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ORDINANCE NUMBER 2601

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT FOR SIX CELLULAR COMMUNICATIONS ANTENNA PANELS TO BE MOUNTED ON THE SOUTH, EAST, AND WEST FACADES, AND AN ASSOCIATED EQUIPMENT ENCLOSURE TO BE LOCATED AT THE BASE, OF THE OFFICE BUILDING LOCATED AT 2350 VALLEY VIEW LANE NEAR THE SOUTHWEST CORNER OF VALLEY VIEW LANE AND STEMMONS FREEWAY, WITHIN THE PLANNED DEVELOPMENT NO. 24 ZONING DISTRICT.

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 the Comprehensive Zoning Ordinance; 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; 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 and Code of Ordinances of the City of Farmers Branch, and the state law with reference to the granting of changes to the 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 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 due to a change in condition and in order to protect the public health, welfare and safety, said change in zoning should be made;

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

SECTION 1. That all matters stated in the preamble are found to be true and correct and are incorporated herein 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 so as to grant a Specific Use Permit to allow the placement of six (6) cellular communications antenna panels, mounted on the south, east, and west facades, and an associated equipment enclosure to be located at the base, all painted the same color, of the existing 6-story office building located at 2350 Valley View Lane and within the Planned Development Number 24 (PD-24) zoning district.

SECTION 3. That before issuance of a building permit for the proposed antennas and associated equipment building, the operators of the One Valley View Place building at 2350 Valley View Lane shall bring into zoning and building code compliance the existing generators and fenced enclosure along the east side of the office building.

SECTION 4. That the above described property shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as herein amended by the granting of a Specific Use Permit and approval of an associated site plan for the placement of six (6) antenna panels and an associated equipment building to be constructed, situated and located in accordance with the approved site plan attached as Exhibit "A".

SECTION 5. That AT&T Wireless Services, L.L.C., or subsequent owner of the antenna panels and associated equipment building, shall remove the antenna panels, associated equipment building, and all appurtenances within ninety (90) days subsequent to such time that the antenna and equipment enclosure become obsolete and the use is abandoned.