



## ORDINANCE NO. 3300

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED, BY CHANGING THE DESIGNATION OF AN APPROXIMATELY 20.073± ACRE TRACT OF LAND OUT OF BLOCK H, WESTSIDE ADDITION, SECTION 1, CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS, DESCRIBED AS TRACT 2 IN EXHIBIT "A," HERETO, AND LOCATED WITHIN PD-88 (MERCER CROSSING CODE) FROM "COMMERCE DISTRICT" TO "MID-DENSITY RESIDENTIAL"; ADOPTING A CONCEPTUAL SITE PLAN AND CONCEPTUAL LANDSCAPE PLAN FOR SAID TRACT 2 AND ALL OF BLOCK G, WESTSIDE ADDITION, SECTION 1, CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS, DESCRIBED AS TRACT 1 IN EXHIBIT "A," HERETO; PROVIDING FOR ADDITIONAL DEVELOPMENT REGULATIONS WITH RESPECT TO SAID PROPERTY; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2000.00) FOR EACH OFFENSE; 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 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, is hereby amended by amending Planned Development No. 88 (PD-88) Mercer Crossing Code ("the Mercer Crossing Code"), as previously amended, with respect to the property described in Exhibit "A," attached hereto and incorporated herein by reference ("the Property"), as follows:

- A. The property described as Tract 2 in Exhibit "A," attached hereto, shall be used and developed in accordance with the use and development regulations for "Mid-Density Residential" as set forth in Planned Development No. 88 (PD 88 -Mercer Crossing Code) except as set forth in Section 1, Paragraph C, below.

- B. The Property shall be used and developed in accordance with the Conceptual Site Plan and Conceptual Landscape Plan attached hereto as Exhibits “B” and “C,” respectively and incorporated herein by reference.
- C. Notwithstanding the provisions of PD-88, the Property may be developed in accordance with the following development regulations:
  - (1) The Required Building Line relating to buildings located on Tract 1 adjacent to Senlac Drive and Whittington Place shall be established at the time of Detailed Site Plan approval relating to the development of the portion of the Property including Tract 1; provided such Detailed Site Plan must be approved by the City Council. The buildings located on Tract 2 facing Senlac Drive shall generally conform to the location shown on the Conceptual Site Plan.
  - (2) Notwithstanding the Minimum Height requirements set forth in Article VIII, Section A.1.a.(2) of the PD-88 Development Regulations applicable to properties within the Mid-Density Residential District, the minimum height for Buildings 3, 6, and 12 as identified on the Conceptual Site Plan shall be two (2) stories.
  - (3) Article VIII, Section A.1.c.(1) of the PD-88 Development Regulations relating to ground story finished floor height within the Mid-Density Residential District shall not be applicable to development of the Property.

**SECTION 2.** 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 3.** 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 4.** 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 5.** 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 6.** 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 2<sup>ND</sup> DAY OF SEPTEMBER, 2014.**

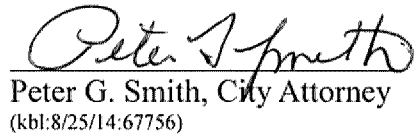
**ATTEST:**

  
Angela Kelly, City Secretary

**APPROVED:**

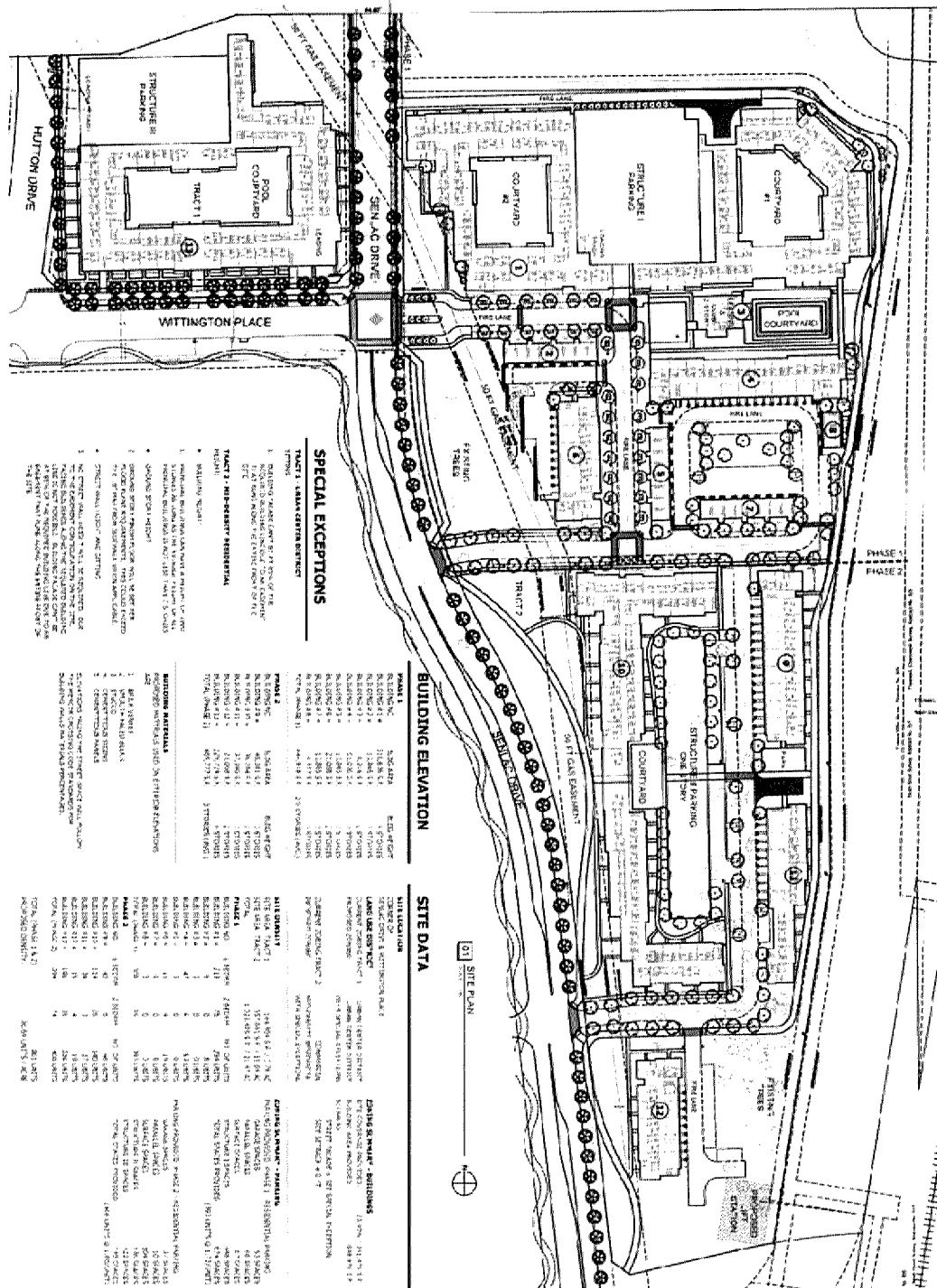
  
Bob Phelps, Mayor

**APPROVED AS TO FORM:**

  
Peter G. Smith, City Attorney  
(kbl:8/25/14:67756)



**Ordinance No. 3300  
Exhibit "B"  
Conceptual Site Plan**



**SPECIAL EXCEPTIONS**

- 1. REVISION TO SECTION 12.01.01 OF THE ZONING ORDINANCE TO ALLOW FOR A MAXIMUM OF 12% EXCESSIVE AREA TO BE USED FOR THE PROPOSED BUILDING TO BE CONSIDERED AS A SPECIAL EXCEPTION.
- 2. REVISION TO SECTION 12.01.02 OF THE ZONING ORDINANCE TO ALLOW FOR A MAXIMUM OF 12% EXCESSIVE AREA TO BE USED FOR THE PROPOSED BUILDING TO BE CONSIDERED AS A SPECIAL EXCEPTION.
- 3. REVISION TO SECTION 12.01.03 OF THE ZONING ORDINANCE TO ALLOW FOR A MAXIMUM OF 12% EXCESSIVE AREA TO BE USED FOR THE PROPOSED BUILDING TO BE CONSIDERED AS A SPECIAL EXCEPTION.
- 4. REVISION TO SECTION 12.01.04 OF THE ZONING ORDINANCE TO ALLOW FOR A MAXIMUM OF 12% EXCESSIVE AREA TO BE USED FOR THE PROPOSED BUILDING TO BE CONSIDERED AS A SPECIAL EXCEPTION.
- 5. REVISION TO SECTION 12.01.05 OF THE ZONING ORDINANCE TO ALLOW FOR A MAXIMUM OF 12% EXCESSIVE AREA TO BE USED FOR THE PROPOSED BUILDING TO BE CONSIDERED AS A SPECIAL EXCEPTION.
- 6. REVISION TO SECTION 12.01.06 OF THE ZONING ORDINANCE TO ALLOW FOR A MAXIMUM OF 12% EXCESSIVE AREA TO BE USED FOR THE PROPOSED BUILDING TO BE CONSIDERED AS A SPECIAL EXCEPTION.
- 7. REVISION TO SECTION 12.01.07 OF THE ZONING ORDINANCE TO ALLOW FOR A MAXIMUM OF 12% EXCESSIVE AREA TO BE USED FOR THE PROPOSED BUILDING TO BE CONSIDERED AS A SPECIAL EXCEPTION.
- 8. REVISION TO SECTION 12.01.08 OF THE ZONING ORDINANCE TO ALLOW FOR A MAXIMUM OF 12% EXCESSIVE AREA TO BE USED FOR THE PROPOSED BUILDING TO BE CONSIDERED AS A SPECIAL EXCEPTION.
- 9. REVISION TO SECTION 12.01.09 OF THE ZONING ORDINANCE TO ALLOW FOR A MAXIMUM OF 12% EXCESSIVE AREA TO BE USED FOR THE PROPOSED BUILDING TO BE CONSIDERED AS A SPECIAL EXCEPTION.
- 10. REVISION TO SECTION 12.01.10 OF THE ZONING ORDINANCE TO ALLOW FOR A MAXIMUM OF 12% EXCESSIVE AREA TO BE USED FOR THE PROPOSED BUILDING TO BE CONSIDERED AS A SPECIAL EXCEPTION.

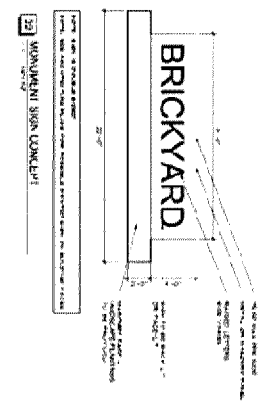
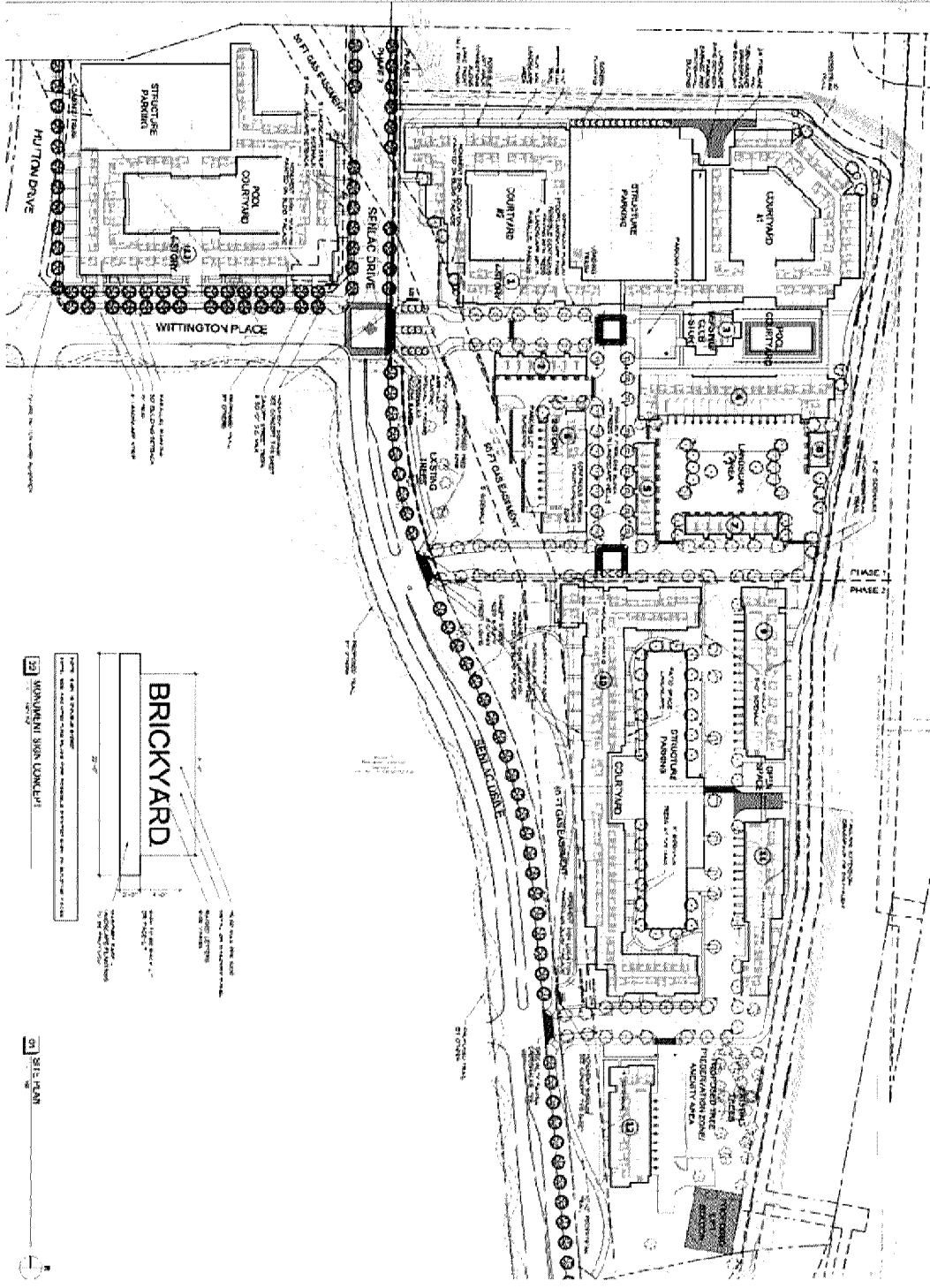
**BUILDING ELEVATION**

TRACT	PARCEL	AREA (SQ FT)	ELEVATION (FEET)
TRACT 1	1.01	10,000	12.0
	1.02	10,000	12.0
	1.03	10,000	12.0
	1.04	10,000	12.0
	1.05	10,000	12.0
	1.06	10,000	12.0
	1.07	10,000	12.0
	1.08	10,000	12.0
	1.09	10,000	12.0
	1.10	10,000	12.0
TRACT 2	2.01	10,000	12.0
	2.02	10,000	12.0
	2.03	10,000	12.0
	2.04	10,000	12.0
	2.05	10,000	12.0
	2.06	10,000	12.0
	2.07	10,000	12.0
	2.08	10,000	12.0
	2.09	10,000	12.0
	2.10	10,000	12.0
TRACT 3	3.01	10,000	12.0
	3.02	10,000	12.0
	3.03	10,000	12.0
	3.04	10,000	12.0
	3.05	10,000	12.0
	3.06	10,000	12.0
	3.07	10,000	12.0
	3.08	10,000	12.0
	3.09	10,000	12.0
	3.10	10,000	12.0

**SITE DATA**

TRACT	PARCEL	AREA (SQ FT)	PERCENTAGE COVERED
TRACT 1	1.01	10,000	12.0%
	1.02	10,000	12.0%
	1.03	10,000	12.0%
	1.04	10,000	12.0%
	1.05	10,000	12.0%
	1.06	10,000	12.0%
	1.07	10,000	12.0%
	1.08	10,000	12.0%
	1.09	10,000	12.0%
	1.10	10,000	12.0%
TRACT 2	2.01	10,000	12.0%
	2.02	10,000	12.0%
	2.03	10,000	12.0%
	2.04	10,000	12.0%
	2.05	10,000	12.0%
	2.06	10,000	12.0%
	2.07	10,000	12.0%
	2.08	10,000	12.0%
	2.09	10,000	12.0%
	2.10	10,000	12.0%
TRACT 3	3.01	10,000	12.0%
	3.02	10,000	12.0%
	3.03	10,000	12.0%
	3.04	10,000	12.0%
	3.05	10,000	12.0%
	3.06	10,000	12.0%
	3.07	10,000	12.0%
	3.08	10,000	12.0%
	3.09	10,000	12.0%
	3.10	10,000	12.0%

**Ordinance No. 3300  
Exhibit "C"  
Conceptual Landscape Plan**



20 WALKWAY CONCEPT  
21 SITE PLAN

**HLR ARCHITECTS**  
 1000 N. 10TH AVENUE, SUITE 100  
 DENVER, CO 80202  
 TEL: 303.733.1111  
 WWW.HLRARCHITECTS.COM

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 DENVER, CO 80202  
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 WWW.STUDIOSHIRSH.COM

**THE BRICKYARD**  
 1000 N. 10TH AVENUE, SUITE 100  
 DENVER, CO 80202  
 TEL: 303.733.1111  
 WWW.BRICKYARDDENVER.COM

DATE: 10/15/10  
 SCALE: AS SHOWN  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT NO: 14050  
 SHEET NO: 1 OF 1  
 TOWNING & ENVIRONMENTAL ARCHITECTS  
 LANDSCAPE ARCHITECTS  
 CONCEPT