

ORDINANCE NO. 2005-02-017

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 37 ACRE TRACT LOCATED AT THE SOUTHEAST CORNER OF VIRGINIA PARKWAY AND STONEBRIDGE DRIVE, IS HEREBY REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT GENERALLY FOR RETAIL USES TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY FOR RESIDENTIAL, RETAIL, OFFICE, AND CIVIC 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 37 acre tract located at the southeast corner of Virginia Parkway and Stonebridge Drive, from "PD" – Planned Development District Generally for Retail Uses to "PD" – Planned Development District, Generally for Residential, Retail, Office, and Civic 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 37 acre tract located at the southeast corner of Virginia Parkway and Stonebridge Drive, in the City of McKinney, Collin County, Texas, which is more fully depicted on Exhibit "A" attached hereto, is hereby rezoned from its present classification "PD" – Planned Development District for Retail Uses to "PD" – Planned Development District, Generally for Residential, Retail, Office, and Civic Uses.

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

1. The subject property shall develop according to the attached regulations, see Exhibit "A".

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 enforce 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.

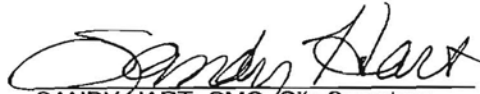
Section 6.

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.

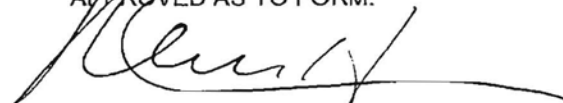
**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
McKINNEY, TEXAS, ON THIS 1ST DAY OF FEBRUARY, 2005.**


BILL WHITFIELD, Mayor

ATTEST:


SANDY HART, CMC, City Secretary
BEVERLY GOVINGTON, Deputy City Secretary

APPROVED AS TO FORM:


MARK S. HOUSER, City Attorney

ADRIATICA VILLAGE AT STONEBRIDGE RANCH

Zoning Ordinance Regulations
For Parcel 201 Located at
Virginia Parkway and Stonebridge Drive in McKinney, Texas
Zoning Case # 2004-115Z

Approved February 1, 2005.

CONTENTS

1. Purpose of the Planned Development District... Page 1
2. Parcelized Development... Page 1
3. The Town Center District... Page 2
4. Schedule of Uses ... Page 5
5. Other Conditions ... Page 7
Attachments...Page 10

1. PURPOSE OF THE PLANNED DEVELOPMENT DISTRICT

The purpose of the proposed Planned Development (PD) District is to provide for the unified and coordinated development of parcels or tracts of primarily vacant land. The specific parcel of land to be zoned under this "PD" designation will comprehensively and cohesively integrate various harmonious land uses that are compatible with the surrounding area.

This PD District designation shall only apply to a portion of Parcel 201 (approximately 37 acres, and not including the Villa District) of the Stonebridge Ranch development located in McKinney, Texas. The references in this PD District ordinance for residential uses contained in the Villa District are not governed by this ordinance as they are exclusively governed by Ordinance No. 2003-12-117 dated December 16, 2003.

Attached and included as a part of this Zoning Ordinance is a graphic exhibit map entitled "Zoning Exhibit, Town Center District, Harbor Market Village" dated March 30, 2004. This map exhibit provides a graphical picture of proposed tracts within Parcel 201. The R-2 District contains Tracts A and B. The Town Center District is comprised of Tracts C, D, E and F. All areas are approximate.

2. PARCELIZED DEVELOPMENT

Within the PD District, several tracts are proposed for development. These tracts will not generally overlap, but their interior boundaries are intended to contain a certain amount of flexibility in order to respond to future market trends that are compatible with the City of McKinney and the surrounding areas of Stonebridge Ranch.

The attached Conceptual Site Plan for Parcel 201 illustrates the generalized development of the subject property. The specific general development plans and site plans for the development of each tract shall generally be in keeping with the conceptual plan. City Council may allow some modifications from this conceptual plan, provided that the following key design elements have been incorporated:

- i. centrally located parking areas
ii. use of structured parking
iii. variety of building size and shape
iv. orientation of buildings to other buildings and the street
v. multiple building faces
vi. pedestrian friendly environment
vii. use of landscaping and courtyards

a) The R-2 District

Along the west and north perimeter of the Stonebridge Parcel 201, these tracts shall be zoned as "R-2 - Retail District". The R-2 tracts (consisting of Tracts A and B) total approximately 11.9 net developable acres. Certain modifications to the R-2 zoning are included hereinafter. Uses permitted in the R-2 District shall be as listed in Section 4, Schedule of Uses; residential uses shall not be permitted on Tracts A and B.

b) The Villa District

The 8.3-acre Villa District is rezoned as "PD" - Planned Development under Ordinance No. 2003-12-117. The Villa District is not included as a part of this Planned Development District, and the regulations contained in this ordinance do not govern the development of the Villa District.

c) The Town Center District

The Town Center District is intended to promote the compatible mixed-use development of retail, office and attached residential uses in a pattern evocative of small European village centers. Parking facilities will be shared to the maximum extent practicable and pedestrian connections will be emphasized. The Town Center District is generally located in the central portion of Parcel 201 (consisting of Tracts C, D, E and F) and is surrounded by the Villa District and the R-2 tracts. The Town Center District is approximately 16.8 net developable acres in size. The Town Center District is permitted to contain a maximum of 285 townhouse and condominium / loft residential units (DU's) of which a maximum of 35 may be townhouses. All residential units constructed within this PD shall be designed and constructed for individual sale, including having individually metered utilities. As used herein, the term "Condominium / Loft" shall mean a condominium residential unit planned and constructed above the first floor of a building and for which the owner thereof does not have exclusive ownership of the lot on which said condominium / loft units and ground floor building uses exist. Condominium / loft uses shall be governed by Exhibit H attached hereto and other provisions contained herein.

Up to 35 townhouse units may be built after the applicant has constructed the required 120,000 square feet of commercial space within the Town Center District as required in Section 3(e) hereafter entitled Timing Issues. The 35 townhouse units shall be constructed only within Tracts C, D and E and no more than 50% of these units shall be within Tract E. "Townhouse" shall mean a residential unit attached to an individual lot as defined by the City of McKinney Zoning Ordinance; however a townhouse may be planned, platted, and constructed under the space limits of this PD and other specific provisions contained herein. The townhouse units shall each include a 2-car garage and a driveway capable of accommodating 2 additional cars unless specifically approved otherwise by City Council.

Notwithstanding the foregoing and as an exception thereto, townhouse units may be constructed prior to constructing 120,000 square feet of commercial space if there are constructed no more than 5 townhouse units in a row and concurrently therewith is constructed a commercial structure attached to at least one end of the row of townhouse units. The total commercial square feet required for this exception shall be an amount equal to the total square feet of the townhouse units constructed unless the City Council approves otherwise based on demonstrated design justification as determined solely at the discretion of the City Council. Any townhouse units constructed under this exception shall be rear entry and the applicant shall demonstrate adequate parking as part of the general development plan submittal. In order to build the townhouse units under this exception, the applicant shall meet the minimum commercial square foot requirement as specified in under Section 3(b), Timing Issues.

3. **THE TOWN CENTER DISTRICT**

a) Intent

The intent of the Town Center District is to provide a mixture of retail, civic, office, and residential uses promoting urban lifestyles in a pedestrian-oriented environment.

b) General Development Plan Approval

All development within Tracts C, D, E and F shall be subject to discretionary general development plan review and approval by the City Council. Discretionary plan review by the City Council is intended to provide for sufficient latitude in review by the City to assure that the design intent and documented commitments of Developer are incorporated into each tract's General Development Plan. Such General Development Plan review is to ensure conformance with the project purpose and requirements stated herein, the design guidelines required and incorporated herein, and the goals and objectives of the City of McKinney Comprehensive Plan.

The Developer shall submit along with the General Development Plan for Tracts C, D, E, and F a set of building elevations for a typical building proposed for each respective Tract. Such set of building elevations shall include all sides of each building. Such building elevations shall provide details of the applicable building lines, entrance features, window features, gables, parapets, roof line, materials, color, and such other details as needed to clearly illustrate the quality and aesthetics of said building. Additionally, the General Development Plan shall include all necessary information to determine compliance with the purpose of this PD including but not limited to paving design, pavers, sidewalks, landscaping, street furniture, lighting fixtures, and related design components. The Plan shall also indicate the location of all structured parking and a timeline for construction of all remaining phases of the Town Center District. The City Council has sole authority to determine compliance of the General Development Plan with the goals and objectives of this PD District ordinance. The City Council may also deny a General Development Plan if construction of elements of previously approved General Development Plans has not progressed to a point where it feel the goals and objectives of the PD District are being met. The General Development Plan for Tract F is approved herewith and it shall serve as a model of submission expectations for subsequent General Development Plans on the remaining tracts (C, D, & E).

c) Permitted Uses

The schedule of uses shall constitute the entire listing of permitted uses within the Town Center District.

d) Permitted Accessory Uses

The schedule of accessory uses shall constitute the entire listing of permitted accessory uses within the Town Center District:

e) Residential and Commercial Mix

The Town Center District is intended to provide a mix of residential and commercial (retail and office) uses, both horizontally (within the same block) and vertically (within the same structure). The following provisions shall apply to all development within the Town Center District:

Timing Issues:

- i. Concurrently with development of the first 50 townhouse or condominium / loft residential units in the Town Center District, the developer shall construct, within the Town Center District 40,000 square feet of floor area of commercial uses not associated with the residential units, exclusive of parking. A percentage of the enclosed mechanical & electrical space equal to the percentage of square feet on the first floor to the square feet of the entire building shall be considered in the calculation of the required commercial space under this paragraph, but parking uses are not part of the calculated commercial floor area.
- ii. Concurrently with the development of the next 100 townhouse or condominium / loft residential units in the Town Center District, the developer shall construct, within the Town Center District 50,000 square feet of floor area of commercial uses, exclusive of parking.
- iii. Concurrently with the remaining 135 townhouse or condominium / loft residential units within the Town Center District, the developer shall construct,

within the Town Center Area, 30,000 square feet of floor area of commercial uses, exclusive of parking.

- iv. If the developer constructs more than the required amount of square footage of commercial uses required under Sections 3 (e) (i), 3(e) (ii) or 3(e) (iii) during one or more phases of the General Development Plans in the Town Center District, such additional square footage may be applied to the calculations of amounts required in a subsequent phase.
- v. In order to ensure concurrent development, the following provisions shall apply. A building permit shall not be issued for any residential unit prior to issuance of a building permit for the required square footage of commercial uses in the Town Center District, as required above. A certificate of occupancy shall not be granted for any townhouse or condominium / loft residential unit prior to issuance of a certificate of occupancy for the required square footage of commercial use building shell space, as required above. The developer shall provide a list of the number of residential units and the square footage of commercial uses at time of request of a building permit and a certificate of occupancy.
- vi. Construction of residential units in the Town Center District shall not commence until a certificate of occupancy has been issued for at least 30 Dwelling Unit's in the Villa District, save and except for dwelling units consisting of vertical condominium / loft residential units in buildings approved by the City Council in Tract F.

Percentage Mix of Units

- vii. Retail and office uses shall occupy a minimum of 50% of the first floor of the buildings which contain townhouse or condominium / loft units whether in General Development Area F or any subsequent General Development Area, exclusive of residential entries, residential access corridors, and related service areas. Additionally, at least 90% of the perimeter of the ground floor of the building shall be constructed for retail or office uses not associated with the residential uses and with the further requirement that 75% of the retail or office uses shall have a minimum depth of 40' and the remaining 25% shall have a minimum depth of at least 20'. If 100% of the ground floor is constructed for retail and office uses not associated with the residential units, there shall be no minimum depth requirement. Access drives incorporated through the building or as integral components of the building shall not be considered in the calculation of constructed office or retail space. Ground floor condominium units shall not be permitted
- viii. To insure a mixture of uses, certificates of occupancy for commercial (retail and office) uses shall have issued for a minimum of 30% of the total gross floor area of the Town Center District prior to issuance of a certificate of occupancy for the last 75 residential units. Prior to issuance of a building permit for the last 100 townhouse or condominium / loft residential units, the developer shall provide the City of McKinney with the total square footage of all residential units and the total square footage of all commercial uses in the Town Center District, and a building permit will not be issued therefor unless commercial uses comprise at least 30% of the combined gross floor area of the residential and commercial uses then constructed within the Town Center District.

Other

- ix. Development within Tract F may occur in phases provided that all other provisions of this ordinance are met.
- x. Where parking is provided or required by initial phases, the developer shall present a plan detailing the required parking and whether parking provided in will be retained or replaced by structured parking to be constructed in the future.
- xi. Garage uses are allowed on all floors of buildings.

f) Specific Use Permits

The schedule of uses shall constitute the entire listing of permitted uses within the Town Center District which require a Specific Use Permit.

f) Space Limits

The following standards shall apply in the Town Center District:

- i. Minimum lot area None.
- ii. Minimum width of lot None.
- iii. Minimum depth of lot None.
- iv. Minimum area per dwelling unit 600 square feet.
- v. Maximum height of building 50 feet.
- vii. Minimum front yard None.
- viii. Minimum rear yard 0 feet.
- ix. Minimum side yard 0 feet.
- xi. Maximum lot coverage 95%.
- xii. Maximum FAR None.
- xiii. An approved site plan shall be required prior to development, which shall meet the requirements of the City of McKinney Zoning Ordinance. During the site plan review and approval process, greater setbacks may be required in the interests of fire protection, emergency protection, life and safety requirements, and visibility requirements..
- xiii. The City of McKinney Zoning Ordinance shall govern this development unless exceptions are specifically delineated within these Planned Development Regulations or attachments hereto.

4. SCHEDULE OF USES

The following tables define the various uses which are allowed and which are prohibited within this PD for the R-2 District and the Town Center District. The following legend applies to all Use Tables. Uses which are not listed in the table below shall not be allowed.

LEGEND	
●	Permitted use
X	Use not permitted
S	Specific Use Permit required

RESIDENTIAL USES

Land Use Type	R-2 District	Town Center District
Townhome	X	●
Patio home or zero-lot-line home	X	X
Condominium / Loft above 1 st floor	X	●
Single-family detached residential DU	X	X
Residential / home accessory use	X	●
Retirement/nursing homes	X	●

RETAIL USES

Land Use Type	R-2 District	Town Center District
Antique shop	●	●
Aquarium, bird and pet shops	●	●
Art gallery	●	●
Bakery	●	●
Barber and beauty shop	●	●
Book or stationery store	●	●
Bicycle Shop	●	●
Camera shop	●	●
Candy, cigars and tobaccos	●	●
Department store	●	●
Drug store	●	●
Dry cleaning and pressing shops	●	X
Dry cleaning and pressing shops pick up and delivery only no onsite plant	●	●
Electrical goods and fixtures for consumer use	●	●

Electronics store	•	•
Film developing and printing	•	•
Florist	•	•
Grocery store	S	•
Hardware, sporting goods, toys, paints, wall paper	•	•
Hotel	S	•
Household and office furniture, furnishings and appliances	S	S
Jewelry, optical goods, photographic supplies	•	•
Meat/butcher shop	•	•
Novelty or variety shop	•	•
Piano and musical instruments	•	•
Printing shop	S	S
Restaurant	•	•
Restaurant (with drive-through pick-up window)	•	S
Retail store or shop for custom work	•	•
Seamstress, dressmaker, or tailor	•	•
Shoe repair shop	•	•
Studio for the display and sale of glass, china, art objects, cloth and draperies	•	•
Video equipment and cassettes, sales and rental	•	•
Clothing and accessories	•	•
Copy shop	•	•

OFFICE & COMMERCIAL SERVICES

Land Use Type	R-2 District	Town Center District
Bank, savings & loan, credit union	•	•
Caterer and wedding service	•	•
Daycare facility	•	X
Health club (private or public)	•	S
Hospital	S	S
Laundromat, equipped with automatic washing machines of the type customarily found in a home and where the customer may personally supervise the washing and handling of their laundry	X	X
Medical and dental offices	•	•
Photographers and artist studios	•	•
Professional office	•	•
Studios (dance, music, drama)	•	•
Wedding Chapel	X	•
Winery (maximum of 10,000 SF without SUP)	•	•

CIVIC USES

Land Use Type	R-2 District	Town Center District
Church, synagogue, house of worship	•	•
Civic center, auditorium, arena, theater, and/or exhibit hall	X	•
Library	X	•
School	X	•

OTHER USES

Land Use Type	R-2 District	Town Center District
Mixed use with office and/or retail on street level and upper level residential	X	•
Upper level office and retail uses	•	•
Public garage, parking, no repairs	•	•
Private garage parking (for multiple residential or non-residential tenants)	•	•
Recreation area (private)	•	•
Recreation area (public)	•	•

Taxi stand	S	•
Transit/bus stop (no parking areas)	•	•
Auto related uses	X	X

5. OTHER CONDITIONS

The following conditions apply to any development within the R-2 District and to the Town Center District.

a) Parking Requirements

All off-street parking shall be provided according to Section 41-202 of the City of McKinney Zoning Ordinance, and as amended. Off-street parking may be provided by either parking garage structure or surface parking areas within the Town Center District and the R-2 District. Parking garage structures shall be centrally located near buildings which the garage serves. Off-street parking in the Town Center District may be reduced based on the submittal and approval of a written request and city acceptance of a parking study showing specific land uses that support a reduction in parking based upon time of use, type, patronage distribution, systems, and other appropriate factors including pedestrian-oriented, livable environments. Garage structure parking shall meet the requirements for enclosed parking for all residential townhouse and condominium / loft residential units within the Town Center Area. Enclosed parking shall not count toward the percentage of first floor uses in any calculations which are required by Section 3(e) above.

b) Pedestrian Walkway

A minimum six (6') feet wide public walk shall be constructed concurrently with any structure and shall traverse through Tract F in the Town Center District near or next to the lake as a future connection to a future sidewalk or hike and bike trail across the Stonebridge Lake dam.

c) Fast Food Restaurant Limitation

Within the R-2 District there shall be allowed not more than three (3) fast food restaurants (with drive-through pick-up window) along Virginia Parkway, and there shall be allowed no (0) fast food restaurants (with drive-through pick-up window) along Stonebridge Drive.

d) Signage

The following additional signage provisions are granted by this PD District ordinance:

- i. One-half (1/2) the number of allowed signs that would be permitted along Virginia Parkway and Stonebridge Drive pursuant to the City of McKinney sign ordinance, as amended, will be allowed under this ordinance. Such signs may include multi-tenant signs; provided that the total allowed sign area (square feet) shall not exceed that amount allowed for the number of signs permitted in this paragraph. The applicant shall submit a sign plan for City Council approval along with the first site plan for any lot or structure constructed along Virginia Parkway or Stonebridge Drive.
- ii. All monument signage shall have brick or stone-covered bases and borders. The design for monument signage shall be consistent with the overall design and color tone of buildings within the PD.
- iii. Lighted signage shall not be permitted above twenty-five (25') feet on any building in the Town Center District.

d) Landscape

The provisions of Sec. 41-211, Landscape Requirements, of the McKinney Code of Ordinances, and as amended, shall apply to all development in Parcel 201, save and except the following exceptions:

- i. Landscape setback buffers along Virginia Parkway and Stonebridge Drive shall be not less than twenty (20') feet in width. Landscape setback buffers along other streets are not required.
- ii. Where adequate off-street parking is provided by garage structure(s), no additional internal landscaping shall be required, based on the number of parking spaces within that garage. Landscaping shall be required where a parking garage structure abuts a public street or principal pedestrian access corridor and where the parking garage structure is not immediately adjacent to or within twenty (20') feet of adjacent buildings.
- iii. A five (5') feet wide landscape strip is required around parking lots except where parking lots are directly adjacent to one another.
- iv. The City Engineer may grant a variance to allow trees along streets to be closer than four (4') feet from public utility lines (water and sewer) where such trees are placed in tree boxes with appropriate irrigation and drainage facilities or where the utility has adequate separation by depth or other feature.

f) Quality and Aesthetic Provisions

- i. All structures must comply with the City of McKinney Architectural Standards and the Design Guidelines included herein. The finish shall simulate the stone and installation of an authentic Croatian village (ref. Exhibit B attached), and all structures shall have final architectural approval by the City Council as provided for herein in addition to any requirements of applicable City Ordinances and in addition to developer's architectural review committee.

Within the Town Center District, building elevations must be reviewed and approved by the City Council as a part of the site plan approval process and such elevations shall be consistent with the approvals provided required in Section 3(b) hereinabove. Buildings shall be planned and constructed with comparable architectural design on all sides and the submitted elevations shall specify the primary exterior construction materials and colors.

- ii. All structures shall have a roof finish with authentic two-piece clay tile roofing (i.e. one-piece "S" tile with authentic two-piece tile at the eave line). The color palette shall be red with all natural, earth tones and blends included to simulate the natural aging process.

All flat-roofed buildings shall have a clay tile roof and parapet wall system consistent with the architectural style of the project. The parapet shall be a minimum of 3.5 feet high. The parapet shall not appear to be a screening wall; rather it shall appear as an authentic roofline.

- iii. In reviewing any site plan and building elevations, special consideration should be given to the intent of this Planned Development District whereby the loading areas and sanitation container locations should be effectively screened from public streets, other properties, and the interior views within the subject property.
- iv. No screening shall be required for Tract F, adjacent to the Villa District, provided that a minimum ten (10') feet wide landscaped buffer or minimum ten (10') feet wide landscaped pedestrian corridor is created between the residential units and the adjacent use.
- v. Sidewalk widths within proposed street rights-of-way shall be based upon the proximity of the proposed building(s) to the front property line. Where buildings are positioned from zero (0') feet to five (5') feet from the front property line, sidewalks shall be a minimum eight (8') feet in width. Where buildings are from five (5') feet to ten (10') feet from the front property line, sidewalks shall be a minimum of six (6') feet in width. Where buildings are greater than ten (10') feet from the front property line, sidewalks widths shall be not less than five (5') feet in width. Sidewalk widths shall be shown on all site plans for City review and approval.
- vi. In circular street features located at intersections or at any street terminus, either decorative fountains, landscaped islands or a combination thereof shall be incorporated. The operation and maintenance of these landscape and

hardscape features shall be the perpetual responsibility of the developer or a commercial association approved by the City Attorney.

- vii. The maximum building footprint (single structure) allowed within the PD shall be 48,500 square feet unless otherwise approved by the City Council through issuance of a Specific Use Permit. Any request for SUP consideration for a larger building footprint shall be solely to the City Council and shall include the applicant's rationale for such request. The calculation of building footprint shall not include adjacent buildings sharing a common wall.
- viii. All buildings facing or adjacent to 1) multiple streets, 2) public access easements that serve the function of a street, 3) primary pedestrian ways that serve as the principal public pedestrian access to retail and office areas, or 4) that are adjacent to lake frontage shall be designed in a manner such that all views are architecturally designed for facing said street, public access easement, primary pedestrian way, or lake frontage and have the appearance and landscape features appropriate for "fronting". It is the intent of this provision that no such views are designed solely as a functional, non-aesthetically consistent service area. It is further the intent that site plans for buildings and facilities in the R-2 District shall be designed in a manner that join together and relate such buildings and facilities to the Town Center District so as to blend the R-2 District with the Town Center District and be a visual, aesthetic and pedestrian compliment to the Town Center District.
- ix. All buildings three (3) stories and greater shall include an elevator; however only if such buildings include twenty (20) or more residential units.
- x. This property shall be annexed into and be subject to the provisions of the Stonebridge Ranch Master Association as well as provide for a sub-association in order to insure the proper maintenance responsibilities for common areas, features and amenities all of which shall be subject to the review and approval of the City Attorney.
- xi. Storm water best management practices (BMPs') consistent with then current City Ordinances and as approved by the Director of Engineering shall be installed and maintained by the developer to minimize debris entering Stonebridge Lake.

g) **R-2 Front Setback Provision**

Where R-2-zoned land fronts the triangular-shaped, HOA-owned Common Area at the southeast corner of Stonebridge Drive and Virginia Parkway, the twenty-five (25') feet setback along such streets will be measured from the street right-of-way lines. This measurement shall allow buildings and other site facilities to be placed directly adjacent to the HOA Common Area as long as a twenty-five (25') feet setback is maintained along such streets.

h) **Towers, Spires, Monuments**

These provisions are intended to allow and encourage the incorporation of unique design features such as bell towers and other "old world" design features. Additionally, stand-alone monument towers shall be allowed with approval of a Specific Use Permit. The maximum height for such towers, monuments, and spires shall be ninety (90') feet at the midpoint of the roof. A maximum of three (3) towers, monuments, or spires (in the aggregate) exceeding fifty (50') feet shall be permitted. The first tower is approved as part of the attached General Development Plan. Approval of the second and third towers, spires or monuments exceeding fifty (50') feet in height shall require approval as part of the submission of a General Development Plan approval for Tracts C, D, E, or F. Tower, spire, or monument elevations for each distinct side or view shall be provided by the applicant.

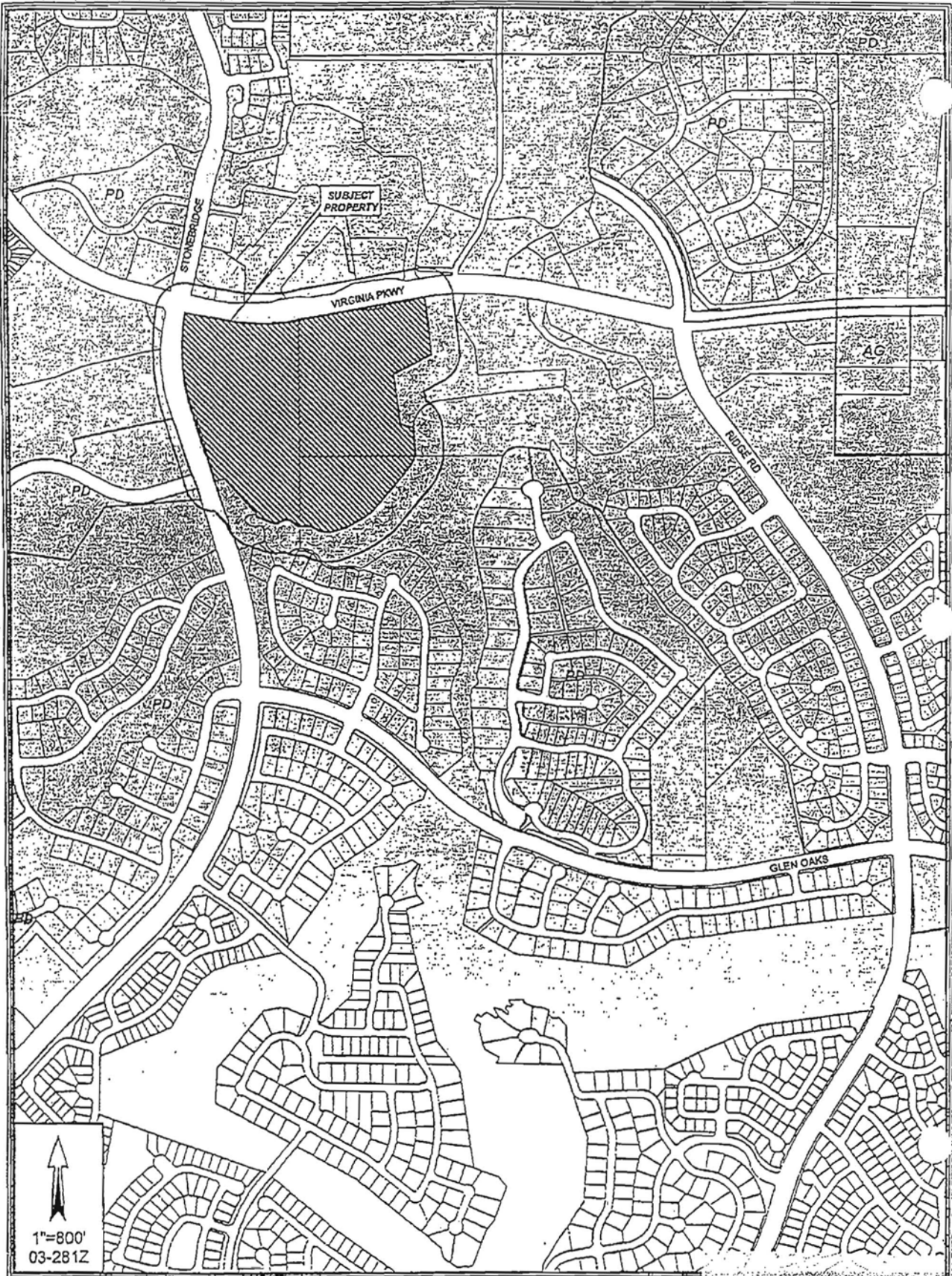
i) **Attachments**

The attachments referenced below shall be incorporated as regulatory requirements of this Planned Development Ordinance as if reproduced in the body hereof in their entirety and shall be used by the City of McKinney for determination and interpretation of compliance with the intent and provisions of this ordinance.

Attachments:

1. Attachment "A" – Locator Map
2. Attachment "B" – Design Guidelines
3. Attachment "C" - Map titled "Zoning Exhibit, Harbor Market Village, Stonebridge Ranch" for Blackard Developments, Inc. as prepared by Huitt-Zollars, Inc.
4. Attachment "D" - Conceptual Site Plan for Harbor Market Village
5. Attachment "E" - General Development Plan for Tract F as prepared by Warren Wilke & Associates
6. Attachment "F" - General Landscape Plan for Tract F as prepared by Huitt-Zollars, Inc.
7. Attachment "G", Typical Building Elevations and footprint for Tract F (7 pages)
8. Attachment "H" - Residential Condominium / Loft Provisions
9. Attachment "I" –Bell Tower

— End of Document —



ATTACHMENT "A"

DESIGN GUIDELINES HARBOR MARKET VILLAGE

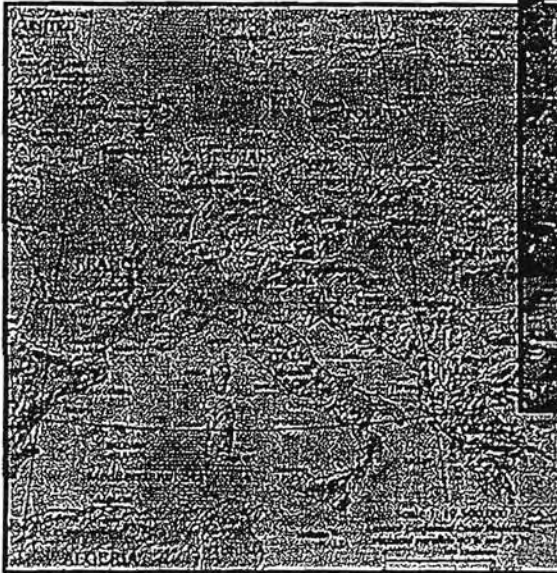
INTRODUCTION

The following summary and photographs help convey the vision of this development and the intent of the developer to recreate and retain the historical authenticity of a Croatian seaport village. Specifically, the settlement known today as Supetar on the Island of Brac.

Croatia lies due north of Greece and east of Italy across the Adriatic Sea. Located just a short boat ride away from the mainland of Croatia, lying on the beautiful Dalmatian coast, this quaint village has become one of the most desirable vacation destinations in Europe.

Within many coastal settlements of Croatia, you feel as if you are almost entering a living museum, harmoniously built in different architectural styles.

These small villages and communities have developed into little towns according to the standards of modern town planning, now known as New Urbanism. In America, we have new urbanism communities that include the Seaside, Laguna West, Celebration, and Addison Circle.



DESIGN GUIDELINES HARBOR MARKET VILLAGE

The Croatian communities represent the traditional close-knit neighborhoods with harmonious, paved little squares and narrow stone alleys framing the vistas and images beyond; with shops and dining where you can stop and enjoy the bows of the boats and water and outdoor nightlife; with stone staircases and the undulating skylines created by the varying building heights and sizes.

Light and sun accentuate the whiteness of the limestone and marble buildings. The red rooflines, green and blue shutters and color awnings and umbrellas make these small urban towns flow with life.

Because of its superior location, Supetar became the capital of the island of Brac. The architecture of Supetar includes some larger administrative buildings with plastered fronts and decorative walls with unusually huge windows that appear foreign to the genuine "folk architecture". These buildings almost become a screen to the more rural settlement background. Though the village remains a mix of styles built entirely out of stone, these materials have given it durability and monumentality. All the building materials were taken from their surroundings, so the buildings seem to merge with the native landscaping and project out of the water's edge.



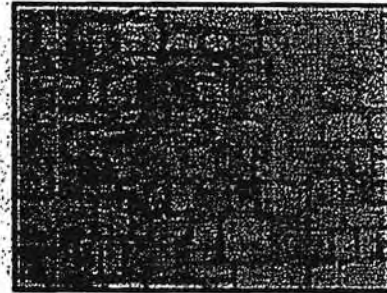
DESIGN GUIDELINES HARBOR MARKET VILLAGE

GENERAL DESIGN PRINCIPLES

1. Building design and character shall reflect the mixed land uses of a Croatian seaport village. This village will grow over time as did the traditional settlements of the past.
2. Build a connected system of streets, alleys, and sidewalks to distribute to the greatest extent possible pedestrian and vehicular traffic evenly throughout the neighborhood.
3. Connect the new village to the existing neighborhoods, to a trail along the edge of Stonebridge Lake, and to public walkways. Preserve key public views to and from Stonebridge Lake with buildings framing the views from and into the village.
4. The appearance of the buildings will give a sense of aesthetics and weight, by the use of stone, or the thickening of the walls, and recessing the windows slightly.
5. Design building heights to vary as one moves through the Village and down narrow pedestrian ways. Visual interest is created by varying roof plate heights, heights of buildings, and the use of dormers. Larger building footprints are required to break the roof plate into smaller village-like roof tops. Historically, the chimneys had very imaginative endings out of necessity to stop the wind from damaging the fireplace.
6. Commercial buildings will have external orientation as much as possible, on all sides, towards street, alleyways and courtyards.



Pedestrian walks connect buildings throughout the village.



Stone walls and red tile roof materials will be used on proposed buildings.

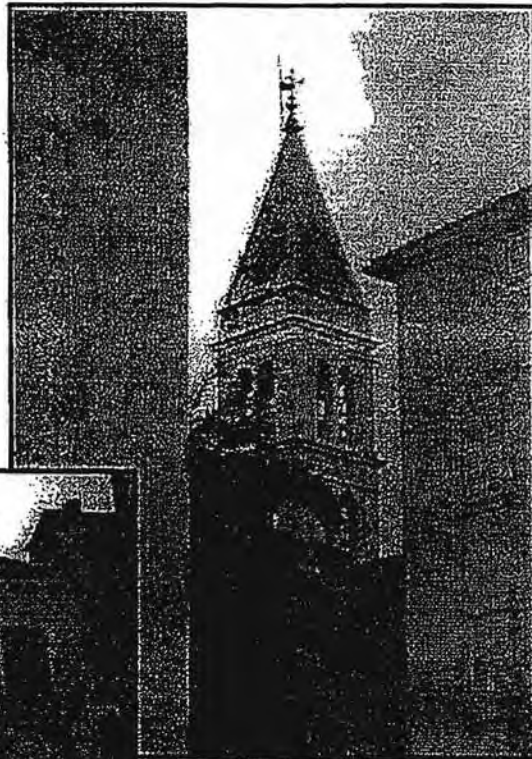
DESIGN GUIDELINES HARBOR MARKET VILLAGE

SPECIFIC DESIGN GUIDELINES

1. High-quality, durable construction and materials shall be used on all façades. Stone masonry will be the predominant exterior building material, with accents of stucco, some brick patches, and glass. Wood windows and shutters are characteristic of the architecture. High quality simulated materials may be approved.
2. The windows will have a vertical proportion, with window size, shape, pattern and detailing that emphasizes a vertical proportion to the building.
3. First-floor residential space should be separated from the street level by a change in grade, stoop or landscaping, such as vessels containing plantings.



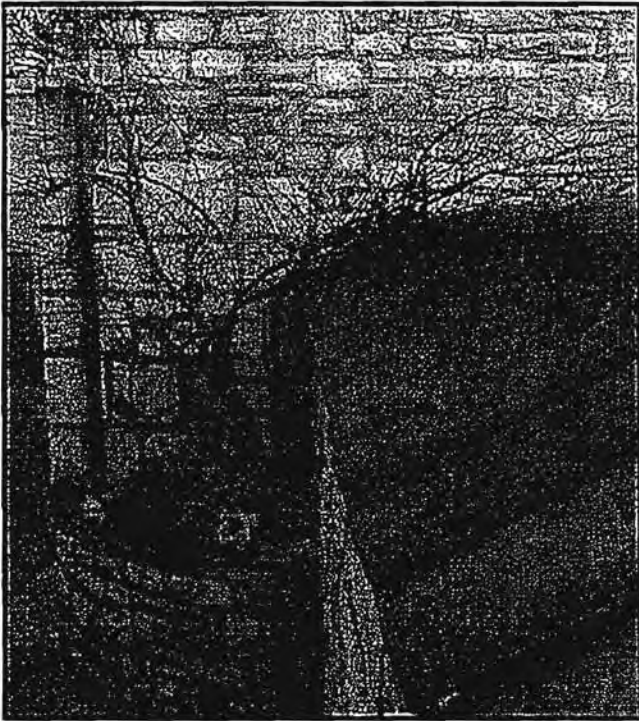
Windows have a vertical proportion in shape and detailing. Stone masonry will be used with stucco and other quality materials.



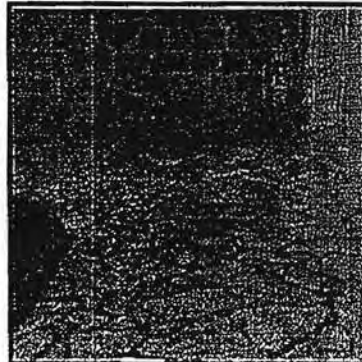
View corridors between buildings provide visual interest.

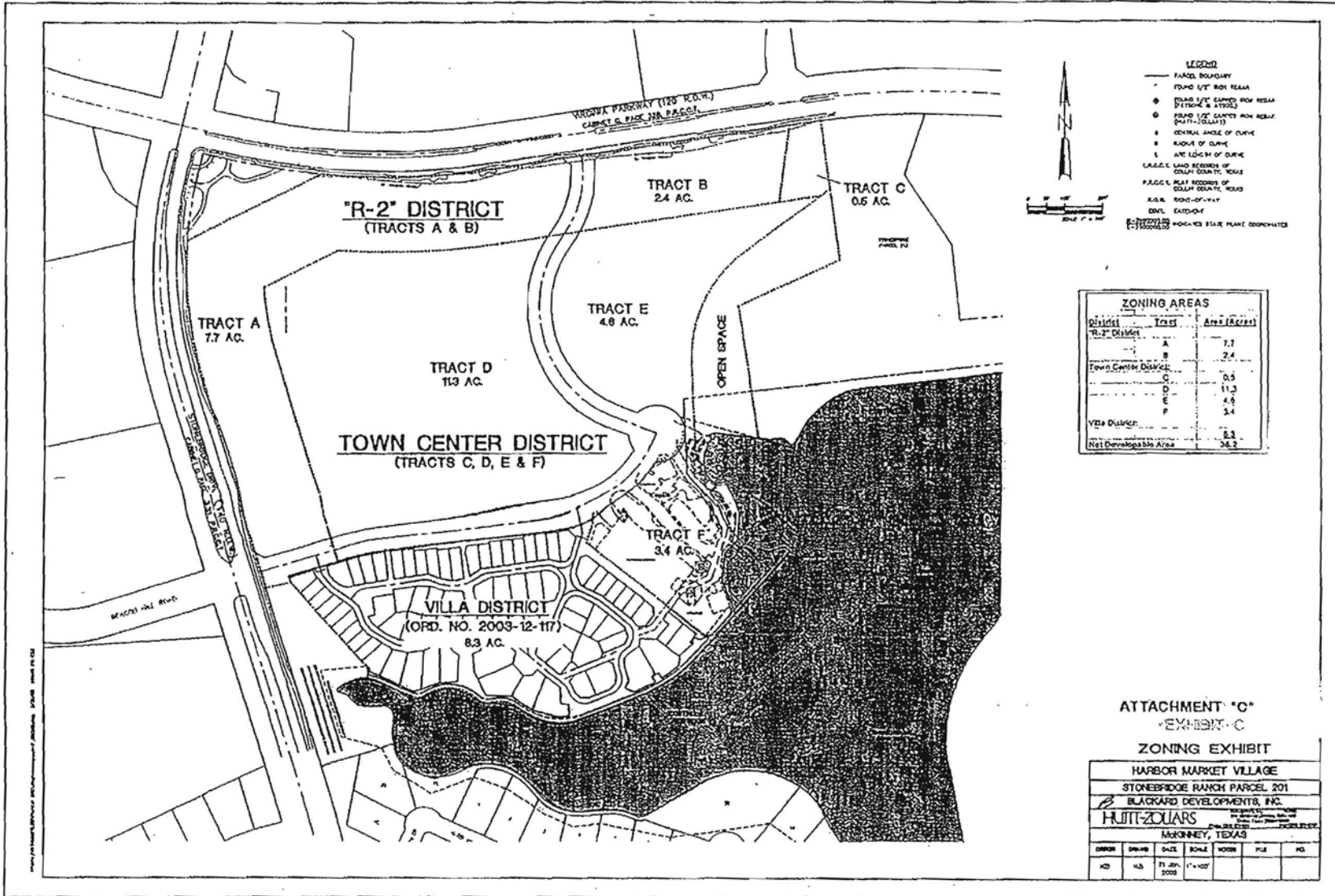
DESIGN GUIDELINES HARBOR MARKET VILLAGE

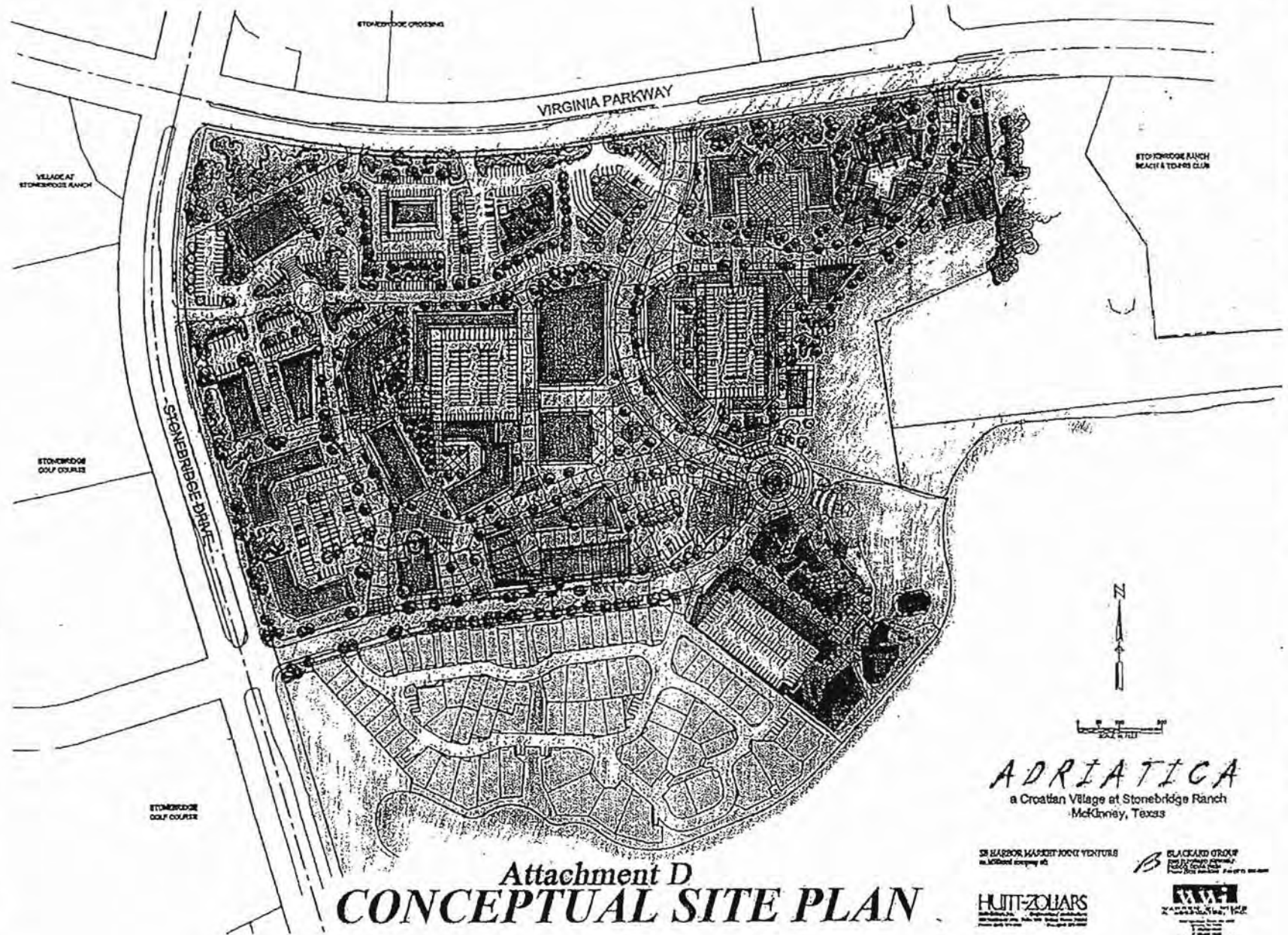
4. Stone stairways and balconies are a part of this style of architecture, with potted plants and vines lining the steps and entrances.
5. Roof decks with stone and decorative wrought iron railings are common in this village.
6. Wood or metal arbors on roof decks or ground level terraces will be used.
7. Building roof lines will be predominately gable or hip roofs, with authentic red barrel clay tiles.
8. Wood and stone fascias are typical. Integral gutters, stone or metal are encouraged, with downspouts and conductor heads added for detailing. Walks and drives will consist of patterned concrete, pavers, and flagstones.
9. Mechanical equipment shall be installed and located as inconspicuously as possible.
10. The use of stone or synthetic stone veneer is acceptable and will wrap all corners to create a sense of continuous mass and weight. It will not stop at the corners in order to avoid the look of being pasted on.



Stone walls, decorative wrought iron railings, and red clay tile roofs will be used in the village architecture. Strategically placed plantings will soften the appearance of buildings.







Attachment D
CONCEPTUAL SITE PLAN

ADRIATICA
 a Croatian Village at Stonebridge Ranch
 McKinney, Texas

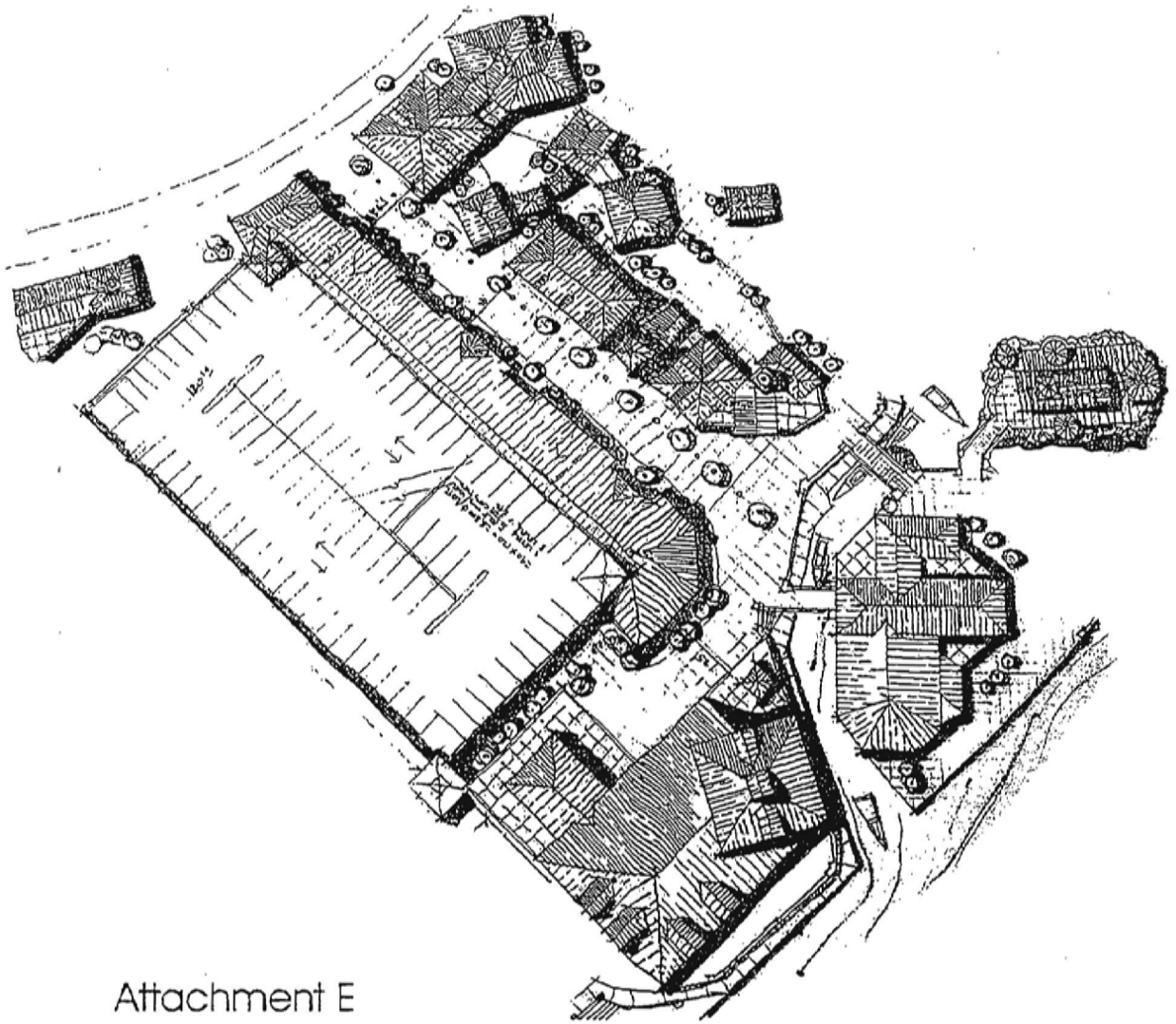
SE HARBOR MASTER JOINT VENTURE
 a.k.a. Stonebridge 40

BLAKEARD GROUP
 10000 Stonebridge Parkway
 Suite 100 McKinney, Texas 75069

HUTT-ZOLLARS
 Architects, Inc.
 10000 Stonebridge Parkway
 Suite 100 McKinney, Texas 75069

W&W
 WATSON & WATSON
 10000 Stonebridge Parkway
 Suite 100 McKinney, Texas 75069

10/10/08 10:00 AM 10/10/08 10:00 AM 10/10/08 10:00 AM 10/10/08 10:00 AM 10/10/08 10:00 AM



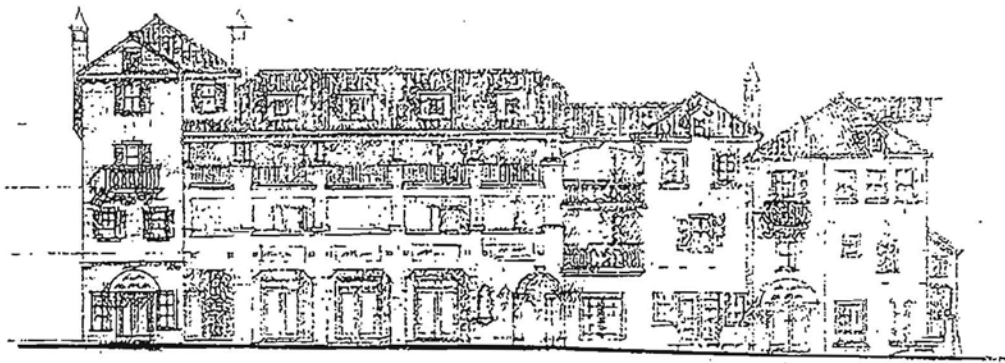
Attachment E
General Development Plan
for Tract F



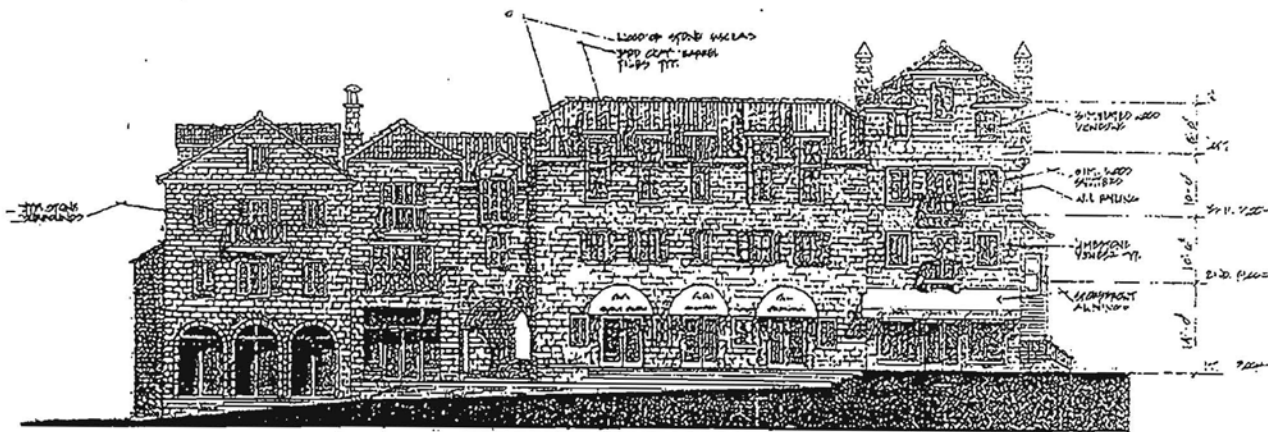
CONCEPTUAL SOUTHWEST ELEVATION FOR BUILDING 5

SCALE: 1" = 20'-0"

Attachment G - Typical Elevations for Tract F



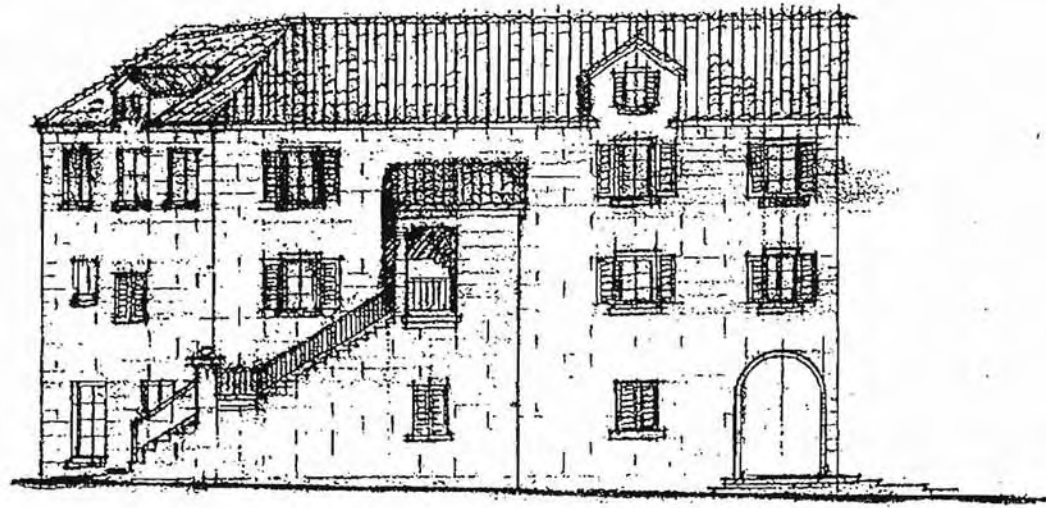
CONCEPTUAL VIEW FROM MUSE - BUILDING 5



CONCEPTUAL VIEW FROM LAKESIDE - BUILDING 5

ADRIATICA

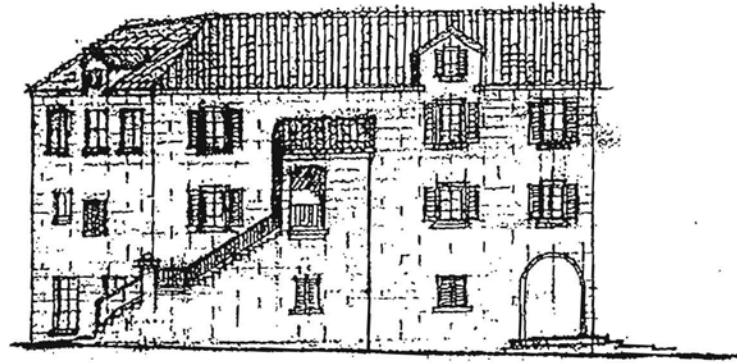
Attachment G
 Typical Building Elevations for Tract F



CONCEPTUAL NORTHEAST ELEVATION FOR BUILDING 5

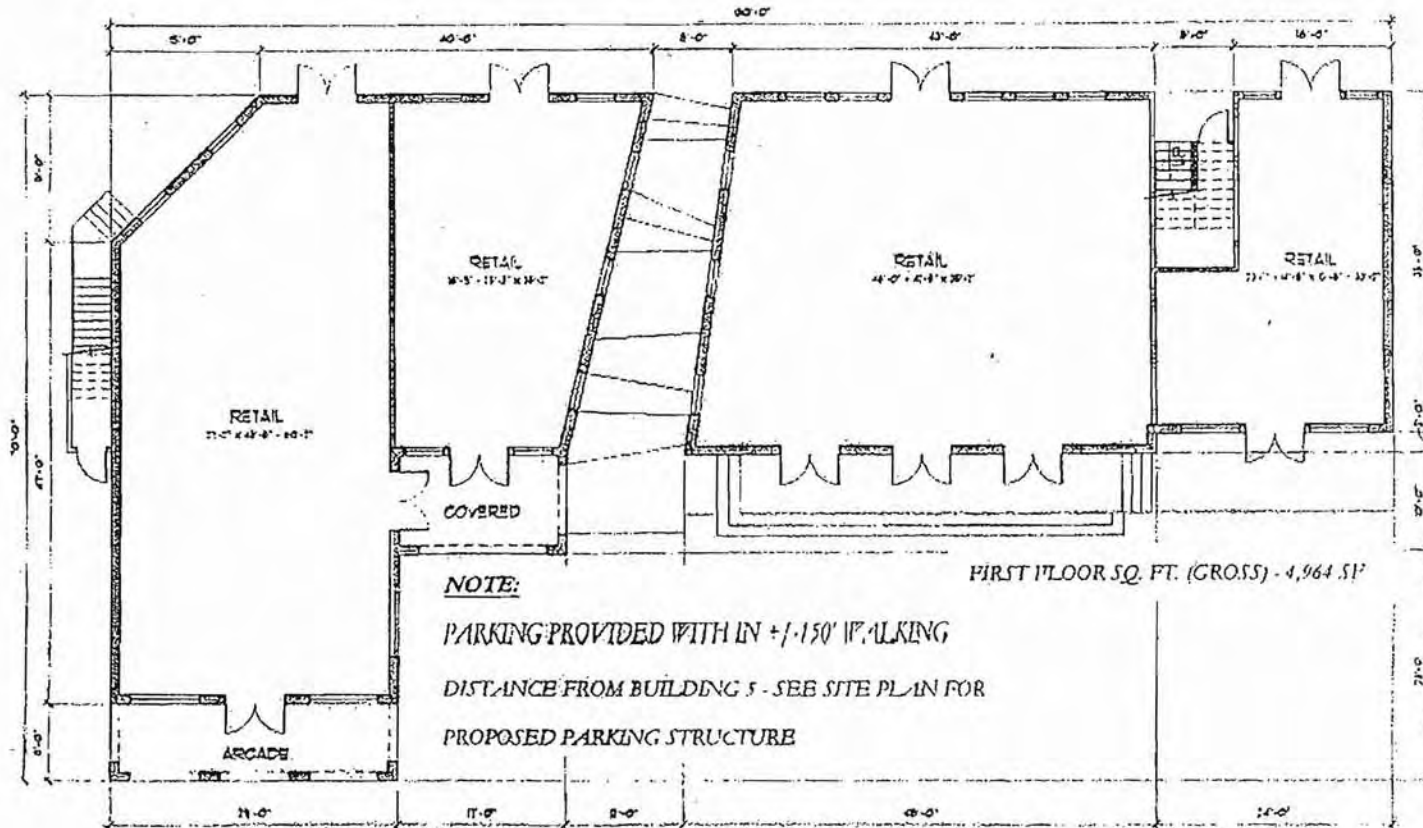
SCALE: 1" = 20'-0"

Attachment G - Typical Building Elevations for Tract F



CONCEPTUAL SOUTHEAST ELEVATION FOR BUILDING 5
SCALE: 1" = 16'-0"

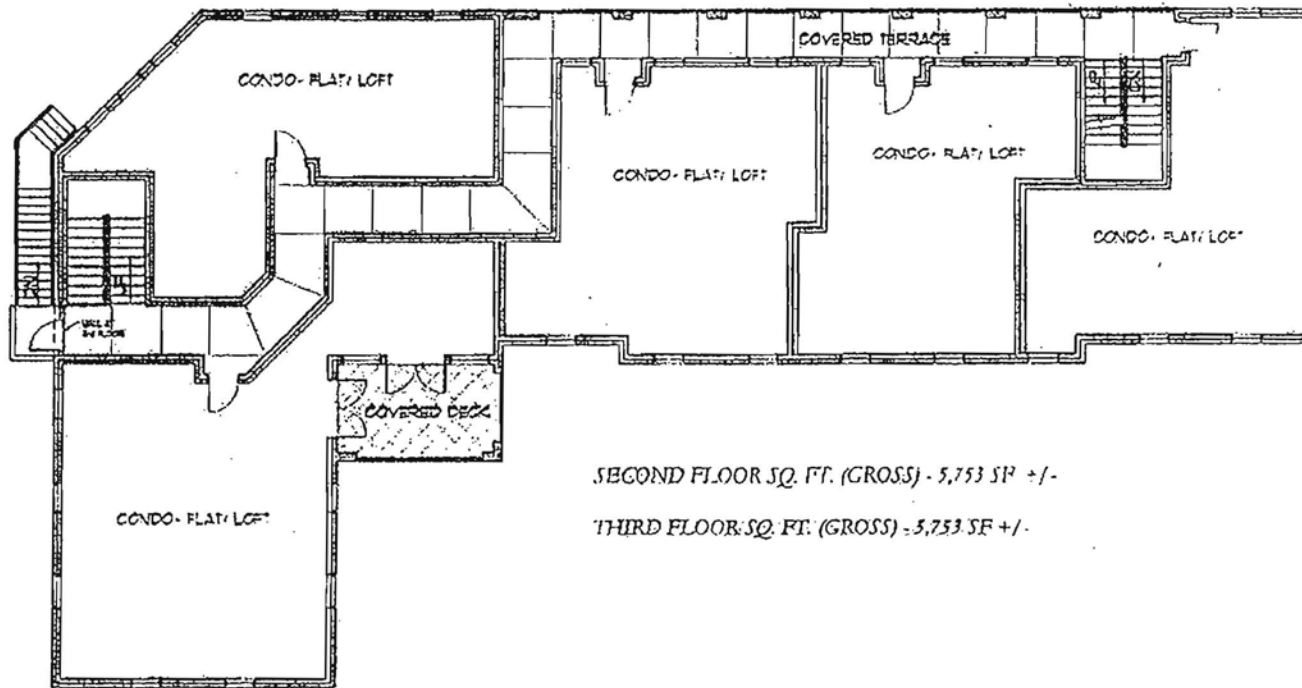
Attachment G - Typical Building Elevations for Target F



ADRIATICA

SCHEMATIC LAYOUT FOR BUILDING 5 - FIRST FLOOR

Attachment G - Typical Building Plan for Tract F



SECOND FLOOR SQ. FT. (GROSS) - 5,753 SF +/-

THIRD FLOOR SQ. FT. (GROSS) - 5,753 SF +/-

ADRIATICA

SCHEMATIC LAYOUT FOR BUILDING 5 - SECOND/ THIRD FLOOR

SCALE 1/8" = 1'-0"

Attachment G - Typical Building Plan for Tract F

Attachment H Residential Condominium / Loft Provisions

Purpose: The Condominium / Loft use is designed to provide for a medium density attached residential environment of above-ground units designed and constructed for individual sale and characterized by buildings / structures of varying smaller scale and more open space. In such units, the owner thereof does not have exclusive ownership of the real property (lot) on which said condominium / loft is situated. It is intended that non-residential uses shall occupy the ground floor of the buildings / structures referenced in this Attachment H. Condominium / loft use is intended to promote the sale and ownership of individual living units which shall be part of a building and common area maintenance association for maintenance of all exterior portions of the building and related common areas. This district is appropriately located in an urban environment with direct access services and transportation arteries.

Definitions: The definition for condominium and related terms shall be as provided for in Texas law, specifically under Chapter 82, Uniform Condominium Act, as it currently exists or may hereinafter be amended.

Principal permitted uses: The following principal permitted uses shall be approved in buildings designed for a mixture of commercial, office, and residential uses:

- (a) For the purposes of this Planned Development District, the term "Condominium / Loft" shall be limited to condominium residential living units above the first floor of buildings having a mixture of office, retail, and residential uses.

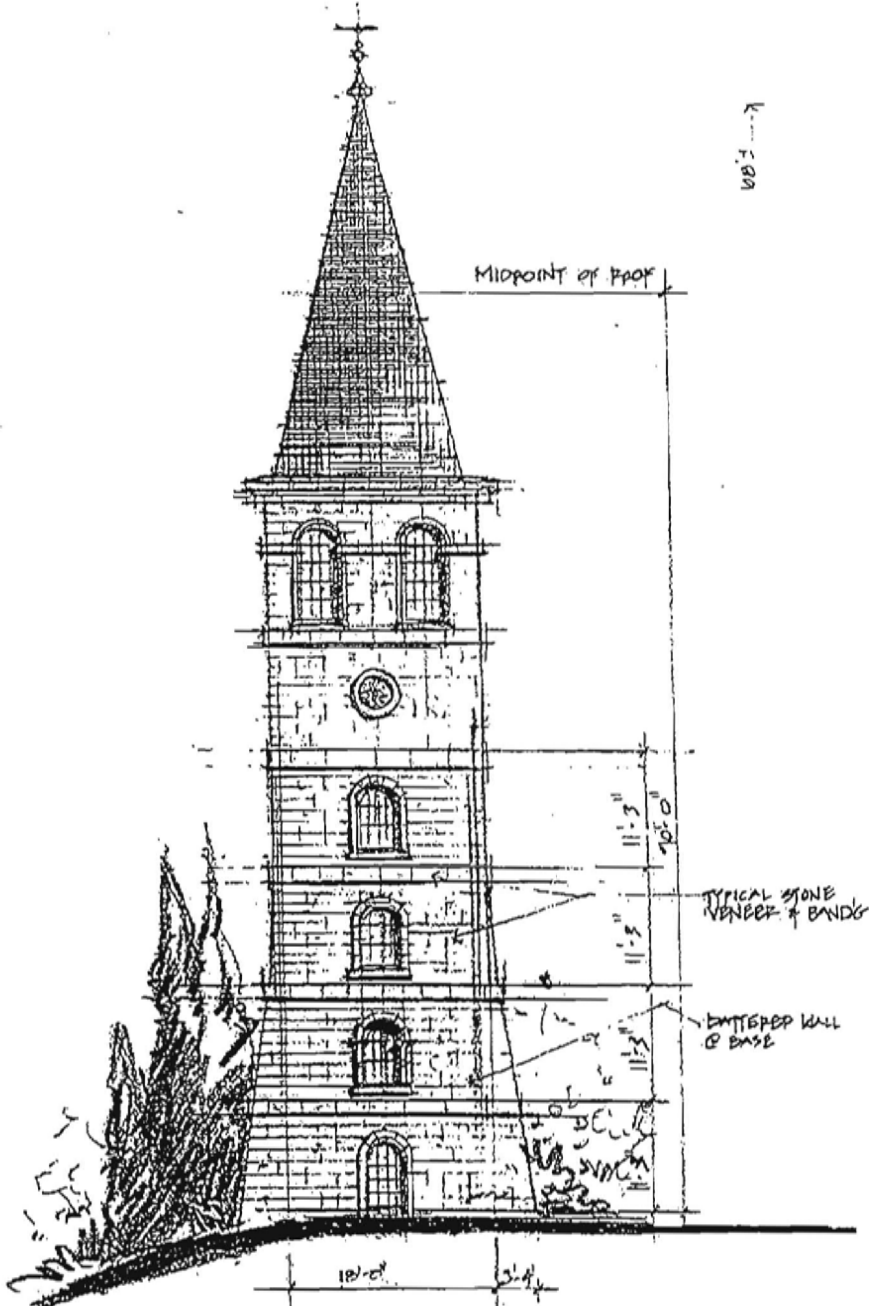
Permitted accessory uses: Accessory uses customarily appurtenant to attached residential uses. Permitted accessory uses for Condominium / loft units shall include a variety of accessory uses permitted by the City of McKinney RG 27, RG 25, RG 18 zoning districts.

Space Limits: Space limits shall be the same as those of the PD to which this exhibit is attached.

Miscellaneous Provisions:

- (a) The City Attorney shall approve the condominium / building maintenance association provisions prior to the approval of any certificates of occupancy for the building. Said provisions shall be filed for record in the land records of Collin County, Texas and shall be in effect until amended by the provisions therefore. The condominium regime shall also be a sub-association of Stonebridge Ranch and be subject to the provisions of the Master Association of Stonebridge Ranch which relationships shall be documented in the land records of Collin County, Texas.
- (b) The keeping of dogs, cats and other household pets, as defined by the City of McKinney animal control ordinance, is limited to two animals.
- (c) Parking standards shall be as follows:
 - i) Parking shall be provided at the rate of two off-street spaces per living unit.
 - ii) All off-street parking shall be provided according to Section 41-202 of the McKinney Zoning Regulations, except that a 10% reduction in required parking is allowed for mixed-use development. Off-street parking may be provided by either structured garage or on surface

parking areas within the Town Center and R-2 Districts. Structured garages shall be centrally located near or around buildings that the garage will be serving, and resident parking therein shall be designated or reserved. Off-street parking in the Town Center and R-2 Districts may be further reduced, beyond the 10% reduction, based on submittal and city acceptance of a parking study showing specific land uses that support a reduction in parking through time of use, type, patronage distribution, systems, and other appropriate factors including walkable, livable environments.



K-100
F. 00

CONCEPTUAL SKETCH OF BELL TOWER

ADRIATICA

SCALE 1/8" = 1'-0"

Attachment 1