

*Proposed text additions are shown as red underlined text, proposed text deletions are shown as strike-through text.*

**DRAFT**  
**Ordinance No. ...**  
**Exhibit “B-1”**  
**Development Standards for Planned Development No. 95 (PD-95)**  
**(Proposed August 2018)**

The design, location and siting of structures and other development features within Planned Development No. 95 (hereafter referred to as “PD-95” or “the District”) shall be in accordance with the following Development Standards, while the Conceptual Site Plan (Exhibit C-1) establishes the general development intent of the Property. A ~~comprehensive~~ detailed site plan and building elevations as required by the Comprehensive Zoning Ordinance and set forth herein will be required prior to the development of each portion of the Property.

**I. LAND USES**

**A. PRINCIPAL USES PERMITTED**

The Property shall be used and developed with only the following principal land uses subject to approval of conceptual and detailed site plans.

1. Multi-Family.
2. Office, Retail and Restaurant functions, which include the following:

Offices, Professional and Administrative; Medical & Dental Offices and Clinics; Antique Shop; Bakery or Confectionery Shop; Cleaning and Pressing Small Shop and Pickup; Customer Personal Service Shop; Florist or Garden Shop; Optical Shop; Retail Store Consisting Primarily of Specialty and Novelty Items; Beauty Shop; and Non Drive-in Restaurant without Outside sales window.

**B. PRINCIPAL USES NOT PERMITTED**

The Property shall not be developed and used for the following principal retail oriented land uses.

Auto or Motorcycle Sales and Repair; New or Used Car or Boat Sales; Alcoholic Beverage Sales; Pawn Shop; Second Hand Store; Used Furniture or Rummage Sale; Small Hand Tool and Hand Carried Equipment (Indoor Display and Storage); Tool, Equipment, Trailer Rental (Indoor Display and Outside Storage); Massage Parlor; Trailer Rental (Indoor Display and Outside Storage with visual barrier type fence and gates); Adult Arcade; Adult Bookstore or Adult Video Store; Adult Cabaret; Adult Motel; Adult Motion Picture Theater; Adult Theater; Escort Agency; Food Processing; Restaurant with Drive-in Service; Check Cashing Businesses; Tattoo Parlors; and Sexually Oriented Businesses.

**C. PRINCIPAL USES PERMITTED WITH A SPECIFIC USE PERMIT**

The Property may be developed and used for the following principal land uses upon obtaining a Specific Use Permit:

Hotel or Motel; Art Gallery or Museum; Banks & Savings and Loan Associations; Retail Store Consisting Primarily of Specialty and Novelty Items and Amusement; and Commercial (Indoor).

**D. ACCESSORY USES PERMITTED**

The Property, or a portion thereof, may be developed with and used for the accessory uses only if in association with the development of the below-described principal uses:

1. Community convenience or recreational facilities including health clubs, swimming pools, gazebos, or laundry facilities for the use by only by the employees, occupants and guests of a multi-family development within the residential area of PD-95.
2. Public and semi-public open space uses, including parks, playgrounds, and public structures developed in association with any permitted principal use.
3. Outdoor seating associated with a restaurant; provided outdoor seating is adjacent to the restaurant, located on private property, and does not block any pedestrian walkway.
4. Limited outdoor display and sale of merchandise such as book display and sales, and fruit/produce are permitted within the property line of any development within PD-95 provided that (i) the display area shall not exceed three feet (3.0') in depth by twelve feet (12.0') in width, and (ii) outdoor seating shall not block any pedestrian walkway.

Accessory uses shall be designed to serve primarily the needs of occupants of the portion of the Property on which the associated principal use is located. Such uses shall be designed so as to maintain and protect the character of adjacent properties.

**E. USE LIMITATIONS**

1. The gross floor area of accessory uses, except parking, shall not exceed 5% of the total principal uses of the development located on the portion of the Property with which the accessory use is associated.
2. All uses shall be allowed and developed only in the location shown on the approved Detailed Site Plan. Should a desired alteration or change in use represent a substantial departure from the approved Detailed Site Plan, then such shall be allowed only after approval of an Amended Detailed Site Plan.

## F. BUILDING VOLUME REGULATIONS

1. **Minimum building heights**: five (5) stories or sixty-two (62) feet, whichever is less.
2. **Maximum building heights**: No greater than that allowed by the FAA. A copy of an approved FAA building height shall be submitted to the City Planning Director prior to approval of any building permit.
3. **Maximum floor area ratio**: 3:1.
4. **Building setbacks**: Shall be determined by the approved Conceptual Site Plan.

## G. SITE COVERAGE & LANDSCAPE

1. The landscaped common open space shall not be less than 15% of gross site area of the Property.
2. Parking lots at grade must have not less than 10% of their interior area landscaped. Border plantings at the perimeter of the lot shall not be considered as part of the interior landscaping requirements.
3. Landscaped areas shall be interpreted to mean zones of grass, ground cover, trees and shrubs, paved and landscaped areas for pedestrian uses, and pools or fountains. Paved areas for parking or regular traffic flow shall not be considered a “landscaped area”.
4. All planted landscaped areas within PD-95 shall be supplied with a fully automatic irrigation system.
5. Surface parking lots shall have a minimum of one (1) tree per twenty (20) parking spaces located within parking islands.
6. Trees shall be provided as shown on the Conceptual Landscape Plan (Exhibit “F”), except (i) where proper street sight distance or access is compromised; or (ii) if existing easements, **required new utilities, or other required site improvements** prohibit their planting. ~~Unless otherwise shown on the Conceptual Landscape Plan, trees shall be installed along private driveways and travel ways at a distance not greater than sixty-five (65) feet apart.~~ Trees shall be installed approximately every twenty-five (25) feet along the Dallas Parkway frontage, but can be clustered as shown on the Conceptual Landscape Plan, or as shown on the Detailed Site Plan approved prior to the portion of the Property being developed. The City’s Planning Director shall authority to make the final determination of all street tree placements.

7. All required landscaped areas requiring the placement of a tree shall not be smaller than 150 square feet with no dimensional width less than eight feet (8.0'). For street trees planted along internal drive aisles, the landscaped area requiring the placement of a tree shall not be smaller than 100 square feet with no dimensional width less than eight feet (8.0').
8. Except to the extent specified or modified in this Section I.G., the installation, maintenance, and replacement of landscaping on the Property shall be in accordance with Section 4.1 of the Comprehensive Zoning Ordinance, as amended (Code of Ordinances Chapter 94, Section 4.1, as amended).

## H. PARKING

Parking shall be provided for the proposed uses at the following minimum ratios, and shall be accommodated by at-grade or in structured spaces:

1. **Multi-Family uses:** 1.5 spaces per each residential unit.
2. **Retail:** one space per 250 square feet of gross building area.
3. **Restaurant:** one space per 150 square feet of gross building area.
4. **Parking Stalls:**
  - a. Standard parking stalls shall be not less than nine feet (9.0') wide and eighteen feet (18.0') in length. No parking bay (comprised of two rows of standard parking stalls and one travel aisle from which motor vehicles enter and exit the stalls) shall be less than sixty feet (60.0') in width, inclusive of any structural columns.
  - b. Roadside parking stalls shall (i) be at least eight feet (8.0') wide by twenty-two feet (22.0') in length and (ii) provide one (1) landscape island for a maximum of every two (2) continuous stalls. Such island can be modified in design if the island interferes with drainage of the street. Final design of the modified island shall be determined by City's Planning Director.

## I. BUILDING MATERIALS

Each exterior wall shall be a minimum 75% ~~75%~~ 65% masonry material. For purposes of this paragraph, "masonry" shall be defined as construction composed of stone, brick, concrete, hollow clay tile, concrete block, or other similar building units or materials or combination of these laid up unit by unit and set in mortar, cast in place concrete, tilt wall (cast on site or pre-cast), or other material approved by the City Building Official. Temporary buildings used for construction offices, sales offices, leasing offices or other similar temporary buildings moved on to a project site are exempt from the provisions of this paragraph if removed prior to the end of the time

set forth in a permit issued by the City Building Official or established by the City Council as part of detailed site plan approval. Stucco shall not exceed twenty-five percent (25%) of the exterior façade. Cementitious fiberboard and metal panels shall not exceed ~~ten percent (10%)~~ twenty (20%) of the exterior façade.

1. Use of cast in place concrete, concrete tilt wall (cast on site or pre-cast) or other material must be submitted to and approved by the City Planning Director prior to commencement of installation.
2. Use of exterior wood siding or wood shingle is prohibited. Wood is permitted as an accent material only. Wood grained composite exterior wall panels are permitted, but shall not cover more than 10% of any façade.
3. Only decorative metal fences are permitted.
4. Unless alternate materials are approved by the City Planning Director, roof materials on pitched roofs shall be concrete roofing tile, clay or slate tiles or standing seam anodized or weather coated metal. Thirty (30) year architectural composite shingle roofing material can be used upon approval of the City Planning Director. Buildings may be constructed with flat roofs provided the building is designed with a minimum of thirty inch (30") tall parapet wall and screening devices that will be used to screen roof mounted mechanical equipment.

## J. SIGNS

1. **Generally.** The size, quantity, location, and type of on-premise signs allowed within the Property shall be determined by the approved ~~Conceptual~~ Detailed Site Plan.
2. **Freestanding Signs.** All freestanding signs shall be monument style with landscaping at their base. In no instances shall any freestanding sign exceed fifteen feet (15.0') in height or seventy-five (75) square feet in area. No more than one (1) freestanding sign per street front shall be installed on a lot. Multi-tenant signs may be installed with approval of the City Planning Director. LED and scrolling animated text signage is not permitted.
3. **Wall Signs.** Wall signs for non-residential uses shall not cover more than 10% of the front exterior façade or 100 square feet, whichever is less. Box signs and internally illuminated signs are not permitted.
4. **Marquee Signs.** Marquee signs on residential structures shall not exceed 100 square feet in area. No more than one marquee sign shall be permitted along each street frontage.
5. **Awning Signs.** Awning signs are allowed, but (i) must be no closer than ten (10) feet above the sidewalk and (ii) shall not cover more than 25% of

the awning area or 75 square feet, whichever is less. No vinyl awnings shall be allowed.

6. Blade Signs. Blade signs perpendicular to the building shall not exceed 100 square feet in area and shall be minimum nine (9) feet clear height above the sidewalk. No more than two blade signs shall be permitted along each street frontage.

#### **K. STREETS, ACCESS EASEMENTS, AND SIDEWALKS**

All public street rights-of-way, public access easements, public alleys, private streets and fire lanes within the Property shall be constructed in conformance with City street design criteria and approved by the Director of Public Works.

1. In order to address the impact of the development of the Property on City's streets, all street improvements necessary to mitigate the impact of development as identified in a site traffic study or as otherwise required as a condition of Detailed Site Plan approval shall be constructed at the time of development and completed prior to issuance of a certificate of occupancy for any structures to be located on the portion of the Property to which the Detailed Site Plan applies. The street improvements that are required to be constructed shall minimally include, but not be limited to, traffic signals and intersection improvements at entrances to the internal roads and all internal street improvements within the Property. New street lights, tree planters, trash receptacles and street benches must be approved by the City prior to installation and installed and maintained by the owner of the portion of the Property on which such improvements are located.
2. Sidewalks shall be provided as shown on the Conceptual Site Plan, unless a physical hindrance prevents such width. Unless otherwise shown on the Conceptual Site Plan or approved Detailed Site Plan, a minimum clear width of eight (8) feet is required.
3. For buildings with residential units on the ground level of Street Type "A", direct unit access from the street shall be provided for at least 51% of the units. All other ground level units would typically be entered via an interior corridor.
4. All privately owned streets and easements within the Property shall be installed and maintained by the property owner. All such streets, sidewalks, and easements shall be open for public access at all times.

#### **L. PHASING**

1. If a tract is to be developed in phases pursuant to this Ordinance, each sub-tract shall conform to the basic performance standards of this Ordinance, as though it were a separate site. The Phase development shall

include the complete construction of all water and sewer improvements within the Property as well as the completion of Street Type “A”.

2. Prior to the issuance of a Certificate of Occupancy for any phase of the development, a public access and fire lane of at least 24 feet in width shall be constructed within a dedicated easement to enable ingress and egress to and from the Property. Such easement shall be indicated on the Detailed Site Plan and dedicated on the final plat of the Property or by separate instrument in a form approved by the City Attorney.

## **II. REQUIRED SUBMISSIONS**

### **A. CONCEPTUAL SITE PLAN APPROVAL**

1. The Conceptual Site Plan (Exhibit C) is hereby approved and made a part of this Ordinance. The Conceptual Site Plan establishes the general development intent for the Property, including general street layout, primary block configuration, conceptual building shape and layout on each block, general location of public and private parks and amenities, parking arrangement, and generalized public use and access easements. The Conceptual Site Plan shall serve as a guide for the approval of any and all Detailed Site Plan and other submissions relating to the Property, but shall not be construed to specify precise dimensions, locations, or configurations; such details shall more accurately and appropriately be determined at the time of Detailed Site Plan approval.
2. Any significant deviation from the Conceptual Site Plan not constituting a Minor Modification shall require an amendment to the Conceptual Site Plan in accordance with the procedures required for a zoning amendment. The City Planning Director shall make the initial determination as to whether a requested change constitutes a Minor Modification.
3. For purposes of this Ordinance, a “Minor Modification” to the Conceptual Site Plan is a change to a development and/or design standard of this Ordinance or the Comprehensive Zoning Ordinance, whichever is applicable, that is determined to meet the goals and intent of PD 95 as set forth in this Ordinance. A Minor Modification may be approved administratively by the City Planning Director if, and only if, the Minor Modification:
  - a. Does not materially change the circulation and building locations as shown on the Conceptual Site Plan; or
  - b. Does not increase the building area permitted under this Ordinance; or

- c. Does not materially alter the relationship between the buildings and the internal streets through the alteration of minimum setback requirements; or
  - d. Does not materially alter the established street cross section per Exhibit D of this ordinance; or
  - e. Does not allow a use not otherwise authorized by this Ordinance; or
  - f. Does not increase the allowable intensity or density of any land use under this Ordinance; or
  - g. Does not otherwise effectively result in an amendment to the Comprehensive Zoning Ordinance to an extent beyond the amendments established by this Ordinance.
4. The City Planning Director shall have the right to present any Conceptual Site Plan amendment to the Planning and Zoning Commission and City Council for approval, even if it constitutes a Minor Modification.

**B. DETAILED SITE PLAN APPROVAL**

- 1. Prior to beginning any development on a building site within the Property, a Detailed Site Plan detailing the proposed development shall be submitted to the Planning and Zoning Commission for review and recommendation and City Council for final approval. No construction permits for the portion of the Property within the boundaries shown on the Detailed Site Plan shall be issued prior to approval of the Detailed Site Plan. Approval shall be based on compliance of the Detailed Site Plan with the standards, guidelines and intent set forth in this ordinance, the Comprehensive Zoning Ordinance, and the Conceptual Site Plan.
- 2. A request for an amendment to a Detailed Site Plan may be reviewed and approved administratively if the City Planning Director determines that the requested amendment is consistent with the approved Conceptual Site Plan and constitutes a Minor Modification. All other amendments to the Detailed Site Plan shall be approved in the same manner as the original Detailed Site Plan. The City Planning Director shall have the authority to require any requested amendment to a Detailed Site Plans to be reviewed by the Planning and Zoning Commission and approved by the City Council.

**C. SPECIAL EXCEPTIONS**

- 1. In those circumstances where the owner/applicant believes that, due to unique characteristics of the site or other circumstances, strict compliance with the standards set forth in this Ordinance is not feasible or desirable and that deviation from the standards will allow for equal or better results, the Planning and Zoning Commission may be petitioned to grant a special

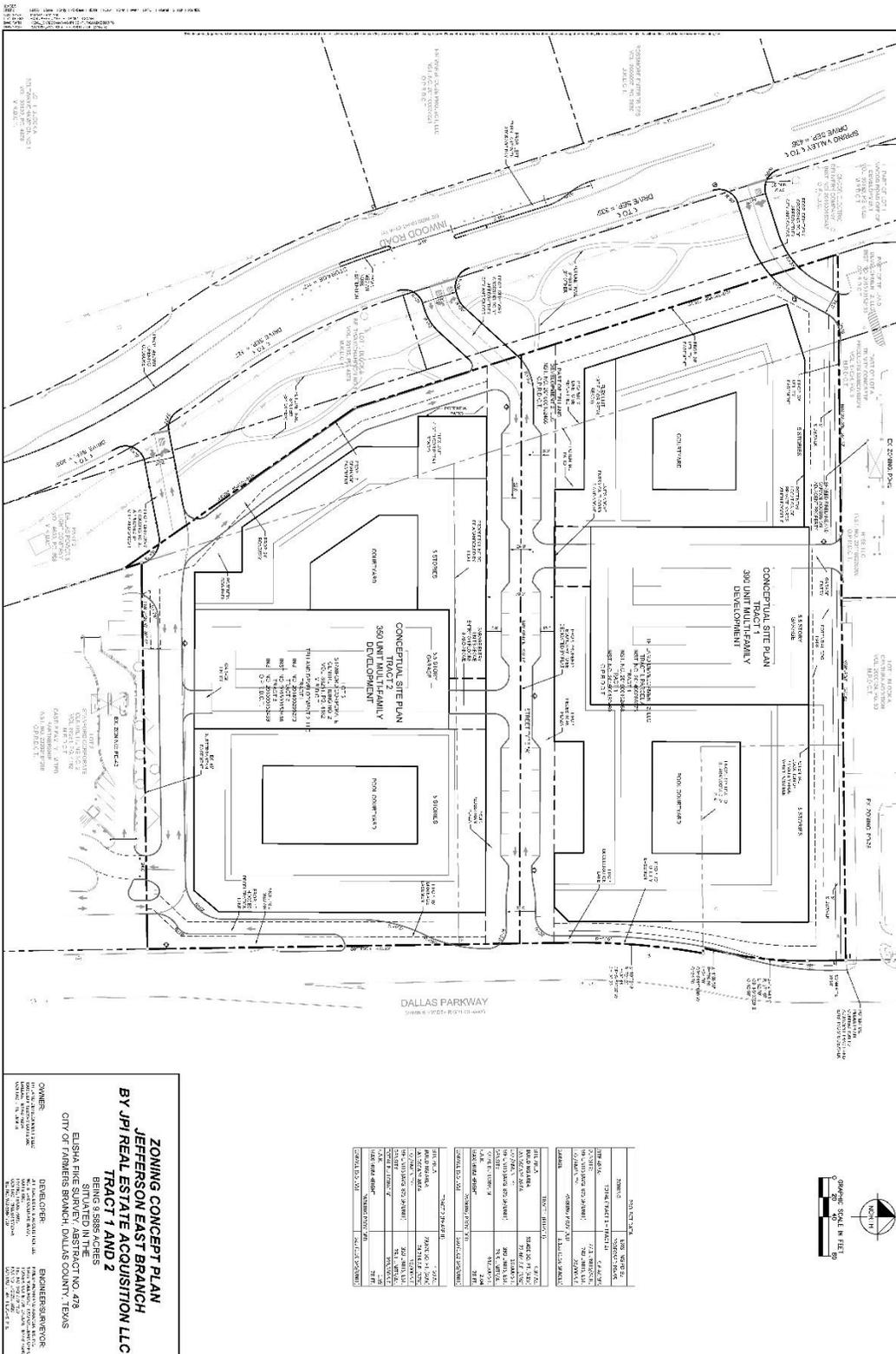
exception with the Detailed Site Plan application. The Planning and Zoning Commission shall consider all requests for special exception to the standard within the context of consistency with the overall concept of the proposed development. Notwithstanding the foregoing, the Planning and Zoning Commission may not grant a special exception which:

- a. would result in the approval of a land use not otherwise authorized by this Ordinance or the Comprehensive Zoning Ordinance; or
  - b. increases the allowable intensity or density of any land use under this Ordinance; or
  - c. effectively results in an amendment to the Comprehensive Zoning Ordinance to an extent beyond the amendments established by this Ordinance.
2. All decisions of the Planning and Zoning Commission regarding a special exception requested pursuant to this Section II,C. shall be final unless appealed to the City Council. An applicant may appeal the decision of the Planning and Zoning Commission by filing a letter requesting an appeal with the Planning Director not later than the fifteenth (15th) day after the date of the Planning and Zoning Commission voted to deny the requested special exception.

**Ordinance No. 3478 3515**

**Exhibit "C-1"**

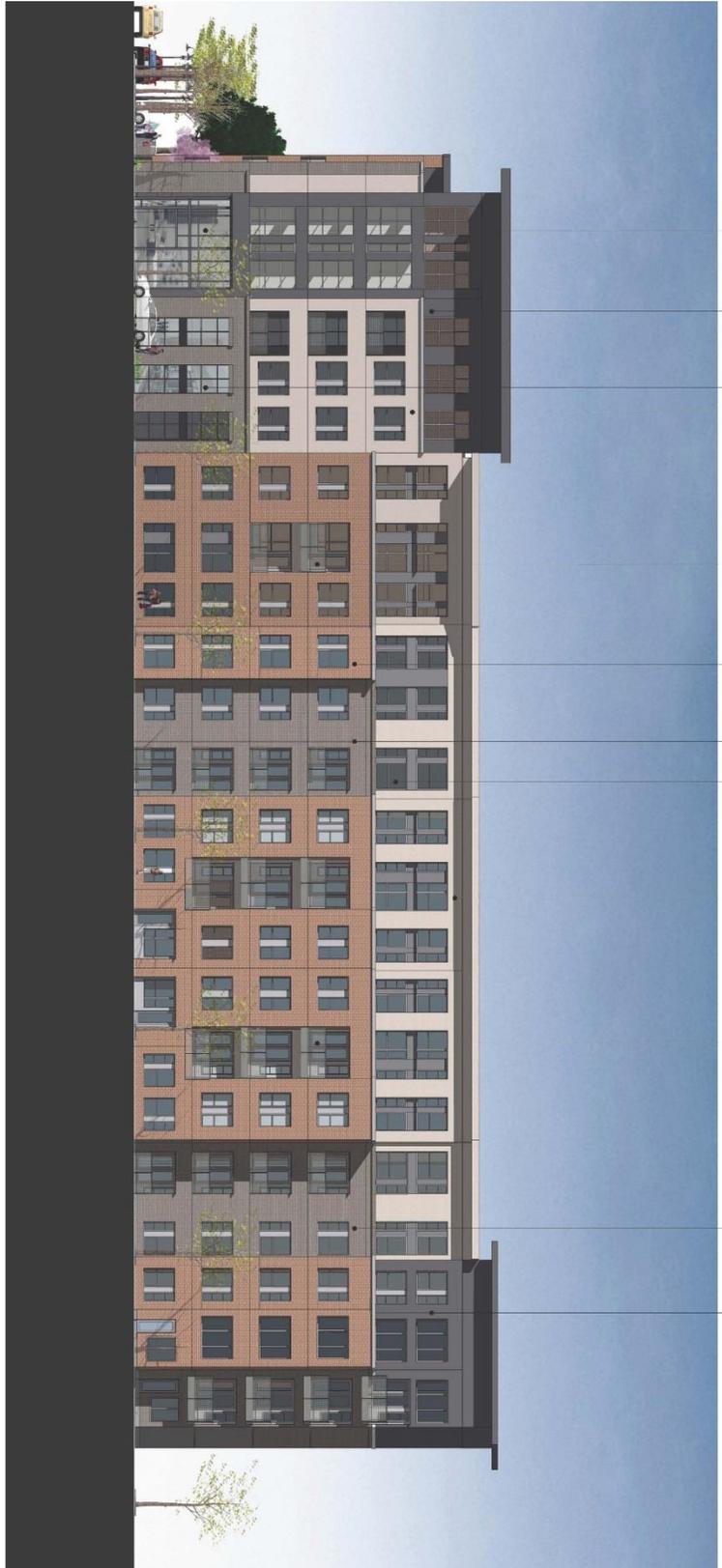
**Planned Development No. 95 Conceptual Site Plan (rev. December 2017)**



**ZONING CONCEPT PLAN**  
**JEFFERSON EAST BRANCH**  
**BY JPI REAL ESTATE ACQUISITION LLC**  
**TRACT 1 AND 2**  
 SITUATED IN THE  
 BEING 4.586 ACRES  
 OUT OF FARMERS BRANCH, DALLAS COUNTY, TEXAS

OWNER: JPI REAL ESTATE ACQUISITION LLC  
 DEVELOPER: BISHOP/BERNARDI  
 ARCHITECT: BISHOP/BERNARDI

**Ordinance No. 3478  
Exhibit "E"  
Planned Development No. 95 Conceptual Elevations**



- Storefront
- Metal Panel
- Storefront
- Stucco
- Metal Railing
- Brick
- Brick
- Vinyl Window
- Stucco
- Metal Railing
- Brick
- Metal Panel



Centura MF  
Farmers Branch, TX



Dallas Parkway Elevation

09.29.2017 201707.00 004  
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Registered Professional Engineer: Thomas S. Thompson No. 49829

**Ordinance No. 3478**  
**Exhibit "E"**  
**Planned Development No. 95 Conceptual Elevations (cont.)**



