FARMERS BRANCH

ORDINANCE NO. 1422

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 SOUTH BY ALPHA ROAD; BOUNDED ON THE EAST BY DALLAS PARKWAY; ON THE NORTH BY SPRING VALLEY ROAD; AND ON THE WEST BY THE DALLAS POWER AND LIGHT TRANSMISSION LINE EASEMENT FROM THE CURRENT ZONING DISTRICT CLASSIFICATION OF LIGHT INDUSTRIAL (LI) TO PLANNED DEVELOPMENT ZONING DISTRICT NUMBER 42 (PD-LI) ALLOWING HIGH DENSITY MIXED USES; ESTABLISHING DEVELOPMENT STANDARDS FOR PD ZONING DISTRICT NUMBER 42 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 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 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 changes of zoning should be granted, as set forth 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 so as to change the zoning on the following described tract of land from Light Industrial (LI) to Planned Development Zoning District (PD-42), and standards as set forth in Exhibit "B". Said tract of land being shown on Exhibit "A" and more specifically described as follows:

Beginning at a pipe on the west line of Dallas Parkway, 100.0 feet wide, at the northeast corner of Lot 2 of Alpha Way Addition to the City of Farmers Branch, Texas, according to the plat thereof recorded in Volume 75125, Page 1622 of the Deed Records of Dallas County, being 262.27 feet N 00° 15' W from the northeast corner of the intersection cutoff from the widened north line of Alpha Road to the west line of Dallas Parkway;

Thence N 89° 57' W, along the north line of said lot 2, being the south line of the 10 acre tract conveyed to Clark and Smith by deed filed June 15, 1961 and recorded in the said Deed Records, a distance of 144.53 feet to a pipe at the southeast corner of the 5.08 acre Right of Way, 100 feet wide, conveyed to Dallas Power and Light Company by deed recorded in Volume 4633; Page 308 of said Deed Records;

Thence N 17° 01' W, along the northeasterly line of said Dallas Power and Light Company Right of Way, a distance of 1452.85 feet to a steel rod at the southwest corner of the 199,789 square feet tract conveyed to William W. Browning, Jr. by deed recorded in Volume 75244, Page 2154 of said Deed Records;

Thence East, along the south line of said Browning tract, a distance of 563.68 feet to a steel rod for corner on the west line of Dallas Parkway 672.09 feet S 00° 15' E from its intersection with the south line of Spring Valley Road;

Thence S 00° 15' E, along the west line of Dallas Parkway, being the west line of the 89,219 square feet conveyed to the County of Dallas by deed recorded in Volume 69069, Page 1339 of said Deed Records, a distance of 1389.39 feet to the place of beginning:

Containing 491,946 square feet of land or 11.2935 acres.

SECTION 2. That all uses in PD zoning district Number 42 (PD-42) shall conform in operation, location and construction to the performance standards established by the Comprehensive Zoning Ordinance of the City of Farmers Branch.

SECTION 3. That all uses in PD zoning district Number 42 (PD-42) shall conform to the development standards as shown on Exhibit "B".

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 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 the sum of Two Hundred Dollars ($200.00) for each offense.

SECTION 6. 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 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 case provides.

DULY PASSED by the City Council of the City of Farmers Branch, Texas, on this the 20 day of December, 1982.

Exhibit "A"

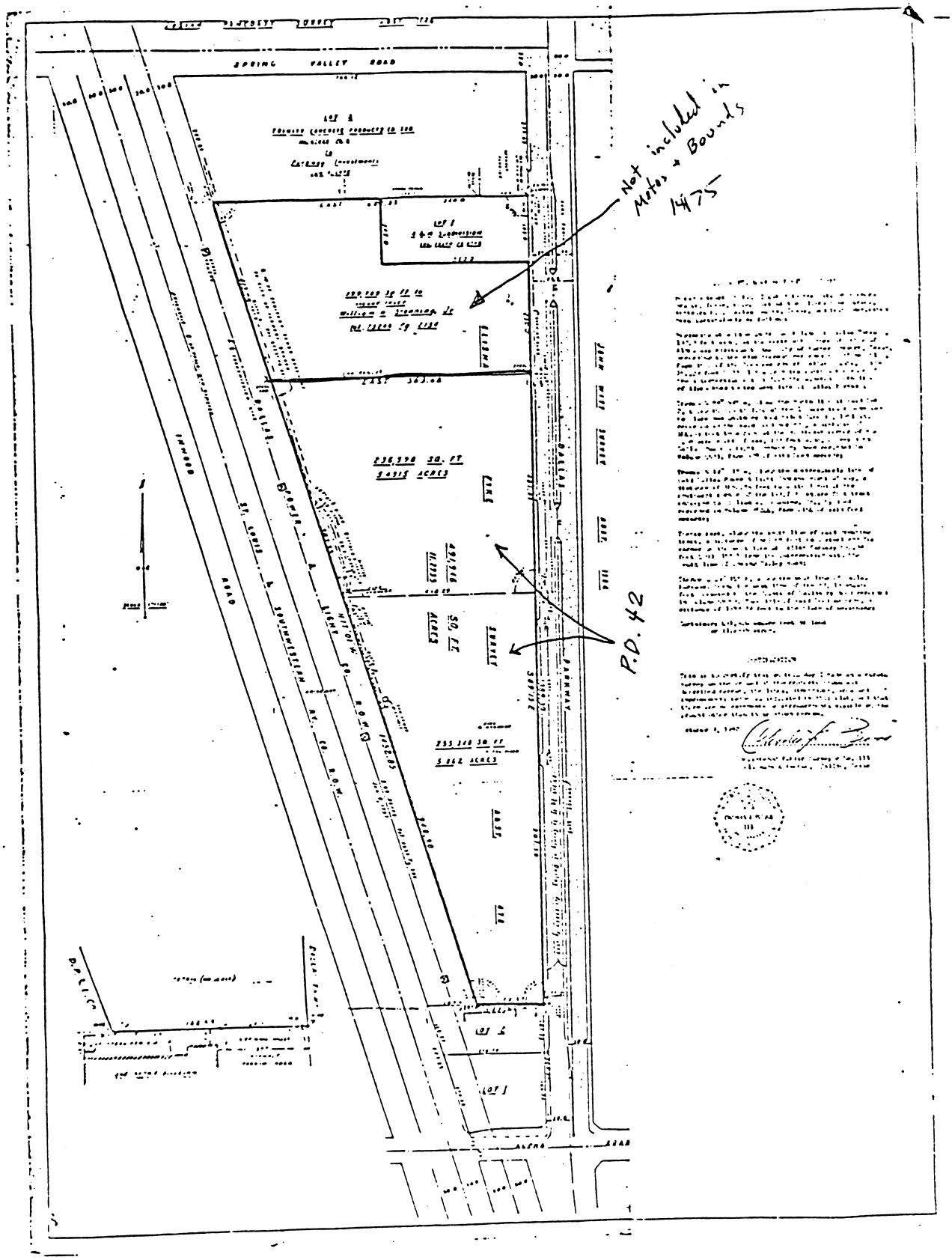

EXHIBIT "A"

EXHIBIT "B"

DEVELOPMENT STANDARDS
FOR PLANNED DEVELOPMENT DISTRICT
NUMBER 42

The following standards shall be considered in the design, location and siting of structures of structures and other development features within the Planned Development District. A comprehensive site plan will be required with each development as described in Paragraph 8-502 of the Zoning Ordinance as well as herein.

I. BASIC PERFORMANCE STANDARDS

A. PRINCIPAL USES PERMITTED

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

1. Office Buildings.

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

2. Hotels and Motels.

3. Private Health Clubs, including swimming pools, game courts, and similar recreational facilities none of which are available to the general public (by Special Use Permit).

4. Financial Institutions.

5. Retail and restaurant functions serving the office, hotel and private health club (includes Private Club with special use permit) uses.

B. SECONDARY USES PERMITTED

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

1. Automobile oriented uses limited to:

   a) drive-in banks
   b) service stations (by Special Use Permit)

2. Business service establishments.

3. Commercial recreation uses, limited to:

   a) commercial health clubs, including swimming pools and racquet sport courts
   b) Skating rinks, ice or roller

c) Theatres, cinema or legitimate
d) any other similar retail recreation use

4. Dwellings, 30 dwelling units per acre and above.

5. Dining establishments.

6. Private clubs. (By specific use permit)

7. Commercial off-street parking.

8. Personal service establishments.

9. Transportation facilities, limited to:

   a) heliports (By specific use permit)
   b) mass transit stops

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. Recognizing that developments may be subdivided for creation of specialty uses on separate sites, the requirements for one or more principal uses may be waived by the City for sites of one acre and smaller.

C. USE LIMITATIONS

1. All development shall conform to standards set forth in maximum and minimum development standards.

2. Secondary uses shall be permitted only in the presence of primary uses.

3. The gross floor area of secondary uses, except parking, shall not exceed 20% of the total principal uses of the development.

4. All uses shall be permitted only in the location shown on the approved final site development plan. Once constructed, any alteration to a given structure or change in a given use shall be governed by the regulations of that conventional zoning district which most closely characterizes the given development, such conventional district to be determined by the City Staff subject to review by the Planning and Zoning Commission and City Council. Should a desired alteration or change in use represent a substantial departure from the approved final development plan, then such shall be allowed only after resubmittal of the amended site plan.

D. LOT SIZE

The following are standards for lots on tracts to be submitted for approval as building sites.

1. Minimum lot area: 1 Acre (considering phasing)

2. Minimum lot width: no requirement

E. BUILDING VOLUME REGULATIONS

1. Maximum floor area ratio, including garages, 4:1 (Floor is defined as the gross area of any built structure from grade level up. Basements of office and parking structures will not be counted in this ratio).

2. Maximum building heights: No greater than that allowed by FAA. A copy of approved FAA Building Height shall be submitted to City Planner.

3. Building setbacks:

   Public street right-of-way: structures shall be setback 20 feet from the property line.

   Public alleys and service ways: alleys and service ways will have a minimum right-of-way of 30 feet; structures shall be setback five feet from the property line.

   Side and rear property lines: structures shall be setback a minimum of 10 feet from property lines shared with adjacent properties and not fronting onto public right-of-way. The intent shall be to guarantee a permanently unobstructed area of 20 feet between structures for fire access purposes.

F. SITE COVERAGE AND LANDSCAPE

1. The gross building footprint of buildings and parking garages should not exceed 50% of the gross site area.

2. The landscaped open space shall be not less than 5% of gross site area.

3. Site coverage may be increased as landscaped open space is increased. For every 1% increase above 5% in landscaped open space, site coverage may be increased 2% above the 50% limit. This allowable increase shall proceed to an absolute maximum site coverage of 70% gross site area.

4. Parking lots at grade must have not less than 5% of their interior area landscaped. Border plantings at the perimeter of the lot shall not be considered as part of the interior landscaping requirements.

5. 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 traffic flow shall not be considered as part of this classification.

G. Parking shall be provided for the proposed uses at the following minimum ratios, and shall be accommodated at grade or in structures.

1. Offices: one space per ~~300~~ square feet of gross area.

2. Hotels and Motels: One space per rental unit for the first 250 rooms, and one-half space per rental unit for each room between

250 and 500, and one-quarter space per rental unit for all additional rooms over 500, plus such spaces as required by restaurants, ballrooms and affiliated facilities.

3. Retail and affiliated office support services: one space per 250 square feet of gross area.

4. Eating establishments: one space per 100 square feet of gross area.

5. Theatres: one space every four seats.

6. Health Club: to be established at the time of site plan approval.

7. Mixed use parking discounts: in order to provide adequate off-street parking for large-scale mixed-use development projects, the following are excluded in the calculation of off-street parking requirements:

   a) Discount ten percent of the required parking for an office use when that use totals in excess of 250,000 square feet in gross area and is developed on the same lot with qualifying hotel, retail, or restaurant uses outlined in this sub-section.

   b) Discount ten percent of the required parking for a hotel use when that use totals in excess of 250 guest rooms and is developed on the same lot with qualifying office, retail, or restaurant uses outlined in this subsection.

   c) Discount ten percent of the required parking for all retail uses, when those uses total in excess of 10,000 square feet and are developed on the same lot with qualifying office, hotel, or restaurant uses outlined in this subsection.

   d) Discount fifty percent of the required parking for all recreation, entertainment, bar, and restaurant uses when developed on the same lot as qualifying office or hotel uses outlined in this subsection.

   e) Discounts of the required parking for health club uses and restaurant uses, entertainment uses and all other health club related uses may be considered at the time of site plan approval.

8. It is recognized that existing office and hotel uses may be integrated into future developments. To foster mixed-use interaction between existing and future uses, the Planning and Zoning Board shall consider shared parking agreements between owners of adjacent properties, and authorize a reduction in the required parking as outlined in Section G-6 above. This shall be established on site plan by developers.

H. SERVICE 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 50,000 gross square feet: no spaces

ii. 50,000 to 150,000 gross square feet: 1 space
iii. each additional 100,000 gross square feet: 1 space

b) Commercial uses:

i. 0 to 10,000 gross square feet: no spaces
ii. 10,000 to 50,000 gross square feet: 1 space
iii. each additional 100,000 gross square feet: 1 space

c) Hotel Uses:

i. 0 to 50,000 gross square feet: no spaces
ii. 50,000 to 100,000 gross square feet: 1 space
iii. 100,000 to 300,000 gross square feet: 2 spaces
iv. each additional 200,000 gross square feet: 1 space

d) Restaurant Uses:

i. 0 to 5,000 gross square feet: no spaces
ii. 5,000 to 25,000 gross square feet: 1 space
iii. 25,000 to 50,000 gross square feet: 2 spaces
iv. each additional 50,000 gross square feet: 1 space

2. The City Staff shall determine 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. The first required space, and thirty percent of all other spaces, must be suitable for semi-tractor trailer delivery vehicles.

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.

J. STREETS

All streets shall be constructed in conformance with City engineering design criteria.

K. PHASING

If a tract is to be developed in phases under this Planned Development Ordinance, each sub-tract shall conform to the basic performance standards of the Planned Development Ordinance, as though it were a separate site.

II. REQUIRED SUBMISSIONS

A. CONCEPTUAL DEVELOPMENT PLAN

The following are submittal requirements for approval of a conceptual development plan under the proposed Planned Development designation for an entire site.

1. A vicinity map at a scale not smaller than 1 inch equals 2,000 feet.

2. A Boundary Survey of the property, including the following:

   a) metes and bounds of all property lines
   b) total area of property
   c) 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 subject property and stating the place of the record of the latest instrument in the chain of title.

4. An aerial photograph of the subject property 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 as allowed by the Planned Development Ordinance.

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.

B. DETAILED DEVELOPMENT PLAN

The following are submittal requirements for approval of a detailed development plan under the proposed Planned Development designation. This submittal would address a particular phase of a project, and would be required before building permits would be considered.

1. A vicinity map at a scale not smaller than 1 inch equals 2,000 feet.

2. A boundary survey of the property including the following:

   a) metes and bounds of all property lines
   b) total area of property
   c) 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 detailed scaled site plan showing:

   a) existing and proposed public or private streets
   b) existing and proposed building or parking structure locations, including size in number of square feet, number of floors, and proposed approximate average height above grade.
   c) existing and proposed utility easements and fire lanes

d) landscape 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, site coverage ratio, landscaped area ratio, and the relationship between these figures and the standards set forth in the Planned Development designation
g) proposed on-site identification and directional signage

APPROVED:

Mayor

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Secretary