

EXHIBIT D

PD Development Regulations

The subject property (the “Property”) shall be zoned “PD” – Planned Development District. Use and development of the Property shall conform to the requirements of the City's Code of Ordinances, and as amended, except as noted below.

Tract(s). The Property shall be divided into one (1) tract as shown on the Zoning Exhibit attached hereto as Exhibit “C”. The purpose of the Zoning Exhibit is to identify the general geographical location of permitted land uses within the Property and any specific development regulations related thereto.

1. Permitted Uses (as defined in the Unified Development Code and as amended)

- Art or Cultural Center
- Banks/Financial Institutions with no drive-through
- Clinic, Medical, and Dental Offices
- Craft Consumables
- Day Care (with no drive-through or pick-up lane)
- Office
- Personal Services
- Restaurant, Carry Out and Delivery only
- Restaurant, Dine-in
- Retail Sales
- School, Business or Trade
- Multifamily Residential. Use is subject to the following conditions:
 - All ground-floor units along Tennessee Street shall be designated exclusively for either commercial or Live/Work use.
 - Ground-floor units may not be used for residential amenities such as fitness centers, business centers, or other spaces intended exclusively for the private use of residents.
 - For Live/Work units, the “work” component is limited to professional office, personal service, or similar uses.
 - For Live/Work units, the “live” component must be located to the rear of the “work” component and viewed from the primary street frontage or at a ground floor level.
 - All ground-floor units along Tennessee Street must meet the following commercial-ready standards:
 - Minimum 10-foot floor-to-floor height on the first floor
 - Direct pedestrian access from the public right-of-way, with clearly identifiable entries.
 - All ground-floor units fronting Tennessee Street shall be oriented toward the street frontage, with primary entrances and facades facing Tennessee Street.

2. Uses Permitted with SUP

- Commercial Entertainment, Indoor

3. Permitted Accessory Uses

- Accessory Structure

4. Space Limits

- Minimum Lot Area: 0
- Minimum Lot Width: 0
- Minimum Lot Depth: 0
- Front Built-To Zone: 5 feet (minimum) - 15 feet (maximum)*
- Minimum Rear Yard Setback: 5 feet
- Minimum Side Yard Setback of interior lots: 5 feet
- Residential Transition Area: 50 feet setback for buildings taller than two (2) stories
- Maximum Height of structure: 40 feet (3 Stories)
- Maximum Allowable Residential Units: 79 dwelling units
- Building Frontage (building's façade required along the street):
 - Minimum 60% along Tennessee Street
 - Minimum 25% along all other streets

*Canopies, signs, awnings and balconies may encroach over the built-to-zone or setback as long as the vertical clearance is a minimum of 8 feet. In no case shall an encroachment be located over an on-street parking, sidewalk, travel lane, fire lane, or public right-of-way, unless approved by the Fire Department and Engineering Department.

5. Development Standards

A. Vehicle Parking

- I. Non-Residential (Includes Live-Work) – one (1) on-street or off-street parking space per 500 feet of floor area
- II. Multifamily - 1.17 off-street parking space per unit and a minimum of 20% of units shall have enclosed parking space.
- III. Garage doors shall not be oriented towards the public right-of-way.
- IV. Off-street parking shall be located behind the principal building or 5 feet from the property line.

B. Landscaping Requirements

- I. Canopy trees along the street frontage shall be provided at 1 canopy tree per 60 linear feet.
- II. Parking Lot Trees shall be provided with 1 canopy tree per 7 parking spaces and each parking space within 65 feet of a canopy tree.
- III. Canopy trees shall be planted in accordance with the following setback requirements:
 - a. A minimum of 10 feet from overhead power utilities, or, if the utilities are not buried underground, the developer may provide ornamental trees at a ratio of 2:1 (two ornamental trees for every one required canopy tree).
 - b. A minimum of 8 feet from public utilities, measured from the centerline of the tree to the edge of the utility pipe.
 - c. A minimum of 4 feet from the public right-of-way or as approved by the Engineering Department.

- IV. A 5-foot landscape buffer shall be provided adjacent to the residential use or zoning district.
- V. Dumpster enclosure: 3-foot evergreen shrubs planted at 3 feet on center along the sides of the dumpster enclosure (2 feet in height planting).
- VI. Dumpster Enclosure shall not be located within 20 feet of adjacent single-family residential uses or zoning district.

C. Screening

- I. A 6-foot-tall Leyland Cypress or a similar cultivar shall be planted 5 feet on center, adjacent to single-family residential use or zoning, and within the required 5-foot landscape buffer. The tree shall be initially planted at a height of 6 feet and shall be maintained at a minimum height of 8 feet.
- II. Frontage along the street, not defined by a building or driveway within the built-to-zone, shall be defined by a Street Screening Device (minimum of 2' and maximum of 4' in height). This required Street Screening Device shall be located at the front edge of the Built-to Zone along that street using the materials listed under Section 206C – Screening Device Materials in the Unified Development Code, as amended.

D. Architectural Standards

- I. A Façade Plan exhibit, shall be submitted prior to any new construction or exterior changes to a primary residence including the following information:
 - a. Title block including the contact information for the owner and architect, name of the project, address, and corresponding case number;
 - b. Architectural elevations in color; and;
 - c. Table with the following information for each elevation:
 - i. Percentages of exterior finishing materials on each elevation, excluding windows, doors, and trims;
 - ii. Percentages of accent colors on each elevation, including moldings, cornices, canopies, and awnings; and;
 - d. Window details for each window type to demonstrate conformance with fenestration and transparency requirements.
- II. All new buildings shall be subject to approval by the Historic Preservation Officer, who shall make this determination subject to the following criteria:
 - a. A building should be designed and built in a way that generally aligns with the character of the surrounding neighborhood. The proposed buildings shall have a design that does not replicate existing historic structures within the City of McKinney and should complement the overall character of the surrounding neighborhood by not being intentionally oppositional to the overall neighborhood character.

- b. New construction should use materials that are compatible with the historical residential structures found in the surrounding neighborhood. This may include lap siding, board & batten, or masonry.

E. Site Enhancements

I. Shared Patio and Balcony Spaces

A combined total of 370 square feet of patio space shall be provided as a multifamily amenity. Each shared balcony on the residential floors will be furnished with seating and tables and will include hanging railing planters and/or container planters to accommodate seasonal plantings.

II. Juliet Balconies

All non-ground floor residential units accessible from interior floor space facing North Tennessee Street shall be equipped with custom metal Juliet balconies.

III. Park Benches

A minimum of four (4) park benches within the development for public seating and community enjoyment.