ORDINANCE NO. 3700



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 RESTAURANT WITH DRIVE-THROUGH ON A 0.57± ACRE TRACT OUT OF THE ISAAC B. WEBB SURVEY, ABSTRACT NO. 1574 (COMMONLY KNOWN AS LANE) 13005 **JOSEY LOCATED WITHIN PLANNED DEVELOPMENT** NO. 8; **ADOPTING** DEVELOPMENT **INCLUDING** REGULATIONS A **DETAILED** SITE PLAN. LANDSCAPE PLAN, AND BUILDING ELEVATIONS; 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 UNDER CERTAIN CIRCUMSTANCES

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 on a 0.57± acre tract out of the Isaac B. Webb Survey, Abstract No. 1574, 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 13005 Josey Lane)("the Property") and located within Planned Development District No. 8 ("PD-8"), subject to the provisions of Section 2 of this Ordinance.

SECTION 2. If developed and used for a Restaurant with Drive-Through the Property shall conform in operation, location and construction to the development standards specified for the PD-8 Zoning District as set forth in Ordinance No. 769, (the "PD-8 Ordinance") as well as the following:

A. The Property shall be developed substantially in accordance with the Detailed Site Plan attached hereto as Exhibit B" and incorporated herein by reference ("the Site Plan").

- B. 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"). The planting and installation of all landscaping and related irrigation system as shown on the Landscape Plan must be completed prior to issuance of a certificate of occupancy for the restaurant to be constructed on the Property.
- C. The buildings constructed on the Property shall be designed to appear substantially as shown in the Building Elevations shown in Exhibit "D," attached hereto and incorporated herein by reference.

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.

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 $21^{\rm ST}$ DAY OF SEPTEMBER 2021.

ATTEST:	APPROVED:	
Amy Piukana, City Secretary	Robert C. Dye, Mayor	
APPROVED AS TO FORM:		
Peter G. Smith, City Attorney (kbl:9/7/2021:124358)		

Ordinance No. 3700 Exhibit "A"- DESCRIPTION OF PROPERTY

Being a 0.57 acre tract or parcel of land situated in the Isaac B. Webb Survey, Abstract Number 1574 in the City of Farmers Branch, Dallas County, Texas and being a portion of a called 4.842 acre tract of land described in the deed to Josey – Val Shopping Center, Inc., recorded in Volume 94029, Page 3754 of the Deed Records of Dallas County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a x-cut found at the Southeast corner of said 4.842 acre tract and the common Northeast corner of a called 2.918 acre tract of land described in the deed to Josey – Val Retail, LP., recorded in document Number 201400303349 of the Official Public Records of Dallas County, Texas and being in the West right-of-way line of Josey Lane;

THENCE North 00°18'42" West, with the East line of said 4.842 acre tract and the common West right-of-way line of said Josey Lane, a distance of 154.10 feet to the POINT OF BEGINNING;

THENCE over and across said 4.842 acre tract the following courses and distances:

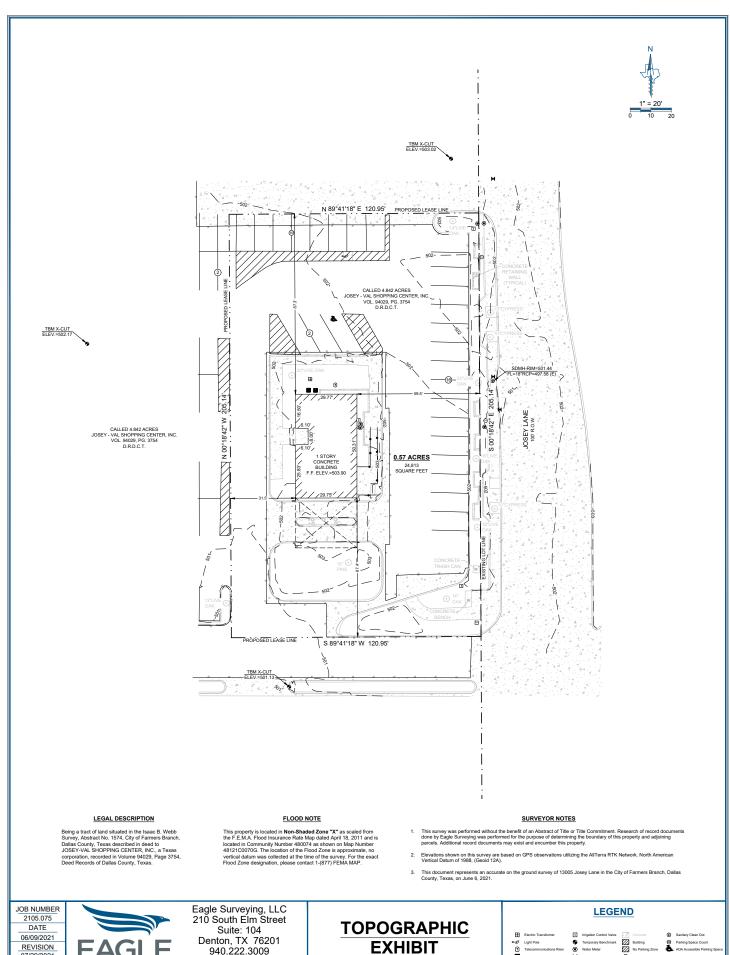
South 89°41'18" West, a distance of 120.95 feet;

North 00°18'42" West, a distance of 205.14 feet;

North 89°41'18" East, a distance of 120.95 feet to the East line of said 4.842 acre tract and the common West right-of-way line of said Josey Lane;

THENCE South 00°18'42" East, with the East line of said 4.842 acre tract and the common West right-of-way line of said Josey Lane, a distance of 205.14 feet to the POINT OF BEGINNING and containing 0.57 acres of land more or less.

Ordinance No. 3700 **Exhibit "A"- DESCRIPTION OF PROPERTY (cont.)**

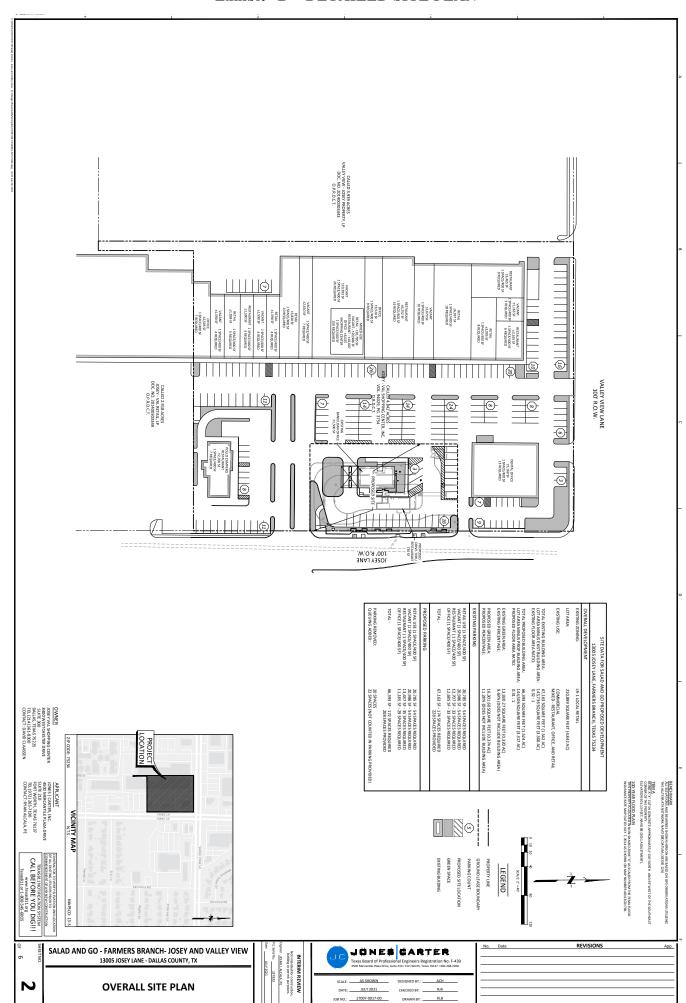


REVISION 07/29/2021 DRAWN BY

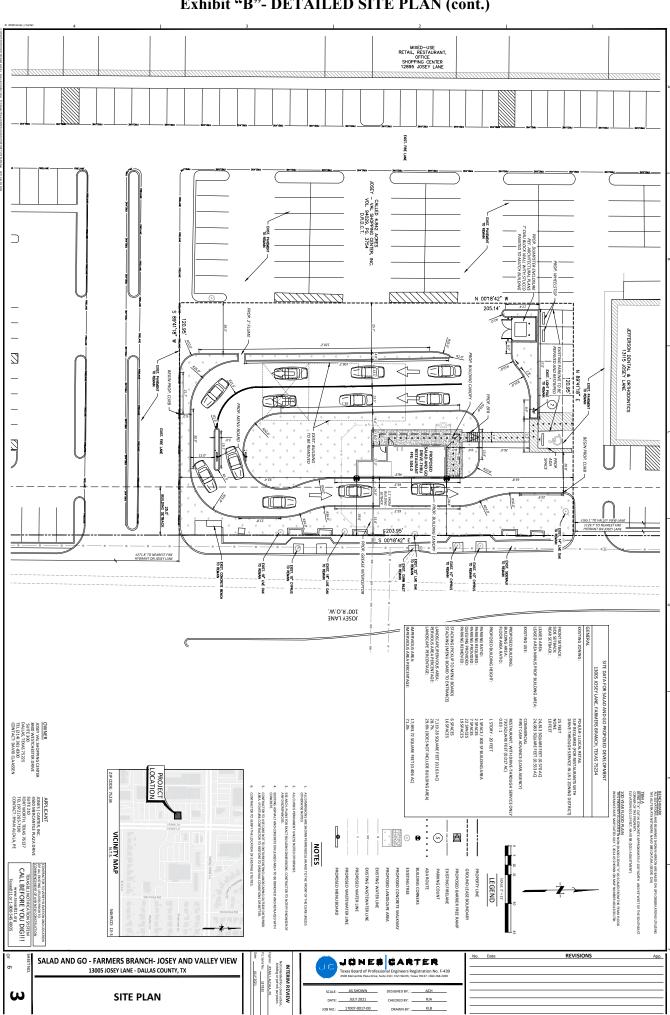


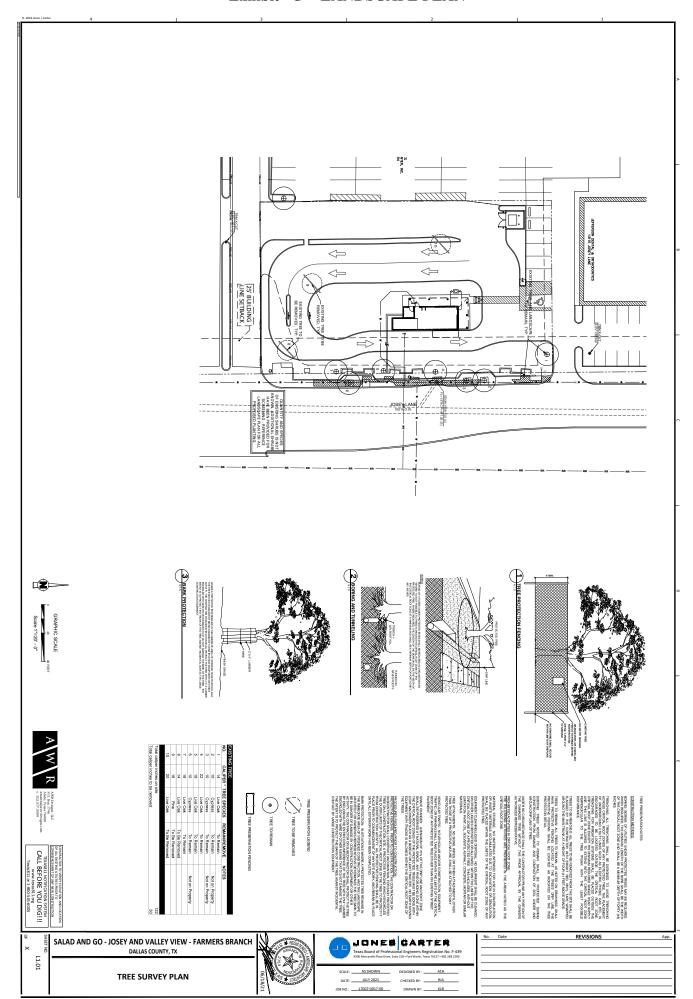
Denton, TX 76201 940.222.3009 www.eaglesurveying.com TX Firm # 10194177

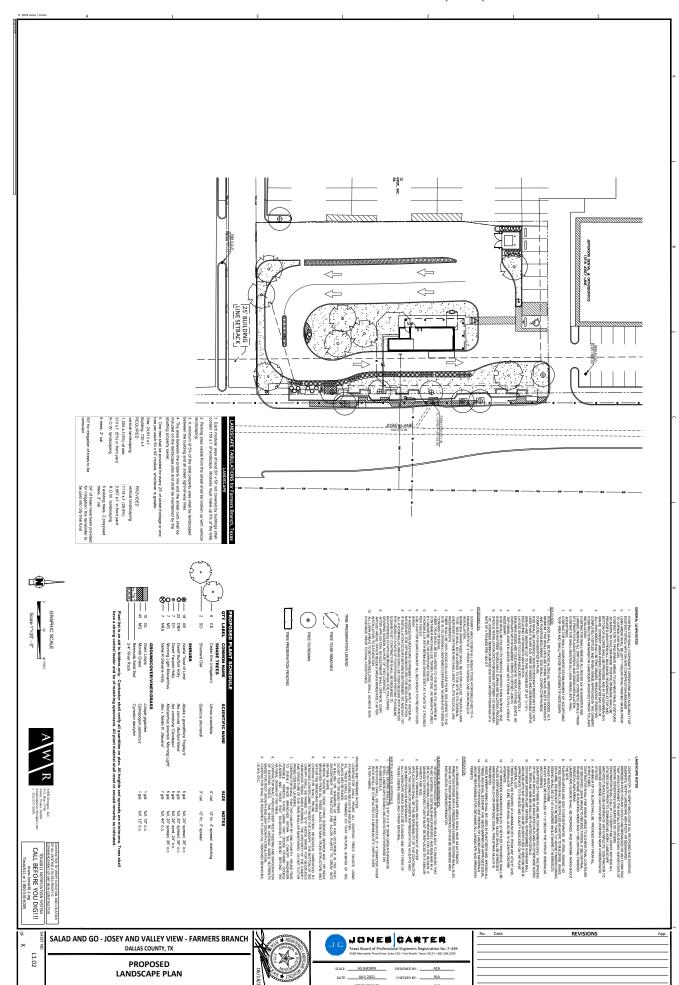
Ordinance No. 3700 Exhibit "B"- DETAILED SITE PLAN

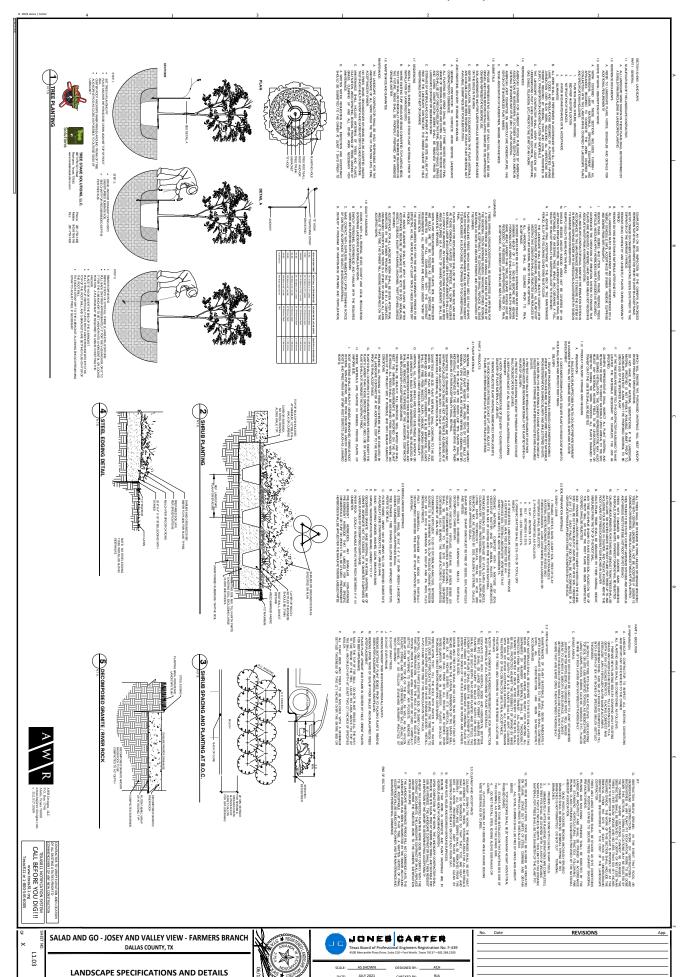


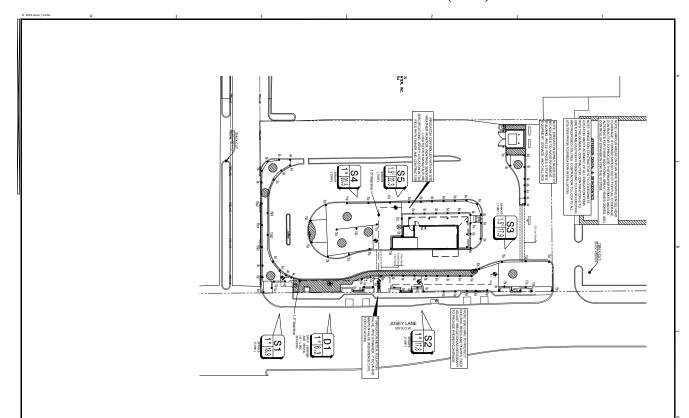
Ordinance No. 3700 Exhibit "B"- DETAILED SITE PLAN (cont.)



















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Texassillor 1-800-545-6005

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REFERENCE: REFERENCE: LAUDICAME PLAN FOR LOCATION OF GRAVEL STEEL EDGING AND ALL PROPOSED PLANT MATERIAL.	WEELE STORM IS DICEASANCE, ALL PRISE, VAUCES, AND OTHER CALFREST WISCONS WHEN PARKS OF AN OFFICE PRODUCES AND OTHER CALFREST WISCONS W		CONSINUE VAROULA REAGON PAULAUS SAVORENS SAVOE HEJO DYSPAUS IF OWNER VAROULA REAGON COME VOTAK ERMENE KE OMPRACIOEN DE POWER THE PROPER FEMANTS AND DEL ALTERNATE FOR THESE AND THOMAS HEJOS, ZORES, AND CONTROLLERED/PANSION FOR THE SYSTEM.	RULE LAWAN HAMILES. ENTINE SYSTEM SHALL BE INSTALLED PER TOEO STANDAROS. ENTINE SYSTEM SHALL BE INSTALLED PER TOEO STANDAROS. MANUFACTURER'S SPECIFICATIONS AND ALL CITY CODES.

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UNDE COPY OF ZONE MAP WITH ALL ZONE VALVE LOCATIONS SHOWN AVE



- RIPWS AND CONTROL WIRES SHALL BE INSTALLED IN SEPARATE SLEEVES PAYING REFERENCE DRAWINGS FOR SLEEVE SIZE AND LOCATION.
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THE IRRIGATION CONTRACTOR SHALL COCKDINATE INSTALLATION OF THE PROMOTION SYSTEM WITH THE LANDSCAPE COMPACTOR SO THAT ALL RUND MATERAL WILL BE WATERED IN ACCORDANCE WITH THE RETERF OF THE PLANS AND SPECIFICATIONS.

OR SHALL BE RESPONSIBLE TO NOTFY THE INNIGATION DESIGNED TONG OR ASSUME FULL RESPONSIBLITY FOR ANY AND ALL ON SITE

- REFERENCE HATER GLUELNIS AND SPICIFICATIONS PRIOR TO INSTALLATION, COMPAN REQUISERANTS FOR CONTROLLER, WILESPROOF CONTROLLER CONTROLLER AND WRING PRIOR TO INSTALLATION. HUMBER PROTECTORS, DECODES, WILLES, AND WRING PRIOR TO INSTALLATION. HUMBER TECHNICAL SERVICES (78), 591-783.

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 AND EQUIPMENT INFORMATION PROYUDED BY HUNTER INSTALLATION OF THESE
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DALLAS COUNTY, TX

IRRIGATION PLAN



	Texas Board of Profe	# GAR* essional Engineers Reg	istration No. F-439	
SCALE: _	AS SHOWN	DESIGNED BY.:	ACH	
DATE: -	JULY 2021	CHECKED BY:	RJA	
IOR NO :	17007-0017-00	DRAWN BY	KLB	

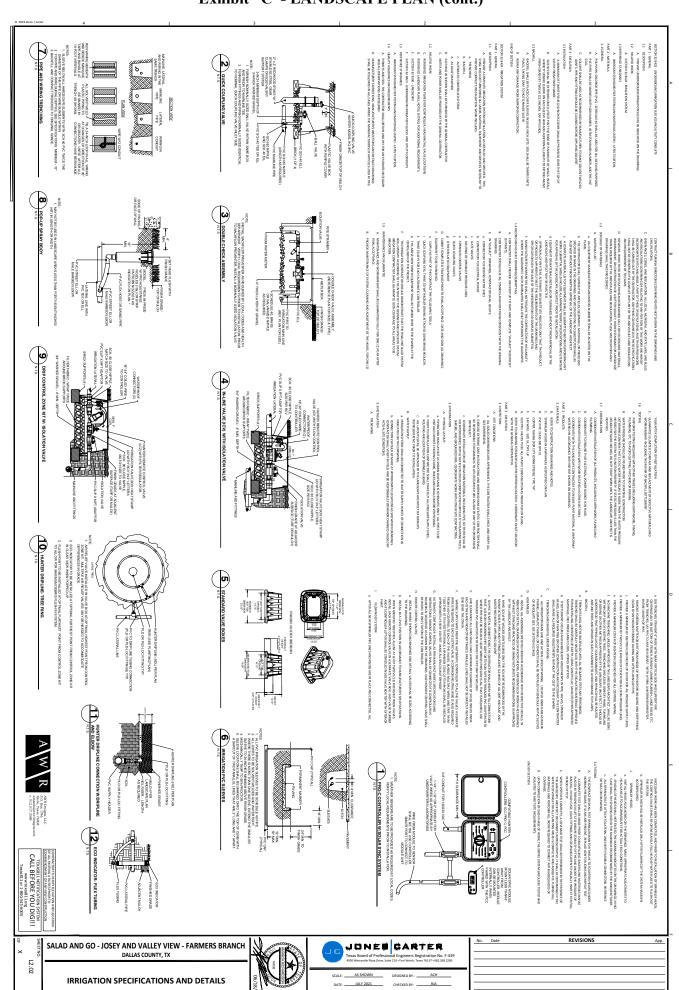
TONE VALVES SHALL NOT BE LOCATED WITHIN THREE (II) FEET OF ANY DRIVEWAY MAPPIC LIBELE, BLAND ETC. WHERE THEY WILL BE DAWAGED BY VEHICLES DRIVING VERICLESS.

DRIP TUBING SHALL BE SPACED 18" APART IN SHALB AND TREE APEAS, DETAILS, MANAPACTURERS RECOMMENDATIONS AND SPECIFICATIONS.

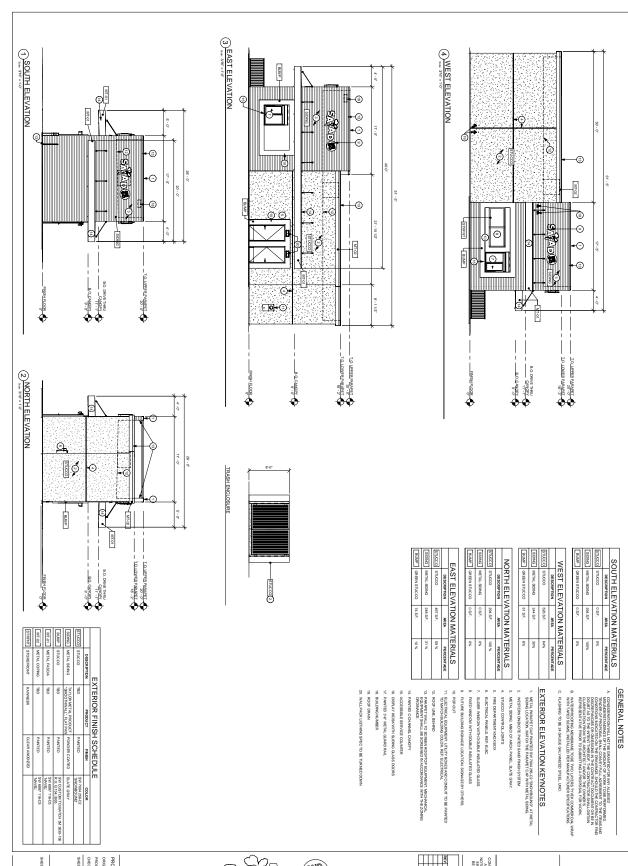
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Ordinance No. 3700 Exhibit "D"- BUILDING ELEVATIONS



FP2

PROJECT 8: 21-0773

ORGAN SSE DATE: 7772201

PRODUCTION CESSORES SCLARS

ORGAND BY: A MORRAND

SEETTING ACADE PLAN

BLACK AND WHITE

ELEVATIONS



JOSEY & VALLEY VIEW 13005 JOSEY LANE FARMERS BRANCH, TX 75234



FACADE REVIEW: 7/22/2021

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