

Exhibit B – Land Use and Development Regulations – Ordinance No. xxxx – Page 1 of 2

Special Development Plan Case ZC23-0048
Portion of Tract 6D, John H Barlough Survey, Abstract 130
6205 Davis Boulevard, North Richland Hills, Texas

This Special Development Plan (SDP) must adhere to all the conditions of the North Richland Hills Code of Ordinances, as amended, and the base zoning district of TOD (Transit Oriented Development). The following regulations shall be specific to this Special Development Plan. Where these regulations conflict with or overlap another ordinance, easement, covenant or deed restriction, the more stringent restriction shall prevail.

A. *Permitted Land Uses.* Uses in this SDP shall be limited to those permitted in the Smithfield TOD Core Character Zone of the TOD (Transit Oriented Development) district with the addition of the following.

1. Quick service restaurant with drive-through service

B. *Building form and development standards.* Development of the property must comply with the development standards of the TOD (Transit Oriented Development) district and the standards described below.

1. The site improvements must be constructed as shown on the site plan attached as Exhibit "C."
2. Landscaping must be installed as shown on the site plan attached as Exhibit "C." All trees planted on site must be container-grown trees.
3. The drive-through components on the site must comply with Section 118-633(26) of the zoning ordinance and the standard described below.
 - a. The drive-through lane improvements must be constructed as shown on the Special Development Plan exhibit attached as Exhibit "C," including pickup window, lane widths, pavement markings, and menu board locations.
 - b. The drive-through stacking lane may be located on the south side of the building between the building and Davis Boulevard and Smithfield Road.
 - c. A solid row of evergreen shrubs must be planted between the drive-through lane and Davis Boulevard and Smithfield Road to screen the area from the street. The screening shrubs must be planted the entire length of the area and be maintained at a minimum height of thirty (30) inches above the grade of the pavement.
4. The refuse container enclosure screening wall must be faced with the same brick and/or stone used on the primary building. A pedestrian access door or opening must be added to the enclosure.
5. A Monument Sign meeting Chapter 106 (Signs) of the Code of Ordinances may be located on the Davis Boulevard frontage only.

C. *Building design standards.* Building design and appearance must comply with the building elevations attached as Exhibit "C" and the standards described below.

1. The quick service restaurant must be at least two thousand one hundred (2,100) square feet in floor area.

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2. Wall (Building) Signs on the site must comply with Chapter 106 (Signs) of the Code of Ordinances. Wall signs are permitted on four facades of the building.

D. *Transit Oriented Development Waivers.* The below table summarizes and acknowledges the requested waivers to the Transit Oriented Development zoning district code.

Smithfield TOD Core Standard	Special Development Plan
<p>Permitted Use. Food Service Uses such as full-service restaurants, cafeterias, and snack bars <u>with no drive through facilities</u> are permitted in the TOD Core Character Zone.</p>	<p>Quick-service restaurant with drive-through facility</p>
<p>Build-to-Zone (BTZ) and Building Frontage. At least 80 percent of the building must be built within the 0-5 foot Build-to-Zone (setback) of the primary street and at least 40 percent of the building within the secondary street setback.</p>	<p>Building setback from Smithfield Road beyond BTZ, with drive-through lane separating the public sidewalk from the building.</p>
<p>Corner building street facades must be built to the BTZ for a minimum of 30 feet from the corner along both streets.</p>	<p>Building setback beyond BTZ at corner of Smithfield Road and Davis Boulevard with drive-through lane located between building and intersection.</p>
<p>Landscape Standards. All surface parking lots that accommodate more than 10 cars shall be required to plant one canopy tree and three shrubs per every 1,000 square feet of paved area.</p>	<p>Provided: 22 canopy trees (including Smithfield Road right-of-way) and 152 shrubs</p>
<p>Signage.</p> <ul style="list-style-type: none"> • <i>Wall (Building) Signs.</i> One sign per tenant space; calculated at 1 square foot per linear foot of public street frontage with a maximum of 50 square feet. • <i>Monument Signs.</i> One monument sign per lot per street frontage (no more than 2 per lot separated by at least 100 feet) limited to a maximum of 50 square feet per sign face and 6 feet in height. TOD Core only allowed in Arterial frontage (Davis Blvd) landscape buffer. 	<ul style="list-style-type: none"> • Wall (Building) Signs to meet standards of Chapter 106 (Sign Ordinance) with four (4) facades approved as shown on applicant’s exhibits • Monument sign along Davis Boulevard to meet Chapter 106 (Sign Ordinance): <ul style="list-style-type: none"> ○ Max. 7-foot height, ○ Max. 50 square foot sign message ○ Max. 75 square foot structure size ○ Min. 8-inch masonry surround

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Smithfield TOD Core Standard	Proposal
<p>Building Design.</p> <ul style="list-style-type: none"> • <i>Location on the Street.</i> Buildings shall be oriented toward the major street with the primary entrance located on that street. All primary entrances shall be oriented to the public sidewalk for ease of pedestrian access. • <i>Pedestrian-Friendly Building Massing and Scale.</i> <ul style="list-style-type: none"> ○ A building’s massing shall serve to define entry points and help orient pedestrians. ○ Buildings and/or facades shall emphasize and frame or terminate important vistas. 	<p>Building placement on the lot proposed as shown, with drive-through lane separating the building from the street.</p>
<p>Feature Buildings. Buildings which are located at the intersection of streets shall be considered Feature Buildings. Such buildings shall be designed with features which take advantage of that location, such as 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.</p>	<p>Industry-standard quick-service restaurant building dimensions.</p>
<p>Transparency Required. In the TOD Core, transparent storefront windows covering no less than 65% of the façade area required.</p>	<p>Building frontage along Smithfield Road has no transparency (window).</p>

E. *Amendments to Approved Special Development Plans.* An amendment or revision to the special development plan will be processed in the same manner as the original approval. The application for an amendment or revision must include all land described in the original ordinance that approved the special development plan.

F. *Administrative Approval of Site Plans.* The development is subject to final approval of a site plan package. Site plans that comply with all development-related ordinances, and this Ordinance may be administratively approved by the Development Review Committee.

The city manager or designee may approve minor amendments or revisions to the standards provided the amendment or revisions does not significantly:

1. Alter the basic relationship of the proposed uses to adjacent uses;
2. Change the uses approved;
3. Increase approved densities, height, site coverage, or floor areas;
4. Decrease on-site parking requirements;
5. Reduce minimum yards or setbacks; or
6. Change traffic patterns.