

**ORDINANCE NO. O-1234**

**AN ORDINANCE OF THE CITY OF FATE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND CHANGING THE ZONING CLASSIFICATION FROM AGRICULTURAL DISTRICT TO PLANNED DEVELOPMENT DISTRICT FOR OFFICE, RETAIL, AND MEDIUM DENSITY RESIDENTIAL USES ON 2.39 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF E. FATE MAIN PLACE AND WT BARNES AVENUE, ROCKWALL CAD PROPERTY ID 12345; AMENDING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY UP TO \$2,000 PER DAY; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission considered and made recommendations on a certain request for a change of zoning on the above captioned property; and

**WHEREAS**, this change of zoning is in accordance with the adopted Comprehensive Plan of the City of Fate; and

**WHEREAS**, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, and general welfare of the City of Fate.

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

Section 1. That the above findings are hereby found to be true and correct and are incorporated as if fully set forth herein.

Section 2. That the 2.39 acres of land located at the northeast corner of E. Fate Main Place and WT Barnes Avenue and more specifically described in the attached **Exhibit A**, attached hereto and incorporated herein by reference, is hereby zoned to Planned Development District for Office, Retail, and Medium Density Residential uses and shall be developed and used in accordance with all applicable regulations of the City of Fate except as provided herein, and the Comprehensive Zoning Ordinance, as amended.

Section 3. That the Development Conditions and Standards for this Planned Development district are attached hereto as **Exhibit B** and incorporated herein by reference.

Section 4. That the Comprehensive Zoning Ordinance and the Official Zoning Map are hereby amended to reflect the action taken herein.

Section 5. That any person, firm or corporation violating a provision of this ordinance, upon conviction, is guilty of an offense punishable as provided in Section 1-14 of the Fate Code of Ordinances, as amended.

Section 6. That Chapter 40, Zoning Ordinance of the City of Fate Code of Ordinances, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 7. That if any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or its application to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of Chapter 40, Zoning Ordinance of the City of Fate Code of Ordinances, and

the remaining portions shall remain in full force and effect.

Section 8. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FATE, TEXAS on this 1<sup>st</sup> day of August, 2016.**

**APPROVED:**

\_\_\_\_\_  
Lorne Megyesi, Mayor

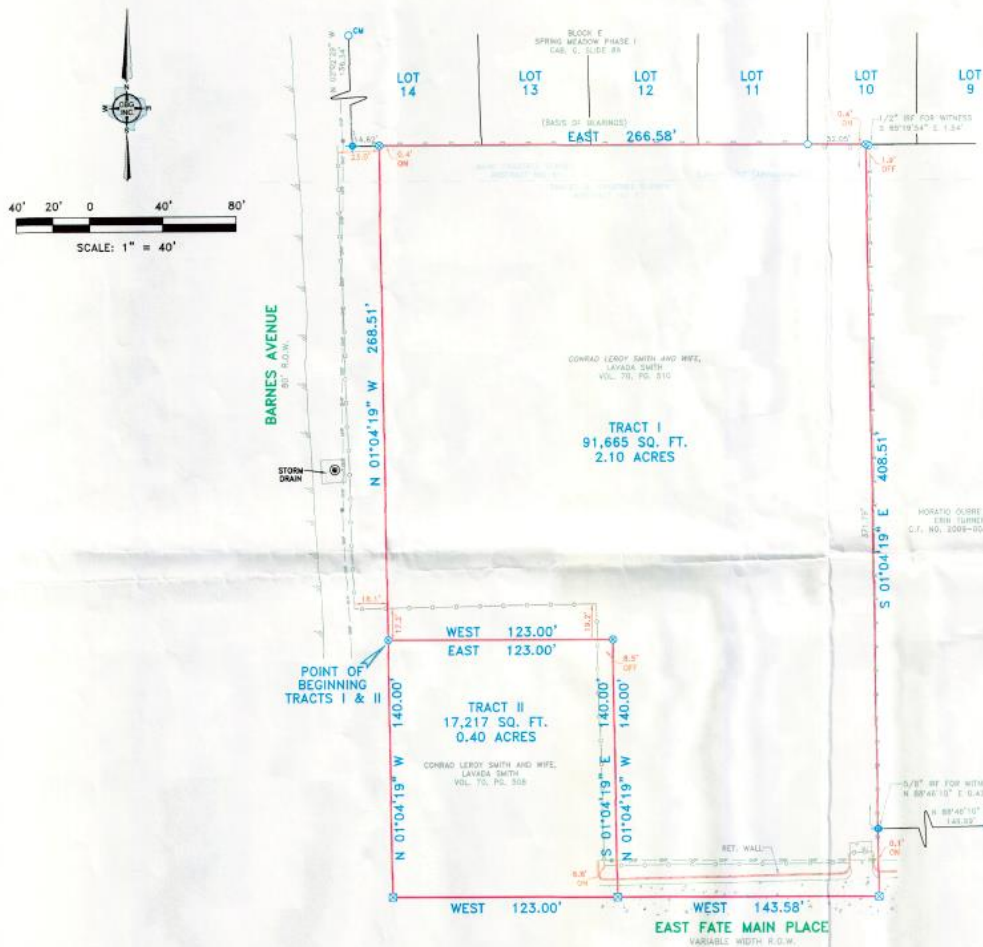
**ATTEST:**

\_\_\_\_\_  
Victoria Raduechel, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Brenda N. McDonald, City Attorney

# EXHIBIT A



## 301 East Fate Main Place

**Tract I:**  
Being a 2.10 acre tract of land situated in the Mark Crabtree Survey, Abstract No. 61 and the Samuel B. Crabtree Survey, Abstract No. 57, Rockwall County, Texas, more being that tract of land conveyed to Conrad Leroy Smith and wife, Lavada Smith, by deed recorded in Volume 70, Page 310, Deed Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2 inch iron rod, with a yellow cap stamped "C.B.G. Surveying", set for corner, said corner being on the East line of Barnes Avenue (80 feet right-of-way) and the Northwest corner of that tract of land conveyed to Conrad Leroy Smith and wife, Lavada Smith, by deed recorded in Volume 70, Page 308, Deed Records, Rockwall County, Texas;

**THENCE** North 01 degree 04 minutes 19 seconds West, along the East line of said Barnes Avenue, a distance of 266.51 feet to a 1/2 inch iron rod, with a yellow cap stamped "C.B.G. Surveying", set for corner, said corner being on the South line of Lot 14, Block E, Spring Meadow Phase I, an Addition to Rockwall County, Texas, according to the plat thereof recorded in Cabinet G, Slide 88, Plat Records, Rockwall County, Texas;

**THENCE** East, along the South lines of Lots 10 through 14, Block E, of said Addition, a distance of 266.58 feet to a 1/2 inch iron rod, with a yellow cap stamped "C.B.G. Surveying", set for corner, said corner being the Northwest corner of that tract of land conveyed to Horatio Guere and Erin Turner, by deed recorded in Clerk's File No. 2009-0043283, Official Public Records, Rockwall County, Texas, from which a 1/2 inch iron rod found bears South 85 degrees 19 minutes 54 seconds East, a distance of 1.54 feet for witness, and another 1/2 inch iron rod found bears West, a distance of 32.03 feet, being the common South corner of Lots 10 and 11, Block E, of said Addition;

**THENCE** South 01 degree 04 minutes 18 seconds East, along the West line of said Guere/Turner tract, a distance of 408.51 feet to an "X" set in concrete for corner, said corner being in East Fate Main Place (variable width right-of-way);

**THENCE** West, along the North line of said East Fate Main Place, a distance of 143.58 feet to an "X" set in concrete for corner, said corner being the Southeast corner of said Smith (70/308) tract;

**THENCE** North 01 degree 04 minutes 19 seconds West, along the East line of said Smith (70/308) tract, a distance of 140.00 feet to a 1/2 inch iron rod, with a yellow cap stamped "C.B.G. Surveying", set for corner, said corner being the Northeast corner of said Smith (70/308) tract;

**THENCE** West, along the North line of said Smith (70/308) tract, a distance of 123.00 feet to the POINT OF BEGINNING and containing 91,665 square feet or 2.10 acres of land.

**Tract II:**  
Being a 0.40 acre tract of land situated in the Mark Crabtree Survey, Abstract No. 61 and the Samuel B. Crabtree Survey, Abstract No. 57, Rockwall County, Texas, more being that tract of land conveyed to Conrad Leroy Smith and wife, Lavada Smith, by deed recorded in Volume 70, Page 310, Deed Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2 inch iron rod, with a yellow cap stamped "C.B.G. Surveying", set for corner, said corner being on the East line of Barnes Avenue (80 feet right-of-way) and a Northernly Southeast corner of that tract of land conveyed to Conrad Leroy Smith and wife, Lavada Smith, by deed recorded in Volume 70, Page 310, Deed Records, Rockwall County, Texas;

**THENCE** East, along a Northernly South line of said Smith (70/310) tract, a distance of 123.00 feet to a 1/2 inch iron rod, with a yellow cap stamped "C.B.G. Surveying", set for corner;

**THENCE** South 01 degree 04 minutes 18 seconds East, along an Easement West line of said Smith (70/310) tract, a distance of 140.00 feet to an "X" set in concrete for corner, said corner being on the North line of East Fate Main Place (variable width right-of-way) and a Southernly Southeast corner of said Smith (70/310) tract;

**THENCE** West, along said East Fate Main Place, a distance of 143.58 feet to an "X" set in concrete for corner, said corner being the Southwest corner of said Smith (70/308) tract;

**THENCE** North 01 degree 04 minutes 19 seconds West, along the East line of said Smith (70/308) tract, a distance of 140.00 feet to a 1/2 inch iron rod, with a yellow cap stamped "C.B.G. Surveying", set for corner, said corner being the Northeast corner of said Smith (70/308) tract;

**THENCE** West, along the North line of said East Fate Main Place, a distance of 123.00 feet to an "X" set in concrete for corner, said corner being on the East line of said Barnes Avenue;

**THENCE** North 01 degree 04 minutes 19 seconds West, along the East line of said Barnes Avenue, a distance of 140.00 feet to the POINT OF BEGINNING and containing 17,217 square feet or 0.40 acres of land.

## SURVEYOR'S CERTIFICATE

This survey is made relying on information provided by WFO National Title Insurance Company in connection with the transaction described in 028 81610718. The undersigned Registered Professional Land Surveyor (Bryan Connolly) hereby certifies to Mark Hill Holdings, LLC and WFO National Title Insurance Company that, (a) this plat of survey and the property description set forth herein were prepared from an actual on-the-ground survey of the real property 301 East Fate Main Place described in Volume 70, Page 308 and Volume 70, Page 310, and shown herein; (b) such survey was conducted by the Surveyor, or under his direction; (c) all monuments shown herein actually existed on the date of the survey, and the location, size and type of material thereof are correctly shown; (d) except as shown herein there are no observable protrusions on to the Property or observable protrusions there from, there are no observable discrepancies, conflicts, shortages in area or boundary line conflicts; (e) the size, location and type of improvements, are shown herein, and all are located within the boundaries of the Property and adjacent to the Property lines the distances indicated; (f) the distance from the nearest intersection street or road is as shown; (g) the Property has apparent access to and from a public roadway; (h) recorded easements listed herein have been located and plotted herein; (i) the boundaries, dimensions and other details shown herein are shown to the appropriate accuracy standards of the State of Texas; (j) the Property is not located in a 100 Year Flood Plain or in an Identified "Flood Prone Area" as defined by the U. S. Department of Housing and Urban Development (Flood Insurance Rate Map No. 483970033) pursuant to the Flood Disaster Protection Act of 1973.

The surveyor expressly understands and agrees that Mark Hill Holdings, LLC and WFO National Title Insurance Company are entitled to rely on this survey as having been performed to the appropriate standards of the current Texas Society of Professional Surveyors Standards and Specifications for a Texas Land Survey as set forth by the Texas Board of Professional Land Surveying.

Use of this survey by any other parties and for any other purposes shall be at user's own risk and any loss resulting from other use shall not be the responsibility of the undersigned.

Executed this 19th day of May, 2016

*Bryan Connolly*  
Bryan Connolly  
Registered Professional Land Surveyor No. 5519



NOTES:  
BEARINGS ARE BASED ON DEED RECORDED IN VOLUME 70, PAGE 310, (M.R.C.T.) EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.

REVISIONS		
DATE	BY	NOTES

LEGEND	
○	1/2" IRON ROD FOUND
○	1/4" IRON ROD SET
○	5/8" IRON ROD FOUND
○	"X" FOUND / SET
▲	UNDERGROUND ELECTRIC
▲	OVERHEAD ELECTRIC
▲	POWER POLE
▲	ASPHALT PAVING
▲	CONCRETE PAVING
○	CHAIN LINK FENCE
○	WOOD FENCE
○	S.T. ROSE TYPICAL
○	BARBED WIRE
○	IRON FENCE
○	PIPE FENCE
○	COVERED PORCH/DECK OR CARPORT
○	OVERHEAD ELECTRIC SERVICE
○	OVERHEAD POWER LINE
○	CONCRETE PAVING

**C.B.G. Surveying, Inc.**  
12025 Shiloh Rd, Suite 230  
Dallas, Texas 75226  
P 214-349-9485 F 214-349-2216  
Firm No. 10168800  
www.cbgsurvey.com

SCALE: 1" = 40'  
DATE: 05/19/16  
JOB NO.: 1608744  
D.F. NO.: SEE CERT.  
DRAWN: JDU

**TEXAS LAND TITLE SURVEY**

MARK CRABTREE SURVEY, ABSTRACT NO. 61 & SAMUEL B. CRABTREE SURVEY, ABSTRACT NO. 57

ROCKWALL COUNTY, TEXAS

301 EAST FATE MAIN PLACE

## EXHIBIT A

### 301 East Fate Main Place

#### Tract I:

Being a 2.10 acre tract of land situated in the Mark Crabtree Survey, Abstract No. 61 and the Samuel B. Crabtree Survey, Abstract No. 57, Rockwall County, Texas, same being that tract of land conveyed to Conrad Leroy Smith and wife, Lavada Smith, by deed recorded in Volume 70, Page 510, Deed Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod, with a yellow cap stamped "C.B.G. Surveying", set for corner, said corner being on the East line of Barnes Avenue (80 foot right-of-way) and the Northwest corner of that tract of land conveyed to Conrad Leroy Smith and wife, Lavada Smith, by deed recorded in Volume 70, Page 508, Deed Records, Rockwall County, Texas;

THENCE North 01 degrees 04 minutes 19 seconds West, along the East line of said Barnes Avenue, a distance of 268.51 feet to a 1/2 inch iron rod, with a yellow cap stamped "C.B.G. Surveying", set for corner, said corner being on the South line of Lot 14, Block E, Spring Meadow Phase I, an Addition to Rockwall County, Texas, according to the plat thereof recorded in Cabinet G, Slide 89, Plat Records, Rockwall County, Texas;

THENCE East, along the South lines of Lots 10 through 14, Block E, of said Addition, a distance of 266.58 feet to a 1/2 inch iron rod, with a yellow cap stamped "C.B.G. Surveying", set for corner, said corner being the Northwest corner of that tract of land conveyed to Horatio Oubre and Erin Turner, by deed recorded in Clerk's File No. 2009-00423283, Official Public Records, Rockwall County, Texas, from which a 1/2 inch iron rod found bears South 65 degrees 19 minutes 54 seconds East, a distance of 1.54 feet for witness, and another 1/2 inch iron rod found bears West, a distance of 32.05 feet, being the common South corner of Lots 10 and 11, Block E, of said Addition;

THENCE South 01 degrees 04 minutes 19 seconds East, along the West line of said Oubre/Turner tract, a distance of 408.51 feet to an "X" set in concrete for corner, said corner being in East Fate Main Place (variable width right-of-way);

THENCE West, along the North line of said East Fate Main Place, a distance of 145.38 feet to an "X" set in concrete for corner, said corner being the Southeast corner of said Smith (70/508) tract;

THENCE North 01 degrees 04 minutes 19 seconds West, along the East line of said Smith (70/508) tract, a distance of 140.00 feet to a 1/2 inch iron rod, with a yellow cap stamped "C.B.G. Surveying", set for corner, said corner being the Northeast corner of said Smith (70/508) tract;

THENCE West, along the North line of said Smith (70/508) tract, a distance of 123.00 feet to the POINT OF BEGINNING and containing 91,665 square feet or 2.10 acres of land.

#### Tract II:

Being a 0.40 acre tract of land situated in the Mark Crabtree Survey, Abstract No. 61 and the Samuel B. Crabtree Survey, Abstract No. 57, Rockwall County, Texas, same being that tract of land conveyed to Conrad Leroy Smith and wife, Lavada Smith, by deed recorded in Volume 70, Page 508, Deed Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod, with a yellow cap stamped "C.B.G. Surveying", set for corner, said corner being on the East line of Barnes Avenue (80 foot right-of-way) and a Northerly Southwest corner of that tract of land conveyed to Conrad Leroy Smith and wife, Lavada Smith, by deed recorded in Volume 70, Page 510, Deed Records, Rockwall County, Texas;

THENCE East, along a Northerly South line of said Smith (70/510) tract, a distance of 123.00 feet to a 1/2 inch iron rod, with a yellow cap stamped "C.B.G. Surveying", set for corner;

THENCE South 01 degrees 04 minutes 19 seconds East, along an Easterly West line of said Smith (70/510) tract, a distance of 140.00 feet to an "X" set in concrete for corner, said corner being on the North line of East Fate Main Place (variable width right-of-way) and a Southerly Southwest corner of said Smith (70/510) tract;

THENCE West, along said East Fate Main Place, a distance of 145.38 feet to an "X" set in concrete for corner, said corner being the Southeast corner of said Smith (70/508) tract;

THENCE North 01 degrees 04 minutes 19 seconds West, along the East line of said Smith (70/508) tract, a distance of 140.00 feet to a 1/2 inch iron rod, with a yellow cap stamped "C.B.G. Surveying", set for corner, said corner being the Northeast corner of said Smith (70/508) tract;

THENCE West, along the North line of said East Fate Main Place, a distance of 123.00 feet to an "X" set in concrete for corner, said corner being on the East line of said Barnes Avenue;

THENCE North 01 degrees 04 minutes 19 seconds West, along the East line of said Barnes Avenue, a distance of 140.00 feet to the POINT OF BEGINNING and containing 17,217 square feet or 0.40 acres of land.

## **EXHIBIT B**

### **LAFAYETTE PLACE PLANNED DEVELOPMENT DISTRICT AUGUST 1, 2016**

#### **1. PURPOSE**

- a. This planned development district is intended for a combination of uses that include office, retail, private recreation, and higher density residential dwellings. These guidelines and standards are intended to encourage an orderly and logical pattern of development that enhances the design aesthetic, convenience, safety and livability of the district and encourages a creative approach in the utilization of the land through forethought and consideration of both the development's external relationships as well as its internal organization. The planning and configuration shall be pedestrian oriented and integrated with one another to enable multi-modal connectivity options to future development in downtown Fate. The intent of the district is to provide for a development that is superior to that which could be accomplished utilizing the City's base zoning districts.

#### **2. SITE PLANNING PROCESS**

- a. Development of the property shall generally conform to the approved site concept plan and architectural concept plan.

#### **3. PERMITTED USES**

- a. Townhomes (shall not front E. Fate Main Pl.)
- b. Apartments (shall be located above office/retail space fronting E. Fate Main Pl.)
- c. Antique shop
- d. Bakery or confectionary (candy)
- e. Florist or garden shop
- f. Drugstore or pharmacy
- g. Office, general business
- h. Restaurants
- i. Professional office
- j. Beauty/barber shop
- k. Generally recognized retail businesses which supply commodities on the premises, such as art galleries, bookstores, clothing, computers, electronics, furniture, gifts, greeting cards, jewelry, leather goods, linens, luggage, optical goods, telephones, and upholstery
- l. Studio for photography, interior decoration, fine arts instruction, or sale of art objects
- m. Outside display when approved with site plan or as amended

#### **4. SITE DESIGN**

- a. Maximum Site Coverage: lot coverage – 80% / open space area – 20%. Open space area can include areas such as dog parks, playgrounds, courts, hardscape/plazas, and landscape and buffer areas inside the site. To count toward the open space area requirement areas shall be outdoor or unenclosed areas designed and accessible for outdoor living, recreation, pedestrian access, or landscaping. Calculations are to be based upon entire development.
- b. Density, Residential: minimum 10 units/acre. Maximum 20 units/acre.
- c. Density, Retail/Office: No minimum or maximum density.
- d. Amenities, Residential: the residential development shall incorporate at least five features to promote a healthy lifestyle. In addition to the dog-park and playground as shown on the approved concept site plan, features shall include benches, awnings, arcades, pergolas, fountains, art pieces, or similar features as approved by the Zoning Administrator. No more than one feature shall be used more than twice if is to be counted toward meeting the



minimum number of required features. Where awnings are used, they shall be metal or an equivalent durable material.

- e. Amenities, Retail: the retail development shall incorporate at least three features to promote a walkable environment. Features shall include benches, shade trees, awnings, arcades, pergolas, fountains, art pieces, or similar features as approved by the Zoning Administrator. No more than one feature shall be used more than twice if is to be counted toward meeting the minimum number of required features. Where awnings are used, they shall be metal or an equivalent durable material.
- f. Pedestrian Connectivity: sidewalks at least 5' in width shall be provided along Barnes Avenue and sidewalks at least 10' in width shall be provided along E. Fate Main with use of 40% permitted for tables, chairs, benches, movable plants, special event signage (e.g. sandwich board), and other pedestrian-friendly, business related items related to tenant businesses. Said items on E. Fate Main sidewalks shall be limited to an area no more than 4' beyond the façade. Sidewalks at least 5' in width shall be provided on the interior of the property so as to provide a contiguous connection to each residential unit. When there are crossings or common path areas, well-marked or differentiated pathways shall be provided.
- g. Screening: trash receptacles, recycling bins, mechanical equipment, and utility meters shall be screened from public R.O.W., internal streets, and sidewalks.
  - a. Trash receptacles and recycling bins shall be located on the interior of the property and screened from public view on three sides with a solid wall constructed of masonry, concrete, or iron fencing. The side used for garbage pickup service shall be heavy duty gates. If iron fencing is used, landscaping that forms a continuous unbroken, solid, visual screen shall be provided. Screening shall be one foot (1') above container, a minimum six feet (6') tall.
  - b. Ground-mounted or building-mounted mechanical equipment shall be screened from all public rights-of-way or residential use. Equipment shall be screened with landscaping that forms a continuous unbroken, solid visual screen at least 2' in height at the time of planting and will be at least 3' in height within one year after time of planting.
  - c. Utility meters shall be located in clusters or groups preferably in separate structures or on either end of the building's exterior walls. If located on the building wall, they shall be covered/screened from view with a compatible building material or landscaping. If landscaping is used it shall form a continuous unbroken, solid, visual screen at least 3' in height at the time of planting and will be at least 4' in height within one year after time of planting.

## 5. FENCING

- a. Walls or fences shall be required along each property line not adjacent to a public R.O.W. No wall or fence, however, shall extend beyond the front building line of the retail/office uses.
- b. Walls or fences shall be constructed of high quality materials, such as decorative cmu, brick, stone, cedar and ornamental metal. If walls are used they shall be constructed with appropriate structural footings and foundations to minimize movement and wall failure, and must be constructed with level wall/fence tops. If cedar is used they shall be constructed with metal or iron posts as approved by the building official.
- c. Walls or fences shall be a minimum of 6' and a maximum of 8' in height.

## 6. BUILDING DESIGN

- a. Build-to lines are as follows (may be influenced by engineered site grading):

- a. Front, for buildings fronting E. Fate Main: 30'
- b. Front, for buildings fronting Barnes Ave: 0'
- b. Minimum building setbacks are as follows (may be influenced by engineered site grading):
  - a. Side, for buildings fronting E. Fate Main: 20'
  - b. Side, for buildings fronting Barnes Ave: 15'
  - c. Rear, for buildings backing or siding Spring Meadow: 25'
  - d. Rear, for buildings backing in easterly direction: 15'
- c. Facades: building mass, height, and bulk and width-to-height ratio need not be similar in scale and in proportion to surrounding buildings, but should respect the scale and siting of adjacent developments. All building façades shall include no less than two (2) of the elements listed below. Elements shall occur at intervals of no more than twenty feet (20') horizontally.
  - a. Color change
  - b. Texture change
  - c. Material change
  - d. Medallions/accent pieces
  - e. Decorative light fixtures
  - f. A change in plane of no less than sixteen inches (16") in width, for 25% of the building façade element
- d. Windows/Glazing: a minimum 40% of the wall façade area of buildings fronting E. Fate Main shall be comprised of windows/glazing. Doors of residential units shall be solid core non-metal.
- e. Garage doors: Shall be traditional or contemporary and will complement the architectural style of the units.
- f. Roofs: If pitched roof forms (gable, hip, shed) with overhanging eaves are used, they shall be between three inches (3") of vertical rise to twelve inches (12") of horizontal run, and twelve inches (12") of vertical rise to twelve inches (12") of horizontal run. Distinctively shaped roof forms, detailed parapets, parapet steps, or exaggerated cornice lines shall be incorporated into rooflines along building façades at intervals no greater than 50'. Metal roofing is permitted.
- g. Materials and Colors: use of similar building and architectural materials shall be used in order to achieve unity between buildings. All buildings in the development shall be constructed of building materials from a similar color and material palette and a similar architectural style or theme. Building entrances and accent features are appropriate locations to express individual building character or identity. Exterior building materials for all facades shall be high quality, which include:
  - a. Brick
  - b. Native/natural stone – quarried. Stone to be limestone, marble, or granite
  - c. Cast stone
  - d. Stucco
  - e. EIFS – for trim and accent only, above eight feet (8') a.f.f. Maximum 10%
  - f. Architectural precast for trim and accent features
  - g. Decorative face integral color concrete masonry units, such as split-face, scored, ground face, burnished (as accent only)
  - h. Prefinished metal panels
  - i. Glass
  - j. Wood – natural or composite
  - k. Roofing materials for visible portions of roof surfaces may be slate, clay tile, concrete tile, standing seam metal, metal shingles, architectural asphalt shingles
  - l. Cement fiber board or composite cement board (examples: Trex, Nichicha)

- h. Masonry & Color Requirements: All buildings shall have a minimum 75% of the solid wall surface as stone, brick, cast stone, architectural precast, decorative CMU, stucco or cement fiber/composite cement board on the exterior perimeter sides facing the public R.O.W., with up to 10% EIFS trim/accent. Other sides of all buildings shall have a minimum 70% of solid wall surface as stone, brick, cast stone, architectural precast or tilt wall concrete, decorative CMU, stucco, or cement fiber/composite cement board, with up to 10% EIFS trim/accent. Façade colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, or fluorescent colors must be approved by the City. Building trim and accent areas may feature brighter colors for a maximum 10% of the façade area, and may include other approved materials.
- i. Covered Parking: structures shall compliment the main building architecture and use the same materials palette. All support structures shall be clad with materials that complement the main building architecture and use the same materials palette. Their design shall include at least 2 of the following on the façade features:
  - a. Façade modulation of at least six inches (6") for every thirty feet (30') of wall length
  - b. Multiple building materials
  - c. Multiple surface textures (e.g. rough, smooth, striated, imprinted, etc.) or patterns
  - d. Variation on roof designs

**7. LANDSCAPING**

- a. Residential: foundations generally shall be planted with ornamental plant material for no less than 50% of the wall length that faces a public street or internal street. Materials may include shrubs, ornamental grasses, flowering shrubs, perennials-flowers, and ground covers. This may occur at the building wall, or if a sidewalk is adjacent to the building, at the outside perimeter of the sidewalk or in a location approved by the City Manager. A minimum of three existing trees in the Dog Park area shall be preserved. A minimum of 10% of the Dog Park perimeter shall have ornamental plantings. The buffer/parkway areas shall be planted with no less than 10% feature landscaping and shall contain a minimum of 1 tree for every 2,500 sq. ft. Existing trees on the site that are preserved will count toward this overall ratio. Areas smaller than 2,500 sq. ft. will not require a tree. Plants will be selected for their color, hardiness, low maintenance, and drought tolerance. Front, side, and rear yards shall be equipped with an automatic irrigation system.
- b. Retail/Office: Landscaping will enhance the design of the building and provide for a pedestrian oriented environment. Ground level planting areas and above-ground plant containers shall be provided for no less than 10% of the wall length that faces E. Fate Main. Selected plant materials will include flowering shrubs, perennials and native grasses. Plants will be selected for their color, hardiness, low maintenance, and drought tolerance. Along E. Fate Main there shall be a total of one tree for each 30 lineal feet or fraction thereof.
- c. Parking Lot Landscaping: parking lots shall contain planting areas located no further apart than every 11 parking spaces (not including garage or covered parking). Selected plant materials will include native grasses, shrubs, ornamental trees, flowering shrubs, perennials, and ground covers. Plants will be selected for their color, hardiness, low maintenance, and drought tolerance.
- d. Existing Trees. Existing mature trees currently on the site will be preserved to the extent possible to create and maintain shaded areas throughout the development.

**8. LIGHTING**

- a. A photometric plan for the development shall be submitted in accordance with the Fate Comprehensive Zoning Ordinance as it exists or may be amended. In addition, the following standards shall be required:



- a. Residential: one light shall be located at the front door and two lights shall be located on each end of a garage (if unit has a garage).
- b. Retail/Office: one light shall be located at the front door and one light along each façade facing a public R.O.W. shall be provided at intervals no further than 20 lineal feet.

**9. SIGNAGE**

- a. Internally lit or back lit signs will not be permitted. Wall-mounted signs on the building façade and/or double-faced signs hanging or suspended from the exterior ceiling of the building overhang to identify the tenants or owners by name are permitted. Such signs may consist of individual three-dimensional lettering or a plaque-type sign, framed or unframed. Ceiling-mounted signs may project not lower than 8 feet above the sidewalk or building entry.
- b. Said signs may be illuminated with incandescent or LED fixtures only. Such fixtures must be designed to reduce light spilling to building surfaces beyond the signage areas. Building-mounted signs may cover no more than 25% of the non-glass building façade above eyelevel. Hanging or projected double-faced signs may measure not more than 12 sq. ft. in area including any framing.
- c. All sign designs, materials, colors and installation techniques must be submitted to and approved by the developer and the City Building Inspector before fabrication of said signs begins.
- d. Vinyl lettering on store-front windows is permitted but may not cover more than 25% of any window area. No hand-painted or hand-lettered signs may be placed in or on windows facing E. Fate Main. No temporary signs promoting any organization or business not directly related to the tenant or owner of any storefront facing E. Fate Main shall be permitted at any time.
- e. No changeable or programmable lighted signs may be placed on any exterior or in any windows. No flashing lighted signs may be used. A lighted "OPEN" sign will be permitted for each retailer.

**10. PARKING**

- a. Minimum size of parking space shall be nine 9' wide x 18' deep. Parking shall be striped with contrasting colors (white or yellow). Internal parking shall be concrete.
- b. On-street parking is only allowed at local streets where approved by the City Manager. On-street parking shall be striped with contrasting colors (white or yellow).
- c. Parking Ratio:
  - a. Residential: Minimum 1 spaces/bedroom. Maximum 1.8 spaces/bedroom.
  - b. Retail/Office: Minimum 1 spaces/400 sq. ft. Maximum 1 spaces/250 sq. ft.
- d. Accessible standard spaces and van spaces shall comply with Texas Accessibility Standards and Fate Comprehensive Zoning Ordinance.

**11. ALTERNATIVE COMPLIANCE**

- a. Variations from the standards of this Planned Development may be allowed if the design intent is preserved and approved by the City Manager or his designee. If the City Manager or his designee declines to approve a variation to the standards the applicant may appeal the decision to the City Council.