

ORDINANCE NO. 2022-1201B

AN ORDINANCE OF THE CITY OF WILMER, TEXAS, AMENDING ORDINANCE NO. 12.6.88, THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF WILMER, AS HERETOFORE AMENDED, BY CHANGING THE ZONING CLASSIFICATION FROM SINGLE-FAMILY-1 (SF-1) ON THAT PORTION OF THE PROPERTY THAT IS CURRENTLY LOCATED WITHIN THE CITY LIMITS AND TO ASSIGN CONCURRENT ZONING TO THE PORTION OF THE PROPERTY THAT IS TO BE ANNEXED TO PLANNED DEVELOPMENT (PD) ON ALL THAT CERTAIN PROPERTY GENERALLY LOCATED SOUTH OF MARS ROAD AND APPROXIMATELY 3,000 FEET EAST OF THE I-45 R.O.W.; BEING ALL OF THAT CERTAIN CALLED 450.17 ACRE TRACT OF LAND BEING SITUATED IN THE JOHN LITTLE SURVEY (TRACTS 2, 14, 15 – 14.95 ACRES) ABSTRACT 811, PAGE 735, IN THE D.W. WRIGHT SURVEY (TRACT 3 – 122.47 ACRES) ABSTRACT 1532, PAGE 145; THE CHARLES NEELEY SURVEY (TRACT 'A' – 101.69 ACRES) ABSTRACT 1083, PAGE 025; AND IN THE D.W. WRIGHT SURVEY, ABSTRACT 1532, PAGE 145 AND JOHN LITTLE SURVEY, ABSTRACT 811, PAGE 735 (TRACT 'B' – 211.06 ACRES); OF THE PROPERTY RECORDS OF DALLAS COUNTY, WILMER, TEXAS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH AND EVERY OFFENSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Wilmer, Texas, held a public hearing on October 13, 2022, on a request to change the zoning from Single-Family 1 (SF-1) on that portion of the property currently located within the City Limits and to assign concurrent zoning to that portion of the property that is to be annexed to Planned Development (PD) on all that certain property generally located south of Mars Road and approximately 3,000 feet east of the I-45 R.O.W., being all of that certain called 450.17 acre tract of land being situated in the John Little Survey (Tracts 2, 14, 15 – 14.95 acres) Abstract 811, Page 735, in the D.W. Wright Survey (Tract 3 – 122.47 acres) Abstract 1532, Page 145; the Charles Neeley Survey (Tract 'A' – 101.69 acres) Abstract 1083, Page 025; and in the D.W. Wright Survey, Abstract 1532, Page 145 and John Little Survey, Abstract 811, Page 735 (Tract 'B' – 211.06 acres) of the Property Records of Dallas County, Wilmer, Texas; and

WHEREAS, the City Council of the City of Wilmer, Texas, held a public hearing on November 3, 2022, and has determined that it would be in the best interest of the citizens of Wilmer to change the zoning to Planned Development (PD), City of Wilmer, Dallas County, Texas; and

WHEREAS, the City Council has determined that all notice requirements have been given in compliance with the laws and ordinances of the City of Wilmer and State Law.

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

SECTION 1. The zoning classification be and is hereby changed from Single-Family 1 (SF-1) on that portion of the property currently located within the City Limits and to assign concurrent zoning to that portion of the property that is to be annexed to Planned Development (PD) on all that certain property generally located south of Mars Road and approximately 3,000 feet east of the I-45 R.O.W., being all of that certain called 450.17 acre tract of land being situated in the John Little Survey (Tracts 2, 14, 15 – 14.95 acres) Abstract 811, Page 735, in the D.W. Wright Survey (Tract 3 – 122.47 acres) Abstract 1532, Page 145; the Charles Neeley Survey (Tract 'A' – 101.69 acres) Abstract 1083, Page 025; and in the D.W. Wright Survey, Abstract 1532, Page 145 and John Little Survey, Abstract 811, Page 735 (Tract 'B' – 211.06 acres) of the Property Records of Dallas County, Wilmer, Texas. (As fully described herein as Exhibit "A" – Legal Description).

SECTION 2. The Comprehensive Zoning Ordinance and Zoning Map of the City of Wilmer, Texas duly passed and adopted by the governing body of the City of Wilmer on the 6th day of December, 1988, as heretofore amended, be, and the same are hereby, amended by changing the zoning classification to Planned Development (PD) District on the subject 450.17 acre property, said property being further described by the Exhibit "A" (Legal Description), and regulated in accordance with the Planned Development Conditions as delineated in Exhibit "B", Exhibit "C" (Concept Plan) and Exhibit "D" (Location Map).

SECTION 3. All ordinances or part of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed. In addition to the regulations described herein, the subject property shall be subject to all other applicable codes and ordinances of federal, state, county and other entities having jurisdiction.

SECTION 4. The subject property shall be used only in the manner and for the purposes provided for in Exhibit "B" – Development Standards

SECTION 5. Any person, entity or corporation violating any provisions of this ordinance shall be considered in violation of the adopted Comprehensive Zoning Ordinance of the City of Wilmer and be subject, upon conviction, to the penalties and remedies therein.

SECTION 6. The recitals are true and correct and are incorporated herein by this reference.

SECTION 7. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 8. An offense committed before the effective date of this ordinance is governed by the prior law and by then-applicable City ordinances that were in effect when such offense

was committed and the former law is continued in effect for this purpose.

SECTION 9. Any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided by the Comprehensive Zoning Ordinance of the City of Wilmer, as heretofore amended, and upon conviction shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 10. This Ordinance will take effect immediately from and after its passage and the publication of the caption, as the law in such case provides.

DULY PASSED and approved by the City Council of the City of Wilmer, Texas, on this the 1st day of December 2022.

ATTEST:



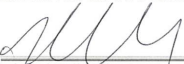
Mayra Ortiz, City Secretary

APPROVED:



Sheila Petta, Mayor

APPROVED AS TO FORM:



Michael Halla, City Attorney

Exhibit A
Legal Description of the Property

Griffith Surveying Co., LLC
605 AVENUE B - SUITE 115
LONGVIEW, TX 75604
PH: 903-295-1560 FAX: 903-295-1570

September 23, 2020

FIELD NOTES FOR 14.95 ACRES OF LAND

BEING 14.95 acres of land situated in the D. W. Wright Survey, Abstract 1532, Dallas County, Texas and being all of that certain tract as conveyed to Louann & Ronald Reaves and recorded in 20070460550 of the Official Public Records of said county; said 14.95 acres of land to be more particularly described by metes and bounds as follows:

BEGINNING at a concrete monument found for the Southeast corner of the above referenced Reaves tract and the Northeast corner of the Olsen Ellsworth Brown Properties, LLC tract as recorded in 201800284041 of said public records and being in the West right-of-way line of North Roberts Road and the South line of said Wright Survey and the North line of the C. Neely Survey, Abstract 1083;

THENCE South 59°22'38" West, a distance of 840.97 feet with the South boundary line of said Reaves tract and Wright Survey and the North boundary line of said Brown tract and Neely Survey to a concrete monument found for the Southwest corner of said Reaves tract and a Southeast corner of a called 88.7352 acre tract described as Tract 1 in 201100152040 of said public records;

THENCE North 30°52'27" West, a distance of 771.65 feet with the West boundary line of said Reaves tract and the East boundary line of said Tract 1 to a 2 inch iron pipe found in concrete for the Northwest corner of said Reaves tract and the Southwest corner of a called 34.744 acre tract described as Tract 2 in said 201100152040;

THENCE North 59°05'12" east, a distance of 842.11 feet with the North boundary line of said Reaves tract and the South boundary line of said Tract 2 to a 2 inch iron pipe found in concrete for the Northeast corner of said Reaves tract and the Southeast corner of said Tract 2 and being in the west right-of-way line of North Roberts Road;

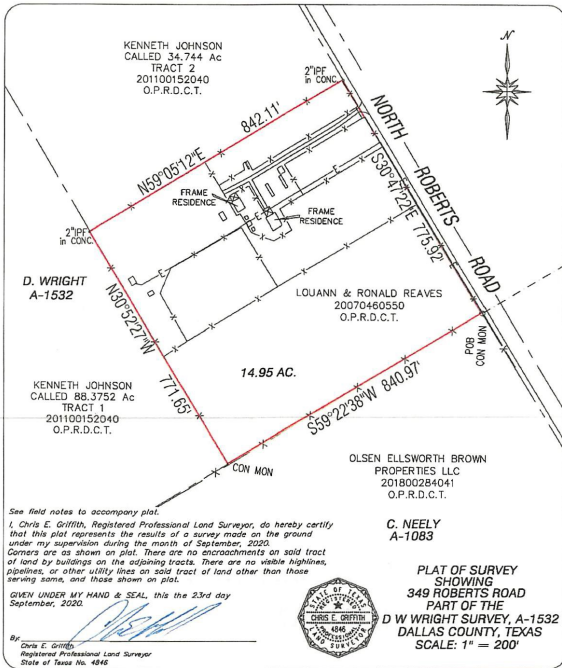
THENCE South 30°47'22" East, a distance of 775.92 feet with the East boundary line of said Reaves tract and the West right-of-way line of North Roberts Road to the place of beginning and containing 14.95 acres of land.

See plat to accompany field notes.


Chris E. Griffith
Registered Professional Land Surveyor
State of Texas No. 4846
Firm No. 10083600
Job No. ECD-0153-D



Exhibit A Continued



GRIFFITH SURVEYING COMPANY, LLC
605 AVENUE B - SUITE 115
LONGVIEW, TEXAS 75604
PH (903)295-1560 EMAIL: chris@gsco-rpls.com

**SURVEY
PREPARED FOR
BILL OLSEN, TRUSTEE**

FIRM NO. 10083600

JOB NO. ECD-0153-15

Exhibit A Continued

Griffith Surveying Co., LLC
605 AVENUE B – SUITE 115
LONGVIEW, TX 75604
PH: 903-295-1560 FAX: 903-295-1570

August 6, 2020

FIELD NOTES FOR 122.47 ACRES OF LAND

BEING 122.47 acres of land situated in the D. W. Wright Survey, Abstract 1532, Dallas County, Texas and being all of that certain called 88.3752 acre tract described as Tract 1 and that certain called 34.744 acre tract described as Tract 2 as conveyed to Kenneth Johnson and recorded in 201100152040 of the Official Public Records of said county; said 122.47 acres of land to be more particularly described by metes and bounds as follows:

BEGINNING at a ½ inch iron rod set for the Northeast corner of the above referenced Tract 2 and being in the North line of said Wright Survey and a South line of the E. Crockett Survey, Abstract 223 and being at the intersection of the South right-of-way line of Mars Road with the West right-of-way line of North Roberts Road;

THENCE South 30°47'04" East, a distance of 1804.62 feet with the East boundary line of said Tract 2 and the West right-of-way line of North Roberts Road to a 2 inch iron pipe in concrete for the Southeast corner of said Tract 2 and the Northeast corner of the Louann & Ronald Reaves tract as recorded in 20070460550 of said public records;

THENCE South 59°05'12" West, a distance of 842.11 feet with the South boundary line of said Tract 2 and the North boundary line of said Reaves tract to a 2 inch iron pipe in concrete for the Southwest corner of said Tract 2 and the Northwest corner of said Reaves tract and being in the East boundary line of the above referenced Tract 1;

THENCE South 30°52'27" East, a distance of 771.65 feet with the East boundary line of said Tract 1 and the West boundary line of said Reaves tract to a concrete monument found for the Southeast corner of said Tract 1 and the Southwest corner of said Reaves tract and being in the North boundary line of the Olsen Ellsworth Brown Properties, LLC tract as recorded in 201800284041 of said public records and being in the South line of said Wright Survey and the North line of the C. Neely Survey, Abstract 1083;

THENCE South 59°32'56" West, a distance of 1515.63 feet with the South boundary line of said Tract 1 and Wright Survey and the North boundary line of said Olsen tract and Neely Survey to a 5/8 inch iron rod found for the Southwest corner of said Tract 1 and the Northwest corner of said Olsen tract and being in the West line of said Wright Survey and the East boundary line of the Barbara Jean Smith tract as recorded in Volume 2002187, Page 3347 of said public records and an East line of said Crockett Survey;

Exhibit A Continued

122.47 ACRES OF LAND - PAGE 2 OF 2

THENCE North 30°48'34" West, a distance of 2174.82 feet with a West boundary line of said Tract 1 and Wright Survey and the East boundary line of said Smith tract and Crockett Survey to a 60d nail found for a Northwest corner of said Tract 1 and the Southwest corner of the Daniel Reyes tract as recorded in Volume 2003070, Page 9433 of said public records;

THENCE North 59°13'16" East, a distance of 208.40 feet with a North boundary line of said Tract 1 and the South boundary line of said Reyes tract to a ½ inch iron rod found for an ell corner of said Tract 1 and the Southeast corner of said Reyes tract;

THENCE North 30°44'06" West, a distance of 393.77 feet with a West boundary line of said Tract 1 and the East boundary line of said Reyes tract to a ½ inch iron rod set for a Northwest corner of said Tract 1 and the Northeast corner of said Reyes tract and being in the South right-of-way line of Mars Road and the North line of said Wright Survey and a South line of said Crockett Survey;

THENCE North 59°04'25" East with a North boundary line of said Tract 1 and the South right-of-way line of Mars Road and the North line of said Wright Survey at a distance of 1315.25 feet passing the Northeast corner of said Tract 1 and the Northwest corner of said Tract 2 and continuing a total distance of 2148.74 feet to the place of beginning and containing 122.47 acres of land.

See plat to accompany field notes.


Chris E. Griffith
Registered Professional Land Surveyor
State of Texas No. 4846
Firm No. 10083600
Job No. ECD-0153-C



Exhibit A Continued

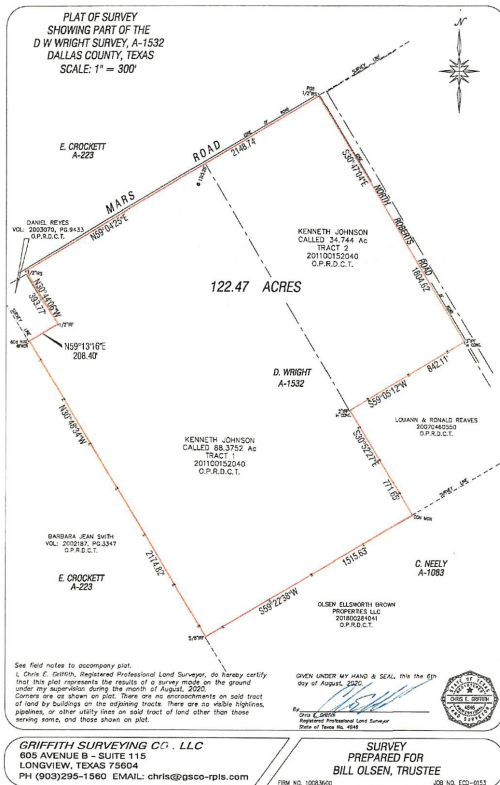


Exhibit A Continued

Griffith Surveying Co., LLC
605 AVENUE B - SUITE 115
LONGVIEW, TX 75604
PH: 903-295-1560 FAX: 903-295-1570
October 16, 2018

TRACT A

FIELD NOTES FOR 101.69 ACRES OF LAND

BEING 101.69 acres of land situated in the Charles Neely Survey, Abstract 1083, Dallas County, Texas and being all of that certain called 101.62 acre tract as conveyed to El Alasan Rosillo, LLC and recorded in 201500073827 of the Official Public Records of said county; said 101.69 acres of land to be more particularly described as tract A by metes and bounds as follows:

BEGINNING at a 1 inch iron pipe found for the Southeast corner of said Rosillo tract and at the intersection of the North right-of-way line of Patrick Pike Road with the East right-of-way line of North Roberts Road;

THENCE South 59°25'01" West, a distance of 2359.73 feet with the South boundary line of said Rosillo tract and the North right-of-way line of Patrick Pike Road to a 1 inch iron pipe found for the Southwest corner of said Rosillo tract and the Southeast corner of the Insurance Auto Auctions Corp. tract as recorded in 201700248705 of said public records;

THENCE North 30°41'20" West with the West boundary line of said Rosillo tract and the East boundary line of said Auto tract at a distance of 1325.73 feet passing a ½ inch iron rod found for the Northeast corner of said Auto tract and the Southeast corner of the Barbara Jean Smith tract as recorded in Volume 2002187, Page 3347 of said public records and continuing a total distance of 1877.69 feet to a 5/8 inch iron rod found for the Northwest corner of said Rosillo tract and the Southwest corner of the Kenneth Johnson tract as recorded in 201100152040 of said public records;

THENCE North 59°22'38" East with the North boundary line of said Rosillo tract and the South boundary line of said Johnson tract at a distance of 1515.65 feet passing a concrete monument found for the Southeast corner of said Johnson tract and the Southwest corner of the Louann and Ronald Reaves tract as recorded in 20070460550 of said public records and continuing a total distance of 2356.60 feet to a concrete monument found for the Northeast corner of said Rosillo tract and the Southeast corner of said Reaves tract in the West right-of-way line of North Roberts Road;

THENCE South 30°47'04" East, a distance of 1879.33 feet with the East boundary line of said Rosillo tract and the West right-of-way line of North Roberts Road to the place of beginning and containing 101.69 acres of land.

See plat to accompany field notes.


Chris E. Griffith
Registered Professional Land Surveyor
State of Texas No. 4846
Job No. ECD-0153-A



Exhibit A Continued

Griffith Surveying Co., LLC
605 AVENUE B – SUITE 115
LONGVIEW, TX 75604
PH: 903-295-1560 FAX: 903-295-1570

October 16, 2018

TRACT B

FIELD NOTES FOR 211.06 ACRES OF LAND

BEING 211.06 acres of land situated in the Charles Neely Survey, Abstract 1083, John Little Survey, Abstract 0811 and the D. W. Wright Survey, Abstract 1532, Dallas County, Texas and being all of that certain called 218.260 acre tract as conveyed to Mars Road partners, LTD and recorded in 200503640352 of the Official Public Records of said county; said 211.06 acres of land to be more particularly described as Tract B by metes and bounds as follows:

BEGINNING at a ½ inch iron rod set for the Southwest corner of the above referenced Mars tract at the intersection of the East right-of-way line of North Roberts Road with the North right-of-way line of Patrick Pike Road;

THENCE North 30°47'04" West with the West boundary line of said Mars tract and the East right-of-way line of North Roberts Road passing the North line of said Neely Survey and the South line of said Wright Survey and continuing a total distance of 4457.63 feet to a ½ inch iron rod set for the Northwest corner of said Mars tract at the intersection of the East right-of-way line of North Roberts Road with the South right-of-way line of Mars Road;

THENCE North 59°06'05" East, a distance of 984.66 feet with a North boundary line of said Mars tract and the South right-of-way line of Mars Road to a ½ inch iron rod set for a Northeast corner of said Mars tract at the intersection of the South right-of-way line of Mars Road with the West right-of-way line of Orion Way;

THENCE South 30°38'39" East with an East boundary line of said Mars tract and the West right-of-way line of Orion way passing the end of said Orion Way and the Northwest corner of the Lewis Watkins tract as recorded in Volume 200006, Page 1238 of said public records and continuing a total distance of 2584.30 feet to a 2 inch iron pipe found for an ell corner of said Mars tract and the Southwest corner of said Watkins tract in the South line of said Wright Survey and the North line of said Little Survey;

THENCE North 59°16'32" East with a North boundary line of said Mars tract and Little Survey and the South boundary line of said Watkins tract and Wright Survey at a distance of 566.23 feet passing a 2 inch iron pipe found for the Southeast corner of said Watkins tract and the Southwest corner of the Diane E. Jasso tract as recorded in 201300011247 of said public records and later passing the Southeast corner of said Jasso tract and the Southwest corner of the Maybell Palacios tract as recorded in 200600076283 of said public records and continuing a total distance of 1855.91 feet to a 2 inch iron pipe found for a Northeast corner of said Mars tract and the Northwest corner of the Sandra Molina tract as recorded in 201400132984 of said public records;

THENCE South 31°13'48" East with an East boundary line of said Mars tract and the West boundary line of said Molina tract passing the Southwest corner of said Molina tract and the Northwest corner of the Thelma L. Williams tract as recorded in Volume 82167, Page 559 of said public records and at a distance of 492.92 feet passing a 2 inch iron pipe found for the Southwest corner of said Williams tract and the Northwest corner of the ZFN Realty, LLC tract as recorded in 201300291964 of said public records and continuing a total distance of 770.33 feet to a 5/8 inch iron rod found for an ell corner of said Mars tract and the Southwest corner of said ZFN tract;

Exhibit A Continued

211.06 ACRES OF LAND - PAGE 2 OF 2

THENCE North 59°22'40" East, a distance of 1166.70 feet with a North boundary line of said Mars tract and the South boundary line of said ZFN tract to a ½ inch iron rod set for a Northeast corner of said Mars tract and the Southeast corner of said ZFN tract in the West right-of-way line of Cooks Road;

THENCE South 31°07'11" East, a distance of 1123.40 feet with an East boundary line of said Mars tract and the West right-of-way line of Cooks Road to a ½ inch iron rod set for the Southeast corner of said Mars tract at the intersection of the West right-of-way line of Cooks Road with the North right-of-way line of Patrick Pike Road;

THENCE South 59°363'11" West with the South boundary line of said Mars tract and the North right-of-way line of Patrick Pike Road passing the West line of said Little Survey and the East line of said Neely Survey and continuing a total distance of 4013.58 feet to the place of beginning and containing 211.06 acres of land.

See plat to accompany field notes.


Chris E. Griffith
Registered Professional Land Surveyor
State of Texas No. 4846
Job No. ECD-0153-B





Exhibit B
Development Standards

1. **Findings.** The City Council finds that this Ordinance is consistent with the City's comprehensive plan, including the City's future land use plan.

2. **Definitions.**

a. Concept Plan means the concept plan attached to this Ordinance as **Exhibit C**, including any subsequent amendments pursuant to the concept plan amendment procedures set forth herein.

b. Data Center means a building or facility primarily dedicated to housing computer systems and associated components generally including redundant or backup power supplies, redundant data communication connections, environmental controls, and security devices and also including office areas for support staff. It is permitted to include indoor and outdoor equipment necessary for the data center, including, but not limited to, generators, electrical substations, fuel tanks, and other similar equipment and facilities.

c. Property means the property described on **Exhibit A**.

d. Zoning Ordinance means the City's comprehensive zoning ordinance, (Ordinance 12.6.88, adopted by the city on December 6, 1988, as amended through January 1, 2021).

3. **Applicable Regulations.** Development and use of the Property shall be subject to this Ordinance and the Zoning Ordinance. In the event of a conflict between this Ordinance and the Zoning Ordinance, this Ordinance shall control. In the event of a conflict between the text and exhibits of this Ordinance, the text shall control. The following development standards table summarizes the differences between base zoning district standards and the standards applicable to the Property:

Development Standard Differences		
Residential Zoning	SF2 Requirement	PD Requirement for Townhomes
FRONT YARD SETBACK	20 FEET	12 FEET
Light Industrial Zoning	I-1 Requirement	PD Requirement
BUILDING HEIGHT	50 FEET MAX	100 FEET MAX

4. **Permitted Uses.**

a. The following uses are permitted by right at any location within the Property: agricultural uses; model homes; temporary concrete or asphalt batch plant; temporary construction office; temporary sales office; and parks, playgrounds, trails, open space, and other similar passive or active recreational uses.

b. In addition to the uses permitted by Section 4(a), a Data Center is permitted in the area designated "employment **center**" on the Concept Plan.

c. In addition to the uses permitted by Section 4(a) and (b), in the area designated as "employment **center**" on the Concept Plan, the following uses are

permitted: any use permitted in the O (Office), C1 (Restricted Commercial), C2 (General Commercial), or I1 (Light Industrial) zoning districts in the Zoning Ordinance, including warehouse and distribution uses. If a use is permitted by right in one or more of these zoning districts, that use shall be permitted by right. If a use is not permitted by right in any of these zoning districts, but is permitted by SUP in one or more of these zoning districts, that use shall be permitted by SUP.

d. In addition to the uses permitted by Section 4(a), in the areas designated as "single family homes" on the Concept Plan, any use permitted in the SF2 zoning district in the Zoning Ordinance is permitted to the same extent permitted by SF2.

e. In addition to the uses permitted by Section 4(a), in the area designated as "townhomes" on the Concept Plan, (i) townhomes (also referred to as single family attached residences) are permitted by right; and (ii) any use permitted in the SF2 zoning district in the Zoning Ordinance is permitted to the same extent permitted by SF2.

f. In the areas designated as "C2" on the Concept Plan: any use permitted by (a)-(e) above is permitted by right.

5. Concept Plan and Other Exhibits. Development of the Property shall be in general conformance with the Concept Plan. An owner of property may substitute the Concept Plan attached hereto for a new concept plan that modifies the information shown on the attached Concept Plan with the approval of the City Administrator or his or her designee, such approval to be granted provided the changes do not increase or decrease the acreage of any land use area shown on the original Concept Plan by more than five acres or 15 percent, whichever is greater, or increase the maximum number of dwelling units for a use by more than 15 percent. Revisions to the attached Concept Plan that do not satisfy such requirements shall require City Council approval.

6. Site Plan. No site plan approval shall be required for a single family detached residence or townhome use because plat approval will be required instead. A site plan shall be approved administratively by Wilmer staff if it complies with the requirements of this Ordinance.

7. Development Standards.

a. In the area designated as "employment center" on the Concept Plan, the I1 zoning district regulations shall apply.

b. In the area designated as "C2" on the Concept Plan, the C2 zoning district regulations shall apply.

c. In the areas designated as "single family homes" on the Concept Plan, the SF2 zoning district regulations shall apply except as otherwise noted in this Ordinance. Maximum density is four units per acre. Alley served, front entry, and side entry homes are permitted by right.

d. In the areas designated as "townhomes" on the Concept Plan, the SF2 zoning district regulations shall apply except as otherwise noted in this Ordinance. Maximum density is 10 units per acre. Front entry, and side entry homes are permitted by right. In addition, the following development standards apply to townhomes (also known as single family attached residences):

- Minimum lot area: 2000 square feet
- Minimum lot width: 25 feet
- Minimum lot depth: 80 feet
- Maximum number of stories: 3
- Maximum height: 40 feet

- Minimum front yard building setback: 20 feet
- Minimum interior side yard building setback: none
- Minimum corner side yard building setback: 10 feet
- Minimum rear yard building setback: 20 feet with fenced backyard
- Maximum lot coverage (measured as the building footprint): 80 percent
- Minimum parking requirement: 2 enclosed spaces per unit
- Minimum dwelling unit square footage: none
- Maximum number of units that may be attached to each other without building separation: 10

e. This paragraph applies only to a Data Center use. Except as otherwise noted in this Ordinance, a Data Center use shall comply with the I1 zoning district regulations set forth in the Zoning Ordinance. The minimum parking requirement for this use shall be one parking space for every 3,000 square feet of floor area, not to exceed 100 parking spaces. Security fencing up to a maximum of ten feet in height is permitted. There are no restrictions on materials for security fencing for this use. The maximum building height for this use shall be 100 feet in height with no maximum number of stories. The maximum lot coverage for this use shall be 75 percent, measured as the building footprint. The minimum building setbacks from each property line shall be ten feet for this use. No building material or architectural design requirements shall apply to this use. This Section 7(e) shall apply to a data center use notwithstanding anything to the contrary in this Ordinance or the Zoning Ordinance.

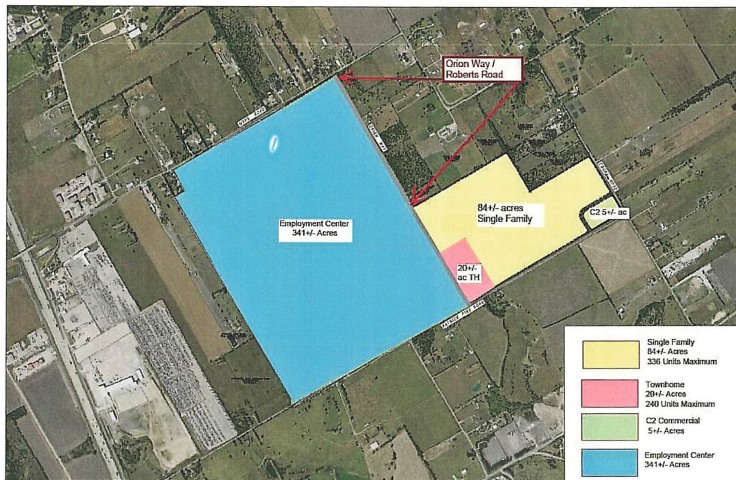
f. Notwithstanding anything to the contrary above in this Section 7, the following uses shall comply with the SF2 zoning district regulations: agricultural uses, model homes, temporary concrete or asphalt batch plant, temporary construction office, temporary sales office, and parks, playgrounds, trails, open space, and other similar passive or active recreational uses set forth in the Zoning Ordinance.

g. Manufactured homes are prohibited.

8. Parkland. Areas proposed for parkland dedication or open space shall be indicated on future plats of residential areas within the Property.

EXHIBIT "C"

Concept Plan



ZC-22-26 Concept Plan

