



ORDINANCE NO. 3474

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS AMENDED, BY FURTHER AMENDING THE CONCEPTUAL SITE PLAN RELATING TO THE USE AND DEVELOPMENT OF TRACT 3 IN PLANNED DEVELOPMENT NO. 90 (PD-90) ZONING DISTRICT; PROVIDING FOR PRESERVATION OF PRIOR REGULATIONS RELATING TO OTHER PORTIONS OF PD-90; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING 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 of the City of Farmers Branch, Texas, be, and the same is hereby amended by amending the Conceptual Site Plan relating to the use and development of the real property identified and described as “Tract 3” in Exhibit “A” of Ordinance No. 2921, as amended by Ordinance No. 2995 and Ordinance No. 3377 (referred to herein as “the Property” or “Tract 3”) as follows:

- A. Exhibit “D-1” to Ordinance No. 3377 (which amended Exhibit “D” of Ordinance No. 2921, as amended by Ordinance No. 2995), is hereby further amended to read as set forth in Attachment 1, attached hereto and incorporated herein by reference, it being the express intent to adopt such amendment solely to address the changes to the Conceptual Site Plan affecting Tract 3 as enacted by this Ordinance.
- B. Exhibit “E-1” to Ordinance No. 3377 (which amended Exhibit “E” to Ordinance No. 2921, as amended by Ordinance No. 2995), is hereby further amended to read as set forth in Attachment 2, attached hereto and incorporated herein by reference, it being the express intent to adopt such amendment solely to address the changes to the Overall Site Plan affecting Tract 3 as enacted by this Ordinance.

SECTION 2. It is the express intent that this Ordinance amend only the use and development regulations applicable to Tract 3 of PD 90. The use and development of Tracts 1, 2, 4, and 5 of PD 90 as set forth in Ordinances No. 2921, as amended by Ordinance No. 2995 and Ordinance No. 3377, shall continue to be governed by Ordinance No. 2921, as amended by Ordinance No. 2995, without amendment and notwithstanding any reference to the use and development regulations applicable to Tract 3 as set forth in said ordinances.

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. 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 5. 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 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, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. 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 DAY, THE 2ND OF OCTOBER, 2017.

ATTEST:



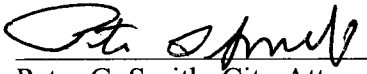
Amy Piukana, City Secretary

APPROVED:



Robert C. Dye, Mayor

APPROVED AS TO FORM:



Peter G. Smith, City Attorney
(kbl:9/22/17:90699)

ORDINANCE NO. 3474
Attachment 1

EXHIBIT "D-1" – Conceptual Site Plan (amended)



01 LANDSCAPE SITE PLAN

PLANT LEGEND

- 1.50' - 1.50' Round Tree (1.50' - 1.50')
- 1.50' - 1.50' Round Tree (1.50' - 1.50')
- 1.50' - 1.50' Round Tree (1.50' - 1.50')
- 1.50' - 1.50' Round Tree (1.50' - 1.50')
- 1.50' - 1.50' Round Tree (1.50' - 1.50')

SCULPTURE LEGEND

- 1.50' - 1.50' Round Tree (1.50' - 1.50')
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- 1.50' - 1.50' Round Tree (1.50' - 1.50')

LANDSCAPE SITE PLAN

L1.00

DATE: 11/11/2014

PROJECT: MIDWAY URBAN VILLAGE

CLIENT: SMR

SCALE: 1/8" = 1'-0"

DRAWN BY: [Name]

CHECKED BY: [Name]

SCULPTURE LEGEND

- 1.50' - 1.50' Round Tree (1.50' - 1.50')
- 1.50' - 1.50' Round Tree (1.50' - 1.50')
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SCULPTURE LEGEND

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- 1.50' - 1.50' Round Tree (1.50' - 1.50')

Conceptual Site Plan



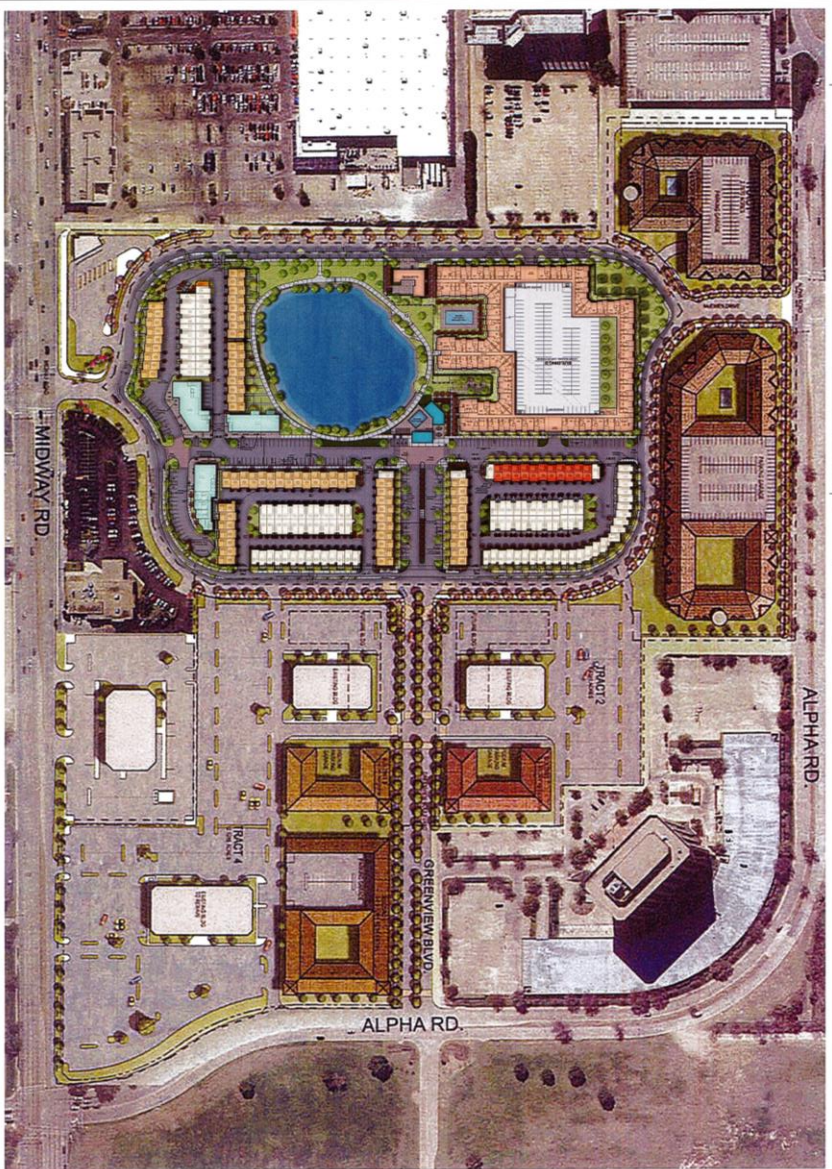
MIDWAY URBAN VILLAGE
4141 Blue Lake Circle
4020, 4040, 4100 McEwen Road
FARMERS BRANCH, TEXAS

smr
landscape architects, inc.
1708 N. Griffin Street Dallas, Texas 75202
Tel: 214.871.0282 Fax: 214.871.0245
Email: smr@smrllp.com



ORDINANCE NO. 3474
Attachment 1

EXHIBIT "E-1" -Overall Site Plan (amended)



LEEDS REAL ESTATE SERVICES, INC.
11700 Preston Road, Suite 660296
Dallas, Texas 75230



BROCKETT/DAVIS/DRAKE, INC.
consulting engineers
14141 Blue Lake Circle, Suite 4040
Farmers Branch, Texas 75230
DATE: 09/11/17 SHEET 1 OF 1

CONCEPTUAL SITE PLAN
EXHIBIT "E-1"

MIDWAY URBAN VILLAGE
4141 BLUE LAKE CIRCLE AND 4020, 4040,
& 4100 McEWEN ROAD
LOTS 1-5, BLOCK B
THE CENTRE ADDITION
(VOL. 99206, PG. 0358)
FARMERS BRANCH, TEXAS

