



## **ORDINANCE NO. 3510**

**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 A DRIVE-THROUGH RESTAURANT, A RESTAURANT WITHOUT DRIVE-THROUGH, AND PARKING LOT EXCEEDING 50 SPACES, ON A 1.593± ACRE TRACT OUT OF THE THOMAS KEENAN SURVEY, ABSTRACT NO. 733 (COMMONLY KNOWN AS 2425 VALLEY VIEW LANE) LOCATED WITHIN PLANNED DEVELOPMENT NO. 86 (FARMERS BRANCH STATION AREA FORM-BASED CODE)(PD-86); ADOPTING DEVELOPMENT REGULATIONS INCLUDING A SITE PLAN, LANDSCAPE PLAN, BUILDING ELEVATIONS, AND SIGN ELEVATIONS; PROVIDING FOR SPECIAL EXCEPTIONS; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR TERMINATION**

**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 thereof, the governing body, in the exercise of the 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 Comprehensive Zoning Ordinance of the City of Farmers Branch, and the zoning map of the City of Farmers Branch, as previously amended, are further amended by granting a Specific Use Permit for a Drive-Through Restaurant, a Restaurant Without Drive-Through, and a Parking Lot Exceeding 50 Spaces on a 1.593± acre tract out of the Thomas Keenan Survey, Abstract No. 733, City of Farmers Branch, Dallas County, Texas, more particularly described by metes and bounds in Exhibit “A,” attached hereto and incorporated herein by reference (commonly known as 2425 Valley View Lane)(“the Property”) and located within Planned Development District No. 86 (Farmers Branch Station Area Form-Based Code)(“PD-86”), subject to the provisions of Section 2 of this Ordinance.

**SECTION 2.** If developed and used for a Drive-Through Restaurant, a Restaurant Without Drive-Through, and a Parking Lot Exceeding 50 Spaces as authorized pursuant to Section 1, above, the Property shall conform in operation, location and construction to the development



standards specified for the PD-86 Zoning District as set forth in Ordinance No. 3184, as amended by Ordinance Nos. 3383 and 3434 (collectively, the “PD-86 Ordinance”) as well as the following special conditions:

- A. The Property shall be developed substantially in accordance with the Site Plan attached hereto as Exhibit B” and incorporated herein by reference (“the Site Plan”).
- B. The use of the Property for a Drive-Through Restaurant shall be limited to the area of the Property designated as “Lot 1” as shown on the Site Plan.
- C. The use of the Property for a Restaurant Without Drive-Through shall be limited to the area of the Property designated as “Lot 2” as shown on the Site Plan.
- D. The Property shall be landscaped substantially in accordance with the Landscape Plan attached hereto as Exhibit “C” and incorporated herein by reference (“the Landscape Plan”) subject to the following:
  - (1) The planting and installation of all landscaping and related irrigation system adjacent to Valley View Lane as shown on the Landscape Plan must be completed prior to issuance of a certificate of occupancy for either restaurant to be constructed on the Property;
  - (2) Except as provided in Paragraph (1), above, the planting and installation of all landscaping and related irrigation system on Lot 1 as shown on the Landscape Plan must be completed prior to issuance of a certificate of occupancy for the Drive-Through Restaurant constructed on Lot 1; and
  - (3) Except as provided in Paragraph (1), above, the planting and installation of all landscaping and related irrigation system on Lot 2 as shown on the Landscape Plan must be completed prior to issuance of a certificate of occupancy for the Restaurant Without Drive-Through constructed on Lot 2.
- E. The Drive-Through Restaurant shall be designed and constructed with exterior elevations substantially in compliance with the building elevations set forth in Exhibit “D” attached hereto and incorporated herein by reference.
- F. The Restaurant Without Drive-Through shall be designed and constructed with exterior elevations substantially in compliance with the building elevations set forth in Exhibit “E” attached hereto and incorporated herein by reference.
- G. The Property may be developed in accordance with the following special exceptions to the development and use regulations set forth in Exhibit “C” of the PD-86 Ordinance (“the PD-86 Regulations”) and as set forth on the Site Plan:



- (1) Notwithstanding Chapter II.D. of the PD-86 Regulations, the setbacks for the buildings and other structures to be constructed on the Property shall be in accordance with the setbacks shown on the Site Plan.
- (2) Notwithstanding Chapter III.B. of the PD-86 Regulations:
  - (a) No street wall shall be required to be constructed along Valley View Lane;
  - (b) No street wall shall be required to be constructed adjacent to the eastern boundary of the Property to screen the parking area provided the area is screened with plant materials as shown on the Landscape Plan; and
  - (c) The ground floor of the buildings to be constructed on the Property shall not be required to be constructed above the grade of the sidewalk provided the buildings are located substantially as shown on the Site Plan.
- (3) Notwithstanding Chapter III.F. of the PD-86 Regulations, the primary driveway access into the Property may be from Valley View Lane if the Property is developed as shown on the Site Plan.
- (4) Notwithstanding Chapter V.C. of the PD-86 Regulations, the buildings constructed on the Property may be constructed without pitched roofs provided the buildings are constructed substantially as shown on Exhibits “D” and “E,” respectively.
- (5) Notwithstanding Chapter V.E. of the PD-86 Regulations, the windows to be incorporated into the buildings to be constructed on the Property may be as shown on Exhibits “D” and “E,” respectively.
- (6) Notwithstanding Chapter V.F.:
  - (a) one (1) internally lit pole sign not to exceed thirty feet (30.0’) in height may be located on the Property as shown on the Site Plan provided the design and dimensions of said pole sign are in substantial conformance with the pole sign shown on Exhibit “F,” attached hereto and incorporated herein by reference; and
  - (b) one (1) internally lit monument sign may be constructed and located on the Property as shown on the Site Plan provided the design and dimensions of said monument sign are in substantial conformance with the monument sign shown on Exhibit “F,” attached hereto and incorporated herein by reference.



If the Property is not developed with the Special Exceptions described in Paragraphs (1) and (3) of this Section 2.G., an amended Site Plan must be approved as an amendment to this Ordinance prior to issuance of a building permit for any building to be constructed on the Property.

**SECTION 3.** In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Farmers Branch and the provisions of this Ordinance as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

**SECTION 4.** An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 5.** 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 whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

**SECTION 6.** 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 (\$2,000.00) for each offense.

**SECTION 7.** This ordinance and the right to use the Property in accordance with the Specific Use Permit granted pursuant to Section 1 of this Ordinance is subject to termination in accordance with Section 6.5.C. of the Comprehensive Zoning Ordinance, as amended. With respect to the enforcement of this Section 7, each use for which a specific use permit is granted pursuant to this Ordinance shall be treated separately such that the cessation and termination of one use does not result in the cessation and termination of all uses for which a specific use permit was granted.

**SECTION 8.** This ordinance shall take effect immediately from and after its passage and the publication of the caption of said Ordinance as the law and the City Charter in such cases provides.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THIS, THE 17<sup>TH</sup> DAY OF JULY, 2018.**

ATTEST:

APPROVED:

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Amy Piukana, City Secretary

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Robert C. Dye, Mayor



APPROVED AS TO FORM:

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Peter G. Smith, City Attorney  
(kbl:7/5/18:100554)



Ordinance No. 3510  
Exhibit "A"- DESCRIPTION OF PROPERTY

ALL THAT CERTAIN 1.593 ACRE LOT, TRACT OR PARCEL OF LAND SITUATED IN THE THOMAS KENNAN SURVEY, ABSTRACT NO. 733, DALLAS COUNTY, TEXAS, BEING THE SAME LAND AS TRACTS I, II, AND III AS DESCRIBED IN A DEED FROM JAMES DALTON CHAMBERS TO LEE ROY DRAKE AND WIFE LUCILLE DRAKE RECORDED IN VOLUME 78087, PAGE 1408 AND FROM CAROLYN SUE TAYLOR TO LEE ROY DRAKE AND WIFE LUCILLE DRAKE RECORDED IN VOLUME 78111, PAGE 1213 AND FROM GULF INNS, INC. TO LUCILLE DRAKE RECORDED IN VOLUME 84208, PAGE 3656, AND FROM DANA MAE PUTNAM BEATY TO LEE ROY DRAKE AND WIFE LUCILLE DRAKE RECORDED IN VOLUME 5294, PAGE 408, AND FROM F.H. CHAMBERS TO PAIGE C. SMITH AND WIFE, HATTIE MAE SMITH RECORDED IN VOLUME 84208, PAGE 3656, OF THE DEED RECORDS OF SAID COUNTY, SAID 1.593 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT FOUND ON THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 35E, A VARIABLE WIDTH RIGHT-OF-WAY, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID TRACT II;

THENCE SOUTH 89 DEGREES 44 MINUTES 46 SECONDS EAST, DEPARTING THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 35E, A DISTANCE OF 89.74 FEET TO 1/2 INCH IRON ROD FOUND;

THENCE NORTH 00 DEGREES 20 MINUTES 17 SECONDS WEST A DISTANCE OF 44.34 FEET TO A 1/2 INCH IRON ROD FOUND;

THENCE SOUTH 89 DEGREES 44 MINUTES 32 SECONDS EAST A DISTANCE OF 285.12 FEET TO A 1/2 INCH IRON ROD SET;

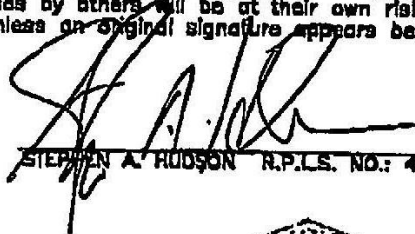
THENCE SOUTH 07 DEGREES 24 MINUTES 18 SECONDS EAST A DISTANCE OF 183.93 FEET TO A 1/2 INCH IRON ROD SET ON THE NORTH RIGHT-OF-WAY LINE OF VALLEY VIEW LANE A VARIABLE WIDTH RIGHT-OF-WAY, SAID POINT ALSO BEING THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 10 DEGREES 49 MINUTES 50 SECONDS, A RADIUS OF 773.51 FEET;

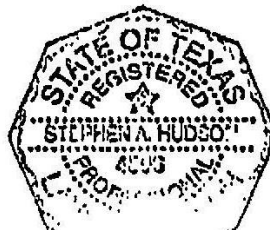
THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF VALLEY VIEW LANE ALONG SAID CURVE TO THE RIGHT A DISTANCE OF 146.22 FEET TO A 1/2 INCH IRON ROD SET;

THENCE SOUTH 89 DEGREES 51 MINUTES 42 SECONDS WEST CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF VALLEY VIEW LANE A DISTANCE OF 75.03 FEET TO A CONCRETE MONUMENT FOUND;

THENCE NORTH 43 DEGREES 03 MINUTES 35 SECONDS WEST LEAVING THE NORTH RIGHT-OF-WAY LINE OF VALLEY VIEW LANE A DISTANCE OF 282.23 FEET TO THE PLACE OF BEGINNING AND CONTAINING 69,387.37 SQUARE FEET OR 1.593 ACRES OF LAND, MORE OR LESS.

The undersigned does hereby certify that this plat represents an accurate survey made on the ground, and the boundaries as located according to the recorded references shown. Except as shown, this property abutts a public roadway, and there are no visible conflicts, encroachments, overlapping of improvements or easements. All measurements are in feet. This survey is for the purpose and parties shown, unauthorized uses by others will be at their own risk. This is not an official document unless an original signature appears below.

  
STEPHEN A. HUDSON R.P.L.S. NO.: 4896





**LOT 1 (0.80 Ac.)**  
 STARBUCKS (2,139 sq.ft.)  
 FFE=460.00

**LOT 2 (0.70 Ac.)**  
 CHIPOTLE (2,400 sq.ft.)  
 FFE=460.50

**VALLEY VIEW LANE**  
 (N. 1/4 SECTION 36, T. 10N, R. 10E, S. 4E)

**FRONTAGE ROAD**  
 (1/4 SECTION 36, T. 10N, R. 10E, S. 4E)

**INTERSTATE HIGHWAY NO. 35E**  
 (1/4 SECTION 36, T. 10N, R. 10E, S. 4E)

**Site Plan Details:**  
 - Lot 1: Starbucks building footprint, parking area, and surrounding landscape.  
 - Lot 2: Chipotle building footprint, outdoor patio, and surrounding landscape.  
 - Valley View Lane: A road running along the eastern boundary of the site.  
 - Frontage Road: A road running along the southern boundary of the site.  
 - Interstate Highway No. 35E: A major highway running along the western boundary of the site.



**PLANTING NOTES:**

1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE TEXAS LANDSCAPE ARCHITECTS ASSOCIATION (TLA) PRACTICE MANUAL.
2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE TEXAS LANDSCAPE ARCHITECTS ASSOCIATION (TLA) PRACTICE MANUAL.
3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE TEXAS LANDSCAPE ARCHITECTS ASSOCIATION (TLA) PRACTICE MANUAL.
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**LANDSCAPE CITY COMPLIANCE PLAN**

**LOT 1 & 2, BLOCK A**

**FARMERS BRANCH - STARBUCK'S**

**STARBUCK'S CITY CENTER**

**VALLEY VIEW LANE**

**IH-35E FRONTAGE ROAD**

**GRAPHIC SCALE IN FEET**

**0 10 20 30 40 50 60 70 80 90 100**

**LANDSCAPE CITY COMPLIANCE PLAN**

**LOT 1 & 2, BLOCK A**

**FARMERS BRANCH - STARBUCK'S**

**STARBUCK'S CITY CENTER**

**VALLEY VIEW LANE**

**IH-35E FRONTAGE ROAD**

**GRAPHIC SCALE IN FEET**

**0 10 20 30 40 50 60 70 80 90 100**



South East Elevation-Along Valley View		
Materials	SF	Percentage
Brick	453	78.5%
Steel	41	7.1%
Wood	83	14.4%
<b>Subtotal</b>	<b>577</b>	
Openings	258	30.9%
<b>Total SF</b>	<b>835</b>	

South West Elevation-Along 135		
Materials	SF	Percentage
Brick	1125	90.7%
Steel	38	3.1%
Wood	26	2.1%
<b>Subtotal</b>	<b>1240</b>	
Openings	137	9.9%
<b>Total SF</b>	<b>1377</b>	



South West Elevation- Along I-35  
1/8"= 1'-0"

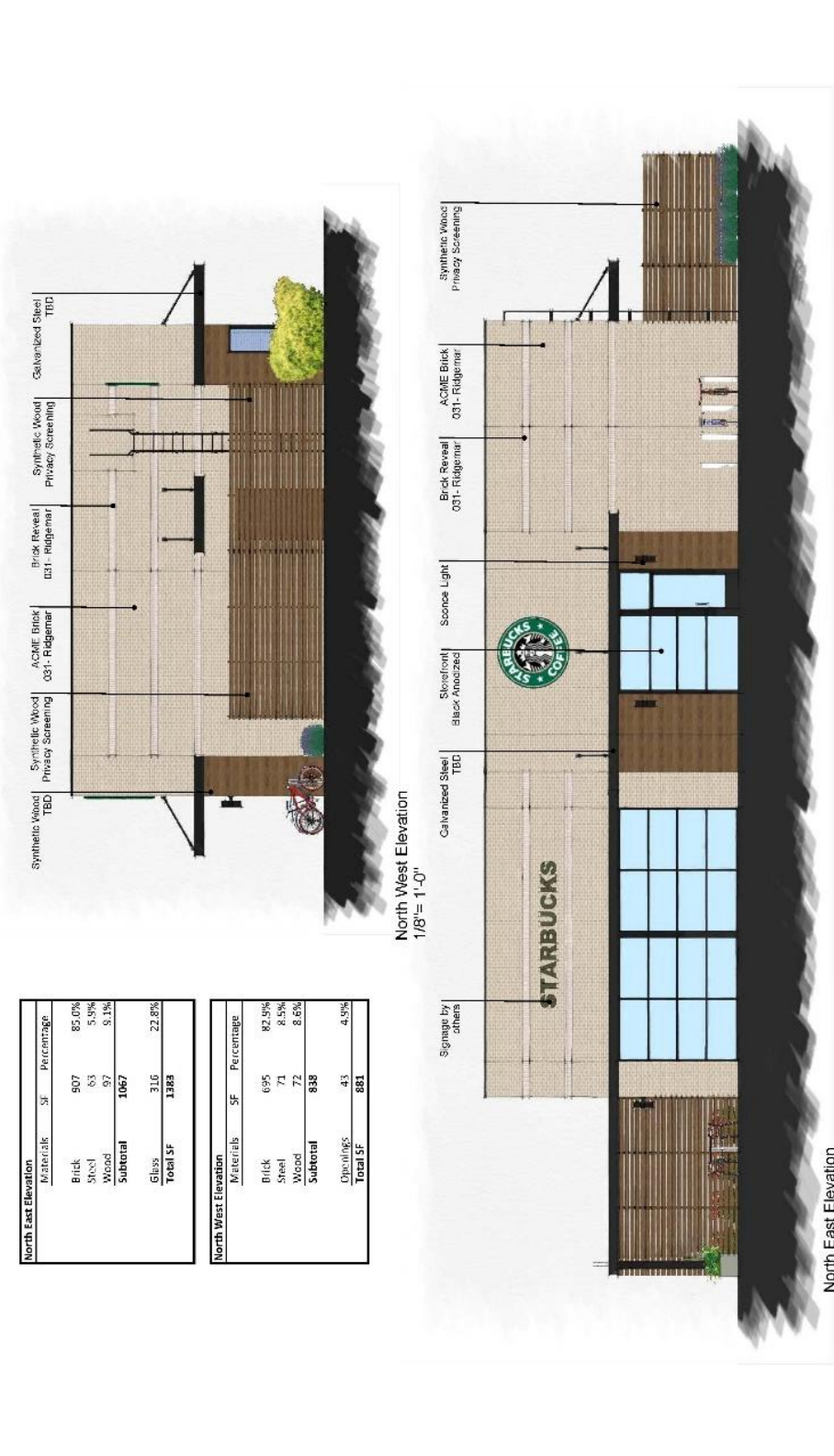
## Colored Elevations

Starbucks- Farmers Branch

05/31/18



**Ordinance No. 3510**  
**Exhibit “D”- DRIVE-THROUGH RESTAURANT ELEVATIONS (cont.)**





**Exhibit “D”- DRIVE-THROUGH RESTAURANT ELEVATIONS (cont.)**



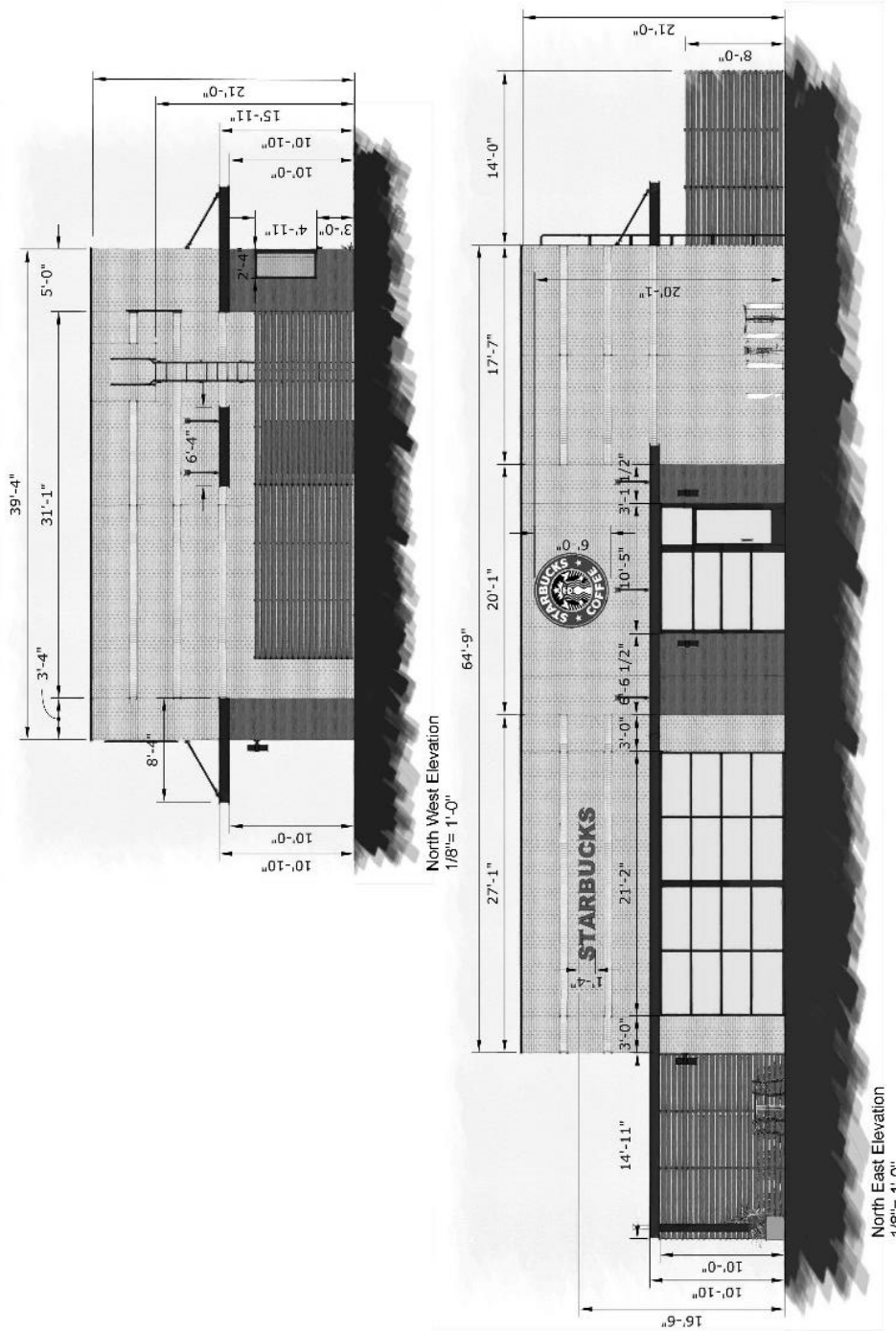
Starbucks- Farmers Branch

**CaCo**  
concrete

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**Ordinance No. 3510**  
**Exhibit "D"- DRIVE-THROUGH RESTAURANT ELEVATIONS (cont.)**



Elevations

Starbucks- Farmers Branch

05/31/18

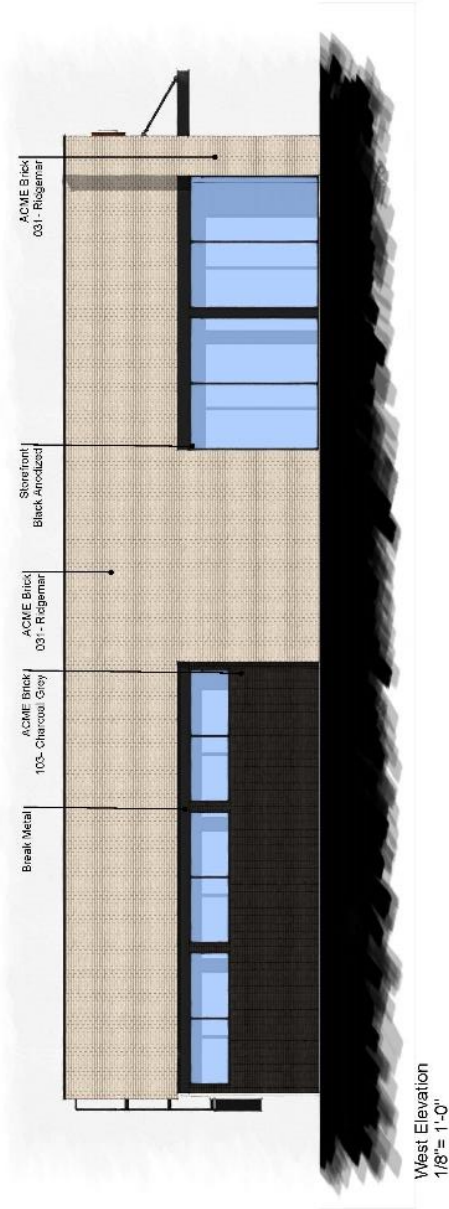
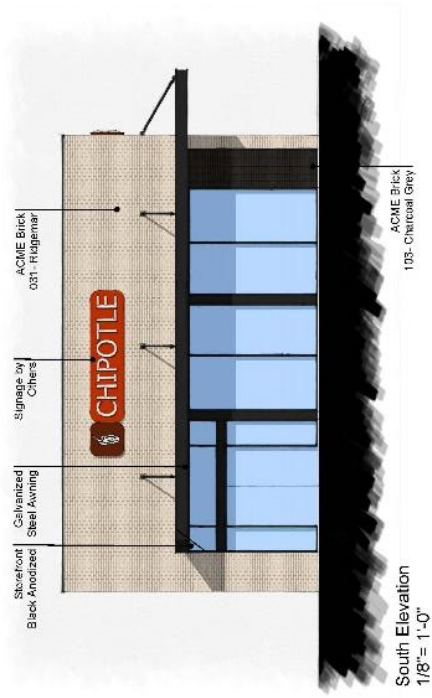


# Ordinance No. 3510

## Exhibit “E”- RESTAURANT WITHOUT DRIVE-THROUGH ELEVATIONS

South Elevation			
Materials	SF	Percentage	
Brick	374	90.3%	
Steel	40	9.7%	
<b>Subtotal</b>	<b>414</b>		
Openings	268	39.3%	
<b>Total SF</b>	<b>682</b>		

West Elevation			
Materials	SF	Percentage	
Brick	1069	94.4%	
Steel	63	5.6%	
<b>Subtotal</b>	<b>1132</b>		
Openings	306	21.3%	
<b>Total SF</b>	<b>1438</b>		



Colored Elevations

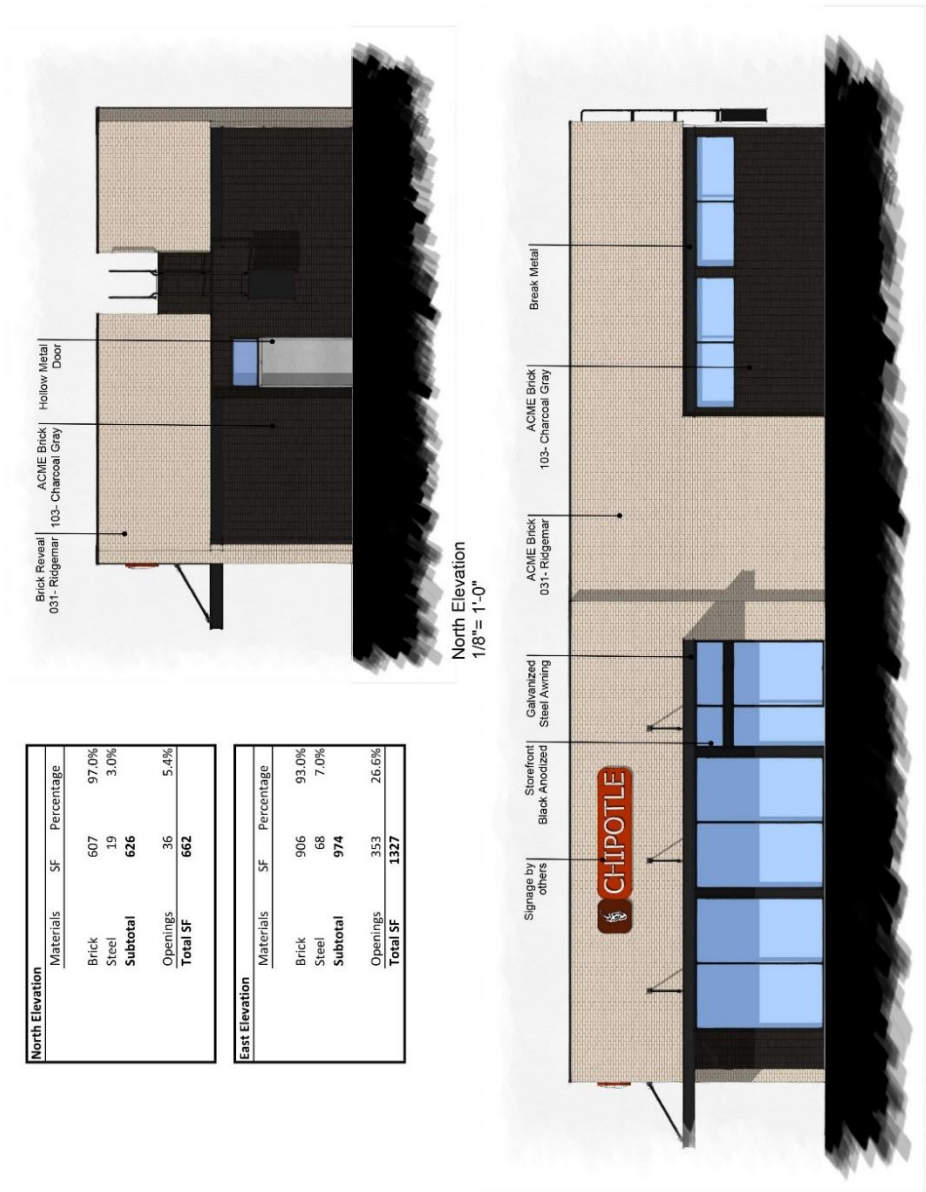
Chipotle - Farmers Branch

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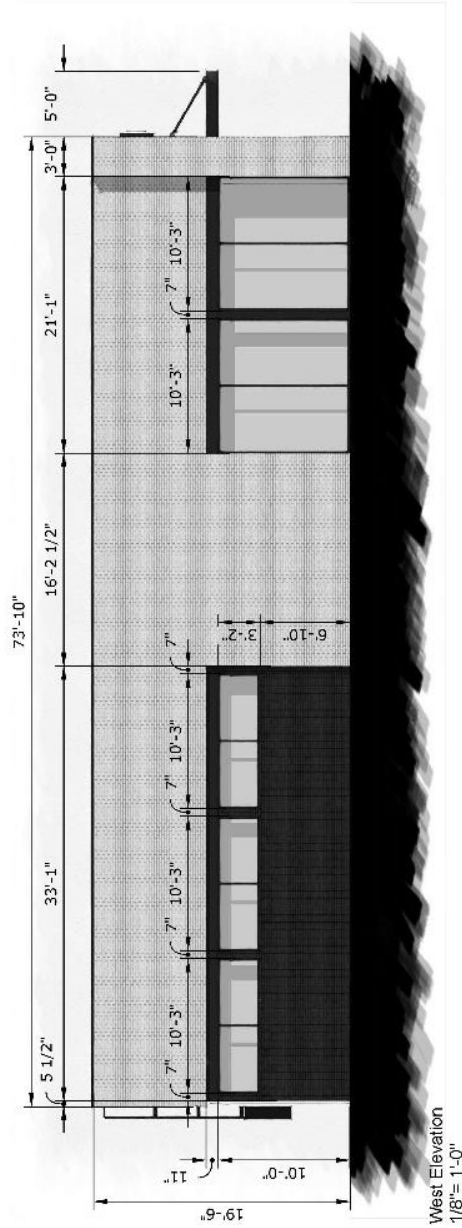
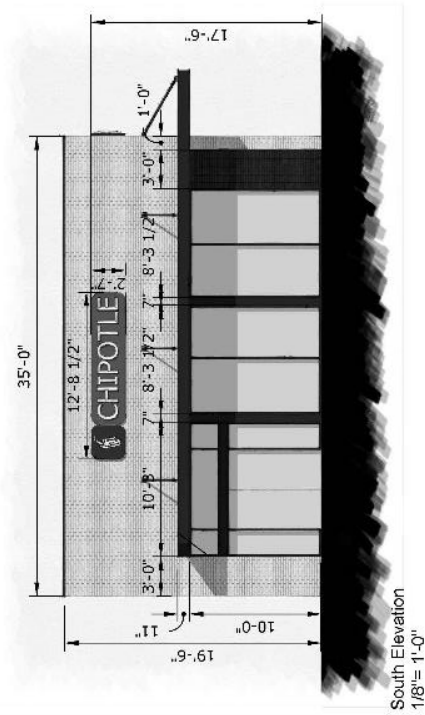
Exhibit “E”- RESTAURANT WITHOUT DRIVE-THROUGH ELEVATIONS (cont.)





# Ordinance No. 3510

## Exhibit "E"- RESTAURANT WITHOUT DRIVE-THROUGH ELEVATIONS (cont.)



Elevations

Chipotle - Farmers Branch

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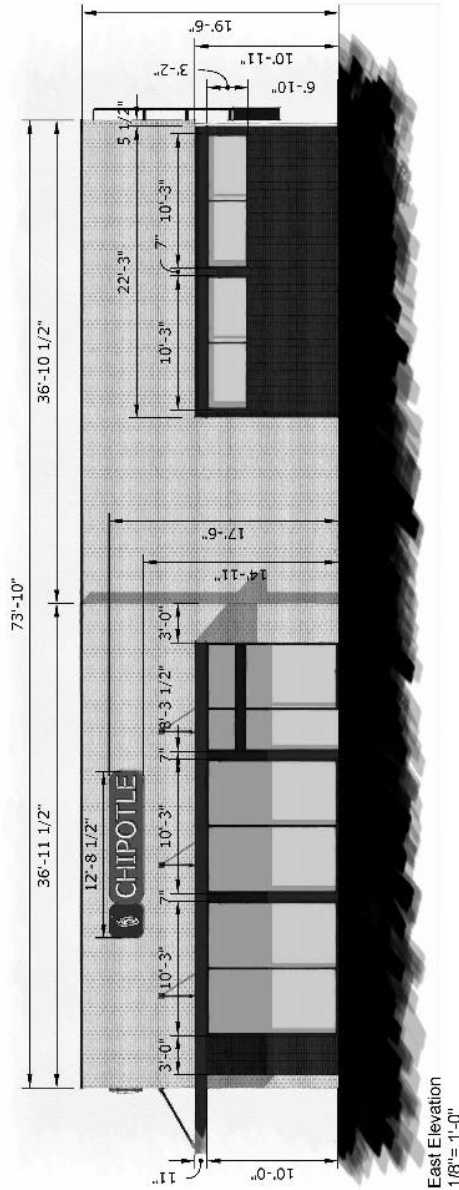
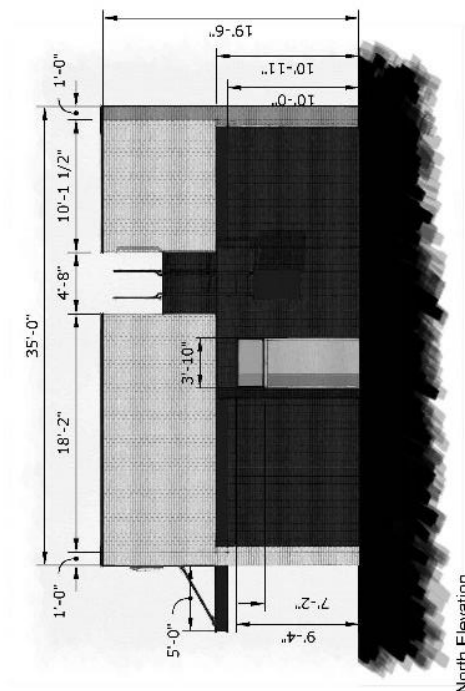


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Exhibit "E"- RESTAURANT WITHOUT DRIVE-THROUGH ELEVATIONS (cont.)



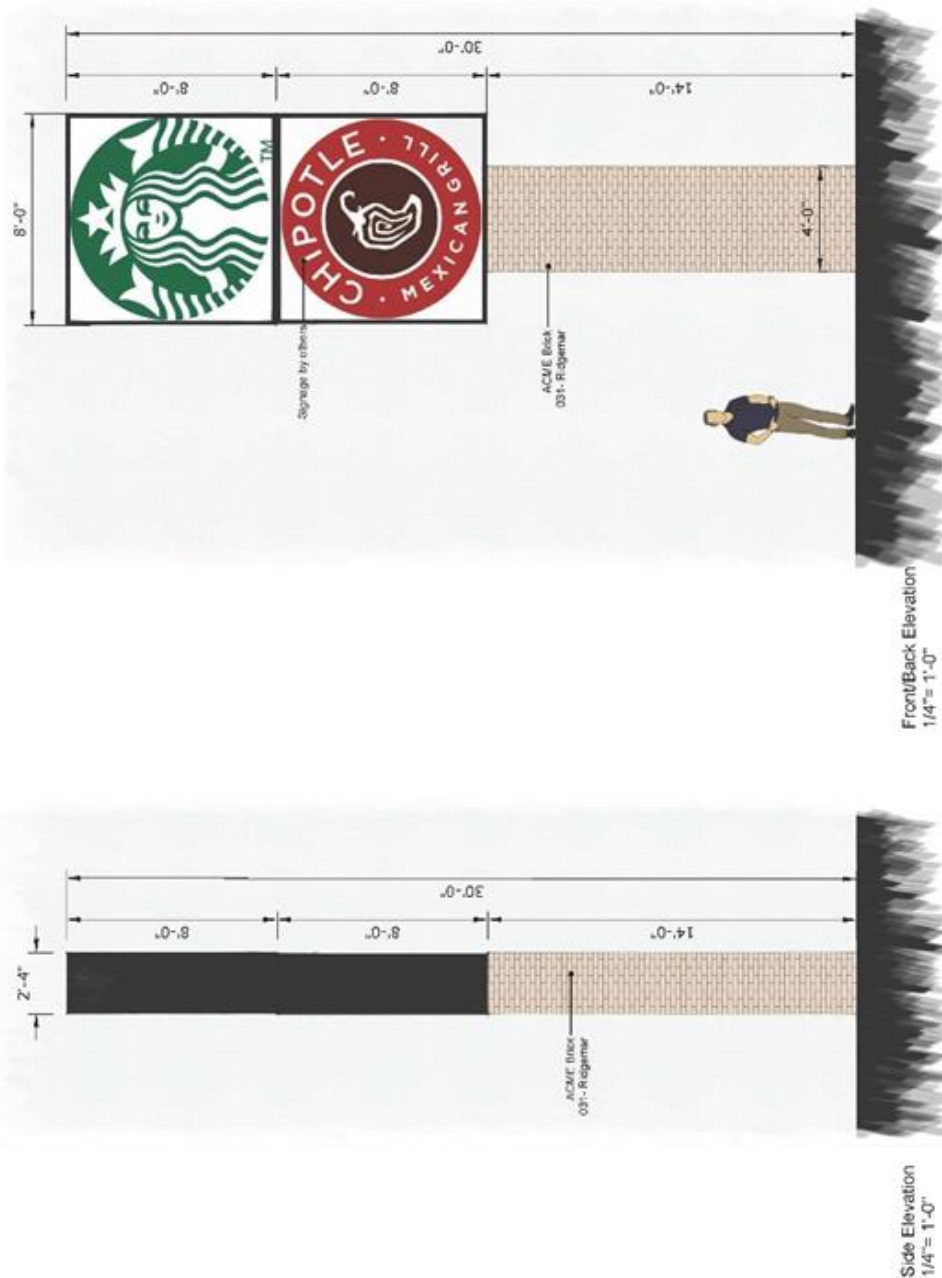
Chipotle- Farmers Branch  
06/21/18

Elevations

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Ordinance No. 3510  
Exhibit "F"- SIGN ELEVATIONS





Ordinance No. 3510  
Exhibit "F"- SIGN ELEVATIONS (cont.)



Chipotle - Farmers Branch

06/21/18

Monument Elevations