



ORDINANCE NO. 3635

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 TO ALLOW THE ON-PREMISE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN A QUALIFYING RESTAURANT FOR A 3,116± SQUARE FOOT PORTION OF A BUILDING ON LOT 1, GRAYSTONE TOWER ADDITION, (COMMONLY KNOWN AS 2727 LBJ FREEWAY) LOCATED WITHIN PLANNED DEVELOPMENT NUMBER 74 (PD-74) ZONING DISTRICT; PROVIDING FOR ADDITIONAL SPECIAL CONDITIONS; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING 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 and zoning map of the City of Farmers Branch, Texas, be, and the same is hereby amended, so as to grant a change in zoning by granting a Specific Use Permit with special conditions for the on-premise sale and consumption of alcoholic beverages within a qualifying restaurant for a 3,116± square foot portion of the first (1st) floor of the building depicted on Exhibit "A," attached hereto and incorporated herein by reference, said building being located within the property described as Lot 1, Graystone Tower Addition, an addition to the City of Farmers Branch, Texas, according to the plat thereof recorded at Volume 80052, Page 1540, Map Records, Dallas County, Texas (more commonly known as 2727 LBJ Freeway)("the Property") which is located within the Planned Development Number 74 (PD-74) zoning district.

SECTION 2. If the Property is used and developed in accordance with the rights granted pursuant to Section 1, above, the Property shall conform in operation, location and construction to the development standards specified within the Planned Development No. 74 (PD-74) zoning district as well as the following special conditions:

- A. The sale of alcoholic beverages shall at all times be in full compliance with all requirements of laws and regulations of the State of Texas and the City of Farmers Branch Comprehensive Zoning Ordinance, as amended or succeeded, relative to such use;
- B. The rights granted pursuant to Section 1 of this Ordinance shall be limited to the portion of the first (1st) floor of the building located on the Property as depicted on Exhibit “A,” attached hereto and incorporated herein by reference; and
- C. The sales and service of alcoholic beverages on the Property shall at all times be in conformance with the Alcohol Awareness Program set forth in Exhibit “B,” attached hereto and incorporated 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. 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 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.

SECTION 9. This ordinance shall be subject to termination pursuant to Section 6.5.C of the Comprehensive Zoning Ordinance, as amended.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THIS, THE 5TH DAY OF MAY 2020.

ATTEST:

APPROVED:

Amy Piukana, City Secretary

Robert C. Dye, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:4/20/2020:11518)

Exhibit “A” – Depiction of Property Location

EXISTING PROPERTY CONDITIONS	
LOZING EXISTING USE	PP-20 / PLANNED DEVELOPMENT
LOT AREA	18,609 SQ. FT. / 428.24 ACRES
COVERAGE	100%
POULING HEIGHT	14.00 FT. (EXTERIOR FOOTPRINT)
BUILDING HEIGHT	10.00 FT. (EXTERIOR FOOTPRINT)
PAVING	AS STOWN
PAVING PROVIDED	21 FEET
STANDARD SPACES	256 SPACES
STANDARD VAN ACCESSIBLE	26 SPACES
TOTAL	282 SPACES

ZONING REQUIREMENTS

(1) MINIMUM FRONT SETBACK	50 feet
(2) MINIMUM REAR SETBACK	To be determined at time of site plan approval
(3) MINIMUM SIDE SETBACK	To be determined at time of site plan approval
(4) MAXIMUM BUILDING HEIGHT	10 stories not to exceed 140 feet

EXCEPTIONS TO THE TITLE COMMITMENT

Exemption No.	RECORDING INFORMATION	DESCRIPTION OF EXEMPTED	Appropriate Exemption Code	Shore Organization Exemption Code
10 a.	Volume 80255, Page 1540	20' landing vehicle	YES	YES
10 b.	Volume 80255, Page 1540	15' ferry assessed	YES	YES
10 c.	Volume 80255, Page 1540	The Landing and Utility	YES	YES
10 d.	Volume 8125, Page 188 Volume 71257, Page 549	Estimated by Jack Star One company	YES	YES

LEGEND

GENERAL NOTES

earings based on Deed recorded in
Volume 90129, Page 4886, Deed Records,
Dallas County, Texas, along Northwest
half-of-way line of L.B.J. Freeway (I.H.
5). (57°44'22"N)

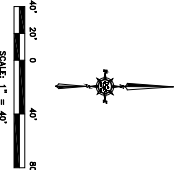
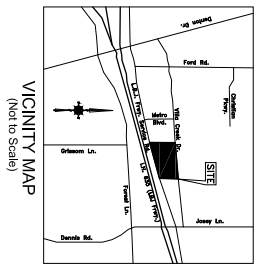
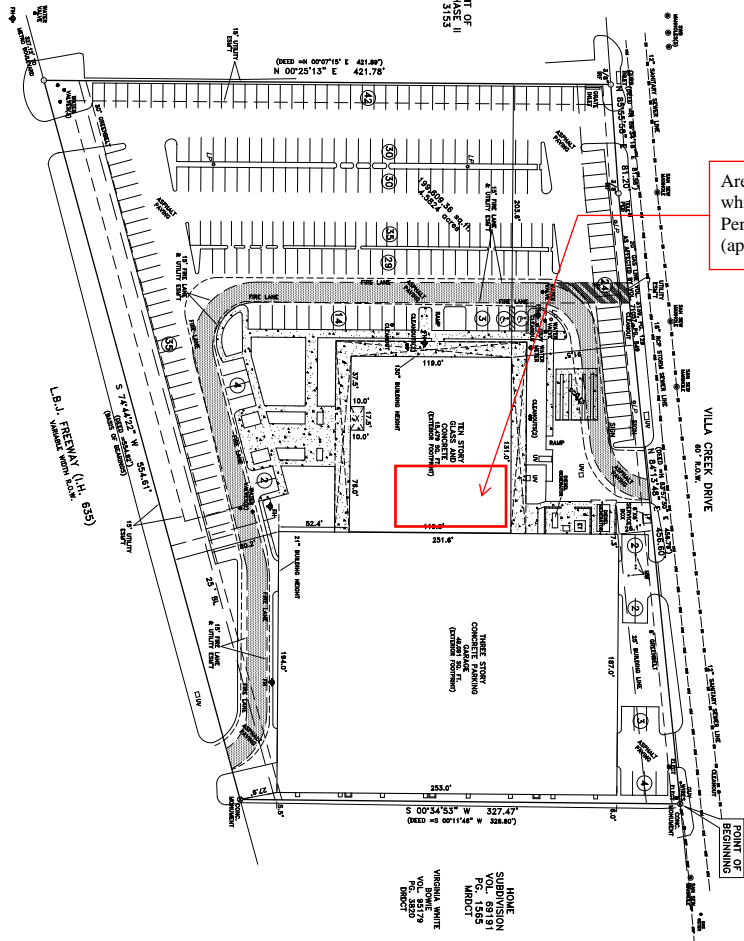
PROPERTY DESCRIPTION

1917-1918, 1919-1920, 1921-1922, 1923-1924, 1925-1926, 1927-1928, 1929-1930, 1931-1932, 1933-1934, 1935-1936, 1937-1938, 1939-1940, 1941-1942, 1943-1944, 1945-1946, 1947-1948, 1949-1950, 1951-1952, 1953-1954, 1955-1956, 1957-1958, 1959-1960, 1961-1962, 1963-1964, 1965-1966, 1967-1968, 1969-1970, 1971-1972, 1973-1974, 1975-1976, 1977-1978, 1979-1980, 1981-1982, 1983-1984, 1985-1986, 1987-1988, 1989-1990, 1991-1992, 1993-1994, 1995-1996, 1997-1998, 1999-2000, 2001-2002, 2003-2004, 2005-2006, 2007-2008, 2009-2010, 2011-2012, 2013-2014, 2015-2016, 2017-2018, 2019-2020, 2021-2022, 2023-2024, 2025-2026, 2027-2028, 2029-2030, 2031-2032, 2033-2034, 2035-2036, 2037-2038, 2039-2040, 2041-2042, 2043-2044, 2045-2046, 2047-2048, 2049-2050, 2051-2052, 2053-2054, 2055-2056, 2057-2058, 2059-2060, 2061-2062, 2063-2064, 2065-2066, 2067-2068, 2069-2070, 2071-2072, 2073-2074, 2075-2076, 2077-2078, 2079-2080, 2081-2082, 2083-2084, 2085-2086, 2087-2088, 2089-2090, 2091-2092, 2093-2094, 2095-2096, 2097-2098, 2099-2100, 2101-2102, 2103-2104, 2105-2106, 2107-2108, 2109-2110, 2111-2112, 2113-2114, 2115-2116, 2117-2118, 2119-2120, 2121-2122, 2123-2124, 2125-2126, 2127-2128, 2129-2130, 2131-2132, 2133-2134, 2135-2136, 2137-2138, 2139-2140, 2141-2142, 2143-2144, 2145-2146, 2147-2148, 2149-2150, 2151-2152, 2153-2154, 2155-2156, 2157-2158, 2159-2160, 2161-2162, 2163-2164, 2165-2166, 2167-2168, 2169-2170, 2171-2172, 2173-2174, 2175-2176, 2177-2178, 2179-2180, 2181-2182, 2183-2184, 2185-2186, 2187-2188, 2189-2190, 2191-2192, 2193-2194, 2195-2196, 2197-2198, 2199-2200, 2201-2202, 2203-2204, 2205-2206, 2207-2208, 2209-2210, 2211-2212, 2213-2214, 2215-2216, 2217-2218, 2219-2220, 2221-2222, 2223-2224, 2225-2226, 2227-2228, 2229-2230, 2231-2232, 2233-2234, 2235-2236, 2237-2238, 2239-2240, 2241-2242, 2243-2244, 2245-2246, 2247-2248, 2249-2250, 2251-2252, 2253-2254, 2255-2256, 2257-2258, 2259-2260, 2261-2262, 2263-2264, 2265-2266, 2267-2268, 2269-2270, 2271-2272, 2273-2274, 2275-2276, 2277-2278, 2279-2280, 2281-2282, 2283-2284, 2285-2286, 2287-2288, 2289-2290, 2291-2292, 2293-2294, 2295-2296, 2297-2298, 2299-2300, 2301-2302, 2303-2304, 2305-2306, 2307-2308, 2309-2310, 2311-2312, 2313-2314, 2315-2316, 2317-2318, 2319-2320, 2321-2322, 2323-2324, 2325-2326, 2327-2328, 2329-2330, 2331-2332, 2333-2334, 2335-2336, 2337-2338, 2339-2340, 2341-2342, 2343-2344, 2345-2346, 2347-2348, 2349-2350, 2351-2352, 2353-2354, 2355-2356, 2357-2358, 2359-2360, 2361-2362, 2363-2364, 2365-2366, 2367-2368, 2369-2370, 2371-2372, 2373-2374, 2375-2376, 2377-2378, 2379-2380, 2381-2382, 2383-2384, 2385-2386, 2387-2388, 2389-2390, 2391-2392, 2393-2394, 2395-2396, 2397-2398, 2399-2400, 2401-2402, 2403-2404, 2405-2406, 2407-2408, 2409-2410, 2411-2412, 2413-2414, 2415-2416, 2417-2418, 2419-2420, 2421-2422, 2423-2424, 2425-2426, 2427-2428, 2429-2430, 2431-2432, 2433-2434, 2435-2436, 2437-2438, 2439-2440, 2441-2442, 2443-2444, 2445-2446, 2447-2448, 2449-2450, 2451-2452, 2453-2454, 2455-2456, 2457-2458, 2459-2460, 2461-2462, 2463-2464, 2465-2466, 2467-2468, 2469-2470, 2471-2472, 2473-2474, 2475-2476, 2477-2478, 2479-2480, 2481-2482, 2483-2484, 2485-2486, 2487-2488, 2489-2490, 2491-2492, 2493-2494, 2495-2496, 2497-2498, 2499-2500, 2501-2502, 2503-2504, 2505-2506, 2507-2508, 2509-2510, 2511-2512, 2513-2514, 2515-2516, 2517-2518, 2519-2520, 2521-2522, 2523-2524, 2525-2526, 2527-2528, 2529-2530, 2531-2532, 2533-2534, 2535-2536, 2537-2538, 2539-2540, 2541-2542, 2543-2544, 2545-2546, 2547-2548, 2549-2550, 2551-2552, 2553-2554, 2555-2556, 2557-2558, 2559-2560, 2561-2562, 2563-2564, 2565-2566, 2567-2568, 2569-2570, 2571-2572, 2573-2574, 2575-2576, 2577-2578, 2579-2580, 2581-2582, 2583-2584, 2585-2586, 2587-2588, 2589-2590, 2591-2592, 2593-2594, 2595-2596, 2597-2598, 2599-2600, 2601-2602, 2603-2604, 2605-2606, 2607-2608, 2609-2610, 2611-2612, 2613-2614, 2615-2616, 2617-2618, 2619-2620, 2621-2622, 2623-2624, 2625-2626, 2627-2628, 2629-2630, 2631-2632, 2633-2634, 2635-2636, 2637-2638, 2639-2640, 2641-2642, 2643-2644, 2645-2646, 2647-2648, 2649-2650, 2651-2652, 2653-2654, 2655-2656, 2657-2658, 2659-2660,

SURVEYOR'S CERTIFICATE

The undersigned, being a Registered Professional Land Surveyor of the State of Texas certifies to (i) Amergy Mortgage Company, L.L.C. d/b/a Icap Realty Advisors of Texas; (ii) Boxer Property; and (iii) Fidelity National Title Agency as follows:

FIFTH INSTALLMENT OF
METRO SQUARE—PHASE II
VOL. 83131, PG. 3153
MRDCT



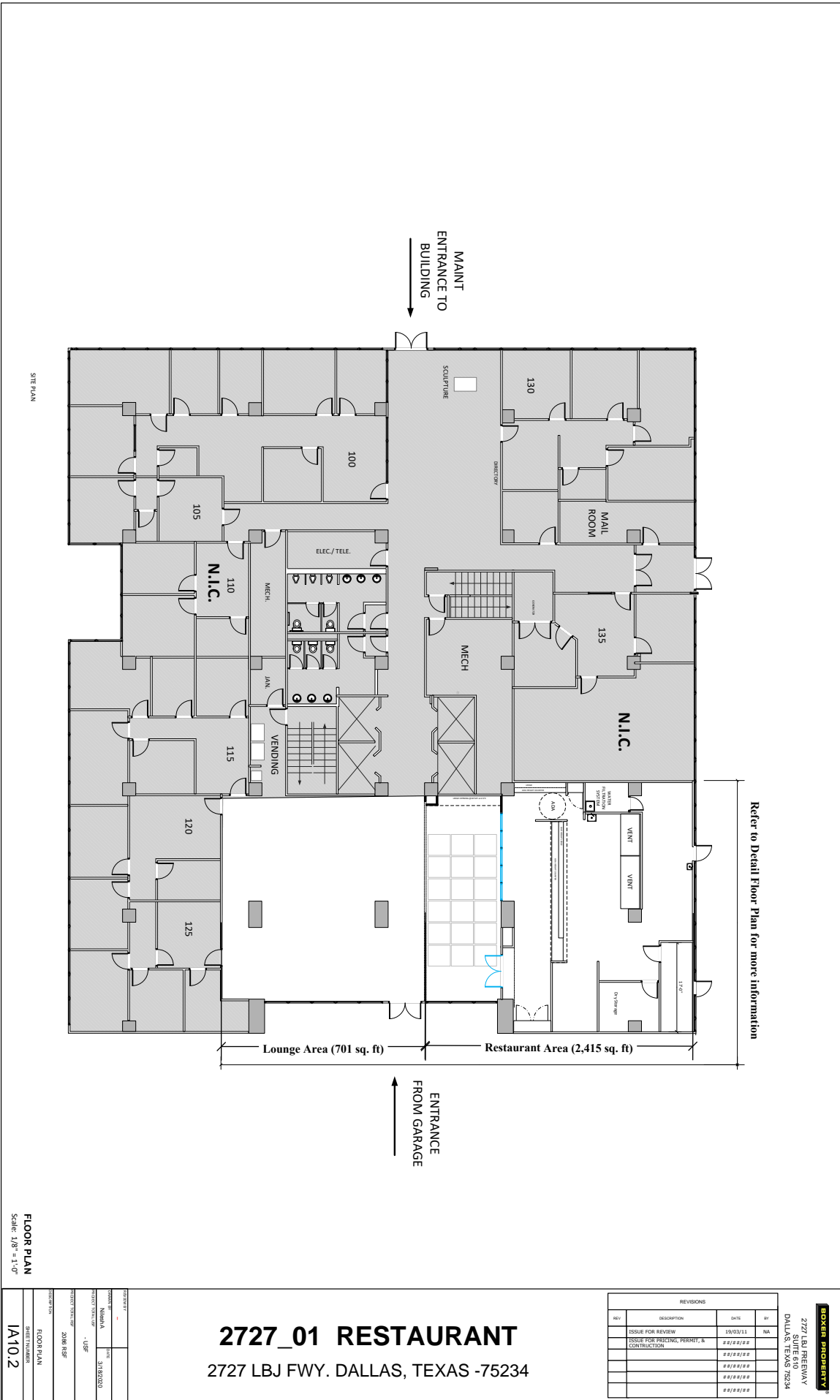
DOUG CONNALLY & ASSOC., INC.
11545 PAPERHILL RD. SUITE #200
DALLAS, TEXAS 75245
PHONE: (214) 349-9485
FAX: (214) 349-2216
www.dcoasurveying.com

SCALE	DATE	JOB NO.	D.T. NO.	DRAWN
1" = 40'	04-11-07	0701088-1	3-071088-1 D-0004	CHRIS

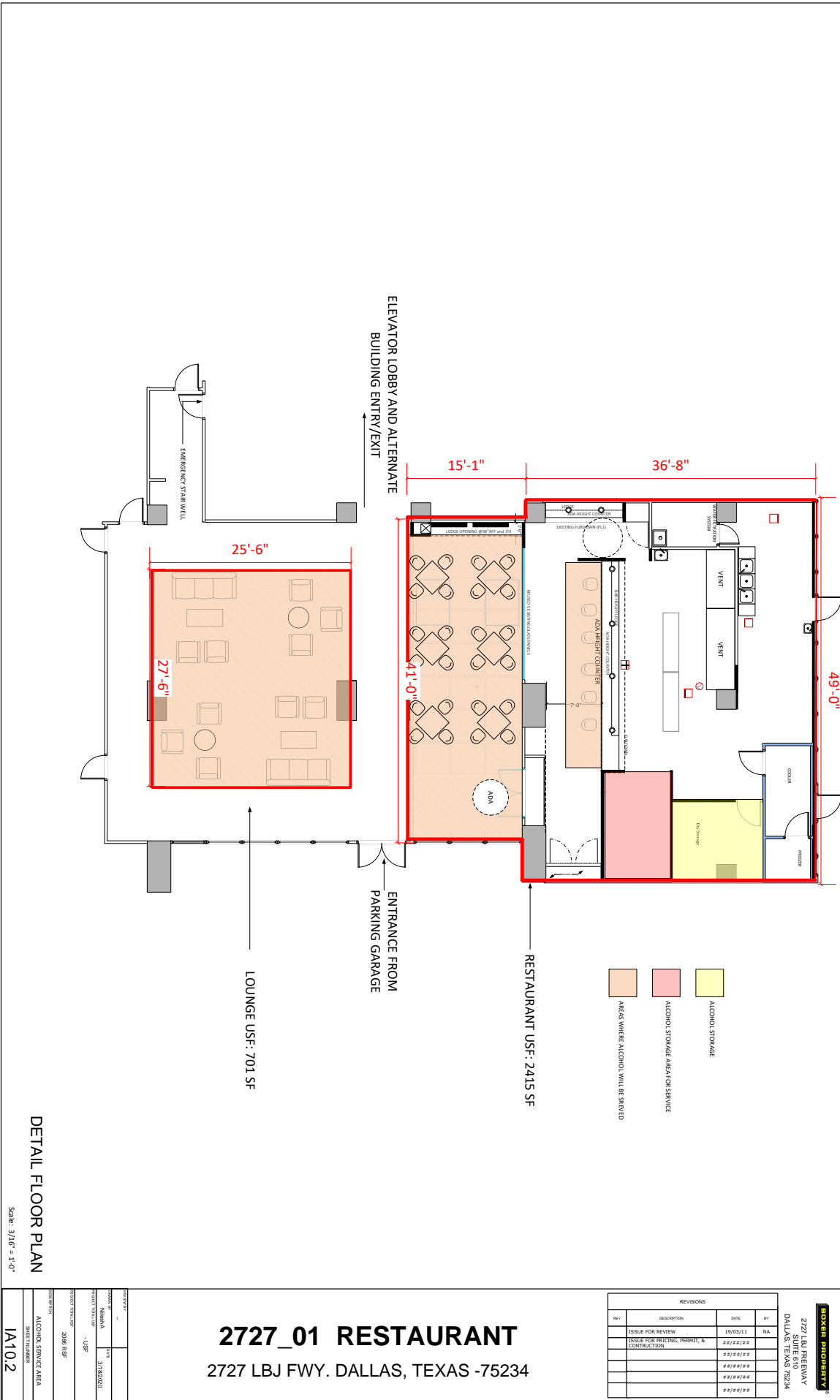
ALTA/ACSM LAND SURVEY
ISSAC B. WEBB SURVEY, ABSTRACT NO. 1574
CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS
2727 LBJ FREEWAY

Bryan Connolly
RPLS NO. 5513
Date: April 11, 2007

Ordinance No. 3635
Exhibit “A” – Depiction of Property Location (cont.)



Ordinance No. 3635
Exhibit “A” – Depiction of Property Location (cont.)



Ordinance No. 3635
Exhibit “B” – Alcohol Awareness Program

1910 Beverage Services, LLC DBA “The Grid”
Alcohol Awareness Program

Requirements for alcohol service are as follows:

1. 1910 Beverage Service, LLC require all employees handling alcohol to complete their TABC course and obtain their TABC Certification before they start working shifts.
2. Customers will provide a legal picture ID that will consist of one of the following: Driver’s License, Military ID, State ID, or Passport upon request.
3. A manager will always be on duty to confirm whether a customer should be served alcohol.
4. 1910 Beverage Service, LLC will abide by the Texas Penal Code.
5. 1910 Beverage Service, LLC will abide by the Texas Alcoholic Beverage Code.
6. All employees who directly or indirectly handle alcoholic beverages will be at least 18 years of age.
7. Only employees who have completed the approved class will serve alcoholic beverages and all alcoholic beverages will be served for consumption on the restaurant site only.
8. All customers who purchase alcoholic beverages must be at least 21 years of age.
9. Alcoholic beverages will not be sold, served or delivered to any person who is, or is believed to be intoxicated.
10. Anyone that is or is believed to be intoxicated will be permitted to remain on the premises.
11. Staff will be trained to call a cab or Uber to transport anyone who is, or is believed to be intoxicated
12. Any unlawful acts will be reported to the police.
13. No alcoholic beverages will be sold before 11am.
14. No alcoholic beverages will be sold after closing at 7pm. Hours of operation will be Mon-Fri 8am – 7pm and we will be closed on Saturday and Sunday.
15. No exterior signs advertising the sale of alcohol will be hung.
16. Alcohol sales will be limited to on-site consumption only and will be prohibited for off-site consumption
17. All customers will be required to show proper ID before an alcoholic beverage is placed in front of them
18. Consumption of alcohol is permitted only in designated areas. Guests shall not be permitted to leave designed areas with any open or closed containers of alcohol.
19. Outside alcohol may not be brought into a designated area by guests.
20. Employees are prohibited from consuming alcoholic beverages before, during and after their work shifts.
21. All alcoholic beverages must be stored in one or more secured areas that are only accessible by management.
22. Sales of food and non-alcoholic beverages in the restaurant shall be at least 50% of the gross sales for each quarterly reporting period.