

**FARMERS
BRANCH**

"BEST LIVING PLACE"

ORDINANCE NO. 1536

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 THE ZONING DISTRICT CLASSIFICATION OF THE TRACT OF LAND BOUNDED ON THE NORTH AND WEST BY THE ST. LOUIS AND SOUTHWESTERN RAILROAD SPUR; ON THE EAST BY INWOOD ROAD; AND, ON THE SOUTH BY A BOUNDARY WITH CHAMPION PAPER CO.; FROM THE CURRENT ZONING DISTRICT CLASSIFICATION OF LIGHT INDUSTRIAL (LI) TO PLANNED DEVELOPMENT NUMBER FIFTY-FOUR (PD-54), ALLOWING OFFICE, SUPPORT RETAIL AND SERVICE USES; ESTABLISHING DEVELOPMENT STANDARDS FOR PD ZONING DISTRICT NUMBER 54; PROVIDING A SAVINGS CLAUSE; PROVIDING INJUNCTIVE RELIEF; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED (\$200.00) DOLLARS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City Planning and Zoning Commission of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the state law with reference to the granting of changes of zoning under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that, due a change in condition and in order to protect the public health, welfare and safety, said changes of zoning should be granted as set out herein.

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended by amending the zoning map of the City of Farmers Branch, Texas, so as to change the zoning on the following described tract of land from a Light Industrial Zoning District to Planned Development Zoning District Number 54, (PD-54) allowing office, support retail and other related uses with performance and development standards as set out in Exhibit

"B". Said tract of land being specifically described on Exhibit "A" and generally described as follows:

The tract of land bounded by the St. Louis and Southwestern on the north and west; bounded by Inwood Road on the east; and bounded by Champion Paper Company property on the south.

SECTION 2. That all uses in Planned Development Zoning District Number 54 (PD-54) shall conform in operation, location and construction to the performance standards set out in Exhibit "B" and, except as modified by Exhibit "B", to those established by the Comprehensive Zoning Ordinance of the City of Farmers Branch.

SECTION 3. That all uses in Planned Development Zoning District Number 54 (PD-54) shall conform to the development standards set out in Exhibit "B".

SECTION 4. That the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended, and as amended herein.

SECTION 5. That 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, and upon conviction shall be punished by a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense.

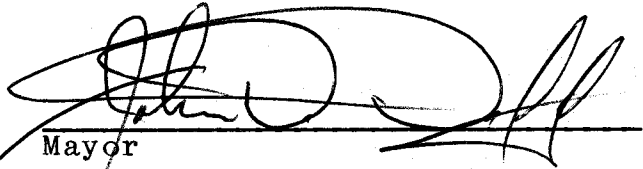
SECTION 6. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 7. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 8. Whereas, it appears that the above described property requires that it be given the specific use permit in order to permit its proper use and development, and in order to protect the public interest, comfort and general welfare of the City of Farmers Branch, and creates an urgency and an emergency in the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance as the law in such case provides.

DULY PASSED by the City Council of the City of Farmers Branch, Texas, on this the 17th day of December, 1984.

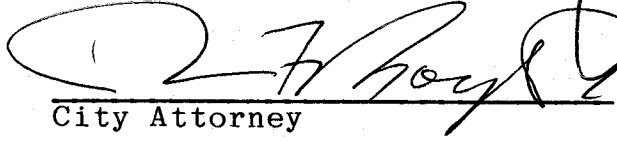
APPROVED:



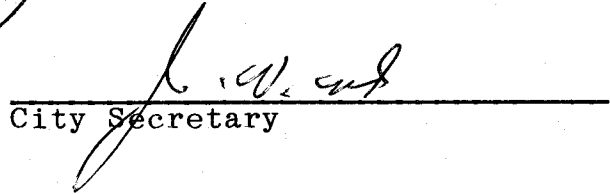
Mayor

APPROVED AS TO FORM:

ATTEST:



City Attorney



City Secretary

INWOOD JOINT VENTURE
EXHIBIT "A"

BEING a tract of land situated in the ELISHA FIKE SURVEY, ABSTRACT NO. 478, Dallas County, Texas, and also being part of Lot B, Block 3 of the METROPOLITAN INDUSTRIAL PARK as recorded in Volume 363, Page 1216 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the West line of Inwood Road, said point is North 17 degrees 01 minutes West a distance of 1,674.93 feet from a rail monument located at the Northwest corner of the intersection of Inwood Road and Alpha Road;

THENCE South 72 degrees 59 minutes West a distance of 485.00 feet to a point for a corner in the centerline of a Drill Track (Railroad);

THENCE North 17 degrees 01 minutes West along said centerline a distance of 154.85 feet to a point for the beginning of a circular curve to the right;

THENCE along said circular curve to the right having a central angle of 48 degrees 43 minutes 56 seconds a radius of 459.27 feet, and an arc length of 390.63 feet to a point for corner;

THENCE continuing along said centerline of St. Louis-Southwestern railroad lead tract North $31^{\circ} 29'$ East 185.36 feet to point for corner;

THENCE North $72^{\circ} 59' 00''$ East, 189.82 feet to a point in the said west line of Inwood Road;

THENCE South $17^{\circ} 01' 00''$ East 622.88 feet along the said west line of Inwood Road to the PLACE OF BEGINNING and containing 5.94 acres of land, more or less.

EXHIBIT "B"

PERFORMANCE & DEVELOPMENT STANDARDS

This request is for a Planned Development designation on a 5.58 acre tract of land located at the southwest corner of Spring Valley Road and Inwood Road. The property has 623 feet of frontage on Inwood Road and 421 feet of depth after dedication of 12 feet of right-of-way which is required for the widening of Inwood Road and 52 feet for the proposed road on the west side of the property.

Attached to this request is a Conceptual Site Plan illustrating the development potential of the site based upon the proposed ordinance. The Concept Plan conforms to all of the requirements of the City of Farmers Branch.

Building permits shall not be issued on Phase 2 as shown on Concept Plan until such time that all construction contracts for the proposed (north/south) thoroughfare adjacent to the west side of the property have been awarded for construction, such that access from the property to either Spring Valley or Alpha Roads will result from said construction contracts.

The following performance and development standards shall be considered in the use, operation, design, location, siting, and construction of structures and other development features within this Planned Development District. Variances to these standards may be requested by the developer and shall be considered as a part of the building site plan approval.

A. USES: The following uses shall be permitted within the District:

1. Principal Uses Permitted:

- a. Office buildings (Includes, but is not limited to: private corporate offices, professional offices, medical and diagnostic offices).
- b. Hotels.
- c. Banks, savings and loan associations, and other financial institutions.
- d. Medical and dental laboratories.
- e. Sign and identification uses permitted in a PD under paragraph 8-108 of the Comprehensive Zoning Ordinance and shall be approved on Detail Site Plan.

2. Secondary Uses Permitted:

- a. Barber and beauty shops.
- b. Bakery and confectionary shop (retail).
- c. Cafeteria.
- d. Cleaning and pressing, small shop or pick up.
- e. Customer personal service shop.
- f. Florist or garden shop.
- g. Memeograph, stationery, or letter shop.
- h. Studio for photographer, musician or artist.
- i. Optical shop.
- j. Travel agencies.
- k. Snack and sandwich shop.
- l. Print shop.
- m. Drive-in banking facilities.

3. Specific Use Permit Required:
 - a. Skating rinks, roller or ice.
 - b. Private clubs.
 - c. Indoor theatre (movie or legitimate).
 - d. Health clubs or studios, public and private.
 - e. Transportation related uses.
 - f. Restaurant establishments.
- B. DENSITY: The following shall be the allowable density within the District:
1. Floor Area Ratio: Maximum allowable floor area ratio shall be 3:1 including parking structures if above grade level. Basements of permitted uses and parking structures shall not be counted in determining this ratio.
 2. Maximum floor area within the District devoted to office, hotel, motel, or other uses, except retail and service type uses referred to in A.1 above, shall be limited to seven hundred - eight thousand & eight hundred (708,800) sq.ft.
 3. Maximum floor area within the District devoted to retail and service type uses referred to in A.2 above shall be twenty thousand (20,000) square feet and shall be secondary to an office building.
 4. Garages and parking structures below grade shall not be counted in computing floor area referred to in B-1 above.
- C. MAXIMUM BUILDING HEIGHT: Maximum building height shall be not greater than that permitted by the Federal Aviation Authority (FAA) provided the height is approved on the site plan. Certification of FAA approval of proposed building height shall be submitted to the City Building Official prior to issuance of any building permit for this property.
- D. BUILDING SETBACKS: Setbacks shall be established on the site plan. Minimum setback distance from the right-of-way line of public streets and adjacent property lines are as follows:
1. Public street rights-of-way: building structures shall be setback a minimum of 25 feet from all street rights-of-way lines.
 2. Side and rear property lines: building structures shall be setback a minimum of 10 feet from property lines shared with adjacent properties and not fronting onto public street rights-of-way. The intent shall be to guarantee a permanently unobstructed area of 20 feet between building structures for fire access purposes.
- E. BUILDING SITE COVERAGE & LANDSCAPING: The following shall govern the building site coverage and its landscaping:
1. Gross ground floor area of buildings and parking structures may cover up to but should not exceed 30% of gross building site area.

2. Landscaped open space on a building site shall not be less than 30% of the gross building site area, after dedication of required street right-of-way.
 3. Landscaping shall be defined as zones of grass, vines, ground covers, trees, shrubs, streams, lakes, or fountains and any combination of the above approved in a landscape plan.
 4. Parking lots greater than 60 feet or two rows deep located on-grade shall have not less than 5% of their area developed as landscaping which is located interior to the parking lot. Landscaping located along the perimeter of the parking lot shall not be counted as fulfillment of the interior landscaping requirement.
 5. The project will conform to City of Farmers Branch pathway system.
- F. PARKING: Parking shall be provided for the proposed uses at the following minimum ratios:
1. Offices (other than medical offices): one space per 300 sq. ft. of gross floor area.
 2. Medical & Diagnostic Offices: one space per 175 sq. ft. of gross floor area.
 3. Hotels: one space for each room, plus such spaces as required by restaurants, ballrooms, and affiliated facilities.
 4. Retail and affiliated office support services: one space per 250 sq. ft. of gross floor area.
 5. Eating establishments: one space per 100 sq. ft. of gross floor area.
 6. Theatres: one space for every three seats.
- G. LOADING FACILITIES
1. All office, commercial, hotel and restaurant uses shall provide and maintain off-street loading facilities in the quantities stated below:
 - a. Office uses:
 - i. 0 to 150,000 gross sq. ft.: one space.
 - ii. Each additional 100,000 gross sq. ft.: one space.
 - b. Commercial uses:
 - i. 0 to 20,000 gross sq. ft.: one space.
 - c. Hotel uses:
 - i. 0 to 100,000 gross sq. ft.: one space.
 - ii. 100,000 to 300,000 gross sq. ft.: two spaces.
 - iii. Each additional 200,000 gross sq. ft.: one space.
 - d. Restaurant uses:
 - i. 0 to 50,000 gross sq. ft.: One spaces.
 - ii. Each additional 50,000 gross sq. ft.: one space.
 2. The City Staff shall determine the off-street loading requirements for uses not specified, based on the most similar use listed above.

3. A structure containing more than one use must meet the loading requirements of each use unless one use occupies 90% or more of the gross building area, in which case the loading requirement is calculated as if that use occupied the entire structure.
 4. Whether or not a required loading facility must be suitable for semi-tractor trailer delivery vehicles, shall be determined and recommended by the City Staff as a part of the building site plan approval.
 5. Loading facilities for more than one building may be provided in a common terminal if connections between building and terminal are off-street.
 6. Loading facilities shall be designed to minimize interference with traffic flow and to eliminate the need to use any public street for maneuvering of any delivery vehicle.
 7. Loading facilities shall consist of a minimum area of 10 feet by 45 feet.
- H. STREETS: All public streets and rights-of-way, public alleys, and fire lanes within the District shall be constructed in conformance with City engineering design criteria.
- I. CONCEPT PLAN APPROVAL: Prior to submittal of the first building site plan within the District, a concept plan for the District will be submitted for approval. This submittal shall be for the purpose of setting forth the general overall location of uses within the District, but shall not be conclusive as to future development on specific building sites within the District. The following are the submittal requirements for concept plan approval:
1. A vicinity map at a scale of 1" = 1,000 ft. as part of the concept plan.
 2. A boundary survey of the District including the following:
 - a. Metes and bounds of all boundary lines of the District.
 - b. Total land area within the District.
 - c. Graphic scale and north arrow.
 - d. Names and route numbers of boundary streets and rights-of-way.
 - e. Existing topography with a maximum contour interval of two feet.
 3. A statement confirming ownership of the property within the District and stating the place of record of the latest instrument in the chain of title.
 4. An aerial photograph of the District and all adjacent properties within at least 500 feet.
 5. A generalized land use plan showing approximate location of proposed land uses, circulation corridors, and public utility corridors. This shall include a statement of maximum allowable building area and parking space and anticipated building heights.
 6. A map showing size, boundary configuration, and ownership of all land immediately adjacent to the District.

7. A traffic impact study based upon guidelines established by the City of Farmers Branch.
- J. BUILDING SITE PLAN APPROVAL: Prior to beginning of any development on a building site within the District, a comprehensive building site detailing the proposed development shall be submitted for approval as required by paragraph 8-502 of the Comprehensive Zoning Ordinance. This submittal shall be required before a building permit shall be issued. The following are the submittal requirements for such approval:
 1. A vicinity map at a scale of 1" = 1,000 feet as part of the Site Plan.
 2. A boundary survey of the building site including the following:
 - a. Metes and bounds of all boundary lines of the building site.
 - b. Total land area within the property.
 - c. Graphic scale and north arrow.
 - d. Names and route numbers of boundary streets and rights-of-way.
 - e. Existing topography with a maximum contour interval of two feet.
 3. A statement confirming ownership of the building site and stating the place of the record of the latest instrument in the chain of title.
 4. An aerial photograph of the building site and all adjacent properties within at least 500 feet.
 5. A detailed scale building site plan showing:
 - a. Existing and proposed public or private streets and curb cuts.
 - b. Existing and proposed building and parking structure locations, including size in number of square feet, number of floors, number of spaces and size of spaces in parking structures, and proposed approximate average height of grades. This should include a statement of maximum allowable building heights as restricted by the FAA.
 - c. Existing and proposed utility easements and fire lanes.
 - d. Landscape and irrigation plan showing proposed vegetation zones and their relationship to adjacent properties.
 - e. Proposed at-grade parking lots and loading features.
 - f. A statement of proposed floor area ratio, building site coverage ratio, and landscape area ratio.
 - g. Proposed on-site identification and directional signage.
 - h. Anticipated uses within the building site.
 - i. Proposed drainage and grading plan.
 - j. All existing and proposed utilities, including site and tap location and all fire hydrants.
 6. If any portion of the buildings or parking structures within the building site are to be located below grade, a separate below grade building site plan will be submitted showing the boundaries of the building site; above ground public street rights-of-way and street paving; the elevations and grades of the ground level floor of all buildings and parking structures; the elevation and grade of all surface parking; plans for all proposed underground structure, including parking levels and vehicle circulation; graphic scale and north arrow. The underground structures shall be drawn in solid lines, and the above ground structures should be shown with dashed lines.

7. If a building site is to be developed in phases, the submittal should also include a conceptual building site plan for future phases showing the approximate location of land uses, the approximate location of circulation corridors and public utility corridors, and the approximate location of buildings and parking for future phases.
8. Any other information requested by staff, planning and zoning, and/or City Council reasonable necessary to determine compliance of the building site plan with the Comprehensive Zoning Ordinance, amended hereby.

END OF EXHIBIT "A"