

TOWN OF ADDISON, TEXAS

ORDINANCE NO. O16-003

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, CREATING PLANNED DEVELOPMENT DISTRICT 16-003 FOR RETAIL, RESTAURANT, RESIDENTIAL AND OFFICE USES WITH MODIFIED DEVELOPMENT STANDARDS ON APPROXIMATELY 17.4 ACRES OF PROPERTY LOCATED AT 4150 BELT LINE DRIVE; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00); AND PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, at meetings held on December 15, 2015 and January 5, 2016, the Planning & Zoning Commission considered and made recommendations on a request for a Planned Development District (Case No. 1725-Z); and

WHEREAS, this change of zoning is in accordance with the adopted Comprehensive Plan of the Town of Addison, as amended; and

WHEREAS, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this amendment promotes the general welfare and safety of this community.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. The recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

Section 2. Planned Development District **16-003** is hereby established for the 17.4 acres of property located at 4150 Belt Line Drive and more specifically described in **Exhibit A** attached hereto and incorporated herein (the "Property"), to allow retail, restaurant, residential and office uses developed in accordance with the Development Standards contained in **Exhibit B** attached hereto and incorporated herein and in accordance with the following conditions:

- A. The private drive commonly referred to as Runyon Road between the western property line and the intersection of Belt Line Road shall be upgraded to Town standards and become public right of way.
- B. The Townhouses and Live/Work units within Block A (as shown on the concept plan) shall be constructed using noise mitigation methods so that outside noise levels, measured within the habitable space of the units, do not exceed 45 DNL. A certified acoustical engineer shall approve the construction plans for these units to assure they will provide a 45 DNL noise level, and a certified acoustical engineer shall inspect the units, once constructed, and verify that the required noise level has been attained.

- C. The sanitary sewer line servicing this development shall be increased to a minimum 10' line in accordance with Town standards. This includes approximately an additional 230 linear feet of line than is being proposed in the applicant's wastewater study.
- D. The driveway access to the property adjacent to this site (4180 Belt Line Road) shall be reconstructed to align with the entrance/exit of the parking structure being proposed on the site. The applicant shall make any improvements necessary on the adjacent property (4180 Belt Line Road) to accommodate the driveway relocation.
- E. Medical and health related uses shall be permitted upon approval of a Special Use Permit.
- F. All construction traffic shall access the site from Runyan Road and Belt Line Road only.
- G. The existing screening wall along the southern property line shall not be removed until construction has commenced on the townhome units along the wall.
- H. A short, wrought iron or decorative fence or wall shall be installed to delineate the front yards of the Townhomes facing Beltway from the public green space/park.
- I. At least 25 live/work and/or townhome units must be under construction prior to the issuance of a building permit for the multifamily units or the garage building.
- J. A maximum of 330 multifamily units shall be allowed.
- K. The proposed street shown on the east side of the development shall be constructed with retractable bollards at Beltway to provide for public safety access only.
- L. The proposed street shown on that east side shall also be constructed with speed/traffic calming devices.
- M. The multifamily units shall be constructed as follows:
 - 1. The entire multifamily building and parking garage shall be LEED certified;
 - 2. There will be no linoleum or Formica surfaces in the units;
 - 3. All units shall be equipped with energy efficient appliances;
 - 4. All countertops must be granite, stone or better material.
- N. Courtyards shown on the Concept Plan will be designed and constructed with enhanced architectural and landscaping features including such elements as water features, landscaping and art features.

Section 3. Development and use of the Property must substantially comply with the Concept Plan shown in **Exhibit C** attached hereto and incorporated herein.

Section 4. The streets within the Property and connecting the development to existing public streets shall be designed and constructed in accordance with the street cross sections contained in **Exhibit D** attached hereto and incorporated herein.

Section 5. Street furnishings for the development of the Property shall include benches, trash receptacles and bicycle racks; shall be located as approved by the City; and shall be provided in accordance with **Exhibit E** attached hereto and incorporated herein.

Section 6. Prior to and as a condition of the issuance of a building or any other permit for (i) any development. or (ii) the construction, erection, alteration, extension, placement or locating of any building, structure, infrastructure element, or improvement whatsoever, within the Property or any portion thereof, a development plan for the same must be approved by the Planning and Zoning Commission and by the City Council in accordance with Article XV, Section 5 of the Zoning Ordinance, as amended. A development plan (whether submitted for the entire Property or for a portion thereof) must comply with the Concept Plan, the standards, terms and conditions of this Ordinance, the Zoning Ordinance, and all other applicable ordinances, laws, rules, regulations, codes and standards of the City and any other governmental entity or agency having jurisdiction over the Property or applicable portion thereof. Development, occupancy, and use of the Property or portion thereof which is covered by or the subject of a development plan must comply in all respects with the development plan. Upon approval of a development plan by the City Council, the same shall be incorporated into and made a part of this Ordinance for all purposes.

Section 7. The creation of Planned Development District **16-003** has been made in accordance with the comprehensive plan of the City for the purpose of promoting the health, safety and welfare of the community, and with consideration of the reasonable suitability for the particular use and with a view of conserving the value of the buildings and encouraging the most appropriate use of land within the community.

Section 8. That the provisions of the Town of Addison Code of Ordinances, as amended, shall remain in full force and effect save and except as amended by this ordinance.

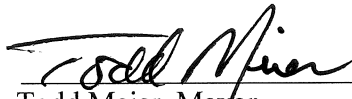
Section 9. That any person, firm, corporation, or other business entity violating any of the provisions or terms of this Ordinance shall, in accordance with Article XXVIII (Penalty for Violation) of the Zoning Ordinance, be fined, upon conviction, in an amount of not more than Two Thousand and No/100 Dollars (\$2,000.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

Section 10. The provisions of this Ordinance are severable, and should any section, subsection, paragraph, sentence, phrase or word of this Ordinance, or application thereof to any person, firm, corporation or other business entity or any circumstance, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of the remaining or other parts or portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining parts or portions of this Ordinance despite such unconstitutionality, illegality, or invalidity, which remaining portions shall remain in full force and effect.

Section 11. That all ordinances of the City in conflict with the provisions of this Ordinance be, and the same are hereby repealed, and all other ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect.

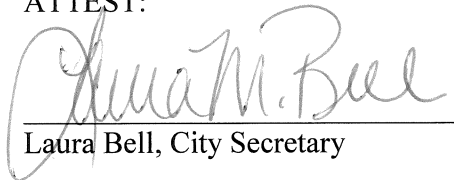
Section 12. This Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 26th day of January, 2016.



Todd Meier, Mayor

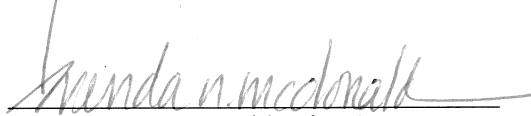
ATTEST:



Laura Bell, City Secretary

CASE NO: 1725-Z/Addison Groves

APPROVED AS TO FORM:



Brenda N. McDonald, City Attorney



PUBLISHED ON: _____

EXHIBIT A: PROPERTY DESCRIPTION

BEING a tract of land situated in the THOMAS L. CHENOWETH SURVEY ABSTRACT NO. 273 in the Town of Addison, Dallas County, Texas and being all of Replat of Lot 1, Block A, Sam's Club Addition, an Addition to the Town of Addison according to the Plat recorded in Volume 92109, Page 3696 of the Map Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod set for corner at the intersection of the South line of Beltline Road (a variable width right-of way) also being the Northeast corner Lot 4, Block A of Sam's Club Addition.

THENCE South 89 °25'00" East along the South line of said Beltline Road a distance of 171.87 feet to a 1/2 inch iron rod set for corner;

THENCE North 00 °35'00" East continuing along said south line a distance of 15.00 feet to a 1/2 inch rod set for corner;

THENCE South 89 °25'00" East along the said South line of Beltline Road for a distance of 202.08 feet to a 1/2 inch iron rod set for corner at the beginning of a non-tangent curve to the left having a radius of 317.00 feet, a central angle of 11 °45'03", and a chord which bears of South 76 °03'12" East 64.90 feet;

THENCE in a Southeasterly direction along the said South line of Beltline Road and said curve to the left for an arc distance of 65.01 feet to a 1/2 inch iron rod set at the end of said curve;

THENCE South 89 °25'00" East along the said South line of Beltline Road for a distance of 312.32 feet to a 1/2 inch iron rod set for corner in the West line of Lot 2, Block A of said Sam's Club Addition;

THENCE South 00 °01'18" West along West line of said Lot 2, Block A of said Sam's Club Addition a distance of 352.96 feet to a 1/2 inch iron rod set for corner;

THENCE North 89 °57'48" East along South line of said Lot 2, a distance of 203.47 feet to a 1/2 inch iron rod set for corner;

THENCE South 01 °18'15" East along the West line of said Sam's Club Addition a distance of 110.86 feet to a 1/2 inch iron rod set for corner;

THENCE West along the North line of Lot 3, Block A of said Sam's Club Addition a distance of 95.80 feet to a 1/2 inch iron rod set for corner;

THENCE South 00 °01'18" West along the West line of said Lot 3 a distance of 289.41 feet to South face of a brick wall as follows:

THENCE South 89 °59'37" West, a distance of 16.71 feet along said wall, a total distance of 20.14 feet;

THENCE South 86 °25'13" West, a distance of 15.13 feet;

THENCE South 66 °04'28" West, a distance of 9.84 feet;

THENCE South 64 °24'17" West, a distance of 15.43 feet;

THENCE South 62 °32'23" West, a distance of 15.64 feet;

THENCE South 66 °53'03" West, a distance of 16.43 feet;

THENCE South 77 °19'48" West, a distance of 16.07 feet;

THENCE South 80 °25'01" West, a distance of 16.08 feet;

THENCE South 81 °22'02" West, a distance of 15.88 feet;

THENCE South 87 °30'18" West, a distance of 15.73 feet;

THENCE South 89 °02'07" West, a distance of 32.33 feet;

THENCE North 89 °59'23" West, a distance of 56.82 feet;

THENCE North 89 °48'25" West, a distance of 56.42 feet;

THENCE South 00 °11'48" East, a distance of 6.11 feet;

THENCE South 89 °48'12" West, a distance of 100.29 feet;

THENCE South 00 °03'23" East, a distance of 3.93 feet;

THENCE South 89 °56'37" West, a distance of 24.19 feet;

THENCE North 00 °26'13" East, a distance of 5.95 feet;

THENCE North 89 °41'45" West, a distance of 25.76 feet;

THENCE North 00 °18'22" West, a distance of 6.39 feet;

THENCE South 89 °29'20" West, a distance of 24.40 feet;

THENCE South 00 °49'52" East, a distance of 9.91 feet;
THENCE South 89 °21'46" West, a distance of 25.89 feet;
THENCE North 00 °01'18" West, a distance of 9.87 feet;
THENCE North 89 °58'08" West, a distance of 97.86 feet;
THENCE South 00 °43'22" West, a distance of 10.07 feet;
THENCE South 89 °53'31" West, a distance of 102.06 feet;
THENCE North 00 °23'01" West, a distance of 9.95 feet;
THENCE North 89 °52'59" West, a distance of 97.97 feet;
THENCE South 00 °50'41" West, a distance of 9.97 feet;
THENCE North 89 °51'35" West, a distance of 26.00 feet;
THENCE North 01 °13'33" East, a distance of 3.78 feet;
THENCE North 89 °50'29" West, a distance of 26.13 feet;
THENCE North 00 °03'22" West, a distance of 6.29 feet;
THENCE South 89 °11'28" West, a distance of 26.17 feet;
THENCE South 01 °57'57" East, a distance of 9.55 feet;
THENCE South 88 °20'59" West, a distance of 26.04 feet;
THENCE North 00 °03'16" East, a distance of 4.02 feet;
THENCE South 89 °59'13" West, a distance of 90.27 feet;
THENCE North 01 °06'10" East, a distance of 55.89 feet;
THENCE North 89 °05'27" West, a distance of 6.66 feet;
THENCE North 00 °17'51" East, a distance of 27.11 feet;
THENCE South 89 °42'09" East, a distance of 9.26 feet;
THENCE North 01 °12'32" East, a distance of 22.36 feet;
THENCE North 89 °42'09" West, a distance of 10.17 feet;

THENCE North 00 °12'50" East, a distance of 36.84 feet;

THENCE North 89 °31'08" West, a distance of 40.30 feet, being a point for corner on the East line of said Lot 1, Block A of said Sam's Club Addition;

THENCE North 00 °01'18" East along the West line of said Sam's Club Addition a distance of 441.36 feet to a 1/2 inch iron rod set for corner in the South line of Lot 4, Block A of said Sam's Club Addition;

THENCE South 89 °25'00" East along the South line of said Lot 4 a distance of 175.00 feet to a 1/2 inch iron rod set for corner;

THENCE North 00 °01'18" East along the East line of said Lot 4 a distance of 230.00 feet to the POINT OF BEGINNING and Containing 17.347 acres or 755,648.37 square feet of land.

NOTE: LEGAL DESCRIPTION IS BASED ON REPLAT OF LOT 1, BLOCK A, SAM'S CLUB ADDITION, RECORDED IN VOLUME 2004081, PAGE 210, PLAT RECORDS, DALLAS, COUNTY, TEXAS

EXHIBIT B: DEVELOPMENT STANDARDS

1. Purpose.

The purpose of this Planned Development District (the "PD District," "Planned Development District," or "district") is to create a mixed use environment under a unified plan consisting of retail, restaurant, residential and office uses within a pedestrian-oriented village setting, to be developed in accordance with all of the standards, terms and conditions of this Ordinance (the "Ordinance"). These Planned Development conditions are incorporated into and made a part of the Ordinance for all purposes. Development, occupancy, and use of the Property and any portion thereof shall comply with development conditions set forth herein, with the Ordinance, with all applicable provisions of the Zoning Ordinance of the Town of Addison, Texas (the "City") (the same being Appendix A - Zoning of the Code of Ordinances of the City, and as it may be amended or superseded (the "Zoning Ordinance") and with all other applicable ordinances, laws, rules, regulations, standards, and codes of the City and any other governmental entity or agency having jurisdiction over the Property or applicable portion thereof.

2. Definitions, Interpretations.

Unless otherwise stated, the definitions and interpretations in the Zoning Ordinance apply to this Ordinance and the development conditions set forth herein.

3. Uses.

A. Authorized Uses/ Prohibited Uses. Only those uses identified herein as permitted uses, special uses, or accessory uses are authorized uses (subject to the terms, conditions and provisions of this Ordinance) within the Property. All other uses are expressly prohibited.

B. Permitted Uses.

(1). *Residential*. Residential uses within the Property are limited to the following:

Townhouse
Condominium
Multifamily (with a maximum of 330 units)

(2). *Live/Work*. For the purposes of the PD District, “Live Work” means a residential unit used jointly for commercial and residential purposes and must comply with the following provisions:

(a). Live/Work units shall be limited to a maximum of 25 units and must be labeled as such on the approved concept and development plan.

(b). The commercial use is limited to occupations such as accountants, architects, artisans, attorneys, computer and multimedia related professionals, consultants, engineers, hair stylists, insurance, real estate, travel agents, one-on-one instructors, and similar occupations as may be approved by the Zoning Administrator provided that the use does not detract from, or pose a nuisance to, the adjacent uses.

(c). Both the residential and commercial components of the Live/Work unit must be occupied by the same tenant.

(3). *Retail*. Retail uses within the Property are limited to the following (all uses listed below are for retail use only (whether or not so specified), and are subject to the General Conditions set forth in subsection D. of this section):

- Antique shop
- Art gallery
- ATM facilities
- Bakery, retail sales only
- Bank without drive-thru
- Barber and beauty shop
- Bicycle sales and service
- Book or stationery store
- Business support services
- Camera shop
- Candy, cigars and tobaccos, retail sales only
- Caterer and wedding service (sales office only, no commercial kitchen)
- Cleaning, dyeing and laundry pick-up station for receiving and delivery of articles to be cleaned, dyed and laundered, but no actual cleaning, dyeing, or laundering work is to be done on the premises
- Cleaning, dyeing and laundry pick-up station, with cleaning, dyeing and/or laundry work done on the premises (upon the issuance of a special use permit)
- Coffee shop (no seating on premises)
- Convenience store
- Cosmetic and beauty supplies
- Dance studios
- Department store
- Dental Clinic
- Donut and pastry shop (no seating on premises)

Drug store, retail sales only
Electrical goods and fixtures for consumer use
Electronics store
Film developing and printing
Financial services
Fix-it shops, bicycle repair
Florist, retail sales only
Furniture sales, repairs and upholstery
Gallery, for the display and sale of artworks
Grocery store - retail sales only
Hardware, sporting goods, toys, hobby, paints, wallpaper, clothing, retail sales only
Health club - private and public
Household and office furniture, furnishings and appliances, retail sales only
Jewelry, optical goods, photographic supplies - retail sales only
Leasing office
Magazine store
Meat market, retail sales only
Medical and health related uses (upon the issuance of a special use permit)
Message and chiropractic offices
Movie DVD and VHS rental and sales
Nail salon
Optician and optical store
Pet and pet supplies
Pet grooming and pet boarding, including overnight pet boarding
Photographer or artist studio
Pizza delivery shop, no seating on premises
Piano and musical instruments
Plumbing shop, without warehouse facilities (to include storage for ordinary repairs, but not storage for materials for contracting work)
Printing, copy shop, and mail reception, retail sales only
Professional offices for architect, attorney, engineer and real estate
Public garage, parking, no repairs
Public safety facilities (upon the issuance of a special use permit)
Restaurant (upon the issuance of a special use permit)
Sale of alcohol for on-premises consumption in conjunction with a restaurant (upon the issuance of a special use permit)
Sale of beer and wine for off-premises consumption in conjunction with a convenience or grocery store, but not including a store for which beer and wine sales constitute the primary source of revenue for the business (upon the issuance of a special use permit)
Seamstress, dressmaker, or tailor
Shoe repair shop, retail sales only
Studio for the display and sale of glass, china, art objects, cloth and draperies
Studios, dance, music, drama, martial arts

Tailors
Telephone stores
Title companies
Transit facilities (upon the issuance of a special use permit)
Travel services
Wearing apparel, including clothing, shoes, hats, millinery and accessories

(4). *Office*. (Defined under article XXX of the Zoning Ordinance)

(5). *Home office*. For the purposes of this PD District, "home office" means and includes office uses that are performed in a residential dwelling unit or in an office attached to a residential dwelling unit, that do not involve any structural change to the building or premises in which the use is conducted. A home office use which is located on the ground floor of a building may include the employment of not more than three employees, including the person who is the primary resident of the residential dwelling unit where the home office use is conducted. A home office use which is located on any floor of a building other than the ground floor may not include the employment of any employee other than a person who is a primary resident of the residential dwelling unit where the home office use is conducted.

(6). *Civic*. (Defined under article XXX of the Zoning Ordinance)

(7). *Mixed use (with residential)*. (Defined under article XXX of the Zoning Ordinance)

(8). *Mixed use (with nonresidential)*. (Defined under article XXX of the Zoning Ordinance)

C. Accessory Uses. The following are permitted as accessory uses within the Property:

- (1). Community, social, hobby, or laundry facilities for use by occupants of a residential development within the Property which are customary to residential developments.
- (2). Recreation space and facilities.
- (3). Parking and parking structures.
- (4). Other uses customarily incidental and subordinate to permitted uses and any special uses.

D. General Conditions. Development, occupancy, and use of the Property shall comply with the following conditions, as applicable:

- (1). *Retail Use*. A retail use may be operated or conducted only in accordance with the following:
 - (a) A retail use is permitted only in connection with and as a part of a "mixed use (with residential)," which includes live/work units as the same

is defined in Article XXX of the Zoning Ordinance.

(b) Free-standing retail is prohibited. For purposes hereof, "free-standing retail" means the use or occupancy of a freestanding building for a retail use.

4. Development Standards.

A. For purposes of determining parking and open space compliance, the entire Property shall be considered as one lot. For example, retail parking in one phase of development, such as parking in a parking structure, may be applied to the required parking in another phase of retail development. Notwithstanding the consideration of the entire Property as one lot for parking and open space compliance purposes, parking for each development or phase of a development within the Property must be sufficient (and satisfy all of the standards set forth herein) for the development or phase thereof

B. Development, occupancy, and use of the Property shall comply with the development standards set forth in the following **Table A**:

Table A: Development Standards	
<u>Street Build-to Line</u>	Street build-to lines within the property are as shown or identified on the Concept Plan and Street Cross Sections. No more than 30 percent of any street frontage may vary from the build-to line. Buildings greater than three stories in height may be set back above the third floor a maximum of 10 feet behind the building face of the first three floors along the street.
<u>Side Yard Setback</u>	None
<u>Rear Yard Setback</u>	None
<u>Perimeter Setback</u>	10 feet
<u>Minimum Building Height</u>	23 feet/2 stories
<u>Maximum Building Height</u>	Single-Family maximum height to midpoint of roof = 60 feet Multifamily maximum height to midpoint of roof = 85 feet

	Parking structure maximum height = 85 feet. Structure may not exceed height of multifamily structures.
	Detached non-residential structure maximum height = 60 feet All heights subject to FAA approval.
<u>Minimum Lot Area</u>	None
<u>Minimum Lot Width</u>	None
<u>Minimum Lot Depth</u>	None
<u>Minimum Area per Residential Dwelling Unit</u>	Efficiency = 450 SF One-Bedroom = 600 SF Two-Bedroom = 850 SF Three-Bedroom = 1,000 SF Townhouse = 1,350 SF Live/Work Units = 2,000 SF
<u>Maximum Non-Residential Square Footage</u>	With the exception of Live/Work units, maximum = 30,000 SF
<u>Maximum Lot Coverage</u>	95%
<u>Buildings fronting each other shall be no closer than 30 feet.</u>	

C. Miscellaneous development standards: (1). Lot coverage:

- (a) The area of a porch or arcade fronting a public street is not included in the calculation of lot coverage.
- (b) The area of an above-grade parking structure is included in the calculations of lot coverage.

(2). Height: Architectural features including, but not limited to, turrets, spires and towers may exceed maximum height of building provided that any such structure is no more than 15 feet higher than the maximum permitted height and has a floor plan which is ten percent or less, of the ground floor area of the building of which it is a part.

(3). Setbacks:

- (a) *Overhangs and fireplaces.* The minimum setback requirements shall apply in all cases, except that fireplaces, eaves, bays, balconies and fireproof stairways may extend up to a maximum of five feet into the required setbacks above the first floor.

(b) *Patios*. Patios may be constructed within the required setback zones.

(4). Buildings which are located on axis with a terminating street or at the intersection of streets shall be considered a landmark building. Such buildings shall be designed with landmark features which take advantage of that location, such as an accentuated entry and a unique building articulation which is off-set from the front wall planes and goes above the main building eave or parapet line.

5. Open Space.

A. Two acres for every 1,000 residents shall be dedicated for public open space use by the project applicant. After sufficient open space has been dedicated to meet the requirement for 2,250 residents, 1 ½ acres of open space for each 1,000 residents shall be dedicated for public use by the project applicant. For purposes of this section, the number of residents expected to reside in the Property (or applicable portion thereof) shall be determined by estimating the number of dwelling units authorized for a proposed project, multiplied by a factor of 1.5 persons per dwelling unit. Notwithstanding the foregoing, a minimum of 1.5 acres of open space shall be provided.

B. Land and improvements proposed to be dedicated as public open space shall be clearly shown on the Concept Plan and final development plan submittals.

C. Land and improvements to be dedicated for public open space shall be considered initially by the Planning and Zoning Commission and thereafter shall be submitted to the City Council for consideration of acceptance of the proposed dedication. No dedication shall be deemed approved without express action of the City Council in the form of a Resolution accepting the dedication. Failure of the City Council to execute an acceptance of dedication shall be deemed to be a refusal of the proposed dedication.

D. The area designated as open space shall be improved in accordance with a plan approved by the City prior to installation, and the improvements shall be accepted as part of the receipt of dedication of the open space for public park purposes and shall thereafter be maintained by the City.

E. In its approval of any development plan, the City may impose such conditions as deemed necessary to ensure that the intent and purpose of this section is satisfied, including but not limited to conditions relating to the timing of the open space improvements and dedication.

6. Parking.

A. *Generally*. Off-street parking must be provided for the appropriate building use classification according to the following ratios:

- (1). *General retail*. (1/300 s.f.) One space per each 300 square feet of gross floor area.
- (2). *Furniture store*. (1/1,000 s.f.) One space per each 1,000 square feet of gross

floor area.

- (3). *Medical or dental clinics.* (1/300 s.f.) One space per each 300 square feet of gross floor area.
- (4). *Bank or savings and loans.* (1/300 s.f.) One space per each 300 square feet of gross floor area.
- (5). *Office.* (1/300 s.f.) One space per each 300 square feet of gross floor area. An office building or group of buildings, which shall total 50,000 square feet or more: (1/400 s.f.). One space per 400 square feet of gross leaseable area.
- (6). *Health club or studio for dance, music, drama, health and reducing.* (1/100 s.f.) One space per each 100 square feet of gross floor area.
- (7). *Residential: Townhome and Live/Work.* Two (2) spaces/unit. Spaces may be in tandem.
- (8). *Residential: Multifamily Apartments.* One (1) space/ bedroom.
- (9). *Restaurant.* (1/100 s.f.) One space per each 100 square feet of gross floor area.
- (10). *Civic.* To be determined by parking demand analysis study for proposed use and approved by the City's Zoning Administrator.
- (11). *Mixed Use.* Number of spaces resulting from application of ratios provided above for respective uses in the development.

B. *Shared parking.* Uses may join in establishing shared parking areas if it can be demonstrated that the parking for two or more specific uses occurs at alternating time periods. Required parking shall be determined based on parking demand for the peak parking period as determined by a parking analysis study approved by the City's Zoning Administrator.

C. *Below-grade parking.* Off-street below-grade parking is permitted to the lot lines, but must be designed to allow for proper ventilation and the planting of landscape materials.

D. *Parking garages.* Parking garage ramps shall not be expressed on the facades of parking structures fronting, or visible from public streets. Steel parking garages and steel guard cables on the garage facades are prohibited. The maximum length of an exposed parking structure along a street is 200 feet.

E. *Bicycle parking.* Bicycle parking shall be provided for all multi-family and commercial uses.

7. Exterior Appearance.

A. *Materials:*

- (1). For Townhouses and Live/Work units, at least 80 percent of the exterior cladding of all exterior walls shall be masonry construction.
- (2). For all other buildings (including above grade parking structures) at least 80 percent of the exterior walls fronting or visible from public streets or public open space shall be masonry construction.
- (3). For purposes of this planned development district, "masonry construction"

includes, but is not limited to brick, stone, cultured stone, glazing and plate glass, and split face concrete masonry units. An applicant, however, may submit a design for construction of parking structures that employs alternative construction materials for exterior cladding with an application for a development plan. The alternative may be approved by the city upon determination that such construction will result in an appearance that is compatible with surrounding buildings and the overall character of the district.

(4). No more than 15% of each exterior wall fronting or visible from public streets (including above grade parking structures) shall use accent materials such as architectural metal paneling, tile, and fiber cement siding (e.g. hardi-material).

(5). For buildings which are not Townhouses or Live/Work units, up to 40 percent of exterior cladding of all walls not fronting on, or not visible from, public areas (including above grade parking structures) may be constructed of noncombustible materials including exterior stucco and fibrous cementitious material (e.g. hardi-material) construction.

(6). The exterior cladding (excluding glass) of all buildings, (including above grade parking structures) shall be composed of not more than three materials (excluding roofs).

(7). The following materials are prohibited as primary cladding materials:

- Aluminum siding or cladding
- Fiberboard or Masonite siding
- Wood roof shingles
- Unfinished concrete block (architecturally finished concrete block is permitted as a cladding material)

(7). The following materials are prohibited as primary roofing materials:

- Wood roof shingle
- Composite shingles with less than a 50-year life

(8). Balcony and patio railings and fences shall be constructed of wrought iron, steel or glass. Wood fences and railings and chain-link fencing are prohibited.

(9). All balcony and stairway walking surfaces shall be constructed of noncombustible materials. The structural elements may be constructed of noncombustible materials or decay-resistant wood or as required by the Building Code. All handrails and guardrails shall be constructed of noncombustible materials.

B. Windows:

(1). With the exception of Live/Work units, where a retail use occupies the first floor, at least 70 percent of the first floor exterior wall facing a thoroughfare, street, boulevard or parking plaza shall be transparent glazing.

(2). Glass is to be clear or tinted, not reflective.

C. *Walls*. Walls attached to buildings shall be developed as architectural extensions of the building, constructed of the same material and in the same style.

D. *Color*. The dominant color of all buildings (including above-grade parking structures) shall be muted shades of color. Black and stark white shall not be used except as accent color. There are no restrictions on accent colors which comprise less than 1.0% of the building face, except that fluorescent colors are prohibited.

8. *Landscape*. Landscaping within the Property shall comply with the provisions in this section and with the standards contained in the Town of Addison Code of Ordinances, as amended. Where conflicts exist between this section and the landscaping regulations, requirements in this section shall control.

A. *Streetscape Zone*. In this district, all streetscape elements, including street trees, lighting and other furnishings must be provided in the right-of-way, exclusive of driveways and access ways at points of ingress and egress to and from each lot.

(1). *Street Trees* -Street trees shall be provided in accordance with the following:

(a). Each street shall have street trees planted at uniform spacing, commencing no closer than 40 feet from the face of the curb of intersecting streets.

(b). Typically, street trees shall be planted as shown on the street cross sections at a spacing of 35 feet on center in tree wells of 5 feet wide by 10 feet long.

(c). Street tree varieties shall be approved by the City having a minimum of four (4) caliper inches.

(d). The streetscape shall have a continuous soil trench 5 feet wide and 3 feet deep with root barriers. The soil mixture for the soil trench shall be approved by the City. Any paving, structural elements, base course material or other associated items in/on/over the soil trench must be approved by a professionally licensed geotechnical engineer with final approval by the City.

(2). *Street Lighting*. Street lighting shall be provided in accordance with the following:

(a). Each street shall have street lamps uniformly spaced between trees as shown on the street cross sections. The exact location shall be provided in accordance with a lighting plan approved at the time of development plan approval. Photometric drawings will be required with

a minimum light level of 2 foot candles in all pedestrian areas.

(3). Landscaping for Non-residential ground floor frontages. Non-Residential ground floor frontages may pave the area between the building face and sidewalk.

(4). Landscaping for residential ground floor frontages. Residential ground floor frontages shall be required to landscape the entire area between the edge of sidewalk and the primary building facade, excluding access to sidewalks, stairs, stoops, porches and patios. This area must be irrigated, and may be landscaped with ground cover, low shrubs, and ornamental trees.

B. *Private Open Space*. Private open space, which is owned and maintained by the developer, shall be landscaped and irrigated. The landscaping plan for the private open space shall be approved by the City as a part of the development plan approval for each development.

C. *Parking Lot Screening*. Screening must be provided for all surface parking lots within the Property from all adjacent streets. The screening must extend along the entire street frontage of each surface parking lot, exclusive of (i) driveways and access ways at points of ingress and egress to and from the site and (ii) visibility triangles. Screening shall be provided in accordance with the standards contained in the Town of Addison Code of Ordinances, as amended.

D. *Perimeter Screening*. Masonry or landscape screening shall be provided from properties west of this property. Screening shall be approved by the City as part of the development plan approval for each development.

10. Screening of Mechanical Equipment and Service Areas:

A. Mechanical equipment shall be mounted on the roof and be screened from view from all rights-of-way and located to minimize noise intrusion off each lot. The required screening must be composed of the same exterior materials as the buildings on the lot, or through the use of masonry walls, ornamental fence (80 percent opaque), evergreen landscape material, or combination thereof.

B. Loading, service, and trash storage areas shall be screened from all public roadways. Refuse containers must be placed on a designed, reinforced concrete pad, including drive approach. The required screening must be composed of the same exterior materials as the buildings or through the use of masonry walls, ornamental fence (80 percent opaque), evergreen landscape material, or combination thereof.

C. All roof-mounted mechanical elements must be screened from view from the public right-of-way and neighboring properties. Screening must be architecturally compatible with the building design.

11. Multifamily Units:

- A. The entire multifamily building will be LEED certified
- B. There will be no linoleum or Formica in the multifamily units
- C. All units will be equipped with energy efficient appliances
- D. Counter tops in all units must be granite, stone or better

EXHIBIT C: CONCEPT PLAN

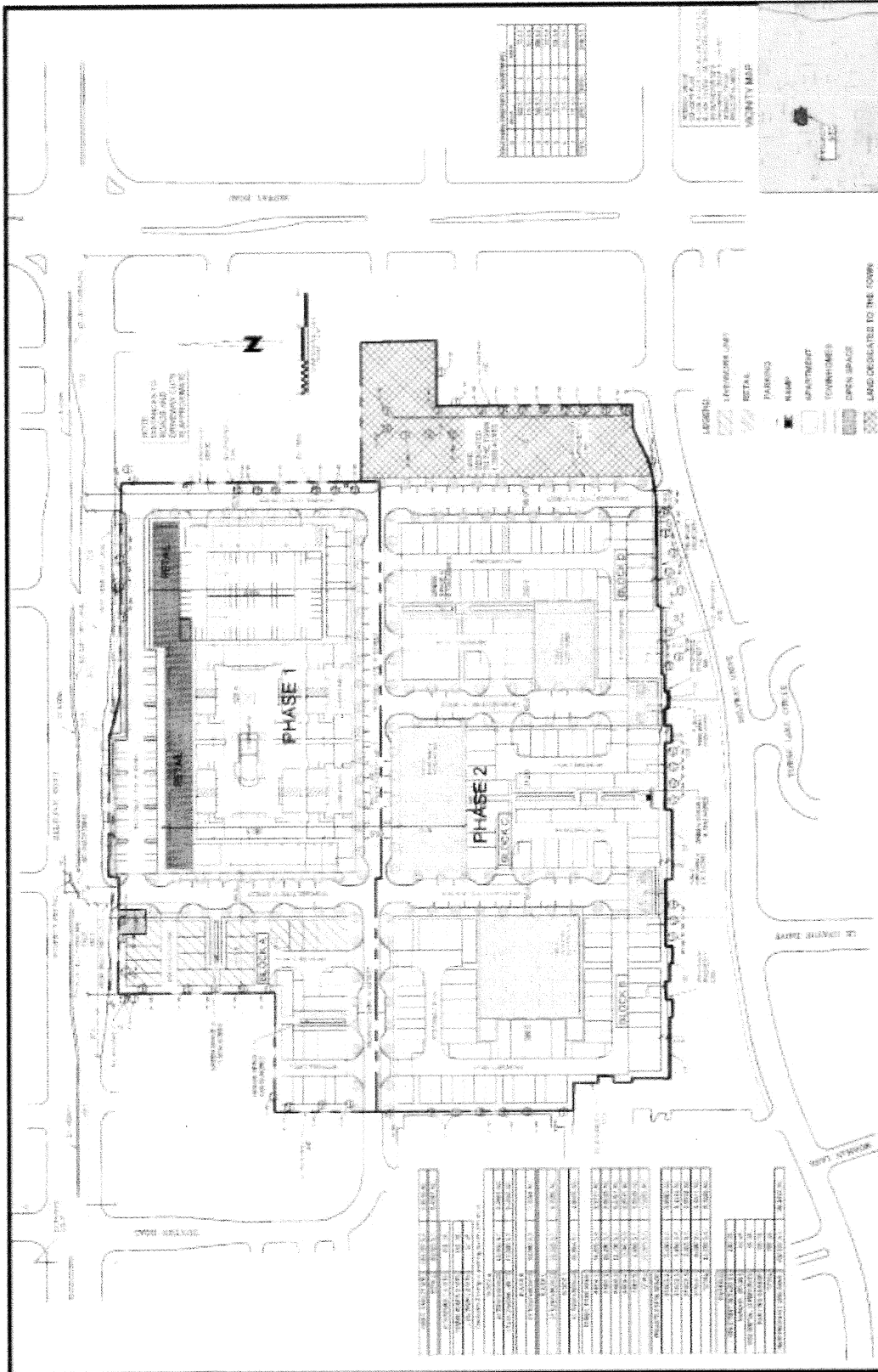
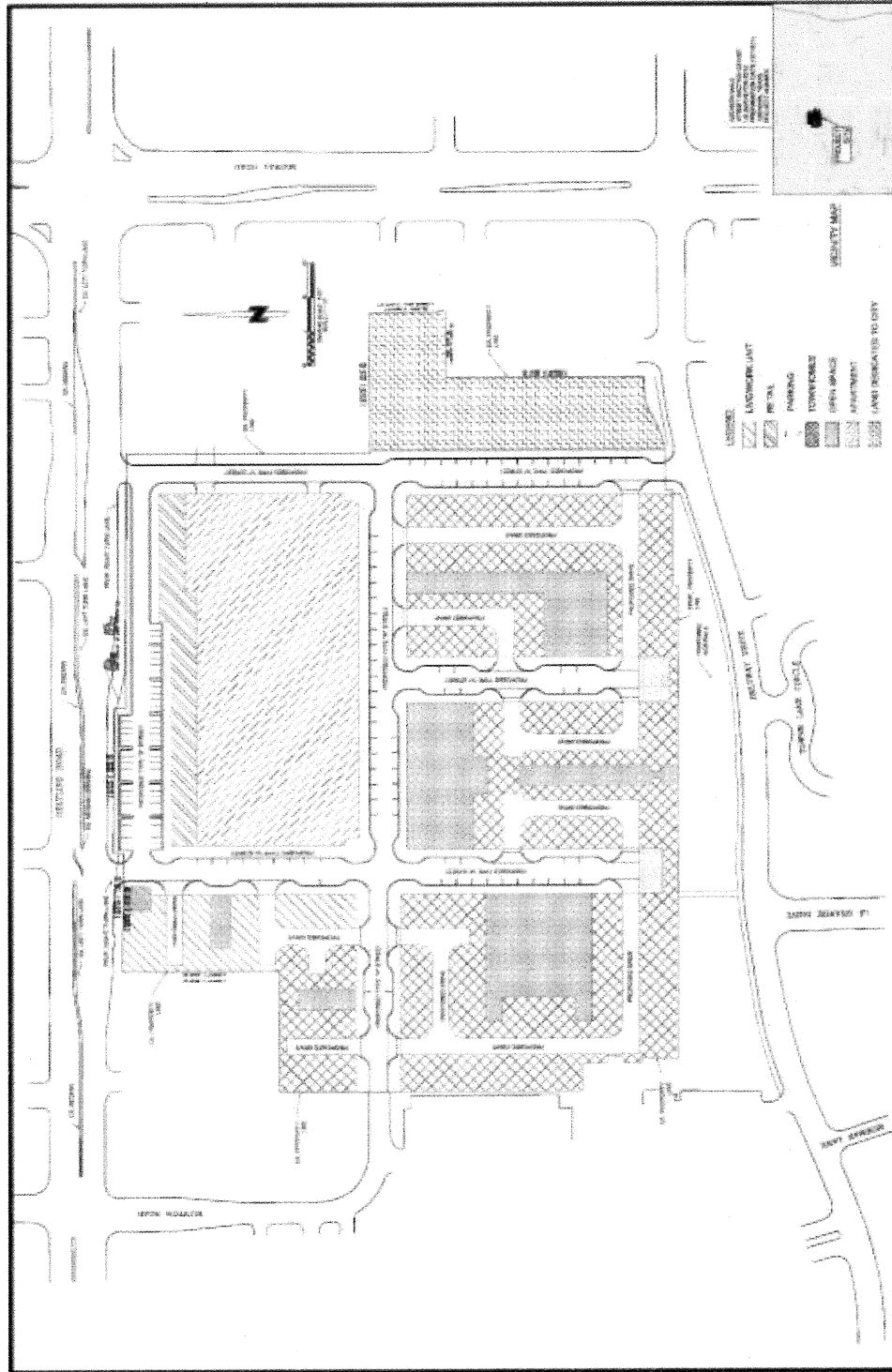
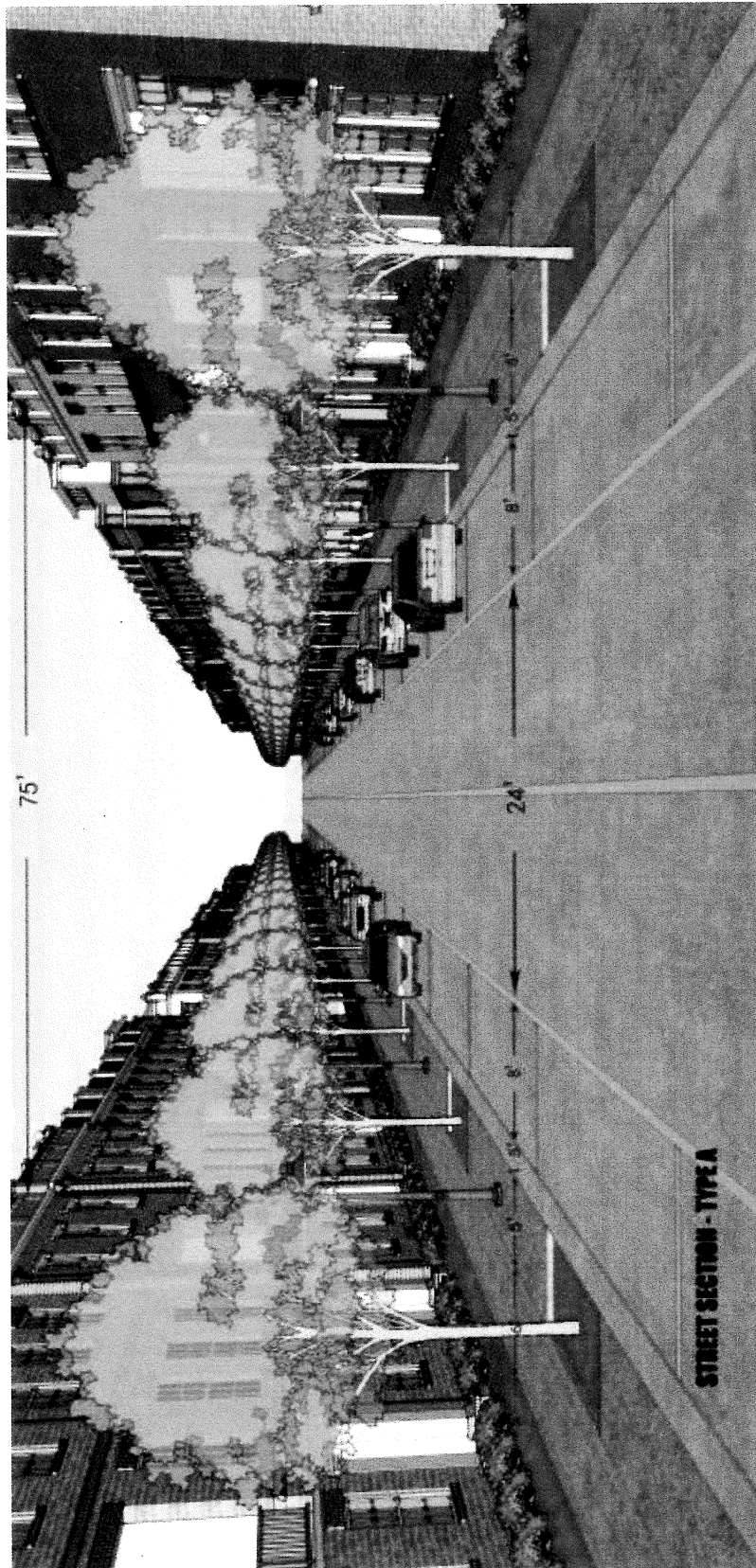
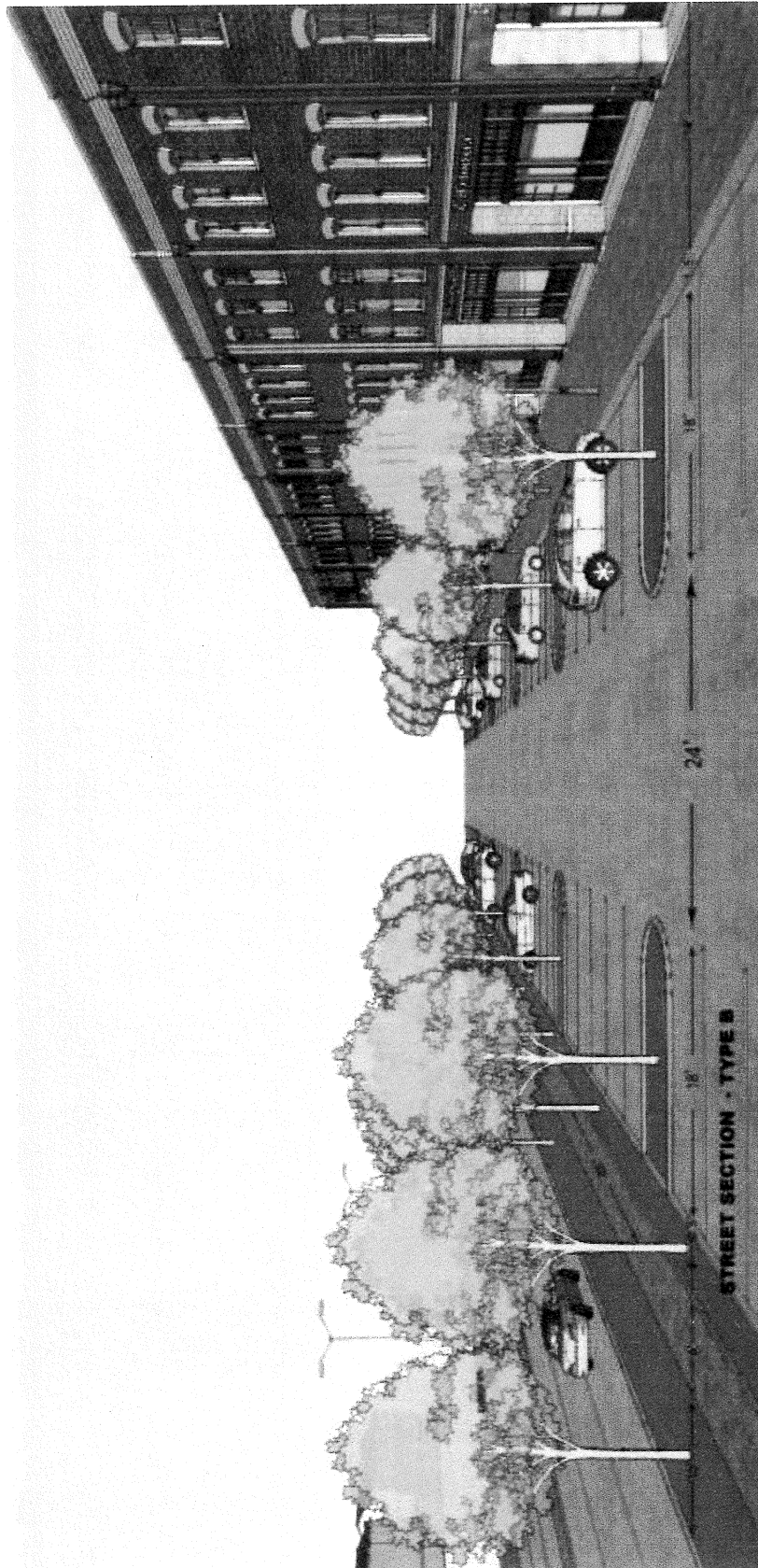


EXHIBIT D: STREET CROSS SECTIONS







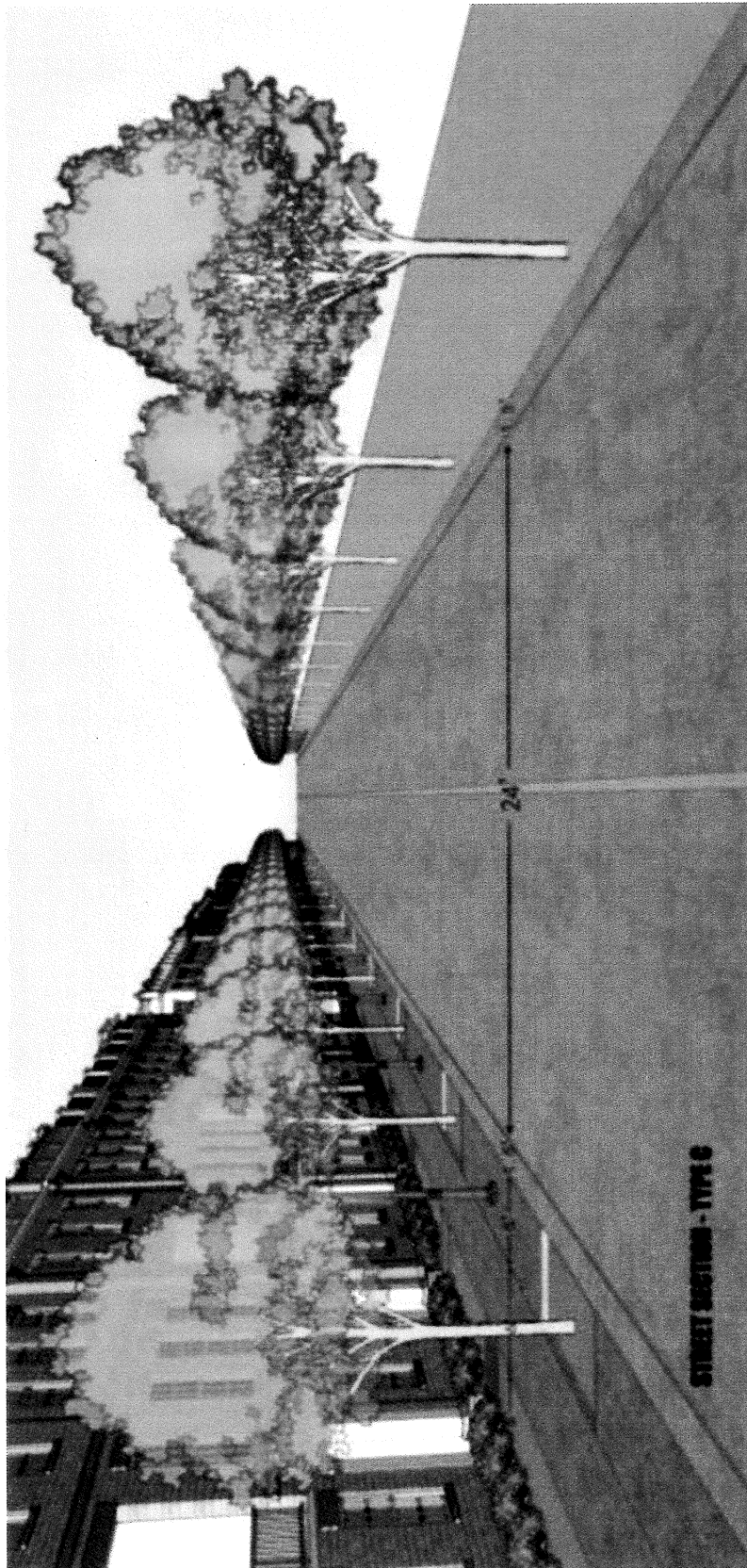
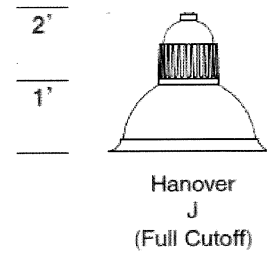
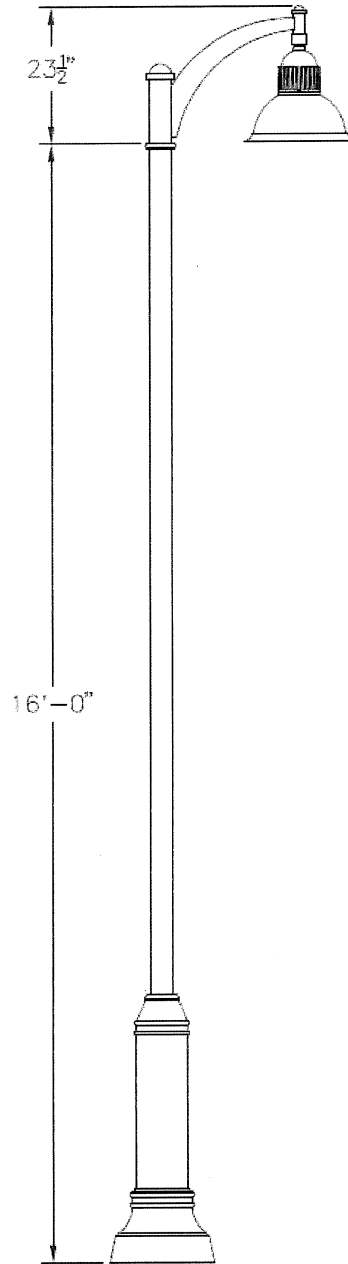
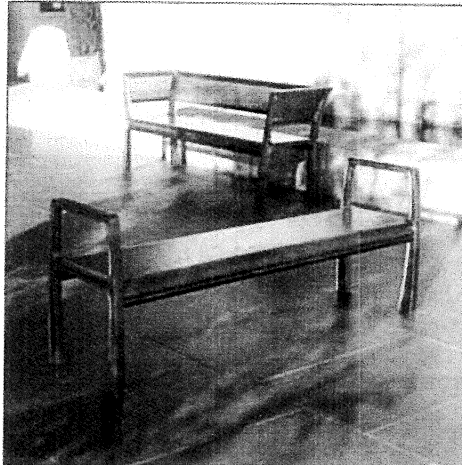


EXHIBIT E: SITE FURNISHINGS

Streetlights: Oncor Philadelphia Style Pole



Philadelphia Style Pole



Landscape Forms: 35: Sit Bench

BENCH

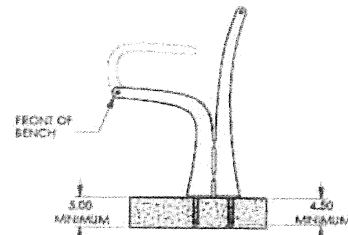
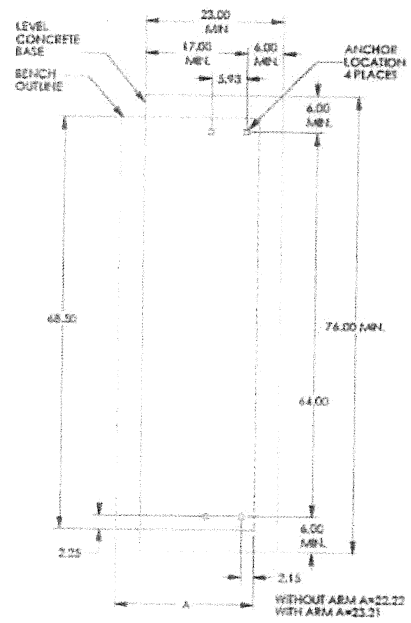
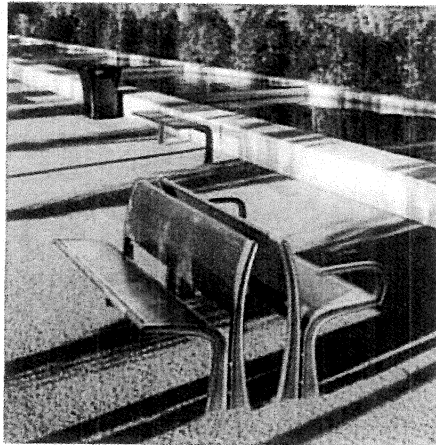
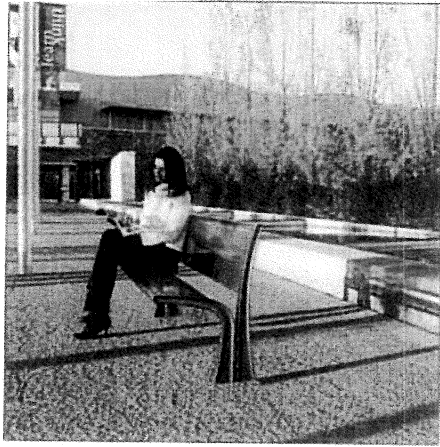
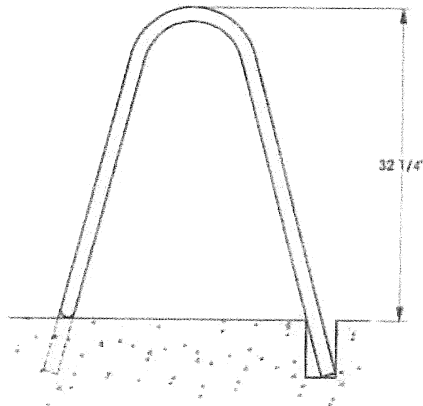
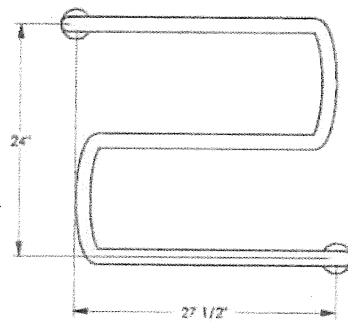
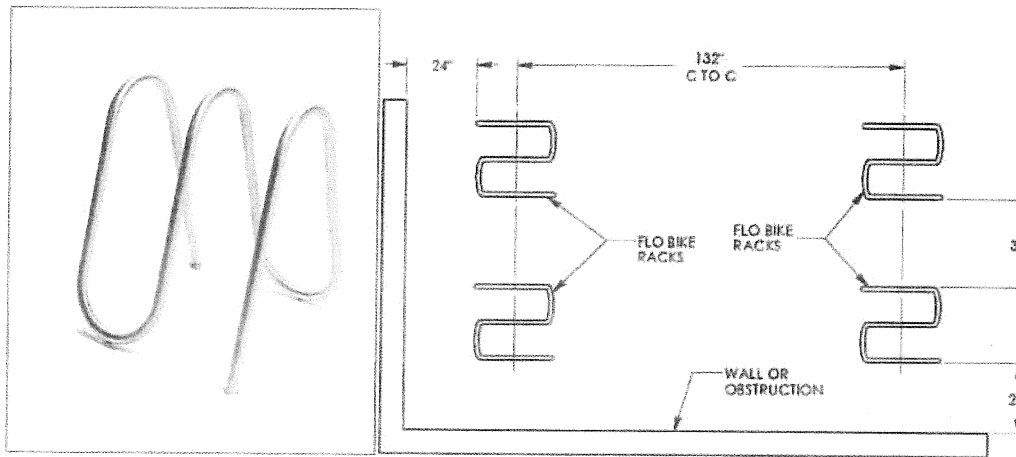


FIGURE 2
STAY BACKED BENCH
SURFACE MOULDED ANCHOR LOCATIONS
DIMENSIONS IN INCHES

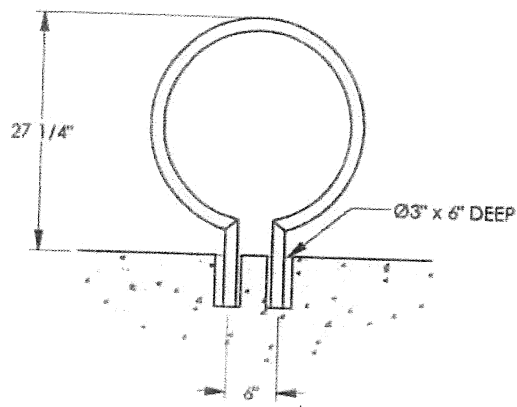
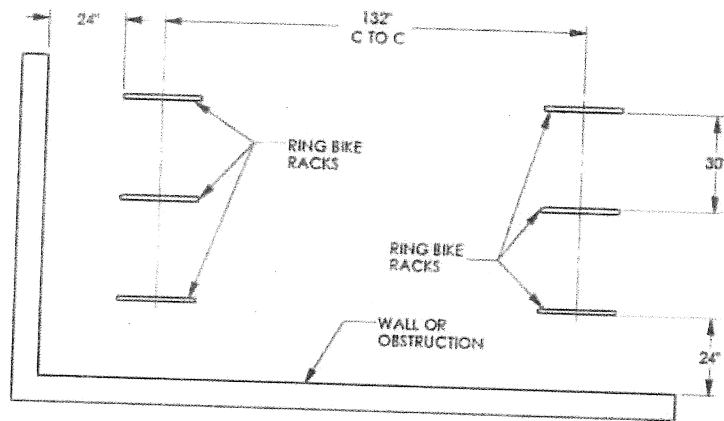
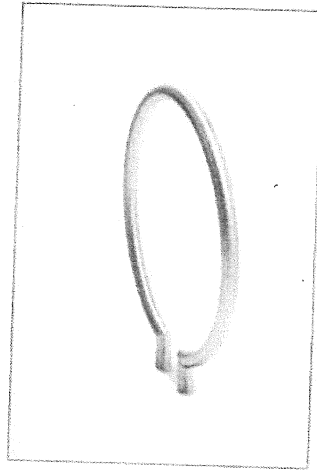
Landscape Forms: 35: Stay Bench

BENCH



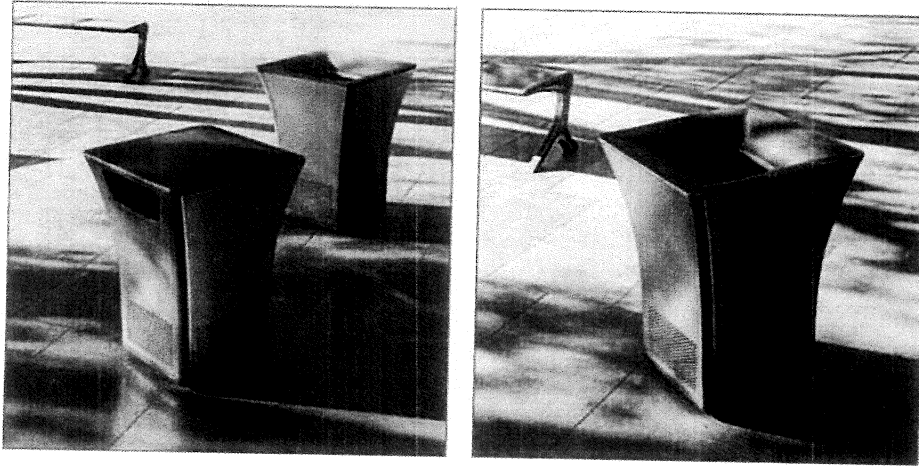
Landscape Forms: Flo2 Bike Rack

BIKE RACK

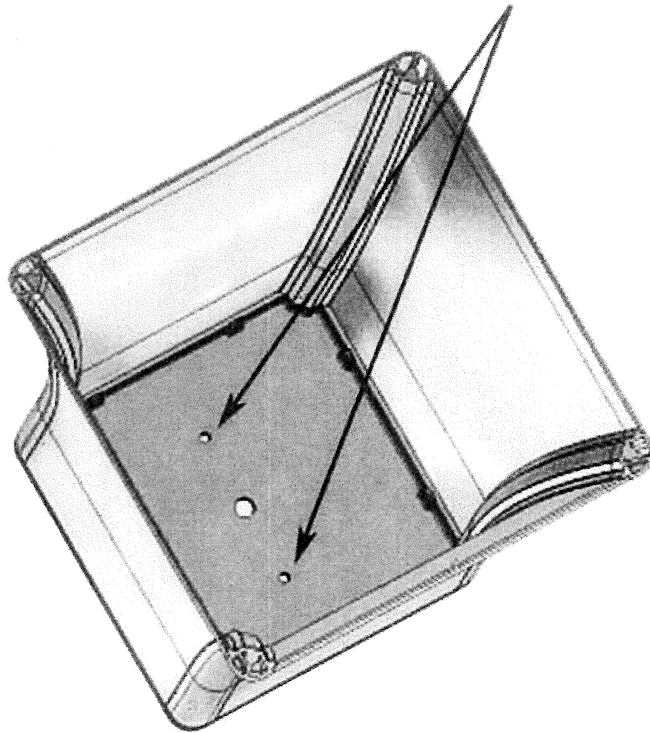


Landscape Forms: Ring Bike Rack

BIKE RACK

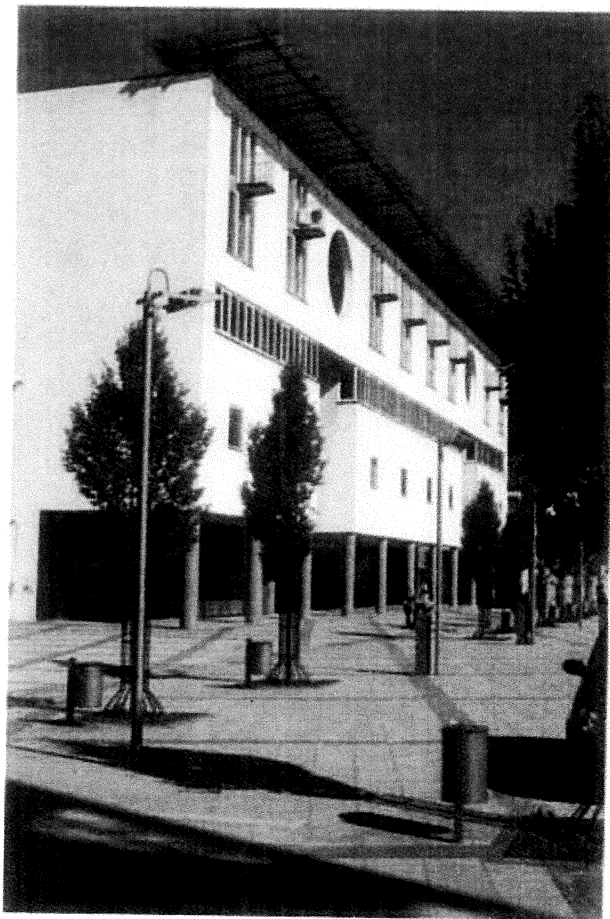
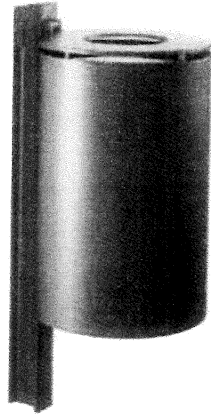


Holes for Surface Mounting



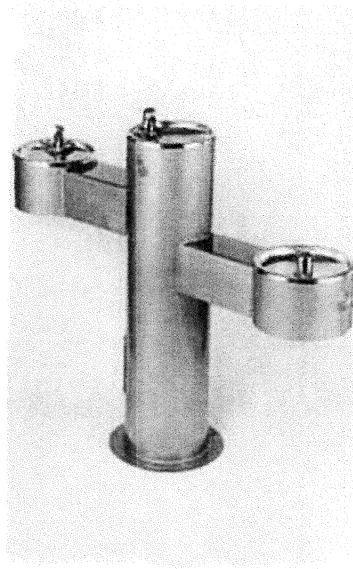
Landscape Forms: 35: Pitch Litter Receptacle

LITTER RECEPTACLE



Hess: Punto Litter Receptacle

LITTER RECEPTACLE



Most Dependable Fountains: Model 493SS, 325

DRINKING FOUNTAIN