

EXHIBIT A

PLANNED DEVELOPMENT DISTRICT DEVELOPMENT REGULATIONS

The subject property shall be zoned "PD" – Planned Development District and shall be exempt from the requirements of the "REC" – Regional Employment Center Overlay District. Use and development of the subject property shall conform to the regulations contained herein (the "Regulations").

I. Character Districts. The subject property shall be split into two character districts. These character districts and their geographic limits are illustrated on the Regulating Plan (Exhibit A), attached hereto. The character districts are:

- a. Whole Life One District (WL-1) – multi-family residential district not exceeding 5 stories as defined hereinafter containing approximately 5.560 acres.
- b. Commercial - Mixed Use District (CMU) – mixed use commercial district not less than 2 stories and not exceeding 3 stories as defined hereinafter containing approximately 3.06 acres.

**Comment [SNP1]:** As this information is provided in Section III below, it is unnecessary here.

**Comment [SNP2]:** As this information is provided in Section IV below, it is unnecessary here.

II. Design Guidelines.

a. Purpose and Intent:

i. The purpose of this planned development is to provide development standards for a high quality, mixed-use activity area that is a central component of the Collin McKinney Parkway mixed use concepts of the REC (as provided for in the City of McKinney Zoning Ordinance) which will be supportive of adjacent and surrounding land uses, both developed and planned, that are within the western portion of the McKinney Regional Employment Center. The standards provided for herein are intended to govern proper commercial, retail, residential and open space design within the subject property.

ii. These standards are intended to allow for the development of fully integrated pedestrian oriented neighborhoods, corridors and districts in the Regional Employment Center (REC) as defined in the City of McKinney Zoning Ordinance. Although the standards detailed herein are independent of the REC standards, they are designed to be complementary and contribute to the common goal of this PD and the REC. Further, the intent is to minimize traffic congestion by disseminating traffic on multiple smaller streets that reduce speeds and reduce environmental degradation while improving quality of life and promoting neighborhood communities. The standards provided for herein are based on the following design principles:

1. Inclusion of identifiable characteristics and edges.
2. Shopping, recreation and basic neighborhood services are to be accessible by non-vehicular means from properties within the subject PD and from surrounding neighborhoods.
3. Inclusion of neighborhood amenities including open space, access to a trail system, extensive sidewalks surrounding each block, focal civic space, and walkable access to a mixed-use center.
4. Mixing residential and commercial uses in close proximity to one another.
5. Streets, blocks, and the placement of buildings on lots encourage pedestrian activity while minimizing the visibility of off-street parking.
6. Street networks are interconnected and blocks are generally small (typically between 200' and 300' between connecting streets).

**Comment [SNP3]:** Staff does not feel these are enforceable provisions, but rather the reasoning and intent behind the request and should be included in the letter of intent, not within the Development Regulations.

b. Landscaping

i. One canopy tree shall be installed every 30 linear feet along all public streets, private streets, and fire lane easements which serve the same purpose as a public or private street. These trees may be clustered in special cases to facilitate a creative design or to implement sight visibility requirements.

ii. In the WL-1 District, shrubbery, ornamentals, and / or ground cover shall be installed along building foundations adjacent to public streets consistent with space limitations based on a landscape plan prepared by a registered Landscape Architect and approved by the City of McKinney Landscape Architect or other

**Comment [SNP4]:** This does not provide specifics such as required species, sizes or spacing, in order to create an enforceable provision. Staff feels this requirement is vague, and as such, could allow only a limited number of shrubs or ornamentals to be provided or simply only ground cover being provided, as the provision states "...shrubby, ornamentals, AND/OR ground cover".

staff delegated review authority. Where space limitations preclude or make the use of standard ornamentals challenging, the use of espaliers (defined as a shrub or ornamental which is either staked or trained by trimming and / or physical connections to a trellis or other support mechanism to fit in a relative flat or confined space) may be allowed.

**Comment [SNP5]:** Review of specific landscape provisions within the PD becomes difficult when there are no specific standards. As such, these requirements would be at the discretion of a Staff member, which may produce undesirable inconsistency.

iii. In the WL-1 District, drive approaches shall be landscaped along at least 50% of the length of the drive approach from the street connection to the building lines as space permits and as further illustrated on the approved landscape plan. Additionally, to provide landscape buffers for open areas behind drive approaches and / or hammer head approach aisles which have a view of other zoning districts from the street accessing such access drive or hammer head drive entrance, landscape areas shall be incorporated into the approved landscape plan to provide landscape buffers for open areas behind such drive approaches and / or hammer head approach aisles; such access drives and landscape areas shall be shown on the approved landscape plan.

**Comment [SNP6]:** Staff is unsure what will be considered a limitation or who will determine if there is a limitation? If all areas are considered limited, then no landscaping may be required

**Comment [SNP7]:** Review of specific landscape provisions within the PD becomes difficult when there are no specific standards.

**Comment [SNP8]:** If the intent of this provision is to provide screening of the drive approaches, Staff feels that landscaping should be provided along 100% of the drive approaches and should provide details such as size, species, and spacing.

**Comment [SNP9]:** There is no landscape plan attached to the zoning request.

c. Sidewalks - 10' wide sidewalks shall be provided along Collin McKinney Parkway. All other streets shall feature sidewalks a minimum of 5' in width.

**Comment [SNP10]:** Staff is unclear as to what this provision means without an attached layout depicting certain open areas behind drive approaches/hammer heads.

**Comment [SNP11]:** Given the pedestrian-oriented intent of the project, Staff feels the sidewalks (other than along Collin McKinney Parkway) should be a minimum of 6' in width.

d. Exterior Building Materials – applicable to both WL-1 and CMU Districts

i. Each building elevation (not including doors, windows, and vents) shall consist of a minimum of 85% natural or synthetic stone with the balance of said façade being stucco.

e. Urban Design Requirements - All development shall conform to the following:

i. All building entrances must be articulated through the use of architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, stoops, overhangs, railings, balustrades, building façade off-sets, and others as appropriate.

ii. Site design shall accommodate direct access into buildings from the public sidewalk.

iii. Sites shall be designed with a continuous pedestrian system throughout all character districts.

iv. Blank, windowless walls that exceed 20 horizontal feet in length and are oriented toward a public or private right-of-way shall be prohibited.

v. First floor non-residential uses constructed along Collin McKinney Parkway shall feature large, storefront window panes with no more than 42 inches of base plate material. If the building is on a corner with dual frontages on two streets, the Collin McKinney Parkway frontage shall be as provided above and the secondary street shall have matching storefront window panes for a minimum of 50% of the secondary street building frontage.

vi. All off-street parking areas must be screened from view of the right-of-way by a building or a minimum 6' tall screening device designed to blend into / with project building materials as a fence, walls, and / or screening device as provided for in the City of McKinney Zoning Ordinance.

**Comment [SNP12]:** This provision does not reference Section 146-132 (Fences, walls, and screening) of the Ordinance, and as such, any number of materials could be used for screening. Staff would recommend referencing back to the Zoning Ordinance for screening material regulations.

vii. Multi-family residential developments shall not be required to provide a six-foot tall screening wall along the side and rear property lines.

f. Parking Provisions

i. Tuck-under (under building) parking areas shall be designed in such a way that vehicles are not typically visible from the street (save and except from openings for vehicular access). A street-oriented building facade shielding views of tuck-under parking shall screen vehicles through:

**Comment [SNP13]:** Staff feels that vehicles should always be screened from right-of-way, except for the openings for vehicular access. The use of the word "typically" implies that there may be instances where screening would not be required and will be challenging for Staff to make a consistent determination.

1. The use of facade materials provided for herein and consistent with façade articulation and variation referenced hereinabove;
  2. By the use of opaque, minimally reflective windows generally matching upper floor window and balcony areas (which are above the windows into the parking area, or by solar screens covering parking ventilation / openings which are below balconies located on upper floors) subject to such windows or openings being designed to mimic the balcony opening but using glass or screens to cover the respective opening and being opaque solar / thermal glass or screens which blend with other designed windows or openings of the corresponding upper floor areas of the building, including cast stone surrounds, lintels or other matching architectural details or elements. Opacity of screen or glass material shall screen viewable characteristics by a minimum of 75%.
  3. Where opaque screens are used, such screens may be reinforced by metal bars behind the screens. Parking entries may have decorative metal security gates, but such gates shall not face the primary building entrance frontage.
- ii. On-street, parallel parking shall not be required; however, it shall be maintained on existing streets where feasible, including sections of Collin-McKinney Parkway within the project.
  - iii. For developments located fronting on the Collin McKinney Parkway boulevard system, surface parking shall not face or be directly adjacent to Collin McKinney Parkway, but shall be adjacent to and accessible from other (lesser) public streets or access drives.
  - iv. On-street parking shall count toward 20% of the required parking if located within 200' of the project building.
  - v. If adjacent (horizontal or vertical adjacency) uses complement one another in terms of the days and time of uses, the Director of Planning shall have the discretion to count shared parking towards off-street parking requirements. This authority is currently stipulated in the City of McKinney Zoning Ordinance Section 146-130 (3) and (5) (Vehicle Parking).
  - vi. Off-street parking shall be located on the side or rear of the buildings or beneath the primary building in a parking structure that is integral with the primary use, but generally not between the building and a pedestrian route.
  - vii. Structured parking facilities shall be designed so that the only openings at the street level are those to accommodate vehicle entrances, ventilation, and pedestrian access to the structure subject to detailed design criteria herein provided for residential site uses.
- g. Other architectural and design features for the WL-1 District:
- i. A minimum of 50% of the units shall have balconies incorporated into the unit design.
  - ii. The architectural treatment and design of a building façade shall be continued around all sides so that all sides have consistent articulation, building materials, window details and other design characteristics.

**Comment [SNP14]:** As this provision is written, this option could be used for the entirety of the first floor, which could create a blank façade along the entire base of the building at the pedestrian level, which would not be consistent with the architecture of the upper floors.

**Comment [SNP15]:** Staff is unsure what this is referring to.

**Comment [SNP16]:** Staff feels that the design of the first floor should be consistent with the upper floors, while still providing complete screening of the parking area from the street. By using the word "generally" and without an attached elevation to follow, there is no frame of reference regarding how closely the base will need to mimic the window openings / balconies above. Staff cannot support solar screens as they are inherently not opaque.

**Comment [SNP17]:** Staff feels tuck-under parking should be screened 100% from view of the public right-of-way utilizing opaque windows.

**Comment [SNP18]:** If screens are not completely opaque, metal bars will be visible, which Staff is not comfortable with. If the windows or façade are completely opaque, this provision is unnecessary.

**Comment [SNP19]:** As regulated below, the primary building frontages may be facing a public amenity area which would allow these gates to face any public right-of-way which may not be appropriate in all locations.

**Comment [SNP20]:** Based on conceptual layout plans submitted to Staff, the Fire Marshal has indicated that there are concerns with this provision, given that, in order to achieve adequate fire coverage, much of the on-street parking adjacent to the proposed buildings needs to be converted into fire lane. This is at odds with pedestrian-oriented development the applicant is trying to achieve, and will significantly affect the streetscape should additional fire coverage not be provided off-street.

**Comment [SNP21]:** Staff is unclear as to how this provision can be enforced. Will parking perpendicular to the ROW be prohibited, but parallel parking would be permitted? And for adjacency, is there a specific distance?

**Comment [SNP22]:** Not defined, may not be appropriate in all locations.

**Comment [SNP23]:** Not defined, may not be appropriate in all locations.

**Comment [SNP24]:** Staff is comfortable with this provision so long as it is changed to "required surface parking," as Staff is not comfortable waiving the requirement for enclosed parking.

**Comment [SNP25]:** There are already provisions regarding shared parking within the Zoning Ordinance, which permits specific uses to share parking. The uses currently being proposed would not qualify for shared parking.

**Comment [SNP26]:** This language would not allow for a stand-alone parking structure (as listed in the next provision).

**Comment [SNP27]:** This provision conflicts with the requirement above that parking be accessible and adjacent to streets other than Collin McKinney Parkway, in the instance that the side of the building is oriented towards Collin McKinney Parkway.

**Comment [SNP28]:** A stand-alone structure would not be permitted per the provision above.

**Comment [SNP29]:** Staff has concerns that a structure might be placed along Collin McKinney Parkway with no commercial uses along the street frontage.

**Comment [SNP30]:** There are no standards provided within for residential uses; should the reference be the "Exterior Building Materials" listed above? Staff is unclear as to what this is referring to.

- iii. All primary building entrances shall be oriented toward a public right-of-way or a public amenity / pedestrian area.
- iv. Light standards shall be placed along at least one side of the adjacent streets on 60' centers (distance shall vary a maximum of 5' to balance spacing along all streets) and shall be installed at the time of each adjacent building and walks.
- v. WL-1 District dwelling units shall have 2 bedrooms.
- vi. The WL-1 District rear yard shall be separated from any adjacent commercial or CMU District parking by a minimum 4' tall tubular steel fence (appear as wrought iron fence).
- vii. Buildings greater than 3 stories shall have an elevator.

**Comment [SNP31]:** This portion of the provision does not guarantee that buildings will be oriented towards the street, and could result in the back of buildings facing out towards the street.

**Comment [SNP32]:** In an effort to maintain a pedestrian-oriented streetscape, Staff recommends light standards be placed along both sides of all streets and pedestrian walkways.

**Comment [SNP33]:** Staff is unclear as to what this means

**Comment [SNP34]:** Should this be a minimum of 2 bedrooms per unit? This reads that only a two bedroom unit is allowed. Staff does not feel that this provision is necessary and limits flexibility in future building programming.

- viii. All residential units within this PD shall have a minimum of 1 enclosed parking space per living unit and 1/2 additional parking space per bedroom. Up to two required parking spaces per unit in the WL-1 District may be enclosed.

**Comment [SNP35]:** This partially follows the existing requirement, except that the provision does not address the extra 1/2 space/tandem space required when providing a garage door. If no garage doors shall be provided, it should be noted that all enclosed spaces will be tuck-under spaces. This is an unnecessary provision, if meeting the standard multi-family parking requirement entirely.

h. Other architectural and design features for the CMU District

- i. Light standards shall be required along adjacent streets on 60' centers (distance shall vary a maximum of 5' to balance spacing along all streets) and installed at time of site buildings and walks.
- ii. CMU District dwelling units shall have no less than 1 bedroom.
- iii. CMU District residential units shall have a minimum of 1 parking space per unit plus 1/2 parking space for each bedroom; a minimum of 1 parking space per CMU District residential unit must be enclosed and the additional required parking space or portion thereof may be uncovered surface parking on either an off-street lot or may be an on-street space subject to an approved on-street allocation including shared parking as approved at the discretion of the Director of Planning as referenced herein above in subsection f. v. to meet parking requirements.

**Comment [SNP36]:** This section has not provided a provision to ensure consistent architectural design around all four sides of the building as provided in the WL-1 district above. Without such a provision, buildings could be oriented in such a way that the "back-of-house" faces the street.

**Comment [SNP37]:** Staff is unclear as to what "adjacent streets" refers to. In an effort to maintain a pedestrian-oriented streetscape, Staff recommends light standards be placed along both sides of all streets and pedestrian walkways.

**Comment [SNP38]:** Staff feels this provision does not add anything exceptional and is not a current Zoning Ordinance requirement. Staff is unsure whether this provision is referring to "studio" or "loft" apartments being prohibited, which may limit flexibility of future building programming.

III. Whole Life One District (WL-1) Development Standards.

- a. Permitted Uses: Multi-family residential uses with enclosed parking in first floor space and residential units above.

**Comment [SNP39]:** This should be worded to clarify the extra 1/2 space or tandem space in accordance with the existing standard and the reference to shared parking should be removed and governed by the requirements above for shared parking.

b. Space Limits.

- i. Front Build-To Line: 3' - 15'. A minimum of 50% of a building's front façade must be pulled up to the build-to line.
- ii. Front Build-To Zone: 25' back from the build-to line in which all horizontal building projections and recesses shall occur.
- iii. Rear Yard Setback, minimum: 5'
- iv. Side Yard Setback, minimum: 5'
- v. Building Height: No less than 2 stories and no greater than 5 stories; maximum height shall be 75 feet to top of highest parapet wall, stair enclosure, or other roof element.
- vi. Lot Coverage: No maximum lot coverage.
- vii. Lot Area: None.

**Comment [SNP40]:** Staff feels this provision will reduce flexibility for future development as it requires the parking to be first floor (tuck-under style) and would not allow for other styles of parking that would typically meet the ordinance.

**Comment [SNP41]:** Staff recommends a minimum build-to line of 5 feet which will provide for flexibility in landscaping options.

**Comment [SNP42]:** Staff is unable to support 5 stories of multi-family residential uses directly adjacent to or across a local residential street from single family residential. Recent rezoning requests for pedestrian-oriented developments have been limited to a maximum of 4 stories next to single family detached residential. An example of this is the recently approved rezoning request for the tracts south of the subject property along Collin McKinney Parkway next to future single family residential units. As such, Staff is not comfortable supporting a building height above 4 stories.

viii. Lot Width: None.

ix. Lot Depth: None.

x. Minimum Residential Density: 25 dwelling units per acre; Maximum Density: 40 units per acre

IV. Commercial-Mixed Use District (CMU) Development Standards.

a. Permitted Uses: "C1" – Neighborhood Commercial District and Multi-family (apartment) residential uses above non-residential uses shall be permitted on floors 2 and 3; loft / studio apartments are permitted for floors 2 and 3.

b. Space Limits.

i. Front Build-To Line: 3'-10'. Buildings must occupy a minimum 80% of the frontage along the Collin McKinney Parkway build-to line.

ii. Front Build-To Zone: 25' back from the build-to line in which all horizontal building projections and recesses shall occur.

iii. Rear Yard Setback: 5' (Minimum building separation of 10' must be maintained).

iv. Side Yard Setback: 5' (Minimum building separation of 10' must be maintained).

v. Building Height: minimum of 2 stories; maximum of 3 stories; maximum height shall be 50 feet.

vi. Lot Coverage: No maximum lot coverage.

vii. Lot Area: None

viii. Lot Width: None.

ix. Lot Depth: None.

x. Residential Density: minimum of 6.5 units per acre; maximum of 25 units per acre

**Comment [SNP43]:** Staff is comfortable maintaining residential uses above non-residential uses along Collin McKinney Parkway; however, due to the limited depth of the CMU district and the governing multi-family parking requirements, Staff is concerned this district will only feasibly support 2-story non-residential buildings which may be difficult to market in this location. Staff suggests that only residential uses be allowed on the upper floors

**Comment [SNP44]:** Staff feels that this language is unnecessary, and is previously discussed above in the "Other architectural and design features for the CMU District". Per this referenced section, loft/studio apartments would not be permitted ("no less than 1 bedroom") unless a loft or studio apartment is considered a one bedroom unit. If a studio or loft is considered a 1 bedroom, then the minimum 1 bedroom requirement is no longer necessary. As worded, only loft and studio apartments will be allowed.

**Comment [SNP45]:** Staff recommends a minimum build-to line of 5 feet which will provide for flexibility in landscaping options.

**Comment [SNP46]:** Staff is not supportive of a reduction in density (down from 30 du/ac) as this gets further away from the overall concept of the dense feel originally intended for the development.