

## DEVELOPMENT REGULATIONS

### 1. In General.

The subject property, as described in the Legal Description attached hereto as Exhibit " " (the "Property"), shall be zoned "PD" – Planned Development District. Use and development of the Property shall conform to the requirements of the City's Unified Development Code ("UDC"), except as noted below.

### 2. Tracts.

- (a) For purposes of this planned development district, the Property shall be divided into four (4) tracts: Tracts I, II, III, and IV (collectively, the "Tracts" and each separately, a "Tract") as shown on the Regulating Plan attached hereto.
- (b) Unless otherwise stated herein, use and development of the Property shall be generally in conformance with the Regulating Plan, subject to final layout and design conforming with the City's engineering standards and fire code.

### 3. Development Standards.

#### (a) Tree Preservation.

- (i) The Property is generally situated within the 100-year floodplain and development thereof will necessitate reclaiming the floodplain area. Property reclaimed out of the floodplain shall not be included in the floodplain calculations. The provisions of the Tree Preservation Ordinance shall be suspended during floodplain reclamation efforts.
- (ii) Within the 100-year floodplain, no more than 60 percent of protected trees may be critically altered or removed.

#### (b) Minimum pedestrian, connectivity, open space, and enhanced landscape amenities required. A minimum of 6 of the 7 below amenities shall be provided on the Property, and these amenities may be completed in phases commensurate with the development of the Property, with compliance to be demonstrated by the time a certificate of occupancy is issued for the final building within the applicable Tract. The amenities included under this section shall not be included in the calculations of the minimum required multi-family residential amenities or toward parkland dedication requirements.

- (i) In Tract IV, 60,000 square feet of urban streetscape (including pedestrian improvements such as benches, trash receptacles, shade structures, minimum 4-inch-caliper shade trees, minimum 65-gallon ornamental trees, bicycle racks, and pet relief stations):
- (ii) 130,000 square feet of landscaped medians (with at least 50 percent of such areas to include enhanced landscaping such as 4-inch-caliper shade trees,

- 65-gallon ornamental trees, ground cover, and shrubs) by the completion of the final phase of development;
- (iii) Areas within which existing trees are to be preserved (including pedestrian improvements such as benches and gathering areas with decomposed granite path features):
    - A. Tract I: 26,000 square feet
    - B. Tract II: 70,000 square feet
  - (iv) Linear park-like spaces available for public recreation and use and managed/operated by the Property owner (with at least 50 percent of such spaces to include enhanced landscaping such as 4-inch-caliper shade trees, 65-gallon ornamental trees, 1 bench and 1 trash receptacle for every 100 linear feet on center, and bicycle racks):
    - A. Tract III: 21,000 square feet
    - B. Tract IV: 27,000 square feet
  - (v) Amenity courtyards (including improvements such as swimming pools, pedestrian furniture, community outdoor kitchens, shade structures, and lawns available for recreation):
    - A. Tract I: 9,000 square feet
    - B. Tract II: 4,000 square feet
    - C. Tract III: 14,000 square feet
    - D. Tract IV: 27,000 square feet
  - (vi) Pocket park-like spaces available for public recreation and use and managed/operated by the Property owner (with at least 50 percent of such spaces to include enhanced landscaping such as 4-inch-caliper shade trees, 65-gallon ornamental trees, 1 bench and 1 trash receptacle for every 100 linear feet of park perimeter on center, and bicycle racks):
    - A. Tract II: 25,000 square feet
    - B. Tract IV: 35,000 square feet
  - (vii) In Tract IV, 37,000 square feet of community lawn spaces consisting of large, contiguous areas of turf or landscaped grass area (with at least 25 percent of such spaces to include enhanced landscaping such as 4-inch-caliper shade trees, up to ten 6-inch-caliper specimen shade trees, 65-gallon ornamental trees, outdoor dining tables, terraced seat walls, planters/pots, and enhanced paving) to allow for recreation and gathering.
- (c) Trail system. A minimum 6-foot wide, paved trail system to promote walkability and connectivity between tracts must be located in the area generally shown on the Regulating Plan. Any portion of the trail abutting or within a Tract must be completed with the first phase of development in that Tract. Minimum 4-inch caliper trees must be planted along the trail at a minimum interval of 1 tree for every 50 liner feet of trail.
  - (d) Architectural Standards. Unless otherwise stated herein, the appearance of traditional multi-family residential and non-residential buildings and corresponding site elements shall comply with the minimum standards outlined in Section 206F. (Architectural Standards) of the UDC and as amended.

- (i) 80% of each wall plane shall be segmented into horizontal lengths of 30 feet or less by a structural or ornamental minor facade offset (recess or projection) that is a minimum five feet deep and ten feet wide.
- (e) Tract I. Use and development of the Tract I shall be in conformance with the following:
- (i) Permitted Land Uses:
    - A. Multifamily, traditional
    - B. Independent living
    - C. Amenity center, neighborhood
    - D. Community Garden
    - E. Recreation area, private
  - (ii) Permitted Accessory Uses:
    - A. Accessory building, detached
    - B. Accessory structure
    - C. Electrical vehicle charging station
    - D. Swimming pool
  - (iii) Space Limits:
    - A. Minimum lot area: None.
    - B. Minimum lot width: 60 feet.
    - C. Minimum lot depth: 100 feet.
    - D. Build-to zone: 0-20 feet.
      - (1) Subject to the approval of a Design Exception by the Planning and Zoning Commission, pursuant to the procedures of Section 203G.1. (Design Exceptions) of the UDC and as amended, this requirement may be satisfied, and portions of the street facing façade may exceed the build-to zone to accommodate the following conditions between the a building façade and build-to zone: fire lanes adjacent to open space, curved lot lines, setbacks for the purpose of preserving trees, building articulation, service areas (subject to screening requirements), browsing/fire lane in front of a nonresidential use consisting of a 24 foot wide driveway with head-in parking on both sides, motor courts with enhanced pedestrian paving, pedestrian access, outdoor seating areas or walkways, usable open spaces, landscape buffers, patios, sidewalk cafes, plazas, water features, and utilities or utility easements.
    - E. Minimum rear yard setback: 20 feet.
    - F. Minimum side yard setback: 20 feet.
    - G. Maximum height: 6 stories.
    - H. Minimum height: 4 stories.
    - I. Maximum density: 321 dwelling units.
    - J. Minimum building separation: 10 feet.

K. Residential Site Design: The project shall contain no less than ten (10) amenities of the type required in the UDC, as amended.

(iv) When a non-residential or multi-family use shares a property line(s) with a single-family, duplex, triplex, or quadplex residential use or a single-family residential zone, the following building setbacks shall apply along the shared property lines:

<b>Building Stories</b>	<b>Setback (minimum)</b>
1 story	30 feet
2 stories	50 feet
3 or more stories	2 feet of setback for each foot of building height up to a maximum setback of 200 feet

(v) Parking:

A. Multifamily: Minimum 1.75 spaces per dwelling unit.

(f) Tract II. Use and development of the Tract II shall be in conformance with the following:

(i) Permitted Land Uses:

A. Multifamily, brownstone (a “brownstone” multifamily unit is a minimum 2-story dwelling with its own attached garage, independent entry that connects via stoop, walkway, or combination thereof to a sidewalk or pedestrian trail and complies with the design standards below)

B. Independent living

C. Amenity center, neighborhood

D. Community garden

E. Recreation area, private

(ii) Permitted Accessory Uses:

A. Accessory building, detached

B. Accessory structure

C. Electrical vehicle charging station

D. Swimming pool

(iii) Space Limits:

A. Minimum lot area: None.

B. Minimum lot width: 60 feet.

C. Minimum lot depth: 100 feet.

D. Minimum front yard setback from public right of way: 20 feet.

E. Minimum rear yard setback: 20 feet.

F. Minimum side yard setback: 20 feet.

G. Maximum height: 3 stories.

H. Minimum height: 2 stories.

- I. Maximum density: 185 dwelling units.
- J. Minimum building separation: 10 feet.
- K. Residential Site Design:

1. Each lot shall contain no less than eight (8) amenities of the type required in the UDC, as amended, for multifamily developments.
2. A maximum of 8 horizontally attached brownstones are allowed per building.
3. No more than 20% of the total number of buildings are permitted to have less than 5 units.
4. Each unit façade must contain a minimum of two different building materials.
5. Garage doors shall be located in the rear of units.

(iv) When a non-residential or multi-family use shares a property line(s) with a single-family, duplex, triplex, or quadplex residential use or a single-family residential zone, the following building setbacks shall apply along the shared property lines:

<b>Building Stories</b>	<b>Setback (minimum)</b>
1 story	30 feet
2 stories	50 feet
3 or more stories	2 feet of setback for each foot of building height up to a maximum setback of 200 feet

- (v) Parking: Minimum 2 enclosed spaces per dwelling unit.
- (g) Tract III. Use and development of the Tract III shall be in conformance with the following:
  - (i) Permitted Residential Land Uses:
    - A. Multifamily, traditional
    - B. Amenity center, neighborhood
    - C. Independent living
    - D. Recreation area, private
  - (iii) Permitted Non-Residential Uses:
    - A. Arts or cultural center
    - B. Animal care and services, indoor only
    - C. Banks and financial services
    - D. Clinic, medical or dental
    - E. Commercial entertainment, indoor
    - F. Famers' Market, permanent
    - G. Hotel or motel
    - H. Movie theater
    - I. Office showroom/warehouse

- J. Office
- K. Personal service
- L. Reception or event center, indoor

(iii) Permitted Uses Subject to Use-Specific Standards under the UDC

- A. Community garden
- B. Gym or fitness studio
- C. Microbrewery, distillery, winery, or cidery
- D. Religious assembly
- E. Restaurant, brew pub
- F. Restaurant, carry out and delivery only
- G. Restaurant, dine-in
- H. Retail sales

(iv) Permitted Accessory Uses:

- A. Accessory building, detached
- B. Accessory structure
- C. Electrical vehicle charging station

(v) Uses Allowed by Specific Use Permit:

- A. Commercial entertainment, outdoor
- B. Fuel sales, passenger vehicles
- C. Restaurant, drive-in or drive-through

(vi) Multifamily Space Limits:

- A. Minimum lot area: None.
- B. Minimum lot width: 60 feet.
- C. Minimum lot depth: 100 feet.
- D. Build-to zone from public right of way: 0-20 feet.

(1) Subject to the approval of a Design Exception by the Planning and Zoning Commission, pursuant to the procedures of Section 203G.1. (Design Exceptions) of the UDC and as amended, this requirement may be satisfied, and portions of the street facing façade may exceed the build-to zone to accommodate the following conditions between the a building façade and build-to zone: fire lanes adjacent to open space, curved lot lines, setbacks for the purpose of preserving trees, building articulation, service areas (subject to screening requirements), browsing/fire lane in front of a nonresidential use consisting of a 24 foot wide driveway with head-in parking on both sides, motor courts with enhanced pedestrian paving, pedestrian access, outdoor seating areas or walkways, usable open spaces, landscape buffers, patios, sidewalk cafes, plazas, water features, and utilities or utility easements.

- E. Minimum rear yard setback: 5 feet.
- F. Minimum side yard setback: 5 feet.
- G. Maximum height: 6 stories.

H. Minimum height: 4 stories.

I. Maximum density: 475 dwelling units.

(1) No multifamily units may be permitted for construction until construction has commenced on at least 20,000 square feet of nonresidential uses.

J. Residential Site Design: The project shall contain no less than ten (10) amenities of the type required in the UDC, as amended. If the Tract is developed in phases, the amenities shall be established by the completion of the final phase.

(vi) Nonresidential Space Limits

A. Minimum lot area: None.

B. Minimum lot width: None.

C. Minimum lot depth: None.

D. Minimum front yard setback from public right of way: 20 feet.

F. Minimum side yard setback: None.

G. Maximum height: None.

H. Maximum density: None.

(vii) When a non-residential or multi-family use shares a property line(s) with a single-family, duplex, triplex, or quadplex residential use or a single-family residential zone, the following building setbacks shall apply along the shared property lines:

<b>Building Stories</b>	<b>Setback (minimum)</b>
1 story	30 feet
2 stories	50 feet
3 or more stories	2 feet of setback for each foot of building height up to a maximum setback of 200 feet

(viii) Parking

A. Multifamily

(1) Minimum 1.6 spaces per dwelling unit.

(2) A minimum of 90% of the required parking for multifamily uses must be located in a parking structure.

(h) Tract IV. Use and development of the Tract IV shall be in conformance with the following:

(i) Permitted Residential Land Uses:

A. Multifamily, traditional

B. Amenity center, neighborhood

(ii) Permitted Non-Residential Land Uses:

A. Animal care and services, indoor only

B. Arts or cultural center

- C. Banks and financial services
- D. Clinic, medical or dental
- E. Commercial entertainment, indoor
- F. Farmers' Market, permanent
- G. Hospital
- H. Hotel or motel
- I. Office showroom/warehouse
- J. Office
- K. Personal service
- L. Reception or event center, indoor
- M. Recreation area, private
- N. Food Trucks, Operation Sites, and Food Truck Courts

(iii) Permitted Uses Subject to Use-Specific Standards under the UDC

- A. Community garden
- B. Gym or fitness studio
- C. Microbrewery, distillery, winery, or cidery
- D. Religious assembly
- E. Restaurant, brew pub
- F. Restaurant, carry out and delivery only
- G. Restaurant, dine-in
- H. Retail sales

(iv) Permitted Accessory Uses:

- A. Accessory building, detached
- B. Accessory structure
- C. Electrical vehicle charging station

(v) Uses allowed by specific use permit:

- A. Commercial entertainment, outdoor
- B. Restaurant, drive-in or drive-through
- C. Telecommunications structure (High Rise, Low Rise, and Stealth)

(vi) Multifamily Space Limits:

- A. Minimum lot area: None.
- B. Minimum lot width: 60 feet.
- C. Minimum lot depth: 100 feet.
- D. Minimum front yard setback from public right of way: 20 feet.
- E. Build-to zone from private drives: 0-20 feet for minimum of 90% of building facade.

(1) Subject to the approval of a Design Exception by the Planning and Zoning Commission, pursuant to the procedures of Section 203G.1. (Design Exceptions) of the UDC and as amended, this requirement may be satisfied, and portions of the street facing façade may exceed the build-to zone to accommodate the following



conditions between the a building façade and build-to zone: fire lanes adjacent to open space, curved lot lines, setbacks for the purpose of preserving trees, building articulation, service areas (subject to screening requirements), browsing/fire lane in front of a nonresidential use consisting of a 24 foot wide driveway with head-in parking on both sides, motor courts with enhanced pedestrian paving, pedestrian access, outdoor seating areas or walkways, usable open spaces, landscape buffers, patios, sidewalk cafes, plazas, water features, and utilities or utility easements.

F. Minimum rear yard setback: 5 feet.

G. Minimum side yard setback: 5 feet.

H. Maximum height: 6 stories.

I. Minimum height: 4 stories.

J. Maximum density: 775 dwelling units.

(1) No multifamily units may be permitted for construction until construction has commenced on at least 20,000 square feet of nonresidential uses. Once 20,000 square feet of nonresidential uses have been permitted for construction, up to 400 units of multifamily may be permitted for construction.

(2) Once 40,000 square feet of nonresidential uses have been permitted for construction, up to 775 units of multifamily may be permitted for construction.

K. Residential Site Design: The project shall contain no less than twelve (12) amenities of the type required in the UDC, as amended, for multifamily developments. If the Tract is developed in phases, the amenities shall be established by the completion of the final phase. Amenities located within portions of the Tract that contain nonresidential uses but are connected to and usable by residents of the multifamily may be counted toward this requirement.

(vii) Nonresidential Space Limits.

A. Minimum lot area: None.

B. Minimum lot width: None.

C. Minimum lot depth: None.

D. Minimum front yard setback from public right of way: 20 feet.

E. Minimum rear yard setback: None.

F. Minimum side yard setback: None.

G. Maximum height: None.

H. Minimum height: None, except office buildings shall be a minimum of 4 stories.

I. Maximum density: None.

J. Minimum total floor area: 40,000 square feet.

(viii) When a non-residential or multi-family use shares a property line(s) with a single-family, duplex, triplex, or quadplex residential use or a single-family

residential zone, the following building setbacks shall apply along the shared property lines:

<b>Building Stories</b>	<b>Setback (minimum)</b>
1 story	30 feet
2 stories	50 feet
3 or more stories	2 feet of setback for each foot of building height up to a maximum setback of 200 feet

(ix) Parking:

A. Multifamily:

(1) Minimum 1.6 spaces per dwelling unit.

(2) A minimum of 90% of the required parking for multifamily uses must be located in a parking structure.

(x) Internal Screening: No internal screening is required between tracts or between uses within the Tract.