

**FARMERS
BRANCH**

"BEST LIVING PLACE"

ORDINANCE NO. 1531

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 BY SPRING VALLEY ROAD; BOUNDED ON THE WEST BY THE DALLAS POWER AND LIGHT RIGHT OF WAY; BOUNDED ON THE SOUTH BY TRACT #27, BLOCK 1 OF ABSTRACT #478; BOUNDED ON THE EAST BY LOT 1, BLOCK A OF THE TRINITY CONCRETE PRODUCTS SURVEY, FROM THE CURRENT ZONING DISTRICT CLASSIFICATION OF LIGHT INDUSTRIAL TO PLANNED DEVELOPMENT ZONING DISTRICT NO. 52 (PD-52), ALLOWING OFFICE, HOTEL, RETAIL AND RELATED USES, WITH REVISED PERFORMANCE AND DEVELOPMENT STANDARDS; PROVIDING A SAVING CLAUSE; PROVIDING INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00); 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 to a change in condition and in order to protect the public health, welfare and safety, said

John Dodd, Mayor — Bill Glancy, Mayor Pro-Tem — Council Members: David D. Blair, Jr., Place 1 — John Dunagan, Place 2 — Carol Dingman, Place 3 — Herb Weidinger, Place 5

CITY OF FARMERS BRANCH P.O. BOX 819010 FARMERS BRANCH, TEXAS 75381-9010 214/247-3131

LINKED IN FRIENDSHIP WITH THE DISTRICT OF BASSETLAW, NOTTINGHAMSHIRE, GREAT BRITAIN

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 Light Industrial Zoning to Planned Development Zoning District Number 52, allowing office and other related uses (PD-52) with performance and development standards as set out in Exhibit "B". Said tract of land being shown on Exhibit "A" and more specifically described as follows:

The tract is bounded on the north by Spring Valley Road; bounded on the west by the Dallas Power and Light Right of Way; bounded on the south by Tract #27, Block 1 of Abstract #478; bounded on the east by Lot 1, Block A of the Trinity Concrete Products Survey.

SECTION 2. That all uses in Planned Development Zoning District Number 52 (PD-52) 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 52 (PD-52) 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 Two Hundred Dollars (\$200.00) for each offense.

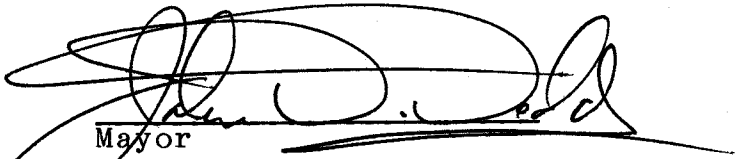
SECTION 6. If any section, paragraph, subdivision, clause, phase or provision of this Ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole or part or portion thereof, other than that portion so decided to be invalid or unconstitutional.

SECTION 7. Injunctive Relief. 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 has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development, and in order to protect the public interest, comfort and general 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 cases provides.

DULY PASSED by the City Council of the City of Farmers Branch, Texas, on the 22nd day of October, 1984.

APPROVED:



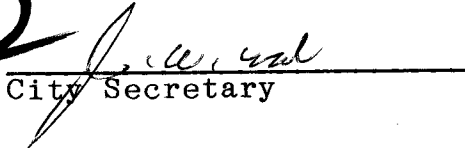
Mayor

APPROVED AS TO FORM:

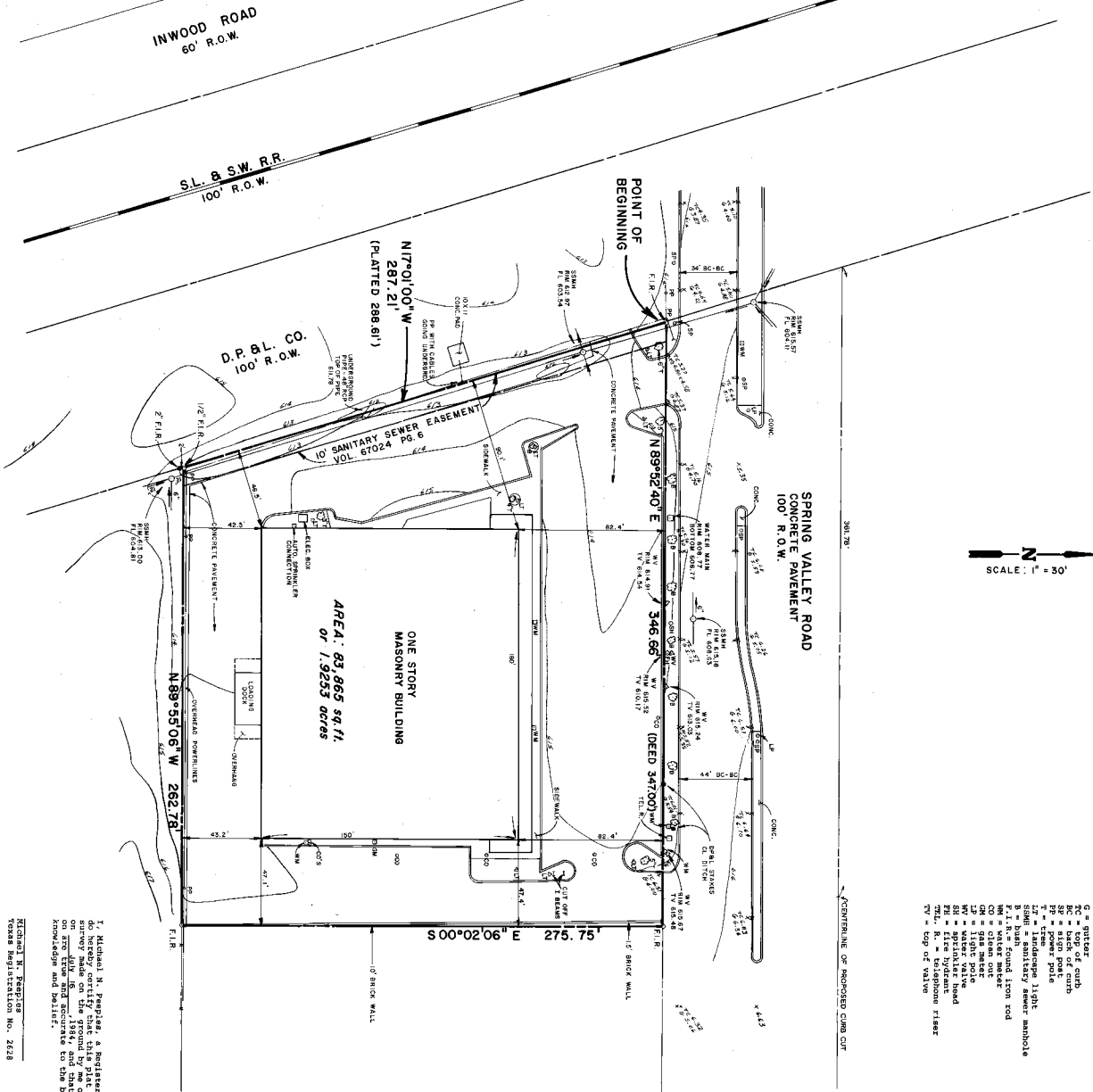
ATTEST:



City Attorney



City Secretary



- LEGEND**
- CC = center
 - CC = back of curb
 - PP = power pole
 - IT = iron rod
 - LI = limestone light
 - SMH = sanitary sewer manhole
 - F.I.N. = found iron rod
 - WM = water meter
 - GM = gas meter
 - WV = water valve
 - SV = special valve
 - SH = special head
 - TL = telephone riser
 - TV = top of valve

I, Richard N. Frazier, a Registered Public Surveyor, certify that I have personally conducted a survey of the above described premises and that the facts shown hereon are true and correct to the best of my professional knowledge and belief.

Richard N. Frazier
Texas Registration No. 2228
REVISED 8/21/84

BENCHMARK DESCRIPTION

A tract or parcel of land situated in the Blinn Park Survey, containing 1.9253 acres, more or less, and being the same as the tract of land conveyed to John D. Yoder by deed, dated and recorded in Dallas County deed records, and being the same as the tract of land conveyed to John D. Yoder by deed, dated and recorded in Dallas County deed records, and being more particularly described as follows:

BEGINNING at an iron rod at the intersection of the South Line of Spring Valley Road (a 100' wide right-of-way) and the East Line of the 100' wide right-of-way of the Dallas County Light and Light Company right-of-way;

THENCE North 17°01'00" West 287.21 feet along the East Line of the 100' wide right-of-way of the Dallas County Light and Light Company right-of-way;

THENCE North 89°52'40" East 262.78 feet to an iron rod on the South Line of said road;

THENCE North 89°52'40" East 275.75 feet to an iron rod on the South Line of said road;

THENCE North 89°52'40" East 262.78 feet to an iron rod on the South Line of said road;

THENCE North 17°01'00" West 287.21 feet along the East Line of the 100' wide right-of-way of the Dallas County Light and Light Company right-of-way;

containing 83,865 square feet or 1.9253 acres of land more or less.

Notes: All spot elevations are relative to
 BM 517.00 N.S.T.
 Benchmark: Wall at the top of benchmark, N.S.T., on the West Side of Inwood Road.
 ELEV. 613.88 N.S.T.

Temporary Top hole, painted orange between benchmark: N.R.S. 128 on the fire hydrant on the West Side of Inwood Road, near the site of the property.
 ELEV. 617.77 N.S.T.

EXHIBIT "B"

PERFORMANCE AND DEVELOPMENT STANDARDS
FOR PLANNED DEVELOPMENT DISTRICT NUMBER 52

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 Planned Development District Number 52 the ("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. PERMITTED USES: The following uses shall be permitted within the District:

1. PRINCIPAL USES PERMITTED

The following principal uses shall be permitted subject to approval of conceptual and detailed site plans.

A. Office Buildings.

This includes but is not limited to: private corporate offices, speculative offices, professional offices, medical and diagnostic offices.

B. Financial institutions.

2. SECONDARY USES PERMITTED

The following secondary uses shall be permitted only in a PD district which includes office or one other principal use.

- A. Automobile orient uses such as:
 - 1) Drive-in banks
 - 2) Automated tellers
- B. Business service establishments
- C. Snack or sandwich shops
- D. Personal service establishments such as a barber shop, etc.
- E. Commercial off-street parking (with an "S" permit)
- F. Self-service automated food service facilities

Secondary uses shall be designed to serve primarily the needs of occupants of the planned development in which they are located. Such uses shall be designed so as to maintain and protect the character of adjacent properties.

- B. ALLOWABLE DENSITY: The following shall be the allowable density within the District:
 - 1. The maximum floor area within the District devoted to office, or other uses, shall be limited to two hundred fifty thousand (250,000) square feet. (F.A.R. = 2.981)
 - 2. The maximum floor area within the District devoted to retail and service type uses referred to in A.4 above shall be ten thousand (10,000) square feet.
 - 3. Garages and parking structures shall not be counted in computing the floor area referred to in either 1 or 2 above. Parking structures shall be allowed in addition to the floor areas provided for in 1 and 2 above. All required parking shall be below ground level.

- C. BUILDING HEIGHTS: Buildings (other than parking structures) may be constructed to any height allowed by the Federal Aviation Agency or its successor ("FAA") provided this height is established and approved on the building site plan. A copy of the approved FAA building height shall be submitted to the Building Official.
- D. BUILDING SETBACKS: Building structures shall be set back a minimum distance from the right-of-way line of public streets and adjacent property lines as follows:
1. Public street rights-of-way: building structures shall be set back 29 feet from all street rights-of-way lines.
 2. Side and rear property lines: building structures shall be set back 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.
 3. The actual setback dimensions are to be specified and established on the building site plan.
- E. BUILDING SITE COVERAGE AND LANDSCAPING: The following shall govern the building site coverage and its landscaping:
1. The gross ground floor area of buildings may cover up to but shall not exceed 50% of the gross building site area.
 2. The exterior landscaped open space on a building site

shall be not less than 15% of the gross building site area. This is to be approved on the site plan.

3. Landscaped areas shall be interpreted to mean zones of grass, ground cover, trees and shrubs, paved and landscaped areas for pedestrian uses, and lakes or fountains. Paved areas for parking or regular vehicular traffic flow shall not be considered as part of this classification.

F. PARKING: Parking shall be provided for the proposed uses at the following minimum ratios, and shall be accommodated below grade:

1. Offices: one space per 300 square feet of gross floor area.
2. Affiliated office support services: one space per 300 square feet of gross floor area.
3. Medical and diagnostic offices: one space per 175 square feet of gross floor area.

G. LOADING FACILITIES:

1. All office and commercial uses shall provide and maintain off-street loading facilities in the quantities stated below:
 - a) Office and commercial uses
 - i. 0 to 50,000 gross square feet: one space.
 - ii. 0 to 150,000 gross square feet: two spaces.
 - iii. Each additional 100,000 gross square feet: one space.
2. The City staff shall determine off-street loading requirements for uses not specified, based on the most similar

use listed above.

3. 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.

4. Loading facilities shall be designed to avoid interference with traffic flow and to eliminate the need to use any public street for the maneuvering of any delivery vehicle.

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. PATHWAY SYSTEM: The project will conform to the City of Farmers Branch pathway system.

J. TRAFFIC STUDY: A traffic impact study for the project will be submitted. This study will:

1. Account for future traffic generated by proposed developments in the locality of the project.

2. Specify the percent of existing capacity absorbed by the project.

K. CONCEPT PLAN APPROVAL: Prior to the 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 not smaller than 1 inch = 1,000 feet.
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 the 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 should include a statement of maximum allowable building and parking space and anticipated building heights.
6. A statement or visual presentation of how adjacent and neighboring properties shall be affected by the proposed

development. This statement should address vehicular access plans, site context, and existing and anticipated land uses.

- L. BUILDING SITE PLAN APPROVAL: Prior to the beginning of any development on a building site within the District a comprehensive building site plan 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 not smaller than 1 inch = 1,000 feet.
 2. A Boundary survey of the building site, including the following:
 - a) metes and bounds of all boundary lines of the property.
 - 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.

