

AGENDA

FLOWER MOUND PLANNING AND ZONING COMMISSION REGULAR MEETING

09/26/2022

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

6:30 P.M.

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AN AGENDA INFORMATION PACKET IS AVAILABLE ONLINE AT www.flower-mound.com/AgendaCenter
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Comments regarding any agenda item can be sent to the Commission by emailing pz@flower-mound.com.
Please silence or turn off all electronic devices in Jody Smith Hall

A. CALL MEETING TO ORDER *(or immediately following the Capital Improvements Advisory Committee Meeting)*

B. PUBLIC COMMENT

The purpose of this item is to allow the public an opportunity to address the Commission regarding any item on this agenda that is not a "Public Hearing." Issues regarding daily operational or administrative matters should first be dealt with by calling Town Hall at 972-874-6000 during business hours. To speak to the Planning & Zoning Commission during public comment, please fill out a green comment form, which is located in the lobby of Town Hall.

In accordance with the Texas Open Meetings Act, the Commission is restricted from discussing or acting on items not listed on the agenda.

- Speakers are limited to 3 minutes; a tone will sound at 30 seconds left and when time has expired, and times may be adjusted by the Chair depending on the number of speakers.
- Speakers must address their comments to the Commission.
- Please state your name and address when speaking.

C. FUTURE AGENDA ITEMS

The purpose of this item is to allow the Chair 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).

D. DIRECTOR'S REPORT

1. Work Session Notice

E. 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 August 29, 2022: Consider approval of the minutes of the August 29, 2022, Planning and Zoning Commission Regular Session.

F. REGULAR ITEMS

This part of the agenda consists of discretionary items either relating to zoning or a requested variation from the Town's development standards. If a public hearing is required, it will be noted in the item caption on the agenda. Typically, the Planning & Zoning Commission will make a recommendation to Town Council on these types of projects.

2. MU21-0002 – Flower Mound Ranch: Public Hearing to consider an ordinance amending the zoning (MU21-0002 – Flower Mound Ranch) on approximately 1,066 acres of land from Agricultural District (A) and Interim Holding (IH) uses to Mixed Use District-2 (MU-2) uses, and with certain other waivers, exceptions and modifications to the Code of Ordinances. The property is generally located at the intersection of Cross Timbers Rd and U.S. Highway 377, expanding outwards from all four corners.
3. MU22-0002 – Lakeside Village: Public Hearing to consider an ordinance for rezoning (MU22-0002 – Lakeside Village) to amend Mixed Use District-1 (MU-1) to amend certain development standards related to Character Zone Standards, Open Space Standards, and Signage Standards in the Lakeside Village Development Code. The property is generally located west of Long Prairie Road along both sides of Lakeside Parkway.

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.

G. ADJOURNMENT – REGULAR SESSION

I do hereby certify that the Notice of Meeting was posted on the bulletin board in Town Hall for the Town of Flower Mound, Texas, in a place convenient and readily accessible to the general public at all times and said Notice was also posted on the Town's website in accordance with GC Section 551.056 on the following date and time: September 22, 2022, at 4:30 p.m., at least 72 hours prior to the scheduled time of said meeting.

LauriAnn Cash, Executive Assistant

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. Additional time limits will be provided to members of the public that need to address the Commission through a translator.



PLANNING AND ZONING COMMISSION

AGENDA ITEM NO: 1

CONSENT ITEM

DATE: September 26, 2022

FROM: LauriAnn Cash, Development Services Executive Assistant

ITEM: Consider approval of the minutes of the August 29, 2022, Planning and Zoning Commission Regular Session.

I. BACKGROUND INFORMATION

The Planning and Zoning Commission held a regular meeting on August 29, 2022.

II. ATTACHMENTS

1. Draft Minutes of August 29, 2022

THE FLOWER MOUND PLANNING & ZONING COMMISSION MEETING HELD ON THE 29TH DAY OF AUGUST 2022, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS AT 6:31 PM

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

Brad Ruthrauff	Chair; Commissioner, Place 1
Robbie Cox	Vice-Chair; Commissioner, Place 2
Janvier Werner	Commissioner, Place 3
James Naylor	Commissioner, Place 4
Greg Wilson	Commissioner, Place 5
Donald Gilmore	Commissioner, Place 6
Jason Hobbs	Commissioner, Place 8
Brady Kilpper	Commissioner, Place 9

Constituting a quorum with the following members absent:

Kathryn Wells	Commissioner, Place 7
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(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:

Alicia Kreh	Town Attorney
Lexin Murphy	Director of Planning Services
Bob Pegg	Assistant Director of Engineering
Chuck Russell	Principal Planner
John Chapman	Planner
LauriAnn Cash	Executive Assistant

- A. **CALL REGULAR SESSION TO ORDER: 6:31 P.M.**
- B. **INVOCATION**
- C. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. **PUBLIC COMMENT**

Fred Vincent, 3933 Bordeaux Circle; regarding Environmental Challenges
Tim Whisenant, 2300 Olympia Drive; regarding Item G-2 and Flower Mound Ranch

- E. **FUTURE AGENDA ITEMS**

1. Vice-Chair Cox suggested discussion on modifying Work Session language to include a recommendation to notice the public of a Work Session and what buffer distance would be appropriate. The Commission was in agreement Staff will bring this item forward at a future meeting.

F. DIRECTOR'S REPORT

1. P&Z Packet Materials
 - a. The Commission was in agreement to include zoning and aerial maps on one page, side by side, for Staff Reports going forward.

G. CONSENT ITEMS

1. Minutes of August 15, 2022: Consider approval of the minutes of the August 15, 2022, Planning and Zoning Commission Regular Session.
2. RC21-0006 – Enterprise Addition Lot 1, Block 1: Consider a request for a Record Plat (RC21-0006 – Enterprise Addition Lot 1, Block 1) to create one non-residential lot. The property is generally located north and west of Lakeside Parkway and Enterprise Road.

Commission Deliberation

Commissioner Naylor moved to approve Consent Items 1 and 2. Commissioner Gilmore seconded the motion.

VOTE ON THE MOTION

AYES: Werner, Naylor, Wilson, Cox, Gilmore, Kilpper

NAYS: None

The motion to approve passed by a vote of 6 to 0.

H. REGULAR ITEMS

3. Consider a request for a Site Plan (SP22-0007 – Los Caminos Restaurant) to develop a restaurant, with an exception to the Architectural Standards of the Town's Urban Design Plan for meritorious design and a waiver to Architectural Standards in the Town's Urban Design Plan for roof pitch. The property is generally located south of Lakeside Parkway and east of International Parkway.

Staff Presentation

Chuck Russell, Principal Planner

Applicant Presentation

Sam Pan, Realty Capital; present for questions, no presentation
Jeffrey Denman, Los Caminos Restaurant; present for questions, no presentation

Commission Deliberation

Commissioner Naylor moved to recommend approval of SP22-0007 – Los Caminos Restaurant Lakeside Addition Lot 1, Block A. Commissioner Werner seconded the motion.

VOTE ON THE MOTION

AYES: Kilpper, Gilmore, Cox, Wilson, Naylor, Werner

NAYS: None

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

I. ADJOURNMENT – REGULAR SESSION: 7:03 P.M.

i. CALL TO ORDER WORK SESSION: 7:03 P.M.

- a. LDR22-0001 – Landscape Ordinance Update
 - Staff Presentation: John Chapman, Planner
 - Public Comment – Submitted Card; Spoke
 - Fred Vincent, 3933 Bordeaux Circle
 - Commission Deliberation
- b. LDR22-0002 – Cross Timbers Conservation Development District (CTCDD) Ordinance Update
 - Staff Presentation: Lexin Murphy, Director of Planning Services
 - Public Comment – Submitted Card; Spoke
 - Fred Vincent, 3933 Bordeaux Circle
 - Marsha Gavitt, 6501 Meadowcrest Lane
 - Tim Whisenant, 2300 Olympia Drive
 - Commission Deliberation

The work session was closed at 10:07 P.M.

TOWN OF FLOWER MOUND, TEXAS

Lexin Murphy, Director of Planning Services

ATTEST:

LauriAnn Cash, Executive Assistant



PLANNING AND ZONING COMMISSION

AGENDA ITEM: 2

REGULAR ITEM

DATE: September 26, 2022

FROM: Lexin Murphy, Director of Planning Services

ITEM: **Public Hearing to consider an ordinance establishing permanent zoning (MU21-0002 – Flower Mound Ranch) on approximately 1,066 acres of land currently designated as Agricultural District (A) and Interim Holding (IH) uses and proposing Mixed Use District-2 (MU-2) uses, and with certain other waivers, exceptions and modifications to the Code of Ordinances. The property is generally located at the intersection of Cross Timbers Rd and U.S. Highway 377, expanding outwards from all four corners.**

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.

II. APPLICATION ANALYSIS

The purpose of this request is to zone approximately 1,066 acres of land to create a mixed use district, which includes a mixture of both non-residential and residential uses. Due to the size of the development, which will have an expected buildout of 20 to 40 years, the applicant is estimating that construction will occur in four phases. SMARTGrowth studies addressing transportation, water, wastewater, and parks were completed for phase one of the development, and all were found to pass. If the project is approved, additional studies will be necessary to verify infrastructure capacity for future phases and to potentially identify any necessary upgrades to accommodate future growth.

The requested Mixed Use (MU) zoning is based primarily on the accompanying development standards within the proposed ordinance. In any instance where the base MU regulations within the Town's Land Development Regulations are not proposed to be modified by this ordinance, those default land development standards would apply.

Land Use

As noted in Section 1, Land Use Plan, of the Master Plan, the subject property is designated for mixed use land use, which is defined as follows:

Mixed Use means a variety of commercial, office, retail, civic, institutional, and residential uses within pedestrian oriented, vertical, and horizontal mixed use

environments. These uses may be combined within a single district, site, or building in the mixed use area. Components of a mixed use development include specialized street standards, open space, parks and plazas, and enhanced architectural standards. Mixed use developments are intended to accommodate physical development patterns characteristic of those found in historic American downtown areas, while taking into consideration contemporary building and development techniques. Key development concepts include: (i) horizontal and vertical mix of uses throughout the development, (ii) unifying landscape elements, (iii) integrated street networks shared by vehicles, cyclists, and pedestrians, (iv) responsible environmental stewardship, (v) connectivity to existing Town transportation networks and surrounding neighborhoods, (vi) walkability within the development, and (vii) interconnected public spaces (parks, open space, and water features).

The intent of the MU zoning district is to:

- (1) Allow a mixture of complementary land uses that include housing, retail, offices, commercial services, and civic uses to create economic vitality;
- (2) Emphasize vehicular and pedestrian connectivity to adjacent opportunities land uses that balances neighborhood integrity with the transportation benefits of connectivity, market demand for development, and regional access;
- (3) Establish a high level of development standards to create development of exemplary and enduring quality and design;
- (4) Encourage the development of vertical and horizontal mixed-use areas that are safe, comfortable, and attractive to pedestrians while protecting significant environmentally sensitive areas;
- (5) Provide flexibility in the siting and design of new developments and redevelopment to anticipate changes in the marketplace while establishing human-scaled residential and non-residential buildings;
- (6) Leverage any significant environmental features on the site and treat them as "features" and not constraints;
- (7) Create a variety of connected community gathering places and entertainment opportunities of differing scales and character to make walking easy from one place to another;
- (8) Include a range of residential options that reflect changing lifestyles while balancing market demand and community preferences;
- (9) Provide appropriate transitions to protect any existing adjacent neighborhoods and to promote sustained value; and
- (10) Encourage efficient uses of land by facilitating compact development and minimizing the amount of land that is needed for surface parking.

Concept Plans

The applicant provided a general concept plan for the project area, identifying the locations and sizes of character zones; a more detailed cross-section, which provides insights into the expected development pattern for the character zones; and a map identifying the locations and parameters for conditional (P/C) non-residential uses within the mixed use area [see Attachments B(2), B(3), B(4)]. P/C use is defined as a use permitted only where identified in the MU concept plan approved by Town Council and based on specific criteria within the MU district regulations. However, not all non-residential uses that are permitted conditionally were identified on the map. The proposed development standards allow for other P/C non-residential uses to be approved by Town Council through an exception process. In addition, a college or university and residential uses identified as P/C uses on the use chart would be allowed

without requiring an exception if they met the conditions of approval. Finally, the ordinance includes restrictions on the number and/or location of certain P/C uses such as fast-food restaurants and automobile related uses.

With respect to permitted uses, the applicant has requested the following changes to the schedule of uses for the MU zoning district:

- Full Service Hotel was changed from NP to P/C in the MU-T: EN area within the southeast quadrant. This definition was also modified to include the more detailed standards the Town adopted in 2019, with the additional allowance noted for a water park, spa, or convention center.
- Civic uses was changed from NP to P/C in the MU-T: NG zone designation on the land owned by the Town on Dunham Road.
- Accessory structured parking that is affiliated with another land use is permitted in all character districts except for MU-T: NG.

Character Zones

The four character zones are based on the MU district guidelines and include the Mixed-Use Core (MU-C), the Mixed-Use Neighborhood (MU-N), the Mixed Use Transition – Environmental (MU-T: EN), the Mixed Use Transition – Major Roadway (MU-T: MR), and the Mixed Use Transition – Neighborhood (MU-T: NG).

The Core promotes mixed use and pedestrian-oriented activity, with a focus on a vertical mixture of uses including both residential and non-residential. Extending outwards from the Core is the Neighborhood area, which includes predominantly residential uses, as well as some small-scale civic uses and non-residential uses. This is where the majority of stacked or standalone multi-family would be located. The Environmental Transition area is adjacent to environmental features and is intended to accommodate a variety of commercial uses unique to lake adjacency such as entertainment, recreation, retail, and restaurants. Some residential uses are also appropriate here. The Major Roadway Transition is, as described, adjacent to major roadways, and is intended to serve as a commercial gateway that is more auto-oriented. Lastly, the Neighborhood Transition is primarily single family residential and is intended to provide a transition from any existing residential areas outside of the mixed use development.

Lot Types

There are eight lot types identified within the Flower Mound Ranch development standards. These include: Mixed Use Building; General Commercial; Single Family Detached, Front Loaded; Rowhouse; Townhome Rear Loaded; Multi-family (Stand Alone); Multi-Family (4-Plex); and Stand Alone Parking Garage. However, the applicant is still working on the associated figure for the Stand Alone Parking Garage lot type. **This will need to be inserted prior to the finalization of the ordinance.** The various lot types are intended to demonstrate how structures and parking should relate to each other within a lot and to the adjacent street. The character zones include limitations as to which lot types can be located in each of them, depending on the expected development pattern [see Attachment B(5)].

To promote the development of a vibrant community, the applicant created additional standards for single family uses to limit repetitiveness. These apply to both the residential lot type, as well as the building design.

Buildout Limitations

Within the development standards of the proposed ordinance, the applicant identifies density caps and expected non-residential buildout numbers. A maximum of 5,000 multi-family units would be allowed in the overall development, which could include apartments, live/work units, or residential lofts over retail/office uses. In addition, a maximum of 1,000 age-restricted multi-family units is permitted. Single family residential units are capped at 3,000. While there is no maximum allowable amount of non-residential square footage, the applicant has calculated that they expect to accommodate 6,688,163 square feet. They have also incorporated earn out requirements for the multi-family units, requiring at least 100,000 square feet of non-residential uses (excluding gas stations) in order to receive a certificate of occupancy before the first multi-family dwelling can be occupied, and restricting the development overall to a maximum of 2,750 multi-family units for the first ten years. (Note that there are no earn out restrictions for the 1,000 age-restricted multi-family units.) There is an additional restriction that after ten years, there must be at least 1,000 square feet of non-residential square footage in place per additional multi-family unit permitted. Lastly, for each decrease of non-age restricted multi-family unit, an additional 1.5 single family units are permitted. In addition to the overall density caps, there are unit maximums per area of the development (A, B, C, and D). The overall density cap still applies, though. **Staff recommends removing the language that states the maximum number of units per area is non-binding.**

Development Standards

As per the requirements of the MU zoning district, the Flower Mound Ranch application creates street design and streetscape standards that are unique to the project. These include wider sidewalks with incorporated landscaping within the MU-C and MU-N zones, as these are the heart of the mixed use development with a focus on pedestrian traffic. The areas within the cores as well as the environmental area near the lake were also designated as Type A streets, which have a more pedestrian-oriented design. Type B streets that form the secondary street network provide access to Type A streets and are designed to accommodate more auto-oriented uses. These are primarily located within MU-T: MR, MU-T: EN, and MU-T: NG zones [see Attachment B(6) for map]. Project-specific street sections were also provided.

There are also project-specific building design standards, many of which are dictated by the MU zoning code. However, there are some modifications proposed to the MU Code with this application. These include changes to maximum building setbacks, building orientation, and location of door openings. Typically, in mixed use developments, the goal is to minimize setbacks to draw the public into the site. However, due to the project proximity to environmental features and a desire to incorporate those into the development, the applicant proposed to eliminate maximum front setbacks in the MU-T: EN area, and generally not to apply them in areas between buildings and the curb that activate the street area, or where retaining walls are present. And again due to the size of the project area, the applicant is requesting a modification that would allow buildings to face either Type B or Type A streets, if there are no Type A streets in the vicinity. Lastly, the applicant has requested to increase the maximum distance between door openings on vertical mixed use and non-residential buildings from 50 feet to 100 feet, with the thought that 50 feet might be too short of a distance and could lead to the construction of non-functional doors for design purposes only.

Architectural Design Standards

The applicant has also supplied project-specific architectural design standards, many of which correlate with the Town's Urban Design Guidelines, particularly when considering the more suburban buildings that will likely be constructed in the MU-T: MR areas. One difference is that, due to the intermingling of residential and non-residential uses, the applicant has not incorporated a roof pitch requirement. It is also not currently proposed to require building accent colors to relate to the base tone in the building.

There are many architectural design requirements that relate specifically to mixed use buildings, such as minimum and maximum percentages for window/door areas and requirements for awnings or canopies above street level windows. In the MU-C, buildings that include residential units must provide internal, climate-controlled corridors to access units, and in the MU-N, at least 80 percent of street-facing multi-family ground level units shall have direct access from a sidewalk. There are also proposed standards for parking garages, which require design elements on facades adjacent to streets and that elevator and stair shafts be located internal to the structure. **Staff recommends clarifying within these standards that a design feature will be required to screen headlights on levels two and above of any parking structures, which the applicant is receptive to.**

Signage

A project-specific sign package is included, allowing for more pedestrian-oriented signage than would be permitted through the Town's standard sign ordinance. This package would permit hanging, canopy, awning, banner, and sidewalk signs, and would also allow changeable electronic variable message signs.

Parking

Parking standards are geared toward mixed use developments, with requirements for bicycle and rideshare vehicle parking, as well as proposed shared parking ratios. The majority of the parking standards correlate with the Town's Land Development Regulations, though restaurant parking is decreased to one space per 100 square feet, rather than 1 per 75, and one and two-bedroom as well as age-restricted multi-family units only require 1.5 spaces per unit, rather than two. These numbers are consistent with what the Town has approved for prior developments of similar type.

The MU Code states a maximum of 50 percent of the blockface frontage on a Type B street and 25 percent of the block face frontage on a Type A street be used for parking. However, the applicant is requesting that this limitation not apply along Cross Timbers Road and US Hwy 377, as these are more likely to have a suburban development pattern, with buildings pushed back further from the road to avoid street noise and the potential for parking lots in the frontage. To address any concerns with this change, the applicant has proposed a 50-foot landscape buffer running along the frontage of both sides of these streets.

The applicant has committed to providing structured parking for mixed use buildings within the MU-C with residential uses and that any off-street parking in the MU-C or MU-N zones will be located internal to blocks. The MU zoning code lists both surface parking and structured parking as conditionally permitted uses. **Due to the self-imposed conditions the applicant has proposed limiting the types and locations of**

parking areas, staff recommends changing these uses to permitted, so as to encourage future developments meeting these standards.

Pedestrian and Bike Paths

The included Illustrative Trails Plan incorporates recent changes adopted with the 2022 Bikes and Trails Master Plan. However, the applicant would also have the ability to follow the standards in place when the project vested in 2006. **Staff recommends including language noting that at the time of the first site plan and/or plat, the applicant will make an election for the entire project determining which trails plan applies.**

Open Space

The Open Space plan within the submitted ordinance [see Attachment B(7)] requires a minimum of ten percent of the gross area of the property be allocated as open space, which exceeds the five percent required by the MU zoning code. As currently designed, there are approximately 108 acres of open space identified. However, there is an opportunity for additional open spaces utilizing the height bonus provisions. The Flower Mound Ranch application proposes a modified set of bonus height provisions for the MU-C and MU-T: EN zones that would allow a height extension up to eight stories, provided a distance requirement of 1,200 feet from any existing adjacent neighborhood located outside of the project area is maintained (excluding the recently approved Prairie Vista zoning), open space is provided within the block or within 1,000 feet (not including open space in a power line easement), and there is a minimum 12-foot building step back from the front façade at the 6th story if the building is on a public street. The applicant is also proposing to increase the maximum height of the MU-T: MR zone to five stories and the MU-N zone to eight stories. **Staff recommends applying the same bonus height provisions to MU-N as MU-C and MU-T: EN, which the applicant is receptive to. Staff also recommends that the bonus height provision in the MU-T: MR zone be applicable only to corporate office, hospital, and hotel uses.**

Landscaping

The Flower Mound Ranch application reflects similar parking lot landscaping and street tree requirements to those found in the Town's Land Development Regulations. In addition, the applicant agreed to incorporate many of the proposed landscaping changes that are currently in process under LDR22-0001 and not yet adopted. These include minimum landscape areas per parking area tree, foundation planting requirements for smaller buildings in the MU-T: MR zone, and mandatory detention and retention landscaping. In consideration of single family developments within the mixed use project, the application also includes compatibility buffer requirements between the MU-T: MR and MU-T: NG zones, as well as a railroad compatibility buffer.

Additional Modifications

- **Impacting Floodplain** – The applicant is requesting an exception with this application to impact floodplain through FEMA's CLOMR/LOMR process for the limited purpose of developing park, trail, and boardwalk improvements, as well as public infrastructure. Any other floodplain impacts will require adherence to the Town's traditional approval process.

- Temporary Detention – The ordinance provides for the development of temporary detention on the 130-acres at the northwest quadrant of FM 1171 and US 377, while waiting for TXDOT to complete planned stormwater improvements crossing under the existing railroad tracts adjacent to the property. This would be a dry, grassed area maintained by the property owner or an owner association.

Parks Board

At their August 4, 2022 meeting, the Parks Board encouraged the applicant to ensure there is equitable parkland throughout the development. Per the MU zoning code, open spaces within the development may be considered for parkland dedication, subject to the Park Credit option. Parkland dedication will be determined at the time of Development Plan. The Parks Board meeting may be viewed here:

<https://flowermoundtx.swagit.com/play/08052022-589/8/>

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 Zoning Amendment requests. MU21-0002 had a total of 102 Property Owner Notifications mailed. At the time this report was written, staff had received 3 items of correspondence in support of this request, 6 items of correspondence in opposition to this request, and 2 items with questions or informational nature or concerns regarding this request (correspondence is calculated by each property/household). All written correspondence was sent directly to the Planning and Zoning Commission according to the public communication process.

IV. ATTACHMENTS

A. Background Information

1. Vicinity Map
2. Letter of Intent

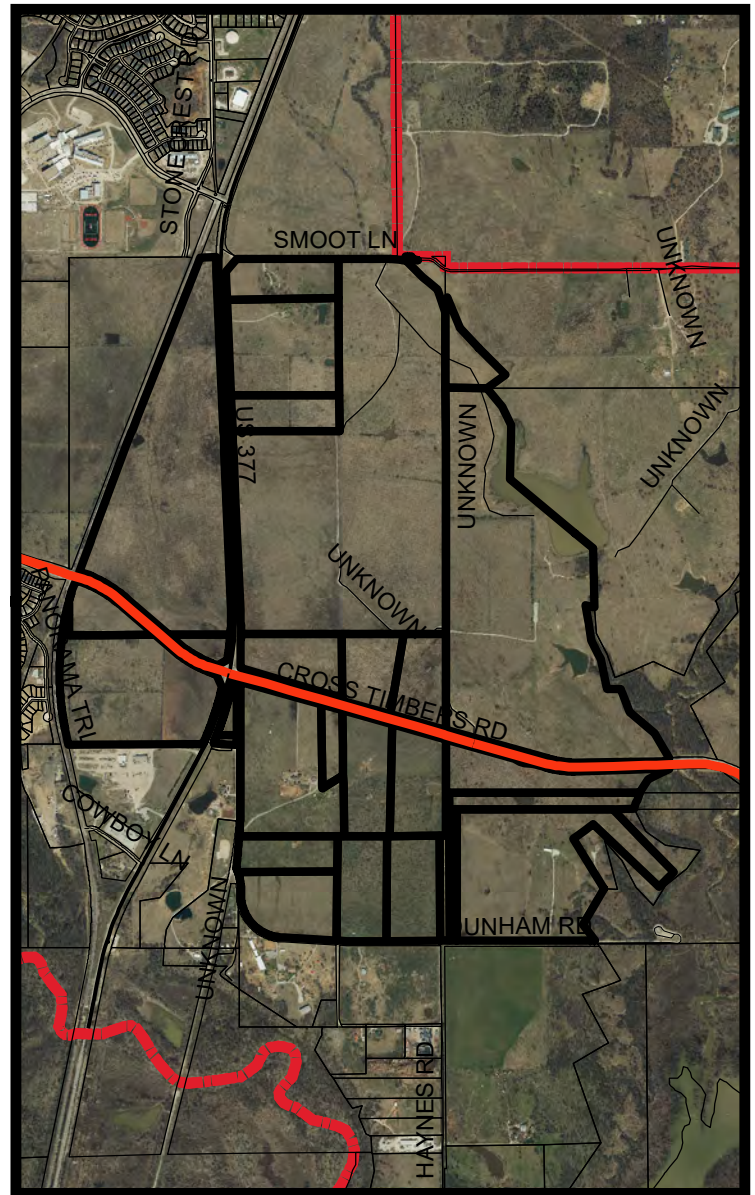
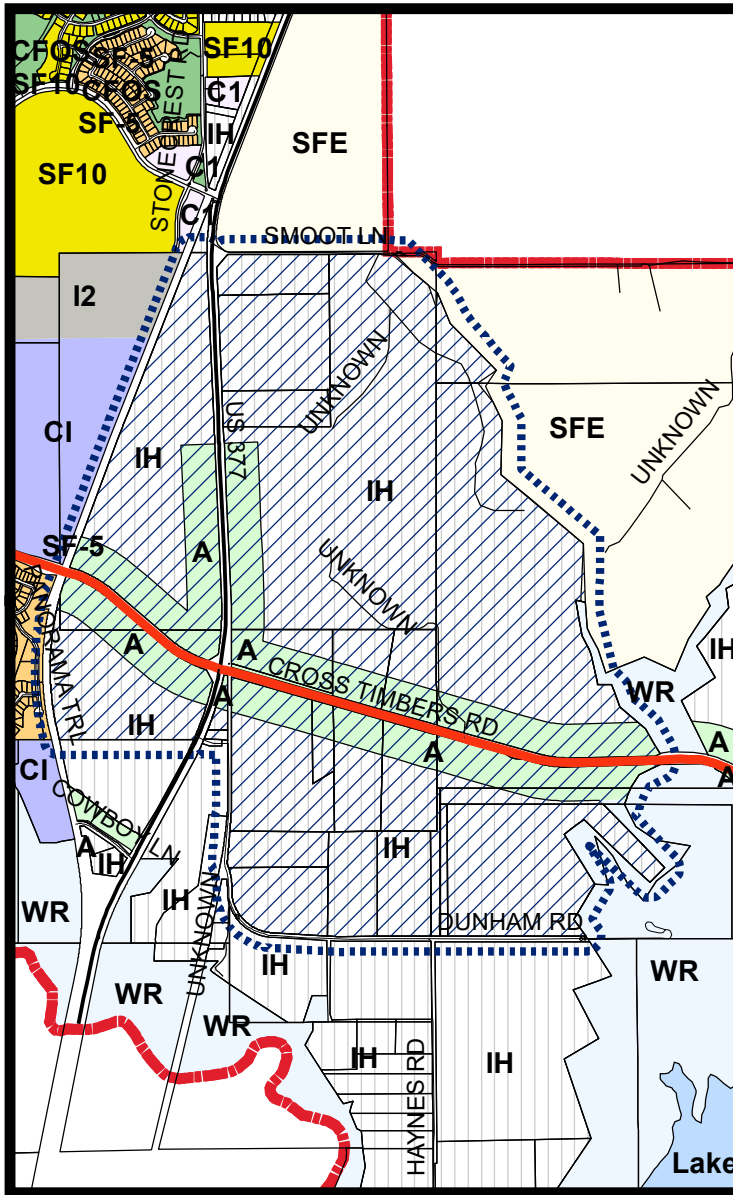
B. Application Details

1. Draft Development Standards
2. Concept Plan
3. Detailed Concept Plan – Cross Section
4. Location of Certain Conditional Uses
5. Lot Types per Character Zone
6. Type A and Type B Streets
7. Open Space Plan

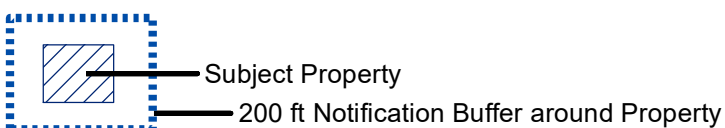
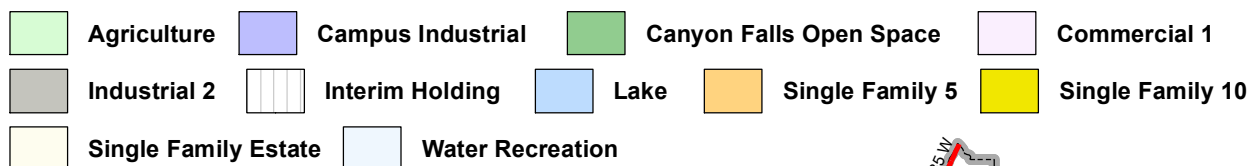


Vicinity Map

Reference Project: MU21-0002

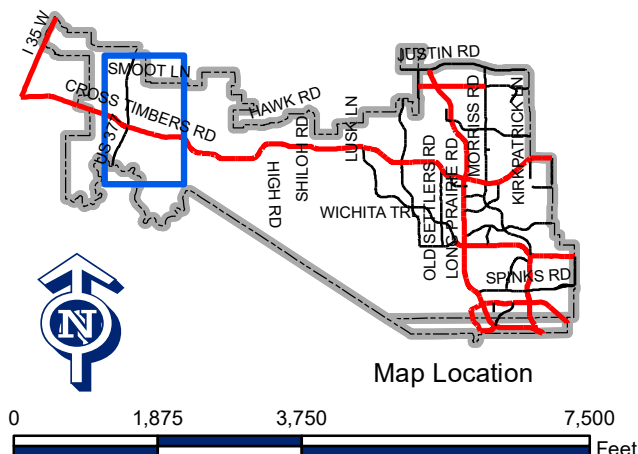


LEGEND



Visit www.fmdevmap.com to learn more about this project.

Visit <https://www.flower-mound.com/notifyme> to sign up for text message and/or email alerts for future projects.



SHUPE VENTURA, PLLC
Attorneys and Counselors
9406 Biscayne Boulevard | Dallas, TX 75218

August 17, 2022

Town of Flower Mound
 Attn: Bryn Meredith, Town Attorney
 Taylor, Olson, Adkins, Sralla & Elam L.L.P.
 6000 Western Place, Suite 200
 Fort Worth, Texas 76107

Misty Ventura
 214.328.1101
 misty.ventura@svlandlaw.com

Re: Flower Mound Ranch– Zoning Application Letter of Intent (Mixed Use Zoning Application)

Dear Mr. Meredith:

On behalf of the landowners, I am submitting this Letter of Intent in connection with the updated mixed use zoning regulations proposed for 1,066 acres for the Flower Mound Ranch project, as described in the enclosed application and including the 23-acre Town-owned parcel that is the subject of a proposed land swap (the 1,066 acres being the "Property"), consistent with the existing Mixed Use Master Plan designation on that acreage. The Property includes 1,042 acres that is the planned mixed use portion of the 1,586.3-acre Flower Mound Ranch project ("Flower Mound Ranch").

Site Information

Flower Mound Ranch surrounds all four corners of the intersection of US 377 and Cross Timbers Road and has extensive frontage on both US 377 and Cross Timbers Road. Cross Timbers Road has been widened, and US 377 is planned for future expansion. Sewer service is available through the existing Trinity River Authority line that parallels the railroad, which is the western boundary of the Property. Large water transmission lines that will serve the Property exist along both US 377 and Cross Timbers Road. All of the existing gas wells on the Flower Mound Ranch portion of the Property have been plugged, and the land has been restored. With the exception of the existing residential structures within Flower Mound Ranch, which are reflected on DCAD records, all of the Flower Mound Ranch property has been in continuous agricultural use and subject to an agricultural tax exemption since prior to the Town's annexation of Flower Mound Ranch.

History of Vested Rights and Mixed Use

In 2005, Orric Freeman and J. Charles Haynes filed a lawsuit against the Town of Flower Mound (the "Town") seeking the disannexation of 5,044 acres (the "Annexed Area") due to the Town's failure to provide full municipal services to the Annexed Area, which included the portion of Flower Mound Ranch located within the town limits of Flower Mound. In November of 2006, the parties to the lawsuit entered into a Rule 11 Agreement to abate the lawsuit (the "Rule 11 Agreement"). As part of the Rule 11 Agreement, the Town agreed to amend the Master Plan to transfer the area shown on Exhibit 1 to the Rule 11 Agreement into Area Plan 5 (West) –

White's Branch to US 377 (also known as Specific Plan Area 8). The Town subsequently amended its Master Plan to designate the majority of Flower Mound Ranch for future "mixed use" with the remainder designated as "Prairie Vista."

A copy of Exhibit 1 to the Rule 11 Agreement is attached, and it clearly shows that mixed use development is part of the plan for development approved by the Town. The Rule 11 Agreement provides that the owners of the property shown on Exhibit 1 shall vest mixed use land uses, pursuant to Chapter 245 of the Texas Local Government Code, and that Exhibit 1 shall be deemed a development plan pursuant to Section 245.002 of the Texas Local Government Code.

Mixed use development includes multifamily. The Town's Master Plan includes a mixed use category described as follows: "A variety of commercial, office, retail, civic, institutional and **residential** uses within pedestrian oriented, vertical and horizontal mixed use environments. These uses may be combined within a single district, site, or building in the mixed use area. Components of a mixed use development include specialized street standards, open space, parks and plazas and enhanced architectural standards. Mixed use developments are intended to accommodate physical development patterns characteristic of those found in historic American downtown areas while taking into consideration contemporary building and development techniques. Key development concepts include: (i) horizontal and vertical mix of uses throughout the development, (ii) unifying landscape elements, (iii) integrated street networks shared by vehicles, cyclists and pedestrians, (iv) responsible environmental stewardship, (v) connectivity to existing Town transportation networks and surrounding neighborhoods, (vi) walkability within the development, and (vii) interconnected public spaces (parks, open space, water features)." (emphasis added)

In addition, the Town's Master Plan includes the following table that mandates residential as part of a mixed use development:

Land Use	Percentage of the Acreage	Flexibility Factor
Non-residential uses**	45%	±25%
Public uses	5%	±5%
Residential uses[§]	45%	±25%
Civic/Open Space (public and private)	5%	+10%
Total	100%	
**Non-residential uses shall include retail, office, hospitality, entertainment, etc.		
[§] Residential uses above commercial uses shall not be included in the calculation of percentage of residential uses in the overall development.		

The Town's zoning ordinance includes a mixed use zoning district (MU), which was added to the Town's zoning ordinance by the adoption of Ordinance 62-08 after the Town entered into the Rule 11 Agreement. The MU district allows residential uses, including live/work units, residential lofts, apartments/condos (stacked residential), single-family residential attached dwelling unit, and single-family residential detached dwelling unit.

The zoning ordinance states that the MU zoning district implements the goals of the Town's Master Plan by allowing for mixed use development in selected areas. It also states that the MU district "shall be applicable to all properties that are designated as "mixed use" in the Town of Flower Mound's Land Use Plan." The Town's Master Plan limits residential density by imposing a maximum height of five stories (unless granted a bonus by the Town) and restricting residential uses to only 70 percent of uses (excluding residential above commercial, which are not subject to a percentage restriction).

The MU zoning district regulations include the following provisions that clearly contemplate and allow residential as a component of mixed use:

- "The purpose and intent of the mixed use zoning district (MU) is to implement the mixed use land use category guidelines established in the town's master plan. the MU is intended to: Allow a mixture of complementary land uses that include ***housing***, retail, offices, commercial services, and civic uses to create economic vitality; Provide flexibility in the siting and design of new developments and redevelopment to anticipate changes in the marketplace while establishing ***human-scaled residential*** and nonresidential buildings; Include a range of ***residential options*** that reflect changing lifestyles while balancing market demand and community preferences...." (emphasis added)
- "Residential land uses within a "village" mixed use setting should be allowed in this district to accompany campus commercial."
- "Horizontal mixed use is the location of different land uses, including commercial, retail, office, residential, public, and other uses in proximity to one another in separate buildings but in the same development or block."
- "Vertical mixed use is a building or structure in which at least one of the upper floors of a commercial building has residential uses (live-work units or lofts) with a mixture of retail or office uses at the other levels of the building or structure, or office uses above ground floor retail uses."

In addition to the Rule 11 Agreement, on June 16, 2008, the Town entered into a Wastewater Impact Fee Prepayment Agreement (the "Prepayment Agreement") with Jack Furst addressing wastewater obligations for Flower Mound Ranch. Pursuant to Chapter 245, the Prepayment Agreement is a permit that vests rights to the planned mixed use development project for the Flower Mound Ranch portion of the Property. The Prepayment Agreement contemplates that Flower Mound Ranch will develop in accordance with the Rule 11 Agreement, including the plan for development for mixed use. Pursuant to the Prepayment Agreement, Jack Furst prepaid \$1,310,000 in wastewater impact fees to ensure that wastewater services would be available when Flower Mound Ranch is developed. This prepayment was for a portion of the 2008 costs incurred by the Town in connection with sewer line improvements necessary to serve property on the west side of Flower Mound, including Flower Mound Ranch. This prepayment entitles Jack Furst to 1,036 wastewater service units, which do not expire and may be assigned to a developer. The number of wastewater units support a portion of the development planned for the Flower Mound Ranch portion of the Property and exceeds the number of units that would be needed to serve the Property with just estate residential lots. Wastewater impact fees for

development of Flower Mound Ranch in excess of 1,036 wastewater service units will be paid as development occurs in accordance with applicable regulations.

Zoning Application

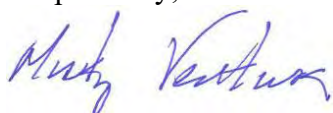
The enclosed zoning application is consistent with the Rule 11 Agreement, the Prepayment Agreement, the Master Plan designation for the Property, and the original mixed use zoning ordinance adopted by the Town (Ordinance No. 62-08). In addition, the preliminary utility plans in the enclosed application are consistent with the Town's master utility plans. Based on the project's vested rights, the Town's mixed use ordinances (Ordinance No. 62-08, as amended) and associated zoning application checklists prepared by the Town's staff are not legally applicable to the enclosed application for the project; however, the applicant is opting to take advantage of the provisions of Ordinance No. 62-08 based on Section 245.002(d) of the Texas Local Government Code, which allows a permit holder to take advantage of a change to the laws, rules, regulations, or ordinances of a regulatory agency that enhance or protect the project without forfeiting any rights under Chapter 245. Consistent with such vested rights, the enclosed application was prepared in accordance with the general zoning application checklist of the Town, as well as the requirements of Ordinance No. 62-08. In the spirit of cooperation, the applicant has prepared a very detailed zoning application that complies with the intent, as well as applicable form and content requirements, of the Town's mixed use zoning ordinance as amended over time, as well as the staff checklist for mixed use zoning applications.

With respect to aesthetic standards for buildings, including building material restrictions, the Town is preempted by Chapter 3000, Texas Government Code, from adopting and enforcing such standards. These standards are included in the application, but apply only to the extent the Town is authorized to adopt and enforce them in accordance with Chapter 3000.

Pursuant to Chapter 245, the property owner is a permit holder entitled to rely on vested rights that allow mixed use development, including multifamily and other residential uses. But for the vested rights provided by the Rule 11 Agreement and the Prepayment Agreement, there would have been no dismissal of the disannexation lawsuit or prepayment of impact fees. These provisions were part of the consideration for the plaintiff's agreement to dismiss the disannexation lawsuit, and the enclosed zoning application is consistent with these vested rights. The landowner anticipates that the Town will provide full municipal services for the mixed use development contemplated by the enclosed zoning application consistent with the project's vested rights and the Town's obligations under applicable annexation laws.

In anticipation of developing the Property consistent with the project's vested rights, the applicant respectfully requests the Town approve the enclosed zoning application no later than September 19, 2022.

Respectfully,



Misty Ventura

Exhibit 1 to Rule 11 Agreement

Exhibit 1

Master Plan Update

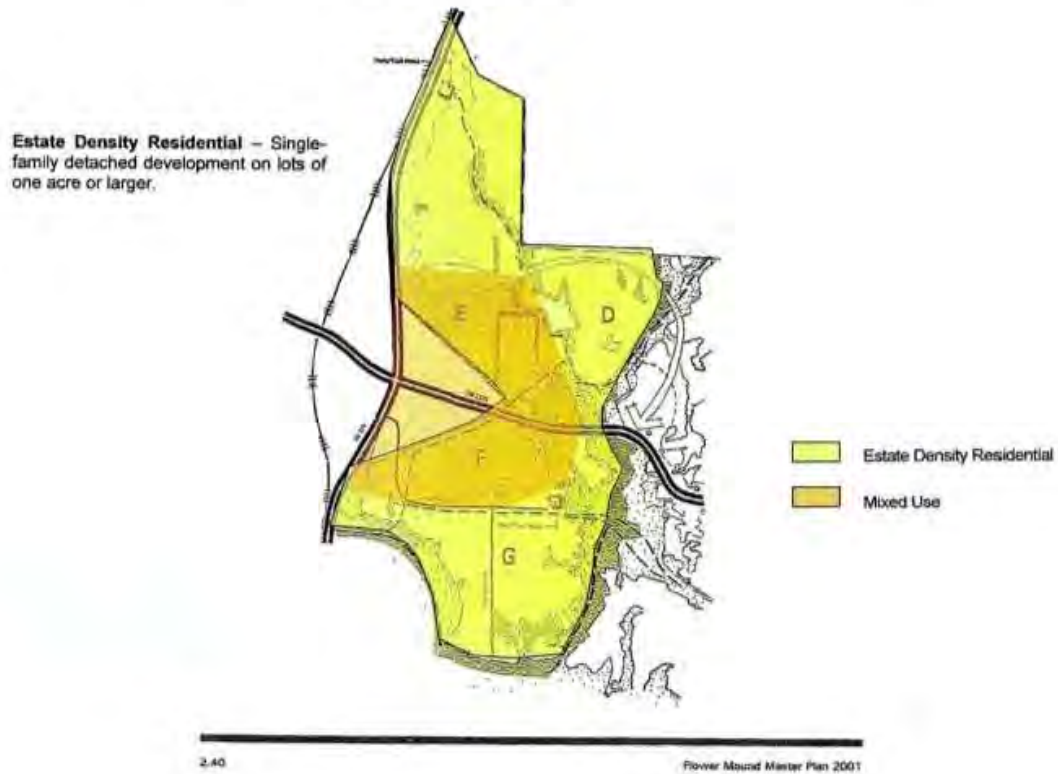
Town of Flower Mound



Attachment 2

2.0 AREA PLANS

Area Plan 5 (West) - White's Branch to US 377



09/29/06

25

Flower Mound Ranch

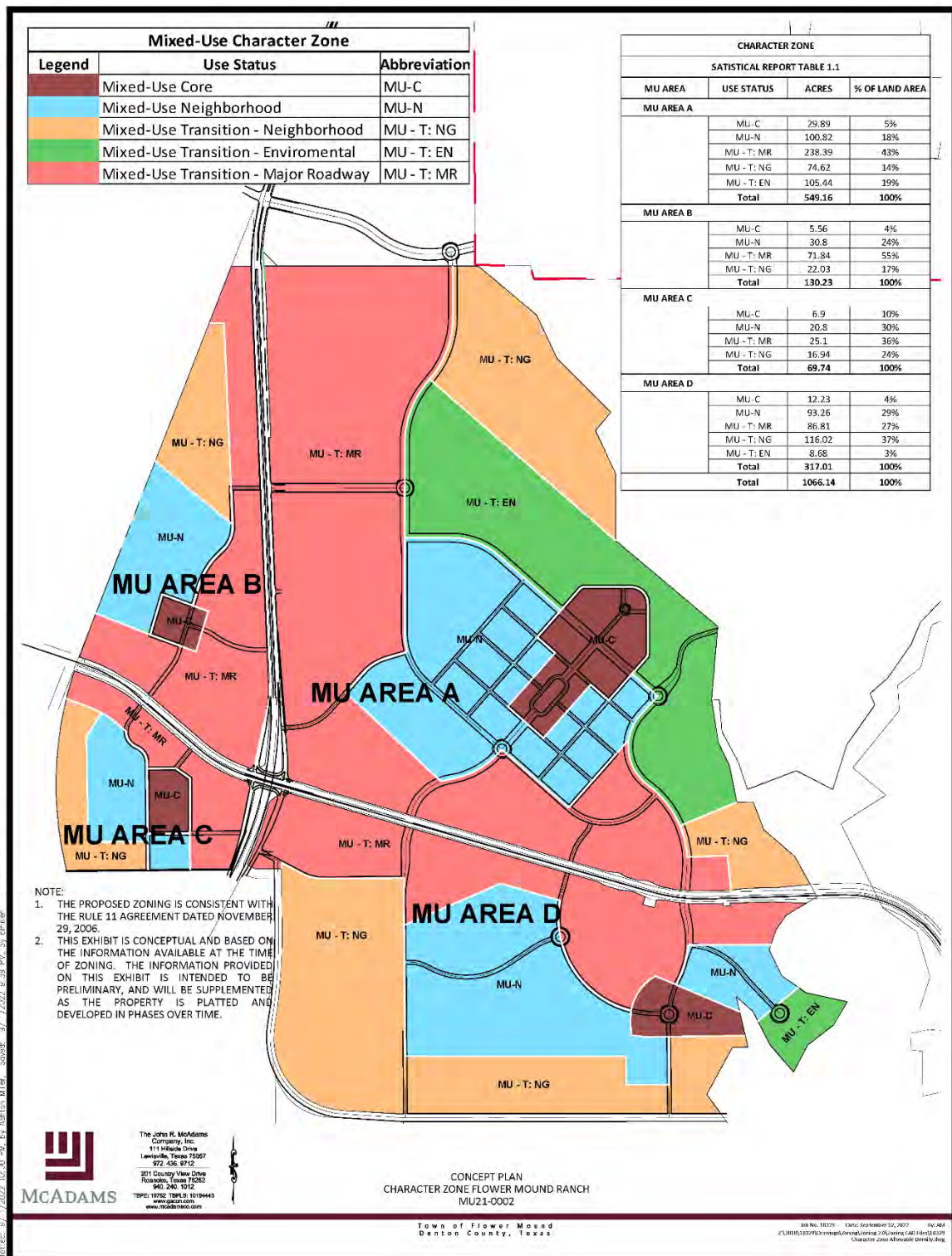
Mixed-Use Ordinance

SECTION 1: PURPOSE OF THIS ORDINANCE

The purpose and intent of these development standards is to establish regulations that will guide the mixed-use development of the 1,066-acre property described on **Exhibit A** of this ordinance (the "Property") to be developed over a period of several years. The purpose of these standards are intended to:

1. Provide for a diverse mix of uses including varying densities of residential uses, open spaces, corporate campuses, industrial, civic, retail, hospitality, institutional, entertainment, and office uses;
2. Create distinct districts that range from a walkable urban built environment to business parks to open space areas to single family neighborhoods and schools;
3. Preserve significant environmental features on the site that make the Property unique;
4. Emphasize a vast amount of open space areas, trail connectivity, and an array of recreational opportunities;
5. Allow for flexibility to adjust to market conditions over time;
6. Create an authentic design that is exemplary quality representing the best of Flower Mound;
7. Provide for economic expansion of the Town's tax base and services and opportunities for residents;
8. Create a consistent and coordinated landscaping, lighting and project design for the entire Property; and
9. Provide certainty regarding development regulations and the ability to develop the Property consistent with vested rights for the project pursuant to Chapter 245, Texas Local Government Code, the 2006 Rule 11 Agreement approved by the Town that recognizes certain vested rights to develop estate density residential and mixed use land uses within Property, and the February 21, 2007 court order declaring and recognizing those vested rights.

Figure 1.1: Illustrative Master Plan/Concept Plan



Enlarged notes and table from Figure 1.1

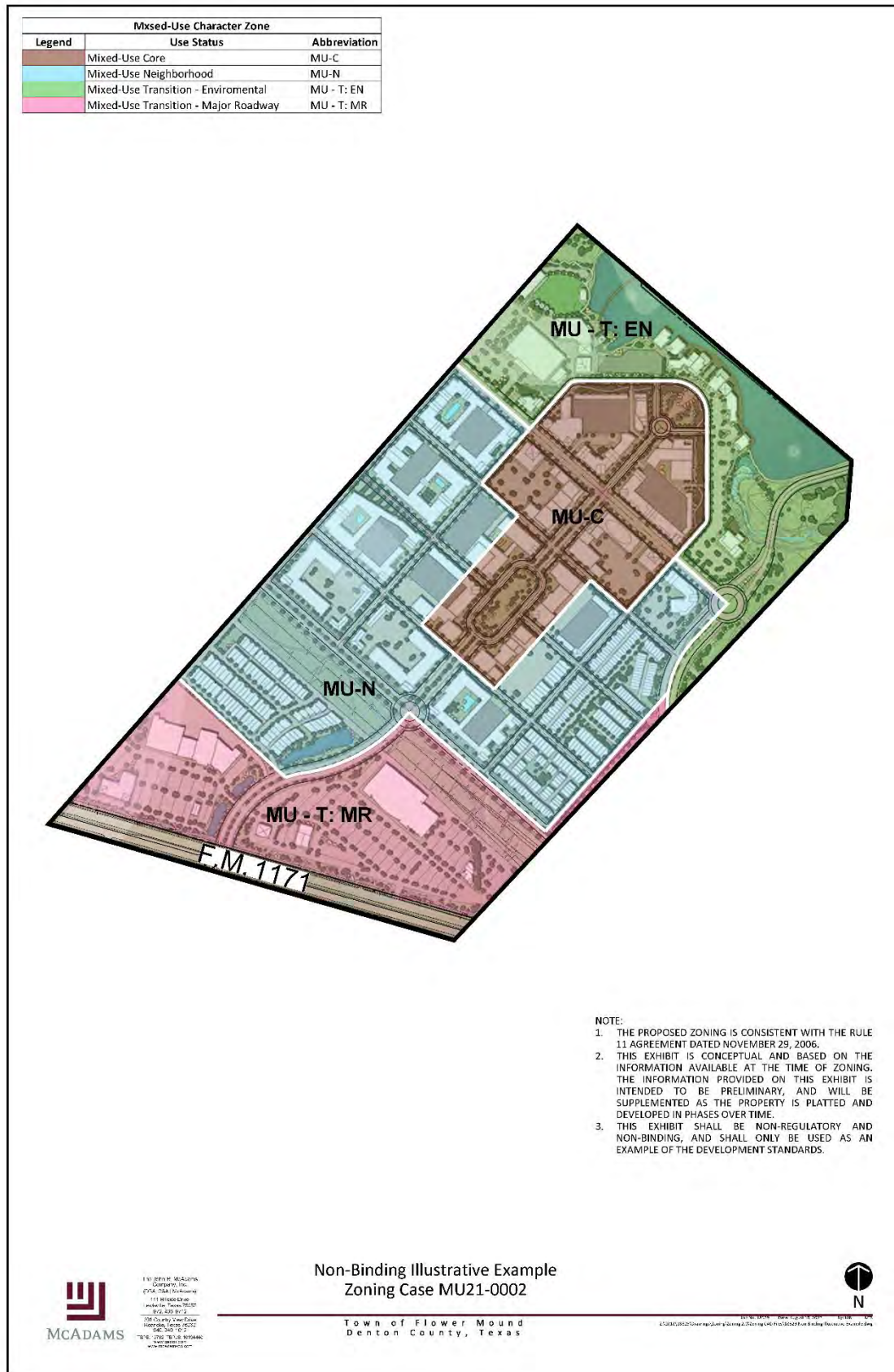
CHARACTER ZONE			
SATISTICAL REPORT TABLE 1.1			
MU AREA	USE STATUS	ACRES	% OF LAND AREA
MU AREA A			
	MU-C	29.89	5%
	MU-N	100.82	18%
	MU - T: MR	238.39	43%
	MU - T: NG	74.62	14%
	MU - T: EN	105.44	19%
	Total	549.16	100%
MU AREA B			
	MU-C	5.56	4%
	MU-N	30.8	24%
	MU - T: MR	71.84	55%
	MU - T: NG	22.03	17%
	Total	130.23	100%
MU AREA C			
	MU-C	6.9	10%
	MU-N	20.8	30%
	MU - T: MR	25.1	36%
	MU - T: NG	16.94	24%
	Total	69.74	100%
MU AREA D			
	MU-C	12.23	4%
	MU-N	93.26	29%
	MU - T: MR	86.81	27%
	MU - T: NG	116.02	37%
	MU - T: EN	8.68	3%
	Total	317.01	100%
Total		1066.14	100%

Mixed-Use Character Zone		
Legend	Use Status	Abbreviation
	Mixed-Use Core	MU-C
	Mixed-Use Neighborhood	MU-N
	Mixed-Use Transition - Neighborhood	MU - T: NG
	Mixed-Use Transition - Enviromental	MU - T: EN
	Mixed-Use Transition - Major Roadway	MU - T: MR

NOTE:

1. THE PROPOSED ZONING IS CONSISTENT WITH THE RULE 11 AGREEMENT DATED NOVEMBER 29, 2006.
2. THIS EXHIBIT IS CONCEPTUAL AND BASED ON THE INFORMATION AVAILABLE AT THE TIME OF ZONING. THE INFORMATION PROVIDED ON THIS EXHIBIT IS INTENDED TO BE PRELIMINARY, AND WILL BE SUPPLEMENTED AS THE PROPERTY IS PLATTED AND DEVELOPED IN PHASES OVER TIME.

Figure 1.2: Non-binding and non-regulatory detailed concept plan



In the event of a conflict between the regulating text of this ordinance and the non-binding illustrative example above, the text shall control.

Figure 1.3 Map Illustrating General Locations Permitted for Certain Conditional Uses

Notwithstanding anything to the contrary in this ordinance, the P/C uses noted in the table within Figure 1.3 below are permitted only in the general locations shown on Figure 1.3 below unless other locations are approved by Town Council as an exception. Permitted locations shown on Figure 1.3 are intended to be general and flexibility will be provided to allow the P/C use in the general vicinity noted on Figure 1.3.

Restaurants with a drive through window and retail sales or service establishments geared towards the automobile (excluding gas stations) may be located within the shaded area identified on the map or at any other location fronting along an arterial street that is located within a MU-T: MR character zone. A maximum of 5,300 linear feet of frontage along FM 1171 and 5,860 linear feet of frontage along US 377 may consist of lots containing restaurants with a drive through window and retail sales or service establishments geared towards the automobile (excluding gas stations), which equates to 35 percent of the frontage of each such roadway measured at the time of adoption of this ordinance. In addition, restaurants with a drive through window and restaurants with a drive through window and retail sales or service establishments geared towards the automobile (excluding gas stations) must be at least 500 feet from the intersection of FM 1171 and US 377.

Figure 1.3 Map Illustrating General Locations Permitted for Certain Conditional Uses

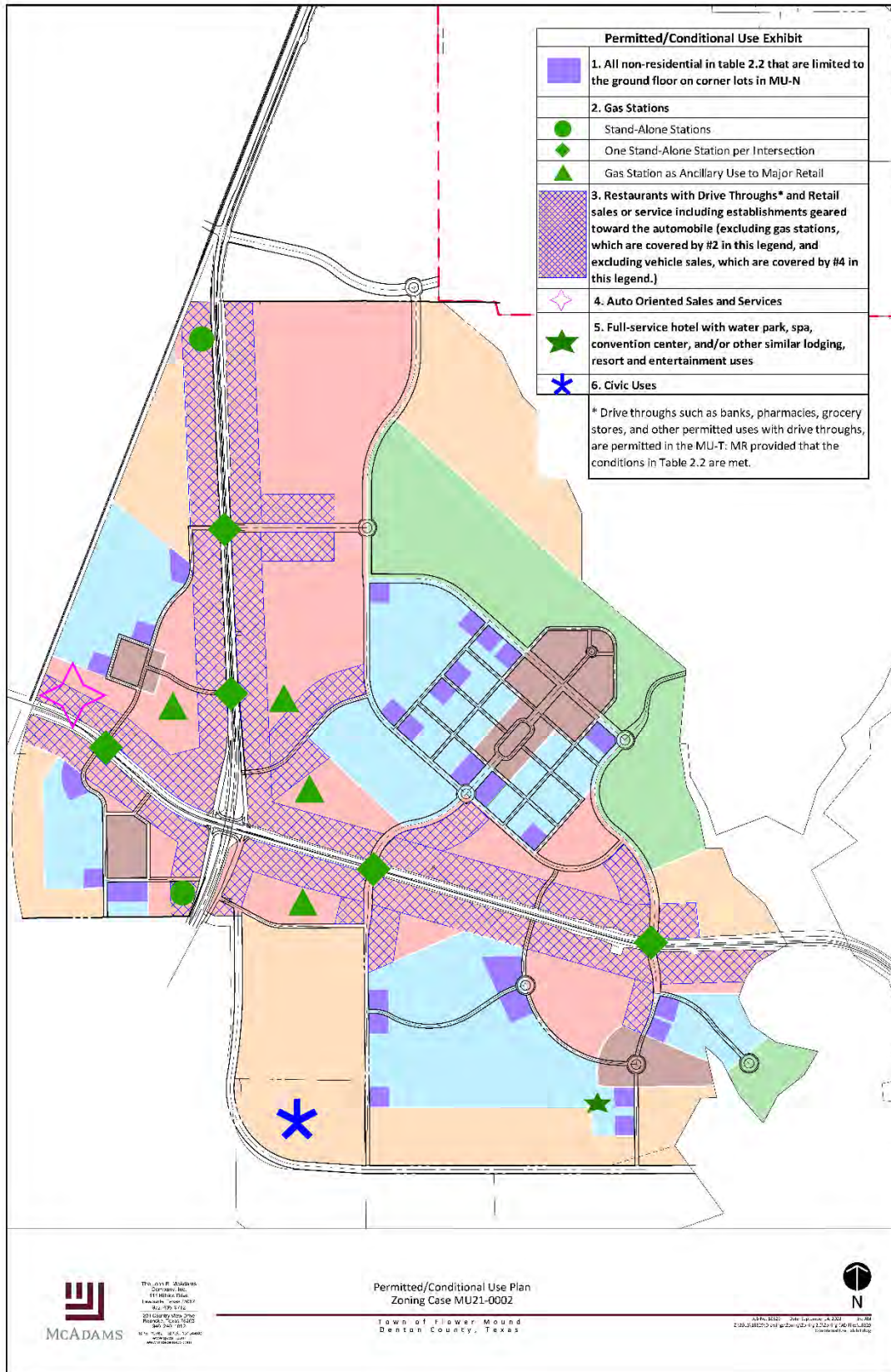
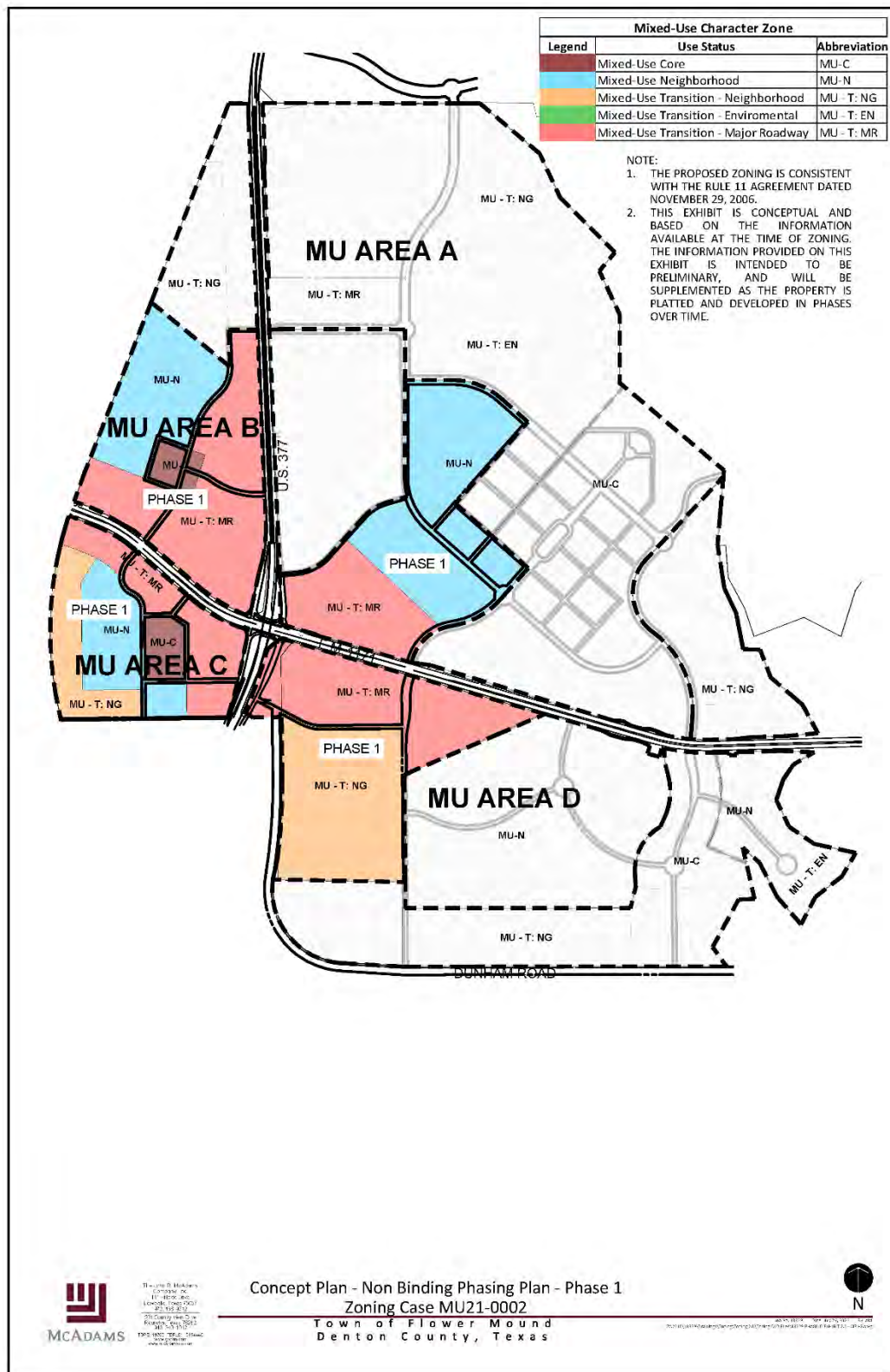
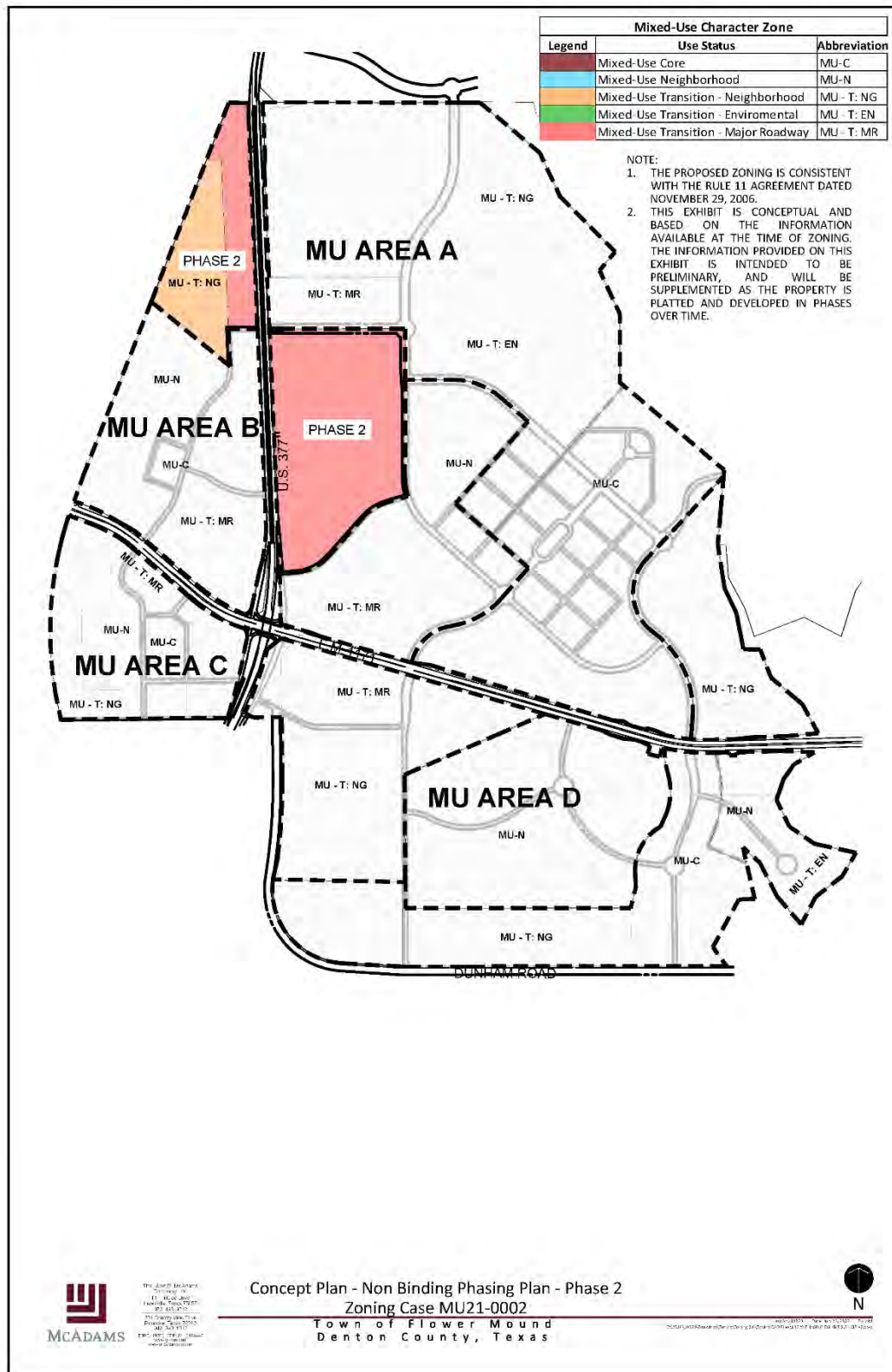
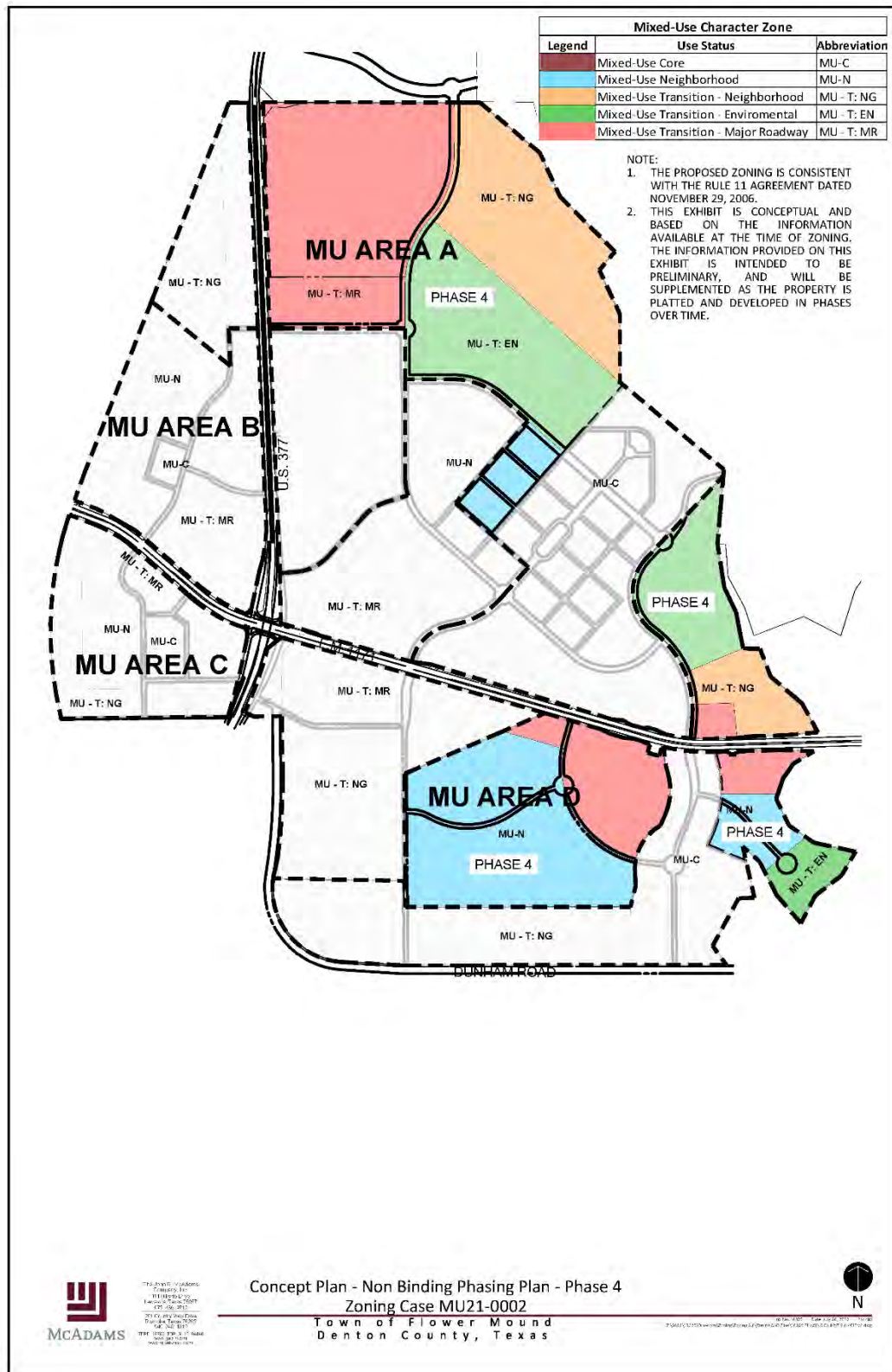


Figure 1.4: Phasing Plan – Preliminary, Conceptual and Non-Binding







SECTION 2: LAND USE

Table 2.1: Land Use

P = Permitted

P/C = Non-residential P/C uses are permitted only where they have been specifically designated on the incorporated Figure 1.3 and based on specific criteria in Table 2.2 or as otherwise approved by Town Council as an exception, provided they meet the specific criteria in Table 2.2. All P/C residential uses and a college or university are hereby permitted by right in the character zones indicated in Table 2.1, provided they meet the conditions in Table 2.2. No P/C residential use is required to be shown on Figure 1.3 as a condition to its approval, and no P/C residential use shall require Town Council approval. The only use-related conditions that apply to a use permitted by this ordinance are the conditions in this ordinance.

NP = Not Permitted

SUP = Permitted with a Specific Use Permit (Standards in Section 90-953 of the Land Development Regulations shall apply)

A = Permitted as an accessory use (Standards in Section 98-972 of the Land Development Regulations shall apply unless the applicant proposes alternative standards for accessory uses and structures subject to Town Council approval.)

NA = Not Applicable

The following land use definitions apply:

1. *Dwelling, multi-family or multi-family*, means any three or more dwelling units on a single platted lot. For purposes of this ordinance, multi-family 4-plex, residential lofts, apartments/condos (stacked residential) and live/work units are all considered multi-family.
2. *Dwelling, single-family, attached, or townhome* means a dwelling unit joined to another dwelling at one or more sides by a party wall or abutting separate wall and located on a platted separate lot and served by separate utility connections and meters as a single-family dwelling.
3. *Dwelling, single-family, detached*, means a single dwelling unit, other than a mobile home, located on a lot or separate building tract and having no physical connection to a building located on any other lot or tract. The garage access may be front or rear loaded.
4. *Full-service hotel* means a hotel that (a) includes at least three of the following amenities: a swimming pool, spa, sauna, weight room or fitness center, playgrounds, a sports court, a plaza, an atrium, a game room, a conference room with at least 1,000 square feet, or a full-service restaurant with seating for at least 35 patrons; (b) provides staff on-site 24 hours a day, seven days a week; and (c) is designed so that the entrance to each guest room is gained from an interior climate-controlled corridor. First floor units may have secondary access from an interior courtyard or swimming pool area in addition to hallway access. A porte-cochere or other covered area must be provided immediately adjacent to the entrance with

a registration desk. The porte-cochere or covered area must be sufficient to accommodate the temporary parking of at least two vehicles parked side by side for guests checking in and out. A full-service hotel may include, but is not required to include, features such as a water park, spa, convention center, restaurants, shops, bars, and/or other similar resort and entertainment uses.

5. *Mixed Use Building*, means a building or structure that combines more than one use vertically within the structure. A mixed use building must have at least two different land uses contained, with non-residential uses on the ground floor and residential or non-residential uses above. A building containing a hotel, office space, a performing arts center, or a civic use may be considered a mixed use building even if it is a single use building.
6. *Multi-family 4-plex*, means one or more buildings or structures located on a single lot with a maximum of 4 dwelling units under a single roof.
7. *Rowhouses*, means a single family detached unit, other than a mobile home, located on a separate lot and having no physical connection to a building located on any other lot or tract. Rowhouses are a type of single family detached housing that is rear loaded.

Any use not specifically listed in table 2.1 is prohibited.

PERMITTED USE TABLE	Use Status				
Land Use Category	MU-C	MU-N	MU-T		
			NG	EN	MR
Commercial Uses (Office, Retail, and Service Uses)					
Retail sales or service (excluded from this category are retail sales and services establishments geared towards the automobile, including gasoline service stations.)	P	P/C	NP	P	P
Retail sales or service including establishments geared towards the automobile (including gas stations)	NP	NP	NP	NP	P/C
Finance, insurance, and real estate establishments including banks, credit unions, real estate, and property management services.	P	P/C	NP	P	P
Offices for business, professional, and technical uses such as accountants, architects, lawyers, doctors, etc.	P	P/C	NP	P	P
Food service uses such as full-service restaurants, cafeterias, and snack bars	P	P/C	NP	P	P
Arts, Entertainment, and Recreation Uses					
Fitness, recreational sports, gym, or athletic club	P	P/C	NP	P	P

Games arcade establishments	P	NP	NP	P/C	P
Theater, cinema, dance, or music establishment	P	NP	NP	P/C	P
Museums and other special purpose recreational institutions	P	NP	NP	P/C	P
Parks, greens, plazas, squares, environmental preserves, and playgrounds	P	P	P	P	P
Art, antique, furniture or electronic studio (retail, repair, or fabrication)	P	P/C	NP	P	P
Educational, Public Administration, Health Care and Other Institutional Uses					
Business associations and professional membership organizations	P	NP	NP	P/C	P
Child day care and preschools	P	P/C	NP	P/C	P
Schools, libraries, and community halls	P	P/C	NP	P	P
Universities and colleges	P/C	NP	NP	P/C	P
Hospitals	P	NP	NP	NP	P
Civic uses	P	P/C	P/C	P	P
Social and fraternal organizations	P	P/C	NP	P	P
Public safety facilities	P	P/C	NP	P	P
Religious institutions	P	P/C	NP	P	P
Residential Uses					
Home occupations	NA	A	A	NA	NA
Live/work units	P/C	P	P/C	P	NP
Residential lofts	P	P/C	NP	P	P
Apartments/condos (stacked residential) (multi-family) (multi-family 4-plex)	P/C	P	NP	P/C	NP
Single-family residential attached dwelling unit (Townhomes)	NP	P	P	P/C	NP

Single-family residential detached dwelling unit (includes rowhouses)	NP	P/C	P	P/C	NP
Land Use Category	MU-C	MU-N	MU-T		
			NG	EN	MR
Other Uses					
Model homes, attached and detached, for sales and promotion	P/C	P	P	P/C	P/C
Full-service hotels	P	P/C	NP	P	P
Outdoor temporary removable displays and sales for fairs, festivals and other special events held in outdoor spaces	SUP	NP	NP	SUP	SUP
Outdoor vendor sales	P	NP	NP	P	NP
Parking, surface	P/C	P/C/A	A	P/C	P/C
Parking, structured (primary use that is not affiliated with another land use)	P/C	P/C	NP	P/C	P/C
Parking, structured (accessory use affiliated with another land use)	P	P	NP	P	P
Sales from kiosks	P	NP	NP	P/C	P/C
Any permitted use with a drive through facility	NP	NP	NP	NP	P/C
Veterinary clinic (no outdoor facilities for overnight storage of animals)	SUP	NP	NP	NP	SUP
Information centers	P	P/C	NP	P	P

Table 2.2: Special Conditions for Uses

Use Criteria		
Use	Character Zone	Location and Design Criteria
Nonresidential Uses		

Retail sales and service (excluded from this category are retail sales and services establishments geared towards the automobile, including gasoline service stations.)	MU-N	• Shall be limited to ground floor uses on corner lots in the Neighborhood (MU-N). • Commercial uses shall be limited to a total of 6,000 square feet per corner lot. • Limited to the general locations shown on Figure 1.3
Finance, insurance, and real estate establishments including banks, credit unions, real estate, and property management services.		
Offices for business, professional, and technical uses such as accountants, architects, lawyers, doctors, etc.		
Food service uses such as full-service restaurants, cafeterias, and snack bars		
Fitness, recreational sports, gym, or athletic club		
Offices for business, professional, and technical uses such as accountants, architects, lawyers, doctors, etc.	MU-N	Shall be permitted as the ground floor use in a live/work unit only (except for corner lots)
Art, antique, furniture or electronic studio (retail, repair, or fabrication)		
Universities and colleges	MU-C and MU-T: EN	Shall be required to provide structured parking as part of the build-out for the university/college campus
Civic uses	MU-N	• Shall be limited to ground floor uses on corner lots in the neighborhood (MU-N) [zone]. • Uses shall be limited to 10,000 square feet. • Limited to the general locations shown on Figure 1.3
Social and fraternal organizations		
Public safety facilities		
Religious institutions		
Retail sales or service including establishments geared towards the automobile (including gas stations)	MU-T: MR	• Shall have the auto-oriented sales and services oriented towards the major roadway. • In no case shall gas pumps, canopies, or services bays along the major roadway exceed 50 percent of that lot's street frontage.

Residential Uses					
Residential lofts	MU-N	Shall be permitted only in conjunction with a ground floor nonresidential use as permitted above.			
Single-family residential detached dwelling unit (including a rowhouse)	MU-N	Shall be permitted if located adjacent to the same use in a neighborhood transition (MU-T: NG) zone.			
Apartments/condos (stacked residential); multi-family; multi-family 4-plex *These conditions do not apply to a mixed use building that contains residential units. These conditions apply only to <u>stand alone</u> stacked multi-family.	MU-C	*Shall be limited to a one-block area immediately adjacent to the neighborhood (MU-N) zone. *Ground floors shall be built to commercial standards including floor to floor heights and floors at-grade to the sidewalk.			
Apartments/condos (stacked residential); multi-family; multi-family 4-plex *This condition does not apply to a mixed use building that contains residential units. This condition applies only to <u>stand alone</u> stacked multi-family.	MU-T: EN	*Shall be permitted if located adjacent to the same use in a neighborhood (MU-N) zone.			
Single-family residential attached dwelling unit (including rowhouses)	MU-T: EN	Shall be permitted if located adjacent to the same use in a neighborhood (MU-N) zone.			
Other Uses					
Parking, surface	All	Section 7 shall apply.			
Parking, structured	All	- All structured parking shall be lined by active uses along the entire ground floor frontage of all Type A streets. - All structured parking shall be lined by active uses along a minimum of 50 percent of all Type B streets (with the exception of arterials in MU-T: MR areas, highways, and alleys).			

		• Driveways into the garages shall be from alleys or Type B streets as established in the development plan.
Any use with a drive through facility	MU-T: MR	• All drive through access (driveways) shall be from arterial, collectors, Type B, or alleys. • Drive through lanes and/or canopies shall not front on or be located along any Type A street.

Table 2.3: Land Use Summary

				Town of Flower Mound Master Plan Standards***	
MU Area	Land Use	Percentage of the Acreage¹	Acreage	Percentage of the Acreage	Flexibility Factor
Area A					
	Non-residential uses*	57.17%	313.95	45%	±25%
	Public uses	3.53%	19.40	5%	±5%
	Residential uses**	28.91%	158.76	45%	±25%
	Civic/Open Space (public and private)	10.00%	57.05	5%	±10%
	Total	100.00%	549.16		
Area B					
	Non-residential uses*	57.46%	74.83	45%	±25%
	Public uses	0.00%	0.00	5%	±5%
	Residential uses**	34.15%	44.48	45%	±25%
	Civic/Open Space (public and private)	8.00%	10.92	5%	±10%
	Total	100.00%	130.23		
Area C					
	Non-residential uses*	41.90%	29.22	45%	±25%
	Public uses	0.00	0.00	5%	±5%

¹ The flexibility factors in the last column demonstrate that this column complies with Town percentage goals, and the last column does not grant flexibility to amend this column without amending this ordinance by following the major zoning amendment procedure.

	Residential uses**	53.08%	37.02	45%	±25%
	Civic/Open Space (public and private)	5.00%	3.50	5%	±10%
	Total	100.00%	69.74		
Area D					
	Non-residential uses*	19.45%	61.66	45%	±25%
	Public uses	7.41%	23.50	5%	±5%
	Residential uses**	62.52%	198.19	45%	±25%
	Civic/Open Space (public and private)	10.62%	33.66	5%	±10%
	Total	100.00%	317.01		
*Non-residential uses shall include retail, office, hospitality, entertainment, and other non-residential uses as listed in Table 2.1: Land Use.					
**Residential uses above commercial uses shall not be included in the calculation of percentage of residential uses in the overall development; but are included in the total number of units within the overall project.					
***Provided for informational purposes only and shown per the Town of Flower Mound Master Plan Standards.					

SECTION 3: CHARACTER ZONES AND LOT TYPES

3.1 Character Zones

Character zones are described in Table 3.1 below.

Table 3.1: Character Zones

Character Zone	Intent
Mixed-Use Core MU-C	The MU-C character zone is intended to provide for a variety of residential, retail, service and commercial uses. To promote walkability and compatibility, auto-oriented uses are restricted. MU-C promotes mixed use and pedestrian-oriented activity. Active ground floor uses, such as shopping, dining, personal services, and other uses open to the public that generate walk-in traffic, are required for a minimum of 50% of each blockface, but this requirement does not apply to a block to be developed with a hotel, office building, a performing arts building, or civic use.
Mixed-Use Neighborhood MU-N	The MU-N character zone is a component area of a MU with predominantly residential uses and open spaces. A mixed use neighborhood may also contain small-scaled civic uses and nonresidential uses at key locations. Ground floor non-residential not required except for lofts.
Mixed Use Transition – Environmental MU-T: EN	The MU-T: EN character zone shall consider appropriate buffers and edge conditions to the specific environmental resource in order to maximize its intrinsic value to the overall mixed-use development as a focal point. It is intended to accommodate a variety of commercial uses unique to lake adjacency such as entertainment, recreation, retail, restaurant, and

Character Zone	Intent
	hospitality. Residential uses are also appropriate per the permitted uses listed in Section 2. Ground floor non-residential not required unless required by a condition applicable to the use (e.g., live-work units).
Mixed Use Transition – Major Roadway MU-T: MR	The MU-T: MR character zone is intended to accommodate auto-oriented and other heavy commercial uses. Development should be operated in a relatively clean and quiet manner and should not be obnoxious to nearby residential or commercial uses. This transition area shall be the only appropriate location for more automobile-oriented commercial uses due to the adjacency and access along the roadway while transitioning to a pedestrian-oriented development towards the interior of the site. This character zone is also intended to serve as a commercial gateway and employment center to take advantage of proximity to major roadways, therefore the quality and aesthetics of new development is very important. A major roadway transition may include transitions from a rail-road right-of way or corridor. A major roadway corridor is either an arterial roadway or state highway. This transition area may include residential lofts.
Mixed Use Transition – Neighborhood MU-T: NG	The MU-T: NG character zone shall include residential uses that are of compatible scale and density to the immediately adjacent existing neighborhoods consistent with this ordinance including Table 3.3 and Table 3.4.

3.2 Lot Types

The project is further divided into lot types. Each lot type can be mixed with others to contribute to the look, feel and function of each character zone. Table 3.2 shows what Lot Type is allowed in each character zone. The specific regulations on lot dimensions, minimum size, setbacks/build-to lines, and treatments within the right-of-way, are listed in Table 3.3 and Table 3.4.

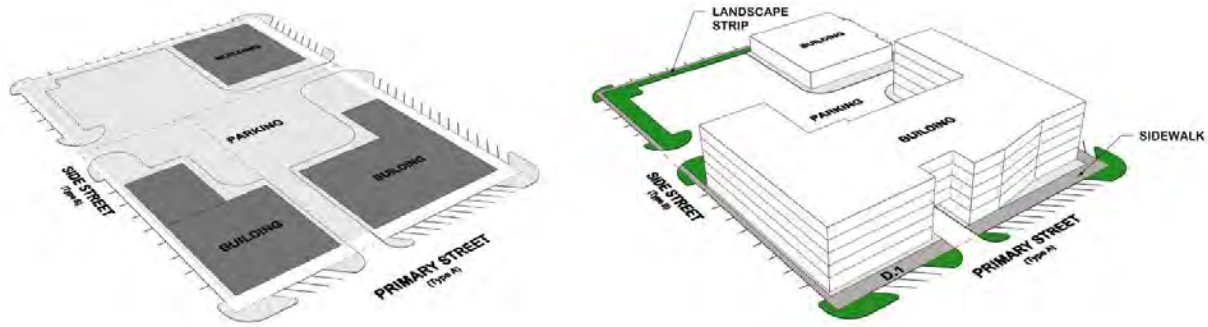
The lot type diagrams set forth in Figures 3.1 through 3.6 below are conceptual and general in nature to illustrate how parking and buildings should relate to each other within a lot and to the adjacent street, and are not intended to be regulatory or to show the building design, size, shape, height, location, building footprint, elevation, number of stories, or number of buildings or units on a lot, all of which shall be determined based on the development standards in Table 3.3 or Table 3.4 as applicable.

Table 3.2: Lot Types per Character Zone

Character Zone	Lot Types (see below this table for more information regarding lot types)
Mixed-Use Core MU-C	Mixed Use (could include one or more mixed use buildings) Stand alone parking structure
Mixed-Use Neighborhood MU-N	Mixed Use (could include one or more mixed use buildings) Stand alone parking structure Multi-family (stand alone) Multi-family (4-plex) Townhome Rowhouse Single Family – Front loaded
Mixed Use Transition – Environmental MU-T: EN	Mixed Use (could include one or more mixed use buildings) Stand alone parking structure General Commercial Multi-family (4-plex) Multi-family (stand alone) Townhome Rowhouse Single Family – Front loaded
Mixed Use Transition – Major Roadway MU-T: MR	Mixed Use (could include one or more mixed use buildings, not including multi-family other than residential lofts) Stand alone parking structure General Commercial
Mixed Use Transition – Neighborhood MU-T: NG	Townhome Rowhouse Single Family – Front loaded

Figure 3.1: Mixed Use Building Lot Type Diagram

Mixed-use building lot types are appropriate in the character zones as listed in Table 3.2. The MU-C, MU-N, MU-T: EN, and MU-T: MR character zones allow mixed use buildings. The figure in Figure 3.1 below is intended to illustrate the mixed use building type within these character zones regardless of whether the building contains residential uses or non-residential uses.



Note: The locations of Type A and Type B streets are identified in Figure 6.2..

Figure 3.2: General Commercial Lot Type Diagram

General Commercial buildings are stand-alone non-residential buildings without any associated residential uses utilizing a more suburban development pattern. These are appropriate in the character zones as listed in Table 3.2.

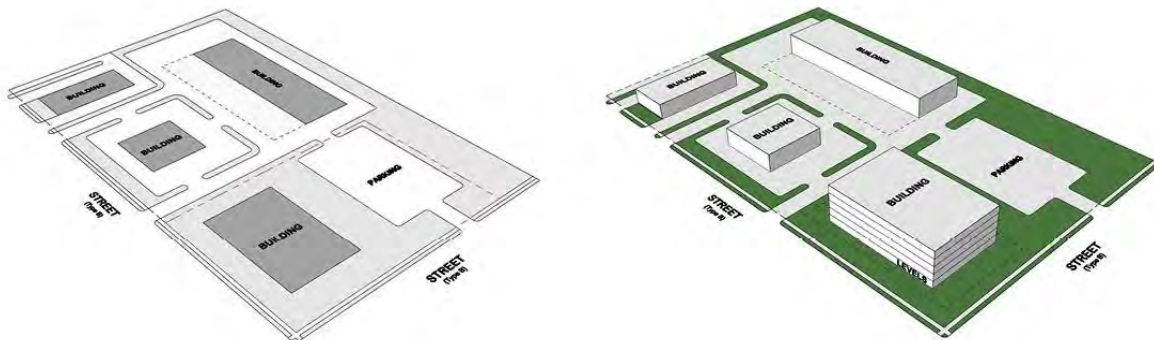


Figure 3.3: Single Family Detached, Front Loaded Lot Type Diagram

Single family lots are appropriate in the character zones as listed in Table 3.2. They provide a traditional living option within this mixed-use district. They are front loaded and detached. This diagram represents minimum setbacks. Variety in setbacks is discussed in Section 3.3.



Figure 3.4: Rowhouse Lot Type Diagram

Rowhouses are appropriate in the character zones as listed in Table 3.2. They are served by alleys and are detached.

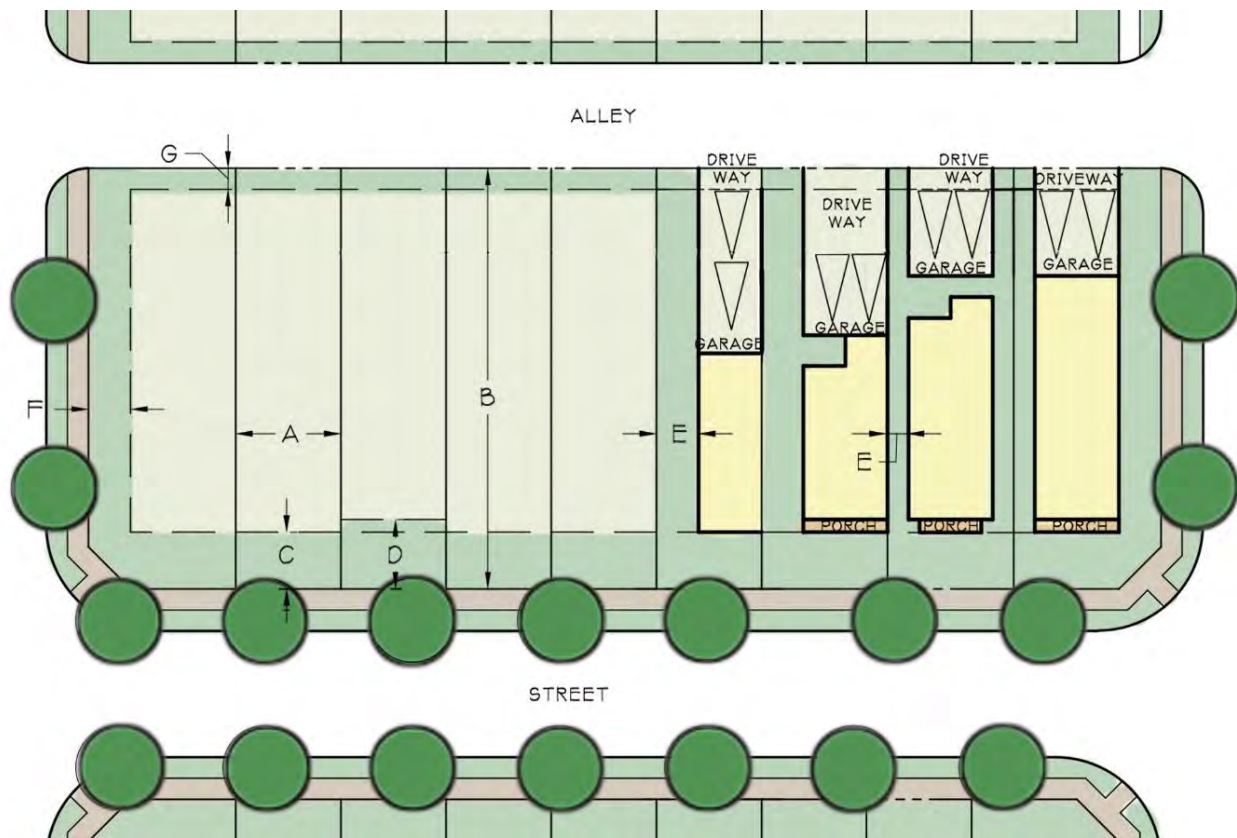
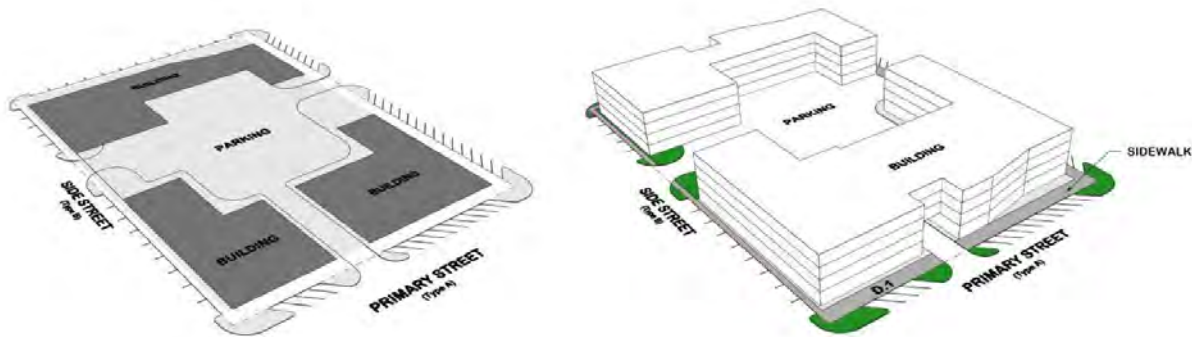


Figure 3.5: Townhome Rear Loaded Lot Type Diagram

Single family residential attached units (townhomes) are appropriate in the character zones as listed in Table 3.2. They serve to provide a walkable living option within this mixed-use district. They are rear-loaded and attached. This diagram is intended to show how this use may develop, although there is no minimum number of units that must be attached for this use.



Figure 3.6: Multi-family (Stand Alone) (Not including 4-Plex) Lot Type Diagram



The multi-family (stand alone) lot type will include one or more multistory buildings depending on the character zone in which a building is located and the number of stories permitted in that zone pursuant to Table 3.4. Subject to compliance with Table 3.4, no minimum or maximum number of structures per lot or dwelling units per structure shall apply. Table 3.4 contains the exclusive bulk and density requirements for a multi-family use.

Figure 3.7 Muti-Family (4-Plex)

Multi-family attached or detached dwelling units, with a maximum of four dwelling units per building, are appropriate in this lot type. Section 7.8 provides that each 4-plex unit must include garage parking accessed through an alley.



Figure 3.8 Stand Alone Parking Garage

Stand alone parking garages are appropriate in the character zones as listed in Table 3.2, and serve to provide parking to one or more uses in the vicinity of the garage.

[insert diagram]

3.3 Limitations on Repetitiveness

To additionally avoid repetitiveness of single family detached homes, variations shall be accomplished throughout the development by providing a mix of building configurations (as conceptually shown in Figures 3.3, 3.4 and 3.5 above). In addition, no detached single family building footprint or front elevation shall be repeated within three lots along the same blockface or be repeated directly across the street or within one lot of the home directly across the street, as shown in Figure 3.8 below, and the building permit applicant shall provide a lot key map or similar document to the Town to track compliance with this requirement.

At least two front different front elevations shall be required for a series of attached townhomes when more than five or more units are attached.

Figure 3.9: Single Family Detached Anti-Repetition Diagram

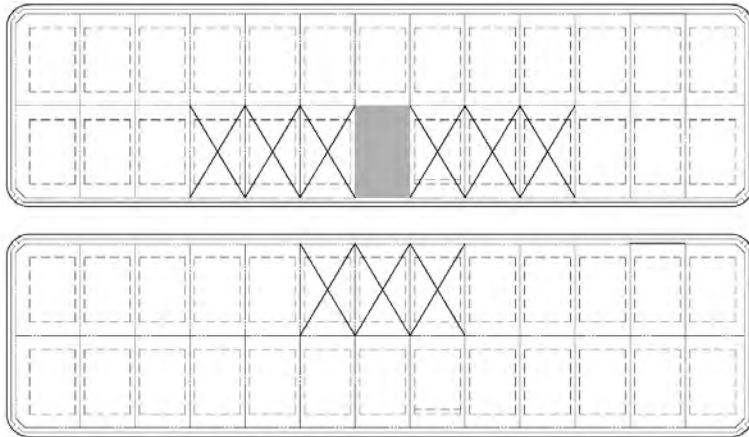


Table 3.3: Development standards For Single Family Detached, Rowhouse, and Townhome

Table 3.3 identifies the development standards applicable to single family detached, rowhouse, and townhome uses. In the event of a conflict between Table 3.3 and Table 3.4 with respect to single family detached, rowhouse, and townhome uses, Table 3.3 shall control.

Standard	Single Family Detached	Rowhouse*	Townhome
Min. Lot Area (A)	6,000 sf	2,500 sf	2,500 sf
Min. Lot Width (B)	60'	25'	25'
Min. Lot Depth (D)	100'	100'	100'
Front Setback Min/Max (C/D)	15' / N/A	13.5' /16.5' (max setback applies to a portion of the primary structure)	13.5'/16.5'
Min. Side Setback (E and F)	5' Interior and 10' Side Street	5' or 0'/10' Interior and 10' Side Street ("E" in the lot type diagram represents a side setback which may vary.)	0' Interior and 10' Side Street
Min. Rear Setback (G)	15'	5'	5'
Max. Building Height	3 Stories, 35'	3 Stories, 35'	3 Stories, 35'
Garage Entry	Front Loaded	Rear Loaded	Rear Loaded
Garage Setback (H)	20' From Street ROW	5' from Alley Pavement	5' from Alley Pavement
Minimum dwelling size	1,500 square feet	1,100 square feet	1,100 square feet
Detached Garages		If a detached garage is proposed, the minimum separation between the two structures shall be five feet or it shall comply with the International Residential Code (IRC) adopted at the time of permit review.	Detached garages must be located a minimum of five feet from the primary dwelling. If a detached garage is proposed, the minimum separation between the two structures shall be five feet or it shall comply with the International Residential Code (IRC) adopted at the time of permit review.

Standard	Single Family Detached	Rowhouse*	Townhome
Mix of Product in 35 Acre or Larger Single Project		When more than 35 acres of contiguous land area in the MU-T: NG and/or MU-T: EN character zones is planned for a residential project that includes rowhouses and/or townhomes, the rowhouses and/or townhomes shall not constitute more than 40 percent of the land area within that project.	
Electrical line/substation/high voltage	No residential building or school facility shall be constructed within 100 feet of the edge of the right-of-way or easement for a high voltage electrical transmission line. No nonresidential building shall be located within the right-of-way or easement for a high voltage electrical transmission line.		
Transmission Pipeline	Residential lots shall not be platted into transmission pipeline easements or rights-of-way. No building, structure, pool or spa shall be constructed in or moved into the transmission pipeline easement or right-of-way. Limited parallel fencing may be constructed within the transmission pipeline easement or right-of-way. Cross fencing may be constructed to contain livestock in agricultural areas, provided that a letter of approval is obtained from the transmission pipeline entity.		

*The following applies to rowhouses that have 0'/10' side yards: A roof overhang shall meet applicable building codes. A maintenance easement is required under such circumstances.

Table 3.4: Development standards by Character Zone

In the event of a conflict between Table 3.3 and Table 3.4 with respect to single family detached, rowhouse, and townhome uses, Table 3.3 shall control. To the extent Tables 3.3 or 3.4 address a topic, that topic shall be addressed exclusively by these tables and any related provisions in this ordinance. For example, if Table 3.3 or Table 3.4 addresses setbacks, the topic of setbacks shall be governed exclusively by this ordinance and any setback provisions in the Land Development Regulations shall not apply. References to Sections 1-15 refer to this document, and other sections references are to the Land Development Regulations.

Notwithstanding the foregoing, the following provisions in Sections 98-1024 to 98-1032 of the Land Development Regulations shall apply for purposes of administering Tables 3.3 and 3.4, and no other provisions in Section 98-1021-1032 of the Land Development Regulations shall apply: Subsection 98-1024(b) [Minimum Lot Width], Subsections 98-1026(b) (c), (d), and (e) [Minimum Front Yard Setback], Subsections 98-1027(b), (c), and (d) [Minimum Side Yard Setback], Subsections 98-1028(b), (d), and (e) [Minimum Rear Yard Setback], Subsection 98-1029(b) [Maximum Lot Coverage], Subsection 98-1030(b) [Maximum Floor Area Ratio], Subsections 98-1031(b) and (c) [Maximum Height], and Section 98-1032 [Accessory Buildings]. This ordinance contains the exclusive development standards specific to a multi-family use.

Mixed Use Areas A – D Permitted Number of Dwelling Units and Square Footage (in Floor Area) in the Aggregate and Related Restrictions		
Multi-Family, Live/Work, and Residential Lofts*	Single Family Residential Detached or Townhomes	Retail, Restaurant, and Office Uses²
Maximum 5,000 multi-family, live/work, and residential loft dwelling units plus 1,000 age-restricted multi-family, live/work, and residential loft dwelling units (6,000 total) [See notes 1 and 2 below]	Maximum 3,000 dwelling units [see note 2 below]	6,688,163 square feet are contemplated at full buildout of the Property, but no maximum square footage shall apply
Note 1: Prior to the issuance of a certificate of occupancy (CO) for the first multi-family residential dwelling unit within the Property (excluding age-restricted units), one or more COs shall have been issued by the Town for at least 100,000 square feet of non-residential unfinished shell space or finished floor area (excluding gas stations) within the Property. During the ten-year period following the date of the Town Council's adoption of this ordinance, a maximum of 2,750 multi-family dwelling units are permitted on the Property (excluding age-restricted units). Prior to the issuance of a CO for each of the 2,250 multi-family units that are in excess of 2,750 multi-family units (excluding age-restricted units), one or more COs shall have been issued by the Town for at least an additional 1,000 square feet of non-residential unfinished shell space or finished floor area for the following uses within the Property (e.g., 5,000 multi-family units requires 2,350,000 square feet of non-residential unfinished shell space or finished floor area): (1) all uses in the following land use categories in Table 2.1: commercial uses (office, retail, and service uses); and arts, entertainment, and recreation uses; (2) hospitals; (3) civic uses; and (4) hotels. For purposes of this restriction, the term "floor area" shall mean the air-conditioned floor space within the interior of a building. For purposes of this restriction, the term multi-family includes multi-family, live/work, and residential loft dwelling units. There is no restriction on when single family and age-restricted multi-family units may be constructed.		

² Does not include hospitals, college campus uses, hotels, or civic uses.

Note 2: For each decrease of a permitted non-age restricted multi-family dwelling unit, an additional 1.5 single family detached or townhome units shall be permitted. For example, if the maximum of 5,000 multi-family units is decreased by 1,000, resulting in 4,000 maximum units, 1,500 additional single family detached or townhome units are permitted for a total of 4,500 single family detached or townhome units.

**Multi-Family, Live/Work, and Residential Lofts including Age Restricted Dwelling Units
Density Per MU Area**

	Area A	Area B	Area C	Area D
Acres	549.157	130.233	69.735	317.014
Maximum Units (See Note 3)	6,000	1,433	841	3,487

Note 3: Subject to the unit caps above in this Table 3.4. For example, a maximum of 5,000 multi-family, live/work, and residential loft dwelling units plus 1,000 age-restricted multi-family, live/work, and residential loft dwelling units (6,000 total) is permitted (subject to Notes 1 and 2 above) (the "Multi-family Unit Caps"). The maximum number of units per Area is non-binding and may change, subject to the Multi-Family Unit Caps.

**Single Family
Density Per MU Area**

	Area A	Area B	Area C	Area D
Acres	549.157	130.233	69.735	317.014
Maximum Units (See Note 4)	2,100	1,761	934	2,100

Note 4: Subject to the unit caps above in this Table 3.4. For example, a maximum of 3,000 single family units are permitted (subject to the increase noted in Note 2 above) (the "Single Family Unit Caps"). The maximum number of units per Area is nonbinding and may change, subject to the Single Family Unit Caps.

Areas A – D Development Standards

1.0 Street Design Standards

Street design standards shall be based upon creating a safe and inviting walking environment through an interconnected network of roads with sidewalks, street trees, street furniture, and amenities. Cul-de-sacs are prohibited unless natural features such as topography or stream corridors prevent a street connection. Right-of-way widths are governed by the approved street sections.

The street sections in Figure 6.3, as well as other Town street sections, as approved by the Town Manager or their designee, are the only approved streets for this development unless alternative street sections are approved by the Town Council through an exception. An owners association or property owner shall be responsible for the maintenance of all parking space pavement markings including parking space pavement markings located within the right-of-way. Alleys shall be private and located within an x-lot that is dedicated to an owners association for maintenance. Alleys shall be one-way.

Standard	MU-C	MU-N	MU-T		
			NG	EN	MR
a. Design speed	See Section 6: Streets and Streetscapes				
b. Street types allowed:	See Section 6: Streets and Streetscapes				
c. Travel lane widths	See Section 6: Streets and Streetscapes				
d. Turning radii	25'	25'	25'	25'	25'
e. On-street Parking					
• Parallel	Permitted	Permitted	Permitted	Permitted	Permitted

• Angled (only if vehicles per day are projected to be less than 8,000)	Permitted	Not Permitted	Not Permitted	Permitted	Permitted
f. Parking lane width					
Parallel	8 feet	8 feet		8 feet	
Angled	18 feet	N/A		18 feet	
g. Alleys ²	Permitted	Permitted		Permitted	
2.0 Streetscape Standards					
Standard	MU-C	MU-N	MU-T		
			NG	EN	MR
a. Sidewalks	15 feet (min) on Type A, 6 feet (min) on Type B Streets	15 feet (min) on Type A, 5 feet (min) on Type B Streets	5 feet (min)	6 feet (min)	6 feet (min)
b. Planter/Planting Strip Type ³	Tree wells or continuous planters	Continuous planters	Continuous planters	Tree wells or continuous planters	Tree wells or continuous planters
c. Planter/Planting Strip width	6' X 6' tree well or 6-8' wide planting strip	6-8' wide planting strip	6-8' wide planting strip	6' X 6' tree well or 6-8' wide planting strip	6' X 6' tree well or 6-8' wide planting strip
d. Street trees (applies to all uses other than single family detached with front entry)	30 feet o.c.	30 feet o.c.	30 feet o.c.	30 feet o.c.	30 feet o.c.
e. Street buffer	None	None	See Section 10 below	None	See Section 10 below.
3.0 Open/Civic Space Standards					
See Section 9 below.					
4.0 Block and Lot Standards					
Standard	MU-C	MU-N	MU-T		
			NG	EN	MR
a. Block Type	Regular (square or rectangular). Irregular blocks may be permitted only if	Regular or irregular (square, rectangular, or curvilinear based on topography	Regular or irregular (square, rectangular, or curvilinear based on topography	Regular or irregular (square, rectangular, or curvilinear based on	Regular (square or rectangular)

	natural topography and/or vegetation prevents a rectilinear grid	and vegetation)	and vegetation)	topography and vegetation)	
b. Block Face Dimensions	Between 400 feet - 600 feet	Less than 1,200 feet (unless limited by unique site conditions such as topography and vegetation)	Less than 1,200 feet (unless limited by unique site conditions such as topography and vegetation)	Between 500 feet - 1000 feet	Between 500 feet - 1000 feet
c. Minimum Lot Area (non-single family) ³	0	0	2,000 square feet	0	0
c. Minimum Lot Area (square feet) (non-single family)	0	0	0	0	0
d. Minimum Lot Width x Depth (non-single family)	0' x 0'	0' x 0'	20' x 100'	0' x 0'	0' x 0'
e. Maximum Lot Coverage (non-single family)	100%	100%	80%	80%	80%
f. Maximum Impervious Cover (non-single family)	100%	100%	80%	80%	80%
5.0 Building Standards					
Standard	MU-C	MU-N	MU-T		
			NG	EN	MR
a. Principal Building Height*	2 stories (minimum) 5 stories or 8 stories if Height Bonus Conditions met	2 stories (minimum) 8 stories (maximum) **	1 story (minimum) 3 stories (maximum)	1 story (minimum) 5 stories or 8 stories if Height Bonus Conditions met (maximum) **	1 story (minimum) 5 stories (maximum) **

³ The minimum lots sizes, width and depth will be determined by other minimum dimensional requirements identified within the text of the ordinance.

	(maximum) **				
* Building height shall be measured in number of stories. Attics and mezzanines shall be excluded from the height calculation as long as they do not exceed 50 percent of the floor area of a typical floor in the same building. **Height bonuses are hereby approved by Town Council allowing eight stories in the MU-C, MU-N, and MU-T:EN character zones subject to the following conditions that apply to the MU-C and MU-T: EN character zones only (the "Height Bonus Conditions") that must be satisfied for a building in either of those character zones to be entitled to the increase in number of stories specified in the row above (no height bonus conditions apply to the MU-N character zone): 1.Distance requirement of 1,200 feet from any existing adjacent neighborhood located outside of this mixed use district as measured from the closest property line of any platted residential subdivision not entitled under this mixed use district or under SF-E zoning pursuant to Ordinance No. 10-22 approved by the Town on March 7, 2022; 2. Open space is provided within the block or within 1,000 feet of the block containing the building subject to the height bonus, which open space may include any of the following: a plaza, square, courtyard (public or private), park, trail, a green or a lawn, natural area, or general open space area (regardless of whether the open space is shown on exhibits to this ordinance), but excluding open space within an overhead power line easement; and 3. A minimum 12-foot building step back from the front facade at the 6th story, provided that the front facade faces and is located on a public street (otherwise no step back is required), unless Town Council approves an exception to the step back requirement.					
b. Building setbacks (non-single family)*	13.5'/15'	13.5'/25'	13.5'/25'	15'/None	15'/None
Front (Min/Max)**					
Side (Min/Max)	0'/None	0'/None	0'/None	0'/None	0'/None
Rear (Min/Max)	0'/None	0'/None	0'/None	0'/None	0'/None***
*Maximum setbacks do not apply in MU-T: NG where street buffers are provided. See street buffer provisions for potential impacts on setbacks. **Maximum setbacks shall not apply in areas between a building and the curb that activate the street with improvements such as a plaza, patio, outdoor eating area, courtyard, enhanced landscaping, or other similar features or where retaining walls are present. ***If adjacent to a single-family detached residential development area, see additional setbacks in Section 10 (Compatibility Buffer).					
c. Accessory buildings	Permitted	Permitted	Permitted	Permitted	Permitted
See section 98-032 of the Land Development Regulations					
d. Principal building orientation	Type A Street (or Type B Street if no Type A Street is present), Park, Plaza, Square, or Open Space				Street

e. Building facade and architectural design standards	See Section 4 below				
f. Ground Floor Requirement	Ground floor non-residential required	Ground floor non-residential permitted, but not required except for live-work units and residential lofts.			
g. Compatibility Standards	See Section 10 below.				
6.0 Site Design Standards					
Standard	MU-C	MU-N	MU-T		
			NG	EN	MR
a. Off-street parking	See Section 7 below				
b. Off-street loading	See Section 82-83 of the Land Development Regulations				
c. Screening	See Section 10 below				
• Trash/recycling receptacles	See Section 82-272 of the Land Development Regulations				
• Other utility equipment	See Section 82-273 of the Land Development Regulations				
• Loading spaces	Required for nonresidential uses. See Section 82-73(10) of the Land Development Regulations.				
• Surface parking areas	See Section 7 below				
d. Landscaping #	See Section 10 below	See Section 10 below	See Section 10 below		
• Landscape buffer between surface parking and sidewalks/trails and streets (except alleys)					
• Parking lot minimum interior landscaping	See Section 82-243 of the Land Development Regulations	See Section 82-243 of the Land Development Regulations	See Section 82-243 of the Land Development Regulations		
e. Lighting	See Section 98-1121 to 1136 of the Land Development Regulations				
• Building entrances					

Parking areas, trails, and streets	
f. Signs	See Section 5 below
7.0 Electrical Line/Substation, High Voltage	
Electrical Line/Substation, High Voltage	No residential building or school facility shall be constructed within 100 feet of the edge of the right-of-way or easement for a high voltage electrical transmission line. No nonresidential building shall be located within the right-of-way or easement for a high voltage electrical transmission line.
8.0 Transmission Pipeline	
Transmission Pipeline	Residential lots shall not be platted into transmission pipeline easements or rights-of-way. No building, structure, pool or spa shall be constructed in or moved into the transmission pipeline easement or right-of-way. Limited parallel fencing may be constructed within the transmission pipeline easement or right-of-way. Cross fencing may be constructed to contain livestock in agricultural areas, provided that a letter of approval is obtained from the transmission pipeline entity.

SECTION 4: ARCHITECTURE DESIGN STANDARDS

The regulations in this Section 4 shall not apply to the extent the enforcement or adoption of such regulations is preempted by Chapter 3000, Texas Government Code, as amended or any successor statute. This Section 4 shall serve as the exclusive building material and architectural standards applicable to this mixed use zoning district. Without limiting the foregoing, the development is not subject to the Architectural Standards of the Town's Master Plan.

4.1 Building Materials

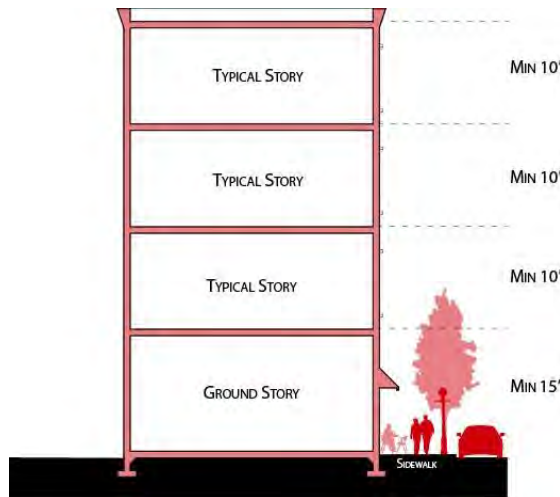
1. Materials – The following standards apply to all building types except single family attached and detached residential buildings.
 - i. Façade: The quality of the facades determines the quality and character of the adjacent outdoor space. Since the public right-of-way requires a higher quality façade than the parking lot, the facade regulations are divided into Type A (more requirements) and Type B (fewer requirements). Type A facades face the public right-of-way, excluding alleys. Type B facades do not face the public right-of-way. The term "facade" in this Section 4 means any separate face of a building, including parapet walls, or any part of a building which encloses or covers usable space.
 - ii. Unrestricted Materials: These materials may be used without limit for walls in A or B facades; clay fired brick, natural and manufactured stone, cast stone, granite, marble, architectural concrete block, stucco, cementitious siding, and textured and painted concrete tilt-wall.
 - iii. Limited Facade Materials: The following materials may not exceed 20 percent of the area of a Type A facade or 80 percent of the area of a Type B facade: concrete masonry units, EFIS, metal panel siding, composite wood panels, or hardi-plank clapboard siding. EFIS may be used only on the second floor and above. Windows and doors shall be excluded from the facade area for the purposes of calculating percentages.
 - iv. Prohibited Materials: The following materials are not permitted to be used: aluminum siding, vinyl siding, or corrugated metal siding.
2. Materials, Single Family Attached and Detached – The following standards apply to Single Family Attached and Detached residential buildings. The Town Council may approve an exception to these requirements.
 - i. Exterior wall construction on each story or floor of every single-family dwelling unit shall consist of 100 percent masonry construction with an allowance of which 20 percent may consist of hardi-plank, exclusive of the following: windows, doors, dormers and gables over the entrance of an extended garage; any rear wall area cantilevered 12 or more inches from the wood frame wall; any side wall area cantilevered 12 or more inches from the wood frame wall; provided, however, that such cantilevered side wall area shall not exceed 35 percent of the total exterior

wall area of the side wall from which it is cantilevered; any rear multistory straight wall with an exterior surface construction that is in excess of 70 percent glass or windows; and any wall area above a first floor roof where the exterior masonry veneer cannot directly bear upon the foundation (for example, wall area above a shed roof or an attached garage).

- ii. The exterior area or sides of chimney flues on exterior walls that are visible from the street shall be enclosed in 100 percent masonry veneer construction, except that chimney flues not visible from the street may be enclosed by materials approved by the building code for exterior exposure and in compliance with the flue manufacturer's recommendation.
- iii. Notwithstanding the foregoing, any exterior wall of any residential dwelling unit facing a street or thoroughfare, public park area or school yard shall consist of 100 percent masonry construction, exclusive only of windows, doors, dormers and gables over the entrance of an extended garage.
- iv. All exterior walls and roofs shall be constructed of materials having an Underwriter's Laboratory Class B or Uniform Building Code Class 2 "stoned fired" retardant rating or better.
- v. For purposes of single family detached buildings, the term "masonry" means that form of construction composed of stone, brick, concrete, hollow clay tile, concrete tile or other similar building units or materials or combination of these materials, and including brick veneer and stucco.

4.2 Additional Standards for All Buildings Other than Single Family Detached, Rowhouse, and Townhome Residential Buildings. The Town Council may approve an exception to these requirements.

- a. At least 80 percent of each building façade, excluding areas occupied by doors, windows, or other openings, shall consist of natural and earth tone colors such as ochre, brown, umber, rust, olive, beige, taupe, sepia, white, off-white and similar natural or earth tones. Decorative canopies, awnings, signage, and similar features attached to a building are not required to follow the standards in this paragraph.
- b. The minimum ground floor height for buildings two stories and above shall be fifteen feet. The minimum finished floor height for all upper floors shall be ten feet. The minimum finished floor height for single story buildings shall be ten feet. This concept is illustrated below.



- c. Buildings shall be designed with ground floor windows on the building facade facing and adjacent to a Type A or Type B street (with the exception of alleys) or facing onto a park, plaza, or other civic space. The required area of windows and doors on each street facade fronting a Type A street, park, square, green, plaza, or other civic space as a percentage of that facade shall be established in Table 4.1. The required area of windows and doors on all other street facades (Type B streets with the exception of alleys) may be reduced by 25 percent of the corresponding requirement along a type A street facade. The Town Council may approve an exception to the requirements in this paragraph for a non-residential building that is not planned for retail use.
- d. Table 4.1 lists the required amount of window/door area per facade for each character zone. This concept is illustrated below.



- e. Nonresidential buildings and sites shall be organized to group the utilitarian functions away from the public view of any street (with the exception of alleys). Delivery and loading operations, HVAC equipment, trash compacting and collection, and other utility and service functions shall be incorporated into the overall design of the buildings and landscaping. The visual and acoustic impacts of all mechanical, electrical, and communications equipment (ground and roof-mounted) shall not be visible from adjacent properties and public streets, and

screening materials and landscape screens shall be architecturally compatible with and similar to the building materials of the principal structures on the lot.

Table 4.1: Window/Door Area Requirement

Building and Facade		MU-C	N	MU-T		
				NG	EN	MR
Vertical Mixed Use Building						
Ground floor facade	Minimum	60 percent	60 percent	N/A	60 percent	60 percent
	Maximum	75 percent	75 percent	N/A	75 percent	75 percent
Upper floor facade	Minimum	30 percent	30 percent	N/A	30 percent	30 percent
	Maximum	60 percent	60 percent	N/A	60 percent	60 percent
All Other Buildings (excluding single family attached and detached)						
Ground floor facade	Minimum	60 percent	40 percent	30 percent	40 percent	40 percent
	Maximum	75 percent	60 percent	60 percent	60 percent	60 percent
Upper floor facade	Minimum	30 percent	30 percent	30 percent	30 percent	30 percent
	Maximum	60 percent	60 percent	60 percent	60 percent	60 percent

4.3 Additional Standards for General Commercial Buildings located within MU-T: MR

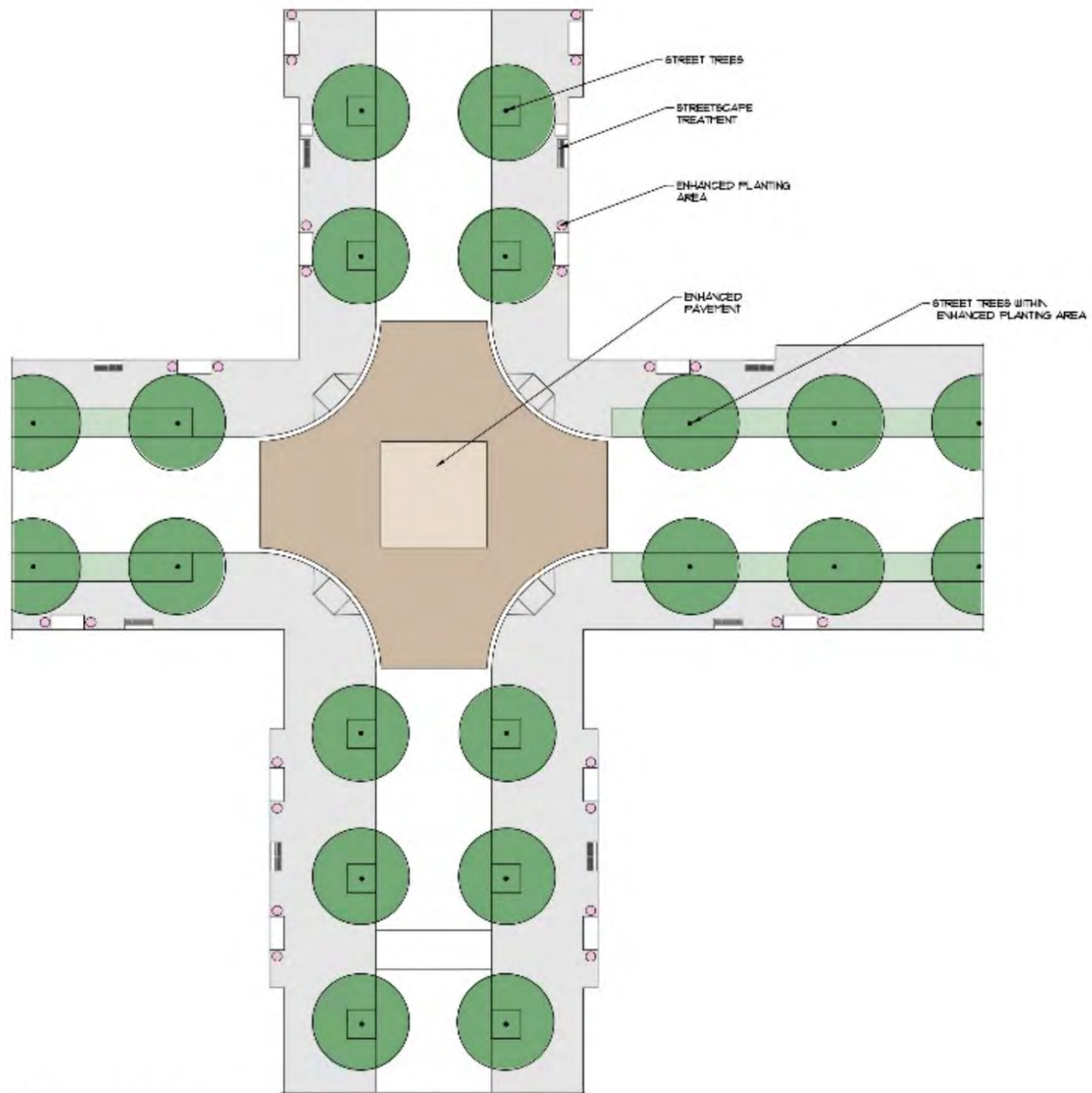
- a. Unified Theme. A grouping of buildings (3 or more) within the same building complex or shopping center should have a unified or complimentary design theme.
- b. Franchise Architecture. For chain businesses or franchises, defined as any business having more than three locations in Texas, the building must be site designed for this project (i.e., architectural plans cannot be replicated from another location).

4.4 Specific Standards

1. Public Space. To promote a comfortable, interesting and safe walking environment, the design and detailing of the streetscape shall include the following elements:
 - i. Connectivity and wide sidewalks for pedestrians is encouraged for a vibrant mixed-use development. The buildings are to be adjacent to the sidewalks to form building facades that create interest to the pedestrian. Connectivity to public open spaces

areas of varying scales, characters and uses are important elements to the development.

- ii. Street trees shall be planted in regular intervals along the street-side of the sidewalk, as required by Section 10, to provide shade for the pedestrians.
- iii. Sidewalk cross walks shall be designed to allow pedestrians to safely cross streets. Both materials and striping shall be used to separate these areas from the travel lanes.
- iv. In high pedestrian areas adjacent to streets, accent planting at or near the ground plane shall be provided in order to provide a finer level of landscape detail closer to pedestrians and to soften the hard surfaces of streets, sidewalk paving and building facades. In high pedestrian areas, accent planting shall be located in areas such as tree-wells (if not grated) or beds near intersections where additional sidewalk area is available. Accent planting, as well as decorative pots or more formal raised planters, may be used to distinguish specific areas, such as important streets, the area surrounding a park or square or an entire neighborhood. Accent planting shall not be located within the public right-of-way without Town Council approval of an exception.

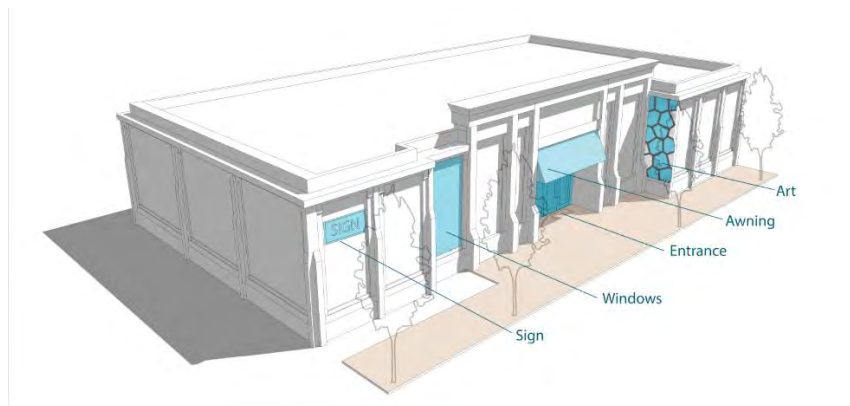


- v. Street furniture, including streetlamps, benches and trash receptacles shall be provided in high pedestrian traffic areas (as determined at the time of site plan approval) to provide for safety and comfort, as well as to create an additional layer of detail within the overall environment of the neighborhood street. Street furniture may be placed between the curb and buildings, but shall not be located within the public right-of-way without Town Council approval of an exception. A consistent street furniture and streetlamp design shall be used throughout the Property.
- vi. Sidewalk widths may allow for small groupings of tables and chairs outside of restaurants as well as larger sidewalk cafes, provided a minimum six-foot wide unobstructed pedestrian path is maintained. Smaller areas of congregated public

seating may be provided, particularly near major intersections or adjacent to open space common areas, but shall not be located within the public right-of-way without Town Council approval of an exception.

vii. Two types of streets are defined in the development - Type A and B streets, which are described in Figure 6.1.

- a. Type A. Type A streets are the primary pedestrian-oriented streets and require a higher quality design environment and minimal accommodation of auto-oriented ancillary uses (driveways and parking) with respect to streetscape and building design.
 - b. Type B. Type B streets form the secondary street network providing access to pedestrian oriented streets (Type A streets) and may accommodate automobile access to properties and uses.
2. Non-Residential Building Transitions A to B Facades: A Type A facade's general design must continue around a corner onto a Type B facade for at least 15 feet before transition to a new design on the Type B facade.
 3. Maximum Facade Length: A single facade must incorporate design changes in the form of wall recesses or projections, building entries, columns, awnings, arcades, or similar architectural features that provide interest and variety at least every 80 feet along a Type A facade. These elements must project a minimum of two feet from the facade wall.
 4. All building frontages along public and private streets (with the exception of alleys) shall break any flat, monolithic facades by including architectural elements such as bay windows, recessed entrances, or other articulations so as to provide pedestrian interest along the street level facade including discernible and architecturally appropriate features such as, but not limited to, porches, cornices, bases, fenestration, fluted masonry, bays, recesses, arcades, display windows, unique entry areas, plazas, courts, or other treatments to create visual interest, community character, and promote a sense of pedestrian scale. Expanses of blank walls exceeding 25 continuous feet are prohibited along all Type A streets and 40 continuous feet along all other streets except alleys. Examples of facade activation techniques are illustrated below.



5. Other Items.

- i. Franchise Utilities: No utility service connections, meters or other appurtenances attached to the building will be allowed on a Type A facade.
- ii. Stairways: Stairways (not including external steps leading into a building entry) shall be concealed from the street and placed within the building footprint (including parking garages).

6. Ground Floor Standards for Non-Residential

- i. Entrances should provide refuge from the elements by use of lobbies, canopies or awnings. Entrances to shops shall be distinguished from lobby entrances to upper floors.
- ii. Primary facades along Type A streets shall contain the main entrance of any principal building.
- iii. All principal buildings located on a Type A street shall also have doors, windows, and other architectural features facing that street. Nonresidential or mixed use corner buildings shall have at least one customer entrance facing each street or a corner entrance instead of two entrances.
- iv. Window display areas are required in the design of ground floor retail facades facing a street.
- v. An awning, canopy, arcade, overhang, or similar architectural feature is required above each street level window. The bottom of an awning must be placed at or below the top of the window.
- vi. The following standards apply to non-residential buildings in the MU-C and MU-N character zones: Primary facades along Type A streets shall contain the main entrance of any principal building. All vertical mixed use and nonresidential buildings shall have door openings spaced at no greater than 100 feet apart on the ground floor facing a Type A street, a plaza, a square, or another civic space.

7. Ground Floor Standards for Residential

- i. The ground floor elevation of residential buildings (rowhouse and townhome) shall be raised a minimum of two feet above the finished level of the public sidewalk/trail in front of the residential structures.

8. Exterior facades of a structured parking garage must comply with the following standards:

- ii. Facades along a street must incorporate a repeating pattern that includes color, texture, and/or material change. In addition, vertical elements shall be incorporated to the facade design in order to create a repeating pattern. This can be achieved through the use of projections or offsets. Parked vehicles on the first level of a parking garage that would otherwise be visible from outside of the garage shall be screened with a wall with a minimum height of 42 inches that utilizes design elements from the main building served by the parking structure.

- iii. Elevator and stair shafts shall be located internal to the garage.
- 9. In the MU-C character zone, a mixed use building that includes residential units shall provide internal climate-controlled corridors to access each residential unit.
- 10. In the MU-N character zone, at least 80 percent of street-facing multi-family ground level units shall have direct access from a sidewalk abutting a street.

5 SECTION 5: SIGNAGE

Signage shall comply with Chapter 86 of the Land Development Regulations except as modified in this Section 5. It is anticipated that the development will have multiple Comprehensive Sign Plans that will be approved as the development progresses.

Table 5.1: Signs Permitted by Character Zone

Sign Type	MU-C	MU-N	MU-T		
			NG	EN	MR
Monument Sign	✓ ¹	✓	✓	✓	✓
Multi-tenant Sign					✓
Wall Sign	✓	✓	✓ ²	✓	✓
Projecting Sign ³	✓	✓	✓	✓	
Hanging Sign ⁴	✓	✓	✓	✓	
Marquee Sign ⁵	✓	✓	✓	✓	✓
Awning Sign	✓	✓	✓	✓	
Canopy Sign	✓	✓	✓	✓	✓
Banner Sign	✓	✓	✓	✓	✓
Window Sign	✓	✓	✓	✓	✓
Sidewalk Sign ⁶	✓	✓	✓	✓	✓
Drive-Thru/Drive-In			✓	✓	✓
Neighborhood Entrance Sign		✓	✓		
Project Identification Sign					✓
Notes: ¹ Monument Signs in the Mixed-Use Core should be limited in number and shall be reviewed by the Architectural Review Board as to location, size, and design. ² Limited to Public Facilities ³ Sign, Projecting, means a sign, other than a wall or roof sign, that is attached to a rigid structure that extends more than 18 inches beyond the surface of the structure to which it is attached. A marquee sign is not considered a projecting sign. ⁴ Sign, Hanging, means a sign that is physically mounted to a building structure in such a manner that the sign is at or close to a 90-degree angle or is not flush against the wall from the face of the building. ⁵ Sign, Marquee, means a sign that is incorporated into a permanent roof-like structure constructed of permanent building materials that extends from the wall of a structure with no supports extending to the ground providing protection from the elements. ⁶ Sign, Sidewalk, means a temporary sign not anchored to the ground and constructed in a manner, and of such materials, which permit it to be repositioned by an individual without mechanical aid.					

5.1 Sign Types

1. Monument Sign

a. Description

- i. A freestanding sign that is placed on or supported by the ground, independent of the principal structure on the lot, designed with a monument

base that is an integral part of the sign structure.

b. Special Standards

- i. Changeable Electronic Variable Message Signs may not exceed seventy-five (75) percent of the total sign area and is only allowed for those uses identified in Section 86-67(9) of the Land Development Regulations.
- ii. Sign area does not include the base or pedestal or address block.
- iii. Must be located a minimum of seventy-five (75) feet from an multi-tenant sign along the same thoroughfare.
- iv. Must be architecturally designed to be complimentary to the buildings within the development.
- v. Changeable Copy Signs are permitted.

Table 5.2: Monument Signs

	Single	Multi
Area Max (Square Feet)		
MU-C, MU-T: EN, MU-T: MR,	35	35
MU-T:NG, MU-T: N	50	75
Height Max (Feet)		
MU-C, MU-T: EN, MU-T: MR,	12	12
MU-T:NG, MU-T: N	12	12
Width Max (Feet)		
	15	25
Number of Signs		
Signs per Lot, Max	1	1
Setbacks and Spacing		
Property Lines, Min. (ft)	10	10
Spacing	40	60
Illumination		
Internal or External		
Vertical Clearance from Grade		
	N/A	N/A
Changeable Electronic Variable Message Signs		
Reference Section Below.		

2. Multi-tenant Sign

a. Description

- i. A freestanding sign used to identify a commercial development with two or more tenants.

b. Special Standards

- i. Must be located on a major thoroughfare.
- ii. Maximum of two (2) per anchor development.
- iii. Must be consistent in material and design of all monument signs within the development.
- iv. Must contain the name of the anchor development.

Table 5.3: Multi-tenant Signs

	Single	Multi
Area Max (Square Feet)		
MU-T: MR	75	100
Height Max (Feet)		
MU-T: MR	35	35
Width Max (Feet)		
	N/A	N/A
Number of Signs		
Signs per Lot, Max	2	2
Setbacks and Spacing		
Property Lines, Min. (ft)	10	10
Illumination		
Internal only		
Vertical Clearance from Grade		
	10	10
Changeable Electronic Variable Message Signs		
Reference Section Below.		

3. Wall Sign

a. Description

- i. A sign that is attached flat to or mounted away from, but parallel to, any exterior wall of a structure.

b. Special Standards

- i. Maximum distance between the wall and sign is eighteen (18) inches.
- ii. Multiple Wall Signs are permitted however, the total area must not exceed twenty-five (25) percent of the façade/wall area.
- iii. Changeable Copy Signs are permitted.
- iv. Roof Signs shall be treated as Wall Signs for the purpose of this subsection and shall be subject to the 25 percent total sign area limitation above, provided such sign shall not extend above the roof peak by more than six (6) feet and its area shall not exceed fifteen (15) percent of the exterior wall elevation over which the roof sign is oriented.

Table 5.4: Wall Signs

Total Wall Area Max (%)	
Individual Tenant Space	25
Height Max (%)	
Tenant Wall Height	75
Width Max (%)	
Individual Tenant Space	75
Number of Signs	
None	
Illumination	

Internal Only	
Vertical Clearance from Grade	
	N/A
Changeable Electronic Variable Message Signs	
Not Allowed	

4. Projecting Sign

a. Description

- i. A sign, other than a wall or roof sign, that is attached to a rigid structure that extends more than 18 inches beyond the surface. A marquee sign is not considered a projecting sign.

b. Specific Standards

- i. Projecting Signs shall not project more than two-thirds of the width of the abutting sidewalk.
- ii. If a Wall Sign is already permitted for the building, the Projecting Sign shall not exceed twenty-five (25) percent of the maximum allowable sign area for the facade.
- iii. Changeable Copy Signs are permitted.

Table 5.5: Projecting Signs

Area Max (Square Feet)	
Total Sign Area	35
Height Max (%)	
Tenant Wall Height	45
Width Max (Feet)	
	3
Number of Signs	
	1
Illumination	
Internal Only	
Vertical Clearance from Grade	
Min. (ft)	8
Changeable Electronic Variable Message Signs	
Not Allowed	

5. Hanging Sign

a. Description

- i. A two-sided sign that is physically mounted to a building structure in such a manner that the sign is at or close to a 90-degree angle or is not flush against the wall from the face of the building

b. Specific Standards

- i. Hanging Signs must be placed at least one (1) foot from the edge of any awning or cover.

Table 5.6: Hanging Signs

Area Max (Square Feet)	
Total Sign Area	6
Number of Signs	
Signs per Tenant, Max	1
Illumination	
None	
Vertical Clearance from Grade	
Min. (ft)	8
Changeable Electronic Variable Message Signs	
Not Allowed	

6. Marquee Sign

a. Description

- i. A sign that is incorporated into a permanent roof-like structure constructed of permanent building materials that extends from the wall of a structure with no supports extending to the ground providing protection from the elements.

b. Special Standards

- i. Changeable Copy Signs are permitted.
- ii. Marquee Signs may only be permitted for movie or performance theatres, or building or project identification. A maximum of five marquee signs are permitted by right within the Property, with any additional marquee signs by comprehensive sign package approval.

Table 5.7: Marquee Signs

Total Wall Area Max (%)	
	50
Height Max (%)	
Height of Building	100
Height of sign above roofline (%)	50
Individual Tenant Space	75
Number of Signs	
Max, per Building	1
Setbacks and Spacing	
Setbacks	N/A
Illumination	
Internal or External	
Vertical Clearance from Grade	
Min. (ft)	10
Changeable Electronic Variable Message Signs	
Reference Section Below.	

7. Awning Sign

- a. Description
 - i. An Awning Sign is a sign printed on any of the surfaces of an awning.
- b. Special Standards
 - i. Awning Signs are only permitted on the first floor of a building, and are permitted in addition to wall signs on the same facade. If wall and awning signs are both used, the maximum total area of wall and awnings signs is 25% of the area of the facade.
 - ii. Lettering and logos may be located on both the valance and canopy of an awning.

Table 5.8: Awning Signs

Height of Awning Max (ft)	
	N/A
Width of Awning	
Individual Tenant Space Max (%)	75
Number of Signs	
Awning Signs per Building Face, Max	N/A
Awning Sign (%)	
Awning area max	25
Setbacks and Spacing	
Setbacks	N/A
Illumination	
Allowed under the awning to light sidewalk	
Vertical Clearance from Grade	
Min. (ft)	10
Changeable Electronic Variable Message Signs	
Not Allowed	

- 8. Canopy Sign
 - a. Description
 - i. A Canopy Sign is a sign attached above, below, or to the face of a canopy.
 - b. Special Standards
 - i. Canopy may be installed on building facades and shall count towards the maximum allowable Wall Sign area.
 - ii. Canopies shall comply with all applicable ordinances, including building codes.

Table 5.9: Canopy Signs

Total Area of Sign attached to Canopy	
Max (%) of canopy area	50
Max Canopy Height (ft)	

Canopy that contains signage	4
Max % of Façade Width	
Canopy that contains signage	75
Number of Signs per Tenant Face	
Max	1
Setbacks and Spacing	
Setbacks	N/A
Illumination	
Internal or External	
Vertical Clearance from Grade	
Min. (ft)	10
Changeable Electronic Variable Message Signs	
Not Allowed	

9. Banner Sign

a. Description

- i. A Banner Sign is a two-sided sign that is attached to buildings or light poles located outside of the public right-of-way and intended to be visible from the pedestrian realm.

b. Specific Standards

- i. A Banner Sign does not require a permit.
- ii. For banner signs that are attached to a building and that identify a tenant, the maximum area permitted is sixteen (16) square feet per face.
- iii. For banner signs attached to light poles, the maximum area permitted shall be nine (9) square feet per face.
- iv. Banner signs must be made of a suitable material to withstand weather and have the same image on both sides.
- v. Banner signs must be supported by projecting poles at the top and bottom of the sign so as to prevent excessive movement caused by wind.
- vi. Banner signs attached to light poles may be retail banners which identify retail tenants, district banners which identify the neighborhood or district in which it is located, special event or public announcement banners which identify events or pertain to matters occurring in or with regard to this mixed-use district or seasonal banners which identify general seasons or holidays

Table 5.10: Banner Signs

Area Max (Square Feet)	
Total Sign Area – Attached to Building	16

Total Sign Area – Attached to light poles	9
Height Max (Feet)	
	N/A
Width Max (Feet)	
	N/A
Number of Signs	
Per tenant or per light pole	1
Illumination	
None	
Vertical Clearance from Grade	
Min. (ft)	8
Changeable Electronic Variable Message Signs	
Not Allowed	

10. Window Sign

c. Description

- i. A Window Sign is generally painted, attached, etched or formed into a window, door or other translucent opening of a facade.

d. Special Standards

- i. Window Signs may only be permitted on the first floor of a building.
- ii. Displays located in a window such as mannequins are not considered window signs.

Table 5.11: Window Signs

Total Window Area Max (%)	
	25
Height Max (ft)	
	N/A
Width Max (ft)	
	N/A
Number of Signs	
Signs per Building Face, Max	N/A
Setbacks and Spacing	
Setback	N/A
Illumination	
Internal or External, neither projecting glare onto the sidewalk	
Vertical Clearance from Grade	
Min. (ft)	N/A
Changeable Electronic Variable Message Signs	
Not Allowed	
An 'Open' sign is exempt.	

11. Sidewalk Sign

a. Description

- i. A temporary sign not anchored to the ground and constructed in a manner, and of such materials, which permit it to be repositioned by an individual without mechanical aid.

b. Special Standards

- i. A Sidewalk Sign does not require a permit.
- ii. Sidewalk Signs must be placed directly in front of the premises that owns and is placing the sign within ten (10) feet of the building entry.
- iii. Sidewalk Signs must be removed when the business is closed.
- iv. Sidewalk Signs must allow for a minimum of four (4) feet of clearance as per ADA standards.
- v. Changeable Copy Signs are permitted.

Table 5.12: Sidewalk Signs

Area Max (sq ft) per side	
	6
Height Max (ft)	
	4
Width Max (%)	
	N/A
Number of Signs	
Signs per Business, Max	1
Setbacks and Spacing	
Setback	N/A
Illumination	
None	
Vertical Clearance from Grade	
	N/A
Changeable Electronic Variable Message Signs	
Not Allowed	

12. Drive-Thru or Drive-In Sign

a. Description

- i. A sign erected in conjunction with a use that incorporates a drive-thru or drive-in, placed adjacent to a drive-thru or drive-in parking space to be read by patrons in a vehicle.

b. Special Standards

- i. A drive-thru or drive-in sign can be Changeable Electronic Variable Message Sign.
- ii. A drive-thru or drive-in sign that engages a speaker or other form of audible communication between the vehicle and store shall conform to all noise and

nuisance regulations of the Town of Flower Mound.

Table 5.13: Drive-Thru or Drive-In Signs

Area Max (Square Feet)	
Drive-Thru (Per Sign Face)	60
Drive-In (Per Sign Face)	9
Height Max (Feet)	
	6
Width Max (Feet)	
	N/A
Number of Signs	
Signs per Drive-Thru Lane, Max	2
Signs per Drive-in ordering station, Max (2-sided Allowed)	1
Setbacks and Spacing	
Setback	N/A
Illumination	
Internal or External	
Vertical Clearance from Grade	
	N/A
Changeable Electronic Variable Message Signs	
Allowed	

13. Neighborhood Entrance Sign

a. Description

- i. Large scale identification signs for the entrance into a neighborhood, located along a roadway, serving the neighborhood.

b. Special Standards

- i. The maximum height shall be fifteen (15) feet.

14. Project Identification Sign

a. Description

- i. Large scale identification signs for the development, located along major thoroughfares, serving the development.

b. Special Standards

- i. The maximum height shall be fifty (50) feet.
- ii. A maximum of two per highway frontage along each side of the roadway.

15. Changeable Electronic Variable Message Sign. Changeable Electronic Variable Message Signs must meet all of the following requirements:

- a. Constructed such that the sign does not face, shine, or reflect light in any manner or angle into a property with any residential zoning designation or use.
- b. Maximum daytime lumens of 5,000; maximum nighttime lumens of 500.
- c. Provide a minimum display time for each static image of at least six (6) seconds.
- d. A static display with no animation, virtual movement, flashing or multimedia/video.
- e. No special effect transitions between each static display.
- f. No display of a solid white background.

Dimensional Calculations

1. Sign Area

- a. Sign area shall be calculated in square feet, and by means of the smallest square, circle, rectangle, or combination thereof that will encompass the sign face.
- b. Calculation of Area of Multifaceted Signs
 - i. The sign area for a sign with more than one face shall be calculated by adding together the area of all sign faces visible from any one point.

2. Sign Height

- a. Sign height shall be measured in linear feet. The overall height of a Freestanding Sign or other sign structure is measured from the lowest grade level within ten (10) feet of the base of the sign to the highest point of the Freestanding Sign or other sign structure.

3. Sign Width

- a. Sign width shall be measured in linear feet from the farthest outermost point on each side of a sign.

Exempt Signs

The following signs, if located on private real property with the consent of the property owner (unless otherwise stated) are exempt from regulation under this Subsection:

1. Public Signs

- a. Any public notice, warning or traffic control device required by federal, state or local law, regulation, or ordinance, including those on public property.

2. Signs on Properties in a State of Being for Sale or Lease

- a. Up to two (2) temporary signs not exceeding six square feet in area and three feet

in height when posted in residential zoning districts, or temporary signs not exceeding 64 square feet in area and 12 feet in height when posted in other zoning districts, when posted during time periods when the property on which the signs are located is for sale or lease, and such signs do not remain more than seven (7) days after the property is sold or leased;

3. Signs on Properties in a State of Construction

- a. Up to two (2) temporary signs placed on construction sites not exceeding 64 square feet in area after approval of a site plan, and which do not remain erected for more than seven (7) days after the completion of the construction project.

4. Works of Art

- a. Works of art that constitute a regulated sign and are not permitted by applicable sign regulations may be permitted with Town Council approval. No zoning amendment or amendment to this ordinance shall be required for the Town Council to grant such approval. All other works of art are permitted by right.

5. Holiday Lights

- a. Holiday lights and decorations with no commercial message.

6. Incidental Signs

- a. Traffic-control signs on private property, such as stop, yield, and similar signs, the face of which meet Texas Manual on Uniform Traffic Control Devices standards and that contain no commercial message of any sort, and similar incidental signs related to internal traffic flow and that contain no commercial message of any sort.

7. Residential Signs (e.g., for sale signs, garage sale signs, and other residential sign types permitted by the Land Development Regulations in connection with residential dwelling units)

Enlarged table and notes from Figure 6.1:

MIXED-USE STREET TYPES*		
MIXED-USE STREET TYPES*		ROW WIDTH
	STREET SECTION 1 – ARTERIAL 100' MIN R.O.W.	100' min.
	STREET SECTION 2 – COLLECTOR 61' R.O.W.	61'
	STREET SECTION 3 – LOCAL URBAN/RESIDENTIAL	51'
	STREET SECTION 5 – DAM ROAD 44' ROADWAY	44'
FLOWER MOUND STREET TYPES		
	RURAL COLLECTOR	80'
	ROUND-A-BOUT	

NOTE:

1. THIS PLAN ONLY REPRESENTS THE MAJOR ROADWAYS PROPOSED WITHIN THE DEVELOPMENT, MINOR ROADS WILL BE SHOWN DURING SITE PLANS AND/OR PLATTING.
2. THE PROPOSED ZONING IS CONSISTENT WITH THE RULE 11 AGREEMENT DATED NOVEMBER 29, 2006.
3. THIS EXHIBIT IS CONCEPTUAL AND BASED ON THE INFORMATION AVAILABLE AT THE TIME OF ZONING. THE INFORMATION PROVIDED ON THIS EXHIBIT IS INTENDED TO BE PRELIMINARY, AND WILL BE SUPPLEMENTED AS THE PROPERTY IS PLATTED AND DEVELOPED IN PHASES OVER TIME.

Figure 6.2: This figure depicts Type A and Type B streets.

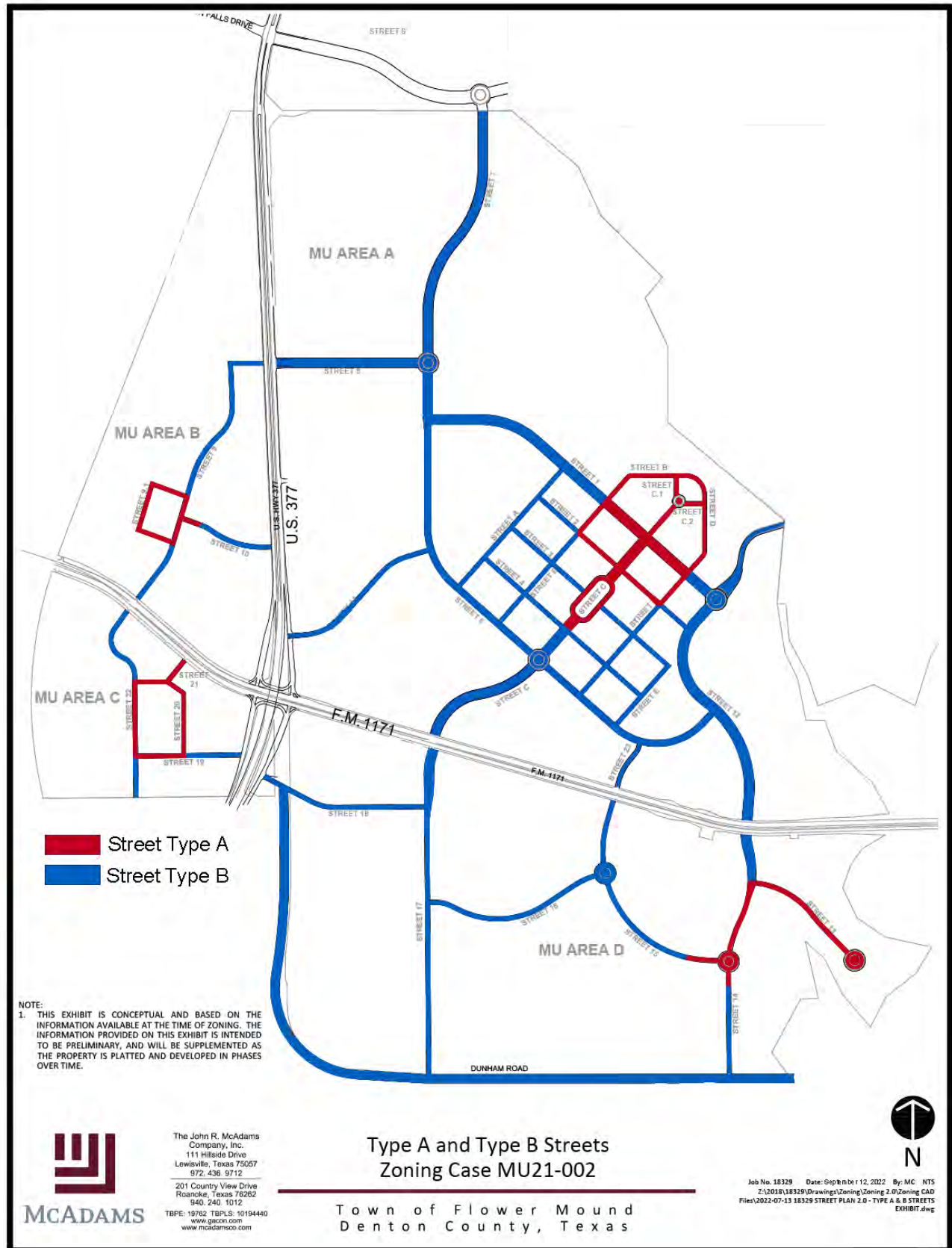
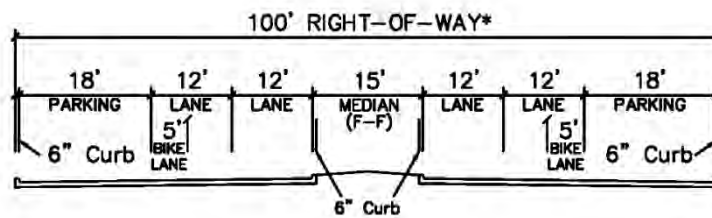
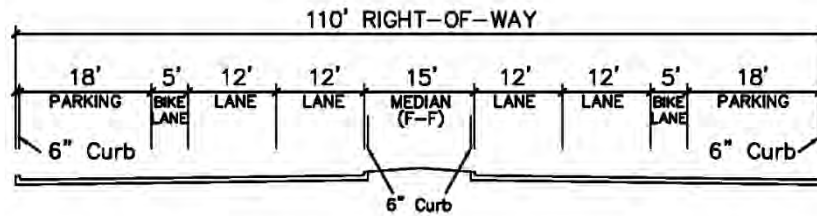


Figure 6.3: Street Sections: The street sections in this Figure 6.3 shall apply to the Property.

ARTERIAL STREET SECTIONS	
STREET SECTION 1	ARTERIAL - MIN. 100' ROW
COLLECTOR STREET SECTIONS	
STREET SECTION 2	COLLECTOR - 61' ROADWAY RURAL COLLECTOR - 80' ROW
RESIDENTIAL STREET SECTIONS	
STREET SECTION 3	LOCAL/URBAN RESIDENTIAL - 51' ROW
ALLEY SECTIONS	
STREET SECTION 4	PRIVATE ALLEY SECTION
MISCELLANEOUS STREET SECTIONS	
STREET SECTION 5	DAM ROAD - 44' ROADWAY
STREET SECTION INDEX PAGE Zoning Case MU21-0002	
Town of Flower Mound Denton County, Texas	
Job No. 18329 Date: September 14, 2022 By: SM	

File: Z:\0904\0319\Review\Cases\Local Sections 20
 Printed: 9/14/2022 3:04 PM by Scott Morris, SCS
 Date: 9/14/2022 5:03 PM by amms



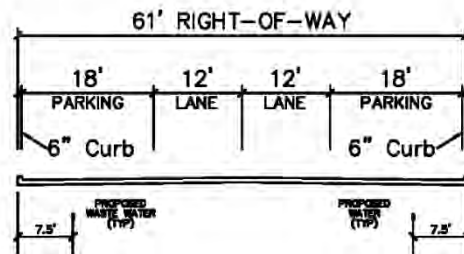
*IF SHARED BIKE LANES ARE USED

STREET SECTION 1
ARTERIAL - MIN. 100' ROW
Zoning Case MU21-0002

Town of Flower Mound
Denton County, Texas

Job No. 18329 Date: September 14, 2022 By: SM

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Plotted: 9/14/2022 3:04 PM by: SM



GENERAL NOTES

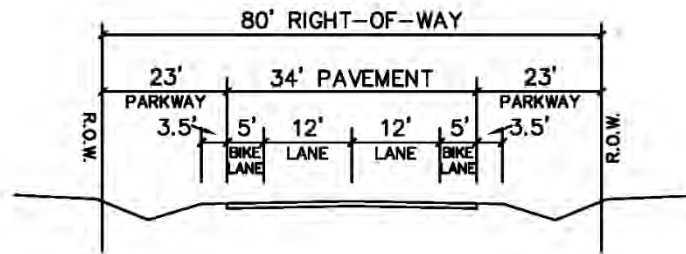
1. THIS STREET SECTION
APPLIES TO ANGLED PARKING

STREET SECTION 2 COLLECTOR - 61' ROW Zoning Case MU21-0002

Town of Flower Mound
Denton County, Texas

Job No. 18329 Date: September 14, 2022 By: SM

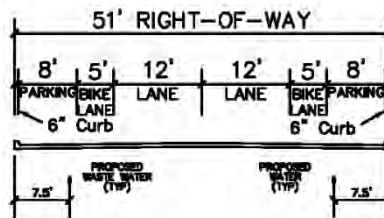
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Plotted: 9/14/2022 3:04 PM by Scott Mims
Plot Date: 9/14/2022 3:04 PM by smims



LOCAL - RURAL COLLECTOR
Zoning Case MU21-0002

Town of Flower Mound
Denton County, Texas

Job No. 18329 Date: September 14, 2022 By: SM



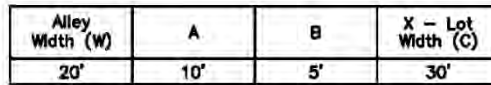
GENERAL NOTES

1. THIS STREET SECTION APPLIES TO PARALLEL PARKING

STREET SECTION 3
LOCAL/URBAN - 51' ROADWAY
Zoning Case MU21-0002

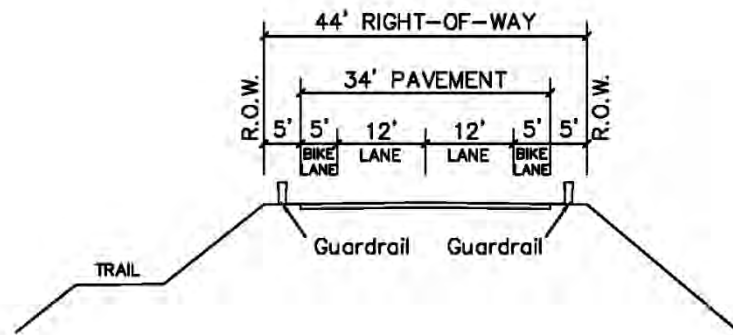
Town of Flower Mound
Denton County, Texas

Job No. 18329 Date: September 14, 2022 By: SM



Town of Flower Mound
Denton County, Texas

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STREET SECTION 5
DAM ROAD - 44' ROADWAY
Zoning Case MU21-0002

Town of Flower Mound
Denton County, Texas

Job No. 18329 Date: September 14, 2022 By: SM

SECTION 7: PARKING

Parking regulations shall comply with the following standards. The standards for off-street parking design and location are listed for each character zone.

7.1 General Requirements. Unless expressly identified and referenced within this section, the provisions of the Land Development Regulations applicable to property in a mixed use district shall apply.

7.1.1 Required parking may be provided off-site for nonresidential uses if located within 500 feet from the primary building entrance for the use to which the space is counted. Cross-access is permitted, and cross-access easements are not required to be recorded in the county deed records. Note that no parking space may be counted toward more than one set of parking requirements.

7.1.2 When 50 to 99 commercial parking spaces are required, at least one (1) electric vehicle parking space should be provided. When one hundred (100) or more parking spaces are required, at least two (2) electric vehicle parking spaces shall be provided. Electric parking stall may count towards the required minimum number of parking stalls.

7.1.3 When 50 to 99 parking spaces are required, at least two (2) rideshare vehicle parking spaces shall be provided. When one hundred (100) or more parking spaces are required, at least four (4) rideshare vehicle parking spaces shall be provided.

7.2 Schedule of Required Parking

The required parking ratios listed below apply. For uses not listed below, Section 82.74 of the Land Development Regulations apply.

Table 7.1: Parking Ratios. The parking ratios in this Table 7.1 are the exclusive regulations governing the number of parking spaces to be provided for the uses identified in this table, although shared parking and other parking provisions in this Section 7 shall also apply to these uses.

Use Type	Parking
General Office or Retail	1 space per 250 sq ft (1/250 sq ft)
Restaurant	1 space per 100 sq ft (1/100 sq ft)
Hotel	1 space per lodging room
Multi-family, live/work, residential lofts, multi-family 4-plex	1.5 spaces per unit for 1 and 2 bedroom units; 2 spaces per unit for 3 or more bedroom units; covered or enclosed parking spaces are permitted but not required
Residential other than multi-family	2 enclosed spaces per unit
Age Restricted	1.5 spaces per unit
Non-residential uses other than those listed above	Pursuant to the Land Development Regulations

7.3 Shared Parking

Shared parking for mixed-use is encouraged and is not required to be located on the same lot as the principal use, provided that no off-site parking space is located more than 500 feet from the entrance to the principal use to which the space is counted. The following table lists the required parking ratios for shared parking.

Table 7.2: Shared Parking Ratios

	Weekday		Weekend		Night
Use	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%
Multi-family, live/work, residential lofts, multi-family 4-plex	60%	100%	60%	100%	100%
Residential, other than multi-family	100%	100%	100%	100%	100%

7.4 Parking Requirements for the MU-T: EN, MU-T: MR, and MU-T: NG Character Zones

1. MU-T: NG

a. Location and design of off-street parking

- i. Off-street parking areas shall be designed in accordance with Section 82-79 of the Land Development Regulations (Residential Parking Area Design).
- ii. All residential lots that are less than 60 feet in width shall have garages accessed from alleys. All lots 60 feet and wider may have front loaded garages.

- iii. Bicycle parking shall be provided for each nonresidential use at a rate of five percent of the off-street automobile parking spaces required for the use the bicycle parking will serve, not to exceed a total of ten bicycle parking spaces. Bicycle parking shall be visible from streets or parking lots. Bicycle parking is not required to be located on the same platted lot as the use it serves, but shall be located within 400 feet of the lot containing the use it serves.

2. MU-T: EN and MU-T: MR

a. Location and design of off-street parking

- i. A maximum of 50 percent of the blockface frontage on a Type B street and 25 percent on a Type A street may be used for parking. No such parking limitation shall apply if a blockface contains a building that is oriented on an environmental feature or open space. The parking limitations also do not apply along FM 1171 or US 377.
- ii. Structured parking is permitted.
- iii. Any off-street surface parking area located adjacent to a street or a residential use shall be screened in accordance with Section 10.
- iv. Bicycle parking shall be provided for each nonresidential use at a rate of five percent of the off-street automobile parking spaces required for the use the bicycle parking will serve, not to exceed a total of ten bicycle parking spaces. Bicycle parking shall be visible from streets or parking lots. Bicycle parking is not required to be located on the same platted lot as the use it serves, but shall be located within 400 feet of the lot containing the use it serves. Bicycle parking shall not be located within the public ROW.
- v. All residential lots that are less than 60 feet in width shall have garages accessed from alleys. All lots 60 feet and wider may have front loaded garages.
- vi. Off-street parking shall be subject to Article III, Off Street Parking and Loading, of the Land Development Regulations unless otherwise specified in this ordinance.

7.5 Parking Requirements for MU-C and MU-N Character Zones

a. Location and design of off-street parking

- i. A maximum of 25 percent of the blockface frontage on a Type A street may be used for parking. A maximum of 50 percent of the blockface frontage on a Type B street may be used for parking. Parking is not permitted within 25 feet of a block corner.

- ii. In the MU-C character zone, structured parking is required for a mixed use building with residential uses on upper floors and stand-alone multi-family buildings.
- iii. Off-street parking shall be located internal to blocks except as provided for in this ordinance.
- iv. In the MU-N character zone, required parking not provided in a structured parking garage shall be located within the block interior and may be provided in a private driveway or an easement.
- v. In the MU-N character zone, multi-family units shall be served by one or more of the following: structured parking, tuck-under parking, or surface parking, the location and screening of which are governed by this ordinance.
- vi. 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 four (4') in height with approximately 80 percent or more opacity at the time of planting. A landscape fence is a fence consisting of tubular steel, wrought iron, or masonry accompanied by evergreen landscaping.
- vii. A surface parking lot may not be adjacent to a street intersection or square, or occupy a lot that terminates a street vista.
- vii. Bicycle parking shall be provided for each nonresidential use at a rate of five percent of the off-street automobile parking spaces required for the use the bicycle parking will serve, not to exceed a total of ten bicycle parking spaces. Bicycle parking shall be visible from streets or parking lots. Bicycle parking is not required to be located on the same platted lot as the use it serves, but shall be located within 400 feet of the lot containing the use it serves. Bicycle parking shall not be located within the public ROW.
- viii. All residential lots that are less than 60 feet in width shall have off-street parking and/or garages accessed from alleys. All lots 60 feet and wider may have front loaded garages.
- ix. 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 facades may exceed this frontage limit if the facade 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. Ground floor facades are required to provide architectural detail as the adjacent building(s) it serves. The architectural detail of the upper floors shall follow the design character as provided on the ground floor.

7.6 Parking Analysis

The following table is a preliminary assumption of parking required based on anticipated uses. Specific parking for any site within the development will be provided at the time of site plan and/or plat.

Table 7.3: Projected Parking Summary. This table is a projection of uses used for planning purposes, and is not intended to serve as a minimum or maximum level of development for any particular use.

	Retail (SF)	Restaurant / Entertainment (SF)	Office / Corporate Campus (SF)	Office Medical (SF)	*Hospital (Rooms)	School Classroom
Capacity per Concept Plan	1,728,455	454,838	4,174,470	330,400	125	120
Required Parking	6,914	4,548	16,698	1,101	84	0

	Hotel (Rooms)	Multi-family (Units)	**Civic Uses	Single Family Residential Units	Parking Garages	Total Required Parking
Capacity per Concept Plan	573	6,000	273,600	3,000	5,551	
Required Parking	573	9,000	577	6,000	0	45,495

Table 7.4: Projected Shared Parking Summary

	SCHEDULE OF MIXED USE PARKING				
	Weekday		Weekend		Night
	Daytime 6A-6P	Evening 6P-Mid	Daytime 6A-6P	Evening 6P-Mid	Midnight - 6A
Office-General	16,698	1,670	1,670	835	835
Office-Medical	1,102	111	111	56	56
Hospital	84	84	84	84	84
Retail	3,457	6,223	6,914	4,840	346
Restaurant	2,275	4,549	4,549	4,549	455
Hotel	402	402	402	402	402
Multi-Family	9,000	9,000	9,000	9,000	9,000
Single Family Residential	6,000	6,000	6,000	6,000	6,000
Totals	39,018	28,039	28,730	25,766	17,178

Note: Required parking shown on these tables is based on preliminary assumptions of land use at full build out. These assumptions of land uses and parking at full build out are preliminary and non-binding.

7.7 Covered Parking

Covered parking is permitted. Carport structures shall be of the same color as the main structure and shall incorporate vertical support elements faced in brick or stone to a height of four feet consistent with the building material of the main structure.

7.8 Parking Dimensions

Parking dimensions shall be subject to Article III, Off Street Parking and Loading, of the Land Development Regulations unless otherwise specified in this ordinance.

- a. 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 of the Land Development Regulations (Parking Space and Aisle Dimensions).
- b. On-Street Parking: Section 82-78 of the Land Development Regulations (Parking Area Design) shall not apply to on-street parking.
- c. Parking Structures. The dimensions of parking spaces located in parking structures shall be as follows:
 - i. Nine feet by eighteen feet, where each vehicle storage space, shall be counted as a parking space, provided that such space accommodates a vehicle.
- d. On-Street Parking. The dimensions of parallel parking spaces located on streets shall be a minimum of 8 feet by 23 feet unless otherwise indicated.

- e. **Parking Access Aisles.** Parking access aisles that are not also fire lanes shall have these widths:
 - i. two (2) lanes (two-way traffic) a minimum width of twelve feet (12') each for ninety degree (90°) parking configurations; and
 - ii. not less than a minimum width of twenty-two feet (22') for head-in, one-way parking and eighteen feet (18') for angled, one-way parking.

7.8 Multi-family 4-Plex

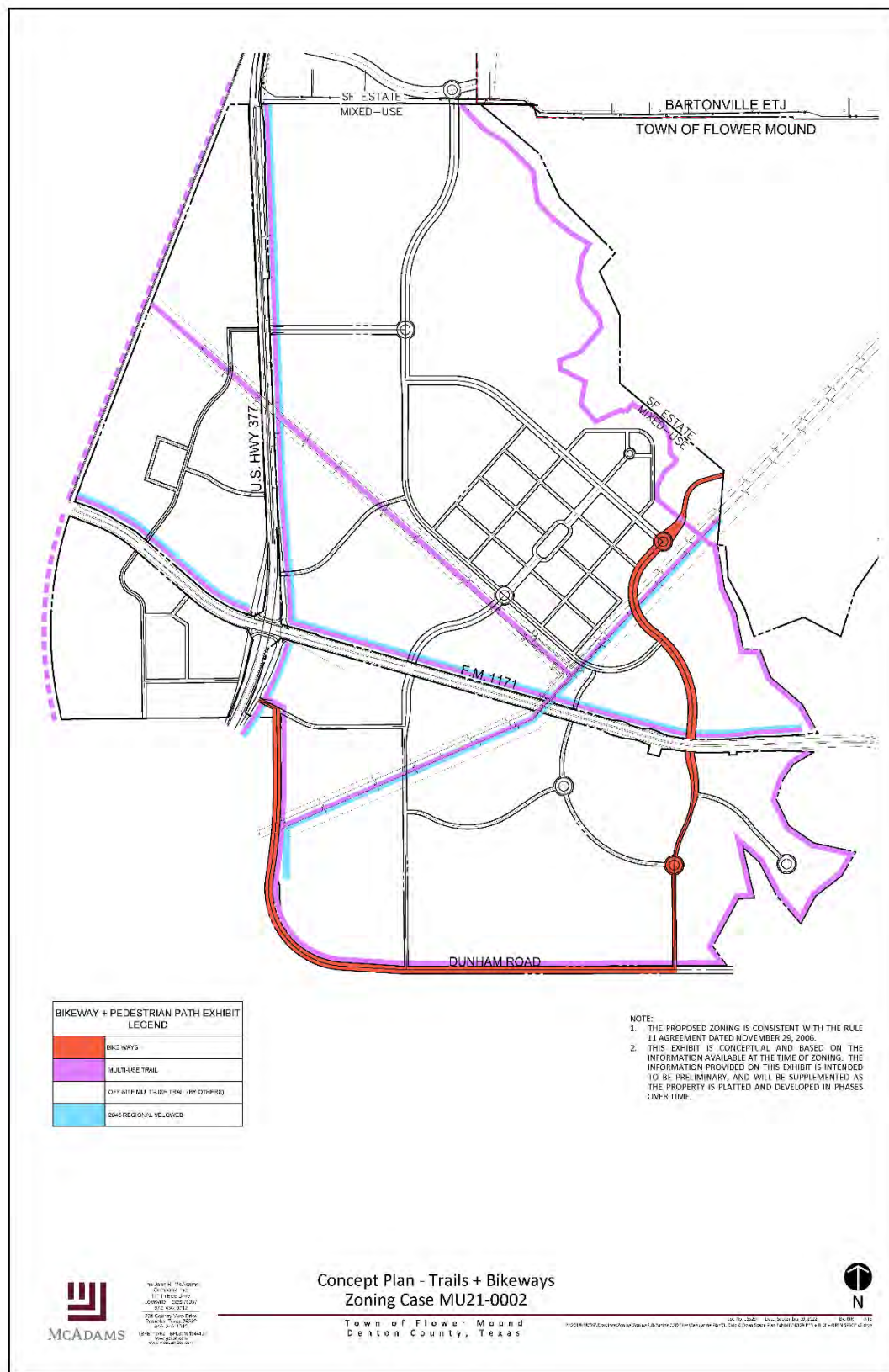
Each 4-plex unit must include garage parking accessed through an alley.

SECTION 8: PEDESTRIAN AND BIKE PATHS

Pedestrian and bike paths shall be provided as generally shown on Figure 8.1. The pedestrian and bike paths shown on Figure 8.1 are the exclusive pedestrian and bike paths required for the Property, and shall be constructed in phases as the project is developed in phases.

On Figure 8.1, bike lanes shown in red will be located outside of the vehicle travel lanes.

Figure 8.1: Illustrative Trails Plan



Enlarged notes and table from Figure 8.1

BIKEWAY + PEDESTRIAN PATH EXHIBIT LEGEND	
	BIKE WAYS
	MULTI-USE TRAIL
	OFF SITE MULTI-USE TRAIL (BY OTHERS)
	2045 REGIONAL VELOWEB

NOTE:

1. THE PROPOSED ZONING IS CONSISTENT WITH THE RULE 11 AGREEMENT DATED NOVEMBER 29, 2006.
2. THIS EXHIBIT IS CONCEPTUAL AND BASED ON THE INFORMATION AVAILABLE AT THE TIME OF ZONING. THE INFORMATION PROVIDED ON THIS EXHIBIT IS INTENDED TO BE PRELIMINARY, AND WILL BE SUPPLEMENTED AS THE PROPERTY IS PLATTED AND DEVELOPED IN PHASES OVER TIME.

SECTION 9: CIVIC AND OPEN SPACE PLAN

Table 9.1 This table describes the estimated open space or civic space acres at full buildout within each character zone and the minimum gross area of open space or civic space within the Property at full buildout.

Open/Civic Space	MU-C	MU-N	MU-T		
			NG	EN	MR
Area A Estimated Acres	2.0	5.6	11.7	24.5	13.2
Area B Estimated Acres	0.1	4.9	3.7	0	2.3
Area C Estimated Acres	0.8	0.7	2.5	0	2.3
Area D Estimated Acres	2.2	8.2	6.4	1.6	15.2
Overall open/civic space allocations shall be a minimum of ten percent of the gross area of the Property and shall be distributed appropriately between the mixed use components. The location and design of appropriate open spaces shall be based on this Section 9.					

Figure 9.1 below is a preliminary, conceptual layout of civic and open space areas within the Property to illustrate the contemplated open space within the Property at full build out (as set forth on the first table under Table 3.4). Civic and open spaces shall be provided in phases as the mixed use district is developed based on the amount of open space required. Exact locations of all park, civic and open spaces will be finalized at the time of platting.

Figure 9.1: Illustrative Open Space Plan.



Enlarged notes from Figure 9.1.

NOTE:

1. THE PROPOSED ZONING IS CONSISTENT WITH THE RULE 11 AGREEMENT DATED NOVEMBER 29, 2006.
2. THE TOTAL MIXED-USE ACREAGE INCLUDES THE LAND SWAP PROPERTY AND SURPLUS TXDOT RIGHT-OF-WAY.
3. THIS EXHIBIT IS CONCEPTUAL AND BASED ON THE INFORMATION AVAILABLE AT THE TIME OF ZONING. THE INFORMATION PROVIDED ON THIS EXHIBIT IS INTENDED TO BE PRELIMINARY, AND WILL BE SUPPLEMENTED AS THE PROPERTY IS PLATTED AND DEVELOPED IN PHASES OVER TIME.

Table 9.2: Open Space per Phase

The following phasing is conceptual and subject to change by the applicant at the time of platting. Actual open space requirements are determined as stated above in this Section 9.

Mixed-Use Open Space Acreage per Phase	
Phase	Acreage
Phase 1	29.31
Phase 2	9.15
Phase 3	23.89
Phase 4	45.67
Total	±108.02

Table 9.3: Open Space Design. The tables below supplement Figure 9.1 and describe the elements of certain individual open spaces shown on Figure 9.1, which are to be provided in phases as the Property is platted in phases based on applicable open space requirements.

Residential Lake District

Item		Standard	Required	Optional
1	Park Description	Located at the heart of the Property, the residential side of the Lake District offers various amenities to residents and visitors. Facilities and other one-of-a-kind lakeside features give this park numerous opportunities for the community to experience, while incorporating natural surroundings.		
2	Classification	Natural Area/Park		
3	Minimum Size	16.01 acres		
5	Landscape	This Natural Area/Park may consist of natural grasses, groupings of new and existing trees that are only manicured when affecting the users experience. Entryways and structures within the preserve may have manicured landscape.	X	
6	Hardscape	May include: Minimum 4 ft wide Sidewalks, Enhanced Paving, Pedestrian Bridges, Boardwalks, Piers, Boulders, Railing and Fencing.	X	
7	Trails	Paved and natural pedestrian trails, at a minimum of 8 ft wide, may be provided throughout that give users access to any structures, and will connect to the Multi-Use trail as shown on the Trails Map.	X	
8	Structures	May include: Shade Structures, Pavilions, Fire-pits, Playgrounds, Pools, other Aquatic elements, and a constructed waterfall.		X
9	Site Furnishings	May include: Benches, Picnic Tables, Detachable Tables and Chairs, Trash Receptacles, Bollards, Pet Waste Stations, Bike Racks, and other seating structures.	X	
10	Lighting	Pedestrian Lighting may be provided to ensure user safety. Low voltage accent lighting may be provided where appropriate.	X	
11	Signage	May include: Monument, Educational, Wayfinding, and User Safety signage.	X	
12	Other features	May include: Water features, Educational areas, and Wildlife Viewing areas.		X



The Trailhead

Item		Standard	Required	Optional
1	Park Description	The Trailhead is a unique location found within the development, connecting people through trails, activities, and other special elements.		
2	Classification	Natural Area/Park		
3	Minimum Size	6.31 acres		
5	Landscape	The Natural Area/Park may consist of natural grasses, groupings of new and existing trees that are only manicured when affecting the users experience, manicured lawns, and may incorporate a planting scheme that will be maintained and irrigated regularly. Entryways and structures within the natural area may have manicured landscape.	X	
6	Hardscape	May include: Minimum 4 ft wide Sidewalks, Enhanced Paving, Pedestrian Bridges, Boardwalks, Piers, Railing, and Fencing.	X	
7	Trails	Paved and natural pedestrian trails, at a minimum of 8 ft wide, may be provided throughout the Park that give users access to any structures, and will connect to the Multi-Use, Veloweb, and Off-Site Equestrian trail as shown on the Trails Map.	X	
8	Structures	May include: Shade Structures, Pavilions, Fire-pits, Playgrounds, and Dog-Play equipment.		X
9	Site Furnishings	May include: Benches, Picnic Tables, Detachable Tables and Chairs, Trash Receptacles, Bollards, Pet Waste Stations, Bike Racks, and other seating structures.	X	
10	Lighting	Low voltage, pedestrian lighting may be provided to ensure user safety. Additional accent lighting may be used in higher traffic areas.	X	
11	Signage	May include: Monument, Educational, Wayfinding, and User Safety signage.	X	
12	Other features	May include: Dog Park, Wildlife Viewing areas, and Water Bodies.		X



Roadrunner Trail

Item		Standard	Required	Optional
1	Park Description	Roadrunner Trail is a large park that runs underneath overhead powerlines, connecting pedestrians from north to south and east to west across the development, being an ideal location for avid walkers and joggers.		
2	Classification	Natural Area/Park		
3	Minimum Size	21.90 acres		
5	Landscape	This Natural Area/Park may consist of natural grasses, groupings of new and existing trees that are only manicured when affecting the users experience. There shall be no canopy trees underneath the easement Entryways and structures within the preserve may have manicured landscape.	X	
6	Hardscape	May include: Minimum 4 ft wide Sidewalks, Enhanced Paving, Pedestrian Bridges, Railing, and Fencing.	X	
7	Trails	Paved and natural pedestrian trails, at a minimum of 8 ft wide, may be provided throughout the Park and Natural Area that give users access to any structures, and will connect to the Multi-Use and Veloweb trails as shown on the Trails Map.	X	
8	Structures	May include: Shade Structures, Playgrounds, and Workout equipment.		X
9	Site Furnishings	May include: Benches, Picnic Tables, Detachable Tables and Chairs, Trash Receptacles, Bollards, Pet Waste Stations, Bike Racks, and other seating structures.		X
10	Lighting	Low voltage, pedestrian lighting may be provided to ensure user safety.		X
11	Signage	May include: Monument, Educational, Wayfinding, and User Safety signage.	X	
12	Other features	May include: Educational areas and Wildlife Viewing areas.		X



The Commons

Item	Standard	Required	Optional
1	Park Description	The Commons is a unique park located in the center of the Village Core and resembles a sculpture garden. This space gives pedestrians a connection with nature in an urban surrounding.	
2	Classification	Square	
3	Minimum Size	0.94 acres	
5	Landscape	The Square may consist of manicured lawns, new canopy and ornamental trees, existing trees, and incorporate a planting scheme that will be maintained and irrigated regularly.	X
6	Hardscape	May include: Minimum 4 ft wide Sidewalks, Enhanced Paving, Railing, and Fencing.	X
7	Trails	Paved and natural pedestrian trails, at a minimum of 8 ft wide, may be provided throughout the Square that give users access to any structures.	X
8	Structures	May include: Shade Structures, Pavilion, Playground, and Sculptures.	X
9	Site Furnishings	May include: Benches, Picnic Tables, Trash Receptacles, Bollards, Pet Waste Stations, Bike Racks, and other seating structures.	X
10	Lighting	Low voltage, pedestrian lighting may be provided to ensure user safety. Additional accent lighting may be used around sculptures.	X
11	Signage	May include: Monument, Educational, and Wayfinding signage.	X
12	Other features	May include: Water features	X



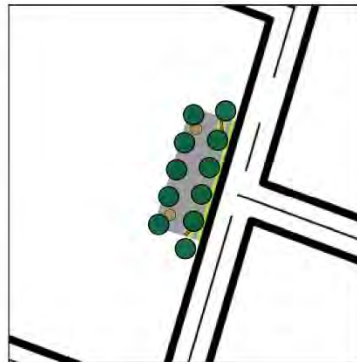
Arrowhead Park

Item		Standard	Required	Optional
1	Park Description	Arrowhead Park is a high traffic area that allows users to engage in the exciting atmosphere of the Village Core while enjoying open space and landscape features.		
2	Classification	Green		
3	Minimum Size	0.63 acres		
5	Landscape	The Green may consist of manicured lawns, new canopy and ornamental trees, existing trees, and incorporate a planting scheme that will be maintained and irrigated regularly.	X	
6	Hardscape	May include: Minimum 4 ft wide Sidewalks and Enhanced Paving	X	
7	Trails	Paved and natural pedestrian trails, at a minimum of 8 ft wide, may be provided throughout the Square that give users access to any structures.		X
8	Structures	May include: Shade Structures, Pavilion, Playground, and Splash-pad.		X
9	Site Furnishings	May include: Benches, Picnic Tables, Detachable Tables and Chairs, Trash Receptacles, Bollards, Pet Waste Stations, Bike Racks, and other seating structures.	X	
10	Lighting	Low voltage, pedestrian lighting may be provided to ensure user safety. Additional accent lighting may be used in higher traffic areas.	X	
11	Signage	May include: Monument, Educational, and Wayfinding signage.	X	
12	Other features	May include: Water features		X



Micro Park

Item		Standard	Required	Optional
1	Park Description	The Micro Park is a unique park located at the entrance of a Core and is an space that encourages pedestrians to gather together outdoors.		
2	Classification	Plaza		
3	Minimum Size	0.10 acres		
5	Landscape	The Plaza may consist of open lawn, landscape beds, planters, new canopy and ornamental trees, the use of tree grates, and incorporates a planting scheme that will be maintained and irrigated regularly.	X	
6	Hardscape	May include: Minimum 4 ft Sidewalks and Enhanced Paving.	X	
7	Trails	All areas within the Plaza are intended to act as pedestrian pathways, at a minimum of 8ft wide.		X
8	Structures	May include: Shade Structures, Amphitheater, Splash-pads, and Sculptures.		X
9	Site Furnishings	May include: Benches, Picnic Tables, Detachable Tables and Chairs, Trash Receptacles, Bollards, Pet Waste Stations, Bike Racks, and other seating structures.	X	
10	Lighting	Low voltage, pedestrian lighting may be provided to ensure user safety. Additional accent lighting may be used in higher traffic areas.	X	
11	Signage	May include: Monument, Educational, and Wayfinding signage.		X
12	Other features	May include: Water features		X



The Natural Corridor

Item	Standard	Required	Optional
1	Park Description	The Natural Corridor is large area that wraps around the southeast developments, offering pedestrians to engage in the natural preserved areas.	
2	Classification	Natural Area	
3	Minimum Size	1528 acres	
5	Landscape	The Natural Area may consist of natural grasses, groupings of new and existing trees that are only manicured when affecting the users experience. Entryways and structures within the natural area may have manicured landscape.	X
6	Hardscape	May include: Minimum 4 ft wide Sidewalks, Enhanced Paving, Pedestrian Bridges, Boardwalks, and Piers.	X
7	Trails	Paved and natural pedestrian trails, at a minimum of 8 ft wide, may be provided throughout the Natural Area that give users access to any structures.	X
8	Structures	May include: Shade Structures, Pavilions, and Playgrounds.	X
9	Site Furnishings	May include: Benches, Picnic Tables, Trash Receptacles, Bollards, Pet Waste Stations, Bike Racks, and other seating structures.	X
10	Lighting	Low voltage, pedestrian lighting may be provided to ensure user safety.	X
11	Signage	May include: Monument, Educational, and Wayfinding signage.	X
12	Other features	May include: Water Bodies and Wildlife Viewing areas	X



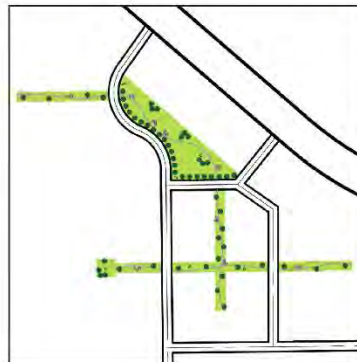
Scissortail Trail

Item		Standard	Required	Optional
1	Park Description	Scissortail trail is a natural park that runs underneath overhead powerlines, connecting pedestrians to the Roadrunner trail.		
2	Classification	Natural Area/Park		
3	Minimum Size	10.22 acres		
5	Landscape	This Natural Area/Park may consist of natural grasses, groupings of new and existing trees that are only manicured when affecting the users experience. There shall be no canopy trees underneath the easement Entryways and structures within the preserve may have manicured landscape.	X	
6	Hardscape	May include: Minimum 4 ft wide Sidewalks, Enhanced Paving, Pedestrian Bridges, Railing, and Fencing.	X	
7	Trails	Paved and natural pedestrian trails, at a minimum of 8 ft wide, may be provided throughout the Park and Natural Area that give users access to any structures, and will connect to the Multi-Use and Veloweb trails as shown on the Trails Map.	X	
8	Structures	May include: Shade Structures, Playgrounds, and Workout equipment.		X
9	Site Furnishings	May include: Benches, Picnic Tables, Detachable Tables and Chairs, Trash Receptacles, Bollards, Pet Waste Stations, Bike Racks, and other seating structures.		X
10	Lighting	Low voltage, pedestrian lighting may be provided to ensure user safety.	X	
11	Signage	May include: Monument, Educational, Wayfinding, and User Safety signage.	X	
12	Other features	May include:		X



The Crossing

Item		Standard	Required	Optional
1	Park Description	The Crossing is a high traffic area that allows users to engage in the exciting atmosphere of a Core while enjoying open space and landscape features.		
2	Classification	Plaza/Green		
3	Minimum Size	2.62 acres		
5	Landscape	This Plaza/Green may consist of manicured lawns, new canopy and ornamental trees, existing trees, and incorporate a planting scheme that will be maintained and irrigated regularly.	X	
6	Hardscape	May include: Minimum 4 ft wide Sidewalks, Enhanced Paving, Railing, and Fencing.	X	
7	Trails	Paved and natural pedestrian trails, at a minimum of 8 ft wide, may be provided throughout the Square that give users access to any structures.		X
8	Structures	May include: Shade Structures, Pavilion, Playground, and Sculptures.	X	
9	Site Furnishings	May include: Benches, Picnic Tables, Trash Receptacles, Bollards, Pet Waste Stations, Bike Racks, and other seating structures.	X	
10	Lighting	Low voltage, pedestrian lighting may be provided to ensure user safety. Additional accent lighting may be used around sculptures.	X	
11	Signage	May include: Monument, Educational, and Wayfinding signage.		X
12	Other features	May include: Water features		X



Cardinal Trail

Item		Standard	Required	Optional
1	Park Description	Cardinal Trail is a natural park that runs underneath overhead powerlines, connecting pedestrians to the Roadrunner trail.		
2	Classification	Natural Area/Park		
3	Minimum Size	998 acres		
5	Landscape	This Natural Area/Park may consist of natural grasses, groupings of new and existing trees that are only manicured when affecting the users experience. There shall be no canopy trees underneath the easement. Entryways and structures within the preserve may have manicured landscape.	X	
6	Hardscape	May include: Minimum 4 ft wide Sidewalks, Enhanced Paving, Pedestrian Bridges, Railing, and Fencing.	X	
7	Trails	Paved and natural pedestrian trails, at a minimum of 8 ft wide, may be provided throughout the Park and Natural Area that give users access to any structures, and will connect to the Multi-Use and Veloweb trails as shown on the Trails Map.	X	
8	Structures	May include: Shade Structures, Playgrounds, and Workout equipment.		X
9	Site Furnishings	May include: Benches, Picnic Tables, Detachable Tables and Chairs, Trash Receptacles, Bollards, Pet Waste Stations, Bike Racks, and other seating structures.		X
10	Lighting	Low voltage, pedestrian lighting may be provided to ensure user safety.	X	
11	Signage	May include: Monument, Educational, Wayfinding, and User Safety signage.	X	
12	Other features	May include;		X



SECTION 10: LANDSCAPING AND SCREENING

10.1 Applicable Landscaping and Tree Requirements

The provisions of this Section 10 constitute the exclusive landscaping requirements for the Property. Article V (Landscaping and Screening) of Chapter 82 of the Land Development Regulations, as modified by this Section 10, shall apply to all development (excluding the development of single family detached residences) only to the extent that it sets forth requirements for landscaping maintenance, irrigation, landscape plan approval, and other administrative matters related to landscaping, and this Section 10 sets forth the exclusive requirements for areas within this Property that must be landscaped. Single family detached lots shall be landscaped in accordance with Section 94-65 of the Land Development Regulations, and the provisions of this Section 10 shall not otherwise apply to such residences. Multi-family 4-plex development shall be governed by the landscaping requirements applicable to single family detached lots. No buffers shall be required within the Property unless they are required by the standards below in this Section 10. Required landscaping shall comply with Section 94-66 of the Land Development Regulations (Approved Tree Planting Lists) or shall be otherwise approved by the Town manager or his or her designee, and excess landscaping shall not be required to comply with such requirements. Section 94-67 of the Land Development Regulations (Limit on Credit for Preservation of Existing or Established Trees) shall apply.

10.2 Landscaping Elements

Preference shall be given to native tree species, and the majority of trees planted within a platted lot or subdivision phase shall be a native species. Landscape plans for nonresidential and mixed use platted lot or subdivision phase shall incorporate the use of one or more water conservation methods and drought tolerant plant material, although not all plant material is required to be drought tolerant. Water conservation methods may include, but are not limited to, planting of native and drought tolerant plant material, use of drip irrigation, limiting turf grass areas, utilizing mulches in landscape beds to maintain moisture content, reuse of grey water, and capture of rainwater for irrigation.

10.3 Street Trees

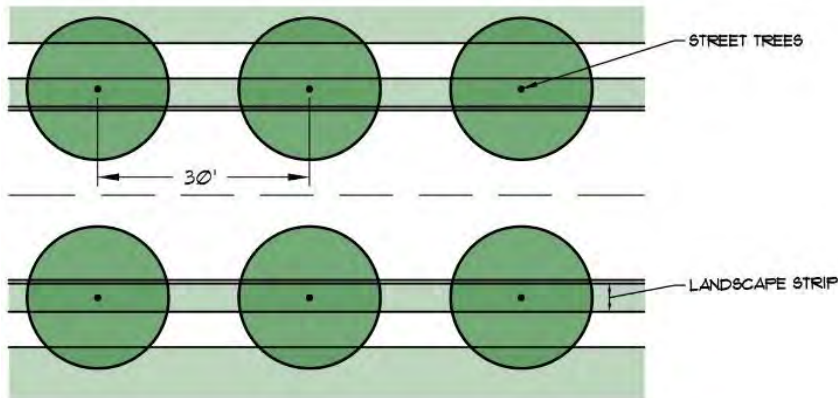
A street tree is a tree or group of trees that line the edge of a street or roadway and includes trees inside or outside of the right-of-way. Street trees shall have an average spacing of 30 feet on-center, and shall be installed in phases as lots are developed with buildings adjacent to the street. Street trees shall be a minimum of three-inch caliper. Trees may be planted in groves or clusters, and may be linear or curvilinear in nature. Street tree spacing may vary to accommodate utilities, driveways, and other impediments within the right-of-way. Street trees shall not be planted within fifteen feet (15') of a stop sign.

Tree species shall be selected based on their tolerance of compacted urban soils, ability to provide shade, rate of growth, shape of crown and overall aesthetic quality. In commercial areas, species selection shall take into consideration the ability to, over time, prune the underside of the crown in order to ensure visibility of retail storefronts. All street trees shall have a minimum of 600 cubic feet of uncompacted soil and all ornamental trees shall have a minimum of 400 cubic feet of uncompacted soil. Should hardscapes such as sidewalks, roads, or building foundations prevent

the cubic foot that is required, alternative methods of supplementation such as structural soils or soil cells should be utilized.

Where street trees are planted, root barriers shall be used to ensure roots do not grow into the street and damage concrete.

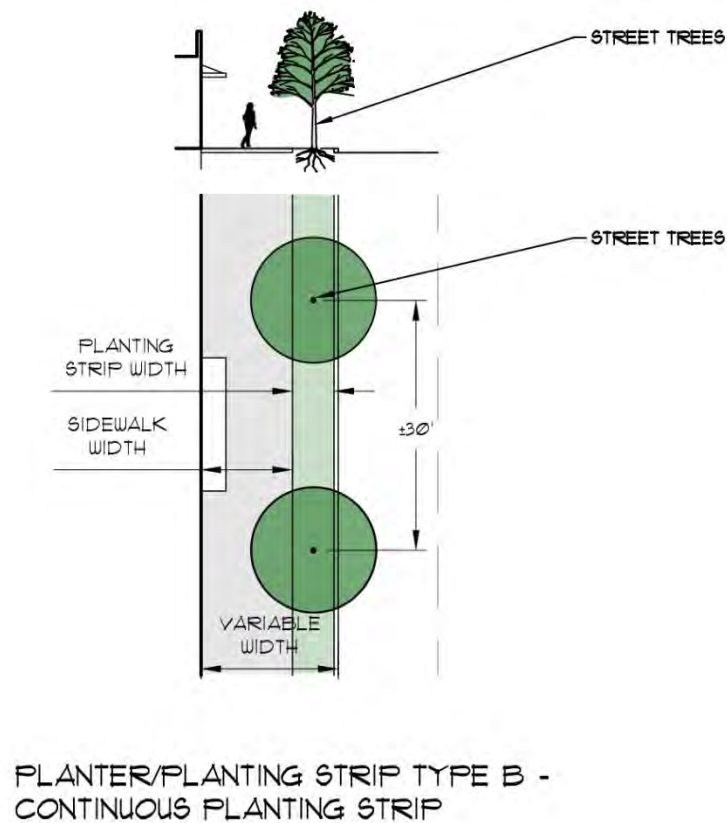
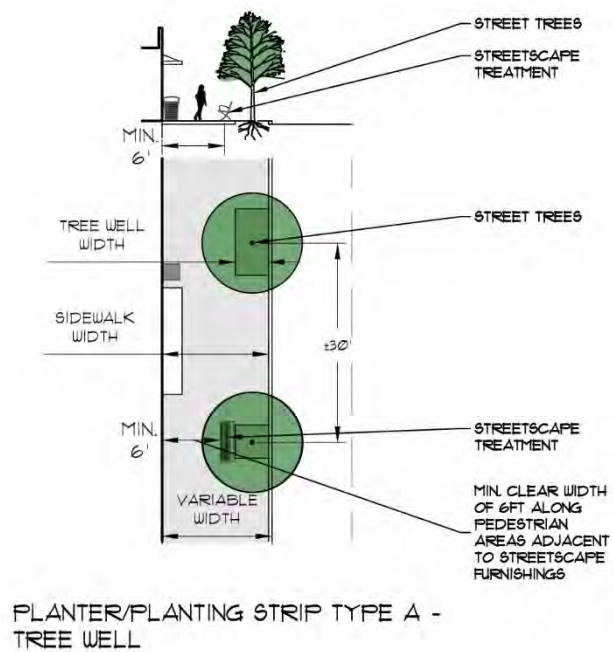
Figure 10.1 Street Trees



10.4 Streetscape Treatments

Streetscape treatments include all improvements adjacent to the right-of-way that create an attractive and safe pedestrian environment. In high pedestrian traffic areas, treatments shall include street trees, streetlight standards, street furniture, and trash receptacles. Additional streetscape treatments may also be implemented, such as enhanced paving materials, tree grates, street/pedestrian/wayfinding signs, parking meters, utility boxes, seating, public art/water features, bike racks, bollards, information kiosks, and other similar streetscape improvements. Street treatments are permitted in all character zones. The standards in 2.0 Streetscape Standards of Table 3.4 shall be applied for sidewalk widths.

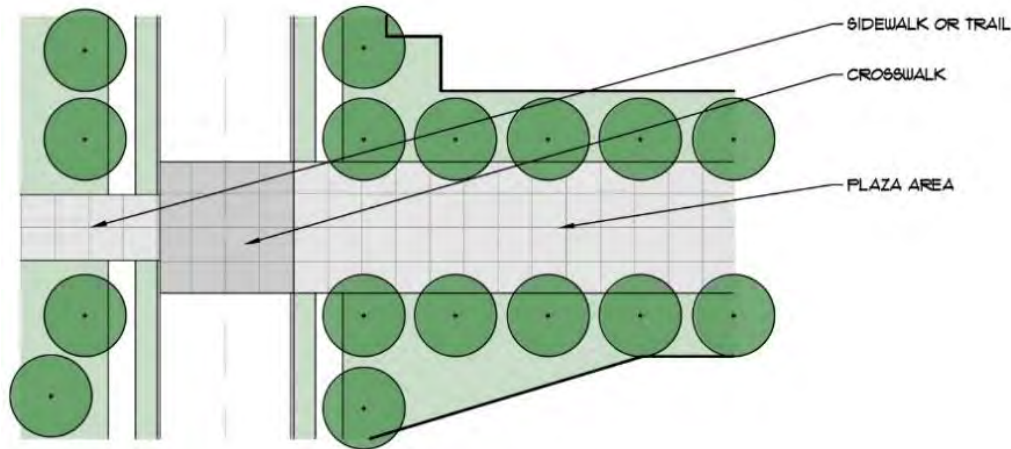
Figure 10.2 Streetscape Treatments



10.5 Pavement Details

In the MU-C, MU-N, MU-T: EN and MU-T: NG character zones, pavement details shall incorporate elements of enhanced pavement along sidewalks, trails, crosswalks, or plaza areas. Enhanced pavement is defined as colored and/or textured concrete. Pavement details are permitted in all character zones.

Figure 10.3 Pavement Details

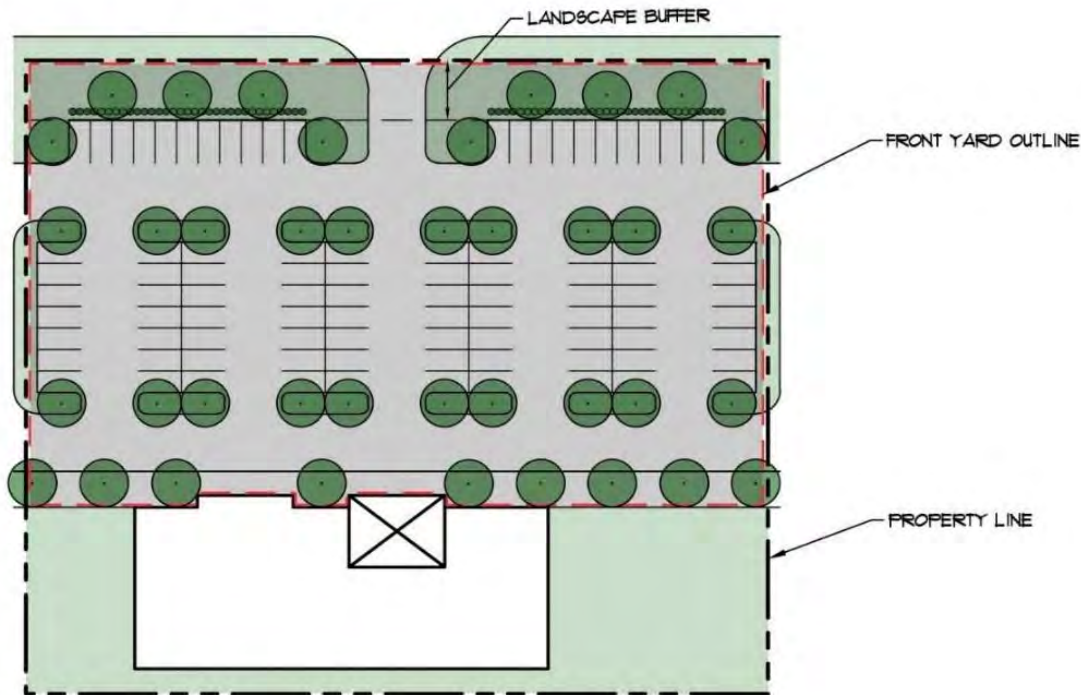


10.6 Street Yard Landscaping

All undeveloped areas of a street yard shall be landscaped. In the MU-T: MR character zone, a minimum of 20 percent of the area of the street yard between the main entry of a building and the street it faces shall be landscaped if there is a parking lot between the front entry and the street. Landscaping materials shall comply with Section 94-61 of the Land Development Regulations (Street Yard).

For purposes of this section, the term street yard means the area of a lot that lies between any street line and the facing wall line or lines of the principal building, extended by imaginary lines from the outer corners of the building and parallel to the street to the property lines. In the case of multiple principal buildings located on a building tract, imaginary lines shall connect the corners of facing walls of adjacent buildings.

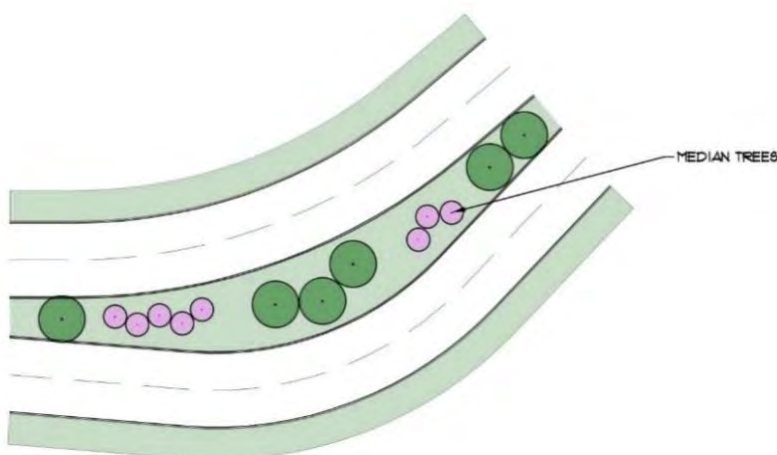
Figure 10.4 Street Yards in MU-T: MR



10.7 Medians

Trees may be planted in medians and rights-of-way only with the approval of the Town, provided that such trees are selected from subsection 94-66(b), approved median and right-of-way planting, per Section 94-64 (Median and Right-of-Way Trees). Maintenance, care and replacement of all right-of-way trees are the responsibility of the HOA/BOA.

Figure 10.5 Medians

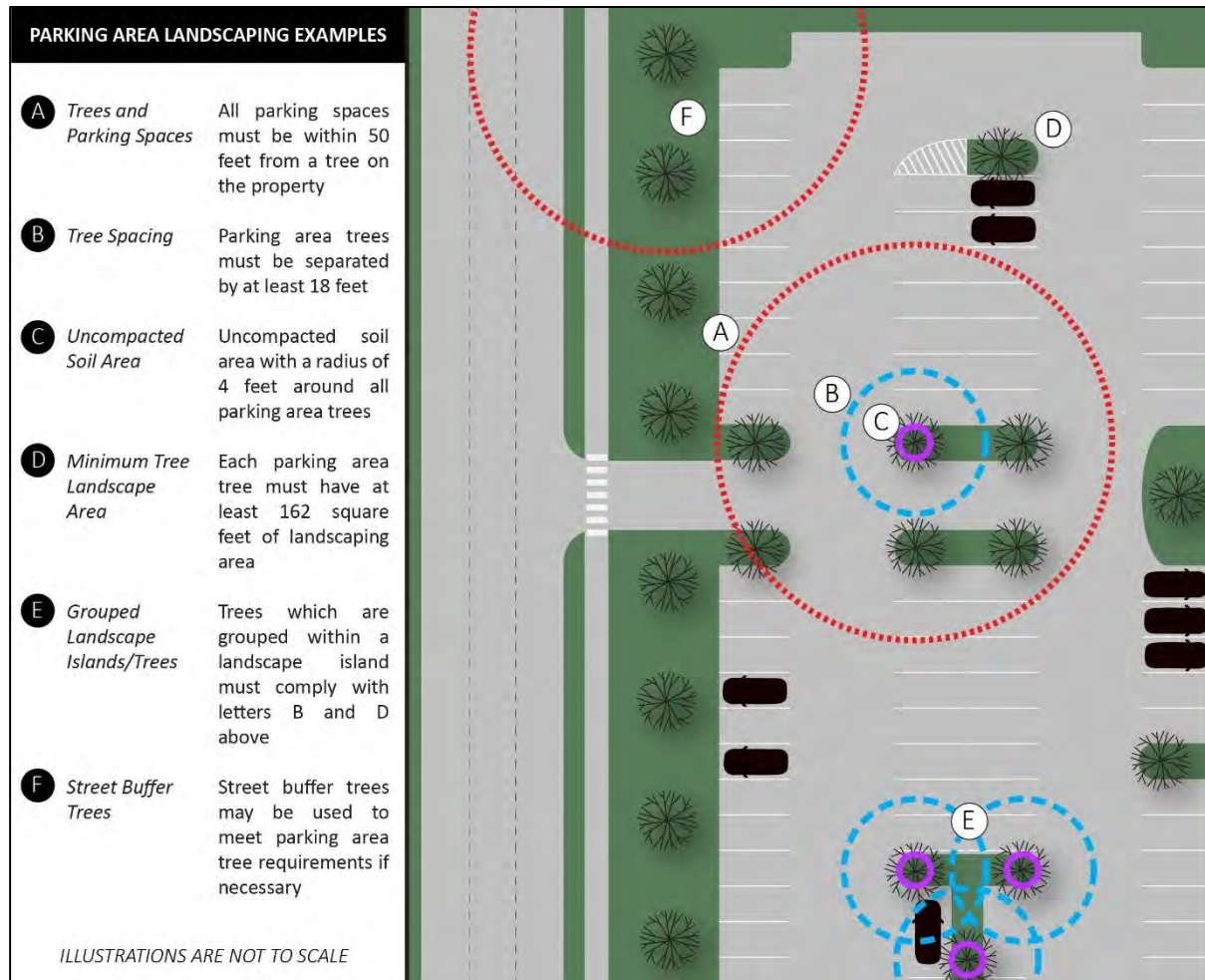


10.8 Parking Lot Landscaping

1. Landscaped areas shall be:
 - provided within off-street parking areas at a minimum ratio of 90 square feet per 12 parking spaces,
 - However, notwithstanding the foregoing, churches and/or schools shall be required to provide landscaped areas within off-street parking areas at a minimum ratio of 45 square feet per 12 parking spaces.

A landscaped area not less than 162 square feet must be provided for each parking area tree and be surrounded by uncompacted soil with a radius not less than four feet on center, measured from the trunk of the tree, except these requirements shall not apply to ornamental trees. In instances where a contiguous landscape island is used, trees shall be spaced eighteen feet on center. Landscaped areas within parking lots shall be counted toward the street yard landscaping requirement. See Section 7 above for additional landscaping requirements applicable to certain parking areas. The illustration in Figure 10.6 depicts the requirements, however (b)-(e) in this illustration do not apply to ornamental trees.

Figure 10.6 Parking Area Landscaping



2. Trees shall be planted or existing trees preserved within off-street parking areas according to the following provisions:

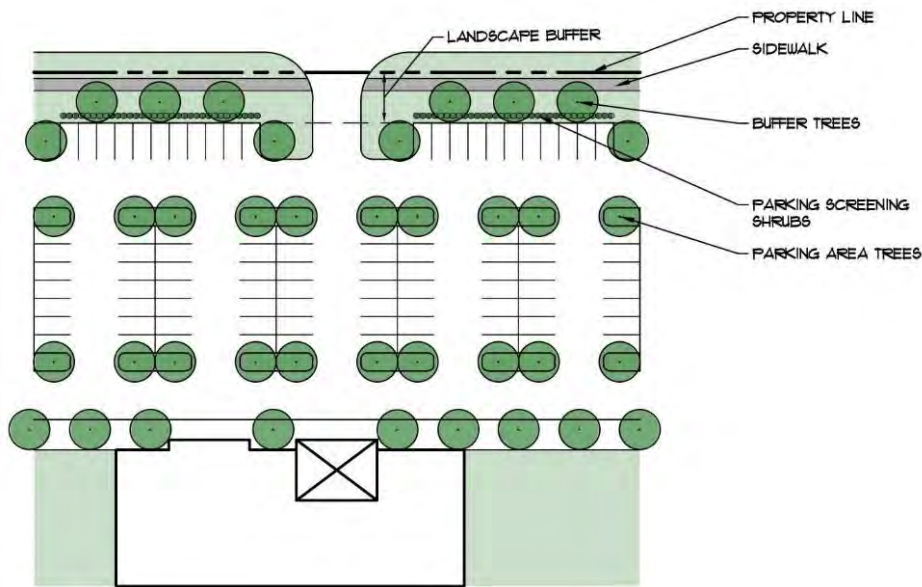
(a) One tree shall be provided for each ten parking spaces provided on the site; provided, however, that churches and/or schools shall be required to provide one tree for each 20 parking spaces provided on the site.

(b) Parking area trees shall be minimum of three-inch caliper, except as provided in subsection (d) below.

(c) All parking spaces shall be located within 50 feet of a tree that is located within the same parking area, measured from the trunk of the tree; provided, however, that for churches and/or schools, all parking spaces shall be located within 100 feet of a tree that is located within the same parking area, measured from the trunk of the tree.

(d) A maximum of 30 percent of the trees used to satisfy the requirements of this section may come from subsection 94-66(b), approved median and right-of-way planting list.

Figure 10.7 Parking Lot Landscaping



10.9 Screening

Outdoor storage areas, roof mounted units and/or equipment, loading and service bays, and outdoor lighting shall be screened as required by Division 3 of the Article V (Screening). No additional screening requirements apply unless otherwise stated in this ordinance.

Outdoor storage areas, roof mounted units and/or equipment, loading and service bays, and outdoor lighting shall be screened as required by Division 3 of the Article V (Screening). No additional screening requirements apply unless otherwise stated in this Ordinance.

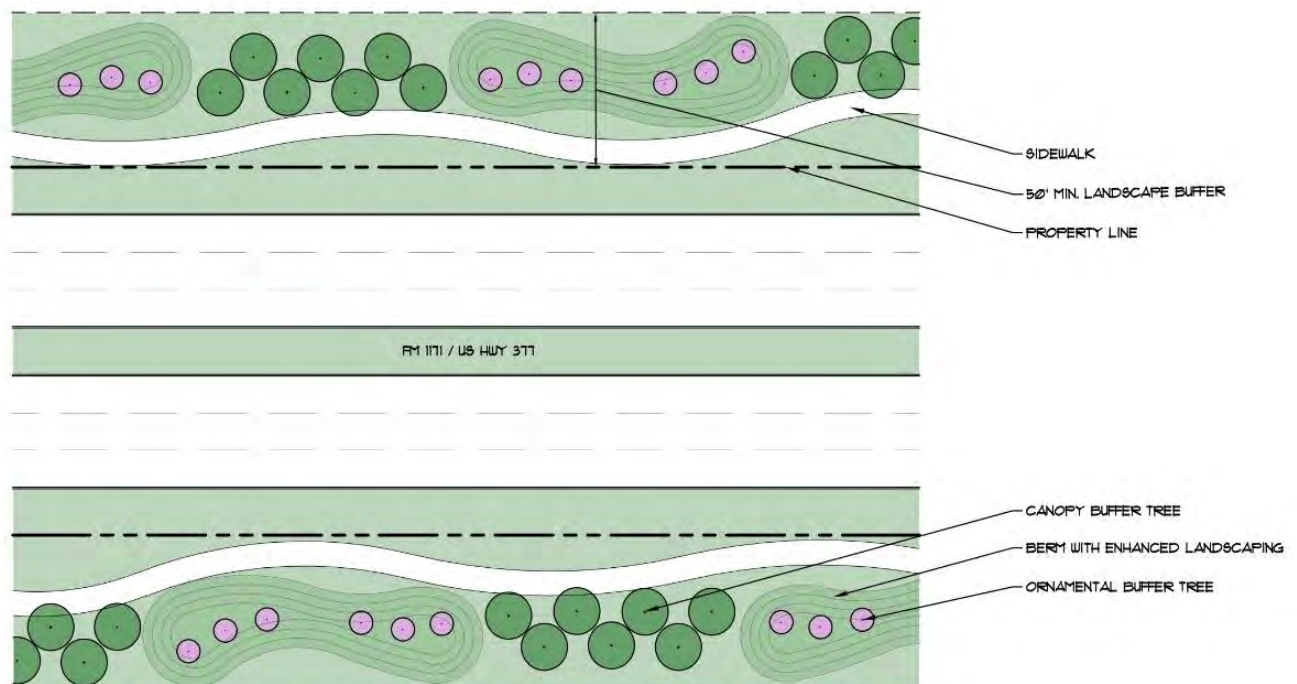
10.10 Street Buffers

Along FM 1171 and US 377 within the MU-T: MR Major Roadway Transition character zone, the area of the lot adjacent to the street right-of-way line and extending into the lot for a minimum of 50 feet shall be landscaped, except for necessary driveways, trails, sidewalks, signage, street lighting, utilities, and other similar improvements, subject to receiving permission from each easement holder if required by the terms of the easement.

Along arterial and collector roadways in the MU-T: MR Major Roadway Transition character zone and along Dunham Road in the MU-T: NG Neighborhood character zone, the area of the lot adjacent to the street right-of-way line and extending into the lot for a minimum of 15 feet shall be landscaped, except for necessary driveways, trails, sidewalks, signage, street lighting, utilities, and other similar improvements, subject to receiving permission from each easement holder if required by the terms of the easement.

Street buffer landscaped area shall be counted toward the street yard landscaping requirement. This street buffer shall not be used to satisfy park land dedication requirements. Buffer landscaping shall include street buffer trees at a ratio of a minimum of one tree for every 30 feet of lineal frontage. Street buffer trees shall be a minimum of three-inch caliper. Trees may be planted in groves or clusters. Plantings within the buffer shall be curvilinear in nature. Landscaping within the street buffer may contribute to parking screening requirements. No other street buffers or street buffer landscaping shall be required.

Figure 10.8 Street Buffer Landscaping



10.11 Railroad Buffer

A minimum 60-foot wide railroad buffer shall be provided in phases as lots are developed along the existing railroad as generally shown on Figure 9.1, the Illustrative Open Space Plan. Screening shall be provided within the buffer at a ratio of 1, 3" caliper tree per 30 linear feet, or a minimum 6' wrought iron fence shall be installed for the length of the buffer with a row of continuous shrubs in order to achieve a continuous dense six-foot screen selected from the Town's list of screening plants. If existing trees on the site meet the required planting ratio, the buffer can be maintained in its natural state instead, and is not required to be improved or landscaped, although improvements such as driveways and roads may intersect it and trails, sidewalks, signage, street lighting, utilities, and other similar improvements are permitted within it. The railroad buffer may be counted towards satisfying open space requirements.

10.12 Compatibility Buffer

Buffers from single family external to the Property: Where the MU-T: MR character zone directly abuts a lot zoned for single family dwellings within the Prairie Vista land on the northern or southern boundary of the Property, there shall be a minimum separation of 100 feet between any nonresidential building within the Property and the residential lot line, unless Town Council approves an exception. However, no separation shall be required if Dunham Road or Blue Ridge Parkway right-of-way is located between the nonresidential building and the single family dwelling.

Buffers from single family internal to the Property: In the MU-T: MR character zone, where adjacent to the MU-T: NG character zone, the closest edge of a nonresidential or mixed use building must be a minimum of 100 feet from the closest edge of a single family zoned lot. In addition to this, a minimum 10-foot landscape buffer with 3" caliper trees planted 30-foot on center or a 6-foot masonry wall with a 5-foot landscape buffer shall be provided along the property line. In all other character zones, the closest edge of a nonresidential, mixed use, or stand alone multifamily building must be a minimum of 30 feet from the closest edge of a single family attached or detached building. The minimum setback area may include a roadway, drive aisle, parking, alley, railroad, open space, easement, or floodplain. If the setback includes a roadway, drive aisle, parking or alley, a minimum 10-foot landscape buffer with 3" caliper trees planted 30-foot on center shall be required. If at least one of those elements is not present, then the setback must incorporate a minimum 30-foot wide landscape buffer consisting of understory plants and buffer trees as follows: Understory plants of species included in Section 82-277 (Screening Plant Selection List) shall be provided in order to achieve a continuous dense six-foot screen. Native shade trees, a minimum of three-inch caliper and of species included in Section 94-66 (Approved Tree Lists) shall be provided at a ratio of one tree per 400 square feet of compatibility buffer area.

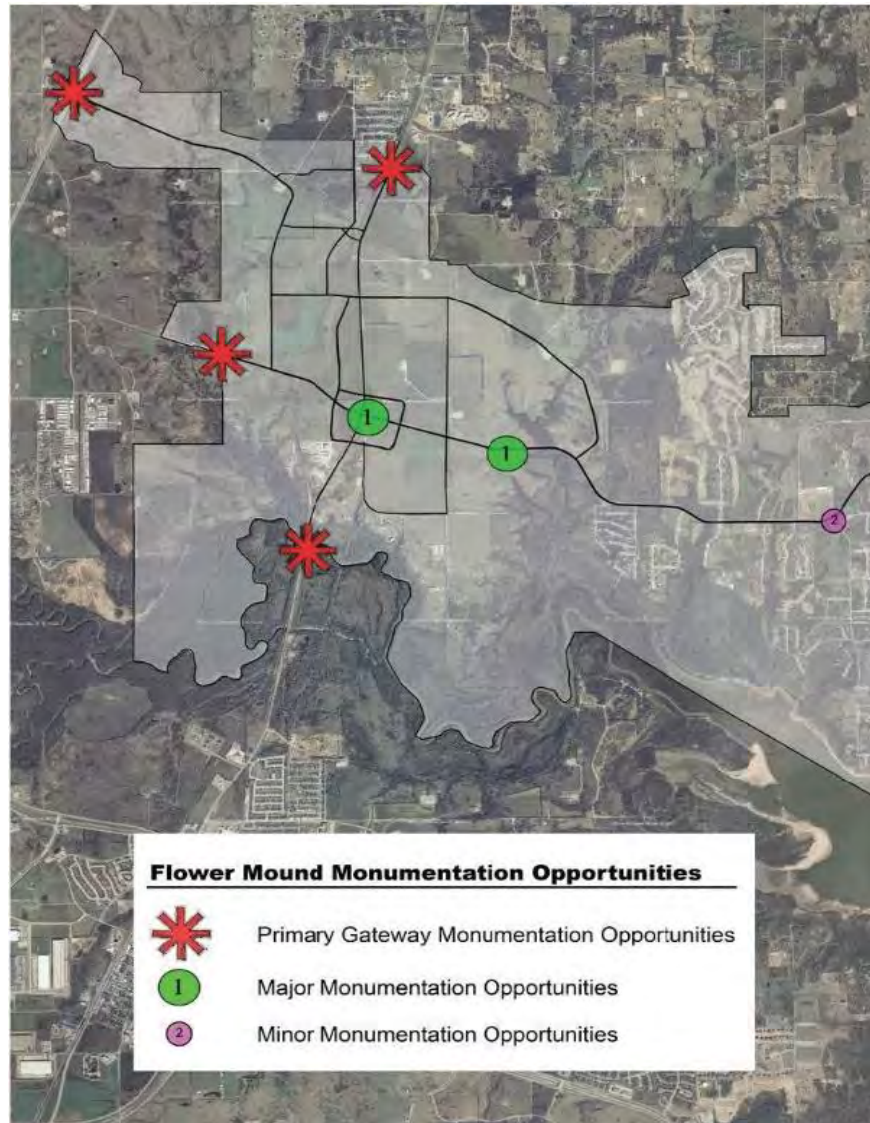
The compatibility standards in Division 4 of Chapter 82 of the Land Development Regulations shall not apply, and the compatibility buffers in this Section 10.12 shall be exclusive.

10.13 Urban Design Plan – Town Entrance Landscape

The Town Entrance Landscape is the right-of-way area in principal arterials located in both Lakeside Business and Denton Creek Districts. Entrance landscaping shall accommodate applicable components as suggested in the 4.0 Urban Design Plan, a component of the master plan, and meet the requirements for landscaping elements within and visible from public rights-of-way.

Landscaping and associated improvements required within public right-of-way will be installed per such requirement provided the owner of the right-of-way grants permission to install such improvements. As lots are developed adjacent to this area, this landscaping shall be provided.

Figure 10.9 Town Entrance Landscape per Flower Mound Master Plan- section Median and Right of Way Design Guidelines



10.14 Foundation Plantings

1. This Section 10.14 shall only be required for the following use types: educational, institutional, civic uses; bank or savings and loan; restaurant, fast food; restaurant, general; and office, general business and professional.

2. In the MU-T: MR character zone, nonresidential buildings 15,000 square feet or less must install foundation planting areas along 50 percent of the front and side foundation lines where not impeded by building entrances, loading areas, parking spaces, or sidewalks. Foundation planting areas may also be required at the rear of the building if visible from streets, other buildings, or open spaces. The minimum width for foundation plantings is five (5) feet. Foundation planting areas must include a combination of ground covers, shrubs, and ornamental trees. Foundation plant material may be installed at grade, in raised planters, or decorative plant containers.

10.15 Detention and Retention Landscaping

All detention and retention areas must comply with the following landscaping requirements.

1. Purpose. The purpose of this section is to beautify detention and retention ponds. Required landscaping is intended to provide an amenity to detention and retention ponds and is not intended to screen from public view.
2. Placement. Trees should be placed to provide a natural design and provide access for necessary maintenance equipment.
3. Perimeter trees. Perimeter trees must be provided based on the following surface areas:
 - a. Surface area. For the purpose of this section, "surface area" shall be defined as the 100-year flood event capacity of the retention or detention pond, or water impoundment.
 - b. For retention or detention surface areas less than 10,000 square feet, one tree shall be provided for each 250 square feet of surface area, or fraction thereof, with a minimum of one tree.
 - c. For retention or detention surface areas between 10,000 and less than 20,000 square feet, 10 trees must be provided for the first 10,000 square feet, plus one additional tree for each 1,400 square feet of remaining retention or detention surface area, or fraction thereof.
 - d. For retention or detention surface areas between 20,000 and less than 35,000 square feet, 17 trees must be provided for the first 20,000 square feet, plus one additional tree for each 2,000 square feet of remaining retention or detention surface area, or fraction thereof.
 - e. For retention or detention surface areas greater than 35,000 square feet, 24 trees must be provided for the first 35,000 square feet, plus one additional tree for each

2,800 square feet of remaining retention or detention surface area, or fraction thereof.

4. Alternative trees. Trees from section 94-66(4) of the Land Development Code may be used and must not account for more than 15 percent of the required trees.
5. Location. All required perimeter trees must be located within 50 feet of the detention or retention pond surface area.
6. Trees required to satisfy other provisions of this Section 10 and lying within 50 feet of the detention or retention pond's surface area, may be used to satisfy the requirements of this Section 10.15, including, but not limited to, trees planted to meet landscaping requirements and tree mitigation requirements.
7. When calculating the number of required detention and retention buffer trees results in fractions, any fraction less than one-half shall be disregarded and any fraction of one-half or more shall be rounded upward to the next highest full number.

SECTION 11: ENVIRONMENTAL; SMARTGROWTH PROGRAM

11.1 Environmental Survey and Plan

An environmental survey was prepared for this development along with an Environmental Protection Plan (EPP). Development of this property will comply with the approved Environmental Protection Plan, and updates to the EPP may be required consistent with applicable Town regulations.

11.2 Tree Preservation

Tree mitigation shall be evaluated in regard to the Property based on the tree survey or in phases based on a tree survey for each phase at the time of platting. Tree survey and planting requirements shall comply with chapter 94 "trees" as modified by Section 10 of this ordinance. Compliance with the requirements regarding tree removal and mitigation within the Property shall comply with the following standards, which are the exclusive tree preservation and mitigation requirements applicable to the Property:

1. Tree removal.

- a. Undergrowth and unprotected trees. A property-owner/developer may, at its option, remove understory growth, including but not limited to vines, shrubs, briars and bushes, and trees that are three caliper inches or less in diameter, however neither protected nor specimen trees as shown on the tree survey shall be removed without the submittal and approval by the Town of a tree removal permit.
- b. Removal of protected or specimen trees. The removal of specimen or protected trees located within a lot or site do not require a tree removal permit, however; such trees shall not be removed from a lot or site prior to all of the conditions listed in this subsection being met. No protected or specimen trees may be removed from a lot or site prior to the approval of a development plan, site plan, plat or replat. In addition, a pre-construction meeting with appropriate Town staff shall occur prior to the removal of any protected or specimen tree and/or the authorization of grading and construction activities to begin on the lot or site.
- c. Mitigation requirements for authorized tree removal. Tree mitigation requirements shall not apply to non-residential uses. Mitigation requirements for residential uses shall comply with the following provisions.
 - i. Protected trees on-site. It shall be the responsibility of any person removing a protected tree from a lot or site to replace each protected tree so removed with one tree having a caliper of at least two and one-half inches, measured in accordance with the terms of chapter 94 "Trees."

- ii. Specimen trees on-site. It shall be the responsibility of any person removing a specimen tree from a lot or site to replace each specimen tree removed with one or more trees that total twice the caliper inches of the specimen tree(s) removed as measured in accordance with the terms of chapter 94 "trees." For example, if a 30-inch specimen tree is removed, it would be replaced with 60 caliper inches comprised of 20, three-inch caliper trees, five, 12-inch caliper trees or some other combination of trees the caliper measurement of which equates to 60 caliper inches.
- iii. Mitigation payments. Mitigation payments in lieu of planting replacement trees shall be calculated and submitted to the Town for approval. Fees in lieu of planting shall be paid to the Town's tree preservation fund for plantings on the Property.
- iv. Mitigation credits and incentives for preservation of protected and specimen trees. If any protected or specimen tree is preserved on a lot or site, credits for said preservation shall be given that will count toward the replacement or mitigation requirements within the lot or site. Credits will accrue only for those trees whose measured drip lines are left predominantly in their natural state. Minimal cutting, filling or other construction-related activities are allowed within the drip line of trees eligible for credits to the extent only that such trees are not damaged or killed by such activity within their drip line. Said credits will accrue as follows (1) For each protected tree preserved or transplanted within a lot or site or transplanted elsewhere in the site, one tree credit shall be given. (2) For each specimen tree preserved or transplanted within a lot or site or transplanted elsewhere within the site, credit for caliper width equivalent to the caliper width of the tree preserved or transplanted shall be given. For example, preserving or transplanting a specimen tree having a 30-inch caliper width would result in 30 caliper inches of credit, or ten, three-inch caliper trees. (3) For purposes of this section, one credit shall be given for landscaping trees planted in compliance with the mixed use district landscaping standards.

d. Fully Developed FEMA Floodplain

- 1. FEMA floodplain may be adjusted through a CLOMR/LOMR process for the purpose of developing park, trail, and boardwalk improvements and public infrastructure, including, but not limited to, the roadway network described in a development agreement and/or the Town's Capital Improvement Plan and water, wastewater, and drainage improvements, without requiring approval of an exception by Town Council. Impacting floodplain for other development purposes is subject to Town Council approval of an exception.

SECTION 12: LIGHTING AND GLARE

12.1 Light Intrusion

Development shall comply with the Town's standards for light intrusion at the boundaries of this mixed use zoning district. Within, between or among any lots or sites located wholly in this mixed use zoning district, no light intrusion will be deemed to exist or occur, and in that regard Section 98-1125(8) of the Land Development Regulations shall not pertain or be applied to any such lots or sites. Section 98-1125(8) of the Land Development Regulations may be applied as between or among lots or sites, one of which is located in this mixed use zoning district and one of which is located outside of this mixed use zoning district.

12.2 Outdoor Lighting.

1. Outdoor lighting shall comply with the Town's standards except as allowed below. Street Lighting. Division 6 of Article IV of Chapter 98 of the Land Development Regulations 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 property owners' association.
2. Bollard Lighting. Bollard lighting is permitted. Bollard lighting may be unshielded. The maximum wattage of bollard lighting shall not exceed seventy-five watts. Spacing between bollards will be a minimum of fifteen feet (15'). Lighting will not exceed an average of 3.5 foot-candles measured along the path or area lighted by bollards. The design of bollard lighting shall be similar to the design depicted in Figure 12.1:

Figure 12.1 Bollard Lighting



3. Tree Canopy. Any lighting that is to be placed in the canopy of a tree may be directed in a downward or upward position, and it shall not be required that the light is directed downward or away from the tree.

12.3 Landscape Lighting.

Landscape lighting located in streets and sidewalks, in buffers or in open space common areas shall be perpetually maintained by the property-owners' association.

SECTION 13: ADMINISTRATIVE

13.1 Applicability of Other Ordinances

Except as otherwise provided in this ordinance, the provisions of the Land Development Regulations applicable to property located in a mixed use zoning district shall apply to this district.

The administrative sections of the Land Development Regulations applicable to mixed use zoning districts shall apply to the administration of this district. In the event of a conflict between this ordinance and the Town's Code of Ordinances or Master Plan, this ordinance shall control.

13.2 Project Under Chapter 245, Texas Local Government Code

The project planned on the Property is unique due to the history of vested rights associated with this project and recognized by the Town, and nothing in this ordinance is intended to waive or abrogate any vested rights associated with the Property.

13.3 Development Agreement

This mixed use district is governed by a development agreement between the developer and the Town for the purpose of addressing vested rights, timing and phasing of the project and improvements, implementation of this ordinance, and other development related matters.

13.4 Amendments

1. The Town Council may, but is not obligated to, approve "exceptions" to this ordinance where such exceptions are expressly authorized in this ordinance. "Exceptions" may be approved in connection with a site plan application or by separate application before or after the site plan stage. Exceptions approved by Town Council do not require compliance with the zoning procedures set forth in Chapter 211 of the Texas Local Government Code or the Town's procedures for zoning amendments.

2. Applications for amendments to this ordinance pursuant to Section 98-906 of the Land Development Regulations may be approved in accordance with that section.

3. Minor amendments to this ordinance that do not constitute "major amendments" pursuant to Subsection 13.4(4) below may be, but are not required to be, approved administratively by the Town Manager or his or her designee, and do not require compliance with the zoning procedures set forth in Chapter 211 of the Texas Local Government Code or the Town's procedures for major zoning amendments. Such amendments may be approved only upon a finding that the requested amendment will not adversely affect neighboring property. If a minor change is approved that necessitates a revised exhibit, the revised exhibit approved by the Town shall be filed with the Town. Minor amendments shall be reviewed cumulatively from the original Town Council approved ordinance.

4. Major amendments that the Town Manager may not authorize, and that require a zoning amendment in accordance with Chapter 211 Texas Local Government Code procedures, include any of the following that are not otherwise authorized in this Section 13.4 or approved by Town Council as an exception: (1) any change in area of a component zone in excess of 20 percent greater

or less than approved in a concept plan; (2) any change to the MU-T: MR character zone boundary that would decrease the depth of this zone at any point to less than 200 feet measured from the nearest edge of FM 1171 or US 377; (3) deletion or addition of a component zone or change in location of a component zone relative to any other component zones or adjacent properties; (4) elimination or change in an external connection (automobile or pedestrian) that negatively impacts any adjacent properties; (5) a ten percent or greater reduction in the required open space; (6) a change that results in a 30 percent or greater transfer of open space between any of the component zones as compared to the approved concept plan; or (7) any changes to the development standards that were approved in the text of the ordinance creating the MU district that are not otherwise approved in this ordinance.

5. The lot type diagrams, phasing plans, Illustrative Master Plan/Concept Plan, Illustrative Trails Plan, and Illustrative Open Space Plan incorporated into this ordinance are conceptual and preliminary based on the information available at the time of the adoption of this ordinance, and may be adjusted by the property owner on subsequent development plans as the Property is platted in phases without Town approval, subject to compliance with the development standards in this ordinance. If such changes are made, an updated exhibit that complies with this subsection shall be filed with the Town. Changes pursuant to this subsection do not require compliance with the zoning procedures set forth in Chapter 211 of the Texas Local Government Code or the Town's procedures for zoning amendments.

6. If portions of the Property are acquired by the Texas Department of Transportation, Oncor, or other governmental entities or utility providers by condemnation or threat of condemnation, the property owner may modify the shape and size of the boundaries of character zones shown on the concept plan without Town approval, subject to compliance with the development standards in this ordinance and provided such modifications generally maintain the relative size of each character zone in proportion to the others as shown on the original concept plan attached to this ordinance. If such changes are made, an updated exhibit that complies with this subsection shall be filed with the Town. Changes pursuant to this subsection do not require compliance with the zoning procedures set forth in Chapter 211 of the Texas Local Government Code or the Town's procedures for zoning amendments.

7. All amendments to this ordinance that are subject to the zoning procedures in Chapter 211 of the Texas Local Government Code shall require mailed notices pursuant to Section 211.007 of the Texas Local Government Code and shall follow the zoning amendment procedures set forth in Chapter 211 of the Texas Local Government Code, as well as applicable Town procedures.

13.5 Applications to Amend this District.

If the Town receives an application to rezone only a portion of the Property or to amend this ordinance as to a portion of the Property, the Town may consider the request for that portion of the Property and is not required to rezone the remainder of the Property or amend this ordinance as to the entire Property.

13.6 Property Owners' Associations

There shall be established one or more Property Owners' Associations (a "POA") or Homeowners' Associations (an "HOA"). Said association(s) shall file Covenants, Conditions, and Restrictions (CC&Rs) in the Denton County Real Estate Records with the first record plat and said POA or HOA shall be responsible for the maintenance of all common areas and facilities.

13.7 Site Plans

Site plans shall be required in accordance with Sections 82-31 through 82-37 of the Land Development Regulations in effect on October 3, 2022. Consideration of a site plan application is a ministerial action, and a site plan application shall be approved if it meets the applicable development regulations. This Section 13.7 contains the exclusive requirements related to site plan approval for the Property. No other requirements for plan approval apply to the development of the Property with the exception of landscape plan approvals required by Section 10 of this ordinance, subdivision and platting approvals required by applicable regulations, and building permit plans required for construction. Site plans shall comply with tree survey requirements in Chapter 94 of the Land Development Regulations.

As part of the site plan approval process, the Town Council may approve an exception to allow building materials and design plans that vary from the architectural numerical standards in Section 4 by more than 20 percent (deviations that do not exceed 20 percent may be approved by the Town Manager or his or her designee if such deviations demonstrate similar quality and compatibility with the project design).

SECTION 14: DENTON CREEK REUSE LINES

Irrigation within public Rights of Way and Open Spaces is intended to incorporate Denton Creek reuse lines once developments are complete and shall comply with the Denton Creek Reuse Water Master Plan.

SECTION 15: DETENTION

Temporary detention on the 130-acres at the northwest quadrant of FM 1171 and US 377 may be constructed until such time as the Texas Department of Transportation ("TXDOT") completes the stormwater improvements crossing under the existing railroad tracts adjacent to the Property. Temporary detention is defined as a dry grassed area sized to detain the developed 100-year storm event. Temporary detention will be maintained by the property owner or an owner association. Temporary detention may be removed once TXDOT completes the downstream stormwater culvert improvements, including upsizing the crossing under the existing railroad. After the temporary detention is removed, the 130-acres at the northwest quadrant of FM 1171 and US 377 maybe be developed with any use allowed by this ordinance. A note to this effect will be included on the record plat and site plan for all or any portion of the 130-acres at the northwest quadrant of FM 1171 an US 377.

Retention and water impoundment areas shall be aerated if required by the Town's Engineer.

LEGAL DESCRIPTION

317.014 ACRES

Being all of that certain lot, tract or parcel of land situated in the Ruth Allen Survey, Abstract Number 15, the B. B. B. & C. Railway Co. Survey, Abstract Number 187, the P. W. Caspary Survey, Abstract Number 277, the A. B. Danks Survey, Abstract Number 368, the J. C. McGowan and C. G. Pitcock Survey, Abstract Number 959 and the Bruce Wheeler Survey, Abstract Number 1605, Town of Flower Mound, Denton County, Texas, and being a portion of old U. S. Highway 377 as evidenced by that certain called 1.62 acre tract of land described in deed in favor of the State of Texas, recorded in Volume 260, Page 488 of the Deed Records of Denton County, Texas, and that certain called 12.32 acre tract of land described in deed in favor of the State of Texas, recorded in Volume 279, Page 240 of the Deed Records of Denton County, Texas, and being part of that certain called 126.062 acre tract of land described as Tract B in deed in favor of Old WR Ranch I, L.P., recorded in Document 2006-41222 of the Real Property Records of Denton County, Texas, and being part of that certain called 1.892 acre tract of land described as Tract I and all of that certain called 62.678 acre tract of land described as Tract II in deed in favor of 64.3 SE 1171/377, LLC, recorded in Document Number 2008-41355 of the Real Property Records, Denton County, Texas, and being all of that certain called 23.156 acre tract of land described in deed in favor of the Town of Flower Mound, recorded in Document No. 2015-118055 of the Real Property Records of Denton County, Texas, and being all of that certain called 6.220 acre tract of land described in deed in favor of 64.3 SE 1171/377, LLC, recorded in Document Number 2016-73841 of the Real Property Records of Denton County, Texas, and being all of that certain called 44.53 acre tract of land described in deed in favor of SWC 1171-377, LTD, recorded in Document Number 2017-156273 of the Real Property Records of Denton County, Texas, and being all of that certain called 41.59 acre tract of land described in deed in favor of SWC 1171-377, LTD, recorded in Document Number 2017-156264 of the Real Property Records of Denton County, Texas, and being all of that certain called 8.756 acre tract of land described in deed in favor of Old WR Ranch I, L.P., recorded in Document Number 2020-1391 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8" rebar found at the northwest corner of said 62.678 acre tract, being on the east line of U. S. Highway 377 as evidenced by said 12.32 acre tract at the southwest corner of that certain called 3.12 acre tract described in deed in favor of the United States of America recorded in Volume 490, Page 230 of the Deed Records of Denton County, Texas, and being on the south line of F. M. 1171 according to said 3.12 acre tract;

THENCE S 74°01'20" E, with the south line of said F. M. 1171 and the north line of said 62.678 acre tract, passing at 1072.29 feet a 1/2" capped rebar found (G&A) at the northeast corner thereof, being the northwest corner of said 6.220 acre tract, continuing with the north line of said 6.220 acre tract, passing at 1360.32 feet a 5/8" rebar found at the northeast corner thereof, being the most northerly northwest corner of said 44.53 acre tract and the southeast corner of said 3.12 acre tract and being the southwest corner of that certain called 3.24 acre tract of land described as Tract No. F-560E in deed in favor of the United States of America recorded in Volume 480, Page 317 of the Deed Records of Denton County, Texas, continuing with the north line of said 44.53 acre tract, passing at 2068.67 feet a 1/2" capped rebar found (KAZ) at the northeast corner thereof, being the

most northerly northwest corner of said 41.59 acre tract, continuing with the north line of said 41.59 acre tract, passing at 2768.65 feet a 1/2" capped rebar found (WALTERS) at the northeast corner thereof, being the northwest corner of said 126.062 acre tract and the southwest corner of said 3.24 acre tract and being the southwest corner of that certain called 6.95 acre tract of land described as Tract No. E-421E-2 in deed in favor of the United States of America recorded in Volume 480, Page 317 of the Deed Records of Denton County, Texas, continuing with the north line of said 126.062 acre tract a total distance of 3437.21 feet to a Texas Department of Transportation (TXDOT) brass disc in concrete found;

THENCE S 62°41'10" E, 101.98 feet continuing with the south line of said F. M. 1171 and the north line of said 126.062 acre tract to a wood right-of-way monument found;

THENCE S 73°59'45" E, 150.00 feet continuing with the south line of said F. M. 1171 and the north line of said 126.062 acre tract to a wood right-of-way monument found;

THENCE S 85°18'25" E, 101.97 feet continuing with the south line of said F. M. 1171 and the north line of said 126.062 acre tract to a wood right-of-way monument found;

THENCE S 73°59'45" E, 55.86 feet continuing with the south line of said F. M. 1171 and the north line of said 126.062 acre tract to the west corner of that certain called 0.0935 acre tract described as Parcel 8, Part One in deed in favor of Denton County, Texas, recorded in Document Number 2012-58191 of the Real Property Records of Denton County, Texas;

THENCE S 66°32'15" E, 120.16 feet continuing with the south line of said F. M. 1171 and the south line of said 0.0935 acre tract to the west line of that certain called 0.30 acre tract of land described as Tract No. E-421E-4 in Judgement on Declaration of Taking styled United States of America v. Frank A. Schultz, et al, recorded in Volume 480, Page 317 of the Deed Records of Denton County, Texas;

THENCE S 16°00'15" W, 84.40 feet with the west line of said 0.30 acre tract to the southwest corner thereof;

THENCE S 73°59'45" E, 51.78 feet with the south line of said 0.30 acre tract to a point of curvature of a curve to the left;

THENCE continuing with the south line of said 0.30 acre tract with said curve to the left having a radius of 2060.08 feet, a central angle of 02°02'13" and an arc length of 73.24 feet, whose chord bears S 75°00'51" E, a distance of 73.23 feet to the southeast corner of said 0.30 acre tract;

THENCE N 16°00'15" E, 84.91 feet with the east line of said 0.30 acre tract to the south line of said F. M. 1171 and the south line of said 0.0935 acre tract;

THENCE S 88°08'40" E, 80.25 feet with the south line of said F. M. 1171 and the south line of said 0.0935 acre tract to the east corner thereof, being on the north line of said 126.062 acre tract;

THENCE continuing with the south line of said F. M. 1171 and the north line of said 126.062 acre tract with a curve to the left having a radius of 1960.08 feet, a central angle of 13°14'13" and an arc length of 452.84 feet, whose chord bears S 85°02'01" E, 451.83 feet;

THENCE N 88°19'10" E, 165.66 feet continuing with the south line of said F. M. 1171 and the north line of said 126.062 acre tract to the northwest corner of that certain called 0.05 acre tract of land described as Tract No. E-421E-5 in deed in favor of the United States of America recorded in Volume 480, Page 317 of the Deed Records of Denton County, Texas;

THENCE S 01°40'50" E, 30.00 feet with the west line of said 0.05 acre tract to the southwest corner thereof;

THENCE N 88°19'10" E, 75.00 feet with the south line of said 0.05 acre tract to the southeast corner thereof;

THENCE N 01°40'50" W, 30.00 feet with the east line of said 0.05 acre tract to the northeast corner thereof on the south line of said F. M. 1171 and the north line of said 126.062 acre tract;

THENCE N 88°19'10" E, 445.88 feet with the south line of said F. M. 1171 and the north line of said 126.062 acre tract to the west corner of that certain called 0.1103 acre tract described as Parcel 8, Part Two in deed in favor of Denton County, Texas, recorded in Document Number 2012-58191 of the Real Property Records of Denton County, Texas;

THENCE S 87°49'20" E, 355.49 feet with the south line of said 0.1103 acre tract to the southeast corner thereof on the east line of said 126.062 acre tract and the southerly line of that certain called 96.2 acre tract of land described as Parcel No. 1 in quitclaim deed in favor of R. L. Thornton and wife, Mary Metta Thornton recorded in Volume 468, Page 288 of the Deed Records of Denton County, Texas;

THENCE S 59°11'00" W, 246.05 feet with the southerly line of said 96.2 acre tract and the east line of said 126.062 acre tract to a United States Army Corps. of Engineers (USACE) concrete monument with disk stamped E-136 found;

THENCE S 34°55'00" W, 185.34 feet continuing with the southerly line of said 96.2 acre tract and the east line of said 126.062 acre tract to USACE concrete monument with disk stamped E-135 found at the most westerly southeast corner of said 96.2 acre tract, being the northeast corner of that certain called 16.17 acre tract described as Tract No. 2 in quitclaim deed in favor of R. L. Thornton and wife, Mary Metta Thornton recorded in Volume 468, Page 288 of the Deed Records of Denton County, Texas;

THENCE S 18°57'00" W, 222.73 feet with the east line of said 16.17 acre tract and the east line of said 126.062 acre tract to USACE concrete monument with disk stamped E-134 found;

THENCE S 25°42'00" E, 303.21 feet continuing with the east line of said 16.17 acre tract and the east line of said 126.062 acre tract to USACE concrete monument with disk stamped E-133 found;

THENCE S 55°18'00" E, 312.11 feet continuing with the east line of said 16.17 acre tract and the east line of said 126.062 acre tract to USACE concrete monument with disk stamped E-132 found;

THENCE S 77°46'30" E, 442.71 feet continuing with the east line of said 16.17 acre tract and the east line of said 126.062 acre tract to USACE concrete monument with disk stamped E-131 found;

THENCE S 30°48'15" W, 283.52 feet continuing with the east line of said 16.17 acre tract and the east line of said 126.062 acre tract to USACE concrete monument with disk stamped E-130 found;

THENCE S 52°12'30" W, 342.75 feet continuing with the east line of said 16.17 acre tract and the east line of said 126.062 acre tract to USACE concrete monument with disk stamped E-129 found;

THENCE S 27°46'30" W, 320.16 feet continuing with the east line of said 16.17 acre tract and the east line of said 126.062 acre tract to USACE concrete monument with disk stamped E-128 found;

THENCE N 40°56'10" W, 379.10 feet continuing with the east line of said 16.17 acre tract and the east line of said 126.062 acre tract to USACE concrete monument with disk stamped E-127 found;

THENCE N 27°08'40" W, 393.47 feet continuing with the east line of said 16.17 acre tract and the east line of said 126.062 acre tract to USACE concrete monument with disk stamped E-126 found;

THENCE N 48°15'00" W, 232.20 feet continuing with the east line of said 16.17 acre tract and the east line of said 126.062 acre tract to USACE concrete monument with disk stamped E-125 found;

THENCE S 13°00'30" E, 541.66 feet continuing with the east line of said 16.17 acre tract and the east line of said 126.062 acre tract to USACE concrete monument with disk stamped E-124 found;

THENCE S 87°41'30" W, 164.26 feet continuing with the east line of said 16.17 acre tract and the east line of said 126.062 acre tract to USACE concrete monument with disk stamped E-63 found at the southwest corner of said 16.17 acre tract, being on the west line of that certain called 101 acre tract of land described as Tract No. E-416 in Judgement on Declaration of Taking styled United States of America v. J. F. Crites, et al, recorded in Volume 374, Page 149 of the Deed Records of Denton County, Texas;

THENCE S 28°35'00" W, 559.24 feet with the west line of said 101 acre tract and the east line of said 126.062 acre tract to USACE concrete monument with disk stamped E-62 found;

THENCE S 36°00'00" E, 244.64 feet continuing with the west line of said 101 acre tract and the east line of said 126.062 acre tract to the southeast corner thereof, being on the north line of Dunham Road as evidenced by that certain called 1.3 acre tract of land described in deed in favor of Denton County, recorded in Volume 429, Page 155 of the Deed Records of Denton County, Texas;

THENCE S 89°56'35" W, with the south line of said 126.062 acre tract and the north line of said Dunham Road, passing at 1786.1 feet the southwest corner of said 126.062 acre tract, being the southeast corner of that certain called 8.756 acre tract of land described in deed in favor of Old WR Ranch I, L. P., recorded in Document Number 2020-1391 of the Real Property Records of Denton County, Texas, continuing with the south line of said 8.756 acre tract a total distance of 2008.90 feet to the southwest corner of said 8.756 acre tract, being the most southerly southeast corner of the aforementioned 41.59 acre tract in favor of SWC 1171-377, LTD;

THENCE S 89°57'30" W, 661.45 feet continuing with the north line of said Dunham Road and the south line of said 41.59 acre tract to a 5/8" bolt in concrete found at the southwest corner thereof, being the most southerly southeast corner of the aforementioned 44.53 acre tract in favor of SWC 1171-377, LTD;

THENCE N 89°59'20" W, 665.74 feet with the north line of said Dunham Road and the south line of said 44.53 acre tract to a 1/2" rebar found at the southwest corner thereof, being the southeast corner of said 23.156 acre tract;

THENCE N 86°12'35" W, 772.89 feet with the north line of said Dunham Road and the south line of said 23.156 acre tract;

THENCE northwesterly continuing with the north line of said Dunham Road and the south line of said 23.156 acre tract and with a curve to the right having a radius of 564.70 feet, a central angle of 82°51'30", and an arc length of 816.64 feet, whose chord bears, N 42°10'07" E, 747.32 feet to a 1/2" capped rebar found (Metroplex);

THENCE N 00°48'00" W, 220.47 feet with the east line of said Dunham Road and the west line of said 23.156 acre tract to a 1/2" capped rebar found (Metroplex);

THENCE N 20°15'00" W, 48.51 feet with the east line of said Dunham Road and the west line of said 23.156 acre tract to a 1/2" capped rebar found (Metroplex);

THENCE N 00°14'00" W, passing at 19.50 feet a 1/2" rebar found at the northwest corner of said 23.156 acre tract and the southwest corner of said 62.678 acre tract, and continuing with the west line of said 62.678 acre tract and the east line of said Dunham Road a total distance of 233.64 feet to a 1/2" capped rebar found (G&A), being on the east line of old U. S. Highway 377 as evidenced by the aforementioned 12.32 acre tract in favor of the State of Texas;

THENCE with the west line of said 62.678 acre tract and the east line of said 12.32 acre tract and the east line of said Dunham Road with a curve to the left having a radius of 5789.58 feet, a central angle of 08°10'57" and an arc length of 826.83 feet, whose chord bears N 03°27'09" E, 826.13 feet to the remnants of a broken concrete monument found;

THENCE N 00°37'40" W, 637.69 feet with the west line of said 62.678 acre tract and the east line of said 12.32 acre tract and the east line of said Dunham Road;

THENCE S 89°24'35" W, with the north line of Dunham Road, passing at 140.1 feet the southeast corner of the aforementioned 1.892 acre tract in favor of 64.3 SE 1171/377, LLC, being the northeast corner of that certain called 25,120 square feet tract of land described as Parcel 45 in deed in favor of Denton County recorded in Document Number 2011-17585 of the Real Property Records of Denton County, Texas, continuing with the south line of said 1.892 acre tract and the north line of said Parcel 45 a total distance of 293.38 feet to the east corner of that certain called 2,473 square feet tract of land described in deed in favor of Denton County, Texas, recorded in Document Number 2010-74475 of the Real Property Records of Denton County, Texas;

THENCE continuing with the north line of Dunham Road and the north line of said 2,473 square feet tract with a curve to the right having a radius of 250.00 feet, a central angle of 06°48'07" and an arc length of 29.68 feet, whose chord bears N 66°32'24" W, 29.66 feet to a TXDOT aluminum disk found;

THENCE N 63°08'20" W, 59.64 feet continuing with the north line of said Dunham Road and the north line of said 2,473 square feet tract to a 5/8" rebar found;

THENCE N 19°42'35" W, 13.31 feet continuing with the north line of said Dunham Road and the north line of said 2,473 square feet tract to the northwest corner thereof, being on the east line of U. S. Highway 377 as evidenced by that certain called 2.9 acre tract of land described in deed in favor of the State of Texas, recorded in Volume 422, Page 131 of the Deed records of Denton County, Texas, and the west line of said 1.892 acre tract;

THENCE with the east line of said U, S, Highway 377 and the west line of said 1.892 acre tract with a curve to the left having a radius of 3879.72 feet, a central angle of 10°12'53" and an arc length of 691.68 feet, whose chord bears N 19°29'37" E, 690.76 feet to the north corner of said 1.892 acre tract;

THENCE N 51°03'55" E, 178.54 feet to the POINT OF BEGINNING, and containing approximately 317.014 acres of land.

LEGAL DESCRIPTION 130.233 ACRES

BEING all that certain lot, tract, or parcel of land situated in the B. B. B. & C. Railway Co. Survey, Abstract Number 154 and the Bruce Wheeler Survey, Abstract Number 1605, Town of Flower Mound, Denton County, Texas, and being part of that certain called 126.92 acre tract of land described as Tract I in deed in favor of Old WR Ranch I, LP, recorded in Volume 4576, Page 1847 of the Real Property Records of Denton County, Texas, and being all of a called 3.9103 acre tract of land described in deed to 64.3 SE 1171/377, LLC, recorded in Document Number 2013-58119 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" capped rebar found (G&A) at the northeast corner of said 126.92 acre tract and being the southeast corner of that certain called 1.410 acre tract of land described in deed in favor of Speedway Partnership, recorded in Volume 4311, Page 1783 of the Real Property Records of Denton County, Texas, and being on the west line of U. S. Highway 377 as evidenced by that certain called 6.74 acre tract of land described as Parcel (a) in deed in favor of the State of Texas, recorded in Volume 279, Page 227 of the Deed Records of Denton County, Texas, being the northwest corner of said 6.74 acre tract and being the southwest corner of that certain called 0.16 tract of land described in deed from the Texas and Pacific Railway Company to the Public, recorded in Volume 269, Page 347 of the Deed Records of Denton County, Texas;

THENCE with the east line of said 126.92 acre tract and the west line of said U. S. Highway 377 and the west line of said 6.74 acre tract with a curve to the left having a radius of 2924.80 feet, a central angle of 02°27'58" and an arc length of 125.90 feet, whose chord bears S 00°10'33" E, 125.89 feet;

THENCE S 02°27'46" E, continuing with the east line of said 126.92 acre tract and the west line of said U. S. Highway 377 and the west line of said 6.74 acre tract, passing at 2142 feet the southwest corner of said 6.74 acre tract and being the northwest corner of that certain called 1.83 acre tract of land described as Parcel (b) in said deed in favor of the State of Texas, recorded in Volume 279, Page 227 of the Deed Records of Denton County, Texas, continuing with the west

line of said 1.83 acre tract a total distance of 4557.30 feet to the north corner of that certain called 0.07 acre tract of land described as Tract No. 2 in deed in favor of the State of Texas, recorded in Volume 422, Page 131 of the Deed Records of Denton County, Texas;

THENCE with the east line of said 126.92 acre tract and the west line of said U. S. Highway 377 and the west line of said 0.07 acre tract with a curve to the right, having a radius of 3759.60 feet, passing at an arc 242.78 feet a railroad spike found on the south line of said 126.92 acre tract and being the southwest corner of said 0.07 acre tract and being the north corner of that certain called 2.9 acre tract of land described in said deed in favor of the State of Texas, recorded in Volume 422, Page 131 of the Deed Records of Denton County, Texas, and being the northeast corner of said 3.9103 acre tract, continuing with the west line of said 2.9 acre tract and the east line of said 3.9103 acre tract, a total arc length of 549.88 feet, having a central angle of 08°22'48", whose chord bears S 04°59'50" W, 549.39 feet, being the most easterly northeast corner of that certain called 3.07 acre tract of land described in Case No. 8079-C styled State of Texas, et al v. Robert Keck Stahlman, et al, filed April 3, 1975, in the Probate Court of Denton County, Texas, and being on the north line of F. M. 1171 as evidenced by said 3.07 acre tract;

THENCE S 61°22'40" W, 108.44 feet with the north line of said F. M. 1171 and the north line of said 3.07 acre tract to the most easterly northeast corner of that certain called 21,000 square feet tract of land described as Parcel 1 in Amended Notice of Lis Pendens of Cause No. CV-2010-02552 styled Denton County, Texas, v. 1171 Group L.L.C., et al, recorded in Document Number 2010-90019 of the Real Property Records of Denton County, Texas.

THENCE N 74°03'30" W, 27.30 feet continuing with the north line of said F. M. 1171 and the north line of said 21,000 square feet tract to the beginning of a curve to the right;

THENCE continuing with the north line of said F. M. 1171 and the north line of said 21,000 square feet tract with said curve to the right having a radius of 1350.58 feet, a central angle of 24°45'38" and an arc length of 583.66 feet, whose chord bears N 61°40'24" W, 579.13 feet;

THENCE N 49°12'50" W, continuing with the north line of said F. M. 1171 and the north line of said 21,000 square feet tract, passing at 113.73 feet an aluminum TXDOT monument found at the northerly northeast corner of said 21,000 square feet tract and being the most easterly corner of that certain called 25,921 square feet tract of land described as Parcel 12 in deed in favor of Denton County, Texas, recorded in Document Number 2012-58191 of the Real Property Records of Denton County, Texas, continuing with the north line of said 25,921 square feet tract a total distance of 910.91 feet to an aluminum TXDOT monument found;

THENCE N 60°40'50" W, 208.79 feet continuing with the north line of said F. M. 1171 and the north line of said 25,921 square feet tract to a 1/2" rebar found at the most westerly corner of said 25,921 square feet tract and being on the north line of that certain called 3.69 acre tract of land described in deed in favor of the State of Texas, recorded in Volume 747, Page 782 of the Deed Records of Denton County, Texas, and being on the south line of said 126.92 acre tract;

THENCE continuing with the north line of said F. M. 1171 and the north line of said 3.69 acre tract and the south line of said 126.92 acre tract with a curve to the left having a radius of 1492.39

feet, a central angle of 14°28'25" and an arc length of 376.99 feet, whose chord bears N 63°50'53" W, 375.99 feet to a 1/2" capped rebar found (GIBBONS);

THENCE N 71°05'05" W, 110.71 feet continuing with the north line of said F. M. 1171 and the north line of said 3.69 acre tract and the south line of said 126.92 acre tract to a 1/2" capped rebar found (ILLEGIBLE) at the northwest corner of said 3.69 acre tract and being on the east line of the Texas and Pacific Railroad as evidenced by that certain called 0.31 acre tract of land described in deed in favor of The Texas and Pacific Railway Company, recorded in Volume 361, Page 580 of the Deed Records of Denton County, Texas, and being the southwest corner of said 126.92 acre tract;

THENCE N 19°52'40" E, 285.09 feet with the east line of said Texas and Pacific Railroad and the east line of said 0.31 acre tract and the west line of said 126.92 acre tract to the north corner of said 0.31 acre tract;

THENCE N 21°20'25" E, 4113.34 feet continuing with the east line of said Texas and Pacific Railroad and the west line of said 126.92 acre tract to a 1/2" capped rebar found (G&A 4796) at the northwest corner of said 126.92 acre tract and being the southwest corner of the aforementioned 1.410 acre tract;

THENCE S 89°33'55" E, 200.72 feet with the north line of said 126.92 acre tract and the south line of said 1.410 acre tract to the point of beginning and containing approximately 130.233 acres of land.

LEGAL DESCRIPTION

69.735 ACRES

BEING all that certain lot, tract or parcel of land situated in the Bruce Wheeler Survey, Abstract Number 1605, Town of Flower Mound, Denton County, Texas, and being part of that certain called 224.42 acre tract of land described in deed in favor of Lizzie Curtis, wife of O. M. Curtis, recorded in Volume 100, Page 116 of the Deed Records of Denton County, Texas, and being part of that certain called 141.5 acre tract of land described in deed in favor of O. & C. Freeman Family LTD., recorded in Document Number 1996-48254 of the Real Property Records of Denton County, Texas, and being all that called 59.208 acre tract of land described in deed to SWC 1171-377, LTD, recorded in Document Number 2017-70757 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" capped rebar found (Brittan & Crawford) at the southwest corner of said 59.208 acre tract and being the northwest corner of that certain called 29.701 acre tract of land described in deed in favor of Duininck Bros., Inc., recorded in Document Number 1993-22295 of the Real Property Records of Denton County, Texas, and being the southeast corner of that certain called 3.8 acre tract of land described in deed in favor of The Texas and Pacific Railway Company, recorded in Volume 360, Page 276 of the Deed Records of Denton County, Texas, and being on the east line of the Texas and Pacific Railroad (called 100' right-of-way);

THENCE N 11°39'45" W, 266.74 feet with the west line of said 59.208 acre tract and the east line of said 3.8 acre tract and the east line of said Texas and Pacific Railroad to the beginning of a curve to the right;

THENCE continuing with the west line of said 59.208 acre tract and the east line of said 3.8 acre tract and the east line of said Texas and Pacific Railroad with said curve to the right having a radius of 3769.83', a central angle of 21°51'56" and an arc length of 1438.66 feet, whose chord bears N 01°00'27" E, 1429.94 feet to a 1/2" capped rebar found (BW2) at the northwest corner of said 59.208 acre tract and being the northeast corner of said 3.8 acre tract and being the southeast corner of that certain called 0.31 acre tract of land described in deed in favor of The Texas and Pacific Railway Company, recorded in Volume 361, Page 580 of the Deed Records of Denton County, Texas, and being on the south line of that certain called 224.42 acre tract of land described in deed in favor of Lizzie Curtis, wife of O. M. Curtis, recorded in Volume 100, Page 116 of the Deed Records of Denton County, Texas;

THENCE continuing with the east line of said 0.31 acre tract and the east line of said Texas and Pacific Railroad, with said curve to the right having a radius of 3769.83', a central angle of 05°32'04" and an arc length of 364.14 feet, whose chord bears N 14°42'27" E, 364.00 feet;

THENCE N 19°52'40" E, 58.67 feet continuing with the east line of said 0.31 acre tract and the east line of said Texas and Pacific Railroad to the south line of F. M. 1171 as evidenced by that certain called 0.3960 acre tract of land described in deed in favor of Denton County, Texas, recorded in Document Number 2010-102518 of the Real Property Records of Denton County, Texas, from which an Aluminum TXDOT monument found at the southwest corner of said 0.3960 acre tract bears N 69°22'15" W, 3.8 feet;

THENCE S 69°22'15" E, 269.66 feet with the south line of said F. M. 1171 and the south line of said 0.3960 acre tract to a 5/8" rebar found at the beginning of a curve to the right;

THENCE continuing with the south line of said F. M. 1171 and the south line of said 0.3960 acre tract with said curve to the right having a radius of 1390.32 feet, a central angle of 15°56'28" and an arc length of 386.82 feet, whose chord bears S 61°24'01" E, 385.57 feet to an aluminum TXDOT monument found at the most easterly corner of said 0.3960 acre tract and being on the south line of that certain called 3.69 acre tract of land described in deed in favor of the State of Texas, recorded in Volume 747, Page 782 of the Deed Records of Denton County, Texas;

THENCE S 49°16'00" E, with the south line of said F. M. 1171 and the south line of said 3.69 acre tract, passing at 609.49 feet the most southerly southeast corner of said 3.69 acre tract and being the most westerly corner of that certain called 3.07 acre tract of land described in Case No. 8079-C, styled State of Texas, et al v. Robert Keck Stahlman, et al, filed April 3, 1975, in the Probate Court of Denton County, Texas, and being on the south line of said 224.42 acre tract and the south line of said 141.5 acre tract and being the most northerly northeast corner of said 59.208 acre tract, continuing with the south line of said 3.07 acre tract and the north line of said 59.208 acre tract a total distance of 898.86 feet to a 1/2" capped rebar found (GW2) at the beginning of a curve to the left;

THENCE continuing with the south line of said F. M. 1171 and the south line of said 3.07 acre tract and the north line of said 59.208 acre tract with said curve to the left having a radius of 1492.40 feet, a central angle of 24°44'13" and an arc length of 644.33 feet, whose chord bears S 61°38'06" E, 639.34 feet to the northeast corner of said 59.208 acre tract;

THENCE S 27°44'50" E, 124.63 feet continuing with the south line of said F. M. 1171 and the south line of said 3.07 acre tract and the north line of said 59.208 acre tract to the most easterly northeast corner of said 59.208 acre tract on the west line of U. S. Highway 377, being the northwest corner of that certain called 25,129 square feet tract described in deed in favor of Denton County, recorded in Document Number 2008-125440 of the Real Property Records of Denton County, Texas;

THENCE S 13°32'10" W, 411.15 feet with the west line of U. S. Highway 377 and the west line of said 25,129 square feet tract and the east line of said 59.208 acre tract;

THENCE S 21°50'30" W, 430.63 feet continuing with the west line of said U. S. Highway 377 and the west line of said 25,129 square feet tract and the east line of said 59.208 acre tract to an aluminum TXDOT monument found at the southwest corner of said 25,192 square feet tract and being the southeast corner of said 59.208 acre tract, from which a United States Army Corps. of Engineers concrete monument with brass cap stamped F-525-7 found at the northeast corner of the aforementioned 29.701 acre tract bears N 89°22'50" E, 18.13 feet;

THENCE S 89°22'50" W, 1719.84 feet with the south line of said 59.208 acre tract and the north line of said 29.701 acre tract to the point of beginning and containing approximately 69.735 acres of land.

LEGAL DESCRIPTION

549.157 ACRES

Being all that certain lot, tract, or parcel of land situated in the Thomas Burrese Survey, Abstract Number 33, the B. B. B. & C. Railway Co. Survey, Abstract Number 154, the B. B. B. & C. Railway Co. Survey, Abstract Number 187, the P. W. Caspary Survey, Abstract Number 277 and the J. N. Denson Survey, Abstract Number 359, Town of Flower Mound, Denton County, Texas, and being part of that certain called 251.99 acre tract of land described as Tract II in deed in favor of Old WR Ranch I, LP, recorded in Volume 4576, Page 1847 of the Real Property Records of Denton County, Texas, and being part of that certain called 1129.061 acre tract of land described as Tract A in deed in favor of Old W.R. Ranch I, LP, recorded in Volume 4583, Page 569 of the Real Property Records of Denton County, Texas, and being part of that certain called 20.206 acre tract of land described as Tract E in deed in favor of Old W.R. Ranch I, LP, recorded in Instrument No. 2004-4122 of the Real Property Records of Denton County, Texas, and being part that certain called 59.352 acre tract of land described in deed in favor of Orric Freeman and Carole Freeman, Trustees of the Freeman Living Trust, recorded in Document Number 2010-52504 of the Real Property Records of Denton County, Texas, and being all of that certain called 15.97 acre tract of land described in deed in favor of 64.3 SE 1171/377, LLC, recorded in Document Number 2010-77708 of the Real Property Records of Denton County, Texas, and being all of that certain called 15.97 acre tract of land described in deed in favor of 64.3 SE 1171/377, LLC, recorded in

Document Number 2010-77709 of the Real Property Records of Denton County, Texas, and being all of that certain called 0.2402 acre tract of land described as Parcel 12, Part 2 in deed in favor the State of Texas, recorded in Document Number 2019-78788 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the east line of U. S. Highway 377 as evidenced by that certain called 12.32 acre tract of land described in deed in favor of the State of Texas, recorded in Volume 279, Page 240 of the Deed Records of Denton County, Texas, and the north line of F. M. 1171 as evidenced by that certain called 44,003 square feet tract of land described as Parcel 5 in deed in favor of Denton County, recorded in Document Number 2012-58191 of the Real Property Records of Denton County, Texas, being the northwest corner of said 44,003 square feet tract, and being on the on the west line of said 20.206 acre tract;

THENCE N 00°39'39" W, with the east line of US 377, the east line of said 12.32 acre tract and the west line of said 20.206 acre tract, passing at 440.28 feet the northwest corner of said 20.206 acre tract, and the northeast corner of said 12.32 acre tract, and being the southwest corner of said 251.99 acre tract and being the southeast corner of that certain called 5.49 acre tract of land described in deed in favor of the State of Texas, recorded in Volume 279, Page 258 of the Deed Records of Denton County, Texas, continuing with the east line of said 251.99 acre tract and the west line of said 5.49 acre tract a total distance of 475.64 feet;

THENCE N 02°27'46" W, 3092.35 feet with the east line of said US 377 and the west line of said 251.99 acre tract, and the east line of said 5.49 acre tract, passing the northeast corner thereof and the southeast corner of that certain called 6.74 acre tract of land described in deed in favor of the State of Texas, recorded in Volume 279, Page 277 of the deed records of Denton County, Texas, continuing with the east line of said 6.74 acre tract to the westerly northwest corner of said 251.99 acre tract, and being the southwest corner of said 59.352 acre tract and being the southwest corner of that certain called 0.6168 acre tract of land described as Parcel 12, Part 1 in deed in favor of the State of Texas, recorded in Document Number 2019-78788 of the Real Property Records of Denton County, Texas;

THENCE N 89°47'30" E, 18.93 feet continuing with the east line of U. S. Highway 377, with the north line of said 251.99 acre tract and the south line of said 59.352 acre tract, and the south line of said 0.6168 acre tract to a 1/2" capped rebar found (TXDOT) at the southeast corner of said 0.6168 acre tract;

THENCE N 02°28'10" W, 1152.35 feet, continuing with the east line of said U. S. Highway 377 and the east line of said 0.6168 acre tract to a 1/2" capped rebar found (TXDOT);

THENCE N 08°55'00" E, 66.28 feet, continuing with the east line of said U. S. Highway 377 and the east line of said 0.6168 acre tract to a 1/2" capped rebar found (TXDOT);

THENCE N 02°28'10" W, continuing with the east line of said U. S. Highway 377 and the east line of said 0.6168 acre tract and passing at 420.46 feet a 1/2" capped rebar found (TXDOT) at the

northeast corner thereof, and being on the east line of said 6.74 acre tract and the north line of said 59.352 acre tract, and continuing a total distance of 583.66 feet;

THENCE N 89°44'45" E, 1449.00 feet with the north line of said 0.2402 acre tract and the north line of said 59.352 acre tract to the northeast corner thereof, being the most northerly northwest corner of said 251.99 acre tract;

THENCE S 89°18'15" E, 793.69 feet with the north line of said 251.99 acre tract;

THENCE S 50°00'00" E, 800.00 feet;

THENCE S 25°00'00" W, 500.00 feet;

THENCE S 45°00'00" E, 800.00 feet;
THENCE S 40°00'00" W, 250.00 feet;

THENCE S 25°00'00" E, 500.00 feet;

THENCE South, 700.00 feet;

THENCE S 50°00'00" E, 1400.00 feet;

THENCE S 04°54'40" W, 768.98 feet to a United States Army Corps. of Engineers (USACE) concrete monument with disk stamped E-155 found on the south line of that certain called 96.2 acre tract of land described as Parcel No. 1 in quitclaim deed in favor of R. L. Thornton and wife, Mary Metta Thornton, recorded in Volume 468, Page 288 of the Deed Records of Denton County, Texas;

THENCE with the south line of said 96.2 acre tract the follow courses and distances:

S 08°57'00" E, 456.55 feet to a USACE concrete monument with disk stamped E-143;

S 25°30'00" E, 276.39 feet to a USACE concrete monument with disk stamped E-142;

S 11°13'00" E, 384.52 feet to a USACE concrete monument with disk stamped E-141;

S 89°15'00" E, 173.10 feet to a USACE concrete monument with disk stamped E-140;

S 21°02'00" E, 308.70 feet to a USACE concrete monument with disk stamped E-139

S 49°27'00" E, 427.84 feet to a USACE concrete monument with disk stamped E-138;

S 28°47'00" E, 336.67 feet to the northeast corner of that certain called 2.6335 acre tract of land described as Parcel 7, Part 1 in deed in favor of Denton County, Texas, recorded in

Document Number 2012-58191 of the Real Property Records of Denton County, Texas, and being on the north line of F. M. 1171;

THENCE with the north line of said F. M. 1171 and the north line of said 2.6335 acre tract the following courses and distances:

S 84°48'20" W, 336.32 feet to a Texas Department of Transportation (TXDOT) monument with disk found;

S 88°19'10" W, 328.19 feet to a TXDOT monument with disk found;

S 84°02'15" W, 197.31 feet to a TXDOT monument with disk found;

S 88°22'00" W, 249.71 feet to a TXDOT monument with disk found;

With a curve to the right having a radius of 1837.88 feet, a central angle of 14°12'44" and an arc length of 455.89 feet, whose chord bears N 84°31'39" W, 454.72 feet to a TXDOT monument with disk found;

N 66°12'00" W, 128.70 feet to a TXDOT monument with disk found;

N 74°39'00" W, 65.41 feet to a point from which a TXDOT monument with disk found bears

S 01°10'30" W, 1.1 feet;

S 89°02'25" W, 68.65 feet to a TXDOT monument with disk found;

N 74°00'35" W, 132.35 feet to a TXDOT monument with disk found;

N 56°54'25" W, 68.01 feet to a TXDOT monument with disk found;

N 74°00'35" W, 25.00 feet to a point from which a TXDOT monument with disk found bears

S 06°00'00" E, 0.5 feet;

N 84°41'40" W, 107.87 feet to a TXDOT monument with disk found;

N 74°00'35" W, 781.33 feet to the northwest corner of said 2.6335 acre tract, and being the northwest corner of that certain called 40,987 square feet tract of land described in deed in favor of Denton County, recorded in Document Number 2008-17554 of the Real Property Records of Denton County, Texas, and being the southeast corner of said 15.97 acre tract recorded in Document Number 2010-77708, and being on the west line of said 1129.061 acre tract;

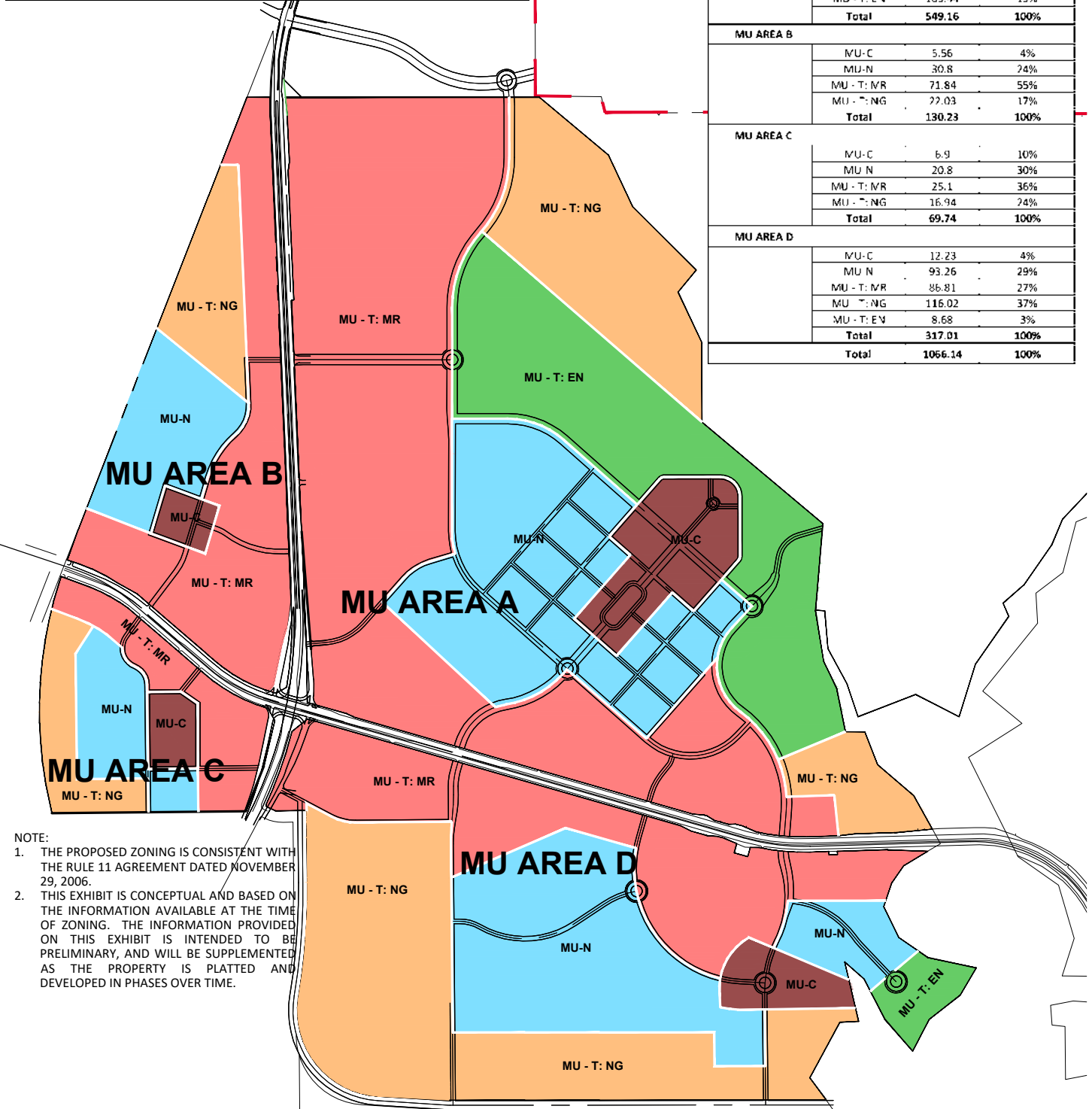
THENCE N 74°00'35" W, continuing with the north line of said F. M. 1171 and the north line of said called 40,987 square feet tract of land, and the south line of said 15.97 acre tract recorded in Document Number 2010-77708, passing at 704.4 feet the southwest corner thereof, and being the southeast corner of said 15.97 acre tract recorded in Document Number 2010-77709, continuing with the south line of said 15.97 acre tract recorded in Document Number 2010-77709, passing at 1409.0 feet the southwest corner thereof, and being the northwest corner of said 40,987 square feet tract and being the northeast corner of that certain called 44,003 square feet acre tract of land described as Parcel 5 in deed in favor of Denton County, recorded in Document Number 2012-58191 of the Real Property Records of Denton County, Texas, and being on the east line of said 20.206 acre tract, continuing with the north line of said 44,003 square feet tract a total distance of 3126.30 feet to a TXDOT monument with disk found;

THENCE N 65°05'25" W, 64.26 feet continuing with the north line of said F. M. 1171 and the north line of said 44,003 square feet tract to a TXDOT monument with disk found;

THENCE N 74°00'35" W, 365.53 feet continuing with the north line of said F. M. 1171 and the north line of said 44,003 square feet tract to the point of beginning and containing approximately 549.157 acres of land.

Mixed-Use Character Zone		
Legend	Use Status	Abbreviation
	Mixed-Use Core	MU-C
	Mixed-Use Neighborhood	MU-N
	Mixed-Use Transition - Neighborhood	MU - T: NG
	Mixed-Use Transition - Environmental	MU - T: EN
	Mixed-Use Transition - Major Roadway	MU - T: MR

CHARACTER ZONE			
STATISTICAL REPORT TABLE 1.1			
MU AREA	USE STATUS	ACRES	% OF LAND AREA
MU AREA A			
	MU-C	29.89	5%
	MU-N	100.82	18%
	MU - T: MR	238.39	43%
	MU - T: NG	74.62	14%
	MU - T: EN	105.44	19%
	Total	549.16	100%
MU AREA B			
	MU-C	5.56	4%
	MU-N	30.8	24%
	MU - T: MR	71.84	55%
	MU - T: NG	22.03	17%
	Total	130.23	100%
MU AREA C			
	MU-C	6.9	10%
	MU-N	20.8	30%
	MU - T: MR	25.1	36%
	MU - T: NG	16.94	24%
	Total	69.74	100%
MU AREA D			
	MU-C	12.23	4%
	MU-N	93.26	29%
	MU - T: MR	86.81	27%
	MU - T: NG	116.02	37%
	MU - T: EN	8.68	3%
	Total	317.01	100%
	Total	1066.14	100%



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CONCEPT PLAN
CHARACTER ZONE FLOWER MOUND RANCH
MU21-0002

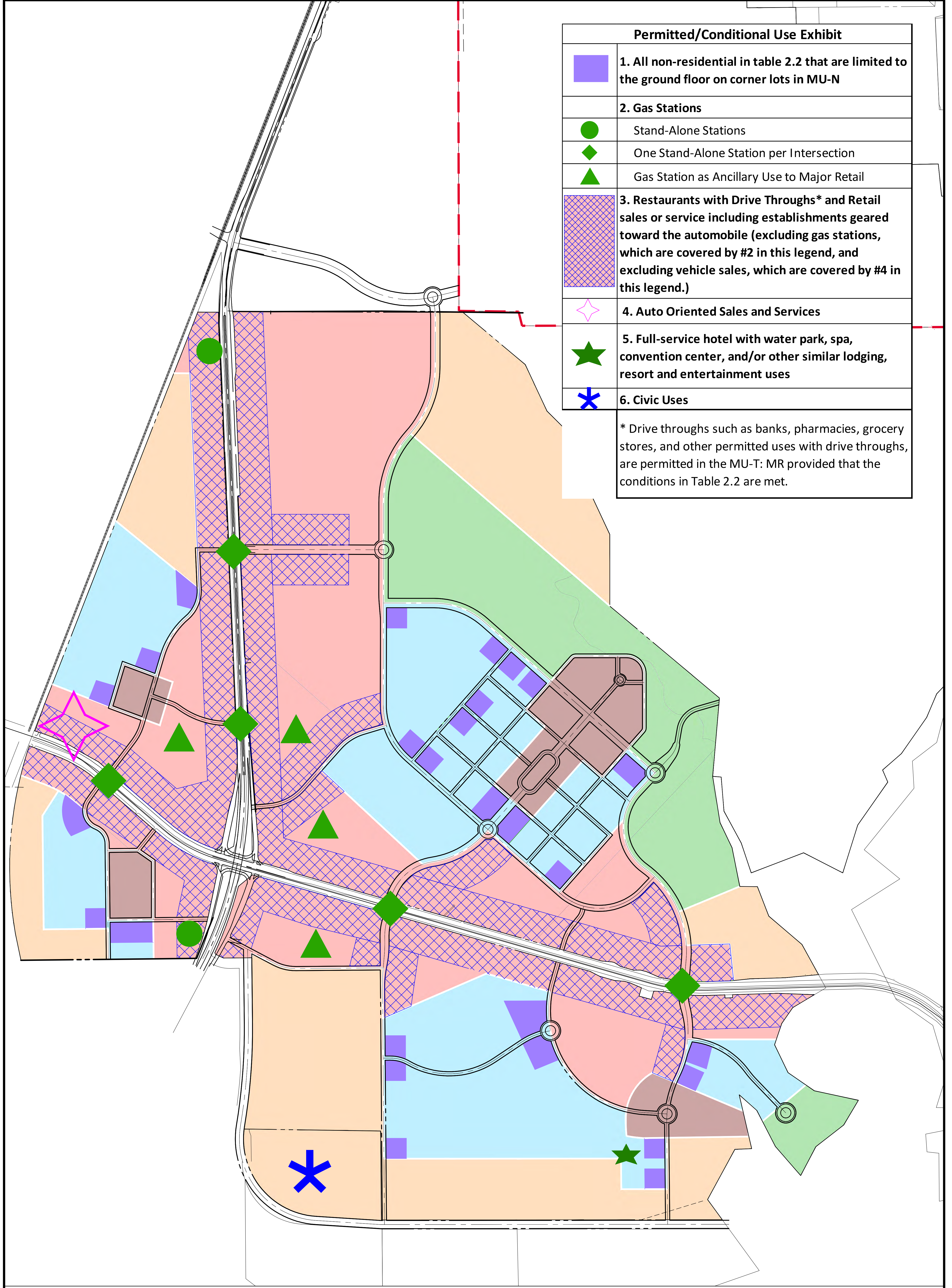
Town of Flower Mound
Denton County, Texas

Job No. 18329 Date: September 12, 2022 By: AM
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Character Zone Allowable Density.dwg

Mxsed-Use Character Zone		
Legend	Use Status	Abbreviation
	Mixed-Use Core	MU-C
	Mixed-Use Neighborhood	MU-N
	Mixed-Use Transition - Enviromental	MU - T: EN
	Mixed-Use Transition - Major Roadway	MU - T: MR



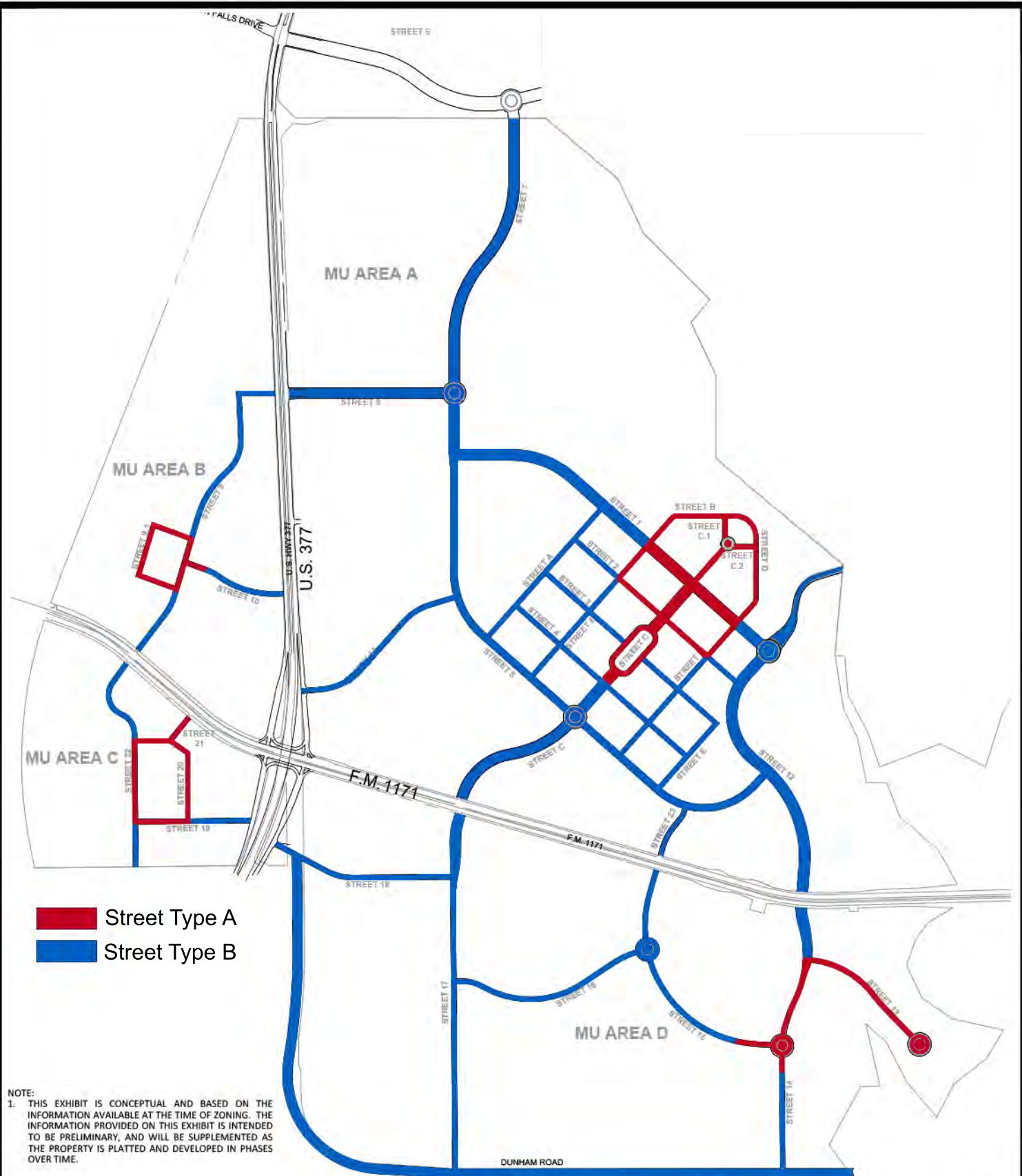
- NOTE:
1. THE PROPOSED ZONING IS CONSISTENT WITH THE RULE 11 AGREEMENT DATED NOVEMBER 29, 2006.
 2. THIS EXHIBIT IS CONCEPTUAL AND BASED ON THE INFORMATION AVAILABLE AT THE TIME OF ZONING. THE INFORMATION PROVIDED ON THIS EXHIBIT IS INTENDED TO BE PRELIMINARY, AND WILL BE SUPPLEMENTED AS THE PROPERTY IS PLATTED AND DEVELOPED IN PHASES OVER TIME.
 3. THIS EXHIBIT SHALL BE NON-REGULATORY AND NON-BINDING, AND SHALL ONLY BE USED AS AN EXAMPLE OF THE DEVELOPMENT STANDARDS.



Permitted/Conditional Use Exhibit	
	1. All non-residential in table 2.2 that are limited to the ground floor on corner lots in MU-N
2. Gas Stations	
	Stand-Alone Stations
	One Stand-Alone Station per Intersection
	Gas Station as Ancillary Use to Major Retail
	3. Restaurants with Drive Throughs* and Retail sales or service including establishments geared toward the automobile (excluding gas stations, which are covered by #2 in this legend, and excluding vehicle sales, which are covered by #4 in this legend.)
	4. Auto Oriented Sales and Services
	5. Full-service hotel with water park, spa, convention center, and/or other similar lodging, resort and entertainment uses
	6. Civic Uses
* Drive throughs such as banks, pharmacies, grocery stores, and other permitted uses with drive throughs, are permitted in the MU-T: MR provided that the conditions in Table 2.2 are met.	

Table 3.2: Lot types per Character Zone

Character Zone	Lot Types (see below this table for more information regarding lot types)
Mixed-Use Core MU-C	Mixed Use (could include one or more mixed use buildings) Stand alone parking structure
Mixed-Use Neighborhood MU-N	Mixed Use (could include one or more mixed use buildings) Stand alone parking structure Multi-family (stand alone) Multi-family (4-plex) Townhome Rowhouse Single Family – Front loaded
Mixed Use Transition – Environmental MU-T: EN	Mixed Use (could include one or more mixed use buildings) Stand alone parking structure General Commercial Multi-family (4-plex) Multi-family (stand alone) Townhome Rowhouse Single Family – Front loaded
Mixed Use Transition – Major Roadway MU-T: MR	Mixed Use (could include one or more mixed use buildings, not including multi-family other than residential lofts) Stand alone parking structure General Commercial
Mixed Use Transition – Neighborhood MU-T: NG	Townhome Rowhouse Single Family – Front loaded



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Type A and Type B Streets Zoning Case MU21-002

Town of Flower Mound
Denton County, Texas



Job No. 18329 Date: September 12, 2022 By: MC NTS
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Files\2022-07-13 18329 STREET PLAN 2.0 - TYPE A & B STREETS
EXHIBIT.dwg

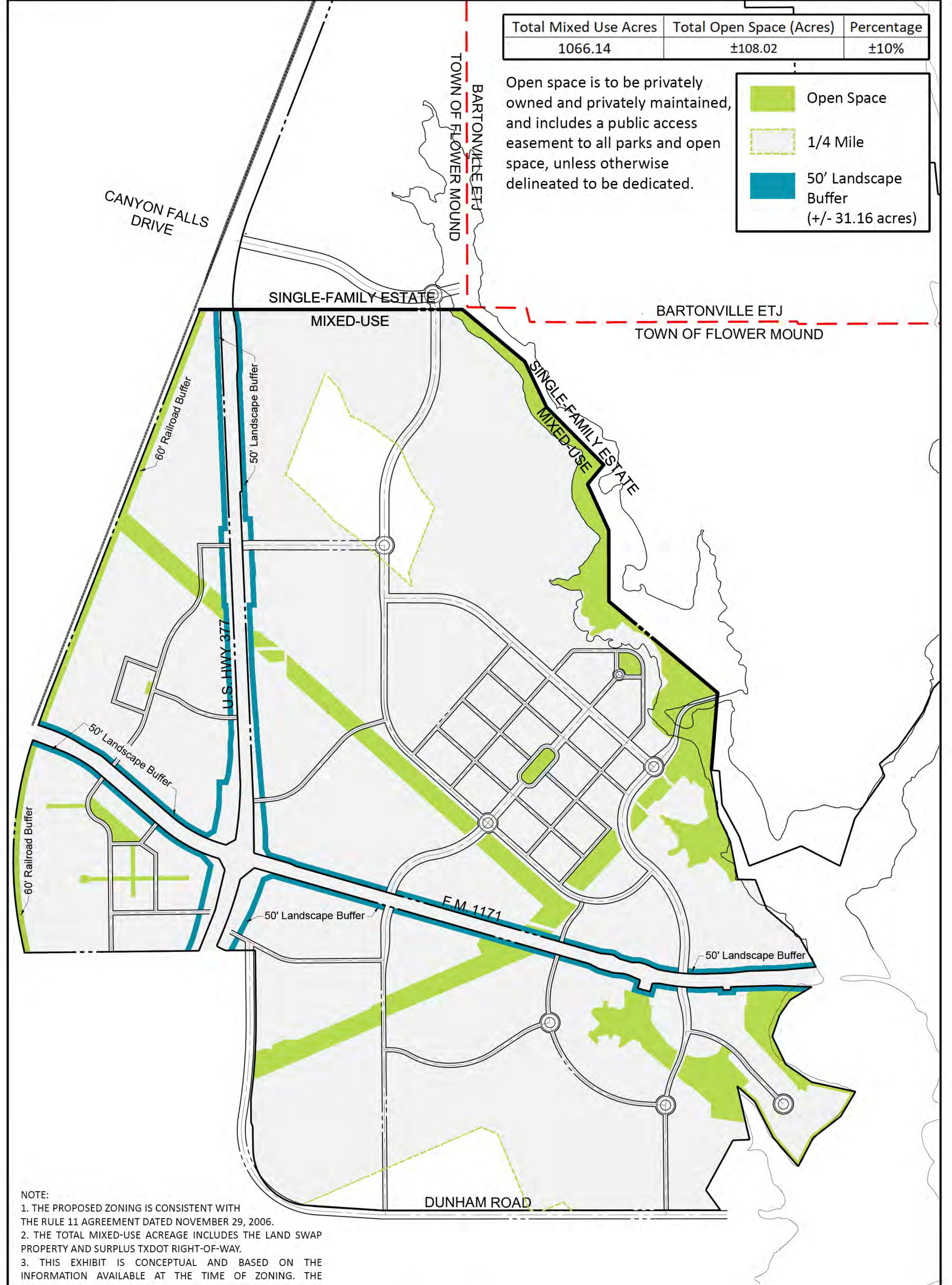
Total Mixed Use Acres	Total Open Space (Acres)	Percentage
1066.14	±108.02	±10%

Open space is to be privately owned and privately maintained, and includes a public access easement to all parks and open space, unless otherwise delineated to be dedicated.

Open Space

1/4 Mile

50' Landscape Buffer
(+/- 31.16 acres)



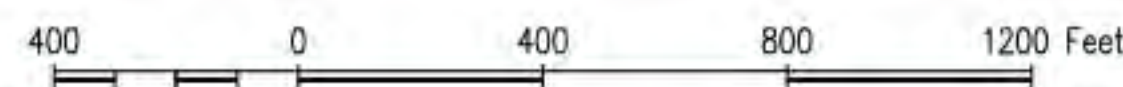
- NOTE:
1. THE PROPOSED ZONING IS CONSISTENT WITH THE RULE 11 AGREEMENT DATED NOVEMBER 29, 2006.
 2. THE TOTAL MIXED-USE ACREAGE INCLUDES THE LAND SWAP PROPERTY AND SURPLUS TXDOT RIGHT-OF-WAY.
 3. THIS EXHIBIT IS CONCEPTUAL AND BASED ON THE INFORMATION AVAILABLE AT THE TIME OF ZONING. THE INFORMATION PROVIDED ON THIS EXHIBIT IS INTENDED TO BE PRELIMINARY, AND WILL BE SUPPLEMENTED AS THE PROPERTY IS PLATTED AND DEVELOPED IN PHASES OVER TIME.



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Concept Plan
Mixed Use: Open Space Plan
Zoning Case MU21-0002

Town of Flower Mound
Denton County, Texas



JOB No: 18329 Date: July 27, 2022 By: KMR
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Exhibit\18329 PARKS & OPEN SPACE-v2.0.dwg



PLANNING AND ZONING COMMISSION

AGENDA ITEM NO: 3

REGULAR ITEM

DATE: September 26, 2022

FROM: Poornima Kashyap, Principal Planner

ITEM: **Public Hearing to consider an ordinance for rezoning (MU22-0002 – Lakeside Village) to amend Mixed Use District-1 (MU-1) to amend certain development standards related to Character Zone Standards, Open Space Standards, and Signage Standards in the Lakeside Village Development Code. The property is generally located west of Long Prairie Road along both sides of Lakeside Parkway.**

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 Town Council.

II. APPLICATION ANALYSIS

The purpose of this zoning amendment request is to modify certain development standards within the Lakeside DFW/Village Code related to open space areas and signage within the open space.

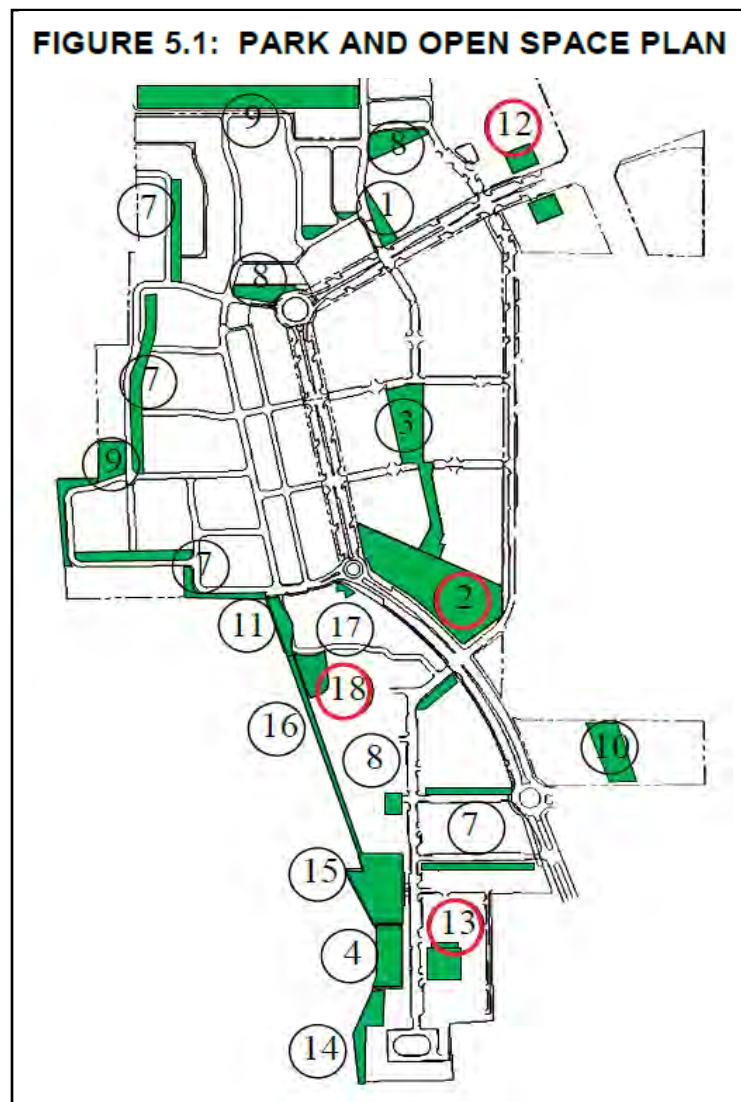
The Mixed Use zoning for Lakeside DFW was originally approved by the Town Council on November 19, 2012, for approximately 155 acres. Since the approval of this ordinance, the Town Council has approved several zoning amendments to modify certain sections of the development standards with a major amendment being approved on April 16, 2018, which added acreage to this development and replaced the original Lakeside DFW Code with a new [Code](#).

The following changes are being requested:

1. Open Space

- a. Community Lawn (#13 on Figure 5.1: Park and Open Space Plan)
Community Lawn is an open space that fronts on to Sunset Boulevard and is located between Lakeside Terranea, a mixed-use tower and the proposed Hotel-Office Tower. The applicant is requesting to amend the minimum area for this park from 0.4 acres to 0.3 acres. This change has been reflected on all applicable sections of the Lakeside Village ordinance. The applicant is also requesting to remove sidewalk requirement around this lawn with the intent of providing more lawn space with little or no hardscape elements.

- b. Tower Park: (#18 on Figure 5.1: Park and Open Space Plan)
The applicant is proposing to add Tower Park in order to offset the reduction in the Community Lawn area. The minimum area for this park is 0.5 acres and is located south of the existing Condo Tower adjacent to the Boardwalk and trail. The Lakeside Village ordinance has been updated to include a brief description of the park and to include development standards for this park.
- c. Long Prairie Park (#2 on Figure 5.1: Park and Open Space Plan)
Long Prairie Park is located within the MU-C2 subzone and a clubhouse/amenity center is permitted within this park. The applicant is proposing to clarify amenity center standards, requesting that this building not be subject to glazing, awning, and sign banding requirements intended for commercial buildings. The applicant is also proposing a new trail section within this subzone to connect to existing sidewalks and trails.



2. Signage

The request is to allow signage within open space lots, specifically to allow a Lakeside Music Series sign within open space #12. The current signage standards allow monument signs to be located along FM 2499, Lakeside Parkway and slip road

frontages. The monument signs would be subject to the current sign standards that limits the size to a maximum of 50 square feet and a maximum height of six feet.

The other changes include correcting park naming inconsistencies in the current ordinance.

	Current MU Ordinance	Proposed Change
Open Space OS5b	Village Green	Village Plaza
Open Space OS5c	Village Green	Corner Park

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 zoning application requests. MU22-0002 had a total of 281 Property Owner Notifications mailed. At the time this report was written, staff had received 1 item of correspondence requesting additional information regarding this item.

IV. ATTACHMENTS

A. Background Information

1. Vicinity Map
2. Letter of Intent

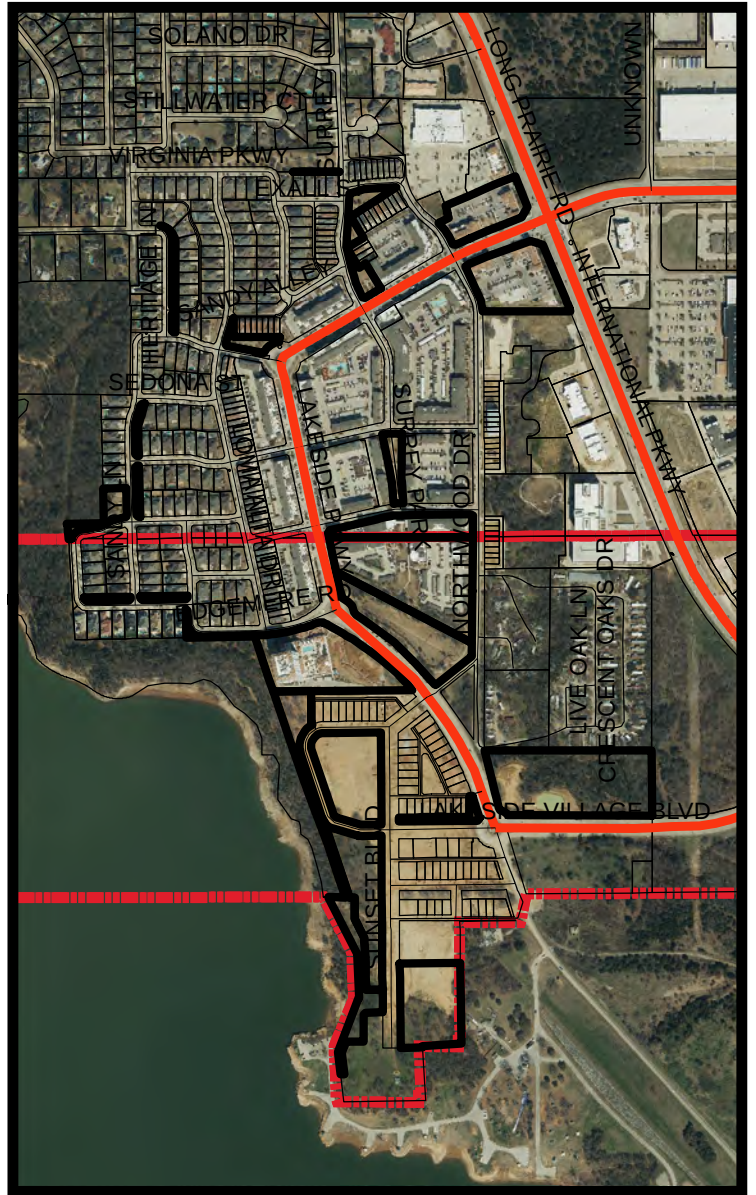
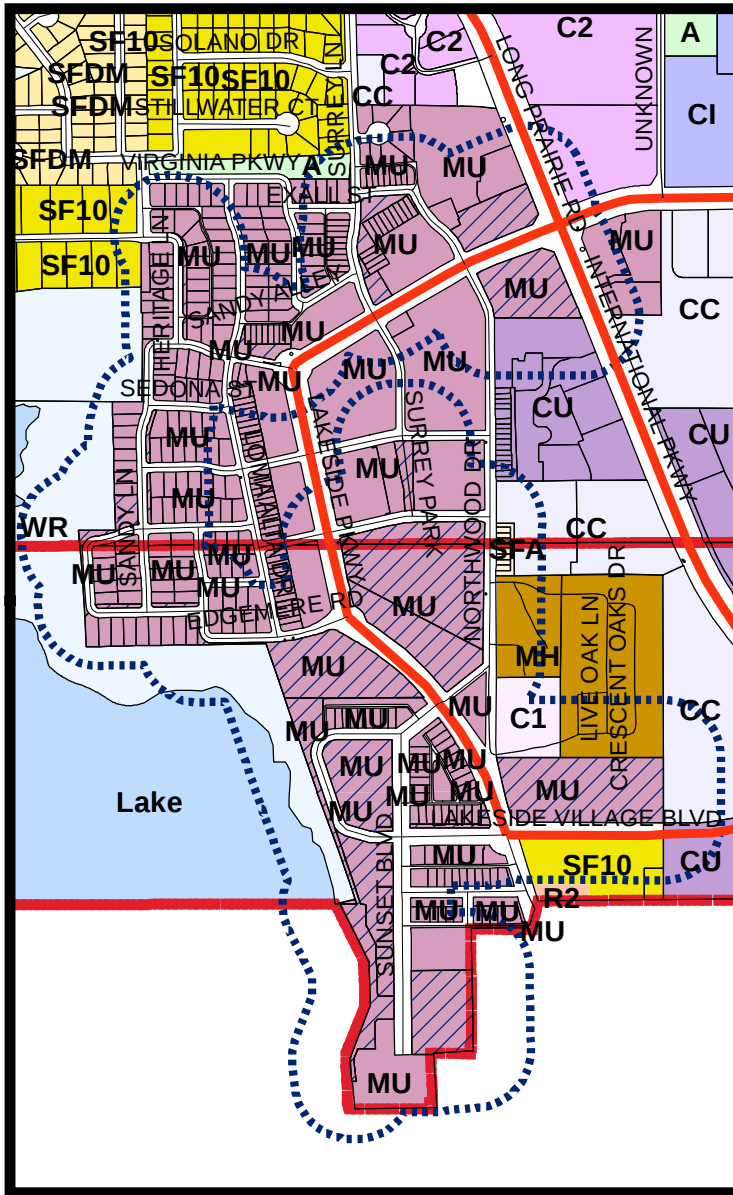
B. Application Details

1. Draft PD Text Amendment

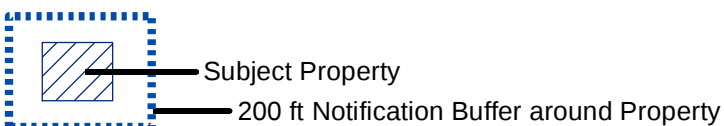
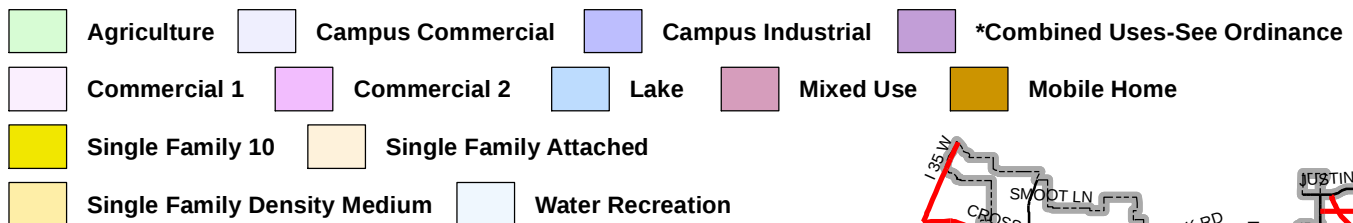


Vicinity Map

Reference Project: MU22-0002

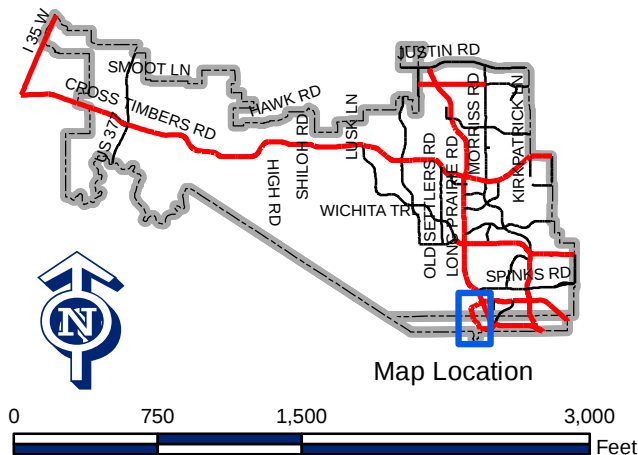


LEGEND



Visit www.fmdevmap.com to learn more about this project.

Visit <https://www.flower-mound.com/notifyme> to sign up for text message and/or email alerts for future projects.



September 15, 2022

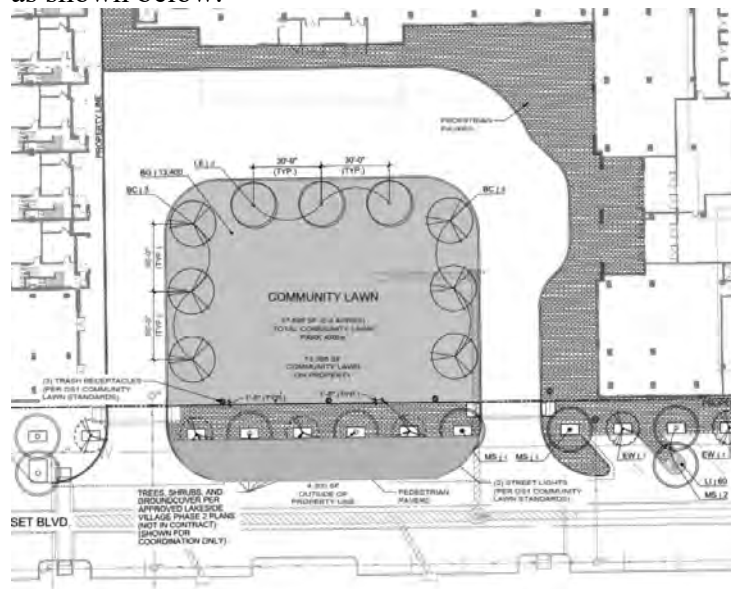
Town of Flower Mound
2121 Cross Timbers Road
Flower Mound, TX 75208

RE: Letter of Intent for Rezoning of Lakeside DFW Development Code

To Whom It May Concern,

Sunset Legacy and the Lakeside DFW Association are requesting the following amendments to the Lakeside Development Code.

1. Single Family Amenity Center Sidewalk (Page 76)
 - a. A new 5' trail section has been created to connect to the other 5' sidewalks in the area.
2. Subzone MU-C(2) Amenity Center (Page 28)
 - a. Amenity center is not subject to glazing, awnings, or sign banding commercial building requirements. The center is intended to blend in with the single family homes across Lakeside Pkwy.
3. Open Space
 - a. Community Lawn (Page 22, 67)
 - i. Reduce the size of the Community Lawn to 13,000 SF to be incorporated with the current set of plans for the Lakeside Village Hotel and Office.
 1. The intent is to keep the park larger by utilizing some of the ROW as shown below.



2.
 - ii. Remove the sidewalk requirement around the Community Lawn. Buildings surrounding the Lawn will contain sidewalks for pedestrian use. The intent of the Lawn is to be a green space with little to no hardscape.
- b. Addition of New Tower Park – (Page 21, 22, 23, 51, 66, 74)
4. Signage – Monument Signs (Page 104)

- a. Allow a monument sign to be placed in each open space shown on figure 5.1. The intent is to provide a Lakeside Music Series sign (similar to the example below) in open space 12.



Realty Capital Management
Dallas, TX

LAKESIDE DFW DEVELOPMENT CODE
FLOWER MOUND, TEXAS

SECTION 5

FIGURE 5.1: PARK AND OPEN SPACE PLAN



Rebecca Everitt
Development Partner
Realty Capital Management
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469-533-4144



LAKE SIDE DFW
DEVELOPMENT CODE
AMENDED

ORDINANCE 09-18
MU17-0002

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

Flower Mound, TX

September 12, 2022

AMENDED PAGES

P1 P67
P21 P72
P22 P73
P23 P74
P28 P76
P51 P104
P66

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

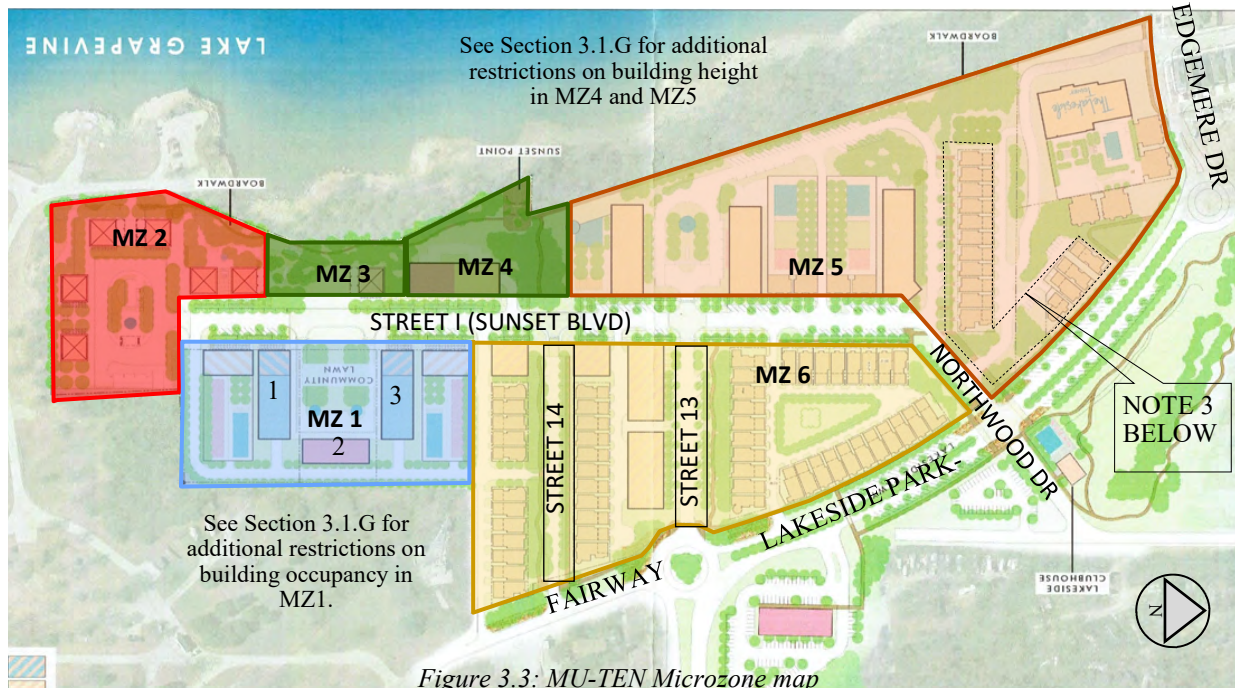
**SUBZONE MU-TEN
LAND USE REGULATIONS**

Figure 3.3: MU-TEN Microzone map

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 d	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.

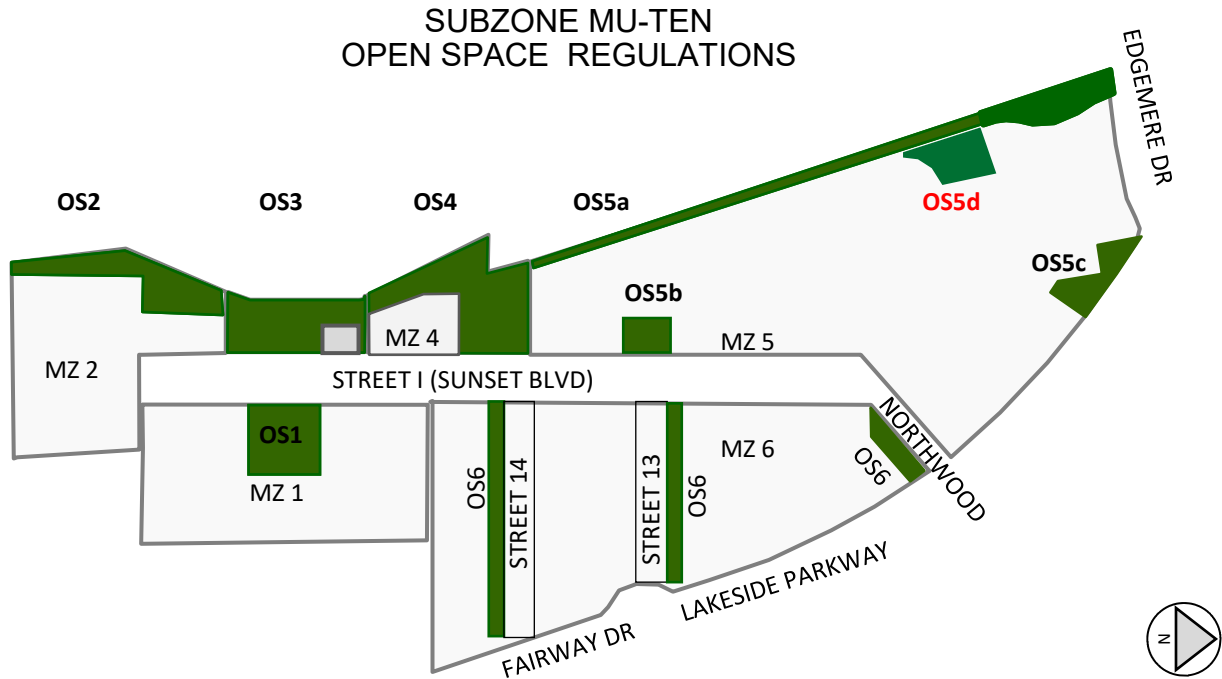


Figure 3.4: MU-TEN Public Open Space Map

TABLE 3.1.2 SUBZONE MU-TEN OPEN SPACE SUMMARY

OPEN SPACE	TOTALS								
NAME / DESCRIPTION	OS1	OS2	OS3	OS4	OS5a	OS5b	OS5c	OS5d	OS6
APPROXIMATE PERCENTAGE OF MICROZONE (MZ) DEVOTED TO PUBLIC OPEN SPACE	6%	8%	70%	15%	3%	1%	2%	3%	3%
MINIMUM AREA (ACRES)	0.3	0.3	0.7	0.3	1.2	0.2	0.3	0.5	0.3
% OF WESTERN BOUNDARY OF MICROZONE DEVOTED TO PUBLIC TRAIL AND OPEN SPACE	NA	60%	100%	100%	100%	NA	NA	100%	NA
TRAIL CONNECTION REQUIRED		YES	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.

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

Realty Capital Management
Dallas, TX

LAKESIDE DFW DEVELOPMENT CODE
FLOWER MOUND, TEXAS

Lakeside Parkway.

OS-5d: TOWER PARK: This Open Space is situated adjacent to OS-5a, and adjacent to the Trailhead.

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**

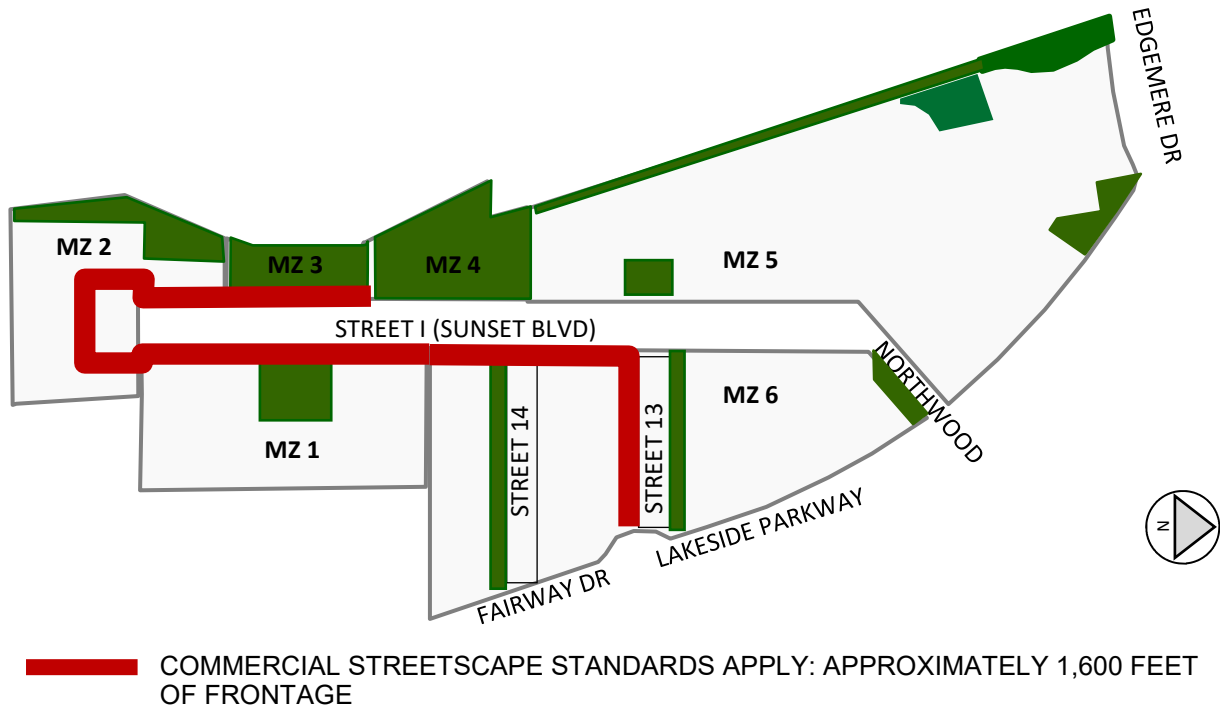
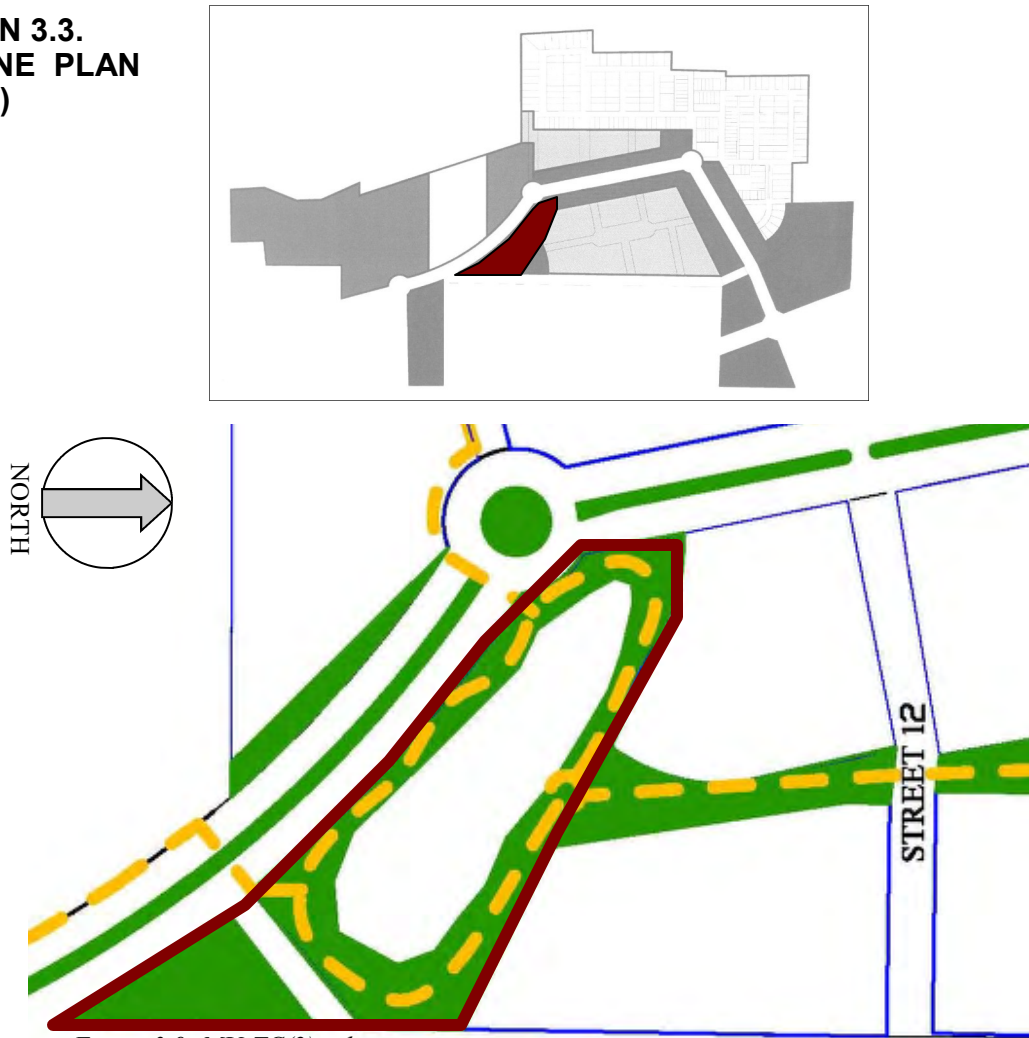


Figure 3.5: MU-TEN COMMERCIAL STREETSCAPE MAP

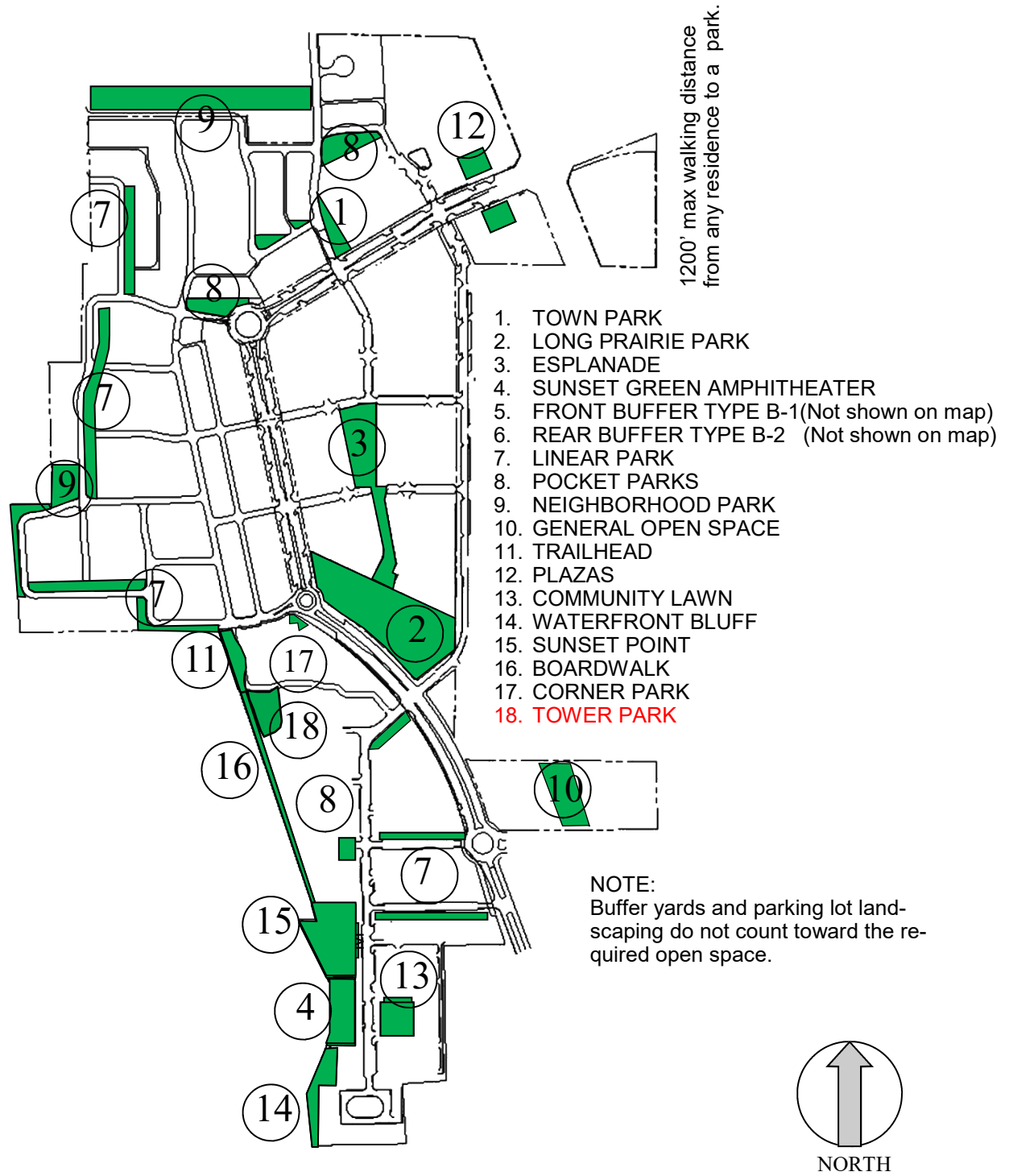
D: COMMERCIAL STREETSCAPE:

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 constructed 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.

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. **The area may also be used for a single family amenity center.**
6. The detention area may be fenced provided the fence does not restrict public access to the Trail System.
7. **The amenity center is not subject to the glazing (table 7.1), awnings (Section 7.2D2), or sign banding (Section 7.2C) commercial building requirements.**

FIGURE 5.1: PARK AND OPEN SPACE PLAN

**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

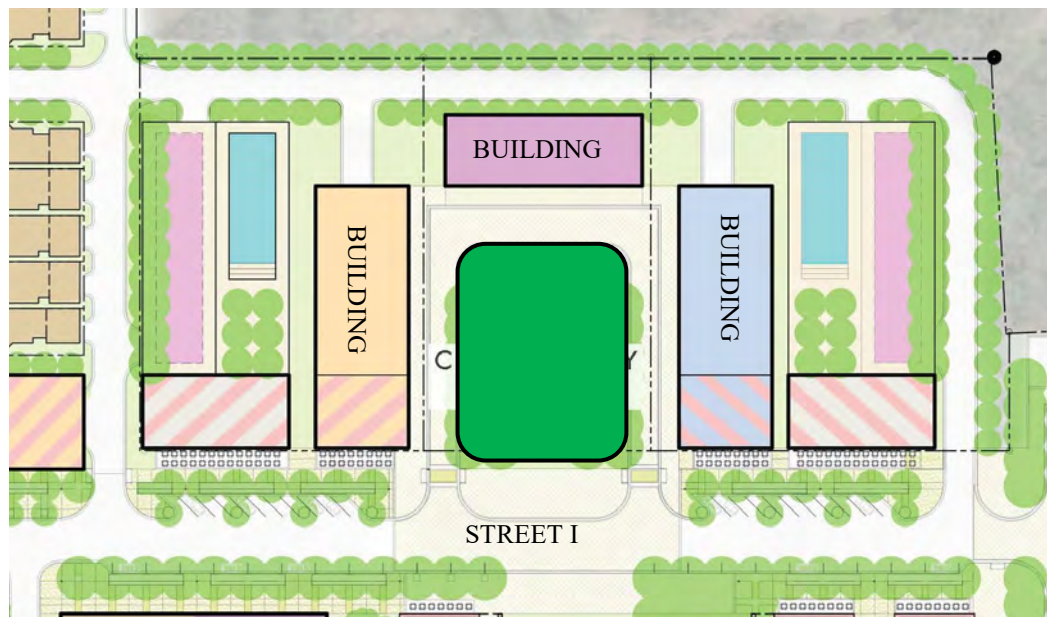
- **OS1: COMMUNITY LAWN**
- **OS2: WATERFRONT BLUFF**
- **OS3: SUNSET GREEN AMPHITHEATER**
- **OS4: SUNSET POINT**
- **OS5a: BOARDWALK**
- **OS5b: VILLAGE PLAZA**
- **OS5c: CORNER PARK**
- **OS5d: TOWER PARK**
- **OS6: LINEAR PARK** (See Page 56 for Linear Park standards)

VILLAGE LAKEFRONT AREA



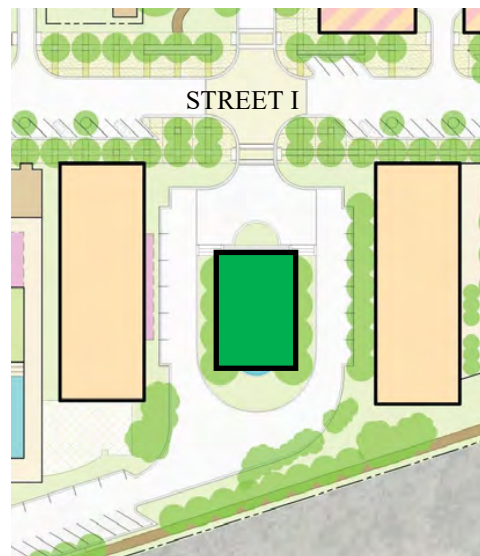
PARK AND OPEN SPACE STANDARDS
PROPOSED PARK TYPOLOGY**OS1: COMMUNITY LAWN**

ITEM	STANDARD		REQ'D
#1	Character	Broad lawn for public gatherings and events. Event-specific furnishings would be provided for events	
#2	Minimum size	13,000 SF	yes
#3	Maximum Size	None	
#4	Perimeter conditions	Front Building Facades, Street I,	
#5	Plantings, pattern	Perimeter trees at 30' on center	yes
#6	Sidewalks/Hardscape	Perimeter sidewalk 6' width minimum	no
#7	Trail Connectivity	Connect to sidewalk on Street I	yes
#8	Location requirements	See Subzone Rules for MU-TEN	
#9	Topography	Generally level, but elevated 2 to 3 feet above sidewalk on Street I	yes
#10	Water feature	Optional	
#11	Structures	None required	
#12	Furnishings	Trash Receptacles	yes
#13	Lighting	Street lights or perimeter bollard lighting	yes
#14	Other considerations		
	Required in Sub Zones:	MU-TEN	
	Permitted in Sub Zones:		
	Prohibited in Sub Zones:		



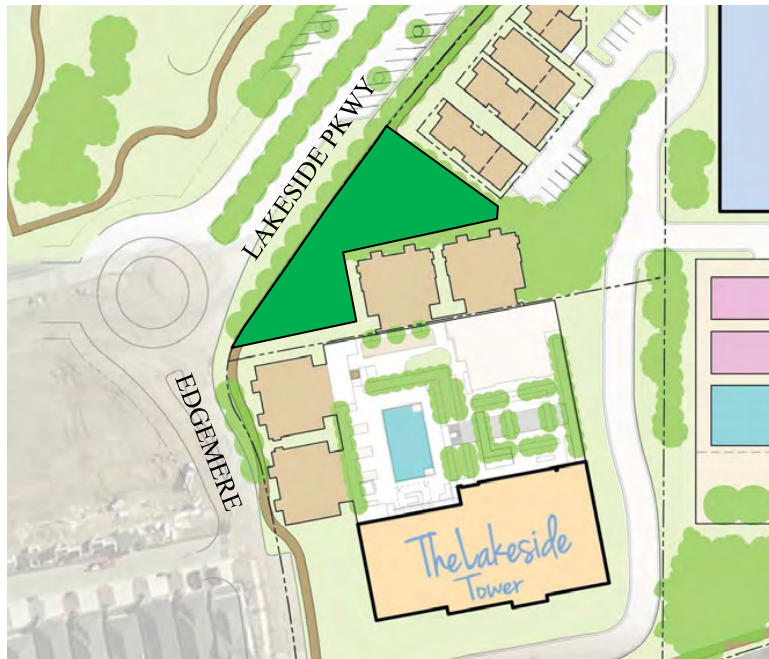
PARK AND OPEN SPACE STANDARDS
PROPOSED PARK TYPOLOGY**OS5b: VILLAGE PLAZA**

ITEM	STANDARD	REQ'D
#1	Character 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 0.2 acres	yes
#3	Maximum Size none	
#4	Perimeter conditions Private drives, adjacent buildings	yes
#5	Plantings, pattern Turf with the formal placement of a minimum of 8 trees	yes
#6	Sidewalks/Hardscape	
#7	Trail Connectivity	
#8	Location requirements Within Subzone MU-TEN, microzone 5	
#9	Topography Mostly level	
#10	Water feature Or an alternate focal point	yes
#11	Structures	
#12	Furnishings Benches	yes
#13	Lighting Optional	
#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**OS5c: CORNER PARK**

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

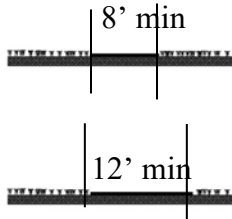


PARK AND OPEN SPACE STANDARDS
PROPOSED PARK TYPOLOGY

OS5d: TOWER PARK

ITEM	STANDARD	REQ'D
#1	Character	Small open space located between the Lakeside Tower and boardwalk.
#2	Minimum size	0.5 acres
#3	Maximum Size	none
#4	Perimeter conditions	Streets and adjacent buildings
#5	Plantings, pattern	Turf with existing trees in addition to street trees
#6	Sidewalks/Hardscape	Connection of public sidewalk to boardwalk trail
#7	Trail Connectivity	Public sidewalk connecting Tower Park to the boardwalk
#8	Location requirements	Within Subzone MU-TEN, microzone 5
#9	Topography	Mostly level
#10	Water feature	
#11	Structures	Optional
#12	Furnishings	Benches optional
#13	Lighting	Optional
#14	Other considerations	
	Required in Sub Zones:	MU-TEN
	Permitted in Sub Zones:	
	Prohibited in Sub Zones:	



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

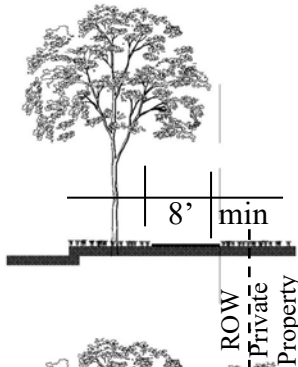
ROW or Easement: none required

T-2 HIKE & BIKE TRAIL AT TRAIL-HEAD

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

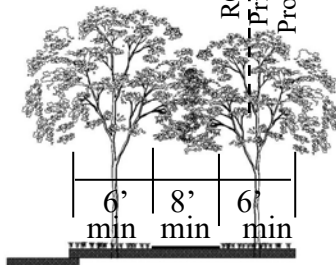
ROW or easement: built within the street ROW. If the typical sidewalk requires less ROW, additional ROW must be dedicated for the trail width.

T-7 AMENITY CENTER TRAIL

Located within Subzone MU-C(2), the trail serves as an extension of the trail circumscribing Open Space #2 (referenced as Long Prairie Park as depicted in Figure 5.1 herein) adjacent to the single family amenity center.

Width: 5' minimum

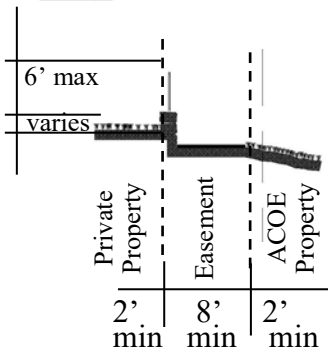
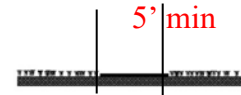
ROW or Easement: None required

**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.

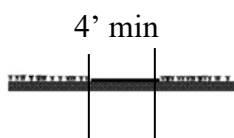
**T-5 BOARDWALK TRAIL**

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.

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	IMU-MR	IMU-C	IMU-NG	IMU-N	IMU-EN	STANDARD
Wall (Building) Signs	P	P	NP	P	P	- 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. - 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. - Live-Work: One sign limited to an area of 10 sq. feet maximum, and a maximum height of 2 feet - Home occupations in residential buildings: One sign limited to an area of 5 sq. feet maximum and maximum height of 16 inches - Building sign may encroach a maximum of 12" on to a sidewalk while maintaining a vertical clearance of 7 feet from the finished sidewalk. - Building signs may be internally or externally lit. - Marquee signs permitted only as specified below.
Monument Signs	P	NP	NP	NP	P	- 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. - Signs must be illuminated from ground mounted lighting. - Permitted only along FM 2499, Lakeside Parkway, and Slip Road Frontages and each open space as shown on Figure 5.1. (except Park #9).