

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, REPEALING ORDINANCE NO. 89-11-02 AND AMENDING FRISCO’S ZONING ORDINANCE, ORDINANCE NO. 11-04-09, AS AMENDED, TO REZONE A TRACT OF LAND CONSISTING OF 88± ACRES, SITUATED IN THE WILLIAM ROGERS SURVEY, ABSTRACT NO. 780, CITY OF FRISCO, COLLIN COUNTY, TEXAS, HERETOFORE ZONED PLANNED DEVELOPMENT-BUSINESS CENTER AND AGRICULTURAL DISTRICT; PROVIDING THAT THE TRACT IS HEREBY REZONED AND PLACED IN THE PLANNED DEVELOPMENT-256-MULTIFAMILY-19 ZONING CLASSIFICATION; DESCRIBING THE TRACT TO BE REZONED; PROVIDING A PENALTY CLAUSE, REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas (“City Council”) has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Frisco, Texas (“Frisco”) to repeal Ordinance No. 89-11-02 and to amend Frisco’s Zoning Ordinance, Ordinance No. 11-04-09, as amended (“Zoning Ordinance”), as set forth herein; and

WHEREAS, Frisco initiated a request to rezone 88± acres of land, situated in the William Rogers Survey, Abstract No. 780, City of Frisco, Collin County, Texas, more particularly described in Exhibit A, attached hereto and incorporated herein for all purposes (“Property”), and depicted in Exhibit A-1 and Exhibit A-2, which are attached hereto and incorporated herein for all purposes; and

WHEREAS, Frisco has requested that the Zoning Ordinance be amended to rezone the Property, heretofore zoned Planned Development-Business Center and Agricultural District, by placing it in the Planned Development-256- Multifamily-19 zoning classification; and

WHEREAS, Chapter 211 of the Texas Local Government Code, the City Charter and the Zoning Ordinance authorize Frisco to rezone the Property; and

WHEREAS, the City Council has investigated and determined that the zoning classification established by this Ordinance supports the economically viable use of the Property and is in accordance with Frisco’s Comprehensive Plan; and

WHEREAS, the City Council has investigated and determined that the facts contained in Frisco’s request are true and correct; and

WHEREAS, all legal notices required for rezoning have been given in the manner and form set forth by law, public hearings have been held on the proposed rezoning and all other requirements of notice and completion of such zoning procedures have been fulfilled; and

WHEREAS, the City Council has investigated and determined that it will be advantageous

and beneficial to Frisco and its citizens to rezone the Property as set forth below.

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

SECTION 1. Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. Repeal of Ordinance No. 89-11-02. Ordinance No. 89-11-02 is repealed in its entirety and replaced by this Ordinance. The effective date of the repeal discussed in this section shall not occur until the effective date of this Ordinance, at which point Ordinance No. 89-11-02 shall be repealed. Such repeal shall not abate any pending prosecution or lawsuit or prevent any prosecution or lawsuit from being commenced for any violation of Ordinance No. 89-11-02 occurring before the effective date of this Ordinance.

SECTION 3. Amendment to the Zoning Ordinance. The Zoning Ordinance is hereby amended as follows: The zoning designation of the Property and all streets, roads and alleyways contiguous and/or adjacent thereto is hereby rezoned as Planned Development-256- Multifamily-19. The Property, as a whole and the boundaries thereof, is more particularly described in Exhibit A. The general location of the Property is depicted in Exhibit A-1 and Exhibit A-2.

The development plans, standards and uses for the Property shall conform to and comply with the Development Standards attached hereto as Exhibit B, Exhibit C, Exhibit D, and Exhibit E, all of which are incorporated herein for all purposes. The development of the Property must comply with the requirements of this Ordinance and all other applicable ordinances, rules and regulations of Frisco, as they currently exist or may be amended.

SECTION 4. No Vested Interest/Repeal. No developer or property owner shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this Ordinance may be repealed by the City Council in the manner provided for by law.

SECTION 5. Unlawful Use of Property. It shall be unlawful for any person, firm, entity or corporation to make use of the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person, firm, entity or corporation to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance.

SECTION 6. Penalty. Any person, firm, corporation or entity violating any provision of this Ordinance or the Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 7. Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full

force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 8. Savings/Repealing Clause. The Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 9. Effective Date. This Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS on this ___ day of October, 2016.

Maher Maso, Mayor

**ATTESTED TO AND
CORRECTLY RECORDED BY:**

Jenny Page, City Secretary

APPROVED AS TO FORM:



Abernathy Roeder Boyd & Hullett, P.C.
Ryan D. Pittman, City Attorneys

Dates of Publication: _____, *Frisco Enterprise*

Exhibit A
Legal Description of the Property

Tract 1:

SITUATED in the State of Texas, County of Collin and City of Frisco, being part of the William Rogers Survey, Abstract No. 780, and all of a 78.6705 acre tract of land as recorded in Volume 6067, Page 1267 of the Collin County Land Records with said premises being more particularly described as follows:

BEGINNING at a Wier capped iron rod found in the north right-of-way line of Eldorado Parkway (variable width right-of-way) Parcel 7A as recorded in Volume 5621, Page 3264 of the Collin County Land Records, said iron marking the most westerly southwest corner of said premises, being in the most westerly west line of said 78.6705 acre tract, and being in the east line of a Frisco ISD 100.1730 acre tract as recorded under County Clerk No. 20141208001332630 of the Collin County Land Records;

THENCE with the most westerly west line of said 78.6705 acre tract, the west line of said premises, and the east of said Frisco ISD tract, North 00°29'29" East, passing at 2,731.60 feet a ½" iron rod found on line, passing at 2762.85 feet the northeast corner of said Frisco ISD tract, and continuing for a total distance of 2,765.41 feet to a point in County Road 710 (Cobb Hill Road) marking the northwest corner of said premises, the most westerly northwest corner of said 495.9937 acre tract, and being in the south line of Jones' 20.14 acre tract as recorded under County Clerk No. 95-0042023 of the Collin County Land Records, from which a capped iron rod found for reference bears North 6°49'41" West, 0.33 feet;

THENCE partway with said road, along a common line between said 78.6705 acre tract and said 20.14 acre tract as follows: South 88°53'41" East, 422.06 feet to a ½" iron rod found for corner; North 85°13'19" East, 261.50 feet to a Roome capped iron rod set for corner; South 89°59'41" East, 422.56 feet to a P. K. nail set for corner; North 47°02'19" East, 36.10 feet to a 1/2' iron rod found for corner; North 22°34'19" East, 131.90 feet to a Roome capped iron rod set for corner; North 44°20'19" East, 98.00 feet to a point for corner; South 89°20'41" East, passing at 1.00 foot a Roome capped iron rod set on line, passing at 292.50 feet a 5/8" iron rod found on line and continuing for a total distance of 293.24 feet to a point marking the northeast corner of said premises, the northeast corner of said 78.6705 acre tract, the most easterly southeast corner of said 20.14 acre tract, and being in the west right-of-way line of a Burlington Northern Railroad (100' R.O.W.);

THENCE with the east line of said premises, the east line of said 78.6705 acre tract, and the west right-of-way line of said Burlington Northern Railroad, South 11°16'39" West, 2,952.17 feet to a Roome capped iron rod set for corner in the north right-of-way line of said Eldorado Parkway Parcel 7A, and marking the southeast corner of said premises and 78.6705 acre tract;

THENCE with the south line of said premises, the south line of said 78.6705 acre tract, and the north right-of-way line of Eldorado Parkway Parcel 7A as follows: North 78°44'41"

West, 183.15 feet to a Roome capped iron rod set for corner, and South 80°42'29" West, 821.43 feet to the point of beginning and containing 3,426,888 square feet or 78.6705 acres of land.

Tract 2:

SITUATED in the State of Texas, County of Collin and City of Frisco, being part of the William Rogers Survey, Abstract No. 780, and part of a 100.173 acre tract of land conveyed to Frisco Independent School District as recorded under County Clerk No. 20141208001332630 of the Collin County Land Records with said premises being more particularly described as follows:

BEGINNING at a 4613 capped iron rod found marking the southeast corner of said 100.173 acre tract, said capped iron rod being in the north right-of-way line of Eldorado Parkway (variable width R.O.W.), said capped iron rod marking the northeast corner of a right-of-way dedication to the City of Frisco as recorded in Volume 4498, Page 2794 of the Collin County Land Records, said capped iron rod bears South 00°29'29" West, 30.65 feet from a Wier capped iron rod found marking the northwest corner of a right-of-way dedication to the City of Frisco as recorded in Volume 5621, Page 3264 of the Collin County Land Records, said Wier capped iron rod also being the southwest corner of a 78.6705 acre tract of land conveyed to Panther Creek on Preston, L.P. as recorded under County Clerk No. 20131107001517630 of the Collin County Land Records;

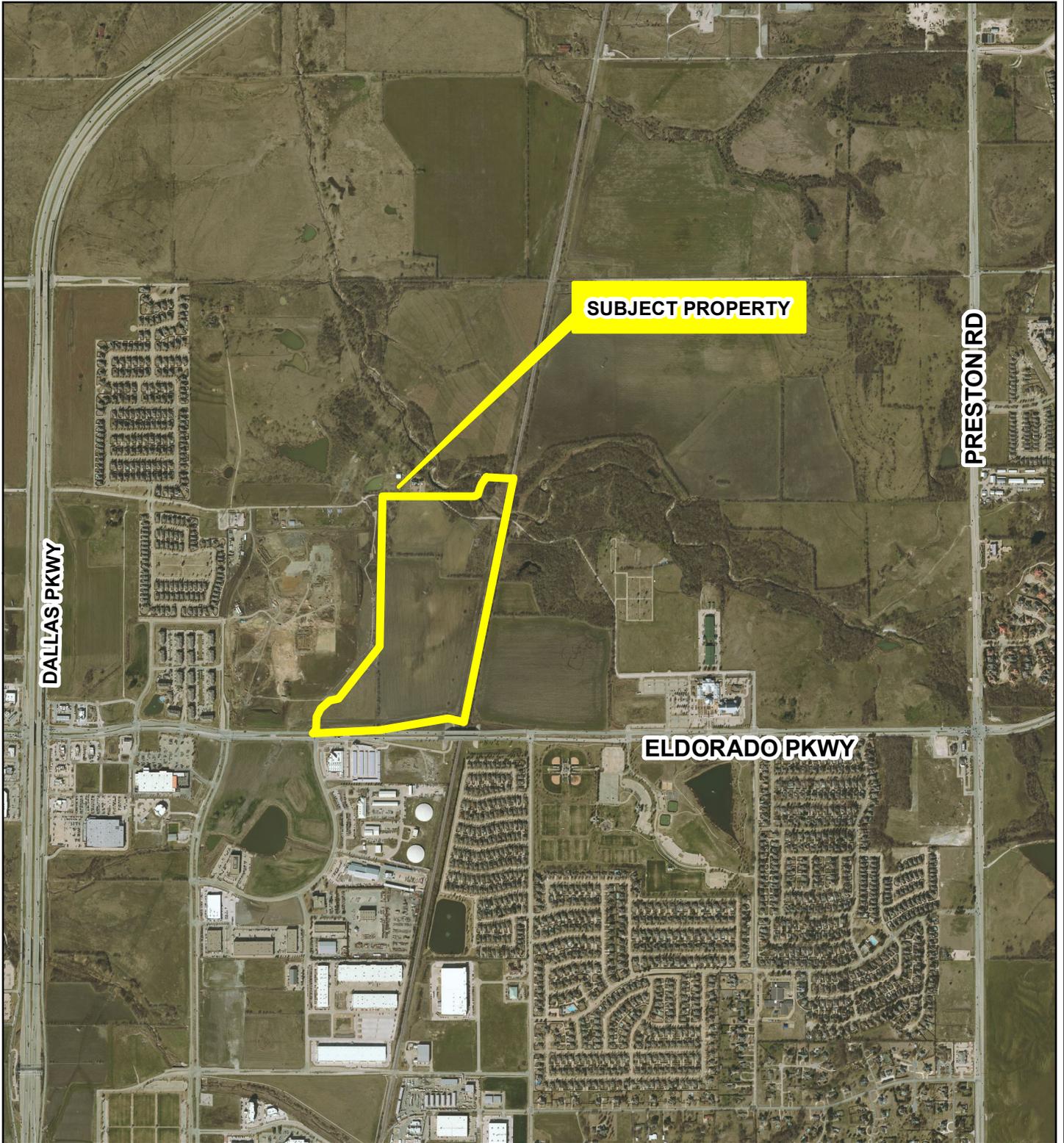
THENCE with the north right-of-way line of Eldorado Parkway and the south line of said 100.173 acre tract, North 89°59'23" West, 447.53 feet to a 4613 capped iron rod found marking the southwest corner of the herein described premises;

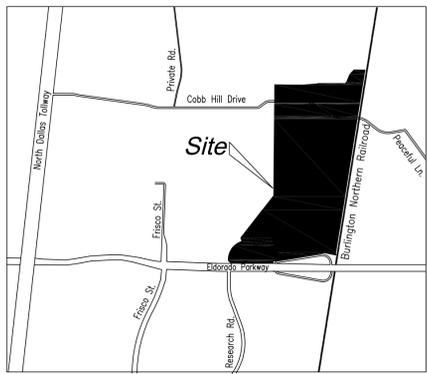
THENCE departing said right-of-way line and crossing through said 100.173 acre tract as follows: North 84°47'43" West, 110.45 feet to a Roome capped iron rod set for corner; North 89°59'23" West, 108.50 feet to a Roome capped iron rod set for corner; North 44°59'23" West, 42.43 feet to a Roome capped iron rod set for corner; North 00°00'37" East, 10.00 feet to a Roome capped iron rod set for corner and marking the beginning of a curve to the right; northeasterly along said curve having a central angle of 46°37'12", with a radius of 295.00 feet, for an arc distance of 240.03 feet (chord = North 23°19'13" East, 233.47 feet) to a Roome capped iron rod set marking the end of said curve; North 89°28'31" East, 6.47 feet to a 4613 capped iron rod found for corner; North 38°06'30" East, 21.77 feet to a Roome capped iron rod set for corner and marking the beginning of a curve to the right; northeasterly along said curve having a central angle of 22°30'29", with a radius of 295.00 feet, for an arc distance of 115.89 feet (chord = North 62°59'40" East, 115.14 feet) to a Roome capped iron rod set marking the end of said curve; North 15°45'05" West, 60.00 feet to a Roome capped iron rod set for corner; North 38°06'30" East, 820.36 feet to a 4613 capped iron rod found marking the northeast corner of said premises and being in the east line of said 100.173 acre tract, and the west line of said 78.6705 acre tract;

THENCE with the east line of said premises, the east line of said 100.173 acre tract, and the west line of said 78.6705 acre tract, South 00°29'29" West, passing at 1006.62 feet said Wier capped iron rod found marking the southwest corner of said 78.6705 acre tract, and

continuing for a total distance of 1037.27 feet to the point of beginning and containing 404,502 square feet or 9.286 acres of land.

Exhibit A-1
Z16-0005
PLANNED DEVELOPMENT-A
MULTIFAMILY -19





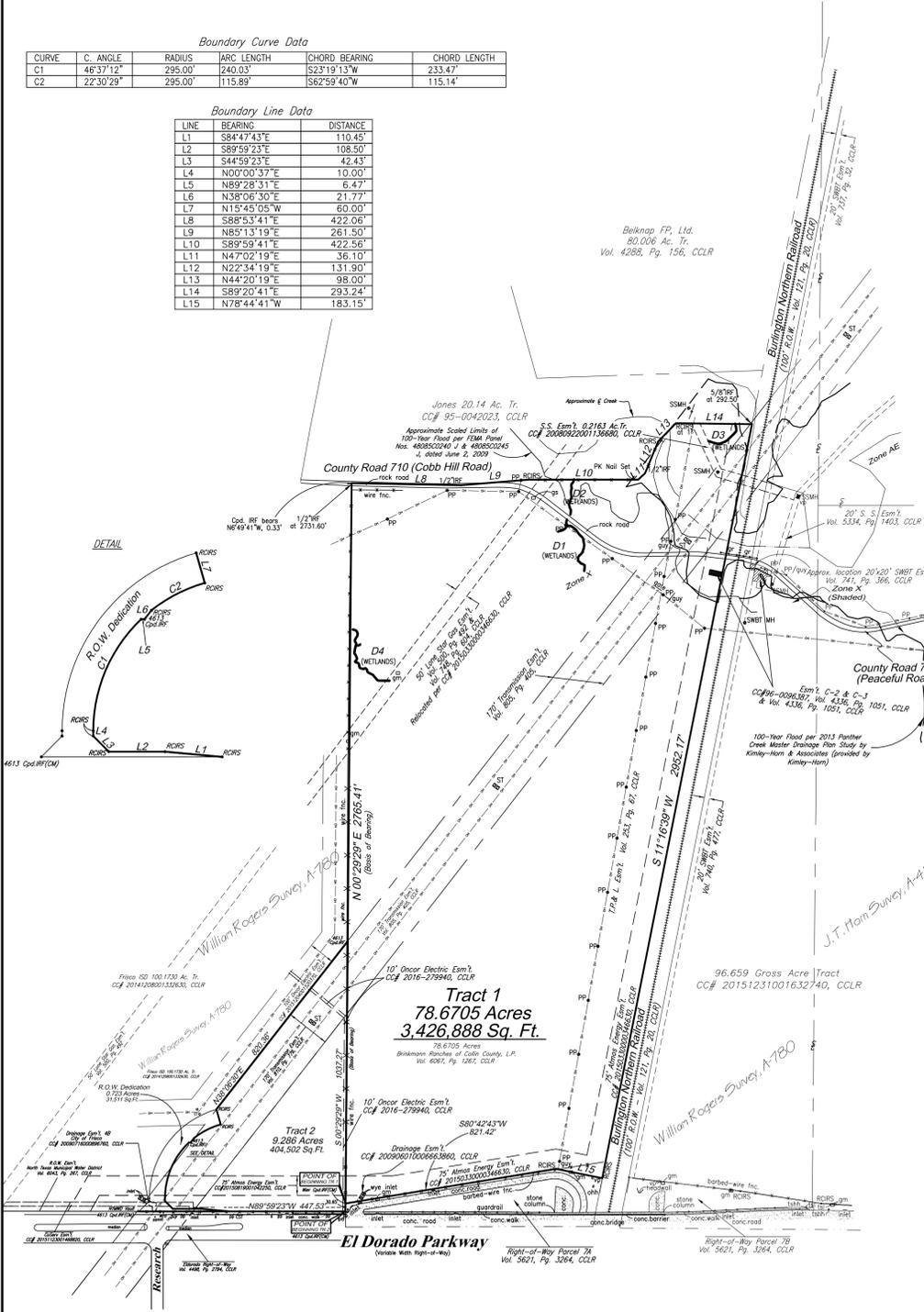
VICINITY MAP
N.T.S.

Boundary Curve Data

CURVE	C. ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	46°37'12"	295.00'	240.03'	S23°19'13"W	233.47'
C2	22°30'29"	295.00'	115.89'	S62°59'40"W	115.14'

Boundary Line Data

LINE	BEARING	DISTANCE
L1	S84°47'43"E	110.45'
L2	S89°59'23"E	108.50'
L3	S44°59'23"E	42.43'
L4	N00°00'37"E	10.00'
L5	N89°28'31"E	6.47'
L6	N38°06'30"E	21.77'
L7	N15°45'05"W	60.00'
L8	S85°53'41"E	422.06'
L9	N85°13'19"E	261.50'
L10	S89°59'41"E	422.56'
L11	N47°02'19"E	36.10'
L12	N22°34'19"E	131.90'
L13	N44°20'19"E	98.00'
L14	S89°20'41"E	293.24'
L15	N78°44'41"W	183.15'



Property Description

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Surveyor's Certification

The undersigned, being a Registered Professional Land Surveyor of the State of Texas, certifies to **TX-Davis Development Inc., its affiliates, assigns and lenders, Panther Creek on Preston, L.P., a Delaware limited partnership (as to Tract 1), Frisco Independent School District (as to Tract 2), Stewart Title Company, and Stewart Title Guaranty Company** as follows:

- This Map and the survey on which it is based was made (i) in accordance with the "Minimum Standard Detail requirements for ALTA/ACSM Land Title Surveys" jointly established and adopted by the American Land Title Association, the American Congress on Surveying and Mapping, and the National Society of Professional Surveyors in 2011, includes items 1, 3, 4, 6b, 7a, 8, 11a, 13, 14, 16-19 of Table A thereof. The field work was completed on December 18, 2015.
- There are no visible easements or rights-of-way of which the undersigned has been advised.
- There are no observable above-ground encroachments (a) by the visible improvements on the subject property upon adjoining properties, streets or alleys, or upon easements located on the subject property or (b) by the visible improvements on adjoining properties, streets or alley upon which the subject property.
- The location of each easement, right-of-way, servitude, and other survey-related matter affecting the subject property listed in the title commitment effective March 31, 2016 (File# 01128-31819) issued by Chicago Title Insurance Company with respect to the subject property has been shown on the survey, together with appropriate referring references to the extent that such matters can be located. The property shown and described on the survey is the same property as described in that title commitment. All improvements on the subject property are shown in relation to its boundary.
- The subject property has access to and from Eldorado Parkway, a dedicated and accepted public street, and Cobb Hill Road (County Road 710) as shown on the survey.
- A portion of the subject property shown on the survey lies within a Special Hazard Area, as described on the Flood Insurance Rate Map for Collin County, Texas as indicated on Community Panel Nos. 48085C0240 & 48085C0245, dated June 2, 2009 (Zone X and Zone A), and also shown on the survey is a 100-Year Flood per 2013 Panther Creek Master Drainage Plan Study by Kimley-Horn & Associates.
- This certificate relates to that certain survey dated January 8, 2016, made by Roome Land Surveying of Tracts 1 & 2. The parties listed above are entitled to rely on the survey and this certificate as being true and accurate.
- There is no observable evidence of site use as a solid waste dump, sump or sanitary landfill.
- There is no visible evidence of cemeteries on the subject property.
- There is no evidence of current earth moving work, building construction or building addition.

Dated: January 8, 2016; Revised: January 28, 2016 (Wetlands); Revised April 13 (Revised Title Commitment, Tract 2 & added Onco Esm.)

F. E. Bemenderfer Jr.
F. E. Bemenderfer Jr.
Registered Professional Land Surveyor No. 4051
Job No. AC824106



Legend

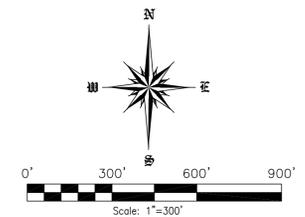
RCIRS	Roome Capped Iron Rod Set	tsl	Traffic Signal Light
C.C.M.R.	Collin County Map Records	gr	Guard Rail
C.C.L.R.	Collin County Land Records	gs	Gas Sign
IRF	Iron Rod Found	vp	Vent Pipe
CM	Controlling Monument	hdwl	Headwall
ST	Steel Transmission Tower	cvt	Culvert
▲ ugcM	Underground Cable Marker	ohh	Onco handhole
≡ WV	Water Valve	— — —	Overhead Lines
GM	Gas Meter	— — —	Wire Fence
TxDotMF	TxDot Monument Found	— — —	Chain Link Fence
● PP	Power Pole	— — —	Guy
ssmh	Sanitary Sewer Manhole	□ gM	Gas Pipeline Marker
tshh	Traffic Signal Hand Hole	⊥	Survey Line
wco	Water Cutoff	S	Sign

Schedule B Item 10 Exceptions:

- Easement, Right of Way and/or Agreement by and between R. F. Newsome and Texas Power & Light Company, by instrument dated 11/13/24, filed 12/23/24, recorded in/under Volume 253, Page 67, Real Property Records, Collin County, Texas. (Tract 1 as shown on survey)
- Easement, Right of Way and/or Agreement by and between R. F. Newsome and Lone Star Gas, by instrument dated 12/2/54, filed 6/16/55, recorded in/under Volume 500, Page 492, and as affected by Partial Release recorded in Volume 748, Page 604, and Amendment and Relocation of Easement recorded in Clerk's File No. 2015-346630, Real Property Records, Collin County, Texas. (Tract 1 as shown on survey)
- Easement and/or Right of Way as granted to Texas Power & Light Company by judgment, by instrument dated 12/21/71, filed 21/22/71, recorded in/under Volume 805, Page 405, Real Property Records, Collin County, Texas. (Tract 1 as shown on survey)
- Easement and/or Right of Way as retained in Special Warranty Deed executed by Frisco Land Associates, Ltd., by instrument dated 11/5/96, filed 11/7/96, recorded in/under Clerk's File No. 96-96387, and as granted to the City of Frisco by easement recorded in Volume 4336, Page 1051, Real Property Records, Collin County, Texas. (Tract 1 as shown on survey)
- Easement, Right of Way and/or Agreement by and between Brinkmann Ranches of Collin County, LP and the City of Frisco, by instrument dated 9/3/2008, filed 9/22/2008, recorded in/under Clerk's File No. 2008-1136880, Real Property Records, Collin County, Texas. (Tract 1 as shown on survey)
- Easement, Right of Way and/or Agreement by and between Brinkmann Ranches of Collin County, LP and the City of Frisco, by instrument dated 4/2/2009, filed 6/1/2009, recorded in/under Clerk's File No. 2009-6363860, Real Property Records, Collin County, Texas. (Tract 1 as shown on survey)
- Visible and apparent roadways and/or easements.
- All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.
- Rights of tenancy, and assigns, as tenants only, under currently effective lease agreements.
- Easement granted by Mrs. Joe Taylor to Denton County Electric Cooperative, filed 3/18/1953, recorded in Volume 458, Page 233, Real Property Records, Collin County, Texas, as amended by Agreement Defining Area Embraced Within Easement, filed 11/23/2015, recorded in Clerk's File No. 2015112301468820, Real Property Records, Collin County, Texas. (Tract 2 as shown on survey)
- Easement granted by Kitty E. Taylor to Texas Power & Light Company, filed 5/5/1954, recorded in Volume 484, Page 221, as affected by Supplemental Easement and Right-of-Way filed 3/29/2004, recorded in Volume 5636, Page 2047, and Easement Modification Agreement filed 1/25/2011, recorded in Clerk's File No. 20110125000996150, Real Property Records, Collin County, Texas. (Tract 2 as shown on survey)
- Easement granted by Kitty Taylor to Lone Star Gas Company, filed 6/16/1955, recorded in Volume 500, Page 490, Real Property Records, Collin County, Texas, as affected by Partial Release of Easement with Restrictive Covenants filed 8/19/2015, recorded in Clerk's File No. 20150819001342260, Real Property Records, Collin County, Texas. (Tract 2 as shown on survey)
- Easement awarded to Texas Power & Light Company, under judgment in Cause No. 71-142-199, a copy of which was filed 2/17/1972, recorded in Volume 810, Page 776, Real Property Records, Collin County, Texas. (Tract 2 as shown on survey)
- Easement granted by Bert Fields, Jr. to North Texas Municipal Water District, filed 11/10/2005, recorded in Volume 6043, Page 267, Real Property Records, Collin County, Texas. (Tract 2 as shown on survey)
- Easement granted by Bert Fields, Jr. to the City of Frisco, filed 7/16/2009, recorded in Clerk's File No. 20090716000886760, Real Property Records, Collin County, Texas. (Tract 2 as shown on survey)
- Easement, Right of Way and/or Agreement by and between Frisco Independent School District and Onco Electric Delivery Company, LLC, by instrument dated 11/19/2015, filed 3/9/2016, recorded in/under Clerk's File No. 2016-279940, Real Property Records, Collin County, Texas. (Tract 2 as shown on survey)

GENERAL NOTES:

- The surveyor has not abstracted subject property.
- This survey is subject to all easements of record.
- Copyright 2016, Roome Land Surveying, Inc.
- The survey is being provided solely for the use of the current parties and that no licenses has been created, express or implied, to copy the survey except as is necessary in conjunction with the original transaction
- The original copy will have original signatures, seal and signed in red ink.
- The WETLANDS are noted by D1, D2, D3 and D4 per study performed by DCI Environmental Consultants, LP, for Davis Development.



ALTA/ACSM Land Title Survey
78.6705 Ac. Tr. & 9.286 Ac. Tr.
William Rogers Survey, Abstract No. 780
City of Frisco, Collin County, Texas
January 8, 2015

P/AC/201601/AC824106.dwg

Roome Land Surveying, Inc.
TRPLS Firm No. 10013100
2800 Avenue G, Suite 810
Plano, Texas 75074
Phone (972) 423-4372 / Fax (972) 423-7523
www.roomesurveying.com

Exhibit B Planned Development Standards

Unless otherwise stated herein, the use regulations applicable to the subject property shall be in accordance with the **Multifamily-19 District** (MF-19) section of the Zoning Ordinance (2.03.13), as it exist or may be amended.

1. Zoning Exhibits

The development shall generally be in accordance with the
Exhibit C – Zoning Exhibit
Exhibit D – Open Space Exhibit
Exhibit E – Character Elevations

2. Exhibit C

The subject property shall generally develop in accordance with Exhibit C, as it concerns the placement of buildings, location of the City Park & parking lot locations and shall serve as the only area regulations for the MF-19 zoning tract and shall satisfy:

- The building orientation requirements of Section 4.12.03(E),
- The structure separation of Section 4.12.03(F)
- The multifamily – parking and circulation standards of Section 4.12.04

Buildings along research shall have a 25 foot build-to-line measured from the back of burb. Masonry landscape walls shall be constructed between the back of the sidewalk and the front face of building, in accordance with Exhibit E.

3. Maximum number of Stories/Units:

- Maximum number of stories for building fronting Research Road (reference exhibit C for location) - Three (3) stories, 50 feet
- Maximum number of stories for all other residential buildings - Four (4) stories, 60 feet.
- Total number of units allowed on the property – 1037 multifamily units

4. Architectural Standards

This section shall serve as the sole architectural and building design standards for the subject property

- The character elevations provided in Exhibit E shall serve as the general guidelines for the design of the buildings on the subject property.
- The two separate types of elevations shown in Exhibit E shall be distributed on the subject property according to Exhibit C.
- Each building constructed on the property must contain a minimum of 100% clay- fired brick and/or natural stone on each face of the building.

5. City Park

- The area designated as "City Park" on Exhibit "C" shall be reserved for a City park, subject to the City acquiring the property.

- A firelane access and utility easement shall provide unrestricted access to the gated entries around the park, in conformance with Exhibit C.

6. Open Space

- a) The minimum amount of open space within the Planned Development shall be 25% of the total area of the Planned Development less thoroughfare right-of-way dedication and less public park dedication.
- b) Minimum requirements for open space improvement are depicted on Exhibit "D". Alternative designs or amenities are subject to approval by the Director of Development Services. In any instance, and if necessary in addition to the Improvements shown on Exhibit "D", open space shall each include each of the following elements:
 - i. Low, ornamental masonry walls or ornamental fencing - each with masonry columns and capstones - as perimeter fencing adjacent to roadways.
 - ii. Water feature, excluding detention ponds. Retention ponds may be utilized if designed as usable open space.
 - iii. Ornamental iron, stone or equivalent durable seating areas.
 - iv. Internal walkways around the City Park and key open space features be constructed of stained or stamped concrete, or brick pavers;
 - v. Art, sculptures or fountains.
 - vi. Durable shade structures such as pavilions, arbors and gazebos.
 - vii. Programmed Open Play areas
 - viii. Benches and/or Picnic Tables
- c) Detention and retention facilities that are to be incorporated into open space shall be designed so that safety fences or barriers are not required which would otherwise prevent pedestrian access to the water's edge (if a retention facility), and shall be graded or terraced so that slopes are useable as open space. Deviations due to design constraints, or utilization of certain areas for landscaping purposes only are subject to approval by the Director of Development Services.
- d) The POA shall be responsible for the maintenance of improvements located in the right-of-way (except for public roads and utilities) associated with open space.

7. Infrastructure Veneers

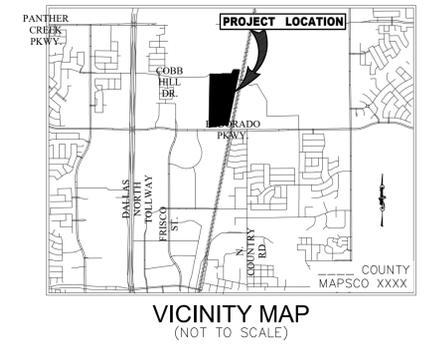
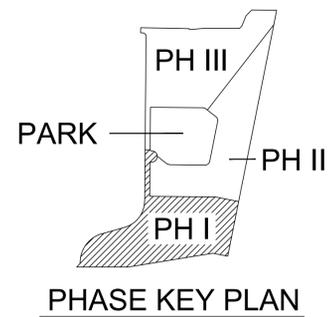
Natural stone or brick veneer is required on headwalls, bridges, walls, culverts, stairs, and like structures. The material palette shall be similar and complimentary to materials used throughout the development, and are subject to approval by the Director of Development Services.

8. Planned Development Amendments

- a) Except as otherwise provided in this paragraph, minor and major amendments shall be processed and decided in accordance with the procedures set forth in the Zoning Ordinance, as it exists or is amended.

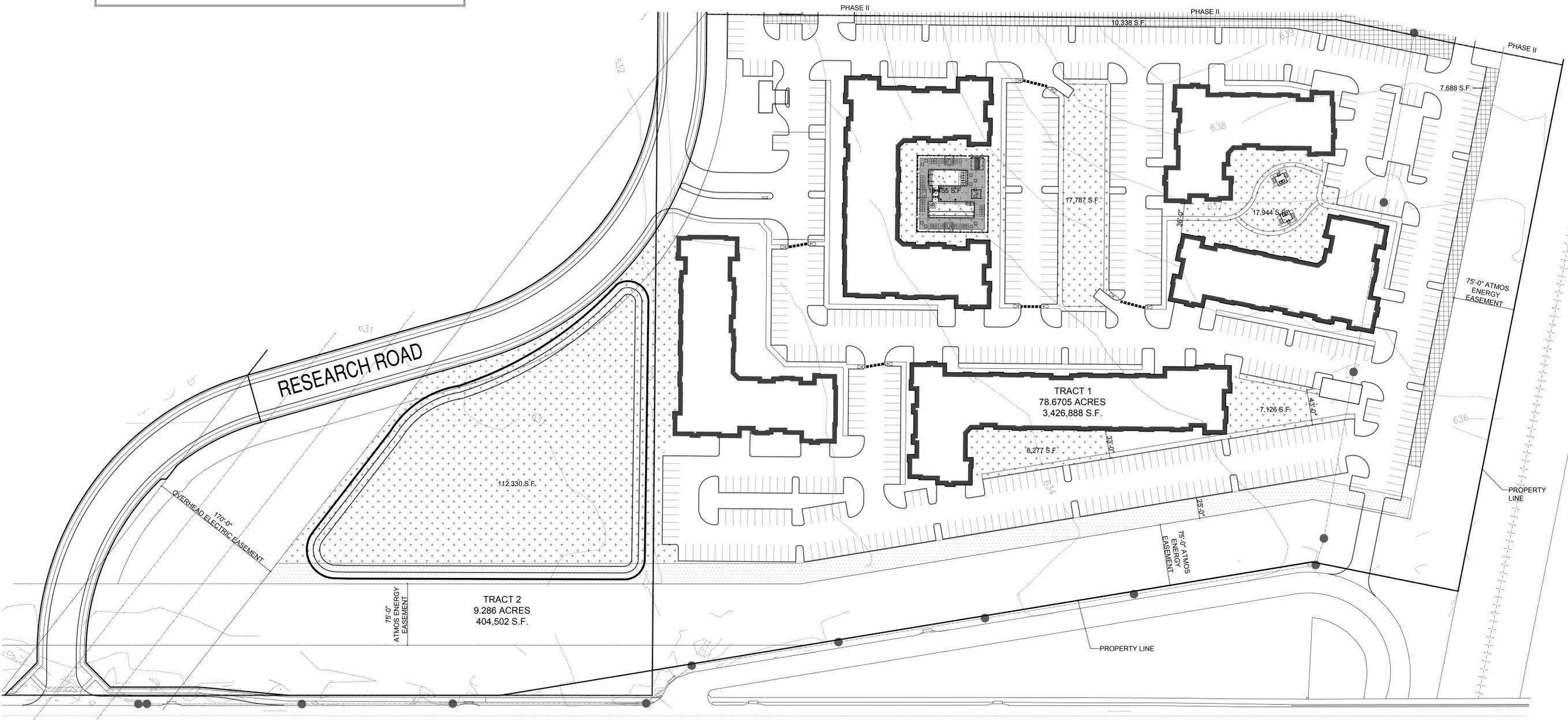
TABULATIONS	
GROSS SITE AREA (17.34 ACRES)	755,330 S.F.
NET SITE AREA (14.12 ACRES)	615,067 S.F.
OPEN SPACE REQUIRED: 615,067 S.F. X 25% = 153,766 S.F.	153,766 S.F.
OPEN SPACE PROVIDED:	178,919 S.F.
OPEN SPACE TREE REQUIREMENT: (1 / 3,500 S.F.) 153,766 S.F. / 3,500 S.F. = 44 TREES	44 TREES
OPEN SPACE TREES PROVIDED:	44 TREES
WATER RESOURCE ZONE REQUIRED: (7% PARKING SURFACE) 248,326 S.F. X .07 = 17,382 S.F.	17,382 S.F.
WATER RESOURCE ZONE PROVIDED:	17,889 S.F.
INTERIOR LANDSCAPE TREE REQUIREMENT: (1 / 500 S.F.) 17,382 S.F. / 500 = 35 TREES	35 TREES
INTERIOR LANDSCAPE TREES PROVIDED:	35 TREES

LAND USE LEGEND	
	WATER RESOURCE ZONE INTERIOR LANDSCAPE (17,889 S.F.)
	OPEN SPACE (178,919 S.F.)
	LANDSCAPE BUFFER



ISSUES:	
①	06-10-16 PRELIM SITE PLAN SUBMITTAL
○	
○	
REVISIONS:	
▲	08-16-16 PER CITY COMMENTS
▲	
▲	

CLIENT:
DD XXXX, LLC
403 CORPORATE CENTER DR.,
SUITE 201
STOCKBRIDGE, GEORGIA 30281
(770) 474-4345
FRED HAZEL



BRINKMAN - PHASE I
FRISCO, TEXAS

mgd
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hmeeks@mgdland.com



PRELIMINARY SITE PLAN SUBMITTAL

BRINKMAN
PHASE I

FRISCO, TEXAS

JOB NUMBER: TXM-1603

**EXHIBIT D
OPEN SPACE PLAN**

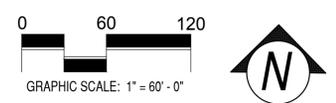
OS-1

OWNER
TX-MORROW CONSTRUCTION, INC.
4635 SOUTHWEST FREEWAY
SUITE 420
HOUSTON, TX 77027

ENGINEER
HP CIVIL ENGINEERING
5339 ALPHA ROAD
SUITE 300
DALLAS, TEXAS 75240
(972) 701-9636
BRIAN ABBOTT, P.E.

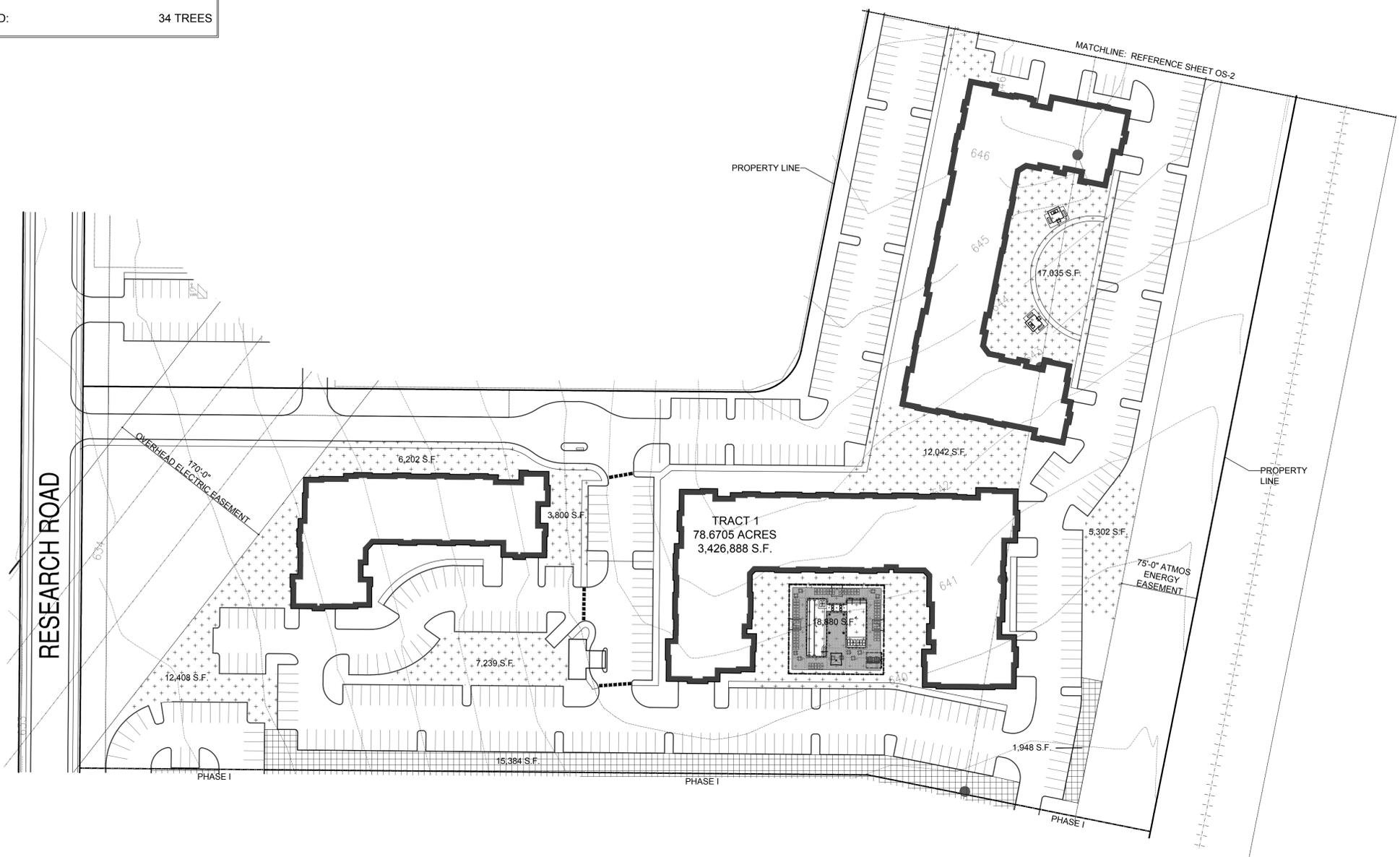
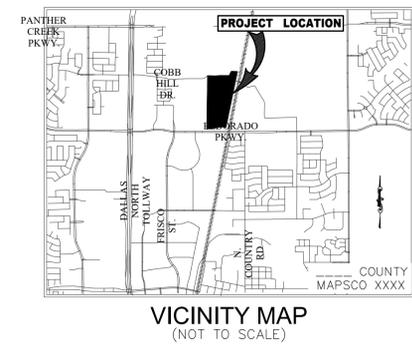
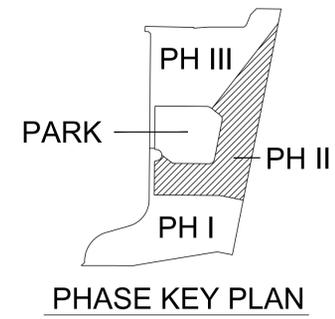
LANDSCAPE ARCHITECT
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1755 N. COLLINS BLVD.,
SUITE 300
RICHARDSON, TEXAS 75080
(972) 690-7474
BRANDON BOOHER

① OPEN SPACE PLAN

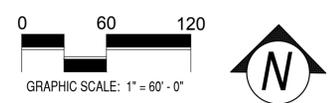


TABULATIONS	
GROSS SITE AREA (23.41 ACRES)	1,019,739 S.F.
NET SITE AREA (14.93 ACRES)	650,350 S.F.
OPEN SPACE REQUIRED: 650,350 S.F. X 25% = 162,587 S.F.	162,587 S.F.
OPEN SPACE PROVIDED:	163,546 S.F.
OPEN SPACE TREE REQUIREMENT: (1 / 3,500 S.F.) 162,587 S.F. / 3,500 S.F. = 47 TREES	47 TREES
OPEN SPACE TREES PROVIDED:	47 TREES
WATER RESOURCE ZONE REQUIRED: (7% PARKING SURFACE) 241,337 S.F. X .07 = 16,893 S.F.	16,893 S.F.
WATER RESOURCE ZONE PROVIDED:	17,330 S.F.
INTERIOR LANDSCAPE TREE REQUIREMENT: (1 / 500 S.F.) 16,893 S.F. / 500 = 34 TREES	34 TREES
INTERIOR LANDSCAPE TREES PROVIDED:	34 TREES

LAND USE LEGEND	
	WATER RESOURCE ZONE INTERIOR LANDSCAPE (17,330 S.F.)
	OPEN SPACE (163,546 S.F.)
	LANDSCAPE BUFFER



1 OPEN SPACE PLAN



OWNER
TX-MORROW CONSTRUCTION, INC.
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HP CIVIL ENGINEERING
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SUITE 300
RICHARDSON, TEXAS 75080
(972) 690-7474
BRANDON BOOHER

ISSUES:	
① 08-10-16	PRELIM SITE PLAN SUBMITTAL
○	
○	
REVISIONS:	
▲ 08-16-16	PER CITY COMMENTS
▲	
▲	

CLIENT:
DD XXXX, LLC
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(770) 474-4345
FRED HAZEL

BRINKMAN - PHASE II
FRISCO, TEXAS

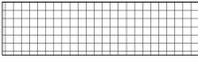
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RICHARDSON, TX 75080
PH (972) 690-7474
C (214) 354-6934
hmeeks@mgdland.com



PRELIMINARY SITE PLAN SUBMITTAL

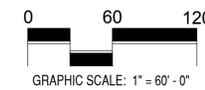
BRINKMAN
PHASE II
FRISCO, TEXAS
JOB NUMBER: TXM-1603

EXHIBIT D
OPEN SPACE PLAN

LAND USE LEGEND	
	WATER RESOURCE ZONE INTERIOR LANDSCAPE (17,330 S.F.)
	OPEN SPACE (163,546 S.F.)
	LANDSCAPE BUFFER



1 OPEN SPACE PLAN



ISSUES:	
①	06-10-16 PRELIM SITE PLAN SUBMITTAL
○	
○	
○	
REVISIONS:	
△	08-16-16 PER CITY COMMENTS
△	
△	
△	

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FRISCO, TEXAS

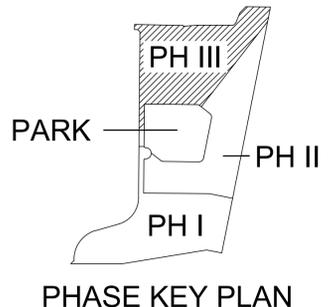
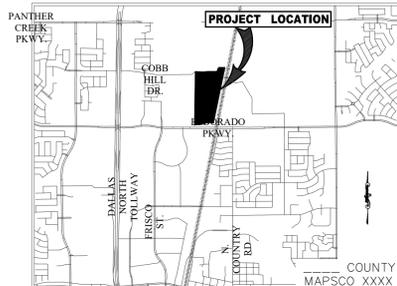
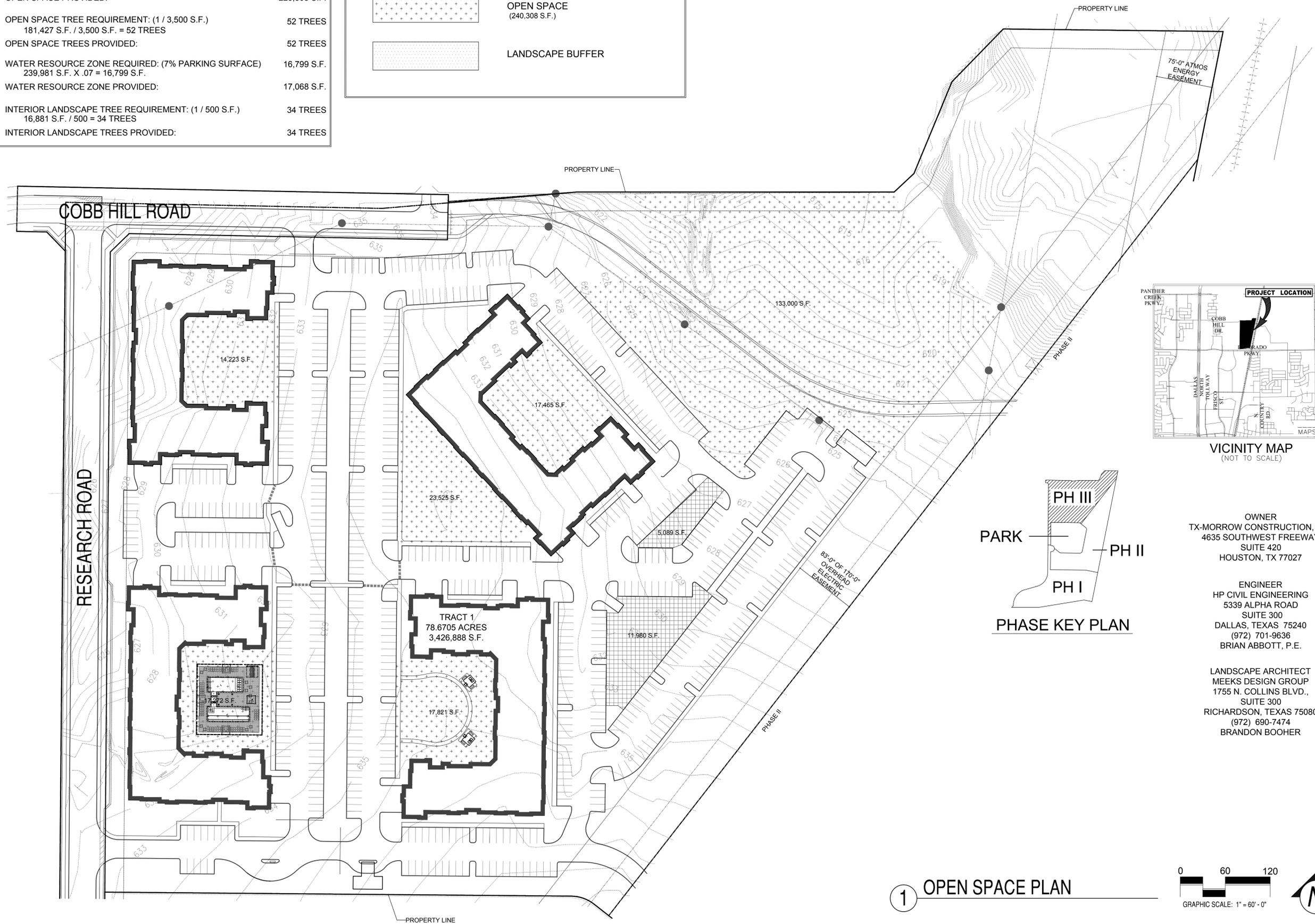
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PRELIMINARY SITE PLAN SUBMITTAL	
BRINKMAN	
PHASE II	
FRISCO, TEXAS	
JOB NUMBER: TXM-1603	
EXHIBIT D	
OPEN SPACE PLAN	
OS-3	

TABULATIONS	
GROSS SITE AREA (24.89 ACRES)	1,084,208 S.F.
NET SITE AREA (16.66 ACRES)	725,709 S.F.
OPEN SPACE REQUIRED: 725,709 S.F. X 25% = 181,427 S.F.	181,427 S.F.
OPEN SPACE PROVIDED:	223,308 S.F.
OPEN SPACE TREE REQUIREMENT: (1 / 3,500 S.F.) 181,427 S.F. / 3,500 S.F. = 52 TREES	52 TREES
OPEN SPACE TREES PROVIDED:	52 TREES
WATER RESOURCE ZONE REQUIRED: (7% PARKING SURFACE) 239,981 S.F. X .07 = 16,799 S.F.	16,799 S.F.
WATER RESOURCE ZONE PROVIDED:	17,068 S.F.
INTERIOR LANDSCAPE TREE REQUIREMENT: (1 / 500 S.F.) 16,881 S.F. / 500 = 34 TREES	34 TREES
INTERIOR LANDSCAPE TREES PROVIDED:	34 TREES

LAND USE LEGEND	
	WATER RESOURCE ZONE INTERIOR LANDSCAPE (17,068 S.F.)
	OPEN SPACE (240,308 S.F.)
	LANDSCAPE BUFFER



OWNER
TX-MORROW CONSTRUCTION, INC.
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BRANDON BOOHER

ISSUES:	
①	08-10-16 PRELIM SITE PLAN SUBMITTAL
○	
○	
○	
REVISIONS:	
▲	08-16-16 PER CITY COMMENTS
▲	
▲	

CLIENT:
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BRINKMAN - PHASE III

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PRELIMINARY SITE PLAN SUBMITTAL

BRINKMAN
PHASE III
FRISCO, TEXAS
JOB NUMBER: TXM-1603

EXHIBIT D
OPEN SPACE PLAN

OS-4

① OPEN SPACE PLAN

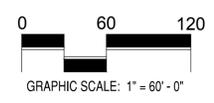


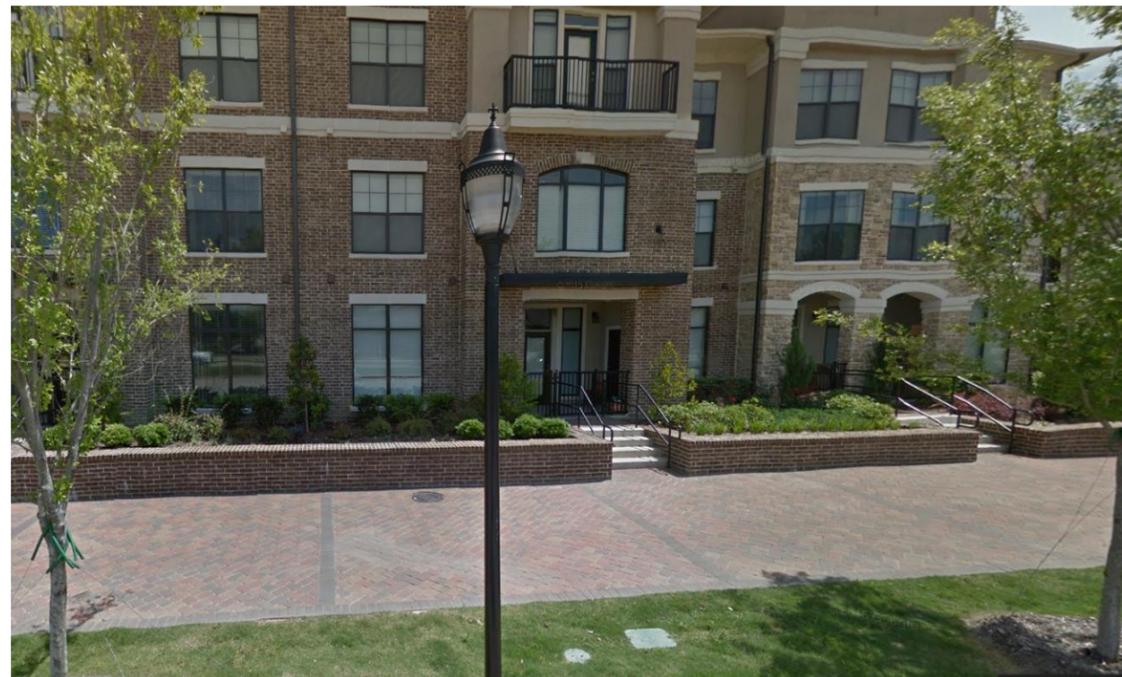
Exhibit D – Open Space Character Images



Low masonry wall with wrought iron detail surrounding the City Park

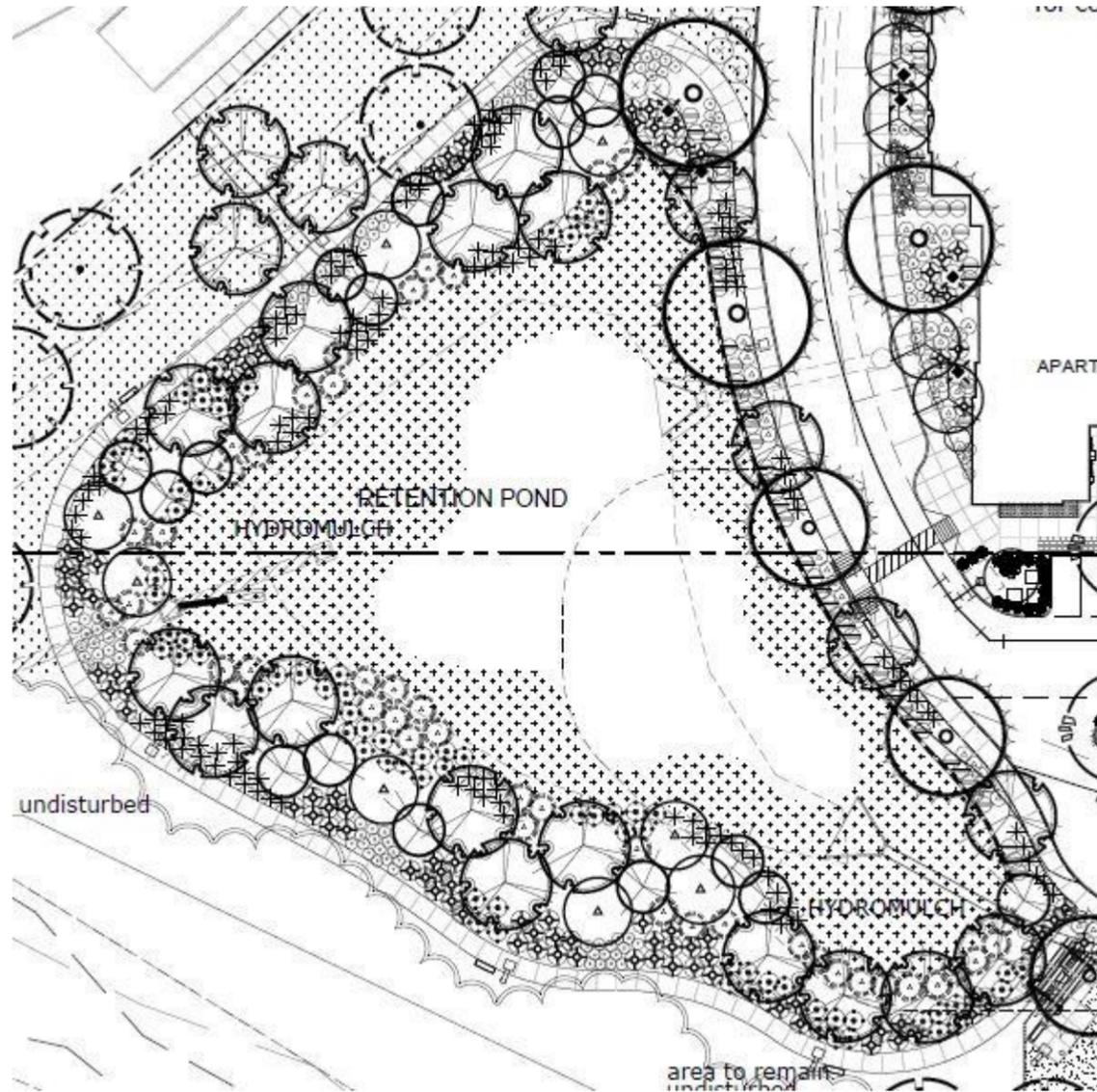


Pedestrian entrances to the park space



Masonry landscaping wall detail

Exhibit D – Open Space Character Images



Retention pond landscape detail



Fountain feature

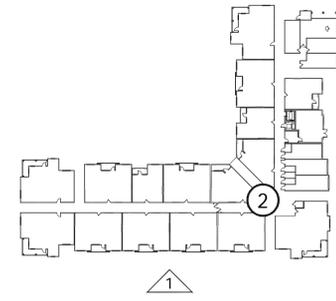
Exhibit D – Open Space Character Images



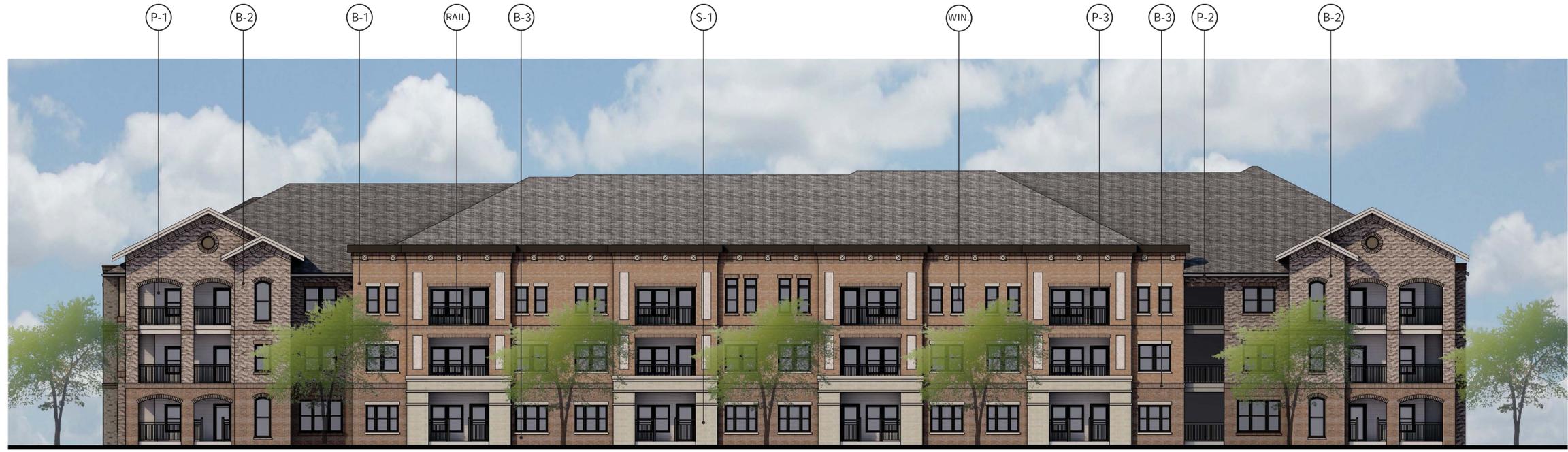
Covered outdoor space



Dog Park



KEY PLAN



1 SOUTH ELEVATION
BUILDING 2
SCALE: 3/32" = 1'-0"

Material Percentages		
BRICK	5,110 sf	72.4%
STONE	544 sf	7.7%
SIDING	1,030 sf	14.6%
TRIM	373 sf	5.3%
TOTAL	7,057 sf	

ABBREVIATIONS			MATERIAL LEGEND										EXHIBIT E - CHARACTER ELEVATIONS		
TAG	SWATCH	DESCRIPTION	TAG	SWATCH	DESCRIPTION	TAG	SWATCH	DESCRIPTION	TAG	SWATCH	DESCRIPTION	TAG	SWATCH	DESCRIPTION	
ALUM.	ALUMINUM		S-1		VENDOR: BORAL CASTFIT CUT: FRENCH GRAY COLOR: GRAY MATERIAL: NATURAL STONE	B-1		VENDOR: BORAL BRICK COLOR: CYPRESS SPRINGS MATERIAL: CLAY-FIRED BRICK	B-3		VENDOR: BORAL BRICK COLOR: DESERT PASS MATERIAL: CLAY-FIRED BRICK	P-2		VENDOR: SHERWIN WILLIAMS COLOR: REPOSE GRAY NUMBER: SW7015 R: 204, G:201, B:192 MATERIAL: TRIM & GUTTER	
BLDG.	BUILDING		B-2		VENDOR: BORAL BRICK COLOR: SHADOW FALLS MATERIAL: CLAY-FIRED BRICK	P-1		VENDOR: SHERWIN WILLIAMS COLOR: WEB GRAY NUMBER: SW7075 R: 97, G:102, B:105 MATERIAL: SIDING	P-3		VENDOR: SHERWIN WILLIAMS COLOR: URBANE BRONZE NUMBER: SW7048 R: 84, G:80, B:74 MATERIAL: RAILING & DOORS	*EQUAL ALTERNATES MAY BE SUBSTITUTED WITH APPROVAL FROM ARCHITECT AND OWNER			
BRZWW.	BREEZEWAY														
FF.	FINISHED FLOOR														
STL.	STEEL														

Client: Davis Development
Phone: 770.474.5213
Address: 1050 Eagles Landing Parkway, Suite 300
Stockbridge, Georgia 30281

Facade Plans - Exhibit E
Project's Name: Davis Apartments
Phase 1, 2, & 3

Architect: Geheber Lewis Assoc.
Phone: 404.228.1958
Address: 649 11th St.
Atlanta, Georgia 30318

Scale: AS NOTED
Date: 07/13/2016
Drawn By: BT, KN, JP, ZN, AY

EL-1

