



**“MIDTOWNE”**

**a  
Sustainable Community  
in  
Midlothian, Texas**

for



Options Real Estate  
Inwood Bank Building  
1801 N. Hampton Rd.  
Suite 400  
DeSoto, TX. 75115

by



By: TBG Partners, Inc.  
5307 E. Mockingbird Lane  
Suite 300  
Dallas, TX 75206

***Planning and Zoning Submittal  
09 January 2007***



**Table of Contents:**

"MidTowne" a Sustainable Community .....	3
Guiding Principles: .....	4
Narrative Description:.....	5
Residential Bulk Standards .....	6
Residential Bulk Standards – Square Footage Ratios .....	7
Amenity Criteria (Secondary Amenities) .....	8
Conceptual Siteplan of Retail One .....	12
Conceptual Siteplan of Retail Two .....	13
Conceptual Siteplan of Office.....	15
Conceptual Siteplan of Assisted Living & Day Care .....	13
Energy Efficiency Design Principles.....	16
Open Space: .....	17
Street Edges and Landscaping: .....	17
Circulation Design: .....	17
Street Sections.....	18
Mixed Land Uses: .....	20
Land Use Calculations .....	20
Architectural Design Criteria .....	21
Architectural Design Criteria .....	21
Walls: .....	21
Attachments: .....	22
Roofs:.....	23
Openings.....	24
Appropriate Architecture Structures-YES.....	26
For Estate Homes .....	27
For Township Homes .....	30
For Village Homes.....	36
For Cottage Homes.....	39
For Brownstone Homes .....	41
For Retail – Live/Work - Office .....	42
Inappropriate Architecture Structures-NO.....	43
Builder Profile.....	46



## **"MidTowne" a Sustainable Community**

Home is a very special place – one that invokes feelings of comfort, relaxation, friendship and safety. Our homes offer us familiar surroundings, escapes from the hectic work a day world, and the special living spaces where we can share our lives with friends and family.

These special living spaces are the places we raise our children, spend relaxation time, and generally the space where the things we love reside. Homes are not simply the four walls that surround us – home must include a sense of place, a neighborhood, and a community. The yard, streets, parks, open spaces, architecture, color and shape are all parts of our neighborhoods and our community. How these are combined, their relationships to our home, work, and recreation establish the quality and richness we all seek for our place called home.

Our master planning was a team effort to address the social and physical needs of a community of homes. **"MIDTOWNE"** attempts to address the social needs for interaction with a mix of uses, services, worship centers, convenient dining, and shopping, while providing for interesting driving and walking relationships. The physical design addresses street edges, views, open space and the connections between these. The future Sustainability of the community will reflect these design interactions.

Early in the design process the developer, Monte Anderson, President of Option Real Estate cited an example of a family member and the poor housing arrangement she was forced to occupy. This family member lived in an assisted living facility that has limited access to shopping, church, family, children, and community. Some of the amenities were visible across the freeway, but inaccessible without a car. He explained his vision of how life could be better for his grandmother and others if only the assisted living facility were a part of a neighborhood and the community. For **"MIDTOWNE"** he pictured the middle school children walking across N. 14<sup>th</sup> Street, dropping in to visit, and walking with grandmother to the lake or ice cream shop across George Hopper Road. He envisioned a neighborhood that interacts with the existing community and functions as a neighborhood where you can park the car at the end of the day and walk to a retail area to pick up popcorn or Snickers bars. Then, stop with the kids to meet grandmother and walk to the playground. The design team can see the same vision and are working to make this a neighborhood that has the amenities it needs to function for all of its residents. It isn't necessary to provide 10,000 sf. lots with 6' privacy fences that turn their backs to the community, but rather provide a mix and a variety of lot sizes with generous amounts of useable community open space, where neighbors walk to the playground and visit, use paths, ponds, and playgrounds, that are visible and accessible from their front porch.

**"MIDTOWNE"** we feel is unique and has attempted to Masterplan these concepts with a mix of different residential home styles to address a mix of future residents. Single family homes called: "Estate", "Township", "Village", "Cottage", "Brownstones", "Live/work" or "Granny Flats" are planned with individuality to meet a variety of taste, style and affordability. We have master planned for the aging sector with a site for "Assisted Living". Additionally, in the pre-planning of **"MIDTOWNE"** we have attempted to provide a quality neighborhood, desirable for future residents and the Midlothian community as a whole.

This vision statement will further address relationships, architecture, and general planning design principles to create a "Sustainable Community" intended to create a community with character, environmental sensitivity and energy consciousness. It will describe in detail some of the design concepts and attempt to answer questions that may be raised as the plans are reviewed.



## Guiding Principles:

*The purpose of this booklet is to enable, encourage and qualify the implementation of the following policies:*

- Those growth strategies should encourage infill and redevelopment in parity with new communities.
- That development contiguous to urban areas should be structured in the neighborhood pattern and be integrated with the existing urban pattern.
- That green corridors should be used to define and connect the urbanized areas.
- That neighborhoods should be compact, pedestrian-oriented and mixed-use.
- That mixed neighborhoods should be the preferred pattern of development and districts specializing in single-use should be the exception.
- That ordinary activities of daily living should occur within walking distance of most dwellings, allowing independence to those who do not drive.
- That interconnected networks of thoroughfares should be designed to disperse and reduce the length of automobile trips.
- That within neighborhoods, a range of housing types should be provided to accommodate diverse ages and incomes.
- That schools should be sized and located to enable children to walk or bicycle to them.
- That a range of open space including parks, lakes/natural areas, squares, and playgrounds should be distributed within neighborhoods and center zones.
- That buildings and landscaping should contribute to the physical definition of thoroughfares as civic places.
- That development should adequately accommodate automobiles while respecting the pedestrian and the spatial form of public space.
- That the design of streets and buildings should reinforce safe environments, but not at the expense of accessibility.
- That architecture and landscape design should grow from local climate, topography, history, and building practice.
- That buildings should provide their inhabitants with a clear sense of geography and climate through energy efficient methods.
- That civic buildings and public gathering places should be provided locations that reinforce community identity and support self-government.
- The provisions of this Booklet, when in conflict, shall take precedence over those of other codes, ordinances, regulations and standards, except the Local Health & Safety Code.
- The Existing Local Codes continue to be applicable to issues not covered by this Booklet, except where these would contradict. In which case, the conflict shall be resolved in favor of this Code.



## **Narrative Description:**

### **Amenity Criteria (Primary Amenities)**

#### ***Usable Open Space:***

- A. 5% of residential acreage (located outside the 100-year flood plain)
- B. Maintained by a required Homeowner Association or public Improvement District or Public Improvement District
- C. Must be served with trails, recreation equipment, or designed for active use.
- D. One equipped 12,000-square foot playground, meeting the Midlothian Parks and Recreation Department playground prototype standards, per 150 homes.

#### ***Development program***

A neo-classical design with wide greens along a north south axis, an east- west tree lined parkway, and slip streets with wide buffers along perimeter streets open this neighborhood to the community and provide community open space. The north south greens and vistas help tie the north and south portions of the neighborhood across George Hopper Road. Generous landscape buffers, an entry Greens and slip streets soften the existing right of ways of 14<sup>th</sup> Street, 9<sup>th</sup> Street, and George Hopper, which provides a unified landscaping theme giving a common community identity. Approximately 14.8 acres of tree lined open space provides places for neighbors to visit, walk their dogs, play with the children, and ride their bicycles. An additional 1.6 acres of treed open space / flood plain provides access to the existing cemetery to the north of the neighborhood for more passive exploring along the tree lined creek. The neighborhood proposes to provide 15.35 acres of usable open space, exclusive of flood plain, or 15.6% of the residential acreage.

Six (6') sidewalks along the greens continue through the assisted living community and connect the neighbors to the neighborhood retail. The walks have been widened to 6' to encourage a walk-able and integrated community. Approximately 12,000 Lf. of walks will link three playgrounds distributed along the central greens. These 12,000 sf. playgrounds exceed the standards required by the Parks and Recreation Department's playground standard. Which as stated requires one playground per 150 residences? Our proposal provides playgrounds at a ration of 1:147 homes. Additionally if the playground at the school were to be included in the calculations the Masterplan would provide a playground ration of 1:100 homes.

The site planning of the playgrounds have homes that face or open onto the playgrounds. The open design will provide very secure, safe, and easily accessed play areas. The private open space will be maintained by a Public Improvement District. To be environmentally friendly, "MIDTOWNE" will reduce the use of irrigation water by 50% in all common areas. This will be achieved through the use of native and drought tolerant landscape material.



## Residential Bulk Standards

Product Types	Minimum Lot Area	Minimum Lot Width	Typical Lot Depth	Build to Line	Porch Zone Setback	Minimum Side Yard Setback	Minimum Rear Yard Setback	Minimum Rear Setbacks for Attached / Detached Garage (Alley Access)	Minimum Side Setbacks for Attached / Detached Garage (Alley Access)	Maximum Lot Coverage	Minimum Floor Area	Maximum Structure Height
Estate	9,200 sf	75'	130'	25'	15'	8'	15'	7'	3'	65 %	***	42'
Township	7,800 sf	65'	120'	20'	10'	8'	15'	7'	3'	65 %	***	40'
Village	5,750 sf	50'	115'	20'	10'	5'	15'	7'	3'	65 %	***	40'
Cottage	4,400 sf	40'	110'	15'	7'	5'	10'	7'	3'	65 %	***	40'
Brownstone	2,800 sf	28'	100'	10'	7'	0'	5'	5'	3'	90 %	1,500 sf	40'
Live / Work	2,200 sf	25'	100'	10'	5'	0'	5'	5'	3'	90 %	1,200 sf	40'
Flats over Retail	an	na	na	na	na	na	na	na	na	na	500 sf	42'

### Notes:

- See below chart for minimum floor area ratios and percentages
- All corner lots will have an increased 7.5' exterior side yard setback from the above required setback
- Structure Height will be measured from house grade to the midpoint of the main roof
- Five (5) Attached units maximum (15' spacing separation between blocks)
- For every two and one half [2.5] lots of 7,000 to 8,000 sf, there will be at least one lot greater or equal to 9,000 sf.



## Residential Bulk Standards – Square Footage Ratios

Product Types	Square Footage Ratio for Single Family Homes.		
Estate	85% greater then 2,200 s.f.	100% greater then 2,000 s.f.	
Township	85% greater then 2,100 s.f.	100% greater then 2,000 s.f.	
Village	50% greater then 1,600 s.f.	100% greater then 1,300 s.f.	
Cottage	50% greater then 1,600 s.f.	30% between 1,300 - 1,600 s.f.	20% between 1299 - 1100 s.f.

### Enhanced Entryways

The P.D. site plan proposes a tree lined boulevard running east and west between the middle school and the high school site. It has a central green that aligns the north and south entryways providing a visual, auto and pedestrian connection of the north and south portion of the neighborhood. This north south axis has three major greens with pedestrian access that terminates at the school site on the south, and a 1.0 ac park adjacent to the floodplain on the north. The main entries and perimeter treatment will have landscape medians, parkways, and entry features that introduce the neighborhood.

### Reservation of School or Park Site

Because the PD is less than 150 ac this amenity criteria does not apply. However, the developer is currently in talks with M.I.S.D. about the possibility of placing an elementary school within the community that has been masterplanned at the south end of the central green axis.

### Curvilinear Street Pattern

A Curvilinear street pattern is not appropriate for a neo-classical design sub-division that is based on vistas, connecting greens and tying the neighborhood together with short streets. The "MIDTOWNE" design attempts to eliminate cul-de-sacs and curvilinear streets that hinder the creation of a walkable neighborhood.

### Basic Architectural Variety

It is the goal of "MIDTOWNE" to be environmentally friendly. To do this, all homes in "MIDTOWNE"



will be required to be ENERGY STAR rated and all retail and office buildings will be designed with LEED® concepts. Custom Home Builder Jim Johnson will be one of the builders in "MIDTOWNE".

This design is intended to be primarily an alley served neighborhood. It proposes large front porches and walk-able streets with attached greens. Some homes open directly on to greens and playgrounds and provide playground safety because the neighbor's homes view directly on the public spaces. The development will offer 15 different architectural styles shown in the following pages of the vision





booklet. **"MIDTOWNE"** will create an architectural review board to approve styles and plans. The board will be made up of 2 **"MIDTOWNE"** residents, the developer, the **"MIDTOWNE"** town architect and town planner.

#### ***A Fifteen [15] foot Perimeter Landscape Easement***

The PD site plan proposes a 20' landscape buffer between right of ways along the edges of the site adjacent to 9<sup>th</sup>, 14<sup>th</sup> and George Hooper. These perimeter streets will have a slip street with approximately 40' of green buffer between pavements. The 40' includes 10' parkways on each street plus the 20' landscape buffer. The offices and retail that face the arterial streets will provide 16' generous landscaped, treed, and bermed buffers from the perimeter street.

#### ***"Granny Flats"***

Living over garages or as out-buildings shall be permitted only on Estate or Township lots. To a maximum of 40% of those lots combined. No rentals shall be permitted.

### **Amenity Criteria (Secondary Amenities)**

#### ***Side Entry or Rear Entry Garages (minimum 75% of housing units).***

Housing units are planned primarily as rear entry with side garages optional on corner lots.

#### ***Community Center or Public Plaza at least 3,000 sf or 6,000 sf, respectively.***

This neighborhood has a series of three main greens along the main axis connecting to other open spaces, trails and parks that serve as usable community spaces. These spaces vary in size from 12,600 sf to 72,000 sf. The proposed neighborhood is located in a portion of the community that has an abundance of community facilities. The La Mills 9<sup>th</sup> grade Center and high school are located across S. 9<sup>th</sup> street, the Frank Seal Middle School and sport complex is located just east of the site. Additionally, Midlothian's downtown is just blocks away and the community center is just north of the cemetery.

#### ***Minimum 90% brick / stone masonry coverage.***

The identified architectural style is southern farm house and Texas regional architecture that lends itself to wood veneer exteriors, wood porches and railings. Brick and stone footings for porch columns will be allowed on some homes.

#### ***Internet – Based Communities***

To be determined.

#### ***Enhanced Sub-division Design Standards***

The neighborhood design standards will mirror southern farm house and Texas regional architecture of the community and the architectural style of the community as it was originally designed. The design will open the neighborhood to the community by providing slip streets with homes open to the surrounding neighborhoods and schools. Homes will have a similar design to early homes of Midlothian with porches and steep roof lines with 5 in 12 pitch. Widened sidewalks will connect the neighborhood along wide greens and tree lined boulevards. Additionally, retail, office and live / work units will encourage walking, shopping, and working within the neighborhoods. Several ponds will provide storm water detention and opportunities for families to fish. Architectural styles and elevations will be presented to staff and council before official submittal of the PD Zoning request.





### ***Pond or Lake Feature***

Two lakes, approximately 1.0 ac. and 1.6 ac. are proposed for recreation and storm water detention. They are also located as a feature element for the assisted living facility. The lakes will have aeration fountains and perimeter walking trails.

Two greens, approximately 1.5 ac each, are proposed to provide dry detention with a creek feature.

The 2 lakes combined will exceed the 1.97 ac. requirement of 1.5% of the total PD area.

### ***Upgraded Roadway Commitments***

Upgraded roadway commitments will be provided by constructing to the proposed street sections that will both enhance the livability and attractiveness of the neighborhood and community. Slip streets will have parking on one side and have trees spaced 30' on center. Slip streets will run parallel to perimeter streets serving residential areas, live/work, retail and office units.

A tree lined boulevard with parking, pedestrian walks, and greens will connect to the adjacent existing neighborhoods, providing a grand entry into the **"MIDTOWNE"** community.

### ***Other Sufficient Infrastructure Cost Participation***

To be determined.

### ***Design Theme***

The "Village Vision" is more than a design theme pasted on a conventional subdivision. The goal of **"MIDTOWNE"**'s Neo-Classical design with greens along a central axis, a street design with short interconnected blocks and mixed uses is to create a neighborhood that will bring people together by fostering a sense of community. The architecture in addition to the relationship of the homes to the greens and open space will create a neighborhood with character. The street trees, alley trees, boulevard, greens, and lakes will tie the neighborhood together. Architecture will focus on indigenous Texas style Architecture with similar themes and details to that of the historic homes in Downtown Midlothian.

### ***Preservation of Valuable Tree Species***

The southern portion of the tract has few existing trees, fence lines of Hackberries exist along S 14th street and George Hopper road. The north tract has trees along property lines, old fence lines and in the flood plain that backs to the existing cemetery. We believe trees can be saved in the flood plain / open space along the north property line. This open space area contains approximately 1.6 ac and will provide a heavily treed passive open space adjacent to the cemetery and the 1.0 ac lake.

Residential units are proposed to have alley access. Unfortunately, alley access to the units may limit the number of trees that can be saved along the property lines. Luckily, most of the trees along property lines and old fence lines are predominantly Hackberry, a problematic species that may need to be removed anyways.

### ***Approved Streetscape Plan***

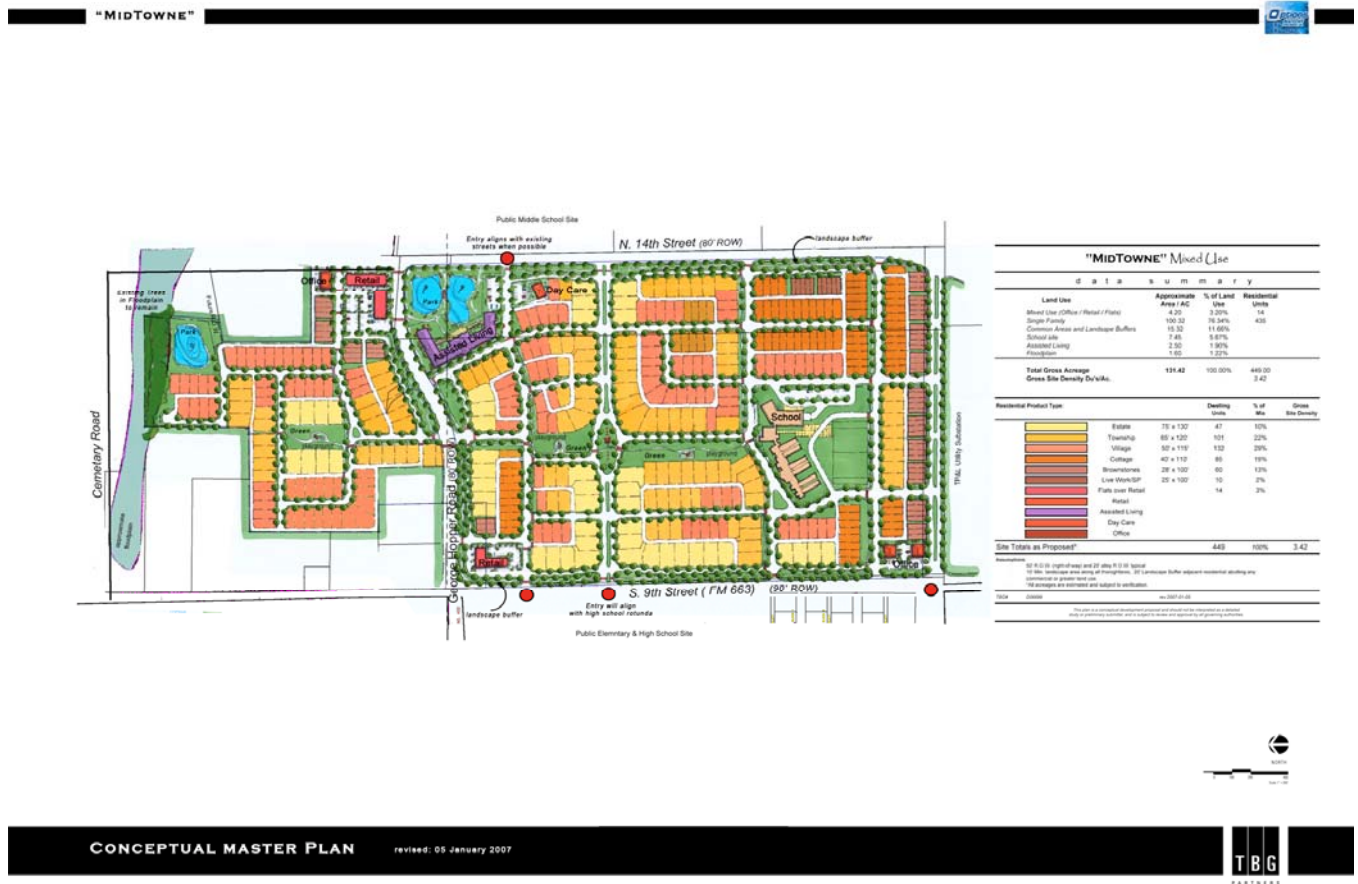
All streets will be enhanced with Canopy shade tree plantings, placed 30' on center along the parkways. These trees will be planted as 3" caliper trunk size. A 6' sidewalk will also be required for sidewalks in **"MIDTOWNE"**. All alleys will be required to plant one 3" tree per lot between the alley pavement and property line fence.



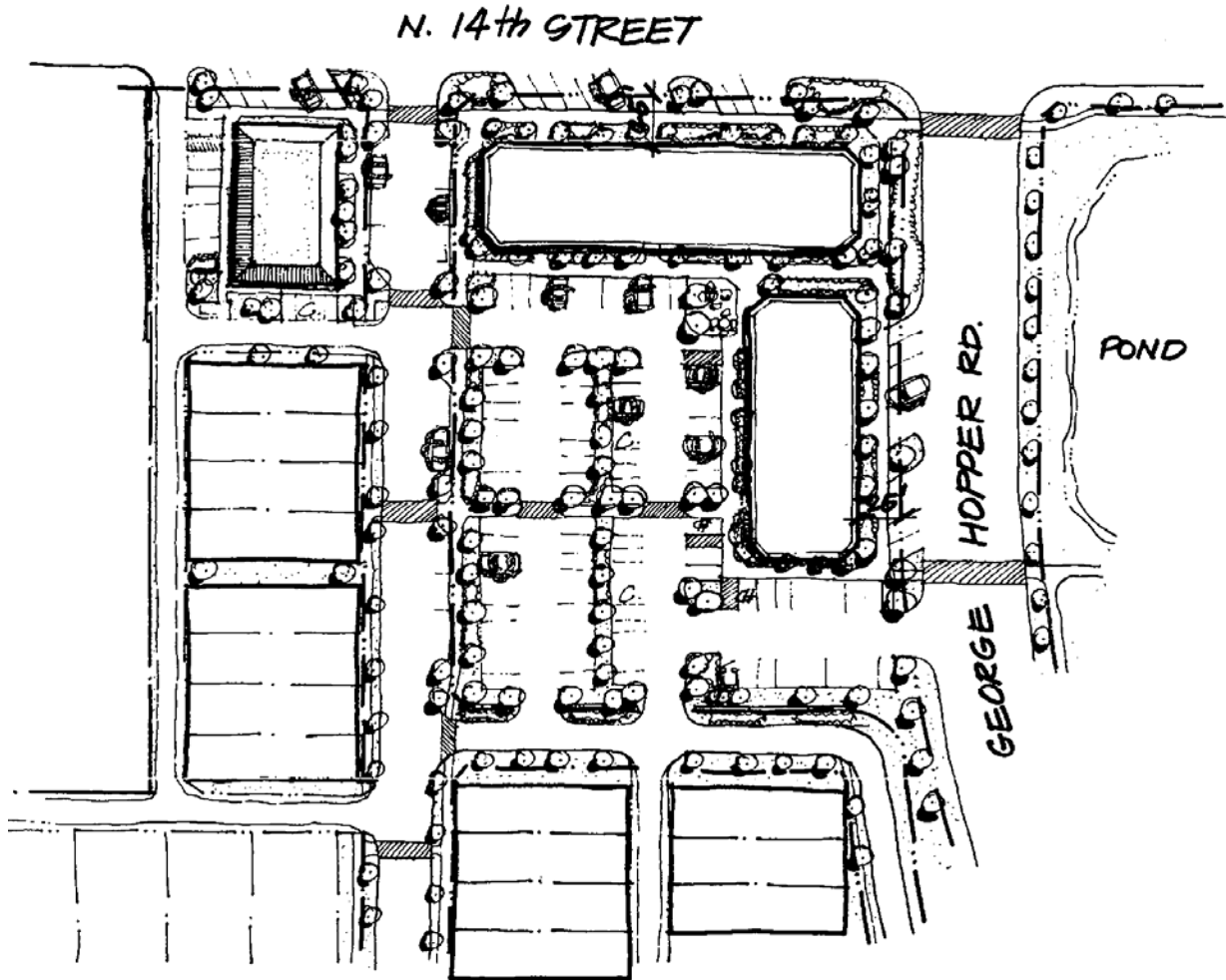
### ***Roadway Lighting***

Fixture to be determined but will be architecturally compatible to home styles. Fixture will also be a "cut-off" type to reduce glare to homes. The fixture selected will be used throughout the development and installed by the developer.

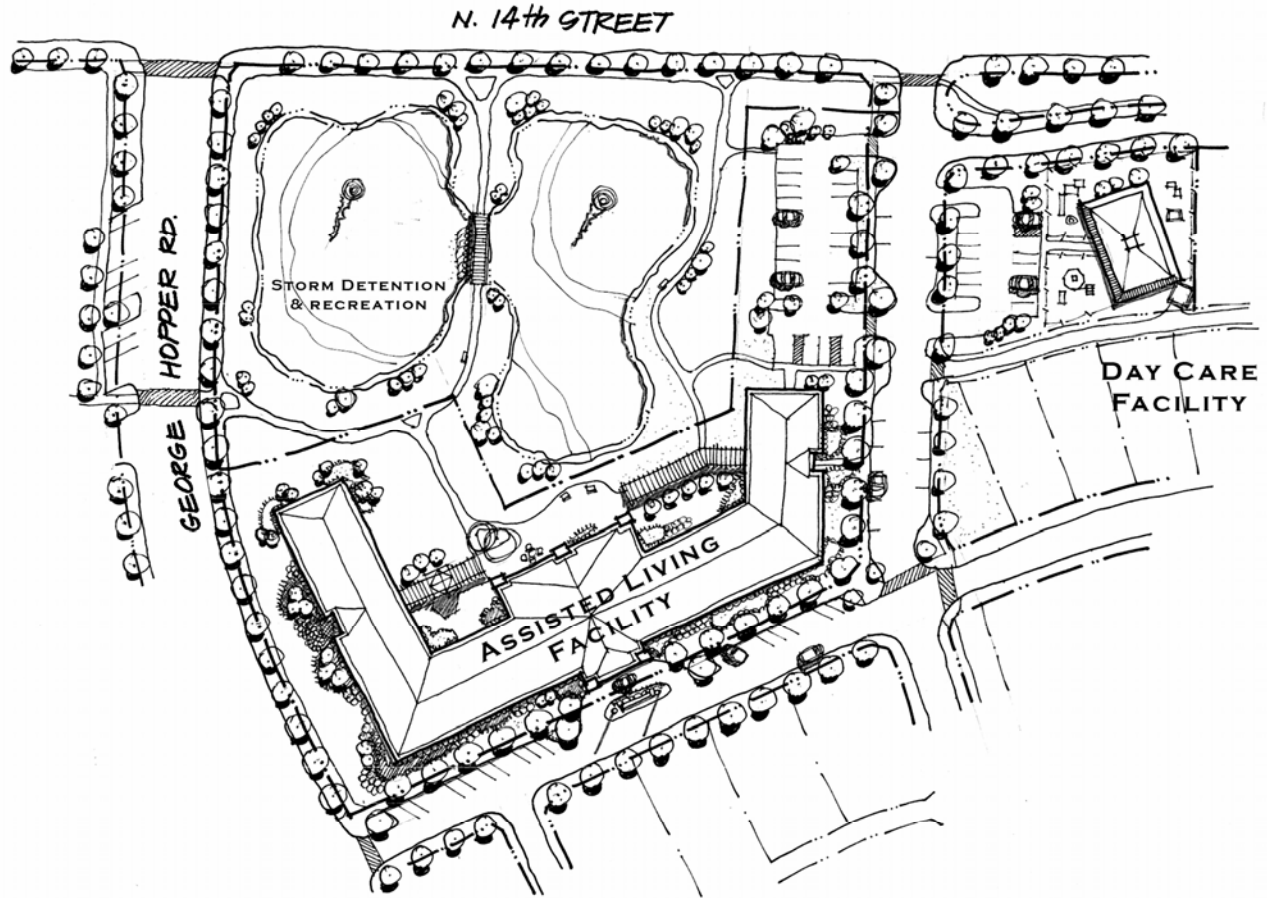
### Conceptual Siteplan:



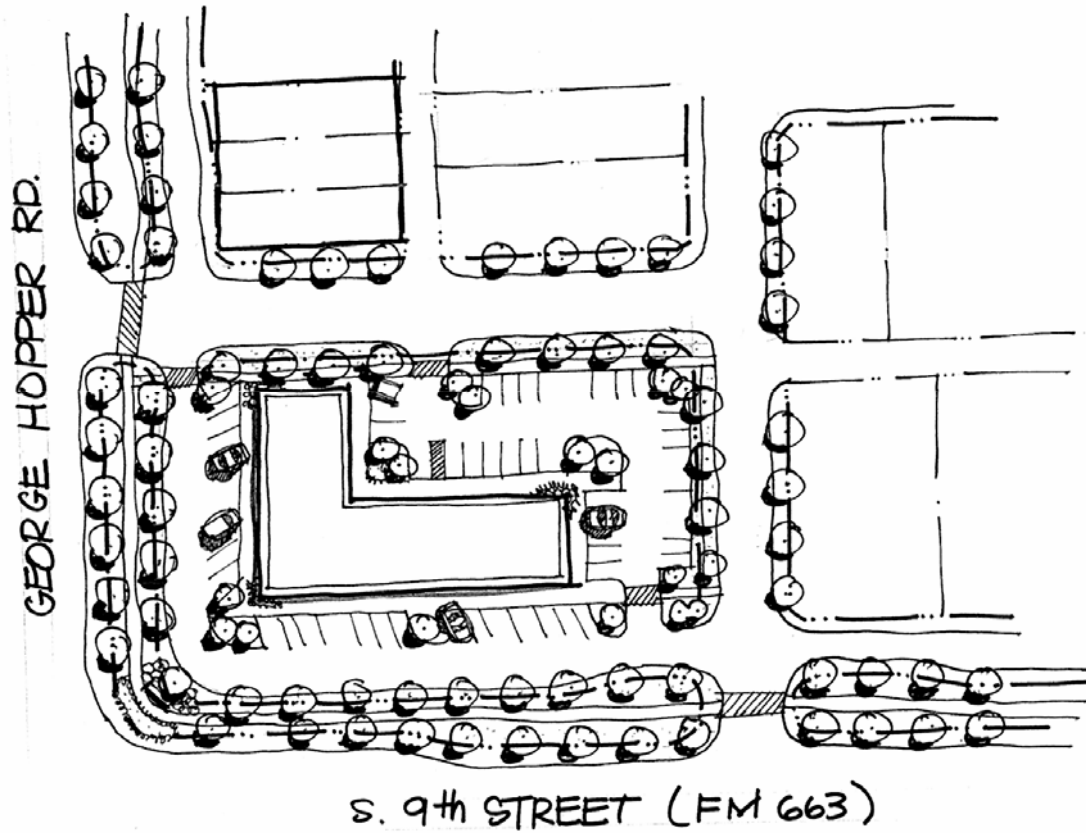
## Conceptual Siteplan of Retail 1 and Office



## Conceptual Siteplan of Assisted Living & Day Care

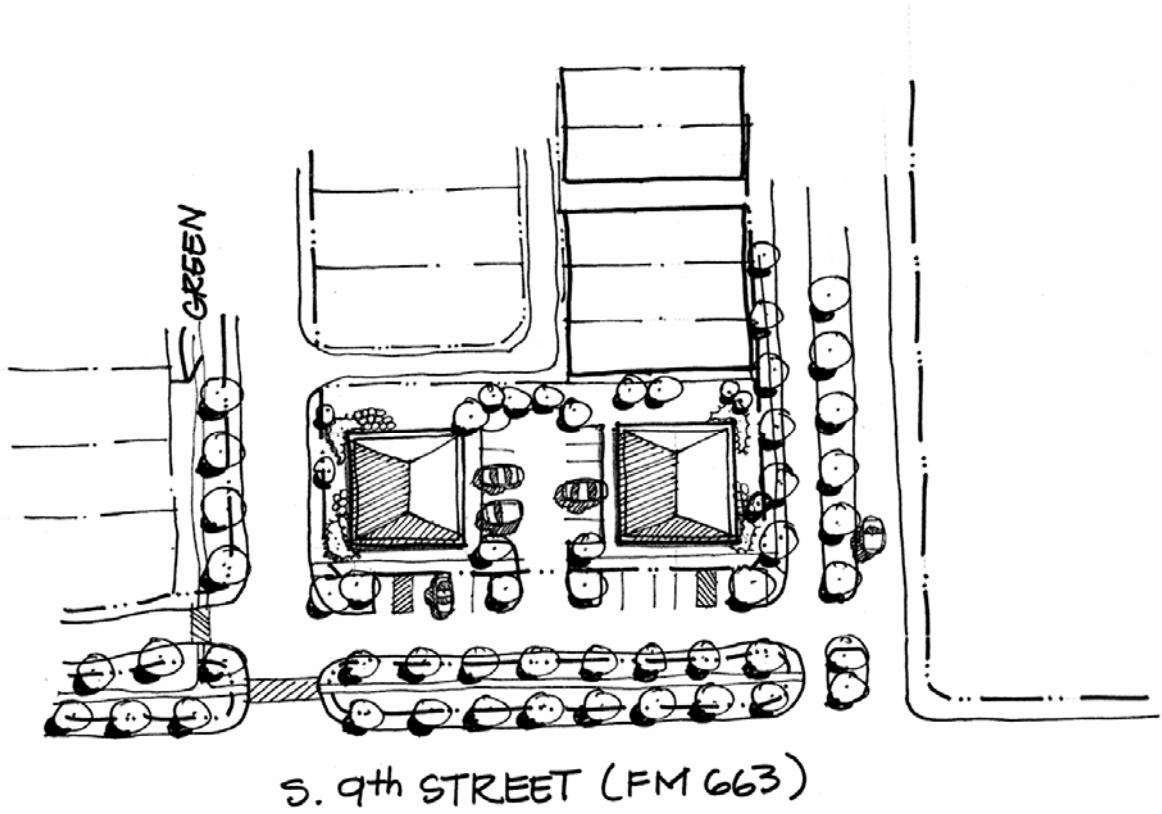


## Conceptual Siteplan of Retail 2





## Conceptual Siteplan of Office 2







## Energy Efficiency Design Principles

Great neighborhoods such as Riverside in Chicago and Highland Park in Dallas were created to bring people together, encourage communication and generally foster a strong sense of community. Not all homes are the same size, shape or square footage, yet the residents are linked to the neighbors by street edges, landscaping, walks, trails and view corridors.

This community shall further be established as a "Sustainable Community". The Center for Sustainable Communities defines a "Sustainable Community" as:

*"A creative and artful way of living, where people and nature are all preserved and enhanced by thoughtful planning, careful use of resources and a reverent approach to life. Thus embraced, these attributes create an environment where all may thrive for untold generations."*

Here in Midlothian, we will work with members of the building community that are sensitive to the integration of environmental relationships. Home design shall be energy efficient in material and site planning suitable for Energy Star Certification.



Homes shall incorporate ENERGY STAR rated materials, systems and appliances.

LEED® Certification distinguishes building projects that have demonstrated a commitment to sustainability by meeting the highest performance standards. The retail and commercial buildings within this community shall use LEED design principles.

*"Commercial buildings are defined by standard building codes are eligible for certification under LEED NC, CS, CI and EB. Commercial occupancies include—but are not limited to—offices, retail and service establishments, institutional buildings (e.g., libraries, schools, museums, churches, etc.), hotels, and residential buildings of four or more habitable stories."*

It is the goal of this development to reduce water consumption by 50% for all common areas. Drought tolerant, native plant materials suitable to this region and soils conditions shall be used in all common areas and storm water detention areas.

Site environmental considerations indicate the need for on-site storm detention. Two on-site "wet" ponds, one to the north and one to the south as well as the major drainage ways shall be designed as a "dry" basin for overflow and shall be utilized within the common areas as a site amenity.

## Open Space:



A neo-classic design of several greens along a central axis has been incorporated in the street design to give not only pedestrian but vehicular views of the community open spaces. Sidewalks along the 'greens' will be widened to 6' to allow convenient, comfortable multi-use of the walks.

This design anticipates providing community open space within a 5 minute walking distance from all homes. Where possible, homes have been sited to face open space 'greens', maximizing the value to the homeowner and creating another avenue for interaction among neighbors. Visualize looking across a nicely landscaped green lawn, from a rocking chair or swing on your porch to the adjacent 'green' where children play and couples walk. Although not fully designed these greens may include play grounds, pavilions, benches, art and other site furnishings for neighborhood enjoyment.

## Street Edges and Landscaping:



Homes have been sited along a "slip street" to face existing neighborhoods on S. 9<sup>th</sup> Street, S. 14<sup>th</sup> Street and George Hopper Road. This will open the edges of the neighborhood toward the community creating a more inviting and interesting row of front yards while preventing views of privacy fences or walls.

The village landscaping is important to the quality of life, helping streets, architecture, and open space blend like fabric that blends colors and textures. In every season, from the fall color changes of the foliage to the transformation of tan grasses back to their cool, playful green in the spring, the landscape will be a unifying element of the neighborhood.

Landscaping along the street parkways, within street boulevards, along "slip street" medians and even along alleys shall incorporate canopy trees planted at 30' intervals. This greening will reinforce the sense of place and while enhancing the simple walking and driving experience as the trees mature and create shade.

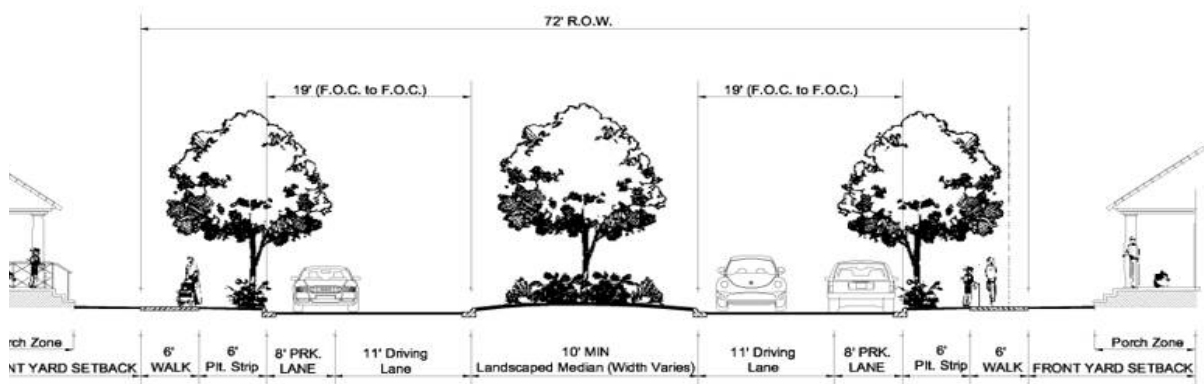
## Circulation Design:

Street design provides adequate right-of way, and an interconnecting network of streets. No dead ends or cul-de-sacs to limit interaction. Once thought of as a desirable sales tool, the cul-de-sacs has found to separate and isolate homes and neighbors from the fabric of the community. Rather, shorter length, interconnecting streets have proven more desirable for both pedestrians and drivers. Greenways, 20'

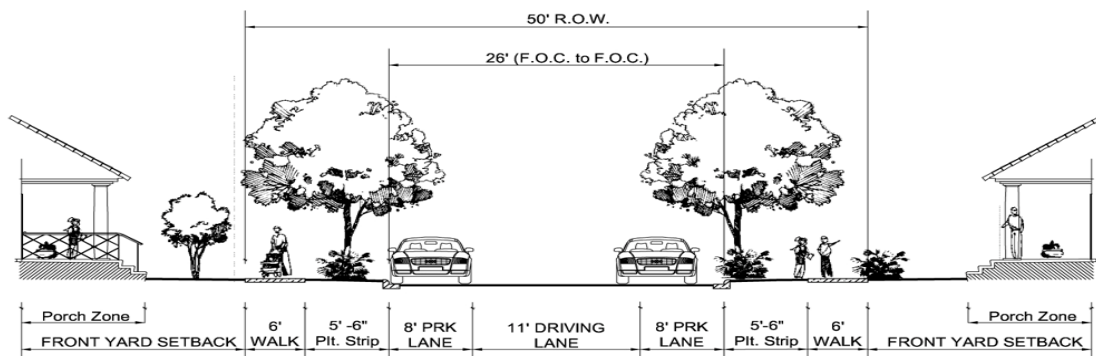
landscape easements have been designed as mid-block crossings to create short walks to parks and encourage pedestrian activity.

Alley design is suggested as 20' of right-of way with 12' of paving allowing for the canopy tree plantings mentioned above. All rear yard fencing shall be a maximum of 4'. Shorter fence heights help to create a more cohesive neighborhood, not exclusionary to anyone. Additionally, with the canopy trees spaced at 30' intervals the neighborhood will in time will be enveloped in shade and greenery like the neighborhoods of Highland Park and Riverside do today.

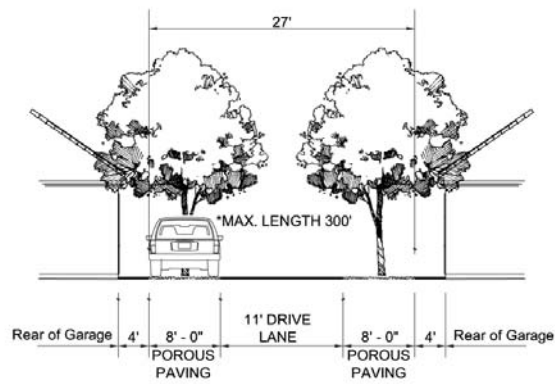
## Street Sections



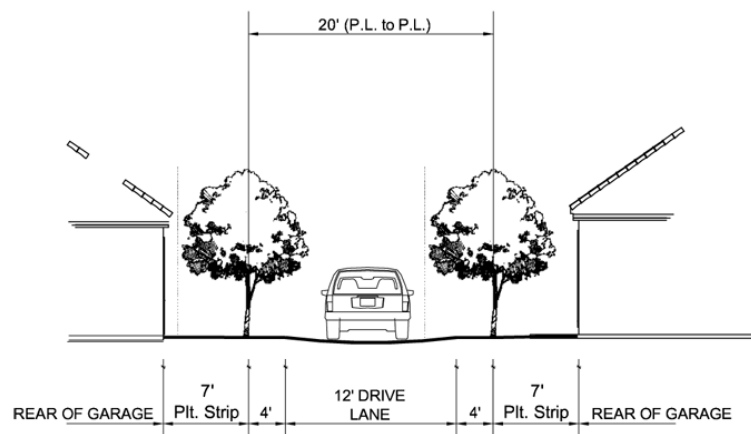
□ A-72-38 Two-way Avenue with □  
Parking



□ S-50-26 Two-way Street with □  
Parking



☐ M-27-12 Two-way Mews with Parking ☐



☐ RA-20-12 Residential Alley ☐

## Mixed Land Uses:



Everyone's home is a special retreat. Families mingle with neighbors and friends and often times congregate at neighborhood parks, coffee shops and cafes. A mix of these uses, especially in close proximity to housing encourages walking. No doubt, other cities with more moderate weather conditions utilize this technique to a greater extent. Regardless, planning professionals across the nation are coming to the realization that the most successful neighborhoods of the past rely on the integration of land uses and users to create a strong sense of community while retaining value and increased sustainability.

Ground floor retail with lofts or flats above is proposed in "MIDTOWNE". A church/school site is proposed to buffer along the southernmost edge to screen the off-site utility sub-station. Similar lot sizes are proposed in most cases facing the same size housing lot. In some cases, there will become inter-block diversity of lots. Dissimilar lots commonly share an alley.

## Land Use Calculations

Land Use	Approximate Area/AC	% of Land Use	Residential Units
Mixed Use (Office / Retail / Flats)	4.20	3.20%	14
Single Family Residential	100.32	76.33%	435
Common Areas and Landscape Buffers	15.35	11.68%	
School	7.45	5.67%	
Assisted Living	2.50	1.90%	
Floodplain	1.60	1.22%	
<b>Total Gross Acreage</b>	<b>131.42</b>	<b>100.00%</b>	<b>449</b>
<b>Gross Site Density</b>			<b>3.42 Du's/Ac.</b>



## Architectural Design Criteria



The architectural intent of the design team for the **"MIDTOWNE"** has been one of similarity and continuity, while providing a variety of design options. This may sound like conflicting directions however the difference appears in the design details, in the configuration and in the material selection. Guidelines for each paint the picture of variety with continuity.

Discussions have ensued to utilize the expertise of Jim Sargent, NAHB Graduate Master Builder, GMB; a Certified Graduate Builder, CGB; and a Certified Aging in Place Specialist. As a sustainable design consultant, Mr. Sargent will be a part of the design team. He will review and direct the architectural designs and submittals. Mr. Sargent's Zero Energy Home in Dallas was the first builder in the nation to receive the Master Builder designation for building energy efficient homes from the Energy & Environmental Building Association (EEBA).

His understanding of what works and why in healthy, energy efficient construction has made him a popular guest on Dallas radio and TV shows. He teaches Energy Efficient Construction for the National Association of Home Builders' University of Housing.

Additionally, Jim Johnson Homes, Inc. is a design/build company, specializing in high quality, custom homes, dedicated to utilizing the best and most current methods available will be part of the design team. Mr. Johnson's firm's goal is to be on the cutting edge of the home building industry, while maintaining the best combination of price, quality and service. A commitment desired within this community.

This design team along with a community of builders will be selected to reflect the **"MIDTOWNE"** a Sustainable Community" intent.

### **Walls:**

#### ***Material...***

- Building walls shall be finished in stone, brick, stucco, cast stone, wood shingle, and wood or Hardiplank clapboard. Materials and colors shall be specified by the Town Architect.
- Arches and Piers shall match the building walls
- Columns and Posts shall be wood, metal, cast stone, stone, brick, or stucco.
- Frontage walls, stoops and porches shall match the associated building in material and scale.
- Yard fences (for side and rear yards) shall be natural wood, masonry or stone and may incorporate stucco, brick or stone as bases or columns between other materials. No open picket or lattice shall be used as fencing.



- Frontage fences shall be metal or wood picket. And should vary from lot to lot to improve variety. No more than three fences shall be the same in a row with a variation.
- Gates shall match the associated fencing.

**Configuration...**

- Building walls shall show no more than two materials in addition to the basement or undercroft where materials change along a horizontal line the heavier material must be below the lighter.
- Undercrofts shall be enclosed with horizontal bards, wood louvers, shingles or framed lattice panels.
- Stucco shall be cement and have integral or painted color. Finish shall be a smooth sand fish. Alternate finishes may be submitted to the Town Architect for approval.
- Brick or stone may be the material of choice for the lower 1/3 or each building wall. Wood or Hardiplank may be used as the upper level material if desire, and shall be in a clapboard, drop siding, or board-and-batten pattern. All non-masonry materials may be painted.
- Trim shall be a minimum of grade "B" lumber or symwood and shall not exceed 1 inch in depth or 6 inches in width at corners and around openings, except at the door openings, which may be any size or configuration.
- Arches and Piers of masonry shall be no less than 12 x 12 inches.
- Posts should be no less than 6 x 6 inches.
- Intercolumniation on the ground floor shall be vertically proportioned.
- All building colors shall be selected and approved by the Town Architect

**Attachments:**

**Material...**

- Chimneys, where visible shall be brick, stone or stucco.
- Flues shall be painted to match roof shingle color.
- Decks shall be wood or wood based composite but located only within rear or side yards.
- Signs shall be wood or metal, accept in special cases as approved by the Town Architect.
- Awnings shall be a light metal armature stretched with a non-translucent canvas membrane.
- Balconies and Railings shall be wood or metal, painted to match the associated building materials and the detail design shall be approved by the Town Architect.

**Configuration...**

- Chimneys shall extend to the ground and have a projecting cap or cover.





- Balconies shall be visibly supported by brackets and shall not exceed 3' in depth.
- Railings shall have a top and bottom rails centered on balusters. Bottom rails shall clear the floor. Maximum railing spacing shall be 4" inches clear.
- Façade Signs shall be code compliant and designed integrally with the storefronts, no larger than 3 feet high maximum and shall not be translucent.
- Blade Signs shall be code compliant and if permitted, may be attached perpendicular to the façade extending up to 4 feet from the frontage line, not exceeding 1.5 feet in vertical dimension.
- Postal numbering shall be posted on the principal building facades on the front as well as along the alley or rear lane.
- Awnings shall be sloping rectangles without side or bottom soffit panels.
- Keystones and Quoins shall not be permitted.
- Yard equipment including HVAC, utility meters, clotheslines, satellite dishes, play equipment, hot tubs, and the like shall be permitted in rear yards only.
- Trash containers shall be kept indoors on non-collection days.
- Sheds or outdoor storage buildings shall be constructed of building materials to match main building architecture, style and color and shall be located in the first 1/3 of the back yard as measured from the home façade.
- Outdoor lighting, including motion sensor lighting, shall be directed down and light may not cross a property line.

## **Roofs:**

### ***Material...***

- All residential structures shall have pitches roofs clad with slate, galvanized metal, concrete tile, wood or fiberglass shingles as approved by the Town Architect.
- Parapet walls and flat roofs are permitted on commercial and mixed use structures only.
- Gutter downspouts and projecting drainpipes shall be galvanized metal or painted aluminum.



### **Configuration...**

- Principal Roofs, where sloped shall incorporate symmetrical gable and hip between 5:15 and 8:12.
- Ancillary Roofs may be sheds angled no less than 3:12.
- Overlapping Gables are permitted only when the smaller gable is associated with a balcony, porch or entrance on the façade.
- Dormers, if provided, shall be habitable and placed a minimum of 3 feet from side building walls.
- Eaves shall be as deep and continuous as possible. Eaves which overhang less than 1 foot may have a closed soffit.
- Gutters shall be half round.
- Rafter tails shall not exceed 6 inches in height at their ends.
- Roof Penetrations, including vent stacks, shall not be placed on the frontage roof slope and shall match the color of the roof.
- Skylights shall be flat.

### **Openings**

#### **Material...**

- Windows shall be painted aluminum, vinyl, or wood and shall have clear glass.
- Exterior doors shall be painted wood or wood based composite.
- Storefronts and offices shall be painted wood, metal, or glass.
- Shutters shall be painted wood, wood based composite or Hardiplank.

#### **Configuration...**

- Windows shall be single, double, or triple-hung, or operable casements. Openings shall be rectangular with a vertical or square proportion. Multiple windows in the same rough opening shall be separated by a 4 inch minimum post. No windows may be flush mounted to the exterior face of the building. All windows to be mounted flush to the inside wall so as to create shadow lines and depth at the exterior facade.
- Muntins shall be true divided panes or fixed on the exterior surface. Panes shall be similar proportions throughout the building.
- Bay Windows shall extend to the floor inside and to the ground outside, or be supported by visible brackets.
- Shutters shall be either louvered or paneled, sized and shaped to match the associated openings.



- Storm Windows and Screens, if provided shall cover the entire window area.
- Doors (except garage doors) shall be side hinged (no sliders).
- Garage Doors facing a frontage shall be a maximum of 9 feet wide

**DISCLAIMER:** *All home designs shall be customized to accommodate lot size. Any visual references suggested in this booklet are for illustrative purposes ONLY. All homes will be rear or side entry.*

## Appropriate Architecture Structures-YES

Typical examples of architecture, setback and streetscape relationships.

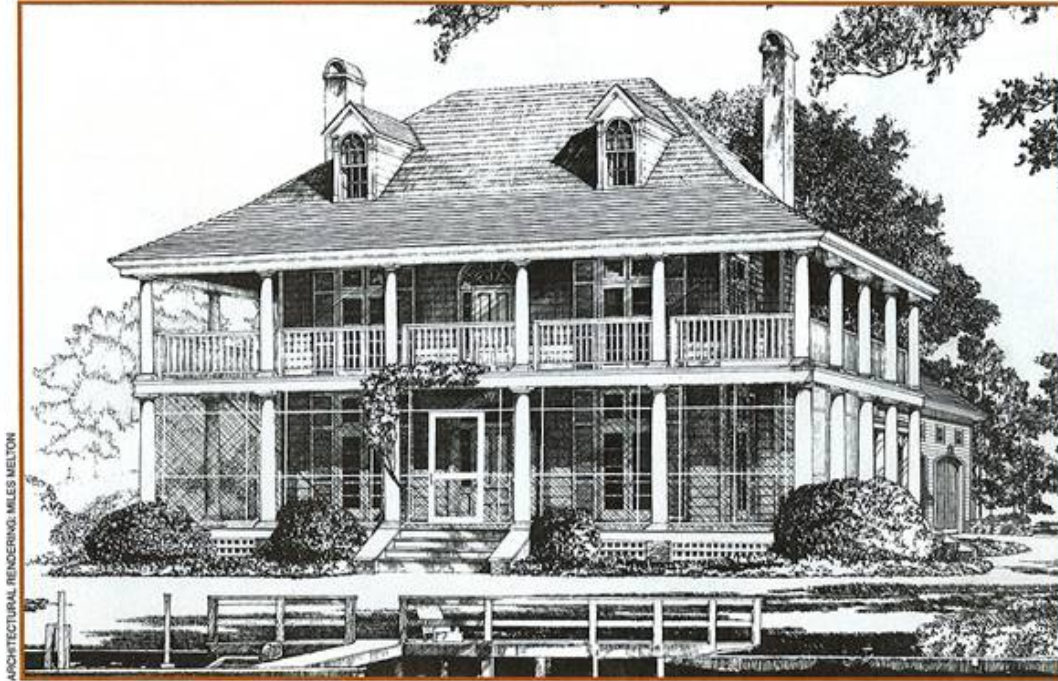




The following are examples taken from Southern Living House Plans, Fall 2004. And represent desired housing styles. DISCLAIMER: All home designs shall be customized to accommodate lot size. Any visual dereferences suggested in this booklet are for illustrative purposes ONLY. All homes will be rear or side entry.

## For Estate Homes

# Oconee Ridge

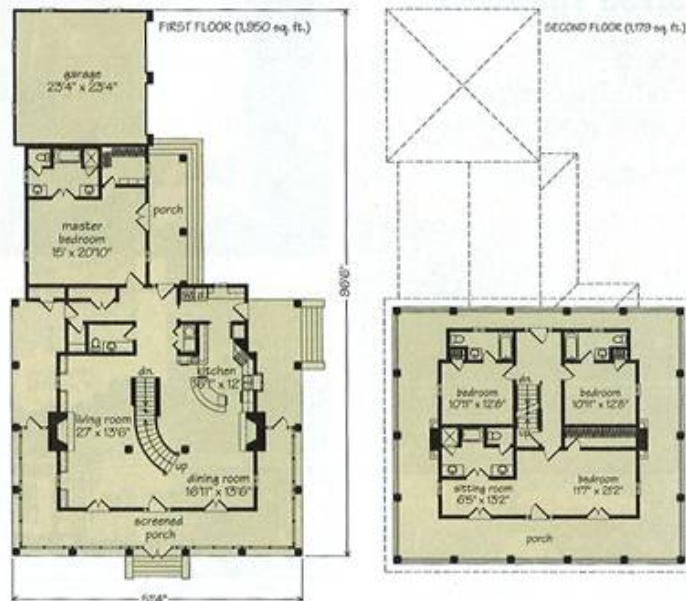


**3,129 square feet**

## Plan #041

- Designed by Todd Architects, Inc., Atlanta
- 4 bedrooms, 4½ baths
- Ceiling heights: 10 feet first floor, 9 feet second floor
- Crawlspace foundation

search online @  
southernlivinghouseplans.com



# Cottage of the Year



**2,612 square feet**



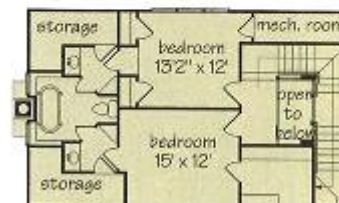
## Plan #593

- Designed by Eric Moser
- 4 bedrooms, 3½ baths
- Ceiling heights: 10 feet first floor, 8 feet second floor
- Crawlspace foundation

**search online @**  
[southernlivinghouseplans.com](http://southernlivinghouseplans.com)

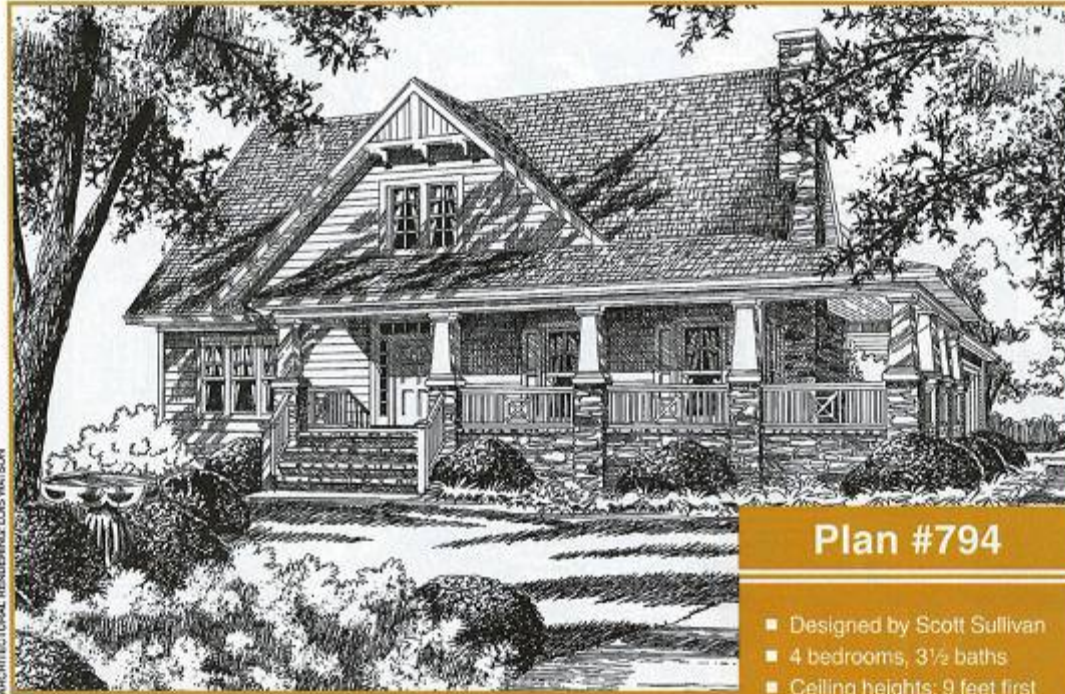
## SECOND FLOOR

(584 sq. ft.)





# Stonebridge Cottage



ARCHITECTURAL RENDERING: LOIS WATSON

## Plan #794

- Designed by Scott Sullivan
- 4 bedrooms, 3 1/2 baths
- Ceiling heights: 9 feet first floor, 8 feet second floor
- Crawlspace foundation

**2,484 square feet**

search online @  
[southernlivinghouseplans.com](http://southernlivinghouseplans.com)





For Township Homes

# Brookgreen Cottage

## Plan #280

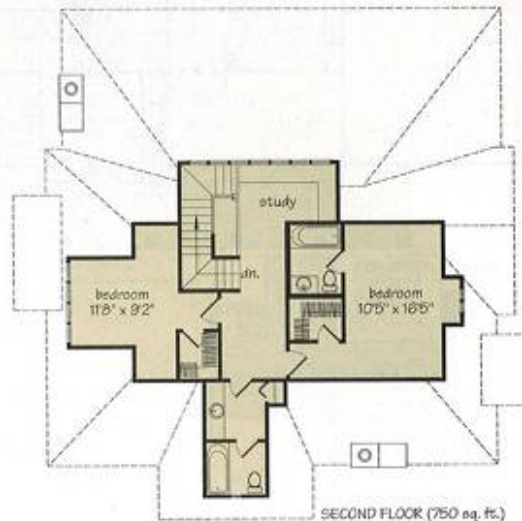
- Designed by Ryan Gainey & Company, Atlanta
- 3 bedrooms, 2½ baths
- Ceiling heights: 10 feet first floor, 8 feet second floor
- Crawlspace foundation

search online @  
southernlivinghouseplans.com

ARCHITECTURAL RENDERING: NICK NEHR



**2,214 square feet**



# River View Cottage



**2,315 square feet**

## Plan #230

- Designed by Looney Ricks Kiss Architects, Inc., Memphis
- 3 bedrooms, 2½ baths
- Ceiling heights: 10 feet first floor, 9 feet second floor
- Crawlspace foundation

**search online @**  
[southernlivinghouseplans.com](http://southernlivinghouseplans.com)





# Windsong Cottage



**Plan #750**

**1,927 square feet**

- Designed by Scott Sullivan
- 3 or 4 bedrooms, 3 baths
- Ceiling heights: 9 feet first floor, 9 feet second floor
- Crawlspace foundation

**search online @**  
[southernlivinghouseplans.com](http://southernlivinghouseplans.com)

ARCHITECTURAL RENDERING: MUR STUART

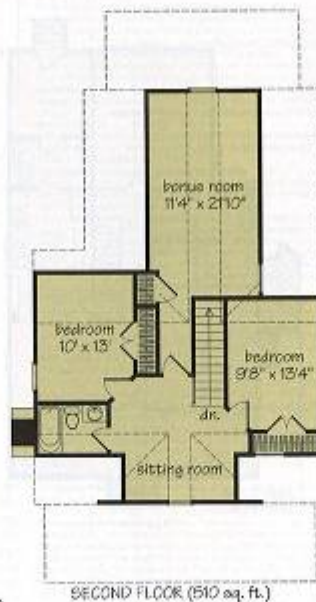




# Coosaw River Cottage



ARCHITECTURAL RENDERING: KEN PEEPER



**1,705 square feet**

## Plan #671

- Designed by Allison Ramsey Architects, Inc., Beaufort, South Carolina
- 3 bedrooms, 2½ baths
- Ceiling heights: 10 feet first floor, 9 feet second floor
- Pier-wall foundation

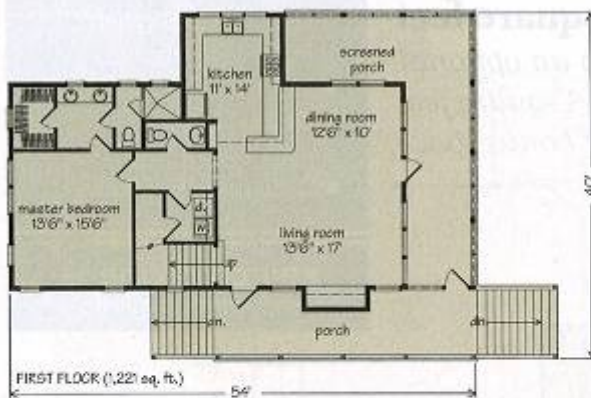
search online @  
[southernlivinghouseplans.com](http://southernlivinghouseplans.com)



# Spartina Cottage



ARCHITECTURAL RENDERING: M. JIM STEWART



**2,031 square feet**

**Plan #999**

- Designed by George Graves
- 3 bedrooms, 2½ baths
- Ceiling heights: 9 feet first floor, 8 feet second floor
- Pole foundation

**search online @**  
[southernlivinghouseplans.com](http://southernlivinghouseplans.com)

# Wildmere Cottage



2,345 square feet

3 bedrooms, 3 1/2 baths

2 floors

10' ceiling at level 1,  
9' ceiling at level 2





For Village Homes

# Rocky Cove Retreat

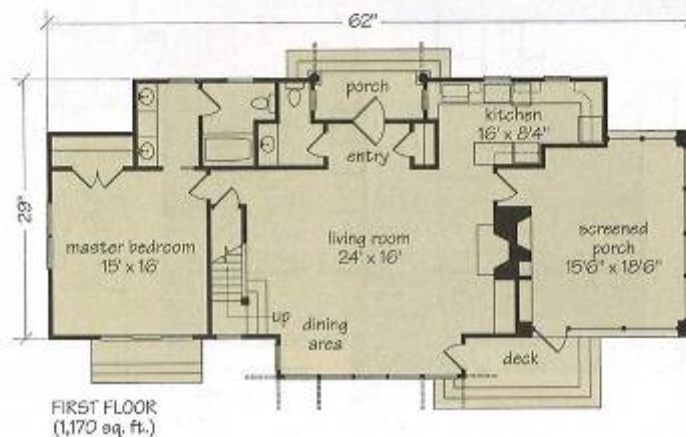


**1,988 square feet**

## Plan #669

- Designed by Charles Paul Goebel
- 3 bedrooms, 3½ baths
- Ceiling heights: 9 feet first floor, 9 feet second floor
- Crawlspace foundation

search online @  
[southernlivinghouseplans.com](http://southernlivinghouseplans.com)





# Winonna Park

**1,797 square feet**

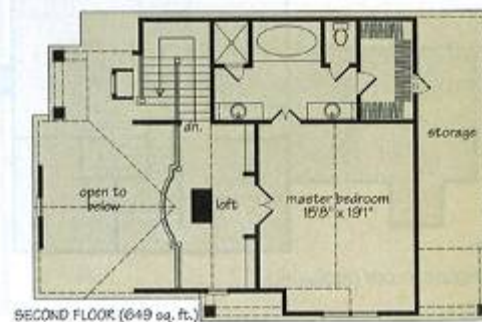
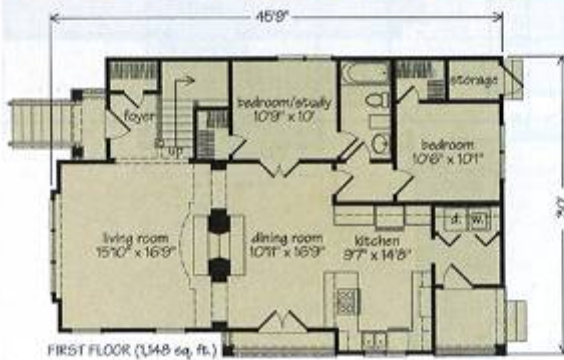
**Plan #503**

- Designed by Jeff and Alison Thomas, Circa Studio, Inc. This plan was a 2002 Southern Home Award winner.
- 3 bedrooms, 2 baths
- Ceiling heights: 9 feet first floor, 9 feet second floor
- Crawlspace foundation

search online @  
[southernlivinghouseplans.com](http://southernlivinghouseplans.com)

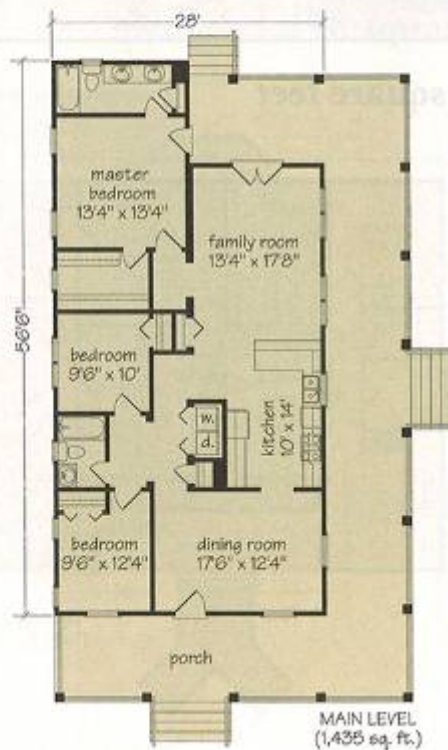


ARCHITECTURAL RENDERING: MILES MEDON





# Bluffton



**1,435 square feet**

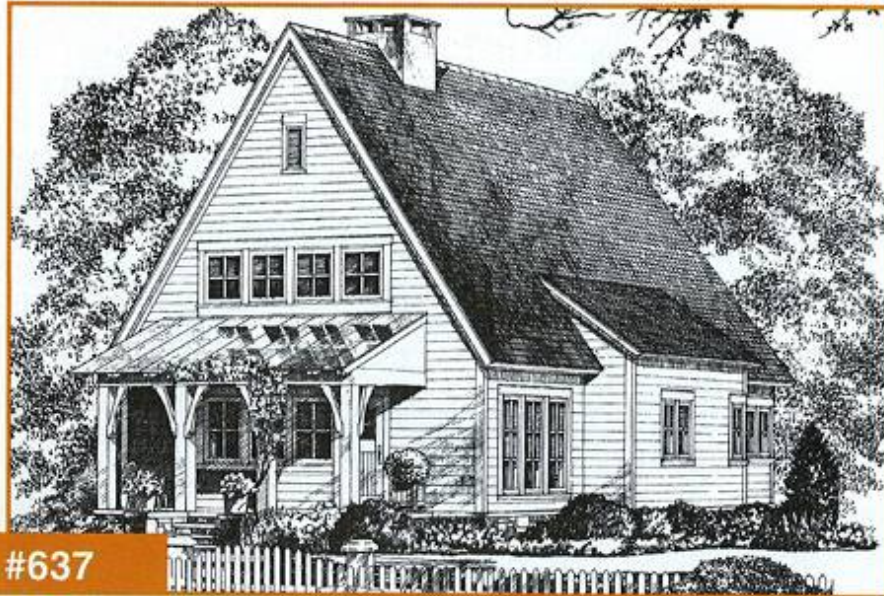
## Plan #594

- Designed by Joe Hall and Rob Hull, Hilton Head Island, South Carolina
- 3 bedrooms, 2 baths
- Ceiling heights: 9 feet main level
- Crawlspace foundation

search online @  
[southernlivinghouseplans.com](http://southernlivinghouseplans.com)

## For Cottage Homes

# Danehill



### Plan #637

- Designed by Dungan-Nequette Architects
- 3 bedrooms, 2 baths
- Ceiling heights: 9 feet main level
- Crawlspace foundation

search online @  
[southernlivinghouseplans.com](http://southernlivinghouseplans.com)

**1,167 square feet**





# Carolina Craftsman

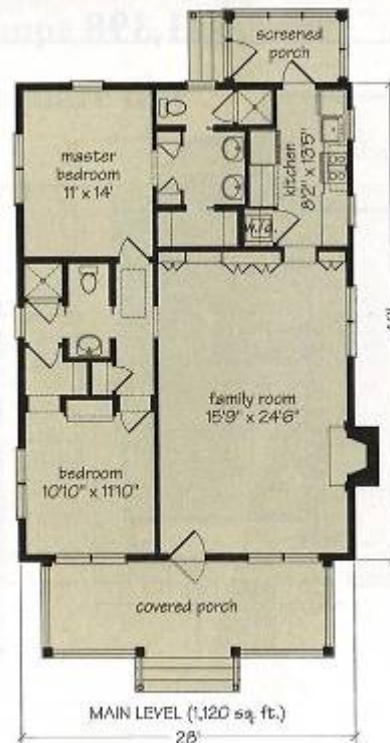


**1,120 square feet**

## Plan #050

- Designed by Historical Concepts, Inc., Peachtree City, Georgia
- 2 bedrooms, 2 baths
- Ceiling heights: 10 feet, 8 inches main level
- Crawlspace foundation

**search online @**  
[southernlivinghouseplans.com](http://southernlivinghouseplans.com)



## For Brownstone Homes





**For Retail – Live/Work - Office**



## Inappropriate Architecture Structures-NO

These home styles do not represent the desired "MIDTOWNE" for the following reasons.



- Scale too large, too suburban.
- Windows lack trim details.
- Chimney not constructed of masonry materials.
- Design lacks pedestrian scale frontages, porches or verandas.
- Soffit overhang is not proportionally scaled to architecture.



- Scale too large, too suburban.
- Garage extends beyond front of front door entry.
- Too contemporary not in keeping with TND.
- Design lacks pedestrian scale frontage, porches or verandas.
- No stoop or stairway leads to front door.
- Too many materials used on front façade.





- Scale too large, too suburban.
- Windows are not in scale with facade.
- Front entry arch too dominant and not in scale with facade.
- Roof pitch too steep.
- Front steps should be at front door rather than disconnected at public sidewalk.

## ORDINANCE NO. 2007-14

**AN ORDINANCE AMENDING ORDINANCE NO. 89-13, THE ZONING ORDINANCE OF THE CITY OF MIDLOTHIAN, TEXAS, GRANTING ZONING CHANGE Z03-2006-36, ON LAND CURRENTLY ZONED SINGLE FAMILY THREE (SF-3) AND SINGLE FAMILY FOUR (SF-4) DISTRICTS TO A PROPOSED PLANNED DEVELOPMENT (PD) DISTRICT. PROPERTY CONTAINS ± 131.42 ACRES, IN THE W. HAWKINS SURVEY, ABSTRACT NO. 465 AND THE B.F. HAWKINS SURVEY, ABSTRACT NO. 464, AND IS GENERALLY LOCATED EAST OF FM 663 AND WEST OF SOUTH 14TH STREET AND ± 1,831 FEET SOUTH OF CEMETARY ROAD, IN THE CITY OF MIDLOTHIAN, TEXAS. ORDERING A CHANGE IN THE USE OF SAID PROPERTY FROM THE SINGLE FAMILY THREE (SF-3) AND SINGLE FAMILY FOUR (SF-4) DISTRICTS TO A PROPOSED PLANNED DEVELOPMENT (PD) DISTRICT AND CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS, AND GENERAL WELFARE DEMAND A ZONING CHANGE AND AMENDMENT THEREIN MADE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE, AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH AN OFFENSE OCCURS OR CONTINUES; WITH A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, an application was made to amend the Official Zoning Map of the City of Midlothian, Texas by making applications for same with the Planning and Zoning Commission of the City of Midlothian, Texas as required by State statutes and the zoning ordinances of the City of Midlothian, Texas and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of the City of Midlothian, Texas after all legal notices, requirements, conditions and prerequisites having been complied with; and

**WHEREAS**, the City Council of the City of Midlothian, Texas at a Public Hearing called by the City Council did consider the following factors in making a determination as to whether these requested changes should be granted or denied; safety of the motoring public and the pedestrians using the facilities in the area immediately surrounding the site; safety from fire hazards and measures for fire control, protection of adjacent property from flood or water damages, noise producing elements and glare of the vehicular and stationary light and effect of such lights on established character of the neighborhood, location, lighting and types of signs and relation of signs to traffic control and adjacent property, street size and adequacy of width for traffic reasonably expected to be generated by the proposed uses around the site and in the immediate neighborhood, adequacy of parking as determined by requirements of this ordinance for off-street parking facilities, location of ingress and egress points for parking and off-street locating spaces, and protection of public health by surfacing on all parking areas to control dust,



**WHEREAS**, the City Council of the City of Midlothian, Texas at a Public Hearing called by the City Council of the City of Midlothian, Texas did consider the following factors in making determination as to whether this requested change should be granted or denied; effect on the congestion of the streets, the fire hazards, panics and other dangers possibly present in the securing of safety from same, the effect on the promotion of health and the general welfare, the effect of adequate light and air, the effect on the overcrowding of the land, the effect on the concentration of population; and

**WHEREAS**, the City Council further considered among other things the character of the district and its peculiar suitability for particular uses and with the view to conserve the value of buildings, encourage the most appropriate use of land throughout this city; and

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

**Section 1. ZONE CHANGE.** That the City of Midlothian Ordinance No. 89-13, being the Zoning Ordinance of the City of Midlothian, Texas is hereby amended and changed by application to rezone subject property from Single Family Three (SF-3) and Single Family Four (SF-4) Districts to a proposed Planned Development 42 (PD-42) District. Subject property is more fully and completely described on the attached Exhibit "A" (Metes and Bounds), attached Exhibit "B" (Boundary Survey) and Exhibit "C" (Location Map), and Exhibit D "Design Booklet", Exhibit E "Development Plan", and Exhibit F "MidTowne Landscaping Guidelines" in accordance with Zoning Ordinance No. 89-13 as amended.

**Section 2. PLANNED DEVELOPMENT CONDITION OF USE.** This Planned Development is also subject to the following conditions of use:

**Overall**

- 1) Each preliminary plat, site plan, landscaping plan and non-single family architectural elevations shall be approved by the Planning & Zoning Commission to ensure compliance with the Guiding Principles and regulations and conditions set forth in this Planned Development ordinance. Either party, the applicant or City staff, can appeal the Planning & Zoning Commission's decisions to the City Council.
- 2) A set of Guiding Principles accompanied in the Design Booklet shall be adopted as part of this planned development and ordinance and must be approved by City Council to guide the exercise of any flexibility in land use with each subsequent phase and final rezone approval. Any density changes to the development site plan shall not result in a positive increase.
- 3) This development shall assist the City to establish a Public Improvement District (PID) to maintain all open spaces, landscaping, ponds, water features, etc. Staff will work closely with the applicant to form the parameters and structure of the PID.
- 4) The MidTowne Design Booklet shall be adopted as part of this Ordinance. Should there be any discrepancy between the Design Booklet, this staff report, or the Ordinance, the strictest of the three (3) shall apply.
- 5) Any child care center must meet all requirements set forth in the City's Building Codes, Fire Code, as well as the minimum requirements set forth by the State of Texas and Child Protective Services prior to the issuance of a Certificate of Occupancy (CO). The hours of operation shall be set at the time of review of the site plan and landscaping plan by the Planning and Zoning Commission.

Services prior to the issuance of a Certificate of Occupancy (CO). The hours of operation shall be set at the time of review of the site plan and landscaping plan by the Planning and Zoning Commission.

**School Site:**

- 6) A minimum 8 acres shall be reserved as a school site for the Midlothian Independent School District (MISD).
- 7) The school reservation site shall be reserved for MISD purchase for a period not to exceed six (6) years or until the residential project is 50% built out, whichever occurs first.
- 8) If the Midlothian Independent School District (MISD) chooses to purchase this site, the Developer shall sell this tract to MISD at a price not to exceed \$795,000 plus accrued interest based on the annual Consumer Price Index (CPI) (all urban consumers, all goods) from the adoption date of this ordinance. This price shall be all-inclusive (i.e. will include the pro-rata cost of all infrastructure, etc). The City of Midlothian shall contribute \$35,000 (in cash or fee credits) towards the cost of this land to help offset infrastructure costs.
- 9) Should the Midlothian Independent School District (MISD) not take ownership of this school site within the time period described above, a private school may satisfy this requirement.
- 10) Any school proposed on this  $\pm$  8-acre site shall have its site plan, elevations, etc. reviewed and approved by the MidTowne Architecture Review Board by a minimum affirmative 4-1 vote and staff and the Planning & Zoning Commission prior to the application for a building permit.
- 11) If in the event this site is not used as a school, this tract shall only be used for a church, institutional use, a corporate campus-style office with maximum 30% impervious surface (i.e. a minimum 70% perpetual green space).

**Architectural Design**

- 12) Any increase in density to the numbers below shall require an additional public hearing and approval from both the Planning & Zoning Commission and City Council. Any decrease in density will not require additional approval from either the Planning & Zoning Commission or City Council. The minimum lot and house size breakdown shall be as follows:

<b><u>Category</u></b>	<b><u>Lots</u></b>	<b><u>Minimum Lot Sizes</u></b>	<b><u>Minimum House Sizes</u></b>
Estate	47	9,200 square feet	100% greater than 2,000 square feet 85% greater than 2,200 square feet
Township	101	7,800 square feet	100% greater than 2,000 square feet 85% greater than 2,100 square feet
Village	132	5,750 square feet	100% greater than 1,300 square feet 50% greater than 1,600 square feet
Cottage	85	4,400 square feet	50% greater than 1,600 square feet 30% between 1,300 - 1,599 square feet 20% between 1,100 - 1,299 square feet
Brownstones	60	2,800 square feet	minimum 1,300 square feet
Live/Work Units	10	2,200 square feet	minimum 1,300 square feet
Flats over retail	14	N/A	minimum 700 square feet

- 13) The developer shall establish an Architectural Review Board that will govern the overall design, architecture, and landscaping/fencing of this development. This five (5) member board will



---

consist of the following: one (1) City Planning & Zoning Department professional staff member, one (1) Planning & Zoning Commissioner, one (1) MidTowne Architect, one (1) MidTowne Planner and the Developer (after 50 homes have been occupied, a resident of MidTowne will replace the Developer) and shall pass with a minimum affirmative vote of 4-1.

- 14) All single family residential designs, architectural elevations and landscaping/fencing shall be closely based upon, and character presented in the Design Booklet prepared by the developer and incorporated as part of this Ordinance. A house elevations, specific plan, or style not found in the Design Booklet shall be approved by the MidTowne Architectural Review Board by a minimum affirmative 4-1 vote. If the MidTowne Architectural Review Board rejects the proposed design but it is consistent with the design guidelines set forth in the Design Booklet, an appeal can be filed with the Planning & Zoning Commission and scheduled for their next available meeting.
- 15) All single-family residential architecture shall be constructed of masonry or cementitious fiber board with porches and railings and be designed to portray the appearance of a pier-and-beam foundation, actual or perceived.
- 16) This development shall be an alley-based neighborhood. All single family residential homes shall have rear-entry garages. If a lot is located on a corner or without alley access, a side-entry garage shall be utilized.
- 17) Living spaces over garages or "granny flats" shall only be allowed within the Township or Estate categories on the development site plan. They shall be limited to only 40% of these lots and the developer shall deed restrict them to no larger than a one bedroom non-rental unit with kitchen and bathroom.
- 18) Roof pitches for all structures shall range from 5:12 to 8:12 with overall maximum heights of 42 feet. For this development, the definition of the height of a building shall be *"the mid-point of the main roof pitch provided."*
- 19) A minimum 90% brick/masonry exterior shall apply to all town homes / brownstones.
- 20) All residential homes within this development will be designed to be environmentally friendly and will be required to be Energy Star rated. All non-single family residential buildings and the elementary school site shall be designated as LEED-qualified per the requirement below.
- 21) To achieve a LEED-qualified standard, at the building permitting stage, the building plan reviewer shall hire an independent 3<sup>rd</sup> party to ensure compliance with the attached LEED standards concepts as set forth by the U.S. Green Building Council (USGBC) (minimum 26-point requirement) for that structure to be qualified as LEED through the City.
- 22) No single-family residential housing styles and/or architecture shall repeat for a distance of five (5) lots on both sides of the street.
- 23) All non-residential elevations, site plans, and landscaping plans shall be reviewed and approved by Planning & Zoning Commission. Elevation designs shall incorporate 360° architecture and provide design guidelines with proposed material finish, setbacks, and conceptual elevation drawings, landscaping, and fencing, if adjacent to residential lots.
- 24) The non-residential portions of this Planned Development shall be limited to office-type uses and retail uses. Uses that shall be prohibited include but are not limited to auto-related uses (i.e. carwash, auto sales/repair/service), convenience stores, gasoline pumping stations, any sexually-oriented business, tattoo shops, video/arcades, tobacco shops, pawn shops, restaurants, and gun shop sales/service/repair. This list may be amended through the process of determination of significant/insignificant change for a planned development or through a PD amendment change at a public hearing setting.

- 
- 25) The parking lots are designed to face towards the interior and have on-street angled parking and the on-street parking shall count towards the required minimum parking ratio, provided that the parking spaces immediately abut the subject property line.
  - 26) A parking analysis shall be submitted with each non-residential phase to determine the feasibility of a joint/shared parking agreement.

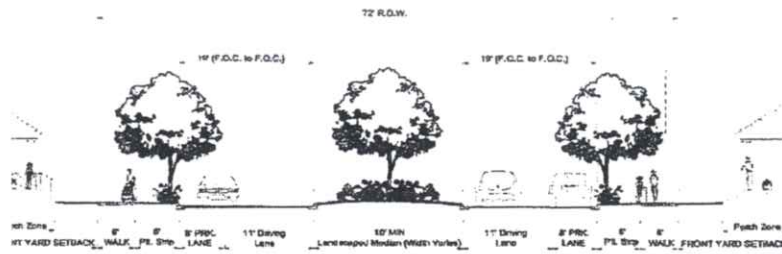
#### **Utilities & Drainage**

- 27) All existing and future utility lines for this development shall be designed and placed underground. Staff will work with the applicant and the electric utility providers in this area to establish a funding mechanism that will allow for all overhead power lines within the perimeter and vicinity of this proposed neo-traditional development to be placed underground. Possible options include but are not limited to the creation of a Public Improvement District (PID), a Tax Increment Financing (TIF) District, a Developer's Agreement having the City, developer, and a third-party to contribute certain percentages of the total cost. In no case shall the Developers portion of these shared undergrounding cost exceed \$200,000. Depending on which part of the project develops out first, certain site improvements (i.e. landscaping, utility undergrounding, etc) may be delayed due to any future activity which enhances the overall goals of this proposed development. Any such delays shall require approval of the Director of Engineering.
- 28) Switch gears or utility transformers may be located above ground and vegetative and/or wrought iron screen shall be used to minimize any negative visual impacts. The landscape/fencing plan shall be approved by staff prior to final acceptance of that phase of the subdivision.
- 29) Several water and sewer lines within the vicinity of this development shall be upgraded and improved to the specifications set forth by the Director of Engineering. A downstream analysis shall be required to determine the capacity of the sewer lines. The water lines shall be extended internally from the external mains and must be a looped system. The analysis shall be based upon the direction or routing of the sanitary sewer that is chosen. This analysis can be completed during the submission of engineering/construction plan phase. The engineering/ constructions plans showing these improvements must be approved prior to any associated work on this development.
- 30) Any utility easements shall be located near the front of the streets and in the rear in the alleyways. Should any easements be placed along the side of the property, the width of these easements may be narrower than the required width. The minimum width shall be set forth by the Director of Engineering and/or Public Works.
- 31) The lighting provided on this site shall match the architectural theme of the project and will be historic, architectural, antique, pedestrian-scale and downcast. Such lighting must be approved by staff prior to installation.

#### **Street Design**

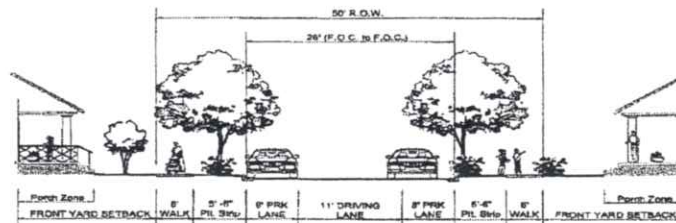
- 32) The design of the detention ponds must be reviewed and approved by the Engineering Department to ensure compliance with the City's storm water management regulations. In addition, if any part of the floodplain area is reclaimed for development purposes, a floodplain study must be undertaken to determine the actual limits of the floodplain and a floodplain development permit shall be required. Also, any lots adjacent to the existing floodplain will require establishing base flood elevations and setting finished floor elevations.
- 33) The main central axis avenue in this development shall have a 72-foot right-of-way, two (2) 11-foot driving lanes, two (2) eight-foot parking lanes, two (2) 6-foot planting strips, two (2) sets of 6-foot wide sidewalks and a minimum 10-foot landscape median as shown in the illustration below.





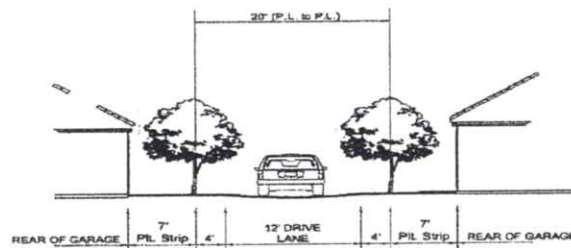
□ A-72-38 Two-way Avenue with □  
Parking

- 34) This development shall have a 50-foot right-of-way for most local roads including a 27-foot street section (11-foot drive lanes and two (2) 8-foot parking lanes), two (2) 5-6 foot planting strips and a six (6) foot sidewalk as shown in the illustration below.



□ S-50-26 Two-way Street with □  
Parking

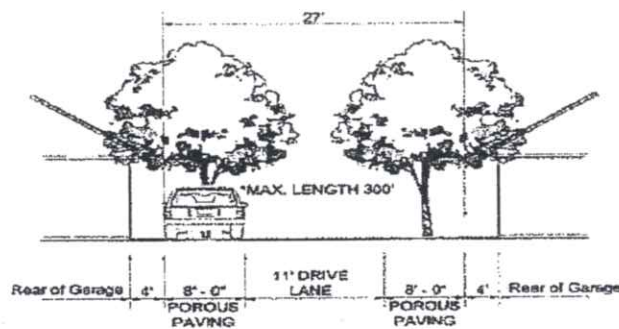
- 35) All alleys shall have a right-of-way width of 20 feet with 12 feet of paved drive lane along with one (1) required 3-inch caliper tree per lot shall be located on the property line fence four (4) feet off the pavement as shown in the illustration below.



□ RA-20-12 Residential □  
Alley

- 36) The two-way mews shall have a width of 27 feet with an 11-foot paved drive land and two (2) eight-foot wide porous paving along with a tree planted in the porous paving as shown in the illustration below. Any non-concrete pavement shall require the approval of the Director of Engineering.





### ☐ M-27-12 Two-way Mews with Parking ☐

- 37) Slip streets shall have a paving width of 20 feet, 12 feet for thru-access and an eight (8) foot parking lane shall and restrict parking to one side of street through deed restrictions and/or lane markers.
- 38) No parking shall be allowed within 10 feet from the radius return. Such designation shall be accomplished through the use of pavement markings and/or signage, subject to the satisfaction of the Director of Engineering.
- 39) The applicant shall build one-half (1/2) of Stadium Drive (soon to be Don Floyd Drive) in conjunction with this development according to the phasing plan submitted. The City shall also build the remaining one-half (1/2) of Stadium Drive, as funding becomes available.
- 40) The Texas Department of Transportation (Tx-DOT) shall approve any new additional drive cuts onto F.M. 663 along with any new turning lanes.
- 41) Any new drive cuts shall align with existing Midlothian High School, F.M. 663, the Sports Park and George Hopper Road.
- 42) A complete Traffic Impact Analysis (TIA) must be complete prior to the formal submittal of a preliminary plat application for the first phase. This analysis and resulting roadway improvement requirements shall include but not limited to addressing drive locations, existing/proposed drive/median openings, 14<sup>th</sup> Street, George Hopper, Walter Stephenson traffic movements, designated left turn bays, the need would be the extension of the existing continuous left-turn lane south to Lena Lane, the traffic movement of the middle school and the proposed elementary school site and the need for any auxiliary accel/decel lanes along with auxiliary lanes along George Hopper, FM 663 and South 14<sup>th</sup> Street and wider intersections. Any changes to the existing road conditions shall be built to the specifications set forth by the Director of Engineering.
- 43) The portion of right-way dedication from the intersection of the new U.S. Highway 287 Bypass/Loop and F.M. 663 to the intersection of George Hopper/Walter Stephenson and F.M. 663, shall be determined by and contingent upon the complete Traffic Impact Analysis (TIA).

### **Fencing/Landscaping**

- 44) This development shall provide at least 15.32 acres of open space that shall be maintained by the proposed Public Improvement District (PID).
- 45) Should at any time the open space acreage provided be decreased, it shall be replaced so as to have a zero net loss in open space.
- 46) Any lots adjacent or backing up to these open spaces shall be required to have non-opaque type fencing (i.e. architectural steel/wrought iron) of a standard uniform design.

- 
- 47) All landscaping associated with this development shall be drought resistant to reduce water consumption. There will be a variety of street trees to prevent a monotonous layout and to accentuate the neighborhood design, the landscaping will transform according to appropriate seasons resulting in a multi-colored environment. In addition, all landscaping will be either native and/or drought resistant.
  - 48) All landscaping plans shall be approved by the MidTowne Architectural Review Board by a minimum affirmative 4-1 vote prior to submission to the City and the Planning & Zoning Commission during site plan review all streets in this development shall have minimum 3-inch caliper trees located within the parkway, and spaced at 30 feet on center. Landscaping of common space (open) areas and non-residential sites shall significantly exceed standard City Zoning requirements, as determined by City staff and/or the Planning and Zoning Commission.
  - 49) There shall be a variety of street trees to prevent a monotonous layout. Species shall include, but not limited to Caddo Maple, Shagbark Hickory, Texas Persimmon, Honey locust, Black Walnut, Eastern Black Walnut, Eastern Red Cedar, Southern Magnolia, Chinese Pistachio, Texas Pistache, Western Soapberry, Winged Elm Cedar Elm, Pecan, Live Oak, Shumard Red Oak, Texas Red Oak, Bur Oak, Lace Bark Elm, Siberian Elm, Chinkapen Oaks, October Glory, Maple, Bald Cypress and Sweet Gum.
  - 50) All landscaping in this development shall adhere to the Landscaping Guidelines found in Exhibit F of this ordinance. In addition, along FM 663, this project shall have a 10-foot landscaping buffer creating a 30-foot green belt from the back of curb to the back of curb between the future perimeter rights-of-way and off-streets within this development. This green belt shall include a six-foot (6') pedestrian walkway.
  - 51) All rear-yard fencing shall be a maximum height of five (5) feet.
  - 52) Three (3) playground sites shall be placed within the open space and shall be connected by 12,000 linear feet of sidewalks. All playgrounds shall meet the City of Midlothian's Parks and Recreation Standards.

#### **Signage**

- 53) Freestanding signage for all nonresidential uses shall be limited to ground/monuments, with a maximum height of five (5) feet and a maximum area of 20 square feet.
- 54) All building signage for retail and office uses shall be limited to a total of 8% of the front façade area or 50 square feet, whichever is less.
- 55) Signage for the entries into this development shall match housing architecture in elements, proportion and scale and must be approved by staff prior to the issuance of a sign permit.

#### **Phasing**

- 56) Any project amenity provided within a certain phase of this development shall be completed by the end of that phase. All amenities within that phase shall be completed and finished prior to the commencement of the next construction phase.
- 57) Several planned development amendments are likely to occur after completion of the first phase of this development. These amendments may include but not limited to dwelling sizes on brownstones, the number of flats over retail, revising the prohibited use list, school site, landscape species, etc.

**Section 3. CORRECTION OF OFFICIAL ZONING MAP.** The City Manager or applicable municipal official is hereby directed to correct the official zoning map of the City of Midlothian, Texas to reflect the herein change in zoning.



---

**Section 4. SUBJECT TO ALL APPLICABLE REGULATIONS.** That in all other respects, the use of the tract or tracts of land herein above described shall be subject to all the applicable regulations contained in said City of Midlothian zoning ordinances and all other applicable and pertinent ordinances of the City of Midlothian, Texas.

**Section 5. ACCORDANCE WITH COMPREHENSIVE PLAN.** That the Comprehensive Plan is hereby amended to the extent that the zoning regulations and districts as herein established have been made in accordance with the comprehensive plan for the purpose of promoting health, safety, morals and the general welfare of the community. They have been designed with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future, to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; provide adequate light and air; to prevent overcrowding of land, to avoid undue concentration of population; facilitate the adequate provisions of transportation, water, sewerage, drainage and surface water, parks and other public requirements, and to make adequate provisions for the normal business, commercial needs and development of the community. They have been made with reasonable consideration, among other things, of the character of the district, and its peculiar suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community.

**Section 6. CUMULATIVE EFFECT.** This Ordinance shall be cumulative of all other ordinances of the City of Midlothian, Texas affecting zoning and shall not repeal any of the provisions of said ordinances except in those instances where provisions of those ordinances are in direct conflict with the provisions of this ordinance.

**Section 7. SEVERABILITY CLAUSE.** That the terms and provisions of this ordinance shall be deemed to be severable and that if the validity of the zoning affecting any portion of the tract or tracts of land described herein shall be declared to be invalid, the same shall not affect the validity of the zoning of the balance of the tract or tracts of land described herein.

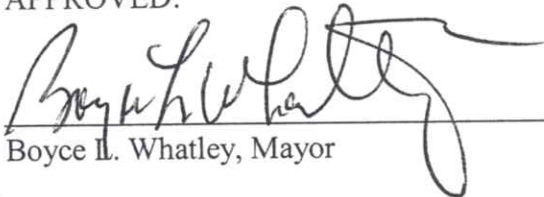
**Section 8. PENALTY.** Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00) and a separate offense shall be deemed committed upon each day during or on which a violations occurs or continues.

**Section 9. EFFECTIVE DATE.** The fact that the present ordinances and regulations of the City of Midlothian, Texas are inadequate to properly safeguard the health, safety, morals, peace and general welfare for the inhabitants of the City of Midlothian, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that his ordinance shall become effective from and after the date of its final passage, and it is accordingly so ordained.

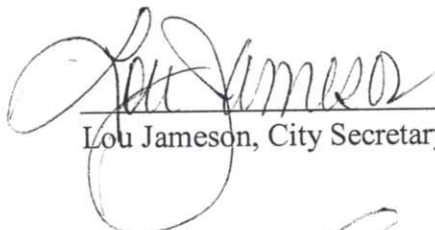


PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
MIDLOTHIAN, TEXAS on this the 13th day of March, 2007.

APPROVED:

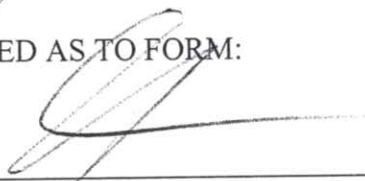
  
Boyce L. Whatley, Mayor

ATTEST:

  
Lou Jameson, City Secretary



APPROVED AS TO FORM:

  
Don Stout, City Attorney

**Exhibit A**  
**Z03-2006-36**  
**Metes and Bounds**

BEING all that certain lot, tract or parcel of land situated in the City of Midlothian and in the B.F. HAWKINS SURVEY, Abst No 464 in Ellis County, Texas, and being a part of a called FIRST TRACT, SECOND TRACT, and THIRD TRACT of land as described in Volume 485, Page 510, Deed Records, Ellis County, Texas, (DIRECT), and being more particularly described as follows:

BEGINNING at a 1/2" steel rod found for the existing southwest corner of the residual of the said THIRD TRACT and being in the east line of F.M. 663 (a state road) and also being the northwest corner of a called 4.468 acre tract of land out of the said THIRD TRACT and recorded in Volume 556, Page 468, DIRECT,

THENCE N 01°13'45" W 2327.03 feet (Deed - NORTH) along the west line of this tract and through the original THIRD TRACT and along the east line of F.M. 663 to a 1/2" steel rod found for the westerly northwest corner of this tract and being the southwest corner of Lot 2 of the First United Methodist Church of Midlothian Addition also out of the said THIRD TRACT and recorded in Cabinet D, Slide 288, Plot Records, Ellis County, Texas, (PRECT)

THENCE into the said THIRD TRACT and along the northerly lines of this tract as follows: S 89°30'39" E, 456.34 feet along the south line of Lot 2 to a 1/2" steel rod found for the southeast corner of Lot 2, N 01°02'01" W, 152.30 feet along the east line of Lot 2 to a 1/2" steel rod found in the south line of George Hopper Road (a city road), for a northwesterly corner of this tract continuing along the south line of George Hopper Road S 89°28'37" E, 198.95 feet to a 1/2" steel rod found in the beginning of a non-tangent curve oriented counter clockwise and whose radius bears N 00°31'23" E, 441.09 feet along the arc of said curve, (Central Angle = 31°59'25", Radius = 790.00 feet, Long Chord = N 74°31'40" E, 435.38 feet) to a 1/2" steel rod found for corner; N 58°29'21" E, 104.25 feet to a 1/2" steel rod found in the beginning of a non-tangent curve oriented counter clockwise and whose radius bears S 31°28'57" E, 457.35 feet along the arc of said curve, (Central Angle = 38°54'28", Radius = 710.00 feet, Long Chord = N 76°58'17" E, 449.49 feet) crossing the lower east line of the said THIRD TRACT and the west line of the said SECOND TRACT, to a 1/2" steel rod set for corner; continuing through the said SECOND TRACT, S 84°25'36" E, 107.66 feet to a 1/2" steel rod found for the northerly northeast corner of this tract, and S 42°41'24" E, 36.83 feet to a 1/2" steel rod found in the intersection of the south line of George Hopper Road with the west line of S 14th Street (a city street), for the easterly northeast corner of this tract;

THENCE along east line of this tract and west line of S 14th Street and through the said SECOND TRACT and THIRD TRACT as follows: S 00°47'42" E, 2412.63 feet (Record bearing bears for this description) passing the south line of the said SECOND TRACT and a north line of the THIRD TRACT, to a 1/2" steel rod found for corner in the beginning of a non-tangent curve oriented counter clockwise and whose radius bears S 89°09'34" W, 321.98 feet along the arc of said curve, (Central Angle = 24°28'03", Radius = 755.00 feet, Long Chord = S 11°22'36" W, 319.54 feet) to a 1/2" steel rod found for the southeast corner of this tract and the existing southeast corner of the residual of the said THIRD TRACT and being the northeast corner of the said 4.468 acre tract.

THENCE N 89°22'12" W, 1651.67 feet through the said THIRD TRACT and along the south line of this tract and along the north line of the said 4.468 acre tract to the POINT OF BEGINNING and containing approximately 100.702 acres of land.

BEING all that certain lot, tract, or parcel of land situated in the City of Midlothian and in the W. HAWKINS SURVEY Abstract No 465 and in the B.F. HAWKINS SURVEY Abst No 464 in Ellis County, Texas, and being a part of a called THIRD TRACT of land as described in Volume 485, Page 510 Deed Records, Ellis County, Texas, (DIRECT) and being more particularly described as follows:

BEGINNING at a railroad spike found in old George Hopper Road (a public road) for the most westerly southwest corner of this tract and a southeast corner of the said THIRD TRACT and being the southeast corner of a called 0.67 acre tract of land described in Volume 1817, Page 1275, Official Public Records, Ellis County, Texas, (OPRECT), and is also in the called south line of the W. Hawkins Survey and called north line of the B.F. Hawkins Survey and is also in the north line of Lot 1 of the First United Methodist Church of Midlothian Addition recorded in Cabinet D, Slide 288, Plot Records, Ellis County, Texas, (PRECT).

THENCE N 00°11'55" E, 659.25 feet along the most westerly west line of this tract and same for the original THIRD TRACT passing the northeast corner of the 0.67 acre tract and a southeast corner of another called THIRD TRACT of land described in Volume 317, Page 507, DIRECT, to a 1/2" steel rod set for the most westerly northeast corner of this tract and being the southwest corner of another called SECOND TRACT of land also described in Volume 317, Page 507, DIRECT.

THENCE N 88°37'35" E, 587.35 feet along a north line of this tract and same for the said THIRD TRACT and along the south lines of the other called SECOND TRACT and of another called FIRST TRACT also described in Volume 317, Page 507, DIRECT, to a 1/2" steel rod found for an inset corner of this tract and same for the said THIRD TRACT and being the southeast corner of the second called FIRST TRACT.

THENCE N 00°44'59" W, 548.02 feet along a west line of this tract and a west line of the said THIRD TRACT and along the east line of the second called FIRST TRACT to a 1/2" steel rod found for the most northerly northwest corner of this tract and same for the said THIRD TRACT and being the northeast corner of the second called FIRST TRACT and also being in the south line of Midlothian Cemetery.

THENCE N 89°28'16" E, 557.54 feet along the most northerly north line of this tract and same for the said THIRD TRACT and along the south line of Midlothian Cemetery to a 1/2" steel rod found for the most northerly northeast corner of this tract and same for the said THIRD TRACT and being the northwest corner of a called Parcel One, Second Tract as described in Volume 1758, Page 951, OPRECT.

THENCE S 03°07'06" W, 394.82 feet along the most northerly east line of this tract and same for the said THIRD TRACT and along the west line of the said Parcel One, Second and Third Tract to a 1/2" steel rod set for a southeast corner of this tract same for the said THIRD TRACT and being the southwest corner of the Parcel One, Second Tract and is in the north line of the Parcel One, First Tract.

THENCE S 80°23'58" W, 107.51 feet to a point in a pond for an inset corner of this tract and same for the said THIRD TRACT and is the northwest corner of the said Parcel One, First Tract.

THENCE S 02°52'58" W, 462.67 feet along another east line of this tract and same for the said THIRD TRACT and along the west line of the said Parcel One, First Tract to a 1/2" steel rod found for an inset northeast corner of this tract.

THENCE S 89°43'51" E, 466.45 feet along the a north line of this tract and same for the said THIRD TRACT and along the south line of the said Parcel One, First Tract, to a 1/2" steel rod set in the west line of S 14th Street (a city street) for the most easterly northeast corner of the tract and same for the said THIRD TRACT and being the southeast corner of the said Parcel One, First Tract.

THENCE along the most easterly east line of this tract and through the said THIRD TRACT and along the west lines of S 14th Street as follows: S 00°30'35" W, 192.95 feet to a 1/2" steel rod set for corner; S 00°02'44" E, 213.40 feet to a 1/2" steel rod set for the northerly southeast corner of this tract, and S 47°29'51" W, 36.22 feet to a 1/2" steel rod set in the intersection of along the east line of S 14th Street with the north line of George Hopper Road (a city street) for the southerly southeast corner of this tract.

THENCE along the southerly lines of this tract and northerly lines of George Hopper Road as follows: N 84°34'29" W, 85.89 feet to a 1/2" steel rod set for corner in the beginning of a non-tangent curve oriented counter clockwise and whose radius bears S 04°56'33" W, 472.81 feet along the arc of said curve (Central Angle = 34°17'26", Radius = 790.00 feet, Long Chord = S 77°47'55" W, 465.78 feet) to a 1/2" steel rod found corner; continuing along a stubout street for the terminus of George Hopper Road with old George Hopper Road, N 76°20'35" W, 35.94 feet to a 1/2" steel rod set for corner; N 31°28'01" W, 86.62 feet to a 1/2" steel rod set for corner in the beginning of a non-tangent curve oriented counter clockwise and whose radius bears S 58°31'53" W, 28.47 feet along the arc of said curve, (Central Angle = 09°19'18", Radius = 175.00 feet, Long Chord = N 36°07'46" W, 28.44 feet) to a 1/2" steel rod found corner in the south line of Old George Hopper Road, N 82°40'57" W, 115.25 feet along the south line of Old George Hopper Road to a 1/2" steel rod set for corner; continuing along the westerly line of the stubout road to George Hopper Road, S 07°59'33" W, 5.28 feet to a 1/2" steel rod set for corner and being in a non-tangent curve oriented clockwise and whose radius bears S 06°01'26" W, 110.19 feet along the arc of said curve (Central Angle = 50°30'33", Radius = 125.00 feet, Long Chord = S 56°43'18" E, 106.66 feet) to a 1/2" steel rod set for corner; S 31°28'01" E, 86.62 feet to a 1/2" steel rod set for corner; S 13°31'59" W, 35.36 feet to a 1/2" steel rod set for corner in a northwest line of George Hopper Road, S 58°31'59" W, 33.30 feet to a 1/2" steel rod set in the beginning of a non-tangent curve oriented counter clockwise and whose radius bears N 31°28'02" W, 396.42 feet along the arc of said curve, (Central Angle = 31°59'25", Radius = 710.00 feet, Long Chord = S 74°31'41" W, 391.29 feet) to a 1/2" steel rod set corner, and N 89°23'03" W, 201.18 feet to a 1/2" steel rod found for a southeast corner of this tract and being the southeast corner of Lot 1 of the First United Methodist Church of Midlothian Addition and is the most southerly southwest corner of the tract.

THENCE along a west and south line of this tract and the east and north line of Lot 1 as follows: N 01°05'39" W, 340.08 feet to a railroad spike set in old George Hopper Road for the northeast corner of Lot 1 and N 89°30'39" W, 174.09 feet to the POINT OF BEGINNING and containing approximately 31.277 acres of land.



# Exhibit B Z03-2006-36 Boundary Survey

