

## DEVELOPMENT REGULATIONS

The subject property (the “Property”) shall be zoned “PD” – Planned Development District. Use and development of the Property shall conform to the regulations contained herein. All provisions contained in the City’s Zoning Ordinance relating to development within the Property which are not in conflict with the provisions contained herein shall continue to apply to the development of the Property.

Tracts. The Property shall be divided into two (2) tracts (collectively, the “Tracts” and each separately, a “Tract”) as shown on the Zoning Exhibit, 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%.

Tract A. The regulations set forth below shall apply to development within Tract A shown on the Zoning Exhibit.

### 1. Permitted Uses:

- 1.1. Multiple family dwelling, senior apartments;
- 1.2. Accessory Building or Use;
- 1.3. Parking Incidental to Main Use.

### 2. Temporary Uses

- 2.1. Field Office or Real Estate Sales Office.

### 3. Space Limits

- 3.1. Minimum Lot Area: 1450 sq ft;
- 3.2. Minimum Lot Width: 60’;
- 3.3. Minimum Lot Depth: 100’;
- 3.4. Minimum Front Yard Setback along Alma Drive and Van Tuly Parkway: 25’;
- 3.5. Minimum Rear Yard Setback along Rundell: 15’;
- 3.6. Minimum Side Yard Setback: 10’;
- 3.7. Minimum Interior Side Yard Setback: 0’;
- 3.8. Minimum Space Between Buildings: 10’;
- 3.9. Maximum Height of Structure: 55’ (four stories);
- 3.10. Maximum Density (dwelling units per gross acre): 30;
- 3.11. No Maximum Lot Coverage.

### 4. Parking

- 4.1. The required number of enclosed parking spaces shall be a minimum of 30% of the total number of units;
- 4.2. The 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 and may be constructed of steel frame with gabled pre-finished metal roofs supported by painted square steel columns.

5. Landscaping

5.1. In lieu of the requirement of Section 146-135(f)(13), a 15' landscape buffer shall be provided along the property lines adjacent to Rundell;

5.2. In lieu of the requirement of Section 146-135(f)(2), all corner clip landscape buffers shall match the width of the adjoining landscape buffer;

5.3. No landscape buffer shall be required between Tract A and Tract B.

6. Residential Site Design

6.1. The project shall contain no less than six (6) amenities of the type required in Section 146-139(f)(2) of the Zoning Ordinance, as amended.

7. Screening

7.1. Screening required under Section 146-132(3)(b) may be satisfied through the use of tubular steel or wrought iron fencing with masonry columns spaced at a maximum of 40 feet on center with structural supports spaced every 10 feet and with evergreen screening shrubs planted no less than 3 feet in height and 3 feet on center.

8. Special Conditions

8.1. Multiple family dwelling, senior (senior apartment) means any building or portion thereof, which is designed, built, rented, leased or let to contain three or more age-restricted (55 or older) dwelling units or apartments on a single lot, or which is occupied as a home or place of residence by three or more age-restricted (55 or older) families living in independent dwelling units on a single lot. This use shall also be subject to the following requirements:

- a. At least one person 55 years of age or older shall reside in at least 80 percent of the senior multi-family residential development's dwelling units;
- b. Prior to the issuance of a certificate of occupancy, each senior multi-family residential development shall adopt a series of deed restrictions and covenants, subject to review and approval by the city attorney, establishing the development's intent to operate as a senior multi-family residential development in accordance with the requirements established herein and any other applicable law or regulation.
- c. At least once every two years, each senior multi-family residential development shall provide to the development services division of the city a certified affidavit demonstrating that the requirements established herein as well as the requirements of the Fair Housing Act continue to be satisfied.

Failure to completely adhere to the requirements herein shall be deemed a violation of this chapter and may result in the revocation of the development's certificate of occupancy or other penalties as detailed in section 146-194 of this chapter

Tract B. The regulations set forth below shall apply to development within Tract B shown on the Zoning Exhibit.

1. Permitted Uses:

- 1.1. Assisted Living Facility, Nursing Home, or Rest Home;
- 1.2. Clinic;
- 1.3. Day-care;
- 1.4. Fitness club, gymnasium, exercise area or similar use;
- 1.5. Banks and financial institutions;
- 1.6. Drug store, pharmacy;
- 1.7. Office building;
- 1.8. Office use;
- 1.9. Personal service;
- 1.10. Amusement, commercial (indoor);
- 1.11. Retail store (indoor);
- 1.12. Restaurant or cafeteria (carry out only);
- 1.13. Restaurant or cafeteria (indoor service and/or drive-through window);
- 1.14. Restaurant or cafeteria (drive-in service);
- 1.15. Accessory Building or Use;
- 1.16. Parking Incidental to Main Use;
- 1.17. Church;
- 1.18. College/School;
- 1.19. Hospital;
- 1.20. Private Recreation Center;
- 1.21. Theatre.

2. Temporary Uses

- 2.1. Field Office or Real Estate Sales Office.

3. Space Limits

- 3.1. Minimum Lot Area: 10,000 sq.ft.;
- 3.2. Minimum Lot Width: 50';
- 3.3. Minimum Lot Depth: 50';
- 3.4. Minimum Front Yard Setback: 20';
- 3.5. Minimum Rear Yard Setback: 0';
- 3.6. Minimum Side Yard Setback of Interior Lots: 0';
- 3.7. Minimum Side Yard Setback of Corner Lots: N/A;
- 3.8. Maximum Height of Structure: 45' (three stories);
- 3.9. Maximum Lot Coverage: 70%.

4. Landscape Requirements

- 4.1. No landscape buffer shall be required between Tract B and Tract A.