

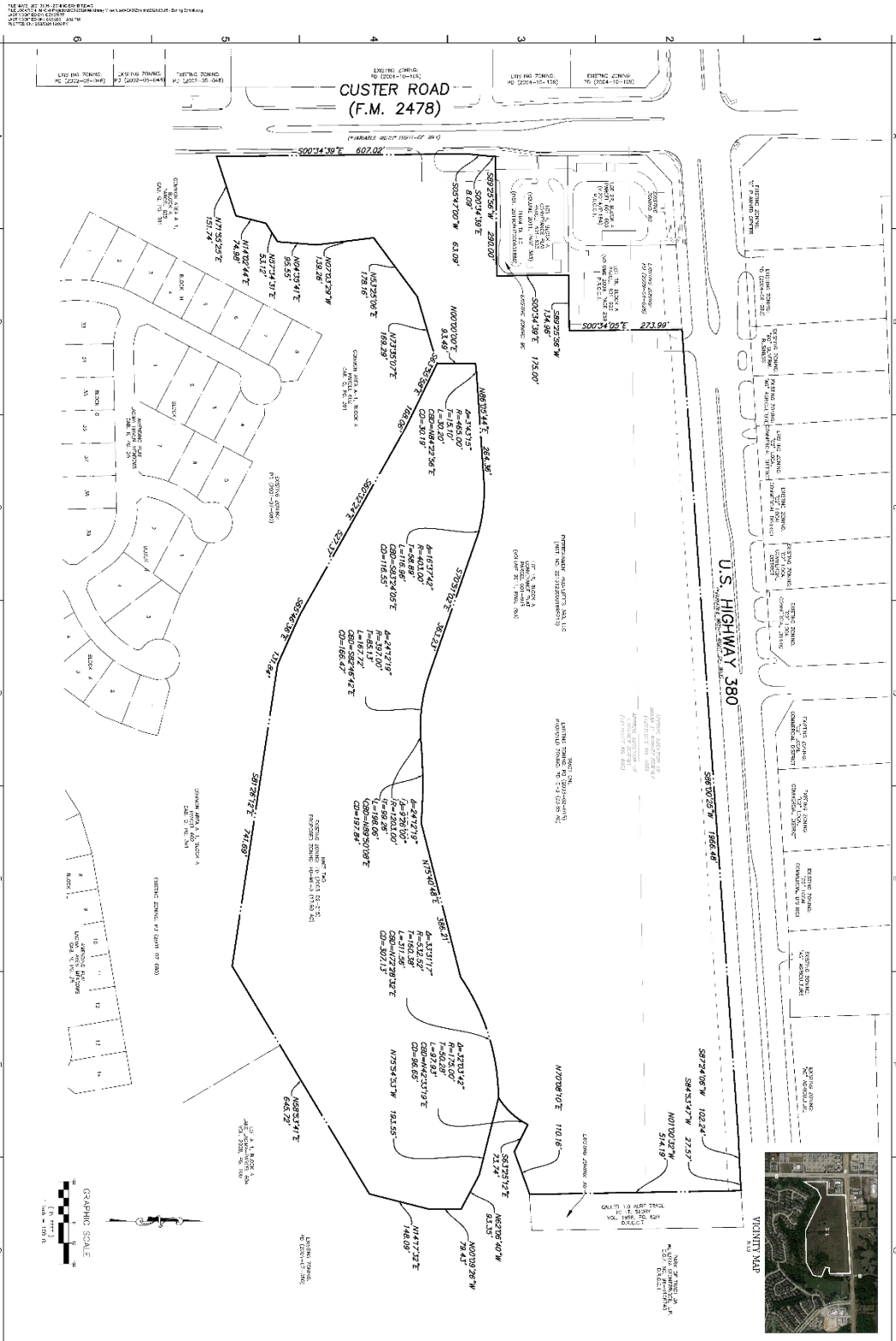
DEVELOPMENT REGULATIONS

- I. **Tracts.** The Property shall be divided into two (2) tracts (collectively, the “Tracts” and each separately, a “Tract”) as shown on the Zoning Exhibit attached hereto as Exhibit “C”, which Zoning Exhibit identifies the general geographic location of permitted land uses within the Property. Each Tract shall contain the approximate number of acres shown on the Zoning Exhibit, but such acreage may be increased or decreased by 10%.
- II. **Tract One.** Tract One shall develop in accordance with Section 146-113 (“C3 – Regional Commercial District”) of the Zoning Ordinance, as amended, except as follows:
 - a. Additional Permitted Land Use. Commercial outdoor amusement uses shall be an additional permitted use without the requirement of obtaining a specific use permit.
- III. **Tract Two.** Tract Two shall develop in accordance with Section 146-113 (“C3 – Regional Commercial District”) of the Zoning Ordinance, as amended, except as follows:
 - a. Additional Permitted Land Uses. Uses permitted and developed in accordance with Section 146-81 (“MF-3 - Multiple Family Residential Medium-High Density District”) of the Zoning Ordinance, as amended, except as follows:
 - i. Residential density shall be 28 units per gross acre maximum, not to exceed 420 units;
 - ii. Minimum lot area shall be 1,500 square feet per unit;
 - iii. Building heights shall be 3 stories, not to exceed 45’;
 - iv. Required minimum rear yard setback shall be 25 feet;
 - v. Required minimum side yard setback shall be 20 feet.
 - b. Parking. The required parking shall be in accordance with Section 146-130 (“Parking”) of the Zoning Ordinance, as amended, except as follows:
 - i. Required off street parking shall be calculated at 1 space for each bedroom with an additional 0.2 parking spaces per unit;
 - ii. Required number of enclosed parking spaces shall be a minimum of not less than 30% of the total number of units and the additional 0.5 parking space for each enclosed space with a garage door is not required;
 - iii. Required number of covered parking spaces (carports) shall be not less than the number required to bring both enclosed and covered parking spaces to 50% of the total number of units;
 - iv. Carports shall be constructed of steel frame with gabled standing seam metal roofs supported by steel columns clad in painted wood, masonry or a combination of both.
 - c. Screening. A 6 foot masonry wall on the rear and sides of the property per Section 146-132(3)(b) of the Zoning Ordinance will not apply if a living screen in accordance with Section 146-135(e)(1)(f) is provided adjacent to residential uses or zones.
 - d. Landscaping. The required landscaping shall be in accordance with Section 146-135 of the Zoning Ordinance, except as follows:

- i. If a mutual access easement is provided along the property line of two adjacent tracts, then the required 5' vehicular use buffer per Section 146-135(f)(15) shall not apply for those portions where the mutual access easement exists ;
 - ii. The required landscape buffer along the northern boundary of Tract Two may be reduced to 15' extending from the property line or mutual access easement, except in the area where the Park (defined herein) crosses the mutual access easement where the landscape setback and required tree planting shall be waived. Canopy trees located within the required landscape buffer will be planted at a minimum of one tree per 40 linear feet. These trees may not be clustered.
- e. Amenities. The required amenities shall be in accordance with Section 146-139(f)(2) ("Multi-family residential site design") of the Zoning Ordinance, as amended, except as follows:
 - i. The number of required amenities shall be increased by two (2) additional amenities.
- f. Required Open Space. An integrated public open space shall be provided in a manner that creates a focal gathering place between Tract One and Tract Two with the following minimum requirements:
 - i. the public open space shall be a minimum of two (2) acres in size and dedicated as a common area(s);
 - ii. the public open space shall be centrally located on the subject property and straddling Tracts One and Two so that a minimum of one (1) acre of open space is provided within each tract;
 - iii. if the public open space is bisected by a roadway or easement for vehicular access, traffic calming devices and pedestrian features shall be provided to visually connect the open space(s) and encourage pedestrian connectivity between Tract One and Tract Two;
 - iv. formal gathering areas with elements such as hardscape and softscape, ornamental shade trees or shade structures, bench seating, decorative pavers, public art, decorative lighting, or water features shall be provided within the open space for each tract and approved as part of the site plan process;
 - v. the public open space shall be provided as one contiguous or linear amenity for the entire subject property and shall not be utilized solely as an amenity for the multi-family development in Tract Two; and
 - vi. maintenance of the open space will be the obligation of the property owners association(s).
- g. Multi-Family Uses. In addition to the requirements for obtaining the necessary permits and certificates of occupancy under the normal and customary rules of the city, the following shall also apply:

- i. the City shall have approved a site plan for at least two (2) restaurants and one (1) general commercial use within Tract One before a building permit can be issued for the construction of any multi-family units in Tract Two;
- ii. at minimum, a temporary certificate of occupancy must have been issued for said restaurant and commercial uses above before any multi-family residential units may be occupied; and
- iii. the Required Open Space and associated features must be installed before any multi-family residential units may be occupied.

EXHIBIT A



<p>DATE: 11/11/2014 DRAWN BY: [Name] CHECKED BY: [Name] PROJECT: WEST GROVE SEC OF CUSTER RD & US-380 LOT 1R BLOCK A MCKINNEY, COLLIN COUNTY, TEXAS ZONING EXHIBIT</p>		<p>PRELIMINARY THIS PLAN IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE CITY OF MCKINNEY</p>		<p>www.urbanstructure.com URBAN STRUCTURE 8000 Rockwell Hill Lane, Suite 200 Dallas, TX 75248-5553 Phone: 972.992.9755</p>	
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