



## **ORDINANCE NO. 3515**

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED; BY AMENDING AND RESTATING IN THEIR ENTIRETY THE USE AND DEVELOPMENT REGULATIONS FOR PLANNED DEVELOPMENT NO. 95 (PD-95) ZONING DISTRICT AS CREATED BY ORDINANCE NO. 3172 AND AMENDED BY ORDINANCE NO. 3478; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the laws of the State of Texas and the ordinances of the City of Farmers Branch, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:**

**SECTION 1.** The Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended by amending restating in their entirety set forth in Section 2, below, the development and use regulations of Planned Development No. 95 (PD-95) zoning district enacted by Ordinance No. 3172 as amended by Ordinance No. 3478, relating to the use and development of the property described in Exhibit "A," attached hereto and incorporated herein by reference ("the Property").

**SECTION 2.** The Property shall be used and developed in substantial compliance with:

- A.** The development and performance standards set forth in the Development Standards, attached hereto as Exhibit "B" and incorporated herein by reference;
- B.** The Conceptual Site Plan attached hereto as Exhibit "C" and incorporated herein by reference;
- C.** The Streetscape Plan attached hereto as Exhibit "D" and incorporated herein by reference;
- D.** The Planned Development No. 95 Conceptual Elevations set forth in Exhibit "E" attached hereto and incorporated herein by reference; and

**E.** The Planned Development No. 95 Conceptual Landscape Plan as set forth in Exhibit “F” attached hereto and incorporated herein by reference;

provided, however, to the extent they do not conflict with or are otherwise superseded by the provisions of this Ordinance, the Property shall otherwise be used and developed in accordance with applicable provisions of the Comprehensive Zoning Ordinance, as heretofore amended and as amended herein.

**SECTION 3.** In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Farmers Branch and the provisions of this Ordinance as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

**SECTION 4.** Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 5.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 6.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 7.** This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH,  
TEXAS, ON THIS DAY, THE 11<sup>TH</sup> OF SEPTEMBER, 2018.**

ATTEST:

APPROVED:

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Amy Piukana, City Secretary

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Robert C. Dye, Mayor

APPROVED AS TO FORM:

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Peter G. Smith, City Attorney  
(kbl:8/9/18:101726)

**Ordinance No. 3515**  
**Exhibit "A" – Description of Property with Planned Development No. 95 (PD-95)**

**TRACT I - PARCEL A**

A tract of land situated in the Elisha Fike Survey, Abstract No. 478, in the City of Farmers Branch, Dallas County, Texas and being a part of Lot 1 of A & H Subdivision as recorded in Volume 75174, Page 748 of the Deed Records Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found in the West line of Dallas North Parkway, a distance of 247.85 feet in a Southerly direction from the South corner of a right-of-way corner clip at the intersection of the South line of Spring Valley Road (100 foot right-of-way) with the West line of Dallas North Parkway (variable width right-of-way);

THENCE South 00 degrees 18 minutes 19 seconds East, along the West line of said Dallas North Parkway a distance of 39.53 feet to a 1/2 inch iron rod found for corner at the beginning of a curve to the right having a central angle of 12 degrees 44 minutes 17 seconds and a radius of 371.97 feet.

THENCE South along said curve to the right, an arc distance of 82.70 feet to a 1/2 inch iron rod found for corner at the beginning of a curve to the left, having a central angle of 1 degree 56 minutes 56 seconds and a radius of 726.20 feet.

THENCE South along said curve to the left, an arc distance of 24.70 feet to a 5/8 inch iron rod found for corner;

THENCE South 90 degrees 00 minutes 0 seconds East, a distance of 5.09 feet to a 1/2 inch rod found for corner lying at the beginning of a curve to the left having a central angle of 10 degrees 49 minutes 16 seconds and a radius of 721.28 feet;

THENCE South along said curve to the left, an arc distance of 136.21 feet a 1/2 inch iron rod found for corner;

THENCE South 00 degrees 13 minutes 56 seconds East, a distance of 114.30 feet to a 1/2 inch iron rod found for corner;

THENCE North 90 degrees 00 minutes 00 seconds West, a distance of 491.85 feet to a 1/2 inch iron rod found for corner in the Easterly line of a 100 foot wide Dallas Power & Light Company easement according to the deed recorded in Volume 4633, Page 308 D.R. D.C.T.

THENCE North 17 degrees 01 minutes 00 seconds West, along the Easterly line of said 100 foot wide Dallas Power & Light Company easement, a distance of 413.30 feet to a 1/2 inch iron rod found for corner, said found rod also being the Southwest corner of the 5050 Spring Valley Road tract;

THENCE North 90 degrees 00 minutes 00 seconds East, along the south line of said 5050 Spring Valley Road tract, a distance of 262.82 feet to a 1/2 inch iron rod found for corner, said found rod also being the Southwest corner of Lot 1, Block A of the Centura Addition;

THENCE North 89 degrees 57 minutes 12 seconds East, a distance of 370.63 feet to the POINT OF BEGINNING and containing 5.0815 acres or 221,351.50 square feet.

### **TRACT I - PARCEL B**

A tract of land situated in the Elisha Fike Survey, Abstract No. 478, in the City of Farmers Branch, Dallas County, Texas and being all of Lot 1 of Inwood Road Office Development, an addition to the City of Farmers Branch according to the plat recorded in Volume 86190, Page 6128 of the Deed Records Dallas County, Texas recorded in Volume 75174, Page 748 of the Deed Records Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found at the most Southerly corner of right-of-way corner clip located at the point of intersection of the Southerly right-of-way line of Spring Valley Road (a 100 foot right-of-way) with the Westerly right-of-way line of Inwood Road (a variable width right-of-way);

THENCE North 29 degrees 55 minutes 35 seconds East, along said corner clip, a distance of 19.38 feet to a 1/2 inch iron rod found for the Northwest corner of said Lot 1;

THENCE South 89 degrees 54 minutes 22 seconds East, along the South line of said Spring Valley Road, a distance of 58.28 feet to a 5/8 inch iron rod with cap stamped "Pate Engrs" found for the Northwest corner of said Lot 1 and being located in the Westerly line of a 100 foot wide Dallas Power & Light Company easement according to the Deed recorded in Volume 4633, Page 308, D.R.D.C.T.;

THENCE South 17 degrees 01 minutes 00 seconds East, departing the Southerly right-of-way line of said Spring Valley Road and along the Westerly line of said 100 foot wide Dallas Power & Light Company easement, a distance of 728.88 feet to a 1/2 inch iron rod found for the Southeast corner of said Lot 1;

THENCE South 72 degrees 59 minutes 00 seconds West, departing the the Westerly line of said Dallas Power & Light Company easement, a distance 79.90 feet to a 1/2 inch iron rod found for the Southwest corner of said Lot 1 and located in the Easterly right-of-way line of said Inwood Road ( a 92 foot right-of-way at this point)

THENCE North 17 degrees 01 minutes 00 seconds West, along the Easterly line of said Inwood Road, a distance of 596.91 feet to a 1/2 inch iron rod found for the beginning of a curve to the right having a radius of 150.00 feet and a central angle of 17 degrees 10 minutes 27 seconds;

THENCE along said curve to the right for an arc distance of 44.96 feet to a 1/2 inch iron rod found for the beginning of a reverse to the left having a radius of 75.00 feet and a central angle of 17 degrees 10 minutes 27 seconds;

THENCE along said reverse curve to the left for an arc distance of 22.48 feet to a 1/2 inch iron rod found for the point of tangency;

THENCE North 17 degrees 01 minutes 00 seconds West, a distance of 69.45 to the POINT OF BEGINNING, and containing 57,911.3 square feet or 1.3295 acres of land.

## **TRACT II**

A tract of land situated in the Elisha Fike Survey, Abstract No. 478, in the City of Farmers Branch, Dallas County, Texas and being all of Lot 1 in Block B of Beltway/Champion No. 1, an addition to the City of Farmers Branch, according to the plat thereof recorded in Volume 93192, Page 4878, Deed Records Dallas County, Texas, said tract conveyed to Janiaw Properties, Inc. by Deed recorded in Volume 97059, Page 1242, Deed Records Dallas County Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for corner in the Northeast line of Inwood Road (a 92 foot right-of-way at this point) said found rod being the northwest corner of said Lot 1 in Block B, and also being the Southwest corner of Lot 1 of Inwood Road Office Development, an addition to the City of Farmers Branch, Texas according to the map thereof recorded in Volume 86190, Page 6128, Deed Records Dallas County Texas;

THENCE North 72 degrees 59 minutes 00 seconds East, departing the Northeast line of Inwood Road and with the common line of said Lot 1 in Block B and Lot 1 of Inwood Road Development, a distance of 79.90 feet to a 1/2 inch iron rod found for the Northeast corner of said Lot 1 in Block B, and said found rod lying in the Southwest line of a 100 foot wide Dallas Power & Light Company easement right-of-way recorded in Volume 4633, Page 308, Deed Records Dallas County Texas;

THENCE South 17 degrees 01 minutes 00 seconds East, with the Southwesterly line of said Dallas Power & Light Company right-of-way, a distance of 465.72 feet to a 5/8 inch iron rod found for the South corner of said Lot 1 in Block B, and said point being the beginning of a non-tangent curve to the left having a central angle of 10 degrees 24 minutes 38 seconds and a radius of 748.00 feet;

THENCE Northwesterly, along the Northeast line of Inwood Road and along said curve to the left, an arc distance of 253.24 feet to a found 1/2 inch iron rod at the beginning of a curve to the right having a radius of 654.00 and a central angle of 19 degrees 24 minutes 48 seconds.

THENCE Northwesterly, continuing with the Northeast line of Inwood Road and along said curve to the right, an arc distance of 221.56 feet to the POINT OF BEGINNING, and containing 18,171.80 square feet or 0.4171 acres of land.

## **TRACT III**

A tract of land situated in the Elisha Fike Survey, Abstract No. 478, in the City of Farmers Branch, Dallas County, Texas and being all of Lot 3 of Stanford Corporate Centre No. 2, an addition to the City of Farmers Branch according to the plat recorded in Volume 88251, Page 4182 Deed Records Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found in the West line of Dallas North Parkway (a variable width ROW) being the Easterly common corner between Lot 2 and Lot 3 of said Stanford Corporate Centre No. 2;

THENCE South 89 degrees 45 minutes 00 seconds West, along the common line between said Lot 2 and Lot 3, a distance of 395.08 feet to a 1/2 inch iron rod found for corner in the Northeasterly line of a 100 foot wide Dallas Power & Light Company right-of-way, said found rod also being the Westerly common corner between said Lot 3 and Lot 2;

THENCE North 17 degrees 01 minutes 00 seconds West, with the common line between said Dallas Power Light Company right-of-way and said Lot 3 a distance of 335.09 feet to a found 1/2 inch iron rod for corner;

THENCE North 90 degrees 00 minutes 00 seconds East a distance of 491.85 feet to a 1/2 inch iron rod found for corner in the Westerly line of said Dallas North Parkway

THENCE South 00 degrees 13 minutes 56 seconds East with the Westerly line of said Dallas North Parkway a distance of 318.70 feet to the Point of Beginning and containing 141,755.70 square feet or 3.2542 acres of land.

**Ordinance No. 3515**  
**Exhibit “B”**  
**Development Standards for Planned Development No. 95 (PD-95)**  
**(rev. September 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 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. 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**

1. Each exterior wall shall be a minimum 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 twenty percent (20%) of the exterior façade.

2. 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.
3. 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.
4. Only decorative metal fences are permitted.
5. 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 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 fires 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**

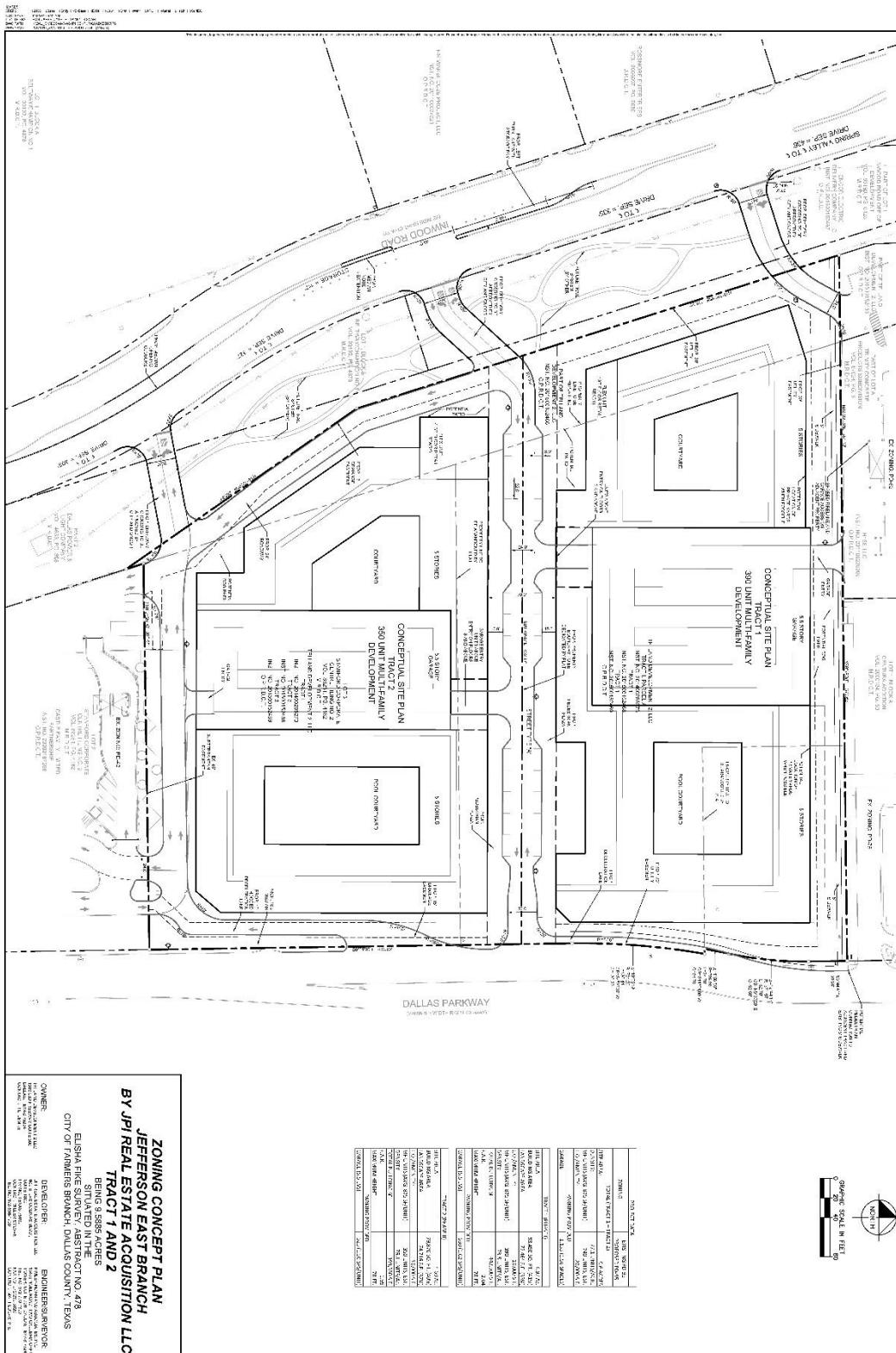
1. In those circumstances where the owner/applicant believes that, due to unique characteristics of the site or other circumstances, strict compliance with the standards set forth in this Ordinance is not feasible or desirable and that deviation from the standards will allow for equal or better results,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

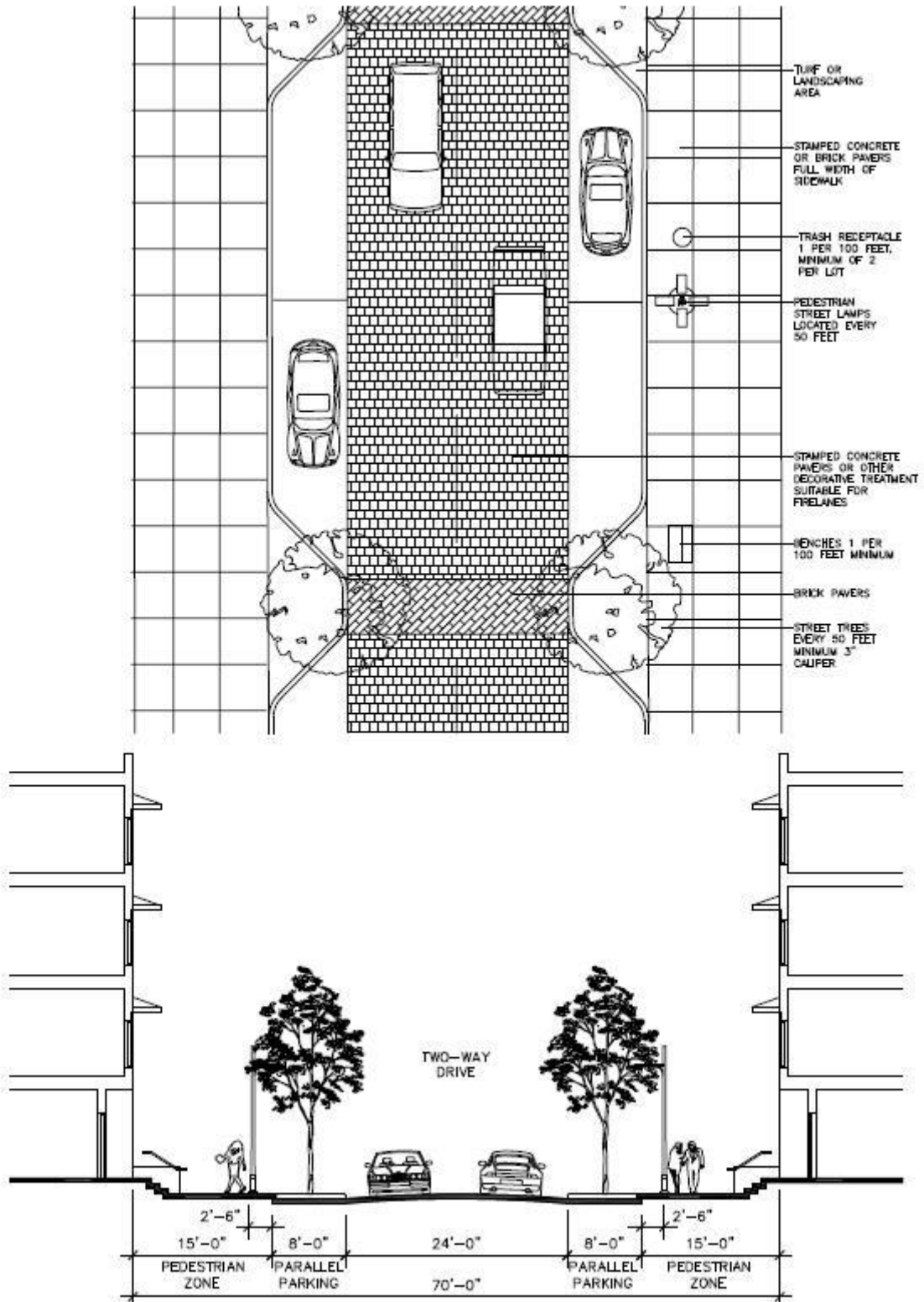
- 2.** All decisions of the Planning and Zoning Commission regarding a special exception requested pursuant to this Section II.C. shall be final unless appealed to the City Council. An applicant may appeal the decision of the Planning and Zoning Commission by filing a letter requesting an appeal with 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. 3515  
Exhibit "C"  
Planned Development No. 95 Conceptual Site Plan





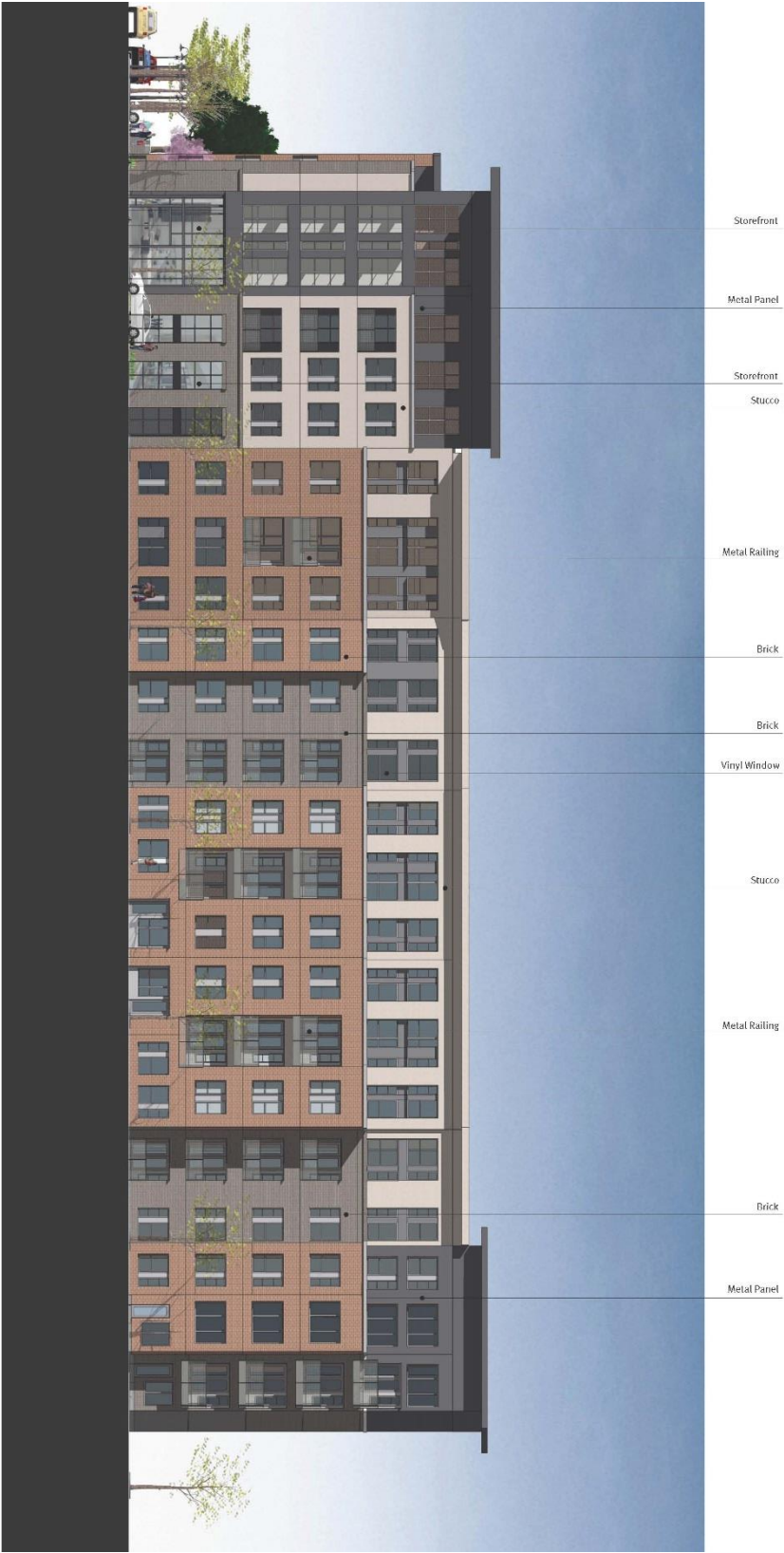
**Ordinance No. 3515**  
**Exhibit "D"**  
**Streetscape Plan – Type A**



# Ordinance No. 3515

## Exhibit "E"

### Planned Development No. 95 Conceptual Elevations



**JHP**

Centura MF  
Farmers Branch, TX



Dallas Parkway Elevation

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**Ordinance No. 3515**  
**Exhibit “E”**  
**Planned Development No. 95 Conceptual Elevations (cont.)**





The site plan illustrates the layout of two development phases. **Tract 1 (Phase I)** includes a large building footprint, a **COURTYARD (7,348 SF)**, a **POLY COURTYARD (10,279 SF)**, a **PARKING GARAGE (630 spaces)**, and a **LEASING/AMENITY** area. **Tract 2 (Phase II)** features a building footprint, a **COURTYARD (8,915 SF)**, a **PARKING GARAGE (525 spaces)**, a **POOL COURTYARD (12,575 SF)**, and a **LEASING/AMENITY** area. The plan also shows two **FLEX UNIT** buildings and various landscaping elements like trees and shrubs. The site is bounded by **INWOOD ROAD** to the north, **DALLAS PARKWAY** to the east, and **STREET TYPE B** to the south and west.

Land-use Summary	FY Volume (acres)	FY Volume (cwt)
Arrows in landscape (see Appendix A)	RECOVERED	17,920 cwt
Arrows in landscape (see Appendix A)	58,252 ac	328,724 cwt
Arrows in Stream Trench	8 Times	13,074 cwt (see Notes)
Arrows in Stream Trench	9 Times	9 Times (see Notes)
Arrows in Stream Trench	13 Times	13 Times (see Notes)

[illegible]

- A FOUNDATION PLANTING (SHRUBS, GC)
- B PARKING GARAGE ENTRANCE
- C POTENTIAL DOG PARK
- D STREET TREES (TYP)
- E POTENTIAL PATIO
- F PARALLEL PARKING STALLS
- G PROPOSED PEDESTRIAN PLAZA
- H POTENTIAL POCKET PARK
- I LANDSCAPE SCREENING
- J 5' SIDEWALK
- K FUTURE GEENBELT SYSTEM (BY OTHERS)