

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, AMENDING SUBCHAPTER 35.7.5, THE FRY STREET OVERLAY DISTRICT, TO CREATE A NEW SUBAREA AND DEVELOPMENT STANDARDS FOR A MIXED USE DEVELOPMENT ON APPROXIMATELY 1.75 ACRES OF LAND, GENERALLY LOCATED NORTH OF HICKORY STREET, SOUTH OF OAK STREET, APPROXIMATELY 200 FEET EAST OF AVENUE B AND APPROXIMATELY 125 FEET WEST OF FRY STREET, IN THE CITY OF DENTON, DENTON COUNTY, TEXAS; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING A SEVERABILITY CLAUSE, SAVINGS CLAUSE, AND AN EFFECTIVE DATE. (Z16-0007)

WHEREAS, the Applicant, 902 Avenue C LLC, has requested an amendment to Subchapter 35.7.5, the Fry Street Overlay District, to create a new sub-district and development standards for a mixed use building on approximately 1.75 acres of land generally located North of Hickory Street, South of Oak Street in between Avenue B and Fry Street and more particularly described in Exhibit A, attached hereto and incorporated herein by reference (hereinafter, the "Property"); and

WHEREAS, the applicant held neighborhood meetings on September 29, 2015, November 12, 2015, and May 10, 2016 for property owners and the general public to receive information and ask questions concerning amendments to the Fry Street Overlay District and proposed development on the Property; and

WHEREAS, on October 26, 2016, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded full and fair hearings to all property owners interested in this regard, and have recommended denial (4-1) of the proposed amendment; and

WHEREAS, on December 6, 2016, the City Council conducted a public hearing as required by law, and three-fourths (3/4) of all members of City Council find that the request meets and complies with all substantive and procedural standards set forth in Section 35.3.4 of the Denton Development Code, and is consistent with the Denton Plan and the Denton Development Code; and

WHEREAS, the City Council of the City of Denton, in considering the application for an amendment to Subchapter 35.7.5, the Fry Street Overlay District, to create a new sub-district and development standards for a mixed use building, have determined by an affirmative three-fourths (3/4) vote of all members that the proposed use is in the best interest of the health, safety, morals, and general welfare of the City of Denton, and accordingly, the City Council of the City of Denton is of the opinion and finds that said amendment is in the public interest and should be granted as set forth herein; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The findings and recitations contained in the preamble of this ordinance are incorporated herein by reference and found to be true.

SECTION 2. The amendments to Subchapter 35.7.5, the Fry Street Overlay District, as presented in **Exhibit B** and incorporated by reference herein, are hereby adopted as shown.

SECTION 3. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall not affect the validity of the provisions or applications, and to this end the provisions of this ordinance are severable.

SECTION 4. Any person, firm, partnership or corporation violating any provision of this ordinance shall, upon conviction, be deemed guilty of a misdemeanor and shall be punished by fine in a sum not exceeding \$2,000.00 for each offense. Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense.

SECTION 5. That an offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Denton Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. In compliance with Section 2.09(c) of the Denton Charter, this ordinance shall become effective fourteen (14) days from the date of its passage, and the City Secretary is hereby directed to cause the caption of this ordinance to be published twice in the Denton Record-Chronicle, a daily newspaper published in the City of Denton, Texas, within ten (10) days of the date of its passage.

PASSED AND APPROVED this the ____ day of _____, 2016.

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
ANITA BURGESS, CITY ATTORNEY

BY: _____

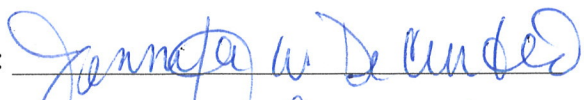

Deputy City Attorney

Exhibit A

Tract 1:

That property commonly referred to as 1314 West Hickory Street, Denton, Texas 76201, Denton County. More particularly described as follows:

All that certain tract or parcel of land lying and being situated in the E. Puchalski Survey Abstract 996 City of Denton, Denton County, Texas. Being part of Lots 1 & 2 and 7 & 8 Block 22 College Addition, according to the plat recorded in Volume 44, Page 600, Deed Records of Denton County, Texas, and being the same tract as described in a deed from Dale Seely and Charlie Seely to Voertman's Incorporated on the 15th day of May, 1967, recorded in Volume 551, Page 105, Deed Records; Same tract as described in a deed from Theta Chi Education Foundation of Denton, Texas, Inc., to Voertman's, Inc., September 1965, recorded in Volume 529 Page 629, Deed Records; The same tract as described in a deed from Frances Williams to Voertman's Inc., on the 20th day of November, 1956, recorded in Volume 427. Page 158, Deed Records: The same tract as described in deed from Paul R. Voertman to Voertman's Inc., on the 25th day of May, 1978, recorded in Volume 892 Page 737, Deed Records. The same tract as described in deed from Paul R. Voertman to Voertman's Inc., on the 25th day of May, 1978 recorded in Volume 892, Page 739, Deed Records; The same tract as described in a deed from P. W. Voertman to Voertman's, Inc., on the 15th day of November, 1962, recorded in Volume 487, Page 553, Deed Records and the same tract as described in a deed from Paul Voertman to Voertman's, Inc., on the 30th day of May, 1978, recorded in Volume 895, Page 429, Deed Records of Denton County, Texas, and being more particularly described as follows:

Beginning at an "x" cut in concrete on the North boundary line of West Hickory Street at the Southeast corner of Seely to Voertman tract recorded in Volume 551, Page 105, Deed Records and the Southwest corner of a tract from William Marvin Loveless to Ralph E. Cordroy on the 18th day of June, 1977, recorded in Volume 1150, Page 187, Deed Records, said corner being South 01 degrees 04 minutes 47 seconds West 0.33 feet from the Southeast and Southwest corner of Block Buildings:

Thence North 88 degrees 55 minutes 17 seconds West with the North boundary Line of West Hickory Street passing at 20.0 feet the Southeast corner of Lot 8, Block 22 of College Addition and continuing in all a distance of 105.53 feet to an "x" in concrete at the Southeast corner of a tract from Clark Bass to Paul R. Voertman, et al, on the 11th day of August, 1965, recorded in Volume 527, Page 169, Deed Records of Denton County, Texas.

Thence North 01 degrees 04 minutes 43 seconds East with the East boundary Line of said tract a distance of 85.0 feet to a corner.

Thence North 88 degrees 55 minutes 17 seconds West a distance of 43.83 feet to a corner:

Thence South 01 degree 04 minutes 43 seconds West a distance of 85.0 feet to an "x" in concrete on the North boundary Line of Hickory Street at the Southwest corner at said Bass to Voertman tract recorded in Volume 527, Page 469, Deed Records.

Thence North 88 degrees 55 minutes 17 seconds West, with the North boundary Line of Hickory Street a distance of 69.0 feet to an "x" in concrete at the Southeast corner of a tract from C.D. Boyer, et al, to Paul P. Voertman, et al, on the 24th day of March, 1966, recorded in Volume 536, Page 164, Deed Records.

Thence North 01 degrees 04 minutes 43 seconds East with the East boundary Line of said Lot a distance of 160.0 feet to an iron pin;

Thence North 88 degrees 55 minutes 17 seconds West a distance of 14.0 feet to the Southeast corner of Lot 3, Block 22 of College Addition;

Thence North 01 degrees 04 minutes 43 seconds East with the East boundary Line of Lot 3 a distance of 160.0 feet to an iron pin at the Northeast corner of Lot 3 on the South boundary Line of W. Oak Street;

Thence South 88 degrees 55 minutes 17 seconds East with the North boundary Line of Block 22 and the South boundary Line of W. Oak Street a distance of 209.36 feet to an iron pin being 3.0 feet away from an iron pin at the Northeast corner of Lot 1;

Thence South 01 degree 04 minutes 43 seconds West a distance of 160.0 feet to an iron pin on the South corner of Lot 1;

Thence South 88 degrees 55 minutes 17 seconds East a distance of 3.0 feet to an iron pin at the Southeast corner of said Lot 1 and the Northeast corner of Lot 8, Block 22;

Thence South 01 degrees 04 minutes 43 seconds West a distance of 90.0 feet to a corner at the Northwest corner of said Seely to Voertman's, Inc., a tract recorded in Volume 551, Page 105, Deed Records;

Thence South 88 degrees 55 minutes 17 seconds East a distance of 30.0 feet to an iron pin in a Building Wall;

Thence South 01 degree 04 minutes 43 seconds West with the wall between buildings a distance of 70.0 feet in the point of beginning and containing 1.4442 acres of Land, more or less.

Tract 2:

Field Notes to 0.0031 acre in the E. Puchalski Survey, Abstract 996, City of Denton, Denton County, Texas. All that certain tract or parcel of Land lying and being situated in the E. Puchalski Survey, Abstract 996, City of Denton, Denton County, Texas being part of Lot 3, Block 22 of College Addition according to the plat recorded in Volume 44, Page 600, Deed Records of Denton County, Texas and being more particularly described as follows:

Commencing at an iron pin at the Southeast corner of Lot 3, Block 22 of College Addition;

Thence, North 01 degrees 04 minutes 43 seconds East with the East boundary Line of Lot 3 a distance of 14.34 feet to a point in the South line of a one story block building at the point of beginning;

Thence North 89 degrees 23 minutes 06 seconds West with the South Line of said building a distance of 2.02 feet to the Southwest corner of said building;

Thence North 00 degrees 36 minutes 54 seconds East with the West wall of said building a distance of 60.02 feet to the Northwest corner of said building;

Thence South 89 degrees 23 minutes 06 seconds East with the North Line of said building a distance of 2.50 feet to a point on the East boundary Line of Lot 3;

Thence South 01 degrees 04 minutes 43 seconds West with the East boundary Line of Lot 3 through said buildings a distance of 60.02 feet to the point of beginning.

Tract 3:

Tract 4:

Tract 5:

Field Notes to 0.2204 acre in the E. Puchalski Survey, Abstract 996, City of Denton, Denton County, Texas. All that certain tract or parcel of land lying and being situated in the E. Puchalski Survey, Abstract 996, City of Denton, Denton County, Texas, being part of Lots 6 & 7, Block 22 of College Addition, according to the plat recorded in Volume 44, Page 600, Deed Records of Denton County, Texas, and being the same tract as described in a deed from C.D. Boyer, et al to Paul R. Voertman et al, on the 24th day of March, 1966, recorded in Volume 536, Page 164, Deed Records of Denton County, Texas and being more particularly described as follows;

Beginning at an iron pin at the Southeast corner of said Boyer to Voertman tract, Volume 536, Page 164, Deed Records, same being the Southwest corner of a tract from Theta Chi Education Foundation of Denton, Texas Inc., to Voertman's Inc., September, 1965, recorded in Volume 525, Page 625, Deed Records;

Thence North 88 degrees 55 minutes 17 seconds West with the North boundary Line of W. Hickory Street a distance of 60.0 feet to an iron pin at the Southwest corner of a tract deeded by Robert Weldon Knight Trustee to Checkerboard Properties, Inc., on the 7th day of May, 1968 recorded in Volume 568, Page 425, Deed Records of Denton County, Texas;

Thence North 01 degrees 04 minutes 43 seconds East with the East boundary Line of said tract a distance of 160.0 feet to an iron pin;

Thence South 88 degrees 55 minutes 17 seconds East a distance of 60.0 feet to an iron pin;

Thence South 01 degrees 04 minutes 43 seconds West a distance of 160.0 feet to the point of beginning and containing 0.2204 acre of land.

Tract 6:

Field Notes to 0.0855 acre in the E. Puchalski Survey, Abstract 996, City of Denton, Denton County, Texas. All that certain tract or parcel of Land lying and being situated in the E. Puchalski Survey, Abstract 996, City of Denton, Denton County, Texas being parts of Lots 7 & 8, Block 22 of College Addition, according to the plat recorded in Volume 44, Page 600, Deed Records of Denton County, Texas and being the same tract as described in a deed from Clark Bass to Paul R. Voertman on the 11th day of August, 1965, recorded in Volume 527, Page 469, Deed Records of Denton County, Texas, and being more particularly described as follows;

Beginning at an "x" in concrete walk on the North boundary Line of Hickory Street at the Southeast corner of said Bass to Voertman tract, being the Southwest corner of a tract described from Paul Voertman to Voertman's Inc., on the 30th day of May, 1978, recorded in Volume 895, Page 429, Deed Records, being North 88 degrees 55 minutes 17 seconds West 85.53 feet from the Southeast corner of Lot 8, Block 22 of College Addition;

Thence North 88 degrees 55 minutes 17 seconds West with the South boundary Line of Block 22 on the North boundary Line of W. Hickory Street a distance of 43.83 feet to an "x" in concrete;

Thence North 01 degrees 04 minutes 43 seconds East a distance of 85.0 feet to a corner;

Thence South 88 degrees 55 minutes 17 seconds East a distance of 43.83 feet to a corner;

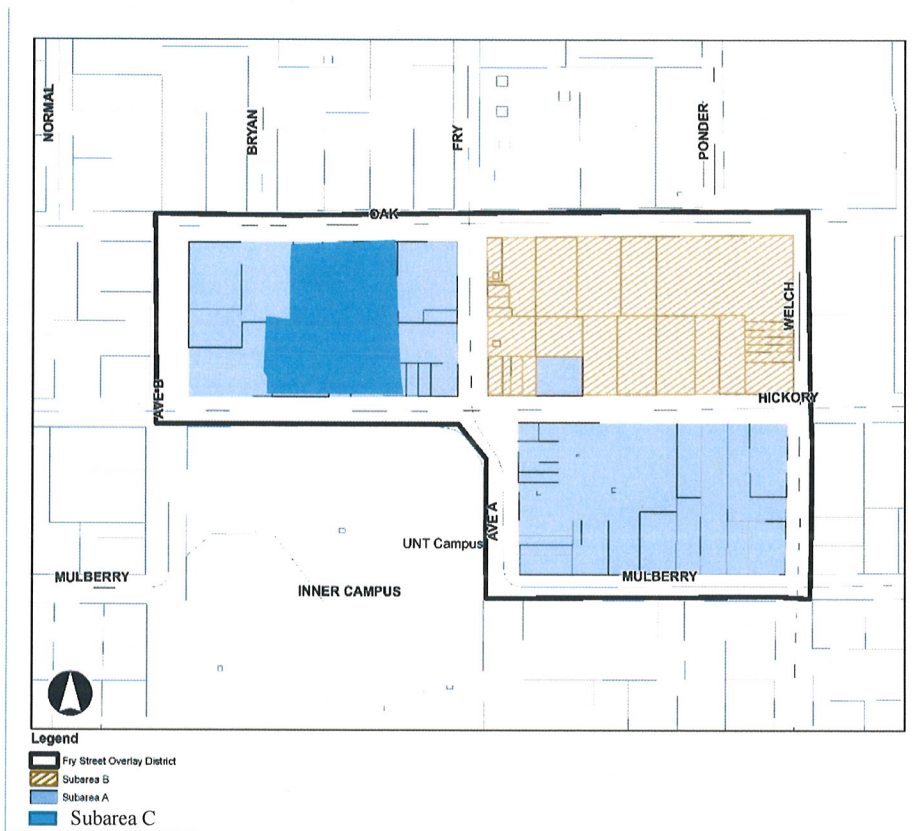
Thence South 01 degrees 04 minutes 43 seconds West a distance of 85.0 feet to the point of beginning and containing in all 0.0855 acres.

35.7.5 Fry Street Overlay District

35.7.5.1 Fry Street District Established

There is hereby established a special zoning overlay district to be known as the Fry Street District. The Fry Street District is defined as that area approximately 12.42 acres in size which is bounded by Welch Street to the east, Oak Street to the north, Ave B to the northwest, Ave A to the southwest, Mulberry Street to the south, and Hickory to the southwest. All buildings, structures, sites, and properties within the designated district shall be subject to the restrictions, limitations, and provisions of the Fry Street District regulations as provided for in section 35.7.5, and its subsections. The district is further divided into subareas A, B and C, as depicted in Exhibit 35.7.5.A. Each subarea is subject to distinct regulations, where noted herein.

Exhibit 35.7.5.A



35.7.5.2 Purpose and Intent

The purpose and intent of this overlay district is to promote the public peace, safety, cleanliness, and general welfare for community members and patrons of the Fry Street District, by providing for regulations on off-street and remote parking, the location of solid waste containers, and the regulation of signs, setbacks, and residential and commercial density.

35.7.5.3 Multi-Family Uses

Multi-family residential uses shall be allowed within any zoning district within the Fry Street District.

35.7.5.4 Solid Waste Containers

- A. Location. Solid waste containers in the Fry Street District shall be located off the street in centralized locations, to the rear of buildings served by each container, and shall be screened with devices made of masonry or wood.
- B. Consolidation. Each owner, occupant, tenant, or lessee of any business, commercial, or institutional property, or other property not served by residential solid waste collection service, shall contract with the City for shared or consolidated commercial solid waste collection and disposal services, unless otherwise required by ordinance.
- C. Subarea B shall provide adequate area to accommodate two (2) trash compactors to serve the Subarea, in a location specified by the approved site plan for the subarea.
- D. In Subdistrict C, solid waste containers must be located within the building and rolled out on collection days to facilitate garbage collection.

35.7.5.5 Subarea A Development Standards

The provisions of Subchapter 14 shall apply to the Subarea A, except as follows:

- A. Remote parking. Remote off-street parking to serve a building or use within the Fry Street District may be provided on a tract or parcel of land other than on which the building or use being served is located, provided that the required off-street parking space shall be within one thousand (1,000) feet of the building or use being served and shall provide convenient pedestrian access to the building or use being served.
- B. Non-residential, including restaurant, retail, private club, on-premises sale of beer and/or wine: One space for each four hundred (400) square feet of floor area or one (1) space for each six (6) seats under maximum seating arrangements, whichever is greater.
- C. Multi-family residential. Multi-family residential development in Subarea A shall be required to provide parking according to the following schedule:
 - 1. Efficiency units: One and one-fourth (1.25) space
 - 2. Units with 1 bedroom: One and one-half (1.50) space
 - 3. Units with 2 or more bedrooms: One space for each bedroom
 - 4. Fraternities, sororities, boarding and lodging houses. One (1) space for each bedroom

The provisions of Subchapter 5 shall apply to Subarea A, except as modified for each subarea below:

- A. Minimum lot area:
 - 1. Residential uses: Six thousand (6,000) square feet.
 - 2. Non-residential uses: No minimum lot area.
 - 3. Mixed uses, including residential: No minimum lot area.
- B. Minimum lot depth for residential uses: One hundred (100) feet.
- C. Minimum lot width for residential uses: Sixty (60) feet.
- D. Maximum building coverage:
 - 1. Residential uses: 50%
 - 2. Non-residential uses: 100%
 - 3. Mixed-uses that include residences: 80%
- E. Floor / Area Ratio:

1. Residential uses: 3 : 1
2. Non-Residential uses: 2 : 1
3. Mixed-uses that include residential: 3 : 1, provided that residential uses shall comprise the top story of any structure

F. Required Yards:

1. Residential uses:

Front: Minimum of 30 feet from centerline of street.
 Side: No required yard
 Rear: Minimum of 10 feet

2. Non-Residential uses:

Front: Minimum of 30 feet from centerline of street.
 Side: No required yard
 Rear: No required yard

3. Mixed-uses that include residential:

Front: Minimum of 30 feet from centerline of street.
 Side: No required yard
 Rear: Minimum of 10 feet for any floor that includes residences

G. Height Regulations.

No structure may exceed 3 stories. Overall building height, including HVAC equipment, roof systems, vent stacks, chimneys, etc., may not exceed 45 feet in height.

H. Residential densities.

The maximum number of apartment units that can be constructed on a site, while observing regulations including floor area ratio, building coverage, parking, height and setbacks, shall require a minimum land area in accordance with the following schedule:

- a. Efficiency: 1,000 square feet
- b. One-bedroom apartment: 1,200 square feet
- c. Each additional bedroom per apartment: 300 square feet

35.7.5.6 Subarea B Development Standards

The provisions of Subchapter 14 shall apply to Subarea B, except as follows:

- A. Remote parking. Remote off-street parking to serve a building or use within the Fry Street District may be provided on a tract or parcel of land other than on which the building or use being served is located, provided that the required off-street parking space shall be within one thousand (1,000) feet of the building or use being served and shall provide convenient pedestrian access to the building or use being served.
- B. Non-residential, including restaurant, retail, private club, on-premises sale of beer and/or wine: One space for each four hundred (400) square feet of floor area or one (1) space for each six (6) seats under maximum seating arrangements, whichever is greater.

C. Multi-family residential – Multi-family residential development in Subarea B shall be required to provide parking according to the following schedule:

1. Efficiency units: One and one-fourth (1.25) space
2. Units with 1 bedroom: One and one-half (1.50) space
3. Units with 2 or more bedrooms: One space for each bedroom
4. Fraternities, sororities, boarding and lodging houses. One (1) space for each bedroom

The provisions of Subchapter 5 shall apply to the Subdistrict B, except as modified for each subarea below:

A. Minimum lot area:

1. Residential uses: Six thousand (6,000) square feet.
2. Non-residential uses: No minimum lot area.
3. Mixed uses, including residential: No minimum lot area.

B. Minimum lot depth: for residential uses: One hundred (100) feet.

C. Minimum lot width for residential uses: Sixty (60) feet.

D. Maximum building coverage:

1. Residential uses: 50%
2. Non-residential uses: 100%
3. Mixed-uses that include residences: 80%

E. Floor / Area Ratio:

1. Residential uses: 3 : 1
2. Non-Residential uses: 2 : 1
3. Mixed-uses that include residential: 3 : 1, provided that residential uses shall comprise the top story of any structure

F. Required Yards:

1. Residential uses:
Front: Minimum of 30 feet from centerline of street.
Side: No required yard
Rear: Minimum of 10 feet
2. Non-Residential uses:
Front: Minimum of 30 feet from centerline of street.
Side: No required yard
Rear: No required yard
3. Mixed-uses that include residential:
Front: Minimum of 30 feet from centerline of street.
Side: No required yard
Rear: Minimum of 10 feet for any floor that includes residences

G. Height Regulations: No habitable structure may exceed 4 stories, with an overall building height of 55 feet, including HVAC equipment, roof systems, vent stacks, chimneys, etc.

H. Residential Density: The maximum residential density of Subarea B shall be 72.5 units per acre, where one (1) bedroom is equivalent to one-half (0.5) of a residential unit.

- I. Parking Structures: No parking structure may exceed 5 stories, or 60 feet in height. Mechanical equipment, including HVAC equipment, roof systems, vent stacks, and satellite dishes, may be mounted on the top story of parking structures, provided they are not visible from any adjacent public right-of-way.
- J. Construction shall substantially conform to the site plan shown at Exhibit 35.7.5.B.
- K. The following requirements apply to Subarea B, in addition to any other requirements provided by code or ordinance:
 - 1. Residential Units fronting Welch Street shall incorporate sloped roof pitches.
 - 2. Parking Structures will be provided with a façade designed to mimic the adjacent buildings within the subarea, so as to assist in integrating the structure into the balance of the subarea, and to assist in camouflaging the structure from the public right-of-way.
 - 3. Each principal façade or massing area shall incorporate at least two (2) of the features identified on the image board (Exhibit 35.7.5.E.), including but not limited to:
 - a. Store front design
 - b. Awnings
 - c. Stoops on the street level
 - d. Accent bay windows
 - e. Cornice details
 - f. Brick facades with flat roof lines
 - g. The incorporation of a bench and street tree in front of the building
 - h. Arch details
 - i. Shutters.

35.7.5.7 Subarea C Development Standards

The provisions of Subchapter 14 shall apply to Subarea C, except as follows:

- A. Remote parking. Remote off-street parking to serve a building or use within the Fry Street District may be provided on a tract or parcel of land other than on which the building or use being served is located, provided that the required off-street parking space shall be within one thousand (1,000) feet of the building or use being served and shall provide convenient pedestrian access to the building or use being served.
- B. Non-residential, including restaurant, retail, private club, on-premises sale of beer and/or wine: One space for each four hundred (400) square feet of floor area.
- C. Multi-family residential: Multi-family residential development in Subarea C shall be required to provide parking according to the following schedule:
 - 1. Efficiency units: One and one-fourth (1.25) space
 - 2. Units with 1 bedroom: One and one-half (1.50) space
 - 3. Units with 2 or more bedrooms: 0.76 spaces for each bedroom
 - 4. Fraternities, sororities, boarding and lodging houses. One (1) space for each bedroom

The provisions of Subchapter 5 shall apply to the Subdistrict C, except as modified below:

- A. Minimum lot area:
 - 1. Residential uses: Six thousand (6,000) square feet.
 - 2. Non-residential uses: No minimum lot area.

3. Mixed uses, including residential: No minimum lot area.
- B. Minimum lot depth for residential uses: One hundred (100) feet.
- C. Minimum lot width for residential uses: Sixty (60) feet.
- D. **Maximum density: 86 dwelling units per acre**, where one (1) bedroom is equivalent to one-half (0.5) of a residential unit.
- E. Maximum building coverage:
1. Residential uses: 70%
 2. Non-residential uses: 100%
 3. Mixed-uses that include residences: 81%
- F. Floor / Area Ratio:
1. Residential uses: 3 : 1
 2. Non-Residential uses: 2 : 1
 3. Mixed-uses that include residential: 3 : 1, provided that residential uses shall comprise the top story of any structure
- G. Required Yards:
1. Residential uses:

Front:	Minimum of 30 feet from centerline of street.
Side:	No required yard
Rear:	Minimum of 10 feet
 2. Non-Residential uses:

Front:	Minimum of 30 feet from centerline of street.
Side:	No required yard
Rear:	No required yard
 3. Mixed-uses that include residential:

Front:	Minimum of 30 feet from centerline of street.
Side:	No required yard
Rear:	Minimum of 5 feet for any floor that includes residences
- H. Height Regulations:
1. No habitable structure may exceed 5 stories, with an overall building height of 62.05 feet, including HVAC equipment, roof systems, vent stacks, chimneys, etc.
 2. No parking structure may exceed 6 stories, or 69.2 feet in height.
- I. Parking Structures: Mechanical equipment, including HVAC equipment, roof systems, vent stacks, and satellite dishes, may be mounted on the top story of parking structures, provided they are not visible from any adjacent public right-of-way.
- J. Construction shall substantially conform to the site plan shown at Exhibit 35.7.5.F.

- K. The following requirements apply to Subarea C, in addition to any other requirements provided by code or ordinance:
1. Parking Structures will be internal to the building or provided with a façade designed to mimic the adjacent buildings within the subarea, so as to assist in integrating the structure into the balance of the subarea, and to assist in camouflaging the structure from the public right-of-way.
 2. Buffers in Subarea C must comply with Exhibit 35.7.5.I.
 3. Each principal façade or massing area shall incorporate at least two (2) of the features identified on the image board (Exhibit 35.7.5.H.), including but not limited to:
 - a. Store front design
 - b. Awnings
 - c. Stoops on the street level
 - d. Accent bay windows
 - e. Cornice details
 - f. Brick facades with flat roof lines
 - g. The incorporation of a bench and street tree in front of the building
 - h. Arch details
 - i. Shutters.

35.7.5.8 Sign Regulations

The provisions of Chapter 33 of the Denton Code of Ordinances, as hereafter amended, superseded or replaced, shall apply, except as modified for each subarea below:

- A. Prohibited signs. Ground and monument signs are prohibited within Subarea A, but may be permitted in Subareas B and C, consistent with the limitations of 35.7.5.8.B.2 below.
- B. Allowed signs
 1. Wall signs. Wall signs in the Fry Street District may be permitted, subject to the following additional restrictions and limitations:
 - a. Mounting and Orientation. All signs in Subarea A of the Fry Street District shall be wall mounted signs, mounted parallel with, and not perpendicular to, the face of the wall upon which the sign is secured. Wall signs in Subareas B and C may be mounted perpendicular to building faces, provided they do not encroach into public rights-of-way.
 - b. Residential – Subarea A only. Signs associated with residential uses in subarea A of the Fry Street District Signs shall be limited to the purpose of indicating the name of the residential development (apartment, condominium, etc.) or for informational or regulatory purposes.
 - c. Mixed-uses that include residential – Subarea A only. Signs associated with mixed uses in subarea A of the Fry Street District shall be allowed only on those stories of a building that include non-residential uses.
 2. Monument signs – Subareas B and C only. Monument signs, not exceeding 15 square feet of effective area, may be permitted at entrances to mixed use developments, as depicted in the site plan for Subarea B (Exhibit 35.7.5.B) and the site plan for Subarea C (Exhibit 35.7.5.F)
 3. Design – Subareas B and C. Signs in Subareas B and C shall be in a style and size consistent with the conceptual designs provided in Exhibit 35.7.5.C.

35.7.5.9. Landscaping Requirements for Subareas B and C only:

Landscaping. Subarea B shall provide landscaping as depicted in Exhibit 35.7.5.D and the landscaping for Subarea C shall comply with Exhibit 35.7.5.G.

35.7.5.10. Minor Amendments

Upon request of the applicant, the Director of Planning and Development, or his designee, may authorize minor amendments to the site or landscape plan so long as such minor amendments do not change the land use or substantially change the character, development standards, or design of the development as shown on the approved site or landscape plans. For purposes of this provision, a "substantial change" shall mean a change which will increase the number of proposed dwelling units or bedrooms, height, or number of stories; or decrease the amount of required off-street parking spaces.

The Director of Planning and Development, or his designee, shall make such authorization only in writing and such document shall be placed in the ordinance file governing the specific plan.

35.7.5.11. Conflict with Other Regulations

To the extent the provisions of this article conflict with any other ordinances of the City of Denton, the provisions of this article shall control. All provisions of other City of Denton ordinances not in conflict with this article shall remain in full force and effect.

Exhibit 35.7.5.B. Subarea B Site Plan

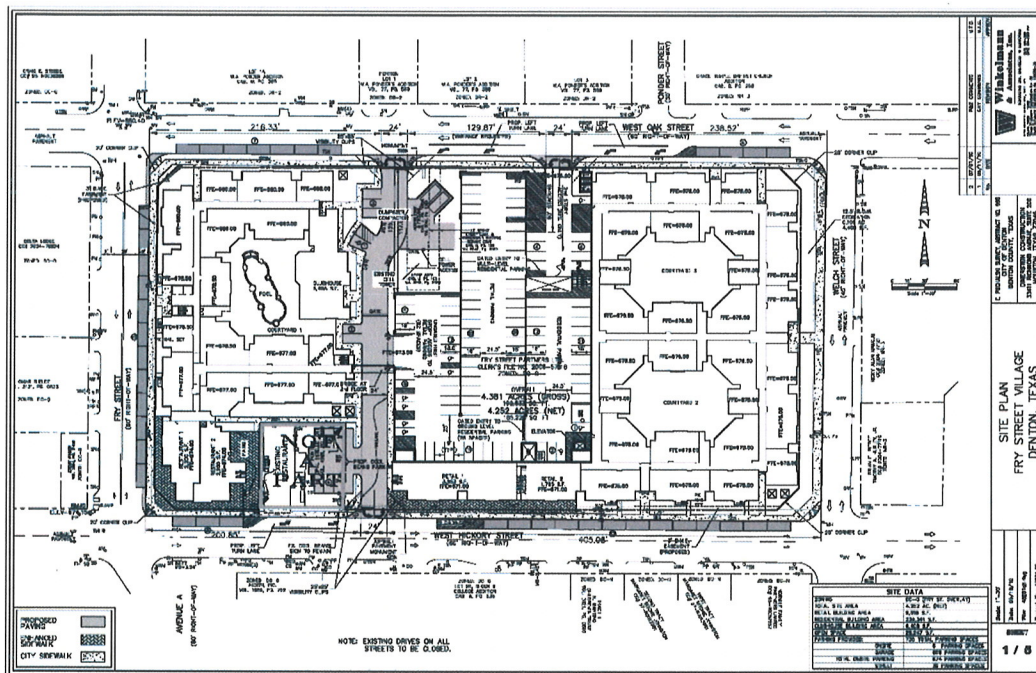


Exhibit 35.7.5.C. Subareas B and C Conceptual Sign Renderings

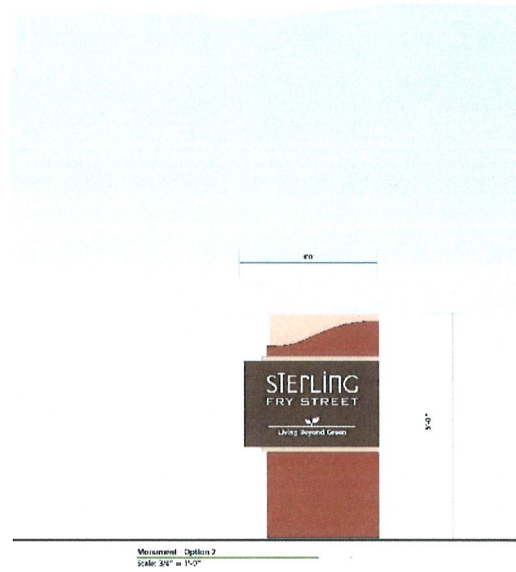
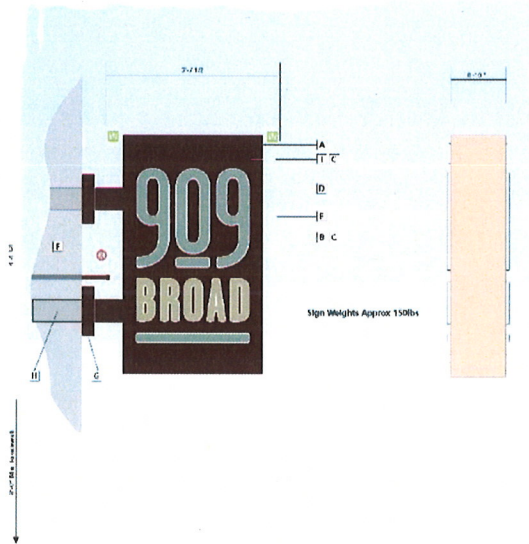
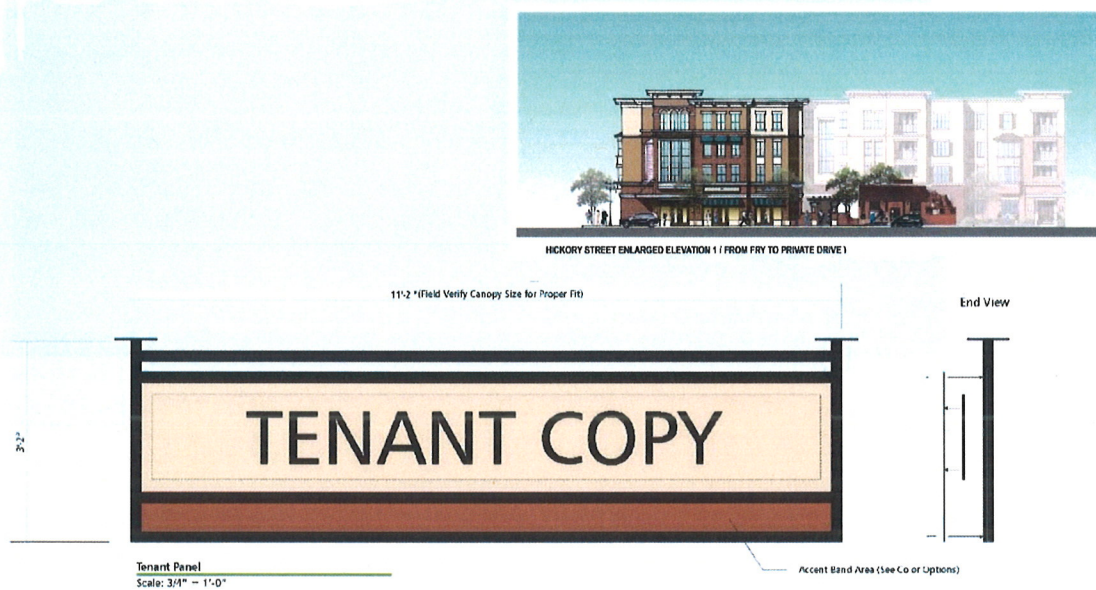
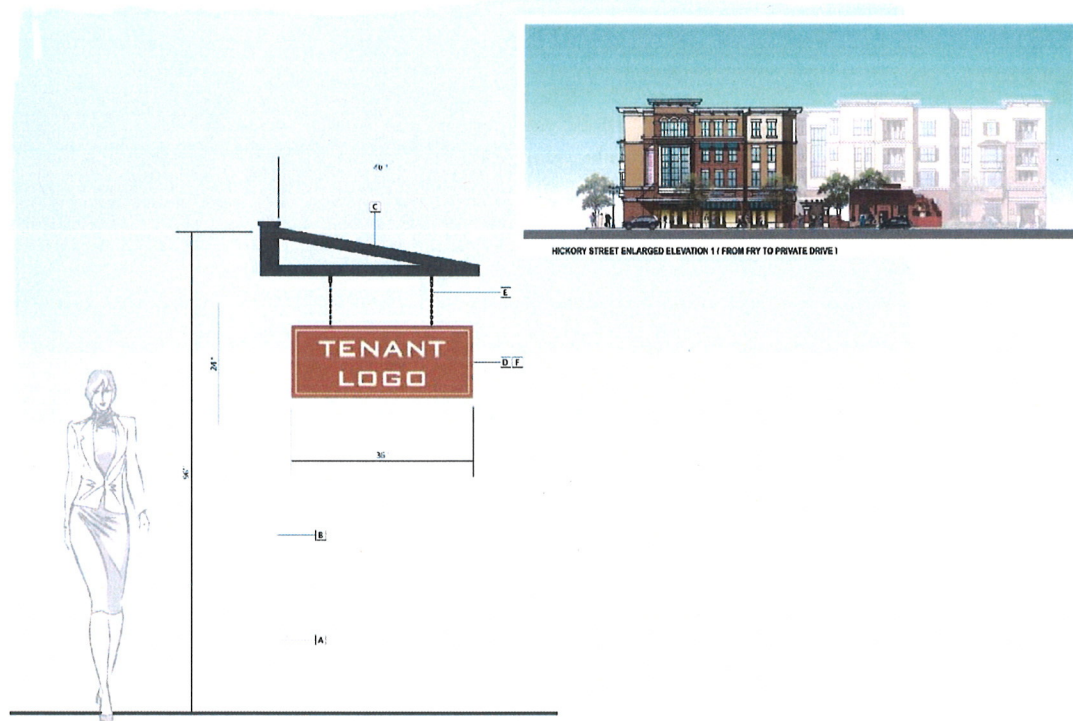


Exhibit 35.7.5.C. Subarea B Conceptual Sign Renderings – Continued



LANDSCAPE PLAN
FRY STREET VILLAGE
DENTON, TEXAS

LEGEND

SYMBOL	NAME	DESCRIPTION	NOTES
1	1.1	1.1.1	1.1.1.1
2	2.1	2.1.1	2.1.1.1
3	3.1	3.1.1	3.1.1.1
4	4.1	4.1.1	4.1.1.1
5	5.1	5.1.1	5.1.1.1
6	6.1	6.1.1	6.1.1.1
7	7.1	7.1.1	7.1.1.1
8	8.1	8.1.1	8.1.1.1
9	9.1	9.1.1	9.1.1.1
10	10.1	10.1.1	10.1.1.1

NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES.

2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

6. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

7. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

8. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

9. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

PROJECT INFORMATION

PROJECT: FRY STREET VILLAGE
LOCATION: DENTON, TEXAS
OWNER: CDF GROUP, INC.
DESIGNER: CDF GROUP, INC.
DATE: 08/01/00

CONTACT INFORMATION

CDF GROUP, INC.
10000 W. FRY STREET
DENTON, TEXAS 76201
PHONE: (817) 381-1111
FAX: (817) 381-1112
WWW.CDFGROUP.COM

Exhibit 35.7.5.E. Subarea B Architectural Image Board

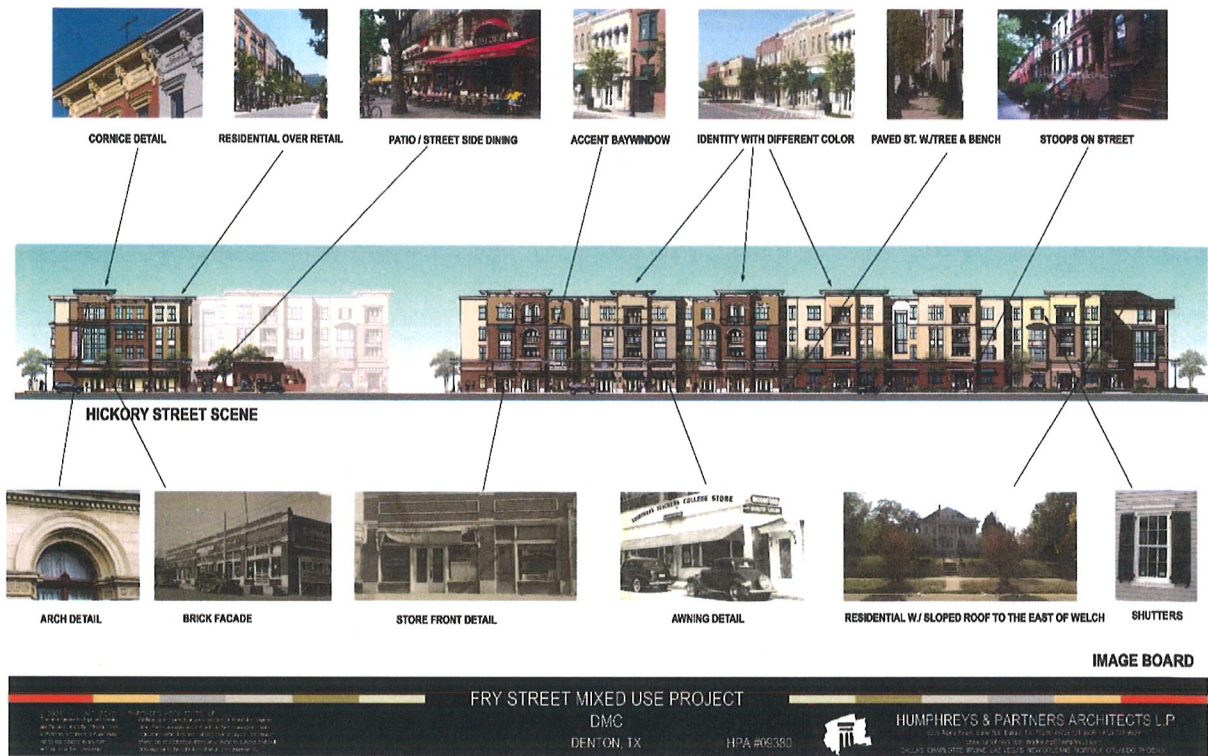


Exhibit 35.7.5.F. Subarea C Site Plan

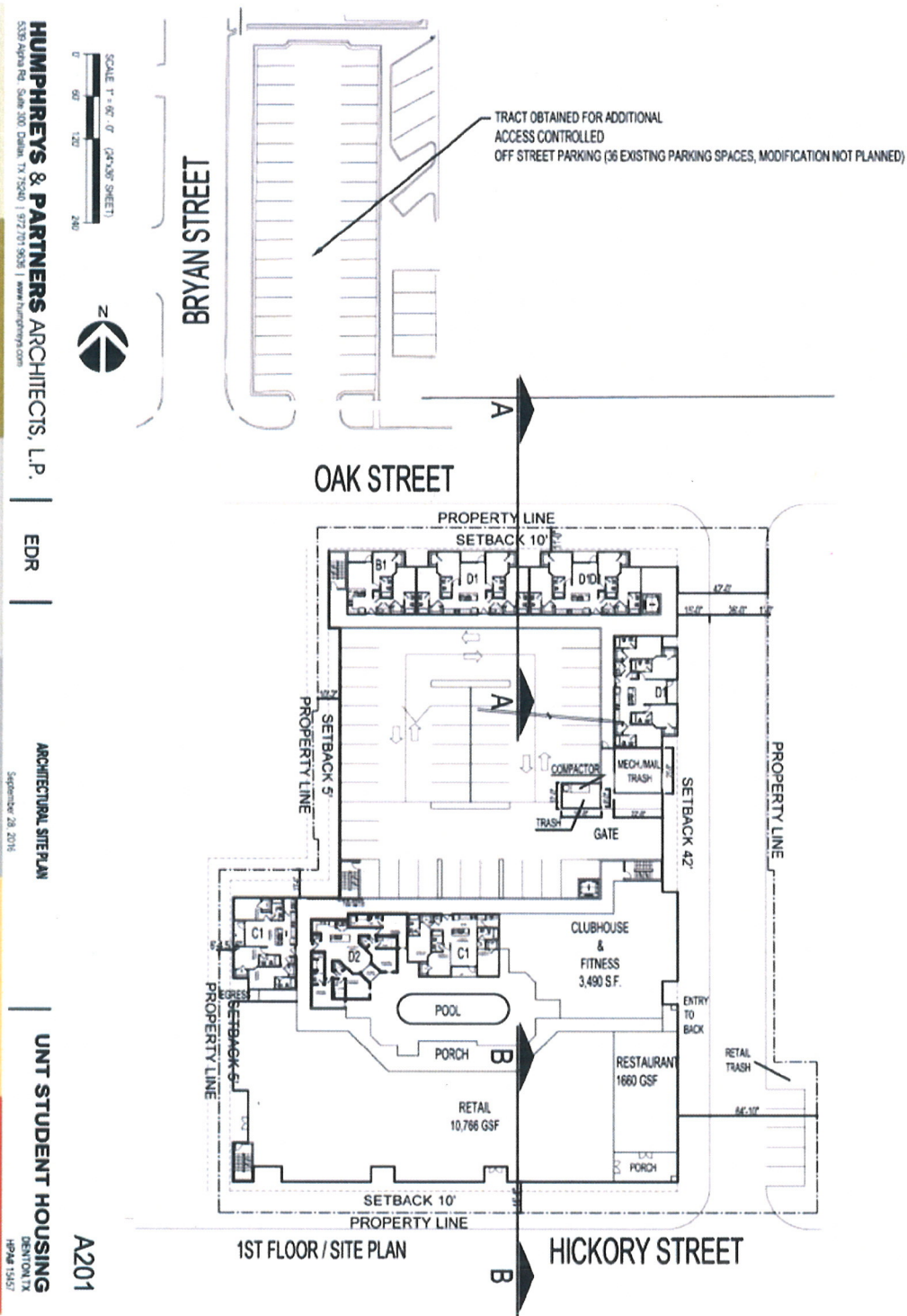


Exhibit 35.7.5.F. Subarea C Site Plan – Data Table

UNIT							EDR	
UNIT TABULATION - 5 STORY							2015/457	
UNIT TYPE	UNIT TYPE	NET AREA(SF)	UNIT COUNT	BED COUNT	PERCENTAGE	TOTAL AREA	% BEDROOM	
B1	2br/2ba	859	9	18	11%	7,731	11%	
C1	2br/2ba	1,175	14	42	11%	16,450	17%	
D1	4br/4ba	1,422	43	172	52%	61,146	72%	
E2	4br/4ba	1,530	17	68	20%	26,010		
TOTALS			83	300	100%	111,337		

UNIT AVERAGE NET SF:

1,341

*NET AREA IS CALCULATED TO INCLUDE GARAGE COVERAGE FROM EXTERIOR WALLS OF ALL EXTERIOR FRAME WALLS THAT INCLUDE AVERAGE 7' DOOR NOT INCLUDE RATIO BALCONY, PORCH, DRIVEWAY

PROJECT DATA

UNIT AVERAGE NET SF:	1,341	SF
ACREAGE	175	ACRES
DENSITY	55.7	UNITS/ACRE (182+175)
CLUB HOUSE AREA	1,498	SF
PARKING:		
SURFACE PARKING	41	SPACES
GARAGE PARKING	217	SPACES
TOTAL PARKING SPACES	258	SPACES
PARKING FOR RETAIL/INDEED USE	31	SPACES
PARKING FOR RESIDENTIAL	227	SPACES
	0.7520	SPACES/RESIDENT

LOT COVERAGE ANALYSIS
LOT AREA: 7403 SF
LOT COVERAGE: 6883 SF
PERCENTAGE: 93%

IMPERVIOUS COVERAGE ANALYSIS
LOT AREA: 7403 SF
IMPERVIOUS COVERAGE: 5713 SF
PERCENTAGE: 77%

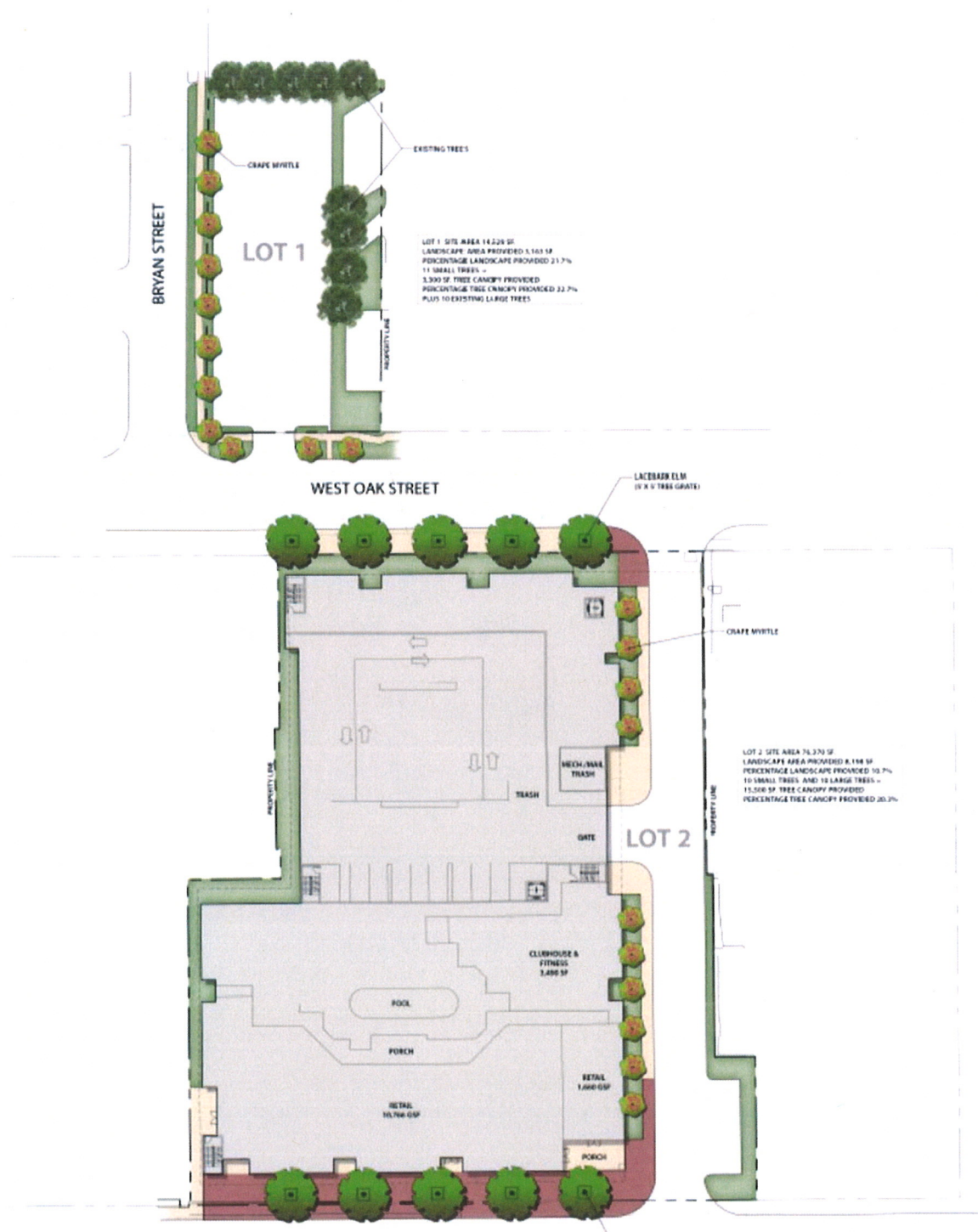
FAR 1: 150091 / 76360 = 1.97

FAR 2: (150091 + 77670) / 76360 = 2.98

TOTAL APARTMENT'S GROSS SF: 150091
TOTAL GARAGE GROSS SF: 77670

COMPARISON PROJECTS			
	FRY STREET PROJECT	EDR STUDENT HOUSING	
HEIGHT	55'	69'7" (BLDG PREVALENT @ 56')	
STORIES	4	6	
LOT COVERAGE	60%	65%	
IMPERVIOUS COVERAGE	80%	81%	
UNIT NUMBER	193	831 (50 BASED ON BEDS)	
UNIT BEDS	615	300	
TOTAL AREA UNITS	237,596 SF	111,337 SF	
PARKINGS	620	258	
DENSITY UNITS/ACRE	44	85.7	

Exhibit 35.7.5.G. Subarea C Landscape Plan



This architectural elevation drawing shows a building facade with various materials and window patterns. The materials are labeled on the right side: METAL (top roofline), BRICK (upper sections), SIDING (middle sections), CEMENT BOARD (lower sections), and BRICK (bottom section). The drawing includes numerous windows of different sizes and configurations, some with shutters. Dimensions are provided at the top: 10'-5 1/2", 1'-6 1/2", 8'-1", 1'-6 1/2", 8'-1", 1'-6 1/2", 8'-1", 1'-6 1/2", 8'-1", and 3'-0". The drawing is oriented vertically, with the building's height increasing from bottom to top.

A416

UNT STUDENT HOUSING

HPA# 15457

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9535 | www.humphreys.com

West Elevation

ELEVATIONS

September 28, 2016

UNT STUDENT HOUSING

HPA# 15457

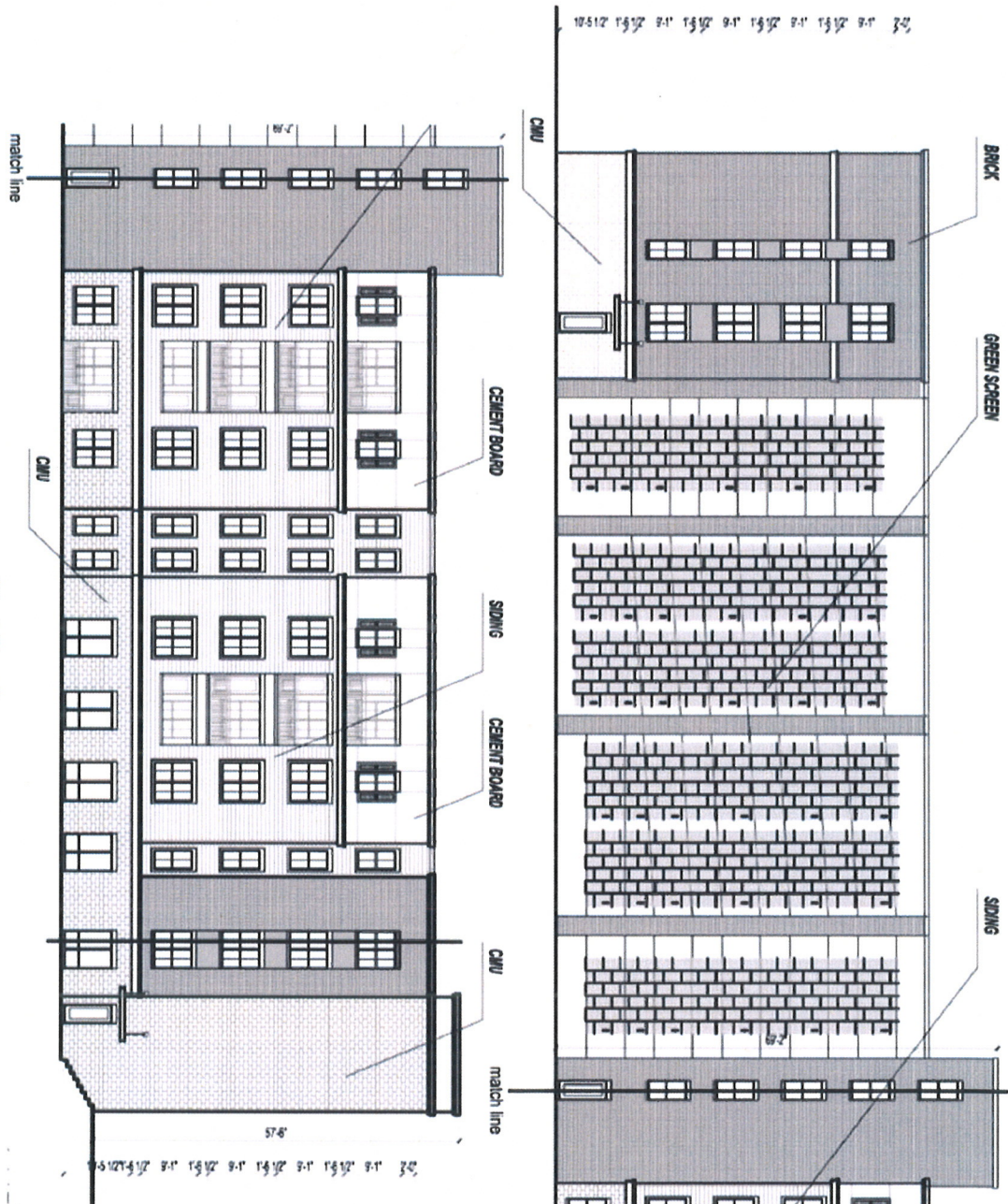


Exhibit 35.7.5.H Subarea C Conceptual Elevations



South Elevation

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Lyons Rd., Suite 300 Dallas, TX 75242 | 972.701.5036 | www.humphreys.com

EDR

ELEVATIONS
September 28, 2016

UNT STUDENT HOUSING
DENTON, TX
HP#4 1567



Exhibit 35.7.5.H Subarea C Conceptual Elevations



HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5330 Avenue Rd. Suite 300 Dallas, TX 75240 | 972.707.9638 | www.humphreys.com

EDR

East Elevation

ELEVATIONS

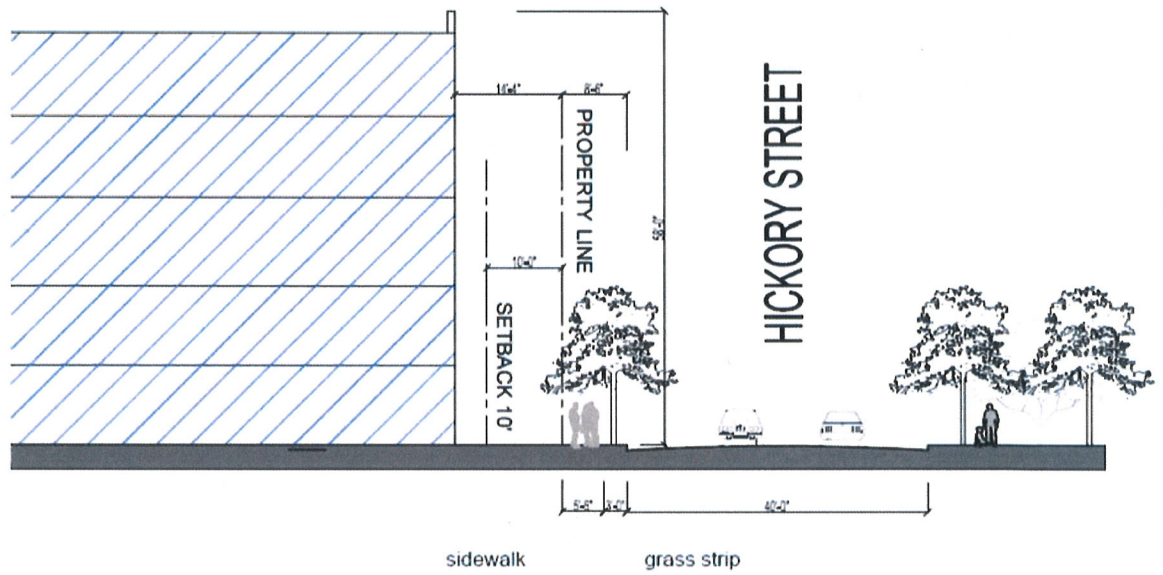
September 23, 2015

UNT STUDENT HOUSING

DENVER, CO
HPM 15457

A415

Exhibit 35.7.5.I Subarea C Bufferyard Cross Section



SCALE 1/16" = 1'-0" (24"x36" SHEET)

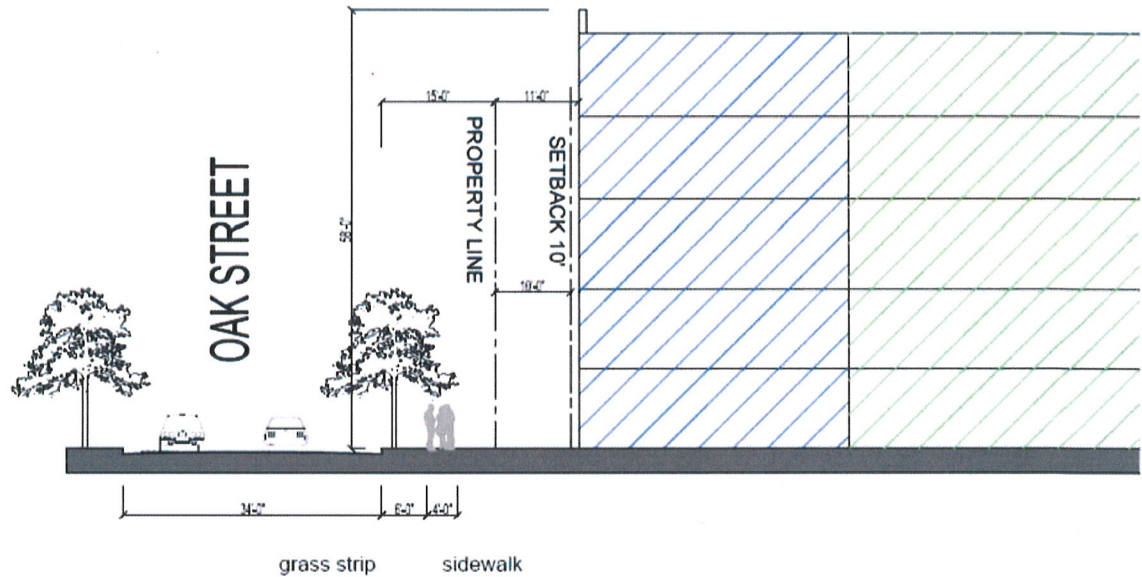
HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5309 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

EDR

SECTION 9-8
September 28, 2016

UNT STUDENT HOUSING
DENTON, TX
HPAW 15487

Exhibit 35.7.5.I Subarea C Bufferyard Cross Section



SCALE 1/16" = 1'-0" (24"x36" SHEET)

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9536 | www.humphreys.com

EDR

SECTION A-A
September 28, 2015

UNT STUDENT HOUSING
DENTON, TX
HPA# 15457