

AN ORDINANCE OF THE CITY OF FRISCO, COLLIN COUNTY, TEXAS, ZONING A 140.9 ACRE TRACT OF LAND OUT OF THE J. S. GOUGH SURVEY, ABSTRACT NO. 74, THE S. W. CASH SURVEY, ABSTRACT NO. 238, THE Z. BURRIS SURVEY, ABSTRACT NO. 348, AND THE T. & P.R.R. SURVEY, ABSTRACT NO. 933, FRISCO, COLLIN COUNTY, TEXAS; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION AND CAPTION HEREOF.

WHEREAS, the City of Frisco, Texas, has received a request from CHARLES J. WADE, JAMES A. WADE and PANSY WADE to zone 140.9 acres of land, more or less, situated in the City of Frisco, Collin County, Texas; and

WHEREAS, the City Council of the City of Frisco, Texas, has investigated into and determined that all the facts contained in said petition are true; and

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

WHEREAS, the City Council of the City of Frisco, Texas, has investigated and determined that it will be advantageous and beneficial to the City of Frisco, Texas, and its inhabitants to zone this property as follows:

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

SECTION 1:

A Planned Development District, hereby known as the Wade Property, is hereby created and is a district which accommodates planned associations of uses developed as integral land use units such as single family residential, multi-family residential, office, commercial, retail, business center and any other appropriate combinations of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners.

Said tract of land is more specifically described in Exhibit "A" attached hereto and incorporated herein for all purposes.

SECTION 2:

The uses in this Planned Development District shall conform to the Development Standards shown on Exhibit "C" attached hereto and incorporated herein for all purposes. 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.

The boundaries for the Planned Development District set out herein are delineated upon the Conceptual Development Plan/Zoning Exhibit as set forth on Exhibit "B", said map being a part of this Ordinance as fully as if the same were set forth in detail herein.

Three (3) original, official and identical copies of the Conceptual Development Plan/Zoning Exhibit map are hereby adopted and shall be filed and maintained as follows:

a. Two (2) copies shall be filed with the City Secretary and retained as the original records and shall not be changed in any manner.

b. One (1) copy shall be filed with the Building Inspector and shall be maintained up to date by posting thereon all changes and subsequent amendments for observation in issuing building permits, certificates of compliance and occupancy and for enforcing the zoning ordinance.

Reproduction for information purposes may from time to time be made of the official zoning district map.

For each specific area to be developed, a Detailed Development Plan and a Plat will be submitted to the City of Frisco, Texas, for review and approval prior to the issuance of any building permits for structures to be constructed within a development area. Separate Detailed Development Plans and Plats may be submitted for individual development areas, and construction within a development area may proceed in phases after approval of the Detailed Development Plan and Plat of the applicable development area.

Written notice of a hearing on Detailed Development Plans for individual planned areas shall be sent to all property owners within two hundred (200) feet of the requested development area, as provided for by law.

No developer or property owner shall acquire any vested interest in this Ordinance, the Planned Development District or other specific regulations contained therein.

Any portion of this Ordinance may be repealed by the City Council of the City of Frisco, Texas, in the manner provided for by law.

SECTION 3:

Written notice of any amendment to this Planned Development District shall be sent to all property owners within two hundred (200) feet of the specific area to be amended.

SECTION 4:

The owner or owners of land within this Planned Development District shall submit a development report annually to the City of Frisco, Texas, and shall brief the City Council on the contents of said report at the first regularly scheduled meeting in December of the City Council and each subsequent calendar year until the proposed development is completed.

SECTION 5:

It shall be unlawful for any person, firm or corporation to make use of said premises in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person, firm or corporation to construct on said premises any building that is not in conformity with the permissible uses under this Planned Development District.

SECTION 6:

Any person, firm or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined any sum not exceeding One Thousand Dollars (\$1,000.00), and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provisions shall not preclude a suit to enjoin such violation.

SECTION 7:

All ordinances in conflict herewith are repealed to the extent they are in conflict.

SECTION 8:

Should any part or portion of this Ordinance, or the use created herein affecting the aforementioned property, be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions and those provided for within this Ordinance shall remain in full force and effect.

SECTION 9:

This Ordinance shall become effective from and after its adoption and publication as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, on this 19th day of June, 1990.

Robert M. Warren

ROBERT M. WARREN, MAYOR
CITY OF FRISCO, TEXAS

ATTEST:

CORRECTLY RECORDED:

APPROVED AS TO FORM:

Nan Parker

NAN PARKER
CITY SECRETARY

Richard Abernathy

RICHARD ABERNATHY
CITY ATTORNEY

Date of Publication: 6/28/90
Frisco Enterprise

**WADE PROPERTY
PLANNED DEVELOPMENT DISTRICT
LEGAL DESCRIPTION
EXHIBIT "A"
140.9 ACRES**

BEING a tract of land situated in the Z. BURRIS SURVEY, Abstract No. 74, the S. W. CASH SURVEY, Abstract No. 238, AND the J. S. GOUGH SURVEY, Abstract No. 348, Collin County, Texas and part of a 23.16 acre tract of land conveyed to Weston Grain Company as recorded in Volume 682, Page 427, Deed Records, Collin County, Texas and part of a 16.0 acre tract of land conveyed to J. K. Wade as recorded in Volume 363, Page 93, Deed Records, Collin County, Texas and part of a 59.0 acre tract of land conveyed to Weston Grain Company as recorded in Volume 682, Page 427, Deed Records, Collin County, Texas and being part of a 90 acre tract conveyed to J. K. Wade and E. F. Wade by deed recorded in Volume 329, Page 37, Deed Records of Collin County, Texas and being more particularly described as follows:

COMMENCING at a point for the intersection of the east right-of-way line of State Highway 289 (Preston Road) with the south right-of-way line of Preston Vineyard Drive, said point being the northwest corner of the 9.7973 acre tract conveyed by deed recorded in Volume 2529, Page 358, Land Records Collin County, Texas;

THENCE North 89° 06' 19" East, along the south line of said Preston Vineyard Drive and the north line of the 9.7973 acre tract, a distance of 598.12 feet to the northeast corner of the 9.7973 acre tract, and the **POINT OF BEGINNING**;

THENCE North 89° 06' 19" East, departing the south line of Preston Vineyard Drive, a distance of 198.55 feet to a point for corner;

THENCE North 89° 13' 47" East, along the south line of Preston Vineyards, Section One an, addition to the City of Frisco according to the plat thereof recorded in Cabinet G, Pages 273-275, Map Records, Collin County, Texas, a distance of 1595.07 feet to a point for corner;

THENCE South 00° 16' 13" East, a distance of 1802.01 feet to a point for corner;

THENCE North 51° 22' 38" West, a total distance of 154.57 feet to a point for corner;

THENCE South 39° 42' 29" West, a distance of 2469.03 feet to a point;

THENCE North 52° 08' 38" West, a distance of 1257.48 feet to a point in the east right-of-way line of said Preston Road;

THENCE North 07° 11' 58" East, along the said east right-of-way line of Preston Road, a distance of 1191.71 feet to a point for the southwest corner of the 10.2739 acre tract conveyed by deed recorded in Volume 2702, Page 524, Land Records Collin County, Texas;

THENCE South 83° 22' 00" East, along the south line of the 10.2739 acre tract and the beforementioned 9.7973 acre tract, a distance of 558.40 feet to a point for the southeast corner of the 10.2739 acre tract;

THENCE North 06° 14' 44" East, along the west line of the 10.2739 acre tract, a distance of 1701 feet to the **POINT OF BEGINNING** and containing 140.9 acres of land.

**WADE PROPERTY
PLANNED DEVELOPMENT DISTRICT
TRACT "A-1"
BUSINESS CENTER
LEGAL DESCRIPTION
5.8 ACRES**

BEING a tract of land situated in the Z. BURRIS SURVEY, Abstract No. 74, Collin County, Texas and being a part of a 16.0 acre tract of land conveyed to J. K. Wade as recorded in Volume 363, Page 93, Deed Records, Collin County, Texas and part of a 59.0 acre tract of land conveyed to Weston Grain Company as recorded in Volume 682, Page 427, Deed Records, Collin County, Texas and being more particularly described as follows:

BEGINNING at a point for the intersection of the east right-of-way line of State Highway 289 (Preston Road) with the south line of the 22.0 acre tract conveyed to James A. Wade and Daffin Wade by deed recorded in Volume 2036, Page 645, Deed Records of Collin County, Texas;

THENCE with the south line of said tract, South 83° 22' 00" East, a distance of 558.40 feet to the southeast corner of the 22.0 acre tract;

THENCE South 31° 04' 13" East, a distance of 322.07 feet to a point in the centerline of a future thoroughfare (100' ROW) for the beginning of a non-tangency curve to the right having a central angle of 31° 01' 15", a radius of 1067.40 feet and a chord bearing and distance of South 81° 41' 20" West, 570.88 feet;

THENCE with the said centerline and the said curve, an arc distance of 577.91 feet to a point for the point of tangency;

THENCE continuing with the centerline of the future thoroughfare, North 82° 48' 02" West, a distance of 207.77 feet to a point in the east right-of-way line of State Highway 289;

THENCE with the said east right-of-way line, North 07° 11' 58" East, a distance of 400.00 feet to the **POINT OF BEGINNING** and containing 5.8 acres of land, more or less, which 0.9 acre lies within the future thoroughfare, leaving a net of 4.9 acres of land, more or less.

**WADE PROPERTY
PLANNED DEVELOPMENT DISTRICT
TRACT "A-2"
BUSINESS CENTER
LEGAL DESCRIPTION
27.9 ACRES**

BEING a tract of land situated in the Z. BURRIS SURVEY, Abstract No. 74, Collin County, Texas and being a part of a 16.0 acre tract of land conveyed to J. K. Wade as recorded in Volume 363, Page 93, Deed Records, Collin County, Texas and part of a 59.0 acre tract of land conveyed to Weston Grain Company as recorded in Volume 682, Page 427, Deed Records, Collin County, Texas and being more particularly described as follows:

BEGINNING at a point for the intersection of the east right-of-way line of State Highway 289 (Preston Road) with the southwest line of the beforementioned 59.0 acre tract;

THENCE with the said east right-of-way line, North 07° 11' 58" East, a distance of 791.71 feet to a point in the centerline of a future thoroughfare (100' ROW);

THENCE with the said centerline, South 82° 48' 02" East, a distance of 207.77 feet to a point for the beginning of a tangency curve to the left having a central angle of 31° 01' 15", a radius of 1067.40 feet and a chord bearing and distance of North 81° 41' 20" East, 570.88 feet;

THENCE with the centerline of the future thoroughfare and the said curve, an arc distance of 577.91 feet to a point for corner;

THENCE leaving the said centerline, South 31° 04' 13" East, a distance of 522.93 feet to a point for corner;

THENCE South 07° 11' 58" West, a distance of 1175.00 feet to a point for the south corner of the 59.0 acre tract;

THENCE with the southwest line of the said tract, North 52° 08' 38" West, a distance of 1257.48 feet to the **POINT OF BEGINNING** and containing 27.9 acres of land, more or less, which 0.9 acre lies within the future thoroughfare, leaving a net of 26.9 acres of land, more or less.

**WADE PROPERTY
PLANNED DEVELOPMENT DISTRICT
TRACT "B-1"
MULTI-FAMILY
LEGAL DESCRIPTION
34.3 ACRES**

BEING a tract of land situated in the Z. BURRIS SURVEY, Abstract No. 74, the S. W. CASH SURVEY, Abstract No. 238, Collin County, Texas and being a part of a 23.16 acre tract of land conveyed to Weston Grain Company as recorded in Volume 682, Page 427, Deed Records, Collin County, Texas and part of a 16.0 acre tract of land conveyed to J. K. Wade as recorded in Volume 363, Page 93, Deed Records, Collin County, Texas and part of a 59.0 acre tract of land conveyed to Weston Grain Company as recorded in Volume 682, Page 427, Deed Records, Collin County, Texas and being part of a 90 acre tract conveyed to J. K. Wade and E. F. Wade by deed recorded in Volume 329, Page 37, Deed Records of Collin County, Texas and being more particularly described as follows:

COMMENCING at a point for the intersection of the east right-of-way line of State Highway 289 (Preston Road) with the south right-of-way line of Preston Vineyard Drive, said point being the northwest corner of the 9.7973 acre tract conveyed by deed recorded in Volume 2529, Page 358, Land Records Collin County, Texas;

THENCE North 89° 06' 19" East, along the south line of said Preston Vineyard Drive and the north line of the 9.7973 acre tract, a distance of 598.12 feet to the northeast corner of the 9.7973 acre tract, and the **POINT OF BEGINNING**;

THENCE North 89° 06' 19" East, departing the south line of Preston Vineyard Drive, a distance of 198.55 feet to a point for corner;

THENCE North 89° 13' 47" East, a distance of 520.00 feet to a 5/8" iron rod found for a corner of PRESTON VINEYARDS, SECTION ONE an, addition to the City of Frisco according to the plat thereof recorded in Cabinet G, Slide 273-275, Map Records, Collin County, Texas;

THENCE South 00° 16' 13" East, a distance of 1157.32 feet to a point in the meander of a creek and the beginning of a non-tangency curve to the right having a central angle of 65° 28' 59", a radius of 400.00 feet and a chord bearing and distance of South 45° 07' 15" East, 432.68 feet;

THENCE with the said curve, an arc distance of 457.16 feet to a point in the centerline of a future thoroughfare (100' ROW) for the beginning of a non-tangency curve to the left having a central angle of 43° 01' 37", a radius of 1042.24 feet and a chord bearing and distance of South 68° 30' 49" West, 764.42 feet;

THENCE with the said centerline and the said curve, an arc distance of of 782.68 feet to a point for the point of tangency;

WADE PROPERTY
TRACT "B-1"

THENCE continuing with the centerline of the future thoroughfare, South 47° 00' 00" West, a distance of 56.35 feet to a point for the beginning of a tangency curve to the right having a central angle of 19° 10' 43", a radius of 1067.40 and a chord bearing and distance of South 56° 35' 21" West, 355.62 feet;

THENCE with the said centerline and the said curve, an arc distance of 357.29 feet to a point for corner;

THENCE leaving the said centerline, North 31° 04' 13" West, a distance of 322.07 feet to a point for the southeast corner of the 10.2739 acre tract conveyed to Preston 10 Investors, Ltd. by deed recorded in Volume 2702, Page 524, Land Records of Collin County, Texas;

THENCE with the east line of the 10.2739 acre tract, the 22.0 acre tract conveyed to James A. Wade by deed recorded in Volume 2036, Page 645, Land Records of Collin County, Texas and the beforementioned 9.7973 acre tract, North 06° 14' 44" East, a distance of 1701.01 feet to the **POINT OF BEGINNING** and containing 34.3 acres of land, more or less, which 1.4 acre lies within the future thoroughfare, leaving a net of 32.9 acres of land, more or less.

**WADE PROPERTY
PLANNED DEVELOPMENT DISTRICT
TRACT "B-2"
MULTI-FAMILY
LEGAL DESCRIPTION
36.3 ACRES**

BEING a tract of land situated in the Z. BURRIS SURVEY, Abstract No. 74, the S. W. CASH SURVEY, Abstract No. 238, Collin County, Texas, and being a part of a 23.16 acre tract of land conveyed to Weston Grain Company as recorded in Volume 682, Page 427, Deed Records, Collin County, Texas and part of a 16.0 acre tract of land conveyed to J. K. Wade as recorded in Volume 363, Page 93, Deed Records, Collin County, Texas and part of a 59.0 acre tract of land conveyed to Weston Grain Company as recorded in Volume 682, Page 427, Deed Records, Collin County, Texas and being part of a 90 acre tract conveyed to J. K. Wade and E. F. Wade by deed recorded in Volume 329, Page 37, Deed Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a point for the south corner of the beforementioned 59.0 acre tract and the west corner of the 84.99 acre tract conveyed to Preston Developers 140, Joint Venture, by deed recorded in Volume 1940, Page 173, Land Records of Collin County, Texas;

THENCE North 07° 11' 58" East, a distance of 1175.00 feet to a point for corner;

THENCE North 31° 04' 13" West, a distance of 522.93 feet to a point in the centerline of a future thoroughfare (100' ROW) for the beginning of a non-tangency curve to the left having a central angle of 19° 10' 43", a radius of 1067.40 feet and a chord bearing and distance of North 56° 35' 21" East, 355.62 feet;

THENCE with the said centerline and said curve, an arc distance of 357.29 feet to a point for the point of tangency;

THENCE continuing with the centerline of the future thoroughfare, North 47° 00' 00" East, a distance of 56.35 feet to a point for the beginning of a tangency curve to the right having a central angle of 81° 37' 22", a radius of 1042.24 feet and a chord bearing and distance of North 87° 48' 41" East, 1362.36 feet;

THENCE with the said centerline and said curve, an arc distance of 1484.76 feet to a point for the point of tangency;

THENCE continuing with the centerline of the future thoroughfare, South 51° 22' 38" East, 0.76 feet to a point for the north corner of the beforementioned 84.99 acre tract;

THENCE with the common line of the 84.99 acre tract and the 59.0 acre tract, South 39° 42' 29" West, a distance of 2469.03 feet to the **POINT OF BEGINNING** and containing 36.3 acres of land, more or less, which 2.1 acres lies within the future thoroughfare, leaving a net of 34.2 acres of land, more or less.

**WADE PROPERTY
PLANNED DEVELOPMENT DISTRICT
TRACT "C-1"
SINGLE FAMILY
LEGAL DESCRIPTION
36.6 ACRES**

BEING a tract of land situated in the Z. BURRIS SURVEY, Abstract No. 74, the S. W. CASH SURVEY, Abstract No. 238, Collin County, Texas and being a part of a 23.16 acre tract of land conveyed to Weston Grain Company as recorded in Volume 682, Page 427, Deed Records, Collin County, Texas and part of a 16.0 acre tract of land conveyed to J. K. Wade as recorded in Volume 363, Page 93, Deed Records, Collin County, Texas and part of a 59.0 acre tract of land conveyed to Weston Grain Company as recorded in Volume 682, Page 427, Deed Records, Collin County, Texas and being part of a 90 acre tract conveyed to J. K. Wade and E. F. Wade by deed recorded in Volume 329, Page 37, Deed Records of Collin County, Texas and being more particularly described as follows:

COMMENCING at a point for the intersection of the east right-of-way line of State Highway 289 (Preston Road) with the south right-of-way line of Preston Vineyard Drive, said point being the northwest corner of the 9.7973 acre tract conveyed by deed recorded in Volume 2529, Page 358, Land Records Collin County, Texas;

THENCE North 89° 06' 19" East, a distance of 796.67 feet to an angle point;

THENCE North 89° 13' 47" East, a distance of 520.00 feet to a 5/8" iron rod found for a corner of PRESTON VINEYARDS, SECTION ONE, an addition to the City of Frisco according to the plat thereof recorded in Cabinet G, Slide 273-275, Map Records of Collin County, Texas and the **POINT OF BEGINNING**;

THENCE with the south line of said addition, North 89° 13' 47" East, a distance of 1075.07 feet to a 5/8" iron rod found for a corner;

THENCE leaving the said south line, South 00° 16' 13" East, a distance of 1802.01 feet to a point in the northeast line of the 84.99 acre tract conveyed to Preston Developer 140, Joint Venture, by deed recorded in Volume 1940, Page 173, Land Records of Collin County, Texas and the centerline of a future thoroughfare (100' ROW);

THENCE with the said northeast line and the said centerline, North 51° 22' 38" West; passing the north corner of the said 84.99 acre tract at 154.57 feet; in all a total distance of 155.33 feet to the beginning of a tangency curve to the left having a central angle of 38° 35' 45", a radius of 1042.24 feet and a chord bearing and distance of North 70° 40' 30" West, 688.88 feet;

WADE PROPERTY
TRACT "C-1"

THENCE with the centerline of the future thoroughfare and said curve, an arc distance of 702.08 feet to the beginning of a non-tangency curve to the left having a central angle of $65^{\circ} 28' 59''$, a radius of 400.00 feet and a chord bearing and distance of North $45^{\circ} 07' 15''$ West, 432.68 feet;

THENCE leaving the said centerline with the said curve, an arc distance of 457.16 feet to a point in the meander of a creek;

THENCE leaving the said creek, North $00^{\circ} 16' 13''$ West, a distance of 1157.32 feet to the POINT OF BEGINNING and containing 36.6 acres of land, more or less, which 1.0 acre lies within the future thoroughfare, leaving a net of 35.6 acres of land, more or less.

1.0 PLANNED DEVELOPMENT - BUSINESS CENTER

DESCRIPTION, USES AND DEVELOPMENT REQUIREMENTS:

1.1 **General Description:** The Business Center areas will provide the ability to encourage and to accommodate the development of office and corporate facilities, facilities for scientific and technological businesses, retail and commercial service centers within a current growth corridor located along Preston Road.

1.2 **Permitted Uses:** The following uses shall be permitted in the Business Center areas.

- Antique Shops - Indoor Display Only
- Apparel Distribution Centers
- Appliance Stores
- Artist Materials and Supplies
- Auto Laundries/Car Wash Facilities
- Auto Parts Sales - No Outdoor Storage/Display
- Automobile Parking Lots and Parking Garages
- Automobile Repairs - Major and Minor
This use, as a primary business use, shall not be permitted within one hundred (100) feet of the future east-west thoroughfare (J. K. Wade Parkway) as indicated on Exhibit "B".
- Automobile Sales, Service and Leasing - New and Used
- Baby Shops
- Bakery and Confectionery Shops
- Bakery Plants
- Banks, Savings and Loan and Credit Unions
- Banks, Savings and Loan and Credit Unions - With Drive-Thru Services
- Barber/Beauty Shops
- Beverage Stores - In accordance with other applicable City Ordinances as they currently exist or may be amended.
- Billboard and Advertising Signs - Permitted in compliance with the City's Sign Ordinance as it currently exists or may be amended.
- Book Binderies
- Book and Stationery Stores
- Bus Stations/Terminals
- Business Services
- Cafeterias
- Camera Shops
- Candy and Cake Shops
- Catering Establishments
- Churches/Rectories
- Cleaning, Dyeing, Pressing, Pick-up and Collection Agencies
- Clothing and Apparel Stores
- Clothing, Footwear and Textile Centers
- Commercial Amusement Enterprises - Indoor and Outdoor (Excluding Drive-In Theaters)
- Computer Assembly and Distribution

- Computer Centers - Including, but not limited to: Texas Instruments, EDS, Intecom, IBM, Mr. Micro, Moore Business Products, Computerland, Compaq, Fujitsu, Hewlett Packard, NEC, ComputerCraft, MicroAge, etc.
- Computer Sales and Repairs
- Computer Training Facilities
- Concrete Batching Plants - Temporary and incidental to on-site construction.
- Convenience Stores
- Convenience Stores - With Gas Service
- Convention Facilities
- Corporate and Professional Office Facilities and Headquarters
- Curio and Gift Shops
- Dairy Products and Ice Cream Stores
- 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
- Feed Stores
- Financial Institutions
- Fitness and Health Centers
- Florist and Garden Shops
- Food Product Centers
- Fraternal Organizations, Lodges and Civic Clubs
- Funeral Homes and Mortuaries
- Furniture and Upholstery Centers - Including Repairs
- Furniture, Home Furnishings and Equipment Showrooms and Sales
- Furniture Stores
- General Commercial Facilities - Including, but not limited to: Printing and publishing facilities, newspaper and magazine products, apparel products, furniture products, electronic products, footwear products, food products, cosmetics products, textile products, photographic products, plastic products, optical products, paper products, etc.
- General Merchandise Stores
- Governmental and Utility Agencies, Offices, Facilities and Service Yards - No Outdoor Storage Unless Screened
- Greenhouse and Nursery Facilities - Sales Permitted
- Grocery Stores and Supermarkets
- Guard and Patrol Services
- Hardware and Building Materials Stores - No Outdoor Storage Unless Screened
- Health Product Fabrication Centers
- Hospitals and Emergency Centers
- Hotels and Motels

- Household Appliance Services and Repairs
- 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
- Leather Goods Shops
- Mass Commuter Stations
- Meat Markets - No Slaughter Houses or Packing Plants
- Medical and Health Care Facilities/Clinics
- Medical Offices
- Messenger/Courier and Telegraph Services
- Mini-Warehouses - Incidental to Permitted Uses
- Monument Sales - Incidental to the primary business use.
- Municipal Buildings and Facilities
- Museums, Libraries, Art Schools and Art Galleries
- Musical Instrument Sales
- Newspaper and Magazine Sales
- Newspaper Printing Centers
- Novelty/Notion Stores
- Offices - Professional, Administrative and General Offices - Including, but not limited to, doctors, optometrists, psychiatrists, attorneys, architects, engineers, planners, travel agents, advertising, insurance and real estate offices
- Office Showroom Facilities - Sales Permitted
- Office Businesses
- Office Equipment Repairs and Maintenance
- Office Supplies and Sales
- Optical Stores - Sales and Services
- Paint Stores
- Paper Product Centers
- Parks, Playgrounds, Recreational Facilities and Community Centers
- Pest Control/Exterminating Shops - Emissions of hazardous or toxic chemicals shall be prohibited. This use shall not be permitted within one hundred (100) feet of the future east-west thoroughfare (J. K. Wade Parkway) as indicated on Exhibit "B".
- Pet Grooming and Supplies
- Pet Shops
- Photographic Services
- Plastic Products Centers - Emissions of hazardous or toxic chemicals shall be prohibited
- Play Equipment - Sales and Display
- Plumbing Shops - No outside storage unless screened. This use shall not be permitted within one hundred (100) feet of the future east-west thoroughfare (J. K. Wade Parkway) as indicated on Exhibit "B".
- Post Office Facilities
- Printing and Duplicating Centers
- Private Club Facilities - In accordance with other applicable City Ordinances as they currently exist or may be amended.

- Radio and Television Microwave Antennae/Towers - Incidental to 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
- Restaurants
- Restaurants - With Drive-In/Drive-Thru Service
- Retail Sales
- Retail Shops and Stores
- Schools - Public or State Accredited
- Scientific/Research Facilities - Emissions of hazardous or toxic chemicals shall be prohibited.
- Securities and Commodities Offices - Including, but not limited to brokers, dealers, underwriters, 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/Malls
- Sign Sales - Sign installation to be in compliance with the City's Sign Ordinance as it currently exists or may be amended.
- Small Machinery Sales and Services - New and Used Service and repair facilities to be under roof and enclosed.
- Small Truck Sales and Leasing
- Specialty Shops and Boutiques
- Sporting Good Sales
- Studios - Art, Photography, Music, Dance, Gymnastics, Health, etc.
- Tailor Shops
- Telecommunication Centers and Sales
- Theaters - Indoor
- Theatrical Centers
- Tire Dealers - No Outdoor Storage
- Toy Stores
- Trade and Commercial Schools
- Travel Bureaus
- Trophies and Awards Shops
- Utility Distribution Systems and Facilities
- Variety Stores
- Veterinarian Clinics and Kennels - Limited to Small Animals
- Warehousing Facilities - In Conjunction With Permitted Business Uses
- Watch Making Shops
- Wholesale Office and Sample Rooms
- Accessory buildings and uses customarily incidental to the permitted uses.
- Temporary buildings and uses incidental to construction work on the premises to be removed upon completion or abandonment of construction work.
- Uses similar to the above mentioned permitted uses, provided the Frisco City Council approves said uses prior to the issuance of a building permit.

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

1.4 **Building Heights:** The permitted height of all buildings within the Business Center areas of the Planned Development District shall be limited to maximum allowed building heights of twelve (12) stories or one hundred sixty-eight (168) feet, whichever is less.

Building heights which exceed four (4) stories or fifty-six (56) feet in height, shall be required to have additional setbacks from Preston Road and J. K. Wade Parkway. These additional setbacks will require one (1) foot of setback, beyond the required twenty-five (25) ft. front yard, for each additional foot of building height above four (4) stories or fifty-six (56) feet.

Roofing structures, penthouse structures, attics, lofts, chimneys, antennas and other projections not used for human occupancy, as approved by the City, may extend above the aforementioned building height limitations.

1.5 **Lot Area:** No minimum requirement.

1.6 **Lot Width:** No minimum requirement.

1.7 **Lot Depth:** No minimum requirement.

1.8 **Lot Coverage:** In no case shall more than sixty (60) percent of the total lot area shall 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.

1.9 **Front Yard:** There shall be a front yard having a depth of not less than twenty-five (25) feet. Front yard setbacks are required on both streets for corner lots.

1.10 **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 (20) 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.

1.11 **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 (20) 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.

- 1.12 **Required Parking:** Parking shall be provided according to Article 9-100.6, as established in the Comprehensive Zoning Ordinance for the City of Frisco, Ordinance No. 84-02-03, as it currently exists or may be amended. Parking shall be permitted within all required yard areas.
- 1.13 **Off Street Parking and Loading Conditions:** Off street parking and loading requirements shall conform to Article 9-100.6 of the City of Frisco's Ordinance No. 84-02-03, as it currently exists or may be amended. Off street parking and loading shall be permitted within all required yard areas.
- 1.14 **Building Materials:** All main buildings shall have an exterior finish of glass, stone, stucco, brick, tile, concrete, exterior wood or similar materials or any combination thereof. The use of wood as a primary, exterior building material shall be limited to a maximum of twenty-five (25) percent of the total exterior wall surfaces.
- 1.15 **Open Space and Yard Areas:** Open space area required for an existing building or structure shall not be counted as open space area for any other building or structure.

Open eaves, window sills and belt courses may project into a front, side 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 Planning and Zoning Commission and City Council or their designee prior to construction.

- 1.16 **Open Space Requirement:** A minimum of seven (7) percent of the net lot area for Business Center areas, 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 proposed 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.

1.17 **General Requirements:**

- Unless otherwise approved by the Frisco City Council or their designee, a six (6) foot screening fence shall be provided between areas developed for multi-family uses and those areas developed for commercial or retail uses. The above referenced six (6) foot screening fence shall be constructed of exterior wood, stone, stucco, brick, tile, concrete or similar materials or any combination thereof.

- A thirty (30) foot building setback shall be required along J. K. Wade Parkway. Parking shall be permitted within this thirty (30) foot setback area.

2.0 PLANNED DEVELOPMENT - MULTI-FAMILY

USES AND DEVELOPMENT REQUIREMENTS:

2.1 **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. Multi-family units shall be permitted within Tracts "B-1" and "B-2" of the Planned Development District. These multi-family units will range from two (2) units per building to twenty-four (24) units per building. Requirements for multi-family development shall be governed by standards as described below in Sections 2.2 through 2.14. Multi-family structures shall be built in accordance with building code standards established for the City of Frisco as applicable at the time of construction.

Land uses permitted within the Multi-Family areas, indicated as Tracts "B-1" and "B-2" or Exhibit "B", shall include the Permitted Uses referenced in Article 8-110.2 of the Frisco Zoning Ordinance.

- 2.2 **Dwelling Unit Size** - The minimum allowed 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, carports, breezeways and porticos.
- 2.3 **Lot Area** - The minimum area of any lot shall be fourteen thousand (14,000) square feet.
- 2.4 **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.
- 2.5 **Lot Width** - The average width of any lot shall be no less than eighty (80) feet.
- 2.6 **Lot Depth** - The minimum depth of any lot shall be ninety (90) feet.
- 2.7 **Front Yard** - The minimum depth of the front yard shall be twenty-five (25) feet.
- 2.8 **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.

- 2.9 **Rear Yard** - The minimum depth of the rear yard shall be twenty (20) feet.
- 2.10 **Building Height** - The permitted height of all multi-family structures shall not exceed three (3) stories or forty-five (45) feet, whichever is less. Roof structures, penthouse structures, attics, lofts, chimneys, antennas, and other projections not used for human occupancy, as approved by the City, may extend above this height limit.
- 2.11 **Density** - The maximum allowed density for multi-family dwelling units within Tracts "B-1" and "B-2" shall be 18.0 units per gross acre of land, or a total of 1,270 allowed multi-family units.
- 2.12 **Required Parking:** - Parking shall be provided according to Article 9-100.6, as established in the Comprehensive Zoning Ordinance for the City of Frisco, Ordinance No. 84-02-03, as it currently exists or may be amended. Parking shall be permitted within all required yard areas.
- 2.13 **Building Materials:** All multi-family structures shall have an exterior finish of glass, stone, stucco, brick, tile, concrete, exterior wood or similar materials or any combination thereof. The use of wood as a primary, exterior building material shall be limited to a maximum of twenty-five (25) percent of the total exterior wall surfaces.
- 2.14 **General Requirements:**
- 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.
 - Unless otherwise approved by the Frisco City Council or their designee, a six (6) foot screening fence shall be provided between areas developed for multi-family uses and those areas developed for single family residential uses. The above referenced six (6) foot screening fence shall be constructed of exterior wood, stone, stucco, brick, tile, concrete or similar materials or any combination thereof.

3.0 PLANNED DEVELOPMENT - SINGLE FAMILY

USES AND DEVELOPMENT REQUIREMENTS:

- 3.1 **Single Family Homes** - These homes are single family, detached units, consisting of moderate sized housing units and lots. These residential units will have access and frontage on a roadway system.

Land uses permitted within the Single Family area, indicated as Tract "C-1" on Exhibit "B", shall include the Permitted Uses referenced in Article 8.104.2 of the Frisco Zoning Ordinance.

- 3.2 **Dwelling Unit Size** - The minimum area of the main building shall be one thousand, two hundred and fifty (1,250) square feet, exclusive of garages, breezeways and porticos.
- 3.3 **Lot Area** - The minimum area of any lot shall be six thousand, six hundred (6,600) square feet.
- 3.4 **Lot Coverage** - In no case shall more than forty-five (45) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, decks, patios, driveways, walks and other paved areas shall not be included in determining maximum lot coverage.
- 3.5 **Lot Width** - The minimum width of any lot shall be sixty (60) feet at the front building line, except that lots at the terminus of a cul-de-sac, on a corner or along a curve may have a minimum width of fifty (50) feet at the building line; provided all other requirements of this section are fulfilled.
- 3.6 **Lot Depth** - The minimum depth of any lot shall be one hundred ten (110) feet, except that lots at the terminus of a cul-de-sac, on a corner or along a curve may have a minimum lot depth, measured at mid-points on front and rear lot lines, of one hundred (100) feet; provided all other requirements of this section are fulfilled.
- 3.7 **Front Yard** - The minimum depth of the front yard shall be twenty-five (25) feet. Covered drives and porte-cocheres that are architecturally designed as an integral element of the main structure may extend up to fifteen (15) feet from the established front building line into the front yard area; that area between the street pavement and the front yard line.
- 3.8 **Side Yard** - The minimum side yard on each side of the lot shall be seven (7) feet. A side yard adjacent to a street shall be fifteen (15) feet.
- 3.9 **Rear Yard** - The minimum depth of the rear yard shall be ten (10) feet. If the rear lot line abuts a dedicated alley, the garage drive entry, if provided, must be set back a minimum of twenty (20) feet.
- 3.10 **Maximum Building Height** - Buildings shall be a maximum of two and one-half (2½) stories, not to exceed thirty-six (36) feet in height. Chimneys, antennae and other projections not used for human occupancy may extend above this height limit.

4.0 PLANNED DEVELOPMENT - GENERAL CONDITIONS

- 4.1 **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, Ordinance No. 84-02-03, as it currently exists or may be amended.
- 4.2 **Conceptual Development Plan/Zoning Exhibit:** A Conceptual Development Plan/Zoning Exhibit is attached as Exhibit "B" and made a part of these Planned Development Conditions. This Conceptual Development Plan/Zoning Exhibit indicates the following:
- a. Overall boundary and boundary description of the Planned Development.
 - b. Land use for the Planned Development District.
 - c. Vicinity map, north arrow and graphic scale with the Conceptual Development Plan.
 - d. The width of all major streets and thoroughfares.
 - e. Indication of reservation of right-of-way for the future extension of J. K. Wade Parkway of not less than one hundred (100) feet.
- 4.3 **Preliminary Plat and Final Plat:** A preliminary plat for each phase of development must be submitted to the Frisco Planning and Zoning Commission and City Council; and must be approved in accordance with applicable law prior to completion of the final plat. A final plat with construction plans, as required by the Frisco Subdivision Ordinance as it currently exists or may be amended, must be submitted to the Frisco Planning and Zoning Commission and City Council; and must be approved in accordance with applicable law prior to issuance of a building permit for development within that phase.
- All preliminary plats must comply substantially with the Conceptual Development Plan/Zoning Exhibit attached hereto and comply specifically with these conditions. A preliminary plat must contain the Planned Development information required in the Frisco Zoning Ordinance as it currently exists or may be amended and not already shown on the Conceptual Development Plan/Zoning Exhibit. The location of streets or roadways shall be determined at the time of platting.
- 4.4 **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 and approved in accordance with applicable law. Separate detailed site plans may be submitted for individual development areas, and construction within a development area may proceed in phases after approval of the detailed 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 roadway right-of-way lines.
- e. existing roadway 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. building coverage.
- j. all adjacent land uses, including any 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 single family areas.

- 4.5 **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 Frisco City Council, shall be generally adhered to by the Owner, Developer and their successors in interest; unless amended by approval of the Frisco City Council.
- 4.6 **Annual Development Report:** Annually, where a Development Schedule has been submitted, the owner(s) and/or developer(s) shall report to the Frisco City Council the actual development accomplished in the various Planned Development areas as compared to the Development Schedule.
- 4.7 **Compliance with the Conditions of Article 8-122 of the Frisco Zoning Ordinance:** Except as amended herein, the procedures and conditions required of the Planned Development shall comply with Article 8-122 of the Frisco Zoning Ordinance as it currently exists or may be amended.
- 4.8 **General Compliance:** Except as amended by these conditions, development of property within this Planned Development must comply with the requirements of all ordinances, rules and regulations of the City of Frisco as they currently 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 currently exist or may be amended.
- b. The Building Inspector shall not issue a building permit or a Certificate of Occupancy for a 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 currently exist or may be amended and are applicable to that phase.

4.9 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 points being located twenty (20) feet from the intersecting lot corner.

4.10 Maintenance of Facilities: The Owner(s) shall establish, with each detailed plan submittal, property owner's association, membership association or other designation that will be responsible for the improvement and maintenance of all common areas and/or common facilities contained within the area of the detailed plan.

WADE PROPERTY DEVELOPMENT SCHEDULE

It is anticipated that the development of the Wade Property will begin within 5 to 10 years after approval and signing of the zoning ordinance. During this time period, prior to the initial stages of development, it is foreseen that plans and studies will be prepared for development and marketing of the property.

Progress of development improvements will primarily depend on time frames established for construction of thoroughfares, utilities and market trends/demands for the area.

It is anticipated that the development of the Wade Property, excluding total construction of all structures, will be completed within 20 to 25 years of zoning approval.