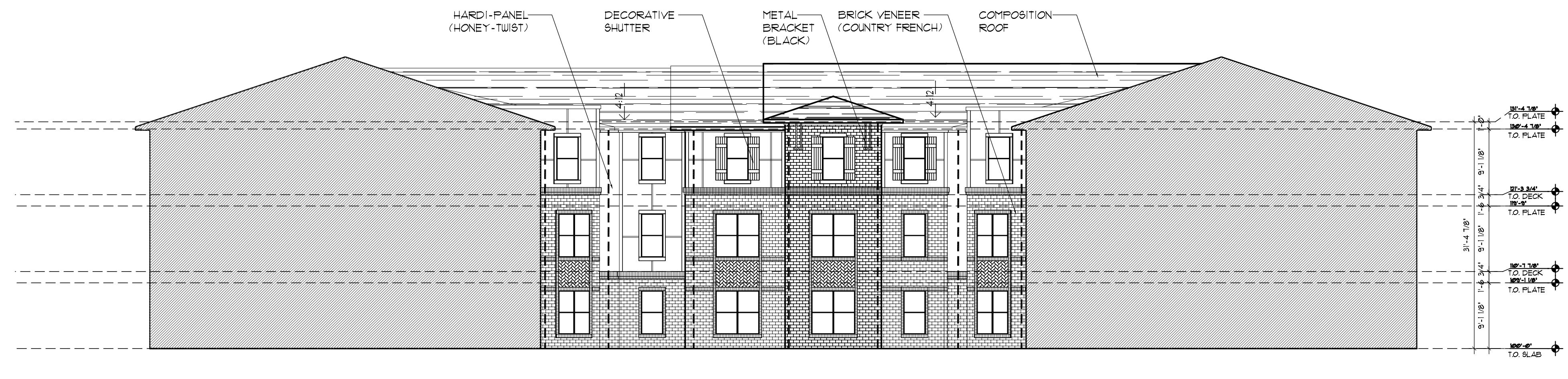
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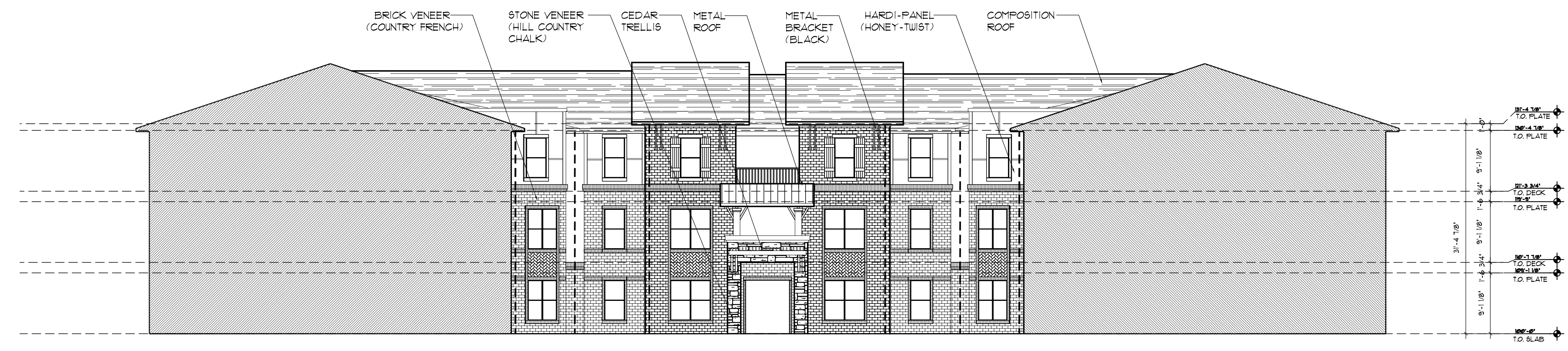
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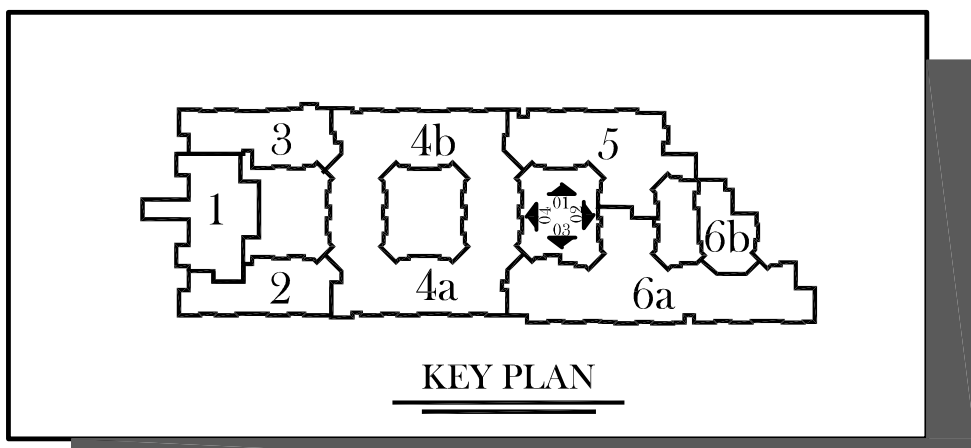
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SCALE 3/32" = 1'-0"



3 EXTERIOR ELEVATION
SCALE 3/32" = 1'-0"



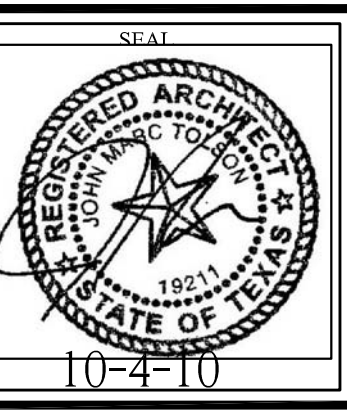
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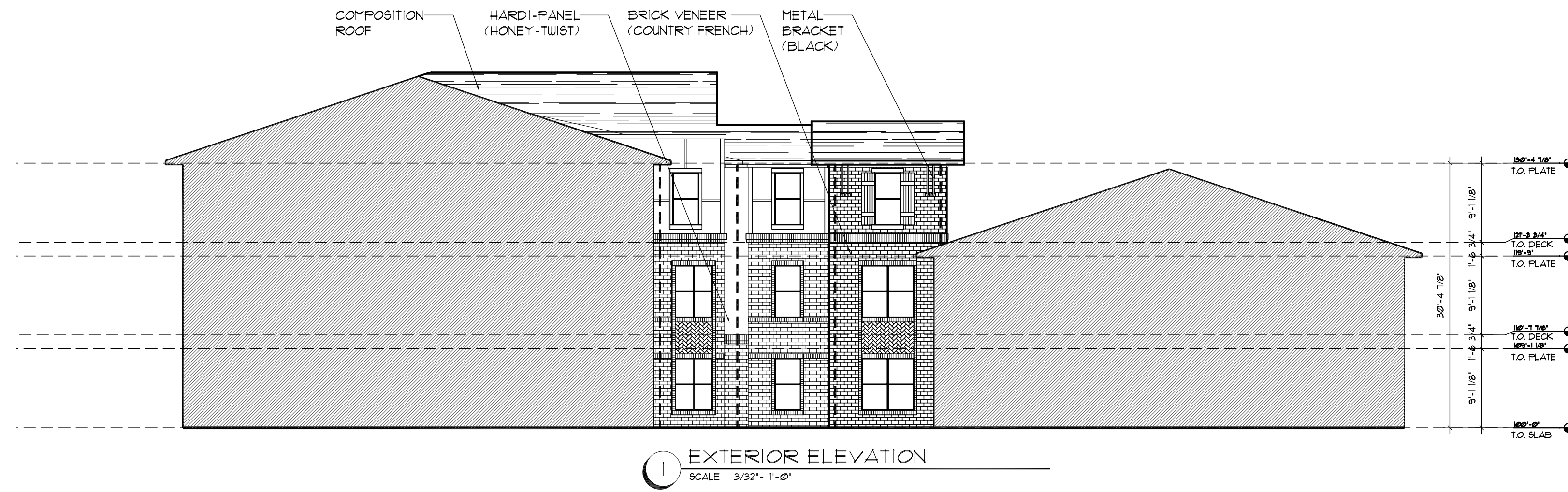
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Evergreen @ Richardson
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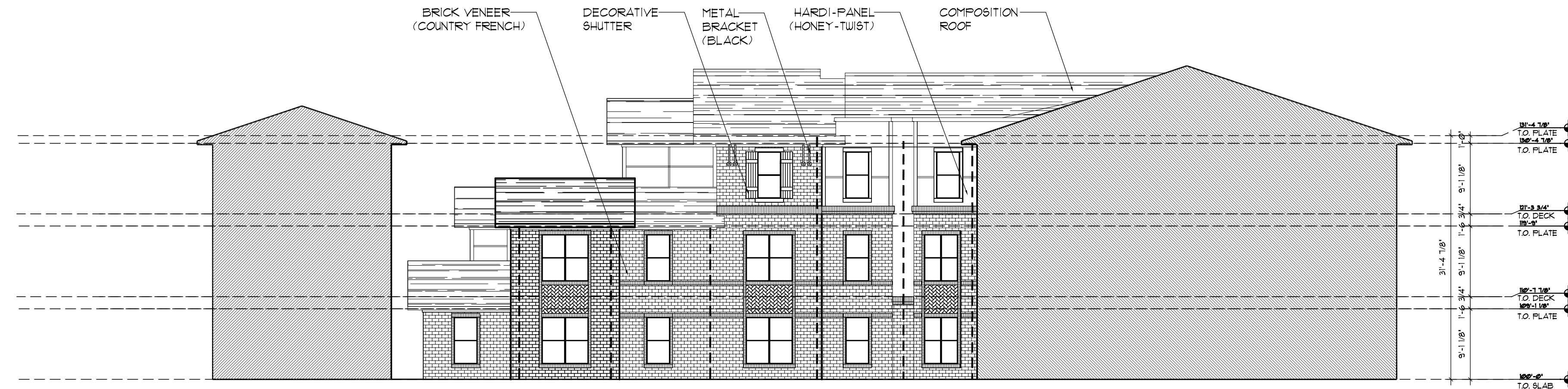
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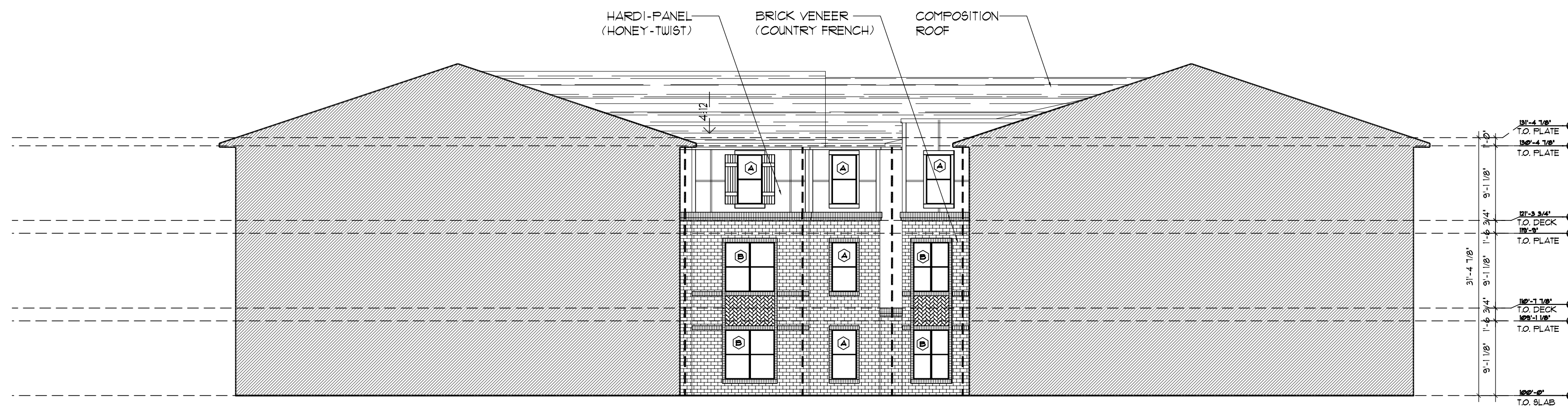
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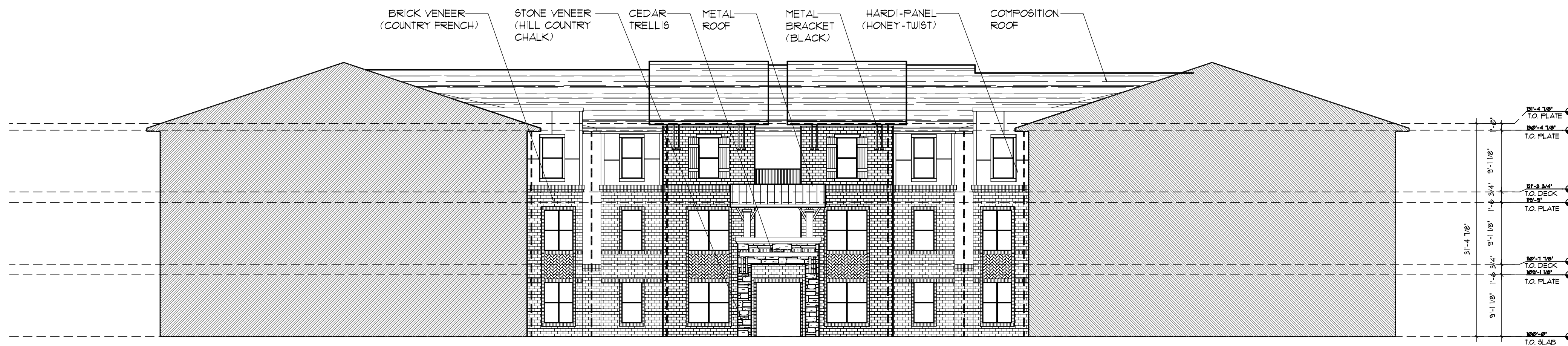
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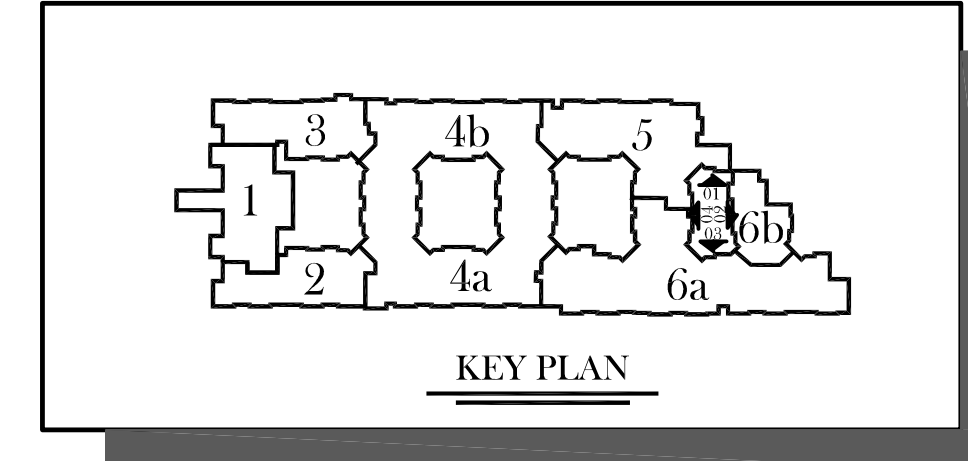
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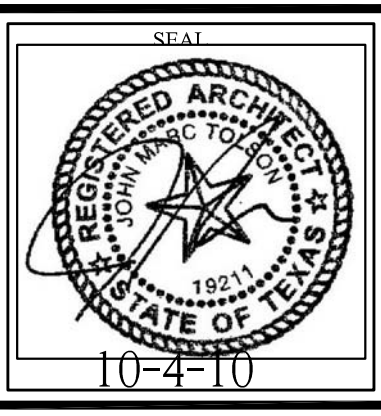
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SCALE: 0'-0"	

**9% Tax Credit Development
Evergreen at McKinney 380
Dallas MSA-Collin County**

Total Units 116
Net Rentable Area 91,350

1620	Annual Revenue Inflation	2.00%
720	Annual Expense Inflation	3.00%
232	Stabilized Occupancy	92.5%

PROJECTED OPERATIONS

		Lease-Up		Stabilization		Per unit	Per s.f.	Year	Year	Year	Year	Year	Year	Year	Year
		1	2	3	4			5	6	7	8	9	10		
REVENUES															
Rental Income		\$ 813,091	\$ 994,572	\$ 714	\$ 0.91			\$ 1,014,463	\$ 1,034,753	\$ 1,055,448	\$ 1,076,557	\$ 1,098,088	\$ 1,120,050	\$ 1,142,451	\$ 1,165,300
Other Income															
Interest on DSR Deposit		\$ -						\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Garage Income # of units at \$/mo.	36 \$ 45	\$ 7,948	\$ 19,440	\$ 14	\$ 0.02			\$ 19,829	\$ 20,225	\$ 20,630	\$ 21,042	\$ 21,463	\$ 21,893	\$ 22,330	\$ 22,777
Carport Income # of units at \$/mo.	36 \$ 20	\$ 5,886	\$ 8,640	\$ 6	\$ 0.01			\$ 8,813	\$ 8,989	\$ 9,169	\$ 9,352	\$ 9,539	\$ 9,730	\$ 9,925	\$ 10,123
Miscellaneous Income	116 \$ 2.00	\$ 2,276	\$ 2,784	\$ 2	\$ 0.00			\$ 2,840	\$ 2,896	\$ 2,954	\$ 3,013	\$ 3,074	\$ 3,135	\$ 3,198	\$ 3,262
Total Other Income		\$ 16,109	\$ 30,864	\$ 22	\$ 0.03			\$ 31,481	\$ 32,111	\$ 32,753	\$ 33,408	\$ 34,076	\$ 34,758	\$ 35,453	\$ 36,162
Total Revenues		\$ 829,200	\$ 1,025,436	\$ 737	\$ 0.94			\$ 1,045,945	\$ 1,066,864	\$ 1,088,201	\$ 1,109,965	\$ 1,132,164	\$ 1,154,807	\$ 1,177,904	\$ 1,201,462
Less: Vacancies/Allowances	7.50%		\$ (76,908)	\$ (55)	\$ (0.07)			\$ (78,446)	\$ (80,015)	\$ (81,615)	\$ (83,247)	\$ (84,912)	\$ (86,611)	\$ (88,343)	\$ (90,110)
Effective Gross Income		\$ 829,200	\$ 948,528	\$ 681	\$ 0.87			\$ 967,499	\$ 986,849	\$ 1,006,586	\$ 1,026,718	\$ 1,047,252	\$ 1,068,197	\$ 1,089,561	\$ 1,111,352
EXPENSES															
Property Taxes	8.5% Cap Rat \$ 398.82	\$ 51,037	\$ 46,263	\$ 399	\$ 0.51			\$ 47,650	\$ 49,080	\$ 50,552	\$ 52,069	\$ 53,631	\$ 55,240	\$ 56,897	\$ 58,604
Administrative & Advertising	\$ 400.00	\$ 305,531	\$ 46,400	\$ 400	\$ 0.51			\$ 47,792	\$ 49,226	\$ 50,703	\$ 52,224	\$ 53,790	\$ 55,404	\$ 57,066	\$ 58,778
Management Fees (min/mo)	3,000 \$ 4.0%	\$ 57,412	\$ 37,941	\$ 327	\$ 0.42			\$ 38,700	\$ 39,474	\$ 40,263	\$ 41,069	\$ 41,890	\$ 42,728	\$ 43,582	\$ 44,454
Repair/Maintenance/Cleaning/Decorating	\$ 600.00	\$ 110,200	\$ 69,600	\$ 600	\$ 0.76			\$ 71,688	\$ 73,839	\$ 76,054	\$ 78,335	\$ 80,685	\$ 83,106	\$ 85,599	\$ 88,167
Utilities & Trash	\$ 745.00	\$ 86,296	\$ 86,420	\$ 745	\$ 0.95			\$ 89,013	\$ 91,683	\$ 94,433	\$ 97,266	\$ 100,184	\$ 103,190	\$ 106,286	\$ 109,474
Insurance	\$ 280.00	\$ 51,427	\$ 32,480	\$ 280	\$ 0.36			\$ 33,454	\$ 34,458	\$ 35,492	\$ 36,557	\$ 37,653	\$ 38,783	\$ 39,946	\$ 41,145
Payroll & Payroll Taxes	\$ 1,629.31	\$ 505,083	\$ 189,000	\$ 1,629	\$ 2.07			\$ 194,670	\$ 200,510	\$ 206,525	\$ 212,721	\$ 219,103	\$ 225,676	\$ 232,446	\$ 239,420
Reserve for Replacement	\$ 250.00	\$ -	\$ 29,000	\$ 250	\$ 0.32			\$ 29,870	\$ 30,766	\$ 31,689	\$ 32,640	\$ 33,619	\$ 34,628	\$ 35,666	\$ 36,736
Other Expenses (i.e. Compliance fee, supportive)	\$ 396.72	\$ 61,360	\$ 46,020	\$ 397	\$ 0.50			\$ 47,401	\$ 48,823	\$ 50,287	\$ 51,796	\$ 53,350	\$ 54,950	\$ 56,599	\$ 58,297
Total Expenses		\$ 1,228,346	\$ 583,124	\$ 5,027	\$ 6.38			\$ 600,238	\$ 617,858	\$ 635,999	\$ 654,676	\$ 673,906	\$ 693,704	\$ 714,088	\$ 735,075
NET OPERATING INCOME		\$ (399,146)	\$ 365,405	\$ 3,150	\$ 4.00			\$ 367,261	\$ 368,991	\$ 370,587	\$ 372,041	\$ 373,346	\$ 374,493	\$ 375,473	\$ 376,277
Social Services			0					0	0	0	0	0	0	0	0
DEBT SERVICE															
Debt Service Constant	5.786%	\$0	\$173,591					\$173,591	\$173,591	\$173,591	\$173,591	\$173,591	\$173,591	\$173,591	\$173,591
Other DEBT SERVICE COVERAGE															
2nd Deed of Trust - HOME Loan	0.000%	\$81,959	\$ 89,410					\$89,410	\$89,410	\$89,410	\$89,410	\$89,410	\$89,410	\$89,410	\$89,410
Other Annual Payments	\$ -	\$ -	\$ -	\$ -	\$ -			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Debt Service		\$ 81,959	\$ 263,000.67					\$ 263,001	\$ 263,001	\$ 263,001	\$ 263,001	\$ 263,001	\$ 263,001	\$ 263,001	\$ 263,001
Debt Service Coverage		(4.870)	1.389					1.396	1.403	1.409	1.415	1.420	1.424	1.428	1.431
CASH FLOW		\$ (481,105)	\$ 102,404					\$ 104,260	\$ 105,990	\$ 107,586	\$ 109,040	\$ 110,345	\$ 111,492	\$ 112,472	\$ 113,276
								\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
								\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Cash Flow Remaining After All Debt Service			\$ 102,404					\$ 104,260	\$ 105,990	\$ 107,586	\$ 109,040	\$ 110,345	\$ 111,492	\$ 112,472	\$ 113,276

**9% Tax Credit Development
Evergreen at McKinney 380
Dallas MSA-Collin County**

Total Units 116
Net Rentable Area 91,350
PROJECTED OPERATIONS

		Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Year 19	Year 20	Year 25	Year 30
REVENUES													
Rental Income		\$ 1,188,606	\$ 1,212,378	\$ 1,236,625	\$ 1,261,358	\$ 1,286,585	\$ 1,312,317	\$ 1,338,563	\$ 1,365,334	\$ 1,392,641	\$ 1,420,494	\$ 1,568,340	\$ 1,731,574
Other Income													
Interest on DSR Deposit		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Garage Income # of units at \$/mo	36 \$ 45	\$ 23,233	\$ 23,697	\$ 24,171	\$ 24,655	\$ 25,148	\$ 25,651	\$ 26,164	\$ 26,687	\$ 27,221	\$ 27,765	\$ 30,655	33,845.51
Carport Income # of units at \$/mo.	36 \$ 20	\$ 10,326	\$ 10,532	\$ 10,743	\$ 10,958	\$ 11,177	\$ 11,400	\$ 11,628	\$ 11,861	\$ 12,098	\$ 12,340	\$ 13,624	15,042.45
Miscellaneous Income	116 \$ 2.00	\$ 3,327	\$ 3,394	\$ 3,462	\$ 3,531	\$ 3,601	\$ 3,673	\$ 3,747	\$ 3,822	\$ 3,898	\$ 3,976	\$ 4,390	\$ 4,847
Total Other Income		\$ 36,885	\$ 37,623	\$ 38,376	\$ 39,143	\$ 39,926	\$ 40,724	\$ 41,539	\$ 42,370	\$ 43,217	\$ 44,081	\$ 48,669	\$ 53,735
Total Revenues		\$ 1,225,491	\$ 1,250,001	\$ 1,275,001	\$ 1,300,501	\$ 1,326,511	\$ 1,353,041	\$ 1,380,102	\$ 1,407,704	\$ 1,435,858	\$ 1,464,575	\$ 1,617,009	\$ 1,785,309
Less: Vacancies/Allowances	7.50%	\$ (91,912)	\$ (93,750)	\$ (95,625)	\$ (97,538)	\$ (99,488)	\$ (101,478)	\$ (103,508)	\$ (105,578)	\$ (107,689)	\$ (109,843)	\$ (121,276)	\$ (133,898)
Effective Gross Income		\$ 1,133,579	\$ 1,156,251	\$ 1,179,376	\$ 1,202,963	\$ 1,227,022	\$ 1,251,563	\$ 1,276,594	\$ 1,302,126	\$ 1,328,169	\$ 1,354,732	\$ 1,495,734	\$ 1,651,411
EXPENSES													
Property Taxes	8.5% Cap Rat \$ 398.82	\$ 60,362	\$ 62,173	\$ 64,038	\$ 65,959	\$ 67,938	\$ 69,976	\$ 72,076	\$ 74,238	\$ 76,465	\$ 78,759	\$ 91,303	\$ 105,845
Administrative & Advertising	\$ 400.00	\$ 60,541	\$ 62,358	\$ 64,228	\$ 66,155	\$ 68,140	\$ 70,184	\$ 72,290	\$ 74,458	\$ 76,692	\$ 78,993	\$ 91,574	\$ 106,160
Management Fees (min/mo)	3,000 4.0%	\$ 45,343	\$ 46,250	\$ 47,175	\$ 48,119	\$ 49,081	\$ 50,063	\$ 51,064	\$ 52,085	\$ 53,127	\$ 54,189	\$ 59,829	\$ 66,056
Repair/Maintenance/Cleaning/Decorating	\$ 600.00	\$ 90,812	\$ 93,537	\$ 96,343	\$ 99,233	\$ 102,210	\$ 105,276	\$ 108,435	\$ 111,688	\$ 115,038	\$ 118,489	\$ 137,362	\$ 159,240
Utilities & Trash	\$ 745.00	\$ 112,758	\$ 116,141	\$ 119,625	\$ 123,214	\$ 126,911	\$ 130,718	\$ 134,640	\$ 138,679	\$ 142,839	\$ 147,124	\$ 170,557	\$ 197,723
Insurance	\$ 280.00	\$ 42,379	\$ 43,650	\$ 44,960	\$ 46,309	\$ 47,698	\$ 49,129	\$ 50,603	\$ 52,121	\$ 53,684	\$ 55,295	\$ 64,102	\$ 74,312
Payroll & Payroll Taxes	\$ 1,629.31	\$ 246,602	\$ 254,000	\$ 261,620	\$ 269,469	\$ 277,553	\$ 285,879	\$ 294,456	\$ 303,290	\$ 312,388	\$ 321,760	\$ 373,008	\$ 432,418
Reserve for Replacement	\$ 250.00	\$ 37,838	\$ 38,974	\$ 40,143	\$ 41,347	\$ 42,587	\$ 43,865	\$ 45,181	\$ 46,536	\$ 47,933	\$ 49,371	\$ 57,234	\$ 66,350
Other Expenses (i.e. Compliance fee, supportive)	\$ 396.72	\$ 60,046	\$ 61,847	\$ 63,702	\$ 65,614	\$ 67,582	\$ 69,609	\$ 71,698	\$ 73,849	\$ 76,064	\$ 78,346	\$ 90,824	\$ 105,290
Total Expenses		\$ 756,683	\$ 778,930	\$ 801,835	\$ 825,418	\$ 849,700	\$ 874,700	\$ 900,440	\$ 926,943	\$ 954,230	\$ 982,326	\$ 1,135,794	\$ 1,313,394.69
NET OPERATING INCOME		\$ 376,896	\$ 377,321	\$ 377,541	\$ 377,545	\$ 377,323	\$ 376,863	\$ 376,154	\$ 375,183	\$ 373,938	\$ 372,406	\$ 359,939	\$ 338,016.04
Social Services		0	0	0	0	0	0	0	0	0	0	0	0
DEBT SERVICE		0	0	0	0	0	0	0	0	0	0	0	0
Debt Service Constant	5.786%	\$ 173,591	\$ 173,591	\$ 173,591	\$ 173,591	\$ 173,591	\$ 173,591	\$ 173,591	\$ 173,591	\$ 173,591	\$ 173,591	\$ 173,591	\$ 173,591
Other DEBT SERVICE COVERAGE		2.17	2.17	2.17	2.17	2.17	2.17	2.17	2.16	2.15	2.15	2.07	1.95
2nd Deed of Trust - HOME Loan	0.000%	\$ 89,410	\$ 89,410	\$ 89,410	\$ 89,410	\$ 89,410	\$ 89,410	\$ 89,410	\$ 89,410	\$ 89,410	\$ 89,410	\$ 89,410	\$ 89,410
Other Annual Payments	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Debt Service		\$ 263,001	\$ 263,001	\$ 263,001	\$ 263,001	\$ 263,001	\$ 263,001	\$ 263,001	\$ 263,001	\$ 263,001	\$ 263,001	\$ 263,001	\$ 263,001
Debt Service Coverage		1.433	1.435	1.436	1.436	1.435	1.433	1.430	1.427	1.422	1.416	1.369	1.285
CASH FLOW													
		\$ 113,896	\$ 114,320	\$ 114,540	\$ 114,544	\$ 114,322	\$ 113,862	\$ 113,153	\$ 112,182	\$ 110,937	\$ 109,405	\$ 96,939	\$ 75,015
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Cash Flow Remaining After All Debt Service		\$ 113,896	\$ 114,320	\$ 114,540	\$ 114,544	\$ 114,322	\$ 113,862	\$ 113,153	\$ 112,182	\$ 110,937	\$ 109,405	\$ 96,939	\$ 75,015

Sources & Uses	
First Mortgage	\$ 3,000,000
Home Loan	\$ 2,000,000
Tax Credit Equity	\$13,800,000
Deferred Developer Fee	\$ 825,609
Total Sources	\$19,626,609
Land/Acquisition	\$ 1,500,000
Total Direct Construction Costs	\$11,166,464
Total Indirect Construction Costs	\$ 1,600,000
Construction Loan Interest & Fees	\$ 1,261,445
Financing Costs/Fees/Working Cap/Reserves	\$ 4,098,700
Financing Costs	\$19,626,609

APARTMENT UNIT MIX										
Unit Type	Income Restriction	Number of Units	% of Total Units	Monthly Rent	Gross Potential Rents		Sq. Ft. Per Unit	Total Unit Sq. Ft.	Rents Per Sq. Ft.	
					Monthly	Annual			Monthly	Annual
1br/1ba	30%	6	5%	\$ 333	\$ 1,998	\$ 23,976	675	4,050	\$ 0.49	\$ 5.92
1br/1ba	40%	0	0%	\$ 468	\$ -	\$ -	675	-	#DIV/0!	#DIV/0!
1br/1ba	50%	22	19%	\$ 602	\$ 13,244	\$ 158,928	675	14,850	\$ 0.89	\$ 10.70
1br/1ba	60%	26	22%	\$ 737	\$ 19,162	\$ 229,944	675	17,550	\$ 1.09	\$ 13.10
1br/1ba	Mkt	4	3%	\$ 800	\$ 3,200	\$ 38,400	675	2,700	\$ 1.19	\$ 14.22
Total One Bedroom		58	50%							
2br/2ba	30%	5	4%	\$ 394	\$ 1,970	\$ 23,640	900	4,500	\$ 0.44	\$ 5.25
2br/2ba	40%	0	0%	\$ 556	\$ -	\$ -	900	-	#DIV/0!	#DIV/0!
2br/2ba	50%	22	19%	\$ 717	\$ 15,774	\$ 189,288	900	19,800	\$ 0.80	\$ 9.56
2br/2ba	60%	27	23%	\$ 879	\$ 23,733	\$ 284,796	900	24,300	\$ 0.98	\$ 11.72
2br/2ba	Mkt	4	3%	\$ 950	\$ 3,800	\$ 45,600	900	3,600	\$ 1.06	\$ 12.67
Total Two Bedroom-B1/B2		58	50%							
3br/2ba	30%	0	0%	\$ 478	\$ -	\$ -	1,100	-		
3br/2ba	40%	0	0%	\$ 665	\$ -	\$ -	1,100	-		
3br/2ba	50%	0	0%	\$ 851	\$ -	\$ -	1,100	-		
3br/2ba	60%	0	0%	\$ 1,038	\$ -	\$ -	1,100	-		
3br/2ba	Mkt	0	0%	\$ 1,205	\$ -	\$ -	1,100	-		
Total Two Bedroom -B-2 HC		0	0%							
4br/2ba	30%	0	0%	\$ 610	\$ -	\$ -	1,332	-		
4br/2ba	40%	0	0%	\$ 814	\$ -	\$ -	1,332	-		
4br/2ba	50%	0	0%	\$ 963	\$ -	\$ -	1,332	-		
4br/2ba	60%	0	0%	\$ 1,104	\$ -	\$ -	1,332	-		
4br/2ba	Mkt	0	0%	\$ -	\$ -	\$ -	1,332	-		
Total Four Bedroom Large		0	0%							
Total		116	100%		\$ 82,881	\$ 994,572		91,350		
Weighted Average				\$ 714.49			788		0.907	10.89

RELEASE AND HOLD HARMLESS AGREEMENT

STATE OF TEXAS)
) KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF COLLIN)

WHEREAS, this Release and Hold Harmless Agreement (“Agreement”) is hereby entered into by and between McKinney Senior Community, L.P. (“Releasor”), and the City of McKinney, Texas, a Texas municipal corporation (the “City”); and

WHEREAS, Releasor will be submitting an application for 4% or 9% low income housing tax credits (“LIHTC”) to the Texas Department of Housing and Community Affairs (“TDHCA”) for a housing development generally described as: Evergreen at McKinney (the “Project”), generally located on property located in the City of McKinney (the “Property”); and

WHEREAS, Releasor has also submitted a request to the City for passage of a Resolution by the City Council of the City of McKinney, Texas (“City Council”), supporting the Project; and

WHEREAS, Releasor has also submitted or intends to submit an application to the City requesting a zoning amendment on the Property to: Multifamily – Senior _____, as necessary to develop the Project, an affordable multifamily development; and

WHEREAS, Texas law, at Texas Government Code, § 2306.6705(5), provides for Releasor to execute this Agreement to release and hold the City harmless in the event that Releasor’s zoning amendment application on the Property is denied; and

WHEREAS, Releasor’s providing this Agreement to the City is consistent with the City’s LIHTC Resolution Policy.

NOW, THEREFORE, for and in consideration of the foregoing premises, and other good and valuable consideration, the receipt of which is hereby acknowledged, Releasor, and its successors, assigns and grantees, does hereby completely release the City from and waive any and all claims, whether known or unknown, which arise or may arise, from Releasor's zoning amendment application, including but not limited to, its denial of appropriate zoning.

Furthermore, Releasor agrees to indemnify and hold harmless the City, its officers employees, agents, and representatives, from any and all claims, counterclaims, demands, actions, and causes of action of any kind or character, whether known or unknown, present or future, asserted by Releasor its successors, assigns and grantees, or any third party, with regard to any damages to the Property or Project, as identified above, that may be or have been brought against the City, its officers, employees, agents and representatives, as the result of the City's consideration of Releasor's zoning amendment application, including but not limited to, its denial of appropriate zoning.

EXECUTED on the dates acknowledged below, and effective as of the last date signed.

RELEASOR:



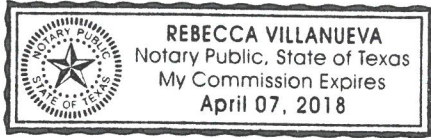
Date signed: 12/22/17

Authorized Representative

THE STATE OF TEXAS §
§
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared Bradley E. Forslund, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that said instrument was executed and intended as a release for the purposes and consideration therein described and in the capacity therein stated.

SUBSCRIBED AND SWORN TO before me on this 22nd day of DECEMBER, 2018, to certify which witness my hand and seal of office.



Rebecca Villanueva
Notary Public in and for
the State of Texas

My Commission Expires: 4-7-2018

CITY OF MCKINNEY, TEXAS

By _____
Paul Grimes
City Manager

Date signed: _____

THE STATE OF TEXAS §
 §
COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, on this day personally appeared Paul Grimes, City of McKinney City Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that said instrument was executed and intended as a release for the purposes and consideration therein described and in the capacity therein stated.

SUBSCRIBED AND SWORN TO before me on this _____ day of _____, 2018, to certify which witness my hand and seal of office.

Notary Public in and for
the State of Texas

My Commission Expires: _____

Sponsor & Developer Information

Developer:

Churchill Senior Communities, L.P.	Bradley E. Forslund	(972) 550-7800
	Contact Name	Phone
bforslund@cri.bz		
Email		

Housing General Contractor:

NE Construction	Andre Nicholas	(972) 221-0095
	Contact Name	Phone
anicholas@neconstruction.net		
Email		

Architect:

Arrive Architecture	Marc Tolson	(817) 514-0584
	Contact Name	Phone
marc@arriveag.com		
Email		

Civil Engineer:

Kimley-Horn	Nick Sulkowski	(972) 770-1357
	Contact Name	Phone
nick.sulkowski@kimley-horn.com		
Email		

Market Analyst:

Apartment MarketData, L.L.C.	Darrell Jack	(210) 530-0040
	Contact Name	Phone
djack@stic.net		
Email		

Attorney:

Coats, Rose, Yale, Ryman & Lee, P.C.	Tamea Dula & Barry Palmer	(713) 653-7322
	Contact Name	Phone
tdula@coatsrose.com		
Email		

Accountant:

Novogradac & Company	George Littlejohn	(512) 340-0420
	Contact Name	Phone
george.littlejohn@novoco.com		
Email		

Property Manager:

Churchill Senior Communities Management, L.L.C.	Robert Tinning	(972) 550-7800
	Contact Name	Phone
rtinning@cri.bz		
Email		

Originator of Underwriter:

Citi Community Capitol Citi Group	Mahesh Aiyer	(713) 752-5046
	Contact Name	Phone

mahesh.aiyer@citi.com

Email

Syndicator:

National Equity Fund	Jason Aldridge	(972) 741-5150
----------------------	----------------	----------------

Contact Name

Phone

jaldridge@neffin.org

Email

Environmental

Intertek PSI	Brian Reeser	(214) 330-9211
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Contact Name

Phone

brian.reeser@psiusa.com

Email

December 22, 2017

Brad Forslund
C/O Churchill Senior Residential, Inc.
5605 N. MacArthur Blvd., Suite 580
Irving, Texas 75038

RE: Case # ZONE2017-0022 - Zoning Verification Letter for Property ID Number 2602273 in the City of McKinney, Collin County, Texas.

Dear Mr. Forslund:

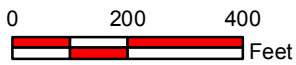
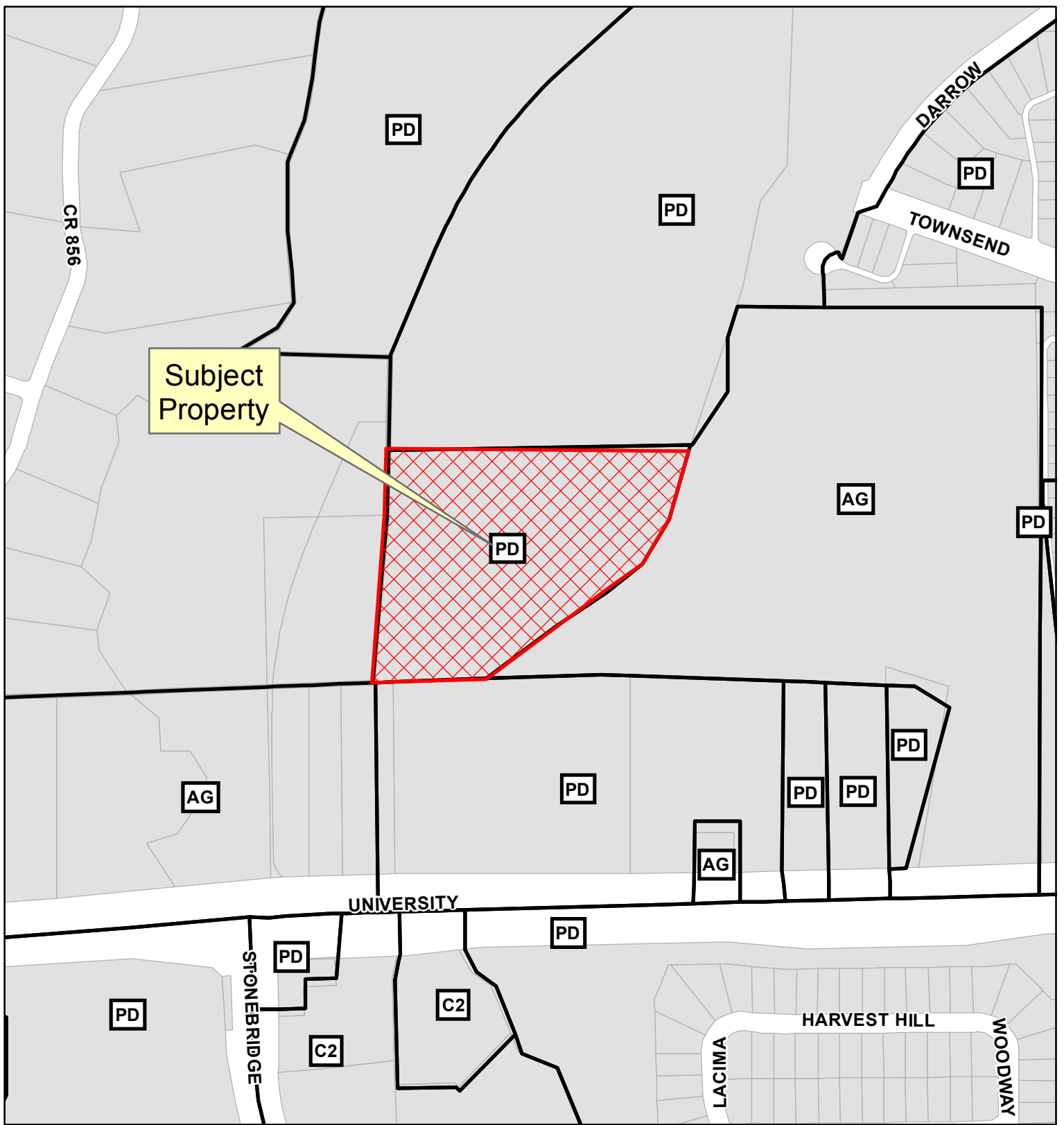
The property Parcel ID Number 2602273, as shown on the enclosed locator map, in the City of McKinney is zoned "PD" – Planned Development District Ordinance number 1770, and as amended by "PD" – Planned Development Ordinance numbers 2004-06-068 and 2006-02-016. The subject property shall develop according to the "BG" – General Business District.

Enclosed, please find a locator map, aerial map, "PD" – Planned Development District Ordinance numbers, 1770, 2004-06-068 and 2006-02-016, of the City of McKinney Zoning Ordinance, Schedule of Uses and "BG" District Regulations. The zoning of adjacent properties is available via the interactive maps on the City of McKinney's website, www.mckinneytexas.org. From the home page, go to Departments>Development Services>Planning>Interactive Planning Map.

This letter has been prepared for the property shown on the enclosed location map. If this is not the property you requested, please let us know. If you should have any questions regarding this letter, please contact the City of McKinney Planning Department at (972) 547-7409.

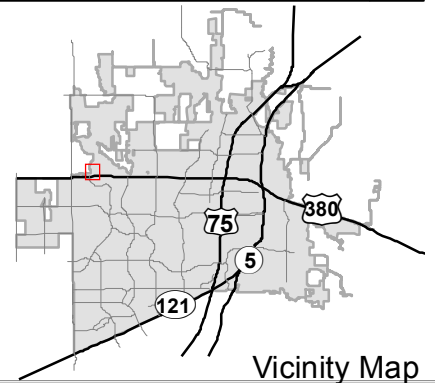
Sincerely,

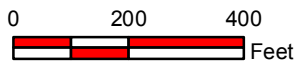
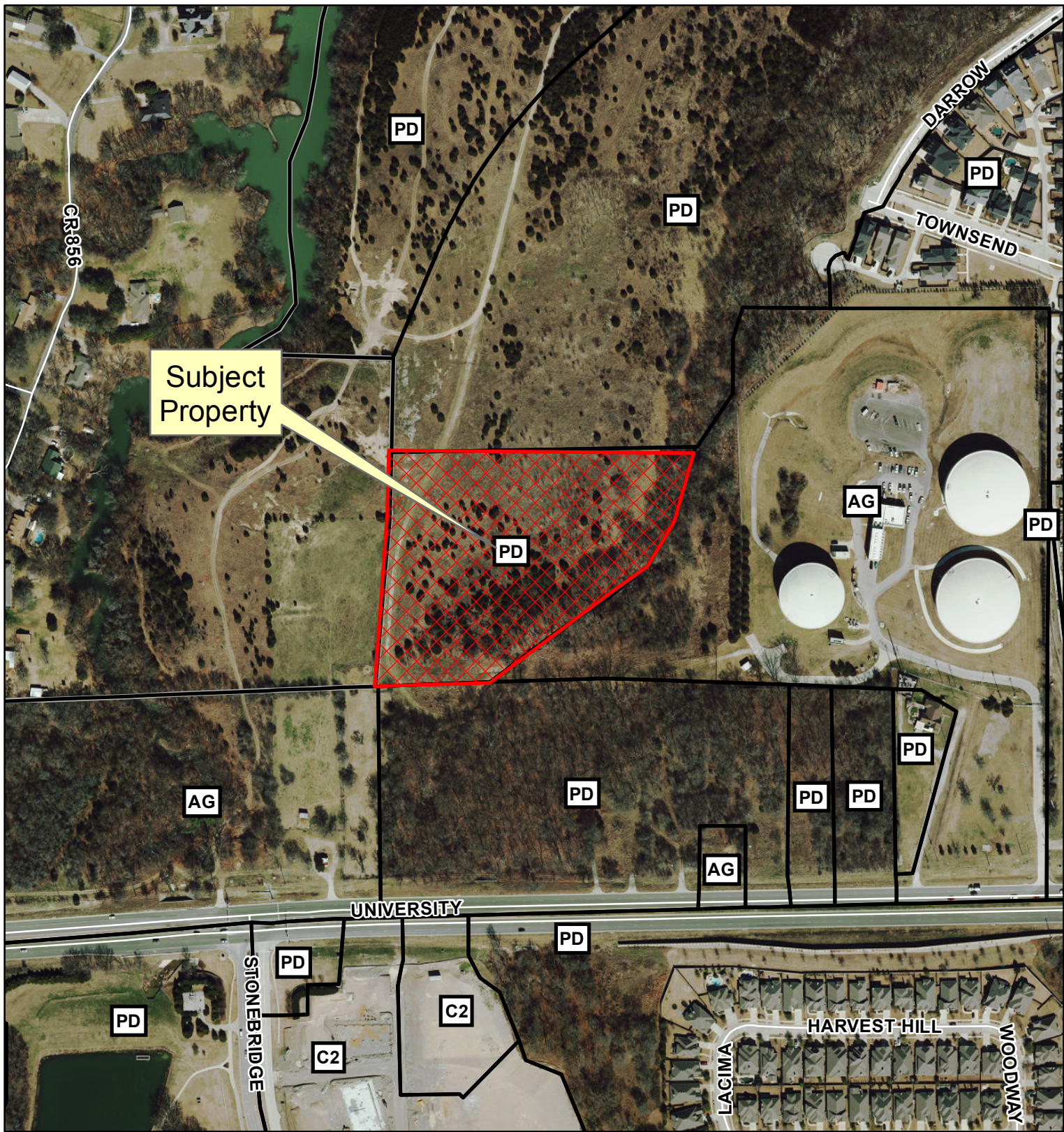
Karen McCutcheon
Sr. Planning Technician



Location Map

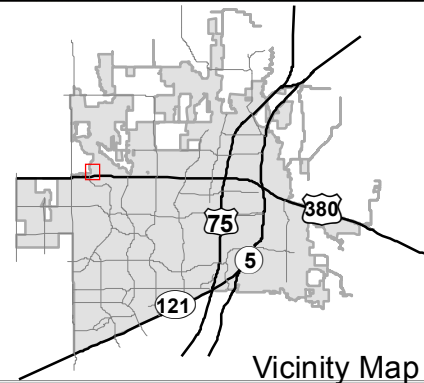
Zoning Verification:
Property ID 2602273





Location Map

Zoning Verification:
Property ID 2602273



Vicinity Map

DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.

For Jennifer's file: Exhibit B

**CUMMINGS &
PEWITT, INC.**

ORIGINAL

Engineering • Planning • Surveying

CROW / BILLINGSLEY

McKINNEY PROPERTY

1012.4 ACRE PLANNED DEVELOPMENT

ZONING REGULATIONS

JANUARY 19, 1988

1475 Richardson Drive • Suite 230 • Richardson, TX 75080 • (214) 680-0602

EXHIBIT "B"

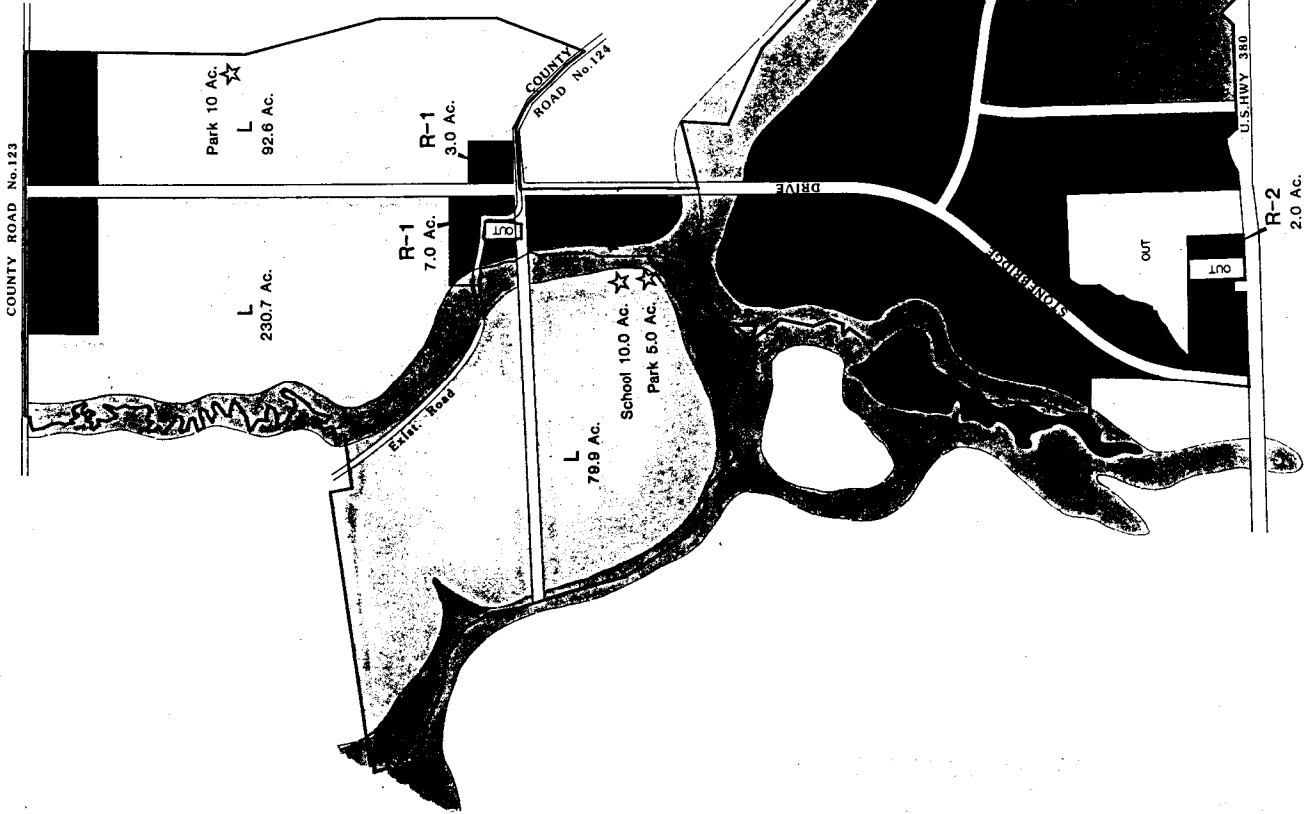
EXHIBIT A

CROW / BILLINGSLEY

McKINNEY PROPERTY

1012.4 ACRES

GENERAL DEVELOPMENT PLAN



RESIDENTIAL		COMMERCIAL	
L	LOW DENSITY 7 Units Per Acre Max.	[Solid Black Box]	OFFICE
[Stippled Box]	HIGH DENSITY 22 Units Per Acre (Bonus 4.0 U/A Possible)	[Stippled Box]	LIGHT MANUFACTURING
		[Solid Black Box]	RETAIL
		[Patterned Box]	GREENBELT/FLOODWAY

CUMMINGS & PEWITT INC.	DATE	SCALE	SHEET NO.
ENGINEERING/PLANNING/SURVEYING			
1800 EXECUTIVE DRIVE EAST - SUITE 113			
HOUSTON, TX 77061-1211 (610) 861-8822			

Rev. Jan. 11, 1988

**CROW/BILLINGSLEY MCKINNEY PROPERTY
PLANNED DEVELOPMENT REGULATIONS**

January 19, 1988

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SECTION I
PURPOSE AND INTENT

The purpose of this ordinance is to provide for the development of the Crow/Billingsley McKinney Property Planned Development as a coordinated, master-planned project in the City of McKinney, Texas. This ordinance assures compliance with the spirit and intent of the Planned Development (PD) Ordinance, Section 3.20 of the City of McKinney Zoning Ordinance 1270, adopted December 15, 1981, as amended. An objective of this ordinance is to be responsive to changing community needs and desires in order to function without the need for unnecessary time-consuming and costly amendments.

This ordinance combines provisions for the opportunity to propose innovative community design concepts and site planning, consistent with orderly development and protection of sensitive and natural resources, with provisions for a logical and timely sequence of community and governmental review and input.

This ordinance provides for a "multiple use concept". Provisions are made for the submittal and review of projects which may contain a mix of residential, commercial, industrial, recreational and open space uses in new and creative spatial relationships.

The objective of providing maximum opportunity for creative community design and site planning is accommodated by using the stated maximum number of dwelling units as the primary control factor for residential development within the community. A diversity of uses, relationships, building heights, building masses, building quality, landscape, architecture, and open spaces is provided. Consistency with the provisions and intent of the City of McKinney Zoning Ordinance is ensured through the review process contained herein.

This ordinance has as an objective the creation of a document which will result in the development of a balanced living environment, responsive to the social, economic and physical needs of the inhabitants of the Crow/Billingsley McKinney Property Planned Development, City of McKinney, and surrounding areas. This document is also designed to implement the goals, policies and guidelines of the City.

SECTION II
IMPLEMENTATION & DEVELOPMENT PROCESSING PROCEDURES

A. INTRODUCTION

The Crow/Billingsley McKinney Property Planned Development shall be implemented through a three-stage plan review process. The first stage is the General Development Plan, which is included and approved as a part of this Ordinance. The second stage is the Concept Plan, which will be filed on each specific tract in the project, and will contain sufficient information to show that the development of that tract will conform to the General Development Plan and be compatible with the immediate surrounding area. The third and last stage is the Site Plan, which will contain all specific information required to assure that the tract's development will conform to the standards prescribed by this ordinance.

Submission of all Concept Plans and Site Plans shall be coordinated through the office of the Director of Planning for the City of McKinney.

B. GENERAL DEVELOPMENT PLAN

Included with this Planned Development Ordinance is the General Development Plan (Exhibit A) which graphically illustrates the distribution of land uses on the Property, as well as the major streets planned to serve the development. The acreages shown on this plan for each zoning district are consistent with those shown on the Statistical Summary (Exhibit B) which designates the maximum acreage to be developed for each land use type and the maximum number of dwelling units allowed in the project.

The exact alignment of the major streets, as well as the exact delineation of each land use tract, will not be determined until the site plan and platting processes, and are subject to some adjustment during site planning and engineering design. However, the General Development Plan shall be the graphic standard by which all Concept Plans and Site Plans will be judged for general conformance and consistency with the intent of this ordinance.

C. CONCEPT PLAN

The purpose of the Concept Plan is to describe the development plans for a specific tract in a graphic and written manner, so that conformance with the General Development Plan and the intent of this ordinance can be assured. The Concept Plan shall act as a preliminary site plan for a tract. The Concept Plan shall be submitted to the Director of Planning for review by the Planning Commission, which shall forward its recommendation to the City Council for approval consideration. The Concept Plan shall include the following:

1. A narrative addressing;
 - a. The type of development planned, with specific reference to the appropriate zoning district as described in Sections IV and V of this ordinance,
 - b. The acreage involved,
 - c. If residential, the number of dwelling units and projected population,
 - d. Phasing plan (if any) and timing,
 - e. Surrounding area within 200' and special plans, if any, to assure compatibility,
 - f. Landscape character and general amenities description,
 - g. Property owners' association, if any, and covenants applicable to the development,
 - h. Other information which might assist in the understanding of the proposed development,
2. A graphic plan, prepared to a scale acceptable to the Director of Planning, containing the following information;
 - a. Tract boundary and size in acres,

- b. If residential, the maximum number of dwelling units and resulting density,
- c. If non-residential, the maximum FAR and building height,
- d. General layout of collector or secondary streets,
- e. Drainage ways, wetlands, and open space areas,
- f. Water and wastewater trunk lines,
- g. Any significant physical features as identified by the City's "Site Analysis Plan" (Exhibit F),
- h. Public and private open space and/or common areas,
- i. Landscape character or concept,
- j. Setbacks, including justification for any reductions as may be permitted by this ordinance,
- k. Surrounding developments, existing or planned, within 200',
- l. For Multi-Family and Non-Residential,
 - (1.) Location of points for Ingress/egress
 - (2.) Building envelopes, i.e., area in which buildings may be located
 - (3.) Screening
 - (4.) Signage
 - (5.) Specific locations of all buildings over three stories in height, and specific locations and height of parking and other appurtenant structures two stories or over in height.
 - (6.) In districts where mixed land uses are allowed, the distribution, identification, and location of land uses

D. SITE PLAN

The site plan shall be an accurate drawing of one or more building sites showing all information required in the City of McKinney Zoning Ordinance or as such may be amended. In addition, a landscape plan consistent with the requirements of Section VII of this ordinance shall be included during the Site Plan review stage.

The Site Plan shall be submitted to the Director of Planning for review by the Planning Commission, which shall forward its recommendation to the City Council for approval consideration.

The Site Plan for a tract may be submitted and processed concurrently with the Concept Plan if, in the opinion of the Director of Planning, plans for the tract's development are of sufficient detail to meet the submission requirements for each, and both the Concept Plan and Site Plan are in substantial conformance with the General Development Plan.

E. PLATTING

In addition to the three-stage plan review process just described, this ordinance shall also be implemented through the City of McKinney subdivision and platting procedures.

1. Preliminary Platting

A Preliminary Plat, as prescribed in Article III, Section 3.03, Sub-Sections (2)-(9) of the City's Subdivision Code (Ordinance 1290), may be submitted for any tract within the General Development Plan area. The project data to be submitted in conjunction within a tentative plat application shall be as specified in the Subdivision Ordinance, except where it is in variance with the space limits and regulations specifically set forth herein.

Flag lots are recognized as appropriate only in the SF-3 Zero lot line district, and only in a form conceptually consistent with the example shown in Exhibit C. Greenbelt noted on the General Development Plan will be dedicated for use by the City of McKinney as Open Space during platting subject to acceptance by the City Council and will carry a flood plain designation, if applicable.

2. Final Plat

Final Plats shall be submitted for all, or any portion of an approved preliminary plat as prescribed in Article III, section 3.04 of the City's Subdivision Code (Ordinance 1290), unless otherwise herein stated.

3. Preliminary - Final Plats

A combination Preliminary-Final Plat may be submitted in accordance with Article III, Section 3.03, Sub-Section (10) of the City's Subdivision Code (Ordinance 1290). However, after approval of the combination Preliminary - Final Plat, the wording "Final Plat" will be stated on the document in order to conform to the filing requirements of Collin County, Texas.

SECTION III
GENERAL PROVISIONS

1. The General Development Plan for purposes of this ordinance shall show conceptual alignments of thoroughfares and general locations and delineations of land use areas within the Crow/Billingsley McKinney Property Planned Development. This General Development Plan shall be accompanied by a Statistical Summary, which establishes the maximum size (in acres) for each land use type and the maximum permitted number of dwelling units. These items are presented in Exhibits A and B, respectively.
2. Existing land uses within the Crow/Billingsley McKinney Property Planned Development are considered as permitted uses within these PD regulations.
3. Terms used in this ordinance shall have the same definitions as given in the McKinney Zoning Ordinance unless otherwise defined herein. Parking structures shall not be included in calculating coverage or floor area in non-residential zoning districts.
4. Any details or issues not specifically covered by this ordinance shall be subject to the provisions of the McKinney Zoning Ordinance. Where conflicts between this ordinance and other ordinances occur, this ordinance shall control. Where conflicts within this ordinance occur, if any, the more restrictive provision shall control.
5. Density, Coverage, and FAR calculations shall be based on the net area of the tract, that being the area of the tract not including any portion of street and/or alley right-of-way.
6. This ordinance is adopted pursuant to the regulations contained in Section 3.20 of the McKinney Zoning Ordinance, as amended. It is specifically intended by such adoption that the development standards contained herein shall regulate all development within the Crow/Billingsley McKinney Property Planned Development .

7. Minor adjustments in the street layout and land use areas resulting from final road alignments, geotechnical or engineering refinements to the plats shall not require amendment of the General Development Plan when such adjustments are consistent with the intent of these regulations, the City Zoning Ordinance, and the maximum number of dwelling units as shown on the Statistical Summary. Such determinations shall be made in a manner consistent with provisions of the Implementation & Development Processing Procedures Section contained herein.
8. A Concept Plan and/or Site Plan may be amended by submitting a Revised Concept Plan or Revised Site Plan in accordance with the same provisions under which an original submission is made.
9. If an application is made to amend this ordinance or a Concept Plan or Site Plan approved pursuant to this ordinance for a specific tract of property located within the Crow/Billingsley McKinney Property Planned Development, notice of said application shall be delivered only to owners of land located within two hundred (200) feet of said property. If all land within 200' of the subject tract is owned by Crow/Billingsley, then the City review and approval process will not require a public hearing.

SECTION IV
RESIDENTIAL USE REGULATIONS

A. PURPOSE AND INTENT

The purpose of this section is to regulate the planning and development of the residential uses in the Crow/Billingsley McKinney Property Planned Development. This ordinance provides for a wide variety of residential uses, and allows for community facilities, community services facilities and uses, and structures accessory to the main uses.

The ultimate control for residential development is the maximum number of dwelling units permitted as indicated on the Statistical Summary. Maximum density per acre of any land use is never exceeded, except as allowed by specific density transfer or bonus provisions.

Space limits for residential and other projects shall be as described herein, and subject to the review procedures as specified in Implementation Section contained herein. After first occupancy of an individual dwelling unit, the space limits contained in this ordinance and any applicable plat or site plan shall apply to that dwelling unit and shall only be modified subject to the variance or rezoning procedures contained in the City of McKinney Zoning Ordinance.

B. LOW DENSITY RESIDENTIAL

1. Purpose and Intent

This classification of residential uses is designed for development of single-family detached residences and other residential projects consistent with the permitted density of this classification. The low density classification provides for a maximum density of seven (7) dwelling units per acre, and may be comprised of one or more of the following districts.

2. Districts

a. "SF-1" Single-family Residence District regulations

- (1) Purpose: This zone is designed to stabilize and protect the residential characteristics of the district and to encourage a suitable family life.
- (2) Principal permitted uses:
 - (a) Single family detached dwellings.
 - (b) Public, parochial and private schools and colleges offering courses of general instruction when located on sites of at least five (5) acres, and including convents, monasteries, dormitories and other related living structures when located on the same site as the school or college
 - (c) Churches, synagogues, chapels and similar places of religious worship and instruction of a quiet nature when located in a substantial structure and on a site of at least two (2) acres.
 - (d) Public and quasi-public buildings for cultural use.
 - (e) Country Clubs.
 - (f) Crop and tree farming but not including the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises, except as provided for as a permitted home occupation.
 - (g) Parks and recreation areas.
- (3) Permitted accessory uses:
 - (a) Home occupations.
 - (b) Private garage and parking areas.

- (c) Private swimming pools exclusively for the use of residents of the premises and their nonpaying guests and subject to any other regulations or ordinances of the City of McKinney.
 - (d) Other accessory uses customarily and normally found to be appurtenant to uses permitted in this zone.
- (4) Specific use permits:
- (a) Swim and/or tennis clubs owned and operated by a neighborhood or homeowners' association.
 - (b) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and screened on all sides in accordance with the alternatives specified in Section VIII herein. Buildings shall conform to all space limits of this zone and shall be of such exterior design as to harmonize with nearby properties, as per the site plan approval process administered by the McKinney Planning and Zoning Commission.
- (5) Space limits:
- (a) Minimum lot area: Seven thousand two hundred (7,200) square feet;
 - (b) Minimum width of lot: Sixty (60) feet;
 - (c) Minimum depth of lot: One Hundred (100) feet;
 - (d) Maximum height of building: Thirty-five (35) feet;

(e) Minimum front yard. Twenty-five (25) feet; may be reduced to ten (10) feet with site plan approval at the planning and zoning commission which adequately addresses the streetscape and design quality.

(f) Minimum rear yard: Twenty (20) feet from rear lot line to main structure (excluding accessory buildings, cabanas, decks, fences, pools, etc).

(g) Minimum side yard: Ten percent (10%) of lot width

(h) Minimum side yard on corner: Fifteen (15) feet;

(i) Maximum lot coverage: Sixty percent (60%).

(j) Maximum density: Four (4) dwelling units per acre.

(6) Miscellaneous provision:

Two (2) enclosed parking spaces shall be provided on each lot for each dwelling unit.

b. "SF-2" Single-family Residence District regulations.

(1) Purpose: This zone is designed to encourage a suitable family life.

(2) Principal permitted uses:

(a) Single family detached dwellings.

(b) Public, parochial and private schools and colleges offering courses of general instruction when located on sites of at least five (5) acres, and including convents, monasteries, dormitories and other related living structures when located on the same site as the school or college.

- (c) Churches, synagogues, chapels and similar places of religious worship and instruction of a quiet nature when located in a substantial structure and on a site of at least two (2) acres.
 - (d) Public and quasi-public buildings for cultural use.
 - (e) Country Clubs.
 - (f) Crop and tree farming but not including the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises, except as provided for as a permitted home occupation.
 - (g) Parks and recreation areas.
- (3) Permitted accessory uses:
- (a) Home occupations.
 - (b) Private garage and parking areas.
 - (c) Private swimming pools exclusively for the use of residents of the premises and their nonpaying guests and subject to any other regulations or ordinances of the City of McKinney.
 - (d) Other accessory uses customarily and normally found to be appurtenant to uses permitted in this zone.
- (4) Specific use permits:
- (a) Swim and/or tennis clubs owned and operated by a neighborhood or homeowners' association.

(b) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and screened on all sides in accordance with the alternatives specified in Section VIII herein. Buildings shall conform to all space limits of this zone and shall be of such exterior design as to harmonize with nearby properties, as per the site plan approval process administered by the McKinney Planning and Zoning Commission.

(5) Space limits:

- (a) Minimum lot area: Six thousand (6,000) square feet.
- (b) Minimum width of lot: Fifty (50) feet;
- (c) Minimum depth of lot: Ninety (90) feet;
- (d) Maximum height of building: Thirty-five (35) feet;
- (e) Minimum front yard: Twenty-five (25) feet; may be reduced to ten (10) feet with site plan approval at the planning and zoning commission which adequately addresses the streetscape and design quality.
- (f) Minimum rear yard: Twenty (20) feet from rear lot line to main structure (excluding accessory buildings, cabanas, decks, fences, pools, etc).
- (g) Minimum side yard: Ten percent (10%) of lot width.
- (h) Minimum side yard on corner: Fifteen (15) feet.
- (i) Maximum lot coverage: Sixty percent (60%).
- (j) Maximum density: Four and One-half (4.5) dwelling units per acre.

(6) Miscellaneous provision:

Two (2) enclosed parking spaces shall be provided on each lot for each dwelling unit. The subdivision must be designed in such a manner that there is at least one off-the-lot parking space for each dwelling unit.

c. "SF-3" Single-family Residence District regulations - Zero lot line homes.

(1) Purpose: To provide single family homes on lots of moderate size. Any development in this category which proposes common amenities, common ground, or common cluster parking (privately owned) shall furnish to the Director of Planning, at the time of platting, evidence of establishment of a homeowners' association to ensure that the common grounds of the property are properly maintained. The City shall have the right to approve the provision of said homeowners' association before filing of either the plat or the association covenants. The City will have the right, but not the obligation, to enforce the terms of said homeowners' association.

(2) Principal permitted uses:

(a) Single-family detached dwellings.

(b) Public, parochial and private schools and colleges offering courses of general instruction when located on sites of at least five (5) acres, and including convents, monasteries, dormitories and other related living structures when located on the same site as the school or college.

(c) Churches, synagogues, chapels and similar places of religious worship and instruction of a quiet nature when located in a substantial structure and on a site of at least two (2) acres.

(d) Public and quasi-public buildings for cultural use.

- (e) Country Clubs.
 - (f) Crop and tree farming but not including the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises, except as provided for as a permitted home occupation.
 - (g) Parks and recreation areas.
- (3) Permitted accessory uses:
- (a) Home occupations.
 - (b) Private garage and parking areas.
 - (c) Private swimming pools exclusively for the use of residents of the premises and their nonpaying guests and subject to any other regulations or ordinances of the City of McKinney.
 - (d) Other accessory uses customarily and normally found to be appurtenant to uses permitted in this zone.
- (4) Specific use permits: No specific use permits.
- (a) Swim and/or tennis clubs owned and operated by a neighborhood or homeowners' association.
 - (b) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and screened on all sides in accordance with the alternatives specified in Section VIII herein. Buildings shall conform to all space limits of this zone and shall be of such exterior design as to harmonize with nearby properties, as per the site plan approval process administered by the McKinney Planning and Zoning Commission.

(5) Space limits:

- (a) Minimum lot area: Four thousand (4,000) square feet.
- (b) Minimum width of lot: Forty (40) feet;
- (c) Minimum depth of lot: Eighty (80) feet, except that this may be reduced to sixty (60) feet with Site Plan approval by the Planning and Zoning Commission and City Council, such site plan adequately addressing design quality.
- (d) Maximum height of building: Thirty-five (35) feet;
- (e) Minimum front yard. Twenty (20) feet; may be reduced to ten (10) feet with site plan approval at the planning and zoning commission which adequately addresses the streetscape and design quality.
- (f) Minimum rear yard: Twenty (20) feet from rear lot line to main structure (excluding accessory buildings, cabanas, decks, fences, pools, etc) or may be reduced to ten (10) feet if adjacent to recreation or open space area, with site plan approval that adequately addresses design quality.
- (g) Minimum side yard: Zero one side with ten (10) feet separation between buildings.
- (h) Minimum side yard on corner: Fifteen (15) feet.
- (i) Maximum lot coverage: Sixty percent (60%).
- (j) Maximum density: Seven (7) dwelling units per acre.

(6) Miscellaneous provision:

Minimum of three (3) parking spaces shall be provided per unit with a minimum of two (2) parking spaces on each lot, one of which must be enclosed. One (1) of the required spaces may be off the lot. The off lot parking spaces may be provided in cluster parking areas or on the street if said street has a minimum paving width of thirty-six (36) feet and is approved by the City during concept plan or plat review and a minimum separation between driveway radius returns of twenty feet (20) feet.

- (7) Concept Plan: A concept plan shall be submitted for approval prior to platting. No concept plan is required for development of tracts in accordance with SF-1 or SF-2 limits.

C. HIGH DENSITY RESIDENTIAL

(1) Purpose and Intent

This residential classification is intended to permit development of townhouse and multiple family residences, and permits a maximum density of twenty-two (22) dwelling units per acre, exclusive of the Amenity/Bonus System, plus up to four (4) additional units/acre maximum as provided by the Amenity/Bonus System (Section IV C 6 herein).

- (2) District - "MF-2" General Residence District regulations.

- (1) Purpose: This zone is designed to provide for moderately high density apartment development and other uses which have characteristics similar to those found in the operation of apartment houses.

(2) Principal permitted uses:

- (a) Any principal permitted use allowed in the "MF-1" zone, as described in the Stonebridge Ranch Zoning Ordinance, conforming to the rules and regulations of the "MF-1" zone, with the exception of single-family detached dwellings and utility substations.
- (b) Multiple dwellings conforming to the space limits of this zoning district.
- (c) Hospitals and rest homes, nursing homes.
- (d) Rooming houses and boarding houses.
- (e) Apartment hotels.
- (f) Fraternity houses, sorority houses, lodges and similar establishments, but specifically excluding those establishments which have a name or legal basis as the aforesaid, but are in fact operated as a business enterprise, and also excluding concessions associated with the aforesaid which are operated as a business enterprise.
- (g) Buildings of non profit community organizations and social welfare establishments.

- (3) Permitted accessory uses: Any permitted accessory use allowed in the "SFA-3" zone, as described in the Stonebridge Ranch Zoning Ordinance, when established according to the rules and regulations of the "SFA-3" zone.

(4) Specific use permits:

(a) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and screened on all sides in accordance with the alternatives specified in Section VIII herein. Buildings shall conform to all space limits of this zone and shall be of such exterior design as to harmonize with nearby properties, as per the site plan approval process administered by the McKinney Planning and Zoning Commission.

(b) Single-family detached dwellings.

(5) Space limits:

(a) Minimum lot area: One thousand five hundred (1,500) square feet per dwelling unit.

(b) Minimum zoning lot: Five thousand (5,000) square feet.

(c) Minimum width of lot: Fifty (50) feet.

(d) Minimum depth of lot: One hundred (100) feet.

(e) Maximum height of building: Fifty (50) feet.

(f) Minimum front yard: Twenty (20) feet.

(g) Minimum rear yard: Ten (10) feet except when adjacent to residential districts with a greater rear yard. In such case, the greater yard shall be required.

(h) Minimum side yard: Seven (7) feet.

(i) Minimum side yard at corner: Fifteen (15) feet.

- (j) Maximum lot coverage: Eighty percent (80%)
- (k) Maximum density: Twenty-two (22) dwelling units per acre, exclusive of the Amenity/Bonus System, plus up to four (4) additional units/acre maximum as provided by the Amenity/Bonus System (Section IV C 6 herein).
- (l) Minimum building separation (measured to the main building excluding protrusions for fireplaces, stairwells, etc.) shall be defined on the site plan but shall not be less than:
 - (i) Ten (10) feet if one building has no opening in the closest adjacent wall.
 - (ii) Twenty (20) feet if both buildings have openings in the closest adjacent walls.
- (m) Minimum separation between parking and building - ten (10) feet.

(6) Amenity/Bonus System:

- (a) In order to encourage quality multi-family development, the following bonus system is designed to award minimal increases in density for providing aesthetic amenities in the site plan, building design, and/or landscaping:
 - Landscaped Front Setback - If the minimum front yard is increased from 20' to 25', and the entire setback is utilized for landscaping, i.e. not parking, then an increase in density of 0.75 units/acre will be awarded.
 - Landscaped Parking Area - If parking rows are limited to no more than 6 contiguous spaces without a landscaped separation (minimum width of 6'), then an increase in density of 0.25 unit/acre will be awarded.

- Landscape Area Requirements - For every (5) percent increase in percentage of landscape over the required 10% landscape area, other than floodway areas, a 0.5 unit/acre increase in density will be awarded.
- Staggered Wall Line - If a minimum four (4) foot offset between the relative front walls (exclusive of exterior balconies) of two adjacent units in the same building for every four (4) (or less) unit footprints, and the setback or staggered area is a minimum width of two units, then a 0.5 unit/acre increase in the total number of dwelling units will be awarded.
- Roof Slope - For every 1:12 increase in the roof slope over a minimum of 4:12, for a minimum of 80% of the footprint projection of the total unit roof areas, a 0.25 unit/acre increase in the total number of dwelling units per acre will be awarded.
- Balcony Under Main Roof of Structure - If each unit is provided with a balcony which is a minimum of 32 sq. ft. in size and if all three balconies are under the main roof of the structure, a 0.25 unit/acre increase in the total number of dwelling units per acre will be awarded.
- Solarium/Greenhouse - If 50% of the units contain a solarium/greenhouse constructed of materials which have smooth translucent tinted glazing (i.e., glass or plexiglass) an increase of 0.5 dwelling units/acre will be awarded.
- Masonry Requirements - For every five (5) percent increase in percentage of masonry exterior over 75% of the overall site average other than the areas designated to be glass and architectural accent materials, a 0.5 unit/acre increase in the total number of dwelling units per acre will be awarded. Masonry shall be defined as brick and stone. No more than 10% of the masonry requirement shall be stucco.

- Chimney - If one (1) exterior full height chimney is provided for every four (4) units (minimum two (2) chimneys per building) which are covered with field applied masonry without wood trim over prefabricated or field erected flues, a 1.0 unit/acre increase in the total number of dwelling units per acre will be awarded. No other chimney construction shall be permitted if this bonus is to be awarded.
- Open Space Dedication - For every 10% open space over and above the requirement of the City of McKinney 1984 Park Master Plan, then a 0.1 dwelling unit/acre increase will be awarded.
- Tree Preservation - For every tree preserved greater than 6" in caliper (not including trees in the flood plain) a bonus of 0.1 units will be awarded.

(b) The total bonus density which can be accumulated shall not exceed 4.0 units/acre.

(7) Miscellaneous provisions:

- (a) Site plan approval by the Planning Commission shall be required prior to development.
- (b) One (1) parking space for each dwelling unit, plus one-half (.5) space for each bedroom in all dwelling units. Additional spaces provided over the minimum requirement may be designated compact spaces for small cars.
- (c) The maximum density per tract shall include credit for that portion of the tract designated as open space, flood plain, and/or greenbelt.

- (d) Building Placement: Where three (3) or more buildings are within 100' of street right-of-way and have a foot print greater than four (4) units, 1/3 of these buildings must be turned such that their lengths are a minimum of 45° to the street right-of-way. The remainder may be parallel to the right-of-way.

- (e) Exterior Lighting: Exterior lighting fixtures, whether attached to buildings or free-standing, shall be of a harmonious design. If security lights are over ten (10) feet above grade and abut residential uses, lights shall be placed along the rear property line and shall be of a down-light type to minimize the glare onto adjoining properties.

SECTION V
NON-RESIDENTIAL USE REGULATIONS

A. PURPOSE AND INTENT

The purpose of these provisions is to regulate the planning, design and development of all non-residential classifications within the Crow/Billingsley McKinney Property Planned Development.

Uses in the Office Districts are intended to provide for office buildings with attendant retail and service uses intended primarily for occupants of such office buildings.

Uses in the Retail Districts are intended to provide a wide range of retail, office and service establishments.

Uses in the light Manufacturing Districts are intended to provide a wide range of commercial and industrial uses, all of which shall be comparatively nuisance-free.

B. "O-1" OFFICE DISTRICT REGULATIONS

(1) Purpose: This district provides for office buildings with attendant retail and service uses intended primarily for occupants of such office buildings and surrounding office areas.

(2) Principal permitted uses:

(a) Professional and administrative offices where services are provided only and no chattels or goods are offered for sale on the premises, including but not limited to doctors, dentists, attorneys, architects, engineers, insurance, real estate, travel agents, and similar offices.

(b) Business or commercial school, institutions of education, government, and religious buildings.

- (c) Clinics, medical and dental.
- (d) Banks and other financial institutions.
- (e) Research or scientific laboratories of primarily office nature.

(3) Permitted accessory uses:

- (a) The retail sale of food, beverages and other convenience items or services is permitted to the occupants, employees and guests. The area dedicated to these accessory uses should not exceed ten (10) percent of the authorized floor area of the building in which the use is located unless specifically approved by the Planning Commission and the City Council.
- (b) Drive-in facilities for banks or financial institutions.
- (c) Accessory buildings and uses customarily incident to any of the above uses, provided that such be not objectionable because of odor, smoke, dust, noise, vibration, or similar nuisance. Section 4.07 Performance Standards of the McKinney Zoning Ordinance shall apply.

(4) Specific use permits: Private Clubs

(5) Space limits:

- (a) Minimum lot area: None.
- (b) Minimum width of lot: None.
- (c) Minimum depth of lot: None.

- (d) Maximum height of building: Thirty-five (35) feet, except that the height may be increased by one (1) foot for each one (1) foot that required yards are increased; no building will exceed eight (8) stories, with a maximum height of one hundred twenty (120) feet, plus a reasonable additional height for penthouses, mechanical rooms, cooling towers, elevator bulkheads, architectural amenities, etc.
 - (e) Minimum front yard: Twenty-five (25) feet.
 - (f) Minimum rear yard: None, except twenty-five (25) feet, required where abutting any district requiring a rear yard.
 - (g) Minimum side yard: None, except twenty-five (25) feet, required where abutting any district requiring a rear yard.
 - (h) Minimum side yard at corner: Twenty-five (25) feet.
 - (i) Maximum lot coverage: Fifty percent (50%).
 - (j) Maximum floor area ratio: One to one (1:1).
- (6) Miscellaneous provisions:
- (a) Concept plan approval by the Planning Commission and City Council shall be required for tracts zoned O-1 if development is to be such that it would not be detailed on a single plan.
 - (b) Site plan approval by the Planning Commission and/or as provided in the City Zoning Ordinance, as amended, shall be required prior to development of any individual site within an O-1 District.

(c) Parking:

(i) Business or professional offices, studios or banks:
One (1) parking space for each three hundred thirty-three (333) square feet of floor area or fraction thereof with a maximum of twenty-five (25) percent designated spaces for compact cars.

(ii) Other uses: As required by McKinney Zoning Ordinance, as amended.

(iii) Off street parking and loading shall be provided for all uses established in this zoning district, as required by the McKinney Zoning Ordinance, as amended, Section 4.02. Vehicle Parking and Section 4.03. Off-Street Loading.

(d) The exterior visible reflectance percentage of glass used for exterior building material must not exceed twenty-seven (27) percent unless otherwise approved on the site plan. It is recognized that in wooded areas or heavily landscaped tracts, exceptions to this limitation may be appropriate.

C. "O-2" OFFICE DISTRICT REGULATIONS

(1) Purpose: This district provides for office buildings with attendant retail and service uses intended primarily for occupants of such office buildings and surrounding office areas.

(2) Principal permitted uses:

(a) Professional and administrative offices where services are provided only and no chattels or goods are offered for sale on the premises, including but not limited to doctors, dentists, attorneys, architects, engineers, insurance, real estate, travel agents, and similar offices.

- (b) Business or commercial school, institutions of education, government, and religious buildings.
 - (c) Clinics, medical and dental.
 - (d) Banks and other financial institutions.
 - (e) Research or scientific laboratories of primarily office nature.
- (3) Permitted accessory uses:
- (a) The retail sale of food, beverages and other convenience items or services is permitted to the occupants, employees and guests. The area dedicated to these accessory uses should not exceed ten (10) percent of the authorized floor area of the building in which the use is located unless specifically approved by the Planning Commission and the City Council.
 - (b) Drive-in facilities for banks or financial institutions.
 - (c) Accessory buildings and uses customarily incident to any of the above uses, provided that such be not objectionable because of odor, smoke, dust, noise, vibration, or similar nuisance. Section 4.07 Performance Standards of the McKinney Zoning Ordinance shall apply.
- (4) Specific use permits: Private Clubs.
- (5) Space limits:
- (a) Minimum lot area: None.
 - (b) Minimum width of lot: None.
 - (c) Minimum depth of lot: None.

- (d) Maximum height of building: Thirty-five (35) feet, except that the height may be increased by one (1) foot for each one (1) foot that required yards are increased; no building will exceed twenty (20) stories, with a maximum height of two hundred sixty (260) feet, plus a reasonable additional height for penthouses, mechanical rooms, cooling towers, elevator bulkheads, architectural amenities, etc.
- (e) Minimum front yard: Twenty-five (25) feet.
- (f) Minimum rear yard: None, except twenty-five (25) feet, required where abutting any district requiring a rear yard.
- (g) Minimum side yard: None, except Fifteen (15) feet, required where abutting any district requiring a side yard.
- (h) Minimum side yard at corner: Twenty-five (25) feet.
- (i) Maximum lot coverage: Fifty percent (50%).
- (j) Maximum floor area ratio: One to one (1:1).
- (6) Miscellaneous provisions:
 - (a) Concept plan approval by the Planning Commission and City Council shall be required as set forth in this ordinance.
 - (b) Site plan approval by the Planning Commission shall be required prior to development of any individual site within an O-2 District.
 - (c) Parking:
 - (i) Business or professional offices, studios or banks: One (1) parking space for each three hundred thirty-three (333) square feet of floor area or fraction thereof with a maximum of twenty-five (25) percent designated and marked as spaces for compact cars.

(ii) Other uses: As required by McKinney Zoning Ordinance, as amended.

(d) The exterior visible reflectance percentage of glass used for exterior building material must not exceed twenty-seven (27) percent unless otherwise approved on the site plan. It is recognized that in wooded areas or heavily landscaped tracts, exceptions to this limitation may be appropriate.

D. "R-1" RETAIL DISTRICT REGULATIONS

(1) Purpose: This district provides for medium-intensity concentrations of shopping and related commercial activities.

(2) Principal permitted uses:

(a) Any use permitted in district "BN" in the McKinney Zoning Ordinance, as amended, under the conditions specified for that zone.

(b) Banks and financial institutions.

(c) Funeral homes and mortuaries.

(d) Food stores.

(e) Business or commercial schools.

(f) Theater, indoor.

(g) Household appliance sales and repair.

(h) Automotive parts and tires sales, including indoor installations and minor repair, but not including repair garages, muffler or transmission shops, seat cover shops, or body repair shops.

(i) Greenhouses or plant nurseries with outside storage or display.

(j) Restaurants, drive-in type with outside sales window.

- (k) Commercial amusements, indoor.
 - (l) Clothing, shoe, and department stores.
 - (m) Tennis or swim club.
 - (n) Animal hospital or veterinary clinic for small animals, without outside runs.
 - (o) Offices
 - (p) Uses similar to the above mentioned permitted uses, provided activities conducted observe the requirements of all City ordinances.
- (3) Permitted accessory uses: Any permitted accessory use allowed in the "BN" zone in the McKinney Zoning Ordinance, as amended, under the conditions specified for that zone.
- (4) Specific use permits:
- (a) A specific use permit is required for the construction of any dwelling unit in the R-1 District.
 - (b) Private Clubs.
 - (c) Utility substation or regulating station, water storage tank, agricultural and ranching uses, agricultural signs.
- (5) Space limits:
- (a) Minimum lot area: None.
 - (b) Minimum width of lot: None.
 - (c) Minimum depth of lot: None.
 - (d) Maximum height of building: Thirty-five (35) feet.

- (e) Minimum front yard: Twenty-five (25) feet.
 - (f) Minimum rear yard: Twenty-five (25) feet, when abutting any zone requiring a rear yard; none abutting business.
 - (g) Minimum side yard: Fifteen (15) feet, when abutting any zone requiring a side yard; none abutting business.
 - (h) Minimum side yard at corner: Fifteen (15) feet.
 - (i) Maximum lot coverage: Fifty percent (50%).
 - (j) Maximum floor area ratio: Eight-tenths to one (.8:1).
- (6) Special provisions:
- (a) Concept plan approval at the Planning Commission and City Council shall be required for tracts zoned R-1 if development is to be such that it would not be detailed on a single site plan.
 - (b) Site plan approval at the Planning Commission and/or as provided in the City Zoning Ordinance, as amended, shall be required prior to development of any individual site within an R-1 District.
 - (c) Office uses may not exceed fifty (50) percent of total floor area of an individual site within an R-1 District.
 - (d) Parking:
 - (i) Business or professional offices, studios or banks: One (1) parking space for each three hundred thirty-three (333) square feet of floor area or fraction thereof with a maximum of twenty-five (25) percent designated and marked as spaces for compact cars.

- (ii) Retail store or professional service establishment:
One (1) parking space for each two hundred (200) square feet of floor area or fraction thereof.
- (iii) Multi-family dwelling: One (1) parking space for each dwelling unit, plus one-half (.5) space for each bedroom in all dwelling units.
- (iv) Other uses: As required by McKinney Zoning Ordinance, as amended.
- (v) Off street parking and loading shall be provided for all uses established in this zoning district, as required by the McKinney Zoning Ordinance, as amended, Section 4.02. Vehicle Parking and Section 4.03. Off-Street Loading.

E. "R-2" RETAIL DISTRICT REGULATIONS

- (1) Purpose: This district provides for higher-intensity concentrations of shopping and related commercial activities, including potentially substantial office and hotel components.
- (2) Principal permitted uses:
 - (a) Any use permitted in district "BN" in the McKinney Zoning Ordinance, as amended, under the conditions specified for that zone.
 - (b) Banks and financial institutions.
 - (c) Funeral homes and mortuaries.
 - (d) Food stores.
 - (e) Business or commercial schools.
 - (f) Theater, indoor.
 - (g) Household appliance sales and repair.

- (h) Automotive parts and tires sales, including indoor installations and minor repair, but not including repair garages, muffler or transmission shops, seat cover shops, or body repair shops.
 - (i) Greenhouses or plant nurseries with outside storage or display.
 - (j) Restaurants, drive-in type with outside sales window.
 - (k) Commercial amusements, indoor.
 - (l) Clothing, shoe, and department stores.
 - (m) Tennis or swim club.
 - (n) Animal hospital or veterinary clinic for small animals, without outside runs.
 - (o) Offices.
 - (p) Uses similar to the above mentioned permitted uses, provided activities conducted observe the requirements of all city ordinances.
- (3) Permitted accessory uses: Any permitted accessory use allowed in the "BN" zone in the McKinney Zoning Ordinance, as amended, under the conditions specified for that zone.
- (4) Specific use permits:
- (a) A specific use permit is required for the construction of any dwelling unit in the R-2 District.
 - (b) Private Clubs.

- (c) Utility substation or regulating station, water storage tank, agricultural and ranching uses, agricultural signs.
- (5) Space limits:
- (a) Minimum lot area: None.
 - (b) Minimum width of lot: None.
 - (c) Minimum depth of lot: None.
 - (d) Maximum height of building: Thirty-five (35) feet, except for office, hotel and/or high-rise multiple family uses which shall not exceed twenty (20) stories up to a maximum height of two hundred sixty (260) feet, plus a reasonable additional height for penthouses, mechanical rooms, cooling towers, elevator bulkheads, architectural amenities, etc. An enclosed mall may exceed thirty-five (35) feet with site plan approval. All of the above are further subject to the Federal Aviation Administration standards and regulations.
 - (e) Minimum front yard: Twenty-five (25) feet.
 - (f) Minimum rear yard: Ten (10) feet, increased to Twenty-five (25) feet when abutting any other zone requiring a rear yard.
 - (g) Minimum side yard: Fifteen (15) feet, when abutting any zone requiring a side yard; none abutting business.
 - (h) Minimum side yard at corner: Fifteen (15) feet.
 - (i) Maximum lot coverage: Fifty percent (50%).
 - (j) Maximum floor area ratio: Two to one (2:1) of which no more than three tenths to one (.3:1) is retail.

(6) Special provisions:

- (a) Concept plan approval shall be required at the Planning Commission and City Council if the development is to be such as the entire zoning area is not detailed on a single site plan.
- (b) Site plan approval by the Planning Commission and City Council shall be required prior to development of any individual site within a R-2 District. When the first concept or site plan in a R-2 District is submitted to the City, the applicant must designate areas on the balance of the R-2 District that may be developed in excess of one hundred twenty (120) feet.

F. "ML-1" LIGHT MANUFACTURING DISTRICT REGULATIONS.

- (1) Purpose: This zone provides for a wide range of commercial and industrial uses, all of which shall be comparatively nuisance-free, as controlled by Section 4.07 Performance Standards of the McKinney Zoning Ordinance. The zone specifically excludes residences on the theory that the mixture of residential uses, and public services and facilities for residences with those for industry is contrary to the purposes of these regulations irrespective of whether the industry is encroaching on a living area or a living area is encroaching on an industrial area.
- (2) Principal permitted uses:
 - (a) Any use allowed in the "BG" zone in the McKinney Zoning Ordinance, as amended, except that all dwellings and other types of living accommodations shall be prohibited save that one quarters for a watchman or caretaker shall be permitted as an accessory use for any permitted use occupying more than twenty thousand (20,000) square feet of lot area.

- (b) Office/showroom and office/warehouse.
 - (c) See schedule of uses in ML District in McKinney Zoning Ordinance.
 - (d) Any uses allowed in O-1 District or R-1 District.
 - (e) Clinic.
 - (f) College or University.
 - (g) Hospital.
 - (h) Hotel or motel.
 - (i) Research, testing and development facility.
 - (j) Helistop, public and private, subject to applicable Federal Aviation Administration standards and regulations, in accordance with the McKinney Zoning Ordinance, but in no instance located nearer than five hundred (500) feet to the closest single-family zoning district.
- (3) Specifically excluded uses: The following uses are hereby declared incompatible with the purpose of the "ML" zone and are hereby expressly excluded:
- (a) Dwellings except caretakers' and watchmen's quarters as set forth herein.
 - (b) Public, parochial and private schools, except trade schools and colleges.
 - (c) Rest homes and other institutions for the housing or care of human beings, with the exception of day care centers.
 - (d) Mobile home parks.

- (e) Any use not enumerated as permitted in this zone but which is specifically provided for in another zone or zones.
 - (f) Theater (outdoor).
 - (g) Railroad freight station.
 - (h) Railroad train truck.
 - (i) Creamery, dairy products.
 - (j) Feed lots.
 - (k) Hatchery, poultry, egg farm.
 - (l) Livestock auction.
 - (m) Flashing sign.
 - (n) Railroad track.
- (4) Permitted accessory uses:
- (a) Any accessory use normally appurtenant to a permitted use shall be allowed.
 - (b) Recreational uses which will not interfere with the efficient functioning of the zone for its primary purpose of providing for manufacturing and heavy commercial establishments, may be allowed.
- (5) Space limits:
- (a) Minimum lot area for business or industry: Ten thousand (10,000) square feet.
 - (b) Minimum width of lot: Fifty (50) feet.

- (c) Minimum depth of lot: None.
 - (d) Maximum height of building: Thirty-five (35) feet, except that the height may be increased by one (1) foot for each one (1) foot that required yards are increased; no building will exceed eight (8) stories with a maximum height of one hundred twenty (120) feet, plus a reasonable additional height for penthouses, mechanical rooms, cooling towers, elevator bulkheads, architectural amenities, etc.
 - (e) Minimum front yard: Twenty-five (25) feet (at least 25% of the minimum front yard must be reserved for landscaping).
 - (f) Minimum rear yard: None.
 - (g) Minimum side yard: None.
 - (h) Minimum side yard at corner: Twenty (20) feet.
 - (i) Maximum lot coverage: Seventy-five percent (75%).
 - (j) Maximum floor area ratio: One to one (1:1)
- (6) Specific use permits:
- (a) Private clubs.
 - (b) Water treatment plant.
 - (c) Electrical generation plant.
 - (d) Sanitary landfill
 - (e) Utility substations or regulating station.
 - (f) Truck gardens.

- (g) Forestry and mining uses.
- (h) Industrial and manufacturing plants.
- (7) Miscellaneous provisions:
 - (a) Concept plan approval shall be required by the Planning Commission and City Council prior to platting.
 - (b) Site plan approval by the Planning Commission and City Council shall be required prior to development of any individual site within a ML-1 District.
 - (c) Parking:
 - (i) Business or professional offices, studios or banks: One (1) parking space for each three hundred thirty-three (333) square feet of floor area or fraction thereof with a maximum of twenty-five (25) percent small cars.
 - (ii) Retail store or professional service establishment: One (1) parking space for each two hundred (200) square feet of floor area or fraction thereof.
 - (iii) Other uses: As required by McKinney Zoning Ordinance, as amended.
 - (iv) Off street parking and loading shall be provided for all uses established in this zone, as required by the McKinney Zoning Ordinance, as amended, Section 4.02. Vehicle Parking and Section 4.03. Off-Street Loading.
 - (d) The exterior visible reflectance percentage of glass used for exterior building material must not exceed twenty-seven (27) percent unless otherwise approved on the site plan. It is recognized that in wooded areas or heavily landscaped tracts, exceptions to this limitation may be appropriate.

SECTION VI

SIGN REGULATIONS

All signs located within the Crow/Billingsley McKinney Property Planned Development shall conform to the requirements of the City of McKinney Sign Ordinance, as it currently exists or as it hereinafter may be amended.

SECTION VII

LANDSCAPING REGULATIONS

The City of McKinney currently does not have an Urban Design Study which would include policies and regulations regarding landscaping, screening, and buffering. Upon completion of that study, the Crow/Billingsley McKinney Property Planned Development shall conform to the requirements of said Urban Design Study.

SECTION VIII
SCREENING AND BUFFERING REGULATIONS

The City of McKinney currently does not have an Urban Design Study which would include policies and regulations regarding landscaping, screening, and buffering. Upon completion of that study, the Crow/Billingsley McKinney Property Planned Development shall conform to the requirements of said Urban Design Study.

SECTION IX

EXHIBITS

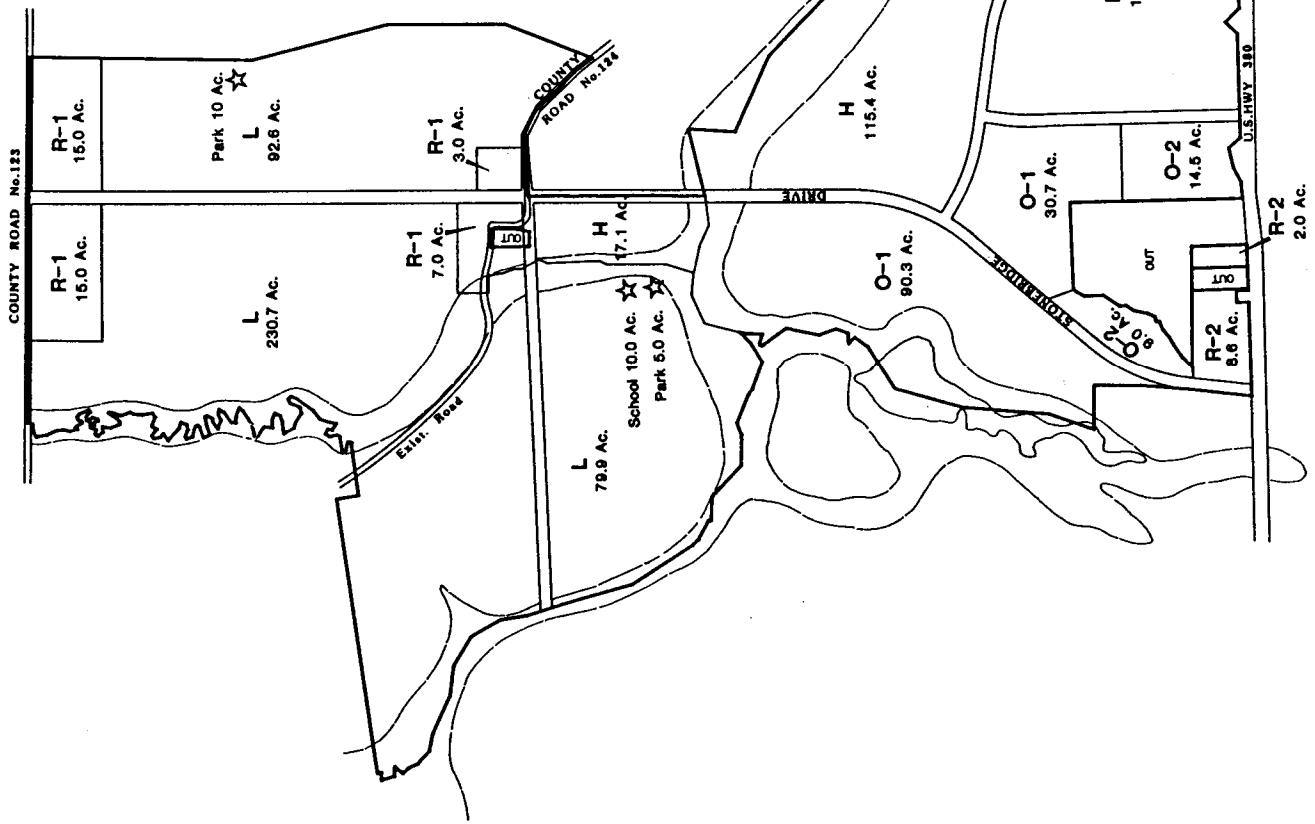
EXHIBIT A

CROW / BILLINGSLEY

McKINNEY PROPERTY

1012.4 ACRES

GENERAL DEVELOPMENT PLAN



RESIDENTIAL		COMMERCIAL	
<input type="checkbox"/> L	LOW DENSITY 7 Units Per Acre Max.	<input type="checkbox"/> O-1	OFFICE
<input type="checkbox"/> H	HIGH DENSITY 22 Units Per Acre (Bonus 4.0 U/A Possible)	<input type="checkbox"/> O-2	GREENBELT/ALDOWDAY
		<input type="checkbox"/> ML-1	LIGHT MANUFACTURING
		<input type="checkbox"/> R-2	RETAIL

CUMMINGS & PEYITT INC.
ENGINEERING/PLANNING/SURVEYING
10000 W. 10th St. Suite 100
Eden Prairie, MN 55324
Phone: 952.935.1111
Fax: 952.935.1112
www.cummings-peyitt.com

Project: 1012.4 ACRES
Date: 11/11/09
Scale: 1"=100'

EXHIBIT B
CROW/BILLINGSLEY MCKINNEY PROPERTY
STATISTICAL SUMMARY

GROSS ACRES	R.O.W. ACRES	NET ACRES	RESIDENTIAL		COMMERCIAL				SCHOOLS AND PARKS	OPEN SPACE	MAXIMUM NUMBER OF DWELLING UNITS	
			LOW	HIGH	R-1	R-2	0-1	0-2				ML-1
1012.4	54.8	957.6	403.2	132.5	40.0	45.7	178.3	23.5	109.4	25.0	159.4	5737

- NOTES: (1) "Right-of-way Acres" is estimated at this time, and is subject to adjustments as streets are more exactly delineated during engineering design.
- (2) The "Open Space" category represents the estimated composite open space acreage included in each land use category, and will ultimately be adjusted according to flood plain reclamation.
- (3) The total project density, using the City Staff's method of calculating is 7.96 units/acre. This represents the total dwelling units divided by the total residential, open space, schools and parks acreage.
- (4) "Bonus density" as allowed per Section IV C(5) is not included in the designated "Maximum Number of Dwelling Units".

EXHIBIT C
EXAMPLE OF ACCEPTABLE USE OF
“FLAG” LOTS
IN SF-3 ZERO LOT LINE DISTRICT

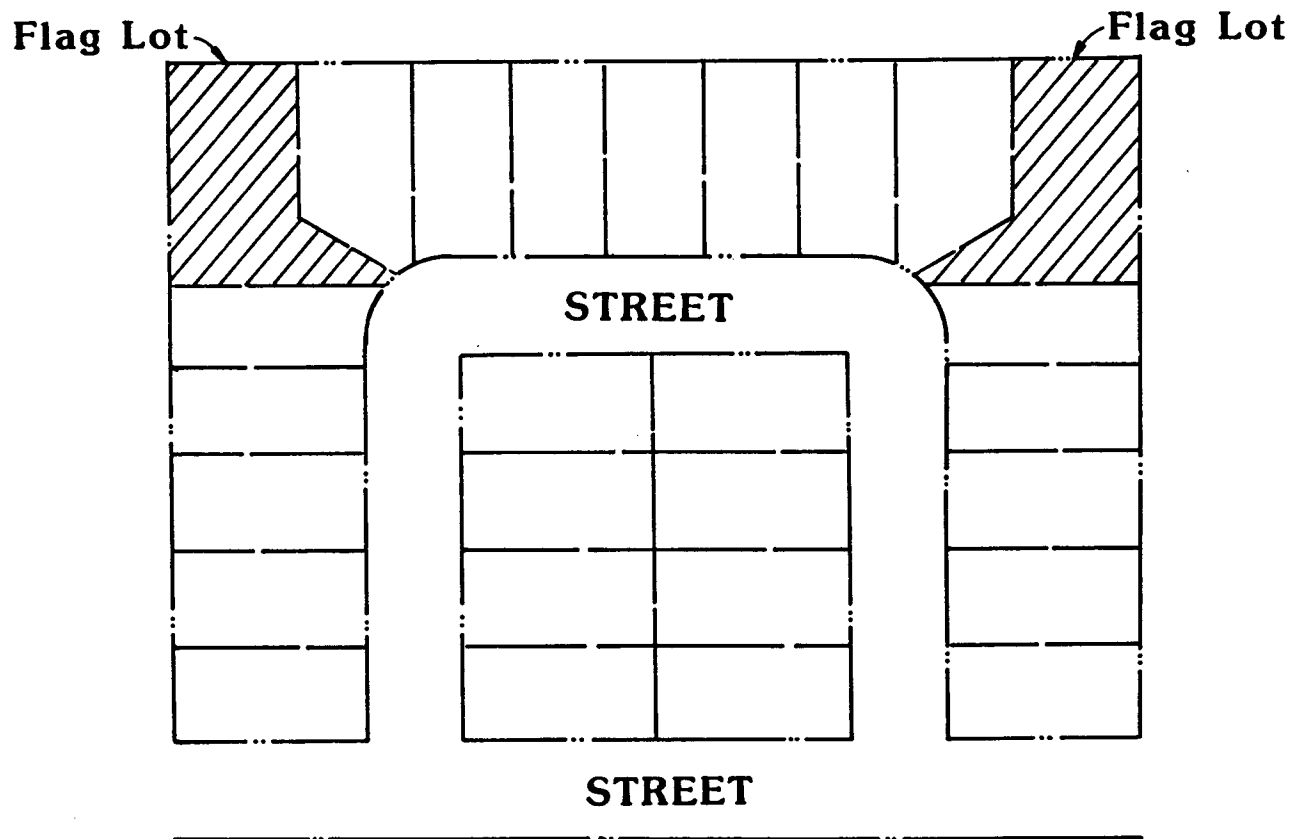


EXHIBIT D

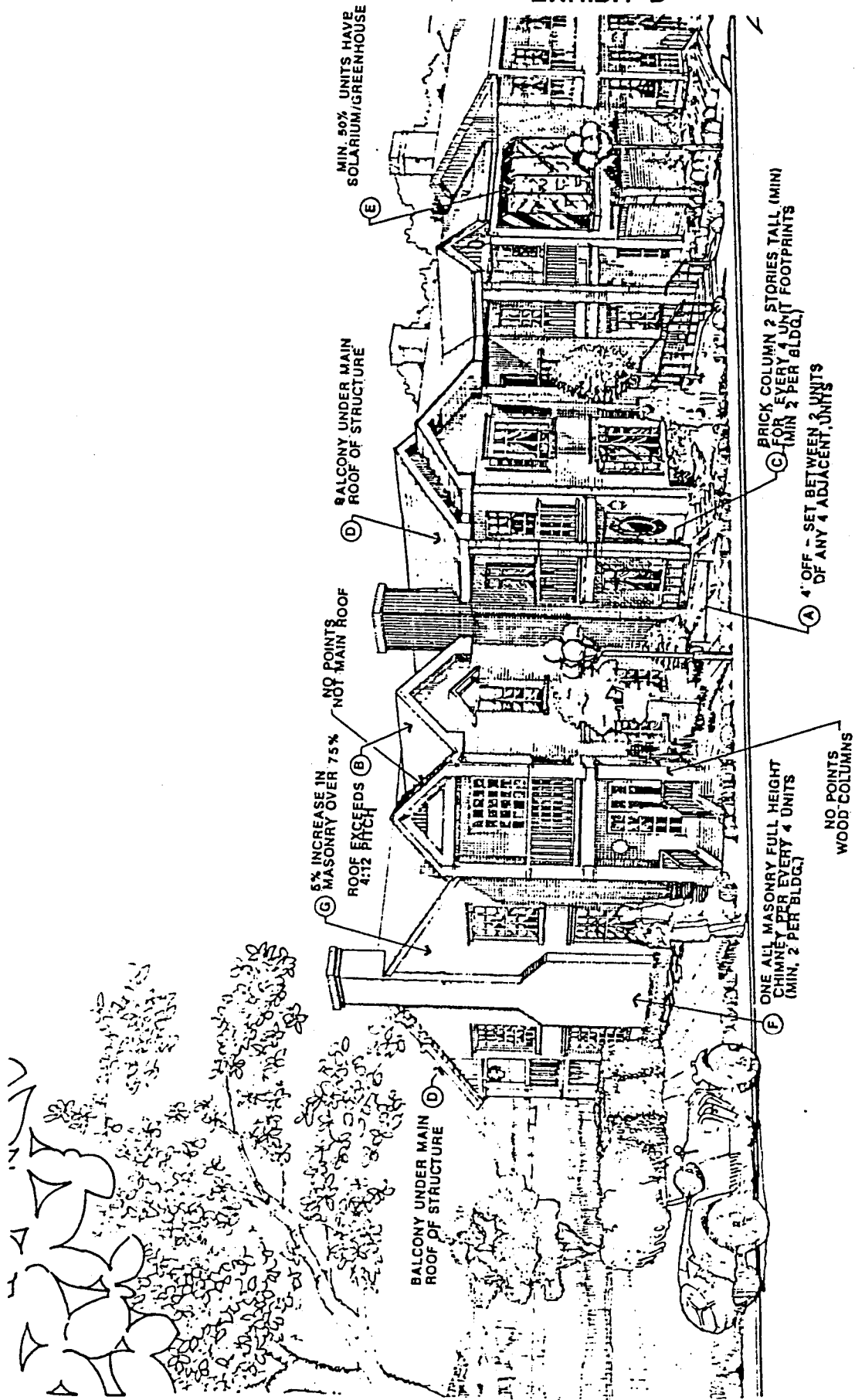
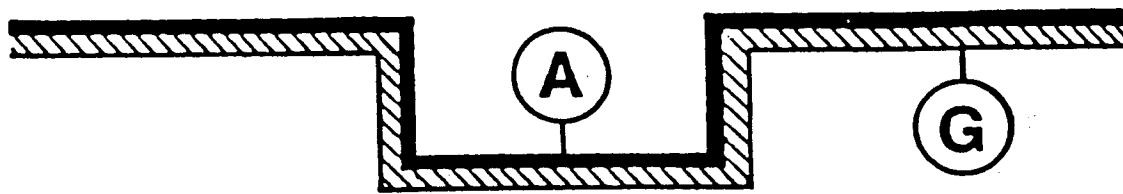
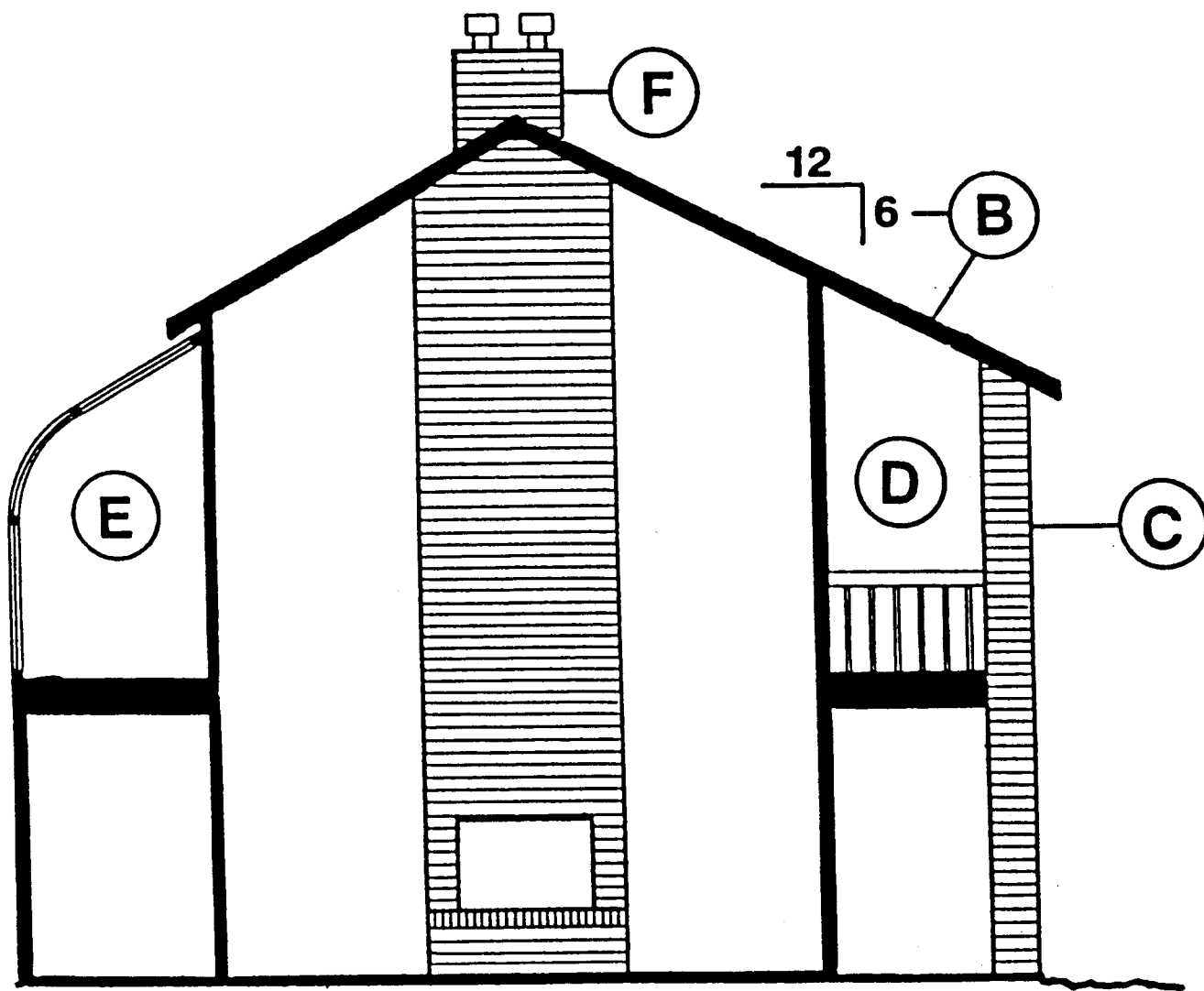


EXHIBIT E



PLAN



SECTION

ARCHITECTURAL AMENITIES

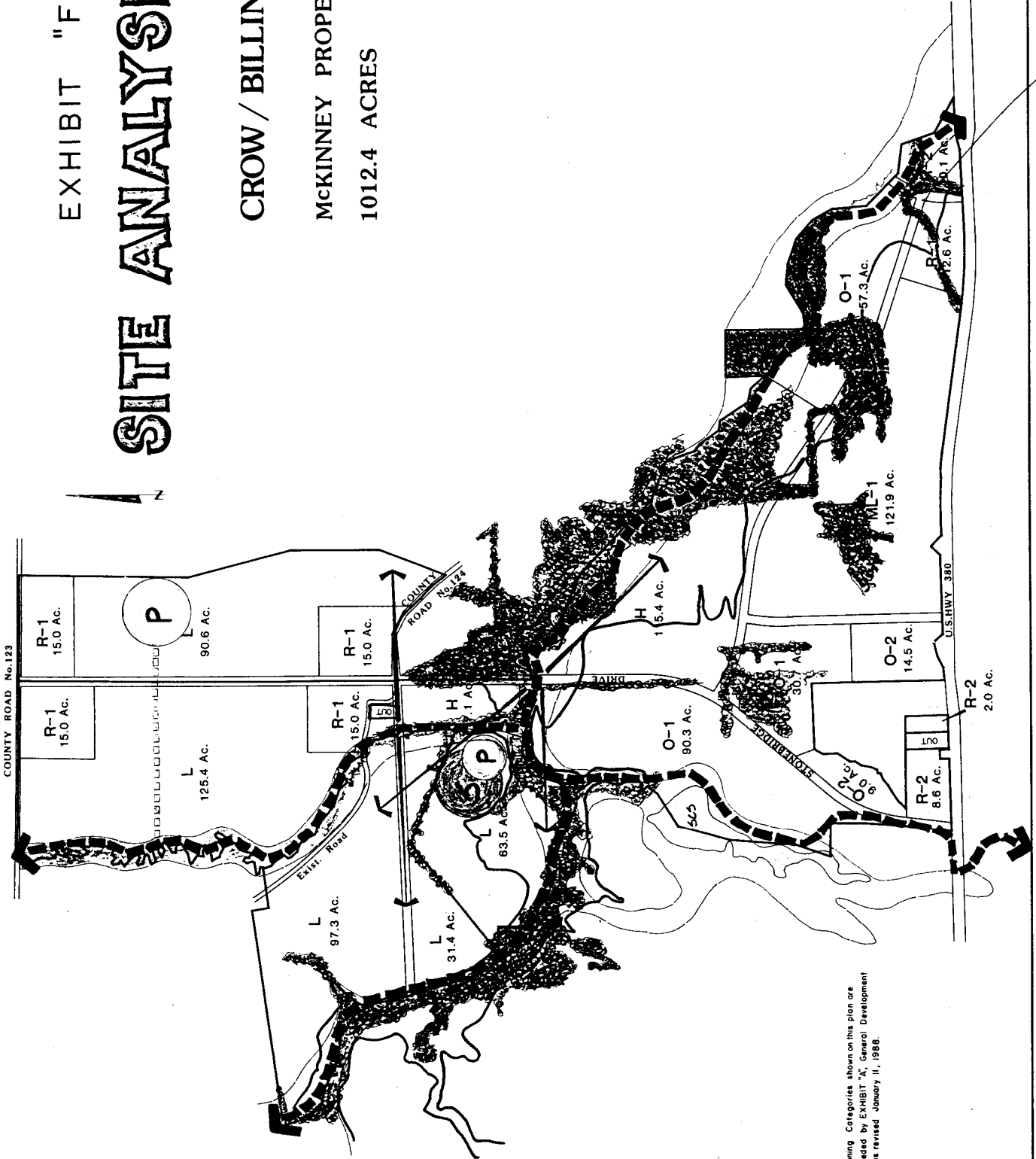
EXHIBIT "F"

SITE ANALYSIS PLAN

CROW / BILLINGSLEY

McKINNEY PROPERTY

1012.4 ACRES



NOTE: The Zoning Categories shown on this plan are Superseded by EXHIBIT "A", General Development Plan, as revised January 11, 1986.

GREENBELT/FLOODWAY

± 10.5 acres of trees in the floodplain

± 210 acres of floodplain

School/Park site

School location (Conceptual Park sites location)

10 acre neighborhood Park (Conceptual location)

Views: Areas allowed for unobstructed views of natural features.

Proposed

Hike/Bike Trail

Corridor linking Park site to Hike/Bike Trail

565 Lake

DATE	11/17/84	SCALE	1"=50'	SHEET NO.	00175	TOTAL SHEETS	1 OF 1
CUMMINGS & PENITT INC. ENGINEERING/PLANNING/SURVEYING 1308 EXECUTIVE DRIVE EAST - SUITE 115 HOUSTON, TX 77060 - (713) 860-8482							

ORDINANCE NO. 2004-06-068

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1270, AND AS AMENDED, OF THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 883 ACRE TRACT LOCATED ON THE NORTH SIDE OF U.S. HIGHWAY 380, EAST OF STONEBRIDGE DRIVE AND APPROXIMATELY 6,000 FEET WEST OF LAKE FOREST DRIVE (F.M. 1461), IS HEREBY REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT FOR SINGLE-FAMILY, MULTI-FAMILY, RETAIL, AND MIXED USES; PROVIDING REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City of McKinney has considered the rezoning of an approximately 883 acre tract located on the north side of U.S. Highway 380, east of Stonebridge Drive and approximately 6,000 feet west of Lake Forest Drive (F.M. 1461), from "PD" – Planned Development District to "PD" – Planned Development District for Single-Family, Multi-Family, Retail, and Mixed Uses; and,

WHEREAS, after due notice of the requested rezoning as required by law, and the required public hearings held before the Planning and Zoning Commission and the City Council of the City of McKinney, Texas, the City Council is of the opinion that the change in zoning district should be made.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:

Section 1. Zoning Ordinance No. 1270, and as amended, of the City of McKinney is hereby amended so that an approximately 883 acre tract located on the north side of U.S. Highway 380, east of Stonebridge Drive and approximately 6,000 feet west of Lake Forest Drive (F.M. 1461), in the City of McKinney, Collin County, Texas, which is more fully depicted on Exhibit "C" attached hereto, is hereby rezoned from its present classification of "PD" – Planned Development District to "PD" – Planned Development District for Single-Family, Multi-Family, Retail, and Mixed Uses.

Section 2. Use and development of the subject property shall conform to the following regulations:

1. If the designated school site located within Tract 1 does not develop as shown on the general development plan, then that area shall be designated as open space or public use facility.
2. Single-family lots backing onto Stonebridge Drive within Tract 2 shall be a minimum of 7,200 square feet in size.
3. Ten acres of open space shall be provided within Tract 2 as required by the existing zoning. These ten acres of open space may not consist of common areas or screening and buffering areas.

4. The Planning and Zoning Commission shall have discretionary approval of the plats for Tracts 3 and 4 in determining whether or not the proposed layout conforms to the Urban Design Element of the Comprehensive Plan, which will determine whether a density of 3.2 or 3.4 dwellings units per acre will be allowed.
5. An unloaded collector street system shall be provided for as per the Comprehensive Plan.
6. The subject property shall develop according to the attached planned development district regulations, architectural concepts and general development plan, Exhibits "A", "B", and "C".

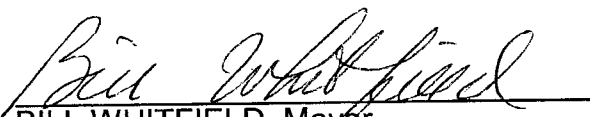
Section 3. If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared to be severable.

Section 4. It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefore, shall be fined any sum not exceeding \$2000.00, and each day that such violation shall continue shall be considered a separate offense. These penal provisions shall not prevent an action on behalf of the City of McKinney to enjoin any violation or threatened violation of the terms of this Ordinance, or an action for mandatory injunction to remove any previous violation hereof.


Section 5. That no developer or property owner shall acquire any vested interest in this Ordinance, the Planned Development, or specific regulations contained herein. The ordinance, and the subsequent site plans (if any) and regulations may be amended or repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.

Section 6. The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney, and shall become effective upon such publication.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS 15th DAY OF JUNE, 2004.


BILL WHITFIELD, Mayor

ATTEST:


JENNIFER SPROULL, City Secretary
BEVERLY COVINGTON, Deputy City Secretary

APPROVED AS TO FORM:

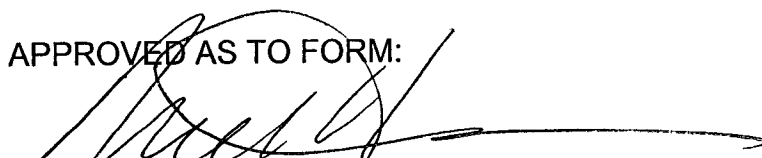

MARK S. HOUSER, City Attorney

EXHIBIT "A"

DEVELOPMENT STANDARDS

Crow Billingsley McKinney 380, Ltd. – 883 Acre Tract (the "Property")
McKinney, Texas

Introduction

The purpose of this Planned Development District is to provide for the unified and coordinated development of parcels within this tract of land to allow for a specific blend of land uses and relationships that responds to current market demands within the given land context. Special consideration has been given to the topography, tree cover, flood plain and other spatial concerns to develop a unique set of guidelines or development standards by which the Property will be developed.

The City of McKinney Subdivision Ordinance No. 1290 (as amended) and the City of McKinney Zoning Ordinance No. 1270 (as amended) will govern development of the Property, except for the following specific standards.

Development within the subject property is subject to discretionary general development plan review and approval by the City Council. Such general development plan review is to ensure conformance with the guidelines required herein and the goals and objectives of the City of McKinney Comprehensive Plan.

Tract 1 Development Standards

Tract 1 is located along the north side of US 380 (University Drive) and contains a total of 505.911 gross acres of land. (See the attached legal description for a specific metes and bounds description of the tract.) Land uses that will be allowed within this tract include single family residential, townhouse, multifamily, retail, mixed use, school and park/open space. Please refer to the attached General Development Plan for this tract for the approximate location of each of the land use areas. The development standards for each land use are defined as follows.

Single Family Residential – Tract 1

The single family area of the tract shall be developed in accordance with the development standards for the RS-60 district regulations (Ordinance No. 1270, Section 41-67) with 917 maximum number of dwelling units except as follows:

- Minimum Front Yard Setback: 20 ft.
- Average Front Yard Setback: 25 ft
- Minimum Rear Yard Setback: 15 ft.
- Average and Median Rear Yard Setback: 20 ft.
- Minimum Side Yard Setback: 5 ft.
- Maximum Lot Coverage: 50%
- Maximum Floor Area Ratio: None
- Mean and Median Lot Size: 7,000 sq. ft.

Concurrent with the standards described above, the following allowances shall apply to lots within Tract 1:

- A maximum of 10% of the lots may be platted as "zero-lot-line", that is having one side yard setback of ten feet and one side yard setback of zero feet.
- Within a maximum of 10% of the lots, porches may be allowed to encroach seven feet into the minimum front yard setback. Such porches shall have a minimum depth of eight feet and a minimum area of fifty square feet.
- A maximum of 10% of the lots may have a depth of eighty feet. Standards for lots of this type shall be as follows:
 - Minimum Front Yard Setback: 15 ft.
 - Minimum Rear Yard Setback: 10 ft.
 - Minimum Side Yard Setback: 5 ft.
 - Maximum Lot Coverage: 50%
 - Maximum Floor Area Ratio: None

- Minimum Lot Size: 5,200 sq. ft.
- A maximum of 15% of the lots may be allowed a front yard setback of fifteen feet to allow for J-driveways.
- A maximum of 5% of the lots may be allowed a width of forty feet. Standards for lots of this type shall be as follows:
 - Minimum Front Yard Setback: 15 ft.
 - Minimum Rear Yard Setback: 10 ft.
 - Minimum Side Yard Setback: 5 ft.
 - Maximum Lot Coverage: 50%
 - Maximum Floor Area Ratio: None
 - Minimum Lot Size: 5,000 sq. ft.

Townhome – Tract 1

The townhomes for sale will be built between the multi-family residences and the single-family homes. They are a response to the needs of our changing population that desires the benefits of home ownership while reducing the maintenance requirements. Townhomes are also more secure by design and respond to the safety concerns of many residents.

The townhouses will be built in a variety of concepts:

- Concept A: Large articulated single building with individual ground floor entrances for each townhouse.
- Concept B: Individual identical townhouse modules repeated to create larger buildings.
- Concept C: Individual townhouse modules that are highly differentiated in style, roofs and materials, and combined to create larger buildings.
- Concept D: Buildings of similar style combined to create courtyards and plazas for the residents.

A minimum of 10% of each townhouse concept built will be used in the total development in an effort to provide a variety in the home mix.

Building Materials – all exterior building materials exclusive of windows and doors will be brick, stone, synthetic stone, split face block, or stucco.

The townhome area of the tract shall be developed in accordance with the development standards for the RG-27 district regulations (Ordinance No. 1270, Section 41-70) with a maximum of 170 dwelling units except as follows.

- Minimum Lot Area: 700 SF
- Minimum Width of Lot: 20 ft.
- Minimum Depth of Lot: 35 ft.
- Maximum Height of Building: 3 Story, 50 ft.
- Minimum Front Yard Setback: 16 ft. from the back of curb, except that front stoops may project up to 5 ft. into the required front yard setback
- Minimum Rear Yard Setback: 5 ft.
- Minimum Side Yard Setback: 5 ft., 16 ft. to back of curb on corner lots
- Maximum Lot Coverage: 100%, including accessory buildings
- Maximum Floor Area Ratio: None
- Maximum Gross Density: 15 du/ac

- Maximum Building Length: 200 ft.
- Maximum Units per Building: 10
- Minimum Number of Parking: 2 spaces per garage with rear entry access

Urban Residential (Multifamily) – Tract 1

A variety of building types will be used to build and enrich the residential community. Various bricks, stones, stucco and other finishes as well as a variety of colors will be used to enrich the varied designs of the buildings. Outlined below are some examples of the building types that will be used. A minimum of 10% of the total units will be built using at least five different building types.

Urban Residential Building Types (see attached sample photographs illustrating the concepts)

- A. Townhouses – two- and three-story individual townhouses all with rear entry garages. Townhouses will have private yards if possible.
- B. Lofts/Studios – three- and four-story buildings with ten-foot ceilings. Buildings can be built over a one level parking structure.
- C. Garden Buildings – two- and three-story buildings ranging from twelve to twenty-four units facing a street and providing direct street access to each ground floor unit.
- D. Mews – two- and three-story story buildings facing pedestrian alleys, courtyards, or circulation paths that provide direct access to all ground floor units.
- E. Rowhouses – four-, six-, and eight-unit buildings that are combined in changing orders of materials and colors to provide variety within the larger buildings. Rowhouses will have private gardens if possible.
- F. Villas / Duplexes – two-, four-, and six-unit detached buildings that look like large single family homes. Villas will have private gardens if possible.

The Urban Residential area of the tract shall be developed with a maximum of 1,780 dwelling units as follows:

- Maximum Height of Building: four-story, fifty ft., measured to the midpoint of the roof as defined in the City Zoning Ordinance. When structured parking is placed directly below a residential building, the fifty ft. height restriction will be measured from the upper roof deck of the parking structure. Maximum height of a parking garage will be ten feet above the average grade surrounding the building.
- Minimum Front Yard Setback: 5 ft., except 25 ft. along US 380
- Minimum Rear Yard Setback: 5 ft.
- Minimum Side Yard Setback: 5 ft., 16 ft. to back of curb on corner lots
- Maximum Lot Coverage: 100%, including accessory buildings
- Maximum Floor Area Ratio: None
- Maximum Gross Density: Allowable density will be between twenty-four dwelling units per gross acre to forty dwelling units per gross acre. Diversity of housing types is encouraged including townhomes, lofts, live/work units, studios, two-, three- & four-story houses.
- Minimum Number of Parking: One parking space per bedroom with tandem parking

- Building Placement: provided outside each garage space counting toward the required number of spaces. Parking within the street right of way will count toward a maximum of 10% of the required spaces. Buildings located within fifty ft. of a street right of way should be placed in a manner that helps define the streetscape (parallel to the street right of way). At least 50% of all ground floor units will have direct access from the street, preferably a front door.
- Roofing Materials: Pitched roofs will have a 4:12 minimum pitch, but flat roofs will also be allowed.
- Building Materials: A minimum of 75% of the building façade (exclusive of windows and doors) shall be constructed of brick, stone, synthetic stone materials, split face block or stucco.

Mixed Use – Tract 1

The mixed use area of the tract shall be developed in accordance with the development standards for the BN district regulations (Ordinance No. 1270, Section 41-74) and the Urban Residential district standards as described above except as follows (see attached sample photographs illustrating the concepts):

- Maximum Residential Density: twenty-four dwelling units per gross acre to forty dwelling units per gross acre will be allowed next to the multifamily area as shown on the Concept Plan not to exceed 287 dwelling units.
- Maximum Height of Building: six stories, seventy-five ft.

Retail – Tract 1

The retail area of the tract shall be developed in accordance with the development standards for the BG district regulations (Ordinance No. 1270, Section 41-75).

Tract 2 Development Standards

Tract 2 is located at the southeast corner of the future extension of Stonebridge Drive and C.R. 123 and contains a total of 126.47 gross acres of land. (See the attached legal description for a specific metes and bounds description of the tract.) Land uses that will be allowed within this tract include single-family residential, retail, school and park/open space. Please refer to the attached General Development Plan for this tract for the approximate location of each of the land use areas. The development standards for each land use are defined as follows.

Single Family Residential – Tract 2

The single family area of the tract shall contain a maximum of 419 dwelling units and shall be developed in accordance with the development standards for the RS-60 district regulations (Ordinance No. 1270, Section 41-67) except as follows:

- Minimum Front Yard Setback: 20 ft.
- Average Front Yard Setback: 25 ft.
- Minimum Rear Yard Setback: 15 ft.
- Average and Median Rear Yard Setback: 20 ft.
- Minimum Side Yard Setback: 5 ft.
- Maximum Lot Coverage: 50%
- Maximum Floor Area Ratio: None
- Mean and Median Lot Size: 6,000 sq. ft.

Concurrent with the standards described above, the following allowances shall apply to lots within Tract 2:

- A maximum of 10% of the lots may be platted as “zero-lot-line”, that is having one side yard setback of ten feet and one side yard setback of zero feet.
- Within a maximum of 10% of the lots, porches may be allowed to encroach seven feet into the minimum front yard setback. Such porches shall have a minimum depth of eight feet and a minimum area of fifty square feet.
- A maximum of 10% of the lots may have a depth of eighty feet. Standards for lots of this type shall be as follows:
 - Minimum Front Yard Setback: 15 ft.
 - Minimum Rear Yard Setback: 10 ft.
 - Minimum Side Yard Setback: 5 ft.
 - Maximum Lot Coverage: 50%
 - Maximum Floor Area Ratio: None
 - Minimum Lot Size: 5,200 sq. ft.
- A maximum of 15% of the lots may be allowed a front yard setback of fifteen feet to allow for J-driveways.
- A maximum of 5% of the lots may be allowed a width of forty feet. Standards for lots of this type shall be as follows:
 - Minimum Front Yard Setback: 15 ft.
 - Minimum Rear Yard Setback: 10 ft.
 - Minimum Side Yard Setback: 5 ft.
 - Maximum Lot Coverage: 50%
 - Maximum Floor Area Ratio: None
 - Minimum Lot Size: 5,000 sq. ft.

Retail – Tract 2

The retail area of the tract shall be developed in accordance with the development standards for the BG district regulations (Ordinance No. 1270, Section 41-75).

Tract 3 Development Standards

Tract 3 is located immediately east of Tract 2 and contains a total of 200.496 gross acres of land. (See the attached legal description for a specific metes and bounds description of the tract.) Land uses that will be allowed within this tract include single-family residential, school and park/open space. Please refer to the attached General Development Plan for this tract for the approximate location of land use areas. The development standards are defined as follows:

Single Family Residential – Tract 3

The single family area of the tract shall contain a maximum of 702 dwelling units and shall be developed in accordance with the development standards for the RS-60 district regulations (Ordinance No. 1270, Section 41-67) except as follows:

- Minimum Front Yard Setback: 20 ft.
- Average Front Yard Setback: 25 ft.
- Minimum Rear Yard Setback: 15 ft.
- Average and Median Rear Yard Setback: 20 ft.
- Minimum Side Yard Setback: 5 ft.
- Maximum Lot Coverage: 50%
- Maximum Floor Area Ratio: None
- Mean and Median Lot Size: 7,200 sq. ft.

Concurrent with the standards described above, the following allowances shall apply to lots within Tract 3:

- A maximum of 10% of the lots may be platted as “zero-lot-line”, that is having one side yard setback of ten feet and one side yard setback of zero feet.
- Within a maximum of 10% of the lots, porches may be allowed to encroach seven feet into the minimum front yard setback. Such porches shall have a minimum depth of eight feet and a minimum area of fifty square feet.
- A maximum of 10% of the lots may have a depth of eighty feet. Standards for lots of this type shall be as follows:
 - Minimum Front Yard Setback: 15 ft.
 - Minimum Rear Yard Setback: 10 ft.
 - Minimum Side Yard Setback: 5 ft.
 - Maximum Lot Coverage: 50%
 - Maximum Floor Area Ratio: None
 - Minimum Lot Size: 5,200 sq. ft.
- A maximum of 15% of the lots may be allowed a front yard setback of fifteen feet to allow for J-driveways.
- A maximum of 5% of the lots may be allowed a width of forty feet. Standards for lots of this type shall be as follows:
 - Minimum Front Yard Setback: 15 ft.
 - Minimum Rear Yard Setback: 10 ft.
 - Minimum Side Yard Setback: 5 ft.
 - Maximum Lot Coverage: 50%
 - Maximum Floor Area Ratio: None
 - Minimum Lot Size: 5,000 sq. ft.

Tract 4 Development Standards

Tract 4 is located southeast of Tract 3 and contains a total of 49.840 gross acres of land. (See the attached legal description for a specific metes and bounds description of the tract.) Land uses that will be allowed within this tract include single-family residential, school and park/open space. Please refer to the attached General Development Plan for this tract for the approximate location of land use areas. The development standards are defined as follows:

Single Family Residential – Tract 4

The single family area of the tract shall contain a maximum of 174 dwelling units and shall be developed in accordance with the development standards for the RS-60 district regulations (Ordinance No. 1270, Section 41-67) except as follows:

- Minimum Front Yard Setback: 20 ft.
- Average Front Yard Setback: 25 ft.
- Minimum Rear Yard Setback: 15 ft.
- Average and Median Rear Yard Setback: 20 ft.
- Minimum Side Yard Setback: 5 ft.
- Maximum Lot Coverage: 50%
- Maximum Floor Area Ratio: None
- Mean and Median Lot Size: 7,200 sq. ft.

Concurrent with the standards described above, the following allowances shall apply to lots within Tract 4:

- A maximum of 10% of the lots may be platted as “zero-lot-line”, that is having one side yard setback of ten feet and one side yard setback of zero feet.

- Within a maximum of 10% of the lots, porches may be allowed to encroach seven feet into the minimum front yard setback. Such porches shall have a minimum depth of eight feet and a minimum area of fifty square feet.
 - A maximum of 10% of the lots may have a depth of eighty feet. Standards for lots of this type shall be as follows:
 - Minimum Front Yard Setback: 15 ft.
 - Minimum Rear Yard Setback: 10 ft.
 - Minimum Side Yard Setback: 5 ft.
 - Maximum Lot Coverage: 50%
 - Maximum Floor Area Ratio: None
 - Minimum Lot Size: 5,200 sq. ft.
 - A maximum of 15% of the lots may be allowed a front yard setback of fifteen feet to allow for J-driveways.
 - A maximum of 5% of the lots may be allowed a width of forty feet. Standards for lots of this type shall be as follows:
 - Minimum Front Yard Setback: 15 ft.
 - Minimum Rear Yard Setback: 10 ft.
 - Minimum Side Yard Setback: 5 ft.
 - Maximum Lot Coverage: 50%
 - Maximum Floor Area Ratio: None
 - Minimum Lot Size: 5,000 sq. ft.
-

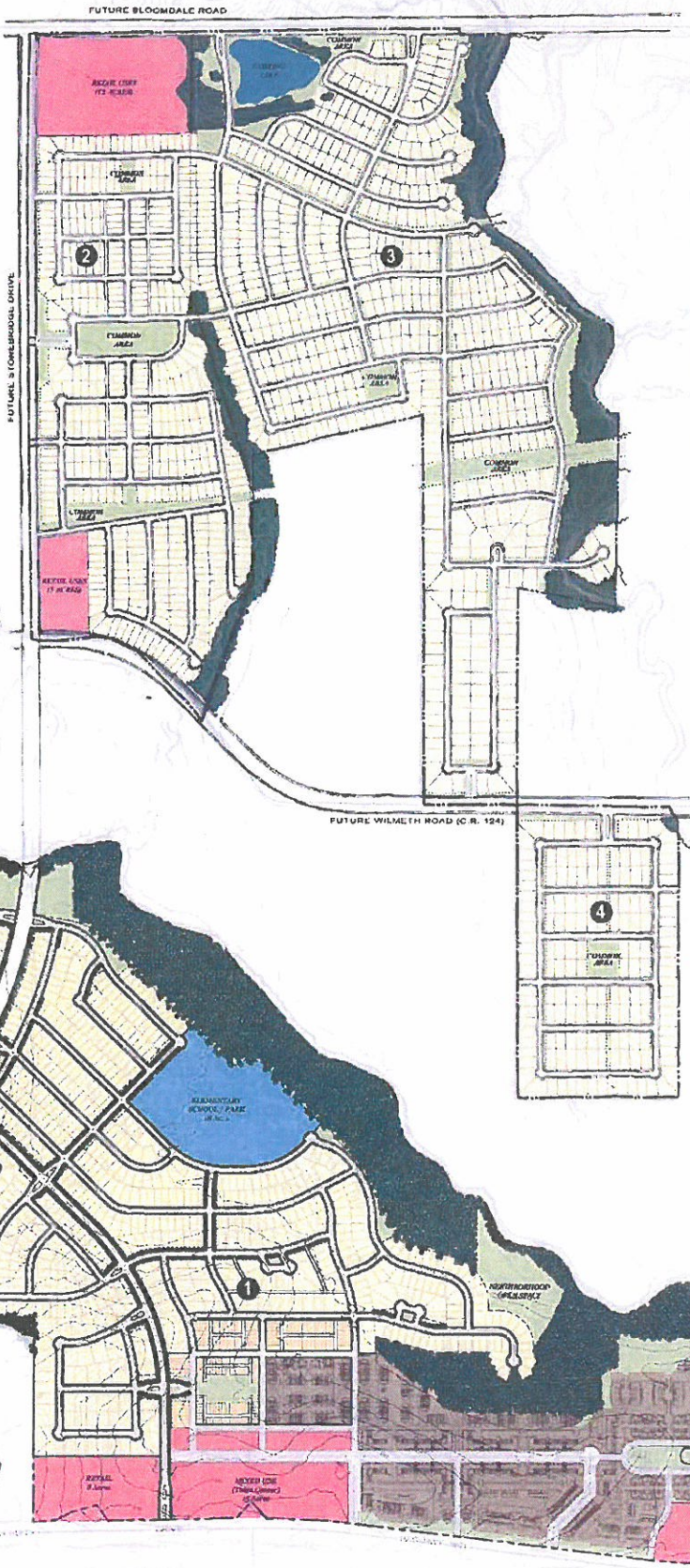
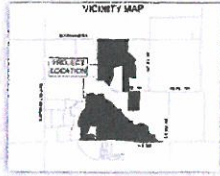
LIST OF EXHIBITS:

1. General Development Plan – Tract 1 (previously submitted)
2. General Development Plan – Tracts 2, 3 and 4 (previously submitted)
3. Urban Residential - Architectural Concept Examples (previously submitted)

The following exhibits are included as a part of this Planned Development Ordinance in order to provide examples of the architectural concepts of the different types of Urban Residential products. (all previously submitted)

- Townhouses
- Lofts/Studios
- Garden Buildings
- Mews
- Rowhouses
- Villas/Duplexes

END OF DEVELOPMENT STANDARDS

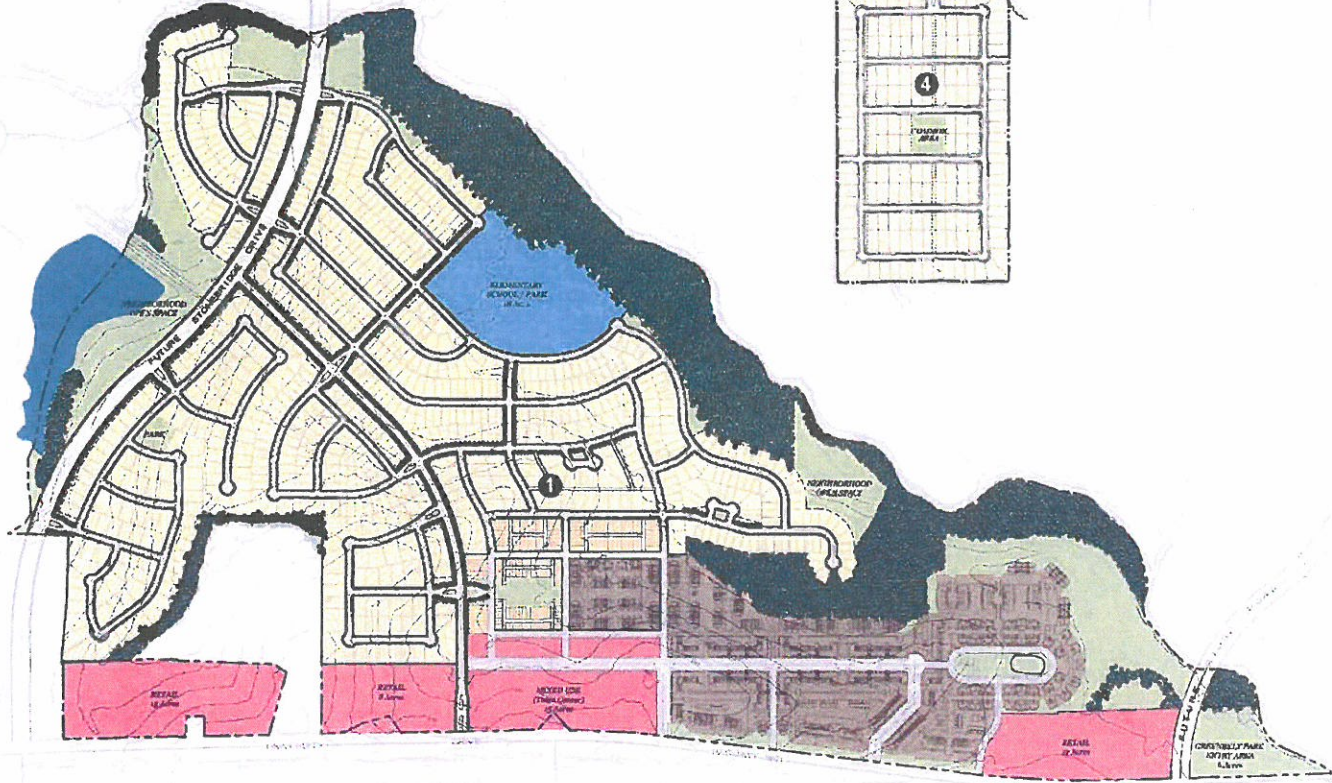


LEGEND

- SINGLE FAMILY RESIDENTIAL
- RETAIL / MIXED USE
- TOWNHOUSE
- MULTIFAMILY
- PARK / OPEN SPACE
- WATER FEATURE / LAKE

AREA SUMMARY

SINGLE FAMILY RESIDENTIAL	547.1 AC	2,212 DU
RETAIL / MIXED USE	70.0 AC	287 DU
TOWNHOUSE	14.1 AC	170 DU
MULTIFAMILY	80.8 AC	1,780 DU
PARK / OPEN SPACE	155.2 AC	
WATER FEATURE / LAKE	5.3 AC	
STONEBRIDGE DRIVE R.O.W	10.5 AC	
TOTALS	883.0 AC	4,449 DU



Prepared for:
 CRGW BULLINGSLEY MCKINNEY 280 LTD
 1400 International Parkway Suite 1100
 Carrollton Texas 75007
 Phone: 972.920.9548

GENERAL DEVELOPMENT PLAN
 883 ACRES IN MCKINNEY, TEXAS

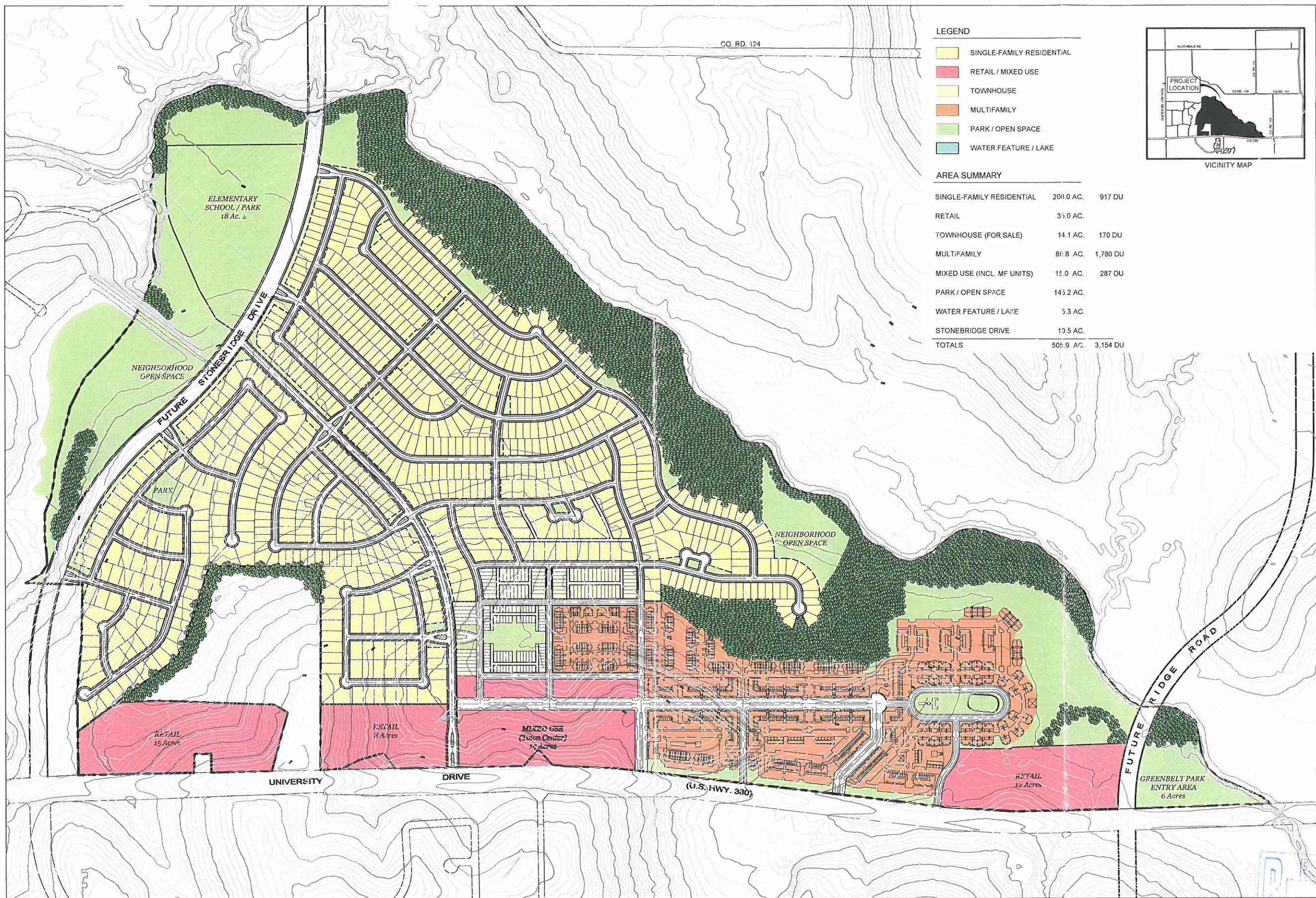


EXHIBIT "C"

2004-06-068 EXHIBITS

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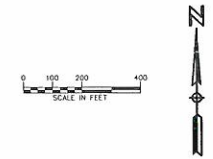
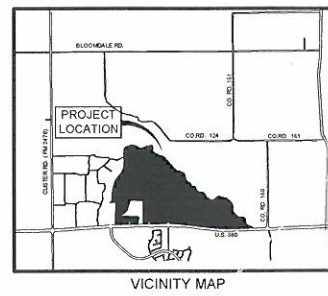


LEGEND

- SINGLE-FAMILY RESIDENTIAL
- RETAIL / MIXED USE
- TOWNHOUSE
- MULTIFAMILY
- PARK / OPEN SPACE
- WATER FEATURE / LAKE

AREA SUMMARY

SINGLE-FAMILY RESIDENTIAL	200.0 AC.	917 DU
RETAIL	35.0 AC.	
TOWNHOUSE (FOR SALE)	14.1 AC.	170 DU
MULTIFAMILY	80.8 AC.	1,780 DU
MIXED USE (INCL. MF UNITS)	15.0 AC.	287 DU
PARK / OPEN SPACE	143.2 AC.	
WATER FEATURE / LAKE	5.3 AC.	
STONEBRIDGE DRIVE	10.5 AC.	
TOTALS	505.9 AC.	3,154 DU

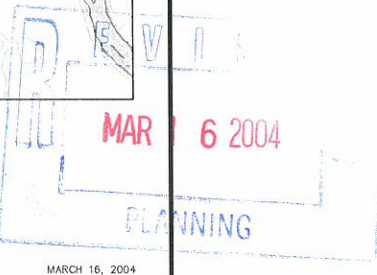


GENERAL DEVELOPMENT PLAN

505.911 ACRES IN MCKINNEY, TEXAS

PREPARED FOR:
CROW-BILLINGSLEY MCKINNEY 380 LTD.
1400 International Parkway, Suite 1100
Carrollton, Texas 75007
Phone: 972-820-0544

PREPARED BY:
HUITT-ZOLIARS
Huitt-Zoliars, Inc.
302 McKinney Ave., Suite 600 Dallas, Texas 75204
Phone (214) 677-2025 Fax (214) 677-0787



MARCH 16, 2004

ORDINANCE NO. 2006-02-016

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 04-06-068 OF THE CITY OF MCKINNEY, TEXAS; SO THAT A 23.9 ACRE TRACT LOCATED ON THE NORTH SIDE OF U.S. HIGHWAY 380, BETWEEN FUTURE STONEBRIDGE DRIVE AND FUTURE RIDGE ROAD IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY FOR RETAIL AND MULTI-FAMILY USES; PROVIDING REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City of McKinney has considered the rezoning of an approximately 23.9 acre tract located on the north side of U.S. Highway 380, between future Stonebridge Drive and future Ridge Road, from "PD" – Planned Development District, to "PD" – Planned Development District, generally for retail and multi-family uses, and,

WHEREAS, after due notice of the requested rezoning as required by law, and the required public hearings held before the Planning and Zoning Commission and the City Council of the City of McKinney, Texas, the City Council is of the opinion that the change in zoning district should be made.

NOW THEREFORE BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS:

Section 1. Ordinance No. 04-06-068 is hereby amended so that an approximately 23.9 acre tract located on the north side of U.S. Highway 380, between future Stonebridge Drive and future Ridge Road, which is more fully depicted on Exhibit "A" attached hereto, is hereby rezoned to "PD" – Planned Development District, generally for retail and multi-family uses.

Section 2. Use and development of the subject property shall develop in accordance with PD Ordinance No. 04-06-068, and as amended, with the following exception:

- (a) The subject property shall generally develop in accordance with the attached zoning exhibit, Exhibit "B".

Section 3. If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared to be severable.

Section 5. It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefore, shall be fined any sum not exceeding \$2,000.00, and each day that such violation shall continue shall be considered

a separate offense. These penal provisions shall not prevent an action on behalf of the City of McKinney to enjoin any violation or threatened violation of the terms of this Ordinance, or an action for mandatory injunction to remove any previous violation hereof.


Section 6.

That no developer or property owner shall acquire any vested interest in this Ordinance or specific regulations contained herein. The ordinance, and the subsequent site plans (if any) and regulations may be amended or repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.


Section 7.

The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney, and shall become effective upon such publication.


DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS 21ST DAY OF FEBRUARY, 2006.

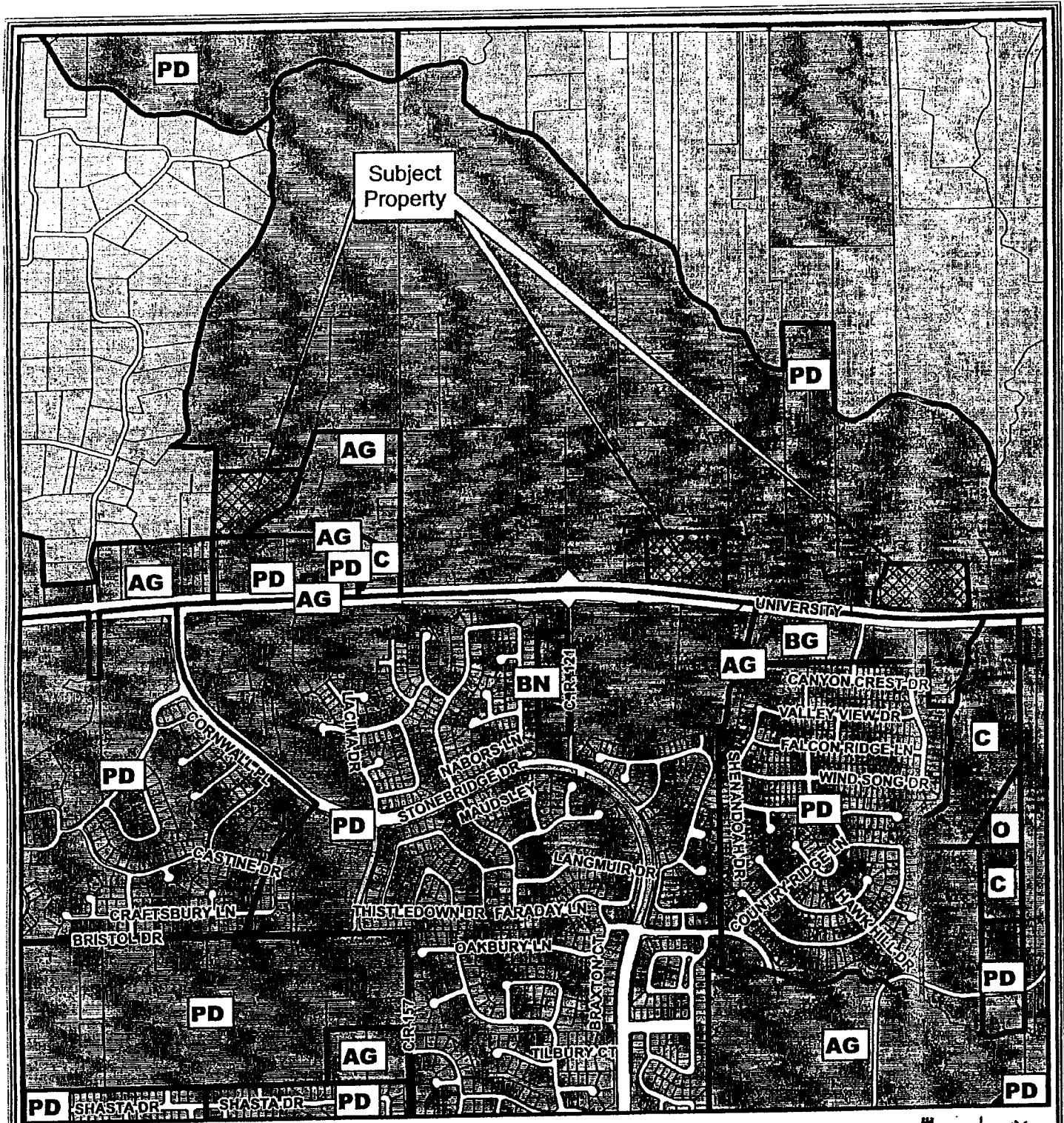

BILL WHITFIELD, Mayor

CORRECTLY ENROLLED:


SANDY HART, CMC
City Secretary
BEVERLY COVINGTON
Deputy City Secretary

APPROVED AS TO FORM:


MARK S. HOUSER, City Attorney



0 275 550 1,100 Feet

Notification Case

Notice Case #: 05-410z2

R-6020-000-0110-1; R-0786-000-005A-1

- - - 200' Notification Buffer

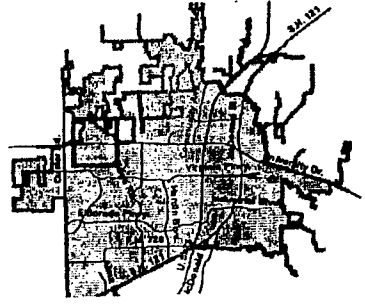


EXHIBIT "A"

DISCLAIMER: This map and information contained in it were developed exclusively for use by the
 else is at that party's risk and without liability to the City of McKinney, its officials or employees for

S:\MCKGI n\Projects\05-410z2.mxd



NO.	DATE	BY	SCALE
1	01-06-03	AS SH.	
2			
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10			

REVISION / ADDITION
 DATE SCALE
 01-06-03 AS SH.

OWNER/DEVELOPER
 BILLINGSLEY COMPANY
 SUITE 1100
 4100 INTERNATIONAL HIGHWAY
 COLLEENVILLE, TEXAS 75907
 M. WILLIAM D. WALKER P.E.
 (972) 520-2283 PHONE
 (972) 520-2202 FAX

PROJECT INFORMATION
 SOMERSET WATERS
 SOMERSET WATERS SARBROCK DRIVE
 NEO U.S. HIGHWAY 380, COLIN COUNTY, TEXAS
 GEORGE CHAFFIN FIELD SURVEY, ABSTRACT NO. 204
 HERBARD ASHLUCK SURVEY, ABSTRACT NO. 20
 J. M. FLEAND SURVEY, ABSTRACT NO. 81
 K. TUCKER SURVEY, ABSTRACT NO. 93

POGUE
 ENGINEERING & DEVELOPMENT COMPANY, INC.
 1741 PROGRESS DRIVE
 FORT WORTH, TEXAS 76104
 (817) 335-4000
 FAX (817) 335-4001

EXHIBIT "B"
 ZONING EXHIBIT I
 SOMERSET WATERS
 NEO U.S. HIGHWAY 380 @ STONEBRIDGE DRIVE
 COLIN COUNTY, TEXAS
 CITY OF MCKINNEY

SHEET NO. 21.01
 DATE: 12-11-02

TRACT 1A
 17,489 ACRES

TRACT 1B
 127,257 ACRES

POINT OF BEGINNING
POINT OF COMMENCING

POINT OF BEGINNING
POINT OF COMMENCING

FUTURE STONEBRIDGE DRIVE

HIGHWAY NO. 380
 (LAPPED WITH NORTH-101)

FUTURE RIDGE ROAD

WISDOM

NO.	DATE	BY	SCALE
1	01-06-03	AS SH.	
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NO.	DATE	BY	SCALE
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AREA SUMMARY
 TOTAL AREA: 144,746 ACRES
 TOTAL AREA REMAINING: 144,746 ACRES
 TOTAL AREA ACQUIRED: 0 ACRES
 TOTAL AREA TO BE ACQUIRED: 0 ACRES



NO.	DATE	BY	SCALE
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Sec. 146-85. - BG - General Business district.

- (a) *Purpose.* The "BG" - General Business zone is designed to provide for a wide range of retail and service establishments. Zoning or rezoning to this classification will not generally be permitted after July 1, 2014.
- (b) *Permitted uses.* The following uses are permitted in the "BG" - General Business zone:
- (1) Any use permitted in the "BN" - Neighborhood Business zone; except single family attached units; and
 - (2) Other uses indicated as being permitted in the "BG" - General Business zone in the Schedule of Uses.
- (c) *Specific use permits.* The following specific uses require a permit in the "BG" - General Business zone:
- (1) All uses indicated as being allowed in the "BG" - General Business zone with a specific use permit in the schedule of uses; and
 - (2) The city may allow residential and mixed business and residential structures to conform with the space limits of the "RG 18" - General Residence zone or any other zone requiring more lot area per dwelling unit, upon a finding that the proposed density of residential use will be in harmony with nearby residential zoning, and when said mixed occupancy building is specifically designed and constructed for such mixed occupancy, but shall not include the construction of a business building in the yard of a residence or within an existing residence.
- (d) *Space limits.* The following space limits shall apply to the "BG" - General Business zone:
- (1) Minimum lot area for business: None. Residential structures shall conform to the provisions of the "RG 18" - General Residence zone, except as may be modified by the city in accordance with the specific use provisions of this zone.
 - (2) Minimum width of lot: None for business.
 - (3) Minimum depth of lot: None for business.
 - (4) Minimum front yard: None for business.
 - (5) Minimum side yard: five feet when abutting any zone requiring a side yard; none abutting business.
 - (6) Maximum lot coverage including accessory buildings, loading docks, incinerators and vending devices: 95 percent.
 - (7) Maximum floor area ratio: two to one (2.0:1.0).
 - (8) All other space limits identified as being applicable to the "RG 18" - General Residence zone in Appendix F of the Zoning Ordinance.
- (e) *Miscellaneous provisions.*
- (1) Only one building for living purposes shall be permitted on one zoning lot except as

otherwise provided herein.

(Code 1982, § 41-80; Ord. No. 1270, § 3.13, 12-15-1981; Ord. No. 97-11-61, § 1, 11-18-1997; Ord. No. 2002-08-084, § 1.28, 8-20-2002; Ord. No. 2008-07-066, § 1, 7-14-2008; Ord. No. 2008-11-104, § 5, 11-4-2008; Ord. No. 2010-05-011, § 4, 5-17-2010; Ord. No. 2010-12-053, § 14, 12-7-2010; Ord. No. 2012-11-056, § 30, 11-5-2012; Ord. No. 2013-04-033, § 3, 4-2-2013; Ord. No. 2014-03-018, § 12, 3-4-2014)