ORDINANCE NO. 2021-06-055

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF McKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF McKINNEY, TEXAS; SO THAT AN APPROXIMATELY 461 ACRE PROPERTY, LOCATED APPROXIMATELY 5,500 FEET EAST OF FM 2478 AND ON THE SOUTH SIDE OF FM 1461, IS REZONED FROM "SF5" – SINGLE FAMILY RESIDENTIAL DISTRICT AND "PD" – PLANNED DEVELOPMENT DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO ALLOW FOR SINGLE FAMILY RESIDENTIAL, MULTI-FAMILY RESIDENTIAL, AND COMMERCIAL USES, AND MODIFY THE DEVELOPMENT STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

WHEREAS, the City of McKinney has considered the rezoning of an approximately 461 acre property, located approximately 5,500 feet east of FM 2478 and on the south side of FM 1461, which is more fully depicted on Exhibits "A," "B," and "C" attached hereto, from "SF 5" – Single Family Residential District and "PD" - Planned Development District to "PD" - Planned Development District, generally to allow for single family residential, multi-family residential, and commercial uses and modify the development standards; and,

WHEREAS, after due notice of the requested rezoning 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, Texas, the City Council is of the opinion that the change in zoning district should be made.

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

Section 1. The zoning map is hereby amended so that an approximately 461 acre property, located approximately 5,500 feet east of FM 2478 and on the south side of FM 1461, which is more fully depicted on Exhibits "A," "B," and "C" attached hereto, is rezoned from "SF 5" – Single Family Residential District and "PD" - Planned Development District to "PD" - Planned Development District, generally to allow for single family residential, multi-family residential, and commercial uses and modify the development standards.

Section 2. The subject property shall develop in accordance with Section 146-94 ("PD" – Planned Development District) of the Zoning Ordinance, and as amended, except as follows:

1. The subject property shall develop in accordance with attached Development Regulations – Exhibit "D".

Section 3. 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 4. 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 therefore, 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 5. That no developer or property owner shall acquire any vested interest in this Ordinance or specific regulations contained herein. The ordinance, and the subsequent site plans (if any) and regulations may be amended or repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.

Section 6. 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 THE 1ST DAY OF JUNE, 2021.

CITY OF McKINNEY, TEXAS

GEORGE C. FULLER
Mayor

CORRECTLY ENROLLED:

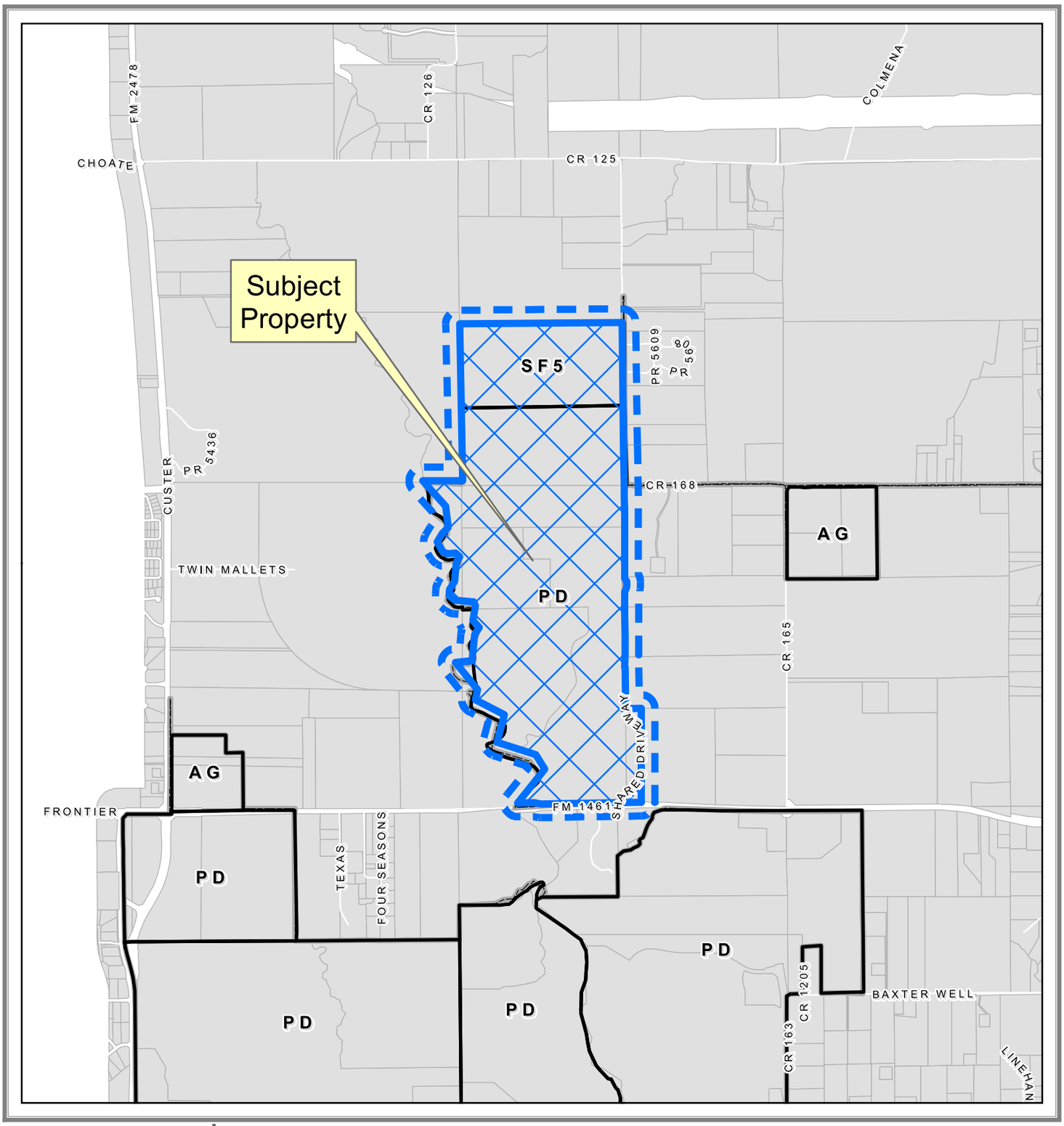
EMPRESS DRANE
City Secretary
JOSHUA STEVENSON
Deputy City Secretary

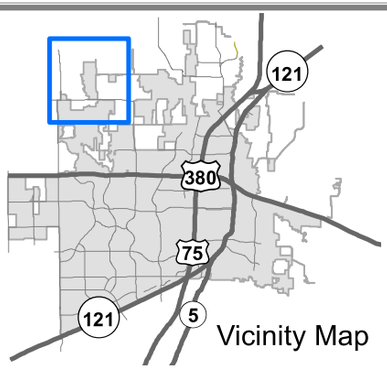
DATE: June 1, 2021

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney

EXHIBIT A





Property Owner Notification Map

ZONE2021-0040

0 1,000 2,000 Feet

200' Buffer
Case

N

DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.

McKINNEY TEXAS
Unique by nature.

EXHIBIT B

LEGAL DESCRIPTION
461.518 ACRES

BEING a tract of land situation in the C.A. BURNS SURVEY, ABSTRACT NO. 109, the S.W. CASH SURVEY, ABSTRACT NO. 237, the BENJAMIN THAYER SURVEY, ABSTRACT NO. 915, and the COLEMAN WATSON SURVEY, ABSTRACT NO. 945, City of Celina, Collin County, Texas and being all of those tracts of land conveyed in Deeds to Franklin Investment Company, according to the documents of record file in Volume 4184, Page 1238, Volume 5049, Pg. 4489, Volume 5519, Pg. 5995, Volume 5519, Page 6002 and Volume 5519, Page 6009, Deed Records, Collin County, Texas, and being all of that tract of land conveyed in Deed to Robinson 83 Partners L.P., according to the document of record filed in Document 20140708000703540, Official Public Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at the common most easterly northeast corner of said Franklin Investment Company tracts and the northwest corner of that tract of land conveyed in Deed to M S Family Limited Partnership, according to the document of record filed in Document Number 20100823000877020, Official Public Records, Collin County, Texas;

THENCE S 00° 03' 49" E, a distance of 1,534.51 feet;

THENCE S 88° 29' 56" W, a distance of 1,643.09 feet;

THENCE N 80° 11' 28" W, a distance of 101.98 feet;

THENCE S 88° 29' 56" W, a distance of 279.00 feet to a point in the approximate centerline of an existing creek;

THENCE With the approximate centerline of said existing creek, the following courses and distances:

N 38° 00' 11" E, a distance of 709.90 feet;

N 30° 59' 49" W, a distance of 280.00 feet;

N 72° 59' 49" W, a distance of 666.40 feet;

N 14° 00' 11" E, a distance of 469.00 feet;

N 62° 59' 49" W, a distance of 530.00 feet;

N 10° 30' 11" E, a distance of 164.50 feet;

N 39° 29' 49" W, a distance of 575.00 feet;

N 83° 15' 11" E, a distance of 276.20 feet;

N 05° 30' 11" E, a distance of 348.00 feet;

N 03° 15' 42" E, a distance of 77.74 feet;

EXHIBIT B

N 30° 59' 41" E, a distance of 140.90 feet;

N 43° 27' 39" W, a distance of 145.78 feet;

N 09° 14' 21" E, a distance of 247.40 feet;

N 23° 01' 17" W, a distance of 73.42 feet;

N 85° 20' 14" W, a distance of 316.43 feet;

N 50° 58' 19" W, a distance of 117.15 feet;

N 05° 13' 53" E, a distance of 95.53 feet;

N 32° 24' 04" E, a distance of 155.32 feet;

N 04° 39' 46" E, a distance of 316.43 feet;

N 30° 39' 07" E, a distance of 105.48 feet;

N 47° 53' 55" W, a distance of 95.53 feet;

S 82° 38' 26" W, a distance of 130.86 feet;

N 64° 12' 45" W, a distance of 89.44 feet;

N 30° 55' 08" W, a distance of 179.23 feet;

N 30° 29' 10" E, a distance of 163.78 feet;

N 44° 13' 21" E, a distance of 141.42 feet;

N 07° 23' 27" W, a distance of 347.31 feet;

N 38° 08' 28" W, a distance of 624.95 feet;

THENCE S 89° 50' 15" E, a distance of 685.52 feet;

THENCE N 00° 05' 59" W, a distance of 1,052.29 feet;

THENCE N 00° 56' 03" W, a distance of 1,445.36 feet;

THENCE N 89° 31' 11" E, a distance of 2,645.07 feet;

THENCE S 00° 38' 05" E, a distance of 1,357.64 feet;

THENCE S 00° 56' 00" E, a distance of 1,275.74 feet;

EXHIBIT B

THENCE S 89° 32' 43" W, a distance of 7.00 feet;

THENCE S 00° 36' 37" E, a distance of 229.35 feet;

THENCE S 00° 29' 57" E, a distance of 194.25 feet;

THENCE S 00° 41' 03" E, a distance of 273.77 feet;

THENCE S 00° 31' 03" E, a distance of 410.28 feet;

THENCE S 00° 58' 11" E, a distance of 182.35 feet;

THENCE S 00° 47' 03" E, a distance of 241.30 feet;

THENCE S 09° 16' 03" E, a distance of 50.69 feet;

THENCE S 02° 08' 17" W, a distance of 76.70 feet;

THENCE S 03° 50' 58" W, a distance of 33.51 feet;

THENCE S 03° 27' 28" W, a distance of 56.66 feet;

THENCE S 00° 25' 09" E, a distance of 235.49 feet;

THENCE S 00° 22' 58" W, a distance of 13.84 feet;

THENCE S 12° 14' 54" W, a distance of 54.57 feet;

THENCE S 00° 37' 05" E, a distance of 85.96 feet;

THENCE S 00° 12' 06" E, a distance of 320.72 feet;

THENCE S 00° 01' 11" W, a distance of 325.06 feet;

THENCE S 00° 24' 07" E, a distance of 201.62 feet;

THENCE N 89° 32' 43" E, a distance of 6.50 feet;

THENCE S 00° 33' 25" E, a distance of 516.78 feet;

THENCE S 00° 41' 45" E, a distance of 155.28 feet;

THENCE S 89° 37' 54" E, a distance of 262.99 feet to the **POINT OF BEGINNING**, and containing 461.518 acres of land, more or less.

EXHIBIT C

LOT LINE TABLE		
LINE	BEARING	LENGTH
T1	N30°59'49"W	280.00'
T2	N10°30'11"E	164.50'
T3	N83°15'11"E	276.20'
T4	N5°30'11"E	348.00'
T5	N3°15'42"E	77.74'
T6	N30°59'41"E	140.90'
T7	N43°27'39"W	145.78'
T8	N9°14'21"E	247.40'
T9	N23°01'17"W	73.42'
T10	N85°20'14"W	316.43'
T11	N50°58'19"W	117.15'
T12	N5°13'53"E	95.53'
T13	N32°24'04"E	155.32'
T14	N4°39'46"E	316.43'
T15	N30°39'07"E	105.48'
T16	N47°53'55"W	95.53'
T17	S82°38'26"W	130.86'
T18	N64°12'45"W	89.44'
T19	N30°55'08"W	179.23'
T20	N30°29'10"E	163.78'
T21	N44°13'21"E	141.42'
T22	N7°23'27"W	347.31'
T23	S89°32'43"W	7.00'
T24	S0°36'37"E	229.35'
T25	S0°58'11"E	182.35'
T26	S0°47'03"E	241.30'
T27	S9°16'03"E	50.69'
T28	S2°08'17"W	76.70'
T29	S3°50'58"W	33.51'
T30	S3°27'28"W	56.66'
T31	S0°25'09"E	235.49'
T32	S0°22'58"W	13.84'
T33	S12°14'54"W	54.57'
T34	S0°37'05"E	85.96'
T35	S0°12'06"E	320.72'
T36	S0°01'11"W	325.06'
T37	S0°24'07"E	201.62'
T38	N89°32'43"E	6.50'
T39	S89°37'54"E	262.99'
T40	N80°11'28"W	101.98'
T41	S88°29'56"W	279.00'

VSS LIMITED PARTNERSHIP
VOL. 4070, PG. 1076
D.R.C.C.T.

WALTER R. SAIGLING
DOC. NO. 19970203000084070
O.P.R.C.C.T.

N89°31'11"E 2645.07'

RONALD WILLIAM LEEPER AND
DIANE INEZ SHARP
DOC. NO. 20007210007694 50
O.P.R.C.C.T.

JOHNNIE FRED ROBINSON,
BEVERLY LYNN LATHAM AND
DEBBIE CAROLYN LONG
DOC. NO. 94-0012199
O.P.R.C.C.T

N0°56'03"W 1445.36'

VSS LIMITED PARTNERSHIP
VOL. 4070, PG. 1092
D.R.C.C.T.

N0°05'59"W 1052.29'

S89°50'15"E 685.52'

RAFIQ & MALIK FAMILY
LIMITED PARTNERSHIP
DOC. NO. 20150529000626560
O.P.R.C.C.T.

S0°36'00"E 1357.64'

FM 1461
(EXISTING PAVING)

QUAD SQUAD INVESTMENTS LLC
DOC. NO. 20151009001289 40
O.P.R.C.C.T.

NIVI INVESTMENTS LLC
DOC. NO. 20160805001017090
O.P.R.C.C.T.

S0°36'00"E 1275.74'

SQMP REALTY ASSOCIATES LLC
DOC. NO. 20171214001648740
O.P.R.C.C.T.

FM 168
(EXISTING PAVING)

N38°08'28"W 624.86'

TRACT 1
SINGLE FAMILY RESIDENTIAL
SF5
±399.5 ACRES

S0°29'57"E 273.77'

S0°41'03"E 410.28'

THE GRAYROCK CORPORATION
VOL. 4479, PG 2103
D.R.C.C.T.

S0°01'05"E

FEMA 100 YEAR
FLOODPLAIN

FRANKLIN INVESTMENT COMPANY
VOL. 4184, PG. 1238,
VOL. 5049, PG. 4489,
VOL. 5519, PG. 5995,
VOL. 5519, PG. 6002, &
VOL. 5519. PG. 6009

KASARLA LLC AND
SPANDAN INC.
DOC. NO. 20210111000062610
O.P.R.C.C.T.

BCO TURNPIKE DISTRIBUTION CENTER M, LLC
DOC. NO. 20160216000178110
O.P.R.C.C.T.

TRACT 3
TOWNHOME
TH
±16.5 ACRES

ROBERT R VARNER, JR.
DOC. NO. 20040106000023630
O.P.R.C.C.T.

ROBERT R VARNER, JR.
DOC. NO.
200501070000355 60
O.P.R.C.C.T.

S0°33'25"E 516.78'

S0°41'45"E 155.28'

N72°29'49"E 370.00'

N62°29'49"W 530.00'

170' T.P.&L. EASEMENT
VOLUME 805 PAGE 417

SAMUEL E. LEWIS & WIFE, ELIZABETH J. LEWIS
DOC. NO. 96-0010626
O.P.R.C.C.T.

N14°00'11"E 489.00'

N72°29'49"W 666.40'

TRACT 4
MODERATE DENSITY
MULTI-FAMILY
MF-3
±38.4 ACRES

S0°03'49"E 1534.51'

M S FAMILY LIMITED PARTNERSHIP
DOC. NO. 20100823000877020
O.P.R.C.C.T.

CB-MERRELL ROAD, LIMITED
DOC. NO. 20160216000178090
O.P.R.C.C.T.

LANG C. SEARCY SURVEY, ABSTRACT NO. 816
THOMAS STALLUP SURVEY, ABSTRACT NO. 846

N89°00'11"E 709.90'

TRACT 2
NEIGHBORHOOD
COMMERCIAL
C2
±7.1 ACRES

S88°29'56"W 1543.09'

FM 1461
(EXISTING PAVING)

FM 1461
(EXISTING PAVING)

CLP MANAGEMENT, INC.
DOC. NO.
20170207000168970
O.P.R.C.C.T.

THE MAHAR FAMILY LIVING TRUST
DOC. NO. 20191204001544070
O.P.R.C.C.T

HARLAN D. STAUFFER & SUSAN L. STAUFFER,
CO-TRUSTEES OF
THE STAUFFER FAMILY TRUST
DOC. NO. 20140516000488540
O.P.R.C.C.T.

FEMA 100 YEAR
FLOODPLAIN

GRAPHIC SCALE
300 150 0 300 900
(IN FEET)
1 inch = 300 ft.

LEGAL DESCRIPTION
461.518 ACRES

BEING a tract of land situation in the C.A. BURNS SURVEY, ABSTRACT NO. 109, the S.W. CASH SURVEY, ABSTRACT NO. 237, the BENJAMIN THAYER SURVEY, ABSTRACT NO. 915, and the COLEMAN WATSON SURVEY, ABSTRACT NO. 945, City of Celina, Collin County, Texas and being all of those tracts of land conveyed in Deeds to Franklin Investment Company, according to the documents of record file in Volume 4184, Page 1238, Volume 5049, Pg. 4489, Volume 5519, Pg. 5995, Volume 5519, Page 6002 and Volume 5519, Page 6009, Deed Records, Collin County, Texas, and being all of that tract of land conveyed in Deed to Robinson 83 Partners L.P., according to the document of record filed in Document 20140708000703540, Official Public Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at the common most easterly northeast corner of said Franklin Investment Company tracts and the northwest corner of that tract of land conveyed in Deed to M S Family Limited Partnership, according to the document of record filed in Document Number 20100823000877020, Official Public Records, Collin County, Texas;

THENCE S 00° 03' 49" E, a distance of 1,534.51 feet;
THENCE S 88° 29' 56" W, a distance of 1,643.09 feet;
THENCE N 80° 11' 28" W, a distance of 101.98 feet;
THENCE S 88° 29' 56" W, a distance of 279.00 feet to a point in the approximate centerline of an existing creek;
THENCE With the approximate centerline of said existing creek, the following courses and distances:
N 38° 00' 11" E, a distance of 709.90 feet;
N 30° 59' 49" W, a distance of 280.00 feet;
N 72° 59' 49" W, a distance of 666.40 feet;
N 14° 00' 11" E, a distance of 469.00 feet;
N 62° 59' 49" W, a distance of 530.00 feet;
N 10° 30' 11" E, a distance of 164.50 feet;
N 39° 29' 49" W, a distance of 575.00 feet;
N 83° 15' 11" E, a distance of 276.20 feet;
N 05° 30' 11" E, a distance of 348.00 feet;
N 03° 15' 42" E, a distance of 77.74 feet;
N 30° 59' 41" E, a distance of 140.90 feet;
N 43° 27' 39" W, a distance of 145.78 feet;
N 09° 14' 21" E, a distance of 247.40 feet;
N 23° 01' 17" W, a distance of 73.42 feet;
N 85° 20' 14" W, a distance of 316.43 feet;
N 50° 58' 19" W, a distance of 117.15 feet;
N 05° 13' 53" E, a distance of 95.53 feet;
N 32° 24' 04" E, a distance of 155.32 feet;
N 04° 39' 46" E, a distance of 316.43 feet;
N 30° 39' 07" E, a distance of 105.48 feet;
N 47° 53' 55" W, a distance of 95.53 feet;
S 82° 38' 26" W, a distance of 130.86 feet;
N 64° 12' 45" W, a distance of 89.44 feet;
N 30° 55' 08" W, a distance of 179.23 feet;
N 30° 29' 10" E, a distance of 163.78 feet;
N 44° 13' 21" E, a distance of 141.42 feet;
N 07° 23' 27" W, a distance of 347.31 feet;
N 38° 08' 28" W, a distance of 624.95 feet;
THENCE S 89° 50' 15" E, a distance of 685.52 feet;
THENCE N 00° 05' 59" W, a distance of 1,052.29 feet;
THENCE N 00° 56' 03" W, a distance of 1,445.36 feet;
THENCE N 89° 31' 11" E, a distance of 2,645.07 feet;
THENCE S 00° 38' 05" E, a distance of 1,357.64 feet;
THENCE S 00° 56' 00" E, a distance of 1,275.74 feet;
THENCE S 89° 32' 43" W, a distance of 7.00 feet;
THENCE S 00° 36' 37" E, a distance of 229.35 feet;
THENCE S 00° 29' 57" E, a distance of 194.25 feet;
THENCE S 00° 41' 03" E, a distance of 273.77 feet;
THENCE S 00° 31' 03" E, a distance of 410.28 feet;
THENCE S 00° 58' 11" E, a distance of 182.35 feet;
THENCE S 00° 47' 03" E, a distance of 241.30 feet;
THENCE S 09° 16' 03" E, a distance of 50.69 feet;
THENCE S 02° 08' 17" W, a distance of 76.70 feet;
THENCE S 03° 50' 58" W, a distance of 33.51 feet;
THENCE S 03° 27' 28" W, a distance of 56.66 feet;
THENCE S 00° 25' 09" E, a distance of 235.49 feet;
THENCE S 00° 22' 58" W, a distance of 13.84 feet;
THENCE S 12° 14' 54" W, a distance of 54.57 feet;
THENCE S 00° 37' 05" E, a distance of 85.96 feet;
THENCE S 00° 12' 06" E, a distance of 320.72 feet;
THENCE S 00° 01' 11" W, a distance of 325.06 feet;
THENCE S 00° 24' 07" E, a distance of 201.62 feet;
THENCE N 89° 32' 43" E, a distance of 6.50 feet;
THENCE S 00° 33' 25" E, a distance of 516.78 feet;
THENCE S 00° 41' 45" E, a distance of 155.28 feet;
THENCE S 89° 37' 54" E, a distance of 262.99 feet to the **POINT OF BEGINNING**, and containing 461.518 acres of land, more or less.

GROSS ACRE = ±461.5

ZONING EXHIBIT A
STOVER CREEK

BEING 461.5 ACRES IN THE
C.A. BURNS SURVEY, ABSTRACT NO 109
BENJAMIN THAYER SURVEY, ABSTRACT NO. 915 &
CITY OF MCKINNEY
COLLIN COUNTY, TEXAS

FEBRUARY 23, 2021 SCALE: 1" = 300'

ENGINEER / PLANNER
DOWDEY, ANDERSON & ASSOCIATES, INC.
5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694
STATE REGISTRATION NUMBER: F-399

CONTACT: AARON HUNSAKER

P:\Project C3D\2020\20035\20035-PB & Exhibits.dwg, Zoning Exhibit A, 2/23/2021 11:26:45 AM, alfortson, Dowdey, Anderson & Associates, Inc., A.W

EXHIBIT D

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 Code of Ordinances 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.

1) **Tracts.** The Property shall be divided into four (4) tracts (collectively, the "Tracts" and each separately, a "Tract") as shown on the Zoning Exhibit. 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. Each Tract shall contain the approximate number of acres shown on the zoning Exhibit, but such acreage may be increased or decreased by 10% and/or due to right-of- way dedications.

2) **Tract 1**

   a. Permitted Land Uses. Uses permitted in Tract 1 shall conform to the SF5 District Regulations, as amended from time to time.
   b. Space Limits. Development shall be in accordance with SF5, with the following modifications:
      i. The maximum density shall be 5 units per gross acre;
      ii. The minimum lots size shall be 5,000 square feet except that no more than 200 lots shall have a minimum lot size of 4,500 to 5,000 square feet.
      iii. The minimum rear yard setback shall be 10 feet.
      iv. The mean and median lot size shall be 6,500 square feet.

3) **Tract 2**

   a. Permitted Land Uses. Uses permitted in Tract 2 shall conform to the Neighborhood Commercial District (C2), as amended from time to time.
   b. Excluded Uses:
      - Dormitories
      - Discount store
      - Furniture store
      - Household applicance store
      - Halfway house
      - Indoor & outdoor amusement center
      - Temporary circus or carnival
      - Commercial parking lot
      - Bait shop
      - Wholesale bakeries
   c. Space Limits. Development shall be in accordance with C2.

EXHIBIT D

4) **Tract 3**

a. Permitted Land Uses. Uses permitted Tract 3 shall conform to the Townhome District (TH), as amended from time to time.

b. Space Limits. Development shall be in accordance with TH, with the following modification:

i. The maximum density shall be 14 units per gross acre;
ii. The maximum building height shall be 2 stories not to exceed 35';
iii. The minimum lot size shall be 1,920 square feet;
iv. The minimum lot width shall be 24';
v. The minimum lot depth shall be 80';
vi. The minimum front yard setback shall be 20'.
vii. The minimum rear yard setback shall be 8';
viii. The minimum driveway depth shall be 20';
ix. The maximum number of units in a single building shall be 7;
x. The maximum building length shall not exceed 200';
xi. At least two (2) elements enumerated in Section 146-108(c)(1) will be provided (density bonus);
xii. Each lot shall have at least one canopy tree in the front yard and additionally either one canopy tree or one ornamental tree in the front or rear yard

5) **Tract 4**

a. Permitted Uses. Uses permitted in the Moderate Density Multi-Family District (MF-3), as amended from time to time.

b. Space Limits. Development shall be in accordance with MF-3, with the following modifications:

i. The maximum number of units shall be 750 units;
ii. The maximum density shall be 28 units per gross acre;
iii. The minimum lot area shall be 1,500 square feet per unit;
iv. The maximum height of structure shall be three (3) stories, not to exceed 45';
v. The development of Townhome or Single Family units, if any, in Tract 4 shall comply with the Development Regulations set forth in Tract 1 and Tract 3 above;
vi. The required off-street parking spaces shall be calculated at 1 space for each bedroom with an additional 0.2 parking spaces per unit;
vii. The required number of enclosed parking spaces shall be equal to not less than 30% of the total number of units; the 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; the additional 0.5 parking space for each enclosed space where a 20' driveway is not provided with a garage door is not required.