



ORDINANCE NO. 2040

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 PLANNED DEVELOPMENT ZONING DISTRICT NUMBER 55 (PD-55) A TRACT OF LAND BOUNDED ON THE NORTH BY CHAMPION PAPER COMPANY PROPERTY; BOUNDED ON THE EAST BY INWOOD ROAD; BOUNDED ON THE SOUTH BY ALPHA ROAD; AND, BOUNDED ON THE WEST BY THE RAILROAD R.O.W.; BY REPEALING ORDINANCE NUMBER 1543; BY ESTABLISHING NEW ZONING DEVELOPMENT STANDARDS THAT HAVE NO REFERENCE OR OBLIGATIONS RELATED TO A FOUR-LANE DIVIDED THOROUGHFARE TO BE CONSTRUCTED ALONG THE DISTRICTS WEST BOUNDARY; BY MAINTAINING THE PLANNED DEVELOPMENT ZONING DISTRICT NUMBER FIFTY-FIVE (PD-55) DESIGNATION; PROVIDING A SAVINGS CLAUSE; PROVIDING INJUNCTIVE RELIEF; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); 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 with reference to changes to zoning classifications 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 said change in zoning uses 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 Zoning District Number Fifty Five (PD-55) classification on the following described tract of land, and allowing uses and development standards as set out in Exhibit "B". Said tract of land being specifically described (when PD-55 was originally established) in Exhibit "A" and generally described as follows:

The tract of land bounded by Inwood Road on the east; bounded by Champion Paper property on the north; bounded by the railroad on the west; and, bounded by Alpha Road on the south.

SECTION 2. That all uses in Planned Development Zoning District Number 55 (PD-55) 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 55 (PD-55) 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 Ordinance Number 1543 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 Dollars (\$2,000.00) for each offense.

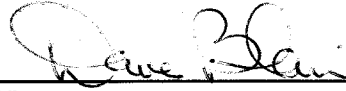
SECTION 7. If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or portion thereof, other than that portion so decided to be invalid or unconstitutional.

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. Whereas, it has been found that there has been a change in the development standards in the above described property it is now necessary that the PD-55 zoning district be amended in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and require 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.

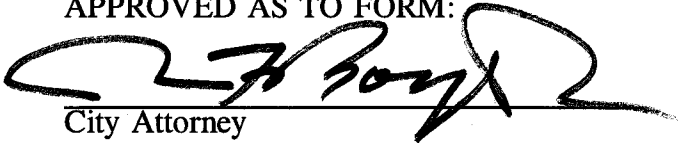
DULY PASSED by the City Council of the City of Farmers Branch, Texas, on this the 19th  
day of April, 1993.

APPROVED:



\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

ATTEST:

  
\_\_\_\_\_  
City Secretary

## EXHIBIT "A" INWOOD ROAD TRACT

Being a tract of land situated in the City of Farmers Branch, Texas, part of the Elisa Fike Survey, Abstract Number 478, a part of the Metropolitan Industrial Park, including Lot A;

Commencing at the southeast corner of the intersection of the northerly right-of-way of Alpha Road and the westerly right-of-way of Inwood Road;

THENCE, N 17 deg. 01'00" W, approximately 997.00 feet to a point adjacent to Nall Road extended;

THENCE, S 89 deg. 40'45" W, approximately 486.25 feet to a point on the westerly side of Lot A;

THENCE, S 17 deg. 01'0" E, 506.72 feet to a point;

THENCE, S 72 deg. 59'00" W, approximately 26.995 feet to a point;

THENCE, S 17 deg. 01'00" E, approximately 341.05 feet along the railroad right-of-way to a point on the northerly right-of-way of Alpha Road;

THENCE, S 89 deg. 42'00" E, approximately 547.005 feet along the northerly right-of-way of Alpha Road to the Point of Beginning.

This description was not prepared from an on-the-ground boundary survey. It was prepared from a Rezoning Exhibit prepared by Survcon, Inc., November 1984.

## **EXHIBIT "B"**

### **PERFORMANCE AND DEVELOPMENT STANDARDS**

#### **FOR PLANNED DEVELOPMENT DISTRICT NUMBER 55 (PD-55)**

The following performance and development standards shall be considered in the use, operation, design, siting, and construction of structures and other development features within this Planned Development District.

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 confectionery shop (retail).
- c. Cafeteria.
- d. Cleaning and pressing, small shop or pick up.
- e. Customer personal service shop.
- f. Florist or garden shop.
- g. Memograph, 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 or private.
- e. Transportation related uses.
- f. Restaurant establishments.

4. Use Limitation:

- a. All developments within each building site shall conform to standards set forth in maximum and minimum development standards.
- b. Secondary uses shall be permitted only within office uses, or hotel, unless so indicated on final site development plan.
- c. The gross floor area of secondary uses, except parking, shall not exceed 5% of the total principal uses of the development.
- d. All primary uses shall be permitted only in the location shown on the final site development plan. The secondary uses, unless specifically addressed on the final site development plan, shall be a part of the indicated building. Should a desired alteration or change in the use represent a substantial departure from the approved final development plan, then such shall be allowed only after resubmittal of the amended site plan.

B. DENSITY: The following shall be the allowable density within the District:

- 1. Floor Area Ratio: Maximum allowable floor area ratio shall be 4:1. Basements of permitted uses shall not be counted in determining this ratio. Parking structures shall be located below grade.
- 2. Maximum floor area within the District devoted to primary and secondary uses as defined in A.1 and A.2 above shall be limited to one million nine hundred thousand square feet - 1,900,000 square feet.
- 3. 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 not be 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 30 feet from Inwood and Alpha and 25 feet from all other rights-of-way lines.
2. Side and rear property lines: building structures shall be setback a minimum of 20 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 24 feet between building structures for fire access purposes.
3. Fifteen (15) feet, (0) inches setback from property lines at all underground structures.

E. BUILDING SITE COVERAGE & LANDSCAPING: The following shall govern the building site coverage and its landscaping:

1. Gross ground floor area of buildings may cover up to but shall not exceed 40 percent of gross site area, after required dedication of street right-of-way.
2. Landscaped open space on a building site shall not be less than 20 percent 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 percent of their area developed as landscaping which is located interior to the parking lot.
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 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 systems: one space per 250 square feet of gross floor area.
5. Eating establishments: one space per 100 square feet 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 GSF: one space.
    - ii. Each additional 100,000 GSF: one space.
  - b. Commercial uses:
    - i. 0. to 20,000 GSF: one space.
  - c. Hotel uses:
    - i. 0 to 100,000 GSF: one space.
    - ii. 100,000 to 300,000 GSF: two spaces.
    - iii. Each additional 100,000 GSF: one space.
  - d. Restaurant uses:
    - i. 0 to 50,000 GSF: one space.
    - ii. Each additional 50,000 GSF: 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 percent 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 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 feet as part of concept plan indicating ownership of all land immediately adjacent to the District.
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.
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 traffic impact study based upon guide lines established by the City of Farmers Branch Traffic Department.
7. A water and sewer impact analysis.

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 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 facilities.
  - 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 the 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, as amended hereby.

END OF EXHIBIT "B"