

ORDINANCE NO. 3468



AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT-FOR WAREHOUSE AND DISTRIBUTION FACILITY ON 9.25± ACRES OUT OF THE HARRISON C. MARCH SURVEY, ABST. NO. 916 DESCRIBED IN EXHIBIT “A” ATTACHED HERETO AND LOCATED IN THE PLANNED DEVELOPMENT NUMBER 88 (PD-88); APPROVING DEVELOPMENT REGULATIONS, A SITE PLAN; AND A LANDSCAPE PLAN; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the laws of the State of Texas and the ordinances of the City of Farmers Branch, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity, the governing body, in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended;

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

SECTION 1. The City of Farmers Branch Zoning Ordinance and zoning map of the City of Farmers Branch, Texas, (collectively, “the Zoning Ordinance”) be, and the same is hereby amended, so as to grant a change in zoning by granting a Specific Use Permit for Warehouse and Distribution Facility within the Planned Development Number 88 (PD-88) zoning district on a portion of land described in Exhibit “A” attached hereto and incorporated herein for all purposes (“the Property”).

SECTION 2. The Property shall conform in operation, location and construction to the development standards specified within Planned Development No. 88 (PD-88) Zoning District, and, if used and developed for the use authorized by Section 1, above, shall also be used and developed in association with the following regulations:

- A.** The Property shall be developed and used only in accordance with the Site Plan attached hereto as Exhibit “B” and incorporated herein by reference (“the Site Plan”).
- B.** The Property shall be developed in accordance with the Landscaping Plan attached hereto as Exhibit “C” and incorporated herein by reference. Notwithstanding anything to the

contrary in the Zoning Ordinance, installation of all landscaping and related irrigation system required by the Landscaping Plan shall be completed prior to issuance of a certificate of occupancy for the first structure constructed on the Property.

- C. Notwithstanding anything to the contrary set forth in the use and development regulations of PD-88, as amended, the minimum number of off-street parking spaces to be located on the Property shall be eighty-eight (88), which parking spaces shall be located as shown on the Site Plan.
- D. Materials for sale, equipment, tools, or supplies stored or displayed on the exteriors any building on the Property shall be screened at all times and not visible from any public right-of-way or adjacent property.
- E. The exterior of the building constructed on the Property shall be designed and constructed substantially as shown in the Elevations attached hereto as Exhibit "D" and incorporated herein by reference.

SECTION 3. The Property 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 4. The provisions of this ordinance shall be controlling with respect to the use and development of the Property for the purposes authorized in Section 1, above. In the event of any irreconcilable conflict with the provisions of any other ordinances of the City of Farmers Branch, the provisions of this ordinance shall be controlling.

SECTION 5. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 7. 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, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 8. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.


**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH,
TEXAS, ON THIS THE 26TH DAY OF SEPTEMBER, 2017.**

ATTEST:



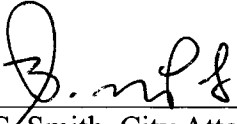
Amy Piukana, City Secretary

APPROVED:



Robert C. Dye, Mayor

APPROVED AS TO FORM:



Peter G. Smith, City Attorney
(kbl:9/13/17:89764)

Ordinance No. 3468
Exhibit "A" - Description of the Property

BEING a tract of land situated in the Harrison C. Marsh Survey, Abstract No. 916, City of Farmers Branch, Dallas County, Texas, being all of Lot 1 and Lot 2, Block A, Trinity East Addition, an addition to the City of Farmers Branch, Texas according to the plat recorded in Instrument No. 201100225466, Official Public Records of Dallas County, Texas, and being all of a tract of land described as "Tract 1" and "Tract 2" in Special Warranty Deed to CADG Mercer 9, LLC recorded in Instrument No. 201600321565 of said Official Public Records, and being part of Block 3, Westside Addition, Section 1, an addition to the City of Farmers Branch, Texas according to the plat recorded in Instrument No. 200600172708 of said Official Public Records, and being part of Knightsbridge Road shown on the plat of Westside Addition, Section 1, an addition to the City of Farmers Branch, Texas according to the plat recorded in Instrument No. 200600172708 of said Official Public Records, and the plat of Trinity East Addition, an addition to the City of Farmers Branch, Texas according to the plat recorded in Instrument No. 201100225466 of said Official Public Records, and being part of that tract of a called 1.236 acre tract described in City of Farmers Branch Resolution No. 2017-077 recorded in Instrument No. 201700195004 of said Official Public Records, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with plastic cap stamped "KHA" set for the southeast corner of said Lot 1 and at the intersection of the north right-of-way line of Interstate Highway 635 (a variable width right-of-way) and the west Railroad right-of-way line of the City of Dallas tract (100-foot wide right-of-way) recorded in Volume 86057, Page 342, Deed Records of Dallas County, Texas;

THENCE with said north right-of-way line of Interstate Highway 635, the following courses and distances:

South 86° 06' 32" West, a distance of 206.49 feet to a 3/8-inch iron rod found for corner;

South 0° 24' 32" West, a distance of 18.98 feet to a 1/2-inch iron rod found for corner;

South 89°35'11" West, a distance of 554.57 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 0° 24' 49" West, a distance of 14.00 feet to a 3/8-inch iron rod found for corner;

North 78° 53' 36" West, a distance of 103.07 feet to a 1/2-inch iron rod found for the western most southwest corner of said Tract 2;

THENCE departing said north right-of-way line of Interstate Highway 635 and with the west line of said Tract 2, the following courses and distances:

North 0° 05' 56" East, a distance of 115.44 feet to a 3/8-inch iron rod found for corner;

North 89° 34' 03" East, a distance of 50.00 feet to a 3/8-inch iron rod found for corner;

North 0° 29' 42" West, a distance of 329.19 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

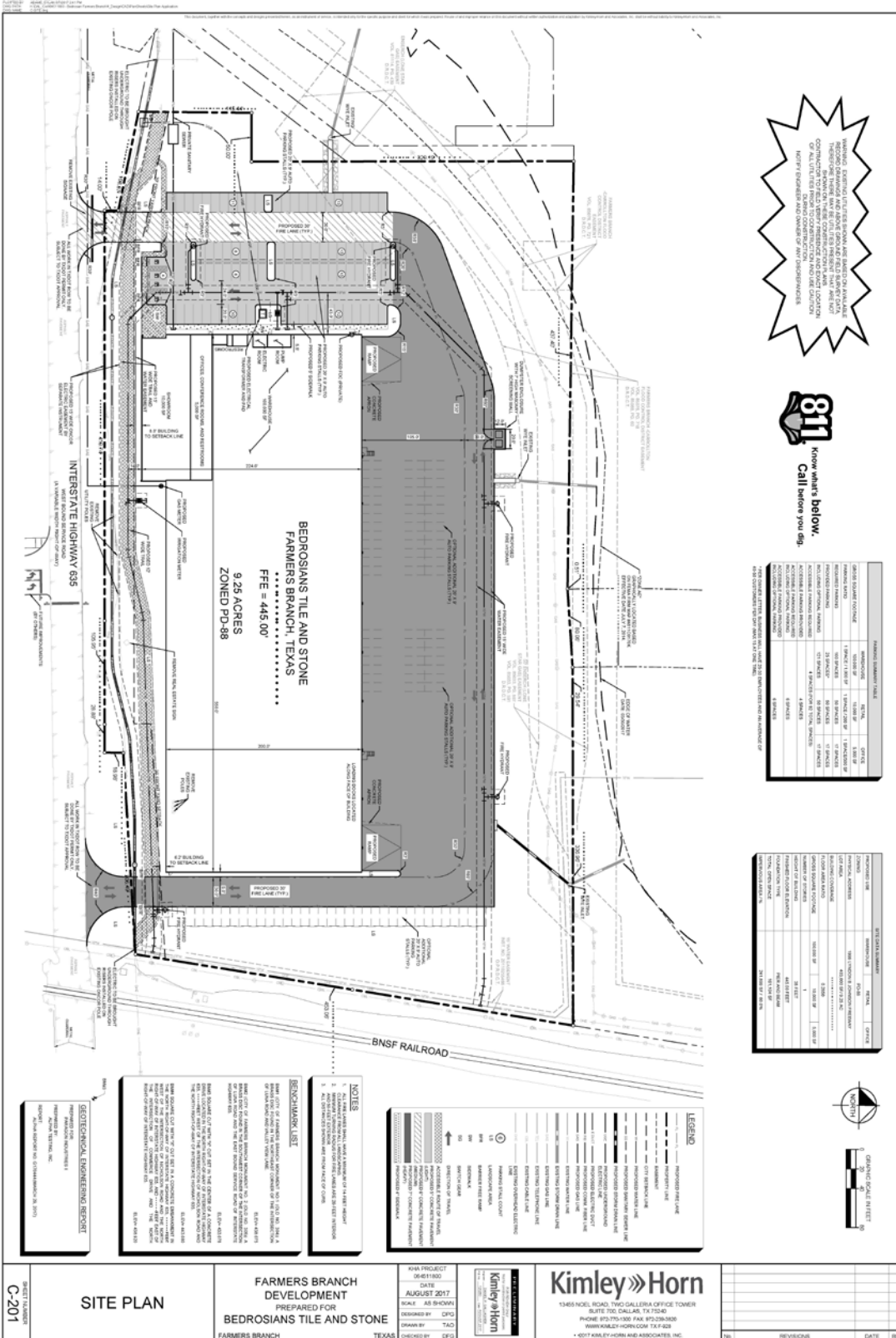
THENCE with the north line of said Tract 2, South 89° 35' 37" East, passing at a distance of 437.40 feet a 1/2-inch iron rod with plastic cap stamped "THXS" found for the northwest corner of said Tract 2, in all a total distance of 437.91 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE North 85° 51' 30" East, a distance of 80.06 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE North 89° 30' 31" East, passing at a distance of 29.54 feet a 5/8-inch iron rod with plastic cap stamped "PATE SURVEYING" found for the northwest corner of said Lot 2, continuing with the north line of said Lot 2, in all a total distance of 366.50 feet to said west Railroad right-of-way line; from said point a 5/8-inch iron rod with plastic cap stamped "PATE SURVEYING" found bears North 69° 33' 18" West, a distance of 0.55 feet;

THENCE with said west Railroad right-of-way line, South 8° 50' 32" West, a distance of 453.06 feet to the POINT OF BEGINNING and containing 9.2516 acres or 403,000 square feet of land.

Ordinance No. 3468 Exhibit "B" - Site Plan



811
Know what's below.
Call before you dig.



| UTILITY | DEPT./AGENCY | CONTACT NAME | PHONE | ADDRESS |
|----------|------------------------|--------------|-------|---------|
| Electric | City of Farmers Branch | ... | ... | ... |
| Water | City of Farmers Branch | ... | ... | ... |
| Sewer | City of Farmers Branch | ... | ... | ... |
| Gas | City of Farmers Branch | ... | ... | ... |
| Fire | City of Farmers Branch | ... | ... | ... |
| Police | City of Farmers Branch | ... | ... | ... |
| Other | ... | ... | ... | ... |

| UTILITY | DEPT./AGENCY | CONTACT NAME | PHONE | ADDRESS |
|----------|------------------------|--------------|-------|---------|
| Electric | City of Farmers Branch | ... | ... | ... |
| Water | City of Farmers Branch | ... | ... | ... |
| Sewer | City of Farmers Branch | ... | ... | ... |
| Gas | City of Farmers Branch | ... | ... | ... |
| Fire | City of Farmers Branch | ... | ... | ... |
| Police | City of Farmers Branch | ... | ... | ... |



GRAPHIC SCALE IN FEET
NORTH

LEGEND

- PROPOSED STREET LINE
- EXISTING STREET LINE
- PROPOSED SIDEWALK
- EXISTING SIDEWALK
- PROPOSED BIKEWAY
- EXISTING BIKEWAY
- PROPOSED DRIVEWAY
- EXISTING DRIVEWAY
- PROPOSED CUL-DE-SAC
- EXISTING CUL-DE-SAC
- PROPOSED PARKING
- EXISTING PARKING
- PROPOSED DRIVEWAY
- EXISTING DRIVEWAY
- PROPOSED BIKEWAY
- EXISTING BIKEWAY

- NOTES**
- All dimensions shown on this drawing are in feet and inches.
 - Refer to the proposed site plan for all dimensions.
 - All proposed structures are to be constructed in accordance with the applicable zoning ordinance.

BENCHMARK LIST

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GEOTECHNICAL ENGINEERING REPORT

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Ordinance No. 3468 Exhibit "C" - Landscape Plan



**Ordinance No. 3468
Exhibit "D" – Elevations**



Bedrosians
TILE & STONE
FARMERS BRANCH, TX

Gensler
200 BAYVIEW
SUITE 1000
HOUSTON, TEXAS 77057
713.869.1000

Bedrosians

Project Name: Bedrosians

**NOT FOR
CONSTRUCTION**

Project Name: BEDROSANS TILE & STONE

Project Number: 07-3127013

Project Date: 07/31/2013

Scale:

A1

8/2013

Ordinance No. 3468 Exhibit "D" – Elevations (cont.)

