



ORDINANCE NUMBER 2289

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 ESTABLISHING REVISED DEVELOPMENT STANDARDS FOR THE PLANNED DEVELOPMENT NO. 54 (PD-54) ZONING DISTRICT, WHICH IS BOUNDED ON THE NORTH AND WEST BY THE ST. LOUIS AND SOUTHWESTERN RAILROAD SPUR; BOUNDED ON THE EAST BY INWOOD ROAD; AND BOUNDED ON THE SOUTH BY THE BELTWAY/CHAMPION NO. 1 ADDITION; REPEALING ORDINANCE NO. 1536; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS the City Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the State Law relative to the amendment to the Comprehensive Zoning Ordinance 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 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 said change in such zoning should be made.

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 Planned Development Number fifty-four (PD-54) development standards on the tracts of land shown in Exhibit "A" and generally described as being a tract 5.94 acres in area bounded by the St. Louis and Southwestern railroad spur to the north and west; bounded by Inwood Road to the east; and bounded by the Beltway Champion No. 1 addition to the south.

SECTION 2. That all uses in PD-54 shall conform in operation, location, and construction to the performance standards established in Exhibit "B" and to those established by the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, except as amended herein.

SECTION 3. Structures and uses existing at the time of adoption of this ordinance are hereby declared legal and valid and may continue to exist as legal and valid uses subsequent to adoption of this ordinance, excepting the automobile repair use located on the property addressed as 14109 Inwood. The automobile repair use shall remain a legal, nonconforming use subject to the provisions of Article 20 of the Comprehensive Zoning Ordinance, "Nonconforming Uses and Structures".

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

SECTION 5. That Ordinance No. 1536 including the associated Concept Plan is hereby repealed.

SECTION 6. 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-thousand (\$2,000.00) dollars for each offense.

SECTION 7. 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 whole or any portion thereof, other than that portion so decided to be invalid or unconstitutional.

SECTION 8. 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 9. 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.

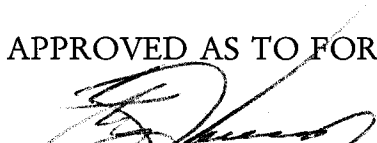
Duly passed by the City Council of the City of Farmers Branch, Texas, on this the 2
day of December, 1996.

ADOPTED:



Mayor

APPROVED AS TO FORM:



City Attorney

ATTEST:



City Secretary

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 Tract (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° 29' East 185.36 feet to point for corner;

THENCE North 72° 59' 00" East, 189.82 feet to a point in the said west line of Inwood Road;

THENCE South 17° 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 AND DEVELOPMENT STANDARDS

The following performance and development standards, (the "Standards") shall be considered in the use, operation, design, location, siting and construction of any structure and other development features within Planned Development Zoning District Number 54, (the "District"). Variances to these standards may be requested by the developer and shall be considered as part of the building site plan approval. All variances requested by the developer as part of the building site plan approval shall be specifically identified on the building site plan as a variance request.

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

1. Uses Permitted:

- a. Office buildings (including, but not limited to, private corporate offices, professional offices, medical and diagnostic offices)
- b. Banks, savings and loan associations, and other financial institutions
- c. Medical and dental laboratories
- d. Any use as permitted within the Local Retail-1 (LR-1) zoning district and listed in the Comprehensive Zoning Ordinance Schedule of Uses under Article 8, Section 107 (i.e., Retail and Service Type Uses), Section 114 (i.e., Miscellaneous Uses), Section 114a (i.e., Tires, Batteries and Accessories), and Section 114b (i.e., Auto Repairs, Service and Installation).
- e. Print shop and job printing including, but not limited to, photographic reproduction, blue printing and copying but specifically prohibiting any type of gravure or flexographic printing processes or similar operations that generate noise, odor, vibration, dust or hazard detectable beyond the property lines of the property on which the use is located.
- f. Light Fabrication and Assembly: The manufacturing or assembly of, from previously prepared or standardized parts, distinct objects or products differing from the individual components and typically involving a physical joining or assembly of components (as opposed to chemical bonding) and similar activities that do not generate noise, odor, vibration, dust or hazard detectable beyond the property lines of the property on which the use is located.
- g. Snack and Sandwich Shop
- h. Sign and identification uses permitted in a PD under paragraph 8-108 of the Comprehensive Zoning Ordinance provided however, that actual size and location may be determined and approved on a detailed site plan.
- i. Warehouse or Distribution only in conjunction with either retail, retail showroom or office uses comprising a minimum of twenty percent (20%) of the gross floor area of the structure in which such use is located.

2. Specific Use Permit Required:

- a. Hotel
- b. Private clubs
- c. Indoor theater (move or legitimate)
- d. Indoor Commercial Amusements
- e. Health clubs or studios, public and private
- f. Restaurant establishments
- g. Any permitted use having drive-in or drive-through service of any type

B. Use Limitations

Outdoor storage, display or sales of merchandise, equipment or goods of any type is expressly prohibited.

C. DENSITY: The following shall be 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 gross floor area of uses permitted within the District shall not exceed a total of 708,000 square feet.
3. Garages and parking structures below grade shall not be counted in computing floor area ratio referred to in C-1 above.

D. MAXIMUM BUILDING HEIGHT: Maximum building height shall be not greater than that permitted by Federal Aviation Authority (FAA), provided such height is also approved by City Council in conjunction with a comprehensive building site plan. Certification of FAA approval of proposed building height shall be submitted to the City Building Official for verification prior to issuance of any building permit related to such comprehensive site plan approved.

E. BUILDING SETBACKS: Setbacks shall be established on the site plan. Minimum setback distance from the right-of-way line of public streets and adjacent lines are as follows:

1. Public street right-of-way: building structures shall be setback a minimum of 30 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 right-of-way. The intent shall be to guarantee a permanently unobstructed area of 20 feet between building structures for fire access purposes.

3. Buildings existing at the time this ordinance is adopted shall be considered to be in full compliance with the setback provisions of this ordinance. However, any further expansion of said existing buildings shall be limited to the extent that they comply with the requirements of E-1 and E-2 above.

F. 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 shall not exceed fifty percent (50 %) of the gross building site area.
2. Landscaped open space on a building site shall not be less than ten percent (10%) of the gross building site area, after dedication of any required street right-of-way.
3. Buildings existing at the time this ordinance is adopted shall be considered to be in full compliance with the lot coverage and landscaping provisions of this ordinance. However, any further expansion of said existing buildings shall be limited to the extent that they comply with the requirements of F-1 and F-2 above.
4. Landscaping shall be defined as zones of grass, vines, ground cover, trees, shrubs, streams, lakes, or fountains and any combination of the above approved in a landscape plan.
5. 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 along the perimeter of the parking lot shall not be counted as fulfillment of the interior landscaping requirement.
6. Redevelopment shall conform to City of Farmers Branch pathway system.

G. PARKING: Parking shall be provided for the proposed uses at the following minimum ratios and dimensions:

1. Offices (other than medical offices): one space per 300 square feet of gross floor area.
2. Medical and diagnostic offices: one space per 175 square feet 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 square feet of gross floor area.
5. Eating establishments: one space per 100 square feet of gross floor area.

6. Theaters: one space for every three seats.
7. Showroom: one space per 500 square feet of gross floor area.
8. Warehouse/Distribution: one space per 1,000 square feet of gross floor area.
9. Manufacturing or Assembly: one space per 1,000 square feet of gross floor area.
10. All required parking spaces shall measure at least nine (9) feet wide and eighteen (18) feet in length and be comprised of an improved surface of concrete, asphalt or other hard surface material as may be approved on a comprehensive site plan.

H. 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 square feet: one space
 - ii. Each additional 100,000 gross square feet: one space
 - b. Commercial/Industrial Uses:
 - i. 0 to 20,000 gross square feet: one space
 - ii. Greater than 20,000 gross square feet: as approved on site plan
 - c. Hotel Uses:
 - i. 0 to 100,000 gross square feet: one space
 - ii. 100,000 to 300,000 gross square feet: two spaces
 - iii. Each additional 200,000 gross square feet: one space
 - d. Restaurant Uses:
 - i. 0 to 50,000 gross square feet: one space
 - ii. Each additional 50,000 gross square feet: one space
2. 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 and public street for maneuvering of any delivery vehicle.
7. Loading facilities shall consist of a minimum area of 12 feet by 60 feet.

I. STREETS:

All public streets and rights-of-way, public alleys, and fire lanes within the District shall be constructed in conformance with City of Farmers Branch engineering design criteria.

J. 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 feet 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.

K. BUILDING SITE PLAN APPROVAL:

Prior to 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 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 shall 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 reasonably necessary to determine compliance of the building site plan with the Comprehensive Zoning Ordinance, amended hereby.