

TOWN OF ADDISON, TEXAS

ORDINANCE NO. O16-017

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN, THE SAME BEING APPENDIX-A ZONING OF THE TOWN'S CODE OF ORDINANCES, BY AMENDING ORDINANCE NO. 007-034 (AS AMENDED) THAT ZONES AS PD PLANNED DEVELOPMENT DISTRICT #007-034 THAT AREA OF THE TOWN KNOWN AS VITRUVIAN PARK AND CONTAINING APPROXIMATELY 121 ACRES OF LAND (GENERALLY LOCATED SOUTH OF SPRING VALLEY ROAD, WEST OF THE CITY OF FARMERS BRANCH, NORTH OF BROOKHAVEN COMMUNITY COLLEGE AND THE CITY OF FARMERS BRANCH, AND EAST OF MARSH LANE (AND AS MORE PARTICULARLY DESCRIBED IN ORDINANCE NO. 013-026), BY AMENDING EXHIBIT B ("PLANNED DEVELOPMENT CONDITIONS AND STANDARDS") TO PROVIDE ADDITIONAL USES AND REVISE DEVELOPMENT STANDARDS, AND AMENDING EXHIBIT C ("CONCEPT PLAN") BY APPROVING A REVISED CONCEPT PLAN; 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, various tracts of land containing approximately 121 acres are zoned PD Planned Development District by Ordinance No. 007-034 (as amended by Ordinance O13-026) for various uses including residential, retail, office, home office, civic and mixed uses, and special and accessory uses, according to the terms and provisions included therein, which tracts of land are in that area of the Town of Addison, Texas ("City") generally known as Vitruvian Park which is generally located south of Spring Valley Road, west of the City of Farmers Branch, north of Brookhaven Community College and the City of Farmers Branch, and east of Marsh Lane; 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. Exhibit B to Ordinance No. 007-034 as amended is hereby amended as set forth in Exhibit A attached to this Ordinance and incorporated herein.

Section 3. Exhibit C (Concept Plan) to Ordinance No. 007-034 as amended is hereby amended in its entirety as set forth in Exhibit B attached to this Ordinance and incorporated herein. Exhibit B attached to this Ordinance shall serve as the Concept Plan for PD #007-034.

Section 4. 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 5. 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 6. 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 7. 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 8. 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 24th day of May, 2016.



Todd Meier, Mayor

ATTEST:


Laura Bell, City Secretary

CASE NO: 1735-Z/UDR

Ordinance No. 016-017

Case No. 1735-Z/UDR

APPROVED AS TO FORM:



Brenda N. McDonald, City Attorney

PUBLISHED ON: _____

EXHIBIT A

**EXHIBIT B TO ORDINANCE NO. 007-034
PLANNED DEVELOPMENT CONDITIONS AND STANDARDS**

1. **Purpose.** The purpose of this Planned Development District No. 007-034 (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 No. 007-034 (the “Ordinance”). These Planned Development Conditions, Brookhaven Village 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. **Concept Plan.** Development and use of the Property which is the subject of this Ordinance (which Property is described by metes and bounds and a survey of which is attached to this Ordinance as Exhibit “A”) (the “Property”) must substantially comply with the concept plan attached to the Ordinance as Exhibit “C” and incorporated into and made a part of this Ordinance for all purposes (the “Concept Plan”).
4. **Development Plan.**
 - a. **Plan Required.** 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, 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. A development plan (whether submitted for the entire Property or for a portion thereof) must comply with the Conceptual 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.

5. 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. The following uses of land are authorized as permitted uses within the Property. Uses are further classified according to general categories of land uses. To the extent expressly authorized by these PD District regulations, a general use category (e.g., "retail") may be identified on the Concept Plan or, except for residential uses, on a development plan. Upon approval of the Concept Plan or a development plan which includes a general use category, any use appearing or classified under such general use category in the use list set forth below, is authorized in accordance with the Concept Plan or development plan, as the case may be, any conditions attached thereto, and all other provisions of this Ordinance, the Zoning Ordinance, and any other ordinance, law, rule, regulation, code, and standard applicable thereto:

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

Townhouse
Condominium
Multifamily

2. *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 e. of this Section 5):

Antique shop
Aquarium
Art gallery
ATM facilities
Bakery, retail sales only
Bank
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 (office only)
Cleaning, dyeing and laundry pick-up station for receiving and delivery of articles to be cleaned, dyed and laundered, but no actual cleaning, dying, or laundering work is to be done on the premises
Coffee shop (no seating on premises)
Convenience store
Cosmetic and beauty supplies
Dance studios
Department store
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, saw filing and lawn mower sharpening, retail sales only
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, paints, wallpaper, clothing, retail sales only
Health club, private and public
Household and office furniture, furnishings and appliances, retail sales or rental only
Jewelry, optical goods, photographic supplies, retail sales only
Laundromat, equipped with automatic washing machines of the type customarily found in a home and where the customers may personally supervise the washing and handling of their laundry
Magazine store
Meat market, retail sales only
Medical and dental clinics
Movie DVD and VHS rental and sales
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 and copy shop, retail sales only
Professional offices for architect, attorney, engineer and real estate
Public garage, parking, no repairs
Retail Store
Seamstress, dressmaker, or tailor
Shoe repair shop, retail sales only
Sporting goods, toy & hobby store
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
Travel services
Wearing apparel, including clothing, shoes, hats, millinery and accessories

3. *Office.* (Defined under article XXX of the Zoning Ordinance)
 4. *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.
 5. *Civic.* (Defined under article XXX of the Zoning Ordinance)
 6. *Mixed use (with residential).* (Defined under article XXX of the Zoning Ordinance)
 7. *Mixed use (with nonresidential).* (Defined under article XXX of the Zoning Ordinance)
- c. Special Uses. A use listed below in this subsection may be permitted within the Property (or portion thereof, as designated) provided the same is first authorized by the approval of a special use permit in accordance with and subject to Article XX, Special Uses, of the City's Zoning Ordinance (and as the same may be modified or superseded):

1. Hotel.
 2. Cleaning, dyeing and laundry pick-up station, with cleaning, dyeing and/or laundry work done on the premises.
 3. Gasoline service station only in Block 211 as shown on the Concept Plan.
 4. Library, for loan of books and other materials typically performed by a public library.
 5. Movie picture theater.
 6. Public safety facilities.
 7. Restaurant.
 8. Restaurant with drive through facilities only in Block 211 as shown on the Concept Plan.
 9. Retirement home.
 10. Sale of alcohol for on-premises consumption.
 11. Sale of beer and wine for off-premises consumption only in Blocks 209, 210, and 211 as shown on the Concept Plan.
 12. Transit facilities.
- d. 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.
- e. 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) Retail is an allowed use in Block 211 (as shown on the Concept Plan. Except as provided in subsection (b) below (regarding kiosks), a retail use within all other blocks (that is, all other portions of the Property) is permitted only in connection with and as a part of either a “mixed use (with residential)” or “mixed use (with non-residential),” as defined in Article XXX of the Zoning Ordinance.
 - (b) Notwithstanding subsection (a) above (regarding a mixed use (with residential)), a retail use may be provided or conducted from and within a portable kiosk within all blocks shown on the

Concept Plan with the exception of Block 211. For purposes hereof, “kiosk” means a small, free-standing one-story building or structure having a maximum floor area of 500 square feet which is portable in nature, is not permanent, and can be easily and readily moved from location to location. If a portable kiosk is to be occupied, it shall have a minimum floor area of 25 square feet. A portable kiosk for the purpose of providing or conducting a retail use is permitted anywhere within the Property.

- (c) Except as the same may be provided or conducted from a portable kiosk, free-standing retail is prohibited. For purposes hereof, “free-standing retail” means the use or occupancy of a free-standing building for a retail use.

6. **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	
<p><u>Street Build-to Line</u></p> <p>Within all blocks shown on the Concept Plan, except Block 211, all primary buildings, structures, walls, fences, and other improvements shall be constructed, located, placed, and erected along and contiguous to the applicable build-to line; provided, however, that not more than 30 percent of any street frontage may vary from the build-to line. In that portion of the Property identified on the Concept Plan as Block 102, not more than 50 percent of any street frontage may vary from the build-to line. The build-to line shall be measured from the closest right-of-way line of the adjacent street.</p>	<p><i>Street build-to lines within the Property are as follows (streets are as shown or identified on the Concept Plan):</i></p> <ul style="list-style-type: none"> • 9 feet along A streets (as shown on the attached Exhibit “C” to this Ordinance No. 007-034) • No less than 6 feet, no more than 9 feet along B streets (as shown on the attached Exhibit “C” to this Ordinance No. 007-034) • No less than 6 feet, no more than 9 feet along all C streets (as shown on the attached Exhibit “C” to this Ordinance No. 007-034)

	<ul style="list-style-type: none"> • 4 feet along all D streets (as shown on the attached Exhibit “C” to this Ordinance No. 007-034) • No less than 6 feet, no more than 9 feet along all E streets (as shown on the attached Exhibit “C” to this Ordinance No. 007-034) 												
<u>Side Yard Setback</u>	None, except as required by the City’s Fire Code (and as the same may be amended or superseded from time to time)												
<u>Rear Yard Setback</u>	None, except as required by the City’s Fire Code (and as the same may be amended or superseded from time to time)												
<u>Maximum height of building</u>	No maximum height; except the portion of any building or other structure which is located within 100 feet of the property line of a lot or other parcel of land which is zoned for single family or apartment use or which is otherwise used or occupied for a residential use shall not exceed 60 feet in height. All heights are subject to FAA approval.												
<u>Minimum lot area</u>	No minimum lot area												
<u>Minimum lot width</u>	No minimum lot width												
<u>Minimum lot depth</u>	No minimum lot depth												
<u>Minimum area per Residential dwelling unit</u>	<table border="1"> <tr> <td>Efficiency</td> <td>450 sq. ft.</td> </tr> <tr> <td>One- Bedroom</td> <td>600 sq. ft.</td> </tr> <tr> <td>Two-Bedroom</td> <td>850 sq. ft.</td> </tr> <tr> <td>Three-Bedroom</td> <td>1,000 sq. ft.</td> </tr> <tr> <td>Townhouse</td> <td>1,600 sq. ft.</td> </tr> <tr> <td>Office uses</td> <td>500,000 sq. ft.</td> </tr> </table>	Efficiency	450 sq. ft.	One- Bedroom	600 sq. ft.	Two-Bedroom	850 sq. ft.	Three-Bedroom	1,000 sq. ft.	Townhouse	1,600 sq. ft.	Office uses	500,000 sq. ft.
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Office uses	500,000 sq. ft.												
<u>Maximum nonresidential square footage</u>	<table border="1"> <tr> <td>Retail, restaurant and personal service uses</td> <td>500,000 sq. ft.</td> </tr> </table>	Retail, restaurant and personal service uses	500,000 sq. ft.										
Retail, restaurant and personal service uses	500,000 sq. ft.												
<u>Maximum lot coverage</u>	95%												

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 floorplate 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.
 - (b) *Patios.* Patios may be constructed within the required setback zones.
- 7. **Open Space.**
 - a. Two acres for every 1,000 residents shall be dedicated for public open space use by the project applicant up to the point that dedication has been provided for 2,250 residents. After sufficient open space has been dedicated to meet the requirement for 2,250 residents, 1 1/2 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.
 - b. Land proposed to be dedicated as public open space shall be clearly shown on the Concept Plan and final development plan submittals.
 - c. Land to be dedicated for public open space shall be approved 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 written "acceptance of dedication." Failure of the city council to execute an acceptance of dedication shall be deemed to be a refusal of the proposed dedication.
 - d. In its approval of any development plan, the Town may impose such conditions

as deemed necessary to assure that the intent and purpose of this section is satisfied.

8. **Parking.**

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

1. *General retail.* (1/250 s.f.) One space per each 250 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.* (1/200 s.f.) One space per each 200 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: (1/300 s.f.). One space per 300 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.* One space/bedroom to a maximum of two spaces/unit.
8. *Hotel.* One space/hotel room plus one parking space per every 300 square feet of gross floor area of conference/banquet facilities.
9. *Civic.* To be determined by parking demand analysis study for proposed use and approved by the town's director of development services.
10. *Mixed use.* Number of spaces resulting from application of ratios provided above for respective uses in the development.
11. *Restaurant.* (1/100 s.f.) One space per each 100 square feet of gross floor area.
12. *Movie picture theater.* One space for every four seats.

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 town's director of development services.

c. *Below-grade parking.* Off-street below-grade parking is permitted to the lot lines, but must be designed to allow planting of landscape.

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 unless the structure is constructed with enhanced façade elements such as living walls or unique articulation and design of an artist nature.

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

9. **Streets.** All streets and blocks in the Property shall conform to the provisions of this section.

- a. *Street standards.* Standards for streets within the Property shall be as set forth in Exhibit "D," which is attached to ~~this~~ Ordinance, No. 007-034 and made a part hereof by reference. The Town's Master Thoroughfare Plan is amended to conform to Exhibit "D" for streets within this planned development district.
- b. *Street type and pattern.* The location of streets on the master thoroughfare plan is approximate. Precise location of streets shall be determined in conjunction with the approved Concept Plan and the approval of development plans.
- c. *Block length.* Except in Block 211 as shown on the Concept Plan, the length of a block shall not be less than 200 feet, nor more than 750 feet.

10. **Exterior Appearance.**

- a. *Materials:*
 - 1. Except in Block 211 as shown on the Concept Plan, at least 80 percent of the exterior cladding of all exterior walls fronting or visible from public streets (including above grade parking structures) shall be masonry construction. 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.
 - 2. At least 60 percent of exterior cladding of all walls not fronting on, or not visible from, public ways (including above grade parking structures) may be constructed of noncombustible materials including exterior stucco and fibrous cementitious material (e.g. hardi-material) construction.
 - 3. The exterior cladding (excluding glass) of all buildings, (including above grade parking structures) shall be composed of not more than three

materials (excluding roofs).

4. The following materials are prohibited as primary cladding materials:

Aluminum siding or cladding

Wood roof shingles

Unfinished concrete block (architecturally finished concrete block is permitted as a cladding material).

5. The following materials are prohibited as primary roofing materials:

Wood roof shingle

Composite shingles with less than a 50-year life

6. Balcony and patio railings and fences shall be constructed of wrought iron or metal. Wood fences and railings and chain-link fencing are prohibited.

b. *Windows:*

1. 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. The exterior wall surface of all buildings above the first floor shall not be more than 50 percent glass.
3. 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.

11. **Landscape.** Landscaping within the Property shall comply with the provisions in this section and with the standards contained in Article XXI, landscaping regulations of the Zoning Ordinance. Where conflicts exist between this section and the landscaping regulations, requirements in this section shall control. These landscaping regulations do not apply to Block 211 as shown on the Concept Plan.

- a. **Streetscape Zone.** In the 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 (except treeless mews streets) shall have street trees planted at uniform spacing, commencing no closer than 40 feet from the face of curb of intersecting streets.
 - (b) Typically, street trees shall be planted as shown on Exhibit “D”.
 - (c) Street trees shall be large shade species having a minimum of four (4) caliper inches, selected in accordance with the Town’s landscape regulations.
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 Exhibit “D(b)On A and B streets (as shown on the attached Exhibit “D”), locate street lamps at intervals no greater than 200 feet.
 - (c) Street lamps shall be selected in accordance with Exhibit “E”, attached to this Ordinance No. 007-034 showing acceptable selections.
3. Street Furnishings – Street furnishings shall be provided in accordance with the following:
 - (a) Street furnishings shall include, but not be limited to, benches, trash receptacles, and bicycle racks.
 - (b) Street furnishings shall be located at the discretion of the developer, subject to the approval of the town’s Director of Parks and Recreation.
 - (c) Street furnishings shall be selected in accordance with Exhibit “E”, attached to this Ordinance No. 007-034, showing acceptable selections.
4. Landscaping for Non-residential ground floor frontages. Non-Residential ground floor frontages may pave the area between the building face and sidewalk.
5. 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 façade, 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 Town 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 Article XXI, Landscaping Regulations.

12. **Sustainability.**

Except for Block211 as shown on the Concept Plan, all land contained within this Planned Development District shall be developed, and all buildings within this Planned Development District shall be constructed with the goal of providing a sustainable neighborhood. All developments shall conform to the requirements of the Brookhaven Neighborhood Sustainability Program, which is attached as Exhibit "F", attached to this Ordinance No. 007-034, and incorporated herein for all purposes.

13. **Screening:**

- a. Mechanical equipment shall be screened from view from all public roadways 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 on the lot, 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.

14. **Flexible Standards.** It is intended that all of the standards set forth in Sections 5-13 herein shall be flexible in order to encourage development within the Property. The planning and zoning commission and the city council may approve waivers to any standards set forth herein as part of the development plan provided any such waiver does not authorize a use not authorized in this planned development district, and does increase the allowable intensity or density of any land use.

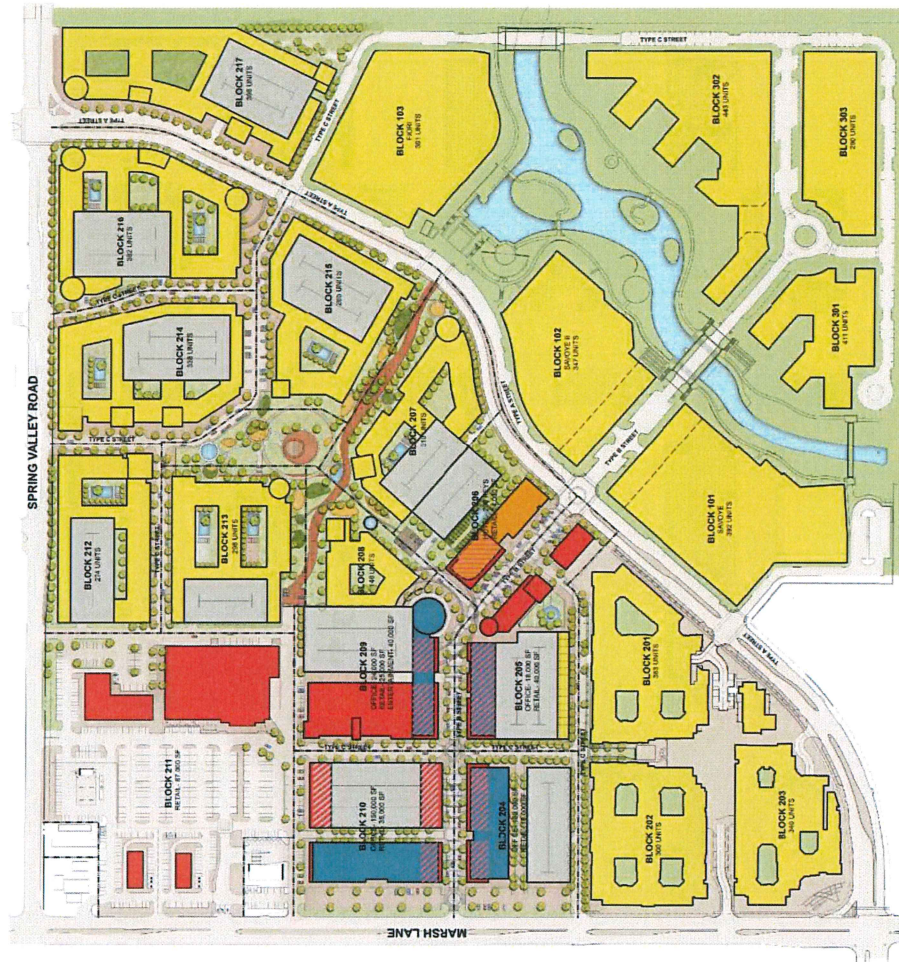
EXHIBIT B

EXHIBIT C TO ORDINANCE NO. 007-034
CONCEPT PLAN

Block No.	Residential Units	Net Area (sq. ft.)	Notes
BLOCK 101	Residential	100,000	100 Units
BLOCK 102	Residential	100,000	100 Units
BLOCK 103	Residential	100,000	100 Units
BLOCK 104	Residential	100,000	100 Units
BLOCK 105	Residential	100,000	100 Units
BLOCK 106	Residential	100,000	100 Units
BLOCK 107	Residential	100,000	100 Units
BLOCK 108	Residential	100,000	100 Units
BLOCK 109	Residential	100,000	100 Units
BLOCK 110	Residential	100,000	100 Units
BLOCK 111	Residential	100,000	100 Units
BLOCK 112	Residential	100,000	100 Units
BLOCK 113	Residential	100,000	100 Units
BLOCK 114	Residential	100,000	100 Units
BLOCK 115	Residential	100,000	100 Units
BLOCK 116	Residential	100,000	100 Units
BLOCK 117	Residential	100,000	100 Units
BLOCK 118	Residential	100,000	100 Units
BLOCK 119	Residential	100,000	100 Units
BLOCK 120	Residential	100,000	100 Units
BLOCK 121	Residential	100,000	100 Units
BLOCK 122	Residential	100,000	100 Units
BLOCK 123	Residential	100,000	100 Units
BLOCK 124	Residential	100,000	100 Units
BLOCK 125	Residential	100,000	100 Units
BLOCK 126	Residential	100,000	100 Units
BLOCK 127	Residential	100,000	100 Units
BLOCK 128	Residential	100,000	100 Units
BLOCK 129	Residential	100,000	100 Units
BLOCK 130	Residential	100,000	100 Units
BLOCK 131	Residential	100,000	100 Units
BLOCK 132	Residential	100,000	100 Units
BLOCK 133	Residential	100,000	100 Units
BLOCK 134	Residential	100,000	100 Units
BLOCK 135	Residential	100,000	100 Units
BLOCK 136	Residential	100,000	100 Units
BLOCK 137	Residential	100,000	100 Units
BLOCK 138	Residential	100,000	100 Units
BLOCK 139	Residential	100,000	100 Units
BLOCK 140	Residential	100,000	100 Units
BLOCK 141	Residential	100,000	100 Units
BLOCK 142	Residential	100,000	100 Units
BLOCK 143	Residential	100,000	100 Units
BLOCK 144	Residential	100,000	100 Units
BLOCK 145	Residential	100,000	100 Units
BLOCK 146	Residential	100,000	100 Units
BLOCK 147	Residential	100,000	100 Units
BLOCK 148	Residential	100,000	100 Units
BLOCK 149	Residential	100,000	100 Units
BLOCK 150	Residential	100,000	100 Units
TOTAL	Residential	15,000,000	150,000 Units



VITRUVIAN PARK MASTER PLAN



APRIL 8, 2016

