

**AGENDA  
TOWN OF FLOWER MOUND  
PLANNING AND ZONING COMMISSION MEETING**

**JANUARY 13, 2020**

**FLOWER MOUND TOWN HALL  
2121 CROSS TIMBERS ROAD  
FLOWER MOUND, TEXAS**

.....  
AN AGENDA INFORMATION PACKET IS AVAILABLE ONLINE AT [www.flower-mound.com/AgendaCenter](http://www.flower-mound.com/AgendaCenter)  
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**A. CALL MEETING TO ORDER 6:30 P.M.**

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

**C. PUBLIC COMMENT**

The purpose of this item is to allow the public an opportunity to address the Commission on issues that are not indicated as a "Public Hearing" on this agenda. Issues regarding daily operational or administrative matters should first be dealt with by calling Town Hall at 972-874-6000 during business hours.

**D. FUTURE AGENDA ITEMS**

The purpose of this item is to allow the Chairman and members of the Commission an opportunity to bring forward items they wish to discuss at a future meeting, with the understanding a consensus of the Commission is needed in order for that item to be placed on a future agenda and in accordance with the Town Council Agenda Setting Policy (Ord. 65-15).

**E. DIRECTOR'S REPORT**

1. Documenting Development Review Process
2. Status of Upcoming Ordinance Amendments

**F. CONSENT ITEMS**

This part of the agenda consists of non-controversial or "housekeeping" items required by law. Items may be removed from Consent by any Commissioner by making such request prior to a motion and vote.

1. Minutes of December 9, 2019: Consider approval of the minutes of the December 9, 2019, Planning and Zoning Commission Regular Session.
2. RC19-0010 – Canyon Falls – Village 12: Consider a request for a Record Plat to create a residential subdivision. The property is generally located north of Smoky Oak Court and west of Falling Leaf Trail.

**G. REGULAR ITEMS**

3. *RP19-0007 – Twin Coves Estates Lot 24R, Block A* *Public Hearing*

Public Hearing to consider a request for a Replat (RP19-0007 – Twin Coves Estates Lot 24R, Block A) to create a residential lot. The property is generally located west of Shoreline Drive and south of Wichita Trail.

4. *MU19-0001 – Lakeside Village* *Public Hearing*

Public Hearing to consider an ordinance for rezoning (MU19-0001 – Lakeside Village) to amend Mixed Use District 1 (MU-1) to allow for phasing of the necessary parking infrastructure in Lakeside Village. The property is generally located west of Long Prairie Road along both sides of Lakeside Parkway and south of its intersection with Northwood Drive.

5. *LDR19-0006 – Short-Term Rentals* *Public Hearing*

Public Hearing to consider an ordinance amending the Land Development Regulations (LDR19-0006 – Short-Term Rentals) by amending Chapter 98 entitled “Zoning,” of the Town’s Code of Ordinances to create a definition and define the standards and review process for Short-Term Rentals, and consider adopting an ordinance providing for said amendment.

**H. ADJOURNMENT – REGULAR SESSION**

I do hereby certify that the Notice of Meeting was posted on the bulletin board in Town Hall of the Town of Flower Mound, Texas, a place convenient and readily accessible to the general public at all times, on the following date and time: January 9, 2020, at 4:00 p.m., at least 72 hours prior to the scheduled time of said meeting.

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LauriAnn Cash, Executive Assistant

Pursuant to Section 551.071 of the Texas Government Code, the Planning and Zoning Commission reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

|                                                                                                                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The Flower Mound Town Hall and Jody Smith Hall are wheelchair accessible. Requests for accommodations or interpretive services must be made at least 48 hours prior to this meeting by contacting Planning Services at (972) 874-6350. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



## **PLANNING AND ZONING COMMISSION**

### **AGENDA ITEM NO: 1**

### **CONSENT ITEM**

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**DATE:** January 13, 2020

**FROM:** LauriAnn Cash, Development Services Executive Assistant

**ITEM:** Consider approval of the minutes of the December 9, 2019, Planning and Zoning Commission Regular Session.

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#### **I. BACKGROUND INFORMATION**

The Planning and Zoning Commission held a regular meeting on December 9, 2019.

#### **II. ATTACHMENTS**

1. Draft Minutes

**THE FLOWER MOUND PLANNING & ZONING COMMISSION MEETING HELD ON THE 9TH DAY OF DECEMBER, 2019, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS, AT 6:30 PM**

The Planning & Zoning Commission met in a regular session with the following members present:

|                    |                       |
|--------------------|-----------------------|
| David Johnson      | Chair                 |
| Robert Rawson      | Commissioner, Place 3 |
| Philip Del Vecchio | Commissioner, Place 5 |
| Laura Dillon       | Commissioner, Place 6 |
| Thomas Pickering   | Commissioner, Place 7 |
| Robert Cox         | Commissioner, Place 8 |
| Timothy Fink       | Commissioner, Place 9 |

Constituting a quorum with the following members absent:

|                |                       |
|----------------|-----------------------|
| Brad Ruthrauff | Vice-Chair            |
| Adam Schiestel | Commissioner, Place 2 |

*(Places 8 and 9 of the Commission do not vote on items unless they sit in place of one of the regular members, Places 1-7.)*

And the following members of Town staff present:

|                  |                                   |
|------------------|-----------------------------------|
| James Donovan    | Town Attorney                     |
| Lexin Murphy     | Director of Planning Services     |
| Chuck Russell    | Town Planner                      |
| Robert Pegg      | Assistant Director of Engineering |
| Poornima Kashyap | Senior Planner                    |
| Forrest Williams | Comprehensive Planner             |
| LauriAnn Cash    | Executive Assistant               |

**A. CALL REGULAR SESSION TO ORDER (Council Chambers): 6:30 P.M.**

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

**C. PUBLIC COMMENT**

None

**D. FUTURE AGENDA ITEMS**

None

**E. DIRECTOR'S REPORT**

1. Short-Term Rental Court Decision



## 2. Development Project Updates

### F. **CONSENT ITEMS**

1. Consider approval of the minutes of the November 11, 2019, Planning and Zoning Commission Regular Session
2. Consider a request for a Record Plat (RC19-0008 – Perkins Addition Lot 1 and Lot 2, Block A) to create two residential lots. The property is generally located north of Timber Creek Road and west of Stapleton Street.

Commissioner Pickering moved to approve Consent Items 1 and 2 as presented in the agenda caption as identified above. Commissioner Dillon seconded the motion.

### **VOTE ON THE MOTION**

**AYES:** Rawson, Del Vecchio, Dillon, Pickering, Cox, Fink

**NAYS:** None

**The motion to approve passed with a vote of 6-0.**

### G. **REGULAR ITEMS**

3. **Public Hearing to consider a request for a Replat (RP19-0013 – Faith Lutheran Church Addition) to create a non-residential subdivision. The property is generally located north of Valley Ridge Boulevard and east of Morriss Road.**

#### **Staff Presentation**

Poornima Kashyap, Senior Planner

#### **Applicant Presentation**

No presentation and present for questions

#### **Spoke in Favor:**

Larry Patterson, 3333 Mayfair Lane, Highland Village

#### **In Favor, Did Not Wish to Speak:**

Chris Carmichael, 561 Sellmeyer Lane, Highland Village  
Austin Adams, 695 Timber Bend, Highland Village  
Raymond Kimbrell, 1153 Pleasant Oaks Drive, Lewisville

#### **Spoke in Opposition:**

None

#### **Question or Comments Only:**

Mike Hilliard, 825 Wood Duck Way, Flower Mound

### **Commission Deliberation**

Commissioner Rawson moved to approve RP19-0013 – Faith Lutheran Church Addition, as presented. Commissioner Pickering seconded the motion.

### **VOTE ON THE MOTION**

**AYES:** Fink, Cox, Pickering, Dillon, Del Vecchio, Rawson

**NAYS:** None

**The motion to approve passed with a vote of 6-0.**

- 4. Public Hearing to consider an ordinance granting Specific Use Permit No. 460 (SUP19-0009 – Jungle Castle) to permit an amusement and recreation (indoors) use. The property is generally located south of Flower Mound Road and west of Long Prairie Road.**

### **Staff Presentation**

Chuck Russell, Town Planner

### **Applicant Presentation**

Xiaobin Guo, LB & C Construction LLC

### **Spoke in Favor:**

None

### **Spoke in Opposition:**

None

### **Questions or Comments Only:**

Martin Peter Michael; 2804 Elmridge Drive, Flower Mound

### **Commission Deliberation**

Commissioner Rawson moved to recommend approval of SUP19-0009 – Jungle Castle SUP-460, as presented. Commissioner Del Vecchio seconded the motion.

### **VOTE ON THE MOTION**

**AYES:** Rawson, Del Vecchio, Dillon, Pickering, Cox, Fink

**NAYS:** None

**The motion to recommend approval passed with a vote of 6-0.**

5. **Public Hearing to consider an ordinance amending the Land Development Regulations (LDR19-0008 – Park Credit Update) by amending Chapter 90 entitled “Subdivisions,” of the Town’s Code of Ordinances to clarify the requirements of the park credit option for parkland dedication within the Town of Flower Mound.**

**Staff Presentation**

Lexin Murphy, Director of Planning Services

**Spoke in Favor:**

None

**Spoke in Opposition:**

None

**Questions or Comments Only:**

Mike Hilliard, 825 Wood Duck Way, Flower Mound

**Commission Deliberation**

Commissioner Pickering moved to recommend approval of LDR19-0008 – Park Credit Update, as presented with an amendment to Section F)7)f)2) to state “The slope from the water’s edge...”. Commissioner Cox seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Fink, Cox, Pickering, Dillon, Del Vecchio, Rawson

**NAYS:** None

The motion to recommend approval passed with a vote of 6-0.

6. **Public Hearing to consider an ordinance amending the General Ordinance and Land Development Regulations (LDR19-0009 – Fencing Update) by amending Chapter 14 entitled “Buildings and Building Regulations,” and Chapter 98 entitled “Zoning,” of the Town’s Code of Ordinances to create clarifying definitions and standards for fences and walls within the Town of Flower Mound.**

**Staff Presentation**

Forrest Williams, Comprehensive Planner

**Spoke in Favor:**

None

**Spoke in Opposition:**

None

**Questions or Comments Only:**

Mike Hilliard, 825 Wood Duck Way, Flower Mound

**Commission Deliberation**

Commissioner Cox moved to recommend approval of LDR19-0009 – Fencing Update, as presented. Commissioner Del Vecchio seconded the motion.

**VOTE ON THE MOTION**

**AYES:** Rawson, Del Vecchio, Dillon, Pickering, Cox, Fink

**NAYS:** None

The motion to recommend approval passed with a vote of 6-0.

**H. ADJOURNMENT – REGULAR SESSION 7:44 P.M.**

**TOWN OF FLOWER MOUND, TEXAS**

Lexin Murphy, Director of Planning Services

**ATTEST:**

LauriAnn Cash, Executive Assistant



## PLANNING AND ZONING COMMISSION

### AGENDA ITEM NO: 2

### CONSENT ITEM

---

**DATE:** January 13, 2019

**FROM:** Poornima Kashyap, Principal Planner

**ITEM:** **Consider a request for a Record Plat (RC19-0010 – Canyon Falls Village 12) to create a residential subdivision. The property is generally located north of Smoky Oak Court and west of Falling Leaf Trail.**

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#### I. ITEM SUMMARY

This application has been reviewed by DRC and determined to be ready for consideration by the Planning and Zoning Commission. There are no outstanding issues.

This application will require final action by the Planning and Zoning Commission.

#### II. APPLICATION ANALYSIS

The purpose of this application is to create 32 buildable, single-family residential lots with a minimum lot size of 10,000 square feet. The proposed single-family residential lots are located in the third phase of the Canyon Falls development and are in conformance with Planned Development District-98 (PD-98) standards as amended. Village 12 contains approximately 21.364 acres.

Access to the development is provided from streets within the Canyon Falls development that is located within the Argyle Extra Territorial Jurisdiction (ETJ). The current project includes the establishment of all required easements, landscaping, fencing, and associated open space (x-lots) for this phase [Attachment B(1)].

The proposed record plat is consistent with the development plan (DP13-0003) approved by the Town Council on March 17, 2014, for Phase III, containing 303 buildable lots.

#### III. ATTACHMENTS

##### A. Background Information

1. Vicinity Map
2. Letter of Intent

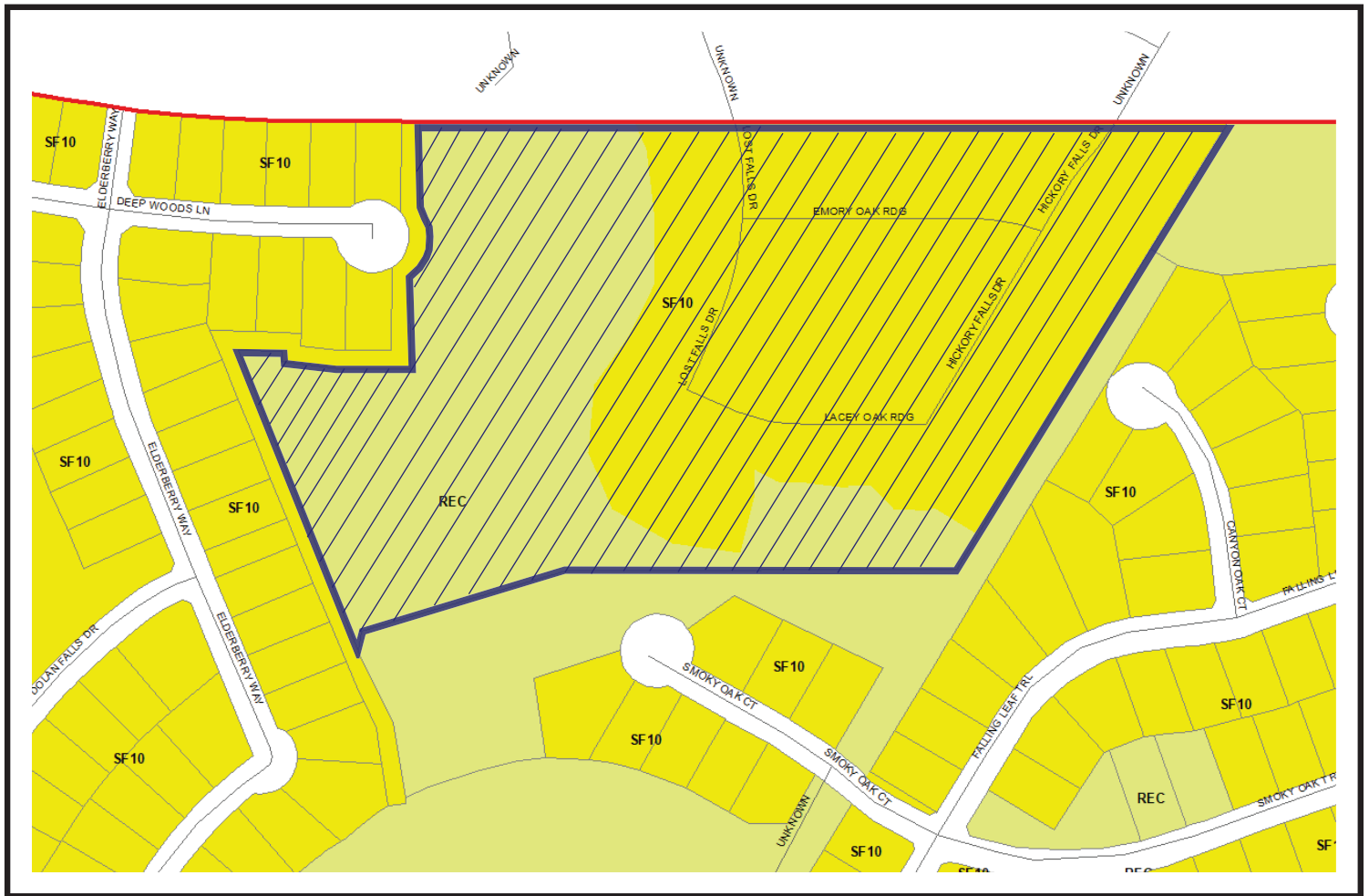
##### B. Application Details

1. Record Plat Package



# Vicinity Map

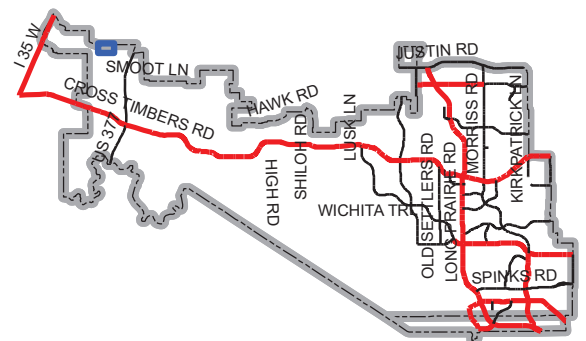
Reference Project: RC19-0010



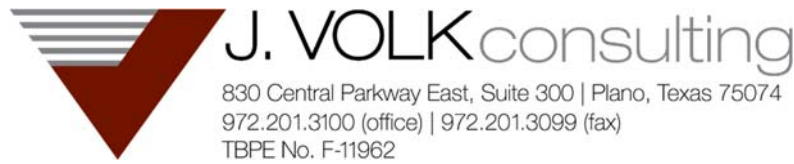
## LEGEND

 Recreation  Single Family 10

 Subject Property



Map Location



September 20, 2019

Ms. Poornima Kashyap  
 Planning Services Division  
 Town of Flower Mound  
 2121 Cross Timbers Road  
 Flower Mound, Texas 75028

**RE: Canyon Falls Letter of Intent – Record Plat – Village 12**

Dear Poornima,

Canyon Falls is a master planned community intended to provide a variety of single family residential and commercial uses that are compatible with the natural characteristics of the land (such as topography, drainage, vegetation and floodplain) to ensure a high-quality new community. This master planned community is intended to provide increased recreation amenities, high quality homes and shopping alternatives that will be designed in a comprehensive fashion, which will enhance the quality of life for future residents and the Town of Flower Mound. We believe that Canyon Falls will be a great addition for the Town of Flower Mound and the rooftops generated within the development will support the future plans and growth of Flower Mound for commercial and retail development along the western side of its Town Limits. Additionally, the proximity of the development to I-35W and U.S. 377 provide a great transition between the commercial and more intense zoning districts that exist along the I-35W and U.S. 377 corridors.

**Record Plat - Village 12 Site Data:**

**Existing Zoning District:** Planned Development with SF-10

**Record Plat – Village 12 Acreage:** 21.364 Acres

**Lot breakdown:** 32 Single-Family Lots & 1 Open Space/HOA Lots

We appreciate your assistance with this application and look forward to working with you and the Town of Flower Mound on the Canyon Falls development.

Sincerely,  
**J. VOLK CONSULTING, INC.**

A handwritten signature in blue ink that reads 'Joel Richey'.

Joel Richey  
 Engineer

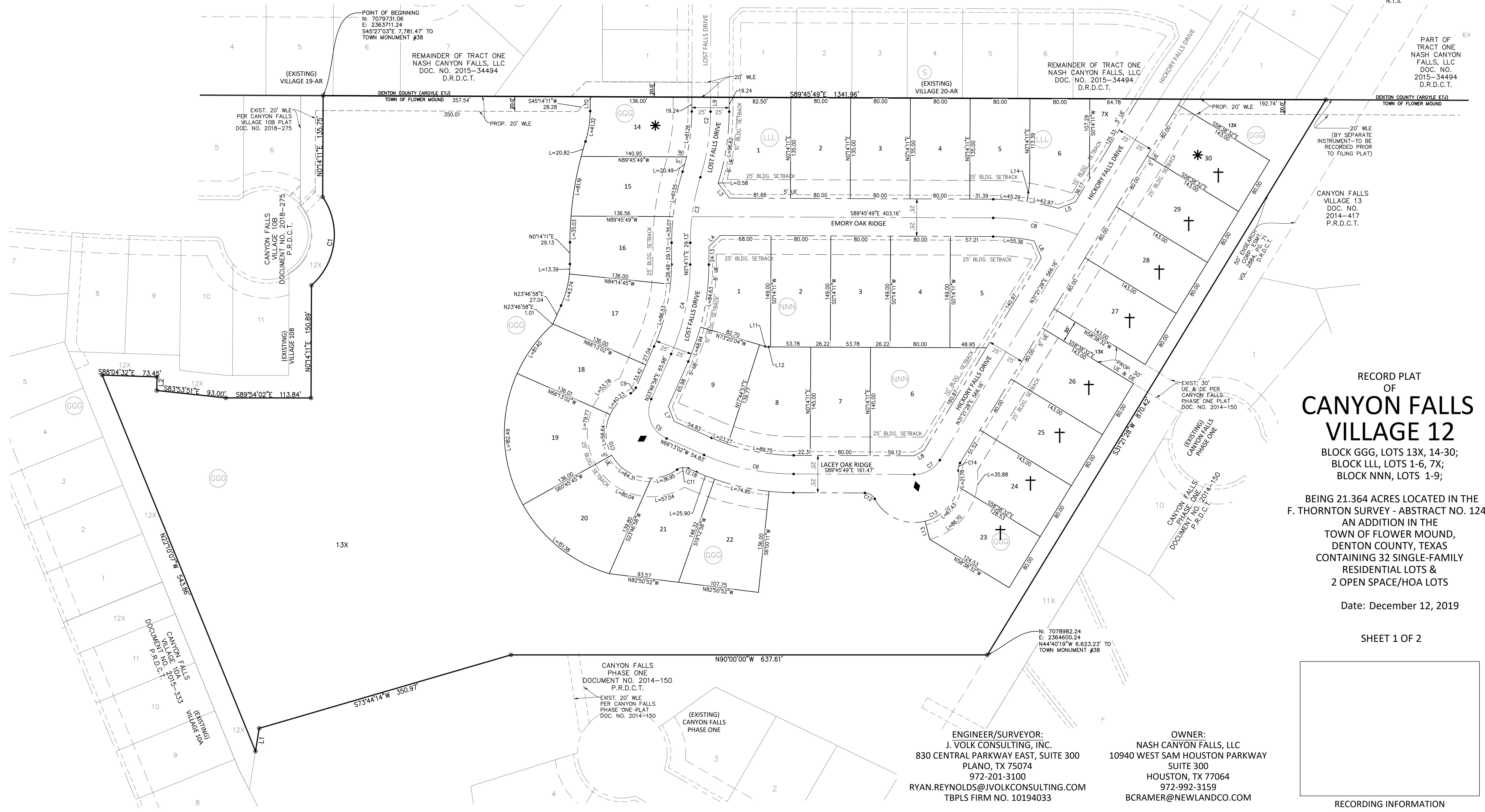
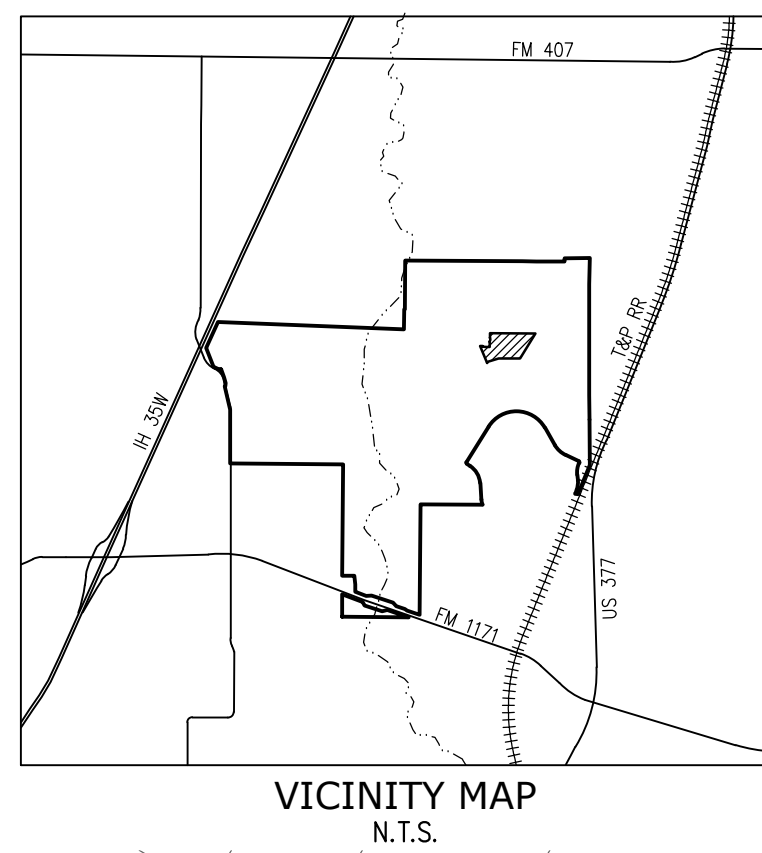
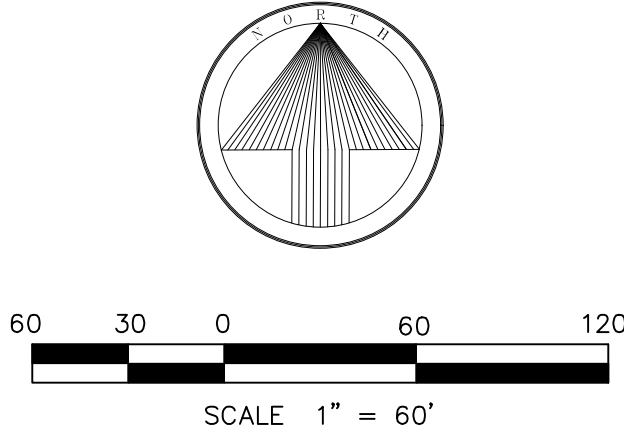
cc: Brian Cramer, Vice President, Newland Real Estate Group, LLC  
 cc: Tom Dayton, PE, Vice President, J. Volk Consulting, Inc.



| Curve Table |        |        |            |              |               |
|-------------|--------|--------|------------|--------------|---------------|
| Curve #     | Length | Radius | Delta      | Chord Length | Chord Bearing |
| C1          | 130.26 | 90.00  | 082°55'29" | 119.18       | N07° 14' 33"E |
| C2          | 89.19  | 300.00 | 017°02'01" | 88.86        | N08° 45' 12"E |
| C3          | 89.19  | 300.00 | 017°02'01" | 88.86        | S08° 45' 12"W |
| C4          | 123.29 | 300.00 | 023°32'47" | 122.42       | N12° 00' 35"E |
| C5          | 62.83  | 40.00  | 090°00'00" | 56.57        | S21° 13' 02"E |
| C6          | 123.29 | 300.00 | 023°32'47" | 122.42       | S77° 59' 25"E |
| C7          | 41.11  | 40.00  | 058°52'43" | 39.32        | N60° 47' 50"E |
| C8          | 115.56 | 300.00 | 022°04'12" | 114.85       | N78° 43' 43"W |
| C9          | 10.34  | 15.00  | 039°29'09" | 10.13        | S43° 31' 33"W |
| C10         | 56.64  | 60.00  | 054°05'09" | 54.56        | S02° 11' 40"E |
| C11         | 15.63  | 15.00  | 059°42'57" | 14.94        | N83° 55' 30"E |
| C12         | 16.12  | 15.00  | 061°35'19" | 15.36        | N58° 58' 06"W |
| C13         | 67.43  | 60.00  | 064°23'20" | 63.94        | N43° 48' 50"E |
| C14         | 10.61  | 15.00  | 040°32'09" | 10.39        | N11° 05' 24"E |

| Line Table |        |               |
|------------|--------|---------------|
| Line       | Length | Direction     |
| L1         | 31.11  | S9° 08' 10"W  |
| L2         | 18.16  | S0° 42' 48"W  |
| L3         | 25.16  | N37° 07' 03"W |
| L4         | 21.21  | N45° 14' 11"E |
| L5         | 24.33  | S69° 24' 42"W |
| L6         | 24.71  | S22° 39' 56"E |
| L7         | 21.21  | N21° 13' 02"W |
| L8         | 14.82  | S60° 47' 50"W |
| L9         | 19.24  | S0° 14' 11"W  |
| L10        | 19.24  | N0° 14' 11"E  |
| L11        | 9.92   | N73° 20' 04"W |
| L12        | 5.13   | N89° 45' 49"W |
| L13        | 25.00  | N13° 59' 30"W |
| L14        | 25.00  | N8° 13' 13"E  |

- 1/2" IRON ROD FOUND WITH YELLOW PLASTIC CAP STAMPED "JVC" (UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "JVC" (UNLESS OTHERWISE NOTED)
- <CM>  
D.R.D.C.T.  
P.R.D.C.T.
- ◆  
UE  
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- CONTROL MONUMENT
- DEED RECORDS, DENTON COUNTY, TEXAS
- PLAT RECORDS, DENTON COUNTY, TEXAS
- DENOTES STREET NAME CHANGE
- UTILITY EASEMENT
- BUILDING LINE
- LOT IS LOCATED LESS THAN ONE THOUSAND FEET (1,000') FROM AN EXISTING OIL OR GAS WELL & IS SUBJECT TO THE CODES & ORDINANCES OF THE TOWN OF FLOWER MOUND
- LOT IS LOCATED WITHIN ONE HUNDRED FEET (100') ON AN EXISTING GAS LINE & IS SUBJECT TO THE CODES & ORDINANCES OF THE TOWN OF FLOWER MOUND



RECORD PLAT  
OF  
**CANYON FALLS  
VILLAGE 12**  
BLOCK GGG, LOTS 13X, 14-30;  
BLOCK LLL, LOTS 1-6, 7X;  
BLOCK NNN, LOTS 1-9;

BEING 21.364 ACRES LOCATED IN THE  
F. THORNTON SURVEY - ABSTRACT NO. 1244  
AN ADDITION IN THE  
TOWN OF FLOWER MOUND,  
DENTON COUNTY, TEXAS  
CONTAINING 32 SINGLE-FAMILY  
RESIDENTIAL LOTS &  
2 OPEN SPACE/HOA LOTS

Date: December 12, 2019

SHEET 1 OF 2

ENGINEER/SURVEYOR:  
J. VOLK CONSULTING, INC.  
830 CENTRAL PARKWAY EAST, SUITE 300  
PLANO, TX 75074  
972-201-3100  
RYAN.REYNOLDS@JVOLKCONSULTING.COM  
TBPLS FIRM NO. 10194033

OWNER:  
NASH CANYON FALLS, LLC  
10940 WEST SAM HOUSTON PARKWAY  
SUITE 300  
HOUSTON, TX 77064  
972-992-3159  
BCRAMER@NEWLANDCO.COM

RECORDING INFORMATION



LEGAL DESCRIPTION:

COMMENCING at TOWN MONUMENT #38;

THENCE North 45 degrees 27 minutes 03 seconds East a distance of 7781.47 feet to the POINT OF BEGINNING, of the tract hereon described by metes and bounds as follows;

THENCE South 89 degrees 45 minutes 49 seconds East a distance of 1341.96 feet to a ½ inch iron rod with a yellow plastic cap stamped "JVC";

THENCE South 31 degrees 21 minutes 28 seconds West a distance of 870.42 feet to a ½ inch iron rod with a yellow plastic cap stamped "JVC";

THENCE North 90 degrees 00 minutes 00 seconds West a distance of 637.61 feet to a ½ inch iron rod with a yellow plastic cap stamped "JVC";

THENCE South 73 degrees 44 minutes 14 seconds West a distance of 350.97 feet to a ½ inch iron rod with a yellow plastic cap stamped "JVC";

THENCE South 9 degrees 8 minutes 10 seconds West a distance of 31.11 feet to a ½ inch iron rod with a yellow plastic cap stamped "JVC";

THENCE North 22 degrees 10 minutes 07 seconds West a distance of 543.86 feet to a ½ inch iron rod with a yellow plastic cap stamped "JVC";

THENCE South 88 degrees 04 minutes 32 seconds East a distance of 73.45 feet to a ½ inch iron rod with a yellow plastic cap stamped "JVC";

THENCE South 0 degrees 42 minutes 48 seconds West a distance of 18.16 feet to a ½ inch iron rod with a yellow plastic cap stamped "JVC";

THENCE South 83 degrees 53 minutes 51 seconds East a distance of 93.00 feet to a ½ inch iron rod with a yellow plastic cap stamped "JVC";

THENCE South 89 degrees 54 minutes 02 seconds East a distance of 113.84 feet to a ½ inch iron rod with a yellow plastic cap stamped "JVC", being the beginning of a non-tangent curve to the right, whose radius is 90 feet and whose long chord bears North 7 degrees 14 minutes 33 seconds East, 119.18 feet;

THENCE along said curve to the right, through a central angle of 082 degrees 55 minutes 29 seconds, an arc length of 130.26 feet to a ½ inch iron rod with a yellow plastic cap stamped "JVC";

THENCE North 0 degrees 14 minutes 11 seconds East a distance of 135.75 feet to the POINT OF BEGINNING, and containing 21.364 acres of land, more or less.

OWNER'S CERTIFICATE:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, NASH CANYON FALLS, LLC, acting herein by and through its duly authorized officers, does hereby adopt this plat designated herein as CANYON FALLS – VILLAGE 12, an addition to the Town of Flower Mound, Denton County, Texas.

The easements shown hereon are hereby reserved for the purposes as indicated. All streets, alleys and rights-of-way are hereby dedicated in fee simple to the Town of Flower Mound for municipal purposes. The utility and fire lane easements (streets, alleys, and common areas) shall be open to the public, fire and police units, garbage and rubbish collection agencies and all public and private utilities for each particular use. No buildings, trees, shrubs or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the utility easements as shown. Said utility easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same.

All and any public utility shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on the utility easements and all public utilities shall at all times have the full right of ingress and egress to and from and upon the said utility easements for the purpose of construction, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. Any public utility shall have the right of ingress and egress to private property for the purposes of reading meters and any maintenance and service required or ordinarily performed by that utility.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the Town of Flower Mound.

BY: NASH CANYON FALLS, LLC  
A DELAWARE LIMITED LIABILITY COMPANY

BY: NEWLAND REAL ESTATE GROUP, LLC  
A DELAWARE LIMITED LIABILITY COMPANY  
ITS DEVELOPMENT MANAGER

BY: \_\_\_\_\_  
BRIAN CRAMER, VICE PRESIDENT

STATE OF TEXAS                   §  
COUNTY OF \_\_\_\_\_§

BEFORE ME, the undersigned authority, on this day personally appeared BRIAN CRAMER, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed, in the capacity therein stated, and as the act and deed of said company.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public in and for the State of Texas

My Commission Expires: \_\_\_\_\_

SURVEYORS CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS:  
That I, Ryan S. Reynolds, do hereby certify that I have prepared this plat from an actual survey of the land, and that the corner monuments shown thereon were found or placed under my personal supervision in accordance with the platting rules and regulations of Town of Flower Mound, Denton County, Texas.

\_\_\_\_\_  
RYAN S. REYNOLDS, R.P.L.S.  
Registered Professional Land Surveyor No. 6385

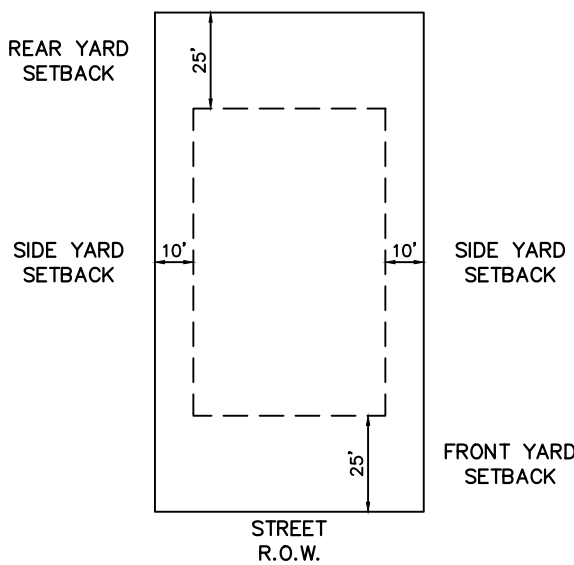
STATE OF TEXAS                   §  
COUNTY OF COLLIN               §

BEFORE ME, the undersigned authority, on this day personally appeared Ryan S. Reynolds, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed, in the capacity therein stated, and as the act and deed of said company.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public in and for the State of Texas

My Commission Expires: \_\_\_\_\_



TYPICAL SF-10 LOT  
SETBACK DETAIL  
PER TOWN ORDINANCE  
(FRONT & SIDE SETBACK IS SUBJECT  
TO TOWN ORDINANCE 35-13)

Approved:

TOWN OF FLOWER MOUND  
PLANNING AND ZONING COMMISSION

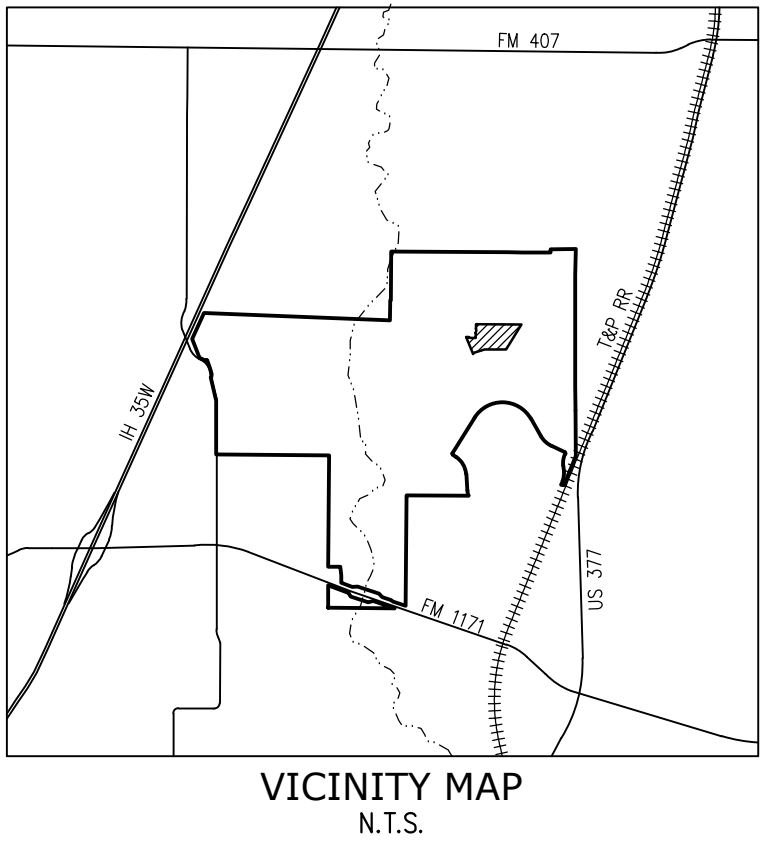
\_\_\_\_\_  
David Johnson, Chairman  
Planning and Zoning Commission

\_\_\_\_\_  
Lexin Murphy, Director of Planning Services

SIGNED AND SEALED:

TOWN OF FLOWER MOUND

\_\_\_\_\_  
Theresa Scott, Town Secretary  
Town of Flower Mound



NOTES:

1. THE BEARINGS CONTAINED HEREIN ARE BASED UPON THE DEED TO NASH CANYON FALLS, LLC, RECORDED IN INSTRUMENT NO. 2015-34494 OF THE DEED RECORDS OF DENTON COUNTY, TX (D.R.D.C.T.).
2. ALL LOT CORNERS MONUMENTED WITH A 1/2 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "JVC" UNLESS OTHERWISE NOTED.
3. TOWN MONUMENT USED IS #38.
4. PURSUANT TO THE ORDINANCE NO. 36-92 OF THE TOWN OF FLOWER MOUND, TEXAS, A MANDATORY HOMEOWNERS ASSOCIATION SHALL BE ESTABLISHED AND CREATED TO ASSUME AND BE RESPONSIBLE FOR THE CONTINUOUS AND PERPETUAL OPERATION MAINTENANCE AND/OR SUPERVISION OF DRAINAGE EASEMENTS, LANDSCAPING SYSTEMS OR THEIR PHYSICAL FACILITIES OF GROUND HELD IN COMMON AND NECESSARY OR DESIRABLE FOR THE WELFARE OF THE AREA OF SUBDIVISION OR THAT ARE OF COMMON USE OR BENEFIT. SAID MANDATORY HOMEOWNERS'S ASSOCIATION SHALL BE RESPONSIBLE FOR THE CONTINUOUS AND PERPETUAL OPERATION MAINTENANCE AND/OR SUPERVISION OF THE LANDSCAPE SYSTEMS, FEATURES OR ELEMENTS LOCATED IN PARKWAY COMMON AREA, BETWEEN SCREENING WALLS OR LIVING SCREENS AND ADJACENT CURBS OR STREET PAVEMENT EDGES, ADJACENT TO DRAINAGE WAYS OR DRAINAGE STRUCTURES, OR AT SUBDIVISION ENTRYWAYS.
5. ALL X-LOTS ARE UNBUILDABLE AND SHALL BE DEDICATED TO AND MAINTAINED BY THE HOA. ALL X-LOTS SHALL ALSO BE DEDICATED AS WATER, SEWER, PRIVATE DRAINAGE AND PEDESTRIAN ACCESS EASEMENTS.
6. WALL MAINTENANCE EASEMENTS SHALL BE DEDICATED TO THE HOA FOR PERPETUAL MAINTENANCE.
7. ANY FENCE CONSTRUCTED ADJACENT AND/OR PARALLEL TO OPEN SPACE SHALL CONSIST OF WROUGHT IRON OR TUBULAR STEEL.
8. ALL RETAINING WALLS, TURN DOWN CURBS & TREE RETAINING WALLS SHALL BE CLAD IN A MATERIAL TO COMPLEMENT THE MATERIALS AND COLORS WITHIN THIS DEVELOPMENT.
9. THIS PROJECT IS SUBJECT TO PD 98.
10. PERPETUAL MAINTENANCE OF THE EIGHT (8) FOOT TOWN TRAIL WILL BE THE RESPONSIBILITY OF THE HOMEOWNER'S ASSOCIATION.

RECORD PLAT  
OF  
**CANYON FALLS  
VILLAGE 12**

BLOCK GGG, LOTS 13X, 14-30;  
BLOCK LLL, LOTS 1-6, 7X;  
BLOCK NNN, LOTS 1-9;

BEING 21.364 ACRES LOCATED IN THE  
F. THORNTON SURVEY - ABSTRACT NO. 1244  
AN ADDITION IN THE  
TOWN OF FLOWER MOUND,  
DENTON COUNTY, TEXAS  
CONTAINING 32 SINGLE-FAMILY  
RESIDENTIAL LOTS &  
2 OPEN SPACE/HOA LOTS

Date: December 12, 2019

SHEET 2 OF 2



RECORDING INFORMATION

| LOT/BLOCK ANALYSIS FOR<br>VILLAGE 12 |        |
|--------------------------------------|--------|
| SMALLEST LOT SIZE (SF)               | 10,399 |
| LARGEST LOT SIZE (SF)                | 16,261 |
| AVERAGE LOT SIZE (SF)                | 11,972 |
| TOTAL NO. OF LOTS                    | 32     |

| ACREAGE TABLE       |                 |
|---------------------|-----------------|
| TYPE                | ACREAGE<br>(AC) |
| LOTS                | 8.795           |
| ROW DEDICATION      | 2.388           |
| OPEN SPACE/HOA LOTS | 10.181          |
| TOTAL               | 21.364          |

| PARCEL TABLE FOR VILLAGE 12 |        |                               |                                     |
|-----------------------------|--------|-------------------------------|-------------------------------------|
| PHASE                       | ZONING | MAX. NO. OF<br>LOTS PER PD 98 | PROPOSED NO. OF LOTS<br>(BUILDABLE) |
| VILLAGE 12                  | SF-10  | 39                            | 32                                  |

| MASTER PLAN FEATURES |                                                                                                                          |
|----------------------|--------------------------------------------------------------------------------------------------------------------------|
| Land Use Plan        | Denton Creek District                                                                                                    |
| Specific Plans       | Not within a Specific Area Plan                                                                                          |
| Urban Design Plan    | Denton Creek District                                                                                                    |
| Parks & Trails       | Denton Creek District                                                                                                    |
| Open Space Plan      | N/A                                                                                                                      |
| Thoroughfare Plan    | FM 1171 & US 377-Major Arterials, Canyon Falls Dr. & Denton Creek Blvd.-Urban Minor Arterials, St. Clair-Urban Collector |
| Water Plan           | Denton Creek District Service Area                                                                                       |
| Wastewater Plan      | Denton Creek District Service Area                                                                                       |

ENGINEER/SURVEYOR:  
J. VOLK CONSULTING, INC.  
830 CENTRAL PARKWAY EAST, SUITE 300  
PLANO, TX 75074  
972-201-3100  
RYAN.REYNOLDS@JVOLKCONSULTING.COM  
TBPLS FIRM NO. 10194033

OWNER:  
NASH CANYON FALLS, LLC  
10940 WEST SAM HOUSTON PARKWAY  
SUITE 300  
HOUSTON, TX 77064  
972-992-3159  
BCRAMER@NEWLANDCO.COM



# FLOWER MOUND, TEXAS

# HARDSCAPE AND LANDSCAPE TOWN SUBMITTAL

OCTOBER 28, 2019

| Sheet Number | Description                               |  |  |
|--------------|-------------------------------------------|--|--|
| L0.00        | Cover Sheet                               |  |  |
| L0.01        | Material Specifications                   |  |  |
| L1.01        | Village Layout Plan                       |  |  |
| L2.01        | Hardscape Plan                            |  |  |
| L2.02        | Trail Layout Plan                         |  |  |
| L3.01        | Grading Plan                              |  |  |
| L4.01        | Retaining Wall & Fence Details            |  |  |
| L4.02        | Concrete Trail Details                    |  |  |
| L5.01        | Landscape Plan                            |  |  |
| L5.02        | Plant Schedule & Planting Details         |  |  |
| L5.03        | Tree Mitigation/Upland<br>Habitat Summary |  |  |

|                                                                                                                         |                                                                                                                  |                                                                                                                                      |                                                                                                                                                |
|-------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Developer:</p> <p>Newland Communities<br/>4835 LBJ Freeway, Suite 475<br/>Dallas, Texas 75224<br/>(972) 370-5480</p> | <p>Landscape Architect:</p> <p>MESA<br/>2001 N Lamar St, Unit 100<br/>Dallas, Texas 75202<br/>(214) 871-0568</p> | <p>Civil Engineer:</p> <p>J Volk Consulting Inc.<br/>820 E Campbell Rd, Suite 120<br/>Richardson, Texas 75081<br/>(972) 201-3100</p> | <p>Structural Engineer:</p> <p>Don Illingworth &amp; Assoc., Inc.<br/>2401 Ave. J, Suite 206<br/>Arlington, Texas 76006<br/>(817) 649-1544</p> |
|-------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|

This map displays the proposed precinct boundaries for the Flower Mound area. The precincts are numbered as follows:

- 6a
- 6b
- 8
- 9
- 10A
- 10B
- 12 (highlighted in grey)
- 13
- 15A
- 16A
- 16B

Geographic labels include:

- NORTHLAKE
- FLOWER MOUND
- ARGYLE
- HWY 35
- FM 1171
- CANYON FALLS DR.
- FUTURE PARK
- U.S. 377

A scale bar indicates distances from 0 to 2000 feet, and a north arrow is located in the bottom right corner. The scale is 1" = 1000'-0".

MESA

[illegible]

**L0.00**



GENERAL NOTES:

3. WRITTEN DIMENSIONS PREVAIL OVER SCALED DIMENSIONS. NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES.  
THESE PLANS AND SPECIFICATIONS ARE SUBJECT TO MODIFICATION DURING CONSTRUCTION WHEN CONDITIONS  
REQUIRE THE DESIGN TEAM TO MAKE CHANGES. THE DESIGN TEAM'S RESPONSIBILITY IS TO APPROVE ALL MODIFICATIONS  
BEFORE THEY ARE SUBMITTED BY LOCAL JURISDICTION PRIOR TO CONSTRUCTION AND/OR IMPLEMENTATION.
4. PRIOR TO COMMENCEMENT OF WORK, THE CONTRACTOR SHALL REVIEW ALL PLANS AND SPECIFICATIONS AND THE JOB  
SITE. THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT OF ANY DISCREPANCIES THAT MAY REQUIRE  
MODIFICATION TO BE CORRECTED BEFORE CONSTRUCTION BEGINS. THE OWNER'S RESPONSIBILITY IS TO HAVE THE SURVEY  
LAID OUT AND STAKED IN FIELD FOR REVIEW BY LANDSCAPE ARCHITECT. CONTRACTOR SHALL ASSUME  
RESPONSIBILITY FOR ANY DEMOLITION, ADJUSTMENTS, OR RECONSTRUCTION RESULTING FROM UNAUTHORIZED  
CONSTRUCTION AND/OR MODIFICATIONS.
5. ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO  
CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER IF ANY DISCREPANCIES EXIST PRIOR TO  
CONSTRUCTION. THE CONTRACTOR SHALL NOT PROCEED WITH CONSTRUCTION UNTIL THE DISCREPANCIES ARE  
CORRECTED. THE CONTRACTOR SHALL BE RESPONSIBLE TO THE CONTRACTOR FOR REMEDIAL WORK DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE  
PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
6. THE CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONTRACTOR  
SHALL BE RESPONSIBLE FOR PROVIDING THE NECESSARY RESPONSIBILITY FOR JOB SITE CONDITIONS THROUGHOUT THE COURSE  
OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THIS REQUIREMENT SHALL  
BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. CONTRACTOR FURTHER  
AGREES TO MAINTAIN ACCESS TO ALL UTILITIES AND TO THE OWNERS' PROPERTY AT ALL TIMES. THE CONTRACTOR SHALL  
LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, ACCEPTING  
LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR DESIGN PROFESSIONAL.
7. THE CONTRACTOR SHALL PROVIDE ALL LIGHTS, SIGNS, BARRICADES, FLAG MEN, OR OTHER DEVICES NECESSARY TO  
PROVIDE FOR PUBLIC SAFETY.
8. EASEMENTS SETBACKS, BUILDINGS, CURB AND GUTTER, AND UNDERGROUND UTILITIES HAVE BEEN SUPPLIED TO MESA  
BY THE PROJECT CIVIL ENGINEER. REFER TO CIVIL ENGINEERS DRAWINGS FOR ADDITIONAL INFORMATION.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES, STRUCTURES  
AND LINE RUNS IN THE FIELD PRIOR TO CONSTRUCTION. ANY DAMAGE TO UTILITIES THAT ARE TO REMAIN SHALL  
BE REPAIRED IMMEDIATELY AT NO EXPENSE TO THE OWNER. MESA ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT  
SHOWN ON PLANS.
10. PRIOR TO STARTING CONSTRUCTION THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE SURE THAT ALL REQUIRED  
PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE  
CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF  
THE AFFECTED AGENCIES.
11. SITE CLEARING SHALL INCLUDE THE LOCATION AND REMOVAL OF ALL UNDERGROUND TANKS PIPIES, VALVES ETC. IF  
UNDERGROUND TANKS ARE ENCOUNTERED, THE OWNER /ARCHITECT SHALL BE NOTIFIED. UNDERGROUND TANKS WILL  
BE REMOVED OR ABANDONED IN ACCORDANCE WITH THE APPROPRIATE REGULATIONS.
12. PATCH/REPAIR ALL INTENTIONAL/UNINTENTIONAL DAMAGE TO EXISTING FACILITIES TO MATCH EXISTING.
13. ALL PROPOSED AND FINISHED GRADES ARE BASED ON INFORMATION PROVIDED BY THE OWNER'S SURVEYOR AND CIVIL  
ENGINEER. ANY DISCREPANCIES IN ACTUAL FIELD MEASUREMENTS ARE TO BE REPORTED TO THE LANDSCAPE  
ARCHITECT.
14. WHERE SOIL OR GEOLOGIC CONDITIONS ENCOUNTERED IN GRADING OPERATIONS ARE DIFFERENT FROM THOSE  
ANTICIPATED IN THE SOIL AND GEOLOGICAL INVESTIGATION REPORT, OR WHERE CONDITIONS WARRANT CHANGES TO  
THE RECOMMENDATIONS, THE CONTRACTOR SHALL STOP WORK IMMEDIATELY AND ADVISE THE DESIGN TEAM FOR THEIR  
APPROVAL AND SHALL BE ACCOMPANIED BY AN ENGINEER'S OPINION AS TO THE SAFETY OF THE SITE FROM THE  
POSSIBILITY OF LAND SLIPPAGE, SETTLEMENT AND SEISMIC ACTIVITY.
15. PROVIDE EROSION CONTROL MEASURES TO PREVENT EROSION OR DISPLACEMENT OF SOILS AND DISCHARGE OF SOIL  
BEARING WATER RUN-OFF OR RESIDUES TO ADJACENT PROPERTIES. CONTRACTOR SHALL COMPLY WITH NPDES  
PLAN FOR BEST MANAGEMENT PRACTICES.
16. CONTRACTOR IS RESPONSIBLE FOR ALL QUANTITIES PER DRAWINGS AND SPECIFICATIONS. ANY QUANTITIES PROVIDED  
ARE ONLY ESTIMATES. THE CONTRACTOR SHALL BE RESPONSIBLE TO BID THEIR OWN VARIOUS QUANTITIES.  
NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES.
17. ALL PEDESTRIAN SIDEWALKS AND TRAILS TO BE GRADED WITH MAX. 4% SLOPE & 2% CROSS SLOPE. NOTIFY  
LANDSCAPE ARCHITECT OF ANY FIELD COMPLICATIONS.
18. WORKMANSHIP AND QUALITY SHALL BE SUED TO ADJUDICATE PROPERTIES. CONTRACTOR SHALL FOLLOW THE WORKMANSHIP  
PATTERNS AND CURVILINEAR LAYOUT.
19. PROVIDE LIGHTNING PROTECTION: ALL WORK TO COMPLY WITH IBC, NEC AND NFPA CODES. ROD SHOULD PROVIDE  
A MINIMUM OF ONE ROD PER 100' OF GRADING OR PATIO TO GROUND. PROVIDE 1" COPPER CLAD STEEL WIRE  
GROUND ROUNDS SET 2' AWAY FROM THE BUILDING AND BURIED - INCLUDING CONNECTIONS (VERIFY CODE). CONNECT  
ANY ON-SITE ELECTRIC SERVICE GROUNDS WITH THE LIGHTNING ROD SYSTEM. PROVIDE SURGE RESISTANCE FOR  
TELEPHONE AND CABLE DISTRIBUTION.
20. SITE GRADING SHALL BE PERFORMED IN ACCORDANCE WITH THESE PLANS & SPECIFICATIONS AND THE  
RECOMMENDATIONS SET FORTH IN THE GEOTECHNICAL REPORT REFERENCED IN THIS PLAN SET. THE CONTRACTOR  
SHALL BE RESPONSIBLE FOR REMOVING & REPLACING ALL SOFT, YIELDING OR UNSUITABLE MATERIALS AND REPLACING  
WITH COMPACTED MATERIAL. MATERIAL SHALL BE REPLACED TO A MINIMUM OF 12" BELOW THE FINISHED GRADE. ALL AREAS  
COMPACTED TO 95% OF MODIFIED PROCTOR MAXIMUM DRY WEIGHT PER A.S.T.M. TEST D-598. MOISTURE CONTENT AT TIME  
OF PLACEMENT SHALL NOT EXCEED 2% ABOVE, OR 3% BELOW OPTIMUM PER A.S.T.M. TEST D-598. CONTRACTOR SHALL SUBMIT A COMPACTION  
TEST REPORT TO THE LANDSCAPE ARCHITECT. VERIFY THAT ALL FILLED AREAS AND SUBGRADE AREAS WITHIN THE BUILDING PAD AREA AND AREAS  
TO BE PAVED HAVE BEEN COMPACTED IN ACCORDANCE WITH THESE PLANS AND SPECS AND THE RECOMMENDATIONS  
SET FORTH IN THE GEOTECHNICAL REPORT.
21. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLIANCE WITH THESE PLANS AND SPECIFICATIONS AND THE REQUIREMENTS  
AND STANDARDS OF THE LOCAL GOVERNING AUTHORITY. THE GEOTECHNICAL REPORT AND RECOMMENDATIONS  
SETFORTH THEREIN ARE A PART OF THE REQUIRED CONSTRUCTION DOCUMENTS AND IN CASE OF CONFLICT SHALL  
PREVAILE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS. THE CONTRACTOR SHALL NOTIFY  
ARCHITECT OF ANY DISCREPANCY BETWEEN GEOTECHNICAL REPORT & PLANS.

## CONCRETE NOTES:

1. CAST-IN PLACE CONCRETE SHALL MEET THE FOLLOWING REQUIREMENTS:
  - ALL CONCRETE SHALL BE MINIMUM 5,000 PSI COMPRESSIVE STRENGTH AT 28 DAYS
  - AGGREGATES: ASTM C33, MAXIMUM 3/4" IN SIZE, UNLESS OTHERWISE SPECIFIED
  - SUMP: 3 TO 5 INCHES
  - AIR CONTENT: 4 TO 6 PERCENT BY VOLUME
2. FOR LARGE VEHICULAR LOAD AREAS REFER TO CIVIL ENGINEER DRAWINGS FOR SPECIFICATIONS.
3. CONCRETE THICKNESS:
  - PEDESTRIAN AREAS = 4" THICK
  - ALL OTHER CONCRETE COMPONENTS INSTALL PER SIZE SPECIFIED IN DRAWING DETAILS.
4. CONCRETE REINFORCING:
  - 4" THICK SIDEWALK PAVING: #3s AT 18" O.C.E.W. UNLESS NOTED OTHERWISE IN DRAWING DETAILS.
  - 6" THICK SIDEWALK PAVING: #4s AT 18" O.C.E.W. UNLESS NOTED OTHERWISE IN DRAWING DETAILS.
  - ALL OTHER CONCRETE COMPONENTS REINFORCEMENT TO BE INSTALLED AS SPECIFIED IN DRAWING DETAILS.
5. CONTROL JOINTS (TROWEL OR SAW CUT) TO BE PLACED AS INDICATED ON PLANS TO A MINIMUM DEPTH OF 1/8 OF CONCRETE THICKNESS. SAW CUT JOINTS TO BE EXECUTED WITHIN 12 HOURS OF CONCRETE PLACEMENT.
6. EXPANSION JOINTS:
  - PLACE AT A MAXIMUM SPACING OF 30' O.C. AND COORDINATE WITH OVERALL PAVING PATTERN AND CONTROL JOINTS OR AS INDICATED ON PLANS.
  - PROVIDE DOWELS AS SPECIFIED IN DRAWING DETAILS
7. CONCRETE FINISHES TO BE PER DRAWING DETAILS AND SPECIFICATIONS.
8. VILLAGE BASE CONCRETE PAVING IS INTEGRAL COLOR TO BE DETERMINED, 4,000 PSI CONCRETE MIX 3/8" DIA. OR LESS WHITE LIMESTONE AGGREGATE AND BASIC SAND; CONTRACTOR TO SUBMIT CONCRETE MIX SPECIFICATIONS FROM SUPPLIER.

### PLANTING NOTES:

1. LANDSCAPE CONTRACTOR SHALL STAKE OUT LOCATIONS OF ALL TREES TO BE PLANTED FOR REVIEW BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. LANDSCAPE ARCHITECT RESERVES THE RIGHT TO ADJUST TREE LOCATIONS IF THE CONTRACTOR'S PROPOSED LOCATIONS ARE NOT IDEAL.
2. ALL PLANTING BEDS SHALL BE STAKED FOR REVIEW BY LANDSCAPE ARCHITECT PRIOR TO EXCAVATION AND/OR BED PREPARATION.
3. LANDSCAPE CONTRACTOR TO INSTALL STEEL EDGING BETWEEN PLANTING BEDS, LAWNS, NATIVE GRASS AREAS AND GRAVEL AREAS.
4. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UNDERGROUND UTILITIES, PIPES, STRUCTURES, AND LINE RUNS IN THE FIELD PRIOR TO THE INSTALLATION OF ANY PLANT MATERIAL.
5. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS AND/OR APPROVALS FROM THE SITE WHICH PROHIBITS INSTALLATION AS SHOWN ON THE DRAWINGS.
6. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ALL COORDINATION WITH OTHER CONTRACTORS ON SITE AS REQUIRED BY THE DRAWINGS.
7. ALL TREES TO BE PRUNED AT INSTALLATION TO REMOVE DEAD AND UNSIGHTLY LIMBS. ALL TREES ARE TO MATCH IN HEIGHT, SPREAD, AND CLEAR TRUNK AND SHALL HAVE STRAIGHT TRUNKS.
8. ALL PLANT MATERIAL TO BE GUARANTEED FOR A PERIOD OF ONE YEAR FROM SUBSTANTIAL COMPLETION AND ACCEPTANCE BY THE OWNER.
9. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AND MUST BE REPLACED WITH PLANT MATERIAL OF SAME VARIETY AND SIZE IF DAMAGED, DESTROYED, DEAD AND/OR REMOVED.
10. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR FINE GRADING AND REMOVAL OF DEBRIS PRIOR TO PLANTING IN ALL AREAS.
11. FINAL FINISHED GRADING SHALL BE REVIEWED BY THE LANDSCAPE ARCHITECT. CONTRACTOR IS RESPONSIBLE FOR ANY ADDITIONAL TOPSOIL REQUIRED TO CREATE A SMOOTH CONDITION SUITABLE FOR PLANTING. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE PROVIDED FOR ALL PLANTING AREAS. OVERSPRAY ON STREETS AND WALKS IS PROHIBITED.
12. ALL QUANTITIES LISTED IN THE DRAWINGS ARE FOR INFORMATION ONLY. IT IS THE CONTRACTORS RESPONSIBILITY TO OBTAIN ALL MATERIALS NECESSARY TO PROVIDE ALL MATERIALS NECESSARY FOR FULL COVERAGE IN ALL PLANTING AREAS AS SPECIFIED ON THE DRAWINGS.
13. A FULLY AUTOMATED IRRIGATION SYSTEM SHALL BE PROVIDED FOR ALL PLANTING AREAS AND IN OPERATION PRIOR TO INSTALLATION OF ANY PLANT MATERIAL OTHER THAN CANOPY TREES.
14. THE LATEST EDITION OF "AMERICAN STANDARD FOR NURSERY STOCK" AS APPROVED BY THE AMERICAN NATIONAL STANDARDS INSTITUTE, INC. CALIPER SIZE OF CANOPY TREES ARE TO BE MEASURED PER LOCAL CITY LANDSCAPE ORDINANCE.
15. ALL PLANT MATERIAL SHALL CONFORM TO THE SIZE SPECIFICATIONS (CALIPER, HEIGHT AND SPREAD) GIVEN IN THE PLANT SCHEDULE AND SHALL BE NURSERY GROWN UNLESS SPECIFIED OTHERWISE. ALL PLANTING TO BE IN ACCORDANCE WITH THE LATEST EDITION OF AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS. ANY PLANT SUBSTITUTION SHALL BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO PURCHASE.
16. TREES OVERHANGING PRIVATE DRIVEWAYS, DRIVE ALLEYS, DRIVE LINES, TREES OVERHANGING PRIVATE STREETS, WALKWAYS AND PARKING LOTS SHALL HAVE A MINIMUM CLEAR TRUNK HEIGHT OF SEVEN (7) FEET.
17. TREES OVERHANGING PRIVATE DRIVEWAYS, DRIVE ALLEYS, DRIVE LINES, TREES OVERHANGING PRIVATE STREETS, WALKWAYS AND PARKING LOTS SHALL BE PRUNED TO A MINIMUM CLEAR TRUNK HEIGHT OF SEVEN (7) FEET FOR EACH TREE PRIOR TO INSTALLATION. IF TREE DOES NOT DRAIN WITHIN A 24 HOUR PERIOD, THE CONTRACTOR WILL BE REQUIRED TO PROVIDE A GRAVEL SUMP, FILTER FABRIC AND STAND PIPE. ALL TREE PIT SUMPS SHALL BE INCLUDED IN THE CONTRACTORS BASE BID AS A UNIT PRICE AND PROVIDED AS A DEDUCT ALTERNATE PER TREE PIT SUMPS NOT REQUIRED TO BE PROVIDED.
18. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ANY COORDINATION WITH OTHER CONTRACTORS ON SITE AS REQUIRED TO ACCOMPLISH ALL PLANTING OPERATIONS.
19. LANDSCAPE CONTRACTOR SHALL REVIEW SITE ENVIRONMENTAL CONDITIONS PRIOR TO AND DURING INSTALLATION OF PLANT MATERIAL. ANY DISCREPANCIES OR CONCERNS BETWEEN THE ENVIRONMENTAL SITE CONDITIONS (IE. SOIL TYPE, WATER, CLIMATE, WIND, SUN EXPOSURE ETC.) AND THE PLANT MATERIAL SPECIFIED WITHIN THE DRAWINGS SHALL BE REPORTED TO THE LANDSCAPE ARCHITECT AND/OR OWNER AND SHALL BE DOCSU IN WRITING. AT THIS TIME, CONTRACTOR CAN PROVIDE SUGGESTIVE SOLUTIONS OR AN ALTERNATIVE PLANT MATERIAL FOR SUBSTITUTION. LANDSCAPE ARCHITECT TO REVIEW CONDITIONS AN INFORMATION SUBMITTED BY CONTRACTOR AND WILL ISSUE A DIRECTIVE. SHOULD PLANT MATERIAL DIE BECAUSE OF ENVIRONMENTAL CONDITIONS DESCRIBED ABOVE, THE LANDSCAPE CONTRACTOR ASSUMES ALL WARRANTY AND GUARANTY OF THE PLANT MATERIAL INSTALLED.

### UTILITY NOTES:

1. EXISTING UTILITIES ALREADY IN PLACE ARE TO BE PROTECTED FROM DAMAGE. ANY DAMAGE TO EXISTING UTILITIES SHALL BE PROMPTLY REPAIRED AT CONTRACTOR'S EXPENSE.
2. THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ANY AND ALL DAMAGE TO EXISTING STRUCTURES AND/OR UTILITIES DURING CONSTRUCTION. PROPER REPAIR SHALL BE DONE TO THE SATISFACTION OF THE APPROPRIATE UTILITY COMPANY.
3. TEMPORARY REPAIRS TO ALL TRENCHES WITHIN THE TRAVELED WAY ON EXISTING ROADS SHALL BE MADE WITHIN TWENTY-FOUR (24) HOURS OF TRENCH OPENING. MINIMUM TEMPORARY REPAIRS SHALL CONSIST OF BACKFILLING AND COMPACTING 6" OF AGGREGATE BASE AND 1" OF TEMPORARY ASPHALTIC SURFACING.
4. MINIMUM COVER FOR CONDUITS SHALL BE 36" UNLESS OTHERWISE SHOWN OR NOTED ON THESE PLANS.
5. EXISTING UNDERGROUND FACILITIES AS SHOWN ARE APPROXIMATE ONLY AND WERE OBTAINED FROM AVAILABLE UTILITY RECORDS. HOWEVER, THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THEIR ACCURACY OR COMPLETENESS. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT ALL LOCAL UTILITIES AND TO HAVE ALL FACILITIES LOCATED AND EXPOSED TO VERIFY THE CLEARANCE OF NEW PIPE LINE CROSSINGS BEFORE CONSTRUCTION OF NEW PIPE LINES COMMENCES.
6. ANY RELOCATION OF PUBLIC UTILITIES SHALL BE DONE IN ACCORDANCE WITH ANY AND ALL REQUIREMENTS OF THE UTILITY COMPANY AND WITH REGARD TO THE REQUIRED FEES, BONDS, PERMITS, WORKING CONDITIONS, ETC. OF SAID COMPANY.
7. ABANDONED UNDERGROUND STRUCTURES ENCOUNTERED SHALL BE REMOVED TO SUFFICIENT DEPTH TO ALLOW UNDERGROUND LINES TO CROSS.
8. PRIOR TO FINAL PREPARATION OF THE SUBGRADE AND PLACEMENT OF BASE MATERIAL, ALL UNDERGROUND UTILITY MAINS SHALL BE INSTALLED AND SERVICE CONNECTIONS STUBBED OUT BEYOND CURB LINE. SERVICES FROM PUBLIC UTILITIES AND SANITARY SEWERS SHALL BE MADE IN A MANNER AS WILL MINIMIZE THE DISTURBANCE OF STREET PAVEMENT AND SIDEWALK, CURB AND GUTTER WHEN THE SERVICE CONNECTIONS ARE MADE.
9. ALL MANHOLES, VALVES, AND MONUMENT FRAMES SHALL BE SET TO FINISH GRADE AFTER PAVING.
10. COMPACTION TESTS SHALL BE PERFORMED ON ALL TRENCHES AND STREET WORK TO VERIFY THAT COMPACTION CONFORMS TO LOCAL STANDARDS. ALL TESTING SHALL BE AT THE CONTRACTOR'S EXPENSE.
11. THE CONTRACTOR SHALL COMPLY WITH THE RULES AND REGULATIONS OF THE STATE CONSTRUCTION SAFETY ORDERS. TRENCHES SHALL BE SHORED IN ACCORDANCE WITH OSHA, STATE AND LOCAL SAFETY CODES AND ORDINANCES.
12. UTILITY ROUTING SHOWN IS DIAGRAMMATIC. COORDINATE WITH UTILITY COMPANIES FOR ACTUAL ROUTING OF UTILITIES.
13. PRIOR TO THE CONSTRUCTION OF OR CONNECTION TO ANY STORM DRAIN, SANITARY SEWER, WATER MAIN OR ANY OF THE DRY UTILITIES, THE CONTRACTOR SHALL EXCAVATE, VERIFY AND CALCULATE ALL POINTS OF CONNECTION AND ALL UTILITY CROSSINGS AND INFORM THE OWNER/DEVELOPER OF ANY CONFLICT OR REQUIRED VARIATIONS FROM THE PLAN. NOTIFICATION SHALL BE MADE A MINIMUM OF 48 HOURS PRIOR TO CONSTRUCTION. OWNER/DEVELOPER AND ARCHITECT SHALL BE HELD HARMLESS IN THE EVENT THAT THE CONTRACTOR FAILS TO MAKE SUCH NOTIFICATION.
14. ALL FILL, COMPACTION, AND BACKFILL MATERIALS REQUIRED FOR UTILITY INSTALLATIONS SHALL BE COORDINATED WITH THE APPLICABLE UTILITY COMPANY SPECIFICATIONS.
15. ALL UTILITY DISCONNECTIONS SHALL BE COORDINATED WITH THE DESIGNATED UTILITY COMPANIES.

### GRADING NOTES:

1. WRITTEN DIMENSIONS AND GRADES PREVAIL OVER SCALED DIMENSIONS. NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING HIMSELF FAMILIAR WITH ALL UNDERGROUND UTILITIES, PIPES, STRUCTURES AND LINE RUNS.
3. MESA DESIGN GROUP ASSUMES NO RESPONSIBILITY FOR ANY EXCAVATION OR GRADING SHOWN ON SURVEYS OR CIVIL ENGINEERING DRAWINGS. UNPROCESSED AND FINISHED GRADES ARE BASED ON INFORMATION PROVIDED BY THE OWNER'S SURVEY AND/OR CIVIL ENGINEER. ANY DISCREPANCIES IN FIELD MEASUREMENTS ARE TO BE REPORTED TO THE LANDSCAPE ARCHITECT AND/OR CIVIL ENGINEER IMMEDIATELY.
4. CONTRACTOR TO REVIEW ALL PLANS, SPECIFICATIONS, DRAWINGS AND SPECIFICATIONS. ANY QUANTITIES DETERMINED BY MESA DESIGN GROUP ARE PROVIDED FOR CONVENIENCE ONLY AND SHALL NOT BE CONSIDERED. ABSOLUTE LANDSCAPE ARCHITECT SHOULD BE NOTIFIED OF ANY GRADING DISCREPANCIES. CONTRACTORS ARE TO BID THEIR OWN VERIFIED QUANTITIES.
5. CONTRACTOR TO ENSURE ALL LANDSCAPE AREAS HAVE POSITIVE DRAINAGE AWAY FROM THE BUILDING AND OUT OF PLANTING BEDS.

## IRRIGATION NOTES:

1. ALL LANDSCAPE PLANTING AREAS ARE TO BE IRRIGATED BY A FULLY AUTOMATED IRRIGATION SYSTEM UNLESS OTHERWISE NOTED. REFER TO DRAWINGS FOR FURTHER INFORMATION.
2. IRRIGATION SYSTEM TO PROVIDE 100% COVERAGE OF ALL LANDSCAPE PLANTINGS.
3. SHRUB AND GROUND COVER AREAS TO BE IRRIGATED WITH EITHER 12" SPRAY POP-UPS AND/ OR A LANDSCAPE DRIPLINE SYSTEM.
4. REFER TO IRRIGATION SYSTEM DRAWINGS AND SPECIFICATIONS. IF IRRIGATION SYSTEM DRAWINGS AND SPECIFICATIONS ARE NOT INCLUDED, LANDSCAPE CONTRACTOR TO PROVIDE DESIGN BUILD IRRIGATION SYSTEM PLANS.

**MATERIAL LEGEND:**

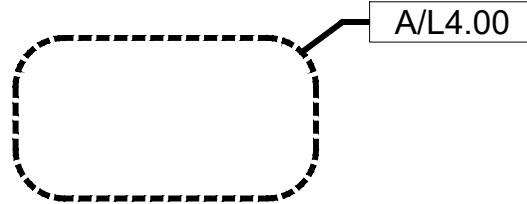
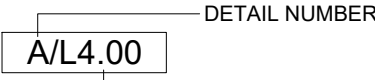
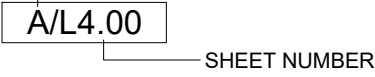
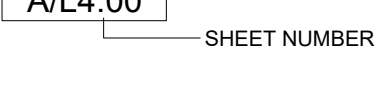
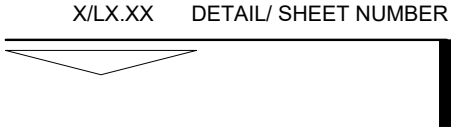
## CONCRETE PRODUCTS

C-1 CONCRETE

MANUFACTURER: LOCAL

PRODUCT: STANDARD GRAY CONCRETE; 3600 PSI; LIGHT BROOM FINISH

### SYMBOLS LEGEND:

|                                                                                            |                                |
|--------------------------------------------------------------------------------------------|--------------------------------|
|         | CENTER LINE                    |
|         | LIMIT OF WORK                  |
|         | MATCHLINE                      |
|  P.O.B. | POINT OF BEGINNING/ WORK POINT |
|         | ENLARGEMENT REFERENCE          |
|         | DETAIL NUMBER                  |
|         | DETAIL REFERENCE               |
|         | SHEET NUMBER                   |
|         | ELEVATION REFERENCE            |
|         | SECTION REFERENCE              |
|         | MATERIAL REFERENCE             |

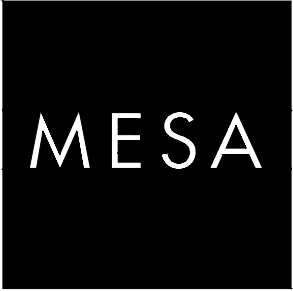
2001 N Lamar St  
Unit 100

Dallas, Texas 75202

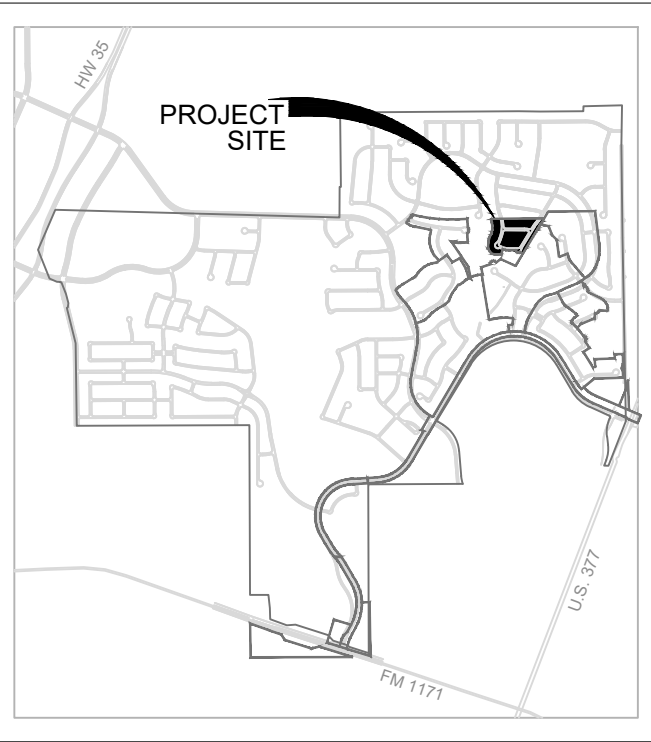
214.871.0568 tel

214.871.1507 fax

mesadesigngroup.com



## Vicinity Map



## VILLAGE 12

## Flower Mound, Texas

Project No: 12094

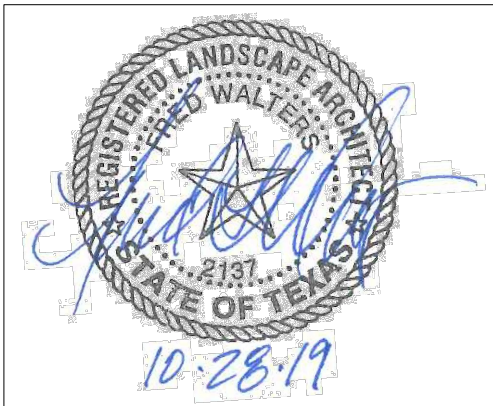
### Issue Title

## HARDSCAPE AND LANDSCAPE

## TOWN SUBMITTAL

Issue Date: 10.28.2019

## Seal



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### Issue / Addenda / Revisions

[illegible]

**Drawing Title**

## Village 12: Material Specifications

## Sheet No.

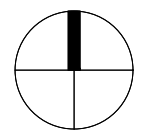
# L0.01



A map showing the project site location. The site is a small, dark-shaded area. It is situated near Highway 98 (top left), Highway 377 (bottom right), and Highway 117 (bottom center). A label 'PROJECT SITE' with an arrow points to the shaded area.

[illegible]

# L1.01



0 25 50 100

SCALE: 1" = 50'-0"

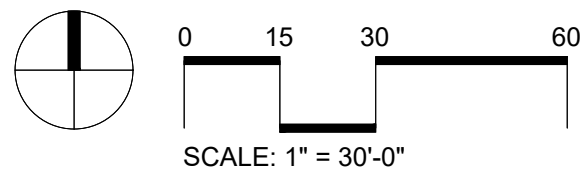
L1.01



A map showing the project site location. The site is a small, dark-shaded area. It is situated near Highway 98 (top left), Highway 377 (bottom right), and Highway 117 (bottom center). A label 'PROJECT SITE' with an arrow points to the shaded area.

[illegible]

## L2.01



Scale: 1" = 30'-0"

L2.01



A map of the Project Site area. The map shows a network of roads: FM 150 running horizontally at the top, US 377 running diagonally from the bottom right towards the center, and FM 1371 running horizontally at the bottom. A black rectangle highlights a specific area at the intersection of FM 150 and US 377. A black arrow points from the text 'PROJECT SITE' to this highlighted area. The surrounding area is filled with a light gray pattern representing a residential or developed area.

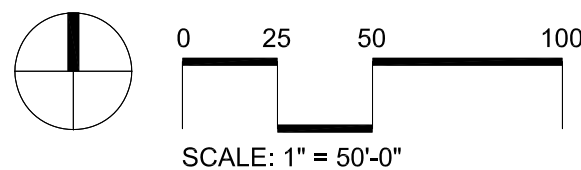
[illegible]

## L2.02



[illegible]

## L2.03



Scale: 1" = 50'-0"

L2.03



A map showing the project site location. The project site is a small, dark-shaded area in the upper right quadrant of the map. It is situated near Highway 38 (top left), Highway 377 (bottom right), and Highway 1171 (bottom center). The map shows a network of roads and surrounding land parcels.

[illegible]

# L3.01



A map showing the project site location. The site is a small, dark-shaded rectangular area. It is situated near the intersection of Highway 98 (running vertically on the left) and U.S. 97 (running diagonally from the bottom right towards the top right). FM 1127 runs horizontally along the bottom edge of the site. A large, curved arrow points from the text 'PROJECT SITE' to the shaded area.

# L4.01

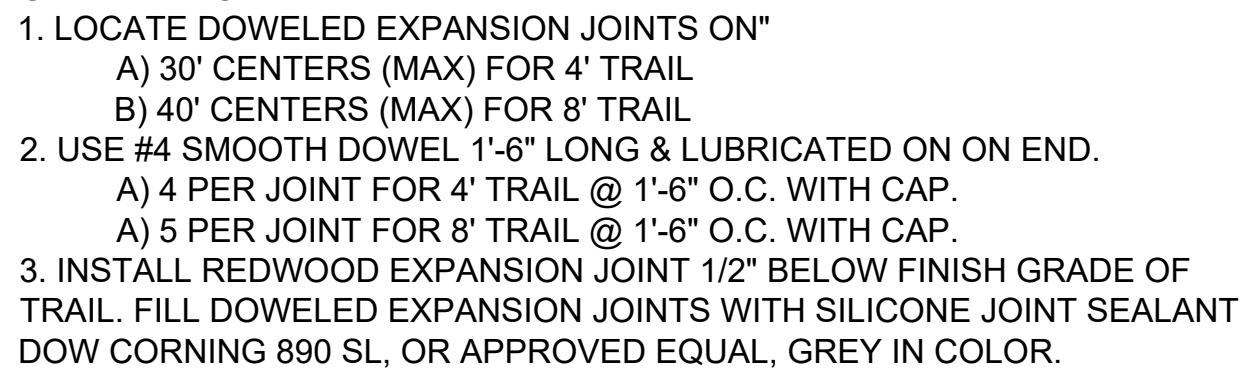
## L4.01



A map showing the location of the Project Site. The site is a small, dark-shaded area. It is located near the intersection of Highway 35 (labeled 'Hwy 35') and Highway 397 (labeled 'U.S. 397'). A road labeled 'FM 1171' runs along the bottom of the map. The project site is situated to the north of FM 1171 and to the west of Highway 397. A large, light-colored area represents the project site's boundary, with a smaller, dark-shaded area within it indicating the specific project location. A label 'PROJECT SITE' with an arrow points to this dark-shaded area.

[illegible]

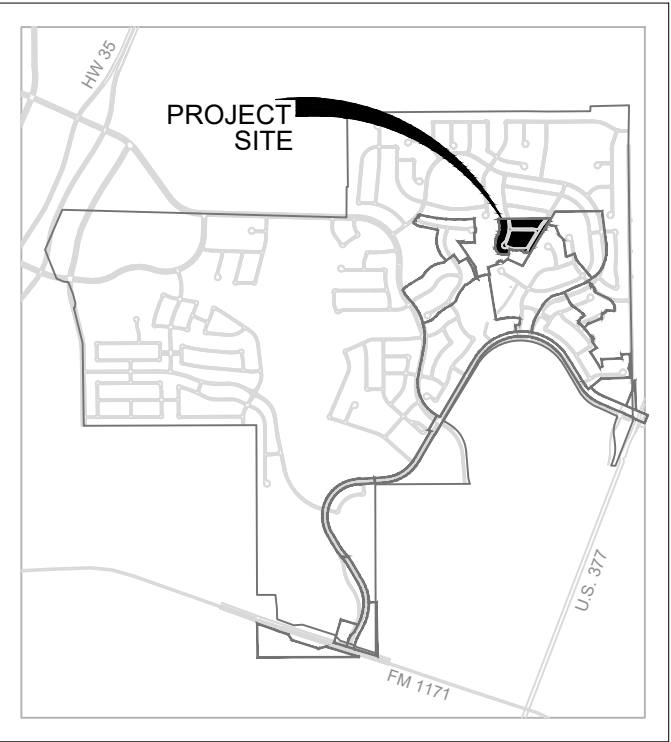
## L4.02



## L4.02



### Vicinity Map



## Project No: 12094

Issue Date: 10.28.2019

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[illegible]

## L5.01







L5.02



L5.02



L5.02

## A

L5.02



L5.02





## **PLANNING AND ZONING COMMISSION**

### **AGENDA ITEM NO: 3**

#### **REGULAR ITEM**

---

**DATE:** January 13, 2019

**FROM:** Chuck Russell, Principal Planner

**ITEM:** **Public hearing to consider a request for a Replat (RP19-0007 – Twin Coves Estates Lot 24R, Block A) to create a residential lot. The property is generally located west of Shoreline Drive and south of Wichita Trail.**

---

#### **I. ITEM SUMMARY**

This application has been reviewed by DRC and determined to be ready for consideration by the Planning and Zoning Commission. There are no outstanding issues.

This application will require final action by the Planning and Zoning Commission.

#### **II. APPLICATION ANALYSIS**

The purpose of this replat is to combine three distinct parcels of land into one residential lot. The subject parcels are as follows:

1. On the north side of the subject property is a remainder of an existing platted lot (Lot 24) containing 0.10 acres or approximately 4,500 square feet.
2. On the south side of the subject property is Lot 22R containing 0.412 acres or approximately 18,000 square feet. An existing home and accessory buildings are located on this lot which was created via a replat combining two smaller lots in 2006.
3. Bisecting the above-mentioned lots is an unnamed/unused section of "right-of-way" that has existed on paper since 1954 prior to Twin Coves Estates being annexed into the Town. Staff has determined that the unimproved land has essentially been used by the property owner as a part of their lot for decades and can be incorporated into the proposed lot via the platting process.

The proposed lot will contain 0.62 acres or 26,999 square feet. The property is located within Single-Family District-10 (SF-10) zoning which requires a minimum lot size of 10,000 square feet. Access to the proposed lot will continue to be from Shoreline Road. The proposed replat provides for all required setbacks and easements.

#### **III. CORRESPONDENCE**

The Town Code requires public notice in a newspaper of general circulation (Denton Record Chronicle). At the time this report was written, staff had not received any correspondence regarding this item. In addition to the public notice in a newspaper of



general circulation, the Town requires notification to property owners within 200 feet of the subject property upon approval by the Planning and Zoning Commission. If RP19-0007 – Twin Coves Estates Lot 24R, Block A is approved, a total of 20 Property Owner Notifications will be mailed.

#### **IV. ATTACHMENTS**

##### **A. Background Information**

1. Vicinity Map
2. Letter of Intent

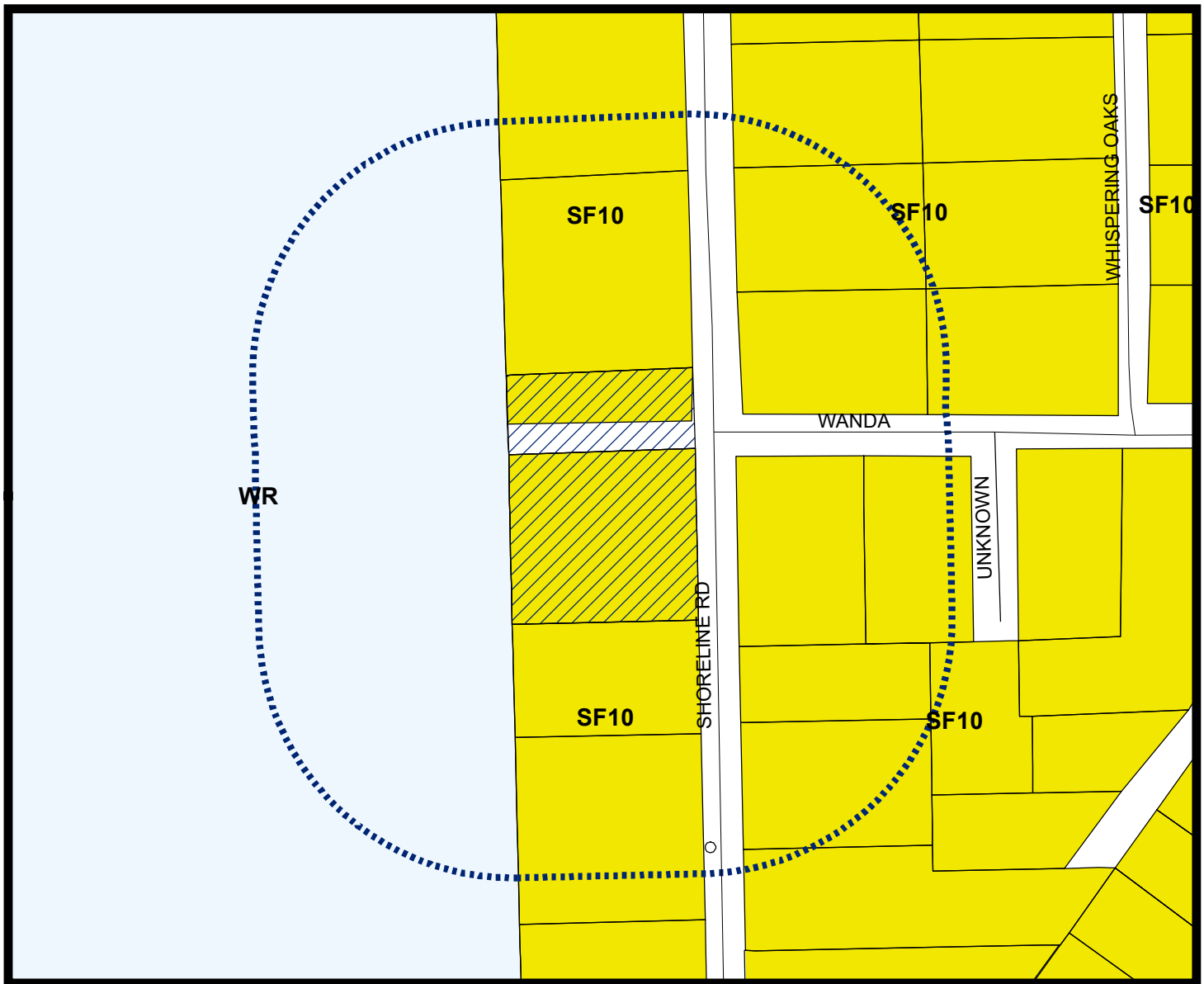
##### **B. Application Details**

1. Replat Package



# Vicinity Map

Reference Project: RP19-0007



## LEGEND

Single Family 10

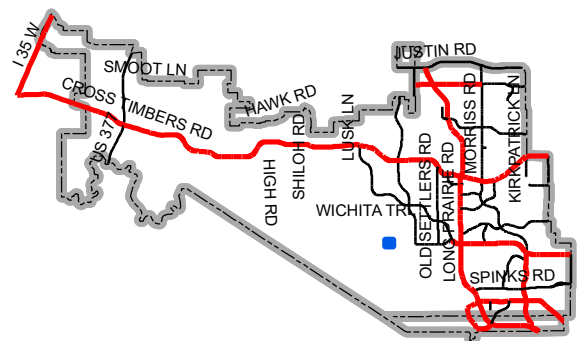
Water Recreation

Subject Property

200 ft Notification Buffer around Property



0 90 180 360 Feet



Map Location



Friday, June 28, 2019  
Twin Cove Estates Subdivision  
Town of Flower Mound, Denton County, Texas  
Page 1 of 1



Letter of Intent:

To Whom It May Concern:

Regarding Twin Cove Estates Subdivision, we are proposing a Replat of a tract of Lot 24 and 22R, Block A, Twin Cove Estates, an addition to the Town of Flower Mound and an unnamed 30' right of way, being a total of 0.620 acres of land conveyed to Robin and Lori Powers by deed recorded in Instrument Number 2006-75827, Deed Records, Denton County, Texas.

There are no public improvements being proposed to the proposed lot at this time.

The two existing lots are being proposed to merge with an unnamed right of way. The existing zoning is Single Family 10.

These proposed lot sizes are as follows:

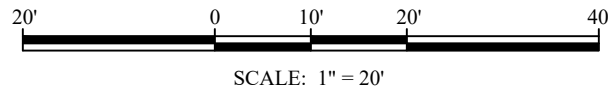
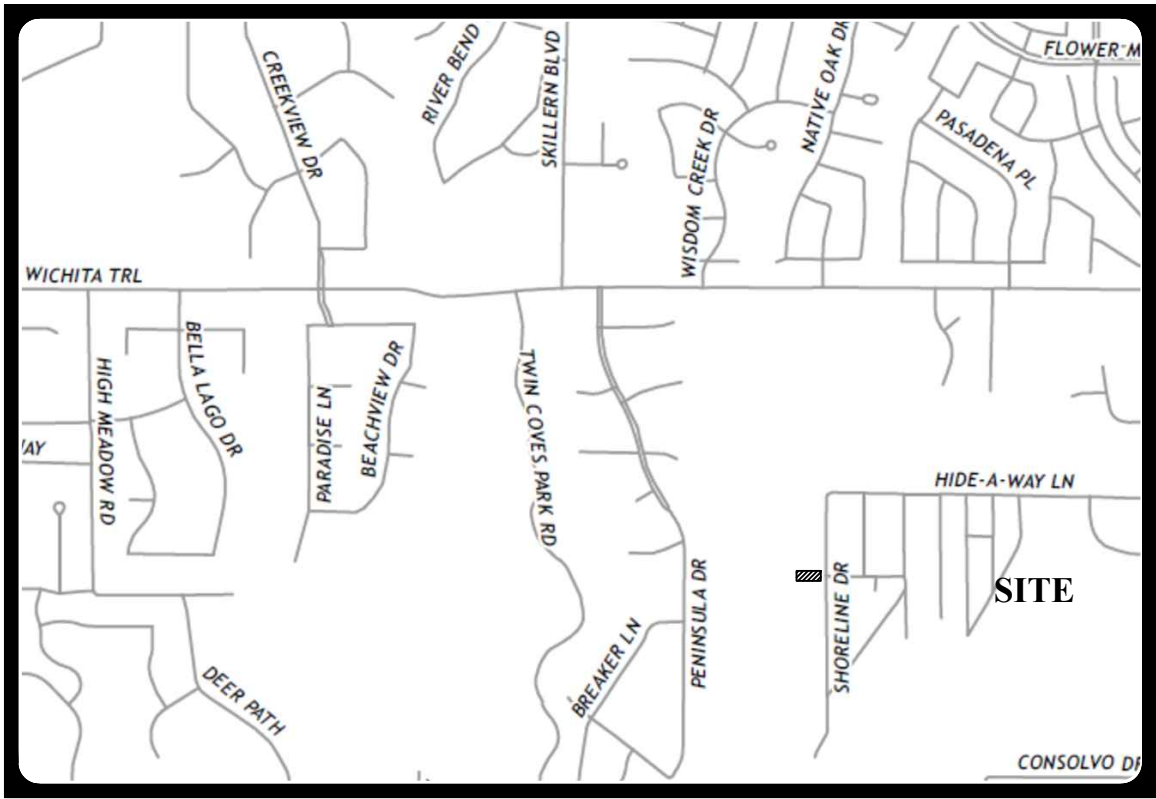
Lot 24R, Block A – 26,999 square feet or 0.620 acres. There is an existing home on the existing Lot 22R, however there are only minor improvements on the rest of the lot.

Throughout the process of platting, we appreciate all the help that goes into making this project as smooth and compete as possible. Please contact me if you have any questions, comments or concerns.

A handwritten signature in black ink, appearing to read "Grayson CeBallos". The signature is fluid and cursive, with the first name "Grayson" and last name "CeBallos" clearly distinguishable.

Grayson CeBallos  
Project Manager  
Windrose Land Services  
grayson.ceballos@windorseservices.com  
972-370-5871 – Direct  
214-217-2544 - Main

VICINITY MAP  
NOT TO SCALE



SURVEYOR'S NOTES:

- Bearings and distances are based on Texas State Plane Coordinate System, Texas North Central Zone 4202 North American Datum of 1983 (NAD 83) (U.S. Foot) with a combined scale factor of 1.000150630.
- This property lies within Zone "X" Unshaded of the Flood Insurance Rate Map for Denton County, Texas and Incorporated Areas, map no. 48121C0540G, dated April 18, 2011, via scaled map location and graphic plotting.
- Notice: Selling a portion of this addition by metes and bounds is a violation of City subdivision ordinance and state platting statutes and is subject to fines and withholding of utilities and building certificates.
- The purpose of this plat is to combine two previously recorded lots with an unused road.
- This property is zoned Single-Family District-10 (SF-10).

UNITED STATES ARMY  
CORPS OF ENGINEERS  
GRAPEVINE LAKE

1/2" REBAR CAPPED "3963"  
FOUND (C.M.)  
GRID NORTHING = 7054919.8150  
GRID EASTING = 2397913.3910

LOT 26R, BLOCK A  
TWIN COVES ESTATES  
CAB. V, PG. 621  
P.R.D.C.T.

LOT 27R, BLOCK A  
TWIN COVES ESTATES  
CAB. V, PG. 621  
P.R.D.C.T.

Notary Public in and for the State of Texas

LOT 13, BLOCK C  
TWIN COVES ESTATES  
CAB. A, PG. 17  
P.R.D.C.T.

LOT 14, BLOCK C  
TWIN COVES ESTATES  
CAB. A, PG. 17  
P.R.D.C.T.

LOT 24, BLOCK A  
TWIN COVES ESTATES  
CAB. A, PG. 17  
P.R.D.C.T.

UNNAMED 30' RIGHT OF WAY  
(AS SHOWN ON INST. NO. CAB.  
A, PG. 17, P.R.D.C.T.)

LOT 24R, BLOCK A  
26,999 SF  
0.620 Acres

LOT 22R, BLOCK A  
TWIN COVES ESTATES  
SUBDIVISION  
INST. NO. 2012-144  
P.R.D.C.T.

LOT 19, BLOCK B  
TWIN COVES ESTATES  
CAB. A, PG. 17  
P.R.D.C.T.

LOT 18, BLOCK B  
TWIN COVES ESTATES  
CAB. A, PG. 17  
P.R.D.C.T.

SHORELINE ROAD  
(30' R.O.W.)

WANDA LANE  
(30' R.O.W.)

APPROVED:

TOWN OF FLOWER MOUND  
PLANNING AND ZONING COMMISSION

Perfecto Solis, Chairman  
Planning and Zoning Commission

Lexin Murphy  
Director of Development Services

Date \_\_\_\_\_, 20\_\_

SIGNED AND SEALED:  
TOWN OF FLOWER MOUND

Theresa Scott, Town Secretary  
Town of Flower Mound



OWNER/DEVELOPER

Robin and Lori Powers  
2044 Breezywood,  
Flower Mound, Texas 75022

DRAWN BY: G.L.C. DATE: 03/11/2019 CHECKED BY: T.M. JOB NO.: 2019.3.121

Owners Certificate

STATE OF TEXAS §

COUNTY OF DENTON §

WHEREAS Robin and Lori Powers are the owners of a 0.619 acre tract of land situated in the J. Ruiz Survey, Abstract Number 1064, being all of Lot 24, Block A of Twin Coves Estates, an addition to the Town of Flower Mound, as recorded in Cabinet A, Page 17, Plat Records, Denton County, Texas also being all of Lot 22R, Block A, Twin Coves Estates, an addition to the Town of Flower Mound, as recorded in Instrument Number 2012-144, Plat Records, Denton County, Texas, also being an abandoned unnamed 30 foot right of way and being more particularly described by metes and bounds as follows: (Bearings and Distances are based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983 (NAD83) (US Foot) with a combined scale factor of 1.000150630);

BEGINNING at a 1/2 inch rebar found for the southeast corner of Lot 26R, Block A, Twin Coves Estates, an addition to the Town of Flower Mound, as recorded in Cabinet V, Page 621, Plat Records, Denton County, Texas same being the northeast corner of said Lot 24, and lying on the west right of way line of Shoreline Road (30 foot right of way);

THENCE South 00 degrees 52 minutes 46 seconds East with the west right of way line of said Shoreline Road, a distance of 180.33 feet to a 1/2 inch rebar capped "ASC" set for the northeast corner of Lot 20R, Block A of said second referenced Twin Coves Estates, same being the southeast corner of said Lot 22R;

THENCE South 88 degrees 45 minutes 31 seconds West departing the west right of way line of said Shoreline Road, with the north line of said Lot 22R, same being the south line of said Lot 22R, a distance of 149.72 feet to a 1/2 inch rebar capped "ASC" set for the northwest corner of said Lot 20R, same being the southwest corner of said Lot 24R and lying on the east line of Grapevine Lake;

THENCE North 00 degrees 58 minutes 00 seconds West with the east line of said Grapevine Lake, a distance of 180.00 feet to a 1/2 inch rebar capped "3963" found for the northwest corner of said Lot 24, same being the southwest corner of Lot 26R;

THENCE North 88 degrees 37 minutes 55 seconds East departing the east line of said Grapevine Lake, with the south line of said Lot 26R, a distance of 150.00 feet to THE POINT OF BEGINNING and containing 26,999 square feet or 0.620 acres of land, more or less.

Owners Dedication

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

That Robin and Lori Powers acting herein by and through its duly authorized officers, does hereby adopt this plat designated herein as Twin Cove Estates Subdivision, Lot 24R, Block A, an addition to the Town of Flower Mound, Denton County, Texas.

The easements shown hereon are hereby reserved for the purposes as indicated. All streets, alleys, rights of way and **Lot 24R, Block A**, are hereby dedicated in fee simple to the Town of Flower Mound for municipal purposes. The utility and fire lane easements (streets, alleys, and common areas) shall be open to the public, fire and police units, garbage and rubbish collection agencies and all public and private utilities for each particular use. No buildings, trees, shrubs or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the utility easements as shown. Said utility easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same.

All and any public utility shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance of efficiency of its respective system on the utility easements and all public utilities shall at all times have the full right of ingress and egress to and from and upon the said utility easements for the purpose of construction, reconstruction, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. Any public utility shall have the right of ingress and egress to private property for the purposes of reading meters and any maintenance and service required or ordinarily performed by that utility

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the Town of Flower Mound.

By: \_\_\_\_\_  
Robin Powers

By: \_\_\_\_\_  
Lori Powers

STATE OF TEXAS §

COUNTY OF \_\_\_\_\_ §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Robin Powers, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public in and for the State of Texas

STATE OF TEXAS §

COUNTY OF \_\_\_\_\_ §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Lori Powers, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public in and for the State of Texas

## REPLAT TWIN COVES ESTATES SUBDIVISION LOT 24R, BLOCK A

Being a Replat of Lot 24 Twin Coves Estates Subdivision  
an addition to the Town of Flower Mound,  
as recorded in Cabinet A, Page 17, P.R.D.C.T.,  
Also being Lot 22R, Block A  
Twin Cove Estates Subdivision, an addition to the Town of  
Flower Mound as recorded in Inst. No. 2012-144, P.R.D.C.T.  
also being an abandoned unnamed  
30-foot-wide Right of Way  
Town of Flower Mound, Denton County, Texas

FOR DENTON COUNTY USE ONLY

FOR DENTON COUNTY USE ONLY

FOR DENTON COUNTY USE ONLY

FOR DENTON COUNTY USE ONLY





## PLANNING AND ZONING COMMISSION

### AGENDA ITEM NO: 4

### REGULAR ITEM

---

**DATE:** January 13, 2020

**FROM:** Lexin Murphy, Director of Planning Services

**ITEM:** **Public hearing to consider an ordinance for rezoning (MU19-0001 - Lakeside Village) to amend Mixed Use District 1 (MU-1) to allow for phasing of the necessary parking infrastructure in Lakeside Village. The property is generally located west of Long Prairie Road along both sides of Lakeside Parkway and south of its intersection with Northwood Drive.**

---

#### I. ITEM SUMMARY

This application has been reviewed by DRC and determined to be ready for consideration by the Planning and Zoning Commission.

This application will require final action by the Town Council, which is scheduled for February 3, 2020.

#### II. APPLICATION ANALYSIS

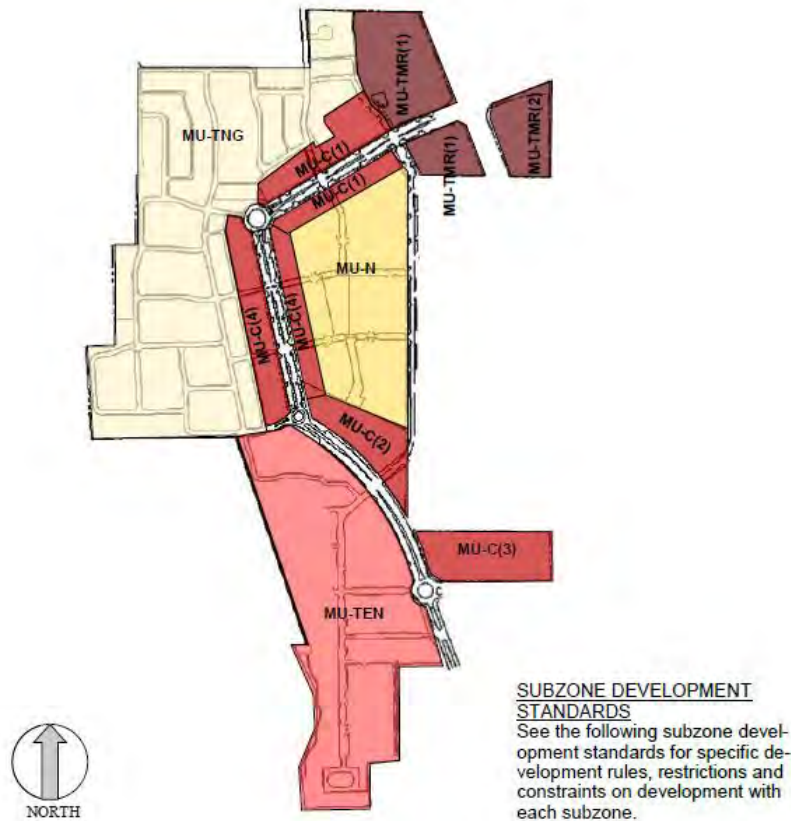
The subject property, identified as the MU-TEN and MU-C(3) Subzones, was incorporated into the Lakeside DFW Mixed Use District-1 (MU-1) on April 16, 2018, by Town Council ([video link](#)).

These areas are projected for future commercial, residential and open space, with parking needs primarily being met through structured parking facilities. At the time the zoning was approved for this project, the possibility of a Tax Increment Reinvestment Zone (TIRZ) to assist in funding infrastructure and structured parking was discussed. However, during the Strategic Planning Session on June 21, 2019, Town Council indicated they were not interested in pursuing that option at this time ([video link](#)). In order to facilitate the phasing in of structured parking, as funding becomes available through the development of other areas of the property, the applicant is requesting to amend the standards for these two Subzones within MU-1 to allow for interim surface parking facilities.

According to the proposed development standards, the interim parking facilities would meet all current requirements for permanent parking facilities in the Lakeside DFW ordinance, except for the restrictions on locating surface parking lots near or adjacent to intersections and along street frontages. The new standards would also allow for a proposed development to meet minimum parking requirements using off-site parking, provided it was through a valet service or parking lot located within 1500 feet of the use it is serving.

Finally, to ensure that no development is left without adequate parking during the time that an interim parking facility is being phased out and a structured parking facility is being constructed, the ordinance requires approval of a site plan application with a transition plan both for the construction and demolition of an interim parking facility.

A map from the Lakeside DFW ordinance is included below illustrating the location of the MU-TEN and MU-C(3) Subzones within the overall development.



### III. CORRESPONDENCE

The Town Code requires both public notice in a newspaper of general circulation (Denton Record Chronicle) and notification of the property owners within 200 feet of the subject property for all Mixed Use application requests. MU19-0001 – Lakeside Village had a total of 42 Property Owner Notifications mailed. At the time this report was written, staff had not received any correspondence regarding this item.

### IV. ATTACHMENTS

#### A. Background Information

1. Vicinity Map
2. Letter of Intent
3. Existing MU-1 Ordinance

#### B. Application Details

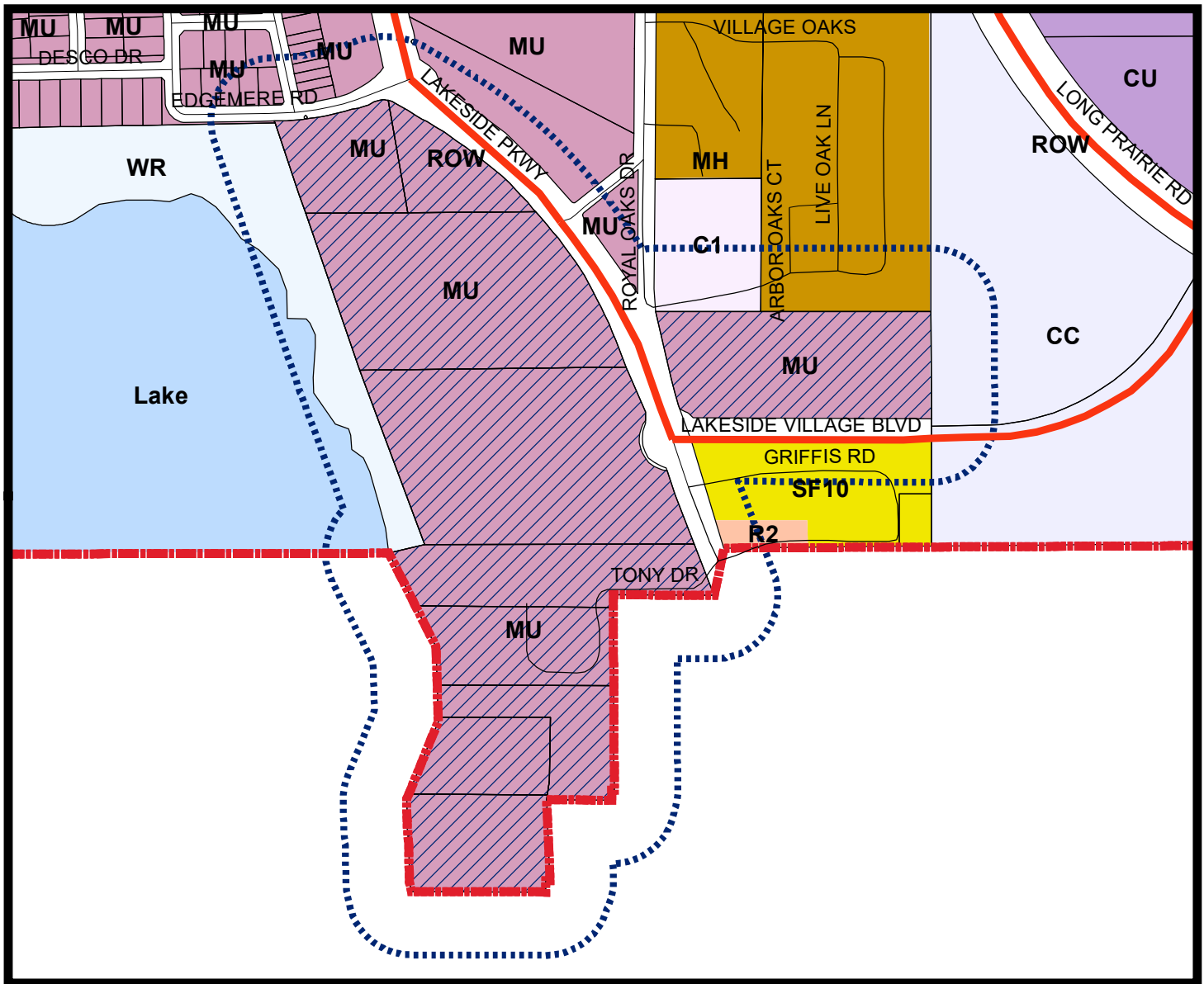
1. Draft Ordinance Standards



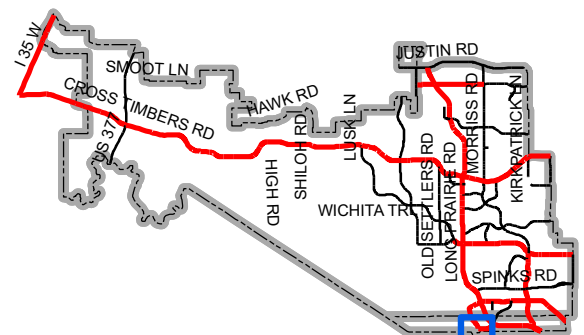
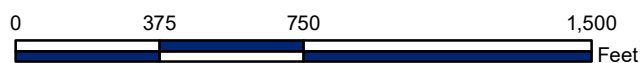
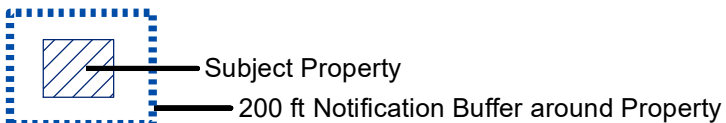
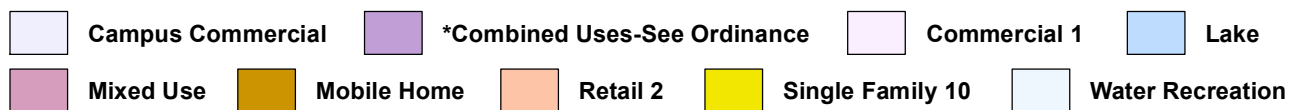


# Vicinity Map

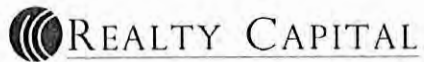
Reference Project: MU19-0001



## LEGEND



Map Location



September 16, 2019

Tommy Dalton

Town of Flower Mound  
2121 Cross Timbers Road  
Flower Mound, TX 75028

Re: **MU17-0002: AMENDED MIXED USE ZONING**

Letter of Intent, Zoning for Surface Parking Option  
Lakeside DFW Village

Mr. Tommy Dalton,

The Lakeside Village zoning describes a completed development that is highly dependent upon structured parking. The Development Code does not anticipate, nor require, that all the buildings within the development be constructed in a single phase. In this development, as in all multi-phase developments, building the development in phases is necessary to keep the financial obligations in balance with market demand, and with the cost of the improvements and anticipated returns.

During the zoning process, the possibility of a TIRZ that would be devoted to structured parking was anticipated to perform this function. Because the TIRZ was not realized, phasing the parking infrastructure is the obvious alternative, and is the only alternative. Since surface parking is a permitted use, and phasing the development is permitted, the applicant's interpretation of the Development Code is that phasing the parking does not require a zoning change.

However, since the Staff has concluded that a phased parking approach constitutes a "Change of Use," the Applicant is proposing additional language to the zoning document to specifically allow this approach to development.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jimmy Archie", with a long horizontal flourish extending to the right.

Jimmy Archie  
Partner, Realty Capital Management, LLC



**TOWN OF FLOWER MOUND, TEXAS****ORDINANCE NO. 09-18**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NOS. 63-12, 12-13, 14-15, 58-15 AND 03-17, WHICH ESTABLISHED AND LATER AMENDED MIXED USE DISTRICT-1 (MU-1), ALSO KNOWN AS THE LAKESIDE DFW MIXED USE DEVELOPMENT; BY ADDING 9.0 ACRES OF LAND, BEING ALL OF LOT 1, BLOCK 1, OF THE LAKESIDE HOTEL ADDITION, TARRANT COUNTY, TEXAS; AND CHANGING THE ZONING ON THAT LAND FROM PLANNED DEVELOPMENT DISTRICT NO. 39 (PD-39) WITH COMMERCIAL DISTRICT-2 (C-2) USES TO MIXED USE DISTRICT-1 (MU-1), IN ACCORDANCE WITH THE TOWN'S MASTER PLAN; AND BY REPLACING EXHIBIT "B," TO ORDINANCE NO. 63-12, ENTITLED "LAKESIDE DFW DEVELOPMENT CODE," TO INCLUDE THE ADDITIONAL 9.0 ACRES OF LAND, TO AMEND CERTAIN DEVELOPMENT STANDARDS AND CONCEPTUAL PLANS APPLICABLE ONLY TO SUBZONES MU-TEN, MU-C(2) AND MU-C(3), AND TO INCORPORATE PRIOR AMENDMENTS APPROVED WITH ORDINANCE NOS. 12-13, 14-15, 58-15 AND 03-17 IN ACCORDANCE WITH SPECIFIC REQUIREMENTS STATED HEREIN AND EXHIBITS ATTACHED HERETO; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF IN ACCORDANCE WITH SECTION 1-13 OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Flower Mound is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and,

**WHEREAS**, the Town Council of the Town of Flower Mound heretofore adopted the Land Development Regulations of the Town of Flower Mound, as amended, which Ordinance regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and,

**WHEREAS**, in accordance with Chapter 78 of the Land Development Regulations, the owners of the property described as Lot 1, Block 1, of the Lakeside Hotel Addition and Subzones MU-TEN, MU-C(2) and MU-C(3) within the Lakeside DFW Mixed Use Development have filed an application for a zoning amendment to amend Mixed Use District-1 (MU-1); and,

**WHEREAS**, the Planning and Zoning Commission of the Town of Flower Mound, Texas held a public hearing on March 26, 2018, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on April 16-17, 2018, with respect to the proposed zoning amendment described herein; and,

**WHEREAS**, the Town has complied with all requirements of Chapter 211 of the Local Government Code, Chapter 78 of the Land Development Regulations, and all other laws dealing with notice, publication and procedural requirements for the approval of a zoning amendment on the property;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:**

**SECTION 1**

The Land Development Regulations of the Town of Flower Mound, Texas, as amended, are hereby amended on the hereinafter described property and area as shown below:

9.0 acres of land, being all of Lot 1, Block 1, of the Lakeside Hotel Addition, and Subzones MU-TEN, MU-C(2) and MU-C(3) within the Lakeside DFW Mixed Use Development, Tarrant County, Texas, and more fully described in Exhibit "A" hereto, is hereby rezoned from Mixed Use District-1 (MU-1) and Planned Development District No. 39 (PD-39) with Commercial District-2 (C-2) uses to Mixed Use District-1 (MU-1).

Exhibit "B" to Ordinance No. 63-12, entitled "Lakeside DFW Development Code," is hereby amended to include the additional 9.0 acres of land, being all of Lot 1, Block 1, of the Lakeside Hotel Addition, Tarrant County, Texas, into Mixed Use District-1 (MU-1), and to amend certain development standards and conceptual plans applicable only to MU-TEN, MU-C(2) and MU-C(3), in accordance with Section 2 of this Ordinance, below.

Ordinance Nos. 12-13, 14-15, 58-15 and 03-17, are hereby made applicable to the 9.0 acres of land, being all of Lot 1, Block 1, of the Lakeside Hotel Addition, and Subzones MU-TEN, MU-C(2) and MU-C(3) within the Lakeside DFW Mixed Use Development, Tarrant County, Texas, and said ordinances are hereby incorporated herein by reference.

**SECTION 2**

Exhibit "B" to Ordinance No. 63-12, entitled "Lakeside DFW Development Code," is hereby further amended in its entirety and is attached hereto as Exhibit "A" and incorporated herein for all purposes allowed by law, and is hereby approved as the revised development code for Mixed Use District-1 (MU-1).

**SECTION 3**

The official map of the Town of Flower Mound is amended and the Executive Director of Development Services is directed to revise the official zoning map to reflect the approved Mixed Use District-1 (MU-1), as set forth above.

**SECTION 4**

The use of the property described above shall be subject to all restrictions, terms and conditions contained in Exhibit "A," attached hereto, as well as the applicable regulations contained in the Land Development Regulations and all other applicable and pertinent ordinances of the Town of Flower Mound.

**SECTION 5**

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the Town of Flower Mound, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.



**SECTION 6**

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

**SECTION 7**

Any person, firm, or corporation who violates any provision of this Ordinance as adopted by the Town Council of the Town of Flower Mound shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-13 of the Code of Ordinances of the Town of Flower Mound. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

**SECTION 8**

All rights and remedies of the Town of Flower Mound are expressly saved as to any and all violations of the provisions of the Land Development Regulations or any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 9**

The Town Secretary of the Town of Flower Mound is hereby directed to publish the caption in the official newspaper of the Town of Flower Mound as required by Section 3.07 of the Charter of the Town of Flower Mound.

**SECTION 10**

This Ordinance shall take effect and be in full force from and after the date of its passage and publication as required by law, and it is so ordained.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 17TH DAY OF APRIL, 2018.

APPROVED:

*Thomas E. Hayden*

\_\_\_\_\_  
Thomas E. Hayden, **MAYOR**

ATTEST:

*Theresa Scott*

\_\_\_\_\_  
Theresa Scott, **TOWN SECRETARY**

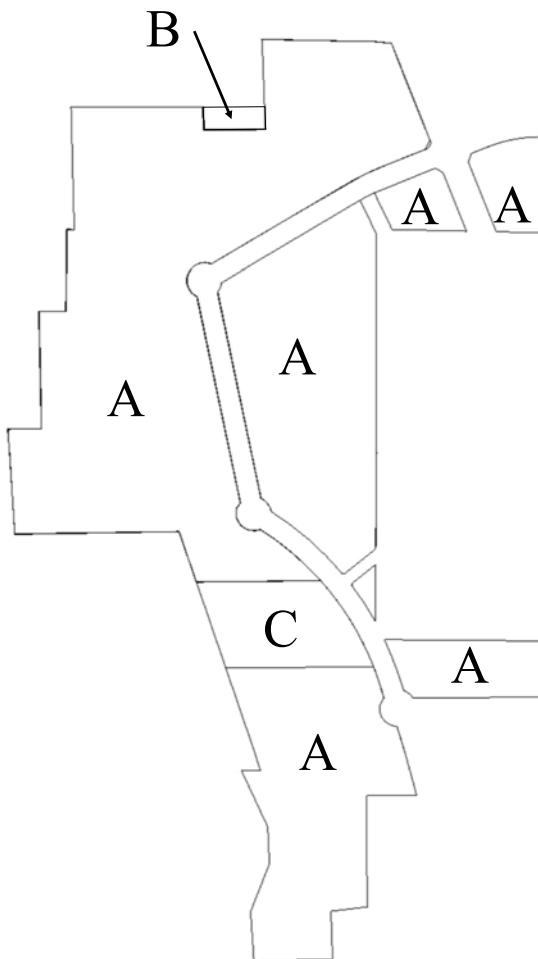


**LEGAL DESCRIPTIONS**

A: Tracts labelled "A" were included in the original establishment of the Lakeside DFW development district. The legal description is attached as Tract A..

B: The 0.88 acre tract was annexed on March 4, 2013 into the Lakeside DFW development district. The legal description is included in attached Ordinance 12-13.

C: The approximate 9 acre tract, formerly known as the Hines Property, is proposed to be annexed into the Lakeside DFW development district. The legal description is attached as Tract C.

**TRACT C LEGAL DESCRIPTION**

STATE OF TEXAS  
COUNTY OF DENTON

BEING a tract of land situated in the J. TANNEHILL SURVEY, Abstract No. 1252 and being a portion of a tract of land conveyed to the LAKESIDE DFW LAND, LTD. As recorded in Volume 4589, Page 1287 of the Deed Records of Denton County, Texas ( DRDCT ) and being more particularly described as follows;

BEGINNING at a ½ Inch Iron rod set with a red plastic cap stamped "W.A.I." at the intersection of the northerly line of Tract 1 as conveyed to Peter P. Stewart recorded in Volume 11029, Page 130B ( DRDCT ) and the westerly Right-of-Way line of LAKESIDE PARKWAY ( 120' Right-of-Way );

THENCE departing the westerly Right-of-Way line of said LAKESIDE PARKWAY and along the northerly line of said Tract 1 North 89 deg 54 min 43 sec West a distance of 840.54 feet to a ½ Inch Iron rod set with a red plastic cap stamped "W.A.I." for corner, said point being set in the east line of a tract of land conveyed to the United States of America known as Tract B-112;

THENCE departing the northerly line of said Tract 1 and along the easterly line of said Tract B-112 North 18 deg 09 min 28 sec West a distance of 520.11 feet to ½ Inch Iron rod set with a red plastic cap stamped "W.A.I." for corner;

THENCE departing the easterly line of said Tract B-112 South 89 deg 54 min 43 sec East a distance of 707.12 feet to a ½ Inch Iron rod set with a red plastic cap stamped "W.A.I." for corner, said point being set in the westerly Right-of-Way line of said LAKESIDE PARKWAY and being the beginning of a non-tangent curve to the right having a radius of 1640.00 feet and having a chord bearing of South 30 deg 51 min 58 sec East and a chord length of 575.99 feet;

THENCE along the westerly Right-of-Way line of said LAKESIDE PARKWAY continuing along said non-tangent curve to the right through a central angle of 20 deg 13 min 41 sec and an arc length of 575.99 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bound 9.000 acres or 392,042square feet of land more or less. Bearings contained within this field note description are based upon an on the ground survey performed in the field on the 11th day of April, 2005 utilizing the bearings as found on a ALTA/ACSM Land Title Survey prepared by Winkelmann & Associates, Inc. dated May, 2003, Project Number 02219.02(52).

## TRACT A LEGAL DESCRIPTION

Land

### TRACT 1:

BEING a tract of land situated in the J. TANNEHILL SURVEY, Abstract No. 1252 and being a portion of a tract of land conveyed to LAKESIDE DFW LAND, LTD. as recorded in Volume 4589, Page 1287 of the Deed Records of Denton County, Texas (DRDCT) and being more particularly described as follows:

BEGINNING at a Texas Highway Department Monument found at the southerly corner of a corner clip located at the intersection of the northeasterly Right-of-Way line of F.M. ROAD 2499 (160 feet Right-of-Way) and southerly Right-of-Way line of LAKESIDE PARKWAY (120 feet Right-of-Way) said point being the most southwesterly corner of a Right-of-Way Dedication recorded in Volume 2559, Page 990 (DRDCT);

THENCE departing the northeasterly Right-of-Way line of said F.M. ROAD 2499 and along said corner-clip North 18 degrees 49 minutes 04 seconds East a distance of 52.31 feet to a point for corner, said point being in the southerly Right-of-Way line of said LAKESIDE PARKWAY as recorded in a Right-of-Way Dedication recorded in Volume 4589, Page 1430;

THENCE departing said corner-clip and along the southerly Right-of-Way line of said LAKESIDE PARKWAY as follows;

North 69 degrees 15 minutes 09 seconds East a distance of 103.35 feet to a point for the beginning of a curve to the right having a radius of 800.00 feet and having a chord bearing of North 79 degrees 46 minutes 30 seconds East and a chord length of 292.19 feet;

Continuing along said curve to the right through a central angle of 21 degrees 02 minutes 42 seconds and an arc length of 293.84 feet to a point for the point of tangency;

South 89 degrees 42 minutes 09 seconds East a distance of 14.67 feet to a point for corner;

THENCE departing the southerly Right-of-Way line of said LAKESIDE PARKWAY South 00 degrees 40 minutes 36 seconds West a distance of 547.17 feet to a point for corner;

THENCE North 87 degrees 59 minutes 19 seconds West a distance of 258.08 feet to a 1/2 inch iron rod found for corner in the northeasterly Right-of-Way line of said F.M. Road 2499;

THENCE along the northeasterly Right-of-Way line of said F.M. ROAD 2499 North 20 degrees 59 minutes 16 seconds West a distance of 427.82 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 4.130 acres or 179,891 square feet of land more or less. Bearings contained within these field notes are based upon an on the ground survey performed July 7, 2000 utilizing construction plans for Lakeside Parkway prepared by FNTB.

### TRACT 2:

BEING a tract of land situated in the J. TANNEHILL SURVEY, Abstract No. 1252 and being a portion of a tract of land conveyed to LAKESIDE DFW LAND, LTD. as recorded in Volume 4589, Page 1287 of the Deed Records of Denton County, Texas (DRDCT) and being



## TRACT A LEGAL DESCRIPTION

more particular described as follows;

**BEGINNING** at a point at the most southeasterly corner of a Right-of-Way dedication as recorded in Volume 2559, Page 990, said point being set in the southwesterly Right-of-Way line of F.M. Road 2499 (160 feet Right-of-Way);

**THENCE** along the southwesterly Right-of-Way line of said F.M. ROAD 2499 South 21 degrees 02 minutes 00 seconds East a distance of 359.91 feet to a 1/2 inch iron rod found for corner;

**THENCE** departing the southwesterly Right-of-Way line of said F.M. ROAD 2499 North 88 degrees 02 minutes 03 seconds West a distance of 422.81 feet to a point for corner in the easterly Right-of-Way line of OLD F.M. ROAD 2499 (90 feet Right-of-Way), which a 1/2 inch iron rod found bears North 89 degrees 02 minutes 14 seconds West a distance of 0.79 feet;

**THENCE** along the easterly Right-of-Way line of said OLD F.M. ROAD 2499 South 00 degrees 32 minutes 42 seconds West a distance of 4.73 feet to a point for corner;

**THENCE** North 26 degrees 30 minutes 08 seconds West a distance of 226.09 feet to a point for corner;

**THENCE** North 19 degrees 11 minutes 04 seconds East a distance of 14.01 feet to a point for corner in the southerly Right-of-Way line of said Lakeside Parkway, said point being the beginning of a non-tangent curve to the right having a radius of 1440.00 feet, a chord bearing of North 68 degrees 56 minutes 32 seconds East and a chord length of 101.07 feet;

**THENCE** along the southerly line of said Lakeside Parkway as follows:

Along said non-tangent curve to the right through a central angle of 04 degrees 01 minutes 21 seconds and an arc length of 101.10 feet to a point for corner;

North 68 degree 57 minutes 12 seconds East a distance of 268.86 feet to a point for corner at a corner-clip.

**THENCE** departing the southerly Right-of-Way line of said LAKESIDE PARKWAY and along said corner-clip South 60 degrees 50 minutes 20 seconds East a distance of 52.44 feet to the **POINT OF BEGINNING**;

**CONTAINING** within these metes and bounds 2.889 acres or 125,862 square feet of land more or less. Bearings contained within these field notes are based upon an on the ground survey performed July 7, 2000 utilizing construction plans for Lakeside Parkway prepared by HNTB.

### TRACT 3:

**BEING** a tract of land situated in the J. TANNEHILL SURVEY, Abstract No. 1252 and being a portion of a tract of land conveyed to LAKESIDE DFW LAND, LTD. as recorded in Volume 4589, Page 1287 of the Deed Records of Denton County, Texas (DRDCT) and being more particular described as follows;

**BEGINNING** at a point at a corner-clip and being the most northeasterly corner of a Right-of-Way Dedication recorded in Volume 2559, Page 990, said point being set in the southwesterly Right-of-Way line of F.M. ROAD 2499 (160 feet Right-of-Way);

**TRACT A LEGAL DESCRIPTION**

THENCE departing the southwesterly Right-of-Way line of said F.M. ROAD 2499 and along said corner-clip South 28 degrees 23 minutes 02 seconds West a distance of 61.18 feet to a point for corner in the northerly Right-of-Way line of LAKESIDE PARKWAY (120 feet Right-of-Way), said point being the most northeasterly corner of a Right-of-Way Dedication recorded in Volume 4589, Page 1443;

THENCE along the northerly Right-of-Way line of said LAKESIDE PARKWAY as follows;

South 68 degrees 57 minutes 12 seconds West a distance of 255.59 feet to a point for the beginning of a curve to the left having a radius of 1560.00 feet and having a chord bearing of South 64 degrees 29 minutes 59 seconds West and a chord length of 242.28 feet;

Continuing along said curve to the left through a central angle of 08 degrees 54 minutes 27 seconds and an arc length of 242.32 feet to a point for the point of tangency;

South 60 degrees 02 minutes 46 seconds West a distance of 455.07 feet to a point for corner in the northerly Right-of-Way line of HERITAGE LANE (variable width Right-of-Way);

THENCE departing the northerly Right-of-Way line of said LAKESIDE PARKWAY and along the northerly Right-of-Way line of said HERITAGE LANE North 89 degrees 31 minutes 39 seconds West a distance of 40.86 feet to a point for corner at the intersection of the northerly Right-of-Way line of said HERITAGE LANE and the easterly Right-of-Way line of SURREY DRIVE (variable width Right-of-Way);

THENCE departing the northerly Right-of-Way line of said HERITAGE LANE and along the easterly Right-of-Way line of said SURREY DRIVE North 01 degrees 28 minutes 19 seconds West a distance of 1061.44 feet to a point for corner;

THENCE departing the easterly Right-of-Way line of said SURREY DRIVE South 88 degrees 10 minutes 29 seconds East passing a 1/2 inch iron rod found at a distance of 147.09 feet continuing in all a distance of 646.80 feet to a 1/2 inch iron rod found for corner;

THENCE South 83 degrees 01 minutes 01 seconds East a distance of 91.12 feet to a point for corner in the southwesterly Right-of-Way line of said F.M. Road 2499;

THENCE along the southwesterly Right-of-Way line of said F.M. ROAD 2499 South 21 degrees 00 minutes 54 seconds East a distance of 592.00 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 16.261 acres or 708,342 square feet of land more or less. Bearings contained within these field note are based upon an on the ground survey performed July 7, 2000 utilizing construction plans for Lakeside Parkway prepared by HNTB.

**TRACT 4:**

BEING a tract of land situated in the J. TANNEHILL SURVEY, Abstract No. 1252 and being a portion of a tract of land conveyed to LAKESIDE DFW LAND, LTD. as recorded in Volume 4589, Page 1287 of the Deed Records of Denton County, Texas (DRDCT) and being more particularly described as follows;

BEGINNING at a point in the westerly Right-of-Way line of OLD F.M. ROAD 2499 (90 feet Right-of-Way);



## TRACT A LEGAL DESCRIPTION

THENCE along the westerly Right-of-Way line of said OLD F.M. ROAD 2499 as follows;

South 00 degrees 28 minutes 57 seconds West a distance of 1290.19 feet to a point for corner from which a Concrete Right-of-Way Monument found bears North 05 degrees 34 minutes 38 seconds West a distance of 2.20 feet;

South 01 degrees 11 minutes 16 seconds West a distance of 550.03 feet to a point for corner in the northerly Right-of-Way line of LAKESIDE PARKWAY (70 feet Right-of-Way) as recorded in Volumes 4589, Page 1449;

THENCE departing the westerly Right-of-Way line of said OLD F.M. ROAD 2499 and along the northerly Right-of-Way line of said LAKESIDE PARKWAY as follows;

South 52 degrees 04 minutes 45 seconds West a distance of 227.85 feet to a point for corner in the northerly Right-of-Way line of LAKESIDE PARKWAY (70 feet Right-of-Way);

North 83 degrees 34 minutes 28 seconds West a distance of 14.30 feet to a point for corner in the easterly Right-of-Way line of LAKESIDE PARKWAY (120 feet Right-of-Way) and the beginning of a non-tangent curve to the left having a radius of 1760.00 feet and having a chord bearing of North 48 degrees 08 minutes 45 seconds West and a chord length of 535.79 feet;

Continuing along said non-tangent curve to the left through a central angle of 17 degrees 30 minutes 37 seconds and an arc length of 537.88 feet to a point for corner and being the beginning of a non-tangent curve to the left having a radius of 100.00 feet and having a chord bearing of North 34 degrees 34 minutes 05 seconds West and a chord length of 99.25 feet;

Continuing along said non-tangent curve to the left through a central angle of 59 degrees 30 minutes 14 seconds and an arc length of 103.83 feet to a point for corner and being the point of tangency;

North 11 degrees 11 minutes 24 seconds West a distance of 1199.93 feet to a point for corner and being the beginning of a non-tangent curve to the left having a radius of 100.00 feet and having a chord bearing of North 24 degrees 25 minutes 41 seconds East and a chord length of 60.18 feet;

Continuing along said non-tangent curve to the left through a central angle of 35 degrees 01 minutes 27 seconds and an arc length of 61.13 feet to a point for corner and being the point of tangency;

North 60 degrees 02 minutes 46 seconds East a distance 883.20 feet to a point for the beginning of a curve to the right having a radius of 1440.00 feet, a chord bearing of North 60 degrees 41 minutes 52 seconds East and a chord length of 32.76 feet;

Continuing along said curve to the right through a central angle of 01 degrees 18 minutes 13 seconds and an arc length of 32.76 feet to the westerly corner of a corner clip;

THENCE along said corner clip South 72 degrees 24 minutes 26 seconds East a distance of 13.89 feet to a point for corner;

THENCE South 26 degrees 30 minutes 08 seconds East a distance of 162.56 feet to the POINT OF BEGINNING;

## TRACT A LEGAL DESCRIPTION

CONTAINING within these metes and bounds 31.060 acres or 1,352,972 square feet of land more or less. Bearings contained within these field notes are based upon an on the ground survey performed July 7, 2000 utilizing construction plans for Lakeside Parkway prepared by HNTB,

### TRACT 5:

BEING a tract of land situated in the J. TANNEHILL SURVEY, Abstract No. 1252 and being a portion of a tract of land conveyed to LAKESIDE DFW Land, LTD. as recorded in Volume 4589, Page 1287 of the Deed Records of Denton County, Texas (DRDCT) and being more particularly described as follows;

BEGINNING at a 5/8 inch iron rod found at the intersection of the westerly Right-of-Way line of SURREY DRIVE (variable width Right-of-Way) and the northerly Right-of-Way line of HERITAGE LANE (variable width Right-of-Way);

THENCE departing the westerly Right-of-Way line of said SURREY DRIVE and along the northerly Right-of-Way line of said HERITAGE LANE South 89 degrees 23 minutes 50 seconds West a distance of 1007.44 feet to a point for corner at a corner-clip;

THENCE departing the northerly Right-of-Way line of said HERITAGE LANE and along said corner-clip North 45 degrees 40 minutes 19 seconds West a distance of 84.96 feet to a 5/8 inch iron rod found for corner in the easterly Right-of-Way line of said HERITAGE LANE;

THENCE departing said corner-clip and along the easterly Right-of-Way line of said HERITAGE LANE North 00 degrees 44 minutes 27 seconds West a distance of 637.53 feet to a point for corner;

THENCE departing the easterly Right-of-Way line of said HERITAGE LANE South 89 degrees 14 minutes 21 seconds East a distance of 747.35 feet to a point for corner;

THENCE South 02 degrees 13 minutes 57 seconds East a distance of 128.00 feet to a 3/4 inch iron pipe found for corner;

THENCE South 89 degrees 13 minutes 57 seconds East a distance of 300.31 feet to a 1 inch iron pipe found for corner in the westerly Right-of-Way line of said SURREY DRIVE;

THENCE along the westerly Right-of-Way line of said SURREY DRIVE South 02 degrees 30 minutes 29 seconds East a distance of 544.91 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 15.700 acres or 683,882 square feet of land more or less. Bearings contained within these field notes are based upon an on the ground survey performed July 7, 2000 utilizing construction plans for Lakeside Parkway prepared by HNTB.

### TRACT 6:

BEING a tract of land situated in the J. Tannehill Survey, Abstract No. 1252, E. Tannehill Survey, Abstract No. 1272 and the R. Knight Survey, Abstract No. 708 and being a portion of a tract of land conveyed to LAKESIDE DFW LAND, LTD. as recorded in Volume 4589, Page 1287 of the Deed Records of Denton County, Texas (DRDCT) and being more particularly described as follows;



## TRACT A LEGAL DESCRIPTION

**BEGINNING** at a point at the intersection of the southerly Right-of-Way line of HERITAGE LANE (variable width Right-of-Way) and the westerly Right-of-Way line of LAKESIDE PARKWAY (120 feet Right-of-Way) as recorded in Volume 4589, Page 1449;

**THENCE** departing the southerly Right-of-Way line of said HERITAGE LANE and along the westerly Right-of-Way line of said LAKESIDE PARKWAY as follows;

South 60 degree 02 minutes 46 seconds West a distance of 304.34 feet to a point for corner at the beginning of a non-tangent curve to the left having a radius of 100.00 feet and having a chord bearing of South 24 degree 25 minutes 41 seconds West and a chord length of 199.95 feet;

Continuing along said curve to the left through a central angle of 177 degree 29 minutes 46 seconds and an arc length of 309.79 feet to a point for corner at the point of tangency;

South 11 degree 11 minutes 24 seconds East a distance of 1199.93 feet to a point for corner at the beginning of a non-tangent curve to the left having a radius of 100.00 feet and having a chord bearing of South 34 degree 33 minutes 38 seconds East and a chord length of 194.47 feet;

Continuing along said non-tangent curve to the left through a central angle of 153 degree 00 minutes 03 seconds and an arc length of 267.04 feet to a point for corner and the beginning of a non-tangent curve to the right having a radius of 1640.00 feet and having a chord bearing of South 38 degree 47 minutes 19 seconds East and a chord length of 1015.36 feet;

Continuing along said non-tangent curve to the right through a central angle of 36 degree 04 minutes 23 seconds and an arc length of 1032.53 feet to a point for corner;

**THENCE** departing the westerly Right-of-Way line of said LAKESIDE PARKWAY North 89 degree 54 minutes 43 seconds West a distance of 840.54 feet to a point for corner in the easterly line of a tract of land conveyed to United States of America Tract B-112;

**THENCE** along the easterly line of said Tract B-112 as follows;

North 18 degree 09 minutes 28 seconds West a distance of 824.46 feet to a Corp of Engineers Monument found for corner;

South 89 degree 47 minutes 37 seconds West a distance of 934.84 feet to a point for corner;

North 02 degree 42 minutes 21 seconds West a distance of 469.50 feet to a point for corner;

North 04 degree 37 minutes 13 seconds West a distance of 136.76 feet to a Corp of Engineers Monument found for corner;

South 89 degree 48 minutes 19 seconds East a distance of 192.75 feet to a Corp of Engineers Monument found for corner;

North 00 degree 36 minutes 22 seconds West a distance of 669.44 feet to a Corp of Engineers Monument found for corner;

South 88 degree 51 minutes 10 seconds East a distance of 153.80 feet to a Corp of Engineers Monument found for corner;

North 01 degree 24 minutes 22 seconds East a distance of 465.00 feet to a point for corner;

**TRACT A LEGAL DESCRIPTION**

THENCE departing the easterly line of said Tract B-112 South 88 degree 35 minutes 28 seconds East a distance of 20.00 feet to a point for corner in the southerly Right-of-Way line of said HERITAGE LANE;

THENCE along the southerly Right-of-Way line of said HERITAGE LANE as follows;

South 45 degree 40 minutes 19 seconds East a distance of 97.38 feet to a point for corner;

North 89 degree 10 minutes 33 seconds East a distance of 992.09 feet to the POINT BEGINNING;

CONTAINING within these metes and bounds 52.981 acres or 2,307,851 square feet of land more or less. Bearings contained within these field notes are based upon an on the ground survey performed July 7, 2000 utilizing construction plans for Lakeside Parkway prepared by HNTB.

SAVE AND EXCEPT that 9.000 acre tract of land conveyed to Lakeside Hotel DFW, L.P., a Texas limited partnership by Special Warranty Deed dated November 15, 2005, filed November 17, 2005 and recorded in/ under Clerk's No. 2005-143494 of the Real Property Records of Denton County, Texas.



## TRACT A LEGAL DESCRIPTION

### TRACT 7:

BEING a tract of land situated in the J. Tannehill Survey, Abstract No. 1252 and being a portion of a tract of land conveyed to LAKE SIDE DFW LAND, LTD. as recorded in Volumes 4589, Page 1287 of the Deed Records of Denton County, Texas (DRDCT) and being more particularly described as follows;

COMMENCING at the intersection of the southerly Right-of-Way line of HERITAGE LANE (variable width Right-of-Way) and the westerly Right-of-Way line of OLD F.M. ROAD 2499 (90 feet Right-of-Way) which a Wood Right-Of-Way Monument found bears North 15 degree 18 minutes 22 seconds East a distance of 2.27 feet;

THENCE south along the westerly Right-of-Way line of said OLD F.M. ROAD 2499 as follows:

South 00 degree 28 minutes 57 seconds West a distance of 1248.49 feet to a point for corner which a Concrete Right-of-Way Monument found bears North 05 degree 34 minutes 38 seconds West a distance of 2.20 feet;

South 01 degree 11 minutes 16 seconds West a distance of 640.24 feet to a point in the westerly Right-of-Way line of said OLD F.M. ROAD 2499 to the POINT OF BEGINNING;

THENCE south along the westerly Right-of-Way line of said OLD F.M. ROAD 2499 South 01 degree 11 minutes 16 seconds West a distance of 323.31 feet to a point for corner and departing the westerly Right-of-Way of said OLD F.M. Road 2499 along a non-tangent curve to the left having a radius of 1750.00 feet, a chord bearing of North 32 degree 31 minutes 10 seconds West and a chord length of 241.95 feet;

Continuing along said non-tangent curve to the left through a central angle of 07 degree 52 minutes 58 seconds for an arc length of 242.14 feet to a point for corner in the easterly Right-of-Way of said LAKE SIDE PARKWAY;

THENCE North 07 degree 43 minutes 40 seconds East a distance of 14.30 feet to a point for corner in the southerly Right-of-Way line of said LAKE SIDE PARKWAY;

THENCE along the southerly Right-of-Way line of said LAKE SIDE PARKWAY North 52 degree 04 minutes 45 seconds East a distance of 170.94 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 0.502 acres or 21,888 square feet of land more or less. Bearings contained within these field notes are based upon an on the ground survey performed July 7, 2000 utilizing construction plans for Lakeside Parkway prepared by HNTB.

## TRACT A LEGAL DESCRIPTION

### PROPERTY DESCRIPTION Peter P Stewart PARCEL 1

STATE OF TEXAS           §  
COUNTY OF DENTON       §

BEING all that certain tract of land situated in the J. M. TANNEHILL SURVEY, ABSTRACT No. 1252, in the Town of Flower Mound, Denton County, Texas, being part of a tract of land described in deed to Peter P. Stewart as recorded in County Clerk's Instrument No. 93R0024840, Deed Records, Denton County, Texas, also being all that property described in Quitclaim Deed to Peter P. Stewart as recorded in County Clerk's Instrument No. 2002-R0092862, Deed Records, Denton County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner on the Easterly right-of-way line of Lakeside Parkway, a 120-foot right-of-way at this point, said point being on the most Westerly corner of said Quitclaim tract;

THENCE North 89 deg 55 min 09 sec East, departing said Easterly right-of-way line of Lakeside Parkway, a distance of 899.44 feet to a 1/2-inch iron rod found for corner on the West line of a tract of land described in deed to Ray B. Baldwin III as recorded in County Clerk's Instrument No. D210075275, Real Property Records, Denton County, Texas, said point also being the Southeast corner of Village Oaks Mobile Home Community, an addition to the Town of Flower Mound, Denton County, Texas, according to the Plat thereof recorded in Cabinet D, Page 291, Plat Records, Denton County, Texas;

THENCE South 00 deg 31 min 16 sec East, along the West line of said Baldwin tract, a distance of 326.07 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for the Northeast corner of Lakeside Parkway, a 100-foot right-of-way as dedicated by Dedication Deed to the Town of Flower Mound as recorded in County Clerk's Instrument No. 2001-R0105772, Deed Records, Denton County, Texas;

THENCE along the Northerly and Easterly right-of-ways of said Lakeside Parkway, the following courses and distances:

South 89 deg 20 min 52 sec West, a distance of 742.09 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner, said point being the beginning of a non-tangent curve to the left having a radius of 100.00 feet, a central angle of 39 deg 28 min 48 sec, a chord bearing of North 50 deg 23 min 32 sec West, and a chord length of 67.55 feet;

Along said non-tangent curve to the left, an arc distance of 68.91 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner;

North 17 deg 00 min 08 sec West, a distance of 53.70 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner, said point being the beginning of a curve to the left having a radius of 1,760.00 feet, a central angle of 08 deg 21 min 11 sec, a chord bearing of North 21 deg 10 min 42 sec West, and a chord length of 256.36 feet;

THENCE continuing along the Easterly right-of-way of said Lakeside Parkway and said curve to the left, an arc distance of 256.59 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 274,800 square feet or 6.309 acres of land, more or less. Bearings shown hereon are based upon an on-the-ground survey performed in the field on the April 5, 2012, utilizing a G.P.S. bearing related to the Texas Coordinate System, North Texas Central Zone (4202), NAD 83 State Plane Coordinate grid values based on the Geo-Shack Virtual Reference Station (VRS) Network.



## TRACT A LEGAL DESCRIPTION

### PROPERTY DESCRIPTION

Peter P Stewart PARCEL 2

STATE OF TEXAS           §  
COUNTY OF DENTON       §  
COUNTY OF TARRANT     §

BEING all that certain tract of land situated in the the J. M. TANNEHILL SURVEY, ABSTRACT No. 1252, in the Town of Flower Mound, Denton and Tarrant County, Texas, being part of a tract of land described in deed to Peter P. Stewart as recorded In County Clerk's Instrument No. 93R0024840, Deed Records, Denton County, Texas, also being all that property described in deed to Peter P. Stewart as recorded in Volume 11029, Page 1308, Deed Records, Tarrant County, Texas, and also being all that property described in deed to Peter P. Stewart as recorded in Volume 8180, Page 1145, Deed Records, Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for corner on the Westerly right-of-way line of Lakeside Parkway, a 120-foot right-of-way, said point being the Southeast corner of Lot 1, Block 1, Lakeside Hotel, an addition to the Town of Flower Mound, Tarrant County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 11756, Plat Records, Denton County, Texas, said point being the beginning of a curve to the right having a radius of 1,640.00 feet, a central angle of 04 deg 28 min 09 sec, a chord bearing of South 19 deg 14 min 13 sec East, and a chord length of 127.89 feet;

THENCE along said Westerly right-of-way line of Lakeside Parkway and said curve to the right, an arc distance of 127.92 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner;

THENCE South 17 deg 00 min 08 sec East, continuing along said Westerly right-of-way line of Lakeside Parkway, a distance of 53.71 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner, said point being the beginning of a non-tangent curve to the left having a radius of 100.00 feet, a central angle of 106 deg 14 min 09 sec, a chord bearing of South 16 deg 59 min 23 sec East, and a chord length of 159.97 feet;

THENCE continuing along said Westerly right-of-way line of Lakeside Parkway and said non-tangent curve to the left, an arc distance of 185.37 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner on the Westerly right-of-way line of Long Prairie Road, a variable width right-of-way;

THENCE South 17 deg 00 min 08 sec East, along the Westerly right-of-way line of said Long Prairie Road, a distance of 258.06 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner on the North line of said Peter P. Stewart tract (Volume 11029, Page 1308);

THENCE North 88 deg 37 min 18 sec East, along the North line of said Peter P. Stewart tract (Volume 11029, Page 1308), continuing along the Westerly right-of-way line of said Long Prairie Road, a distance of 24.07 feet to a brass monument found for corner, said point being the Northeast corner of said Peter P. Stewart tract (Volume 11029, Page 1308);

THENCE South 18 deg 10 min 43 sec East, continuing along said Westerly right-of-way line of said Long Prairie Road and along the Easterly line of said Peter P. Stewart tract (Volume 11029, Page 1308), a distance of 143.87 feet to 1/2-inch Iron rod with a red plastic cap stamped "W.A.I." set for corner from which a brass monument found bears North 88 deg 50 min 33 sec East, 39.77 feet;

**TRACT A LEGAL DESCRIPTION**

**THENCE along the Easterly line of said Peter P. Stewart tracts (Volume 11029, Page 1308 and Volume 8180, Page 1145), the following courses and distances:**

**South 88 deg 50 min 33 sec West, a distance of 289.31 feet to a brass monument found for corner;**

**South 01 deg 05 min 02 sec East, a distance of 638.21 feet to a brass monument found for corner;**

**South 85 deg 46 min 29 sec West, a distance of 207.02 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner on the East line of Tract 1 of said Peter P. Stewart tract (Volume 8180, Page 1145);**

**South 03 deg 45 min 31 sec East, a distance of 284.14 feet to a brass monument found for the Southeast corner of Tract 4 of said Peter P. Stewart tract (Volume 8180, Page 1145);**

**THENCE South 88 deg 48 min 29 sec West, along the South line of said Tract 4, a distance of 428.02 feet to a brass monument found for the Southwest corner of said Tract 4;**

**THENCE along the Westerly line of said Peter P. Stewart tract (County Clerk's Instrument No. 93R0024840, Volume 11029, Page 1308, and Volume 8180, Page 1145), the following courses and distances:**

**North 06 deg 33 min 31 sec West, a distance of 261.30 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner;**

**North 20 deg 41 min 29 sec East, a distance of 301.80 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner;**

**North 02 deg 20 min 31 sec West, a distance of 230.50 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner;**

**North 27 deg 03 min 35 sec West, a distance of 331.50 feet to a brass monument found for the Northwest corner of said Peter P. Stewart tract (Volume 11029, Page 1308);**

**North 89 deg 37 min 43 sec East, a distance of 87.23 feet to a brass monument found for corner on the North line of said Peter P. Stewart tract (Volume 11029, Page 1308);**

**North 18 deg 59 min 56 sec West, a distance of 614.28 feet to a 1/2-inch iron rod found for the Southwest corner of said Lot 1, Block 1;**

**THENCE North 89 deg 15 min 56 sec East, along the South line of said Lot 1, Block 1, a distance of 840.14 feet to the POINT OF BEGINNING.**

**CONTAINING within these metes and bounds 1,093,369 square feet or 25.100 acres of land, more or less. Bearings shown hereon are based upon an on-the-ground survey performed in the field on the April 5, 2012, utilizing a G.P.S. bearing related to the Texas Coordinate System, North Texas Central Zone (4202), NAD 83 State Plane Coordinate grid values based on the Geo-Shack Virtual Reference Station (VRS) Network.**



**EXHIBIT B**

**LAKESIDE DFW**  
**DEVELOPMENT CODE**  
**AMENDED**

**ORDINANCE 09-18**  
**MU17-0002**

**SUBZONE MU-TEN**  
**LAKESIDE VILLAGE:**  
REVISING MU-TEN(1) AND MU-TEN(2)  
AND ADDING APPROXIMATELY 9 ACRES

Flower Mound, TX

April 23, 2018

*Town Council Approved April 16, 2018*

A DEVELOPMENT BY  
Realty Capital Management, LLC  
909 Lake Carolyn Parkway Suite 150  
Irving, TX 75039  
James W. Archie, Managing Director  
469.533.4131

PLANNING BY  
Roaring Brook Development Co.  
3058 Lakeside Parkway  
Flower Mound, TX 75022  
Dan Quinto  
817.706.8353

Realty Capital Management  
Dallas, TX

**LAKESIDE DFW DEVELOPMENT CODE**  
FLOWER MOUND, TEXAS

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**LAKESIDE DFW DEVELOPMENT CODE**  
FLOWER MOUND, TEXAS

**SECTION 1**

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**PREFACE TO AMENDED CODE**

## PREFACE TO AMENDED DEVELOPMENT CODE

The Lakeside Development Code was passed by Town Council on November 19 2012 as Ordinance 63-12. Since that time, there have been 4 modifications to the Code:

- Ordinance 12-13 annexing approximately 0.9 acres into the development district;
- Ordinance 14-15 amending signage rules;
- Ordinance 58-15 regarding on-site sales activities on the condominium tower;
- Ordinance 03-17 amending permitted materials.

These amendments are included as appendices to this draft of the development code.

The purpose of this Amended Lakeside Development Code is to annex an additional approximately 9 acres of land (formerly known as the Hines Property) into the development and to update the development regulations for the area within Lakeside DFW known as Lakeside Village encompassing subzones MU-TEN 1, and MU-TEN 2. This amendment also includes some minor modifications to the commercial subzone MU-C3 fronting on Lakeside Village Parkway.

There are no changes to the following subzones.

MU-C(1)  
MU-C(2)  
MU-C(4)  
MU-TMR(1)  
MU-TMR(2)  
MU-TNG  
MU-N

The intent is to maintain a single unified document that governs all of the Lakeside DFW development district to facilitate the Town's enforcement obligations without the need to research a lengthy history of amendments and ordinances.

The rules and regulations pertaining to previously developed areas remain within the body of the document. Language that refers to proposed or intended development activities which have already occurred has been modified or eliminated to avoid confusion regarding the scope of the current proposal before the Town.

Where general rules or standards are modified and apply only to Lakeside Village, then those rules have been added to the subzone regulations in Section and supersede the general rules. For instance, the architectural standards in Section 7 are not being modified, but additional architectural standards are added to Subzone MU-TEN in Section 3.



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**LAKESIDE DFW DEVELOPMENT CODE**  
FLOWER MOUND, TEXAS

**SECTION 2**

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**STATISTICAL ANALYSIS OF LAND USE**

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**LAKESIDE DFW DEVELOPMENT CODE**  
FLOWER MOUND, TEXAS

## LAND USE STATISTICAL ANALYSIS

Each category below is a gross development area and is an approximation based on the acreage identified in table 3.2. and other land use regulations within the Code.

TABLE 1.1 STATISTICAL ANALYSIS

|                            | Acres | % of Land |
|----------------------------|-------|-----------|
| Gross Acreage              | 155.8 |           |
| Open Space                 | 15.6  | 10%       |
| Commercial only            | 24.5  | 16%       |
| Mixed Commercial/Residen I | 21.6  | 14%       |
| Mu -family                 | 34.8  | 22%       |
| Single Family              | 59.4  | 38%       |
|                            | 155.8 | 100%      |



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**LAKESIDE DFW DEVELOPMENT CODE**  
FLOWER MOUND, TEXAS

**SECTION 3**

---

**CHARACTER ZONE STANDARDS**

**SECTION 3: DEFINITION OF CHARACTER ZONES**

It is the intention of the Applicant to create a development uniquely appropriate to the site and to preserve the most beneficial aspects of the land while creating and attracting new amenities, services, businesses, and residents to the project.

The proposed development encompasses over 150 acres and covers a variety of land, conditions, access, visibility and value. Because the tract is so large and diverse, we have divided the site into more subzones than the original Mixed Use ordinance had envisioned. The purpose of subzones is to allow each portion of the larger development to respond uniquely to the site and the surrounding conditions.

Despite this division into subzones, the intention of the development is to maintain consistency among the various subzones, the subsequent phases, and the different developers so that the singular character of the place is recognizable as unique.

**MU-C (1)** is comprised of the frontage along Lakeside Parkway between FM 2499 and the first traffic circle. where all of the mixed-use buildings line the streets. It is the intention of the development to use the profile of the existing parkway to provide on-street parking for the shops, offices and residents lining the street. These building will vary somewhat in height from one to four stories, depending on the location, distribution of parking, and prevailing traffic flows. The upper stories would house apartments, lofts, or offices. The architecture would be consistent with small-town downtowns.

**MU-C (2)** is comprised of the major natural drainage area. This area will contain the detention/retention areas required by the project and landscaping consistent with the aesthetics of the project.

**MU-C (3)** plans for a pair of high rise office towers bracketing a ravine and green space. Parking may need to be structured on this site to meet the demand for an office of that size.

**MU-C (4)** is comprised of the frontage along Lakeside Parkway between the first and second traffic circles. These buildings are constructed to be consistent with the mixed use buildings, but the occupancy permit residential uses to enliven the streetscape.

**MU-N (1)** is predominantly higher density residential with significant frontage on a park to the south. A linear greenspace weaves through the center of this zone and the project's hike and bike trail follows that

green space.

**MU-TNG** anticipates a highly walk-able residential community comprised of small blocks, sidewalks with street trees, and several pocket parks, including locations adjacent to the Corps property with views of the lake. The pocket parks could also act as a trailhead to the CORPS property if permitted by the CORPS and would be open and available to the public. The largest lots would be located where the views to the water would be the most advantageous.

**MU-TEN (1) - (deleted)**

**MU-TEN (2) - (deleted)**

**MU-TEN** is the south peninsula, with close proximity to the Grapevine Lake and Rockledge Park. It is the intention of the development to capture the extraordinary character of the site and create a village that takes advantage of the landscape and the elevated topography. The Village includes restaurants with terraces overlooking the lake, public parks, shops, offices, an hotel and upper story living within the development. A small amphitheater would fit comfortably into the natural setting for weddings or gatherings looking for a dramatic setting.

**MU-TMR (1)** encompasses the intersection of FM 2499 and Lakeside Parkway as the entrance to the project. It offers and opportunity to provide great retail and commercial space while establishing the entrance to the project with multi-story buildings on the corners. The upper stories of the buildings may house residential or office occupancies. Tucked between these initial buildings are small public plazas. There is also room for a larger retail anchor visible from 2499.

**MU-TMR (2)** is located across FM 2499 from the major entrance to the project, and MU-MR (1). It is appropriate that this site be exclusively commercial, since pedestrian connectivity to the site may slightly longer across the arterial than is comfortable.

There are ample opportunities for making great places among these nine zones. A network of trails ties these zones together through a string of pocket parks and open spaces. Where the trail runs along the western boundary of the property, it is intended to have the character of an elevated trail overlooking the views of the water.

This array of development opportunities allows the development team to initiate development at the most promising areas. The actual sequence of development will follow the dictates of the market.



## SECTION 3: DEFINITION OF CHARACTER ZONES

Each of the subzones contains its own set of development regulations embedded in Table 3.1, the Table of Permitted Uses, in Table 3.2, the table of Development Standards, and in the subzone rules on the following pages.

### **Administrative Provisions:**

**Discrepancies:** In the case of a discrepancy between this Development Code and the existing Mixed Use Ordinance 62-08, the LDR's, or the SmartGrowth requirements, this Development Code shall govern.

**Planning Director:** The planning director may approve minor changes or variations to the plan at the time of the Site Plan application, or of Preliminary Platting.

**Permitted Changes:** The following criteria shall allow the planning Director to approve non-material changes at the time of preliminary plat application or Site Plan application.

1. **Streets:** streets may be realigned up to 200 feet from the location indicated in the regulating plan and or street plan.
2. **Street Profile:** the profile or cross section of the street may be adjusted by adjusting size and location of medians, sidewalks, changing landscaping or furnishings if, in the opinion of the Planning director, the changes benefit the project and the public interest.
3. **Subzones:** Subzones may be increased or reduced in size provide the final areas remain within 10% of the maximums and minimums identified in table 3.2.
4. **Setbacks:** Setbacks or Build-to-lines may be adjusted up to 20% provided the relationship of the building to the sidewalk is maintained or improved.

5. **Open Space:** Open spaces may be relocated within the development from one subzone to another provided the total open space area is not reduced, the required standards in Table 5.1 and Section 5 apply, and provided the required adjacencies are maintained.

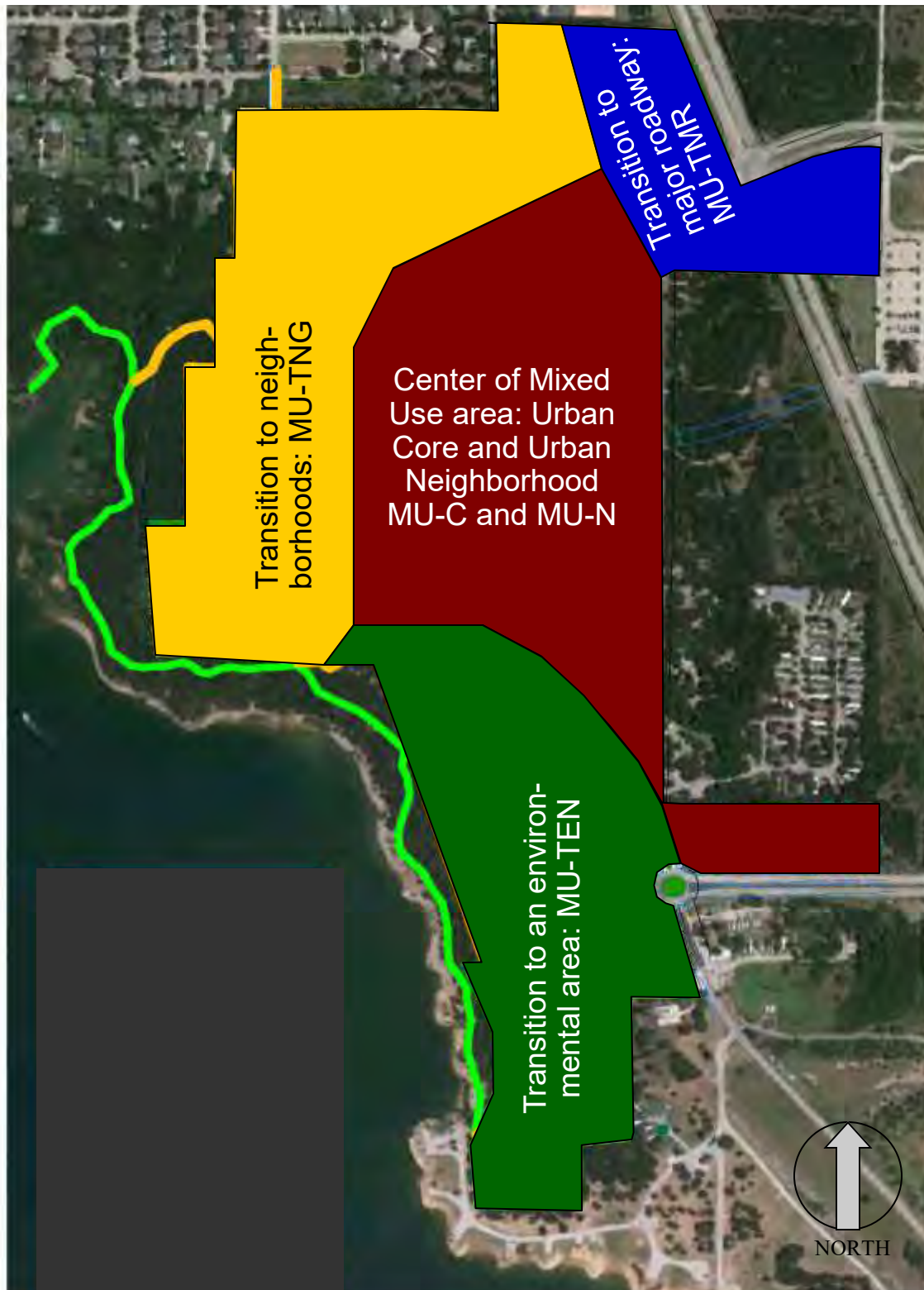
### **Private Deed Restrictions:**

Concurrent with the Plat Application, or earlier, the Applicant will submit to the Town Planning Department a copy of proposed deed restrictions applicable to the development district. Deed restrictions shall conform to the standards established in this Development Code and where a conflict exists between the proposed deed restrictions and this Development Code, then this Development Code shall govern. The deed restrictions will, at a minimum, address the following issues:

1. Establish design guidelines for residential and commercial buildings that conform to and compliment the Mixed Use Ordinance requirements.
2. Establish design guidelines for landscaping and open space that conform to and compliment the Mixed Use Ordinance requirements.
3. Establish a review and approval process for planned improvements
4. Establish, in conjunction with the Town, an appropriately constituted body empowered to facilitate the mercantile and social activity within the public rights-of-way.
5. Establish an association of Property Owners to maintain all common assets and property within the development district.

The Town's review of the proposed deed restrictions is limited to assurance that they conform to the performance standards specifically established herein, not to impose new design requirements.

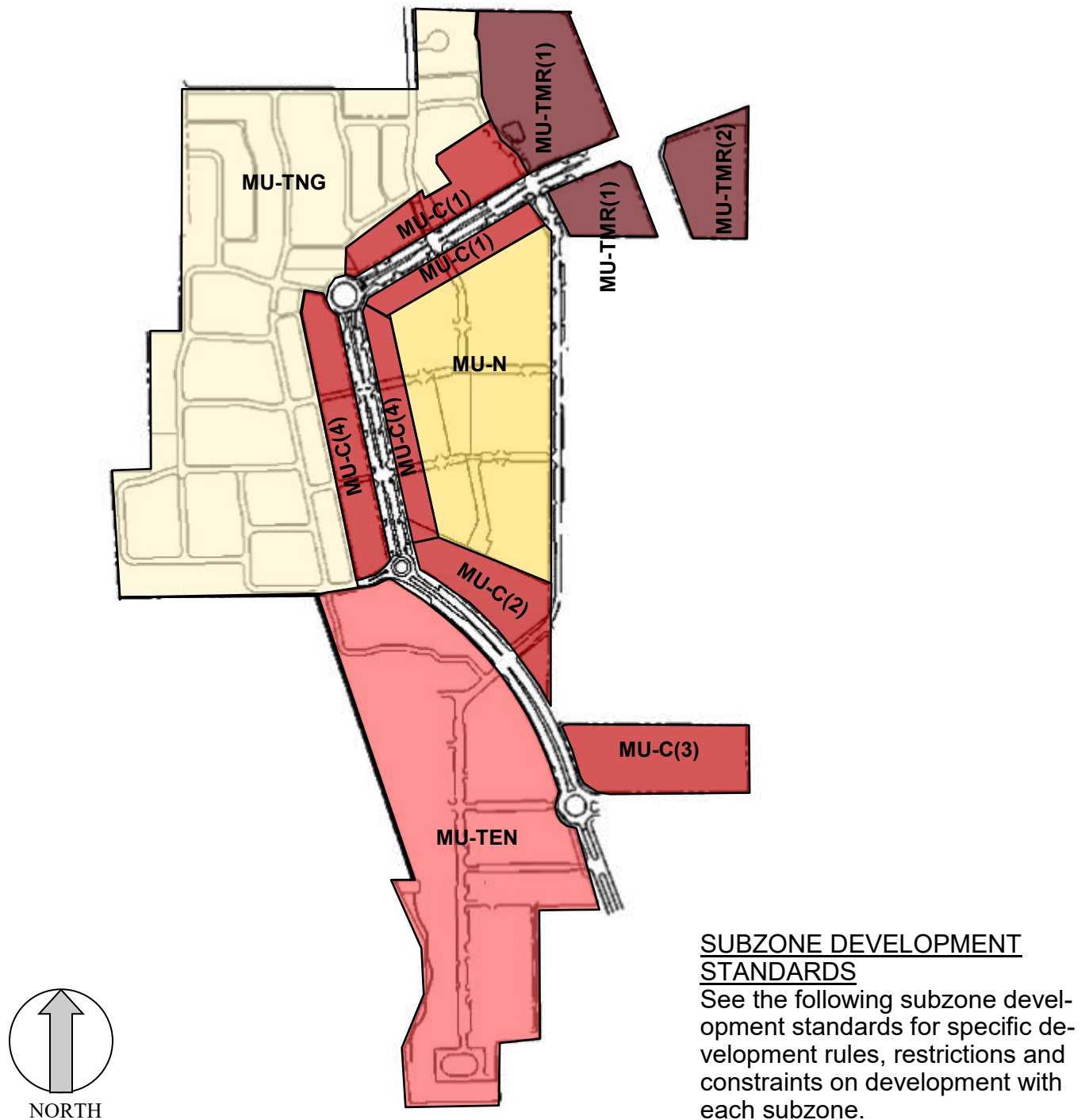
**GENERAL RATIONALE OF CHARACTER ZONES**



**LAKESIDE™**  
DFW



# CONCEPT PLAN AND REGULATING PLAN



## SUBZONE DEVELOPMENT STANDARDS

See the following subzone development standards for specific development rules, restrictions and constraints on development with each subzone.

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**LAKESIDE DFW DEVELOPMENT CODE**  
FLOWER MOUND, TEXAS

SECTION 3

**TABLE 3.1: PERMITTED USES**

Permitted Land Use categories in Table 3.1 relate to Land Use areas which are listed in Table 3.2 with associated maximum values for residential units and commercial square footage. The areas for each subzone is not an engineered boundary and is approximate so that each zone has flexibility in establishing the final boundary during the site plan and platting process. The allowable minimum and maximum areas for each Subzone is listed in Table 3.2.

| Land Use Category                                                                                                                                                      | Use Status |         |          |          |      |        |            |            |            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|---------|----------|----------|------|--------|------------|------------|------------|
|                                                                                                                                                                        | MU-C (1)   | MU-C(2) | MU-C (3) | MU-C (4) | MU-N | MU-TNG | MU-TEN     | MU-TMR (1) | MU-TMR (2) |
| <b>Commercial Uses (Office, Retail, and Service Uses)</b>                                                                                                              |            |         |          |          |      |        |            |            |            |
| Retail sales or service (excluded from this category are retail sales and services establishments geared towards the automobile, including gasoline service stations.) | P          | P       | P        | P        | P/C  | NP     | P          | P          | P          |
| Retail sales or service including establishments geared towards the automobile (including gas stations)                                                                | NP         | NP      | NP       | NP       | NP   | NP     | NP         | P/C        | P          |
| Finance, insurance, and real estate establishments including banks, credit unions, real estate, and property management services.                                      | P          | P       | P        | P        | P/C  | NP     | P          | P          | P          |
| Offices for business, professional, and technical uses such as accountants, architects, lawyers, doctors, etc.                                                         | P          | P       | P        | P        | P/C  | NP     | P          | P          | P          |
| Food service uses such as full-service restaurants, cafeterias, and snack bars                                                                                         | P          | P       | P        | P        | P/C  | NP     | P          | P          | P          |
| Accessory residential uses such as leasing office or fitness center                                                                                                    | P          | P       | NP       | P        | P    | NP     | P          | P          | NP         |
| <b>Residential Uses</b>                                                                                                                                                |            |         |          |          |      |        |            |            |            |
| Home occupations                                                                                                                                                       | NA         | NA      | NA       | NA       | A    | A      | A          | NA         | NA         |
| Live/work units                                                                                                                                                        | P/C        | P/C     | P/C      | P/C      | P    | P/C    | P          | NP         | NP         |
| Residential lofts (Upper Floor Residential) <b>NOTE 1</b>                                                                                                              | P          | P/C     | P/C      | P        | P    | NP     | P          | P          | NP         |
| Apartments/condos (Including Ground Floor Residential) <b>NOTE 1</b>                                                                                                   | NP         | NP      | NP       | P        | P    | NP     | P<br>NOTE2 | NP         | NP         |
| Single-family residential attached dwelling unit (Townhomes) <b>NOTE 1</b>                                                                                             | NP         | NP      | NP       | NP       | P    | P      | P          | NP         | NP         |
| Single-family residential detached dwelling unit                                                                                                                       | NP         | NP      | NP       | NP       | P/C  | P      | P          | NP         | NP         |

P = Permitted use

P/C = Permitted only where identified in subzone rules

NP = Use Not Permitted

SUP = Permitted with a Special Use Permit

A = Permitted as an accessory use

NA = Not Applicable

NOTE 1: Added clarifications of definitions in the MU Ordinance : **Apartments** are residential units that may occupy any floor of a building including the ground floor. **Lofts** are residential units that do not require commercial construction or compliance with commercial standards. Lofts may occupy any floor above the ground floor.

NOTE 2: Ground Floor residential occupancy in Subzone MU-TEN is limited to 50% of the ground floor in any individual building.



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**LAKESIDE DFW DEVELOPMENT CODE**  
FLOWER MOUND, TEXAS

## SECTION 3

| <b>Table 3.1: PERMITTED USE TABLE</b>                                               |  | <b>Use Status</b> |         |          |          |      |        |        |            |            |
|-------------------------------------------------------------------------------------|--|-------------------|---------|----------|----------|------|--------|--------|------------|------------|
| <b>Land Use Category</b>                                                            |  | MU-C (1)          | MU-C(2) | MU-C (3) | MU-C (4) | MU-N | MU-TNG | MU-TEN | MU-TMR (1) | MU-TMR (2) |
| <b>Arts, Entertainment, and Recreation Uses</b>                                     |  |                   |         |          |          |      |        |        |            |            |
| Fitness, recreational sports, gym, or athletic club                                 |  | P                 | P       | P        | P        | P/C  | NP     | P      | P          | P          |
| Games arcade establishments                                                         |  | P                 | P       | P        | P        | NP   | NP     | P/C    | P          | P          |
| Theater, cinema, dance, or music establishment                                      |  | P                 | P       | P        | P        | NP   | NP     | P      | P          | P          |
| Museums and other special purpose recreational institutions                         |  | P                 | P       | P        | P        | NP   | NP     | P      | P          | P          |
| Parks, greens, plazas, squares, environmental preserves, and playgrounds            |  | P                 | P       | P        | P        | P    | P      | P      | P          | P          |
| Art, antique, furniture or electronic studio (retail, repair, or fabrication)       |  | P                 | P       | P        | P        | P/C  | NP     | P      | P          | P          |
| <b>Educational, Public Administration, Health Care and Other Institutional Uses</b> |  |                   |         |          |          |      |        |        |            |            |
| Business associations and professional organizations                                |  | P                 | P       | P        | P        | NP   | NP     | P      | P          | P          |
| Child day care and preschools                                                       |  | P                 | P       | P        | P        | P/C  | NP     | P/C    | P          | P          |
| Schools, libraries, and community halls                                             |  | P                 | P       | P        | P        | P/C  | NP     | P      | P          | P          |
| Universities and colleges                                                           |  | P/C               | P/C     | P/C      | P/C      | NP   | NP     | P/C    | P          | P          |
| Hospitals                                                                           |  | P                 | P       | P        | P        | NP   | NP     | NP     | P          | P          |
| Civic uses                                                                          |  | P                 | P       | P        | P        | P/C  | NP     | P      | P          | P          |
| Social and fraternal organizations                                                  |  | P                 | P       | P        | P        | P/C  | NP     | P      | P          | P          |
| Public safety facilities                                                            |  | P                 | P       | P        | P        | P/C  | NP     | P      | P          | P          |
| Religious institutions                                                              |  | P                 | P       | P        | P        | P/C  | NP     | P      | P          | P          |

P = Permitted use

P/C = Permitted only where identified in subzone rules

NP = Use Not Permitted

SUP = Permitted with a Special Use Permit

A = Permitted as an accessory use

NA = Not Applicable

NOTE 1: Added clarifications of definitions in the MU Ordinance : **Apartments** are residential units that may occupy any floor of a building including the ground floor. **Lofts** are residential units that do not require commercial construction or compliance with commercial standards. Lofts may occupy any floor above the ground floor.

NOTE 2: Ground Floor residential occupancy in Subzone MU-TEN is limited to 50% of the ground floor in any individual building.

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| <b>Table 3.1: PERMITTED USE TABLE</b>                                                                               |  | <b>Use Status</b> |         |          |          |      |        |        |            |            |
|---------------------------------------------------------------------------------------------------------------------|--|-------------------|---------|----------|----------|------|--------|--------|------------|------------|
| <b>Land Use Category</b>                                                                                            |  | MU-C (1)          | MU-C(2) | MU-C (3) | MU-C (4) | MU-N | MU-TNG | MU-TEN | MU-TMR (1) | MU-TMR (2) |
| <b>Other Uses</b>                                                                                                   |  |                   |         |          |          |      |        |        |            |            |
| Model homes, attached and detached, for sales and promotion                                                         |  | P/C               | P/C     | P/C      | P/C      | P    | P      | P      | P/C        | P/C        |
| Full-service Hotels                                                                                                 |  | P                 | P       | P        | P        | NP   | NP     | P      | P          | P          |
| Outdoor temporary removable displays and sales for fairs, festivals and other special events held in outdoor spaces |  | SUP               | SUP     | SUP      | SUP      | NP   | NP     | P      | SUP        | SUP        |
| Outdoor vendor sales                                                                                                |  | P                 | P       | P        | P        | NP   | NP     | P      | NP         | NP         |
| Parking, surface                                                                                                    |  | P                 | P       | P        | P        | P    | A      | P      | P          | P          |
| Parking, structured                                                                                                 |  | P                 | P       | P        | P        | P    | NP     | P      | P          | P          |
| Sales from kiosks                                                                                                   |  | P                 | P       | P        | P        | NP   | NP     | P      | P/C        | P/C        |
| Any permitted use with a drive through facility                                                                     |  | NP                | NP      | P        | NP       | NP   | NP     | NP     | P          | P          |
| Veterinary clinic (no outdoor facilities for overnight storage of animals)                                          |  | SUP               | SUP     | P        | SUP      | NP   | NP     | P      | P          | P          |
| Information centers                                                                                                 |  | P                 | P       | P        | P        | P    | NP     | P      | P          | P          |

P = Permitted use

P/C = Permitted only where identified in subzone rules

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NOTE 1: Added clarifications of definitions in the MU Ordinance : **Apartments** are residential units that may occupy any floor of a building including the ground floor. **Lofts** are residential units that do not require commercial construction or compliance with commercial standards. Lofts may occupy any floor above the ground floor.

NOTE 2: Ground Floor residential occupancy in Subzone MU-TEN is limited to 50% of the ground floor in any individual building.

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**TABLE 3.2: DEVELOPMENT STANDARDS & BULK REGULATIONS TABLE**

|                                     | MU-C (1)   | MU-C(2)    | MU-C (3)   | MU-C (4)   | MU-N        | MU-TNG      | MU-TEN      | MU-TMR (1)  | MU-TMR (2) |
|-------------------------------------|------------|------------|------------|------------|-------------|-------------|-------------|-------------|------------|
| <b>Area: Concept Plan (acres)</b>   | <b>7.2</b> | <b>4.8</b> | <b>5.7</b> | <b>8.1</b> | <b>20.5</b> | <b>57.7</b> | <b>38.5</b> | <b>11.5</b> | <b>4.5</b> |
| <b>Minimum Area</b>                 | <b>7</b>   | <b>4</b>   | <b>5</b>   | <b>8</b>   | <b>20</b>   | <b>35</b>   | <b>38.5</b> | <b>11</b>   | <b>4</b>   |
| <b>Maximum Area</b>                 | <b>12</b>  | <b>6</b>   | <b>6</b>   | <b>12</b>  | <b>23</b>   | <b>59</b>   | <b>38.5</b> | <b>17</b>   | <b>5</b>   |
| <b>Maximum Residential Units</b>    | <b>276</b> | <b>0</b>   | <b>0</b>   | <b>358</b> | <b>735</b>  | <b>258</b>  | <b>929*</b> | <b>48</b>   | <b>0</b>   |
| <b>Maximum Commercial SF x 1000</b> | <b>180</b> | <b>8.4</b> | <b>125</b> | <b>180</b> | <b>8</b>    | <b>0</b>    | <b>270</b>  | <b>85</b>   | <b>34</b>  |
| <b>Estimated Hotel Rooms</b>        |            |            | <b>135</b> |            |             |             | <b>175</b>  |             |            |

\*929 RU'S INCLUDES THE 54 RU'S IN LAKESIDE TOWER

**Lot and Block Standards**

SEE SECTION 3: CHARACTER ZONE STANDARDS FOR ADDITIONAL INFORMATION ON SITE DEVELOPMENT STANDARDS

|                       |         |    |         |         |          |         |         |         |         |
|-----------------------|---------|----|---------|---------|----------|---------|---------|---------|---------|
| Block Type (Note 4)   | Regular | NA | NA      | Regular | Regular  | Regular | Regular | Regular | NA      |
| Block Face Dimensions |         |    |         |         |          |         |         |         |         |
| Minimum               | 200'    | NA | 200'    | 200'    | 200'     | 200'    | 170'    | 200'    | NA      |
| Maximum (Note 5)      | 600'    | NA | 750     | 600'    | 600'     | 750     | 1200'   | 600'    | NA      |
| Lot Dimensions        |         |    |         |         |          |         |         |         |         |
| Minimum Lot Area      | 2000 SF | NA | 2000 SF | 2000 SF | 10000 SF | 2400 SF | 2400 SF | 2000 SF | 1 BLOCK |
| Minimum Lot Width     | 20'     | NA | 100'    | 20'     | 100'     | 30'     | 30'     | 20'     | NA      |
| Minimum Lot Depth     | 80'     | NA | 100'    | 80'     | 100'     | 80'     | 80'     | 80'     | NA      |
| Maximum Lot Coverage  | 100%    | NA | 90%     | 100%    | 100%     | 90%     | 100%    | 100%    | 90%     |

**SECTION 4: Street Standards**

SEE SECTION 4: THOROUGHFARE STANDARDS FOR TYPICAL STREET SECTIONS

|                        |          |          |          |          |               |              |                   |          |          |
|------------------------|----------|----------|----------|----------|---------------|--------------|-------------------|----------|----------|
| Design Speed           | 25 mph   | 25 mph   | 25 mph   | 25 mph   | 25 mph        | 25 mph       | 25 mph            | 25 mph   | 25 mph   |
| Street Types Allowed   |          |          |          |          |               |              |                   |          |          |
| MU BLVD                | YES      |          | YES      | YES      | YES           |              | NA                | YES      |          |
| MU Commercial          | YES      | YES      | YES      | YES      | YES           |              | YES               | YES      |          |
| MU Street 2            |          |          |          |          |               |              | YES               |          |          |
| MU Local 1             | YES      | YES      | YES      | YES      | YES           | YES          | YES               | YES      |          |
| MU Local 2             | YES      | YES      | YES      | YES      | YES           | YES          | YES               | YES      |          |
| MU Local 3             |          | YES      |          |          | YES           | YES          | YES               |          |          |
| MU Commercial Alley    | YES      | YES      | YES      | YES      | YES           |              | YES               | YES      | YES      |
| MU Residential Alley 1 |          |          |          |          | YES           | YES          | YES               |          |          |
| MU Residential Alley 2 |          |          |          |          | YES           | YES          | YES               |          |          |
| Turning Radii (Note 2) | 15', 25' | 15', 25' | 15', 25' | 15', 25' | 10', 15', 25' | 5', 10', 15' | 5', 10', 15', 25' | 15', 25' | 15', 25' |



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**TABLE 3.2: DEVELOPMENT STANDARDS & BULK REGULATIONS TABLE**

|                              | MU-C (1)                                                                                              | MU-C(2) | MU-C (3) | MU-C (4) | MU-N    | MU-TNG                | MU-TEN  | MU-TMR (1) | MU-TMR (2) |
|------------------------------|-------------------------------------------------------------------------------------------------------|---------|----------|----------|---------|-----------------------|---------|------------|------------|
| <b>Alleys</b>                |                                                                                                       |         |          |          |         |                       |         |            |            |
| Commercial Minimum Width     | 20'                                                                                                   | 20'     | 20'      | 20'      | 20'     | NA                    | 20'     | 20'        | 20'        |
| Residential Minimum Width    | NA                                                                                                    | NA      | NA       | NA       | NA      | 12'                   | 12'     | NA         | NA         |
| Commercial Fire Lane         |                                                                                                       |         |          |          |         |                       | 26'     |            |            |
| <b>Streetscape Standards</b> |                                                                                                       |         |          |          |         |                       |         |            |            |
| Sidewalks, Trails, Walkways  |                                                                                                       |         |          |          |         |                       |         |            |            |
| Minimum Width                | See Section 4: Thoroughfare Standards for minimum sidewalk widths. See Section 5: for Trail Standards |         |          |          |         |                       |         |            |            |
| Maximum Width                | 18'                                                                                                   | 12'     | 18'      | 18'      | 12'     | 12'                   | 18'     | 18'        | 18'        |
| <b>Parkway /Planter</b>      |                                                                                                       |         |          |          |         |                       |         |            |            |
| Continuous - Min width       | 4.5'                                                                                                  | NA      | 6'       | 4.5'     | 6'      | 6'                    | 4.5     | 4.5'       | 4.5'       |
| Tree Well - Min width        | 4.5'                                                                                                  | NA      | 4.5'     | 4.5'     | 4.5'    | 4.5'                  | 4.5     | 4.5'       | 4.5'       |
| <b>Street Trees</b>          |                                                                                                       |         |          |          |         |                       |         |            |            |
| Maximum Spacing              | 40'                                                                                                   | NA      | 40'      | 40'      | 40'     | 40'<br><b>Note 10</b> | 40'     | 40'        | 40'        |
| Preferred Pattern (Note 6)   | Matched                                                                                               | NA      | Matched  | Matched  | Matched | Matched               | Matched | Matched    | Matched    |
| Species                      | Tree species to be selected from the list of Town approved tree species                               |         |          |          |         |                       |         |            |            |

**SECTION 5: Open/Civic Space Standards**

|                      |                                                           |
|----------------------|-----------------------------------------------------------|
| Open Space (Note 3)  | SEE SECTION 5: CIVIC / OPEN SPACE AND LANDSCAPE STANDARDS |
| Civic Space (Note 3) | SEE SECTION 5: CIVIC / OPEN SPACE AND LANDSCAPE STANDARDS |

**SECTION 6: Parking Standards**

|                                             |           |           |           |           |           |           |           |           |           |
|---------------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| <b>On-street Parking (Excluding alleys)</b> |           |           |           |           |           |           |           |           |           |
| Parallel                                    | Permitted | Permitted | Permitted | Permitted | Permitted | Permitted | Permitted | Permitted | Permitted |
| Angled                                      | Permitted | Permitted | Permitted | Permitted | Permitted | No        | Permitted | Permitted | Permitted |
| <b>Parking Lane Width</b>                   |           |           |           |           |           |           |           |           |           |
| Parallel                                    | 8         | 8         | 8         | 8         | 8         | 8         | 8         | 8         | 8         |
| Angled                                      | 18        | 18        | 18        | 18        | 18        | NA        | 18        | 18        | 18        |

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**TABLE 3.2: DEVELOPMENT STANDARDS & BULK REGULATIONS TABLE**

|                                          | MU-C (1)                                                                                                   | MU-C(2) | MU-C (3) | MU-C (4) | MU-N   | MU-TNG | MU-TEN | MU-TMR (1) | MU-TMR (2) |
|------------------------------------------|------------------------------------------------------------------------------------------------------------|---------|----------|----------|--------|--------|--------|------------|------------|
| Off-Street Parking                       |                                                                                                            |         |          |          |        |        |        |            |            |
| Mandatory cross-access easement required | yes                                                                                                        | no      | no       | yes      | no     | no     | yes    | yes        | yes        |
| Min Parking Stall                        | 9 x 18                                                                                                     | 9 x 18  | 9 x 18   | 9 x 18   | 9 x 18 | 9 x 18 | 9 x 18 | 9 x 18     | 9 x 18     |
| Drive Aisle width                        | See Parking Standards, Section 6                                                                           |         |          |          |        |        |        |            |            |
| Maximum Street Frontage per block face   | 25% of Frontage on Type A streets and 50% of Frontage on Type B streets. No parking lots at block corners  |         |          |          |        |        |        |            |            |
| Off Street Loading                       | Shall comply with Section 82-83 of the Town LDR                                                            |         |          |          |        |        |        |            |            |
| Screening                                | Shall comply with Division 3 Article V of the Town LDR Land Development Regulations, and Section 5 herein. |         |          |          |        |        |        |            |            |
| Landscaping                              | Shall comply with Division 2 Article V of the Town LDR                                                     |         |          |          |        |        |        |            |            |
| Lighting                                 | Shall comply with Section 82-275 of the Town LDR                                                           |         |          |          |        |        |        |            |            |

**SECTION 7: Building Standards**

**Ground Floor Requirements**

|                                                 |              |              |             |              |            |               |                |             |             |
|-------------------------------------------------|--------------|--------------|-------------|--------------|------------|---------------|----------------|-------------|-------------|
| Built to commercial standards:<br>See Section 7 | Req'd        | Req'd        | Req'd       | Req'd        | Not Req'd  | Prohib-ited   | NOTE 11        | Re-quired   | Re-quired   |
| Residential occupancy on ground floor           | Prohib-ited  | Prohib-ited  | Prohib-ited | Permit-ted   | Permit-ted | Permit-ted    | NOTE 12        | Prohib-ited | Prohib-ited |
| Building Height                                 |              |              |             |              |            |               |                |             |             |
| Minimum Height—Stories                          | NOTE 7       | 0            | 1           | NOTE 7       | 1          | 1             | NOTE 14        | NOTE 7      | 1           |
| Maximum Height—Stories                          | 4            | 1            | 25          | 4            | 4          | 3             | 25<br>NOTE 15  | 4           | 4           |
| Set Backs                                       |              |              |             |              |            |               |                |             |             |
| Front - Min                                     | 0'           | 0'           | 0'          | 0'           | 0'         | See Section 3 | 0'             | 0'          | 0'          |
| Front - Max                                     | 5'<br>NOTE 8 | 5'<br>NOTE 8 | NOTE 9      | 5'<br>NOTE 8 | 15'        | See Section 3 | 25'<br>NOTE 13 | NOTE 9      | NOTE 9      |
| Side                                            | 0'           | 10'          | 0'          | 0'           | 0'         | See Section 3 | 0'             | 0'          | 0'          |
| Side/Corner                                     | 0'           | 10'          | 0'          | 0'           | 0'         | match adj     | 0'             | 0'          | 0'          |
| Rear                                            | 5'           | 10'          | 5'          | 5'           | 5'         | 5'<br>(Note1) | 0'             | 5'          | 5'          |

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**TABLE 3.2: DEVELOPMENT STANDARDS & BULK REGULATIONS TABLE**

|                      | MU-C (1)  | MU-C(2) | MU-C (3)  | MU-C (4)  | MU-N      | MU-TNG    | MU-TEN           | MU-TMR (1) | MU-TMR (2) |
|----------------------|-----------|---------|-----------|-----------|-----------|-----------|------------------|------------|------------|
| Building Orientation | to Street |         | to Street | to Street | to Street | to Street | to Lake & Street | to Street  | to Street  |
| Accessory Buildings  |           |         |           |           |           |           |                  |            |            |
|                      |           |         |           |           |           |           |                  |            |            |

Note 1: Setback from the ACOE property shall be 0' (zero feet).

Note 2: Turning radii shall be the smallest radius approved by the Public Works Department

Note 3: Civic/Open Spaces are assumed to be dedicated to a Property Owners' Association unless the Town requests Ownership.

Note 4: "Regular" as used in the MU Ordinance, implies a form as rectangular as practical within existing geographical constraints

Note 5: The maximum block dimension shall be measured as the continuous lot frontage, uninterrupted by streets or public open space.

Note 6: Matched Pattern for tree spacing means that the trees on one side of the street are matched on the other side of the street, symmetrical & same species.

Note 7: At least 70% of the completed building frontage on Lakeside Parkway must be at least 2 stories in height.

Note 8: Building front façade may exceed 5' from the Property line provided the additional space is used as a public plaza or other appropriate open space.

Note 9: The max Setback from FM 2499 or Silveron is not limited by this Code. Setbacks from Lakeside Parkway (west of FM 2499) must comply with MU-C(1) for front buildings.

Note 10: See Section 7 for street tree planting requirements for front-loaded lots

Note 11: Areas required to be built to commercial standards are identified in the Subzone standards

Note 12: Areas permitting residential occupancy on the ground floor are identified in the Subzone Standards.

Note 13: Restaurants and hotels may exceed the maximum 25' front setback. See Table 3.1.3 for front setback for single family detached lots.

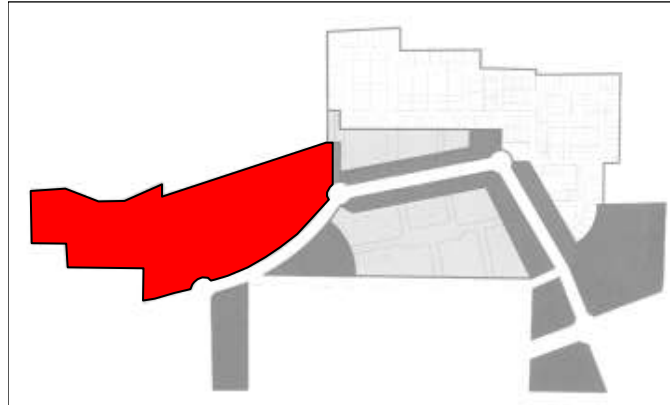
Note 14: The minimum building height for commercial occupancy is one story. Except as exempted below, the minimum height for buildings that include apartments/condos is 5 habitable stories. Buildings exempt from the 5 story minimum include residential units used to screen parking structures, the townhomes referenced in Note 3 Figure 3.3, and buildings of 3 or fewer stories with commercial occupancy on the ground floor.

Note 15: See Section 3.1.G for additional limitations on building height.



TABLE 3.3 BONUS HEIGHT PROVISIONS

| SUBZONES MU-C(3) & MU-TEN |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| BUILDING HEIGHTS          | The MU Ordinance allows taller building heights based upon compliance with a set of criteria. The Bonus Height was established and adopted with the passage of the Lakeside DFW Development Code in 2012, and allowed buildings up to 25 stories in height, based on that criteria. The criteria has not changed with the exc on of the modi on as described below.                                                                                                                                                                  |
| MODIFICATION              | The criteria requires a “step-back” of 12’ from the front building façade for all stories above the 5th oor. This provision was intended to alleviate the poten l for the “canyon” appearance of tall buildings lining a pedestrian-oriented, human-scaled streetscape. Since the proposed buildings are generally oriented with the shortest façade fron g the street, the facades con te a small por f the Sunset Boulevard streetscape, so the pedestrian experience will not be crowded with imposing facades lining the street. |
| OTHER CRITERIA            | The add onal criteria, including increased open space, distance to adjacent neighborhoods, integr on of buildings and open spaces, remain in place.                                                                                                                                                                                                                                                                                                                                                                                  |

**SUBZONE STANDARDS****SECTION 3.1.  
SUBZONE PLAN  
MU-TEN****A: MICROZONE (MZ) NARRATIVE**

Subzone MU-TEN incorporates former Subzones MU-TEN(1), MU-TEN(2), plus an additional 9.0 acres between those subzones.

The Microzones within the Subzone define how portions of each subzone may develop and function. Where minimum commercial or maximum residential land area is required in a microzone, the rules apply to the ground floor or street level occupancy. Floors above the street level may include the same category of use or may differ from the required ground floor land use.

**MZ 1:** Area is estimated to be approximately 4.6 acres and shall contain a maximum of 50% of land area devoted to residential occupancy and associated parking; MZ 1 must contain the Community Lawn open space (OS 1). Structured parking is permitted below the Community Lawn open space.

**MZ 2:** Area is estimated to be approximately 3.7 acres including the traffic turnaround for Street I (Sunset Blvd). The MZ shall contain publicly accessible and commercially accessible open space (OS 2) fronting on the western boundary with Grapevine Lake. Structured parking shall be located primarily below street level. Occupancy is projected to be primarily restaurants; no residential occupancy is permitted.

**MZ 3:** Area is estimated to be approximately 1.0 acre. The open space is intended to function as an extension of the Community Lawn and includes the Sunset Green Amphitheater (OS 3). It will include an amphitheater with benched seating that follows the natural contours of the land and imposes minimal disturbance to the existing trees. The performance area is antici-

pated to be an intimate low-key venue, compatible with the natural setting. Seating capacity shall be determined by the natural features but shall not be less than 125 seats. Lighting and sound system equipment shall be optional. The trail shall connect to OS 2 and OS 4. The area allows up to a maximum of 7500 indoor square feet of commercial occupancy. Parking for any commercial use within MZ 3 must be accommodated below grade or outside MZ 3. No residential occupancy is permitted.

**MZ 4:** Area is estimated to be approximately 1.7 acres, and contains the existing Sunset Point Observation Plaza. The open space (OS 4) shall connect to the trail and extend to Street I and shall occupy the entire western boundary facing Lake Grapevine. Public open space within the area shall be a minimum of 15% of the land area.

**MZ 5:** Area is estimated to be approximately 13.6 acres, and includes the existing Lakeside Tower condominiums as well as the existing Trailhead and Boardwalk (OS 5a). The MZ shall also include a village plaza (OS 5b) and the Corner Park (OS5c). Residential occupancy is permitted but single family lots are limited by Table 3.1.1.

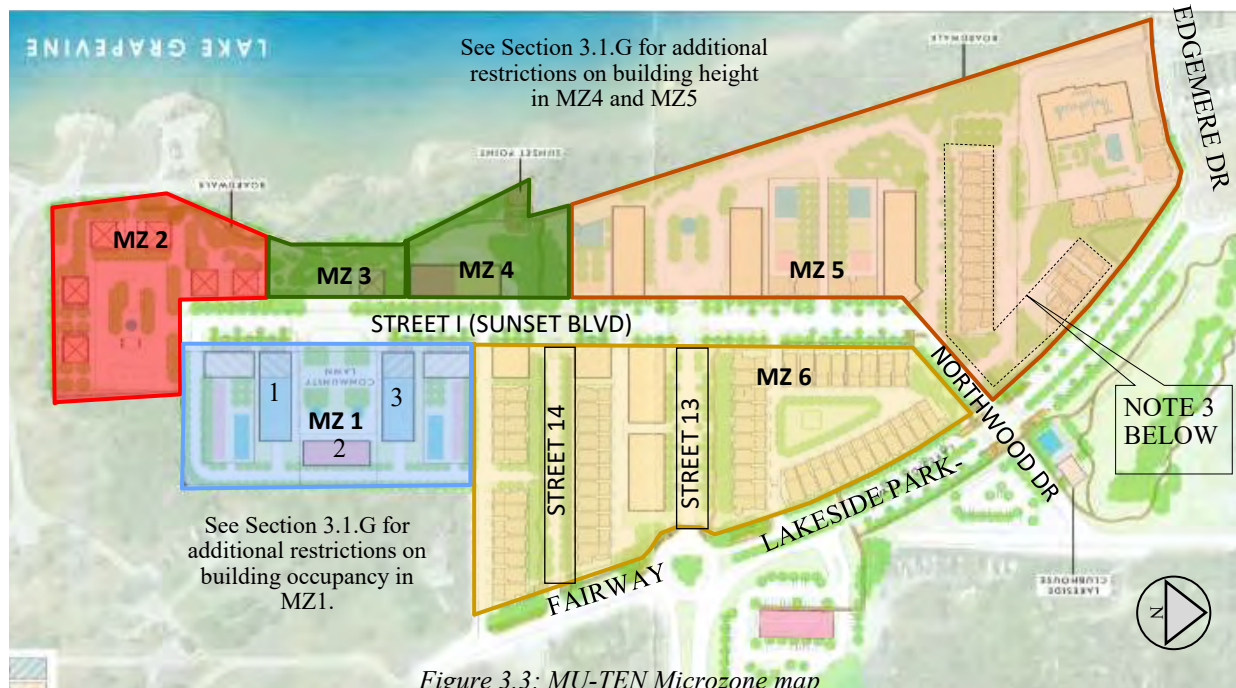
**MZ 6:** Estimated to be approximately 9.8 acres, the area shall include a linear park along the length of Street 13 (Lakeside Village Dr) & Street 14, and may also include private open space for the use of the residents of the single family homes within the Subzone. The south side of Street 13, and the east side of Street I, are required to have commercial occupancy on the ground floor.

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**SUBZONE MU-TEN  
LAND USE REGULATIONS**



**GENERAL LAND USE**

TABLE 3.1.1: SUPPLEMENT TO TABLE 3.1 PERMITTED USE TABLE

SUBZONE MU-TEN PROJECTED, PERMITTED AND REQUIRED LAND USES BY MICROZONE

- √ PERMITTED  
• REQUIRED  
PROHIBITED

| MICROZONES                                               | MZ1    | MZ2 | MZ3 | MZ4    | MZ5      | MZ6    | TOTALS |
|----------------------------------------------------------|--------|-----|-----|--------|----------|--------|--------|
| APPROXIMATE SIZE                                         | 4.6    | 3.7 | 1.0 | 1.7    | 13.6     | 9.8    | 34.4   |
| COMMERCIAL                                               | •      | √   | √   | √      | √        | •      |        |
| RESTAURANT                                               | √      | •   | √   | √      | √        | √      |        |
| HOTEL                                                    | √      |     |     | √      | √        | √      |        |
| LIVE / WORK UNITS                                        | √      |     |     |        | √        | √      |        |
| RESIDENTIAL LOFTS (UPPER FLOORS ONLY)                    | NOTE 4 |     |     | √      | NOTE 4   | NOTE 5 |        |
| APARTMENTS / CONDOS (INCLUDING GROUND FLOOR RESIDENTIAL) | NOTE 4 |     |     | NOTE 4 | NOTE 4   |        |        |
| SINGLE FAMILY RESIDENTIAL ATTACHED (TOWNHOMES)           |        |     |     |        | NOTE 3   |        |        |
| SINGLE FAMILY RESIDENTIAL DETACHED                       |        |     |     |        | NOTE 2   | √      |        |
| OPEN SPACE LABEL                                         | OS1    | OS2 | OS3 | OS4    | OS5a b c | OS6    |        |

NOTE1: Street I area is approximately 4.1 acres with no specified land use making the total for the MU-TEN subzone a total of 38.5 acres.

NOTE 2: The maximum single-family detached platted lots is limited to 20 lots within this Micro-zone.

NOTE 3: If attached townhomes are proposed, whether platted

individually or together, then they are limited to Edgemere, Lakeside Parkway and Sunset Blvd, and must be used as a buffer for structured parking, or where shown on Figure 3.3 above.

NOTE 4: Buildings are 5-story minimum height.

NOTE 5: Permitted South of Street 13 only.



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**LAKESIDE DFW DEVELOPMENT CODE**  
FLOWER MOUND, TEXAS

SECTION 3

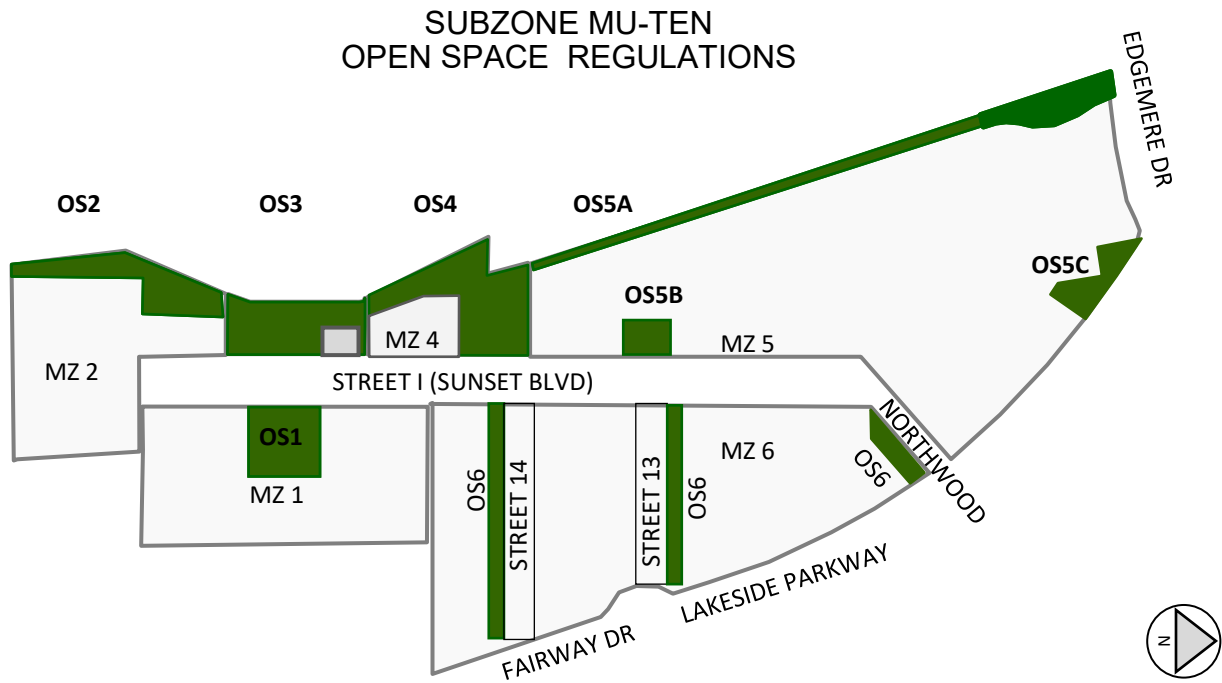


Figure 3.4: MU-TEN Public Open Space Map

TABLE 3.1.2 SUBZONE MU-TEN OPEN SPACE SUMMARY

| OPEN SPACE                                                                | OS1            | OS2               | OS3                       | OS4          | OS5a       | OS5b          | OS5c        | OS6          | TOTALS |
|---------------------------------------------------------------------------|----------------|-------------------|---------------------------|--------------|------------|---------------|-------------|--------------|--------|
| NAME / DESCRIPTION                                                        | COMMUNITY LAWN | WATER FRONT BLUFF | SUNSET GREEN AMPHITHEATER | SUNSET POINT | BOARD-WALK | VILLAGE PLAZA | CORNER PARK | LINEAR PARKS |        |
| APPROXIMATE PERCENTAGE OF MICRO-ZONE (MZ) DEVOTED TO PUBLIC OPEN SPACE    | 8%             | 8%                | 70%                       | 15%          | 3%         | 1%            | 2%          | 3%           | 9%     |
| MINIMUM AREA (ACRES)                                                      | 0.4            | 0.3               | 0.7                       | 0.3          | 1.2        | 0.2           | 0.3         | 0.3          | 3.7    |
| % OF WESTERN BOUNDARY OF MICROZONE DEVOTED TO PUBLIC TRAIL AND OPEN SPACE | NA             | 60%               | 100%                      | 100%         | 100%       | NA            | NA          | NA           | 92%    |
| TRAIL CONNECTION REQUIRED                                                 |                | YES               | YES                       | YES          | YES        |               |             | YES          |        |

**B: OPEN SPACE NARRATIVE**

**OS-1: COMMUNITY LAWN:** This open space fronts on Street I overlooking the amphitheater across the street and provides views of the lake to the west.

**OS-2: WATERFRONT BLUFF:** This open space is adjacent to the parking structure and is intended to allow pedestrian access to the trail, the waterfront bluff, the parking structure, and the restaurants.

**OS-3: SUNSET GREEN AMPHITHEATER:** This open space provides pedestrian access to the trail, the amphitheater, and to unobstructed views of Grapevine Lake.

**OS-4: SUNSET POINT:** This open space includes the existing Sunset Point Observation Plaza and provides a public connection to Street I.

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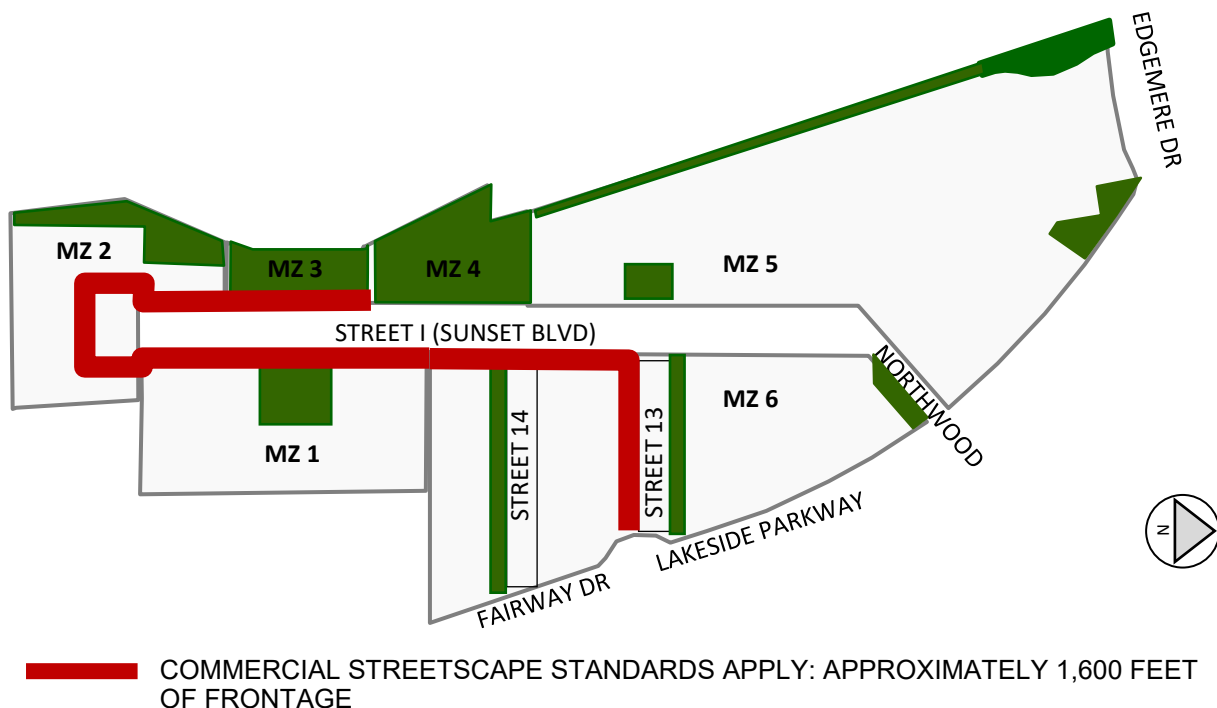
OS-5a: BOARDWALK & TRAILHEAD: This Open Space includes the existing Boardwalk and trailhead which is accessed from existing Edgemere Road.

OS-5b: VILLAGE PLAZA: This Open Space shall have public access and may occur anywhere within MZ 5 to provide a central open space within the micro-zone.

OS-5c: CORNER PARK: This open space occupies the corner fronting the traffic circle at the Edgemere and Lakeside Parkway.

OS-6: LINEAR PARK: This Open Space is situated adjacent to the street ROW for Streets 13 & 14 and serves to buffer the frontage of the residential lots.

**SUBZONE MU-TEN  
COMMERCIAL STREETSCAPE REGULATIONS**



*Figure 3.5: MU-TEN COMMERCIAL STREETSCAPE MAP*

**D: COMMERCIAL STREETSCAPE:**

1. All buildings fronting Street I (Sunset Blvd.) in MZ 1, MZ 2, MZ 3, and the south side of Street 13 (Lakeside Village Drive) in MZ 6 must be con-

structed to commercial streetscape standards as described in Section 7 of this Code. Ground floor occupancy fronting Street I within these Microzones is limited to commercial occupancy.

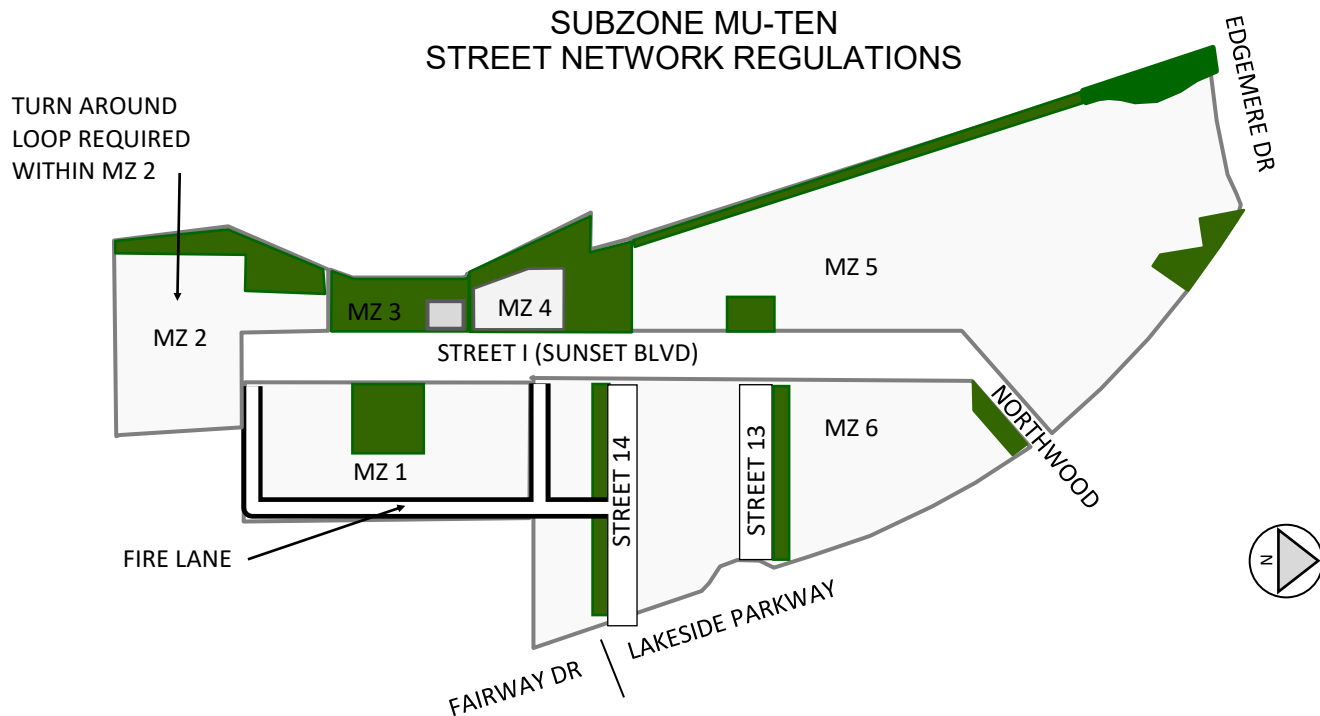
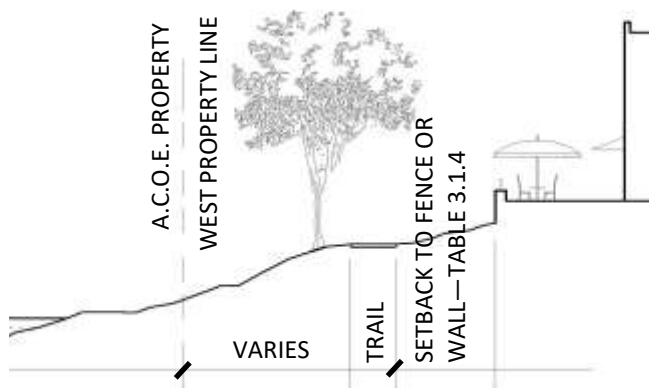


Figure 3.6: MU-TEN Street Network  
See Table 4.1 for additional standards on Street types

#### E. STREET NETWORK STANDARDS

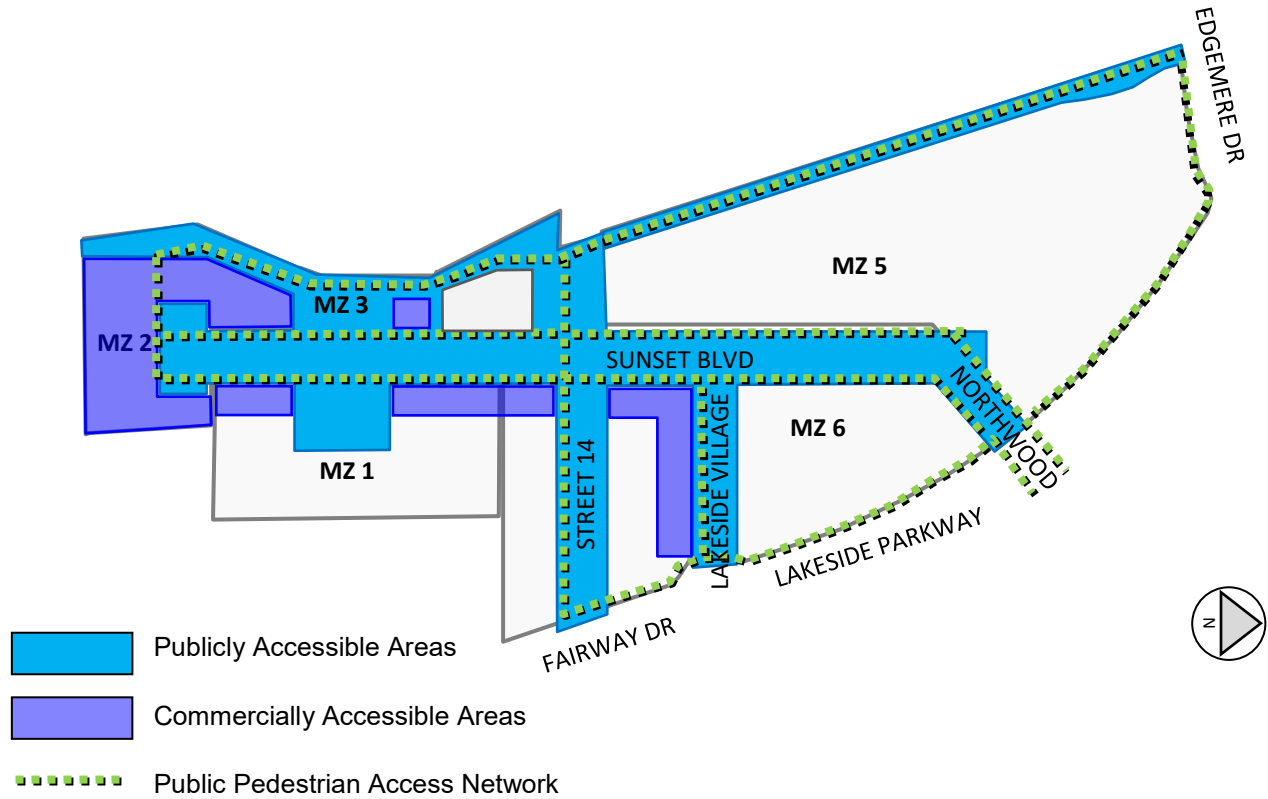
1. The street network shall comply with the minimum requirements in Section 4. Commercial buildings shall provide adequate emergency access via a minimum 26' wide clear travel path for emergency vehicles either within public Rights-of-way or public fire lanes or private access easements complying with minimum fire lane widths.
2. Residential lots shall also comply with emergency access via public rights-of-way providing a minimum 26' wide clear path, and via alleys which may be 20' or narrower in lieu of the standard fire lane provided the Fire Department approves the emergency access plan.
3. One cul-de-sac in MZ6, subject to review and approval by the Town Fire Department, shall be permitted.



| TABLE 3.1.4 PUBLIC ACCESS SETBACK TO WALL OR FENCE |     |
|----------------------------------------------------|-----|
| OS2: WATERFRONT BLUFF                              | 5'  |
| OS3: SUNSET GREEN                                  | 2'  |
| OS4: SUNSET POINT                                  | 10' |
| OS5a: BOARDWALK                                    | 10' |

Figure 3.7: PUBLIC ACCESS EASEMENT: Width shall extend from the east edge of the trail to the west property line. The Public Access Easement should appear to be an integrated element of the site, and not appear to be walled off from the private development.



**SUBZONE MU-TEN  
PUBLIC ACCESS DEFINITION***Figure 3.8: MU-TEN Public Access Map***F. PUBLIC PEDESTRIAN ACCESS NETWORK**

Public pedestrian access network may include stairs and trails that do not comply with federal ADA stand-

ards provided there is an accessible route to commercial destinations.

**TABLE 3.1.3: SUBZONE: MU-TEN**

| MICROZONES MZ 5, MZ 6           |  | SINGLE FAMILY LOTS: ATTACHED AND DETACHED                                      |
|---------------------------------|--|--------------------------------------------------------------------------------|
| BUILDING STANDARD               |  |                                                                                |
| Maximum Single Family Lots      |  | 80                                                                             |
| Garage                          |  | All the single family lots must be alley served to access the garage.          |
| Maximum Height of SF Homes      |  | 3 Stories                                                                      |
| Front Set Back                  |  | 5' minimum; 15' maximum from lot property line.                                |
| Minimum Side Set Back           |  | 5' one side, 0' other side                                                     |
| Minimum Side Setback Corner Lot |  | Match front setback                                                            |
| Minimum Rear Set Back           |  | 15' from house to property line; 5' from garage to alley.                      |
| Porches                         |  | May encroach on set-back line                                                  |
| Fences: Front yard              |  | No privacy fences closer to front setback line than the front wall of the home |

**SUBZONE MU-TEN****G. ARCHITECTURAL STANDARDS****1. GENERAL**

- a. All buildings within the MU-TEN Subzone shall comply with the Architectural standards included in Section 7 of this code, except as amended, supplemented, or modified in this section.

**2. SITE DESIGN**

- a. Building Primary Entries: Buildings four stories or greater are permitted to have a primary entrance designed as a porte cochere or covered drive to a front door. The porte cochere must be located on a side street, or private drive and may not be located between the building and Sunset Boulevard (Street I) ROW.
- b. Dumpsters and Loading Docks: Dumpsters and loading docks shall be accessed via alleys or secondary streets. Dumpsters and loading docks shall not be readily visible from public streets.
- c. Surface Parking shall comply with Section 6 of this Code.
- d. Structured Parking shall comply with Section 6 of this Code. Structured parking is defined as a parking structure, either above or below grade, and is more than 1 level of parking.
- e. Roundabout #2 Architectural Feature: As required by the approved Site Plan for Lakeside Tower, an architectural feature, element, or other visual focus to the Lakeside Parkway view corridor shall be provided within the traffic circle at the intersection of Lakeside Parkway and Edgemere Drive.

**3. DETENTION**: The development will meet the Town's drainage and detention requirements.**4. PARKS, TREES & OPEN SPACE**

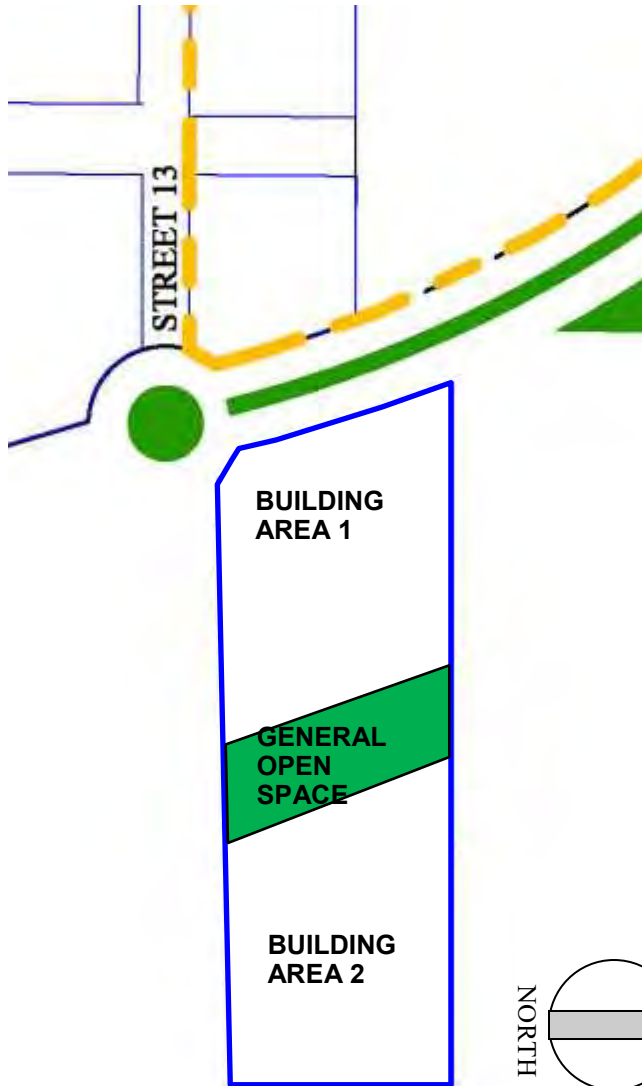
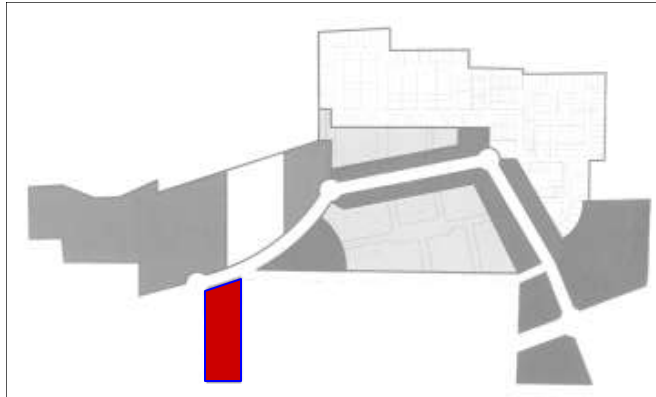
- a. Division 25 of the Mixed Use District standards pursuant to Section 98-905 (c) of the Town's Code of Ordinances shall apply.
- b. Section 98-905.b.2, private open space, shall apply to all residential units except single-family detached.
- c. This requirement supersedes the standards included in Section 5.3 Paragraphs C, D, and E of this Development Code.

**5. BUILDING DESIGN**

- a. Bonus Height Provision, ground floor: A minimum of 50% of the ground floor building area shall be built and occupied as non-residential occupancy only. The non-residential occupancy may include

lobbies, fitness centers, and other resident services in addition to commercial occupancy.

- b. Ground floor: Shall comply with Section 7 of the Code, except the minimum required floor-to-floor height for Ground Floor Commercial Standards shall be 12' 0" floor-to-floor.
- c. Windows: All windows shall comply with Section 7 except as follows:
  - i. Buildings 4 stories or greater may exceed the maximum glass area up to a maximum of 90% of the building exterior.
  - ii. Buildings 4 stories or greater, may use tinted, mirrored, or opaque glass above the ground floor.
  - iii. Restaurants: Minimum glass area fronting the street shall be 15%; maximum glass area fronting the Lake shall be 90%.
- c. Towers exceeding 4 stories are not required to recess the building 12' from the front building line.
- d. The Exterior Insulation and Finish System, known as EIFS, may only be used above the ground floor and only on buildings 4 stories or taller.
- e. Apartment and condo buildings in MZ1 and MZ5 shall provide structured parking for the residential units. Buildings of 3 or fewer stories with commercial occupancy on the ground floor in MZ6 are not required to provide structured parking.
- f. In MZ1, the three building sites are restricted as follows:
  - i. Building #1 is limited to either commercial use or a Fine Arts Facility (FAF).
  - ii. Building #2 is limited to hotel use or a combination of hotel and residential use. If residential units are incorporated into the hotel building, the maximum number of residential units is limited to 15% of the total number of hotel rooms in the building.
- g. In MZ4, the maximum building height is limited to 12 habitable stories.
- h. In MZ5, a maximum of four residential towers are permitted, in addition to other permitted uses. In addition to the existing tower, the new residential towers are limited to a maximum height of 24, 21, and 18 habitable stories, respectively.

**SUBZONE STANDARDS****SECTION 3.2.  
SUBZONE PLAN  
MU-C (3)***Figure 3.7: MU-TC(3) subzone map***BUILDING AREA MICROZONES**

1. These areas are defined by the perimeter of the subzone less the area allocated for General Open Space as required in Table 5.1 for Parks and Open Spaces.
2. Buildings shall comply with Section 3.1.G.5.
3. Structured parking must be screened at the ground floor from Lakeside Parkway and Lakeside Village Blvd by a landscape screen. All levels of the parking structure shall screen cars from view with masonry walls a minimum of 42 inches in height.
4. Surface parking, complying with Section 6 of this Code, shall be permitted.

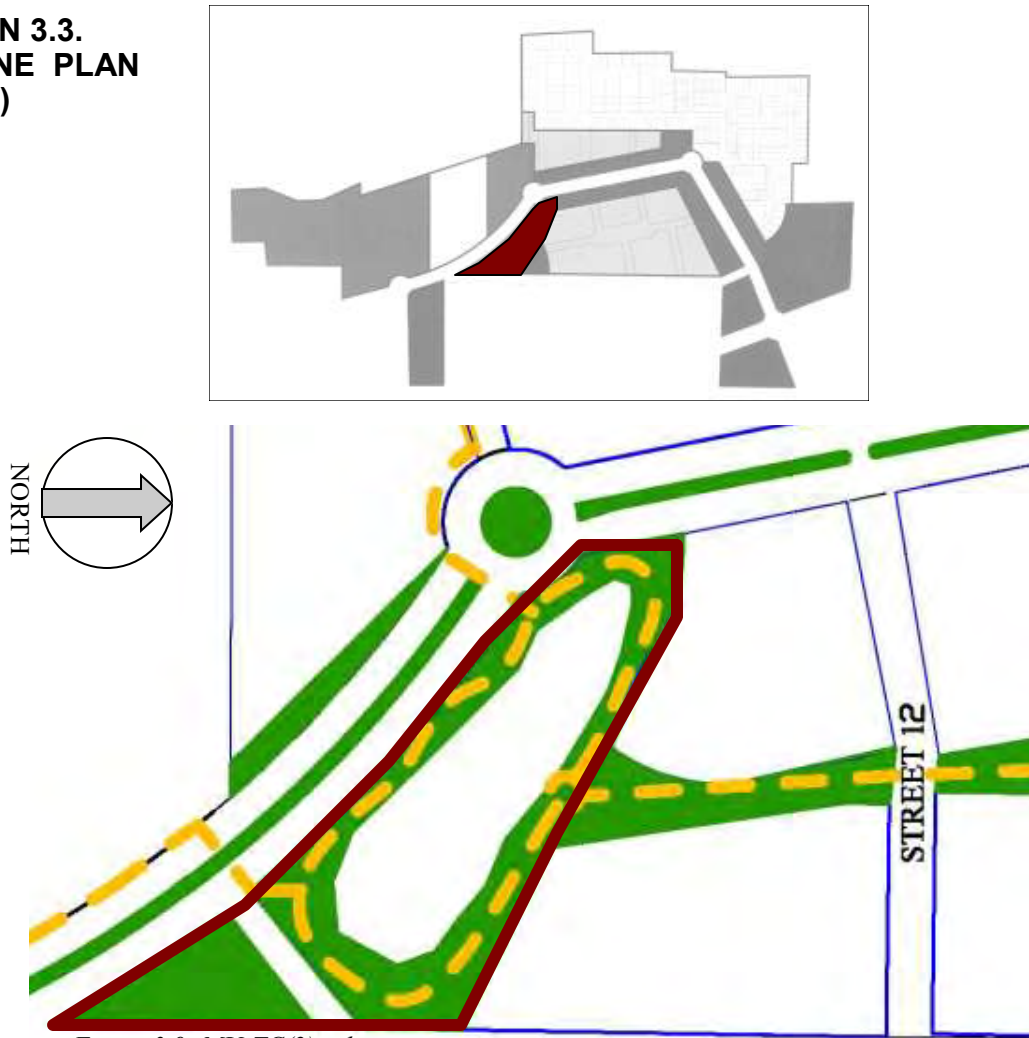
**GENERAL OPEN SPACE**

1. The minimum requirements for the General Open Space is in Table 5.1 of the Park Open Space Requirements; but the open space must fully encompass the banks of the stream passing through the site.
2. No parking or streets are permitted in this micro-zone.

**SIDEWALK**

1. The Subzone frontage along Lakeside Village Blvd. shall provide a 5' sidewalk within the public ROW and street trees where feasible.
2. The Subzone frontage along Lakeside Parkway shall provide a 6' sidewalk with street trees in accordance with the Trail Map in Figure 5.2.



**SUBZONE STANDARDS****SECTION 3.3.  
SUBZONE PLAN  
MU-C (2)***Figure 3.9: MU-TC(2) subzone map***MU-C(2) SUBZONE**

1. This area is defined by the perimeter of the MU-C(2) subzone.
2. This area must include a minimum of 2.4 acres and may include up to 250' of roadway and 40 parking spaces on or near Old Long Prairie Road.
3. See Table 5.1 for minimum trail system requirements.
4. See Section 5 for park and open space minimum standards.
5. This area may be used for detention and retention of storm water.
6. The detention area may be fenced provided the fence does not restrict public access to the Trail System.

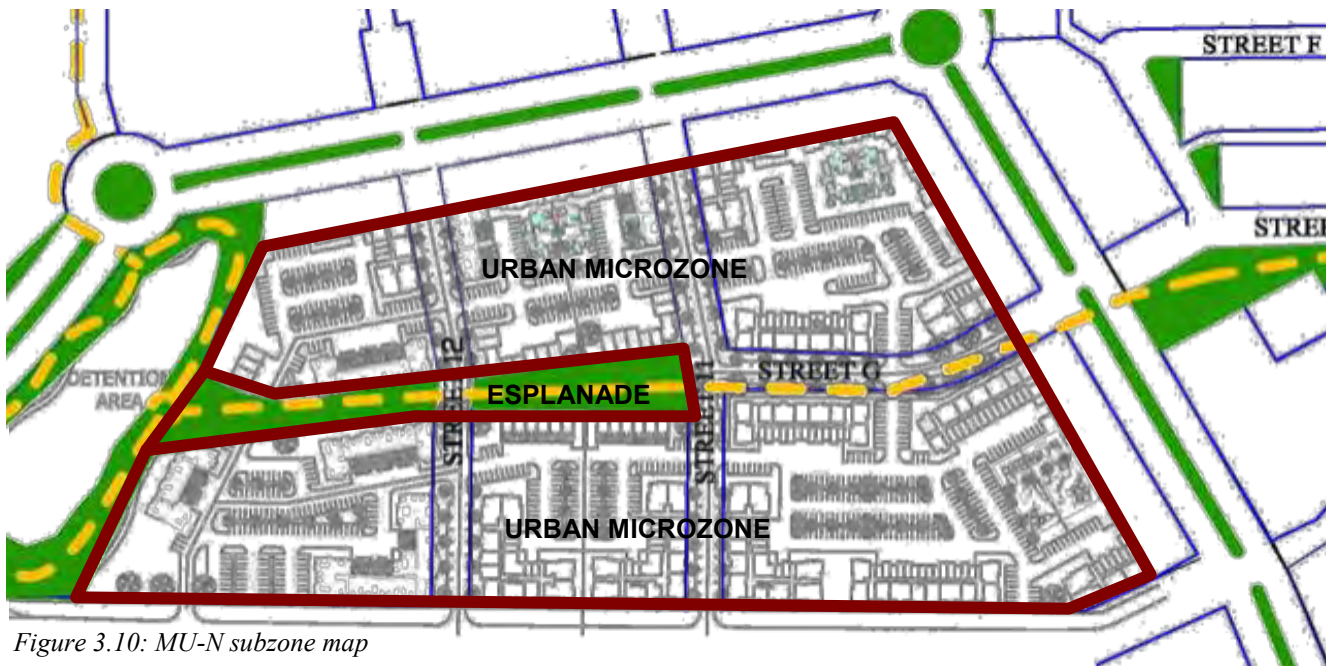
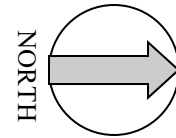
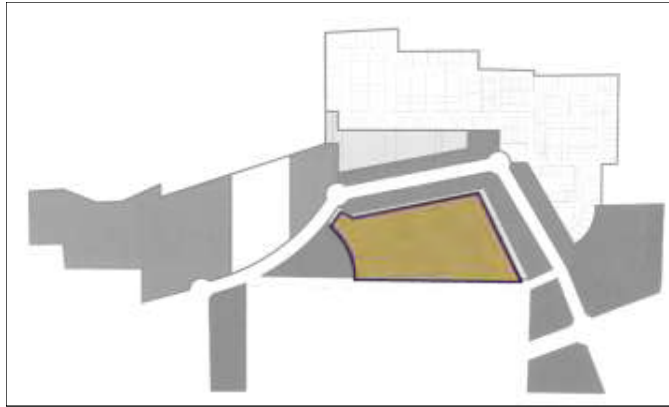
**SUBZONE STANDARDS****SECTION 3.4.  
SUBZONE PLAN  
MU-N(1)**

Figure 3.10: MU-N subzone map

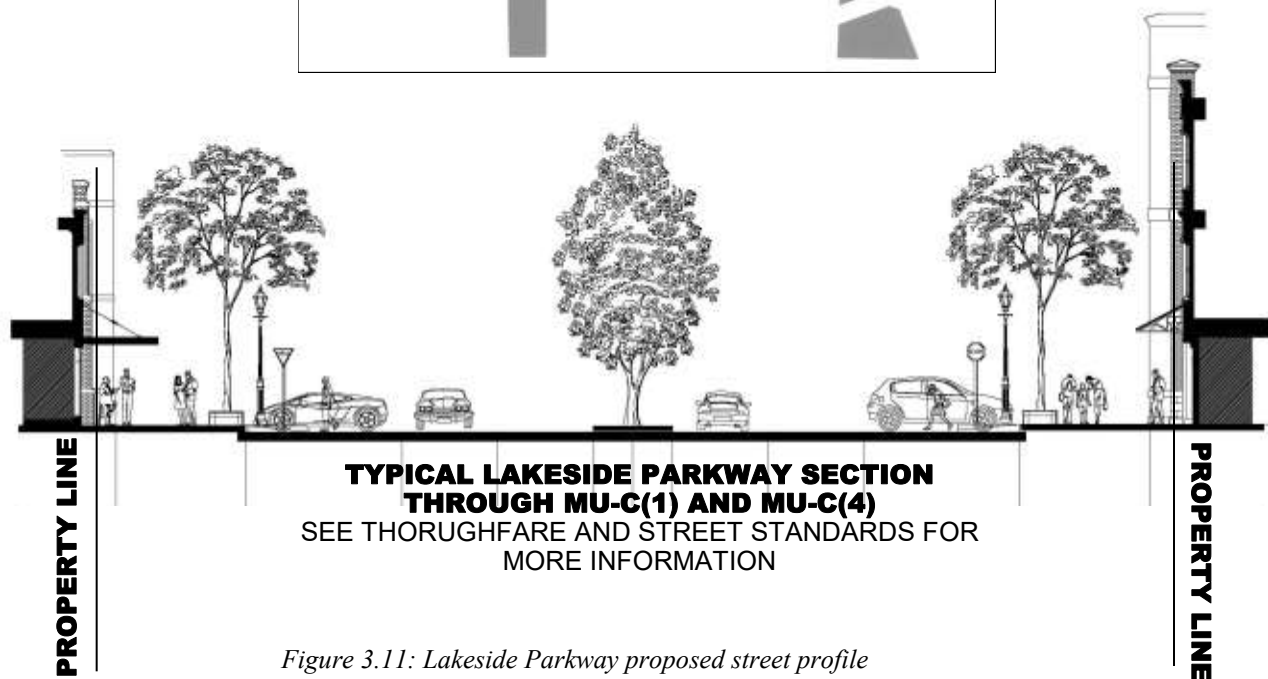
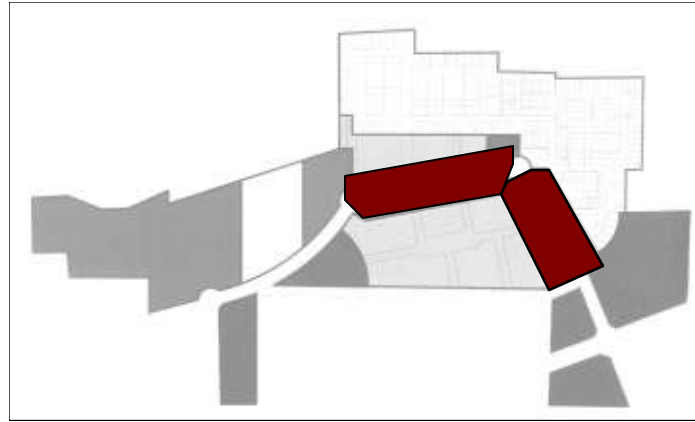
**ESPLANADE MICROZONE**

1. Generally defined by the urban blocks and residential buildings to the east and west and by Long Prairie park to the south.
2. Park requirements must comply with the park standards defined in Section 5 and in Table 5.1
3. Trail requirements are defined in Section 5 and Table 5.1.
4. Must be a minimum of 1.25 acres and 50' in width.

**URBAN MICROZONE**

1. Bounded by the MU-C(1) subzone to the north, MU-C(4) Subzone to the west, MU-C(2) subzone to the south and Long Prairie Rd to the east.
2. The Urban Microzone may be subdivided into no fewer than 4 and no greater than 6 blocks.

3. Street 11 and street 12 must align with streets across Lakeside Parkway.
4. At least one street must intersect old Long Prairie Rd to be able to connect to a future roadway from the east that connects to FM 2499.
5. Streets must comply with Section 4 of this Development Code, including on-street parking and streetscape.
6. Buildings must comply with Section 7 for buildings with non-commercial ground floors.
7. Parking inside the residential buildings is permitted provided access to the garage spaces is from the rear façade in the interior of the block.

**SUBZONE STANDARDS****SECTION 3.5.  
SUBZONE PLANS  
MU-C (1)  
MU-C (4)***Figure 3.11: Lakeside Parkway proposed street profile***MU-C(1) SUBZONE**

1. The subzone is defined by the frontage along Lakeside Parkway between FM 2499 and the first roundabout. The depth of the subzone extends a minimum of 80' in depth from the Lakeside Parkway ROW.
2. The ground floor of all buildings must comply with Section 7 Building Standards for buildings built to commercial standards.
3. The ground floor must also be occupied by non-residential occupancies or remain vacant.
4. The subzone must also include a park complying with Table 5.1 of the Park and Open Space Standards.
5. No less than 70% of the frontage of Lakeside Parkway must be 2 stories or greater.
6. One story buildings may not occupy corner locations with intersecting public streets.
7. Parking drive aisles behind buildings may also serve as alleys for residential access in an adjacent Subzone.



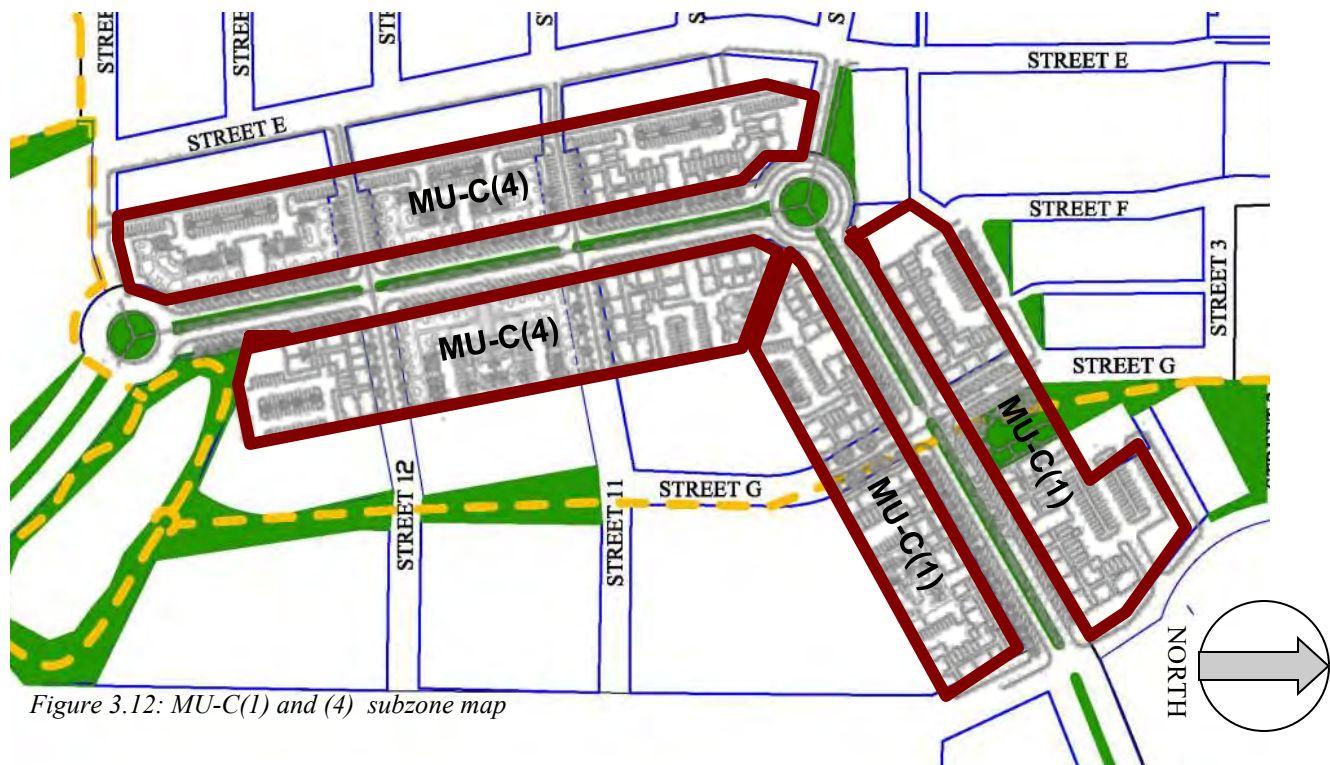
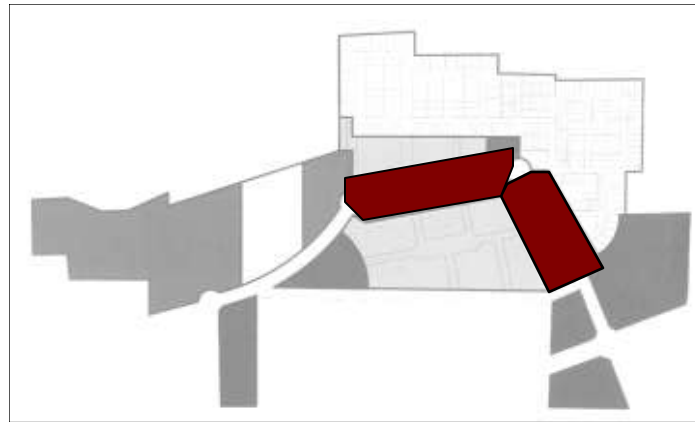
**SUBZONE STANDARDS**

Figure 3.12: MU-C(1) and (4) subzone map

**MU-C(4) SUBZONE**

1. The subzone is defined by the frontage along Lakeside Parkway between the first roundabout and the second roundabout. The depth of the subzone extends a minimum of 80' in depth from the Lakeside Parkway ROW.
2. The ground floor of all buildings must comply with Section 7 Building Standards for buildings built to commercial standards.
3. The ground floor may be occupied by residential or by non-residential occupancies.
4. The subzone must also comply with Table 5.1 of the Park and Open Space Standards.
5. No less than 70% of the frontage of Lakeside Parkway must be 2 stories or greater.
6. One story buildings may not occupy corner locations with intersecting public streets and must be a minimum of 20' high to the lowest point on the parapet or eave of the roof.
7. Parking drive aisles behind buildings may also serve as alleys for residential access in an adjacent subzone.

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**SUBZONE STANDARDS**

**SECTION 3.6.  
SUBZONE PLAN  
MU-TNG**

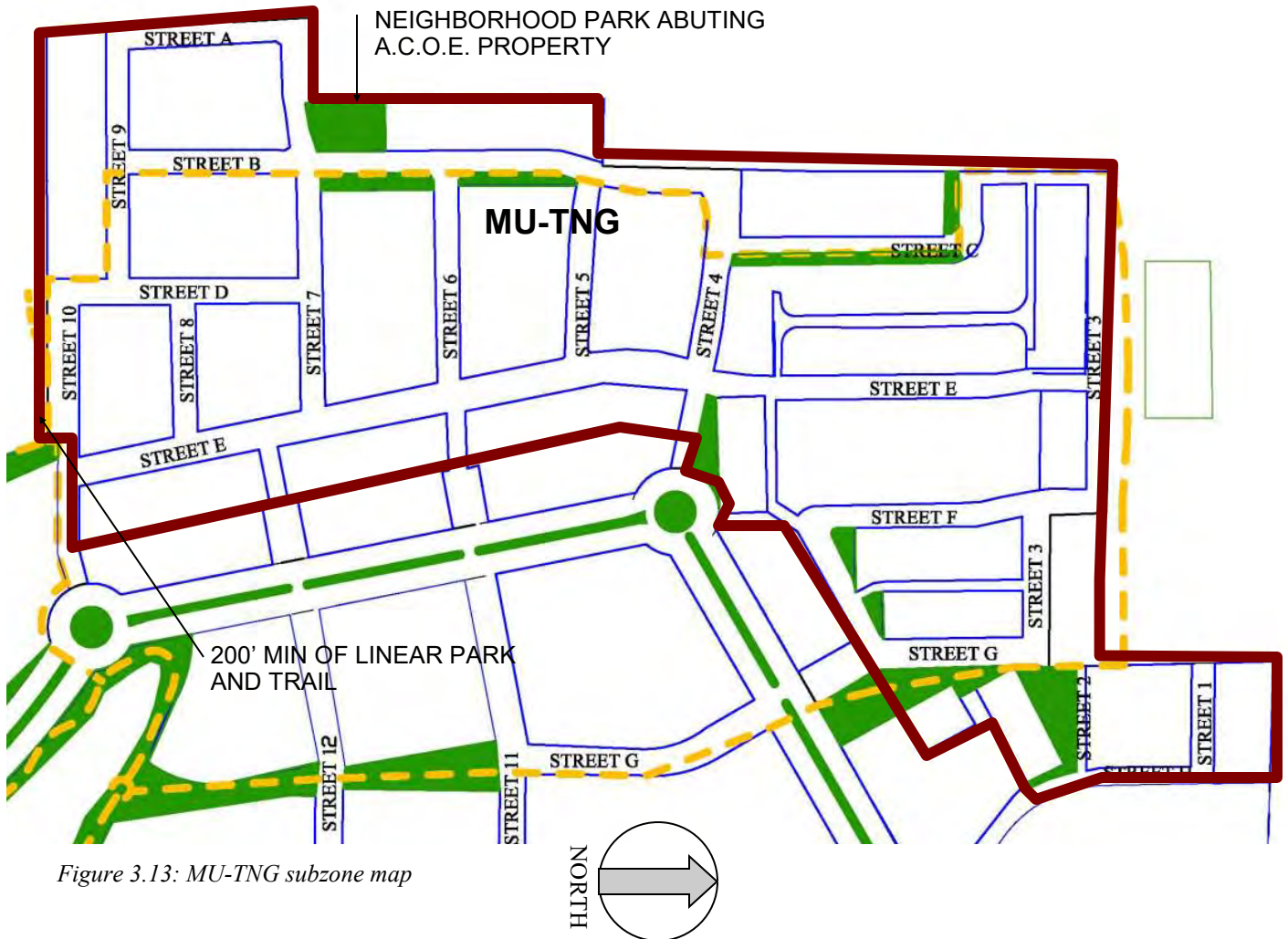
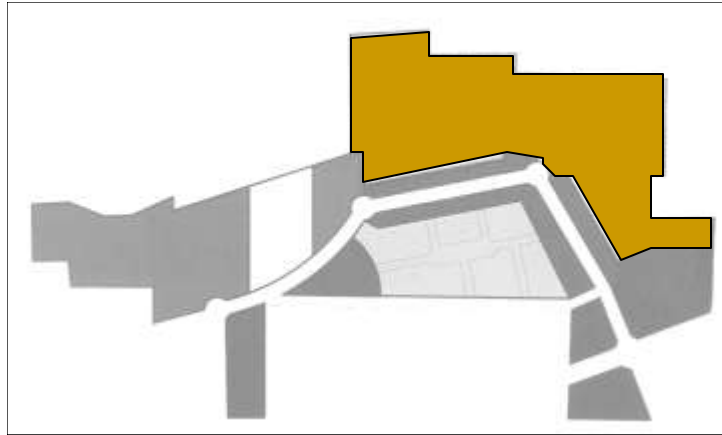


Figure 3.13: MU-TNG subzone map

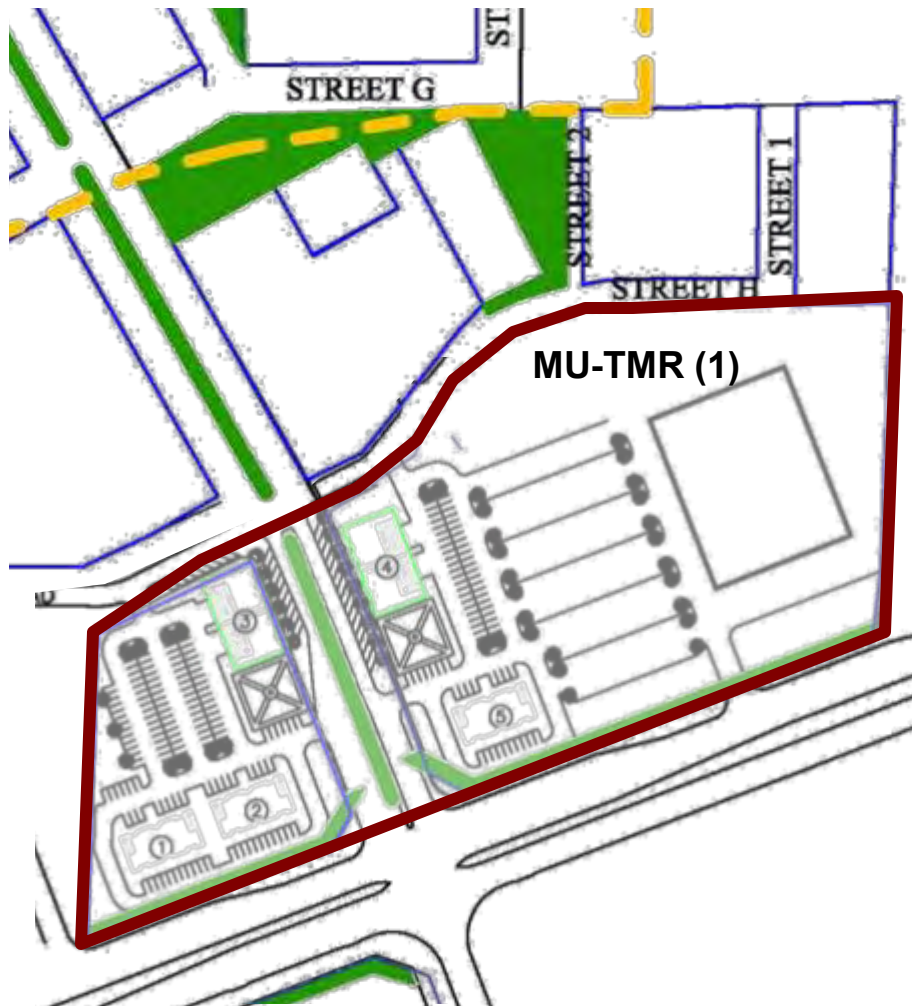
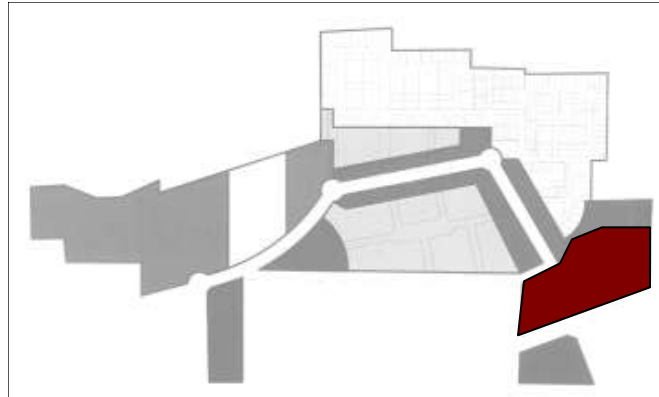
**SUBZONE STANDARDS****MU-TNG SUBZONE**

1. The area is defined by the north property boundary, the west property boundary, the south property boundary, by subzone MU—C(4) and MU-C(1) to the east and MU-TNR(1) to the east.
2. The subzone consists of single family detached lots. Larger lots shall be located to the west of the subzone further from Lakeside Parkway. Smaller lots should be located closer to Lakeside Parkway and serve as a transition area between the Core subzones and the larger lot residential areas.
3. All blocks must be located within 1/4 mile of at least two parks.
4. Lots abutting MU-C subzones shall be served by an alley with parking and garages to the rear of the lots.
5. Required parks must comply with Table 5.1 of Section 5 Parks and Open Space.
6. Lots fronting designated 'A' streets must orient the homes to face the frontage unless the homes are developed in accordance with the alternative compliance rules in these subzone standards. *See Figure 7.8 Alternative Lot Frontage Compliance, Section 7.*
7. Transition between MU-C(4) and MU-NG Subzones shall occur at the alley/parking lot. *See Figure 7.9 in Section 7 on transition between subzones.*

**SUBZONE: MU-TNG**

| MICROZONES         | LOTS = or > 60'                                                                                         | LOTS < 60' and = or > 55'                                                                                                                                                                                       | LOTS > 30' and < 55'                                                     |
|--------------------|---------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| BUILDING STANDARD  | See Section 7;                                                                                          | See Section 7;                                                                                                                                                                                                  | See Section 7;                                                           |
| Garage             | Garage cannot exceed 40% of building frontage. Lots may be served by alley or by street.                | Lots will be served by alleys or pull-through driveways, with garage in the rear                                                                                                                                | lots must be served by alleys with garages in the rear.                  |
|                    | Front loaded lots must comply with the requirements for front loaded lots in Section 7; see figure 7.10 | Exception: A maximum of 30 lots, less than 60' in width but equal to or greater than 55' may be front loaded provided the lots comply with the requirements for front loaded lots in Section 7; see figure 7.10 |                                                                          |
| Front Set Back     | 10' min; 20' max                                                                                        | 10' min; 15' max                                                                                                                                                                                                | 5' min; 10' max                                                          |
| Side Set Back      | 5' min                                                                                                  | 5' min                                                                                                                                                                                                          | 5' one side, 0' other side                                               |
| Rear Set Back      | 15' from house to property line; 5' to ally if alley served                                             | 5' to alley paving                                                                                                                                                                                              | 5' to alley paving                                                       |
| Porches            | May encroach on set-back line                                                                           | May encroach on set-back line                                                                                                                                                                                   | May encroach on set-back line                                            |
| Corner lots        | Driveway may enter from either street; Setbacks match adjacent                                          | Setbacks match adjacent                                                                                                                                                                                         | Setback on side street matches front setback of same lot                 |
| Fences: Front yard | No privacy fences closer to set-back line than the front wall of the home                               | No privacy fences closer to setback line than the front wall of the home                                                                                                                                        | No privacy fences closer to setback line than the front wall of the home |
| STREET             | See Table 3.2 for permitted street types                                                                | See Table 3.2 for permitted street types                                                                                                                                                                        | See Table 3.2 for permitted street types                                 |
| PARKING            | See Section 6                                                                                           | See Section 6                                                                                                                                                                                                   | See Section 6                                                            |

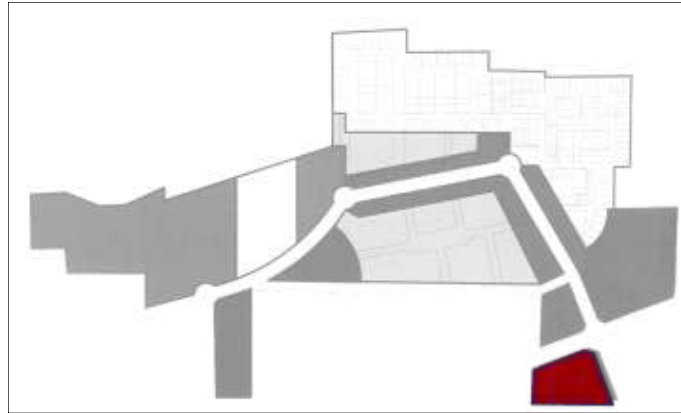


**SUBZONE STANDARDS****3.7.  
SUBZONE PLAN  
MU-TMR (1)***Figure 3.14: MU-TMR (1) subzone map*

## SUBZONE STANDARDS

### MU-TMR (1) SUBZONE

1. The area is defined by the north property boundary, the east side of FM 2499 ROW, the south property boundary, Long Prairie Rd ROW, MU-C (1) Subzone to the west, and MU-TNG subzone to the west.
2. The minimum depth from Lakeside Parkway is 100'.
3. Lakeside Parkway roadway section may not conform to the MU Boulevard specified in Section 4 of this Development Code due to accommodation for traffic and engineering requirements. Specific deviations from the MU-Boulevard section will be submitted at the time of Site Plan submittal.
4. All Buildings within 100' of Lakeside Parkway shall comply with the development standards in Section 7 of this Development Code and shall be constructed to commercial standards on the ground floor. And consist of two or more stories.
5. Ground floors of all buildings within this Subzone shall be built to commercial standards and shall not contain residential dwelling units. Upper floors may contain residential lofts or office space.
6. Residential units on the ground floor is not permitted.
7. Plazas are required fronting Lakeside Parkway in accordance with Table 5.1 of the Park and Open Space requirements.
8. Buffer yards fronting FM2499 are required in accordance with Section 5 for Parks and Open space.
9. Buildings with a ground floor area greater than 20,000 SF, and greater than 100' in building depth and within 100' of the FM 2499 ROW may comply with Land Development Regulations for C-2 zoning except as specified herein, instead of complying with the Building standards in Section 7 of this code.
10. Surface parking shall be permitted between the FM 2499 ROW and buildings within this subzone.
11. Driveway access shall be permitted from this subzone area to Lakeside Parkway, FM2499, and to any street adjacent to the west perimeter of the subzone (shown in figure 3.14 as Street H).
12. The south block of the MU-MR(1) subzone is required to provide a cross access easement to the property to the south in accordance with the requirements of the Town of Flower Mound provided the property develops as a commercial or mixed use development consistent in quality and occupancy to the subject property.

**SUBZONE STANDARDS****SECTION 3.8.  
SUBZONE PLAN  
MU-TMR (2)****SUBZONE: MU-TMR (2)**

1. The area is defined by FM 2499 ROW to the west, Lakeside Parkway to the north, and the property boundaries to the east and south. The subzone does not directly abut any other subzone.
2. Development is exempt from the building standards defined in Section 7 of this development Code but shall comply with Land Development Regulations for the C-2 Zoning category except as further defined herein.
3. No additional public streets shall be platted within this subzone.



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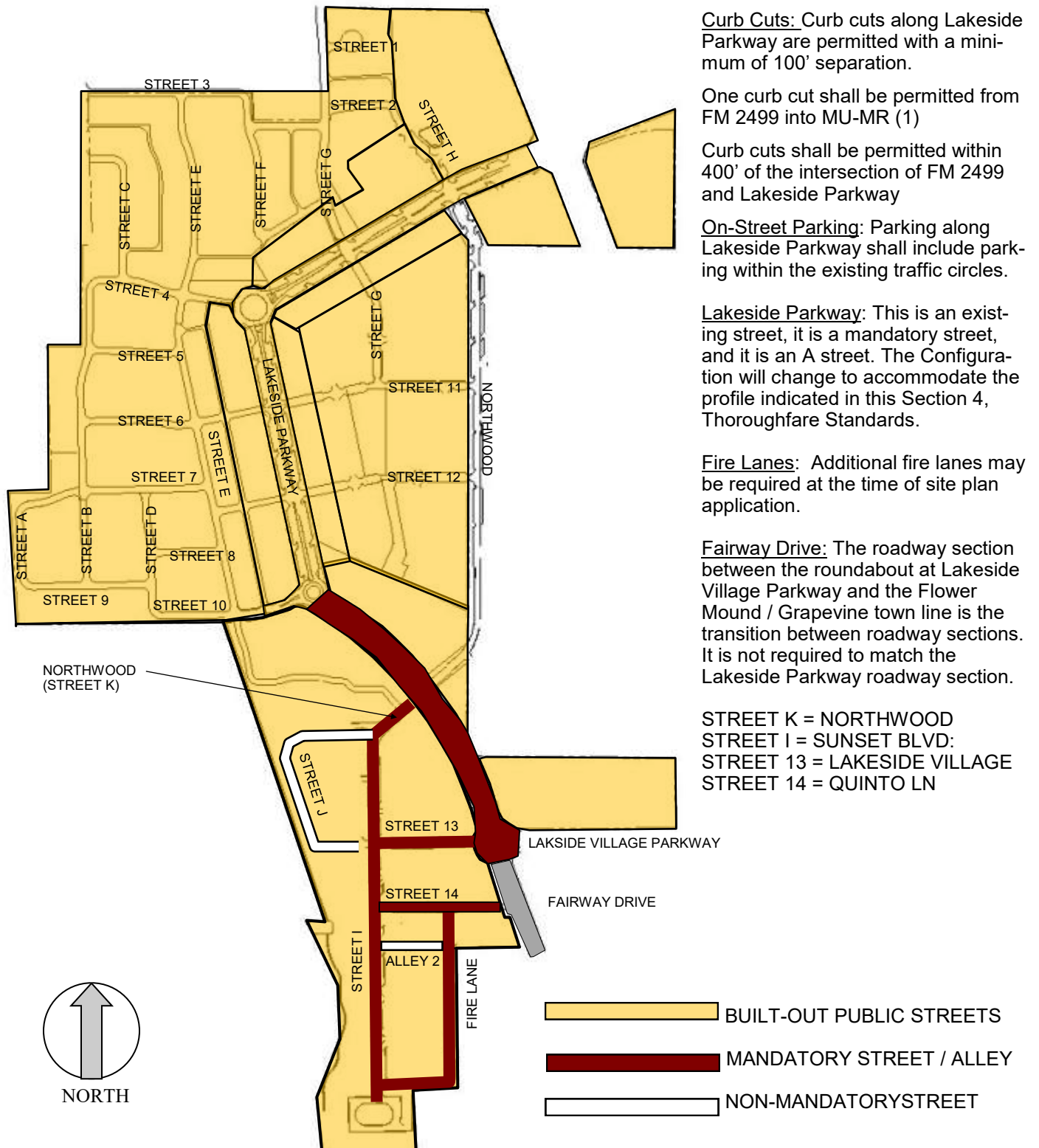
**THE STREET AND THOROUGHFARE STANDARDS**

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**FIGURE 4.1: STREET PLAN**



**SECTION 4: STREET AND THROUGHFARE STANDARDS**

- A. Intent: It is the intent of these standards to encourage a street network that is fully integrated with the neighborhood and the traffic patterns and also shares the rights-of-way with other competing modes of transportation including bicycles and pedestrians. It is also the intent to promote the public streets as a public place in their own right, as an attractive place, as a place to walk, a place to meet neighbors, and to spend leisure time and to do so safely.
- B. Street Sections: The street sections are based on the previously designed and approved street sections in Flower Mound, TX.
- C. Mandatory streets: Mandatory streets are those streets required by the Development Code for Lakeside DFW. The requirements for mandatory streets are summarized in Table 4.1 regarding the length and/or connectivity and whether the street is required to meet A street or B street standards. If the street is not mandatory, it can be eliminated or relocated.
- D. 'A' and 'B' Streets: A and B streets constitute a mechanism to identify the hierarchy of streets and thoroughfares, making some of the streets more important and consequently more highly regulated. The regulations include site development constraints as well as architectural regulations. The 'A' streets are listed in Table 4.1, all other streets are 'B' streets.
- E. Traffic: The intent of the development is also to promote intensity of activity around the commercial uses in order to communicate the vibrancy and vitality of the urban environment. The suburban standards for traffic efficiency do not apply to this kind intensity and are in fact antithetical to the effort.

The A or B street designation applies to the street **IN ITS ENTIRETY**. Minimum length/connectivity applies only to the site layout. (i.e. If Street E is built beyond street 4, that optional portion must also be Type A street.)

**TABLE 4.1 MANDATORY STREETS; A OR B STREETS**

| STREET           | MANDATORY | A OR B STREET | MINIMUM LENGTH / CONNECTIVITY                              |
|------------------|-----------|---------------|------------------------------------------------------------|
| Lakeside Parkway | YES       | A             | NA                                                         |
| Street 1         |           | B             |                                                            |
| Street 2         |           | B             |                                                            |
| Street 3         | YES       | A             |                                                            |
| Street 4         | YES       | A             | Lakeside Pkwy to west boundary                             |
| Street 5         |           | B             |                                                            |
| Street 6         |           | B             |                                                            |
| Street 7         |           | B             |                                                            |
| Street 8         |           | B             |                                                            |
| Street 9         |           | B             |                                                            |
| Street 10        | YES       | A             | From Lakeside Pkwy north 600' min                          |
| Street 11        | YES       | B             | From Long Prairie to Lakeside Pkwy                         |
| Street 12        | YES       | B             | From Long Prairie to Lakeside Pkwy                         |
| Street 13        | YES       | A             | MU STREET: Lakeside to Street I (Lakeside Village Parkway) |
| Street 14        | YES       | B             | MU LOCAL 2: Lakeside to Street I (Quinto Lane)             |
| Street A         | YES       | A             | 400' min abu west boundary                                 |
| Street B         | YES       | A             | 300' min abu west boundary                                 |
| Street C         |           | B             |                                                            |
| Street D         |           | B             |                                                            |
| Street E         | YES       | A             | From Street 4 to Street 10                                 |
| Street F         |           | A             |                                                            |
| Street G         | YES       | A             | From Lakeside Pkwy to Street 11                            |
| Street H         |           | B             |                                                            |
| Street I         | YES       | A             | MU STREET 2: 1600' +/- (Sunset Boulevard)                  |
| Street J         | NO        | B             |                                                            |
| Street K         | YES       | B             | MU LOCAL 1: Lakeside to Street I (Northwood Street)        |



**TABLE 4.2 LIST OF STREETS AND DIMENSIONS**

|                | ROW | C-C | Median | Drive Lane  | Parking Lane | Minimum Parkway | Minimum Sidewalk |
|----------------|-----|-----|--------|-------------|--------------|-----------------|------------------|
| MU Blvd.       | 120 | 92  | varies | 10 x 4      | 18           | 5               | 14               |
| MU Street      | 91  | 60  |        | 12 x 2      | 18           | 5               | 6                |
| MU Street 2    | 91  | 60  |        | 12 X 2 + 10 | 8 & 18       | 6               | 6                |
| MU Local 1     | 60  | 40  |        | 12 x 2      | 8            | 5               | 5                |
| MU Local 2     | 57  | 37  |        | 10.5 x 2    | 8            | 5               | 5                |
| MU Local 3     | 50  | 30  |        | 14 x 1      | 5            | 5               | 5                |
| MU Com Alley   | 20  | 20  |        | 10 x 2      | 0            | 0               | 0                |
| MU Res Alley 1 | 18  | 15  |        | 15X 1       | 0            | 0               | 0                |
| Fire Lane      | 26  | 26  |        | 13 x 2      | 0            | 0               | 0                |
| MU Res Alley 2 | 15  | 12  |        | 12 x 1      | 0            | 0               | 0                |

ROW = Right-of-way

C-C = Face of Curb-to-Face of Curb, add one foot for Back-to-Back dimension

MU = Mixed Use District

Note 1: Medians may be added to any street section. The Centerline of the street shall equal the face-of-curb of the median.

Note 2: Sidewalk widths are a minimum. They may be increased up to 18 feet in commercial areas and up to 12 feet in residential areas.

Note 3: Where ROW abuts a park, open space or alignment of the Trail network, the sidewalk may be reduced to 5 feet in width or eliminated.

Note 4: The MU Residential Alley may only serve single family lots.

Note 5: Lakeside Parkway, 14' sidewalk includes the 5' parkway width.

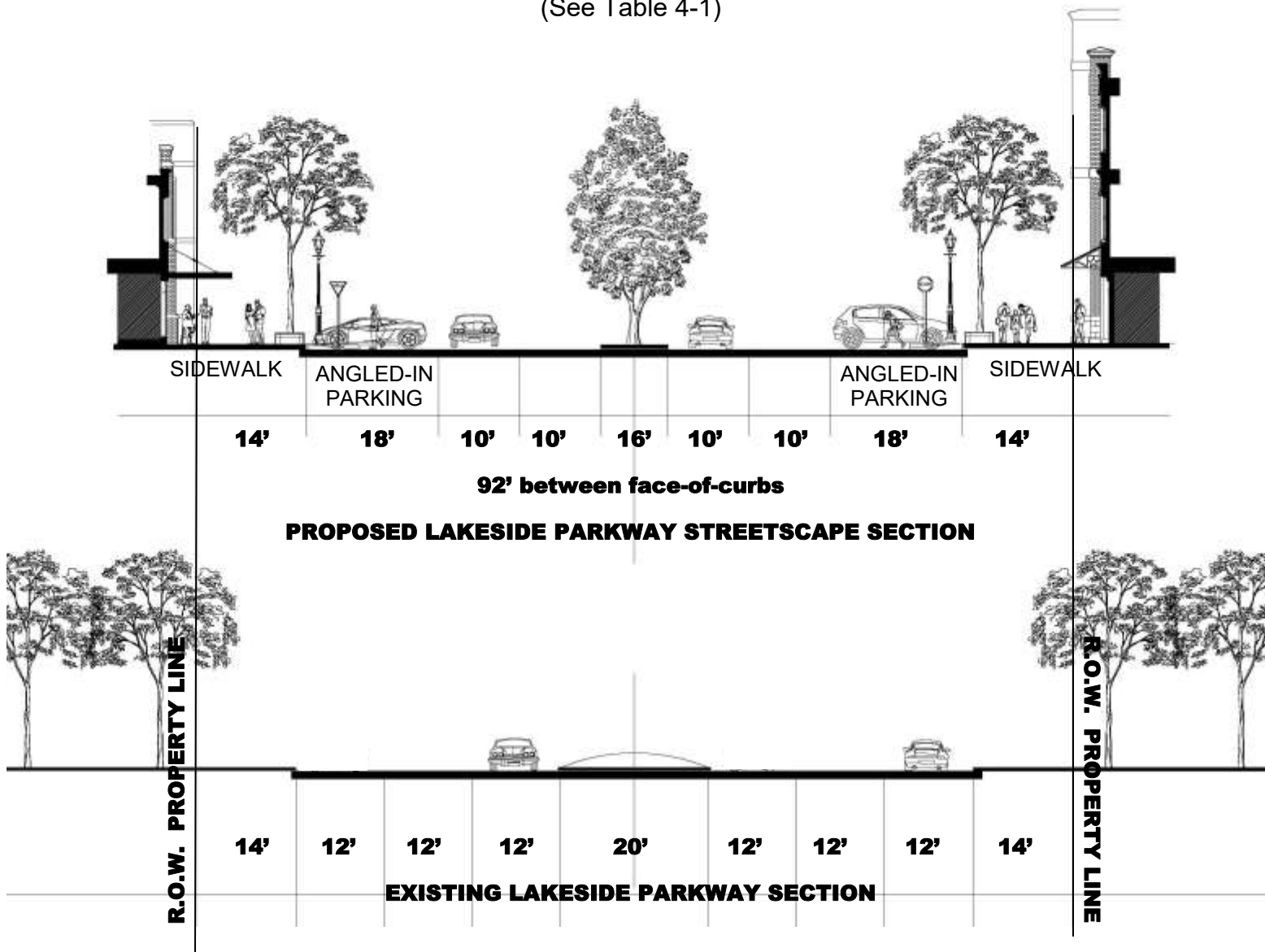
Note 6: ROW may contain conduit crossings under the roadway paving to facilitate irrigation, electrical service, outlets, lighting, controllers, and other services.

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**STREET AND THOROUGHFARE STANDARDS:  
PROPOSED CHANGE TO LAKESIDE PARKWAY  
MU BOULEVARD  
(See Table 4-1)**



The Lakeside Parkway right-of-way is currently 120' wide, with 92' from curb to curb. It contains three 12' lanes in each direction with a 20' wide median.

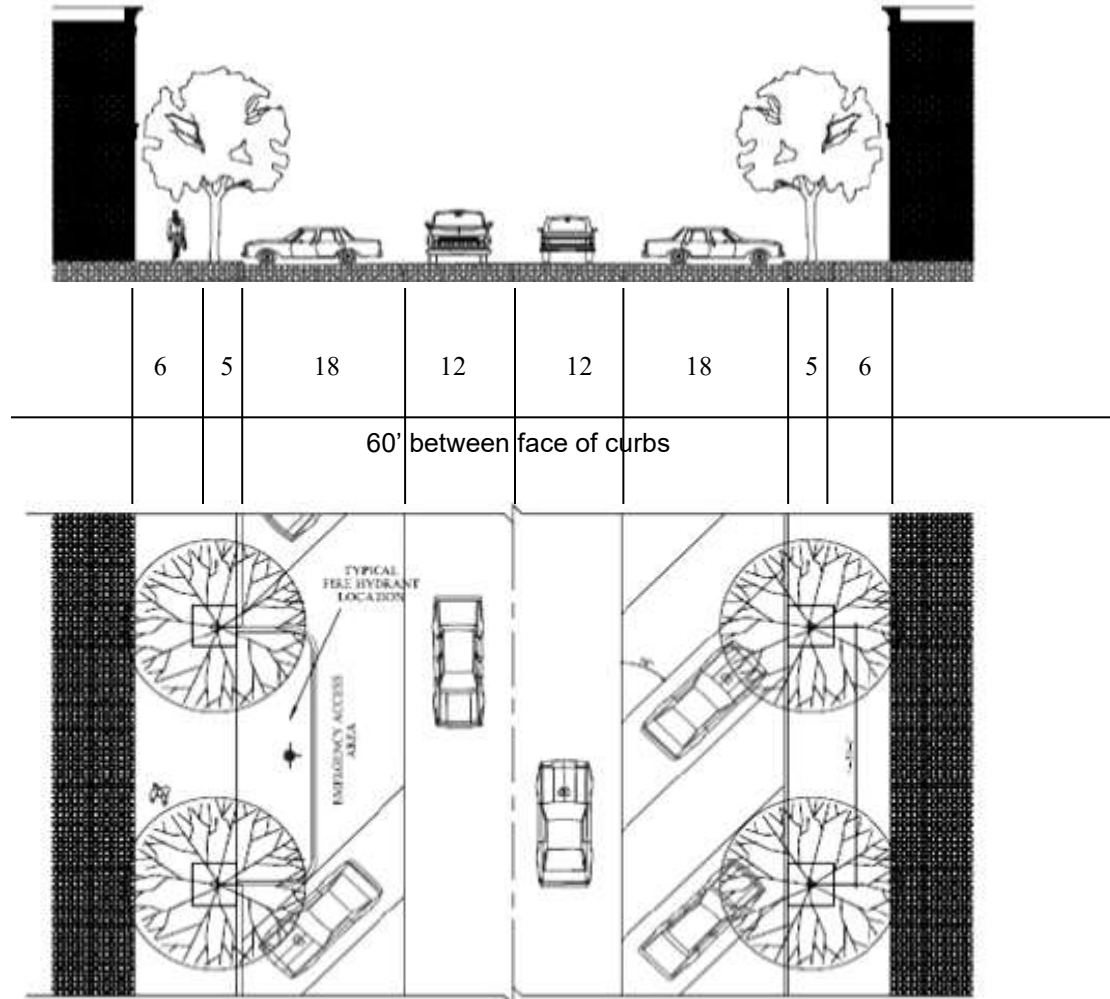
We propose to change the section to two 11' lanes in each direction and narrow the median to 12' in order to accommodate on-street, angled-in parking. Buildings would be placed within 8' of the

right-of-way property line. This allows the sidewalk to be as narrow as 14' feet or as wide as 22' to accommodate sidewalk dining and merchandising. Public plazas may be incorporated in addition to the setback requirements.

Fronting subzones  
MU-TMR(1)  
MU-C(1)  
MU-N(1)  
MU-TEN  
MU-C(3)

## THOROUGHFARE DESIGN

### MU STREET (See Table 4-1)



#### Permitted in Subzones

MU-TMR(1)  
MU-C(1)  
MU-N(1)  
MU-N(2)  
MU-TEN  
MU-C(2)  
MU-C(3)

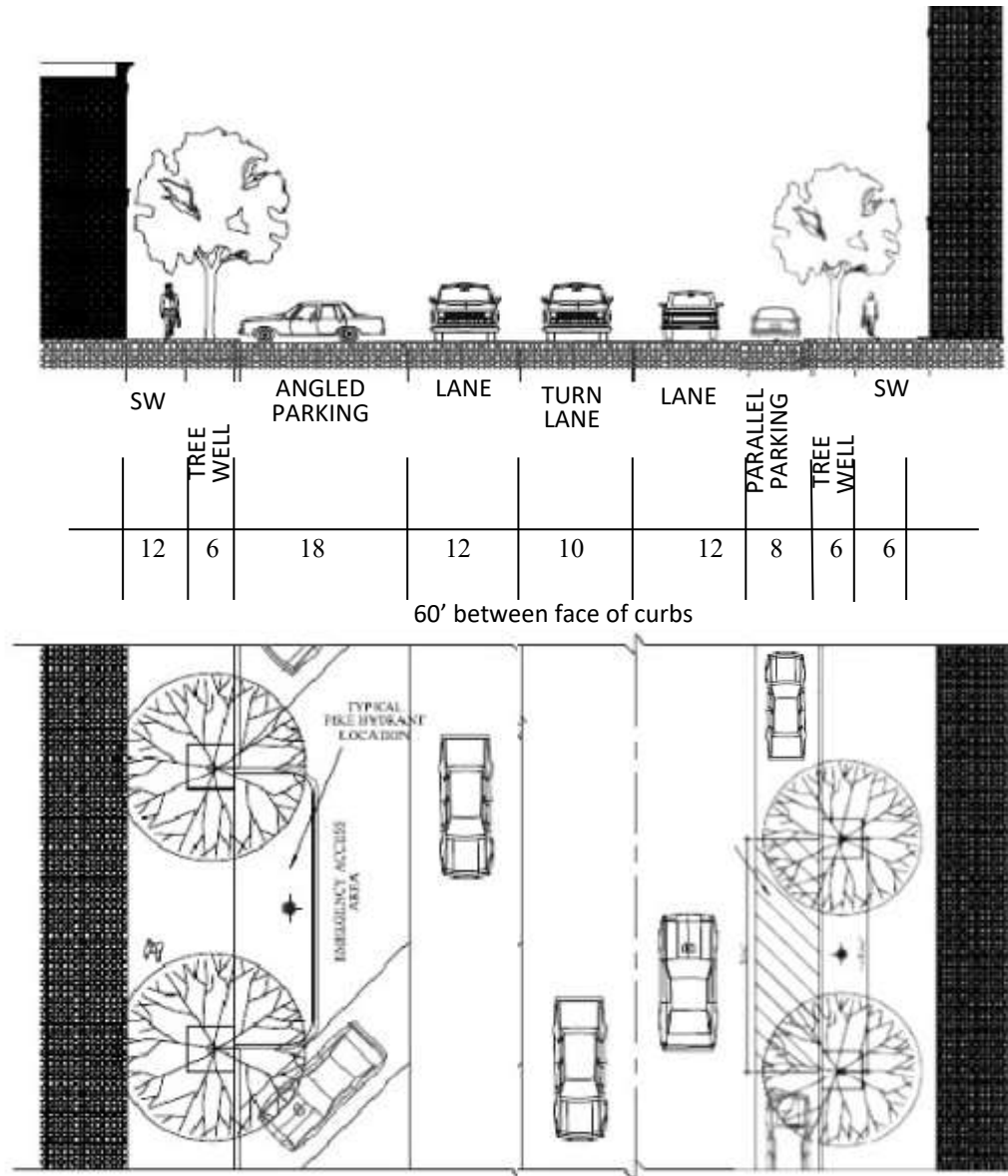


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**THOROUGHFARE DESIGN**

**MU STREET 2**  
(See Table 4-1)



Permitted in Subzones  
**MU-TEN**

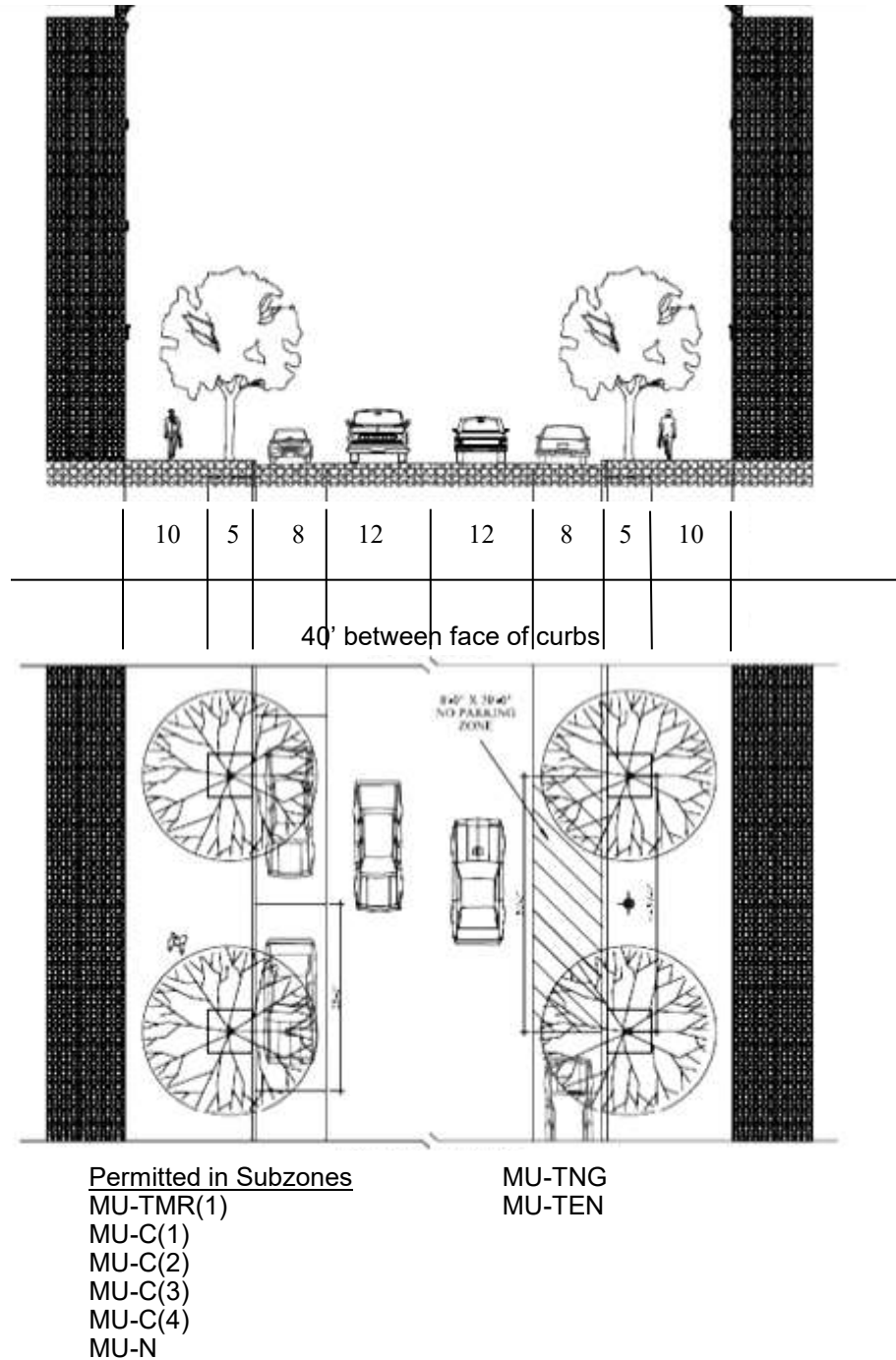
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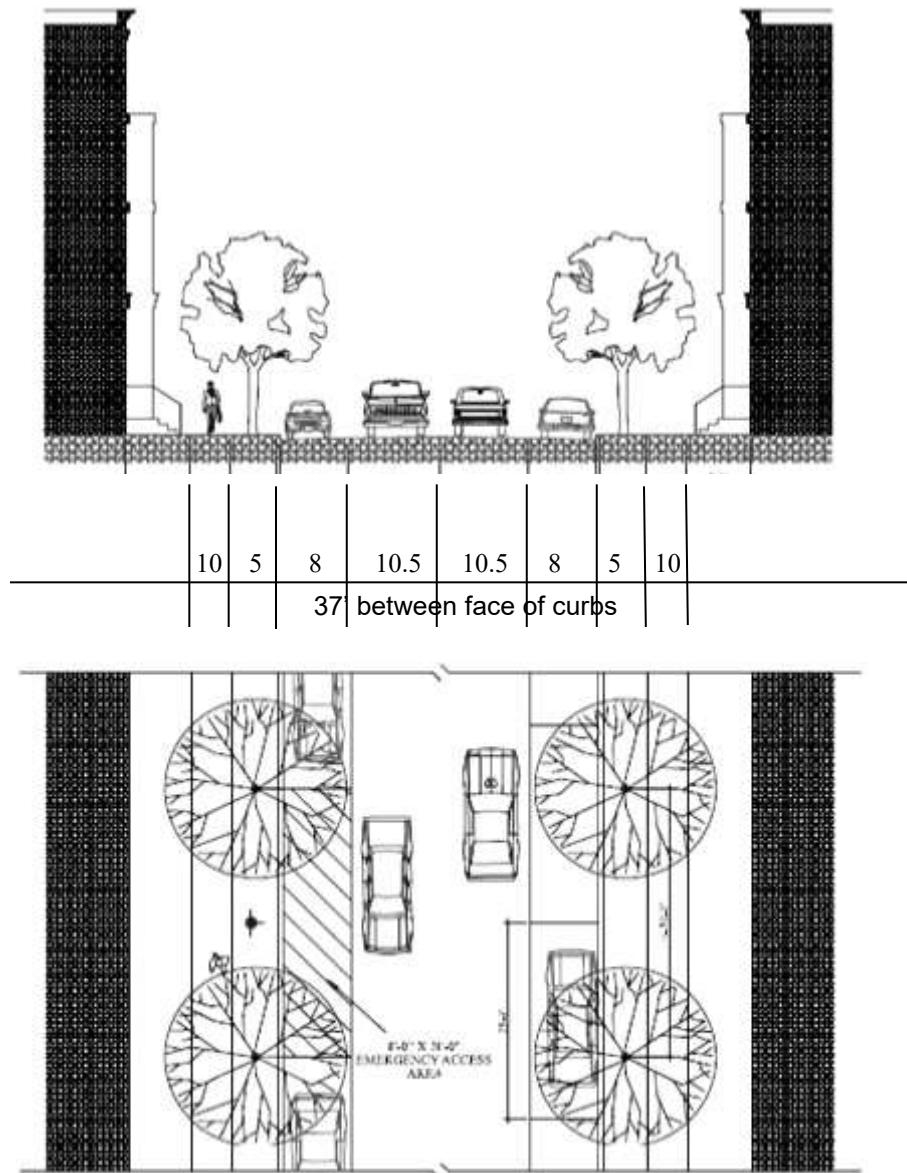
**THOROUGHFARE DESIGN**

**MU LOCAL 1**  
(See Table 4-1)



## THOROUGHFARE DESIGN

### MU LOCAL 2 (See Table 4-1)



#### Permitted in Subzones

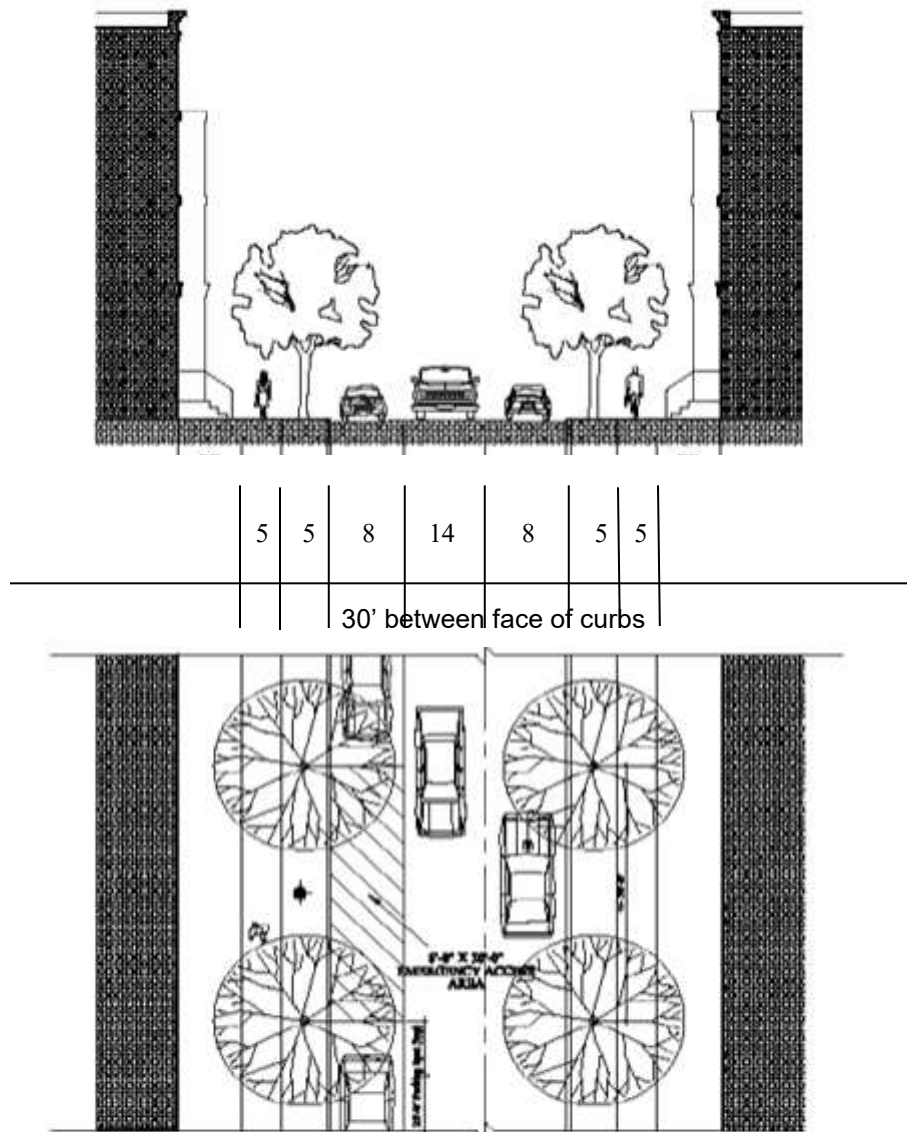
MU-TMR(1)  
MU-C(1)  
MU-C(2)  
MU-C(3)  
MU-C(4)  
MU-N

MU-TNG  
MU-TEN



## THOROUGHFARE DESIGN

MU LOCAL 3  
(See Table 4-1)

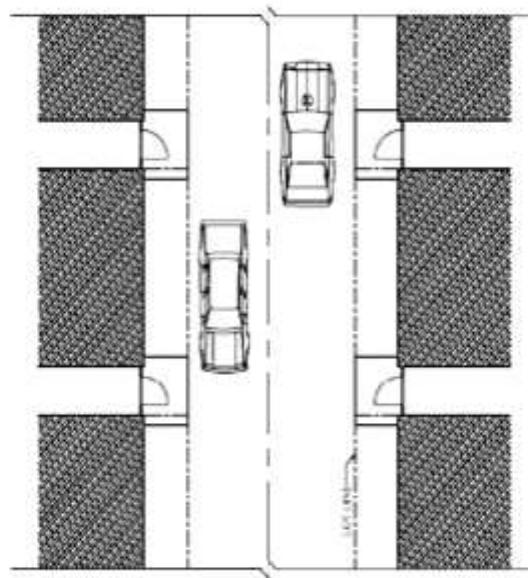
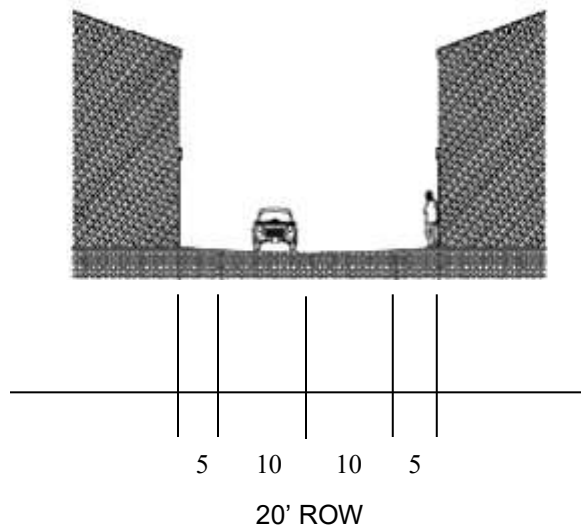


### Permitted in Subzones

MU-N(1)  
MU-N(2)  
MU-TNG  
**MU-TEN**  
MU-C(2)

## THOROUGHFARE DESIGN

### MU COMMERCIAL ALLEY (See Table 4-1)



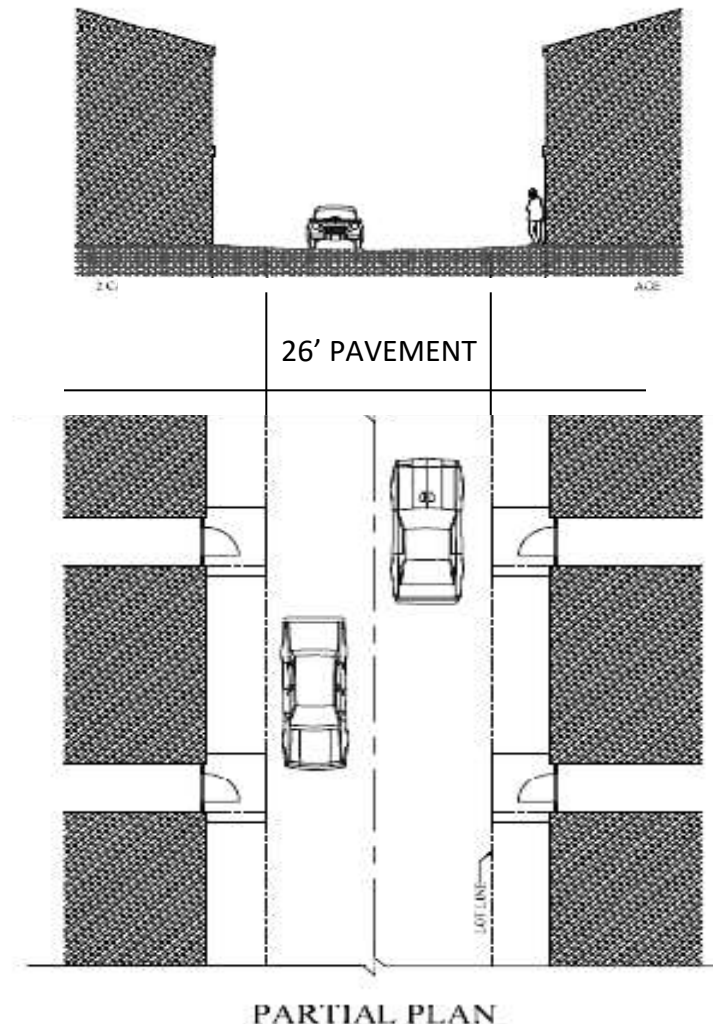
#### Permitted in Subzones

MU-TMR(1)  
MU-C(1)  
MU-N(1)  
MU-N(2)  
MU-TEN

MU-TMR(2)  
MU-C(2)  
MU-C(3)

## THOROUGHFARE DESIGN

### FIRE LANE (See Table 4-1)



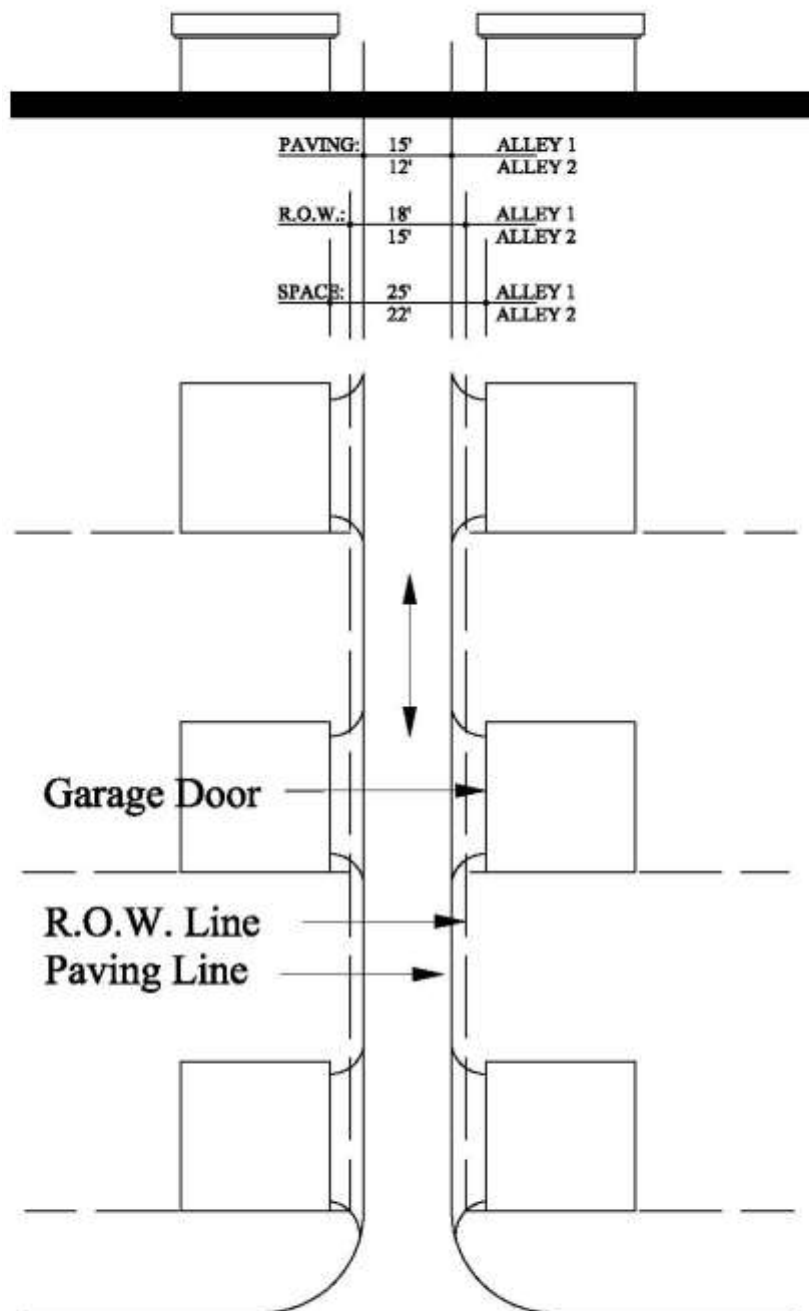
No parking permitted in Fire Lane

#### Permitted in Subzones

MU-TMR(1)  
MU-C(1)  
MU-N(1)  
MU-N(2)  
MU-TEN

MU-TMR(2)  
MU-C(2)  
MU-C(3)



**THOROUGHFARE DESIGN****MU RESIDENTIAL ALLEY 1 & 2**  
(See Table 4-1)

Permitted in Subzones  
 MU-N(1)  
 MU-N(2)  
 MU-TEN  
 MU-TNG

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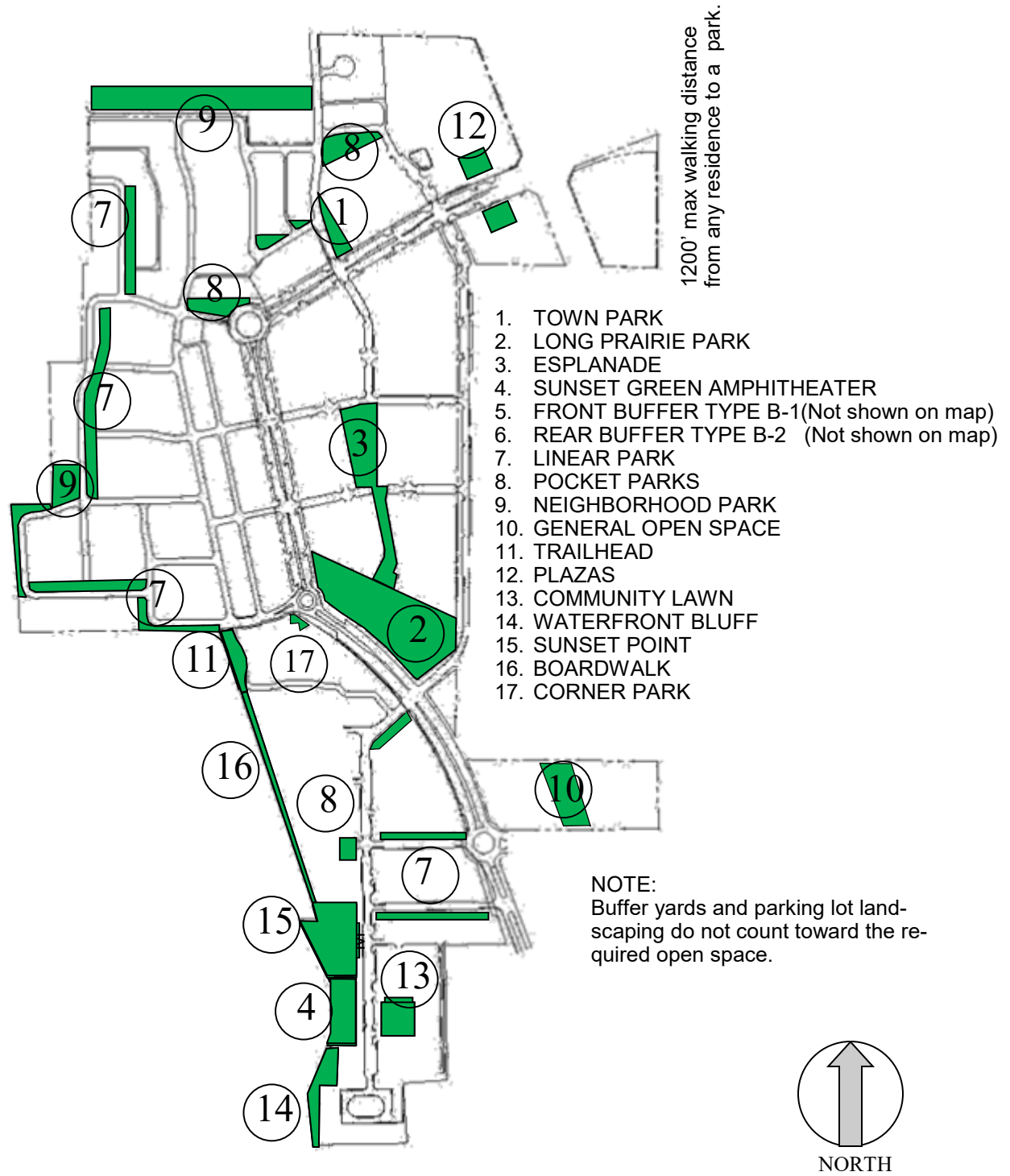
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**SECTION 5**

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**CIVIC/OPEN SPACE AND LANDSCAPE STANDARDS**

PARKS AND OPEN SPACE  
TRAILS  
LANDSCAPING

**FIGURE 5.1: PARK AND OPEN SPACE PLAN**



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**TABLE 5.1 OPEN SPACE MINIMUM REQUIRED**

| SUBZONE TRACTS | ACRES IN SUBZONE | MINIMUM OPEN SPACE REQUIRED: PERCENTAGE | ADDITIONAL OPEN SPACE: PERCENTAGE | MINIMUM OPEN SPACE REQUIRED: ACRES | OPEN SPACE PROVIDED: ACRES | REQUIRED PARK TYPES | MINIMUM NUMBER OF PARKS | MINIMUM AREA PER PARK | MINIMUM PARK AND OPEN SPACE AREA |
|----------------|------------------|-----------------------------------------|-----------------------------------|------------------------------------|----------------------------|---------------------|-------------------------|-----------------------|----------------------------------|
|----------------|------------------|-----------------------------------------|-----------------------------------|------------------------------------|----------------------------|---------------------|-------------------------|-----------------------|----------------------------------|

The table includes a summary of the completed portions of the Lakeside DFW project and the proposed portions of Lakeside Village.

Line 1 of the summary shows the aggregate acreage in the project permitted to date, the minimum open space required as a percentage of the gross area and as the minimum acres. It also shows the acreage of public open space provided. The total of provided open space only includes the specified park types and does not include Lakewood Park or miscellaneous landscaped areas.

Line 2 summarizes the requirements of Subzone MU-C(3) for the base open space, and the bonus height requirement, and the current allocation of open space subject to change at site plan application.

Line 3 summarizes the requirements of Subzone MU-TEN, including base open space, the added requirement for single family, and the added requirement for bonus height.

|                        |                         |             |      |             |              |                               |   |     |      |
|------------------------|-------------------------|-------------|------|-------------|--------------|-------------------------------|---|-----|------|
| <b>1 TOTAL TO DATE</b> | 111.0                   | 7.6%        |      | 8.51        | 10.42        |                               |   |     |      |
| <b>2 MU-C(3)</b>       | 6.3                     |             |      | 0.50        | 1.50         | GENERAL OPEN SPACE            | 1 |     | 0.50 |
| <i>BASE OPEN SPACE</i> | <i>5% OF 6.3 ACRES</i>  |             | 0.32 |             |              |                               |   |     |      |
| <i>BONUS HEIGHT</i>    | <i>3% OF 6.3 ACRES</i>  |             | 0.19 |             |              |                               |   |     |      |
| <b>3 MU-TEN</b>        | 38.5                    |             |      | 3.61        | 3.70         | COMMUNITY LAWN                | 1 | 0.4 | 0.4  |
| <i>BASE OPEN SPACE</i> | <i>5% OF 38.5 ACRES</i> |             | 1.92 |             |              | WATERFRONT BLUFF              | 1 | 0.3 | 0.3  |
| <i>BONUS HEIGHT</i>    | <i>3% OF 38.5 ACRES</i> |             | 1.15 |             |              | SUNSET GREEN                  | 1 | 0.7 | 0.7  |
| <i>SINGLE FAMILY</i>   | <i>5% OF 10.6 ACRES</i> |             | 0.53 |             |              | SUNSET POINT                  | 1 | 0.3 | 0.3  |
|                        |                         |             |      |             |              | BOARDWALK & TRAILHEAD         | 1 | 1.2 | 1.2  |
|                        |                         |             |      |             |              | VILLAGE GREEN                 | 1 | 0.2 | 0.2  |
|                        |                         |             |      |             |              | CORNER PARK                   | 1 | 0.3 | 0.3  |
|                        |                         |             |      |             |              | LINEAR PARKS                  | 3 | 0.1 | 0.3  |
| <b>PROJECT TOTALS</b>  | <b>155.8</b>            | <b>8.0%</b> |      | <b>12.6</b> | <b>15.62</b> | <b>10.0% PROVIDED OVERALL</b> |   |     |      |

This table, and the subsequent requirements, are intended to demonstrate how the aggregate parks and open spaces proposed for Lakeside DFW meet the requirements of the Ordinance LDR 03-08 (the Mixed Use Ordinance) and the Ordinance LDR 05-12 (Modification of park requirements in MU zoning).

Section 98-903 g of the MU Ordinance requires 5% minimum open space plus additional open space in specific categories; and it requires a variety of park types, pedestrian connectivity and access to existing wooded areas. The requirements contained in this section provide those standards.

**5.1 Civic/Open Space Standards.**

- A. The following set of tables and illustrations enumerates and describes the standards for the various types of parks and civic/open spaces to be developed as a part of the overall Lakeside project. These categories are as follows:

**LAKESIDE DFW OPEN SPACES**

- POCKET PARKS
- NEIGHBORHOOD PARK
- LINEAR PARK
- TRAILHEAD
- TOWN PARK
- PLAZAS
- ESPLANADE
- LONG PRAIRIE PARK
- FRONT BUFFER TYPE B-1
- REAR BUFFER TYPE B-2
- GENERAL OPEN SPACE

**VILLAGE LAKEFRONT AREA**

- OS1: COMMUNITY LAWN
- OS2: WATERFRONT BLUFF
- OS3: SUNSET GREEN AMPHITHEATER
- OS4: SUNSET POINT
- OS5a: BOARDWALK
- OS5b: VILLAGE GREEN
- OS5c: CORNER PARK
- OS6: LINEAR PARKS

- B. The provision of adequate and appropriate civic/open space areas shall be integral to all development in the district. The minimum requirement for civic/open space in the district is five percent of the gross area of the site which shall be dedicated open space. Any open space provided in excess of five percent may be eligible for bonus provisions. Surplus

open space in one subzone may be applied to deficiencies of open space in other subzones, provided the following conditions apply:

1. That the aggregate open space within all final platted property in the MU zoning district does not fall below 5% of the gross platted area; and
2. That the required park types identified in Table 5.1 are included in the platted area; and
3. That the plat complies with the open space standards in Section 3 of this Development Code.

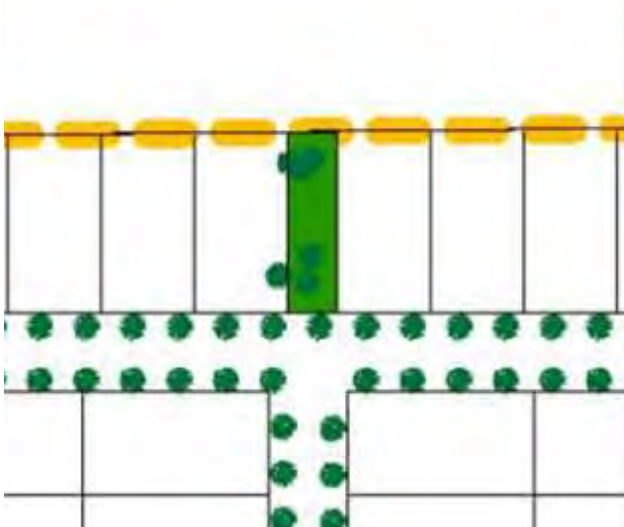
Open spaces may be in the form of pocket parks, children's play areas, squares, linear greens, and environmental preserves, including floodplain areas. Active sports fields and structured recreational activities shall be limited to less than ten percent of any parks located in the district.

- C. Applicable Standards; Maintenance. Thoroughfare treatments, right-of-way and median landscaping requirements, buffers, street yard landscaping, perimeter area requirements, landscaping of parking lots and structures and all other landscape area requirements as set forth the Code of Ordinances shall not apply in Lakeside DFW, except as set forth in this Section 5. Planting, and maintenance of all landscaping in streets, sidewalks and open space common areas in Lakeside DFW shall be the obligation of the persons owning property in the district and may be managed through a Lakeside Owners' Association.

- D. This development Code includes proposed variances from the existing Land Development Regulations regarding tree preservation, park land dedication and park development fees that are permitted under Ordinances LDR 05-12.

**PARK AND OPEN SPACE STANDARDS**  
**PROPOSED PARK TYPOLOGY****RESIDENTIAL POCKET PARKS**

| ITEM | STANDARD                 | REQ'D                                                                                                             |
|------|--------------------------|-------------------------------------------------------------------------------------------------------------------|
| #1   | Character                | Small, intimate, casual atmosphere, suitable for small children.                                                  |
| #2   | Minimum size             | 0.1 acres                                                                                                         |
| #3   | Maximum Size             | 0.25 acres                                                                                                        |
| #4   | Perimeter conditions     | Public Street Frontage on at least one side, residential fences of lot sides and rear may face the other 3 sides. |
| #5   | Plantings, pattern       | Trees and Turf, natural pattern of tree locations. One tree/2000 SF.                                              |
| #6   | Sidewalks/Hardscape      | Sidewalks and hardscape optional, no paving for parking permitted                                                 |
| #7   | Trail Connectivity       | Connection to sidewalks is required but connection to the trail system is not required                            |
| #8   | Location requirements    | At least one of the pocket parks must border the Lake Grapevine ACOE property.                                    |
| #9   | Topography               | May be natural grade with slopes greater than 20%                                                                 |
| #10  | Water feature            | No water feature required                                                                                         |
| #11  | Structures               | Shade structures and toddler playground equipment optional                                                        |
| #12  | Furnishings              | Benches and trash receptacles                                                                                     |
| #13  | Lighting                 | No lighting required                                                                                              |
| #14  | Other considerations     |                                                                                                                   |
|      | Required in Sub Zones:   | MU-NG                                                                                                             |
|      | Permitted in Sub Zones:  | All except MU-C, MU-MR                                                                                            |
|      | Prohibited in Sub Zones: | MU-C, MU-MR                                                                                                       |





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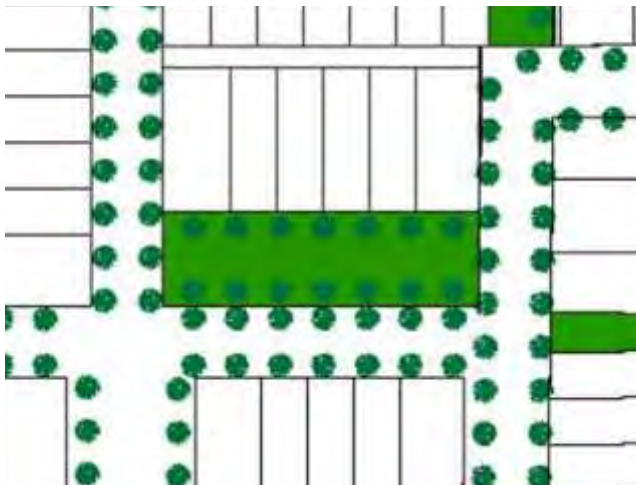
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**PARK AND OPEN SPACE STANDARDS**  
**PROPOSED PARK TYPOLOGY**

**RESIDENTIAL NEIGHBORHOOD PARKS**

| ITEM | STANDARD                 | REQ'D                                                                                                                            |
|------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| #1   | Character                | Medium sized, suitable for small gatherings and passive recreation.                                                              |
| #2   | Minimum size             | 0.25 acres                                                                                                                       |
| #3   | Maximum Size             | 1.0 acres                                                                                                                        |
| #4   | Perimeter conditions     | Public Street Frontage on at least 2 sides, building front facades must face least 2 sides. Lot Sides or rear may face one side. |
| #5   | Plantings, pattern       | Trees and turf, may be a natural pattern of trees or a formal geometric pattern. One tree/ 2000 SF                               |
| #6   | Sidewalks/Hardscape      | Concrete or masonry surface                                                                                                      |
| #7   | Trail Connectivity       | Connection to sidewalks is required but connection to the trail system is not required                                           |
| #8   | Location requirements    | The park should be centrally located or placed on a primary street.                                                              |
| #9   | Topography               | Must be generally level over most of the park area where people will walk                                                        |
| #10  | Water feature            | No water feature required                                                                                                        |
| #11  | Structures               | Shade structures are optional. Playground equipment is discouraged.                                                              |
| #12  | Furnishings              | Benches and trash receptacles; and items required by trail standards                                                             |
| #13  | Lighting                 | No lighting required, but pathway lighting is desirable.                                                                         |
| #14  | Other considerations     |                                                                                                                                  |
|      | Required in Sub Zones:   | MU-NG                                                                                                                            |
|      | Permitted in Sub Zones:  | All except MU-MR                                                                                                                 |
|      | Prohibited in Sub Zones: | MU-MR                                                                                                                            |



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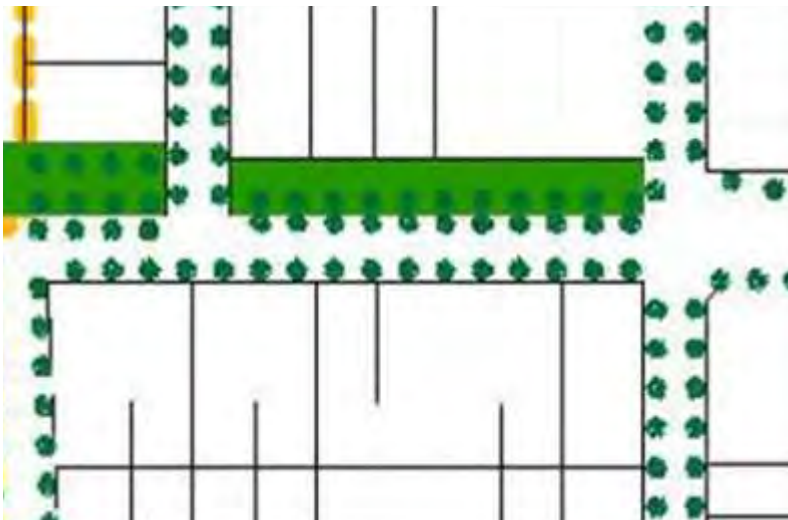
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**PARK AND OPEN SPACE STANDARDS**  
**PROPOSED PARK TYPOLOGY**

**LINEAR PARK**

| ITEM | STANDARD                 | REQ'D                                                                                                                         |
|------|--------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| #1   | Character                | Linear parks serve to enhance a right-of-way with additional green space and landscaping, incorporating sidewalks and trails. |
| #2   | Minimum size             | No minimum area but a minimum of 20' in width.                                                                                |
| #3   | Maximum Size             | No maximum but widths greater than 50' may be better categorized as a different type of park.                                 |
| #4   | Perimeter conditions     | The longest dimension plus the ends should front on a public ROW, the remaining perimeter may face private land.              |
| #5   | Plantings, pattern       | Regular tree placement matching street tree placement. Match street tree pattern.                                             |
| #6   | Sidewalks/Hardscape      | The length of the park                                                                                                        |
| #7   | Trail Connectivity       | not required                                                                                                                  |
| #8   | Location requirements    | Must be located adjacent to a public ROW                                                                                      |
| #9   | Topography               | Generally must be as level as the sidewalks                                                                                   |
| #10  | Water feature            | none required                                                                                                                 |
| #11  | Structures               | none required                                                                                                                 |
| #12  | Furnishings              | none required; unless required by trail standards                                                                             |
| #13  | Lighting                 | none required                                                                                                                 |
| #14  | Other considerations     |                                                                                                                               |
|      | Required in Sub Zones:   | MU-NG, MU-TEN                                                                                                                 |
|      | Permitted in Sub Zones:  | All                                                                                                                           |
|      | Prohibited in Sub Zones: | None                                                                                                                          |



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**PARK AND OPEN SPACE STANDARDS**  
**PROPOSED PARK TYPOLOGY**  
**TRAILHEAD**

| ITEM | STANDARD                                                                                                                                                                                                                              | REQ'D |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| #1   | Character<br>This is the transition between the urban character of the Lakeside development and the natural environment of Lake Grapevine, and should incorporate elements of both environments.                                      |       |
| #2   | Minimum size<br>0.15 acres                                                                                                                                                                                                            | yes   |
| #3   | Maximum Size<br>1 acre                                                                                                                                                                                                                | yes   |
| #4   | Perimeter conditions<br>Must be bounded by the Lake Grapevine ACOE property on at least on side, by a public ROW and front facades on another side, and may be adjacent to the sides or rear of buildings or lots on the other sides. | yes   |
| #5   | Plantings, pattern<br>Natural placement of trees and plantings, existing trees to remain where possible, some understory growth is permitted to define the wilderness atmosphere.                                                     | yes   |
| #6   | Sidewalks/Hardscape<br>The Lakeside trail system must traverse the park and connect to the ACOE trail system. A small area for a bike rack and bicycle staging area is also required.                                                 | yes   |
| #7   | Trail Connectivity<br>Trail connection is required                                                                                                                                                                                    | yes   |
| #8   | Location requirements<br>Must be adjacent to the Lake Grapevine ACOE property with connection to the ACOE trail system.                                                                                                               | yes   |
| #9   | Topography<br>As natural as possible to accommodate the trails                                                                                                                                                                        | yes   |
| #10  | Water feature<br>not required                                                                                                                                                                                                         |       |
| #11  | Structures<br>not required                                                                                                                                                                                                            |       |
| #12  | Furnishings<br>Benches, trash receptacles, directory maps, and bike racks.; may be required by trail standards                                                                                                                        |       |
| #13  | Lighting<br>not required but permitted                                                                                                                                                                                                |       |
| #14  | Other considerations                                                                                                                                                                                                                  |       |
|      | Required in Sub Zones:<br>MU-EN(3) provided the ACOE allows a trail connection                                                                                                                                                        | yes   |
|      | Permitted in Sub Zones:<br>MU-NG, MU-EN,                                                                                                                                                                                              |       |
|      | Prohibited in Sub Zones:<br>Not applicable to other zones                                                                                                                                                                             |       |





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**PARK AND OPEN SPACE STANDARDS**  
**PROPOSED PARK TYPOLOGY**

**LAKESIDE TOWN PARK**

| ITEM | STANDARD                 | REQ'D                                                                                                                                         |
|------|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| #1   | Character                | This is a primary public square for civic and community gatherings.                                                                           |
| #2   | Minimum size             | 0.4 acre                                                                                                                                      |
| #3   | Maximum Size             | 2 acres                                                                                                                                       |
| #4   | Perimeter conditions     | The entire perimeter must be bounded by public streets and front facades of residential or commercial buildings.                              |
| #5   | Plantings, pattern       | The planting patterns should be as formal and regular as the geometry of the park will allow. Plant at least 1 tree for each 2000 SF of park. |
| #6   | Sidewalks/Hardscape      | There must be sidewalks around the perimeter along the public ROW's and sidewalks through the park from all sides                             |
| #7   | Trail Connectivity       | The park is not required to be on the Lakeside trail system but it is highly desirable                                                        |
| #8   | Location requirements    | The park must have some frontage on Lakeside parkway.                                                                                         |
| #9   | Topography               | The park should be relatively flat and level within the perimeter sidewalks                                                                   |
| #10  | Water feature            | A water feature or sculpture is required as a focal point, but an alternative of equal merit may be substituted                               |
| #11  | Structures               | Shade structures may be added but are not required. Enclosed structures are not permitted.                                                    |
| #12  | Furnishings              | Benches, trash receptacles are required; and items required by trail standards                                                                |
| #13  | Lighting                 | Adequate lighting either by sidewalk bollard or by lighting standard is required                                                              |
| #14  | Other considerations     |                                                                                                                                               |
|      | Required in Sub Zones:   | MU-C(1)                                                                                                                                       |
|      | Permitted in Sub Zones:  | All                                                                                                                                           |
|      | Prohibited in Sub Zones: | None                                                                                                                                          |



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**PARK AND OPEN SPACE STANDARDS**  
**PROPOSED PARK TYPOLOGY**

**PLAZAS**

| ITEM |                          | STANDARD                                                                                                                                                                     | REQ'<br>D |
|------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| #1   | Character                | Small, hard-surfaced public spaces adjacent to the most intensive occupancies, fronting the major public ROW.                                                                |           |
| #2   | Minimum size             | No min                                                                                                                                                                       |           |
| #3   | Maximum Size             | No max                                                                                                                                                                       |           |
| #4   | Perimeter conditions     | Building Front or side façade on at least 2 sides of the plaza, Lakeside Parkway ROW on one side. Plaza must be screened from the parking lot by a wall or landscape screen. | yes       |
| #5   | Plantings, pattern       | Trees may be planted in tree wells. Trees or shade structures should be located to provide some shade adjacent to the building for customers and patrons.                    | yes       |
| #6   | Sidewalks/Hardscape      | May be paved up to 100%                                                                                                                                                      |           |
| #7   | Trail Connectivity       | Not required                                                                                                                                                                 |           |
| #8   | Location requirements    | Must be located between buildings and Lakeside Parkway.                                                                                                                      | yes       |
| #9   | Topography               | Generally level                                                                                                                                                              |           |
| #10  | Water feature            | Not required                                                                                                                                                                 |           |
| #11  | Structures               | Shade structures or trees at maturity or oriented so that the buildings provide the shade                                                                                    | yes       |
| #12  | Furnishings              | None required, but should be designed for moveable furnishings; unless required by trail standards                                                                           |           |
| #13  | Lighting                 | None required, but imaginative alternative lighting solutions are desirable                                                                                                  |           |
| #14  | Other considerations     |                                                                                                                                                                              |           |
|      | Required in Sub Zones:   | MU-C(1), MU-MR(1)                                                                                                                                                            | yes       |
|      | Permitted in Sub Zones:  | All except MU-NG                                                                                                                                                             |           |
|      | Prohibited in Sub Zones: | MU-NG                                                                                                                                                                        |           |



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**PARK AND OPEN SPACE STANDARDS**  
**PROPOSED PARK TYPOLOGY**

**ESPLANADE**

| ITEM | STANDARD                                                                                                                                                                                                                                                                                                    | REQ'<br>D |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| #1   | Character<br>This is the central green space for the multifamily neighborhood and acts as the unifying element and a place for public gatherings and recreation. The green space may be monolithic or may divided into multiple contiguous pieces divided by roadways.                                      |           |
| #2   | Minimum size<br>1.25 acres; 50' in width                                                                                                                                                                                                                                                                    | yes       |
| #3   | Maximum Size<br>No Maximum                                                                                                                                                                                                                                                                                  |           |
| #4   | Perimeter conditions<br>The perimeter is bounded by residential buildings or streets or other parks on all sides. Plant 1 tree for each 3000 SF.                                                                                                                                                            | yes       |
| #5   | Plantings, pattern<br>Since the area is large, portions of the area may be natural and irregular in the planting pattern but the natural undergrowth is not permitted. Planting consists primarily of turf and trees but shrubbery near the buildings is required and areas of seasonal color is desirable. | yes       |
| #6   | Sidewalks/Hardscape<br>Sidewalks within the street ROW may be included in the park. Small seating alcoves may be paved but large paved areas are discouraged.                                                                                                                                               |           |
| #7   | Trail Connectivity<br>The Lakeside trail system must traverse the park.                                                                                                                                                                                                                                     | yes       |
| #8   | Location requirements<br>The park must be bounded by residential buildings, and it must connect to the Long Prairie Park.                                                                                                                                                                                   | yes       |
| #9   | Topography<br>The park should be substantially level unless berms, swales, mounds, or water features are used to enhance the landscaping.                                                                                                                                                                   |           |
| #10  | Water feature<br>A water feature is encouraged but not required.                                                                                                                                                                                                                                            |           |
| #11  | Structures<br>Small shade structures are encouraged but not required. Enclosed space is not permitted.                                                                                                                                                                                                      |           |
| #12  | Furnishings<br>Benches and trash receptacles are required; and items required by trail standards                                                                                                                                                                                                            | yes       |
| #13  | Lighting<br>Street lighting should be sufficient, but if the street is located farther from the walkways, low level pathway lighting is encouraged.                                                                                                                                                         |           |
| #14  | Other considerations                                                                                                                                                                                                                                                                                        |           |
|      | Required in Sub Zones: MU-N                                                                                                                                                                                                                                                                                 | yes       |
|      | Permitted in Sub Zones: MU-N                                                                                                                                                                                                                                                                                |           |
|      | Prohibited in Sub Zones: All except MU-N                                                                                                                                                                                                                                                                    |           |



**PARK AND OPEN SPACE STANDARDS****THE ESPLANADE**

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**PARK AND OPEN SPACE STANDARDS**  
**PROPOSED PARK TYPOLOGY**

**LONG PRAIRIE PARK**

| ITEM | STANDARD                                                                                                                                                                                                                                                                                                                                                                                                                                                   | REQ'<br>D |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| #1   | Character<br><br>This area includes some floodplain and should remain as natural as possible and still fulfill its function as the park amenity as well as floodplain and detention area. To the extent permitted by local, state and federal regulation, the underbrush should be cleared, the grades smoothed to facilitate pedestrian use and hydraulic requirements. Turf shall be planted in the large areas of open space that are relatively level. |           |
| #2   | Minimum size<br>2.4 acres                                                                                                                                                                                                                                                                                                                                                                                                                                  | yes       |
| #3   | Maximum Size<br>No maximum                                                                                                                                                                                                                                                                                                                                                                                                                                 |           |
| #4   | Perimeter conditions<br>Usually separates the public arterial traffic from the private parking areas, but may be used in other situations.                                                                                                                                                                                                                                                                                                                 |           |
| #5   | Plantings, pattern<br>Typically hedges and trees that provide strong visual screening are most desirable placed closely together. Along 2499, the tree canopy is more desirable to permit views into the development.                                                                                                                                                                                                                                      | yes       |
| #6   | Sidewalks/Hardscape<br>A trail may lead down to a water feature, other paths should be natural turf or crushed stone paths except for the Lakeside Trail system.                                                                                                                                                                                                                                                                                           |           |
| #7   | Trail Connectivity<br>The park must connect to the Lakeside Trail System.                                                                                                                                                                                                                                                                                                                                                                                  | Yes       |
| #8   | Location requirements<br>Where a transition between uses is needed                                                                                                                                                                                                                                                                                                                                                                                         |           |
| #9   | Topography<br>Natural topography should be maintained as much as possible, with no disturbance of slopes over 12%.                                                                                                                                                                                                                                                                                                                                         |           |
| #10  | Water feature<br>A water retention pond may be maintained within the park, including a dock feature for interaction with the water.                                                                                                                                                                                                                                                                                                                        |           |
| #11  | Structures<br>Shade structures are permitted. Some enclosed structures are permitted for seasonal or recreational use such as snow cone sales or other kiosk-type uses. No parking is permitted within the park, all parking must be on-street adjacent to the park.                                                                                                                                                                                       |           |
| #12  | Furnishings<br>Benches and trash receptacles are permitted, picnic tables are not permitted; See items required by trail standards                                                                                                                                                                                                                                                                                                                         |           |
| #13  | Lighting<br>Lighting is permitted but not required.                                                                                                                                                                                                                                                                                                                                                                                                        |           |
| #14  | Other considerations<br>May be used to accommodate a Homeowners' Association Clubhouse, and/or a dog park.                                                                                                                                                                                                                                                                                                                                                 |           |
|      | Required in Sub Zones:<br>MU-C(2)                                                                                                                                                                                                                                                                                                                                                                                                                          |           |
|      | Permitted in Sub Zones:<br>Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                  |           |
|      | Prohibited in Sub Zones:<br>Not Applicable                                                                                                                                                                                                                                                                                                                                                                                                                 |           |

**PARK AND OPEN SPACE STANDARDS**  
**PROPOSED PARK TYPOLOGY****BUFFERS - B-1**

| ITEM | STANDARD                                                                                                                                                                                                                                                                                                      | REQ'<br>D |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| #1   | Character<br>This is the space separating differing uses and serving as a transition where walls would be inappropriate. The B-1 buffer is generally a front or primary buffer between an arterial roadway and the front of the project. It is generally landscaped with trees, shrubbery and seasonal color. |           |
| #2   | Minimum size<br>Minimum buffer width between a parking area and FM 2499 is 15'                                                                                                                                                                                                                                | yes       |
| #3   | Maximum Size<br>No max                                                                                                                                                                                                                                                                                        |           |
| #4   | Perimeter conditions<br>Usually separates the public arterial traffic from the private parking areas, but may be used in other situations.                                                                                                                                                                    |           |
| #5   | Plantings, pattern<br>Typically hedges and trees that provide strong visual screening. Along 2499, a higher tree canopy is more desirable to permit views into the development under the tree canopy from the arterial.                                                                                       | yes       |
| #6   | Sidewalks/Hardscape<br>Permitted                                                                                                                                                                                                                                                                              |           |
| #7   | Trail Connectivity<br>Permitted                                                                                                                                                                                                                                                                               |           |
| #8   | Location requirements<br>Where a transition between uses is needed, particularly along FM 2499                                                                                                                                                                                                                |           |
| #9   | Topography<br>Grade provides the transition as needed between the uses, no maximum grade. Retaining walls are permitted.                                                                                                                                                                                      |           |
| #10  | Water feature<br>None required                                                                                                                                                                                                                                                                                |           |
| #11  | Structures<br>None required; signage permitted                                                                                                                                                                                                                                                                |           |
| #12  | Furnishings<br>None                                                                                                                                                                                                                                                                                           |           |
| #13  | Lighting<br>None required, lighting permitted from ground mounted lighting                                                                                                                                                                                                                                    |           |
| #14  | Other considerations<br>Driveways are permitted to cross Buffers                                                                                                                                                                                                                                              |           |
|      | Required in Sub Zones:<br>MU-MR                                                                                                                                                                                                                                                                               |           |
|      | Permitted in Sub Zones:<br>All                                                                                                                                                                                                                                                                                |           |
|      | Prohibited in Sub Zones:<br>None                                                                                                                                                                                                                                                                              |           |





**PARK AND OPEN SPACE STANDARDS**  
**PROPOSED PARK TYPOLOGY****BUFFERS - B-2**

| ITEM | STANDARD                                                                                                                                                                                                                                                                 | REQ'D |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| #1   | Character<br>This is the space separating differing uses and protecting one use from the impact of another use. Walls are permitted. The B-2 buffer is generally a rear or side buffer. It is generally landscaped in conjunction with a wall or solid visual screening. |       |
| #2   | Minimum size<br>Minimum buffer width between a residential and a commercial use is a 6' to 8' high masonry wall with a landscaping strip that is 3' minimum in width.                                                                                                    | yes   |
| #3   | Maximum Size<br>No max                                                                                                                                                                                                                                                   |       |
| #4   | Perimeter conditions<br>Usually separates the single family detached lots from the commercial service areas, but may be used in other situations.                                                                                                                        |       |
| #5   | Plantings, pattern<br>Solid hedges and smaller trees placed closely together providing strong visual screening is most desirable.                                                                                                                                        | yes   |
| #6   | Sidewalks/Hardscape<br>Permitted                                                                                                                                                                                                                                         |       |
| #7   | Trail Connectivity<br>Permitted                                                                                                                                                                                                                                          |       |
| #8   | Location requirements<br>Where a transition between uses is needed                                                                                                                                                                                                       |       |
| #9   | Topography<br>Grade provides the transition as needed between the uses, no maximum grade. Retaining walls are permitted.                                                                                                                                                 |       |
| #10  | Water feature<br>None required                                                                                                                                                                                                                                           |       |
| #11  | Structures<br>Masonry walls, between 6' and 8' in height                                                                                                                                                                                                                 |       |
| #12  | Furnishings<br>None                                                                                                                                                                                                                                                      |       |
| #13  | Lighting<br>None required                                                                                                                                                                                                                                                |       |
| #14  | Other considerations<br>Pedestrian and vehicular passages are permitted in the buffers.                                                                                                                                                                                  |       |
|      | Required in Sub Zones:<br>MU-MR only if the rear of the commercial development abuts single family detached lots.                                                                                                                                                        |       |
|      | Permitted in Sub Zones:<br>All                                                                                                                                                                                                                                           |       |
|      | Prohibited in Sub Zones:<br>None                                                                                                                                                                                                                                         |       |



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**PARK AND OPEN SPACE STANDARDS**  
**PROPOSED PARK TYPOLOGY**

**GENERAL OPEN SPACE**

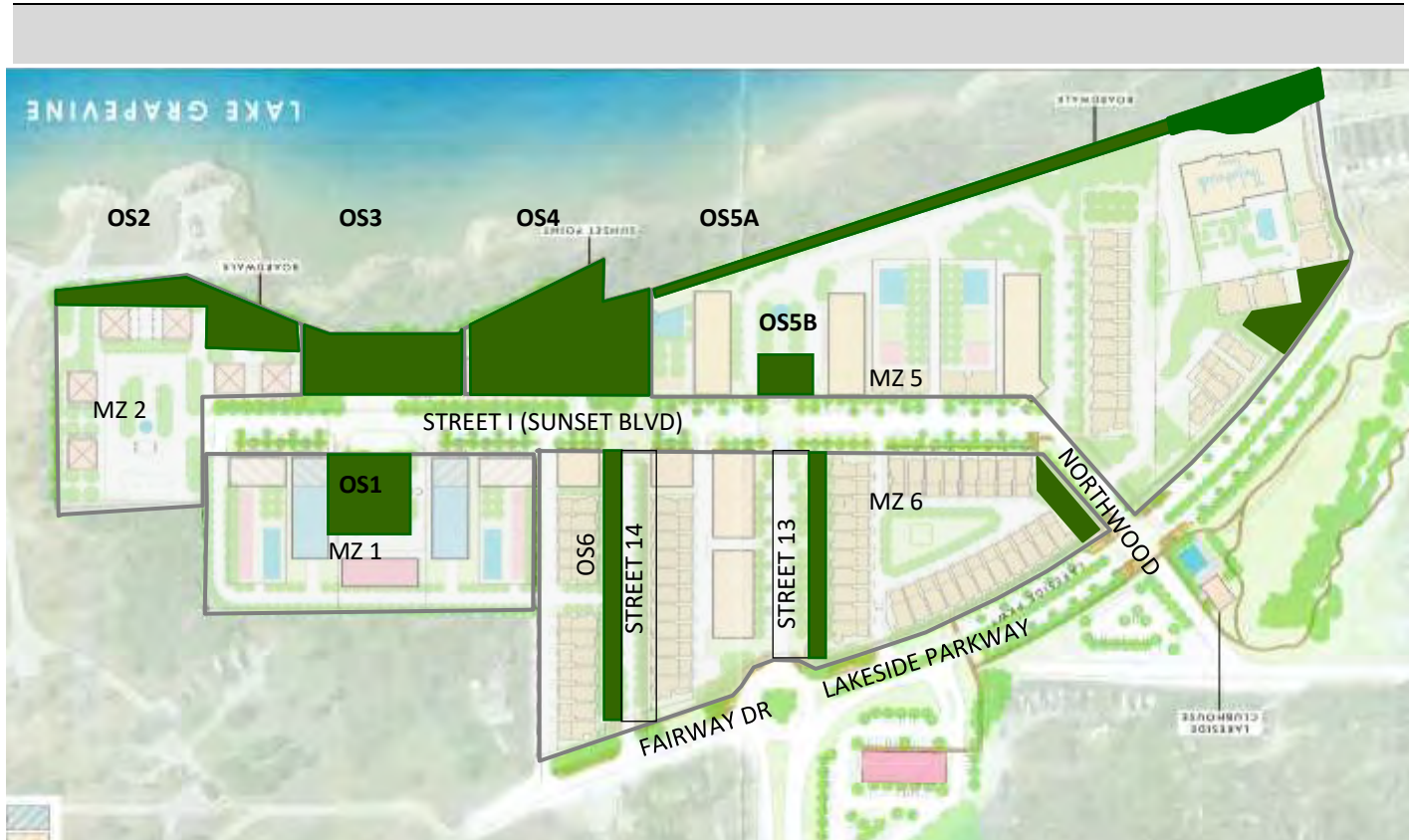
| ITEM | STANDARD                                                                                                                                                                                                                                | REQ'D |
|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| #1   | Character<br>This is unprogrammed area, not including buffers and medians, that is open to the public either as property dedicated to an association, under a common area maintenance agreement, or an easement granting public access. |       |
| #2   | Minimum size<br>No min                                                                                                                                                                                                                  |       |
| #3   | Maximum Size<br>No max                                                                                                                                                                                                                  |       |
| #4   | Perimeter conditions<br>No specific restrictions                                                                                                                                                                                        |       |
| #5   | Plantings, pattern<br>Natural existing trees take precedence, with additional ground cover or turf as appropriate.                                                                                                                      |       |
| #6   | Sidewalks/Hardscape<br>Paths, sidewalks and trail network are permitted                                                                                                                                                                 |       |
| #7   | Trail Connectivity<br>Not required                                                                                                                                                                                                      |       |
| #8   | Location requirements<br>No specific restrictions                                                                                                                                                                                       |       |
| #9   | Topography<br>No specific restrictions                                                                                                                                                                                                  |       |
| #10  | Water feature<br>Water features are permitted but not required.                                                                                                                                                                         |       |
| #11  | Structures<br>Enclosed structures under 900 SF are permitted and must be located at least 10' from other structures. Larger structures are permitted, such as gazebos or porches, provided they are not fully enclosed buildings        |       |
| #12  | Furnishings<br>No furnishings are required; unless required by trail standards                                                                                                                                                          |       |
| #13  | Lighting<br>No lighting is required.                                                                                                                                                                                                    |       |
| #14  | Other considerations                                                                                                                                                                                                                    |       |
|      | Required in Sub Zones:                                                                                                                                                                                                                  |       |
|      | Permitted in Sub Zones:                                                                                                                                                                                                                 | All   |
|      | Prohibited in Sub Zones:                                                                                                                                                                                                                |       |

**PARK AND OPEN SPACE STANDARDS:  
PROPOSED PARK TYPOLOGY**

VILLAGE LAKEFRONT AREA OPEN SPACE STANDARD IS SUPERCEDED BY THE FOLLOWING SPECIFIC OPEN SPACE STANDARDS.

**VILLAGE LAKEFRONT AREA**

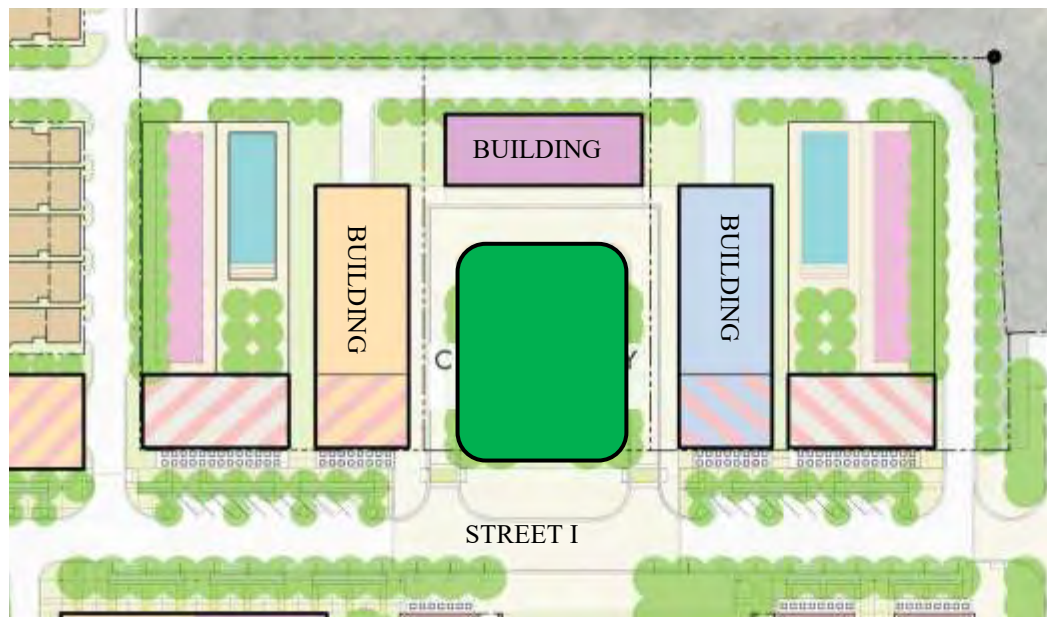
- **OS1: COMMUNITY LAWN**
- **OS2: WATERFRONT BLUFF**
- **OS3: SUNSET GREEN AMPHITHEATER**
- **OS4: SUNSET POINT**
- **OS5a: BOARDWALK**
- **OS5b: VILLAGE GREEN**
- **OS5c: CORNER PARK**
- **OS6: LINEAR PARK (See Page 56 for Linear Park standards)**

**VILLAGE LAKEFRONT AREA**



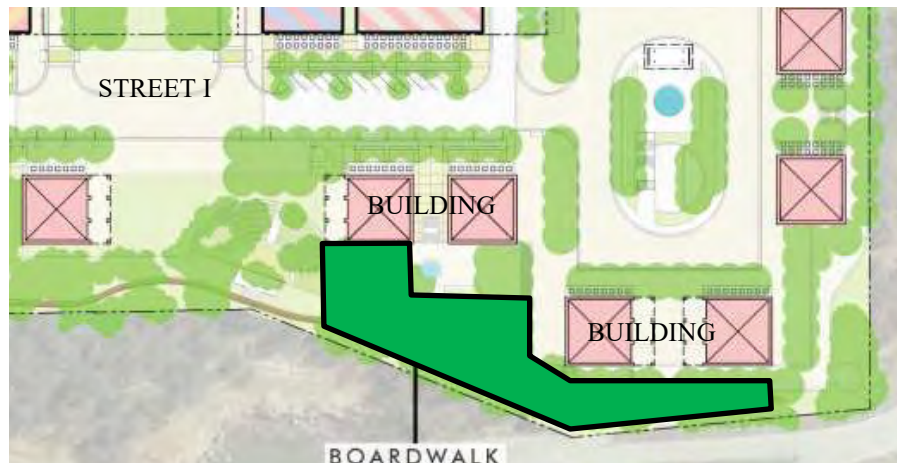
**PARK AND OPEN SPACE STANDARDS**  
**PROPOSED PARK TYPOLOGY****OS1: COMMUNITY LAWN**

| ITEM | STANDARD                 | REQ'D                                                                                                |
|------|--------------------------|------------------------------------------------------------------------------------------------------|
| #1   | Character                | Broad lawn for public gatherings and events. Event-specific furnishings would be provided for events |
| #2   | Minimum size             | 0.4 acres                                                                                            |
| #3   | Maximum Size             | None                                                                                                 |
| #4   | Perimeter conditions     | Front Building Facades, Street I,                                                                    |
| #5   | Plantings, pattern       | Perimeter trees at 30' on center                                                                     |
| #6   | Sidewalks/Hardscape      | Perimeter sidewalk 6' width minimum                                                                  |
| #7   | Trail Connectivity       | Connect to sidewalk on Street I                                                                      |
| #8   | Location requirements    | See Subzone Rules for MU-TEN                                                                         |
| #9   | Topography               | Generally level, but elevated 2 to 3 feet above sidewalk on Street I                                 |
| #10  | Water feature            | Optional                                                                                             |
| #11  | Structures               | None required                                                                                        |
| #12  | Furnishings              | Trash Receptacles                                                                                    |
| #13  | Lighting                 | Street lights or perimeter bollard lighting                                                          |
| #14  | Other considerations     |                                                                                                      |
|      | Required in Sub Zones:   | MU-TEN                                                                                               |
|      | Permitted in Sub Zones:  |                                                                                                      |
|      | Prohibited in Sub Zones: |                                                                                                      |



**PARK AND OPEN SPACE STANDARDS**  
**PROPOSED PARK TYPOLOGY****OS2: WATERFRONT BLUFF**

| ITEM | STANDARD                 | REQ'D                                                                                                                                                                                |
|------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| #1   | Character                | Combination of natural grade, pedestrian trails and public and commercial terraces acting as the terminus to the trail.                                                              |
| #2   | Minimum size             | 0.3 acres                                                                                                                                                                            |
| #3   | Maximum Size             | None                                                                                                                                                                                 |
| #4   | Perimeter conditions     | Boundary with Lake to west, terraces and restaurants to east                                                                                                                         |
| #5   | Plantings, pattern       | Existing trees where natural grade allows, Additional planting between terraces, and within terrace structures.                                                                      |
| #6   | Sidewalks/Hardscape      | Trail type T-6 connecting terraces to the adjacent Open space OS3                                                                                                                    |
| #7   | Trail Connectivity       | Natural trail type T-6, Required trail connectivity within a public use easement at least 5' east of the trail and extending to the western property boundary of the microzone MZ-2. |
| #8   | Location requirements    | See Subzone Rules: OS2 is the transitional open space between the commercial buildings and the Lake Grapevine open space.                                                            |
| #9   | Topography               | Natural topography along western edge, terraced along buildings                                                                                                                      |
| #10  | Water feature            | Optional                                                                                                                                                                             |
| #11  | Structures               | Dining Terraces, Stairs between terrace levels                                                                                                                                       |
| #12  | Furnishings              | None Required, dining furniture anticipated.                                                                                                                                         |
| #13  | Lighting                 | Lighting may be a combination of bollards, string lights, building lighting, and others, but a minimum of 1.5 foot-candles is required on dining terraces and the Trail connection.  |
| #14  | Other considerations     | May include stairs and retaining walls to be designed as an extension of the building architecture.                                                                                  |
|      | Required in Sub Zones:   | MU-TEN                                                                                                                                                                               |
|      | Permitted in Sub Zones:  |                                                                                                                                                                                      |
|      | Prohibited in Sub Zones: |                                                                                                                                                                                      |



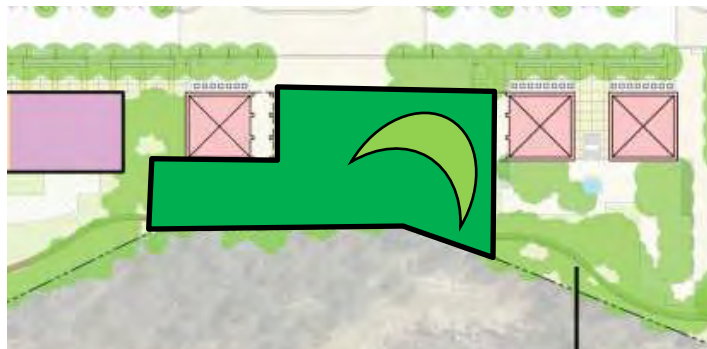
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**PARK AND OPEN SPACE STANDARDS:  
PROPOSED PARK TYPOLOGY  
OS3: SUNSET GREEN AMPHITHEATER**

| ITEM | STANDARD                 | REQ'D                                                                                                                                                                                                                                    |
|------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| #1   | Character                | This is an open air venue for public or private gatherings, events or performances                                                                                                                                                       |
| #2   | Minimum size             | 0.7 acres                                                                                                                                                                                                                                |
| #3   | Maximum Size             | No max                                                                                                                                                                                                                                   |
| #4   | Perimeter conditions     | Views of the lake are to be preserved to the west. Accessible from Street I sidewalk.                                                                                                                                                    |
| #5   | Plantings, pattern       | Natural existing trees should be preserved where possible and incorporated into the tiered seating. The tier treads should be primarily turf, tier risers may be stone or concrete.                                                      |
| #6   | Sidewalks/Hardscape      | The seating tiers shall be hard edged, concrete or stone, with concrete or stone steps between tiers. The stage shall be concrete.                                                                                                       |
| #7   | Trail Connectivity       | The Lakeside Trail System trail type T-6 shall connect to the Amphitheater. Required trail connectivity within a public use easement at least 5' east of the trail and extending to the western property boundary of the microzone MZ-3. |
| #8   | Location requirements    | Must be bounded by Lake Grapevine ACOE property to the west.                                                                                                                                                                             |
| #9   | Topography               | Existing grade may be re-graded to achieve an optimal seating configuration.                                                                                                                                                             |
| #10  | Water feature            | None                                                                                                                                                                                                                                     |
| #11  | Structures               | The overall size and capacity of the structure should be able to accommodate at least 125 people seated.                                                                                                                                 |
| #12  | Furnishings              |                                                                                                                                                                                                                                          |
| #13  | Lighting                 | Ambient street lights on Street I are required, stage lighting is not required. Walkway lighting shall provide a minimum of 1.5 foot-candles of illumination.                                                                            |
| #14  | Other considerations     | Sound system is not required.                                                                                                                                                                                                            |
|      | Required in Sub Zones:   | MU-TEN                                                                                                                                                                                                                                   |
|      | Permitted in Sub Zones:  |                                                                                                                                                                                                                                          |
|      | Prohibited in Sub Zones: |                                                                                                                                                                                                                                          |





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**PARK AND OPEN SPACE STANDARDS**  
**PROPOSED PARK TYPOLOGY**

**OS4: SUNSET POINT**

| ITEM | STANDARD                 | REQ'D                                                                                                                                                                          |
|------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| #1   | Character                | Terraced, elevated viewing platform, suitable for gatherings or leisure activity.                                                                                              |
| #2   | Minimum size             | 0.3 Acres, with elevated deck                                                                                                                                                  |
| #3   | Maximum Size             | None                                                                                                                                                                           |
| #4   | Perimeter conditions     | ACOE land and Lake Grapevine to the west                                                                                                                                       |
| #5   | Plantings, pattern       | Existing trees to the maximum extent possible                                                                                                                                  |
| #6   | Sidewalks/Hardscape      | Sunset Point deck, and trail connection to Boardwalk                                                                                                                           |
| #7   | Trail Connectivity       | Required trail connectivity, Trail Type T-6, within a public use easement at least 10' east of the trail and extending to the western property boundary of the Microzone MZ-4. |
| #8   | Location requirements    |                                                                                                                                                                                |
| #9   | Topography               | Natural                                                                                                                                                                        |
| #10  | Water feature            | None required                                                                                                                                                                  |
| #11  | Structures               | 6,000 SF wood deck                                                                                                                                                             |
| #12  | Furnishings              | Built-in seating, Trash receptacles                                                                                                                                            |
| #13  | Lighting                 | Low level landscape lighting                                                                                                                                                   |
| #14  | Other considerations     |                                                                                                                                                                                |
|      | Required in Sub Zones:   | MU-TEN                                                                                                                                                                         |
|      | Permitted in Sub Zones:  |                                                                                                                                                                                |
|      | Prohibited in Sub Zones: |                                                                                                                                                                                |



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**PARK AND OPEN SPACE STANDARDS**  
**PROPOSED PARK TYPOLOGY**

**OS-5a: STANDARD BOARDWALK**

| ITEM | STANDARD                 | REQ'D                                                                                                                                   |
|------|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| #1   | Character                | Woodland trail, partially wide, level concrete, and partially natural gravel trail.                                                     |
| #2   | Minimum size             | 1400 LF                                                                                                                                 |
| #3   | Maximum Size             | None                                                                                                                                    |
| #4   | Perimeter conditions     | ACOE land to the West, varies to the east                                                                                               |
| #5   | Plantings, pattern       | Natural existing vegetation where possible                                                                                              |
| #6   | Sidewalks/Hardscape      | Concrete, asphalt, wood decking where ADA compliant, Decomposed Granite, or asphalt within stabilized edges where natural grade allows. |
| #7   | Trail Connectivity       |                                                                                                                                         |
| #8   | Location requirements    | The length of the western boundary with the ACOE property                                                                               |
| #9   | Topography               | ADA compliant from Edgemere to Sunset Point, Natural grade from Sunset Point to southern tip.                                           |
| #10  | Water feature            |                                                                                                                                         |
| #11  | Structures               |                                                                                                                                         |
| #12  | Furnishings              | Trash receptacles, Benches                                                                                                              |
| #13  | Lighting                 | Lighted bollards                                                                                                                        |
| #14  | Other considerations     |                                                                                                                                         |
|      | Required in Sub Zones:   | MU-TEN                                                                                                                                  |
|      | Permitted in Sub Zones:  |                                                                                                                                         |
|      | Prohibited in Sub Zones: |                                                                                                                                         |



**PARK AND OPEN SPACE STANDARDS**  
**PROPOSED PARK TYPOLOGY****OS5b: VILLAGE GREEN**

| ITEM | STANDARD                                                                                                                                                                                       | REQ'D |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| #1   | Character<br>Small open space located between residential towers to offer a gathering place, open to the public, but used primarily by the residents of the neighboring residential buildings. |       |
| #2   | Minimum size<br>0.2 acres                                                                                                                                                                      | yes   |
| #3   | Maximum Size<br>none                                                                                                                                                                           |       |
| #4   | Perimeter conditions<br>Private drives, adjacent buildings                                                                                                                                     | yes   |
| #5   | Plantings, pattern<br>Turf with the formal placement of a minimum of 8 trees                                                                                                                   | yes   |
| #6   | Sidewalks/Hardscape                                                                                                                                                                            |       |
| #7   | Trail Connectivity                                                                                                                                                                             |       |
| #8   | Location requirements<br>Within Subzone MU-TEN, microzone 5                                                                                                                                    |       |
| #9   | Topography<br>Mostly level                                                                                                                                                                     |       |
| #10  | Water feature<br>Or an alternate focal point                                                                                                                                                   | yes   |
| #11  | Structures                                                                                                                                                                                     |       |
| #12  | Furnishings<br>Benches                                                                                                                                                                         | yes   |
| #13  | Lighting<br>Optional                                                                                                                                                                           |       |
| #14  | Other considerations                                                                                                                                                                           |       |
|      | Required in Sub Zones:<br>MU-TEN                                                                                                                                                               |       |
|      | Permitted in Sub Zones:                                                                                                                                                                        |       |
|      | Prohibited in Sub Zones:                                                                                                                                                                       |       |

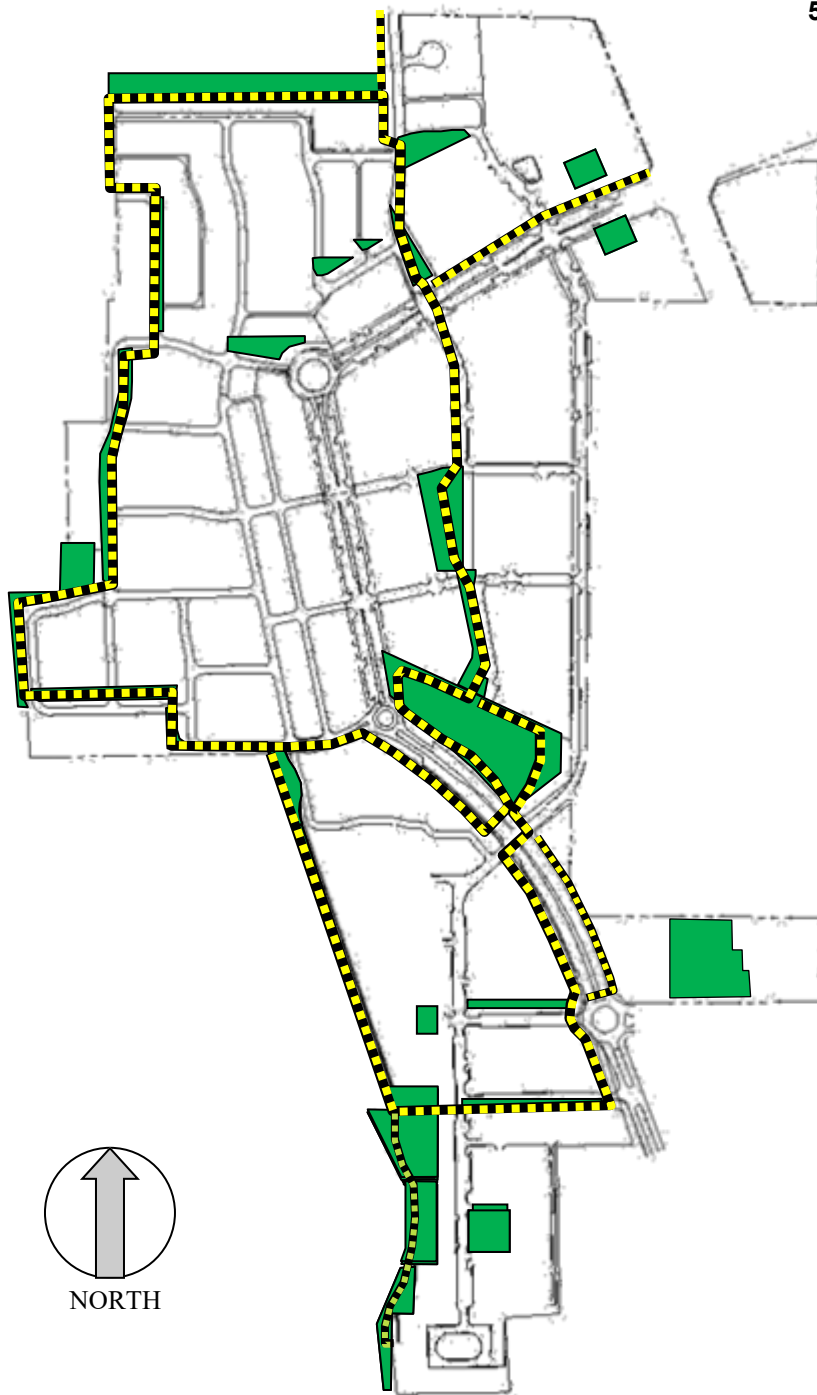




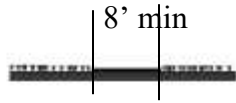
**PARK AND OPEN SPACE STANDARDS**  
**PROPOSED PARK TYPOLOGY****OS5c: VILLAGE GREEN**

| ITEM | STANDARD                                                                                                             | REQ'D |
|------|----------------------------------------------------------------------------------------------------------------------|-------|
| #1   | Character<br>Small open space located at the corner of Edgemere and Lakeside Parkway fronting on the traffic circle. |       |
| #2   | Minimum size<br>0.3 acres                                                                                            | yes   |
| #3   | Maximum Size<br>none                                                                                                 |       |
| #4   | Perimeter conditions<br>Streets and adjacent buildings                                                               | yes   |
| #5   | Plantings, pattern<br>Turf with a minimum of 4 trees in addition to street trees                                     | yes   |
| #6   | Sidewalks/Hardscape                                                                                                  |       |
| #7   | Trail Connectivity                                                                                                   |       |
| #8   | Location requirements<br>Within Subzone MU-TEN, microzone 5                                                          | yes   |
| #9   | Topography<br>Mostly level                                                                                           |       |
| #10  | Water feature                                                                                                        |       |
| #11  | Structures                                                                                                           |       |
| #12  | Furnishings                                                                                                          |       |
| #13  | Lighting<br>Optional                                                                                                 |       |
| #14  | Other considerations                                                                                                 |       |
|      | Required in Sub Zones:<br>MU-TEN                                                                                     |       |
|      | Permitted in Sub Zones:                                                                                              |       |
|      | Prohibited in Sub Zones:                                                                                             |       |



**FIGURE 5.2: PROPOSED TRAIL SECTIONS**  
TRAIL LOCATION IS APPROXIMATE**5.2 Trail Standards**

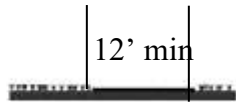
- A. Trail: A recreational hike and bike trail shall be constructed as a part of the overall development. At completion, the trail shall be at least one mile in length and a minimum of 8 feet in width. A minimum of 1000 feet of its length shall be within ten feet of the property line of Lakeside DFW and the A.C.O.E. The trail shall be paved with concrete or, if topography dictates that concrete is impractical, a wood boardwalk may be used at the Owner's discretion. Crushed granite may be used for portions of the trail where alternate paved routes for pedestrians are available.
- B. A.C.O.E. Connection: There is one trailhead connection to the trail that is owned and maintained by the Army Corps of Engineers around Grapevine Lake.
- C. Standards: Slopes, Railings, and Access shall comply with current best practices for private, recreational trail amenities.
- D. Trail Map: The Trail Map above indicates possible routing and trail sections throughout the length of the proposed trail and is subject to change. The T-1 through T-5 refer to trail sections depicted on the following pages.
- E. Furnishings: All trails shall provide seating, trash receptacles, drinking fountains and trail lighting at intersecting parks and trails in addition to all other furnishings and lighting identified in each proposed park topology.

**PARK AND OPEN SPACE STANDARDS****PROPOSED TRAIL SECTIONS****T-1 PARK TRAIL**

Located on public land or land dedicated to Property Owners' Associations

Width: 8' minimum

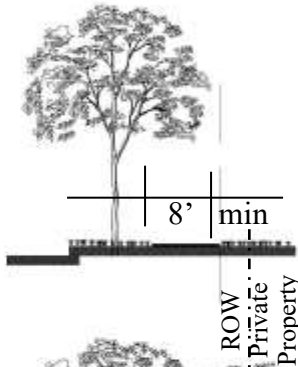
ROW or Easement: none required

**T-2 HIKE & BIKE TRAIL AT TRAILHEAD**

Located where the Lakeside Trail System meets the ACOE trail system on land dedicated for public use.

Width: 12' minimum

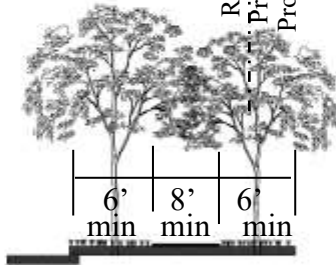
ROW or Easement: None required

**T-3 R.O.W. TRAIL**

Located along a street right-of-way in place of the typical sidewalk.

Width: 8' min

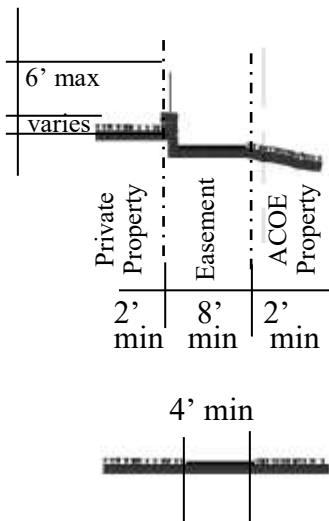
ROW or easement: built within the street ROW. If the typical sidewalk requires less ROW, additional ROW must be dedicated for the trail width.

**T-4 LINEAR PARK TRAIL**

Located within a dedicated park area running parallel to a street.

Width: 8' min

ROW or easement: none required in a dedicated park or open space.

**T-5 BOARDWALK TRAIL**

Located between private property and the ACOE property boundary.

Width: 8' min

ROW or easement: 12' min

Elevation: Trail may be placed below the existing grade of the adjacent property. Retaining walls, are part of the trail construction; railings and iron fences are the responsibility of the property owner. Wood fences are not permitted on either side of the trail.

**T-6 NATURAL TRAIL:**

Located between OS4: Sunset Point and OS2: Waterfront Bluff,

Width: Natural portion of the trail may be 4' wide, decomposed granite, concrete, asphalt, or wood decking, at or near natural grade. Edges of the decomposed granite shall be stabilized.

ROW: Trail shall be located within easements or common area lots.



**5.3 Required Landscaping****A. Planting Along Streets and in Medians.**

1. **Street Trees.** Street trees will be planted in tree wells or within landscape areas based on the type of street and shall comply with the applicable standards. Street trees shall be a minimum of three inch (3") caliper with a five foot (5') clear trunk and planted based upon a targeted average spacing of thirty feet (30') on center of a block length, block length determined by measuring from right-of-way line to the right-of-way line. Spacing can be adjusted as necessary to accommodate block length, curb cuts, crosswalks, vaults, Pedestrian and Vehicular Block Breaks and comparable features.

Street trees shall be installed in accordance with these criteria:

- (a) a minimum of two feet six inches (2'6") from back of curb; and
  - (b) in landscape areas that are not less than four feet (4') in width, have subsurface irrigation and drainage systems.
2. **Median Trees.** Median trees shall be a minimum of three inch (3") caliper and planted based upon a targeted average spacing of thirty feet (30') on center of a Block length.
3. **Shrubs and Groundcover along Streets and in Medians.** Shrubs and groundcover adjacent to streets or street parking and in medians shall be based on the type of street and shall comply with the applicable standards. Such plantings shall be selected from the approved list of plantings set out in the Code of Ordinances, unless a different species is approved by the Environmental Services Division. For plantings within twenty feet (20') of any street intersection, shrubs and groundcover shall not exceed two feet (2') in height, and tree branching shall provide seven feet six inches (7'6") of clearance as measured from the top of the ground surface to the first branch along the tree trunk. Trees shall be maintained so as to provide adequate clearance for vehicular traffic.
4. **Streetscape Furnishings and Fixtures.** Streetlights and lamps, traffic signage and control devices, street sign posts, benches, sidewalk trash receptacles, bicycle racks and other streetscape furnishings, fixtures and equipment shall be selected and

installed or constructed in accordance with the Design Principles set out in these Development Standards. Traffic signage and control devices and street sign posts shall also comply with the applicable requirements of the Texas Manual on Uniform Traffic Control Devices (TMUTCD). Ground signs located in the street right of way, medians or buffers, benches, sidewalk trash receptacles, bicycle racks and other streetscape furnishings, fixtures and equipment shall be perpetually maintained by the Lakeside Owners' Association.

5. **Open Space Common Areas.** Landscape design of open space common areas shall include selection and configuration of plantings, hardscape areas and accessory elements, including, without limitation, lighting, seating, accessory structures (e.g., gazebos, bandstands) and water elements as is appropriate to each such area. Designs for open space common areas shall be included in a submitted Site Plan, if such site includes open space common areas. An average of fifteen (15) trees (minimum 3" caliper) per acre (exclusive of any area covered by surface water, such as ponds and water courses) shall be installed in open space common areas or be accounted for by tree credits.
6. **Landscaping within Yards.** Plantings to be located within required yards may include but shall not be limited to the following: understory trees, shrubs, vines, ground covers, grasses and flowers. Hardscape materials may include but shall not be limited to the following: stone, brick pavers and concrete. Final landscape design for required yard areas shall be prepared as part of the Site Plan for said lot or site.
- B. Landscape Requirements for Parking. Parking Structures.**
  1. There are no landscaping requirements for parking structures that are located in a Block Interior. Parking structures facing the public ROW shall require Type B-1 buffers.
  2. **Surface Parking Lot Trees.** A surface parking lot shall have, within the lot area, a minimum of one (1) tree, three inch (3") caliper, with subsurface irrigation, for every ten (10) parking spaces provided in the lot..

**5.3 Tree Preservation.**

- A. Landscape Buffer Tree Requirements. All landscape buffers required to be greater than five feet (5') in width shall have a minimum of one (1) tree (minimum 3" caliper) per forty (40) linear feet of buffer; however, trees in landscape buffers may be clustered in natural groupings provided that the total number of trees, when averaged over the length of the buffer, meets said standard.
- B. Compliance: Tree Credit Schedule. In achieving compliance with the requirements of this Section 5.3, the property-owner/developer may plant trees or apply credits for existing or transplanted trees or newly planted trees. Existing protected trees that are moved and replanted will be credited toward the requirements of this Section 5.3. For transplanted trees (other than Post Oaks, for which no credits will accrue), credits shall be based on one inch (1") of credit for each caliper inch of the transplanted tree, with fractional measurements being rounded to the nearest whole number.
- C. Mitigation: No mitigation or impact fees shall be required for removal of trees that are approved for removal as part of the Site Plan application and approval process. However, the Lakeside DFW zoning district shall insure that at least 8 trees per acre shall be planted over the gross area of disturbed land as a consequence of the development.
- D. Tree Survey Requirements. A tree survey (a "Subsequent Tree Survey") must be submitted in electronic format with an application for a Site Plan, plat or re-plat. Each Subsequent Tree Survey shall conform to the requirements of Section 94-23 of the Code of Ordinances.
- E. Definitions. The following terms shall have these meanings in these Development Standards, and to the extent of any conflict with other meanings for the same terms set out elsewhere in the Code of Ordinances the meanings in these Development Standards shall prevail:

Protected tree means any tree of a type that, as of the date of this Ordinance, is listed on the Town's protected tree list and measures six inches (6") in caliper width or greater, ten feet (10') in height or greater and is not located in, or within six feet of, proposed building footprints, public streets, alleys, rights-of-way, utility easements, drainage easements, fence easements, pedestrian access easements or other existing public rights-of-way or easements.

Specimen tree means any existing tree, of a type

that, as of the date of this Ordinance, is listed on the Town's protected tree list and measures within fifty percent (75%) of the caliper width or circumference, measured at four feet (4') above ground level, of the same such tree as listed in the most current edition of the Big Tree Registry, as amended, published by the Texas Forest Service and is not located in, or within six feet of proposed building footprints, public streets, alleys, rights-of-way, utility easements, drainage easements, fence easements, pedestrian access easement or other existing public rights-of-way or easements..

Caliper for existing, established or native trees shall be measured in accordance with the Measuring Rules and Procedures of the Texas Forest Services,

Caliper for landscape, nursery or replacement trees shall be measured at a height of twelve inches (12") above ground level. The caliper of multi-trunk trees shall be measured by determining the diameter or circumference of the largest trunk at full caliper added to one-half (1/2) of the diameter or circumference of each remaining trunk, measured at a height of twelve inches (12") above ground level.

Trees Excluded: Notwithstanding the foregoing, subject to the review and approval of the Town's Tree Preservation and Enforcement Officer or his authorized designee, a protected or specimen tree shall not include any living tree, which is certified, in writing, by a registered arborist or landscape architect as injured, dying, diseased or infested with harmful insects, which is in danger of falling, interferes with utility service or creates unsafe vision clearance, or which in any manner creates a hazardous or dangerous condition so as to endanger the public health, welfare or safety. Further, a protected tree shall not include any living tree that is identified on approved subdivision construction plans as necessary to be removed to comply with EPA storm water permitting requirements or FHA lot grading plans. Further, notwithstanding the foregoing, subject to review and approval of the Town's Tree Preservation and Enforcement Officer or his authorized designee, a protected or specimen tree shall not include any tree, which is certified, in writing, by a registered arborist or landscape architect as dead.

Pre-construction Plans: Prior to any and all construction or land development activity, the developer or property owner shall establish designated parking areas for the parking and storage of all vehicles, trailers, construction equipment and related items, design-

nated stockpile areas for the storage of construction supplies and materials and designated drive areas for vehicles and equipment. The location and dimensions of such designated areas shall be clearly identified on site plans and shall be approved by the Tree Preservation and Enforcement Officer or authorized designee prior to any construction or land development activity. Such designated areas shall be completely fenced with chain-link fencing and gates for safety purposes and for separation of protected and specimen trees from the construction area and related construction activity. With the ap-

proval of the Tree Preservation and Enforcement Officer or authorized designee, the designated parking and stockpile areas may be combined into one fenced area, provided that the preservation of protected and specimen trees is not adversely affected or jeopardized. Supplies and pipe and other items that are customarily unloaded where installed shall not be required to be stored within the designated stockpile areas. Sites approved for temporary batching plant permits shall be fenced and gated in the same manner as designated parking and stockpile areas.



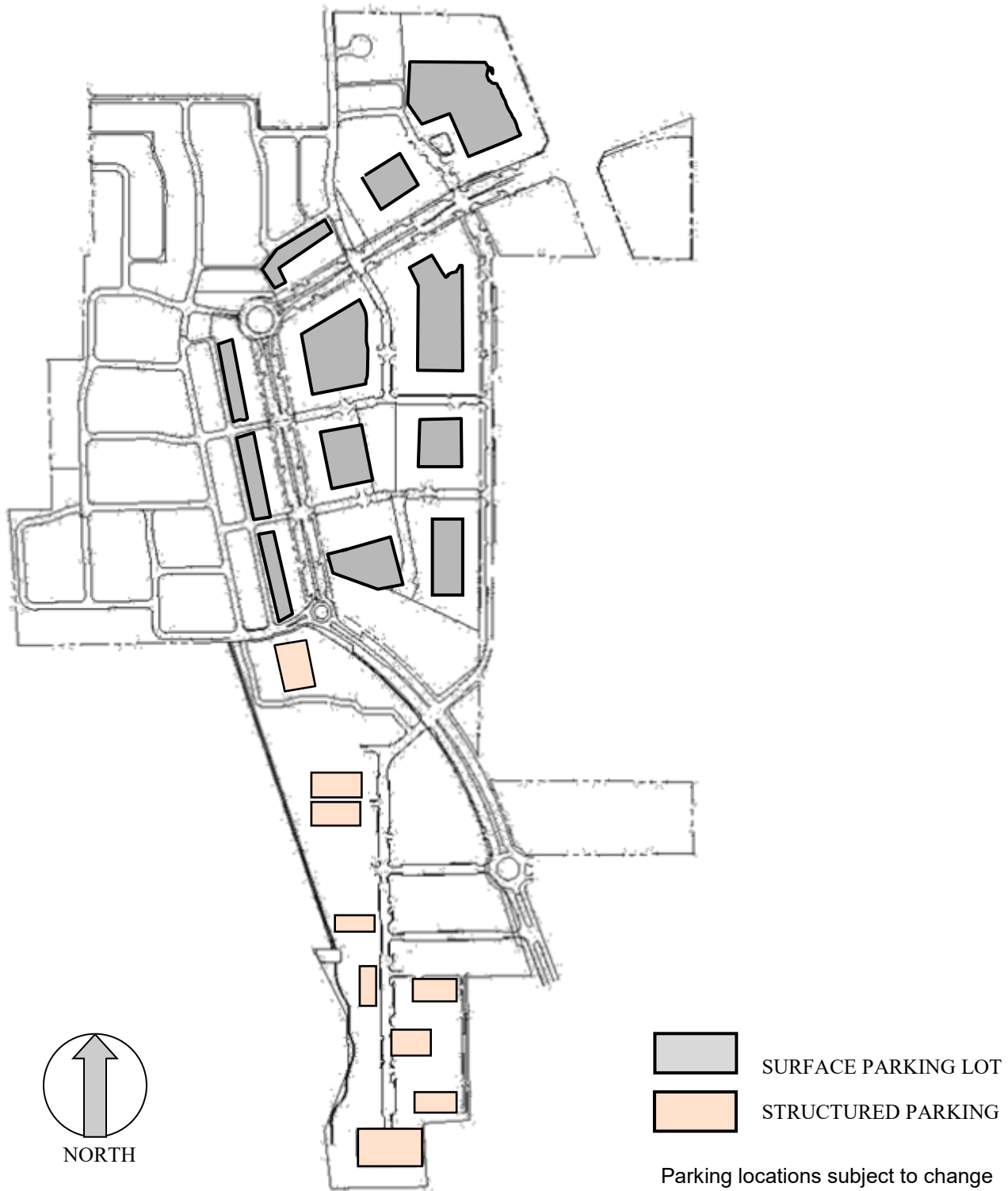
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**LAKESIDE DFW DEVELOPMENT CODE**  
FLOWER MOUND, TEXAS

**SECTION 6**

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**PARKING STANDARDS**

**FIGURE 6.1: PARKING PLAN AND ANALYSIS**

### **6.1 Location and design of off-street parking.**

- A. Off-street parking for all uses located along type A streets shall be limited to 25 percent or less of the block frontage and 80 percent or less on type B streets, arterial, collector, and highway frontage streets.
- B. Any off-street surface parking area located adjacent to a street or a residential use shall be screened in the form of a landscape fence which is at least 3 feet in height.
- C. A surface parking lot may not be adjacent to a street intersection or square.
- D. A surface parking lot may not be located fronting any of the traffic circles on Lakeside Parkway.
- E. Shared parking facilities are encouraged for non-residential uses in the MU. Public parking spaces cannot be reserved.
- F. Bicycle parking shall be provided for non-residential uses, especially for schools, parks, trails, and other recreational facilities. Bicycle parking shall be provided at a rate of at least one percent of all off-street automobile parking spaces provided for non-residential and mixed use occupancies in the district. Bicycle parking may be shared between uses and shall be centrally located, easily accessible, and visible from streets or parking lots. They may be located between the roadway and the building facades as long as their location does not impede pedestrian walkways.
- G. Any off-street parking provided for residential uses shall be located in such a manner as to minimize the impact of garages and driveways along the residential street. All lots 60 feet and wider may have front loaded garages in accordance with the Residential Building Standards.
- H. Parking garages may be used to meet the parking requirements provided they do not occupy more than 25% of any A street frontage per block, or 50% of any B street frontage per block. The façades may exceed this frontage limit if the façade of the structure matches the adjacent habitable structures or the two lowest levels of parking are designed to appear as a single ground floor story.

### **6.2 Required Parking.**

- A. The number of required parking spaces for uses in Lakeside DFW shall be determined as follows:

- B. Sections 82-73(3) and (4) of the Code of Ordinances shall not apply to Lakeside DFW as a whole, the determination that a development is a large development and is, therefore, required to provide a parking study consistent with the overall parking study and provision shall be made in regard to each Site Plan.
- C. The applicant for a Site Plan may elect the application of the Code of Ordinances to adjust the number of required parking spaces.
- D. Parking spaces for persons with disabilities will be provided in the number and with such dimensions as are required by the Texas Accessibility Standards.

### **6.3 Mixed Use Parking.**

- A. Mixed use parking standards may be applied to satisfy parking requirements in Lakeside DFW. In applying mixed use parking standards, the following Schedule of Mixed Use Parking sets forth the percentage component for the calculation. The number of required parking spaces is determined by multiplying the percentage in each cell by the number of spaces required for the use and then totaling the resulting numbers for each column, and the column total that generates the highest number of parking spaces is the parking requirement.
- B. The parking requirement may be reduced upon a submittal of the parking calculation by the applicant and approval by the Town.

### **6.4 Parking Dimensions.**

- A. General. The minimum required dimensions of parking spaces and aisles, if any, shall be as indicated in this Section 6. Minimum parking space dimensions shall comply with Section 82-77—Parking Space and Aisle Dimensions in the Flower Mound Code of Ordinances.
- B. On-Street Parking: Section 82-78—Parking Area Design, shall not apply to on-street parking within the MU zoning District.
- C. Covered Parking: Structure is to be masonry or metal and must comply with the regulations governing building materials. Carports of metal construction are permitted.

**TABLE 6.1: SCHEDULE OF REQUIRED PARKING**

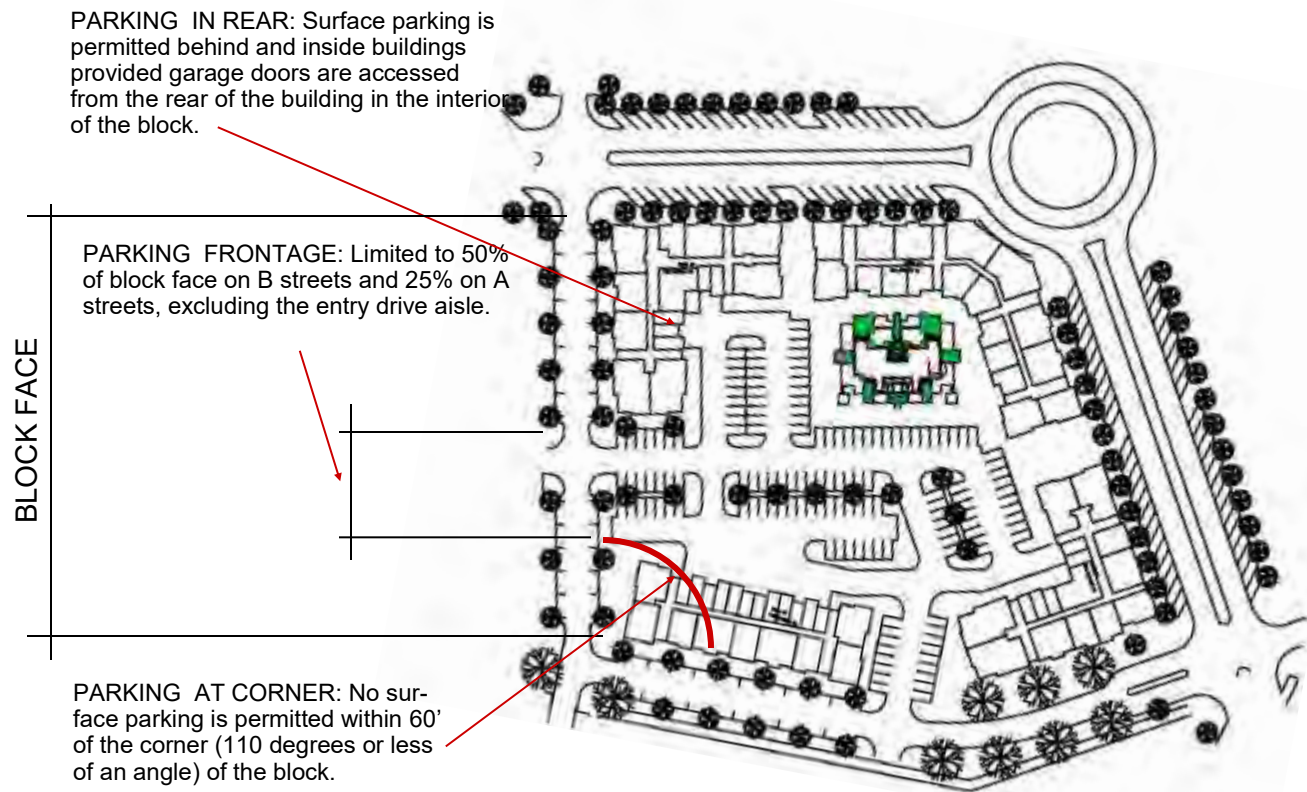
| Use Type                                          | Parking                                                                                              |
|---------------------------------------------------|------------------------------------------------------------------------------------------------------|
| General Office or Retail                          | 1 space per 250 sq ft (1/250 sq ft)                                                                  |
| Restaurant                                        | 1 space per 100 sq ft (1/75 sq ft)                                                                   |
| Hotel                                             | 1 space per lodging room                                                                             |
| Multifamily                                       |                                                                                                      |
| 1 bedroom/efficiency                              | 1 space per unit                                                                                     |
| 2 bedrooms                                        | 1.8 spaces per unit                                                                                  |
| 3 bedrooms or more                                | 2 spaces per unit                                                                                    |
| Residential other than multifamily                |                                                                                                      |
| Less than or 1600 sq ft in area                   | 1 space                                                                                              |
| More than 1600 sq ft in area                      | 2 spaces                                                                                             |
| Nonresidential uses other than those listed above | Sixty five percent (65%) of the number of spaces that would be required under the Code of Ordinances |

- D. Parking Structures. The dimensions of parking spaces located in parking structures shall be as follows: Nine feet by eighteen feet except in automated parking structures, where each vehicle storage space, shall be counted as a parking space for purposes of these Development Standards, provided that such space accommodates a vehicle.
- D. On-Street Parking. The dimensions of parallel parking spaces located on streets shall be 8 feet by 20 feet unless otherwise indicated.
- E. Parking Access Aisles. Parking access aisles that are not also fire lanes shall have these widths:
1. two (2) lanes (two-way traffic) a minimum width of twelve feet (12') each for ninety degree (90°) parking configurations; and
  2. not less than a minimum width of twelve feet (12') for one-way or angled parking.



**TABLE 6.2: STANDARD REDUCTIONS FOR SHARED PARKING**

| Use                                  | Weekday                 |                         | Weekend                 |                         | Night           |
|--------------------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-----------------|
|                                      | Daytime 6 a.m. – 6 p.m. | Evening 6 p.m.-midnight | Daytime 6 a.m. – 6 p.m. | Evening 6 p.m.-midnight | Midnight-6 a.m. |
| General or professional office       | 100%                    | 10%                     | 10%                     | 5%                      | 5%              |
| Laboratory, medical or dental office | 100%                    | 10%                     | 10%                     | 5%                      | 5%              |
| Retail                               | 50%                     | 90%                     | 100%                    | 70%                     | 5%              |
| Restaurant                           | 50%                     | 100%                    | 100%                    | 100%                    | 10%             |
| Hotel                                | 70%                     | 100%                    | 70%                     | 100%                    | 70%             |
| Multifamily                          | 60%                     | 100%                    | 60%                     | 100%                    | 100%            |
| Residential, other than multifamily  | 100%                    | 100%                    | 100%                    | 100%                    | 100%            |

*Figure 6.2: Surface parking rules*

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FLOWER MOUND, TEXAS

**SECTION 7**

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**ARCHITECTURE AND BUILDING STANDARDS**

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**LAKESIDE DFW DEVELOPMENT CODE**  
FLOWER MOUND, TEXAS

SECTION 7

**ARCHITECTURAL AND BUILDING STANDARDS**

Figure 7.1: SITE SECTION

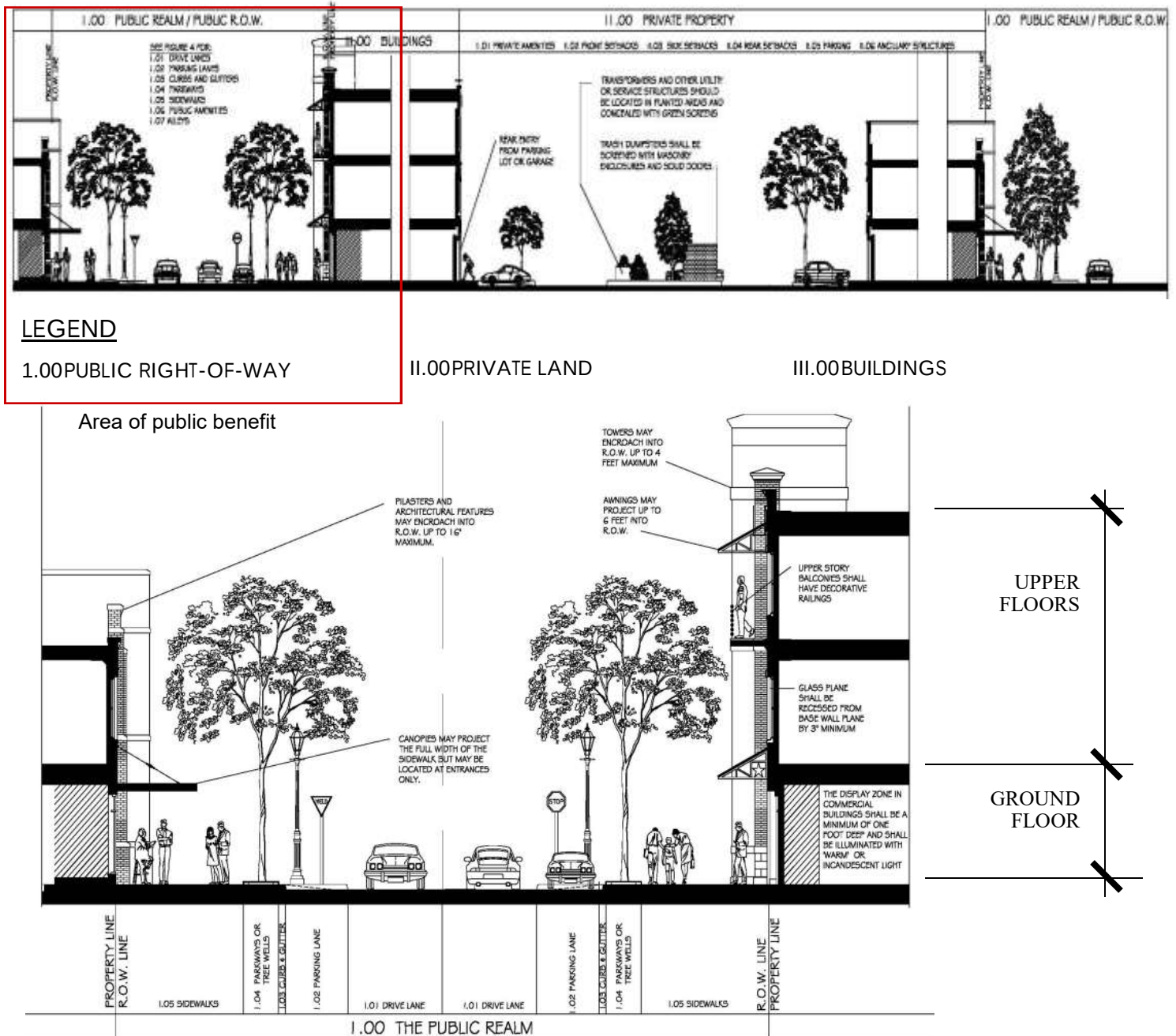


Figure 7.1: This illustration represents the area of regulatory priority.

*Photo of mixed use streetscape*

**NOTES ON STREETScape:**

1. Street Lighting. Division 6 of Article IV of Chapter 98 of the Flower Mound Code of Ordinances shall not apply to street lighting installed by an owner or developer for public benefits on or adjacent to public rights-of-way. Street lighting shall be perpetually maintained by the Lakeside Owners' Association.
2. Street Lights: The streetlights must comply with the development standard for streetlights, selected from utility company antique styles. The fixtures are to be placed not more than 80 feet apart on Lakeside Parkway. Fixtures must be equipped with 2 banner arms on each pole, placed perpendicular to the street.
3. Lighting: Development shall comply with the Town's standards for light intrusion at the boundaries of Lakeside DFW . Within, between or among any lots or sites located wholly in Lakeside DFW , no light intrusion will be deemed to exist or occur, and in that regard Section 98-1125(8) of the Code of Ordinances shall not pertain or be applied to any such lots or sites.
4. Street Signs: Street signs must comply with the development standard and must indicate the names of both streets at each intersection. A minimum of one sign pole per intersection is required at all intersections with Lakeside Parkway.
5. Street Furniture: Benches, trash receptacles, drinking fountains must comply with the development standard. Potted plants are permitted with approval of the **Lakeside Commercial Owners Association (LCOA)**.
6. Displays: Temporary displays are permitted for seasonal or commercial activity with the approval of the LCOA.
7. Temporary Signage: Temporary signage is permitted with the approval of the LCOA.





## GROUND FLOOR COMMERCIAL STANDARDS

1. Minimum ground floor height of 14' floor to floor
2. Display windows complying with these standards; See Section 7.2.A
3. Entry doors at grade complying with these standards; See Section 7.2.C
4. One entry into the building for each 100' of frontage; See Section 7.2.C
5. Sign Band complying with these standards; See Section 7.2.C
6. Awning or canopy on all street level windows; See Section 7.2.D



Figure 7.2: Ground floor built to commercial standards

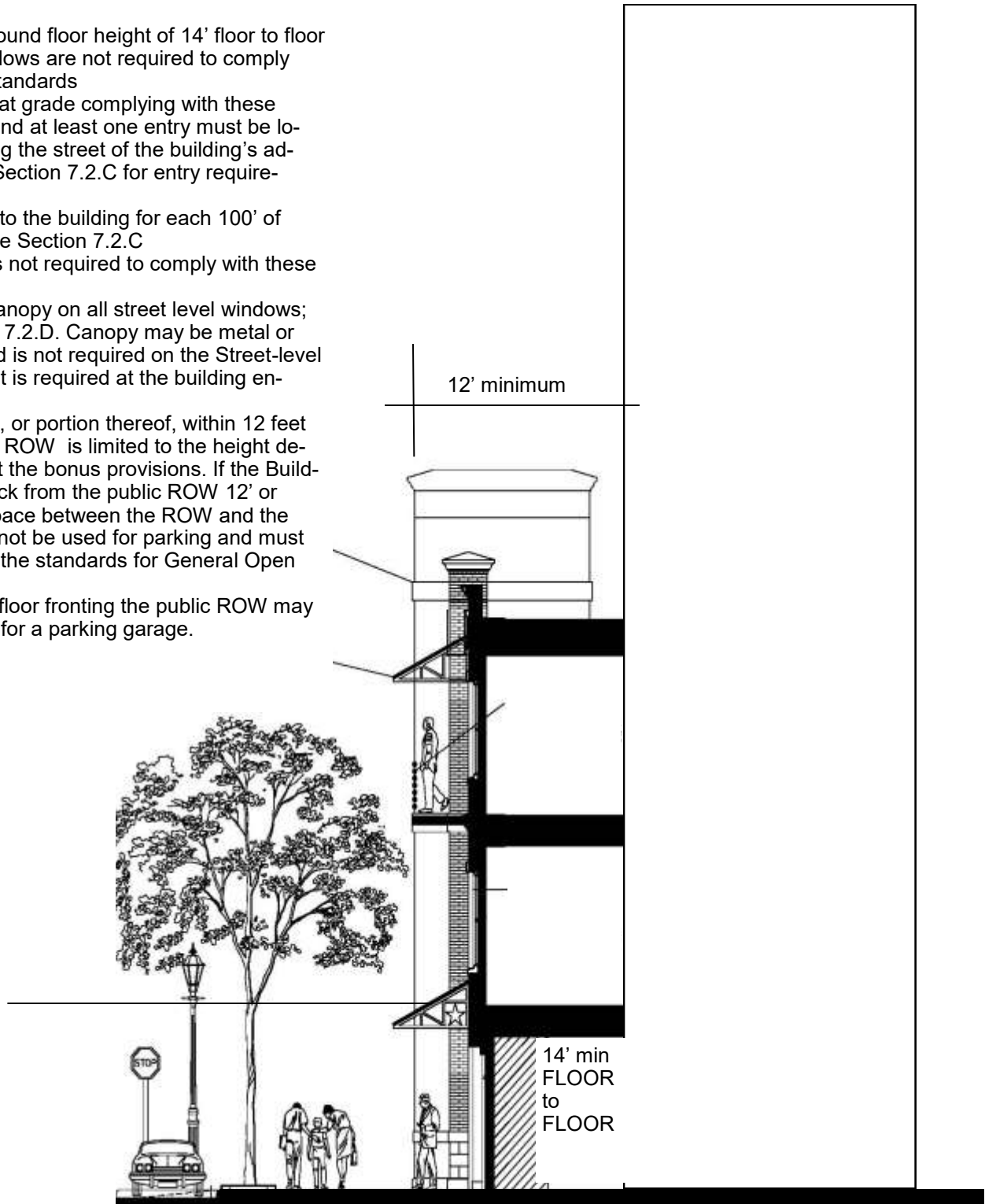
| TABLE 7.1 WINDOW/DOOR AREA REQL             |     | MU-C | MU-N | MU-TEN | MUTMR |
|---------------------------------------------|-----|------|------|--------|-------|
| <b>MIXED-USE &amp; COMMERCIAL BUILDINGS</b> |     |      |      |        |       |
| GROUND FLOOR FAÇADE                         | MIN | 60%  | 60%  | 60%    | 60%   |
|                                             | MAX | 75%  | 75%  | 75%    | 75%   |
| UPPER FLOOR FAÇADE                          | MIN | 30%  | 30%  | 30%    | 30%   |
|                                             | MAX | 60%  | 60%  | 60%    | 60%   |
| <b>RESIDENTIAL BUILDINGS</b>                |     |      |      |        |       |
| GROUND FLOOR FAÇADE                         | MIN | 60%  | 40%  | 40%    | 40%   |
|                                             | MAX | 75%  | 60%  | 60%    | 60%   |
| UPPER FLOOR FAÇADE                          | MIN | 30%  | 30%  | 30%    | 30%   |
|                                             | MAX | 60%  | 60%  | 60%    | 60%   |

### WINDOW AREA REQUIREMENTS

1. The façade area shall be measured between 3 feet and 9 feet above each finished floor. The percentage shall be the glass area divided by the total façade area.
2. Facades fronting Type 'B' Streets may reduce the glass area by 25%.
3. Facades facing alley or parking lots have no glass area requirements.

## BONUS HEIGHT BUILDING STANDARDS

1. Minimum ground floor height of 14' floor to floor
2. Display windows are not required to comply with these standards
3. Entry doors at grade complying with these standards, and at least one entry must be located fronting the street of the building's address; See Section 7.2.C for entry requirements.
4. One entry into the building for each 100' of frontage; See Section 7.2.C
5. Sign Band is not required to comply with these standards.
6. Awning or canopy on all street level windows; See Section 7.2.D. Canopy may be metal or louvered and is not required on the Street-level windows, but is required at the building entrance.
7. The building, or portion thereof, within 12 feet of the public ROW is limited to the height defined without the bonus provisions. If the Building is set back from the public ROW 12' or more, the space between the ROW and the building cannot be used for parking and must comply with the standards for General Open Space.
8. The ground floor fronting the public ROW may not be used for a parking garage.



*Figure 7.3: Bonus Height Building Standards*

## GROUND FLOOR RESIDENTIAL STANDARDS

1. Finish Floor elevation be at or above sidewalk grade for patios and private entries;  
See Section 7.3.A
2. Common entrances shall be at approximate sidewalk grade; See Section 7.3.B
3. Common entries shall provide weather refuge, such as an awning, canopy or recessed doorway and shall comply with these standards; See Section 7.3.B
4. Windows shall comply with these standards; See Section 7.3.C
5. Private Patios and associated fencing shall comply with these standards; See Section 7.3.D



*Figure 7.4: Ground Floor Residential Standards*

## STANDARDS FOR UPPER FLOORS OF RESIDENTIAL OR MIXED USE BUILDINGS

1. Windows shall comply with these standards; See Section 7.4.A
2. Balconies shall comply with these standards; See Section 7.4.B
3. Cornice or Eave shall comply with these standards; See Section 7.4.C
4. Roof shall comply with these standards; See Section 7.4.D



*Figure 7.5: Upper stories building standards*



## SECTION 7: REGULATIONS

The following regulations are intended to address Building and Architectural Requirements, pursuant to the requirements of the Mixed Use Zoning Code as it applies to the Lakeside Development.

Large footprint retail formats such as grocery stores and department stores are exempt from these regulations due to their economic value as anchors for shopping venues. Every attempt should be made to incorporate the large retail footprints into the urban pattern. These components of the development shall comply with Flower Mound C2 Zoning standards if they cannot comply with these standards.

### 7.1 BUILDING FACADES -

#### A. FACADES ELEMENTS

1. Facade: The quality of the facades determines the quality and character of the adjacent outdoor space. Since the public ROW requires a higher quality façade than the parking lot, the façade regulations are divided into Type A (better quality) and Type B (lesser quality). Type A facades face the public R.O.W. **Type B facades face parking lots and alley areas.**
2. Proportions: The proportions of walls, windows, and portions of walls shall be predominately vertical. Areas that are predominately horizontal shall be subdivided by pilasters, mullions, columns, trim work, or other architectural elements to achieve a balanced or vertical appearance. Vertical stripes, however, are undesirable.
3. Pilasters and Columns: Pilasters and columns are an expression of the actual or imaginary structural system on the exterior of the building. These elements divide the horizontal façade into smaller, more vertical panels. Pilasters should be placed no farther apart than they are tall and they should extend to the eave or above the parapet. .
4. Entry Conditions: The major entry is required to be placed on the public ROW façade and requires at least one entry into the building for each 100 feet of frontage on the property line.
5. Maximum Façade Length: One story buildings may be 100 feet long with a single building façade design; two or more stories are unlimited.
6. Transition A to B Facades: An A Façade must continue around a corner a minimum of 15 feet or 30% or the distance to the next building whichever is less, before transitioning to a B Façade.

#### B. MATERIALS

The materials employed to construct the buildings and public areas carry cultural, social, economic and architectural qualities that may or may not be appropriate to the character of the development. All material proposals are subject to the review and approval of the LCOA. The material lists are divided into materials that generally are unrestricted, materials that are desirable in small quantities, and materials that are undesirable unless used in an unusual or artistic fashion.

1. Unrestricted Materials: These materials may be used without limits for walls in 'A' or 'B' Facades: Brick, Stone, Stucco, Cast Stone, Ceramic Tile.
2. Limited Façade Materials: The following materials may be used up to 20% on A facades and 80% of 'B' Facades: Concrete masonry units, EIFS, metal panel siding or hardi-plank clapboard siding. EIFS may be used on the second floor and above.
3. Prohibited Materials: The following materials may not be used for buildings subject to these guidelines unless specifically exempted by the LCOA. Aluminum siding, vinyl siding, wood or corrugated metal siding.
4. Color: Colors for stucco, cast stone, mortar, shall generally be low reflectance, neutral, or earth tone colors. The use of high intensity primary metallic, or fluorescent colors is prohibited. Painted trim colors may be selected from the range of colors available from the National Trust for Historic Preservation. Bright colors may be used on trim or decorative elements.



**7.2 COMMERCIAL GROUND FLOOR BUILDINGS****A. DISPLAY WINDOW**

The portion of the building interior that is, or is intended to be, part of the pedestrian experience visible from the public ROW, if occupied by a retail tenant.

1. Window Display: The window display is to be visible at least 1 foot into the interior. The display should be well lighted, clean and organized.
2. Window Display Floor: A raised floor is recommended but not required.
3. Window Display Lighting: Lighting should be warm in color and either incandescent or metal halide. Fluorescent lighting is prohibited.



4. Window Display Window Coverings: If the ground floor space is occupied by a retail tenant, no coverings should be applied that eliminate visibility into the display space such as blinds, medium or heavy tinting, or draperies. If the space is occupied by an office or residential occupant, window coverings shall be permitted.
5. Display Window, Glass: The intent of the regulation is to provide as much opportunity for observation as possible, achieving the maximum visibility into the display window. Clear, single pane glass is recommended, insulated glass is permitted, light tinting for UV protection is permitted, medium and heavy tinting is prohibited. Glass panels should have a generally vertical proportion.
6. Display Window, Sills: Window sills must be sloped to drain over the window pediment.

7. Window Pediment: This is a section of wall under the display window elevating the glass above the sidewalk. Permitted materials include all materials in the materials section of the Guidelines except glass. The minimum height is 6 inches; maximum height is 39 inches.
8. Display Window, Jambs: The minimum return from the primary wall surface to the jamb is 3 inches. A trim or panning is recommended.
9. Display Window, Head: The design of the display window incorporating transom window elements above door height are recommended but not required. Above the glass and frame, unit masonry walls must have a visible masonry lintel above the glass. Stucco-style walls do not require a visible masonry lintel.

**B. ENTRY DOORS**

1. Entry Doors: Entry doors must be a minimum of zero percent glass, no maximum.
2. Entry Doors, Jambs: Trim, panning, or a section of wall is required between the door jamb and the adjacent jamb of the display window.
3. Entry Doors, Transom: A transom or transom-type panel is recommended above the entry door(s) but is not required.
4. Entry Doors, Canopy: If an awning or canopy is required over the entry doors, a canopy may extend into the Public ROW and may be supported on columns; however, the columns may not interfere with the accessible route of the sidewalk.
5. Color: Colors for stucco, cast stone, mortar, shall generally be low reflectance, neutral, or earth tone colors. The use of high intensity primary metallic, or fluorescent colors is prohibited. Painted trim colors may be selected from the range of colors available from the National Trust for Historic Preservation. Bright colors may be used on trim or decorative elements.

**C. SIGN BAND -**

The Sign Band is designed to display the identity of the business within and express in graphic form the character of the business. Highly expressive graphics are encouraged; see Sign Guidelines for details. A sign band that is too long or too tall is not consistent with the intended character.

1. Location: The top of the head of the display window is the bottom of the sign band and the bottom of the second floor window sills (or the bottom of the cornice on 1 story buildings) is the

top of the sign band. The band ends horizontally either at a pilaster, a tower, or an adjacent façade.

2. **Maximum Height:** The maximum height that is uninterrupted by a change in plane, change in material or a change in color, is 5 feet.
3. **Maximum Length:** The maximum length that is uninterrupted by a change in plane, change in color, or a change in material is 50 feet on a one story building, 100' on two or more stories.

#### **D. OTHER FEATURES**

1. **Base or Watertable:** The lowest element on the building façade, it establishes a visible base for the materials above. It is recommended.
2. **Awnings:** Awnings on all street level windows are required. Awnings are to be made of predominantly natural or natural-appearing fabric or metal. The bottom of the awning must be placed at or below the top of the window.
3. **Lighting:** Indirect lighting of the signage and identity graphics is recommended, but not required.

#### **7.3. NON-COMMERCIAL GROUND FLOOR**

These rules apply to structures which house a ground floor comprised of residential units under a single ownership. Non-commercial ground floors are encouraged to accommodate relatively easy conversion to a commercial use if the market permits.

##### **A. FLOOR ELEVATION**

Floor Elevation at sidewalk: the floor elevation of the ground floor must be at or above average grade of the sidewalk and common entrances shall be accessible by ramp if necessary.

##### **B. ENTRY DOORS**

1. **Entry Doors, Private Primary -** Primary entry doors to individual dwelling units facing the street may be of wood, steel, or steel with laminated wood veneer or fiberglass.
2. **Entry Doors, To Common Conditioned space:** Entry doors to a common conditioned space, such as a lobby or corridor, must be a minimum of 30% glass, no maximum.
3. **Entry Doors, To Common Un-conditioned space:** Entry doors or gates to a common non-conditioned space, such as a lobby or corridor, may be of ornamental metal, open gate style. The doors or gates must be painted black, dark green or the same or complementary colors of the primary facade.

4. **Entry Doors, Weather Refuge -** awnings made of predominantly natural or natural-appearing fabric or metal; metal roofs or roof elements are encouraged over primary entry doors to provide shelter from weather. Weather refuge elements are encouraged but not required over common entry doors. Alternatively, doors may be recessed into the façade far enough to permit a person to stand out of the weather.



5. **Entry Doors, Lighting -** decorative light fixtures such as wall sconces are encouraged adjacent to primary entry doors, but are not required. Fixtures should have a diffuse light source that is non-glaring or a decorative shade or mounting which eliminates direct visibility of the source.
6. **Entry Doors, Sliding -** slide opening doors are prohibited on the street façade.

##### **C. WINDOWS**

1. **Windows, Type -** Windows shall be fixed glass, single hung, double hung, triple hung or casement. Casings shall not be narrower than 2" except on masonry walls. Head casing shall be equal to or wider than the jamb casing.
2. **Window shutters -** if shutters are used, they shall be one-half the width and of the same height as the associated window. All shutters shall be louvered, paneled, or constructed of boards as appropriate to the style of the building. Shutters do not need to be operable.
3. **Windows, Interior coverings -** interior coverings of ground floor windows may be of wood, or wood



-style blinds either horizontal or vertical; or finished fabric drapery. Metal blinds and cellulose blinds are prohibited. Artwork located on the glass or inside the glass is permitted provided it is not serving as advertising.

#### **D. PRIVATE OUTDOOR SPACES**

1. Outdoor private space, design - if outdoor private space is provided for residential units on the ground floor, these areas may be separated from the public ROW by fencing or with ornamental railings or masonry walls and should be consistent with architectural character of the façade. Railings or walls must be at a height no greater than 48". The areas must be provided a mixture of hardscape to landscape including turf, ground cover, shrubs, plant boxes or planters.
2. Outdoor private space, storage of materials - outdoor private space may not be used for storage or parking. No bicycles, motorcycles, or toys may be stored within. Seasonal items such as chairs, tables, planters or grills may be included.

#### **E. OTHER ITEMS**

1. Signage - Signage for non-commercial ground floors shall generally be consistent with the Mixed Use Zoning District. Address numerals, unit numerals, unit nameplates may be placed on the facade wall immediately adjacent to the entry door. Wall signs announcing the name of the residential unit development may be placed at visible corners of the building in either a sign band from the top of the head of the primary floor windows to the bottom of the second floor window sills or as a blade sign.
2. Utilities - no utility service connections, meters or other appurtenances will be allowed on the building facades facing the public realm. Utility connections, meters or other appurtenances shall be located on rear facades or on "B" facades which have intervening masonry walls or on the sides or backs of the buildings.
3. Stairways - stairways shall be concealed from the street and placed within the building footprint. Entry doors shall be accessible from the public realm.

#### **7.4 UPPER STORIES -**

The regulation of the façade design for the building above the first floor allows for wide latitude to encourage dignified, beautiful, creative, and gracious design.

#### **A. WINDOWS**

1. Windows, Jambs: Trim or panning recommended. Jamb must be recessed from the primary wall plane a minimum of one inch unless trim or panning is used.
2. Windows, Heads: In unit masonry construction, a visible masonry header is required. Stucco does not require a masonry header.

#### **B. BALCONIES**

1. Balconies, Doors: Swinging doors required, sliding doors prohibited.
2. Balconies, Door Heads: In unit masonry construction, a visible masonry header is required. Stucco does not require a masonry header.
3. Balconies, Floors: Floors must be a solid, concrete surface (lightweight concrete is acceptable provided it is structurally sound); metal grates are prohibited. Floors may project into the public ROW.



4. Balconies, Railings: Ornamental railings are required and should be consistent with architectural character of the façade. Top of railing shall be a maximum of 3 inches wide.

#### **C. CORNICE**

1. Cornice/Eave/Parapet: The design of the top of the building should be consistent with the architectural style of the façade. If the parapet is not tall enough to conceal the rooftop equipment, an added screen will be required behind the parapet to do so.

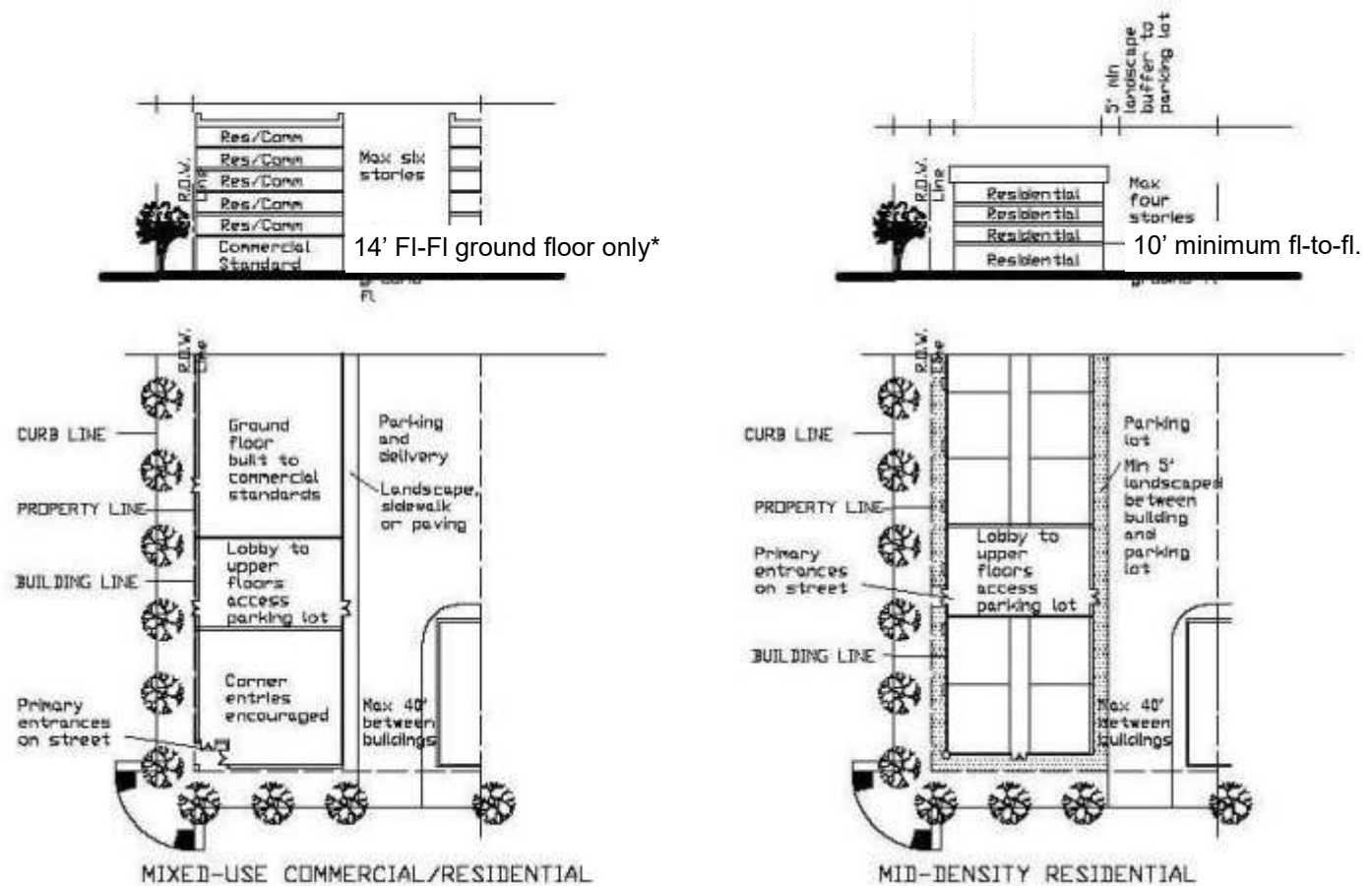


**D. ROOF**

The water repelling surface covering the building area below.

1. **Material Specifications:** For flat or low-slope roofs, white membrane roofing is recommended, but not required. For sloped roofs, asphalt shingles, slate or simulated slate, metal, metal shingle, clay tile or clay tile appearance, or concrete tile is acceptable.
2. **Eaves:** Surface of the soffit under the overhang is to be treated as finished surface. Trim is required at least at the intersection of the soffit and wall surfaces. Paint or other finish is required. Venting is to be incorporated into the design of the soffit surface.
3. **Gutters and downspouts:** If they are to be visible on the 'A' Façade, they must be incorporated into the façade design.



**FIGURE 7.6 COMMERCIAL LOT STANDARDS**

\* 14 feet floor-to-floor includes the floor structure such as beams and trusses.

#### 1. MIXED USE COMMERCIAL/RESIDENTIAL

Buildings designed to accommodate retail or office occupancies on the ground floor shall comply with the Commercial Building Standards. The primary façade wall of the building shall be placed within 5' of the frontage property line unless a setback is used as a public plaza (See Parks and Open Spaces).

#### 2. MID-DENSITY RESIDENTIAL

Buildings designed to accommodate multifamily residential occupancies on the ground floor shall comply with the Non-Commercial Building Standards. The primary façade wall of the building shall be placed between 5' and 8' from the frontage property line unless a setback is used as a public plaza (See Parks and Open Spaces).

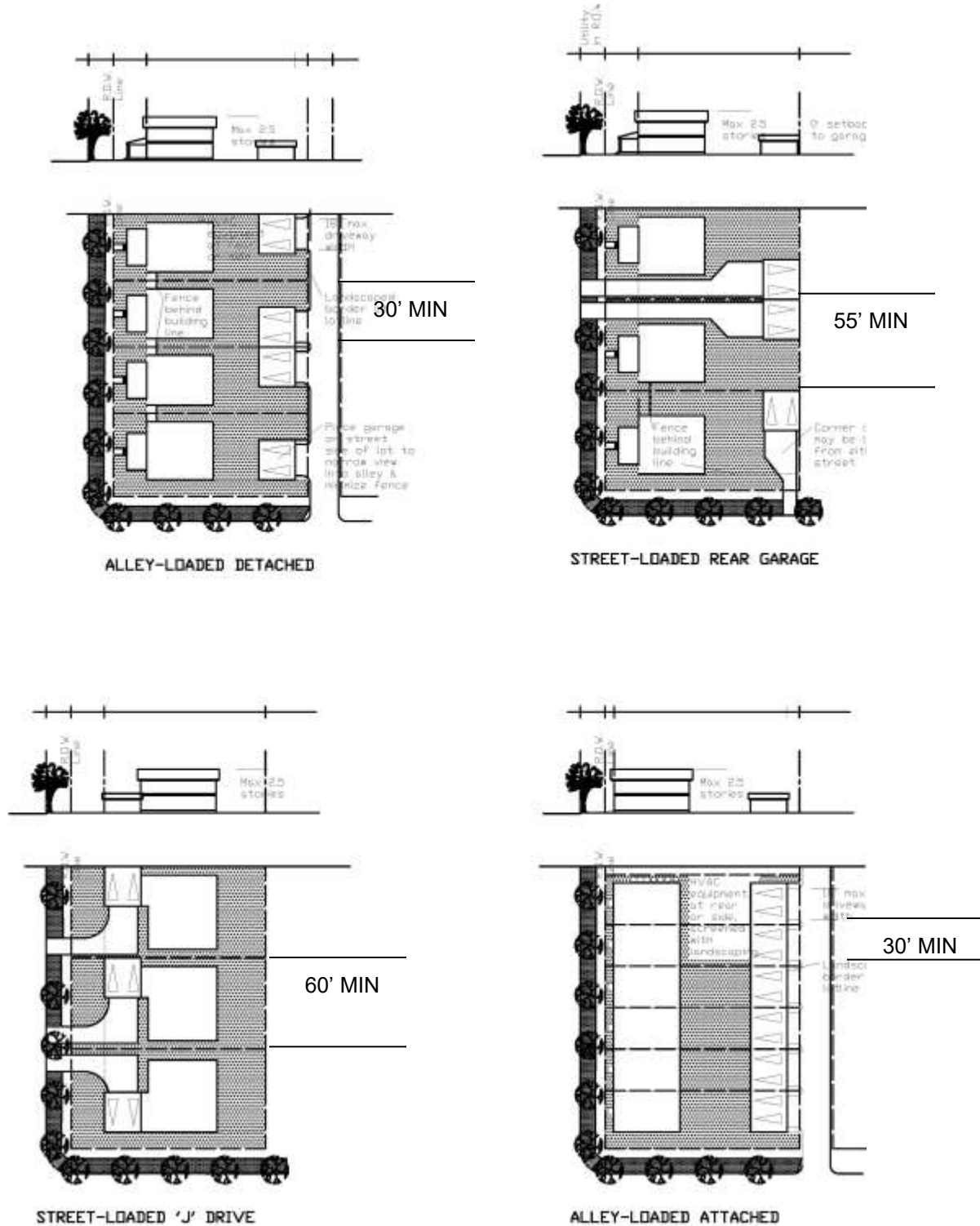
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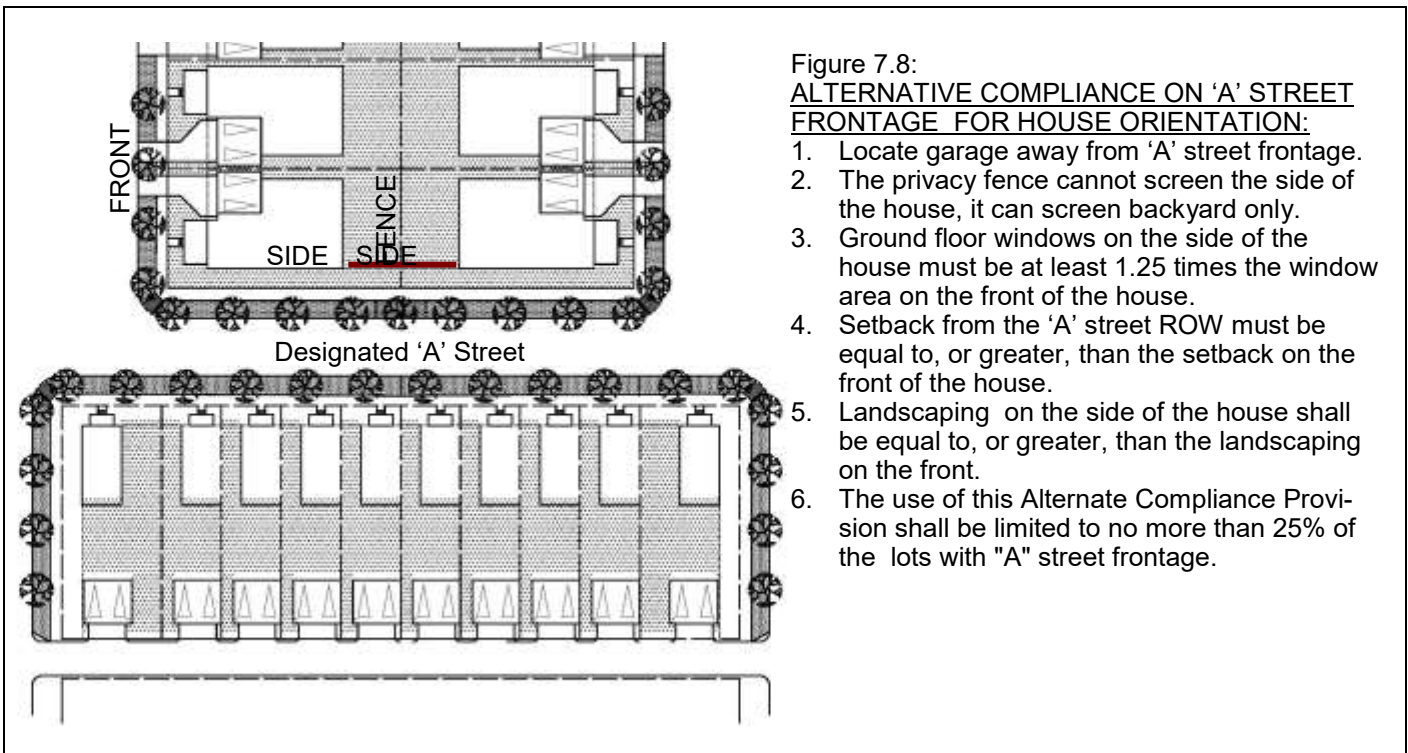
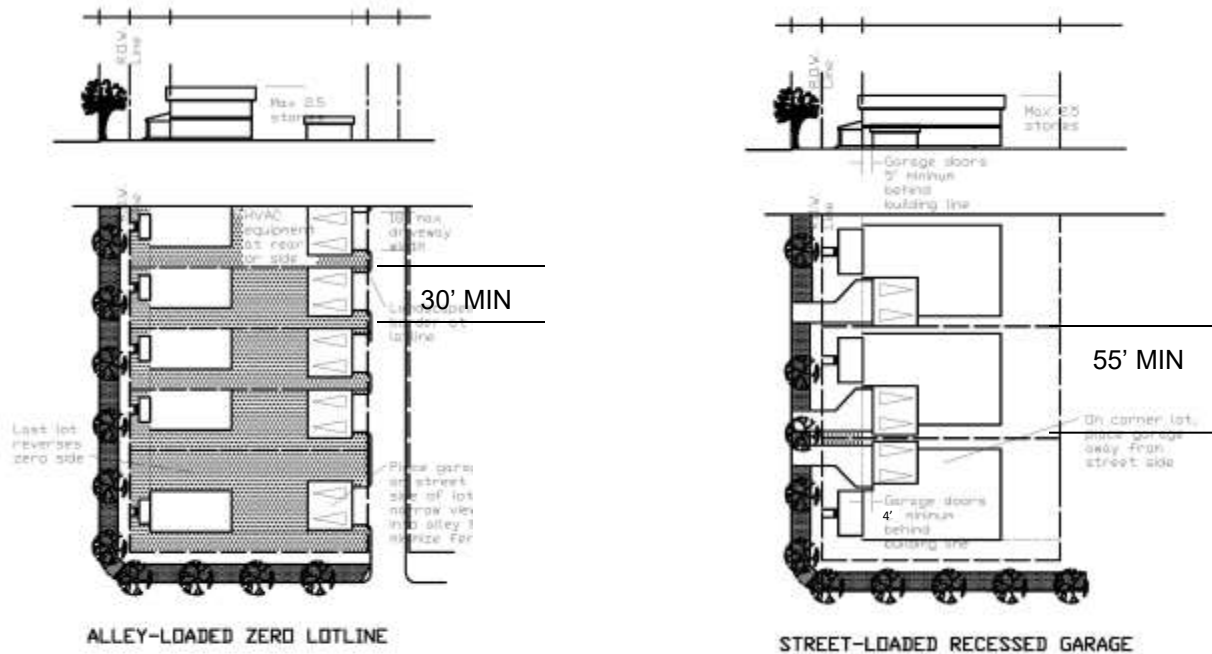
**FIGURE 7.7: RESIDENTIAL LOT STANDARDS**

See the Development Standards in Table 2.2 and in Section 3



**FIGURE 7.7: RESIDENTIAL LOT STANDARDS**

See the Development Standards in Table 2.2 and in Section 3



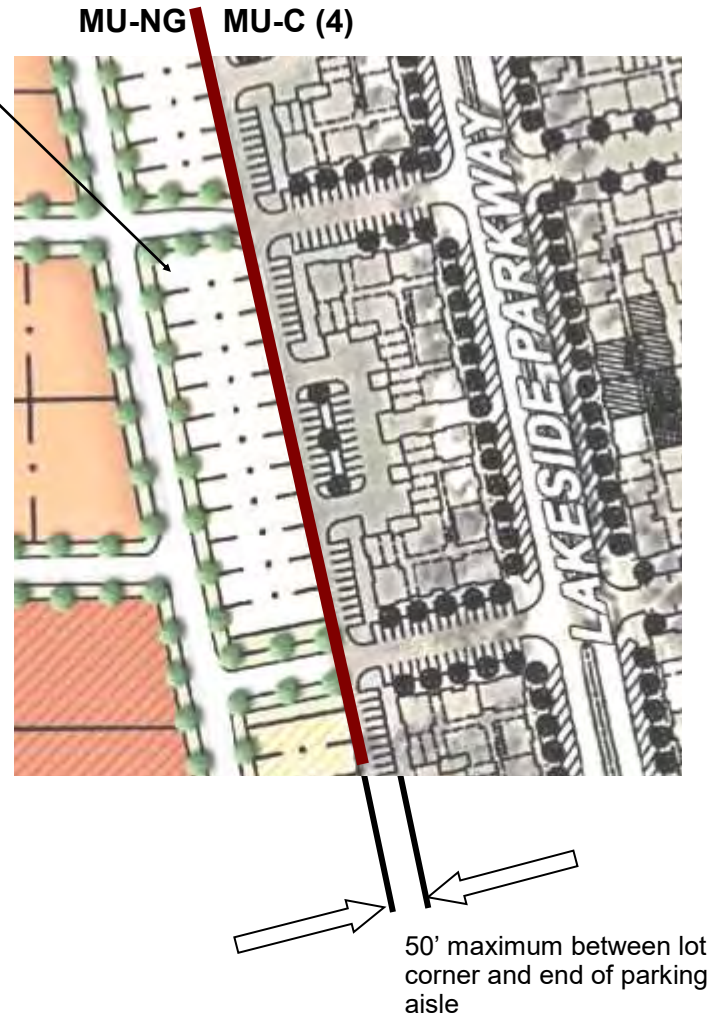


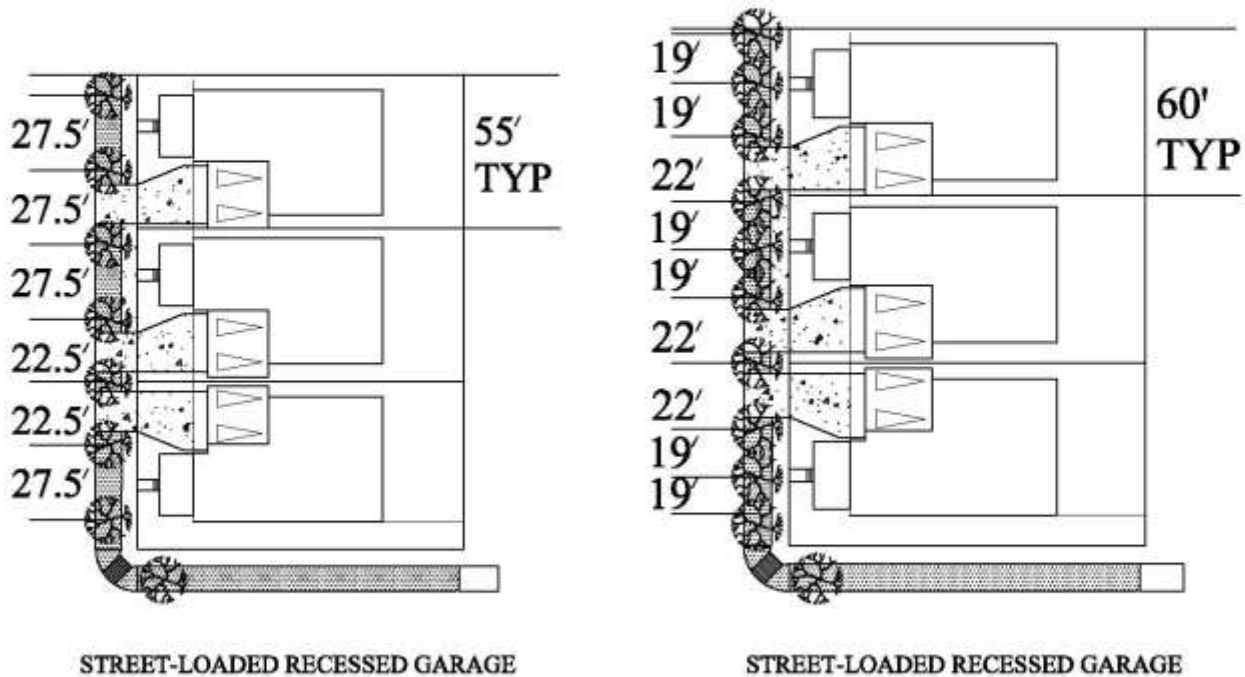
## SINGLE FAMILY DETACHED RESIDENTIAL LOT STANDARDS FOR LOTS 50' WIDE AND LARGER

1. **Zones Permitted:** MU-NG
2. **Architecture**
  - a. All single family residential structures are encouraged to provide an architectural style which is appropriate to the site, the Lakeside DFW project, and the town of Flower Mound.
3. **Materials—Permitted and Prohibited:**
  - a. Materials for structures will be in compliance with Flower Mound Development Standards.
  - b. Minimum exterior façade—80 percent masonry façade.
4. **Building and accessory structures location on lot:**
  - a. Primary Building Structure must comply with Setback requirements.
  - b. Garage doors accessible from the street shall be constructed of decorative wood (“Carriage Door” Style) or stained simulated wood composite material
5. **Required Features:**
  - a. Architectural grade asphalt shingles, or better.
  - b. Wood or stained fiberglass simulated wood grain front door.
  - c. No façade may be repeated within any 5 adjacent lots or across the street from those lots.
  - d. Concealed HVAC units, trash storage, and utility meters.
  - e. Window openings and panes shall be vertically proportioned or square.
  - f. Flush mounted windows are prohibited.
  - g. If shutters are used, shutters shall be approximately one-half the width of, and the same height of the associated opening. All shutters shall be louvered, paneled, or constructed of boards as appropriate to the style of the building. Shutters do not need to be operable.
  - h. Gutters shall be copper, galvanized steel, aluminum or painted if exposed.
  - i. If chimneys are located on a street-facing wall, they shall extend to the ground.
  - j. If a porch is used, the porch column base shall not protrude beyond the bottom edge of the porch flooring.

**SINGLE FAMILY DETACHED RESIDENTIAL LOT STANDARDS  
FOR LOTS 30' TO 55' WIDE**

1. **Zones Permitted:** MU-NG
2. **Base Standards:** The standards that apply to the larger lots also apply to the 30' to 55' lots.
3. **Block Consistency:** All facades within one block face shall be constructed of the same wall and roofing materials.
4. **Facade Height:** Front wall must be two stories for at least 75% of the frontage.
5. **Façade Articulation:** Façade must have articulated features, such as balconies, window trim, changes in the wall plane, porticos, stoops, or other architectural features to enhance the façade and differentiate it from neighboring facades.
6. **All units connected:** The gate to access the side yard must be located in approximately the same plane as the front wall and must have either wing walls to match the building façade or a full height gate with lintel or arch over the gate.
7. **Side Street Enclosure:** The maximum distance between the lot corner of the end unit of the block and the far side of the parking aisle shall be 50'.

*Figure 7.9: Transition between Subzones*

**FIGURE 7.10: Requirements for front-loaded lots.**

Front-loaded lots are lots whose garages are accessed from the street rather than from an alley. These lots must comply with the following criteria.

1. Lots greater than 60 feet in width at the building line must have at least three living street trees in parkway frontage of the lot. At developer's option, 5 trees of minimum 4 inch caliper may be planted over two adjacent lots. The spacing of the trees shall be approximately as shown in figure 7.9, but may be reasonably adjusted to allow for more uniform spacing of trees, utilities lines, meters, obstructions, drainage, and other practical considerations.
2. Lots greater than 55 feet in width, but less than 60' in width, must have at least two living street trees in parkway frontage of the lot. The spacing of the trees shall be approximately as shown in figure 7.9, but may be reasonably adjusted to allow for more uniform spacing of trees, utilities lines, meters, obstructions, drainage, and other practical considerations.
3. A maximum of 30 front-loaded lots, between 55' and 60' in width are permitted under this Development Code.
4. Lots less than 55 feet in width, must be served by an alley and not use driveways located in the front of the lots. Street trees will be located in accordance with the requirements of Table 3.2.
5. At least 7 of the front loaded 55 foot lots shall be constructed with alleys behind the lots.
6. The driveway width must be no greater than 15 feet in width at the sidewalk..
7. On lots less than 60' in width, garages shall not comprise more than 50% of the front façade.
8. Garage must be set back from the building line 5' farther than the front wall of the house.
9. Front facing garage doors shall have individual stall doors divided with a masonry column.
10. Garage doors on all front loaded lots shall be treated with at least two of the following architectural elements. Garage doors greater than 15' from the front building setback line are exempt from this rule.
  - a. Embossed panel doors or wood facing
  - b. Decorative brick or arch over doors
  - c. Multiple coach lamps
  - d. Decorative door hardware and straps
  - e. Garage doors recessed at least 12 inches from the face plane of the garage
  - f. Driveway finish upgraded to one of the following: stamped concrete, concrete pavers, pebble finish concrete, salt finish concrete.

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**SECTION 8**

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**SIGNAGE STANDARDS**



**SECTION 8.1: SIGNAGE**

- A. Chapter 86 of the Code of Ordinances. Signage in Lakeside DFW shall comply with Chapter 86 of the Code of Ordinances, as in effect on the date of this Ordinance, except as amended, modified or excluded in the Table 8.1 below.
- B. For new signs, the standards in Table 8.1 shall apply and sign permits shall be approved administratively by the Town of Flower Mound Building Official unless specifically noted in this section.
- C. An applicant has the option to establish unique sign standards including size, color, type, font, design, and location. Such applications shall be reviewed as "Master Sign Plans" by the Town of Flower Mound Building Official and are subject to approval of the Building Official. In evaluating a Master Sign Plan, the Building Official shall consider the extent to which the application meets the proposed Sign Plan:
1. Promotes consistency among signs within a development and creates visual harmony between signs, buildings, and other components of the property;
  2. Enhances the compatibility of signs with the architectural and site design features within a development;
  3. Encourages signage that is in character with planned and existing uses thus creating a unique sense of place; and
  4. Encourages multi-tenant commercial uses to develop a unique set of sign regulations in conjunction with the development standards.

| Table 8.1             | MU-1R | MU-C | MU-NG | MU-N | MU-EN | STANDARD                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------|-------|------|-------|------|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Wall (Building) Signs | P     | P    | NP    | P    | P     | <ul style="list-style-type: none"> <li>For all ground floor commercial uses (retail, office, and restaurant): One sign per tenant space; area to be calculated at 1.5 sq. feet per linear foot of public street frontage for the tenant space with a maximum of 100 sq. ft per tenant on each street frontage that tenant has frontage.</li> <li>Second and upper floor commercial uses may also be permitted one second floor wall sign per tenant space per public street frontage; area to be calculated at 1.5 sq. feet per linear foot of second or upper floor frontage along that public street with a maximum of 100 sq. feet.</li> <li>Live-Work: One sign limited to an area of 10 sq. feet maximum, and a maximum height of 2 feet</li> <li>Home occupations in residential buildings: One sign limited to an area of 5 sq. feet maximum and maximum height of 16 inches</li> <li>Building sign may encroach a maximum of 12" on to a sidewalk while maintaining a vertical clearance of 7 feet from the finished sidewalk.</li> <li>Building signs may be internally or externally lit.</li> <li>Marquee signs permitted only as specified below.</li> </ul> |
| Monument Signs        | P     | NP   | NP    | NP   | P     | <ul style="list-style-type: none"> <li>One monument sign per lot per lot street frontage (no more than 2 per lot separated by at least 100 feet) limited to a maximum of 50 sq. feet per sign face and 6 feet in height.</li> <li>Signs must be illuminated from ground mounted lighting.</li> <li>Permitted only along FM 2499, Lakeside Parkway, and Slip Road Frontages.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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|                              | MU-MR | MU-C | MU-NG | MU-N | MU-EN | STANDARD                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|------------------------------|-------|------|-------|------|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Window Signs                 | P     | P    | NP    | NP   | P     | <ul style="list-style-type: none"> <li>Limited to 25% of the storefront glass area.</li> <li>The following shall be exempt from this limitation: <ul style="list-style-type: none"> <li>Addresses, closed/open signs, hours of operation, credit card logos, real estate signs, and now hiring signs;</li> <li>Artwork that is not used as advertising</li> <li>Directory or wayfinding signage</li> </ul> </li> </ul>                                                                                                                                                                                                |
| Building Blade Signs         | P     | P    | NP    | P    | P     | <ul style="list-style-type: none"> <li>One per building (commercial and mixed use buildings only).</li> <li>Area = 30 sq. feet maximum per sign face.</li> <li>May encroach a maximum of 6 feet over a sidewalk, but shall not encroach over any parking or travel lane.</li> <li>Building blade signs may be attached to the building at the corners of building or along any street facing façade above the first floor façade.</li> </ul>                                                                                                                                                                          |
| Tenant Blade Signs           | P     | P    | NP    | P    | P     | <ul style="list-style-type: none"> <li>One per commercial tenant space (retail, office, or restaurant use).</li> <li>Area = 20 sq. feet maximum per sign face.</li> <li>May encroach a maximum of 4 feet over a public sidewalk, but shall not encroach over any parking or travel lane.</li> <li>Tenant blade signs shall be oriented perpendicular to the building façade and hung under the soffit of an arcade or under a canopy/awning or attached to the building façade immediately over the ground floor tenant space while maintaining a vertical clearance of 7 feet from the finished sidewalk.</li> </ul> |
| Marquee Signs                | P     | P    | NP    | NP   | P     | <ul style="list-style-type: none"> <li>Permitted for theatres, auditoriums, and other public gathering venues of 100 persons or more.</li> <li>Marquee signs shall be attached to the building or located above or below a canopy only.</li> <li>Area = 150 sq. feet maximum, per face.</li> <li>Message board may be changeable copy (electronic and non-electronic). Electronic message boards shall be non-flashing.</li> </ul>                                                                                                                                                                                    |
| For sale/for lease signs     | P     | P    | NP    | P    | P     | <ul style="list-style-type: none"> <li>Size is limited to 32 sq. feet per sign face.</li> <li>All other standards are the same as Town of Flower Mound Sign Regulations.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Address signs                | P     | P    | P     | P    | P     | Same as Town of Flower Mound Sign Regulations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Temporary construction signs | P     | P    | P     | P    | P     | 1 free standing sign per lot during construction only; limited to 32 sq. feet.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Banners                      | P     | P    | P     | P    | P     | Same as Town of Flower Mound Sign Regulations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Sandwich board signs         | P     | P    | NP    | P    | P     | <ul style="list-style-type: none"> <li>Permitted only for retail, service, or restaurant uses.</li> <li>Limited to 15 sq. feet per sign face per storefront.</li> <li>Sign may not exceed 5 feet in height.</li> <li>A minimum of 6 feet of sidewalk shall remain clear.</li> <li>Chalkboards may be used for daily changing of messages.</li> </ul>                                                                                                                                                                                                                                                                  |

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**LAKESIDE DFW DEVELOPMENT CODE**  
FLOWER MOUND, TEXAS

SECTION 8

|                    | MU-MR | MU-C | MU-NG | MU-N | MU-EN | STANDARD                                                                                                                                                                                                                                                                                                                         |
|--------------------|-------|------|-------|------|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                    |       |      |       |      |       | <ul style="list-style-type: none"> <li>Readerboards (electronic and non-electronic) shall be prohibited.</li> <li>Sign shall be removed every day after the business is closed.</li> </ul>                                                                                                                                       |
| Light Pole Banners | P     | P    | P     | P    | P     | <ul style="list-style-type: none"> <li>Permitted only with approval of the City.</li> <li>Max. 15 sq. feet per sign face.</li> <li>Limited to one per light pole.</li> <li>Light pole banners shall be limited to publicize community-wide events, holiday celebrations, public art, and other city sponsored events.</li> </ul> |
| Directory signs    | P     | P    | NP    | P    | P     | <ul style="list-style-type: none"> <li>Shall be allowed for all multi-tenant commercial and mixed use buildings.</li> <li>One directory sign per each multi-tenant building entrance limited to 20 sq. feet in area.</li> <li>Design of the sign shall be integral to the façade on which the sign is to be affixed.</li> </ul>  |
| Pole signs         | NP    | NP   | NP    | NP   | NP    | <ul style="list-style-type: none"> <li>May only be permitted as part of a Master Sign Plan.</li> </ul>                                                                                                                                                                                                                           |
| LED Signs          | NP    | NP   | NP    | NP   | NP    | <ul style="list-style-type: none"> <li>Shall be covered by a lens or diffuser.</li> <li>May only be permitted where electronic message boards are</li> <li>Or, may only be permitted as part of a Master Sign Plan.</li> </ul>                                                                                                   |
| Off-premise signs  | NP    | NP   | NP    | NP   | NP    | <ul style="list-style-type: none"> <li>Signs advertising businesses within the Lakeside DFW mixed use zone shall be considered on-premise signage.</li> </ul>                                                                                                                                                                    |

Realty Capital Management  
Dallas, TX

**LAKESIDE DFW DEVELOPMENT CODE**  
FLOWER MOUND, TEXAS

**APPENDIX**

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**APPENDIX**



APPENDIX TO LAKESIDE DFW  
DEVELOPMENT CODE AMENDED

MU17-0002

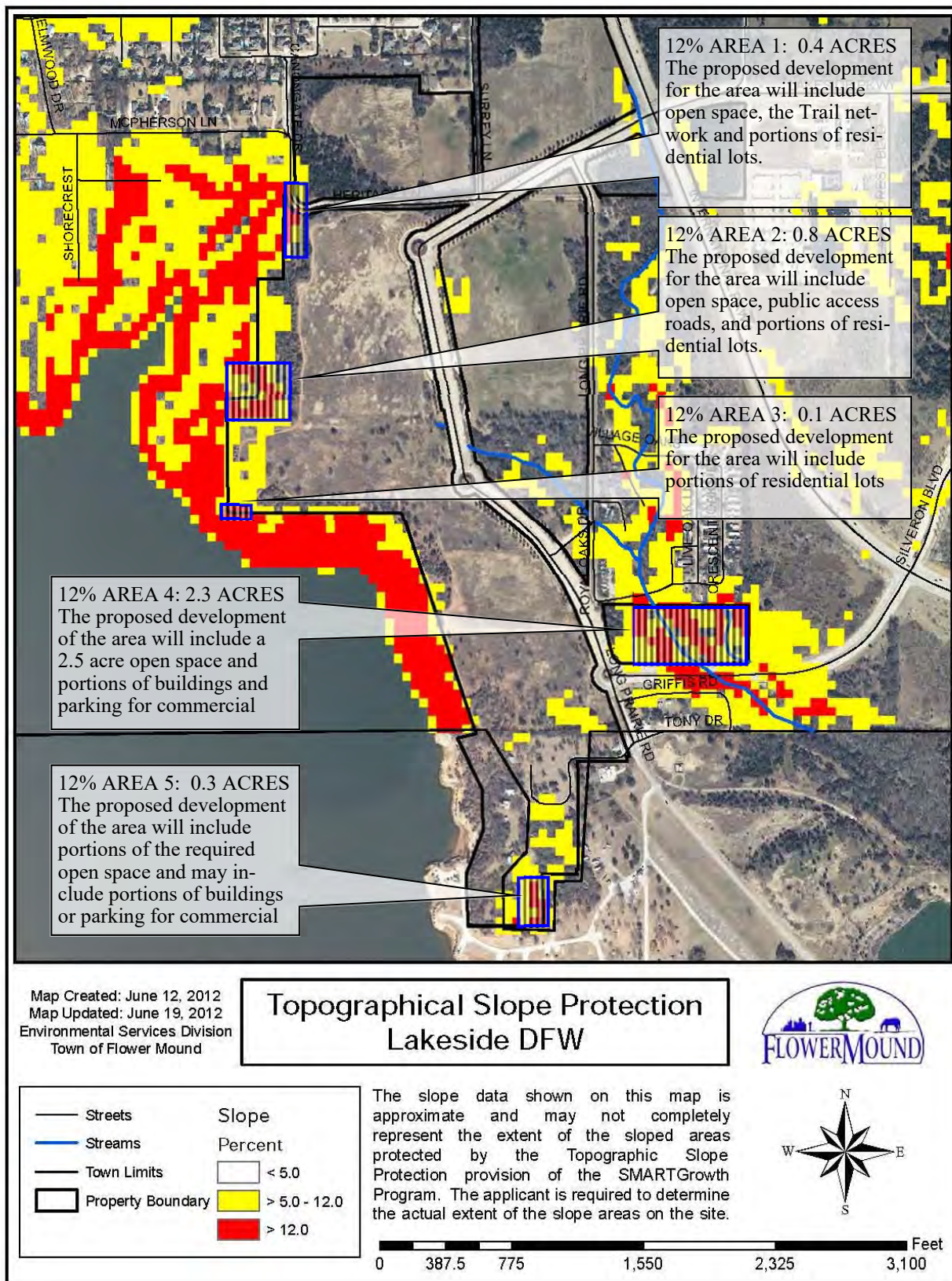
**APPENDIX**

|           |                    |
|-----------|--------------------|
| EXHIBIT A | Slope Protection   |
| EXHIBIT B | Legal Descriptions |
| EXHIBIT C | Ordinance 12-13    |
| EXHIBIT D | Ordinance 14-15    |
| EXHIBIT E | Ordinance 58-15    |
| EXHIBIT F | Ordinance 03-17    |

### Pursuant to Section 98-147. Topographical Slope Protection

It is the intention of the project to comply with the intent of the slope protection criteria as identified in the Master Plan to the extent possible. Where the requirements of the site dictate exceptions be made, the project will use the prevailing best management practices to minimize the impact of the development on the existing topography. This will be accomplished using the following practices where feasible within the constraints of the development:

- Detailed plans shall be provided at the time of platting.
- Silt fencing will be installed and maintained along the perimeter of the site..
- Silt fencing will be installed perpendicular to the direction of flow.
- Major soil disturbing activities will be sequenced to preserve existing vegetation.
- Storm water control devices will be installed to limit runoff, and reduce the velocity of concentrated flows.
- The steepest slopes will be preserved where feasible, for parks or open space, or private yards.
- Retaining walls shall be limited to 4' in height where, in the discretion of the Applicant, such a limit is feasible.
- Sheet flow will be the primary alternative for storm water runoff.
- Shallow turf swales shall be the secondary alternative for water runoff.
- Existing trees shall be retained if, in the discretion of the Applicant, such retention is possible.
- Other BMP's as described in the Town's engineering and design criteria, shall be utilized where feasible.

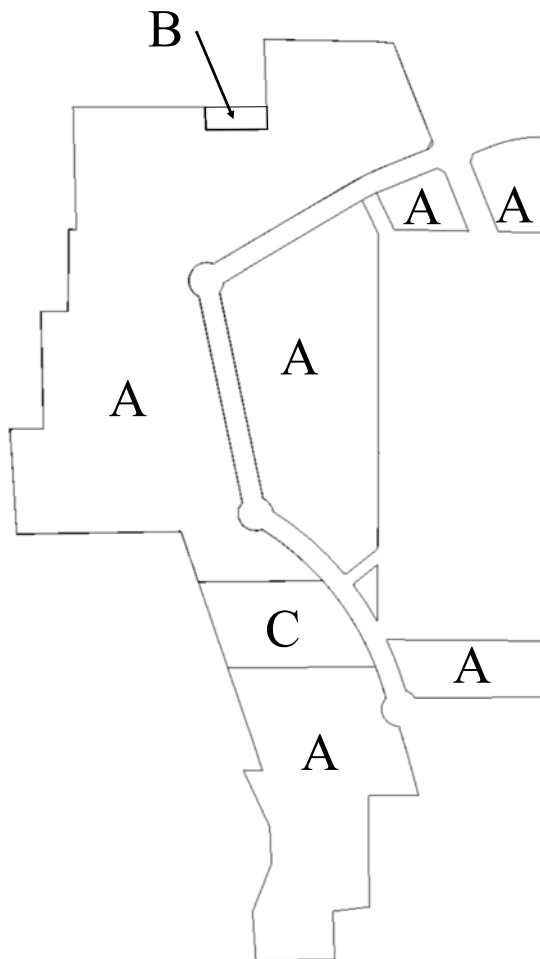


**LEGAL DESCRIPTIONS**

A: Tracts labelled "A" were included in the original establishment of the Lakeside DFW development district. The legal description is attached as Tract A..

B: The 0.88 acre tract was annexed on March 4, 2013 into the Lakeside DFW development district. The legal description is included in attached Ordinance 12-13.

C: The approximate 9 acre tract, formerly known as the Hines Property, is proposed to be annexed into the Lakeside DFW development district. The legal description is attached as Tract C.

**TRACT C LEGAL DESCRIPTION**

STATE OF TEXAS  
COUNTY OF DENTON

BEING a tract of land situated in the J. TANNEHILL SURVEY, Abstract No. 1252 and being a portion of a tract of land conveyed to the LAKESIDE DFW LAND, LTD. As recorded in Volume 4589, Page 1287 of the Deed Records of Denton County, Texas ( DRDCT ) and being more particularly described as follows;

BEGINNING at a ½ inch Iron rod set with a red plastic cap stamped "W.A.I." at the intersection of the northerly line of Tract 1 as conveyed to Peter P. Stewart recorded in Volume 11029, Page 130B ( DRDCT ) and the westerly Right-of-Way line of LAKESIDE PARKWAY ( 120' Right-of-Way );

THENCE departing the westerly Right-of-Way line of said LAKESIDE PARKWAY and along the northerly line of said Tract 1 North 89 deg 54 min 43 sec West a distance of 840.54 feet to a ½ inch Iron rod set with a red plastic cap stamped "W.A.I." for corner, said point being set in the east line of a tract of land conveyed to the United States of America known as Tract B-112;

THENCE departing the northerly line of said Tract 1 and along the easterly line of said Tract B-112 North 18 deg 09 min 28 sec West a distance of 520.11 feet to ½ inch Iron rod set with a red plastic cap stamped "W.A.I." for corner;

THENCE departing the easterly line of said Tract B-112 South 89 deg 54 min 43 sec East a distance of 707.12 feet to a ½ inch Iron rod set with a red plastic cap stamped "W.A.I." for corner, said point being set in the westerly Right-of-Way line of said LAKESIDE PARKWAY and being the beginning of a non-tangent curve to the right having a radius of 1640.00 feet and having a chord bearing of South 30 deg 51 min 58 sec East and a chord length of 575.99 feet;

THENCE along the westerly Right-of-Way line of said LAKESIDE PARKWAY continuing along said non-tangent curve to the right through a central angle of 20 deg 13 min 41 sec and an arc length of 575.99 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bound 9.000 acres or 392,042 square feet of land more or less. Bearings contained within this field note description are based upon an on the ground survey performed in the field on the 11th day of April, 2005 utilizing the bearings as found on a ALTA/ACSM Land Title Survey prepared by Winkelmann & Associates, Inc. dated May, 2003, Project Number 02219.02(52).



ORDINANCE NO. 63-12

## TRACT A LEGAL DESCRIPTION

Land**TRACT 1:**

BEING a tract of land situated in the J. TANNEHILL SURVEY, Abstract No. 1252 and being a portion of a tract of land conveyed to LAKESIDE DFW LAND, LTD. as recorded in Volume 4589, Page 1287 of the Deed Records of Denton County, Texas (DRDCT) and being more particularly described as follows:

BEGINNING at a Texas Highway Department Monument found at the southerly corner of a corner clip located at the intersection of the northeasterly Right-of-Way line of F.M. ROAD 2499 (160 feet Right-of-Way) and southerly Right-of-Way line of LAKESIDE PARKWAY (120 feet Right-of-Way) said point being the most southwesterly corner of a Right-of-Way Dedication recorded in Volume 2559, Page 990 (DRDCT);

THENCE departing the northeasterly Right-of-Way line of said F.M. ROAD 2499 and along said corner-clip North 18 degrees 49 minutes 04 seconds East a distance of 52.31 feet to a point for corner, said point being in the southerly Right-of-Way line of said LAKESIDE PARKWAY as recorded in a Right-of-Way Dedication recorded in Volume 4589, Page 1430;

THENCE departing said corner-clip and along the southerly Right-of-Way line of said LAKESIDE PARKWAY as follows;

North 69 degrees 15 minutes 09 seconds East a distance of 103.35 feet to a point for the beginning of a curve to the right having a radius of 800.00 feet and having a chord bearing of North 79 degrees 46 minutes 30 seconds East and a chord length of 292.19 feet;

Continuing along said curve to the right through a central angle of 21 degrees 02 minutes 42 seconds and an arc length of 293.84 feet to a point for the point of tangency;

South 89 degrees 42 minutes 09 seconds East a distance of 14.67 feet to a point for corner;

THENCE departing the southerly Right-of-Way line of said LAKESIDE PARKWAY South 00 degrees 40 minutes 36 seconds West a distance of 547.17 feet to a point for corner;

THENCE North 87 degrees 59 minutes 19 seconds West a distance of 258.08 feet to a 1/2 inch iron rod found for corner in the northeasterly Right-of-Way line of said F.M. Road 2499;

THENCE along the northeasterly Right-of-Way line of said F.M. ROAD 2499 North 20 degrees 59 minutes 16 seconds West a distance of 427.82 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 4.130 acres or 179,891 square feet of land more or less. Bearings contained within these field notes are based upon an on the ground survey performed July 7, 2000 utilizing construction plans for Lakeside Parkway prepared by FNTB.

**TRACT 2:**

BEING a tract of land situated in the J. TANNEHILL SURVEY, Abstract No. 1252 and being a portion of a tract of land conveyed to LAKESIDE DFW LAND, LTD. as recorded in Volume 4589, Page 1287 of the Deed Records of Denton County, Texas (DRDCT) and being

ORDINANCE NO. 63-12

## TRACT A LEGAL DESCRIPTION

more particular described as follows;

**BEGINNING** at a point at the most southeasterly corner of a Right-of-Way dedication as recorded in Volume 2559, Page 990, said point being set in the southwesterly Right-of-Way line of F.M. Road 2499 (160 feet Right-of-Way);

**THENCE** along the southwesterly Right-of-Way line of said F.M. ROAD 2499 South 21 degrees 02 minutes 00 seconds East a distance of 359.91 feet to a 1/2 inch iron rod found for corner;

**THENCE** departing the southwesterly Right-of-Way line of said F.M. ROAD 2499 North 88 degrees 02 minutes 03 seconds West a distance of 422.81 feet to a point for corner in the easterly Right-of-Way line of OLD F.M. ROAD 2499 (90 feet Right-of-Way), which a 1/2 inch iron rod found bears North 89 degrees 02 minutes 14 seconds West a distance of 0.79 feet;

**THENCE** along the easterly Right-of-Way line of said OLD F.M. ROAD 2499 South 00 degrees 32 minutes 42 seconds West a distance of 4.73 feet to a point for corner;

**THENCE** North 26 degrees 30 minutes 08 seconds West a distance of 226.09 feet to a point for corner;

**THENCE** North 19 degrees 11 minutes 04 seconds East a distance of 14.01 feet to a point for corner in the southerly Right-of-Way line of said Lakeside Parkway, said point being the beginning of a non-tangent curve to the right having a radius of 1440.00 feet, a chord bearing of North 68 degrees 56 minutes 32 seconds East and a chord length of 101.07 feet;

**THENCE** along the southerly line of said Lakeside Parkway as follows:

Along said non-tangent curve to the right through a central angle of 04 degrees 01 minutes 21 seconds and an arc length of 101.10 feet to a point for corner;

North 68 degree 57 minutes 12 seconds East a distance of 268.86 feet to a point for corner at a corner-clip.

**THENCE** departing the southerly Right-of-Way line of said LAKESIDE PARKWAY and along said corner-clip South 60 degrees 50 minutes 20 seconds East a distance of 52.44 feet to the **POINT OF BEGINNING**;

**CONTAINING** within these metes and bounds 2.889 acres or 125,862 square feet of land more or less. Bearings contained within these field notes are based upon an on the ground survey performed July 7, 2000 utilizing construction plans for Lakeside Parkway prepared by HNTB.

**TRACT 3:**

**BEING** a tract of land situated in the J. TANNEHILL SURVEY, Abstract No. 1252 and being a portion of a tract of land conveyed to LAKESIDE DFW LAND, LTD. as recorded in Volume 4589, Page 1287 of the Deed Records of Denton County, Texas (DRDCT) and being more particular described as follows;

**BEGINNING** at a point at a corner-clip and being the most northeasterly corner of a Right-of-Way Dedication recorded in Volume 2559, Page 990, said point being set in the southwesterly Right-of-Way line of F.M. ROAD 2499 (160 feet Right-of-Way);



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## TRACT A LEGAL DESCRIPTION

THENCE departing the southwesterly Right-of-Way line of said F.M. ROAD 2499 and along said corner-clip South 28 degrees 23 minutes 02 seconds West a distance of 61.18 feet to a point for corner in the northerly Right-of-Way line of LAKESIDE PARKWAY (120 feet Right-of-Way), said point being the most northeasterly corner of a Right-of-Way Dedication recorded in Volume 4589, Page 1443;

THENCE along the northerly Right-of-Way line of said LAKESIDE PARKWAY as follows;

South 68 degrees 57 minutes 12 seconds West a distance of 255.59 feet to a point for the beginning of a curve to the left having a radius of 1560.00 feet and having a chord bearing of South 64 degrees 29 minutes 59 seconds West and a chord length of 242.28 feet;

Continuing along said curve to the left through a central angle of 08 degrees 54 minutes 27 seconds and an arc length of 242.32 feet to a point for the point of tangency;

South 60 degrees 02 minutes 46 seconds West a distance of 455.07 feet to a point for corner in the northerly Right-of-Way line of HERITAGE LANE (variable width Right-of-Way);

THENCE departing the northerly Right-of-Way line of said LAKESIDE PARKWAY and along the northerly Right-of-Way line of said HERITAGE LANE North 89 degrees 31 minutes 39 seconds West a distance of 40.86 feet to a point for corner at the intersection of the northerly Right-of-Way line of said HERITAGE LANE and the easterly Right-of-Way line of SURREY DRIVE (variable width Right-of-Way);

THENCE departing the northerly Right-of-Way line of said HERITAGE LANE and along the easterly Right-of-Way line of said SURREY DRIVE North 01 degrees 28 minutes 19 seconds West a distance of 1061.44 feet to a point for corner;

THENCE departing the easterly Right-of-Way line of said SURREY DRIVE South 88 degrees 10 minutes 29 seconds East passing a 1/2 inch iron rod found at a distance of 147.09 feet continuing in all a distance of 646.80 feet to a 1/2 inch iron rod found for corner;

THENCE South 83 degrees 01 minutes 01 seconds East a distance of 91.12 feet to a point for corner in the southwesterly Right-of-Way line of said F.M. Road 2499;

THENCE along the southwesterly Right-of-Way line of said F.M. ROAD 2499 South 21 degrees 00 minutes 54 seconds East a distance of 592.00 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 16.261 acres or 708,342 square feet of land more or less. Bearings contained within these field note are based upon an on the ground survey performed July 7, 2000 utilizing construction plans for Lakeside Parkway prepared by HNTB.

## TRACT 4:

BEING a tract of land situated in the J. TANNEHILL SURVEY, Abstract No. 1252 and being a portion of a tract of land conveyed to LAKESIDE DFW LAND, LTD. as recorded in Volume 4589, Page 1287 of the Deed Records of Denton County, Texas (DRDCT) and being more particularly described as follows;

BEGINNING at a point in the westerly Right-of-Way line of OLD F.M. ROAD 2499 (90 feet Right-of-Way);

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## TRACT A LEGAL DESCRIPTION

THENCE along the westerly Right-of-Way line of said OLD F.M. ROAD 2499 as follows;

South 00 degrees 28 minutes 57 seconds West a distance of 1290.19 feet to a point for corner from which a Concrete Right-of-Way Monument found bears North 05 degrees 34 minutes 38 seconds West a distance of 2.20 feet;

South 01 degrees 11 minutes 16 seconds West a distance of 550.03 feet to a point for corner in the northerly Right-of-Way line of LAKESIDE PARKWAY (70 feet Right-of-Way) as recorded in Volumes 4589, Page 1449;

THENCE departing the westerly Right-of-Way line of said OLD F.M. ROAD 2499 and along the northerly Right-of-Way line of said LAKESIDE PARKWAY as follows;

South 52 degrees 04 minutes 45 seconds West a distance of 227.85 feet to a point for corner in the northerly Right-of-Way line of LAKESIDE PARKWAY (70 feet Right-of-Way);

North 83 degrees 34 minutes 28 seconds West a distance of 14.30 feet to a point for corner in the easterly Right-of-Way line of LAKESIDE PARKWAY (120 feet Right-of-Way) and the beginning of a non-tangent curve to the left having a radius of 1760.00 feet and having a chord bearing of North 48 degrees 08 minutes 45 seconds West and a chord length of 535.79 feet;

Continuing along said non-tangent curve to the left through a central angle of 17 degrees 30 minutes 37 seconds and an arc length of 537.88 feet to a point for corner and being the beginning of a non-tangent curve to the left having a radius of 100.00 feet and having a chord bearing of North 34 degrees 34 minutes 05 seconds West and a chord length of 99.25 feet;

Continuing along said non-tangent curve to the left through a central angle of 59 degrees 30 minutes 14 seconds and an arc length of 103.83 feet to a point for corner and being the point of tangency;

North 11 degrees 11 minutes 24 seconds West a distance of 1199.93 feet to a point for corner and being the beginning of a non-tangent curve to the left having a radius of 100.00 feet and having a chord bearing of North 24 degrees 25 minutes 41 seconds East and a chord length of 60.18 feet;

Continuing along said non-tangent curve to the left through a central angle of 35 degrees 01 minutes 27 seconds and an arc length of 61.13 feet to a point for corner and being the point of tangency;

North 60 degrees 02 minutes 46 seconds East a distance 883.20 feet to a point for the beginning of a curve to the right having a radius of 1440.00 feet, a chord bearing of North 60 degrees 41 minutes 52 seconds East and a chord length of 32.76 feet;

Continuing along said curve to the right through a central angle of 01 degrees 18 minutes 13 seconds and an arc length of 32.76 feet to the westerly corner of a corner clip;

THENCE along said corner clip South 72 degrees 24 minutes 26 seconds East a distance of 13.89 feet to a point for corner;

THENCE South 26 degrees 30 minutes 08 seconds East a distance of 162.56 feet to the POINT OF BEGINNING;



ORDINANCE NO. 63-12

## TRACT A LEGAL DESCRIPTION

CONTAINING within these metes and bounds 31.060 acres or 1,352,972 square feet of land more or less. Bearings contained within these field notes are based upon an on the ground survey performed July 7, 2000 utilizing construction plans for Lakeside Parkway prepared by HNTB,

## TRACT 5:

BEING a tract of land situated in the J. TANNEHILL SURVEY, Abstract No. 1252 and being a portion of a tract of land conveyed to LAKESIDE DFW Land, LTD. as recorded in Volume 4589, Page 1287 of the Deed Records of Denton County, Texas (DRDCT) and being more particularly described as follows;

BEGINNING at a 5/8 inch iron rod found at the intersection of the westerly Right-of-Way line of SURREY DRIVE (variable width Right-of-Way) and the northerly Right-of-Way line of HERITAGE LANE (variable width Right-of-Way);

THENCE departing the westerly Right-of-Way line of said SURREY DRIVE and along the northerly Right-of-Way line of said HERITAGE LANE South 89 degrees 23 minutes 50 seconds West a distance of 1007.44 feet to a point for corner at a corner-clip;

THENCE departing the northerly Right-of-Way line of said HERITAGE LANE and along said corner-clip North 45 degrees 40 minutes 19 seconds West a distance of 84.96 feet to a 5/8 inch iron rod found for corner in the easterly Right-of-Way line of said HERITAGE LANE;

THENCE departing said corner-clip and along the easterly Right-of-Way line of said HERITAGE LANE North 00 degrees 44 minutes 27 seconds West a distance of 637.53 feet to a point for corner;

THENCE departing the easterly Right-of-Way line of said HERITAGE LANE South 89 degrees 14 minutes 21 seconds East a distance of 747.35 feet to a point for corner;

THENCE South 02 degrees 13 minutes 57 seconds East a distance of 128.00 feet to a 3/4 inch iron pipe found for corner;

THENCE South 89 degrees 13 minutes 57 seconds East a distance of 300.31 feet to a 1 inch iron pipe found for corner in the westerly Right-of-Way line of said SURREY DRIVE;

THENCE along the westerly Right-of-Way line of said SURREY DRIVE South 02 degrees 30 minutes 29 seconds East a distance of 544.91 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 15.700 acres or 683,882 square feet of land more or less. Bearings contained within these field notes are based upon an on the ground survey performed July 7, 2000 utilizing construction plans for Lakeside Parkway prepared by HNTB.

## TRACT 6:

BEING a tract of land situated in the J. Tannehill Survey, Abstract No. 1252, E. Tannehill Survey, Abstract No. 1272 and the R. Knight Survey, Abstract No. 708 and being a portion of a tract of land conveyed to LAKESIDE DFW LAND, LTD. as recorded in Volume 4589, Page 1287 of the Deed Records of Denton County, Texas (DRDCT) and being more particularly described as follows;

## TRACT A LEGAL DESCRIPTION

ORDINANCE NO. 63-12

BEGINNING at a point at the intersection of the southerly Right-of-Way line of HERITAGE LANE (variable width Right-of-Way) and the westerly Right-of-Way line of LAKESIDE PARKWAY (120 feet Right-of-Way) as recorded in Volume 4589, Page 1449;

THENCE departing the southerly Right-of-Way line of said HERITAGE LANE and along the westerly Right-of-Way line of said LAKESIDE PARKWAY as follows;

South 60 degree 02 minutes 46 seconds West a distance of 304.34 feet to a point for corner at the beginning of a non-tangent curve to the left having a radius of 100.00 feet and having a chord bearing of South 24 degree 25 minutes 41 seconds West and a chord length of 199.95 feet;

Continuing along said curve to the left through a central angle of 177 degree 29 minutes 46 seconds and an arc length of 309.79 feet to a point for corner at the point of tangency;

South 11 degree 11 minutes 24 seconds East a distance of 1199.93 feet to a point for corner at the beginning of a non-tangent curve to the left having a radius of 100.00 feet and having a chord bearing of South 34 degree 33 minutes 38 seconds East and a chord length of 194.47 feet;

Continuing along said non-tangent curve to the left through a central angle of 153 degree 00 minutes 03 seconds and an arc length of 267.04 feet to a point for corner and the beginning of a non-tangent curve to the right having a radius of 1640.00 feet and having a chord bearing of South 38 degree 47 minutes 19 seconds East and a chord length of 1015.36 feet;

Continuing along said non-tangent curve to the right through a central angle of 36 degree 04 minutes 23 seconds and an arc length of 1032.53 feet to a point for corner;

THENCE departing the westerly Right-of-Way line of said LAKESIDE PARKWAY North 89 degree 54 minutes 43 seconds West a distance of 840.54 feet to a point for corner in the easterly line of a tract of land conveyed to United States of America Tract B-112;

THENCE along the easterly line of said Tract B-112 as follows;

North 18 degree 09 minutes 28 seconds West a distance of 824.46 feet to a Corp of Engineers Monument found for corner;

South 89 degree 47 minutes 37 seconds West a distance of 934.84 feet to a point for corner;

North 02 degree 42 minutes 21 seconds West a distance of 469.50 feet to a point for corner;

North 04 degree 37 minutes 13 seconds West a distance of 136.76 feet to a Corp of Engineers Monument found for corner;

South 89 degree 48 minutes 19 seconds East a distance of 192.75 feet to a Corp of Engineers Monument found for corner;

North 00 degree 36 minutes 22 seconds West a distance of 669.44 feet to a Corp of Engineers Monument found for corner;

South 88 degree 51 minutes 10 seconds East a distance of 153.80 feet to a Corp of Engineers Monument found for corner;

North 01 degree 24 minutes 22 seconds East a distance of 465.00 feet to a point for corner;



## TRACT A LEGAL DESCRIPTION

ORDINANCE NO. 63-12

THENCE departing the easterly line of said Tract B-112 South 88 degree 35 minutes 28 seconds East a distance of 20.00 feet to a point for corner in the southerly Right-of-Way line of said HERITAGE LANE;

THENCE along the southerly Right-of-Way line of said HERITAGE LANE as follows;

South 45 degree 40 minutes 19 seconds East a distance of 97.38 feet to a point for corner;

North 89 degree 10 minutes 33 seconds East a distance of 992.09 feet to the POINT BEGINNING;

CONTAINING within these metes and bounds 52.981 acres or 2,307,851 square feet of land more or less. Bearings contained within these field notes are based upon an on the ground survey performed July 7, 2000 utilizing construction plans for Lakeside Parkway prepared by HNTB.

SAVE AND EXCEPT that 9.000 acre tract of land conveyed to Lakeside Hotel DFW, L.P., a Texas limited partnership by Special Warranty Deed dated November 15, 2005, filed November 17, 2005 and recorded in/ under Clerk's No. 2005-143494 of the Real Property Records of Denton County, Texas.

ORDINANCE NO. 63-12

## TRACT A LEGAL DESCRIPTION

## TRACT 7:

BEING a tract of land situated in the J. Tannehill Survey, Abstract No. 1252 and being a portion of a tract of land conveyed to LAKESIDE DFW LAND, LTD. as recorded in Volumes 4589, Page 1287 of the Deed Records of Denton County, Texas (DRDCT) and being more particularly described as follows;

COMMENCING at the intersection of the southerly Right-of-Way line of HERITAGE LANE (variable width Right-of-Way) and the westerly Right-of-Way line of OLD F.M. ROAD 2499 (90 feet Right-of-Way) which a Wood Right-Of-Way Monument found bears North 15 degree 18 minutes 22 seconds East a distance of 2.27 feet;

THENCE south along the westerly Right-of-Way line of said OLD F.M. ROAD 2499 as follows:

South 00 degree 28 minutes 57 seconds West a distance of 1248.49 feet to a point for corner which a Concrete Right-of-Way Monument found bears North 05 degree 34 minutes 38 seconds West a distance of 2.20 feet;

South 01 degree 11 minutes 16 seconds West a distance of 640.24 feet to a point in the westerly Right-of-Way line of said OLD F.M. ROAD 2499 to the POINT OF BEGINNING;

THENCE south along the westerly Right-of-Way line of said OLD F.M. ROAD 2499 South 01 degree 11 minutes 16 seconds West a distance of 323.31 feet to a point for corner and departing the westerly Right-of-Way of said OLD F.M. Road 2499 along a non-tangent curve to the left having a radius of 1750.00 feet, a chord bearing of North 32 degree 31 minutes 10 seconds West and a chord length of 241.95 feet;

Continuing along said non-tangent curve to the left through a central angle of 07 degree 52 minutes 58 seconds for an arc length of 242.14 feet to a point for corner in the easterly Right-of-Way of said LAKESIDE PARKWAY;

THENCE North 07 degree 43 minutes 40 seconds East a distance of 14.30 feet to a point for corner in the southerly Right-of-Way line of said LAKESIDE PARKWAY;

THENCE along the southerly Right-of-Way line of said LAKESIDE PARKWAY North 52 degree 04 minutes 45 seconds East a distance of 170.94 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 0.502 acres or 21,888 square feet of land more or less. Bearings contained within these field notes are based upon an on the ground survey performed July 7, 2000 utilizing construction plans for Lakeside Parkway prepared by HNTB.



ORDINANCE NO. 63-12

## TRACT A LEGAL DESCRIPTION

PROPERTY DESCRIPTION  
Peter P Stewart PARCEL 1STATE OF TEXAS       §  
COUNTY OF DENTON   §

BEING all that certain tract of land situated in the J. M. TANNEHILL SURVEY, ABSTRACT No. 1252, in the Town of Flower Mound, Denton County, Texas, being part of a tract of land described in deed to Peter P. Stewart as recorded in County Clerk's Instrument No. 93R0024840, Deed Records, Denton County, Texas, also being all that property described in Quitclaim Deed to Peter P. Stewart as recorded in County Clerk's Instrument No. 2002-R0092862, Deed Records, Denton County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner on the Easterly right-of-way line of Lakeside Parkway, a 120-foot right-of-way at this point, said point being on the most Westerly corner of said Quitclaim tract;

THENCE North 89 deg 55 min 09 sec East, departing said Easterly right-of-way line of Lakeside Parkway, a distance of 899.44 feet to a 1/2-inch iron rod found for corner on the West line of a tract of land described in deed to Ray B. Baldwin III as recorded in County Clerk's Instrument No. D210075275, Real Property Records, Denton County, Texas, said point also being the Southeast corner of Village Oaks Mobile Home Community, an addition to the Town of Flower Mound, Denton County, Texas, according to the Plat thereof recorded in Cabinet D, Page 291, Plat Records, Denton County, Texas;

THENCE South 00 deg 31 min 16 sec East, along the West line of said Baldwin tract, a distance of 326.07 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for the Northeast corner of Lakeside Parkway, a 100-foot right-of-way as dedicated by Dedication Deed to the Town of Flower Mound as recorded in County Clerk's Instrument No. 2001-R0105772, Deed Records, Denton County, Texas;

THENCE along the Northerly and Easterly right-of-ways of said Lakeside Parkway, the following courses and distances:

South 89 deg 20 min 52 sec West, a distance of 742.09 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner, said point being the beginning of a non-tangent curve to the left having a radius of 100.00 feet, a central angle of 39 deg 28 min 48 sec, a chord bearing of North 50 deg 23 min 32 sec West, and a chord length of 67.55 feet;

Along said non-tangent curve to the left, an arc distance of 68.91 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner;

North 17 deg 00 min 08 sec West, a distance of 53.70 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner, said point being the beginning of a curve to the left having a radius of 1,760.00 feet, a central angle of 08 deg 21 min 11 sec, a chord bearing of North 21 deg 10 min 42 sec West, and a chord length of 256.36 feet;

THENCE continuing along the Easterly right-of-way of said Lakeside Parkway and said curve to the left, an arc distance of 256.59 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 274,800 square feet or 6.309 acres of land, more or less. Bearings shown hereon are based upon an on-the-ground survey performed in the field on the April 5, 2012, utilizing a G.P.S. bearing related to the Texas Coordinate System, North Texas Central Zone (4202), NAD 83 State Plane Coordinate grid values based on the Geo-Shack Virtual Reference Station (VRS) Network.

ORDINANCE NO. 63-12

## TRACT A LEGAL DESCRIPTION

## PROPERTY DESCRIPTION

Peter P Stewart PARCEL 2

STATE OF TEXAS           §  
COUNTY OF DENTON       §  
COUNTY OF TARRANT     §

BEING all that certain tract of land situated in the the J. M. TANNEHILL SURVEY, ABSTRACT No. 1252, in the Town of Flower Mound, Denton and Tarrant County, Texas, being part of a tract of land described in deed to Peter P. Stewart as recorded in County Clerk's Instrument No. 93R0024840, Deed Records, Denton County, Texas, also being all that property described in deed to Peter P. Stewart as recorded in Volume 11029, Page 1308, Deed Records, Tarrant County, Texas, and also being all that property described in deed to Peter P. Stewart as recorded in Volume 8180, Page 1145, Deed Records, Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for corner on the Westerly right-of-way line of Lakeside Parkway, a 120-foot right-of-way, said point being the Southeast corner of Lot 1, Block 1, Lakeside Hotel, an addition to the Town of Flower Mound, Tarrant County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 11756, Plat Records, Denton County, Texas, said point being the beginning of a curve to the right having a radius of 1,640.00 feet, a central angle of 04 deg 28 min 09 sec, a chord bearing of South 19 deg 14 min 13 sec East, and a chord length of 127.89 feet;

THENCE along said Westerly right-of-way line of Lakeside Parkway and said curve to the right, an arc distance of 127.92 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner;

THENCE South 17 deg 00 min 08 sec East, continuing along said Westerly right-of-way line of Lakeside Parkway, a distance of 53.71 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner, said point being the beginning of a non-tangent curve to the left having a radius of 100.00 feet, a central angle of 106 deg 14 min 09 sec, a chord bearing of South 16 deg 59 min 23 sec East, and a chord length of 159.97 feet;

THENCE continuing along said Westerly right-of-way line of Lakeside Parkway and said non-tangent curve to the left, an arc distance of 185.37 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner on the Westerly right-of-way line of Long Prairie Road, a variable width right-of-way;

THENCE South 17 deg 00 min 08 sec East, along the Westerly right-of-way line of said Long Prairie Road, a distance of 258.06 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner on the North line of said Peter P. Stewart tract (Volume 11029, Page 1308);

THENCE North 88 deg 37 min 18 sec East, along the North line of said Peter P. Stewart tract (Volume 11029, Page 1308), continuing along the Westerly right-of-way line of said Long Prairie Road, a distance of 24.07 feet to a brass monument found for corner, said point being the Northeast corner of said Peter P. Stewart tract (Volume 11029, Page 1308);

THENCE South 18 deg 10 min 43 sec East, continuing along said Westerly right-of-way line of said Long Prairie Road and along the Easterly line of said Peter P. Stewart tract (Volume 11029, Page 1308), a distance of 143.87 feet to 1/2-inch Iron rod with a red plastic cap stamped "W.A.I." set for corner from which a brass monument found bears North 88 deg 50 min 33 sec East, 39.77 feet;



ORDINANCE NO. 63-12

## TRACT A LEGAL DESCRIPTION

THENCE along the Easterly line of said Peter P. Stewart tracts (Volume 11029, Page 1308 and Volume 8180, Page 1145), the following courses and distances:

South 88 deg 50 min 33 sec West, a distance of 289.31 feet to a brass monument found for corner;

South 01 deg 05 min 02 sec East, a distance of 638.21 feet to a brass monument found for corner;

South 85 deg 46 min 29 sec West, a distance of 207.02 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner on the East line of Tract 1 of said Peter P. Stewart tract (Volume 8180, Page 1145);

South 03 deg 45 min 31 sec East, a distance of 284.14 feet to a brass monument found for the Southeast corner of Tract 4 of said Peter P. Stewart tract (Volume 8180, Page 1145);

THENCE South 88 deg 48 min 29 sec West, along the South line of said Tract 4, a distance of 428.02 feet to a brass monument found for the Southwest corner of said Tract 4;

THENCE along the Westerly line of said Peter P. Stewart tract (County Clerk's Instrument No. 93R0024840, Volume 11029, Page 1308, and Volume 8180, Page 1145), the following courses and distances:

North 06 deg 33 min 31 sec West, a distance of 261.30 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner;

North 20 deg 41 min 29 sec East, a distance of 301.80 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner;

North 02 deg 20 min 31 sec West, a distance of 230.50 feet to a 1/2-inch iron rod with a red plastic cap stamped "W.A.I." set for corner;

North 27 deg 03 min 35 sec West, a distance of 331.50 feet to a brass monument found for the Northwest corner of said Peter P. Stewart tract (Volume 11029, Page 1308);

North 89 deg 37 min 43 sec East, a distance of 87.23 feet to a brass monument found for corner on the North line of said Peter P. Stewart tract (Volume 11029, Page 1308);

North 18 deg 59 min 56 sec West, a distance of 614.28 feet to a 1/2-inch iron rod found for the Southwest corner of said Lot 1, Block 1;

THENCE North 89 deg 15 min 56 sec East, along the South line of said Lot 1, Block 1, a distance of 840.14 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 1,093,369 square feet or 25.100 acres of land, more or less. Bearings shown hereon are based upon an on-the-ground survey performed in the field on the April 5, 2012, utilizing a G.P.S. bearing related to the Texas Coordinate System, North Texas Central Zone (4202), NAD 83 State Plane Coordinate grid values based on the Geo-Shack Virtual Reference Station (VRS) Network.

**TOWN OF FLOWER MOUND, TEXAS****ORDINANCE NO. 12-13**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING THE OFFICIAL ZONING MAP, EXHIBIT "A" OF SUBPART B, LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND, TEXAS, BY CHANGING THE ZONING ON APPROXIMATELY 0.88 ACRES IN THE J. TANNEHILL SURVEY, ABSTRACT NUMBER 1252, DENTON COUNTY, TEXAS, AS MORE FULLY DESCRIBED IN EXHIBIT "A" HERETO, FROM AGRICULTURAL DISTRICT (A) USES TO MIXED USE DISTRICT-1 (MU-1) USES IN ACCORDANCE WITH THE TOWN'S MASTER PLAN AND PURSUANT TO SPECIFIC REQUIREMENTS STATED HEREIN AND EXHIBITS ATTACHED HERETO; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, after public notice and public hearing as required by law, the Planning and Zoning Commission of the Town of Flower Mound, Texas, has recommended a change in zoning classification of the property described herein, and has recommended amending the official zoning map, Exhibit "A" of Subpart B, Land Development Regulations, of the Code of Ordinances of the Town of Flower Mound, Texas, regarding the rezoning of the property hereinafter described; and

**WHEREAS**, all legal requirements, conditions, and prerequisites have been complied with prior to this case coming before the Town Council of the Town of Flower Mound; and

**WHEREAS**, the Town Council of the Town of Flower Mound, after public notice and public hearing as required by law, and upon due deliberation and consideration of the recommendation of the Planning and Zoning Commission of the Town of Flower Mound and of all testimony and information submitted during said public hearings, has determined that, in the public's best interest and in support of the health, safety, morals, and general welfare of the citizens of the Town, the zoning of the property described herein shall be changed, and that the official zoning map, Exhibit "A" of Subpart B, Land Development Regulations, of the Code of Ordinances of the Town of Flower Mound, Texas, shall be amended to reflect the rezoning of the property herein described.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:**

**SECTION 1**

All of the above premises are found to be true and correct legislative findings of the Town and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.



Ordinance No. 12-13

Page 2

**SECTION 2**

From and after the effective date of this Ordinance, the property described herein shall be rezoned as set forth in this section, and the official zoning map, Exhibit "A" of Subpart B, Land Development Regulations, of the Code of Ordinances of the Town of Flower Mound, Texas, is hereby amended and changed in the following particulars to reflect the action taken herein, and all other existing sections, subsections, paragraphs, sentences, definitions, phrases, and words of said Land Development Regulations are not amended, but shall remain intact and are hereby ratified, verified, and affirmed, in order to create a change in the zoning classification of the property described herein, as follows:

That certain tract of land being approximately 0.88 acres of land in the J. Tannehill Survey, Abstract Number 1252, of Flower Mound, Denton County, Texas, and being more fully described in Exhibit A attached hereto and incorporated herein for all purposes (the "Property"), presently zoned Agricultural District (A) uses is hereby changed to Mixed Use District-1 (MU-1) Uses in accordance with the specific requirements of the Town's Master Plan and specific requirements stated herein to make such property a component of the Mixed Use District-1 (MU-1) Zoning Classification established by Ordinance No. 63-12.

**SECTION 3**

From and after the effective date of this Ordinance, all development of the Property, or any part or portion thereof, shall comply with and conform to the requirements of Mixed Use District-1 (MU-1) Zoning Classification established by Ordinance No. 63-12 and the following minor non-substantive revisions are made to the Development Standards attached to Ordinance No. 63-12 to include the Property in the said Mixed Use District-1 (MU-1) Zoning Classification:

- Page 9      Figure shown of "EXISTING ZONING OF SUBJECT SITE" shall include the Property, existing zoning is AG.
- Page 10     Figure shown of "PROPOSED ZONING OF SUBJECT SITE" shall include the Property, proposed zoning is MU.
- Page 11     Table 1.1, Statistical Report, proposed change is as follows: Single Family lots increases from 56.8 acres to 57.7 acres and the total increases from 149.7 acres to 150.6 acres.
- Page 22     On the "CONCEPT PLAN AND REGULATING PLAN" the proposed change is to add the Property to the MU-TNG subzone as shown below.

Ordinance No. 12-13

Page 2

**EXHIBIT: REGULATING PLAN**

Page 25 On Table 3.2, "DEVELOPMENT STANDARDS AND BULK REGULATIONS TABLE" the proposed change is as follows:

Under the MU-TNG sub-heading, the line item "Area: Concept Plan (acres)" changes from 56.8 to 57.7 acres, and the line item "Maximum Area" changes from 59 acres to 60 acres, and the line item "Maximum residential units" changes from 248 units to 258 units.

Page 38 On Figure 3.13 "MU-TNG SUBZONE MAP" the proposed change is to add the Property to the subzone where the Property would be subject to all the constraints and restrictions of the zoning and the sub-zone.

Page 81 On Table 6.1, "LAND USE TABLE" the proposed changes include the following:

In the column heading "Maximum Residential Units" and the row heading "MU-TNG," the value changes from 248 units to 258 units; and in the row heading "Totals," the value changes from 2200 units to 2210 units.

**SECTION 4**

This Ordinance shall be cumulative of all provisions of ordinances of the Town of Flower Mound, Texas, as of the date of this Ordinance, except where the provisions of this Ordinance are in conflict with the provisions of such other ordinances, in which event the provisions of this Ordinance shall prevail and control. All exhibits, attachments, schedules, diagrams and drawings attached hereto are incorporated into and made a part of this Ordinance for all purposes.



Ordinance No. 12-13Page **3****SECTION 5**

It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section, and said remaining portions shall remain in full force and effect.

**SECTION 6**

This Ordinance and the attachments hereto are not intended to be nor shall they be interpreted, applied or deemed to constitute or create one or more vested rights regarding the Property under Chapter 245 of the Texas Local Government Code. All requests for development of the Property shall comply with all applicable Town ordinances relative to the development of the Lakeside DFW Mixed Use Development and all applicable land development regulations, including those contained in Subpart B of the Code of Ordinances, all as amended. Nothing herein shall be deemed a waiver of any such requirements.

**SECTION 7**

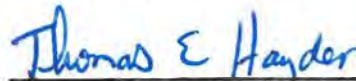
Any person, firm or corporation who violates any provision of this Ordinance or of any final site plan adopted by the Planning and Zoning Commission and/or Town Council of the Town of Flower Mound shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-13 of the Code of Ordinances of the Town of Flower Mound. Each day, or portion thereof, any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

**SECTION 8**

This Ordinance shall take effect and be in full force from and after its passage and publication, as provided by the Revised Civil Statutes of the State of Texas and the Home Rule Charter of the Town of Flower Mound, Texas.

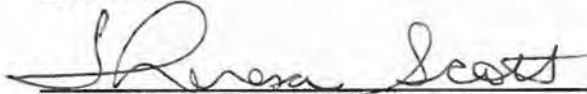
**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS BY A VOTE OF 5 TO 0, ON THIS THE 4<sup>th</sup> DAY OF MARCH, 2013.**

**APPROVED:**

  
Thomas E. Hayden, MAYOR

Ordinance No. 12-13

Page 6

**ATTEST:**  
Theresa Scott, TOWN SECRETARY**APPROVED AS TO FORM:**  
Terrence S. Welch, TOWN ATTORNEY



Ordinance No. 12-13

Page 6

**EXHIBIT "A"**  
**Legal Description****LEGAL DESCRIPTION**  
**0.889 ACRES**

**BEING** a tract of land situated in the J. TANNAHILL SURVEY, ABSTRACT NO. 1252, Town of Flower Mound, Denton County, Texas and being all of that tract of land filed by Certificate of Death dated January 19, 2009 to Ronda Garner, and being more particularly described as follows:

**BEGINNING** at a 1 inch iron pipe found in the west line of Surrey Road, a variable width right-of-way for the common southeast corner of said Ronda Garner tract and most easterly northeast corner of that tract of land described as Tract 4 in Deed to Lakeside DFW, Ltd., as recorded in Document No. 2000R-0044768, Deed Records, Denton County, Texas;

**THENCE** North 89 degrees 59 minutes 36 seconds West, leaving said west line and with the common south line of said Ronda Garner tract and north line of said Tract 4, a distance of 300.25 feet to a 3/4 inch iron pipe found for the common southwest corner of said Ronda Garner tract and an interior ell corner of said Tract 4;

**THENCE** North 03 degrees 00 minutes 40 seconds West, leaving said common line and with the common west line of said Ronda Garner tract and east line of said Tract 4, a distance of 128.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found in the south line of that tract of land described in Deed to Town of Flower Mound, Texas, as recorded in Document No. 2004-14510, Deed Records, Denton County, Texas, for the common northwest corner of said Ronda Garner tract and most northerly northeast corner of said Tract 4;

**THENCE** North 89 degrees 56 minutes 17 seconds East, leaving said common line and with the common north line of said Ronda Garner tract and south line of said Town of Flower Mound, Texas tract, a distance of 305.09 feet to a point for corner in the west line of the above mentioned Surrey Drive for the common northeast corner of said Ronda Garner tract and southeast corner of said Town of Flower Mound, Texas tract;

**THENCE** South 00 degrees 50 minutes 43 seconds East, leaving said common line and with said west line, a distance of 128.20 feet to the **POINT OF BEGINNING** and containing 38,744 square feet or 0.889 acres of land, more or less.

**TOWN OF FLOWER MOUND, TEXAS****ORDINANCE NO. 14-15**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NO. 63-12, THE LAKESIDE DFW MIXED USE DEVELOPMENT, AS AMENDED, THROUGH THE AMENDMENT OF EXHIBIT "B" ENTITLED "DEVELOPMENT STANDARDS" BY AMENDING SECTION 8, "SIGNAGE STANDARDS," TO CLARIFY AND PROVIDE ADDITIONAL SIGN REQUIREMENTS APPLICABLE TO SUBZONES MU-TMR(2), MUTMR(1), MU-C(1), MU-C(4), MU-N(1), MU-C(2), and MU-TEN(2) AS DEPICTED BELOW; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF IN ACCORDANCE WITH SECTION 1-13 OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Flower Mound is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and,

**WHEREAS**, the Town Council of the Town of Flower Mound heretofore adopted the Land Development Regulations of the Town of Flower Mound, as amended, which Ordinance regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and,

**WHEREAS**, in accordance with Chapter 78 of the Land Development Regulations, the owners of the property described as approximately 156 acres in The Lakeside DFW Mixed Use Development have filed an application for a zoning amendment to amend the Lakeside DFW Mixed Use Development Zoning Ordinance No. 63-12 as amended; and,

**WHEREAS**, the Planning and Zoning Commission of the Town of Flower Mound, Texas held a public hearing on March 9, 2015, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on March 16, 2015, with respect to the proposed zoning amendment as described herein; and,

**WHEREAS**, the Town has complied with all requirements of Chapter 211 of the Local Government Code, Chapter 78 of the Land Development Regulations, and all other laws dealing with notice, publication and procedural requirements for the approval of a Zoning Planned Development on the property; and,

**WHEREAS**, the Town Council finds that the zoning amendment as outlined herein is in the best interest of the Town of Flower Mound and will promote the health, safety and general welfare of the citizens of the Town of Flower Mound and the general public.

**ORDINANCE NO. 14-15****Page 2**

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:**

**SECTION 1**

The Land Development Regulations of the Town of Flower Mound, Texas, as amended, are hereby amended on the hereinafter described property and area as shown below:

Subzones MU-TMR(2), MUTMR(1), MU-C(1), MU-C(4), MU-N(1), MU-C(2), and MU-TEN(2) within the Lakeside DFW Mixed Use Development

Exhibit "B" to Ordinance No. 63-12, as amended, which exhibit is entitled "Development Standards," is hereby amended by amending Section 8, "Signage Standards," as depicted in Exhibit "A" to this ordinance attached hereto and incorporated herein.

**SECTION 2**

The use of the property described above shall be subject to all restrictions, terms and conditions contained in Exhibit "A," attached hereto, as well as the applicable regulations contained in Ordinance No. 63-12, the Land Development Regulations, and all other applicable and pertinent ordinances of the Town of Flower Mound.

**SECTION 3**

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the Town of Flower Mound, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

**SECTION 4**

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

**SECTION 5**

Any person, firm, or corporation who violates any provision of this Ordinance as adopted by the Town Council of the Town of Flower Mound shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in



**ORDINANCE NO. 14-15****Page 3**

Section 1-13 of the Code of Ordinances of the Town of Flower Mound. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

**SECTION 6**

All rights and remedies of the Town of Flower Mound are expressly saved as to any and all violations of the provisions of the Land Development Regulations or any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

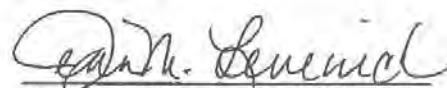
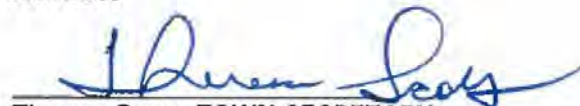
**SECTION 7**

The Town Secretary of the Town of Flower Mound is hereby directed to publish the caption in the official newspaper of the Town of Flower Mound as required by Section 3.07 of the Charter of the Town of Flower Mound.

**SECTION 8**

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 16<sup>th</sup> DAY OF March, 2015.**

**APPROVED:**  
Thomas E. Hayden, **MAYOR****ATTEST:**  
Theresa Scott, **TOWN SECRETARY****APPROVED AS TO FORM AND LEGALITY:**  
Bryn Meredith, **TOWN ATTORNEY**



**ORDINANCE NO. 14-15****Page 4****Exhibit "A"****Lakeside DFW****Variations from Chapter 86 of the Flower Mound Code of Ordinances**

This set of regulations replaces Section 8 of the Lakeside DFW Development Code with respect to the following subzones only MU-TMR(2), MU-TMR(1), MU-C(1), MU-C(4), MU-N(1), MU-C(2), and MU-TEN(2). Section 8 of the Code, as adopted on November 19, 2012, will remain in effect for the zones not referenced above. Except for restaurants over 3500 square feet, each building tenant is limited to no more than four of the following sign types per tenant elevation: Wall Signs, Projecting Wall Signs, Business Blade Signs, Window Signs, or Awning Signs.

**Sec. 86****Sec. 86.63**

Directional signs may be placed by the Lakeside Owners Association in the public right-of-way mounted on the ground or on a light pole or street sign. An example of an approved directional sign in public right-of-way is attached on Exhibit A.

**Sec. 86-67 - Ground Signs**

- (6) All ground signs shall be set back at least 5 feet from any public street right-of-way line.
- (7) A maximum of two tenants may be identified per ground sign.
- (8) Ground signs shall be located at least 75' apart and at least 10 feet from the property lines of any other lot.
- (11) Ground signs may display any business located within Lakeside DFW even if the business is located on a different lot than the ground sign.
- (15) An example of an approved ground sign for Lakeside DFW is attached on Exhibit B.
- (16) There shall be no more than three ground signs on Lot 1, Block C, Lakeside DFW; no more than two ground signs on Lot 1, Block B, Lakeside DFW; no more than two ground signs on Lot 2, Block A, Moviehouse Addition; no more than one ground sign per street frontage on Lot 1, Block A Moviehouse Addition; and no more than three ground signs along the frontage of FM 2499 and no more than two ground signs along the frontage of Lakeside Parkway on Subzone MU-TMR (2); all other lots shall be limited in quantity per Chapter 86 of the Town of Flower Mound code.

**Sec. 86-68 - Wall Signs**

- (a)(5) Tenants may have wall signs on each of their exterior elevations per the table in subsection 6. Each wall sign shall be measured separately for maximum width and height measurements for the signs on that particular elevation.
- (b)(4)(d) One Building Identification Sign shall be allowed per building per street frontage.
- (b)(4)(g) Use of a Building Identification Sign shall not require a reduction of the permitted tenant signs.
- (b)(6) *Projecting Wall Signs*

**ORDINANCE NO. 14-15****Page 5**

a. A projecting business wall sign is mounted to the building perpendicular to the building and may project a maximum of 6 feet over a public sidewalk, but shall not project over any parking or travel lane, and must have 10 feet of clearance above the sidewalk.

b. May have a maximum height of 15 feet, maximum width of five feet.

c. May be allowed in addition to any other permitted signs, with the exception of e. below.

d. An example of an approved projecting business wall sign is shown on Exhibit C.

e. May only be used on an exterior elevation in lieu of a surface wall sign, unless applicant is a restaurant containing 3,500 square feet or more, in which case, may be used in addition to a surface wall sign.

**(b)(7) Projecting Building Identification Wall Signs**

a. A projecting building identification wall sign is mounted to the building perpendicular to the building and may project a maximum of 6 feet over a public sidewalk, but shall not project over any parking or travel lane, and must have 10 feet of clearance above the sidewalk.

b. The maximum sign height is 15 feet and the maximum area per side is 60 square feet.

c. A projecting building identification wall sign would be in lieu of a building identification wall sign.

d. An example of an approved projecting building identification sign is shown on attached Exhibit D.

e. No more than one projecting building identification wall sign shall be permitted per building.

**(b)(8) Business Blade Signs**

a. In addition to other signage allowed per this section, Businesses may have one blade sign per exterior elevation not to exceed 15 square feet per sign. These signs are installed perpendicular to the building to show the name of the business to pedestrian traffic. Blade signs may project a maximum of 5 feet over a public sidewalk, but shall not project over any parking or travel lane, and must have a minimum of 8 feet of clearance above the sidewalk.

b. An example of an approved business blade sign is shown on attached Exhibit E.

**(b)(9) Marquee Signs**

a. A marquee sign is a major sign affixed to a building, projecting from the building wall, identifying a building, a project, or a tenant, and serves as a landmark to the development.

b. Permissible for movie theaters, auditoriums, entertainment clubs, any assembly venue of at least 100 persons, or the name of a development.

c. May have a maximum height of 25 feet, maximum width of six feet.

d. No more than four marquee signs may be allowed within Lakeside DFW and may only be permitted in the areas identified on Exhibit F.

e. May project a maximum of 7 feet over a public sidewalk, but shall not project over any parking or travel lane, and must have a minimum of 10 feet of clearance above the sidewalk.

g. Message boards on a marquee sign for the movie theater only may contain a changeable message, both electronic and changeable panel.

h. An example of an approved marquee sign is shown on the attached Exhibit G.

i. May not advertise more than one of the permissible uses outlined in b. above on each sign.

**(b)(10) Entrance Marquee Sign**

a. One of the four marquee signs authorized pursuant to paragraph (b)(9), hereof, may be an entrance marquee sign.

ORDINANCE NO. 14-15

Page 6

b. The entrance marquee sign shall comply with the all regulations set forth in paragraph (b)(9) pertaining to marquee signs; provided, however, that the entrance monument sign may have a maximum height of 30 feet.

Sec. 86-69 – Window Signs

(1) Window signs shall be limited to a maximum of 25 percent of window area.

Sec. 86-70 – Awning or canopy signs

Awning or canopy signs may be used in addition to other signs permitted by Chapter 86, subject to the following:

(2) Business logos/text are permitted to be applied to the sloped portion or front valance of the canopies/awnings and may appear on more than one awning.

(9) The total sign area for an awning or canopy sign shall not exceed the maximum allowance as outlined in section 86-68. The area of awning or canopy signs will not be deducted from the area allowed for other permitted signs.

(11) Any typeface for awning or canopy signs shall be allowed.

(12) Permits for awning signage will be issued as one sign permit per business, whether they are applying for signage on one or multiple awnings.

Sec. 86-73 - Temporary commercial signs

(8) *Coming Soon or now open signs.*

a. One sign shall be permitted per building elevation for each business. If the business has 30' or more of lineal building elevation, then two signs shall be permitted on that elevation.

g. Such sign(s) shall be allowed for a maximum period of 60 days, after which it must be removed.

i. Permits for coming soon and/or now open signs, respectively, will be issued as one sign permit per business, whether they are applying for one or multiple signs.

(14) *Sandwich board / A-frame signs*

Sandwich board signs shall be permitted for retail uses. No permit is required, but the signs must comply with the following:

a. The maximum size for a sandwich board sign shall be three and one-half feet (3.5') in height by two and one-half feet (2.5') in width.

b. A sandwich board sign shall be located near the entrance to business that it advertises and must not impede pedestrian traffic.

c. Sandwich board signs must be professionally made, be constructed of durable materials and be sufficiently weighted to prevent movement by wind or other elements.

d. Sandwich board signs cannot be permanently attached to any object or the ground.

e. All sandwich board signs must be moved indoors during times of heavy rain or high winds and after business hours.

f. A sandwich board sign must be uncluttered, with a minimum of text. Logos and graphics are encouraged.

g. An example of an approved sandwich board/A-frame sign is attached on Exhibit H.



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Page 7

Exhibit A

Example of an Approved Directional Sign in Public Right-of-Way

ORDINANCE NO. 14-15

Page 8

Exhibit B

Example of an Approved Ground Sign



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Page 9

**Exhibit C**

Example of an Approved Projecting Business Wall Sign

ORDINANCE NO. 14-15

Page 10

**Exhibit D**

Example of an Approved Projecting Building Identification Sign

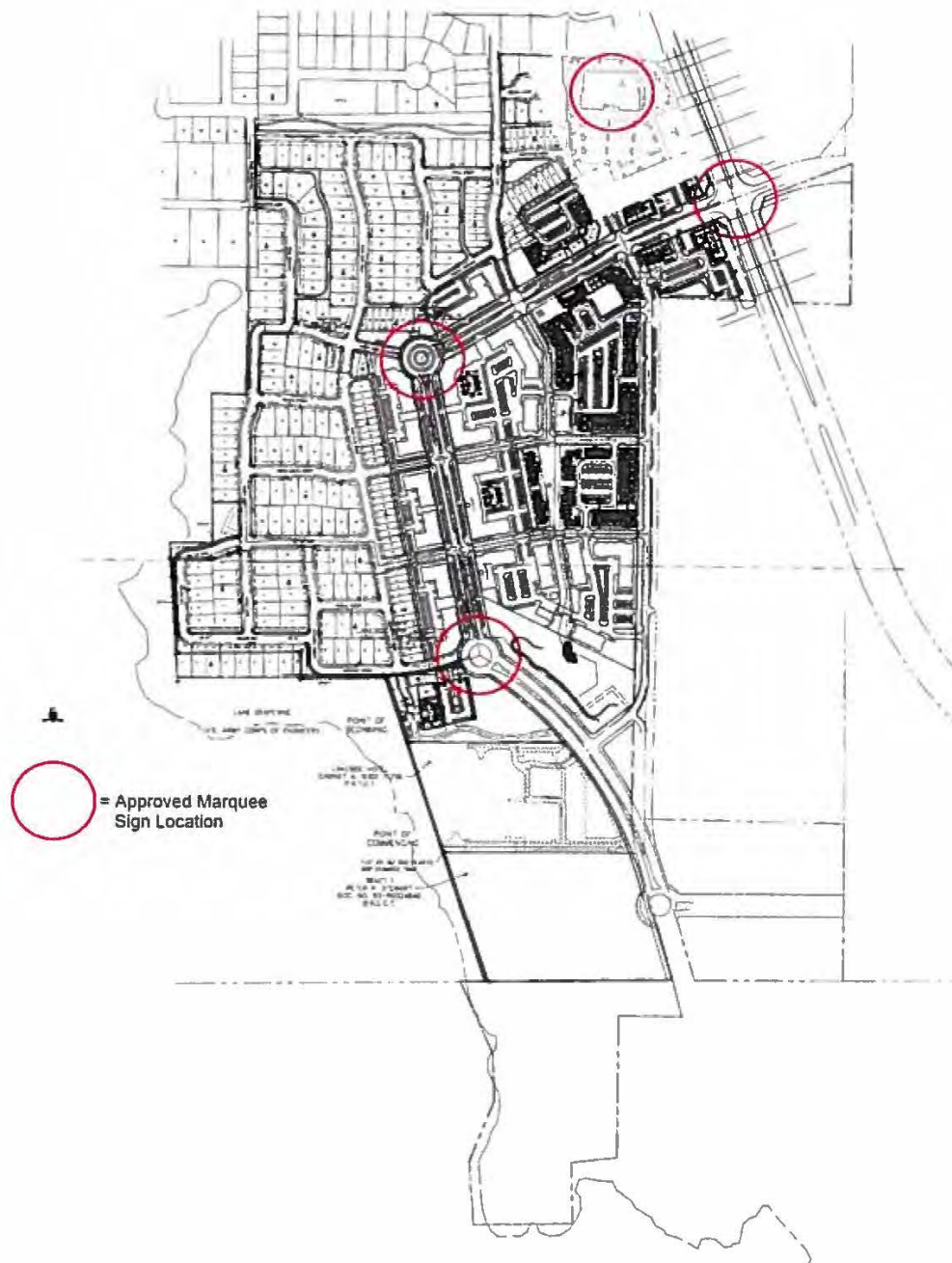


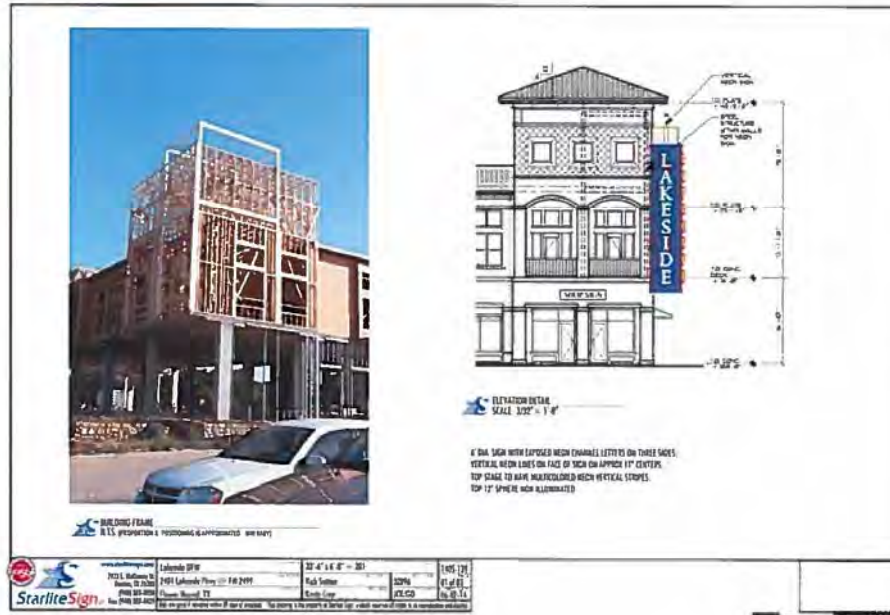
**ORDINANCE NO. 14-15****Page 11****Exhibit E****Example of an Approved Business Blade Sign**



ORDINANCE NO. 14-15

Page 12

**Exhibit F**  
**Approved Marquee Sign Locations**

**ORDINANCE NO. 14-15****Page 13****Exhibit G**  
Example of an Approved Marquee Sign**ORDINANCE NO. 14-15****Page 14****Exhibit H**  
Example of an Approved Sandwich Board / A-Frame Sign

**TOWN OF FLOWER MOUND, TEXAS****ORDINANCE NO. 58-15**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NO. 63-12, THE LAKESIDE DFW MIXED USE DEVELOPMENT, AS AMENDED, THROUGH THE AMENDMENT OF EXHIBIT "B" ENTITLED "DEVELOPMENT STANDARDS" BY AMENDING SECTION 3, TABLE 3.1, "PERMITTED USE TABLE," TO ADD A NEW USE TITLED "TEMPORARY SALES TRAILER," APPLICABLE ONLY TO SUBZONE MU-TEN(2) AND SUBJECT TO CERTAIN CONDITIONS INCORPORATED HEREIN; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF IN ACCORDANCE WITH SECTION 1-13 OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Flower Mound is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and,

**WHEREAS**, the Town Council of the Town of Flower Mound heretofore adopted the Land Development Regulations of the Town of Flower Mound, as amended, which Ordinance regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and,

**WHEREAS**, in accordance with Chapter 78 of the Land Development Regulations, the owners of the property described as Subzone MU-TEN(2) within The Lakeside DFW Mixed Use Development have filed an application for a zoning amendment to amend the Lakeside DFW Mixed Use Development Zoning Ordinance No. 63-12 as amended; and,

**WHEREAS**, the Planning and Zoning Commission of the Town of Flower Mound, Texas held a public hearing on September 28, 2015, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on October 5, 2015, with respect to the proposed zoning amendment as described herein; and,

**WHEREAS**, the Town has complied with all requirements of Chapter 211 of the Local Government Code, Chapter 78 of the Land Development Regulations, and all other laws dealing with notice, publication and procedural requirements for the approval of a zoning amendment on the property; and,

**WHEREAS**, the Town Council finds that the zoning amendment as outlined herein is in the best interest of the Town of Flower Mound and will promote the health, safety and general welfare of the citizens of the Town of Flower Mound and the general public.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:**



**ORDINANCE NO. 58-15****Page 2****SECTION 1**

The Land Development Regulations of the Town of Flower Mound, Texas, as amended, are hereby amended on the hereinafter described property and area as shown below:

Subzone MU-TEN(2) within the Lakeside DFW Mixed Use Development

Exhibit "B" to Ordinance No. 63-12, as amended, which exhibit is entitled "Development Standards," is hereby amended by amending Section 3, Table 3.1, "Permitted Use Table," to add a new use titled "Temporary sales trailer," applicable only to Subzone MU-TEN(2) and subject to the following conditions incorporated herein:

1. Permitted time: Twelve months from issuance of permit for the trailer. One eighteen-month extension request may be approved administratively by the Town's Executive Director of Development Services upon issuance of a building permit for the condo tower.
2. Size: Not to exceed 12 feet wide by 56 feet long
3. Set-back: Minimum five feet from property line
4. Access: Temporary three-foot-wide sidewalk from curb
5. Parking: Street parking on Edgemere Road
6. Exterior :
  - a. Skirted to conceal undercarriage
  - b. ADA compliant ramp
  - c. Landscaped with outdoor planters and flower pots.

**SECTION 2**

The use of the property described above shall be subject to these restrictions, terms and conditions, as well as the applicable regulations contained in Ordinance No. 63-12, the Land Development Regulations, and all other applicable and pertinent ordinances of the Town of Flower Mound.

**SECTION 3**

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the Town of Flower Mound, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

**SECTION 4**

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared

**ORDINANCE NO. 58-15****Page 3**

unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

**SECTION 5**

Any person, firm, or corporation who violates any provision of this Ordinance as adopted by the Town Council of the Town of Flower Mound shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-13 of the Code of Ordinances of the Town of Flower Mound. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

**SECTION 6**

All rights and remedies of the Town of Flower Mound are expressly saved as to any and all violations of the provisions of the Land Development Regulations or any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7**

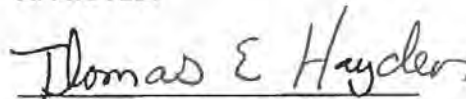
The Town Secretary of the Town of Flower Mound is hereby directed to publish the caption in the official newspaper of the Town of Flower Mound as required by Section 3.07 of the Charter of the Town of Flower Mound.

**SECTION 8**

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 5 DAY OF OCTOBER, 2015.**

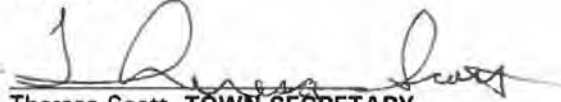
**APPROVED:**

  
Thomas E. Hayden, **MAYOR**

ORDINANCE NO. 58-15

Page 4

ATTEST:

  
Theresa Scott, TOWN SECRETARY

APPROVED AS TO FORM AND LEGALITY:

  
Bryn Meredith, TOWN ATTORNEY



**TOWN OF FLOWER MOUND, TEXAS****ORDINANCE NO. 03-17**

**AN ORDINANCE OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING ORDINANCE NO. 63-12, THE LAKESIDE DFW MIXED USE DEVELOPMENT, AS AMENDED, THROUGH THE AMENDMENT OF EXHIBIT "B," "DEVELOPMENT STANDARDS," BY AMENDING SECTION 7, "ARCHITECTURE AND BUILDING STANDARDS," TO AMEND PROVISION 7.1.B, "MATERIALS," TO ALLOW EIFS AS AN UNRESTRICTED MATERIAL APPLICABLE ONLY TO THE LAKESIDE TOWER DEVELOPMENT WITHIN SUBZONE MU-TEN(2); AND BY AMENDING SECTION 8, "SIGNAGE STANDARDS," TO ALLOW ILLUMINATED SIGNS ON CONSTRUCTION CRANES LOCATED WITHIN THE MU-TEN(1), MU-TEN(2) AND MU-C(3) SUBZONES, AND TO AMEND THE MAXIMUM WIDTH AND HEIGHT MEASUREMENTS OF THE WALL SIGNS APPLICABLE ONLY TO BUILDINGS LOCATED WITHIN THE MU-TMR(1), MU-TMR(2), MU-C(1), MU-C(2), MU-C(3), MU-C(4), MU-TEN(1) AND MU-TEN(2) SUBZONES IN ACCORDANCE WITH SPECIFIC REQUIREMENTS STATED HEREIN AND EXHIBITS ATTACHED HERETO; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF IN ACCORDANCE WITH SECTION 1-13 OF THE CODE OF ORDINANCES OF THE TOWN OF FLOWER MOUND; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Flower Mound is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and,

**WHEREAS**, the Town Council of the Town of Flower Mound heretofore adopted the Land Development Regulations of the Town of Flower Mound, as amended, which Ordinance regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and,

**WHEREAS**, in accordance with Chapter 78 of the Land Development Regulations, the owners of the property described as approximately 156 acres of land being all of the Lakeside DFW Mixed Use Development have filed an application for a zoning amendment to amend the Lakeside DFW Mixed Use Development Zoning Ordinance No. 63-12 as amended; and,

**WHEREAS**, the Planning and Zoning Commission of the Town of Flower Mound, Texas held a public hearing on February 13, 2017, and the Town Council of the Town of Flower Mound, Texas, held a public hearing on February 20, 2017, with respect to the proposed zoning amendment as described herein; and,

**WHEREAS**, the Town has complied with all requirements of Chapter 211 of the Local Government Code, Chapter 78 of the Land Development Regulations, and all other laws dealing with notice, publication and procedural requirements for the approval of a zoning amendment on the property; and,

**WHEREAS**, the Town Council finds that the zoning amendment as outlined herein is in the best interest of the Town of Flower Mound and will promote the health, safety and general welfare of the citizens of the Town of Flower Mound and the general public.

**ORDINANCE NO. 03-17****Page 2**

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:**

**SECTION 1**

The Land Development Regulations of the Town of Flower Mound, Texas, as amended, are hereby amended on the hereinafter described property and area as shown below:

156 acres of land being all of the Lakeside DFW Mixed Use Development.

Exhibit "B" to Ordinance No. 63-12, as amended, which exhibit is entitled "Development Standards," is hereby amended by amending Section 7, "Architecture and Building Standards," to modify provision 7.1.B, "Materials," to allow EIFS as an Unrestricted Material applicable only to the Lakeside Tower development within Subzone MU-TEN(2), as depicted in Exhibit "A" to this ordinance attached hereto and incorporated herein.

Exhibit "B" to Ordinance No. 63-12, as amended, which exhibit is entitled "Development Standards," is hereby amended by amending Section 8, "Signage Standards," to allow illuminated signs on construction cranes located within the MU-TEN(1), MU-TEN(2) and MU-C(3) Subzones, as depicted in Exhibit "A" to this ordinance attached hereto and incorporated herein.

Exhibit "B" to Ordinance No. 63-12, as amended, which exhibit is entitled "Development Standards," is hereby amended by amending Section 8, "Signage Standards," to amend the maximum width and height measurements of the wall signs applicable only to buildings located within the MU-TMR(1), MU-TMR(2), MU-C(1), MU-C(2), MU-C(3), MU-C(4), MU-TEN(1) AND MU-TEN(2) Subzones, as depicted in Exhibit "A" to this ordinance attached hereto and incorporated herein.

**SECTION 2**

The use of the property described above shall be subject to all restrictions, terms and conditions contained in Exhibit "A," attached hereto, as well as the applicable regulations contained in Ordinance No. 63-12, the Land Development Regulations, and all other applicable and pertinent ordinances of the Town of Flower Mound.

**SECTION 3**

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the Town of Flower Mound, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

**SECTION 4**

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the Town

**ORDINANCE NO. 03-17****Page 3**

Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

**SECTION 5**

Any person, firm, or corporation who violates any provision of this Ordinance as adopted by the Town Council of the Town of Flower Mound shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-13 of the Code of Ordinances of the Town of Flower Mound. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

**SECTION 6**

All rights and remedies of the Town of Flower Mound are expressly saved as to any and all violations of the provisions of the Land Development Regulations or any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7**

The Town Secretary of the Town of Flower Mound is hereby directed to publish the caption in the official newspaper of the Town of Flower Mound as required by Section 3.07 of the Charter of the Town of Flower Mound.

**SECTION 8**

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

**CRANE SIGN:** DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF 3 TO 2, ON THIS THE 20TH DAY OF FEBRUARY, 2017.

**EIFS BUILDING MATERIAL:** DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 20TH DAY OF FEBRUARY, 2017.

**WALL SIGN:** DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 20TH DAY OF FEBRUARY, 2017.

**APPROVED:**



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 Thomas E. Hayden, **MAYOR**
**ATTEST:**

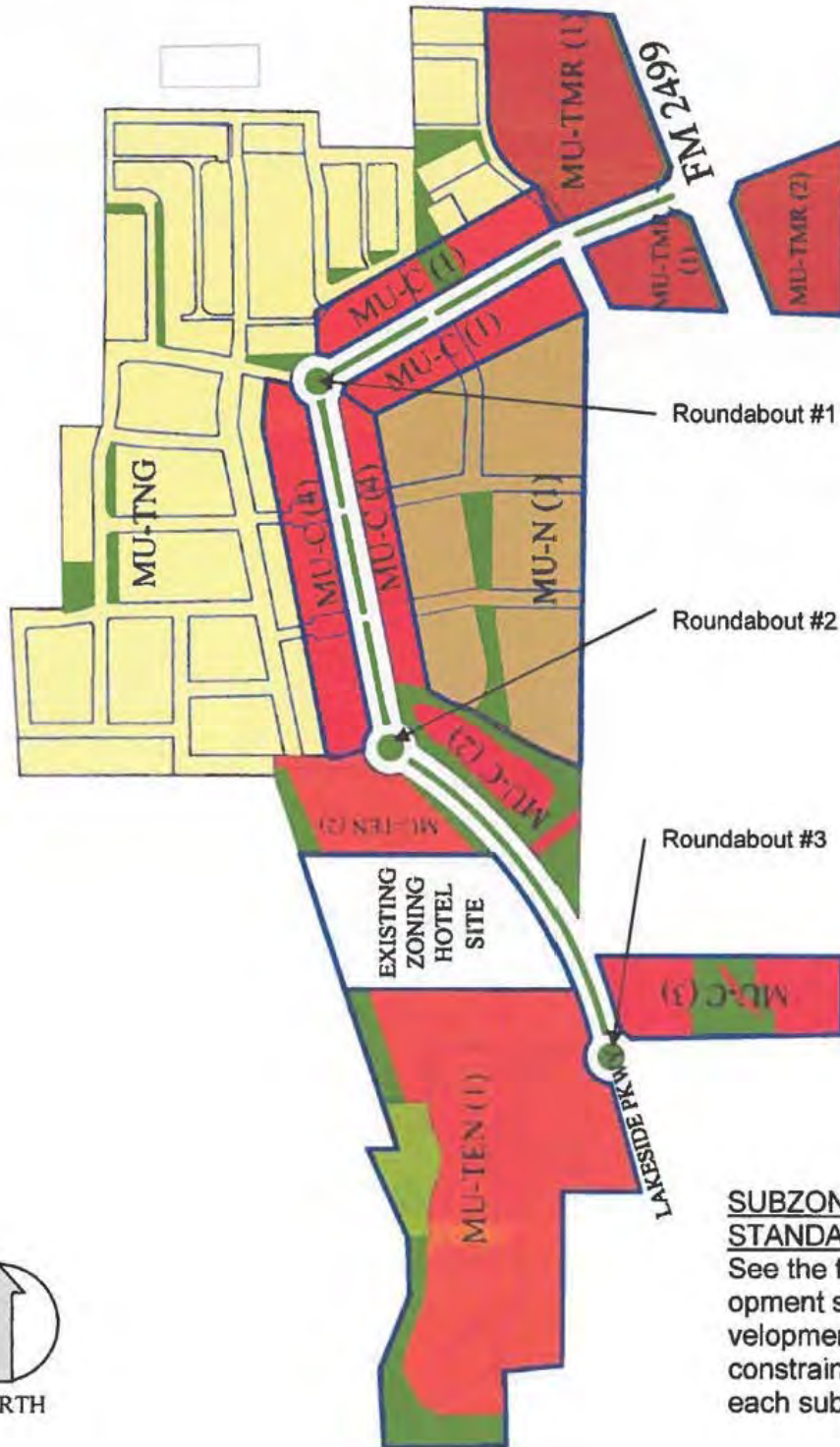


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 Theresa Scott, **TOWN SECRETARY**



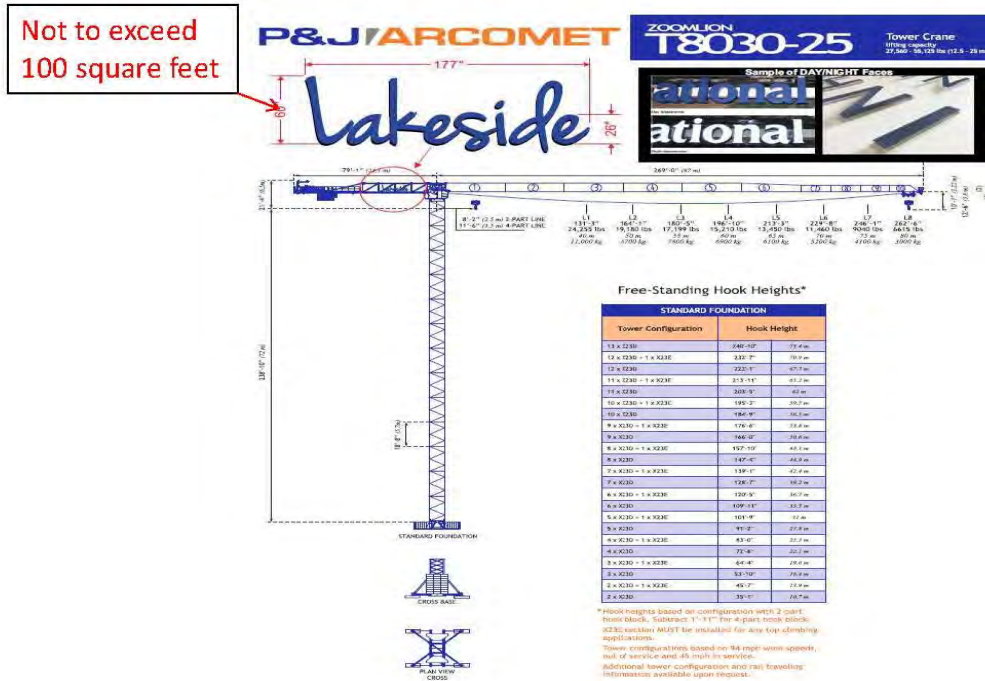
# CONCEPT PLAN AND REGULATING PLAN



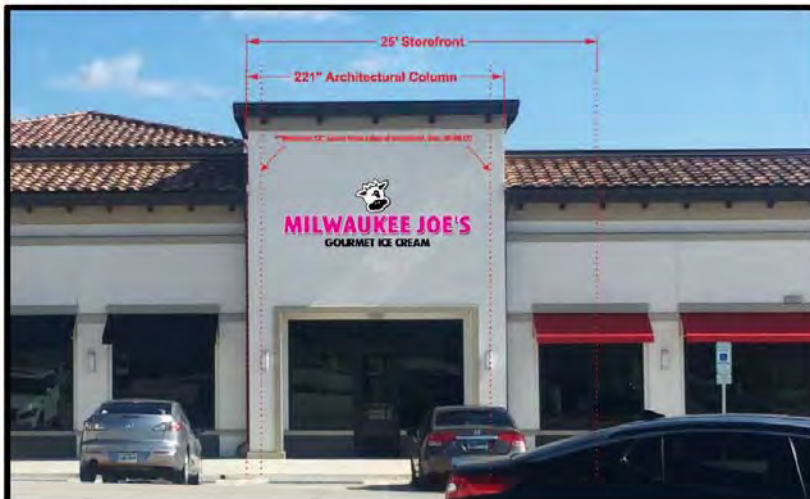
## SUBZONE DEVELOPMENT STANDARDS

See the following subzone development standards for specific development rules, restrictions and constraints on development with each subzone.

## Exhibit B – Crane Sign



## Proposed Configuration



## Lakeside DFW Development Code

### Section 6            Parking Standards

#### **Section 6.1 Location and design of off-street parking.**

...

- I. Section 82-75 of the Code of Ordinances addressing Off-site parking shall not apply to Subzones MU-TEN and MU-C(3). However, all required off-street parking spaces must be located within 1500' of the use they are serving, unless provided through an Off-site Parking Facility that has a valet service located within 1500' of the use.

...

#### **Section 6.5 Interim Parking.**

- A. The following regulations related to Interim Parking apply only to Subzones MU-TEN and MU-C(3). The Concept Plan for Subzones MU-TEN and MU-C(3) of the Lakeside DFW Mixed Use Zoning District anticipates that the majority of the parking spaces shall be accommodated through on-street parking and structured parking garages. To facilitate the phased development over time, some surface parking in the form of Interim and/or Off-site Parking Facilities will be needed in areas planned for other uses until the structured parking garages are completed. The following standards shall apply to Interim or Off-site Parking Facilities.
  1. Interim Parking Facility: An Interim Parking Facility shall mean one or more parking lots, not to exceed 450 spaces in total, located on land within Subzones MU-TEN or MU-C(3) of the Lakeside DFW Mixed Use Zoning District that is planned for other uses, and which, at some unspecified time in the future, will be demolished to allow for the development of the planned land use(s).
  2. Off-site Parking Facility: An Off-site Parking Facility shall mean a parking facility outside of Subzones MU-TEN and MU-C(3) of the Lakeside DFW Mixed Use Zoning District that is accessed through a valet service located within Subzone MU-TEN or MU-C(3).
  3. Development within Subzone MU-TEN of the Lakeside DFW Mixed Use Zoning District may employ either an Interim Parking Facility or an Off-site Parking Facility to meet the parking demand of the planned development within Subzone MU-TEN.
  4. An Interim Parking Facility shall comply with Section 6, except it shall not be required to comply with sections:
    1. Section 6.1.A: parking frontage on Type A and Type B streets
    2. Section 6.1.C: parking adjacent to intersections
    3. Figure 6.2: parking within 60' of an intersection
  5. All applicable development standards shall apply to any new construction of an Off-site Parking Facility.
  6. Approval of an Interim Parking Facility: The applicant shall submit a Site Plan application for an Interim Parking Facility that shall also include the plan for the future transition of the Interim Parking Facility. The transition plan shall include a conceptual plan of the future relocated parking spaces, the approximate area(s) for the future parking, and the approximate number of spaces being displaced.
  7. Removal of Interim Parking: To remove or demolish all or part of an Interim Parking Facility, the Applicant shall submit a site plan application for the relocation of the displaced parking spaces. The parking plan may include another Interim Parking Facility, an Off-site Parking Facility, or a permanent parking lot or garage complying with Section 6 herein.





## PLANNING AND ZONING COMMISSION

### AGENDA ITEM NO: 5

### REGULAR ITEM

---

**DATE:** January 13, 2020

**FROM:** Lexin Murphy, Director of Planning Services

**ITEM:** **Public Hearing to consider an ordinance amending the Land Development Regulations (LDR19-0006 – Short-Term Rentals) by amending Chapter 98 entitled “Zoning,” of the Town's Code of Ordinances to create a definition and define the standards and review process for Short-Term Rentals, and consider adopting an ordinance for said amendment.**

---

#### I. ITEM SUMMARY

*On October 14, 2019, the Planning and Zoning Commission (P&Z) tabled this item ([video link](#)), pending guidance from Town Council on the scope of the ordinance, as well as additional information from various Town departments about current usage of properties as short-term rentals. Council had a closed session discussion on November 4, 2019, with the Town's attorney to discuss the issues that were brought up during the October P&Z meeting. Some Councilmembers indicated a preference during the closed session for defining short-term rentals, but holding off on identifying locations where it would be appropriate, pending further direction from the legislature or the court system. On November 27, 2019, the Texas Court of Appeals, Third District, at Austin, filed an opinion reversing some of the previous findings of the district court in relation to the City of Austin's Short-Term Rental Ordinance and regulations. The Town Council staff report summarizing the issues discussed on November 4, 2019, is included as attachment A2. A memo highlighting staff's understanding of the enforcement challenges related to short-term rentals and the opportunities to address them was also provided under separate cover.*

This Town-initiated item proposes to amend the Town's Land Development Regulations to provide an updated definition and standards for short-term rentals.

This item will require final action by the Town Council, which is scheduled for February 3, 2020.

#### II. APPLICATION ANALYSIS

The topic of short-term rentals has generated a great deal of discussion over the past year in Flower Mound. On January 7, 2019, Town Council requested a legal opinion from TOASE regarding the regulation of short-term rentals, which was provided on January 25, 2019. There were also three bills introduced during the 2019 legislative session that would have impacted the ability of municipalities to regulate short-term rentals. However, none of these were passed. Based on Council direction, staff gathered information from our survey cities, as well as other cities in Texas, on their

definitions and standards relating to short-term rentals, so as to identify a path forward for regulation purposes

On September 9, 2019, staff presented suggested language to the Planning and Zoning Commission to create a definition and associated standards to regulate short-term rentals during a work session ([video link](#)). As part of this presentation, staff also presented the option to incorporate the new automatic renewal process for Specific Use Permits (SUPs), which was still under consideration by Town Council at the time, into the review process for short-term rentals as well. Council approved the ordinance granting the expiration or automatic renewal of SUPs on October 7, 2019, so this is now a viable option for inclusion within the proposed short-term rental regulation.

During the work session, the Planning and Zoning Commission requested additional information on the number of short-term rentals that were currently operating in the Town, as well as the number of complaints that have been registered in relation to short-term rentals. That information was forwarded to the Commission under separate cover.

The proposed ordinance maintains the elements of the initial proposal, while also clarifying the application process and submittal requirements, as well as the necessary inspections to verify life safety compliance through the Fire Marshal's Office.

### **III. CORRESPONDENCE**

The Town Code requires public notice in a newspaper of general circulation (Denton Record Chronicle). At the time this report was written, the Town had not received any correspondence regarding this item.

### **IV. ATTACHMENTS**

#### **A. Background Information**

1. Benchmark City Comparison
2. Town Council Staff Report – November 4, 2019

#### **B. Application Details**

1. Draft Redline Ordinance

### Benchmark City Comparison – Short-Term Rentals

|                      | <i>Located in<br/>Residential Zoning<br/>Districts</i> | <i>Occupancy / Length<br/>Restrictions</i>                                                                                                                                | <i>Requires<br/>Life Safety<br/>Inspection</i>                 | <i>1 year SUP<br/>or Permit<br/>Required</i> | <i>Additional<br/>Requirements</i>                                                                |
|----------------------|--------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|----------------------------------------------|---------------------------------------------------------------------------------------------------|
| Allen                | N/A                                                    | N/A                                                                                                                                                                       | N/A                                                            | N/A                                          | N/A                                                                                               |
| Carrollton           | N/A                                                    | N/A                                                                                                                                                                       | N/A                                                            | N/A                                          | N/A                                                                                               |
| Colleyville          | N/A                                                    | N/A                                                                                                                                                                       | N/A                                                            | N/A                                          | N/A                                                                                               |
| Coppell              | Yes, and historic zoning districts                     | Yes,<br>No more than 2 adults per bedroom plus no more than 2 additional adults; Maximum of 10 people; Bedrooms under 120 sq.ft., 1 adult. Less than 30 consecutive days. | Yes, must meet minimum property standards                      | Yes, registration permit valid for 1 year    | <a href="#">Yes (Ordinance No.2018-1492)</a>                                                      |
| Denton               | Yes, and Mixed Use Neighborhood district               | Yes,<br>No more than 2 adults per bedroom plus no more than 2 additional adults; Maximum of 10 people. Less than 30 consecutive days.                                     | Must meet minimum property standards, reserve right to inspect | Yes, registration valid for 1 year           | <a href="#">Yes, addressed in 5.3.5T. of the updated development code</a>                         |
| Frisco               | N/A                                                    | N/A                                                                                                                                                                       | N/A                                                            | N/A                                          | N/A                                                                                               |
| Grapevine            | No                                                     | No                                                                                                                                                                        | No                                                             | No                                           | <a href="#">Yes, Prohibits all *STRs (Article VI. – Single Family Dwelling Transient Rentals)</a> |
| Highland Village     | N/A                                                    | N/A                                                                                                                                                                       | N/A                                                            | N/A                                          | N/A                                                                                               |
| Keller               | N/A                                                    | N/A                                                                                                                                                                       | N/A                                                            | N/A                                          | N/A                                                                                               |
| Lewisville           | N/A                                                    | N/A                                                                                                                                                                       | N/A                                                            | N/A                                          | N/A                                                                                               |
| McKinney             | N/A                                                    | N/A                                                                                                                                                                       | N/A                                                            | N/A                                          | N/A                                                                                               |
| North Richland Hills | N/A                                                    | N/A                                                                                                                                                                       | N/A                                                            | N/A                                          | N/A                                                                                               |
| Richardson           | N/A                                                    | N/A                                                                                                                                                                       | N/A                                                            | N/A                                          | N/A                                                                                               |
| Southlake            | No                                                     | No                                                                                                                                                                        | No                                                             | No                                           | <a href="#">Yes, Prohibits all STRs (Article VI. Short-Term Rental)</a>                           |

\*STR = Short-Term Rental



**Other City Comparison – Short-Term Rentals**

|               | <i>Located in<br/>Residential Zoning<br/>Districts</i>                                     | <i>Occupancy / Length<br/>Restrictions</i>                                                                                                     | <i>Requires<br/>Life Safety<br/>Inspection</i>                                                                       | <i>1 year SUP<br/>or Permit<br/>Required</i>          | <i>Additional<br/>Requirements</i>                                                                              |
|---------------|--------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| Addison       | Yes                                                                                        | Yes,<br>No more than 2 adults per bedroom<br>plus no more than 2 additional<br>adults; Maximum of 10 people;<br>Less than 30 consecutive days. | Yes, must<br>comply with<br>current<br>adopted<br>version of the<br>International<br>Property<br>Maintenance<br>Code | Yes,<br>registration<br>permit valid<br>for 1 year    | <a href="#">Yes (Article VIII. –<br/>Short-Term Rental)</a>                                                     |
| Arlington     | Yes, In addition to<br>specific zones<br>around AT&T<br>Stadium where they<br>are allowed. | Yes,<br>No more than 2 adults per bedroom<br>plus no more than 2 additional<br>adults; Maximum of 12 people;<br>Less than 30 consecutive days. | Yes, for new<br>and renewed<br>permits                                                                               | Yes, STR<br>permit valid<br>for 1 year and<br>1 month | <a href="#">Yes (Ordinance 19-<br/>022:Short-Term<br/>Rental)</a>                                               |
| Austin        | Yes, and<br>multifamily                                                                    | Yes, No more than 10 adults, or 6<br>unrelated adults; Less than 30<br>consecutive days.                                                       | Yes, but only<br>for multifamily                                                                                     | Yes a license<br>valid for 1<br>year                  | <a href="#">Yes (Ordinance No.<br/>20160223-A.1)</a>                                                            |
| New Braunfels | No, STRs are<br>prohibited in<br>residential districts                                     | Yes, maximum of 2 adults per<br>bedroom plus 4 additional adults<br>per residence; Not more than 30<br>consecutive days.                       | Yes, comply<br>with adopted<br>International<br>Residential<br>Code                                                  | Yes, a permit<br>valid for 1<br>year                  | <a href="#">Yes (Section 144-<br/>5.17.-Short Term<br/>Rental or Occupancy)</a>                                 |
| Waco          | Yes                                                                                        | Yes, maximum of 2 adults per<br>bedroom plus 2 additional adults<br>per unit; Less than 30 consecutive<br>days.                                | Yes                                                                                                                  | Yes, a license<br>valid for 1<br>year                 | <a href="#">Yes (Article XIII. – Bed<br/>and Breakfast Facilities<br/>and Short Term Rental<br/>Facilities)</a> |

\*STR = Short-Term Rental



## TOWN COUNCIL AGENDA ITEM NO. REGULAR ITEM

**DATE:** November 4, 2019  
**FROM:** Lexin Murphy, Director of Planning Services  
**ITEM:** **Discuss and provide direction on Short-Term Rental Regulations (LDR19-0006 – Short-Term Rentals)(The Planning and Zoning Commission tabled this item by a vote of 5 to 1 at its October 14, 2019, meeting.)**

**BACKGROUND INFORMATION:** *This item was tabled at the October 14, 2019, Planning and Zoning Commission (P&Z) meeting ([video link](#)). During that meeting, P&Z members requested guidance from Council on the scope of the ordinance, as well as additional information from various Town departments about current usage of properties as short-term rentals.*

The purpose of this item is to receive direction from the Town Council on what changes, if any, they want to make to the proposed ordinance before the item is reconsidered by P&Z.

Attached is the Planning and Zoning Commission (P&Z) staff report and backup for this item. During Commissioner deliberation, there was discussion on the following items:

- Whether limiting short-term rentals to host-occupied residences would address neighborhood concerns relating to absentee landlords not enforcing general standards of neighborhood decorum.
- Whether specific enforcement criteria could be included with this ordinance to provide the Town's enforcement personnel with more tools and/or leverage to require compliance.
- How the ordinance could address concerns relating to sexual predators potential usage of short-term rental properties.
- Whether the Town could define the use of short-term rentals through this ordinance, but ban them entirely, pending further direction from the state legislature or courts to the contrary.
- Whether the Town could face additional risk of having our ordinance and/or directives invalidated if we ban short-term rentals now, and the state legislature or courts later make a determination that an outright ban is illegal

The staff presentation during this item will cover the following topics:

1. Why the Town needs to address short-term rentals in its ordinance
2. How the proposed ordinance would regulate the industry
3. What enforcement actions the Town is currently taking, and how the proposed ordinance would be enforced
4. P&Z concerns along with options to move forward based on Council feedback and direction

### ATTACHMENTS:

1. Planning and Zoning Commission Staff Report

**LEGAL REVIEW:** N/A

**DRAFT MOTION:** N/A

## Short-term Rental (SUP) Drafted Ordinance

Amend Chapter 98 – Zoning, Sec. 98-2. – *Definitions.*

*Short-term rental* means the rental for compensation of a detached single-family dwelling, also known as a tourist home or tourist house, for the purpose of overnight lodging for a period of not less than one night and not more than thirty (30) days. This is not applicable to hotels, motels, extended stay hotels/motels, or multi-family dwellings.

Add to Chapter 98 – Zoning, Sec. 98-1005. – *Short-Term Rental.*

- (a) Short-term rentals shall be permitted as an accessory use, subject to the following conditions, including approval of a Specific Use Permit (SUP) by Town Council:
- (1) *Minimum and maximum stay.* It shall be unlawful for an owner to rent or lease a short-term rental for a period of less than 24 hours or more than thirty (30) days.
  - (2) *Occupancy.* The maximum number of persons allowed to stay in a short-term rental is two (2) adults per bedroom, plus two (2) additional adults, while not exceeding a total of twelve (12) persons.
  - (3) *Parking restrictions.* Parking shall be restricted to the maximum number of cars that can be accommodated within the garage and driveway of the subject property.
  - (4) *Life Safety.*
    - a. The residence shall be equipped with:
      - i. Working smoke detectors, with at least one on each floor level (if applicable) and one in each bedroom, as well as at least one working carbon monoxide detector.
      - ii. A 2A:10B:C type fire extinguisher (a standard five-pound extinguisher) shall be properly mounted within seventy-five (75) feet of all portions of the structure on each floor.
    - b. All gas appliances shall be properly ventilated outside the home.
    - c. Emergency escape openings shall comply with the Town's currently adopted International Residential Code (IRC), with at least one emergency escape opening for each bedroom opening directly to the outdoors.
    - d. An evacuation plan shall be posted in each bedroom.
    - e. Any bedroom that does not comply with subsection (a)(4) *Life safety*, of this section shall not be used as a bedroom, and where equipped with a door, shall remain locked at all times when the dwelling is being used as a short-term rental. Such a non-compliant bedroom shall not be included in the maximum occupancy calculation for the short-term rental, nor be advertised as a bedroom.
  - (5) *Conduct on premises.* The short-term rental owner or occupant shall comply with all requirements of the Town's Code. In addition, the following shall be unlawful:
    - a. Use of amplified sound, excessive noise or other disturbances outside the short-term rental between the hours of 10:00 p.m. and 7:00 a.m. (referenced in Section 34-181) including, but not limited to, decks, portals, porches, balconies, patios, hot tubs, pools, saunas or spas;
    - b. Sleeping Outdoors;
    - c. Placing, or allowing to be placed, waste or recycling receptacles at the designated pickup location prior to 8:00 a.m. on the day before pickup or failing to remove waste and recycling receptacles by 8:00 a.m. on the day following the designated pickup day (referenced in Section 34-81 – 82).

## Short-term Rental (SUP) Drafted Ordinance

- d. Advertising or promoting a special event, or allowing the advertising or promotion of a special event (e.g. banquet, wedding, reception, reunion, bachelor, bachelorette party, concert, or similar activity that would assemble large numbers of invitees) to be held on the premises.
  - (6) *Signage*. Signage for short-term rentals shall not be permitted.
  - (7) *Advertising*. The owner of a short-term rental premises shall not advertise or promote, or allow another to advertise or promote the premises:
    - a. Without a valid, active specific use permit.
    - b. Without including the occupancy limits and parking standards for the listing.
  - (8) *Local Contact*. An owner must designate the name and contact information of a local responsible party who can be contacted regarding immediate concerns and complaints from the public. Said individual must be available to be reached in person or by phone at all times while occupants are on the premises of a short-term rental. If called, a local responsible party must be able to, and shall be present at the premises within one (1) hour of receiving a call from the Director of Planning Services. A local responsible party must be authorized to make decisions regarding the premises and its occupants. A local responsible party may be required to, and shall not refuse to, accept service of citation for any violations on the premises. Acceptance of service shall not act to release owner of any liability under this chapter.
  - (9) *Insurance*. It shall be unlawful for the owner of a premises operating as a short-term rental to operate without host protection or other liability insurance commensurate with the operations of the short-term rental. Proof of insurance shall be required at the time of application and notice of cancelation of insurance must be made to the Planning Services Director within thirty (30) days.
  - (10) *Occupant Notification Packet*. The owner/operator shall post in a conspicuous location of the dwelling, a packet of the following, at minimum, information:
    - a. Maximum number of occupants.
    - b. Location of required off-street parking, other available parking and prohibition of parking on landscaped areas or on the street.
    - c. Quiet hours and noise restrictions.
    - d. List of HOA rules, if applicable.
    - e. 24-hour local contact person and phone number.
    - f. Property cleanliness requirements.
    - g. Waste pick-up requirements, including location of waste and recycling receptacles.
    - h. Flooding hazards and evacuation routes, as well as information on the emergency siren system.
    - i. Emergency and non-emergency numbers.
    - j. Notice that failure to conform to the occupancy and parking requirements is a violation of the Town Code and an occupant or visitor can be cited.
  - (11) *Rental agreement notification*. The rental agreement between the owner/operator of the short-term rental and the renter shall include, by attachment, all of the information provided in the occupant notification packet.
- (b) *Application process*:
- (1) In addition to the items noted in Section 98-953, the following application requirements apply to a short-term rental SUP application.



## Short-term Rental (SUP) Drafted Ordinance

- a. The name, address, contact information, and signature for the owner of the premise;
  - b. The name, address, and phone number of the 24-hour contact;
  - c. The registration number for the Town of Flower Mound Hotel Occupancy Tax [see section (b)(3) below];
  - d. A parking plan of the premises identifying the location of parking spaces to be used in conjunction with the short-term rental, in relation to the residence;
  - e. A dimensioned floor plan of the proposed short-term rental identifying bedrooms, other living spaces and emergency evacuation routes;
  - f. The name, contact information, and rules for the homeowners association (HOA), if applicable;
  - g. Proof of host protection or liability insurance;
  - h. A copy of the proposed host rules for the short-term rental; and
  - i. A statement that the owner of the short-term rental has met and will continue to comply with the standards and other requirements of this ordinance.
- (2) *Changes in ownership.* A new owner, if they wish to continue to operate a subject site as a short-term rental, must submit a short-term rental SUP application within thirty (30) days from the closing date of the purchase. The new owner must provide a copy of the closing statement with the short-term rental SUP application form. Failure of the new property owner to apply for the SUP within thirty (30) days from the closing date will result in the revocation of the short-term rental SUP.
- (3) *Hotel occupancy taxes.* The owner of the short-term rental property shall register with the Town of Flower Mound Finance Department to pay hotel occupancy taxes, before the short-term rental SUP application is submitted.
- a. *Request for occupancy history.* Upon request of the Planning Services Director or the Finance Department, the owner of a premises used as a short-term rental shall remit, within thirty (30) days, an accounting of all occupants who rented the premises and the hotel occupancy taxes paid therefor.
- (4) *Right to inspect premises.*
- a. *Inspections.* The fire marshal must make inspections to determine the condition of short-term rentals, located within the Town, to ensure compliance with this ordinance and other applicable laws. For the purpose of making inspections, the fire marshal or code official may enter, examine, and survey, at all reasonable times, all buildings, dwelling units, guest rooms, and premises on presentation of the proper credentials. An owner or other authorized individual may refuse to consent to an inspection conducted by the fire marshal or the code official. If consent is refused, the code official may seek an administrative search warrant authorized by Article 18 of the Texas Code of Criminal Procedure "Search Warrant" and the Town of Flower Mound Code of Ordinances. Nothing in this code limits the ability of the fire marshal or the code official to inspect as necessary or as authorized by other law.
  - b. The following inspections will be typical of a short-term rental SUP request:
    - i. *Annual fire inspection.* The Town of Flower Mound Fire Marshal's Office will perform annual inspections for compliance with this section.
    - ii. *Repeat inspections.* If, upon completion of an inspection, the premises are found to be in violation of one or more provisions, the Town shall provide written notice of such violation and shall set a re-inspection date.

## Short-term Rental (SUP) Drafted Ordinance

If a premises fails to pass an inspection, a re-inspection fee will be charged after the third re-inspection of the premises. A property cannot be occupied as a short-term rental while its status with the Fire Marshal's Office is noted as being in violation.

- iii. *Fire extinguishers.* The owner/operator is responsible for obtaining annual independent inspections of the fire extinguishers in compliance with the Town's requirements.
- iv. *Change in ownership inspection.* As part of the change in ownership process for a short-term rental, in accordance with subsection (b)(2), the Town's Fire Marshal's Office shall conduct an inspection to verify compliance with this section.

(5) *Expiration or automatic renewal.* In addition to these provisions, short-term rental SUPs are subject to Section 98-954. – "Expiration or Automatic Renewal of SUPs" of the Town's Code of Ordinances.

- a. A short-term rental SUP is subject to expire one (1) year from the date of issuance, but is eligible for automatic renewal for additional one-year periods.
- b. For automatic renewal to occur, the property owner must file a complete application for automatic renewal with the Director of Planning Services, as outlined in Sec. 98-954, before the expiration of the current period.
- c. If the property owner allows a short-term rental SUP expiration date to pass without submitting an application, they can request a thirty (30) day extension to allow for a fire safety inspection to be conducted by the Fire Marshal's Office. If the short-term rental property passes the inspection, the SUP can be considered for a renewal for one (1) year from the date of the approved inspection, providing an automatic renewal application has been submitted.
- d. If a fire inspection is not completed within the thirty (30) day extension period, then the owner shall no longer be allowed to operate the short-term rental unless a new application for a short-term rental specific use permit is requested and approved.

(6) *Enforcement.* If the owner of the short-term rental property fails or refuses to comply with the adopted standards herein, within thirty (30) days after notification, the Town may initiate enforcement actions against the property owner including, but not limited to, citations. Any violations of the provisions of this section shall also be subject to Section 74-6. – "Enforcement"; penalties of the Town's Code of Ordinances.

- a. *Prima Facie evidence of a violation.* Any advertisement, whether it be online or in print, promoting the availability of a short-term rental in violation of any Town Code or state law requirement is prima facie evidence of a violation and is cause to issue a citation. It may also be grounds for denial of a short-term rental SUP.

## Short-term Rental (SUP) Drafted Ordinance

Amend Sec. 98-952 – Schedule of Use Regulations Chart and add as allowed use with an SUP to the associated zoning district sections of the ordinance.

| Residential<br>Uses  | A | S<br>F<br>E | SF<br>-5 | SF<br>30 | SF<br>15 | SF<br>10 | S<br>F<br>A | 2<br>F | M<br>F | M<br>H | O | R<br>1 | R<br>2 | C<br>1 | C<br>2 | C<br>C | C<br>I | I<br>1 | I<br>2 | W<br>R | R<br>E<br>C | P<br>D | C<br>B<br>D |
|----------------------|---|-------------|----------|----------|----------|----------|-------------|--------|--------|--------|---|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------------|--------|-------------|
| Short-Term<br>Rental | S | S           | S        | S        | S        | S        |             |        |        |        |   |        |        |        |        |        |        |        |        |        |             | P      | *           |

## Amend Appendix A – Fee Schedule

## Fire Department Fee Schedule

...

(11) Reinspection—Third inspection ..... 60.00

(12) Daycare inspections ..... 100.00

(13) Nursing home inspection ..... 100.00

(14) Short-term rental inspection ..... 100.00

(15) Operational permits annual (maximum of four permits per business) ..... 75.00

(16) Tent (per tent fee) ..... 50.00

(17) After hours inspections (per hour or portion of an hour—Minimum 2 hours) ..... 60.00