

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 400.7± ACRES, SITUATED IN THE B.L. ROGERS SURVEY, ABSTRACT NO. 754, THE J.T. HORN SURVEY, ABSTRACT NO. 418, THE COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 148, AND THE H. MOSS SURVEY, ABSTRACT NO. 635, CITY OF FRISCO, COLLIN COUNTY, TEXAS, HERETOFORE ZONED PLANNED DEVELOPMENT-BUSINESS CENTER; PROVIDING THAT THE TRACT IS HEREBY REZONED AND PLACED IN THE PLANNED DEVELOPMENT-257-BUSINESS CENTER 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 400.7± acres of land, situated in the B.L. Rogers Survey, Abstract No. 754, the J.T. Horn Survey, Abstract No. 418, the Collin County School Land Survey, Abstract No. 148, and the H. Moss Survey, Abstract No. 635, 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, by placing it in the Planned Development-257-Business Center 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-257-Business Center. 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

SITUATED in the State of Texas, County of Collin and City of Frisco, being part of the B. L. Rogers Survey, Abstract No. 754, part of the J. T. Horn Survey, Abstract No. 418, part of the Collin County School Land Survey, Abstract No. 148, part of the H. Moss Survey, Abstract No. 635, and part of a 495.9937 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 TxDot Aluminum capped monument found in the west right-of-way line of Preston Road (variable width right-of-way) Parcel 24 as recorded under County Clerk No. 2009011200031150 of the Collin County Land Records, said monument being in a south line of said 495.9937 acre tract and marking the most easterly southeast corner of said premises, the southwest corner of said right-of-way Parcel 24, being in the north line of a 93.1457 acre tract as recorded in Volume 6067, Page 1274 of the Collin County Land Records, and marking the northwest corner of a 31,452 square foot right-of-way parcel as recorded under County Clerk No. 2009011200031160 of the Collin County Land Records;

THENCE with a south line of said 495.9937 acre tract, a south line of said premises, a north line of said 93.1457 acre tract, and the north line of Frisco Bible Church Addition as recorded on Volume 2011, Page 99-101 of the Collin County Map Records, South 89°48'44" West, 3,220.73 feet to a Half capped iron rod found marking the northwest corner of said Frisco Bible Church Addition and the northeast corner of Ridgeview West Memorial Park, Inc. 48.8 acre tract as recorded under County Clerk No. 96-0028427 of the Collin County Land Records;

THENCE continuing with a south line of said 495.9937 acre tract, a south line of said premises, and a north line of said 48.8 acre tract, South 89°02'07" West, 971.96 feet to a point marking the most northerly northwest corner of said 48.8 acre tract and an interior corner of said 495.9937 acre tract and said premises;

THENCE with a common line between said 48.8 acre tract, 495.9937 acre tract and said premises as follows: South 00°04'46" West, 280.20 feet to a W' iron rod found; South 78°36'19" West, 221.76 feet to a nail found for corner; South 00°04'26" East, 523.11 feet to a Roome capped 1/2" iron rod set for corner; South 87°56'14" East, 217.00 feet to a 1/2" iron rod found for corner; South 00°03'18" East, partway with County Road 710 (Peaceful Road) a distance of 1,195.31 feet to a point for corner in rip rap at the southwest corner of said 48.8 acre tract, being in the north line of Saint Francis of Assisi Addition as recorded in Volume 2010, Pages 116-117 of the Collin County Map Records, and being in the centerline of a dedicated Sanctuary Drive;

THENCE with a south line of said 495.9937 acre tract, said premises and the north line of said Saint Francis of Assisi Addition, South 88°30'18" West, passing at 33.92 feet a Survcon capped iron rod found on line, and continuing for a total distance of 86.10 feet to a 1/2" found marking an interior ell corner of said 495.9937 acre tract, said premises, and the northwest corner said Saint Francis of Assisi Addition;

THENCE with an east line of said 495.9937 acre tract, said premises, and the west line of said Saint Francis of Assisi Addition, South 00°48'32" East, 648.62 feet to a 1/2" iron rod found

in the curving north right-of-way line of Eldorado Parkway Parcel 7B as recorded in Volume 5621, Page 3264 of the Collin County Land Records, and marking the most southerly southeast corner of said premises, and the southwest corner of said Saint Francis of Assisi Addition;

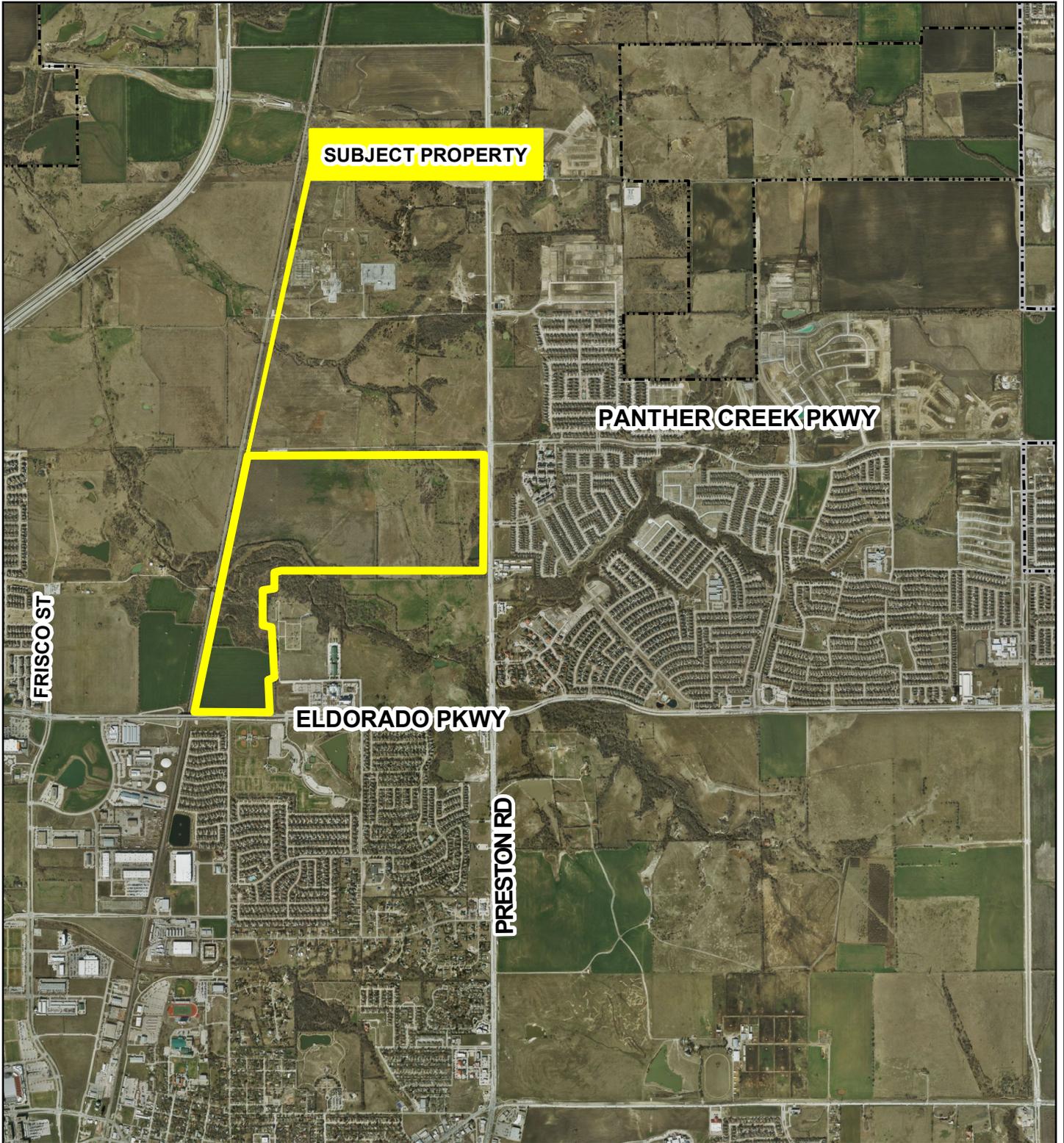
THENCE with the most southerly south line of said premises, and the north right-of-way line of Eldorado Parkway Parcel 7B as follows: Northwesterly along a curve to the right having a central angle of $1^{\circ}30'41''$ with a radius of 1430.00 feet, for an arc distance of 37.72 feet (chord= North $89^{\circ}36'20''$ West, 37.72 feet) to the end of said curve; North $88^{\circ}50'59''$ West, 487.03 feet to a point for corner; North $85^{\circ}56'37''$ West, 394.46 feet to a point for corner; North $81^{\circ}19'40''$ West, 315.00 feet to a point for corner; North $82^{\circ}55'51''$ West, 433.35 feet to a point for corner in the east right-of-way line of a Burlington Northern Railroad (100' R.O.W.), and marking the most southerly southwest corner of said premises;

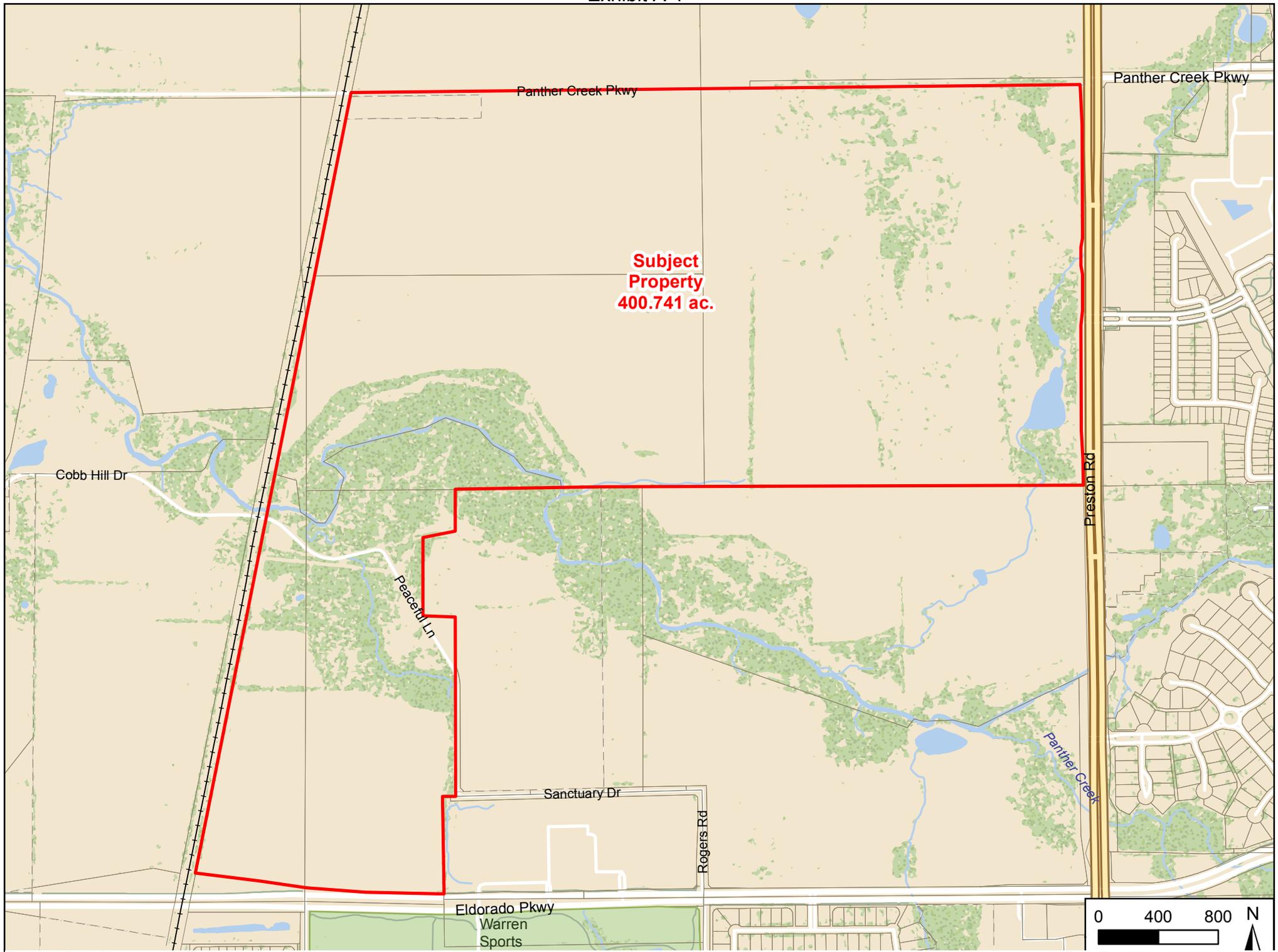
THENCE with the west line of said premises and the east right-of-way line of said Burlington Northern Railroad, North $11^{\circ}16'39''$ East, 5,313.18 to a Roome capped 1/2" iron rod set in County Road 1043 marking the most northerly northwest corner of said 495.9937 acre tract, said premises, and the southwest corner of Bert Fields Jr. 144.159 acre tract as recorded in Volume 796, Page 526 of the Collin County Land Records;

THENCE with County Road 1043, the most northerly north line of said 495.9937 acre tract, said premises, and the south line of said 144.159 acre tract, North $89^{\circ}23'29''$ East, passing at 2.83 feet a 1/2" iron rod found on line, and continuing for a total distance of 4,870.09 feet to a Roome P.K. nail set in the west right-of-way line of Preston Road marking the northeast corner of said premises and the northwest corner of the aforementioned right-of-way Parcel 24;

THENCE with the west right-of-way line of Preston Road Parcel 24, and the east line of said premises as follows: South $02^{\circ}42'04''$ East, 270.56 feet to a point; South $00^{\circ}07'56''$ East, 756.50 feet to a TxDot aluminum monument found for corner; South $09^{\circ}52'12''$ West, 57.57 feet to a TxDot aluminum monument found for corner; South $00^{\circ}07'56''$ East, 125.00 feet to a TxDot aluminum monument found for corner; South $10^{\circ}07'58''$ East, 57.58 feet to a point for corner; South $00^{\circ}07'56''$ East, 243.47 feet to a point for corner; South $05^{\circ}35'19''$ West, 100.32 feet to a TxDot aluminum monument found for corner; South $00^{\circ}07'56''$ East, 700.00 feet to a TxDot aluminum monument found for corner; South $03^{\circ}08'07''$ East, 190.87 feet to a TxDot aluminum monument found for corner; South $00^{\circ}26'57''$ East, 174.06 feet to the point of beginning and containing 400.740 acres of land.

Exhibit A-1 Z16-0005 PLANNED DEVELOPMENT-B BUSINESS CENTER





**Subject
Property
400.741 ac.**

Exhibit B
Planned Development Standards

1.0 PLANNED DEVELOPMENT – BUSINESS CENTER

1.1 **General Description:** The Business Center area is intended to provide development opportunities for uses similar to the Business Center. This area will also include uses that relate to the site location and transportation modes that exist within this area.

1.2 **Permitted Uses:**

- Accessory buildings and uses customarily incident to the permitted uses.
- Advertising Signs - Permitted in compliance with the City’s Sign Ordinance, as it presently exists or may be amended.
- Air Conditioning Sales and Services.
- Antique Shops - Indoor Display Only.
- Appliance Stores.
- Apparel Distribution Centers.
- Artist Materials and Supplies.
- Auto Laundries/Car Wash Facilities - Incidental to the primary business use.
- Auto Laundries/Car Wash Facilities.
- Auto Parts Sales - No Outdoor Storage/Display.
- Automobile Painting Facilities.
- Automobile Parking Lots and Parking Garages.
- Automobile Repairs.
- Automobile Repairs - Excluding paint and body work.
- Automobile Sales, Service and Leasing - (New).
- Automobile Sales, Service and Leasing (Used) - Incidental to the primary business use.
- Automotive Painting Facilities-Incidental to the primary business use.
- Baby Shops.
- Bakery and Confectionery Shops.
- Bakery Plant.
- Barber/Beauty Shops.
- Beverage Stores – In accordance with other applicable City Ordinances, as they presently exist or may be amended.
- Billboard and Advertising Signs - Permitted in compliance with the City’s Sign Ordinance, as it presently exists or may be amended.
- Boat Sales and Services.
- Book and Stationery Stores.
- Book Binderies.
- Bottling Works – No Direct Manufacturing of Glass.
- Business Services.
- Bus Stations/Terminals.
- Cafeterias.

- Camera Shops.
- Candy and Cake Shops.
- Catering Establishments.
- Churches/Rectories.
- Cleaning, Dyeing, Pressing, Pick-up and Collection Agencies.
- Clothing, Foot wear and Textile Centers.
- Clothing, Footwear and Apparel Stores.
- Commercial Amusement Enterprises (Indoor).
- Commercial Amusement Enterprises (Outdoor) - If approved by the City of Frisco prior to the issuance of a permit.
- Computer Assembly and Distribution.
- Computer Centers.
- Computer Sales and Repairs.
- Concrete Batching Plants – Temporary and incidental to On-Site Construction.
- Convalescent Homes.
- Convenience Stores.
- Convenience Stores - With Gas Service.
- Convention Centers.
- Convention Facilities.
- Curio and Gift Shops.
- Corporate and Professional Office Facilities and Headquarters.
- Dairy Product Centers.
- Dairy Products (Retail) - Warehousing of products shall not be permitted as the primary business use.
- Day Care Centers for Children.
- Delicatessens.
- Department Stores.
- Dinner Theatres.
- Distribution Centers and Showrooms.
- Drapery Shops.
- Dress Shops.
- Drug Stores/Pharmacies.
- Dry Good Stores.
- Duplicating Centers, Mailing Services, Etc.
- Electronic Product Centers – Emissions of hazardous or toxic chemicals shall be prohibited.
- Electronic Security Facilities.
- Electronic Security Facilities including gatehouse and control counter.
- Engine Repairs and Service Facilities - Under Roof Only.
- Feed Stores.
- Fence Sales – No outdoor Storage Unless Screened.
- Financial Institutions
- Fitness and Health Centers.
- Florist and Garden Shops.

- Food Product Centers.
- Fraternal Organizations, Lodges and Civic Clubs.
- Frozen Food Lockers – No Slaughter Houses, Packing or Processing Plants.
- Frozen Food Lockers - Incidental to the primary business use. Warehousing of products shall not be permitted as the primary business use.
- Funeral Homes and Mortuaries
- Furniture and Upholstery Centers - Including Repairs.
- Furniture Stores.
- Furniture, Home Furnishings and Equipment Showrooms and Sales.
- General Commercial Plants.
- General Merchandise Stores.
- Golf course and club facilities including the following:
 - 1) Golf course and related facilities.
 - 2) Maintenance facilities.
 - 3) Walks, trails and cart paths.
 - 4) Golf club and related facilities.
 - 5) Private club facilities.
 - 6) Restaurant facilities.
 - 7) Fitness center.
 - 8) Swimming facilities.
 - 9) Tennis facilities.
 - 10) Parking facilities.
- Governmental and Utility Agencies, Offices, Facilities and Service Yards - No Outdoor Storage Unless Screened.
- Greenhouse and Nursery Facilities - Sales permitted, but no wholesale growing of stock as a primary business use.
- Grocery Stores and Supermarkets.
- Guard and Patrol Services.
- Hardware and Building Materials Stores - No Outdoor Storage Unless Screened.
- Health Product Fabrication Center.
- Health Product Stores.
- Heliports and Helipads.
- Hospitals.
- Hotels and Motels.
- Household Appliance Services and Repairs.
- Ice Cream Stores.
- Instrument and Meter Repair Facilities.
- Interior Decorating Stores.
- Jewelry Stores.
- Job Printing Centers.
- Key Shops/Locksmiths.
- Laboratories – Testing and Experimentation – Emissions of hazardous or toxic chemicals shall be prohibited.
- Laundromats.

- Laundry and Dry Cleaning Establishments.
- Laundry and Dry Cleaning Plants.
- Leather Goods Shops.
- Machinery Sales and Services – New and Uses (Excluding Junk Yards) – Services and repair facilities to be under roof and enclosed.
- Mass Commuter/Transit Stations.
- Meat Markets - No Slaughter Houses or Packing Plants.
- Medical and Health Care Facilities/Clinics/Emergency Centers.
- Medical Offices.
- Medical Equipment Manufacturing and Showrooms.
- Messenger/Courier and Telegraph Services.
- Mini-Warehouses.
- Mini-Warehouses - Incidental to Permitted Uses.
- Municipal Buildings and Facilities.
- Monument Sales.
- Motorcycle Sales and Services.
- Multi-Family Units - As outlined in Section 1.21 of this exhibit.
- Museums, Libraries, Art Schools and Art Galleries.
- Musical Instrument Sales.
- Newspaper and Magazine Sales.
- Newspaper Printing Centers.
- Novelty/Notion Stores.
- Nursing Homes.
- Office Businesses.
- Office Equipment Repairs and Maintenance.
- Office Showroom Facilities - Sales Permitted.
- Office Supplies and Sales.
- Offices - Professional, Administrative and General Offices - Including, but not limited to, doctors, dentists, optometrists, psychiatrists, attorneys, architects, engineers, planners, travel agents, advertising, insurance, real estate and similar offices.
- Optical Stores - Sales and Services.
- Paint Stores.
- Paper Product Centers.
- Parking facilities.
- Hospitals.
- Parks, playgrounds and neighborhood recreation facilities including, but not limited to, swimming pools, club house facilities and tennis courts.
- Parks, Playgrounds, Recreational Facilities and Community Centers.
- Pet Grooming and Supplies.
- Pet Shops.
- Pest Control/Exterminating Shops.
- Photographic Services.

- Plastic Products Centers – Emissions of hazardous or toxic chemicals shall be prohibited.
- Play Equipment - Sales and Display.
- Plumbing Shops.
- Plumbing Shops - No Outdoor Storage.
- Post Office Facilities.
- Prefabricated Home Sales – No Mobile Homes.
- Printing and Duplicating Centers.
- Private Club Facilities – In accordance with other applicable City Ordinances, as they presently exist or may be amended.
- Radio and Television Microwave Antennae/Towers - Incidental to the primary use and not to exceed a height of one hundred forty (140) feet unless mounted on a roof top exceeding a height of one hundred forty (140) feet, in which case, the antenna/ tower shall not exceed a height of thirty (30) feet above the top of the building structure.
- Radio and Television Sales and Services.
- Radio and Television Studios and Broadcasting Facilities.
- Recreation Centers - Public and Private.
- Real estate sales offices during the development and marketing of the residential areas Scientific/Research Facilities - Emissions of hazardous or toxic chemicals shall be prohibited.
- Restaurants - With Drive-In/Drive-Thru Service.
- Restaurants.
- Retail Sales.
- Retail Shops and Stores.
- Scientific/Research Facilities – Emissions of hazardous or toxic chemical shall be prohibited.
- Schools - Public or Private.
- Securities and Commodities Offices - Including, but not limited to brokers, dealers, under writers, exchange offices and similar offices.
- Service Stations - Full Service (Including Bays).
- Service Stations - Self Service.
- Sewing Machine Sales and Services.
- Shoe and Boot Sales and Repair Stores.
- Shopping Centers.
- Shopping Malls.
- Sign Sales – Sign installation to be in compliance with the City’s Sign Ordinance, as it presently exists or may be amended.
- Small Engine Repairs - Under Roof and Enclosed.
- Specialty Shops and Boutiques.
- Sporting Good Sales.
- Studios - Art, Photography, Music, Dance, Gymnastics, Health, etc.
- Tailor Shops.
- Theaters - Indoor.
- Telecommunication Centers and Sales.

- Temporary buildings and uses incidental to construction work on the premises, which shall be removed upon completion of construction work.
- Theatrical Centers.
- Tire Dealers - No Outdoor Storage.
- Tool and Equipment Rental Stores - No Outdoor Storage Unless Screened.
- Toy Stores.
- Trailer Sales/Rentals – Excluding Mobile Homes.
- Travel Bureaus.
- Trade and Commercial Schools.
- Trophies and Awards Shops.
- Truck Sales and Leasing.
- Utility Distribution Systems and Facilities.
- Variety Stores.
- Veterinarian Clinics and Kennels - Limited to small animals and containing no outside pens.
- Warehousing Facilities - In Conjunction with Permitted Business Uses.
- Warehousing Facilities - Incidental to the primary business use and located within the same building.
- Watch Making Shops.
- Wholesale Office and Sample Rooms.
- Uses similar to the above mentioned permitted uses, provided the Frisco City Council approves said uses prior to the issuance of a building permit.
- All uses as permitted in the H.I. Heavy Industrial District, Article 8-120.2 of the Frisco Zoning Ordinance No. 8402-03, as it presently exists or may be amended. These H.I. Heavy Industrial District uses shall only be permitted in the Business Center areas located west of the St. Louis, San Francisco and Texas Railroad, as indicated on Exhibit C.

1.2a **Density**: The permitted floor area of all buildings within the Business Center areas shall be unlimited, provided that all sections of the Planned Development Ordinance are fulfilled.

1.2b **Front Yard**: The minimum depth of the front yard shall be twenty-five (25) feet. When a lot has double frontage, the front yard requirement shall be complied with on both streets.

1.2c **Side Yard**: No side yard is required unless vehicular access is required in which case a side yard having a depth of not less than twelve (12) feet shall be provided.

A twenty-four (24) foot side yard shall be provided where fire lane access is required and provision for a vehicular access/fire lane easement is not available on the adjoining property.

- 1.2d **Rear Yard:** No rear yard is required unless vehicular access is required in which case a rear yard having a depth of not less than twelve (12) feet shall be provided.

A twenty-four (24) foot rear yard shall be provided where fire lane access is required and provision for a vehicular access/fire lane easement is not available on the adjoining property.

- 1.2e **Maximum Building Height:** The maximum allowed height of the Business Center structures shall be fifteen (15) stories, not to exceed two hundred ten (210) feet. Refer to Exhibit D for height restricted areas.

- 1.2f **Lot Area:** No minimum requirement

- 1.2g **Lot Width:** No minimum requirement.

- 1.2h **Lot Depth:** No minimum requirement.

- 1.2i **Lot Coverage:** In no case shall more than sixty (60) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings. Parking structures, buildings and surface parking facilities shall be excluded from lot coverage computations.

- 1.2j **Building Materials:** All main buildings shall have an exterior finish of stone, stucco, brick, tile, concrete, glass, exterior wood or similar materials or any combination thereof. The use of wood as a primary, exterior building material shall be limited to structures that do not exceed two (2) stories in height and shall be limited to a maximum of thirty (30) percent of the total exterior wall surfaces.

- 1.2k **Open Space Requirement:** A minimum of seven (7) percent of the net lot area, for Business Center areas to be developed for commercial, retail or office related uses, shall be developed and maintained as landscaped open space. Landscaped open space may include areas used for facilities such as walks, plazas, courts, recreational amenities, water features and other similar uses not specifically used for vehicular access and parking.

Landscape plans for the above noted development areas shall be submitted by the applicant to the Frisco Planning and Zoning Commission and City Council, or their designee, and approved in accordance with applicable law at the time of Site Plan Review and Approval.

1.21 **Multi-Family Units:** Multi-family units shall be allowed within the Business Center area. A maximum of twenty-one (21) units per gross acre of land shall be permitted. A maximum of five hundred, sixty three (563) multi-family units shall be allowed in the Business Center areas. Refer below for development requirements.

- **Multi-Family Units:** Multi-Family Units are attached units. These units will consist of flats (single level units) and studios (two level units), or a combination thereof. Access shall be allowed from access drives, or parking areas connecting to adjacent public or private streets. These multi-family units will range from two (2) units per building to twenty-four (24) units per building.

- **Building and Area Requirements**

- **Minimum Dwelling Size** - The minimum floor area for flats (one story units) shall be six hundred fifty (650) square feet and studios (two story units) shall be seven hundred fifty (750) square feet, exclusive of garages, breezeways and porticos.

- **Lot Area** - The minimum area of any lot shall be fourteen thousand (14,000) square feet.

- **Lot Coverage** - In no case shall more than fifty (50) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings.

- **Lot Width** - The average width of any lot shall be no less than eighty (80) feet.

- **Lot Depth** - The minimum depth of any lot shall be ninety (90) feet.

- **Front Yard** - The minimum depth of the front yard shall be twenty-five (25) feet.

- **Side Yard** - The minimum side yard on each side of the lot shall be ten (10) feet. A side yard adjacent to a street shall be a minimum of twenty (20) feet. A building separation of fifteen (15) feet shall be provided between structures.

- **Rear Yard** - The minimum depth of the rear yard shall be twenty (20) feet.

- Maximum Building Height - Buildings shall be a maximum of three (3) stories, not to exceed forty-five (45) feet in height. Roof structures, penthouse structures, chimneys, antennas, and other projections not used for human occupancy, as approved by the City, may extend above this height limit.
- Covered Parking – Parking shall meet the requirements as outlined in the Required Parking section below which shall include, lighted, covered parking spaces provided in a ratio of one to one, one covered parking space provided for each multi-family dwelling unit developed. This provision is not intended to dictate that every unit shall have a lighted, covered parking space, but rather to ensure that the total number of covered parking spaces equals the total number of units developed.

Required Parking -Two (2) off street parking spaces shall be provided on the lot or tract or on an immediately contiguous lot or tract sufficient to assure two (2) vehicles spaces for each dwelling unit. Garage parking, if provided, shall be behind the front building line.

No parking space, garage, carport or other automobile storage space or structure shall be used for storage of any truck, truck trailer or van, except a single panel pick-up truck not exceeding one and one-half tons capacity, or recreation vehicle/travel trailer/boat/equipment may be stored off -street and behind the front building line by the owner or occupant of the residential premises, with the exception of Townhome and Multi-Family development, required parking for residential units shall be behind the front building line.

- General Requirements –
- Single family development that may be proposed in areas designated for Multi-Family Units shall be constructed in accordance with standards set forth for the applicable product that is proposed.
- The front door of each apartment shall be no more than one hundred, fifty (150) feet from a fire lane (measured in a straight line).
- A paved walkway should connect the front door of each ground floor unit to a parking area.

1.2m **Covered Parking:** In conjunction with parking requirements as outlined below, lighted, covered parking spaces provided in a ratio of one to one, one covered parking space provided for each multi-family dwelling unit developed. This provision is not intended to dictate that every unit shall have a lighted, covered parking space, but rather to ensure that the total number of covered parking spaces equals the total number of units developed.

- Two (2) off street parking spaces shall be provided on the lot or tract or on an immediately contiguous lot or tract sufficient to assure two (2) vehicles spaces for each dwelling unit. Garage parking, if provided, shall be behind the front building line.
- No parking space, garage, carport or other automobile storage space or structure shall be used for storage of any truck, truck trailer or van, except a single panel pick-up truck not exceeding one and one-half (1½) tons capacity, or recreation vehicle/travel trailer/boat/equipment may be stored off -street and behind the front building line by the owner or occupant of the residential premises
- With the exception of Townhome and Multi-Family development, required parking for residential units shall be behind the front building line.

2.0 GENERAL CONDITIONS:

2.1 Open Space and Yard Areas:

- (a) Open space area required for an existing building or structure shall not be counted as open space area for any other building or structure.
- (b) Open eaves, window sills and belt courses may project in to a front or rear yard a distance not to exceed five (5) feet. Fences, walls and hedges may be erected in any required yard space or along the edge of any yard space or project perimeter. All walls or fences must be approved by the Frisco City Council, or their designee, prior to construction.

2.2 Conformance to All Applicable Articles of the Frisco Zoning Ordinance: Except as amended herein, this Planned Development shall conform to any and all applicable articles and sections of the Frisco Zoning Ordinance as it presently exists or may be amended.

2.3 Parking Requirements: Unless otherwise requested by the developer and approved by the City, the following parking requirements shall be adhered to for nonresidential development within the Planned Development:

Banks and Savings and Loans	1:300 square feet
Churches	1:4 seats of the main sanctuary
Commercial Retail Uses	1:200 square feet
Freestanding Restaurants	1:125 square feet
Furniture Stores	1:500 square feet
Hospitals	1:2 beds
Industrial Uses	1:1000 square feet
Medical Office	2:300 square feet
General and Professional Office Uses	1:350 square feet
Theatres	1:4 seats of the theater(s)

Parking reductions for shared parking may reduce the number of required parking spaces by:

- (a) demonstrating that the parking demand by the uses occur at alternating or differing time periods;
- (b) that the uses combine provide a lesser need than the uses singularly;
- (c) here the combined floor area is fifty thousand (50,000) gross square feet or larger; and
- (d) the aggregate reduction would not be any less than one (1) space per two hundred fifty (250) square feet.

Shared parking agreements must be submitted, in writing, by all owners or par ties involved. The agreement must be approved by the City. If approved, the reduction shall be tied to the uses listed in the shared agreement. If any of the uses change, a

reassessment of the shared parking agreement will be required. New uses shall not be permitted by the City until another agreement is approved by the City or the individual parking requirements are met.

Standard parking spaces shall be nine (9) feet by eighteen (18) feet. If approved by the City at the time of Site Plan review, allocations for compact car spaces with reduced parking stall standards may be permitted.

Any use not specifically listed in the above table shall be defined by use to the nearest similar parking standard. A detailed explanation of the activities performed may be required by the City for approval.

Parking and loading requirements for uses other than those described above shall conform to Article 9, Section 100.6 of the City of Frisco's Ordinance No. 84-02-03, as it presently exists or may be amended, unless other requirements are requested by the land owner or developer and approved by the City.

2.4 Conceptual Development Plan: A Conceptual Development Plan/Zoning Exhibit is attached to and made a part of these Planned Development conditions, as Exhibit C. This Conceptual Development Plan shall show the following:

- (a) Overall boundary and boundary description of the Planned Development.
- (b) Land uses for the Planned Development District.
- (c) Densities for the Planned Development District.
- (d) Vicinity map, map key, north arrow and graphic scale with the Conceptual Development Plan/Zoning Exhibit.
- (e) The width of all major streets and thoroughfares.
- (f) Indication of reservation of right-of-way for the future east/west thoroughfare, presently referred to as Eldorado Parkway, of not less than fifty (50) feet from the existing center line of said road way.
- (g) Indication of reservation of right-of-way for the future east/west thoroughfare, presently referred to as Panther Creek Parkway, of not less than fifty (50) feet from the existing center line of said road way.

2.5 Concept Areas: A Concept Areas Exhibit is attached to and made a part of these Planned Development conditions, as Exhibit E. This Concept Areas Exhibit shall show individual areas (Areas B, C, D and E) within which Concept Plans may be required when development is to occur.

Note: Concept Plans shall only be required for that particular Concept Area within which development is to occur.

2.6 Concept Plan: A Concept Plan submission shall contain a scaled drawing of the applicable Concept Area, being only that specific Concept Area within which development is to occur. This concept Plan submission shall contain:

- (a) a scaled drawing of the applicable Concept Area.

- (b) approximate locations for major, secondary and collect or road ways.
- (c) approximate locations (general geographic areas) for the anticipated land uses, i.e. commercial/office, multi-family and single family land use areas.

Note: It is intended that these land use areas will be represented in the form of "bubble diagrams" only to show approximate, general locations for the land uses.

- (d) approximate acreages for each of the anticipated land use areas.

A Concept Plan may be required by the City prior to, or in conjunction with, the submittal of a Preliminary Plat within the applicable Concept Area.

Concept Plans, when required by the City, shall be reviewed and approved by the Frisco City Council, or their designee. There shall be no requirement of public hearing for this process. Also, there shall be no requirement for written notification, of Concept Plan review and approval, to be sent to adjacent or surrounding property owners.

- 2.7 **Preliminary Plat**: A Preliminary Plat for each phase of development must be submitted to the Frisco Planning and Zoning Commission and City Council, or their designee; and must be approved by said bodies prior to completion of the Final Plat.

All Preliminary Plats must comply substantially with the applicable Concept Plan and the Conceptual Development Plan/Zoning Exhibit attached hereto. Also, all Preliminary Plats shall comply specifically with these conditions.

Any person desiring to subdivide any land within the Planned Development shall first submit to the City of Frisco twenty-five (25) copies of the preliminary plat along with the filing fee and written application for conditional approval at least ten (10) days prior to the meeting at which it is to be considered. Unless otherwise approved by the City, copies or prints of the proposed subdivision drawn on sheets a maximum size of twenty-four (24) inches by thirty-six (36) inches and drawn to a scale of one hundred (100) feet to the inch (1 inch equals 100 feet) shall be submitted in the number specified hereinabove. In cases of large developments which would exceed the dimensions of the sheet of one hundred (100) foot scale, Preliminary Plats may be two hundred (200) feet to the inch (1 inch equals 200 feet). The twenty-five (25) copies or prints of the proposed subdivision shall show the following:

- (a) The name of the subdivision, with each plat shown as "Preliminary Plat".
- (b) North point, scale and date.
- (c) Distinct indication of subdivision boundary lines, existing building lines, and the width and location of existing and proposed streets, alleys and easements within or adjacent to the property.
- (d) The names of the proposed new streets.
- (e) Location and names of all adjoining subdivisions and proper ties in sufficient detail to show connection of proposed development and improvements with surrounding improvements.

- (f) Layout, numbers and dimensions of proposed lots.
- (g) Contours sufficient to accurately show the topography (contours and all grades in the subdivision must be referred to a Geodetic Survey, or to State Highway Department or City of Frisco bench marks and the contour intervals shall not exceed two (2) feet.
- (h) Physical features of the property including existing and proposed locations of water courses, culverts, bridges, railroads and all other significant structures and features.
- (i) Location and dimensions of existing water and sewer mains and any other public utilities in the area.
- (j) Designation of adequate off street parking facilities for any proposed business area in the subdivision.
- (k) A vicinity or key map on a smaller scale showing the proposed subdivision in its relationship to the surrounding area and to the nearest subdivision if one is adjacent to the property.
- (l) The Director of Planning or other person designated by the City, shall make a study of the plat and give a written report to the Planning and Zoning Commission and City Council, or their designee, before final action is taken on the Preliminary Plat.
- (m) Following technical review of the Preliminary Plat and other material submitted for conformity thereof to these regulations, the Planning and Zoning Commission shall , within thirty (30) days after the filing and review of such Preliminary Plat, act thereon as submitted, or modified and, if recommended for approval , the City Council shall express its approval as conditional approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons therefor, provided , however, that reasons for denial shall be due to developers non-conformance with this PD Ordinance or any other City Ordinance governing development of property.
- (n) The action of the City Council shall be noted on two (2) copies of the Preliminary Plat, referenced and attached to any conditions required by the Council. Act ion of the Council shall be certified by the City Administrator. One (1) copy shall be returned to the subdivider and the other retained in the files of the City of Frisco.
- (o) Conditional approval of a Preliminary Plat by the Council shall be deemed an expression of approval to the layouts submitted on the Preliminary Plat as a guide to the installation of streets, water, sewer and other required improvements and utilities and to the preparation of the final or record plat. Except as provided for herein, approval of the Preliminary Plat shall constitute conditional approval of the Final Plat when all conditions of Preliminary Plat approval of the Final Plat when all conditions of the Preliminary Plat approval have met.
- (p) Conditional approval of a Preliminary Plat shall be effective for one (1) year unless reviewed by the Council in the light of new or significant information which would necessitate the revisions of the Preliminary Plat. If no development or change in requirements has occurred which would affect the proposed plat at the end of the year of an effective approval, the Council may extend its approval another year without the submission of a new Preliminary

Plat by reapproving the original Preliminary Plat. No filing fee is required for such reapproval.

2.8 **Site Plan:** No building permit shall be issued for the construction of buildings until a Site Plan of that particular development area has been submitted to the Frisco Planning and Zoning Commission and City Council, or their designee, and approved in accordance with applicable law. Separate Site Plans may be submitted for individual development areas, and construction within a development area may proceed in phases after approval of the Site Plan for the applicable development area.

A Site Plan submission shall contain a scaled drawing of the specific parcel to be developed showing:

- (a) approximate locations for any proposed public or private streets.
- (b) approximate locations for any proposed alleys, loading or service corridors.
- (c) approximate locations for any proposed buildings or structures.
- (d) Proposed building lines. Setback lines and proposed road way right-of-way lines.
- (e) existing road way or utility easements or rights-of-way.
- (f) an accurate boundary description.
- (g) existing topography with a contour interval of not less than five (5) feet.
- (h) parking area layout with a table indicating the parking requirements, reductions and shared parking agreements.
- (i) maximum building coverage.
- (j) all adjacent land uses, including any proposed, future points of access to adjacent areas, and any shared uses with adjacent properties.
- (k) floodplain and floodway boundaries (if applicable).
- (l) proposed open space or amenity areas.
- (m) proposed screening and buffering elements.
- (n) Proposed building heights of multi-story, non-residential structures.

Note: A Site Plan submission shall not be required for single family residential development. A Preliminary Plat shall take the place of a Site Plan for these single family areas.

A Site Plan, when applicable, shall be approved by the City prior to the issuance of a Building Permit.

2.9 **Final Plat:** A Final Plat with construction plans must be submitted to the Frisco Planning and Zoning Commission and City Council, or their designee, and must be approved by said bodies prior to issuance of a building permit for development within that phase.

Plats shall conform to sizes as required by the County Clerk's office for recording purposes. After the Preliminary Plat has been approved or conditional approval is recommended by the Planning and Zoning Commission and approved by the City Council, or their designee, and after all required changes and alterations have been

made to the plat, twenty-five (25) copies of the final or record plat, together with a sepia copy thereof, shall be submitted to the City for presentation to the Planning and Zoning Commission and the Final Plat shall show or be accompanied by the following:

- (a) The title or name by which the subdivision is to be identified.
- (b) North point, scale and date.
- (c) The names of adjacent subdivisions and the names of streets.
- (d) The number of lots and blocks in accordance with a systematic, consecutive numbering arrangement.
- (e) An accurate boundary survey of the property subdivided, noting the bearings and distance of the sides, same being referenced to original survey lines or established subdivision, and showing the lines of all adjacent lands and properties.
- (f) References to permanent survey reference monuments which shall be established on at least one block corner of each street intersection.
- (g) Lines of streets, alleys and easements, noting the width and name of each, and the street, alleys and easements of adjacent subdivisions in a different manner than those of the proposed subdivision, preferably dotted or dashed.
- (h) The location of all lots, streets, highways, alleys, easements, parks, playgrounds and other features, with accurate dimensions given in feet and decimals of a foot, and showing the length of radii, deflection angles, and of arcs of all curves, tangent distances and tangent bearings shall be given for each street and all such data shall be complete and sufficiently precise to permit accurate location upon the ground.
- (i) Building lines of front and side streets, dotted or dashed, and the location of utility easements shown in dashed lines.
- (j) A properly executed dedication of all streets, highways, alleys, parks and playgrounds, and other lands intended for use of the public, such dedicatory instruments to be signed by the owner or owners and by all mortgage or lienholders.
- (k) Any restrictive covenants in a separate instrument in proper form for filing.
- (l) At the time the developer files the Final Plat with the City Administrator or City Official, he shall, when required to do so, also file a certificate showing that all taxes have been paid on the tract to be subdivided and that no delinquent taxes exist against the property.
- (m) Proper certification, upon the face of the plat, by a registered public surveyor or licensed land surveyor that the plat represents a survey made by him and that all necessary monuments and lot markers have been installed and are accurately and correctly shown upon the plat.
- (n) A certificate by the owner or owners of the subdivision acknowledging the requirement of the completion of all water distribution and sewage collection systems and all street, curb and gutter, and drainage improvements, at the expense of the subdivider and guaranteeing the performance of same.
- (o) Three (3) complete sets of construction plans for the water distribution and sewage collection systems which shall provide for the installation in such a

manner as to obviate the necessity for disturbing the paving and curb and gutter in order to connect any lot or building to the system.

- (p) Three (3) complete sets of the plan and profile of streets, curb and gutter, and on-site and off -site drainage construction.
- (q) The Final Plat shall conform to the Preliminary Plat as approved and, incorporating all changes, directions and additions imposed by the Council. The Final Plat shall not be released for filing until detailed engineering plans have been approved by the City Council of Frisco.
- (r) If so desired by the developer, the Final Plat may constitute only that portion of the approved Preliminary Plat which he proposes to record and then develop, provided, however, that such portion conforms to all the requirements of these regulations.
- (s) Upon receipt of Final Plat, accompanied by a final filing fee, the City Administration shall check the plat to ascertain its compliance with these regulations and the action of the Commission. When the copy of the Final Plat has been checked and found to meet all general requirements and design standards, the developer or his engineers shall submit twenty (20) copies of the Final Plat to the Administrator. The Administrator shall stamp on each of the twenty (20) copies the certificate of approval of the Planning & Zoning Commission attested by the Chairman. The developer or his authorized agent will secure the required number of plats and record them with the County Clerk, of Collin County, Texas, within thirty (30) days of the date of the final approval, otherwise, the approval of the Commission becomes invalid. Two (2) copies of the recorded Final Plat shall be returned immediately to the City Administrator.
- (t) The engineering plans showing details of streets, alleys, culverts, bridges, storm sewers, water mains, sanitary sewers and other engineering details of the proposed subdivision shall be submitted to the City Administrator along with the Final Plat of the subdivision. Such plans shall be prepared by a registered professional engineer qualified for the specific engineering services and shall conform to the design standards established by the City of Frisco. The Final Plat will not be released for filing until detailed engineering plans have been approved by the City.

2.10 **Landscape Plan:** A Landscape Plan submission shall contain a scaled drawing of the specific parcel to be developed showing:

- (a) proposed screening and buffering elements.
- (b) proposed landscaping for parking areas.
- (c) percentage of the lot to be developed as landscaped open space.
- (d) proposed landscape materials indicating approximate locations, materials and size.
- (e) proposed areas to be irrigated.
- (f) existing tree preservation areas.
- (g) existing topography with contour intervals of no less than five (5) feet.

A Landscape Plan shall be approved by the City prior to the issuance of a Building Permit.

- 2.11 **Development Schedule:** This Ordinance shall be accompanied by a Development Schedule, indicating the approximate date on which construction is expected to begin and the approximate time frame to completion. The Development Schedule, if approved by the City Council, shall be generally adhered to by the Owner, Developer, and their successors in interest; unless amended by approval of the City Council.
- 2.12 **Annual Development Report:** Annually, where a Development Schedule has been submitted, the Developer shall report to the City Council the actual development accomplished in the various Planned Development Districts as compared to the Development Schedule.
- 2.13 **Compliance with the Conditions of Article 84-02-03 of the Frisco Zoning Ordinance:** Except as amended above, the procedures and conditions required of the Planned Development shall comply with Ordinance 84-02-03 of the Frisco Zoning Ordinance as it exists or may be amended.
- 2.14 **General Compliance:** Except as amended by this Ordinance, development of property within this Planned Development District must comply with the requirements of all ordinances, rules and regulations of the City of Frisco as they exist or may be amended.
- (a) All paved areas, permanent drives, streets (dedicated or private), and drainage structures (if any) must be constructed in accordance with standard City of Frisco specifications as they exist or may be amended.
 - (b) The Building Inspector shall not issue a building permit or a Certificate of Occupancy for use in a phase of this Planned Development District until there has been full compliance with these conditions, the construction codes, and all other rules and regulations of the City of Frisco as they exist or may be amended and are applicable to that phase.
- 2.15 **Corner View Easements:** A view easement shall be maintained at the intersection of streets and/or alleys. This easement shall be kept clear of all structures or other visual obstructions over twenty-four (24) inches in height. This easement is defined by a line connecting two points on perpendicular or perpendicularly adjacent lot lines, said point being located twenty (20) feet from the intersecting lot corner.
- 2.16 **Maintenance of Facilities:** If applicable, the Owner(s) shall establish, with each detailed plan submittal, a Property Owners' Associations, a Membership Association or other designation that will be responsible for the improvement and maintenance of all private, common areas and/or common facilities contained within the area of the detailed plan.

RESTON PARK on Panther Creek
 RISCO, TEXAS

PD Legal Description
 TRACT 2 - East of Panther Road
 200 1850 Acres

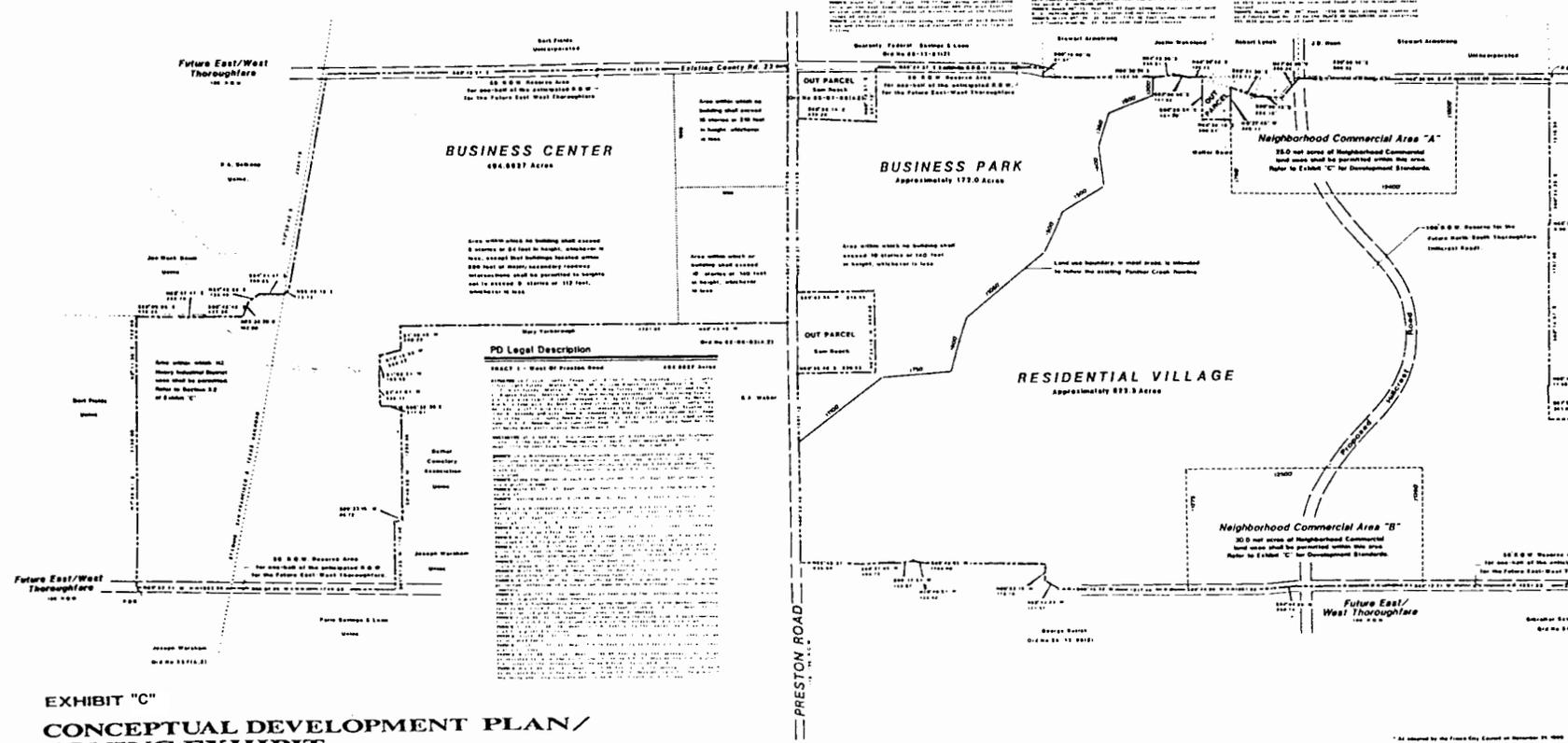
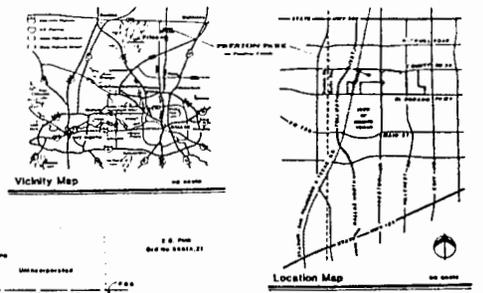
Quarterly Federal Survey & Lot
 Sec No 28-17-8-121

30 S.W. Reserve Area
 Sec No 28-17-8-121

Area within which no building shall exceed 10 stories or 35 feet in height, whichever is less.

Area within which no building shall exceed 10 stories or 35 feet in height, whichever is less.

Area within which no building shall exceed 10 stories or 35 feet in height, whichever is less.



PD DATA SUMMARY
 1489.92 GROSS ACRES

Land Use	Acres	Maximum Density	Maximum Units	Maximum Height
RESIDENTIAL VILLAGE				
Single Family	823.0	5.0 du/acre	4330	-
Multi-Family	-	2.0 du/acre (1400)***	3	3
Neighborhood - R	(20.0)	unlimited	3	3
Commercial - W	(30.0)	unlimited	3	3
BUSINESS PARK				
Business	172.0	unlimited	10	-
Multi-Family	-	2.0 du/acre (1400)***	3	3
BUSINESS CENTER				
Business	494.0	unlimited	10	-
Multi-Family	-	2.0 du/acre (1400)***	3	3

NOTES:

- Maximum density for the Residential Village has been shown as an average gross density. Based on the total acreage and maximum height, the actual number of units will vary.
- A maximum of 1000 multi-family dwelling units shall be permitted within the Residential Village area.
- A maximum combined total of 1000 multi-family dwelling units shall be permitted within the Residential Village and the Business Park areas.
- With the exception of the storage noted for the Neighborhood Commercial Areas A and B, all other uses shall be permitted in accordance with the applicable zoning ordinance.
- Maximum height for the Business Park area is intended to reflect the maximum allowed building height.
- Proposed roadway width and right-of-way width, as indicated on this plan, are subject to change and are not intended to indicate areas for future expansion or extension.
- Refer to Exhibit "C" for:
 - all applicable standards and permitted uses for the proposed development.
 - definition of other PD standards.
 - and the specific language relating to the above noted items.
- In the event of flood zone areas along Panther Creek that are not shown on this plan, the applicant shall be responsible for obtaining the applicable flood zone information from the applicable organization.
- Development within the Business Center, the Business Park, and the Residential Village areas are subject to the applicable zoning ordinance and are intended to follow the standards of Panther Creek.

EXHIBIT "C"
**CONCEPTUAL DEVELOPMENT PLAN/
 ZONING EXHIBIT**

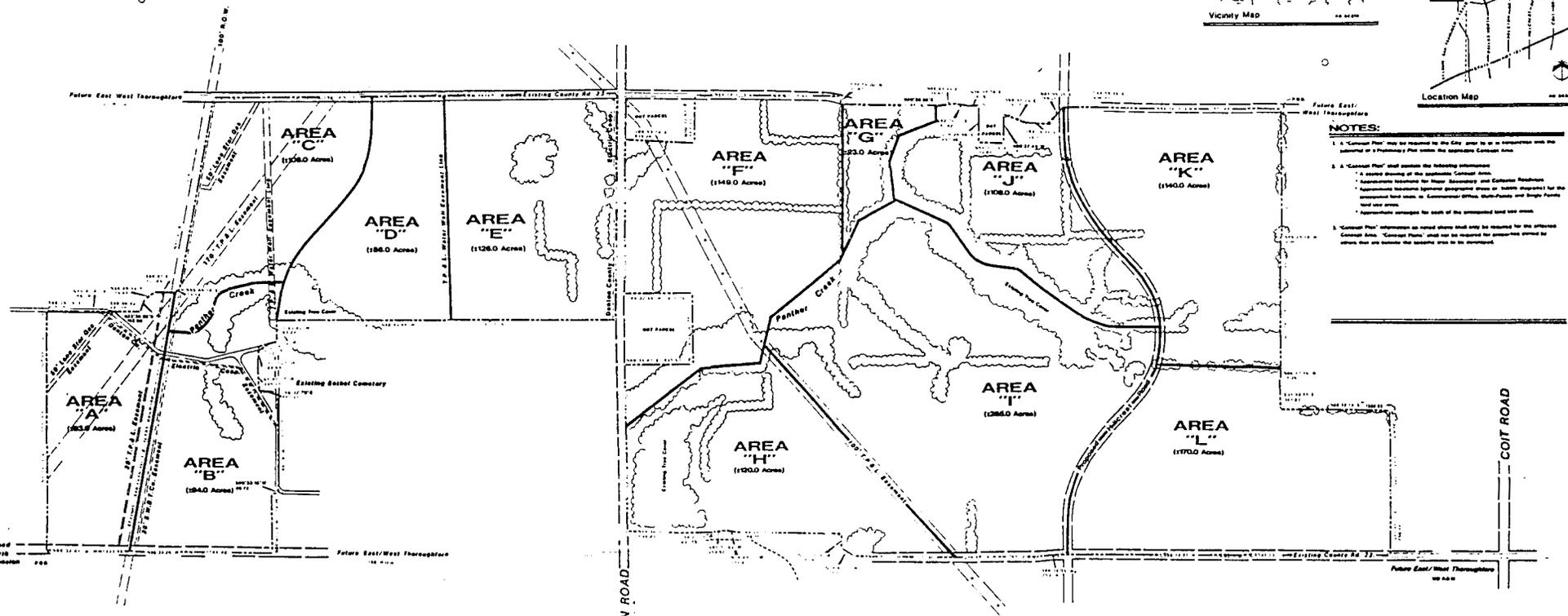
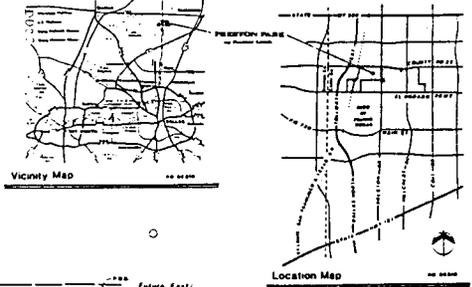
THE NELSON CORPORATION
 Land Planning & Engineering, Inc.
 12000 North Loop West, Suite 100
 Houston, Texas 77040

OWNERSHIP: Future Land Associates, Ltd.
 by Hillwood Holdings Corporation
 1700 Lakewood Parkway
 12177 North Drive Dallas, Texas 75242



PRESTON PARK on Panther Creek

KISCO, TEXAS



- NOTES:**
1. "Concept Plan" shall be prepared to the first grade to be in accordance with the following of a Preliminary Plan under the applicable Contract Area.
 - * A graded drawing of the applicable Contract Area.
 - * Assumptions relative to Water, Sewerage, and Electrical Facilities.
 - * Assumptions relative to typical site-specific data or better prepared for the applicable site data in Environmental Impact, Soil-Profile and Single Point and test data.
 - * Assumptions relative to each of the applicable land use areas.
 2. "Concept Plan" information as noted above shall only be required for the affected Contract Area. "Concept Plans" shall not be required for unimproved areas to show that an adjacent lot is to be developed.

EXHIBIT "E"
CONCEPT AREAS EXHIBIT

THE NELSON CORPORATION
1000 West Loop West, Suite 200
Houston, Texas 77060
Phone: 713-771-1100

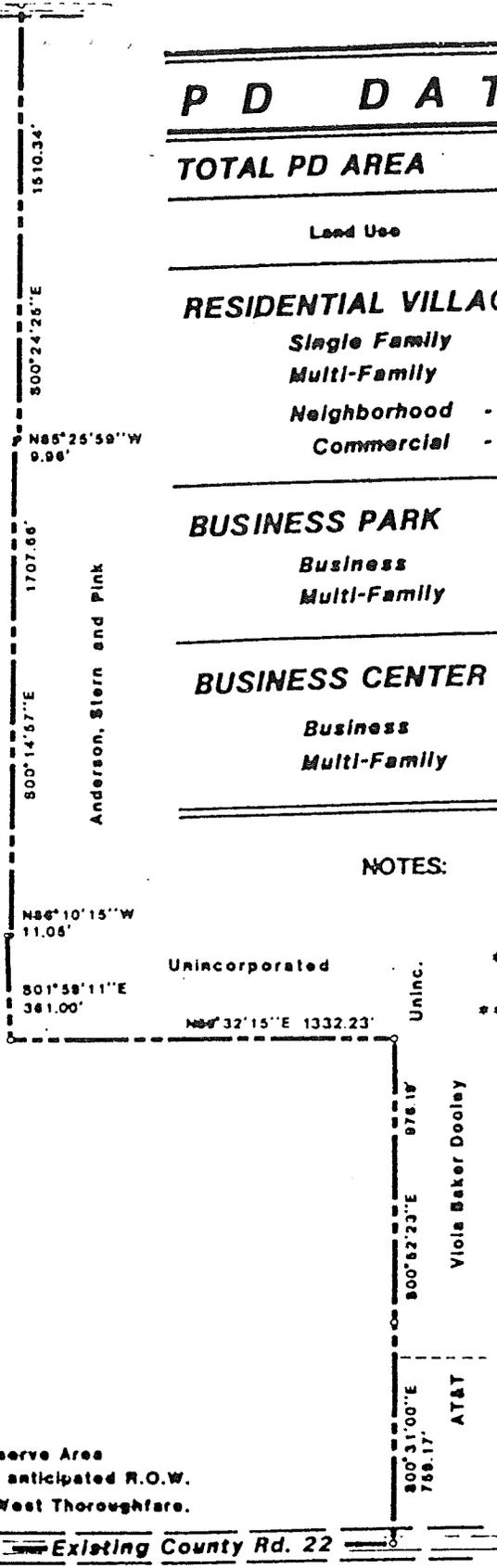
OWNER: **Primo Land Associates 3rd**
by Redwood Holding Corporation
1300 Lakeland Property
15277 Morse Drive Dallas, Texas 75282

APPROVED
JAN 31 2005

P D DATA SUMMARY

TOTAL PD AREA 1489.92 GROSS ACRES

Land Use	Acreage	Maximum Density	Maximum Units	Maximum Height
RESIDENTIAL VILLAGE				
Single Family	823.3	5.5 du/ac*	4528	-
Multi-Family	-	-	-	3
Neighborhood - A	(25.0)	unlimited	-	3
Commercial - B	(30.0)	unlimited	-	3
BUSINESS PARK				
Business	172.0	-	-	-
Multi-Family	-	unlimited	-	10
	-	21 du/ac	(2400)***	3
BUSINESS CENTER				
Business	494.6	-	-	-
Multi-Family	-	unlimited	-	15
	-	21 du/ac	1600	3



NOTES:

- * Maximum density for the Residential Village has been shown as an overall, gross density figured on the total acreage and maximum units shown.
- ** A maximum of 1400 multi-family dwelling units shall be permitted within the Residential Village area.
- *** A maximum combined total of 2400 multi-family dwelling units shall be permitted within the Residential Village and the Business Park areas.
- With the exception of the acreage noted for Neighborhood Commercial Areas 'A' and 'B', all the above references to acreage are based on total gross land areas.
- Numbers indicated for Maximum Height are intended to reflect the maximum allowed building heights.
- Proposed roadway locations and right-of-way widths, as indicated on this exhibit, are subject to change and are not intended to indicate areas for roadway easement or dedication.
- Refer to Exhibit 'C' for:
 - all development standards and permitted uses for the Planned Development District;
 - definition of other PD Exhibits;
 - and for specific information relating to the above noted data.
- An analysis of flood prone areas along Panther Creek shall be made at the time development plans are submitted for structures to be located directly adjacent to the applicable drainageways.
- Dimensions defining the division between the Residential Village and the Business Park areas are approximate, scaled dimensions and are intended to follow the flowline of Panther Creek.

R.O.W. Reserve Area
all of the anticipated R.O.W.
on the East/West Thoroughfare.

4032 23' Existing County Rd. 22

Gibraltar Savings Association
Ord.No.84-06-11(Z)