

Aldine Town Center Design Standards

East Aldine Management District Board of Directors

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Note: Images incorporated into the East Aldine Town Center Design Standards document serve only as examples generally compatible with the vision and character sought within the Town Center. In all cases, the text of this document shall represent the only content upon which a determination of compliance is made.

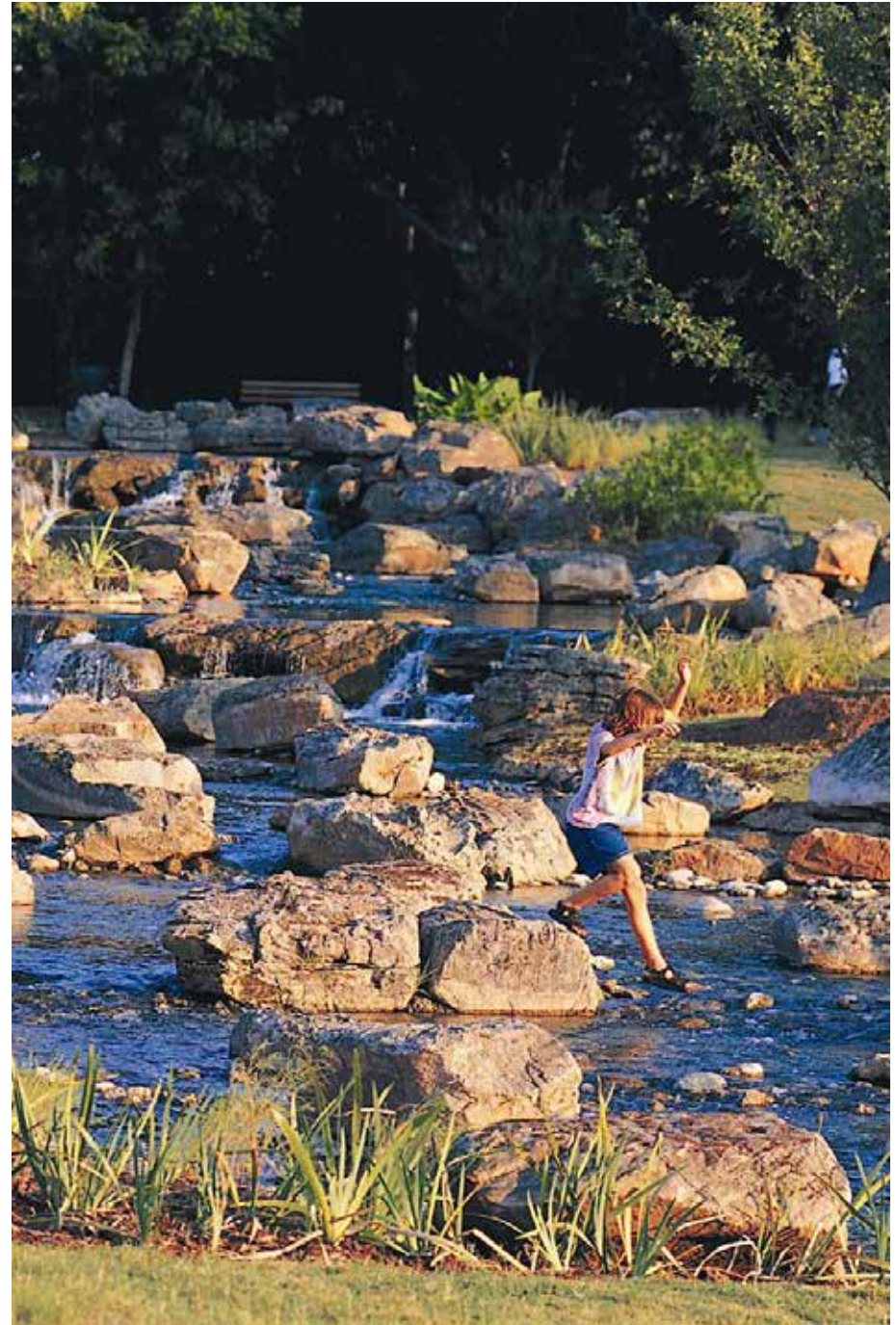
In General:

The following design and development standards are established as an extension of the *Declaration of Restrictive Covenants for East Aldine Town Center*. They are applicable to all entities that develop, redevelop or otherwise occupy property within the Aldine Town Center. Unless clearly stated within these standards, in the event of conflict the Declaration of Covenants prevails.

The Vision:

It is the intent of the Board of Directors of the East Aldine Management District that these standards serve as a framework to create a town center environment unique to the character and needs of the East Aldine community. More specifically the Town Center shall:

- Serve as a destination and gathering place for the East Aldine community and its guests, including a series of amenities and activities that draw people to the area and potentially keep them there for an extended period of time;
- Offer a series of educational, institutional, recreational, and commercial uses that will improve quality of life and enhance economic opportunities in East Aldine;
- Be highly complementary from the standpoint that major uses coordinate and share in resources and improvements to develop and maintain the Town Center experience;
- Build upon and take full advantage of proximity to Keith Weiss Park; and,
- Serve as a catalyst for economic growth in the East Aldine area.



Character of the Town Center in General:

The East Aldine community is intended to be a True Suburban area, but has become increasingly Auto-Dominant. The Town Center offers an opportunity to place greater emphasis on those elements that are traditionally associated with the original concept behind the term “True Suburban” as follows:

- The Town Center will follow a Suburban Campus format. It will serve as a “community garden” with a focus on landscaping that is, in some ways, an extension of Keith Weiss Park. “True Suburban” character places emphasis on groomed green space and landscaping. Buildings are complementary, as are natural “ungroomed” green spaces.
- The tree canopy and engaging spaces that promote outdoor activity are critical to the Suburban concept. It is intended to be actively used by pedestrians and bicyclists. (unlike Auto-Dominant character, in which the landscape is only intended to add visual appeal from the roadway and to screen particular uses).
- Landscaping and the active pedestrian realm should be heavily interactive with the roadway network and used as psycho-perceptive traffic calming devices for purposing of slowing traffic, creating stronger awareness of potential bike/pedestrian conflict points, and for emphasizing the garden setting.
- Stormwater management, water conservation and low impact design should be deeply integrated into the design of the town center and each of the developed spaces.
- Buildings are intended to be complementary to the landscape in form, simplicity, materials, and function and they should similarly complement the surrounding environment in terms of low impact design and the incorporation of green space and activity centers into site design (and into the structure where practical).
- The Town Center is intended to be a well integrated and connected campus in terms of the role of spaces, architecture and uses. The design, spatial



organization and function of structures and surrounding areas should be reflective of that connectivity.

- Parking areas should be designed to blend into the Suburban Campus concept, including features such as low impact design, green space, tree canopy, and strong focus on pedestrian convenience and access.
- The Town Center is intended to be a destination for the community and guests and, in doing so, should include a series of spaces and amenities aimed at drawing people to the area and potentially engaging them for an extended period to increase the sites role as an economic catalyst.
- Roadway design, to the extent allowed by Harris County and the City of Houston should be designed in a manner that is complementary to a pedestrian oriented destination, including lanes that are intentionally narrow in accordance with design speed, appropriately located and designed pedestrian crossing zones and other features that will allow the roadway to become a part of the community garden concept.
- The pedestrian network of trails, sidewalks, and crosswalks should be designed independent of the roadway network, in a manner that is most conducive to promoting pedestrian and bicycle activity.
- All aspects of the East Aldine Town Center are expected to embrace the principles of Crime Prevention Through Environmental Design (CPTED).

Permitted Land Uses:

Land uses permitted by right shall be as presented in the Declaration of Covenants for Aldine Town Center and are comprised of:

- Institutional uses such as educational, government and nonprofit organizations
- Commercial Office and Medical Facilities (except to the extent such are Prohibited Uses)
- Select-service or full-service hotel that includes a minimum of one on-site restaurant, banquet or meeting facilities, as well as additional in-room amenities that exceed those of a limited-service hotel
- Commercial Retail complementary to the institutional use focus of the Town Center, including, grocery stores, banks, drug stores and restaurants
- Parking Structures
- High-density residential as part of a planned development project (requires the consent of the Architectural Control Committee)
- Parks and recreation facilities
- Drilling and production of mineral rights as may be required by applicable law (limited to the designated drill site shown on the Site Plan)
- Any other use (other than a Prohibited Use) approved in writing by the Architectural Control Committee

Prohibited Land Uses:

In accordance with the Declaration of Restrictive Covenants for East Aldine Town Center no part of the Town Center may be used for:

- Automobile or mobile or manufactured homes sales and/or service
 - Sales of alcoholic beverages for off-site consumption (except in grocery or drug stores)
 - Pawn shops
 - Self-storage or mini-warehouse
 - Warehousing
 - Wholesale and distribution uses
 - Except for the designated drill site shown on the Site Plan, the storage or sale of oil, gasoline, or other flammable liquids or petroleum products
 - Any illegal activity
 - Any nuisance, noxious, or offensive activity
 - Any dumping of rubbish
 - Hospitals, nursing homes, surgery centers, emergency room or urgent care facilities
 - Refining of petroleum or of its products, smelting of iron, tin, zinc or other ores
 - Any establishment whose premises offers or sells a product or service that is intended to provide sexual gratification to its users as defined in the Declaration of Covenants
 - A massage parlor shall be a Permitted Use, provided, however, that the massage-related services provided by a massage establishment is limited to massage therapy for therapeutic purposes, in which each massage therapist holds a current certificate of registration as a licensed massage therapist in accordance with the Texas Occupations Code
- Storage of rubbish or trash outside of any building, except in dumpsters located and screened, or any activity which tends to cause an unclean, unhealthy or untidy condition to exist outside of the enclosed structures on a site
 - Dry cleaning operations that use perchloroethylene or other hazardous materials on site (retail drop-off facilities and dry cleaners that do not use these chemical or materials and otherwise comply with the law are permitted)
 - Any fire sale or bankruptcy sale (unless per court order)
 - Any type of "flea market" or "tent" sale
 - Any trailer park, junk yard, scrap metal yard, or waste material business
 - Distillation operation, pool or billiard parlor, tattoo parlor, pawn shop, bingo parlor, game center, tanning salon, mortuary, or funeral home
 - Any facility for the sale of paraphernalia designed or intended for use with illicit drugs or any so called "smoke shops" or "vape shops"
 - Bar, tavern, nightclub, discotech, dancehall, or cocktail lounge, except that a bar or cocktail lounge in a restaurant with seating for substantially all of its customers and the gross revenues from the sale of alcoholic beverages from the restaurant do not exceed fifty (50) percent of the gross revenues from all sources for the restaurant.

Building Criteria

- **LEED, CHPS or Similar Low Impact Design and Construction Standards.** LEED, CHPS or similar low impact design and construction standards serve as a basis for design of all buildings and sites within the Town Center.
- **Arrangement** (in relationship to streets, water, physical amenities and surrounding structures).
 - The primary access to all structures shall face the roadway and shall offer connectivity to adjacent sidewalks and/or trails.
 - Primary Entry into a structure shall have a direct relationship with the parking area, roadway or common plaza space.



- All structures that are located adjacent to the central amenities of the Town Center are expected to be fully interactive with and complementary to that space, including a pedestrian entrance, pedestrian spaces intended to integrate the site and structure into the adjacent waterway and natural amenities, and well connected pedestrian/bicycle access.
- Loading and unloading activities shall not be visible from the central amenities of the Town Center.



- **Height/Stories.** Overall, structures should not exceed an average height of three stories with a maximum height of four stories unless otherwise approved by the Architectural Control Committee.
- **Articulation.** Horizontal and vertical articulation shall be incorporated into every structure as a means of “breaking up” structural monotony. Articulation requires a distinct change in the height and setback along the length of a structure. Articulation applies to all sides of a structure facing a public street or the pedestrian realm. Where possible, articulation should be an intentional and functional component of the architecture rather than an ornamental change.
- **Architectural Style.** Structures are expected to follow a modern approach (featuring limited non-functional ornamentation) and to fully incorporate low impact design features such as extended overhangs, appropriately shaded windows, extensive natural lighting, and covered breezeways. Roofs are to be

predominantly flat or low slope, not to exceed a 4:12 pitch. Utilization of roof space for commercial or recreational activity is encouraged, preferably in such a manner that activity is directed toward central amenities of the Town Center and designed in a manner that mitigates potential negative impacts upon surrounding residents. Rooftop equipment shall be screened from view.

- **Materials.** Primary materials should consist of stone/ faux stone (split face or flat with natural finish), wood/faux wood, and glass (designed appropriately to meet LID standards). Accessory materials such as metal, brick, other masonry, or stucco should cover no more than 30 percent of any façade of a structure. Structures should utilize a minimum of two primary materials and one accessory material. Deviations or use of other materials not listed shall require approval by the Architectural Control Committee.

- **Transparency.** Structures are encouraged to have no less than 30 percent transparency with greater emphasis on transparency adjacent to pedestrian oriented spaces and the central amenities of the Town Center.
- **Hidden Rooftop Utilities.** Utilities located on the roof of structures, including small scale antenna farms, cooling equipment, and similar equipment, shall be screened from view through use of architectural and landscaping materials to the greatest extent practical.



Lot

- **Setbacks.** Structures shall meet setback requirements established by the City of Houston and Harris County but at no time shall be less than 25 feet. In the instance that a property line is adjacent to a 40 foot landscape reserve, then the reserve shall serve as the setback.
- **Open Space.** Open space is absolutely essential to the concept of the community garden, including both natural areas as well as interactive and engaging spaces. For that reason, it is desirable that 40 percent of each site consist of open space and green space.



- o Spaces that can contribute to the open space requirement shall include:
 - all natural and landscape areas, including trails and trailheads, as well as vegetated parking areas that blend into the natural areas through use of grass-crete or similar techniques,
 - accessible green roofs,
 - plazas and gathering spaces associated with the structure or that are intended to be an extension or complement to amenities in the Town Center
- o 10 percent minimum open space should be interactive space such as plazas, gathering spaces, etc.
- o 20 percent should consist of landscaped or vegetated areas

- o Tree canopy and use of shade structures is imperative to allowing onsite spaces to be attractive and useful during various weather patterns. No less than 50 percent of onsite open space is preferred to be shaded through tree canopy (upon maturity) or other complementary shade structures on a site. No less than 30 percent of onsite open space is preferred to be shaded by tree canopy (upon maturity).
- **Parking.**
 - o All parking within the town center site, with exceptions as necessary for purposes of security, shall be shared parking for activities, businesses and entities associated with the Town Center with the understanding that a limited portion of parking with close access to the specific business may be designated exclusively for that use.
 - o Parking aisles should be regularly interrupted by landscaping to maintain the community garden setting. Limiting the number of spaces along a single side of an aisle to ten spaces before vegetative interruption would satisfy this requirement.
 - o Parking areas should be separated from the streetscape with a bufferyard and vegetative screen consisting of a mix of canopy trees, understory trees, shrubs and other landscaping treatments. Topography, artwork, aesthetic fencing and similar treatments are also encouraged. The intent is not to create a visual barrier or to “hide” parking. Parking is encouraged to be partially visible, but the focus should be allowed to remain on the community garden concept.



- o Tree canopy is critical for shading, reduction of thermal pollution and for further blend of the community garden into all aspects of the site. Trees are preferred to be located in such a manner as to provide coverage to at least 30 percent of all parking areas upon maturity.
- o To ensure that trees can reach full maturity, each canopy tree should be provided at least 1,000 cubic feet of soil volume.
- o Pedestrian and bicycle connectivity should be considered and clearly discernible throughout the parking area to have equal, if not greater priority, over vehicle access, including regular connectivity to the right-of-way and sidewalk/trail network.
- o Parking areas shall incorporate low impact design as practical, including use of pervious materials, rain gardens and other techniques intended to manage and utilize stormwater. The term “pervious material” should not be interpreted as materials such as crushed rock, unimproved space or similar treatment.
- o All sites shall include bicycle racks located in a location of convenience and prominence in a manner that further reinforces priority for pedestrian and bicycle activity.
- **Landscaping (including irrigation).**
 - o Landscaping elements are extremely important to establishing and nurturing the concept of the community garden. While landscaping for purposes of screening and monumentation is necessary and desirable, to the extent practical, all landscaped areas within the Town Center are encouraged to contribute to the community garden, including emphasis on encouraging pedestrian activity and outdoor activities. Interactive spaces are strongly encouraged.
 - o To the extent practical, landscaping is encouraged to be highly functional, including use for stormwater management, reduction in thermal pollution, and/or protection and enhancement of natural areas.



- Landscaping materials shall follow a plant palette associated with the master plan for the Aldine Town Center as approved by the Architectural Control Committee. Deviations or additions to the plant palette shall require approval by the Committee.
- **Utilities.**
 - All utilities are to be located below ground except in instances approved by the Architectural Control Committee.
- **Lighting.**
 - All lighting shall comply with “dark sky” principles and shall not exceed 0.1 foot candles at the property line.
 - Pedestrian lighting is encouraged along pedestrian routes, including trails and, if appropriate, sidewalks.
- **Fencing.**
 - Fencing shall be limited to purposes of safety and security of structures and premises and shall be





permitted after alternative site design options, including active use of CPTED standards, are fully considered.

- o Fencing should be minimized to the greatest extent possible and limited to those locations where it is necessary.
- o Security fencing shall consist of high quality materials and constructed in a manner that will blend into the surrounding environment to the greatest extent possible and appropriate to the character of the site. Acceptable materials for fencing include ornamental metal, stone or similar complementary materials. Under no circumstances shall fencing be constructed of chain link, wood lattice or similar materials. Likewise, razor wire, barbed wire and similar measures are prohibited.

- o Structurally, fencing shall allow for the greatest amount of transparency possible or, as an alternative, may be incorporated vegetation, stonework, artwork, or similar landscape and monumentation treatments.
- o Height of fencing shall not exceed eight feet.
- o Gates, except for those installed only for emergency purposes, shall be open during business hours.
- o Temporary construction fencing may be utilized during construction periods.
- **Communications Tower.**
 - o A communication tower may be permitted for any site within the Town Center campus that is critical to countywide emergency management activity. Communication towers shall be designed to allow for commercial co-location upon

- approval by the Architectural Control Committee, as well as the Harris County Office of Emergency Management. The Board of Directors of the East Aldine Management District shall reserve the right to require a service agreement with any operator that chooses to co-locate on a communications tower with the Town Center site.
- o A communications tower should blend into the design of the Town Center and, if possible, add aesthetic value. Examples include incorporation into an architectural structure, artistic construction and/or incorporation of design themes common throughout the Town Center.
 - o Colors utilized for a communication tower shall allow the tower to blend into the surrounding environment, unless artistic design suggests otherwise.
 - o Height should be minimized to the greatest extent possible.
 - o A communications tower shall be designed in a monopole format unless alternative structural design adds artistic and aesthetic value in accordance with these standards and above those offered by a monopole format.
 - o Lighting shall be prohibited unless required or artistic design suggests otherwise. If permitted, consideration shall be given to surrounding residential areas in design of lighting.
 - o Structural equipment located at the base of the communications tower shall be screened from public view in an aesthetic and/or artful manner using landscaping and other appropriate materials.

- o A communications tower shall be designed in a manner that minimizes the possibility of climbing.
- o All equipment, associated structure and artwork shall be consistently maintained. Obsolete or unused equipment shall be removed within six months of cessation of use.



Signage

Limitations on signage within the Town Center are established for purposes of allowing necessary advertisement while also maintaining a sense of commonality, minimizing visual clutter and protecting the character and appeal of the community garden concept. In addition to requirements below, all signage shall be approved by the Architectural Control Committee.

- **Monument Signs**

- Signage along Aldine Mail Route shall consist of one or more shared monument signs, in addition to gateway signage into the Town Center. Businesses or institutions greater than 20,000 square feet shall be permitted monument signs along adjacent roadways internal to the Town Center. Otherwise, advertisement shall consist of building mounted signs.
- All business signs within the Town Center and along Aldine Mail Route shall be monument signs and building mounted signs. No pole signs shall be permitted.
- No LED signs shall be permitted within the Town Center with the exception that a single informational sign may be constructed or permitted to be constructed by the East Aldine Management District.
- Each business or institution within the Town Center may have no more than one business sign oriented to each street on which the site has frontage with a maximum of two business signs per business or institution, with the exception that businesses or institutions greater than 20,000 square feet shall be allowed the addition of monument signs as noted within this section.

- Monument signs must be ground-mounted, ground-illuminated and structurally sound. Finish materials must extend to the natural grade. The base must not be raised more than eighteen (18) inches above natural grade.
 - All signs should be designed and constructed for low maintenance. Higher initial cost for materials is preferable to lower initial cost with high maintenance.
 - The background of all signs should be of one neutral color and material and the verbiage of one color (with the exception that logos may be multiple colors if brand appropriate). Black or white may be used as a second color.
 - Monument signs should be placed perpendicular to the street and located approximately one foot from the property line.
 - Tenant panel signs are prohibited for purposes of limiting visual clutter.
 - Monument signs shall be no greater than six feet in height and ten feet in width, with the exception that facilities greater than 50,000 square feet may have a sign twelve feet in width.
- **Building Mounted Signs**
 - The maximum horizontal dimension for building-mounted signs must not exceed 70 percent of a total storefront width.
 - The maximum vertical height of a building mounted sign shall not exceed 1.5 times the maximum letter height.
 - Business logos shall be permitted as part of any building mounted sign.



- o Sign design is limited to individually mounted, fabricated metal channel letters and/or graphics with an internal closed face using acrylic or similar material on the letter face.
- o Multi-tenant office buildings, and major institutional structures are allowed one building mounted sign.
- o Maximum vertical dimension for a building mounted sign shall be:
 - Six feet for a structure that is 50,000 square feet or greater.
 - Four feet for all other structures except inline retail smaller than 20,000 square feet.
 - Three feet for inline retail establishments that are less than 20,000 square feet.

- o Building mounted signs shall be internally lit unless otherwise approved by the Architectural Control Committee.
- Internal Wayfinding, Informational and Directional Signage.
 - o Signage for purposes wayfinding, conveying information, providing direction, and donor recognition/naming shall be permitted as ground signage or as building mounted signage. Such signage should be designed to be complementary to overall site signage. Such signage should be located in a manner that minimizes visual clutter.
 - o Each internal wayfinding, informational and directional signs shall not require individual approval by the Architectural Control Committee if a concept for such signage, including general design, use and example location is presented for approval as part of an overall site signage system.





Drill Site

Prior to its acquisition by the East Aldine Management District, a drill site was designated within the East Aldine Town Center. East Aldine is an urban area with residential, commercial, institutional, recreational, educational and entertainment activities within close proximity to the drill site. To the extent that it is lawfully required that drilling, production, and transportation (as well as reworking and abandoning a well) occur on such site, it is the intent of the East Aldine Management District that it take place in a manner that minimizes the impact of oil and gas related activities on surrounding sites and that said activities only occur if the safest standards available in the industry are utilized. Design and safety criteria for oil and gas activities shall be conducted in accordance with separate standards to be established by the East Aldine Management District.

Public Amenities, Public Spaces and Rights of Way

- **Development of Amenities and Services.** Beyond the boundaries of each site, it shall be the responsibility of the East Aldine Management District to complete a series of public amenities and public spaces that are intended to serve the Town Center, as well as others that are complementary to other Town Center activities, but also intended to serve the community at large. These amenities and services are designated “common areas” by the Declaration of Covenants from the perspective that they are assumed to benefit each of the businesses and institutions located within the Town Center. Specifically, it shall be the responsibility of the East Aldine Management District to develop:
 - The major roadway system to service the Town Center and to ensure that adequate water and wastewater infrastructure is available to the site.
 - A master stormwater management system that will be designed to also serve as a major aesthetic feature of the Town Center.
 - A system of trails and sidewalks to which users will connect to establish a well-linked campus setting.
 - A master landscaping and streetscaping program that will enhance the attractiveness and functionality of rights-of-way throughout the Town Center.
 - A master signage program for recognition and wayfinding throughout the Town Center, including one or more monument signs along Aldine Mail Route as noted above and potential gateway

signs at one or more major entryways.

- o One or more well maintained and attractive common areas that can be used for programmed events and activities as well as spontaneous gatherings.
- o Potential additional recreational and entertainment venues that support and enhance the activities and functionality of the Town Center.
- **Other Shared Amenities or Services.** In addition to common areas provided by the East Aldine Management District, other institutions or businesses may construct amenities or provide services that benefit one or more of the businesses or institutions within the Town Center or the community at large. Examples include but are not limited to recreational amenities, day care amenities and services, and entertainment venues. Those amenities may also be considered shared upon approval as established by the Declaration of Covenants.
- Maintenance and Operations
 - o East Aldine Management District shall be responsible for ensuring that the physical maintenance of common areas and shared amenities occurs in a manner that maintains the high quality character of the Town Center.
 - o All entities that own property in the area of the Town Center shall share in the cost of operations and maintenance of common areas and shared amenities by regular and special assessment as established by the Declaration of Covenants.

Administration

It is the intent of these design standards to construct a minimal framework of requirements that will ensure the vision established for the Aldine Town Center, but also to promote creative site and structural design. The East Aldine Management District Board of Directors shall be responsible for all administrative activities associated



with the design standards for the Aldine Town Center, including approval or denial of all items related to architectural and site plan review through an Architectural Control Committee established in accordance with the Declaration of Covenants.

- **Architectural and Site Plan Review**

- All projects for development or redevelopment within the Aldine Town Center shall require architectural and site plan review and approval by the Architectural Control Committee. Commencement of any site activity prior to approval by the Committee shall constitute a violation of the design standards.
- Approval of plans by the Committee, is exclusively related to the design standards for the Aldine Town Center. All applicants are expected to likewise receive approval by all other relevant bodies, such as Harris County or the City of Houston, prior to implementation of site improvements.
- The Architectural Control Committee, shall take action to approve, deny or otherwise address site plans and architectural plans submitted for consideration.
- An applicant may choose to propose alternatives to these design standards. For example, a material not otherwise discussed in the standards that could better or equally correspond with the vision for the Town Center. Such deviations shall require approval of the Architectural Control Committee.
- Variances that otherwise deviate from the design standards shall require approval by the Architectural Control Committee.

- **Plans Required for Submission**

- Applications shall be submitted at the conceptual and final plan stages of design.
- Conceptual plans shall include sufficient information available to allow the Architectural Control Committee, to review and consider the application and shall be submitted at a scale appropriate for review. Architectural review shall include elevations of all sides of a proposed structure.
- Conceptual plans submitted for consideration shall include a description of the manner in which the site and structural design meet the vision and character anticipated for the Aldine Town Center, including efforts to meet low impact design standards.
- Final plans shall be provided in the format required for approval by the City of Houston or Harris County.
- At both the conceptual and final plan stage, the applicant shall, at minimum, include a site plan and elevations of structures with the amount of information appropriate to that particular stage of submission. Information shall include details related to layout of structures and site features, open space and green space requirements, landscaping, lighting, fencing (if utilized), a description of the steps considered and incorporated into the site to minimize the need for fencing (if fencing is included), parking, bicycle and pedestrian network, building materials, transparency, and other required architectural elements.

- o The applicant may choose to submit to the Architectural Control Committee for consideration before or after consideration by other bodies; however, substantial deviation from an approved site or architectural design due to requirements of another party shall require reconsideration by the Committee.
- **Plan Acceptance for Consideration and Approval**
 - o It is the responsibility of the applicant to provide the Architectural Control Committee with all materials necessary to consider the application.
 - o The Executive Director of the East Aldine Management District or his designee shall be conduct an initial assessment of any application, review the application for completeness, and submit the application to the Architectural Control Committee for consideration.
 - o Within thirty days after submission of plans, the Architectural Control Committee must notify the applicant of any additional documents or information necessary for Committee consideration. In the absence of timely notice from the Committee requesting additional documents or other information, the submission is deemed to be complete.
 - o If the Architectural Control Committee fails to give notice of disapproval of plans to the applicant within thirty days after complete submission, the submitted plans shall be deemed approved.
 - o An applicant may appeal any action of the Architectural Control Committee in accordance with the procedure established by the Declaration of Covenants.
- o A plan shall considered approved for a period of no more than one year. If the applicant has not sought approval for final plan within one year of conceptual plan approval, then approval shall be considered rescinded. Similarly, if the applicant has not commenced construction within one year of final plan approval, then approval shall likewise be rescinded.



Construction and Project Completion

- **Construction Conditions Management**

- Prior to construction, the applicant or its representative for construction shall provide the Contractor's primary points of contact. Applicable terms and conditions of the design standards related to construction and project delivery will be included in the General Contractor agreement with the applicant. Such notice shall include agreement to abide by the requirements of the design standards established for the Aldine Town Center, including construction requirements, as well as agreement to accept, address and pay for fines associated with violations that may occur during construction. Notice shall also recognize the right of the Executive Director and/or his/her appointed designee to enter the construction site upon reasonable notice for purposes of inspection to ensure compliance with the design standards.

- All rights of way and public areas are to be kept clear of trash and debris by the applicant and contractors at all times. Dirt and similar materials created by the applicant and contractors is to be removed daily from the rights of way.
- Construction on the exterior of structures or that creates noise above the traditional ambient noise level (measured at the property lines of the site) shall only be permitted between the hours of 7am and 8pm.
- Construction lighting, if necessary, will be designed in such a manner as to meet "dark sky" requirements.
- Sites will be maintained daily to be clear of trash and debris. Such materials will be kept in enclosed containers while on site with removal to occur regularly.
- All setbacks will be kept free of building materials.



Ongoing Maintenance of Onsite Improvements

- **Regular Maintenance of Site and Facilities.** Sites, structures, and other onsite amenities are the responsibility of the property owner and will be regularly maintained by said owner in a manner expected of a high quality campus setting. This shall include but is not limited to:
 - All aspects related to structures on site;
 - Landscaping, including both groomed and natural areas;
 - Hardscape improvements, including sidewalks, trails, parking areas and outdoor hardscape spaces;
 - Onsite signage and infrastructure;
 - Stormwater drainage systems, including all aspects of the “treatment train” associated with low impact design;
 - Other elements of the structure and site that allow for the facility to qualify for low impact design; and
 - All other onsite physical improvements.

Violations of Design Standards

- For purposes of violations, the Executive Director shall be considered representative for the Board of Directors up to such time that the Board must seek remedy in a court of law or in a manner that may result in a lien on private property.
- During the construction phase, the Executive Director shall have the authority to address, and cause to be rectified, any violations of these design standards through the following measures:
 - The property owner or his/her designee shall be notified by email of violations following which the property owner or his/her designee shall have 24 hours to address noted violations to the satisfaction of the Executive Director. The Executive Director shall have authority to extend the period of repair beyond 24 hours, if warranted and upon submission of a plan to address violations appropriately.
 - Violations that occur during the construction phase that are not remedied within the 24 hour notification period or the extended time granted by the Executive Director shall be met with a second formal notification and a fine of \$500 per day until the violation has been addressed.
 - In the event that a violation during the construction phase exceeds five business days, the Board of Directors of the East Aldine Management District, or their designee, shall have the authority to seek a legal remedy that includes removal or repair to structures or sites as needed to establish compliance. All legal fees and costs

associated with action required to ensure full compliance with the design standards shall be borne by the property owner.

- During operations and maintenance, the Executive Director shall have the authority to address, and cause to be rectified, any violations of these design standards through the following measures:
 - The property owner or his/her designee shall be notified by email of violations. Upon delivery of the email, the property owner or his/her designee shall have a period of five business days by which the violation shall be remedied to the satisfaction of the Executive Director.
 - In the event that a violation exceeds five business days, the Executive Director shall assess a fine of \$500 per day until the violation has been addressed. The Executive Director shall also provide a second formal notice of violation.
 - Upon fifteen days of continued violation, the Board of Directors of the East Aldine Management District, or their designee, shall have authority to dispatch necessary personnel at the expense of the property owner, to rectify any violation and to place a lien on the property to address all related costs.
 - The Executive Director shall have the authority to exercise discretion in addressing violations unless otherwise instructed by the Board of Directors, to waive or reduce fines where appropriate.
- The Executive Director shall notify the Board of Directors of the East Aldine Management District following actions taken to address a violation.

