



FARMERS BRANCH

"BEST LIVING PLACE"

ORDINANCE NO. 1608

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 11.012 ACRE TRACT OF LAND LOCATED ALONG THE EAST SIDE OF LUNA ROAD APPROXIMATELY 500' FEET SOUTH OF THE IH 635E FROM THE CURRENT ZONING DISTRICT CLASSIFICATION OF PD-22 (LI) TO A PLANNED DEVELOPMENT DISTRICT NUMBER 59 (PD-59) ALLOWING OFFICE, HOTEL, SUPPORT SERVICE & RETAIL USES; ESTABLISHING DEVELOPMENT STANDARDS FOR PD ZONING DISTRICT NUMBER 59; PROVIDING A SAVINGS CLAUSE; PROVIDING INJUNCTIVE RELIEF; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Plan 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 of 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 zoning map of the City of Farmers Branch, Texas, so as to change the zoning on the following described tract of land from PD-22 (LI) to Planned Development Zoning District 59, (PD-59), allowing office, hotel, support retail and service uses and establishing development standards as set out in Exhibit "B".

Said tract of land being more specifically described on Exhibit "A".

SECTION 2. That all uses in Planned Development Zoning District 59 (PD-59) shall conform in operation, location and construction to the performance standards set out in Exhibit "B" and, to those established by the Comprehensive Zoning Ordinance of the City of Farmers Branch.

SECTION 3. That all uses in Planned Development District Number 59 (PD-59) shall conform to the development standards set out in Exhibit "B".

SECTION 4. That the development of the above described 11.012 acre tract shall comply with and be in accordance with the following provisions:

- (a) Signalization, as requested by the city at the entrance to the property at Luna Road, be installed or paid for by the owner.
- (b) The East-West Road alignment be adjusted as needed to comply with the West Side Thoroughfare Plan when it is approved.
- (c) The north one-half of the Right-of-Way for the East-West Street be dedicated from the ownership of the Trinity River Authority site at the time the development is platted.
- (d) The East-West fire lane should be shown entirely on the subject property or a formal agreement be presented to the City Council from the adjacent property owner allowing the fire lane on the adjacent property.
- (e) A Transportation Management System Plan will be required at the time of site plan approval.
- (f) The owner of the subject property participate in an assessment program, consisting of area property owners, relating to the thoroughfare plan.
- (g) No Site Plan shall be considered by the city, until the West Side Thoroughfare Plan is adopted.

SECTION 5. That the Applicant shall submit a traffic study or analysis with each site plan submitted to the City. The

traffic study or analysis shall include projections and monitor existing traffic levels and levels of development.

SECTION 6. 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 7. 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.

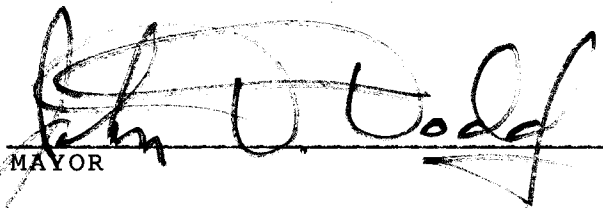
SECTION 8. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 9. 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 10. Whereas, it appears that the above described property requires that it be given the Rezoning 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.

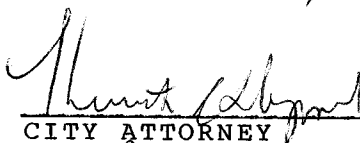
DULY PASSED by the City Council of the City of Farmers Branch, Texas, on this the 4th day of November, 1985.

APPROVED:

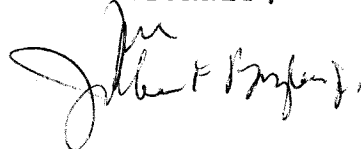

MAYOR

APPROVED AS TO FORM:

ATTEST:


CITY ATTORNEY


CITY SECRETARY



SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

THIS IS TO CERTIFY THAT I HAVE, THIS DATE, MADE A CAREFUL AND ACCURATE SURVEY ON THE GROUND OF PROPERTY LOCATED AT LUNA ROAD, IN THE CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS, DESCRIBED AS FOLLOWS:

BEING A 11.012 ACRE TRACT OF LAND IN THE WILLIAM P. SHAHAN SURVEY, ABSTRACT NO. 1337, DALLAS COUNTY, TEXAS, AND BEING PART OF A 44.062 ACRE TRACT CONVEYED TO J. H. LACY, TRUSTEE, AND INDIVIDUALLY, BY INTERSTATE ENTERPRISES, INC., BY DEED DATED FEBRUARY 24, 1970, AND RECORDED IN VOLUME 70039, PAGE 1481, OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, SAID 11.012 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER IN THE EAST RIGHT-OF-WAY LINE OF LUNA ROAD (100' R.O.W.) SAID POINT BEING NORTH 01° 06' 10" WEST A DISTANCE OF 274.97 FEET FROM THE INTERSECTION OF SAID RIGHT-OF-WAY LINE WITH THE NORTH RIGHT-OF-WAY LINE OF LAKES DRIVE (100' R.O.W.);

THENCE NORTH 01° 06' 10" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF LUNA ROAD, A DISTANCE OF 295.53 FEET TO THE POINT OF BEGINNING OF A CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 13° 45' 57" AND A RADIUS OF 1196.28 FEET;

THENCE IN A NORTHERLY DIRECTION ALONG SAID CURVE TO THE LEFT AND CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF LUNA ROAD, A DISTANCE OF 287.42 FEET TO A POINT FOR CORNER, SAID POINT BEING THE SOUTH CORNER OF TRINITY RIVER AUTHORITY 6.08 ACRE TRACT;

THENCE NORTH 63° 51' 24" EAST A DISTANCE OF 547.75 FEET TO A POINT FOR CORNER;

THENCE NORTH 26° 08' 36" WEST A DISTANCE OF 362.01 FEET TO A POINT FOR CORNER;

THENCE NORTH 88° 07' 37" EAST, A DISTANCE OF 255.51 FEET TO A POINT FOR CORNER IN THE EAST LINE OF SAID 44.062 ACRE TRACT;

THENCE SOUTH 01° 52' 23" EAST ALONG THE EAST LINE OF SAID 44.062 ACRE TRACT, A DISTANCE OF 1143.53 FEET TO A POINT FOR CORNER;

THENCE SOUTH 88° 53' 50" WEST A DISTANCE OF 579.54 FEET TO THE POINT OF BEGINNING AND CONTAINING 479,698.00 SQUARE FEET OR 11.012 ACRES OF LAND.

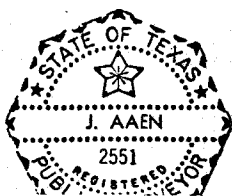
THE PLAT HEREON IS A TRUE, CORRECT AND ACCURATE REPRESENTATION OF THE PROPERTY AS DETERMINED BY SURVEY, SUBJECT TO ANY AND ALL EASEMENTS, RESERVATIONS AND RESTRICTIONS THAT MAY BE OF RECORD, THE LINES AND DIMENSIONS OF SAID PROPERTY BEING AS INDICATED BY THE PLAT; AND THAT THE DISTANCE FROM THE NEAREST INTERSECTING STREET OR ROAD IS AS SHOWN ON SAID PLAT. THERE ARE NO ENCROACHMENTS, CONFLICTS OR PROTRUSIONS.

EXHIBIT "A"

SCALE 1" = 200'

DATE OCTOBER 19, 1978

RE-CERTIFIED: SEPTEMBER 13, 1984



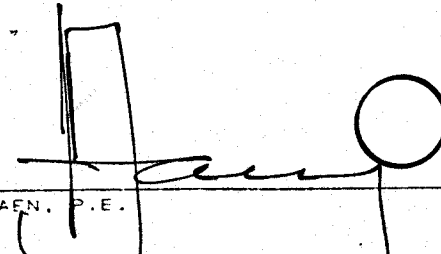

J. AAEN, P.E.

EXHIBIT "B"

PERFORMANCE AND DEVELOPMENT STANDARDS
FOR PLANNED DEVELOPMENT DISTRICT NUMBER 59

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 59 (the "District").

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 (hereinafter referred to, respectively, as the "Concept Plan" and the "Site Plan"):

(a) Office Buildings

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

(b) Hotels

(c) Financial institutions, including banks and savings and loan associations

(d) Medical and dental laboratories

(e) Sign and identification uses permitted in a Planned Development District under Paragraph 8-108 of the Comprehensive Zoning Ordinance of Farmers

Branch. Such uses shall be approved on the Site Plan.

2. Secondary Uses Permitted

The following secondary uses shall be permitted only in connection with office or other principal uses described above:

- (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) Mimeograph, 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) Automated tellers

3. Specific Use Permit Required

- (a) Commercial off-street parking
- (b) Private clubs
- (c) Health clubs or studios, public and private
- (d) Transportation related uses
- (e) Restaurants

(f) Skating rinks, roller or ice

(g) Indoor theatres

(h) Drive-in banking facilities

4. Use Limitations

(a) All developments within each building site shall conform to development standards set forth herein.

(b) Secondary uses shall be permitted only within office or hotel uses.

(c) All primary uses shall be permitted only in the locations shown on the Site Plan. The secondary uses, unless specifically addressed on the Site Plan, shall be a part of the indicated building. Should a desired alteration or change in use represent a departure from the approved Site Plan, then such shall be allowed only after an appropriately approved amendment to the Site Plan.

(d) Secondary uses shall be designed to serve primarily the needs of occupants of the District. 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, retail, service or other permitted uses referred to above shall be limited to Seven Hundred and Seventy-Five Thousand (775,000) square feet. Of this amount, no more than five

percent (5%), or Thirty-Eight Thousand Seven Hundred and Fifty (38,750) square feet, shall be devoted to secondary uses.

2. Garages, parking structures and other uses below grade shall not be counted in computing floor area ratios in the District.

C. BUILDING HEIGHTS: Buildings may be constructed to any height allowed by the Federal Aviation Agency or its successor (the "FAA") provided this height is established and approved on the Site Plan. A copy of the approved FAA building height shall be submitted to the Building Official and shall be established on the Site Plan.

D. BUILDING SETBACKS: Building structures shall be set back a minimum distance from the right-of-way easement line of public streets and adjacent property lines as follows:

1. Public street rights-of-way: building structures shall be set back a minimum of 30 feet from all street rights-of-way easement 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 shall be specified and established on the 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 40% of the gross building site area.
 2. The exterior landscaped open space on a building site shall be not less than 20% of the gross building site area, as set forth 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, or any combination thereof approved in a landscape plan. Paved areas for parking or regular vehicular traffic flow shall not be considered as part of this classification.
 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: 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. Retail: one space per 250 square feet of gross floor area.

4. Restaurant: one space per 100 square feet of gross floor area.
5. Financial (banking): one space per 300 square feet of gross floor area.
6. Private clubs and indoor theatres: one space per 3 seats.
7. Hotels: one space for each room, plus such spaces as required by restaurants, ballrooms and affiliated facilities.

G. LOADING FACILITIES:

1. All office and commercial 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) over 150,000 gross square feet: one additional space for each extra 100,000 gross square feet.

(b) Commercial uses:

- (i) 0 to 20,000 gross square feet: one space
- (ii) over 20,000 gross square feet: one additional space for each extra 50,000 gross square feet

(c) Restaurant uses: 0-50,000 gross square feet: one space

(d) 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.
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 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.
 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. 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.
 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.

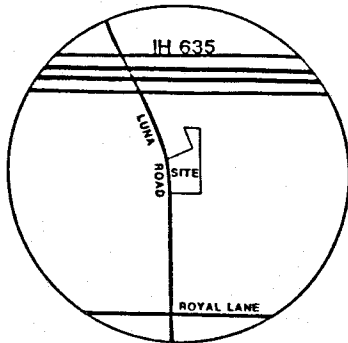
- I. TRAFFIC STUDY: A traffic impact study for the project shall be submitted. This study will be based upon guidelines established by the City of Farmers Branch Traffic Department.
- J. CONCEPT PLAN APPROVAL: Prior to the submittal of the first Site Plan within the District, a Concept Plan for the District shall 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 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 minimum contour interval of two (2) feet.
 3. An aerial photograph of the District and all adjacent properties within at least 500 feet.
 4. 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 area and parking space and anticipated building heights.

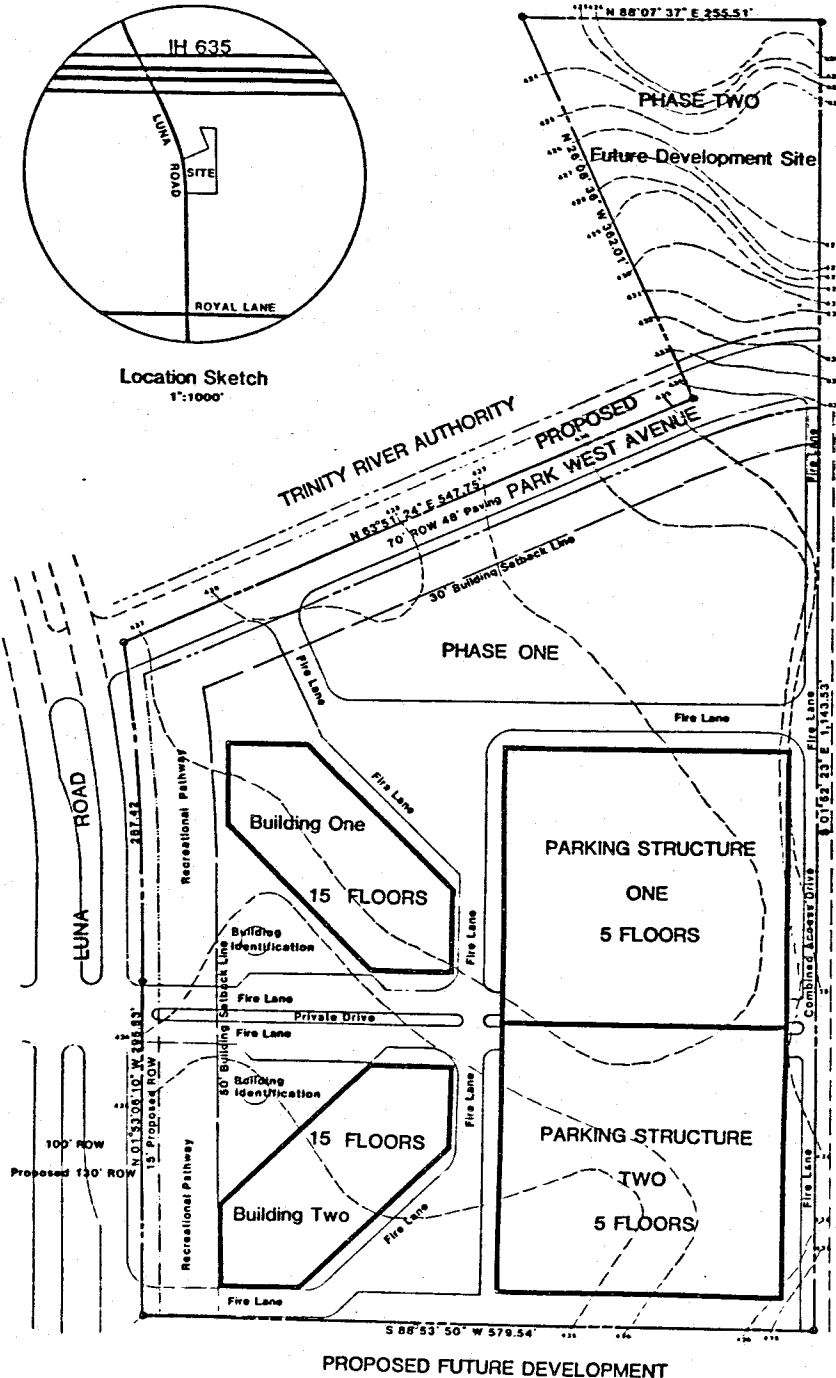
5. A statement confirming ownership of the property within the District and stating the place of record of the latest instrument in the chain of title.
 6. A map showing size, boundary configuration, and ownership of all land immediately adjacent to the District.
 7. Water and sewer impact analysis.
- K. SITE PLAN APPROVAL: Prior to the beginning of any development on a building site within the District, a 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 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.
5. A detailed scaled Site Plan showing:
 - (a) existing and proposed public or private streets and curb cuts
 - (b) existing and proposed building or parking structure locations, including size in number of square feet, number of floors, number of spaces and size of spaces in parking structures. [Building heights and setbacks, as described in Paragraph C and D herein shall be indicated on the Site Plan]
 - (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 landscaped 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 size 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 Site Plan will be submitted showing: the boundaries of the building site; aboveground public street rights-of-way and street paving; the elevations and grades of the ground level floor of all buildings and parking structures; plans for all proposed underground structures, including parking levels and vehicle circulation; graphic scale and north arrow. The underground structures should be drawn in solid lines, and the aboveground structures should be shown with dashed lines.
7. If a building site is to be developed in phases, the submittal should also include a Concept 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 requested information reasonably necessary to determine compliance of the Site Plan with the Comprehensive Zoning Ordinance, as amended hereby.



Location Sketch
1"=1000'



PROPOSED FUTURE DEVELOPMENT

LACY JOINT VENTURE
PROPOSED MIXED OFFICE COMPLEX

JULY 10, 1985

CONCEPT PLAN
CALCULATIONS

- Total Site 479,698 Square Feet
- Total Proposed Floor Space 775,000
- Total Parking Structures 664,094
- Landscaped Area 95,940 Square Feet
- Maximum Floor Area Ratio 3:1

PHASE ONE

- Building One 15 Floors Total 350,000 S.F.
- Parking Structure One
 - 5 Floors Total 300,000 S.F.
 - Parking Required: 1,167
 - Parking Provided: Structure 1,170
 - Surface 15
 - Total 1,185

- Building Two 15 Floors Total 350,000 S.F.
- Parking Structure Two
 - 5 Floors Total 300,000 S.F.
 - Parking Required: 1,167
 - Parking Provided: Structure 1,170
 - Surface 15
 - Total 1,185

PHASE TWO

- Future Development Site
75,000 Square Feet
- Parking Structure 64,094

PROPOSED MIXED OFFICES

