



ORDINANCE NO. 2687

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 AN APPROXIMATE 125.7 ACRE TRACT OF LAND LOCATED GENERALLY AT THE SOUTHEAST CORNER OF LBJ FREEWAY AND LUNA ROAD FROM THE CURRENT ZONING DISTRICT CLASSIFICATION OF PD-45, PD-59 AND PD-62 TO PLANNED DEVELOPMENT DISTRICT NUMBER 85 (PD- 85) INCLUDING ESTABLISHING USES AND DEVELOPMENT STANDARDS; AMENDING, RESTATING AND REPLACING IN ITS ENTIRETY ORDINANCE 1445, ORDINANCE 1608, ORDINANCE 1650 AND ORDINANCE 2184 PROVIDING A SAVINGS CLAUSE; PROVIDING INJUNCTIVE RELIEF; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND (\$2000.00) DOLLARS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend, replace and restate the existing Planned Development Numbers 45, 59, and 62 (PD-45, PD-59, and PD-62) zoning district of the Comprehensive Zoning Ordinance, as amended; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers;

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to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the City of Farmers Branch City Council, in compliance with the Charter of the City of Farmers Branch, and 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 City of Farmers Branch City Council is of the opinion that said change in zoning uses should be made; and

WHEREAS, the Planning and Zoning Commission and City Council do hereby find that this Amendment to the Zoning Ordinance is required in order to protect the health, safety, and welfare of the City and its citizens; that failure to approve this Ordinance could adversely impact the Planned Development of the City in an orderly manner considering the impact on the City's streets, utilities, environment, fire and police protection, and that all requirements for construction of public improvements are reasonable, necessary, result directly from the proposed development, and are on site and result directly from the proposed development, and are on site and contiguous to the subject property.

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

SECTION 1. That all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

SECTION 2. 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-45, PD-59 and PD-62 to Planned Development Zoning District 85 (PD- 85) establishing uses and development standards for an approximately 125.7 acre tract located generally at the southeast corner of LBJ Freeway and Luna Road as described in Exhibit "A" and further depicted on Exhibit "B".

SECTION 3. That all uses in Planned Development Zoning District 85 (PD- 85) shall conform in operation, location and construction to the performance standards set out in Exhibit "C", and to those established by the Comprehensive Zoning Ordinance of the City of Farmers Branch, except as amended herein.

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 No.1445, Ordinance 1608, Ordinance1650 and Ordinance 2184 are hereby amended, restated and replaced in their entirety as of the effective date of this Ordinance.

SECTION 6. That the property owner shall agree to participate, on a pro rata basis in the cost of an areawide Transportation Management Organization if a TMO is created.

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 Thousand Dollars (\$2000.00) 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 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 property 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, as the law in such case provides.

DULY PASSED by the City Council of the City of Farmers Branch, Texas, on this the _____ day of _____, 2002 .

APPROVED:

MAYOR

APPROVED AS TO FORM:

ATTEST:

CITY ATTORNEY

CITY SECRETARY

Exhibit A

EXHIBIT "A"
ZONING DESCRIPTION

BEING A 125.7 ACRE TRACT OF LAND SITUATED IN THE WILLIAM P. SHAHAN SURVEY, ABSTRACT NO. 1337, H.C. MARSH SURVEY, ABSTRACT NO. 916, AND THE WM. COCHRAN SURVEY, ABSTRACT NO. 279, IN THE CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS, AND BEING ALL OF A CALLED 108.892 ACRE TRACT OF LAND CONVEYED TO TRANSCONTINENTAL REALTY INVESTORS, INC., RECORDED IN VOLUME 200030, PAGE 4607 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS (D.R.D.C.T.), ALL OF THE REMAINDER PORTION OF A CALLED 17.118 ACRE TRACT OF LAND CONVEYED TO AMERICAN REALTY TRUST, INC., RECORDED IN VOLUME 97098, PAGE 2410, D.R.D.C.T., ALL OF A CALLED 2.021 ACRE TRACT OF LAND CONVEYED TO THE CITY OF FARMERS BRANCH, RECORDED IN VOLUME 2000207, PAGE 287, D.R.D.C.T., AND ALL OF LOT 1, BLOCK C OF LUNA 635 BUSINESS PARK, REVISION OF BLOCKS B & C, AN ADDITION TO THE CITY OF FARMERS BRANCH, RECORDED IN VOLUME 80017, PAGE 2039, OF THE PLAT RECORDS OF DALLAS COUNTY, TEXAS (P.R.D.C.T.). SAID 125.7 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING AT THE NORTHEAST CORNER OF SAID 108.892 ACRE TRACT, BEING IN THE WEST LINE OF A CALLED 24.6167 ACRE TRACT OF LAND, CALLED TRACT 1, CONVEYED TO THE CITY OF DALLAS, RECORDED IN VOLUME 86957, PAGE 342, D.R.D.C.T., AND BEING IN THE EXISTING SOUTH RIGHT-OF-WAY (R.O.W.) LINE OF INTERSTATE HIGHWAY 635 (A VARIABLE WIDTH R.O.W.);

THENCE, DEPARTING SAID EXISTING SOUTH R.O.W. LINE OF INTERSTATE HIGHWAY 635, AND ALONG THE EAST LINES OF SAID 108.892 ACRE TRACT, SAID 2.021 ACRE TRACT, AND SAID LOT 1 AND THE COMMON WEST LINE OF SAID 24.6167 ACRE TRACT THE FOLLOWING COURSES AND DISTANCES:

S 08°50'19" W, A DISTANCE OF 935.97 FEET TO A POINT FOR CORNER;

N 89°52'07" E, A DISTANCE OF 24.46 FEET TO A POINT FOR CORNER;

S 08°46'42" W, AT A DISTANCE OF 1469.24 PASSING THE SOUTHEAST CORNER SAID LOT 1 SAME BEING THE NORTHEAST CORNER OF SAID 2.021 ACRE TRACT CONTINUING A TOTAL OF DISTANCE OF 1526.15 FEET TO THE SOUTHEAST CORNER OF SAID 2.021 ACRE TRACT AND THE COMMON NORTHEAST CORNER OF LOT 2-R, BLOCK C OF SAID LUNA 635 BUSINESS PARK, REVISION OF BLOCKS B AND C;

THENCE, DEPARTING SAID COMMON LINE, AND ALONG THE SOUTH LINES OF SAID 2.021 ACRE TRACT AND THE COMMON NORTH LINE OF SAID LOT 2-R, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 603.29 FEET, A DELTA ANGLE OF 48°13'49", AN ARC LENGTH OF 507.84 FEET, AND A LONG CHORD THAT

SHEET 1 OF 4
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Exhibit A (continued)

BEARS S 52°27'53" W, A DISTANCE OF 492.97 FEET TO THE SOUTHWEST CORNER OF SAID 2.021 ACRE TRACT AND THE COMMON NORTHWEST CORNER OF SAID LOT 2-R, BEING IN THE EXISTING EAST R.O.W. LINE OF MATHIS DRIVE (A 64 FOOT WIDE R.O.W.);

THENCE, N 08°51'45" E, DEPARTING SAID COMMON LINE, AND ALONG THE WEST LINES OF SAID 2.021 ACRE TRACT AND THE COMMON EXISTING EAST R.O.W. LINE OF SAID MATHIS DRIVE, A DISTANCE OF 358.23 FEET TO THE NORTHWEST CORNER OF SAID 2.021 ACRE TRACT AND THE SOUTHWEST CORNER OF SAID LOT 1 SAME BEING THE NORTH R.O.W. LINE OF CROWN DRIVE (A 64 FOOT WIDE R.O.W.);

THENCE, S 89°33'45" W, DEPARTING SAID COMMON LINE, AND ALONG THE SOUTH LINE OF SAID 108.892 ACRE TRACT AND THE EXISTING NORTH R.O.W. LINE OF CROWN DRIVE (A 64 FOOT WIDE R.O.W.), A DISTANCE OF 1375.21 FEET TO THE MOST EASTERLY SOUTHWEST CORNER OF SAID 108.892 ACRE TRACT AND THE COMMON SOUTHEAST CORNER OF MAR THOMA CENTER, AN ADDITION TO THE CITY OF FARMERS BRANCH, RECORDED IN VOLUME 96010, PAGE 2778, P.R.D.C.T.;

THENCE, N 00°33'52" W, DEPARTING SAID COMMON LINE, AND ALONG THE MOST EASTERLY WEST LINE OF SAID 108.892 ACRE TRACT AND THE COMMON EAST LINES OF SAID MAR THOMA CENTER AND A CALLED 1.340 ACRE TRACT OF LAND (LAKE DRIVE) CONVEYED TO THE CITY OF FARMERS BRANCH, RECORDED IN VOLUME 83213, PAGE 599 A DISTANCE OF 619.07 FEET TO AN INTERIOR ELL CORNER OF SAID 108.892 ACRE TRACT AND THE COMMON NORTHEAST CORNER OF SAID 1.340 ACRE TRACT (LAKE DRIVE);

THENCE, DEPARTING SAID COMMON LINE, AND ALONG THE MOST WESTERLY SOUTH LINE OF SAID 108.892 ACRE TRACT AND THE COMMON NORTH LINE OF SAID 1.340 ACRE TRACT (LAKE DRIVE) THE FOLLOWING COURSES AND DISTANCES:

ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 950.00 FEET, A DELTA ANGLE OF 03°06'37", AN ARC LENGTH OF 51.57 FEET, AND A LONG CHORD THAT BEARS S 88°05'08" WEST, A DISTANCE OF 51.56 FEET TO A POINT FOR CORNER;

S 89°32'12" W, A DISTANCE OF 531.95 FEET TO THE MOST WESTERLY SOUTHWEST CORNER OF SAID 108.892 ACRE TRACT AND THE COMMON NORTHWEST CORNER OF SAID 1.340 ACRE TRACT (LAKE DRIVE), BEING IN THE EXISTING EAST R.O.W. LINE OF LUNA ROAD (A VARIABLE WIDTH R.O.W.);

THENCE, DEPARTING SAID COMMON LINE, AND ALONG THE WEST LINES OF SAID 108.892 ACRE TRACT, SAID REMAINDER OF A 17.118 ACRE TRACT, AND SAID

SHEET 2 OF 4
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Exhibit A (continued)

PARK WEST PHASE V, AND THE COMMON EXISTING EAST R.O.W. LINE OF SAID LUNA ROAD THE FOLLOWING COURSES AND DISTANCES:

N 00°18'07" E, A DISTANCE OF 570.55 FEET TO A POINT FOR CORNER;

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1196.28 FEET, A DELTA ANGLE OF 11°54'50", AN ARC LENGTH OF 248.75 FEET, AND A LONG CHORD THAT BEARS N 05°39'17" W, A DISTANCE OF 248.30 FEET TO A POINT;

N 78°24'04" E, A DISTANCE OF 7.87 FEET TO A POINT FOR CORNER;

N 11°11'13" W, A DISTANCE OF 212.26 FEET TO A POINT FOR CORNER;

N 14°23'23" W, A DISTANCE OF 169.48 FEET TO A POINT FOR CORNER;

S 60°42'24" W, A DISTANCE OF 60.54 FEET TO A POINT FOR CORNER;

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1196.28 FEET, A DELTA ANGLE OF 02°57'50", AN ARC LENGTH OF 61.88 FEET, AND A LONG CHORD THAT BEARS N 30°45'55" W, A DISTANCE OF 61.87 FEET TO A POINT FOR CORNER;

N 32°54'19" W, A DISTANCE OF 108.10 FEET TO THE NORTHWEST CORNER OF SAID REMAINDER OF A 17.118 ACRE TRACT;

THENCE LEAVING SAID EXISTING EAST RIGHT-OF-WAY LINE, OVER AND ACROSS THE NORTH LINE OF SAID REMAINDER OF A 17.118 ACRE TRACT COMMON WITH THE SOUTH LINE OF PARK WEST PHASE V, AN ADDITION TO THE CITY OF FARMERS BRANCH, RECORDED IN VOLUME 87007, PAGE 3105 (P.R.D.C.T.) THE FOLLOWING THREE (3) COURSES AND DISTANCES:

N 65°15'41" E, A DISTANCE OF 550.70 FEET TO A POINT FOR CORNER;

S 24°44'19" E, A DISTANCE OF 136.45 FEET TO A POINT FOR CORNER;

N 89°31'54" E, A DISTANCE OF 254.87 FEET TO A POINT FOR CORNER IN THE WEST LINE OF SAID 108.892 ACRE TRACT, SAME BEING THE NORTHEAST CORNER OF SAID REMAINDER OF A 17.118 ACRE TRACT AND THE SOUTHEAST CORNER OF SAID PARK WEST PHASE V;

THENCE N 00°27'48" W, ALONG THE WEST LINE OF SAID 108.892 ACRE TRACT, COMMON WITH THE EAST LINE OF SAID PARK WEST PHASE V, A DISTANCE OF 315.13 FEET TO A POINT FOR CORNER, ALSO BEING THE NORTHWEST CORNER OF SAID 108.892 ACRE TRACT AND THE NORTHEAST CORNER OF SAID PARK WEST PHASE V;

SHEET 3 OF 4
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Exhibit A (continued)

THENCE, ALONG THE NORTH LINE OF SAID 108.892 ACRE TRACT AND THE COMMON EXISTING SOUTH R.O.W. LINE OF SAID INTERSTATE HIGHWAY 635 THE FOLLOWING COURSES AND DISTANCES:

N 89°47'19" E, A DISTANCE OF 515.57 FEET TO A POINT FOR CORNER;

N 85°41'17" E, A DISTANCE OF 357.56 FEET TO A POINT FOR CORNER;

N 88°12'28" E, A DISTANCE OF 707.90 FEET TO A POINT FOR CORNER;

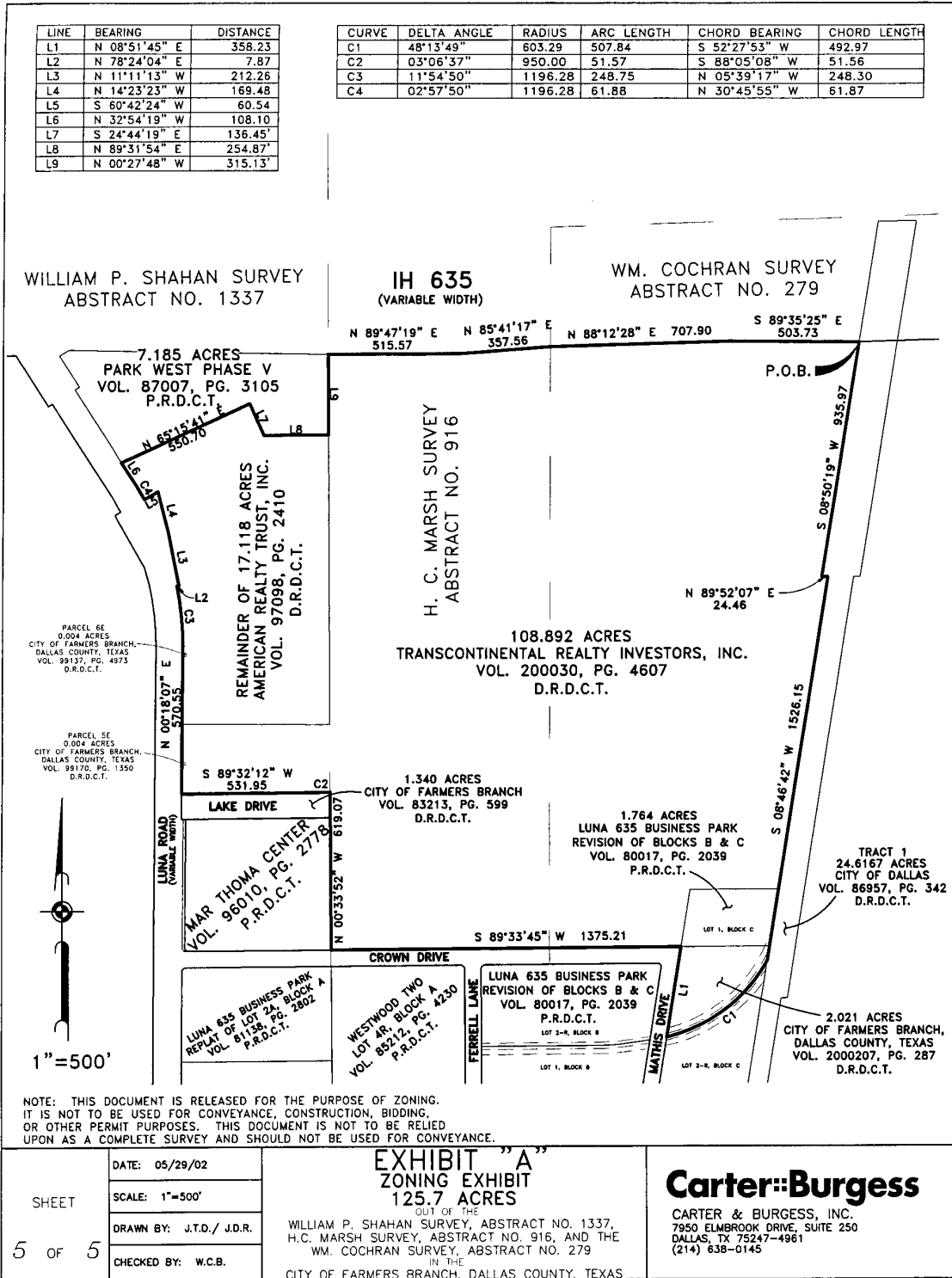
S 89°35'25" E, A DISTANCE OF 503.73 FEET TO THE POINT OF BEGINNING, AND CONTAINING 125.7 ACRES OF LAND, MORE OR LESS.

NOTE: THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF ZONING. IT IS NOT TO BE USED FOR CONVEYANCE, CONSTRUCTION, BIDDING, OR OTHER PERMIT PURPOSES. THIS DOCUMENT IS NOT TO BE RELIED UPON AS A COMPLETE SURVEY AND SHOULD NOT BE USED FOR CONVEYANCE.

SHEET 4 OF 4
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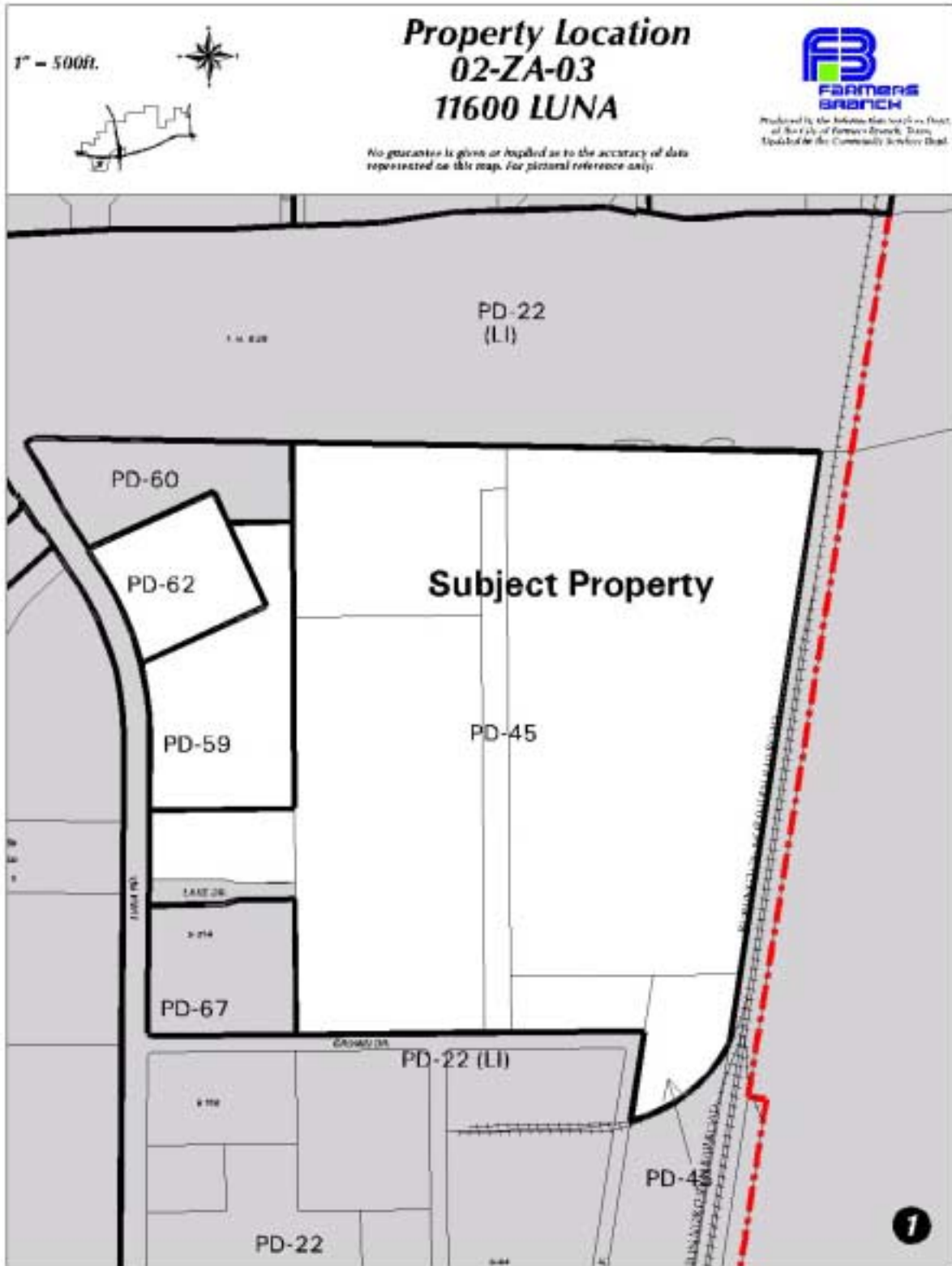
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Exhibit A (continued)



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Exhibit B



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Exhibit C

USE AND DEVELOPMENT STANDARDS

The following use and development standards shall regulate the design, location, and development of structures and other development features within Planned Development District Number 85 (the “District”). Development standards not specified in this PD Ordinance shall be governed by the Comprehensive Zoning Ordinance.

Special exceptions to the development standards may be requested by the developer and shall be considered as part of site plan approval. Said special exceptions do not require a finding of hardship to justify their approval. Good design, sound planning principles and equity shall be considered in regarding to these types of special exceptions.

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

1. Uses permitted:
 - a. Office, professional and administrative
 - b. Banks and saving and loan associations, and other financial institutions
 - c. Medical and dental laboratories
 - d. Retail and restaurant uses (only if located within the same building used for the above mentioned uses and secondary to that use)

2. Uses permitted subject to approval of a specific use permit (SUP):
 - a. Hotel
 - b. Any use with a drive-through facility
 - c. Any permitted use serving alcoholic beverages (in accordance with Ordinance No. 1986 and amendments thereof)
 - d. Telecommunication towers
 - e. Indoor recreational/entertainment uses.
 - f. Parking (surface or structured) as a principal use serving uses within the District
 - g. Gasoline sales with convenience store
 - h. Restaurants
 - i. Furniture stores
 - j. Automobile rental facilities with inventory consisting of twelve (12) or fewer vehicles
 - k. Retail uses as permitted in the Comprehensive Zoning Ordinance Local Retail-1 District (LR-1)

3. For purposes of this Ordinance, “Indoor recreational/entertainment uses” shall include but not limited to skating rink (roller, ice or hockey), athletic fields, theater (cinema or live performance), swim or tennis club, bowling, billiards and other similar uses located inside a building which is treated acoustically so that

noise generated by the use is not perceptible at the boundary property line; and excluding any type of sexually oriented business.

- B. **DENSITY.** The term density, as used herein, shall mean the relationship between the total gross floor area (measured in square feet) of above grade buildings of any type, not including parking structures, and the commercial land area (measured in square feet) within the District. The buildable commercial land area shall be as shown on the attached Lot Layout Plan (Exhibit D) for a maximum total of approximate 72.32 acres. The maximum density permitted within the District shall be 0.55 : 1 (maximum 1,737,130 square feet).
- C. **OPEN SPACE AREA.** Within the District, approximate 20.1 acres has been established as permanent Open Space Area (Block A, Lot 5 and Block C, Lot 2 as depicted on the Lot Layout Plan attached as Exhibit D). The Open Space Area shall be privately owned and privately maintained by a Property Owners Association. The Property Owners Association shall be established prior to any land within the District being platted or prior to the issuance of the first certificate of occupancy permit, whichever occurs first, within the District.
- D. **PROPERTY OWNERS ASSOCIATION.** A Property Owners Association shall own and be responsible for the maintenance of the open space areas (Block A, Lot 5 and Block C, Lot 2 as depicted on the Lot Layout Plan attached as Exhibit D).

The association will establish a reserve fund for the open space areas and the association documents shall be reviewed and approved by the City Attorney to ensure that the documents conform to this and other applicable City ordinances. The document shall be filed of record prior to the approval of the final plat.

Lot deeds shall convey membership in the association and provide for the payment of dues and assessments required by the association. No portion of the association can be dissolved, or no portion of the association documents pertaining to maintenance may be amended without the written consent of the City.

- E. **MAXIMUM BUILDING HEIGHT.** Buildings may be constructed to any height allowed by the Federal Aviation Authority (the "FAA") or its successor, provided this height is established and approved on the Site Plan.
- F. **BUILDING SETBACKS.** Structures shall be setback a minimum distance from the street rights-of-way as described below:
1. Luna Road and LBJ Freeway: Structures shall be setback a minimum of fifty (50) feet from the street right-of-way line.
 2. All other streets: Structures shall be setback a minimum of twenty-five (25) feet from the street right-of-way.

3. Side and Rear: Setbacks shall be established on the site plan at time of site plan review and approval.
- G. PAVEMENT SETBACKS. Off street parking shall be setback from the right-of-way line of streets as described following:
1. Luna Road and LBJ Freeway: The minimum paving setback shall be setback fifty (50) feet from the street right-of-way line for on grade (surface) parking only.
 2. All other streets: The minimum paving setback shall be fifteen (15) feet from the street right-of-way line for on grade (surface) parking only.
- H. BUILDING SITE COVERAGE. Ground floor building area coverage shall not exceed 40 percent of the total area of the lot, after deducting public street rights-of-way.
- I. LANDSCAPING. The following section establishes minimum landscaping requirements for all property within the District excluding the Open Space Area (Block A, Lot 5 and Block C, Lot 2 as shown on the Lot Layout Plan attached as Exhibit D).
1. For purposes of this ordinance, Landscape Open Space shall consist of any of the following or combination thereof: material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, or trees; and non-living structural material commonly used in landscaping, such as, but not limited to, rocks, pebbles, sand, pavers, and other types of pavement surfaces to accommodate pedestrians. Paved surfaces provided for vehicles shall be excluded.
 2. Landscaped Open Space shall be limited to areas of the property located outside the external wall lines of building structures. Open courtyard areas internal to buildings are specifically excluded as Landscaped Open Space.
 3. The minimum Landscaped Open Space on any lot within the district shall be 20 percent (20%) of the total area of the lot not covered by buildings and not a part of the right-of-way, including surface parking areas.
 4. Surface parking areas with bays (i.e. two parking stall depth plus vehicle access lane) sixty (60) feet in width or greater shall have not less than 10% of the total internal area of such parking area developed as Landscape Open Space. Landscape Open Space areas located along the perimeter of any parking area or outside the property line shall not be counted in meeting the requirement.
 5. All planted Landscaped Open Space areas within the District shall be supplied with a fully automatic irrigation system.

6. All Landscaped Open Space and other physical development located within the District shall conform with the requirements of the City pathway systems, as may be amended.

J. **PARKING.** Parking shall be provided in accordance with the following provisions:

1. Minimum required parking (note: For parking ratios for land uses not specified herein, refer to the Comprehensive Zoning Ordinance):

- a. Office uses: 1 space per 300 sq. ft. of gross floor area, or 1 space per employee, whichever is greater.
- b. Medical and diagnostic uses: 1 space per 175 sq. ft. of gross floor area.
- c. Hotels: 1 space for each of the first 250 rooms, plus $\frac{3}{4}$ spaces per room for the next 250 rooms, plus $\frac{1}{2}$ space for each additional room, plus such spaces as required for restaurants, ballrooms, and affiliated facilities.
- d. Retail uses: 1 space per 250 sq. ft. of gross floor area.
- e. Financial institutions: 1 space per 300 sq. ft. of gross floor area.
- f. Restaurants and theatres: 1 space for every 3 seats.

2. Parking limitations:

- a. Parking allowed as a principal use subject to approval of a specific use permit shall be permitted provided that the parking be located within the District and serve only uses located within the District.

K. **LOADING FACILITIES.**

1. All development shall provide and maintain off-street loading facilities as follows:

- a. Office uses:
 - i. For 10,000 to 50,000 sq. ft of gross floor area: 1 space
 - ii. For each additional 100,000 sq. ft. of gross floor area: 1 space

- b. Hotels:
 - i. For each 100,000 sq. ft. of gross floor area: 1 space
 - c. Restaurant uses:
 - i. For 0 to 50,000 sq. ft of gross floor area: 1 space
 - ii. For each additional 100,000 sq. ft. of gross floor area: 1 space
 - d. Other Commercial uses:
 - i. For 0 to 20,000 sq. ft of gross floor area: 1 space
 - ii. For each additional 20,000 sq. ft. of gross floor area: 1 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 type of use must meet the loading requirements of each use unless one type of use occupies 90 percent of more of the gross floor area, in which case the loading requirement is calculated as if that use occupied the entire structure.
 - 4. Dimensions of loading facilities, including tractor-trailer facilities, shall be determined and recommended by City staff as a part of the approved Site Plan.
 - 5. Loading facilities for more than one building may be provided in a common terminal if connections between buildings and the terminal are not in the public right-of-way.
 - 6. To minimize interference with traffic, loading facilities shall be designed to eliminate the need to use any public street for maneuvering of any delivery vehicle.
 - 7. Loading facilities fronting public streets and Block A, Lot 5 shall be prohibited.
- L. SCREENING. All refuse containers and mechanical equipment shall be screened from view from rights-of-way and open space areas.
- M. LOT LAYOUT PLAN. A Lot Layout Plan, Exhibit D, is attached to this Ordinance and illustrates in combined graphic and written form the general development intent for the District. Said Lot Layout Plan shall be for the purpose of establishing general development intent for the District, including but not limited to public access layout throughout the District. The Lot Layout Plan shall serve as a guide for the approval of any and all Concept Plan and Site Plan submissions relating to the District. Any significant amendment of the approved Lot Layout Plan shall follow the same procedure as required for a zoning change or amendment. Changes to the Lot Layout Plan that are not significant may receive administrative approval by City Staff. It shall be at the discretion of City Staff to determine if a change is significant or not significant.

N. **CONCEPT PLAN.** A Concept Plan representing the general site assessment of each commercial tract (Block A, Lots 1-4, Block B, Lot 1 and Block C, Lot 1) as shown on the attached Lot Layout Plan (Exhibit D) shall be required and approved by the Planning and Zoning Commission and City Council. The Concept Plan shall be required prior to any land subdivision or development of each commercial lot.

1. The Concept Plan shall include all the land that exists within the commercial lot being subdivided or developed.
2. Concept Plan requirements. The concept plan shall include sufficient information to adequately assess the functionality of the proposed subdivision and its impact on surrounding properties and circulation systems, including but not limited to:
 - a. Basic mapping details, such as site boundaries and dimensions, site acreage, location map, north arrow, scale, title block, etc.;
 - b. Access to the site and interior site circulation;
 - c. Proposed lot layout;
 - d. General parking arrangement, delivery truck/dock locations, medians or traffic control devices, and/or median breaks.

The Concept Plan is a more detailed drawing than the Lot Layout Plan which is required at the time of a zoning amendment. Approval of a Concept Plan shall not be considered as a zoning amendment.

3. Concept Plan approval process. Concept Plans shall be considered by the Planning and Zoning Commission and City Council.

Any development or subdivision of the commercial lot shall generally be consistent with the Concept Plan as approved or amended. No plat, building permit, or certificate of occupancy shall be issued for the property unless all construction and development generally conforms to the Concept Plan. Should any development or subdivision of the commercial lot not be consistent with the approved Concept Plan, then approval of an amended Concept Plan must be approved prior to any development or subdivision of the commercial lot.

O. **SITE PLAN APPROVAL.** Prior to beginning of any development on a building site within the District, a comprehensive Site Plan detailing the proposed development shall be submitted for approval as required by paragraph 8-502 of the Comprehensive Zoning Ordinance.

Exhibit D
See City Secretary for Exhibit D