SALINE CREEK SENIOR VILLAGE
SITE DESIGN & FEASIBILITY REPORT

Executive Summary -
Brannon Corporation has visited the site, had discussion with the Mayor and local service providers and obtained preliminary topographic information from Smith County’s webpage. We were provided copies of an architectural site plan, site survey, preliminary title commitment and tax certificate, and other documents by the applicant’s consultant.

Description of site -
The site is approximately 27.14 acres of undeveloped land with access from County Roads 168 and 196 all in the City Limits of Noonday, TX. These roads are maintained by Smith County. The land seller is making no contributions to the development. The site is located outside flood zones A and X. The site is wooded and drains to the south and east. The portion to be developed is higher and relatively flat so no retaining walls are anticipated. A topographic map is attached.

Fire service will be provided by the Noonday Volunteer Fire Department located less than a mile away on S.H 155. Police service will be provided by Smith County constables and emergency medical services are available from Smith County and ETMC which has an emergency facility approximate three (3) miles from the site on S.H. 155.

Utilities –
Water – Service is available from Southern Utilities a private company. They will bring adequate service to the site for a service for a Water Capacity Fee which is included in the Site Cost Breakdown and as an Impact fee on the Development Cost Summary.

Sewer – Service will be provided by a privately owned facility constructed on site by the applicant. The facility will be operated by a local service provider that services other similar facilities in the area. In order to construct this facility, the applicant must obtain a wastewater discharge permit from the Texas Commission on Environmental Quality (TCEQ). This process requires a permitting process and can take a few months to obtain a permit. The cost of this process is included in the Site Cost Breakdown.

Electricity – Electric service will be provided by ONCOR.

Natural Gas – Natural gas service will not be provided at the site.

Telephone and Internet – AT&T will provide telephone service. AT&T or Suddenlink will provide internet service.

Trash service – trash service will be provided by a private company. There are more than one to choose from including Ameritex Services.
Zoning -
The property is currently zoned C – Commercial and SF-1 - Single Family. The property will require re-zoning and an application has been submitted. The SF-1 portion of the site will retain existing zoning and will not be developed. The zoning ordinance is available from the City offices. The pertinent sections of the ordinance are attached.

Building Codes -
The City uses these codes:

**Building Codes**
Title: International Building and International Residential Code  

**Plumbing Code**
Title: International Plumbing Code  

**Mechanical Code**
Title: International Mechanical Code  

**Gas Code**
Title: International Gas Code  

**Electrical Code**
Title: National Electrical Code  

Plans will be reviewed by a third party consultant. Review should take less than 30 days. Permit fees should be about $25,000.

Property Taxes –
Taxing entities were obtained from a tax certificate prepared by Central Title Company. The most current tax rates available are for 2017 and are from the Smith County Tax Office.

Smith County – 0.33 per $100 valuation  
Tyler ISD - $1.405  
Smith County ESD (2) - $0.33  
(Noonday does not currently charge property taxes)
Entitlements and Permitting Process and Timing –
To start construction the applicant will require rezoning of the commercial tract, plan approval by the City, a discharge permit from the TCEQ, water service from Southern Utilities, and other utilities from service providers. These required permits and service agreements will take up to six months to obtain from project initiation. The costs associated with the utilities are included in the Development Cost Schedule as engineering, permit or impact fees.

By [Signature]
Engineer

Attachments:
Site location map
Survey
Topographic map
Zoning map
Portion of zoning ordinance
Site Plan
27.14 AC
(1.06 AC in roads)

EXHIBIT A

STATE OF TEXAS
2435/382

FORSTER & GILES INV.
2015-2718
3.18 AC.

TANGENT BEARING LENGTH
T1 S54°14′02″E 81.67′
(CALL & ACTUAL)
T2 N34°34′32″E 28.72′
T3 S55°29′28″E 25.71′

PELTER
4451/83
23.40 AC.

CALLED 19.89 AC.
1780/314
1/2″ SIR
WITNESS S33°00′W
36.00′

CALLED 7.15 AC
4610/49
1/2″ SIR
WITNESS N87°42′20″W
10.00′

NOTE** THERE MAY BE ADDITIONAL
EASEMENTS OR ENCUMBRANCES AFFECTING
THIS TRACT THAT ARE NOT SHOWN HERECO.

SCALE: 1″ = 200′
COUNTY: SMITH
ACREAGE: 27.14

SURVEY: T. QUEVADO, A-18
DESCRIPTION: 2016-11651
SURVEYED FOR: KIPP, KIPP & SCHMIDT

170′ x 200′ tract
retained by Seller
SECTION II – DISTRICTS AND BOUNDARIES THEREOF

1. In order to classify, regulate and restrict the location of trades and industries and the location of buildings designed for specified uses; to regulate and limit the height and bulk of buildings; to regulate and determine the area of yards, courts and other open spaces, surrounding buildings and to regulate and limit the density of population, the City of Noonday, Texas, is hereby divided into 15 classes of “Districts”. The use and area regulations are uniform in each district, and said districts shall be known as:

   R-1a One-Family Residential District
   PUR Planned Unit Residential District
   R-1b One-Family Residential District
   R-2 Two-Family Residential District
   R-3 Residential District
   RPO Restricted Professional and Office District
   C-1 Local Commercial District
   C-1a Planned Commercial District
   M-1 Light Industrial District
   M-2 Heavy Industrial District

2. MAPS: The boundaries of these districts are hereby established as shown on the map accompanying and made a part of this Ordinance, which map is designated as the “Zoning District Map of the City of Noonday. The Zoning District Map and all the notations, references and other information shown thereon are a part of this Ordinance and shall have the same force and effect as if such map and all the notation, references and other information shown thereon were all fully set forth or described herein; which Zoning District Map is properly attested, filed and maintained as follows:

   (a) One copy shall be filed with the City Clerk and retained as the original record and shall not be changed in any manner.
   (b) One copy shall be filed with the building official and shall be maintained up-to-date by the City Council by posting thereon all changes and subsequent amendments for observation and issuing building permits and enforcing the Zoning Ordinance.
   (c) Reproductions for informational purposes may from time-to-time be made of the official Zoning District Map.
SECTION VII – R-3 RESIDENTIAL DISTRICT

1. The regulations set forth in this Section or set forth elsewhere in this Ordinance when referred to in the Section are the regulations in the R-3 Residential District.

2. **USE REGULATIONS:** A building or premises shall be used only for the following purposes:
   
   (a) Any use permitted in the R-2 Two-Family Residential District
   (b) Multiple dwelling
   (c) Medical clinic
   (d) Rooming house, boarding house and tourist home
   (e) Religious, educational, or non-profit organization organized to promote the welfare of the general public, but not a penal or mental institution.
   (f) Hospital devoted primarily to the diagnosis, treatment or care of the sick and injured exclusive of institutions specializing in the care of treatment of mental illness, narcotic addicts, alcoholics and exclusive of institutions operate for the care and treatment of animals.
   (g) Nursing, rest or convalescent home, orphanage or foster home.
   (h) Accessory building or use customarily incidental to any of the above uses, including a storage garage on a lot occupied by a multiple dwelling, house, hospital, or institutions.

3. **HEIGHT AND AREA REGULATIONS:** The height and area requirements set forth in Section XV(15) and XVI(16) shall be observed.

4. **PARKING REGULATIONS:** Off-street parking spaces shall be provided in accordance with the requirements for specific uses set forth in Section XVII(17).
### SECTION XV – HEIGHT AND AREA REQUIREMENTS

<table>
<thead>
<tr>
<th>Lot Size</th>
<th>Maximum Height Of Building</th>
<th>Minimum Depth of Front Yard</th>
<th>Minimum Width of Side Yard</th>
<th>Minimum Depth of Rear Yard</th>
<th>Minimum Lot Area per Family</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1a One-Family Residential 9,000</td>
<td>2 1/2</td>
<td>35</td>
<td>25</td>
<td>7.5</td>
<td>25</td>
</tr>
<tr>
<td>PUR Planned Unit Residential 6,000</td>
<td>2 1/2</td>
<td>35</td>
<td>25</td>
<td>6</td>
<td>25</td>
</tr>
<tr>
<td>R-2 Two-Family Residential 1-F 6,000</td>
<td>2 1/2</td>
<td>35</td>
<td>25</td>
<td>5</td>
<td>25</td>
</tr>
<tr>
<td>2-F 3,500</td>
<td>2-F 7,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R-3 Residential</td>
<td>2 1/2</td>
<td>35</td>
<td>25</td>
<td>5 (9)</td>
<td>25</td>
</tr>
<tr>
<td>1-F 6,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2-F 3,500</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M-F 7,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M-F 1,000 (6)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R-3a Residential</td>
<td>1</td>
<td>25</td>
<td>25</td>
<td>5</td>
<td>25</td>
</tr>
<tr>
<td>Same as R-3 (8)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R-4 Residential</td>
<td>11</td>
<td>120</td>
<td>25</td>
<td>5 (1)</td>
<td>25</td>
</tr>
<tr>
<td>1-F 6,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2-F 7,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M-F 7,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RPO Restricted Professional Office</td>
<td>2 1/2</td>
<td>35</td>
<td>25 (10)</td>
<td>5</td>
<td>25</td>
</tr>
<tr>
<td>C-1 Local Commercial</td>
<td>2 1/2</td>
<td>35</td>
<td>25 (10)</td>
<td>(2)</td>
<td>25</td>
</tr>
<tr>
<td>C-1a Commercial District</td>
<td>8</td>
<td>100</td>
<td>25 (10)</td>
<td>(2)</td>
<td>25</td>
</tr>
<tr>
<td>C-2 General Commercial</td>
<td>3</td>
<td>45</td>
<td>25 (10)</td>
<td>(2)</td>
<td>25</td>
</tr>
<tr>
<td>C-3 Central Business</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>(2)</td>
<td>(5)</td>
</tr>
<tr>
<td>C-4 Planned Commercial</td>
<td>SEE SPECIAL REGULATIONS AS CONTAINED IN SECTION XII</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I-1 Light Industrial</td>
<td>3</td>
<td>45</td>
<td>25 (10)</td>
<td>(3)</td>
<td>25</td>
</tr>
<tr>
<td>I-2 Heavy Industrial</td>
<td>6</td>
<td>90</td>
<td>25 (10)</td>
<td>(4)</td>
<td>25</td>
</tr>
</tbody>
</table>

Ordinance 2  Page 30
Numbers in parentheses refer to additions or modifications to regulations (next page). Other additions and modifications of the height and area requirements are set forth in Section XVI.
1. For buildings less than three stories in height. For three story buildings each side yard shall be not less than 25 feet. For buildings more than three stories in height the side yards shall be increased one foot for each story above the third.

2. No side yard required for non-residential buildings except that on a lot abutting a residential district there shall be a side yard of not less than five feet. Side yards for dwellings shall be not less than five feet.

3. No side yards required for non-residential buildings except that on a lot abutting a residential district there shall be a side yard of not less than ten feet. Side yards for dwellings shall be no less than five feet.

4. No side yards required except that on a lot abutting a residential district there shall be a side yard of not less than 20 feet.

5. No rear yards required except that on a lot abutting a residential district there shall be a rear yard of not less than 20 feet. Rear yards for residential buildings shall be no less than 20 feet.

6. Plus minimum lot area of 4,000 square feet.

7. Plus minimum lot area of 4,750 square feet.

8. Density of development shall not exceed twelve (12) dwelling units per gross acre including the common area and public facilities, excluding street right-of-way. The City Council may require less density in certain areas or neighborhoods.


10. See Section XVI – 4, 4a and Section XVI – 4, 4b.
4. **FRONT YARDS:**

(a) The front yards heretofore established in all C-1, C-1a, C-2, C-4 and RPO Districts shall be adjusted in the following cases:

(1) Where 40 percent or more of the frontage on the same side of a street between two intersecting streets is presently developed or may hereafter be developed with buildings that have, with a variation of five feet or less, a front yard greater or lesser in depth than herein required, new buildings shall not be erected closer to the street than the average front yard so established by the existing buildings.

(2) Where 40 percent or more of the frontage on one side, a street between two intersecting streets is presently developed with buildings that do not have a front yard as described above, then:

(aa) Where a building is to be erected on a parcel of land that is within 100 feet of existing buildings on both sides, the minimum front yard shall be a line drawn between the two closest front corners of the adjacent building on each side, or

(bb) Where a building is to be erected on a parcel of land that is within 100 feet of an existing building on one side only, such building may be erected as close to the street as the existing adjacent building.

(3) Interior lots having a frontage on two streets shall provide the required front yard or both streets.

(4) Filling stations pumps and pump islands may be located within a required yard provided they are not less than 15 feet from any street line and not less than 50 feet from the boundary on any residential district. Filling station canopies shall not be located closer than 10 feet from any street line.

(b) The front yards heretofore established in R-1a, R-1b, and R-2 districts shall be adjusted in the following cases:

(1) If forty (40%) percent or more of the lots on the same side of a street between two intersecting streets are improved with buildings, then the minimum front yard requirement on that side of the street shall be established by the existing building with the least front yard.

(2) Notwithstanding the provisions of Subsection I above, a setback or front yard shall not be required which is greater than 50 feet.

(3) Interior lots having a frontage on two streets shall provide the required front yards on both streets.

5. **SIDE YARDS:** The side yards heretofore established shall be adjusted in the following cases:
(a) On a corner lot the width of the yard along the side street shall not be less than 12 feet for Residential District and Restricted Professional and Office Districts.
(b) No accessory building shall project beyond a required yard line along any street.
(c) Commercial or industrial buildings used in part for dwelling purposes shall provide side yards not less than five feet in width unless every dwelling room opens directly upon a front yard, rear yard, or court.
(d) For the purpose of the side yard regulations, a two-family dwelling, or a multiple dwelling shall be considered as one building occupying one lot.
(e) Whenever a lot of record at the time of the passage of this Ordinance has a width of less than 50 feet, the side yard on each side of a building may be reduced to a width of not less than 10 percent of the width of the lot, but in no instance shall it be less than three feet.
(f) A porte-cochere, carport, or canopy may project into a required side yard provided every part of such porte-cochere, carport, or canopy is unenclosed except for necessary structural supports and not less than five feet from any side lot line.

6. **REAR YARDS:** The rear yards heretofore established shall be adjusted in the following cases:

Where a lot abuts upon an alley, one-half of the alley width may be considered as part of the required rear yard.

(a) Where an industrial lot abuts on a railroad and is served by a spur track, no rear yard shall be required.

7. **LOT AREA PER FAMILY:**

(a) Where a lot of record at the time of the effective date of this Ordinance has less area or width than herein required in the district in which it is located, and the owner of such lot does not own any other parcel or tract adjacent thereto, said lot may nonetheless be used for a one-family dwelling or for any other non-dwelling use permitted in the district in which it is located.
(b) Lot area per family requirements shall not apply to dormitories, fraternities, sororities, clubs, hotels, or apartment hotels where no built-in cooking facilities are provided in individual rooms or apartments.

8. **ACCESSORY BUILDINGS:**

(a) Accessory buildings may be built in a rear yard but such accessory buildings shall not occupy more than 30 percent of the required rear yard and shall not be nearer than five feet from any side or rear lot line, except that when a garage is entered from an alley it shall not be located closer than five feet to the alley line. An accessory building within 25 feet of the rear lot line on corner lots shall not be closer than 25 feet from the side street.
(b) If a garage is located closer than 10 feet to the main building the garage shall be regarded as part of the main building for the purpose of determining the side and rear yards.

(c) No accessory building shall be constructed upon a lot until the construction of the main building has actually been commenced, and no accessory building shall be used unless the main building on the lot is completed and used.

(d) No accessory building shall be used for dwelling purposes other than by domestic servants employed entirely on the premises.

(e) Any fence or wall erected on the side property line located in front of the minimum required front yard, exceed four (4) feet in height.
SECTION XVII – OFF-STREET PARKING AND LOADING REQUIREMENTS

1. In all districts except the C-3 Central Business District, there shall be provided at the time any building or structure is erected or structurally altered (except as otherwise provided in this Section) off-street parking spaces in accordance with the following requirements:

2. PARKING REQUIREMENT FOR RESIDENTIAL DEVELOPMENT ARE AS FOLLOWS:

<table>
<thead>
<tr>
<th>District</th>
<th>Required Off-Street Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1a</td>
<td>Two (2) parking spaces for each dwelling unit</td>
</tr>
<tr>
<td>Planned Unit Residential</td>
<td>Two and one-half (2 1/2) parking spaces per family</td>
</tr>
<tr>
<td>R-1b</td>
<td>Two (2) parking spaces for each dwelling unit</td>
</tr>
<tr>
<td>R-2</td>
<td>Two (2) parking spaces for each dwelling unit</td>
</tr>
<tr>
<td>R-3</td>
<td>Two (2) parking spaces per dwelling unit or apartment</td>
</tr>
<tr>
<td>R-3a</td>
<td>Three (3) parking spaces per dwelling unit or apartment</td>
</tr>
<tr>
<td>R-4</td>
<td>Two (2) parking spaces per dwelling unit or suite</td>
</tr>
</tbody>
</table>

Residential Development: two (2) parking spaces for each single-family in all other Districts dwelling unit, duplex or apartment.

3. PARKING REQUIREMENT FOR NON-RESIDENTIAL DISTRICTS:

(a) Bowling alley: five parking spaces for each alley.
(b) Business, professional or public office building, studio, bank, savings and loan, medical or dental clinic and general office: Three parking spaces plus one additional parking space for each 400 square feet of floor area over 1,000.
(c) Church, temple, theatre, auditorium (except school), and other places of public assembly with fixed seating: one parking space for each 5 seats or seating spaces.
(d) College or high schools: five spaces for each classroom
(e) Community center, library, museum or art gallery: 10 parking spaces plus one additional space for each 300 square feet of floor area in excess of 2,000 feet.
(f) Dance hall, assembly or exhibition hall without fixed seats: one parking space for each 100 square feet of floor area used therefore.
(g) Fraternity, sorority, roaming or boarding house, dormitory, and other similar uses with group quarter: one parking space for each three persons the establishment is designed to accommodate.
(h) Furniture or appliance store, hardware store, wholesale establishment, machinery or equipment sales and service, clothing or shoe repair or service shop: two parking spaces plus one additional parking space for each 500 square feet of floor area over 1,000.