



PLANNING AND ZONING DIVISION

FILE NUMBER: Z0120-0126
REQUEST FOR: Planned Development – Single Family District
CASE MANAGER: Johnna Matthews

PUBLIC HEARINGS

Planning and Zoning Commission: Monday, January 27, 2020
City Council: Monday, February 17, 2020

GENERAL INFORMATION

Applicant: City of Mesquite
Requested Action: Rezone from "AG," Agricultural District to "PD-SF," Planned Development – Single Family District to allow Polo Ridge Ranch Exclusive Homesites; a proposed single-family subdivision including 1007 single-family lots with varying lot sizes and a host of amenities, open space and provisions for nonresidential uses
Location: Southeast of IH-20 and FM 740, near the East Fork of the Trinity River, with frontage on FM 2757

PLANNING AND ZONING ACTION

Decision: On January 27, 2020, the Planning and Zoning Commission voted unanimously to recommend approval of the rezoning of the subject property to a Planned Development District, subject to the following stipulations:
1. Except as provided herein, the plat and site plan for the property shall conform substantially to the Concept Plan included in the PD Development Standards (Attachment 5).
2. All amenities including open space, lakes, etc. and all nonresidential uses are subject to site plan approval, as required by the Mesquite Zoning Ordinance.
3. The underlying zoning district for nonresidential developments shall be ETJ-1a.
4. A homeowner's association (HOA) is required.

SITE BACKGROUND

Platting: The property is not platted. Final platting will be required.
Size: 805.79 acres
Zoning: AG - Agricultural
Land Use: Undeveloped

Zoning History: The property was annexed into the City in 2019 and zoned Agricultural.

Surrounding Zoning and Land Uses (see attachment 3):

	<u><b>ZONING</b></u>	<u><b>LAND USE</b></u>
<b>NORTH:</b>	R-PD - Residential Planned Development	Eastwood Estates, Single Family Subdivision
<b>SOUTH:</b>	R-2, Single Family Residential w/ a CUP	McDonald Middle School
<b>EAST:</b>	R-PD - Residential Planned Development	Eastwood Estates, Single Family Subdivision
<b>WEST:</b>	GR - General Retail	Undeveloped

**CASE SUMMARY**

Polo Ridge Ranch Exclusive Executive Homesites is a proposed master-planned community with a large-scale residential (single-family detached) component including 1007 single-family lots. The development will include 1-acre lots and smaller with home prices ranging from \$380,000 to \$1 million dollars. Homes will be front-entry with no rear alleys. Polo Ridge Ranch also permits elementary and secondary schools, recreational and commercial amenities including museums, ponds, lakes, an amenity center, equestrian center, open space and various accessory uses.

A Development Agreement was approved for Polo Ridge Ranch via Resolution 15-2018 in March of 2018. The Development Agreement includes agreed-upon development standards, a concept plan, right-of-way standards, drainage standards, and various other standards for public infrastructure and improvements including the creation of a new public improvement district to fund part of the development’s infrastructure.

According to the approved Development Agreement, Polo Ridge Ranch will allow the following uses by-right:

<b>Main Uses</b>	<b>Accessory Uses</b>
Single Family Detached	Private Accessory Structures
Crop Production	Private Parking
Utility Facilities	Private Gardening
Public Golf Courses, Playgrounds and Parks	Home Occupations
Elementary and Secondary Schools	Home Day Care
Libraries	Yard/Garage Sales
Residential Care Facilities	Keeping of Pets (Private)
Public Museums and Art Galleries	Keeping of Horses and Ponies (Private)
Public Arboreta and Botanical Gardens	Private Refuse Containers
Public Safety Facilities	Landscape Irrigation Systems
Child Day Care Facilities	Ponds
Private Community/Recreation Room	Pools
Membership Sports and Recreation Clubs	

Water Pump Station & Storage Facilities	
Sanitary Sewer Collection Facilities	
Amenity Center	
Sales office	
Recreational Sports Fields	
Equestrian Facilities	

Polo Ridge Ranch will be constructed in 6 phases (See Attachment 6, Concept Plan for phasing details) with a mix of lot sizes within each phase to prevent over development of any one-lot type. The first phase will be constructed around two small lakes and will include nearly 200 lots. Modifications to each phasing sequence’s actual size, the number of lots or the lot mix within each phase may be approved by the City Council. The development proposes five lot types of single-family residences: ETJ-1A, ETJ-125, ETJ-100, ETJ-80 and ETJ-60. Characteristics and general regulation of each lot type are illustrated in the following tables. All nonresidential uses will require a site plan.

Polo Ridge Ranch will include 95 lot types identified as ETJ-1A. The following standards apply to Lot Type ETJ- 1A, or as approved by the plat. If a 24-foot slip road is utilized for lots fronting on FM2757, the 50-foot front yard setback will apply:

<b>Lot Type ETJ- 1A</b>	
Minimum Lot Size	46,560 square feet
Minimum Lot Width	150 feet
Minimum Lot Depth	200 feet
Minimum Front Yard (except FM 2757)	50 feet
Minimum Front yard on FM 2757	100 feet
Minimum Exterior Side Yard	30 feet
Minimum Interior Side Yard	15 feet
Minimum Rear Yard	50 feet

Polo Ridge will include 55 lot types identified as ETJ-125. The following standards apply to Lot Type ETJ- 125, or as approved by the plat, whichever is greater:

<b>Lot Type ETJ- 125</b>	
Minimum Lot Size	17,500 square feet
Minimum Lot Width	125 feet
Minimum Lot Depth	140 feet
Minimum Front Yard	30 feet
Minimum Exterior Side Yard	30 feet
Minimum Interior Side Yard	10 feet
Minimum Rear Yard	20 feet

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Polo Ridge Ranch will include 142 lot types identified as ETJ-100. The following standards apply to Lot Type ETJ- 100, or as approved by the plat, whichever is greater:

<b>Lot Type ETJ- 100</b>	
Minimum Lot Size	12,000 square feet
Minimum Lot Width	100 feet
Minimum Lot Depth	120 feet
Minimum Front Yard	30 feet
Minimum Exterior Side Yard	30 feet
Minimum Interior Side Yard	10 feet
Minimum Rear Yard	20 feet

Polo Ridge Ranch will include 336 lot types identified as ETJ-80. The following standards apply to Lot Type ETJ- 80, or as approved by the plat, whichever is greater:

<b>Lot Type ETJ- 80</b>	
Minimum Lot Size	8,800 square feet
Minimum Lot Width	80 feet
Minimum Lot Depth	110 feet
Minimum Front Yard	20 feet
Minimum Exterior Side Yard	15 feet
Minimum Interior Side Yard	5 feet
Minimum Rear Yard	15 feet

Polo Ridge Ranch will include 388 lot types identified as ETJ-60. The following standards apply to Lot Type ETJ- 60, or as approved by the plat, whichever is greater:

<b>Lot Type ETJ- 60</b>	
Minimum Lot Size	7,200 square feet
Minimum Lot Width	60 feet
Minimum Lot Depth	110 feet
Minimum Front Yard	20 feet
Minimum Exterior Side Yard	10 feet
Minimum Interior Side Yard	5 feet
Minimum Rear Yard	15 feet

Single family homes will include 2-car garages, which may not be converted subject to the following setback requirements:

- Maximum of 50% of single-family lots may have J-Swing garage entries.
- Maximum of 20% of single-family lots may have a 2-foot setback from the front building facade.

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- Maximum 20% of single-family lots may have a 4-foot setback from the front building façade.
  - Maximum 20% of single-family lots may have a 6-foot setback from the front building façade.
  - Minimum 10% of single-family lots shall have a 20-foot setback from the front building façade.

Development of the property shall include rural sight buffers of not less than 30 feet in width where the property abuts FM 2757 (except where Lots ETJ-1A front on FM 2757) and not less than 30 feet in width where Lots ETJ-60 abut Kelly Rd. Each street used for ingress and egress into the property from either FM 2757 or Kelly Road shall include a neighborhood designation monument sign or equivalent. The development also includes anti-monotony regulations to provide variations between each home. Anti-monotony regulations in the Development Agreement restrict front elevations of single-family structures, including its mirror image, to repeat any more than once every eight lots. Prior to obtaining a building permit for a single family structure, a palette of proposed elevations and façade materials must be approved by the Planning and Zoning Commission.

Specific building materials are identified in the Development Agreement for Lots ETJ-60, ETJ-80, ETJ-100 and ETJ-125, which back up to FM 2757 or Kelly Rd., which includes the rear façade shall consist of 100% architectural-faced, unitized masonry. Reductions may be requested and approved on Lots ETJ-60 by the Planning and Zoning Commission at the time of their review of elevations and façade materials. Appeals may be made to the City Council.

The following standards apply to streets and rights-of-way (ROW). More information that is detailed is included as Attachment 4, Planned Development Standards.

- Typical residential streets shall be 27 feet wide (as measured from back of curb to back of curb);
- The maximum cul-de-sac length may not exceed 1,000 linear feet, provided that the paved cul-de-sac turnaround at the end shall have a 95 – foot diameter within a 115 foot ROW, access easement, private street, in accordance with the 2015 International Fire Code;
- There shall be no requirement for alleys within the entire development;
- The maximum typical residential street block length shall not exceed 2,300 linear feet before a curve deflection to conform to the Concept Plan and existing topography;
- Sidewalks shall be 4 feet in width.

## **MESQUITE COMPREHENSIVE PLAN**

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The subject property is located within the Trinity Pointe Special Planning Area, which is envisioned as a thriving business corridor with a variety of residential opportunities and outdoor spaces that interconnect. It is envisioned to be a premier community with a distinct character, while setting itself apart as a destination for family-friendly entertainment, high-quality retail, and innovative business services.

### **STAFF COMMENTS:**

The proposed development meets the intent of the aforementioned future land use by offering a master-planned community including a large-scale residential component with a number of recreational and commercial amenities and accessory uses. Polo Ridge Ranch will likely spur similar development within the Trinity Pointe Special Planning Area.

### **RECOMMENDATIONS**

Staff recommends approval of the request subject to the following conditions:

1. Except as provided herein, the plat and site plan for the property shall conform substantially to the Concept Plan included in the PD Development Standards (Attachment 5).
2. All amenities including open space, lakes, etc. and all nonresidential uses are subject to site plan approval, as required by the Mesquite Zoning Ordinance.
3. The underlying zoning district for nonresidential developments shall be ETJ-1a.
4. A homeowner's association (HOA) is required.

## **PUBLIC NOTICE**

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Staff mailed notices to property owners within 200 feet of the subject property. As of the date of this writing, Staff received two (2) returned notices in opposition to the request.

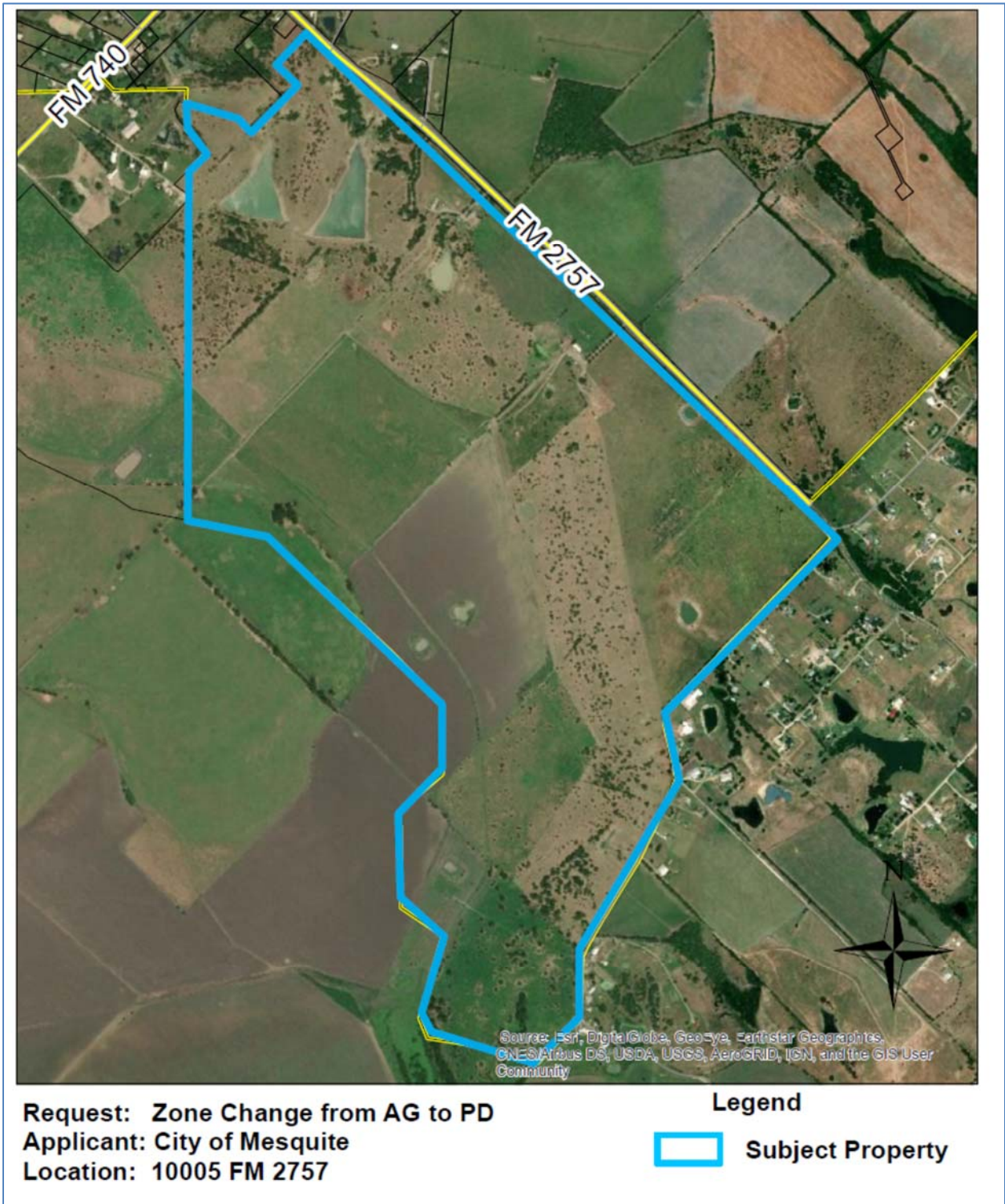
## **ATTACHMENTS**

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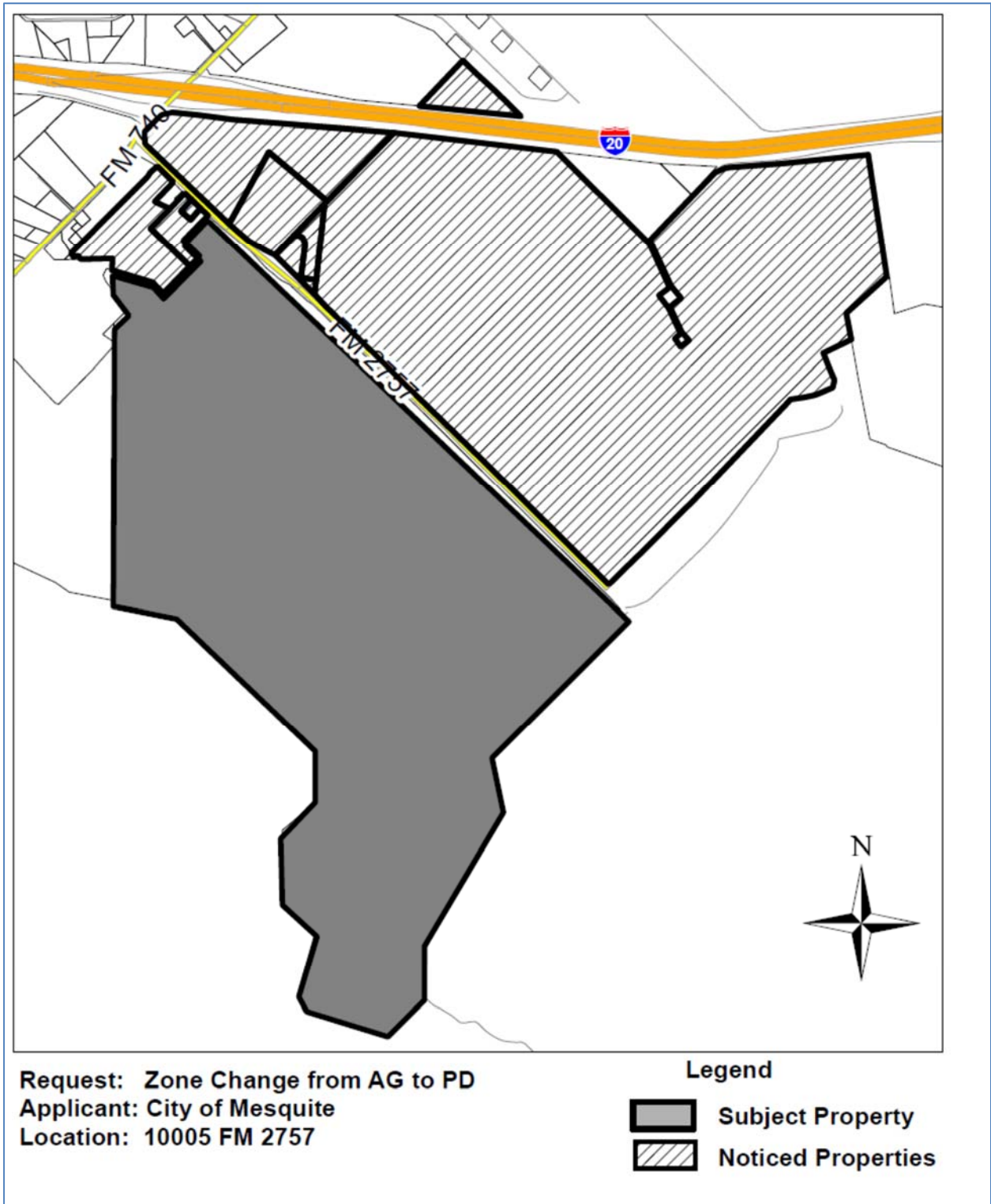
1. Aerial Map
2. Public Notification Map
3. Zoning Map
4. Returned Notices
5. Planned Development Standards
6. Concept Plan



ATTACHMENT 1 – AERIAL MAP

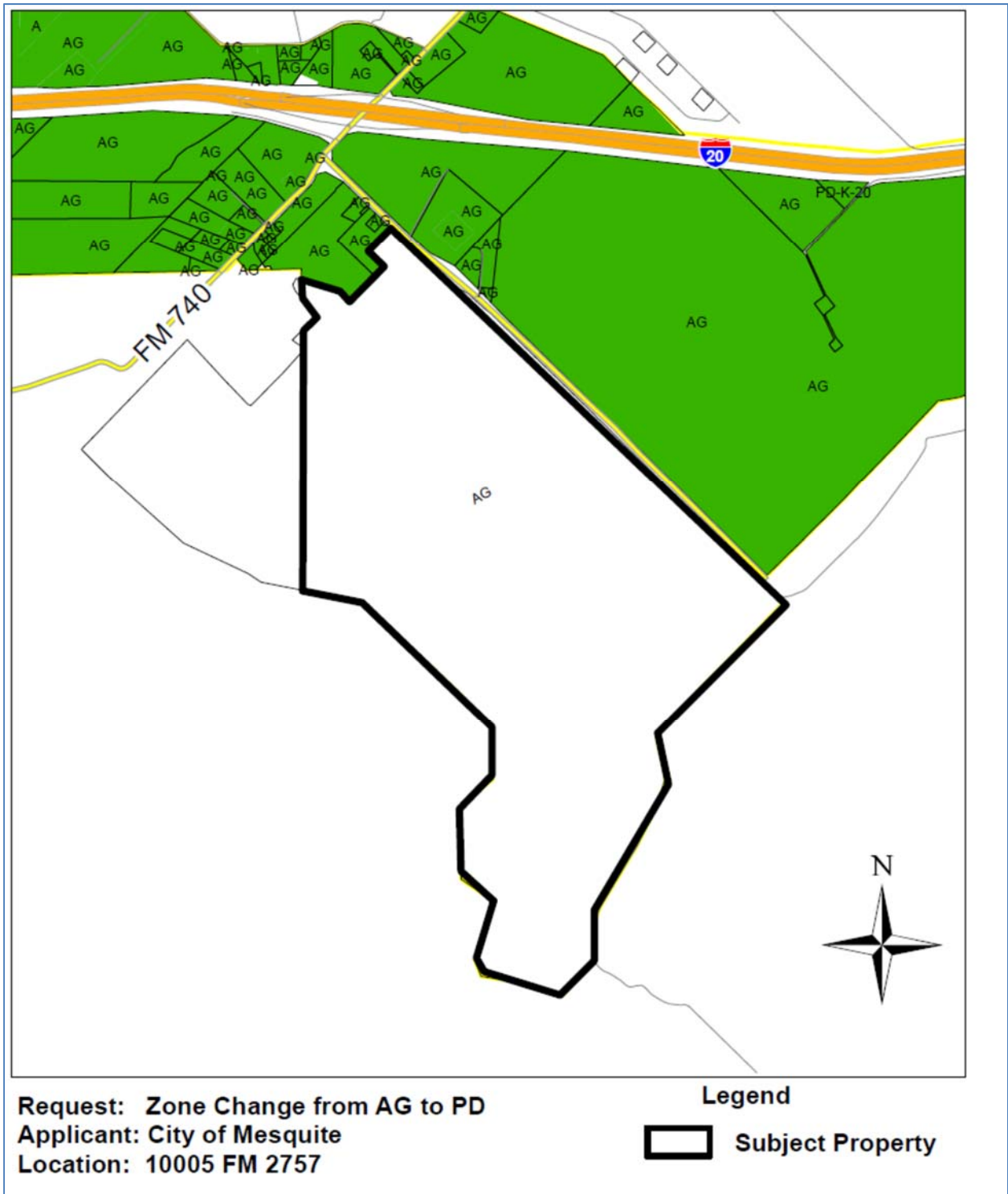


ATTACHMENT 2 – PUBLIC NOTIFICATION MAP






ATTACHMENT 3 – ZONING MAP



ATTACHMENT 4 – RETURNED NOTICES



**MESQUITE**  
T E X A S  
Real. Texas. Service.

CITY OF MESQUITE  
PLANNING AND ZONING COMMISSION  
NOTICE OF PUBLIC HEARING

**LOCATION:** The subject property is generally located southeast of IH 20 and FM 740 and has direct frontage on FM 2757 (See attached map for reference)

**FILE NUMBER:** Z0120-0126

**APPLICANT:** City of Mesquite

**REQUEST:** From: "AG" Agricultural Zoning District  
To: "PD-SF" Planned Development-Single Family Zoning District

The requested Zoning Change would allow for the development of Polo Ridge Ranch Exclusive Executive Homesites; a proposed single family subdivision including 1007 single family lots with varying lot sizes and a host of amenities including lakes, an equestrian center, an amenity center and open space. A list of permitted uses for each zoning district is available on the City's website at [www.cityofmesquite.com/1250/Zoning-Ordinance](http://www.cityofmesquite.com/1250/Zoning-Ordinance) as well as the standards for Planned Developments. Please note that the City Council may approve a different zoning district than the one requested, except that the different district may not (1) have a maximum structure height or density that is higher than the one requested; or (2) be nonresidential when the one requested is for a residential use or vice versa.

**LEGAL DESCRIPTION**  
Being a tract of land situated in the Andrew Nail Survey, Abstract No. 355, Kaufman County, Texas, and being part of that tract of land described in a Deed to BDMR Development, L.L.C., as recorded in Volume 4174, Page 548 of the Official Public Records of Kaufman County, Texas, and being all of that tract of land described in a Deed to Alma Guerrero as recorded in Volume 5029, Page 84 of the Official Public Records of Kaufman County, Texas, including 805.79 acres of land.

**PUBLIC HEARINGS**  
The Planning and Zoning Commission will hold a public hearing on this request at 7:00 p.m. on Monday, January 27, 2020, in the City Council Chambers of City Hall located at 757 N. Galloway Ave.  
The City Council will hold a public hearing on this request at 7:00 p.m. on Monday, February 17, 2020, in the City Council Chambers located at 757 N. Galloway Ave.

Questions pertaining to this case may be directed to the Planning Division at (972) 329-8523 or [imatthews@cityofmesquite.com](mailto:imatthews@cityofmesquite.com)

**REPLY FORM**  
State law requires that cities notify all property owners within 200 feet of any proposed zoning change. For this reason, we are sending you this notice. As a property owner within 200 feet of the property, you are urged to give your opinion on the request by attending the public hearing or by completing the form below or both. Your written reply is important and will be considered by the Commission and the Council. The reply form (below) is provided to express your opinion on this matter. The form should be returned to the Planning Division by 5 pm on January 22nd to be included in the Planning and Zoning Commission packet and by 5 pm on February 12th to be included in the City Council packet. All notices received after the listed dates will still be accepted and presented to Commission/Council, but will not be included in meeting packets.

RECEIVED  
JAN 27 2020  
PLANNING AND ZONING

(Complete and return)  
Do not write on the reverse side of this form.

By signing the form, I declare I am the owner or authorized agent of the property at the address written below.

Zoning Case: Z0120-0126  
Name (required): Leasa K Davis

I am in favor of this request  
Address of Noticed Property: 9908 FM 2757

I am opposed to this request ✓  
Owner Signature: Leasa K Davis Date: 1-19-20

Reasons (optional):  
The proposed Neighborhood with small homes on small lots will decrease my property value & add too much additional traffic to an already busy 2 lane Farm Road.

Please respond by returning to: PLANNING DIVISION  
Johnna Matthews  
CITY OF MESQUITE  
PO BOX 850137  
MESQUITE TX 75185-0137



CITY OF MESQUITE  
 PLANNING AND ZONING COMMISSION  
 NOTICE OF PUBLIC HEARING

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(Complete and return)

Do not write on the reverse side of this form.

By signing the form, I declare I am the owner or authorized agent of the property at the address written below.

Zoning Case: Z0120-0126

I am in favor of this request

I am opposed to this request

Reasons (optional):

Name (required): Leasa K Davis

Address of Noticed Property: 9900 Fm 2757

Owner Signature: Leasa K Davis 1-19-20

I own 2 properties on 2757 9900 & 9908 - This development will decrease my property value & cause too much traffic & congestion

RECEIVED

JAN 27 2020

PLANNING AND ZONING

Please respond by returning to:

PLANNING DIVISION  
 Johnna Matthews  
 CITY OF MESQUITE  
 PO BOX 850137  
 MESQUITE TX 75185-0137

EXHIBIT D  
Development Standards

**I. General**

1. **Definitions and Interpretations.** The definitions of the Mesquite Zoning Ordinance shall apply.
2. **Conflicts with Property Restrictions.** The Concept Plan and the Development Standards shall control the use and development of all land and structures within the Property. In the event of a conflict as to the use of property with any applicable private covenants, conditions or restrictions, the more restrictive provision shall control. In the event of a conflict as to, without limitation, lot configuration, building disposition, or the design of any structure or Authorized Improvements, the Concept Plan and Development Standards shall control unless waived by the City Manager, which denial of waiver may be appealed to the City Council.
3. **Conflicts with Kaufman County Regulations.** In the event of any conflict between the Concept Plan, including these Development Standards, and the City Regulations, the Concept Plan and these Development Standards shall control.

[4-5 Reserved]

**II. Standards**

6. **Allowed Uses of the Property.** The following uses are permitted-by-right on the Property under the conditions established in the Mesquite Zoning Ordinance:
  - a. **Main Uses.**
    - Single Family Detached Dwelling – Conventional Dwelling
    - Crop Production
    - Utility Facilities
    - Public Golf Courses, Playgrounds, and Parks
    - Elementary and Secondary Schools
    - Libraries
    - Residential Care Facility – Family Home
    - Museums, Art Galleries (Public)
    - Arboreta, Botanical Gardens (Public)
    - Churches
    - Public Safety Facilities
    - Child Day Care Center

Exhibit D - Page 1



Community/Recreation Room (Private)  
 Membership Sports and Recreation Clubs  
 Water Pump Station & Storage Facilities  
 Sanitary Sewer Collection Facilities  
 Amenity Center  
 Sales Office  
 Recreational Sports Fields  
 Equestrian Facilities

- b. Accessory Uses.  
 Accessory Structures (Private)  
 Parking (Private)  
 Gardening (Private)  
 Home Occupations  
 Home Day Care  
 Yard/Garage Sales  
 Keeping of Pets (Private)  
 Keeping Horses and Ponies (Private)  
 Refuse Containers (Private)  
 Landscape Irrigation Systems  
 Ponds  
 Pools

7. **Lot and Building Standards.** There will be five Lot Types used for development of Single Family Residence detached uses: ETJ-1A, ETJ-125, ETJ-100, ETJ-80 and ETJ-60. The minimum living area for all single-family structures shall be 2,500 square feet. The maximum height for all single-family structures shall not exceed 35 feet, or 2.5 stories, whichever is less. There will be one Lot Type used for non-residential development: ETJ-NR. Lot widths shall be measured at the Building Line. All lot types shall be included regarding special garage setbacks.

- a. Single Family Residence detached uses on Lot Type ETJ-1A shall comply with the standards of Table D1:

Table D1: Lot Type ETJ-1A		
		Minimums:
Configuration	Lot size	43,560 square feet
	Lot width	150 feet
	Lot depth	200 feet
Disposition	Front (except FM 2757)	Standard: 50 feet
	Front on FM 2757	Standard: 100 feet
	Exterior side	30 feet
	Interior side	15 feet
	Rear	50 feet

Or as approved on the preliminary plat, whichever is the greater.  
 If a twenty-four (24') foot slip road is utilized for the five (5) lots fronting onto FM 2757 the Fifty (50) standard front setback will apply.



b. Single Family Residence detached uses on Lot Type ETJ-125 shall comply with the standards of Table D2:

Table D2: Lot Type ETJ-125		
		Minimums:
Configuration	Lot size	17,500 square feet
	Lot width	125 feet
	Lot depth	140 feet
Disposition	Front	Standard: 30 feet
	Exterior side	30 feet
	Interior side	10 feet
	Rear	20 feet
		Or as approved on the preliminary plat, whichever is the greater

c. Single Family Residence detached uses on Lot Type ETJ-100 shall comply with the standards of Table D3:

Table D3: Lot Type ETJ-100		
		Minimums:
Configuration	Lot size	12,000 square feet
	Lot width	100 feet
	Lot depth	120 feet
Disposition	Front	Standard: 30 feet
	Exterior side	30 feet
	Interior side	10 feet
	Rear	20 feet
		Or as approved on the preliminary plat, whichever is the greater

d. Single Family Residence detached uses on Lot Type ETJ-80 shall comply with the standards of Table D4:

Table D4: Lot Type ETJ-80		
		Minimums:
Configuration	Lot size	8,800 square feet
	Lot width	80 feet
	Lot depth	110 feet
Disposition	Front	Standard: 20 feet
	Exterior side	15 feet
	Interior side	5 feet
	Rear	15 feet
		Or as approved on the preliminary plat, whichever is the greater

e. Single Family Residence detached uses on Lot Type ETJ-60 shall comply with the standards of Table D5:

Table D5: Lot Type ETJ-60		
		Minimums:
Configuration	Lot size	7,200 square feet
	Lot width	60 feet
	Lot depth	110 feet
Disposition	Front	Standard: 20 feet
	Exterior side	10 feet
	Interior side	5 feet
	Rear	15 feet

Or as approved on the preliminary plat, whichever is the greater

f.

**Garage Setbacks.** The percentage of garage setbacks allowed in the development for all single family lot types as follows:

Maximum of 50% of single family lots may have J-Swing Drive garage entries.

Maximum of 20% of single family lots may have a two foot setback from the front building façade.

Maximum of 20% of single family lots may have a four foot setback from the front building façade.

Maximum of 20% of single family lots may have a six foot setback from the front building façade.

Minimum of 10% of single family lots shall have twenty (20) foot setback from the front building façade.

g. All non-residential uses, development and structures on the Property shall be subject to site plan review and approval by the Director or City Council in accordance with standards established in the Mesquite Zoning Ordinance and the City's Community Appearance Manual.

8. **Lot Mix.** Lots in the Property shall be distributed by lot type in accordance with the following table:

Lot Type	Number of Lots	Percentage of total lots
ETJ 1-Acre	95	9.35%
ETJ-125	55	5.41%
ETJ 100	142	13.98%
ETJ-80	336	33.07%
ETJ-60	388	38.19%
<b>Total Number of Lots</b>	<b>1,016</b>	

9. **Buffers, Fencing and Screenwalls.** Development of the Property shall include rural sight buffers of not less than thirty (30) feet in width where the Property abuts FM 2757 (except where Lots ETJ-1A front on FM 2757 as shown on the Concept Plan) and not less than thirty (30) feet in width where the Lots ETJ-60 abut Kelly Road (as located on the Concept Plan).
- a. The rural sight buffers shall be landscaped with a staggered tree line and xeriscape plant materials. The buffers shall be contained within an easement, and in addition to the tree line and other landscaping may consist of berms and other components specified in Section 21 where site constraints allow. A preliminary landscape plan, specific to the rural landscaped buffer areas, will be submitted to the City Manager, prior to installation, to allow for review of the plan as to general compliance with the intent of the Concept Plan. Existing site constraints will be taken into consideration when reviewing the preliminary landscape plan.
  - b. A continuous, flat-top, wrought iron or powder coated tubular steel fence with a uniform height of between six to eight feet shall separate the buffer and all adjoining Lots. The fence may include openings at points of public pedestrian or bicycle passage.
  - c. For Lots ETJ-1A that front on FM 2757, any fencing between the building line of any structure and FM 2757 shall consist only of wrought-iron or powder coated tubular steel with a minimum height of six feet and a maximum height of eight feet. Gates at driveways may include decorative wrought iron or powder coated tubular steel extensions that exceed maximum height.
  - d. When used within the Property, screenwalls shall be constructed of decorative, long-span precast concrete in accordance with City of Mesquite General Design Standards dated February 5, 2015, as amended.
  - e. No fence or screenwall may obstruct flow along a drainage way.
10. **Entry Monumentation.** Each street used for ingress to the Property from either FM2757 or Kelly Road shall include a Neighborhood Designation monument sign or equivalent and appropriately scaled monumentation approved by the City Manager, which denial of approval may be appealed to the City Council.
11. **Anti-Monotony.** No front elevation of a single-family structure, including its mirror image, shall be repeated any more often than once every eight (8) lots. Prior to obtaining the first building permit for a single-family structure, a builder shall submit to the City for review and approval by the Planning and Zoning Commission a palette of proposed elevations and façade materials indexed by floor plan. Each building permit application shall identify by index number the floor plan and elevation of the structure to be built.
12. **Exterior Fire Resistant Construction.** The standards of the Mesquite Zoning Ordinance shall apply. For Lots ETJ-60, ETJ-80, ETJ-100 and ETJ-125, which back up to FM 2757 or Kelly Road, the rear façade shall consist of 100% architectural-faced, unitized masonry.



A builder on Lots ETJ-60 may request a reduction in the requirements of this Section when submitting elevations and façade materials to the Planning and Zoning Commission for approval in accordance with Section 11. The decision of the Commission may be appealed to City Council.

[13-15 Reserved]

### III. Phasing

**16. Phasing of Development.** The Project shall generally be developed according to the phasing sequence shown on the Concept Plan. The lot mix within each phase is intended to prevent overdevelopment of any one lot type during build-out of the Property. Modifications to each phasing sequence's actual size, number of actual lots or the lot mix within each phase shall only be subject to amendment upon approval by the City Council if altered by greater than ten percent (10%).

[17-20 Reserved]

### IV. Infrastructure

**21. Utility Facilities and Easements.** All utilities, except transformers and necessary above-ground appurtenances not exceeding four feet in height, shall be placed underground. Except as provided herein, easements for all private or franchised utility facilities shall be located outside any easements or rights-of-way granted or dedicated to, or acquired by, the City, and shall not interfere with the City's use or access to its easements and rights-of-way. Whether located on private property or property common to the development, transformers shall be effectively screened from view from the public street in a manner approved by the Director or the City.

a. The Owner shall dedicate to the City easements within the Property at the buffer widths prescribed in Section 9, which shall immediately abut and be parallel to the southwest right-of-way line of FM 2757 and the north right-of-way line of Kelly Road. The entirety of such easements shall be shown on and proposed for dedication to public use on each final plat of the Property, which uses shall include, without limitation:

- i. Buffers, Fencing and Screen walls as required by Section 9;
- ii. City water and sanitary sewer;
- iii. Entry monumentation of Section 10; and
- iv. Such private or franchised utilities that the City or State of Texas may authorize from time to time;

b. The underlying fee shall be held by the homeowners association as common property, and said association shall be responsible for maintenance of all berms, landscaping, amenities and monumentation installed within the easement, save and except those improvements expressly dedicated to and accepted by the City.

Exhibit D - Page 6

22. **Improvements to Kelly Road: Connectivity.** A minimum of two permanent street connections shall be constructed from Kelly Road into the Project at points shown on the concept plan. Improvements to Kelly Road shall be timed to be completed in a manner that provides unfettered access for fire apparatus to each section or phase of the Development adjacent to Kelly Road as shown below. The improvements adjacent to each section or phase shall be completed prior to the City performing a final inspection on the first dwelling unit within that section of the Development. Until such improvements are completed, the City shall have no obligation to perform a final inspection on any dwelling unit within that section of the Development, and the Owner shall not permit any person to occupy any dwelling within said section or phase.
23. **Temporary Dead-Ends.** New streets in a phase of the Property may temporarily dead end at a boundary of that phase without the requirement of a temporary turnaround if the dead end is located within 150 feet of an intersection. Type III barricades shall be installed at the end of pavement with signage required by the TMUTCD.
24. **Barrier Free Ramps and Sidewalks.** Barrier free ramps located at all intersections shall be constructed by the Developer concurrently with street construction in accordance with TAS/ADAAG standards, as amended. Sidewalks will be constructed by the Developer in accordance with TAS/ADAAG standards, as amended, if the sidewalk fronts on a lot owned by a homeowners' association, a common area, or along a main entry street. Sidewalks will be constructed by homebuilders in accordance with TAS/ADAAG standards, as amended, if the sidewalk fronts a residential lot.
25. **Specific to Phase I.** The following regulations apply only to the 49 Lots ETJ-1A shown in Phase I of the Project on the Concept Plan:
- All residential rural pavements shall be a minimum of 6 inches thick using 3600-psi reinforced concrete with #4 bars on 18 inches centers both ways on a subgrade as approved by Geo-technical engineer. The width shall not be less than twenty-six (26'), thickened edge to thickened edge, with no curbs in a fifty (50') foot Right-of-Way or access easement, if private. No continuous borrow ditch is required if lots drain from front to rear. Where a continuous borrow ditch is necessary, due to lots draining to street, the Right-of-Way shall be sixty-five (65') in width. No maintenance strip shall be required. Borrow ditch shall carry the 100-year storm event, have a side slope of 4:1 max., a minimum slope of one (1%) percent, velocity of 6fps. max., 3' deep max., driveway culverts installed by a homebuilder shall be RCP with SET headwall without bars and the top of the ditch shall be no closer than 5' to the edge of pavement.
  - The maximum rural cul-de-sac length may not exceed 1,800 linear feet to conform with the Concept Plan and the paved cul-de-sac turnaround at the end shall have a ninety-five (95') foot diameter within a one-hundred-fifteen (115') right-of way or access easement, on a private street (in accordance with the 2015 International Fire Code).
  - The five (5) ETJ-1A lots as shown on the Concept Plan that face onto FM2757 shall be allowed to have five (5) individual separate driveway access points onto FM2757 if



approved by TxDOT permits or a twenty-four (24') foot wide common slip fire lane/access road shall be provided with two (2) points of ingress/egress onto FM2757 on which individual driveways will connect, which will provide turnaround ability to prevent backing onto FM 2757.

- d. Sidewalks 4-feet in width, as per the Subdivision Ordinance dated April 21, 2003, shall be located in the street right-of-way (not adjacent to curb) or adjacent in an easement provided that sidewalks shall not be required where an 8-foot trail is provided on one side of a street within the street right-of-way or an access/utility easement or is adjacent for connectivity.
- e. Water Distribution and Sanitary Sewer Collection Systems.

Water Distribution and Sanitary Sewer Collection Systems must be designed and approved per City codes and standards. All water mains shall provide adequate fire flows. The water mains serving the 49 one acre lots in Phase I may be dead end mains initially and looped with future phases. For the 49 one-acre lots in Phase I, a temporary sanitary sewer collection system (pump & haul) acceptable to the Texas Commission on Environmental Quality may be approved by the City, provided the temporary sanitary sewer collection system accommodates future connection to the City gravity sanitary sewer collection system. The purpose is to allow building permits to be achieved on the one acre lots, should they be ready, prior to the remainder of Phase I. Approval of the above pump and haul system shall not be unreasonably withheld. Portions of the Sanitary Sewer System, where necessary due to topography, may be located in rear or side yards of lots, in easements.

- f. The runoff coefficient shall not exceed 0.50 for drainage computations.

**26. Overall Development.** The following regulations apply to the overall Project, including the 49 Lots ETJ-1A of Phase I referenced in Section 25. As pertains to such lots, in the event of a conflict between the regulations of Section 25 and this Section 26, the regulations of Section 25 shall govern.

**a. Streets and Rights-of-Ways.**

- i. Typical residential streets shall be 27 feet wide (as measured from back of curb to back of curb), 6-inch thick, 3,600 psi reinforced concrete with #4 bars on 18-inch centers both ways (in accordance with the Subdivision Ordinance dated April 21, 2003) on a subgrade as approved by Geo-technical engineer. Mountable curbs shall be allowed in the development with City Manager approval, which denial of approval may be appealed to the City Council.
- ii. The maximum cul-de-sac length may not exceed 1,000 linear feet, provided that the paved cul-de-sac turnaround at the end shall have a ninety-five (95') foot diameter within an one hundred-fifteen (115) foot right-of-way, or access easement, on private streets, in accordance with the 2015 International Fire Code.

- iii. The maximum typical residential street block length shall not exceed 2,300 linear feet before a curve deflection to conform to the Concept Plan and to work with the existing site topography. The maximum typical rural residential street block length shall not exceed 1,800 linear feet before a curve deflection to conform to the Concept Plan and work with the existing site topography.
- iv. There shall be no requirement for alleys within the entire development.
- v. Street slopes shall not be less than 0.60% or greater than 10% without staff approval.
- vi. Sidewalks 4-feet in width, as per the Subdivision Ordinance dated April 21, 2003, shall be located in the street right-of-way (not adjacent to curb) or adjacent in an easement provided that sidewalks shall not be required where an 8-foot trail is provided on one side on a street within the street right-of-way or an access/utility easement or is adjacent for connectivity.

**b. Drainage**

- i. All streets, except rural, shall be designed for the 100 year storm event. The depth of flow in all residential streets shall not exceed 8" deep or right-of-way to right-of-way, whichever is less. All streets shall be constructed at or above the 100-year flood plain elevation.
- ii. Lot Grading Plans shall be submitted to the City Manager for approval, which denial of approval may be appealed to the City Council. The finish floor elevation of the residential slab is allowed to be below the top of street curb elevation as long as all interior lot finish invert grades, including driveway PVI point to garage, carrying drainage are a minimum of two feet below the corresponding finish floor slab elevation and sufficient carrying capacity is shown to provide a minimum of 1 foot of freeboard. Lot to lot drainage is allowed in this entire development, defined as one lot draining to another.
- iii. New open drainage channels/waterways shall be allowed to carry storm drainage, for any size drainage watershed, with no minimum size requirement, within this overall development. Existing waterways shall also be allowed to remain where warranted by site conditions to convey storm drainage with no minimum size drainage watershed. The design shall provide one (1') foot of freeboard above the ultimate 100 year storm. Erosion control measures, velocity dissipation and vegetation shall be utilized where necessary to maintain velocities not exceeding eight (8) fps. A fifteen (15') accessible maintenance strip will be provided on one side. A drainage easement will be provided and dedicated to the HOA for maintenance.
- iv. Private storm sewer systems may be used to pick up localized drainage within lots, open space areas, etc. and may consist of HDPE pipe with pre-fab grate or

v-inlets and finally connected to the proposed City storm system or open drainage water ways. These will be private systems with easements dedicated to the HOA for maintenance.

- v. Delineated flood plain is to be reclaimed as part of this development. New streets in the reclaimed areas shall be set so the top of the proposed inlet elevation is a minimum of one (1') foot above the ultimate 100-year hydraulic grade line based on the starting elevation being the 100 year computed BFE.
- vi. One acre lots backing to the flood plain shall be allowed to have a flood plain easement within the rear unbuildable portion of the lots which shall be included in the one-acre size requirement.
- vii. The runoff coefficient shall be a composite value overall including open space, etc. for each phase.



