

COPY

AN ORDINANCE OF THE CITY OF MCKINNEY, TEXAS AMENDING PD - PLANNED DEVELOPMENT DISTRICT ORDINANCE NO. 98-04-25; 427-ACRE TRACT AT THE NORTHEAST CORNER OF US HIGHWAY 75 (CENTRAL EXPRESSWAY) AND STATE HIGHWAY 121 (SPUR 399), AS WELL AS SOUTH AND WEST OF WILSON CREEK; IS MODIFIED IN ORDER TO ELIMINATE SINGLE FAMILY DETACHED ZONING DISTRICTS, GENERALLY REGARDING SINGLE-FAMILY DETACHED AND MULTI-FAMILY ZONING DISTRICTS, PROVIDING FOR A GOLF COURSE AND ASSOCIATED PRIVATE CLUB AND RELOCATING USE TRACTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the owner or owners of an approximately 427-acre tract of land at the Northeast Corner of US Highway 75 (Central Expressway) and State Highway 121 (Spur 399), as well as South and West of Wilson Creek, have petitioned the City of McKinney to approve a PD - Planned Development District zoning of said tract; and

WHEREAS, after due notice of such requested zoning change 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, the City Council is of the opinion that such zoning change should be made.

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

Section 1. That Ordinance No. 1270 is hereby amended so that the approximately 427-acre tract described in the attached Exhibit "A" is hereby zoned PD - Planned Development District and shall be subject to the regulations set forth herein.

Section 2. That the development and use of said tract shall conform to the regulations outlined in Exhibit "B" and accompanying Zoning Exhibit map, attached hereto.

Section 3. The following additional regulations shall apply:

- a. The minimum lot sized for Campus Industrial shall be 4 acres.
- b. The maximum area of Commercial throughout the entire "PD" shall be 85 acres. Excess land designated Commercial on the attached Zoning Exhibit map to Exhibit "B" shall be designated Office.
- c. Tract 3 shall be planned as a unified development through the approval of a conceptual site plan for the entire tract prior to development or subdivision of the tract.
- d. The maximum number of multi-family dwelling units allowed shall be 1,500. Tract 3C shall be allocated up to 600 multi-family units and the remaining number of units being allocated between tracts 3A and 3B. The total number of units allocated to each Tract 3A and 3B shall be designated at the time a site plan is submitted for either Tract 3A or Tract 3B, with the density in each tract being limited to no more than 24 units per acre.

- e. Commercial development in either Tract 1 or Tract 2 shall be planned as a unified development through the approval of a conceptual site plan for the each entire respective tract prior to development or subdivision of each tract.
- f. The allocation of Commercial and Campus Industrial land uses in Tract 1 shall be determined through the approval of a conceptual site plan for the entire tract prior to the development or subdivision of any land within the subject tract.

Section 4. That no developer or property owner shall acquire any vested interest in this Ordinance, the Planned Development zone, or specific regulations contained herein. This Ordinance and the subsequent site plan and regulations may be amended or repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.

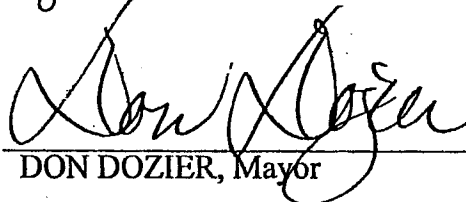
Section 5. If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared to be severable.

Section 6. 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 therefor, 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.

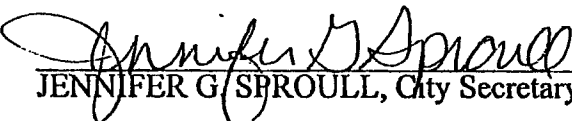
Section 7. The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney, and shall become effective upon such publication.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS 6th DAY OF July, 1998: 1999.





DON DOZIER, Mayor

CORRECTLY ENROLLED:

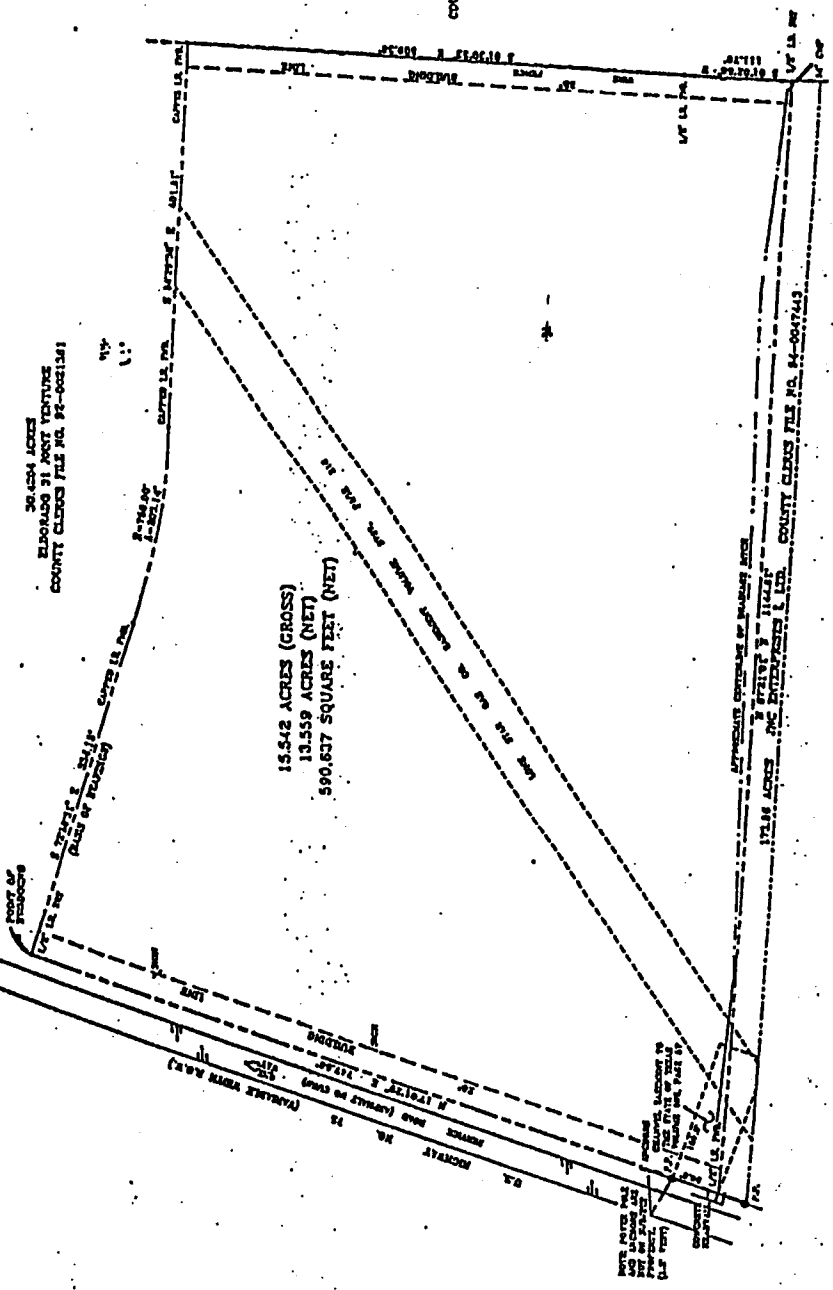

JENNIFER G. SPROULL, City Secretary

APPROVED AS TO FORM:


MARK S. HOUSER, City Attorney



17246 ACRES
JMC ENTERPRISES I, LTD.
COUNTY CLERKS FILE NO. 94-0047443



PROPERTY DESCRIPTION

Being a tract of land situated in the William Hamilton Survey, Abstract No. 409, City of McEwen, Collin County, Texas and being all of a called 15.498 acre tract of land conveyed to Cypress Two Properties, Ltd. and James R. Magee by quitclaim deed recorded in County Clerks File No. 94-0091775, Collin County, Texas and being more particularly described as follows:

Beginning at a 1/2 inch iron rod set for the northwest corner of said called 15.498 acre tract of land and the southwest corner of a 30.4204 acre tract of land conveyed to Elborado 31 Joint Venture by deed recorded in County Clerks File No. 92-0021361, Collin County, Texas and being in the southeast right-of-way line of U.S. Highway No. 75 (Variable Width R.O.W.);

Thence, S 72° 58' 31" E (Basis of Bearings), along the south line of said 30.4204 acre tract of land, a distance of 354.15 feet to a capped iron rod found for the beginning of a circular curve to the left having a radius of 750.00 feet and a chord bearing and distance of S 80° 44' 05" E, 202.53 feet;

Thence, along said circular curve to the left and the south line of said 30.4204 acre tract of land, an arc distance of 203.14 feet to a capped iron rod found for the point of tangency;

Thence, S 89° 29' 31" E, along the south line of said 30.4204 acre tract of land, a distance of 401.81 feet to a capped iron rod found for the southeast corner of said 30.4204 acre tract of land and being in the west line of a 173.86 acre tract of land conveyed to JMC Enterprises I, Ltd. by deed recorded in County Clerks File No. 94-0047443, Collin County, Texas;

Thence, S 01° 30' 33" W, along the west line of said 173.86 acre tract of land, a distance of 309.36 feet to a 1/2 inch iron rod found for corner;

Thence, S 01° 02' 52" W, along the west line of said 173.86 acre tract of land, a distance of 111.20 feet to a 1/2 inch iron rod set for a reentrant corner of said 173.86 acre tract of land;

Thence, N 87° 21' 01" W, along the most westerly north line of said 173.86 acre tract of land, a distance of 114.83 feet to a 1/2 inch iron rod found for the most westerly northwest corner of said 173.86 acre tract of land and being in the southeast right-of-way line of aforesaid U.S. Highway No. 75;

Thence, N 17° 01' 29" E, along said right-of-way line, a distance of 717.56 feet, less 1.983 acres located within easements and building lines to a Point of Beginning and containing 15.542 acres, less 55 acres of land, etc.

I hereby certify to: Republic Title of Texas, First American Title Insurance Company, Samuel Rosenzweig, James R. Magee, and Cypress Two Properties Limited LLC the 2nd day of March, 1997, this survey was made on the ground as per the field shown on this survey and is true, correct, and accurate as to the boundaries and of the subject property and the size, location and type of buildings and improve thereon, if any, and as to the other matters shown hereon, and correctly show location of all viable easements and rights-of-way and of all rights-of-way, easements and other matters of record, or of which I have knowledge or have been advised whether or not of record, affecting the subject property.

Except as shown on the survey, there are no encroachments upon the subject property by improvements on adjacent property, there are no encroachments on adjacent property, streets, or alleys by any improvements on the subject property and there are no conflicts or protrusions.

Adequate ingress to and egress from the subject property is provided by U.S. Highway 75, same being paved, dedicated public right-of-way maintained by The State of Texas.

All required building set back lines on the subject property are located as shown thereon.

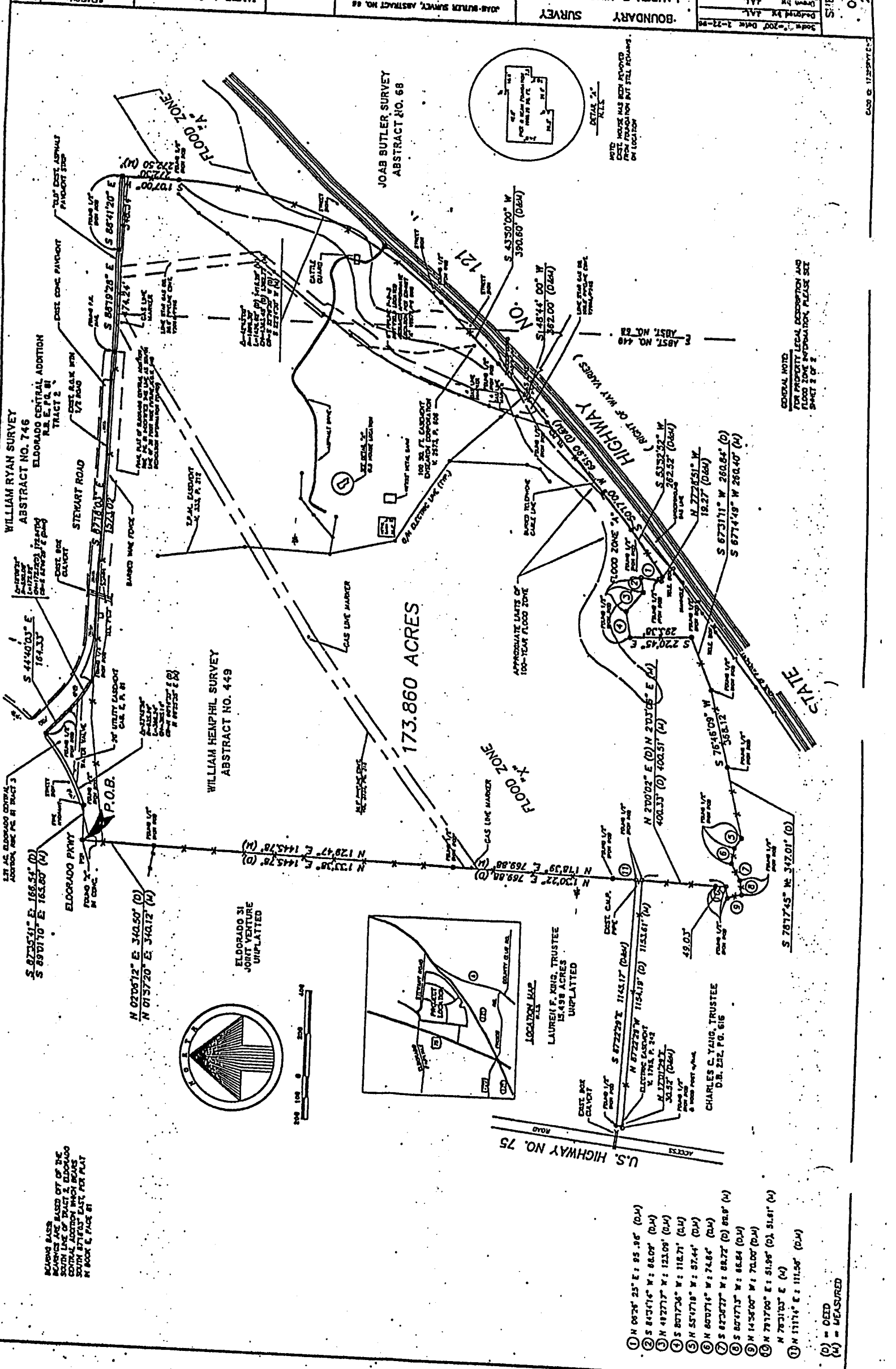
All of the above property lies within Zone "C" (stress of minimal flooding) according to the Flood Insurance Rate Map Community Panel No. 480135 0010 B dated June 1980.

[Signature]
Donald J. Jacobson Registered Professional Land Surveyor No. 3949

JACKSON & ASSOCIATES LAND SURVEYORS
2600 W. F.M. No. 544 Wylie, Texas 75180
Tel: (972) 442-4045

EXHIBIT "A" (CONT'D)

EXHIBIT "A" (CONT'D)



BEARING BASIS
BEARINGS ARE BASED OFF OF THE
SOUTH LINE OF TRACT 2, ELDORADO
CENTRAL ADDITION WHICH BEARS
SOUTH 87°15'41\"/>

- ① N 0°26' 25\"/>
- ② S 87°15'41\"/>
- ③ N 49°27' 37\"/>
- ④ S 80°17'34\"/>
- ⑤ S 80°17'34\"/>
- ⑥ N 80°07'14\"/>
- ⑦ S 87°06'27\"/>
- ⑧ S 80°47'13\"/>
- ⑨ N 14°55'00\"/>
- ⑩ N 78°17'00\"/>
- ⑪ N 78°11'03\"/>

(D) = DEED
(M) = MEASURED

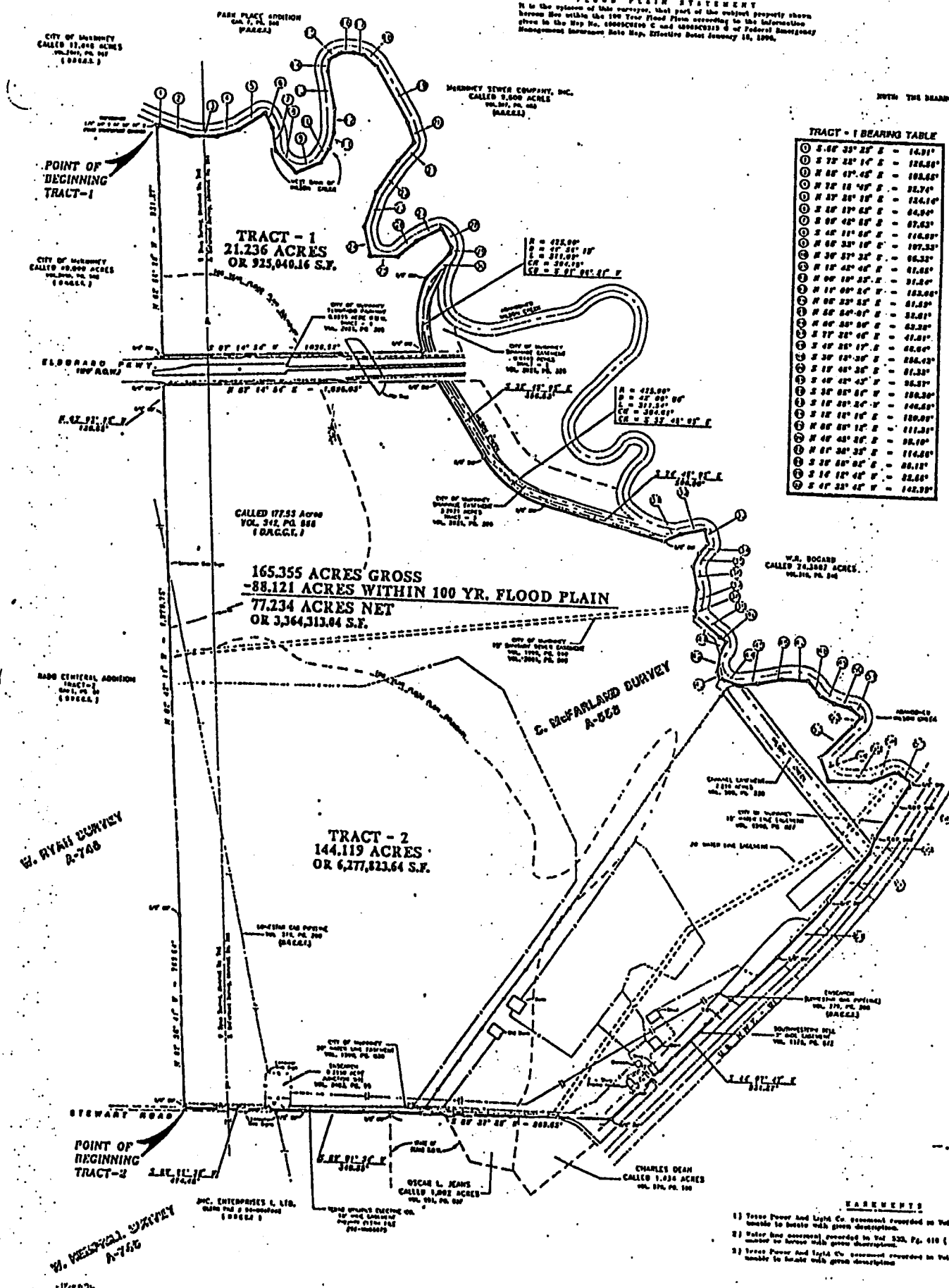
GENERAL NOTE:
FOR PROPERTY LEGAL DESCRIPTION AND
FLOOD ZONE INFORMATION, PLEASE SEE
SHEET 2 OF 2

FLOOD PLAIN STATEMENT
 It is the opinion of this engineer, that part of the subject property shown herein lies within the 100 Year Flood Plain according to the information given in the Map No. 60005C010 C and 60005C010 D of Federal Emergency Management Agency, State Map, Effective Date January 10, 1994.

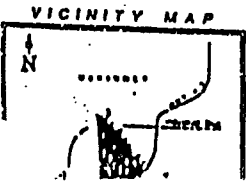


SCALE 1" = 500'
 WITH THE DRAWING BASE OF THIS 1974

TRACT - 1 BEARING TABLE		TRACT - 2 BEARING TABLE	
1	S 89° 35' 25" E - 16.91'	1	N 02° 21' 05" E - 11.00'
2	S 75° 25' 15" E - 10.65'	2	N 77° 07' 35" E - 11.00'
3	N 08° 15' 45" E - 10.65'	3	S 35° 15' 45" E - 11.00'
4	N 87° 18' 45" E - 10.65'	4	S 05° 15' 45" E - 11.00'
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100	S 05° 15' 45" E - 10.65'	100	S 05° 15' 45" E - 11.00'



- Power Pole
- Water Meter
- Water Valve
- Gas Valve
- Light Pole
- Line Site Gas Stop
- Substation Box
- Water Meter
- Substation Box
- Gas Line
- Fence Line
- Overhead Power Line
- Survey Line



**PLAT OF A SURVEY SHOWING PART OF THE
 W. RYAN SURVEY, A - 746 AND S. McFARLAND SURVEY, A - 558
 COLLIN COUNTY, TEXAS**

EXHIBIT 'A' (CONT.)



CERTIFICATION
 I, John B. Harkin, Registered Professional Land Surveyor in and for the State of Texas, hereby certify that the plat herein represents an actual survey made on the ground and that all bearings and dimensions shown are correct to the best of my knowledge. There are no public markers.

- REMARKS**
- 1) Tract Power and Light Co. easement recorded in Vol. 514, Pg. 518 (1974) made to locate with gross description.
 - 2) Water line easement recorded in Vol. 533, Pg. 610 (1975) made to locate with gross description.
 - 3) Tract Power and Light Co. easement recorded in Vol. 472, Pg. 290 (1972) made to locate with gross description.

LEGAL DESCRIPTION
TRACT - 1

Situated in Collin County, Texas in the Samuel McFarland Survey, Abstract No. 538 and in the W. Ryan Survey, Abstract No. 748 and being part of that certain called 177.53 acre tract conveyed by M.J. Richardson to Ernest L. Budy and recorded in Volume 218, Page 348 of the D.R.C.C.T., said tract to be more particularly described by notes and bounds as follows:

Beginning at the northwest corner of said called 177.53 acre tract said point also being the northeast corner of a called 16.00 acre tract owned by the City of McKinney and recorded in Volume 1029, Page 824 of the D.R.C.C.T., said point being on the southwest bank of Wilson Creek and also being located North 82° 06' 18" West, a distance of 5.68 feet from a 1/2" iron rod found for reference;

- THENCE with the West bank of Wilson Creek as follows
- THENCE South 08° 26' 21" East, a distance of 14.91 feet
- THENCE South 77° 22' 14" East, a distance of 124.54 feet
- THENCE North 08° 47' 45" East, a distance of 102.55 feet
- THENCE North 77° 18' 45" East, a distance of 82.74 feet
- THENCE North 07° 08' 18" East, a distance of 124.16 feet
- THENCE South 27° 17' 52" East, a distance of 64.94 feet
- THENCE South 08° 42' 01" East, a distance of 87.83 feet
- THENCE South 48° 11' 54" East, a distance of 110.09 feet
- THENCE North 08° 23' 18" East, a distance of 107.23 feet
- THENCE North 38° 28' 27" East, a distance of 88.22 feet
- THENCE North 18° 44' 48" East, a distance of 81.63 feet
- THENCE North 08° 18' 27" East, a distance of 81.24 feet
- THENCE North 17° 08' 24" East, a distance of 123.08 feet
- THENCE North 08° 23' 27" East, a distance of 81.63 feet
- THENCE North 08° 54' 01" East, a distance of 82.81 feet
- THENCE North 08° 23' 58" East, a distance of 83.36 feet
- THENCE South 77° 24' 45" East, a distance of 41.81 feet
- THENCE South 08° 28' 17" East, a distance of 88.84 feet
- THENCE South 38° 17' 20" East, a distance of 252.43 feet
- THENCE South 18° 48' 28" East, a distance of 81.23 feet
- THENCE South 48° 48' 42" East, a distance of 95.57 feet
- THENCE South 27° 05' 41" West, a distance of 160.30 feet
- THENCE South 18° 28' 24" West, a distance of 148.58 feet
- THENCE South 18° 12' 18" East, a distance of 129.99 feet
- THENCE North 08° 58' 12" East, a distance of 111.31 feet
- THENCE North 08° 48' 28" East, a distance of 98.10 feet
- THENCE North 07° 28' 28" East, a distance of 114.54 feet
- THENCE South 27° 28' 02" East, a distance of 94.18 feet

THENCE South 18° 12' 18" East, a distance of 22.50 feet to the most northerly corner of a 0.8145 acre tract owned by the City of McKinney and being described as Tract No. 2 in Volume 221, Page 376 of the D.R.C.C.T.

THENCE with the west line of said 0.8145 acre tract as follows

THENCE South 47° 27' 41" West, a distance of 148.99 feet to a 1/2" iron rod set for corner at the beginning of a curve to the left

THENCE in a southerly direction with said curve to the left having a radius of 423.00 feet and a length of 311.09 feet and a chord bearing and distance of South 81° 06' 21" West, a distance of 304.18 feet to a 1/2" iron rod set for the southeast corner of the herein described tract and point also being the southwest corner of said 0.8145 acre tract said point also being in the north right-of-way line of Eldorado Parkway (120' wide R.O.W.)

THENCE South 87° 14' 54" West, a distance of 1,092.83 feet along the north right-of-way line of Eldorado Parkway to a 1/2" iron rod set for the southwest corner of the herein described tract said point also being in the East line of said called 40,000 acre tract;

THENCE North 02° 34' 28" West, a distance of 921.87 feet along the West line of said 177.53 acre tract and the east line of said 40,000 acre tract back to the POINT OF BEGINNING and containing 21,236 acres of land or 223,818.18 square feet more or less.

LEGAL DESCRIPTION
TRACT - 2

Situated in Collin County, Texas in the Samuel McFarland Survey, Abstract No. 538 and the W. Ryan Survey, Abstract No. 748 and being part of that certain called 177.53 acre tract conveyed from M.J. Richardson to Ernest L. Budy and recorded in Volume 218, Page 348 of the D.R.C.C.T., said tract to be more particularly described by notes and bounds as follows:

Beginning at a 1/2" iron rod found for the southwest corner of said called 177.53 acre tract and also being the southeast corner of Eldorado Central Addition, Tract No. 3 and recorded in Cabinet L, Page 81 of the Plat records of Collin County, Texas said point also being in the north line of a called 172.88 acre tract owned by J.M.C. Interstates L.L.P., recorded in County Clerk file #91-0047443 of the D.R.C.C.T.

THENCE North 08° 26' 41" West, a distance of 708.84 feet along the east line of said Eldorado Central Addition and the west line of said 177.53 acre tract to a 1/2" iron rod found for corner;

THENCE North 08° 48' 11" West, a distance of 1878.75 feet along the east line of Eldorado Central Addition and west line of 177.53 acre tract to a 1/2" iron rod found for corner;

THENCE North 02° 09' 28" West, a distance of 120.85 feet along the east line of Eldorado Central Addition and the west line of said 177.53 acre tract to a 1/2" iron rod found for the northeast corner of said Eldorado Central Addition said point also being in the southwest corner of herein described tract and being in the north right-of-way line of Eldorado Parkway (120' wide R.O.W.)

THENCE North 07° 18' 54" East, a distance of 1,092.83 feet along the north right-of-way line of Eldorado Parkway to a 1/2" iron rod set for the west northerly southeast corner of herein described tract said point also being the northeast corner of a called 2,2821 acre tract owned by the City of McKinney for a drainage easement and described as Tract 3 in Volume 221, Page 376 of the D.R.C.C.T.

THENCE in a southerly direction with the west line of said called 2,2821 acre tract as follows

THENCE South 22° 48' 05" East, a distance of 268.83 feet to a 1/2" iron rod set at the beginning of a curve to the left

THENCE in a southerly direction with said curve to the left having a radius of 22.00 feet and an arc length of 211.84 feet and a chord bearing and distance of South 22° 48' 05" East, a distance of 201.81 feet to a 1/2" iron rod set for corner;

THENCE South 77° 48' 05" East, a distance of 509.00 feet to a 1/2" iron rod set for corner;

THENCE North 08° 28' 58" East, a distance of 762.28 feet to a 1/2" iron rod set for corner and the southeast bank of Wilson Creek said point also being the most easterly corner of said 2,2821 acre tract.

THENCE in a southerly direction with the West bank of Wilson Creek as follows:

- North 77° 07' 26" East, a distance of 94.75 feet;
- THENCE South 17° 18' 28" East, a distance of 60.37 feet;
- THENCE South 28° 18' 48" West, a distance of 62.00 feet;
- THENCE South 24° 13' 21" West, a distance of 88.02 feet;
- THENCE South 18° 58' 22" East, a distance of 92.30 feet;
- THENCE South 08° 18' 18" West, a distance of 82.75 feet;
- THENCE South 18° 58' 42" East, a distance of 89.74 feet;
- THENCE South 57° 17' 38" East, a distance of 117.48 feet;
- THENCE South 28° 22' 18" East, a distance of 22.16 feet;
- THENCE South 28° 07' 17" West, a distance of 47.20 feet;
- THENCE South 08° 24' 48" West, a distance of 86.43 feet;
- THENCE South 38° 31' 24" East, a distance of 25.31 feet;
- THENCE South 71° 23' 22" East, a distance of 76.98 feet;
- THENCE North 02° 17' 22" East, a distance of 73.98 feet;
- THENCE North 78° 01' 47" East, a distance of 102.20 feet;
- THENCE South 28° 18' 02" East, a distance of 102.21 feet;
- THENCE South 41° 28' 42" East, a distance of 72.88 feet;
- THENCE South 02° 06' 34" East, a distance of 42.28 feet;
- THENCE South 77° 11' 18" East, a distance of 83.79 feet;
- THENCE South 51° 12' 18" East, a distance of 54.38 feet;
- THENCE South 28° 18' 22" West, a distance of 48.01 feet;
- THENCE South 47° 24' 04" West, a distance of 102.71 feet;
- THENCE North 08° 04' 44" East, a distance of 108.70 feet;
- THENCE North 02° 38' 28" East, a distance of 112.22 feet;

THENCE South 01° 28' 42" East, a distance of 76.72 feet to a 1/2" iron rod set for the herein described southeast corner said point also being in the northwest right-of-way line of Highway 121 and point also being the southeast corner of 177.53 acre tract.

THENCE in a southwesterly direction with the northwest right-of-way line of Highway 121 as follows:

THENCE South 28° 18' 28" West, passing a highway right-of-way monument at 107.48 feet and containing a total distance of 261.88 feet to a highway right-of-way monument;

THENCE South 18° 14' 12" West, a distance of 70.00 feet;

THENCE South 28° 18' 18" West, a distance of 290.26 feet to a 1/2" iron rod found for corner;

THENCE South 48° 28' 42" West, a distance of 258.53 feet to a 1/2" iron rod found for corner;

THENCE South 48° 07' 47" West, a distance of 921.87 feet to a 1/2" iron rod found for corner said point being in the south line of the Samuel McFarland Survey, Abstract No. 538 and point being the southerly southeast corner of herein described tract;

THENCE South 08° 27' 28" West, a distance of 810.83 feet along the south line of the Samuel McFarland Survey and the north line of a called 1,431 acre tract owned by Charles Dean and recorded in Volume 278, Page 106 of the D.R.C.C.T. and along the south line of a called 1,001 acre tract owned by Donor Joann and recorded in Volume 251, Page 827 of the D.R.C.C.T. and point set along the north right-of-way line of Highway 121 to a 1/2" iron rod found for corner and point being the southeast corner of said called 172.88 acre tract owned by J.M.C. Interstates L.L.P. and recorded in County Clerk file # 91-0047443 of the D.R.C.C.T. said point also being in the centerline of Stewart Road;

THENCE South 08° 01' 24" West, a distance of 214.41 feet along the north line of said 172.88 acre tract and along the south line of 177.53 acre tract and the center line of Stewart Road to a 1/2" iron rod found for corner;

THENCE South 07° 25' 28" West, a distance of 478.48 feet along the north line of said 172.88 acre tract and with the center line of Stewart Road back to the POINT OF BEGINNING and containing 144,118 acres of land or 1,577,822.66 square feet more or less.



CERTIFICATION
I, John B. Smith, Registered Professional Land Surveyor in and for the State of Texas, hereby certify that the Plat before me represents an actual survey made on the ground and that all lines and distances shown are correct to the best of my knowledge. There are no double crossings found during the course of this survey, except as shown.

EXHIBIT "A" (CONT'D)

RINGLEY & ASSOCIATES, INC.
Surveying and Mapping
10000 Preston Road, Suite 1000, Dallas, Texas 75242
Phone: 972-362-1111 Fax: 972-362-1112

EXHIBIT "B"

1. LAND USES The designated uses set forth on the zoning exhibit map, attached, shall have the meanings and be subject to the regulations of Ordinance No. 1270 as set forth below, subject to the exceptions set forth below, and as amended from time to time:

Commercial: This use shall mean the same as Section 3.14 ("C Planned Center"), except that subsection (6)(h) shall be deleted. The purpose of this District is to establish standards for the use and development of retail and commercial activities which shall serve not only the immediate proximity, but the extended area of McKinney and surrounding municipalities.

Prior to the development of any portion of a tract designated as Commercial, an overall conceptual plan for such tract must be submitted and approved by the City Council in accordance with the requirements of Ordinance 1270 concerning conceptual site plans, as amended from time to time.

Campus Industrial: This use shall include uses under Section 3.15 ("O Office") and Section 3.16 ("ML Light Manufacturing"), including hospital and medical uses, medical clinic office, retirement/elderly housing, rest home, nursing home and assisted living uses shall be permitted in tracts of this District which are immediately adjacent to or front on proposed Medical Center Drive, except as excluded below:

1. Amusement (Outdoor)
2. Bait shop
3. Bus station
4. Carnival
5. Carpentry (outdoor), painting shop (outdoor)
6. Cemetery
7. Circus
8. Contractor's yard
9. Dirt or topsoil extraction
10. Electrical generating plant (as a primary use)
11. Fairgrounds
12. Feedlots
13. Forestry and Mining uses
14. Halfway House
15. Hatchery, poultry, egg farm
16. Kennel (outside runs)
17. Kennel, animal boarding (outside runs)
18. Livestock Auction
19. Metal fabrication (outdoor)
20. Motor Freight Terminal
21. Open Storage (as a primary use)
22. Playfield or stadium (with public address system or field Lighting)
23. Public Building (Shop or Yard)
24. Radio, television, microwave towers (except as an accessory use to a primary use)
25. Railroad freight station
26. Railroad team track
27. Rodeo
28. Sand or gravel mining or storage
29. Sanitary landfill
30. Sign Shop with outside storage; (however a sign shop as a free standing or inside use without outside storage is permitted)
31. Slaughter House type Food Processing
32. Stable, commercial
33. Theater (outdoor)
34. Upholstery shop with outside storage
35. Utility shop or yard
36. Utility substation or regulating station

37. Veterinarian (with outside runs)
38. Water Treatment Plant
39. Parking lot (truck)
40. Truck storage (as a primary use)
41. Heavy Machinery sales and storage

The purpose of this District is to establish standards for the use and development of light manufacturing, assembly, production, commercial, warehouse and light industrial, office, office showroom, hotel/motel and campus-style uses for developments which may include a combination of the foregoing, and for uses to support these primary uses.

Development standards shall be as specified in Section 3.15 or Section 3.16 of Ordinance 1270, as amended from time to time, as appropriate for the use within the first district permitting the use. Maximum floor area ratio for office and related uses shall be as specified in Section 3.15 of Ordinance 1270; but for uses considered to fall within the definition of light manufacturing, the maximum floor area ratio shall be 0.5:1

Office: This use shall include uses under Section 3.15 ("O Office"), together with hospital and medical uses, medical clinic office, retirement/elderly housing, rest home, nursing home and assisted living uses.

The space limits and miscellaneous provisions contained in Section 3.15 shall apply to uses which are primarily office in nature; and the space limits and miscellaneous provisions contained in Section 3.10 shall apply to uses which are primarily related to nursing homes, retirement/elderly housing, rest homes and assisted living centers, but shall not include any uses other than those specifically permitted herein.

Multi-family: This use shall mean the same as Section 3.10 ("RG 18") and that the maximum number of acres which may be used for Multi-family shall not exceed 94.1 acres (gross), and the maximum number of dwelling units shall not exceed 1,500 total dwelling units.

Prior to the development of any portion of a tract designated as Multi-family, the tract designated as Commercial Golf Course shall be developed. The golf course tract shall be considered developed when the course has been shaped, irrigation systems have been installed and are operational, the course has been seeded with initial turf established, and the cart paths have been installed.

Commercial Golf Course: An 18-hole commercial golf course and associated country club as defined by Section 41-40 (Definitions-Country Club). Natural or low water maintenance landscaping open space shall be permitted within the commercial golf course tracts.

2. ADDITIONAL PROVISIONS:

Notwithstanding the foregoing designated uses, **Commercial** uses may be allocated to a portion of the tract designated **Commercial/Campus Industrial** after the City Council, through the normal approval process, has approved a conceptual site plan for the Commercial tract which considers access, circulation, arrangement of building sites, and appropriate land use relationships, and so long as the total number of acres within the entire "PD" which are used as **Commercial** does not exceed eighty-five (85) acres. **Campus Industrial** uses may be allocated to those tracts designated **Commercial** which lie west of proposed Medical Center Drive and to the tract designated **Commercial/Campus Industrial**, so long as the total number of acres which are used as **Campus Industrial** does not exceed ninety-two (92) acres. **Office** uses may be allocated to those tracts designated **Commercial** if they cannot be designated as **Commercial** because the maximum acreage for **Commercial** has been reached. Additionally, **Office** uses may be allocated to those tracts designated **Commercial** which are at the intersection of Medical Center Drive and Spur 399.

Note: See graphic for additional restrictions.

ZONING EXHIBIT MAP

- Tract 1 = Campus Industrial and Commercial/Campus Industrial
- Tract 2 = Commercial
- Tract 3 A,B & C = Multi-family (1,500 dwelling units and 94.1 acres, gross, maximum)
- Tract 4 = Intentionally omitted
- Tract 5 = Office
- Tract 6 = Commercial (4.5 acres, maximum)
- Tract 7 A & B = Office
- Tract 8 = Commercial
- Tract 9 = Commercial

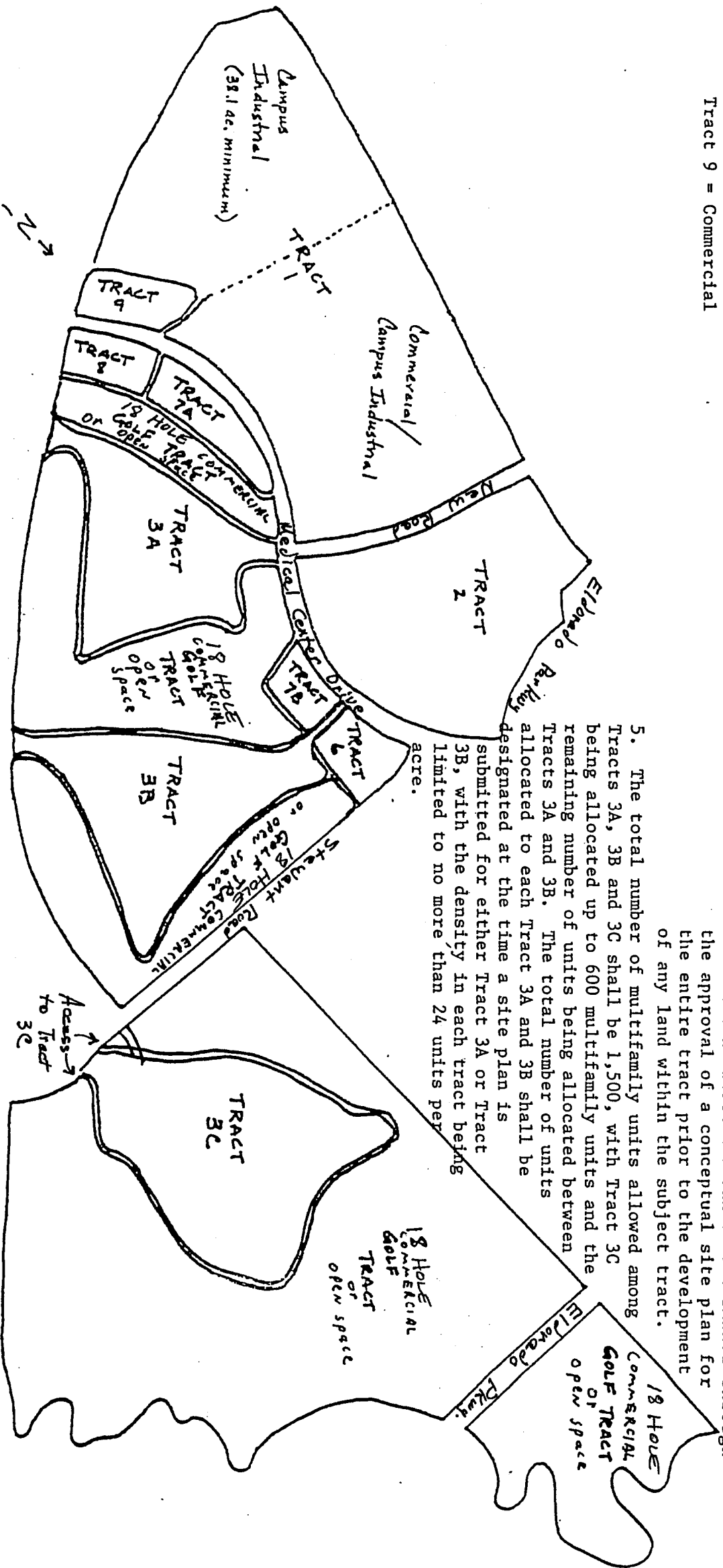
Notes: 1. Minimum lot sized for Campus Industrial = 4 acres

2. Maximum acres of Commercial throughout the entire "pd" = 85 acres.

3. Commercial development in either Tract 1 or Tract 2 shall be planned as a unified development through the approval of a conceptual site plan for the entire respective tract.

4. The allocation of Commercial and Campus Industrial land uses in Tract 1 shall be determined through the approval of a conceptual site plan for the entire tract prior to the development of any land within the subject tract.

5. The total number of multifamily units allowed among Tracts 3A, 3B and 3C shall be 1,500, with Tract 3C being allocated up to 600 multifamily units and the remaining number of units being allocated between Tracts 3A and 3B. The total number of units allocated to each Tract 3A and 3B shall be designated at the time a site plan is submitted for either Tract 3A or Tract 3B, with the density in each tract being limited to no more than 24 units per acre.



3. SETBACKS ALONG U.S. HIGHWAY 75 FRONTAGE:

The minimum building setback for tracts fronting or adjacent to U.S. Highway 75 frontage roads shall be 35 feet as measured from the right-of-way line. The minimum landscaping setback for tracts fronting or adjacent to U.S. Highway 75 frontage roads shall be 20 feet with no parking allowed within said landscape setback.

4. ARCHITECTURAL STANDARDS: The following provisions shall be applicable to any and all construction on or alterations and additions to improvements on the property covered by these regulations:

1. All buildings or structures shall have a minimum of 80% of the area of the exterior walls, excluding doors and windows, constructed from:
 - a. Glass or natural stone;
 - b. Face brick or face tile;
 - c. Painted aggregate or exposed aggregate concrete;
 - d. Split face concrete masonry units (haydite block) or decorative pattern concrete masonry block;
 - e. Portland cement stucco; or
 - f. a material, if not listed above, which may be approved by the City Council.
2. No exterior building walls shall be covered with sheet or corrugated aluminum, iron or steel which may be visible from any street abutting the property on which such exterior wall exists.
3. Preformed metal insulated panels shall be a permitted construction material for office buildings when the office constitutes the primary use of a lot.
4. On any improvement which is adjacent to U.S. Highway 75, no truck loading dock or ramp shall be allowed to front onto U.S. Highway 75 without the consent of the City Council through the full site plan approval process.