



ORDINANCE NO. 3704

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 OPEN STORAGE ON LOT 1, BLOCK A, FRESHPOINT ADDITION (COMMONLY KNOWN AS 4721 SIMONTON ROAD) WHICH IS LOCATED IN A LIGHT INDUSTRIAL (LI) ZONING DISTRICT; ADOPTING DEVELOPMENT CONDITIONS INCLUDING A DETAILED SITE PLAN, LANDSCAPE PLAN, AND SCREENING DETAILS; 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; PROVIDING 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 amended by granting a Specific Use Permit for Open Storage on property described as Lot 1, Block A, Freshpoint Addition, an addition to the City of Farmers Branch, Dallas County, Texas, according to the plat thereof recorded as Instrument No. 201900188049, Official Public Records, Dallas County, Texas (commonly known as 4721 Simonton Road) ("the Property") and presently located in a Light Industrial (LI) Zoning District.

SECTION 2. If any portion of the Property that is not being used for Open Storage on the effective date of this Ordinance is developed and used for Open Storage as authorized by Section 1 of this Ordinance, the development of the area of Property used for Open Storage, including those areas of the Property currently being used for Open Storage prior to the effective date of this Ordinance, shall be subject to the following special conditions:

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

- B. Open storage shall only be permitted on the portion of the Property indicated on the Detailed Site Plan.
- C. The Property shall be developed and screened in accordance with the Landscape Plan attached hereto as Exhibit “B,” and incorporated herein by reference (“the Landscape Plan”). Use of the Property for Open Storage as authorized by Section 1, above, shall not commence until all landscaping and related irrigation system required by the Landscape Plan has been installed.
- D. The areas used for Open Storage shall be screened as follows:
 - (1) An eight foot (8.0’) tall solid masonry screening wall shall be constructed along Simonton Road and along the west property line of the Property to a point approximately 70-feet north of Simonton Road as shown on the Detailed Site Plan; provided, however, a portion of the wrought iron fence existing on Simonton Road on the effective date of this Ordinance may remain as shown on the Detailed Site Plan to the extent necessary to allow for the function of the existing electric sliding gate. Said masonry screening wall shall be designed and constructed substantially in compliance with the Screening Wall Detail as shown on the Detailed Site Plan and Landscape Plan.
 - (2) The screening walls required by this Section 2.D. shall be maintained in good condition and repair for so long as the Property is used for Open Storage.
 - (3) Use of the Property for Open Storage shall not commence until construction of the screening walls and fences required by this Section 2.D. is completed.

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 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.

SECTION 8. 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 19TH DAY OF OCTOBER 2021.

ATTEST:

APPROVED:

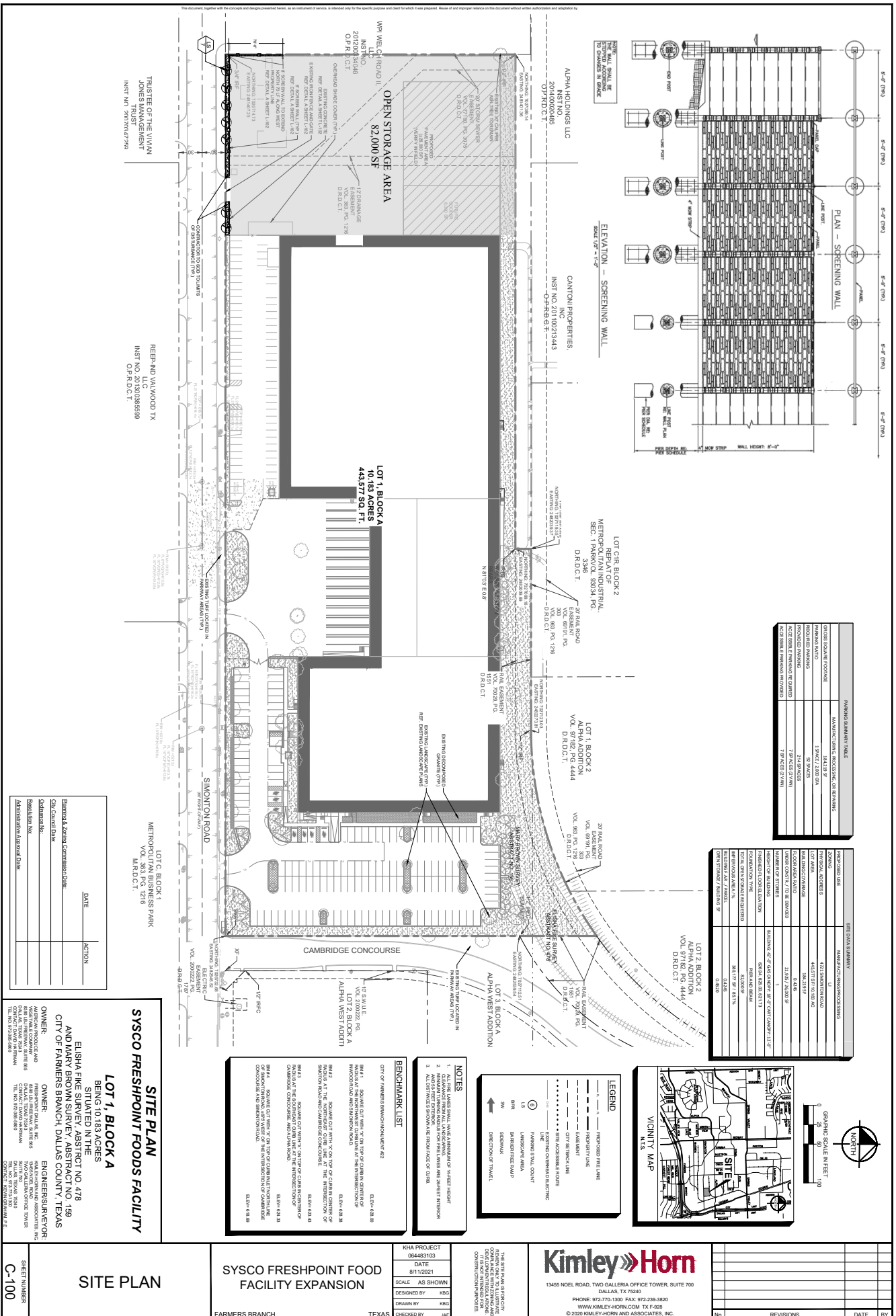
Amy Piukana, City Secretary

Robert C. Dye, Mayor

APPROVED AS TO FORM:

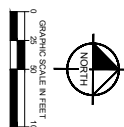
Peter G. Smith, City Attorney
(kbl:9/27/2021:124960)

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1. CONTRACTOR TO PROVIDE PERMANENT IRRIGATION FOR THE PROPOSED TREES. CONTRACTOR TO PROVIDE IRRIGATION TO ESTABLISH SOD.

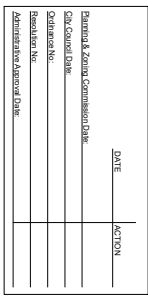
FRONTAGE/LANDSCAPE = 14.6%
THIS IS THE ROAD FRONTAGE AREAS
BETWEEN THE BUILDING FACE AND THE ROW



KHA PROJECT		THE SITE PLAN IS FOR CITY REVIEW ONLY TO ILLUSTRATE DEVELOPMENT REGULATIONS. CONSTRUCTION PURPOSES.
064483103		
DATE		
8/11/2021		
SCALE	AS SHOWN	
DESIGNED BY	KBG	
DRAWN BY	KBG	
CHECKED BY	JAF	

**SYSCO FRESHPOINT FOOD
FACILITY EXPANSION**

SHEET NUMBER
L-101



LOT 1, BLOCK A
BEING 10.183 ACRES

**ELISHA FINE SURVEY, ABSTRACT NO. 478
AND MARY BROWN SURVEY, ABSTRACT NO. 159
CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS**

OWNER:
WARRIOR PRODUCE AND
MARKET INC.
1600 LA PREVIEW, SUITE 605
DALLAS, TEXAS 75243
TEL. NO. 972-382-4800
TEL. NO. 972-382-4800

OWNER:
RESOURCES DALLAS INC.
1600 LA PREVIEW, SUITE 605
DALLAS, TEXAS 75243
CONTACT: DAVID HARRISON
TEL. NO. 972-382-4800

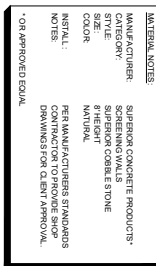
ENGINEERS/SURVEYORS:
K&H CHORIN AND ASSOCIATES
10000 W. LAKESIDE DRIVE
SUITE 500
DALLAS, TEXAS 75243
TEL. NO. 972-770-1000

BENCHMARK LIST

QTY OF PARSERS IN EACH COLUMN	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12	Q13	Q14	Q15	Q16	Q17	Q18	Q19	Q20	Q21	Q22	Q23	Q24	Q25	Q26	Q27	Q28	Q29	Q30	Q31	Q32	Q33	Q34	Q35	Q36	Q37	Q38	Q39	Q40	Q41	Q42	Q43	Q44	Q45	Q46	Q47	Q48	Q49	Q50	Q51	Q52	Q53	Q54	Q55	Q56	Q57	Q58	Q59	Q60	Q61	Q62	Q63	Q64	Q65	Q66	Q67	Q68	Q69	Q70	Q71	Q72	Q73	Q74	Q75	Q76	Q77	Q78	Q79	Q80	Q81	Q82	Q83	Q84	Q85	Q86	Q87	Q88	Q89	Q90	Q91	Q92	Q93	Q94	Q95	Q96	Q97	Q98	Q99	Q100
Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12	Q13	Q14	Q15	Q16	Q17	Q18	Q19	Q20	Q21	Q22	Q23	Q24	Q25	Q26	Q27	Q28	Q29	Q30	Q31	Q32	Q33	Q34	Q35	Q36	Q37	Q38	Q39	Q40	Q41	Q42	Q43	Q44	Q45	Q46	Q47	Q48	Q49	Q50	Q51	Q52	Q53	Q54	Q55	Q56	Q57	Q58	Q59	Q60	Q61	Q62	Q63	Q64	Q65	Q66	Q67	Q68	Q69	Q70	Q71	Q72	Q73	Q74	Q75	Q76	Q77	Q78	Q79	Q80	Q81	Q82	Q83	Q84	Q85	Q86	Q87	Q88	Q89	Q90	Q91	Q92	Q93	Q94	Q95	Q96	Q97	Q98	Q99	Q100	

SCA
DE
DRU
CHI

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No.	REVISIONS	DATE	BY

