



ORDINANCE NO. 3292

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED; BY REZONING AN APPROXIMATELY 24.498± ACRE TRACT OF LAND OUT OF THE JOHN L. PULLIAM SURVEY, ABSTRACT NUMBER 1156, AND THE THOMAS KEENAN SURVEY, ABSTRACT NO. 733, IN THE CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” HERETO, FROM PLANNED DEVELOPMENT NO. 88 (PD-88) ZONING DISTRICT (MERCER CROSSING CODE) TO PLANNED DEVELOPMENT NO. 97 (PD-97) ZONING DISTRICT; ADOPTING DEVELOPMENT STANDARDS; ADOPTING A SITE PLAN; LANDSCAPE PLAN, AND BUILDING ELEVATIONS; 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 rezoning the property described in Exhibit “A,” attached hereto and incorporated herein by reference (“the Property”), from Planned Development No. 88 (PD-88)(Mercer Crossing Code) to Planned Development No. 97 (PD-97) zoning district.

SECTION 2. In addition to applicable provisions of the Comprehensive Zoning Ordinance, the Property shall be used and developed in compliance with the development and use regulations of PD-97 as well as the following additional development regulations:

- A. **Conceptual Site Plan:** The Property shall be developed in accordance with the Conceptual Site Plan attached hereto as Exhibit “B” and incorporated herein by reference.

- B. **Building Elevations:** The exterior façades of the buildings constructed on the Property shall substantially conform to the Building Elevations attached hereto as Exhibit “C” and incorporated herein by reference.
- C. **Landscaping:** The Property shall be landscaped and irrigated substantially as set forth on the Landscape Plan attached hereto as Exhibit “D” and incorporated herein by reference. The landscaping surrounding Building 1 and along the driveway from Springlake Road into the Property and its related irrigation system shall be installed prior to the issuance of a certificate of occupancy for Building 1. The remaining landscaping and its related irrigation system shall be installed prior to issuance of a certificate of occupancy for Building 2.
- D. **Parking:** Notwithstanding Section 2.D. of Ordinance No. 3230, the minimum number of off-street parking spaces to be constructed concurrent with the development of the Property shall be as follows:
1. The number of off-street parking spaces related to the warehouse space in Building 1 shall be one (1) space per 1000 square feet of warehouse area so long as the area of office space within Building 1 does not exceed 20% of the total area of Building 1 as shown on Exhibit “B”, hereto, with the total number of spaces to be constructed prior to issuance of a certificate of occupancy for Building 1 being not less than 127.
 2. The number of off-street parking spaces related to the warehouse space in Building 2 shall be one (1) space per 1000 square feet of warehouse area so long as the area of office space within Building 2 does not exceed 5% of the total area of Building 1 as shown on Exhibit “B”, hereto, with the total number of spaces to be constructed prior to issuance of a certificate of occupancy for Building 1 being not less than 240.

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. That 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 DAY, THE 15th OF JULY, 2014.

ATTEST:

APPROVED:

Angela Kelly, City Secretary

Bob Phelps, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:7/9/13:67019)

Ordinance No. 3292
Exhibit "A"
Description of Property

A tract of land situated in the John L. Pulliam Survey, Abstract Number 1156, and the Thomas Keenan Survey, Abstract No. 733, in the City of Farmers Branch, Dallas County, Texas, and being all of that called 23.748 acre tract of land described in General Warranty Deed to T Sorrento, Inc., as recorded in Document Number 201100082965 of the Official Public Records, Dallas County, Texas, (O.P.R.D.C.T.), and all of that called 0.753 acre tract of land described in General Warranty Deed to Transcontinental Realty Investors, Inc., as recorded in Document No. 201200296029, O.P.R.D.C.T., and also being a part of Block A of the Westside Addition Section 2, an Addition to the City of Farmers Branch, Texas, as recorded in Document No. 200600172709, O.P.R.D.C.T., and being more particularly described as follows:

BEGINNING at a found 1-inch iron pipe on the west right-of-way line of Interstate Highway 35-E (a variable width right-of-way) for the northeast corner of said called 23.748 acre tract;

THENCE South 04 degrees 40 minutes 37 seconds East along said west right-of-way line, a distance of 1,121.30 feet to the southeast corner of said 23.748 acre tract, from which a found 1/2-inch iron rod with a red cap stamped "GA Assoc." bears North 82 degrees 45 minutes 22 seconds, West, a distance of 0.23 feet, said point being the northeast corner of a called 35.67 acre tract (Tract 2) as described in Special Warranty Deed to Mercer Crossing Industrial Land, Ltd., as recorded in Document No. 201400014873, O.P.R.D.C.T.;

THENCE South 82 degrees 22 minutes 53 seconds West, departing said west right-of-way line, and along the common south line of said 23.748 acre tract and north line of said 35.67 acre tract, a distance of 1,060.39 feet to a found 1/2-inch iron rod with cap (illegible), for the southwest corner of said 23.748 acre tract, said point being on the east line of Lot 1, Block A, of the Stanley Works Addition, as recorded in Volume 2002167, Page 101, Deed Records, Dallas County, Texas (D.R.D.C.T.);

THENCE North 00 degrees 26 minutes 11 seconds West, departing said common line, and along the common west line of said 23.748 acre tract and east line of said Lot 1 of the Stanley Works Addition, passing at a called distance of 362.86 feet the northeast corner of said Lot 1, same being on the south line of Valley Branch Circle (90 feet wide at this point), passing at an additional 90.00 feet the north right-of-way of Valley Branch Circle, same being the southeast corner of the Windmill Estates Addition, as recorded in Volume 79144, Page 575, and continuing along the common west line of said 23.748 acre tract and the east line of said Windmill Estates Addition, in all a total distance of 814.70 feet to a found 1/2-inch iron rod with a Huitt-Zollars cap for the southerly most northwest corner of said 23.748 acre tract;

THENCE South 89 degrees 06 minutes 24 seconds East along a northerly line of said 23.748 acre tract, a distance of 371.75 feet to a found 1 /2-inch iron rod found for an interior corner of said 23.748 acre tract, same being the southeast corner of a called 4.4630 acre tract of land as described in Special Warranty Deed to PSB Dallas Flex LLC, as recorded in Document No. 201300324019, O.P.R.D.C.T.;

THENCE North 00 degrees 07 minutes 06 seconds East, along the common east line of said 4.4630 acre tract and a west line of said 23.748 acre tract, a distance of 442.25 feet to a found 3/4-inch iron rod for the northwest corner of said 23.748 acre tract, being on the south line of those tracts of land described in Quitclaim deed to John Robert Rortvedt, as recorded in Volume 93227, Page 2042, D.R.D.C.T.;

THENCE North 89 degrees 19 minutes 19 seconds East, departing said common line and along the north line of said 23.748 acre tract and the south line of said Rortvedt tract, a distance of 173.37 feet to a point for corner from which a found 1/2-inch iron rod bears North 01 degree 09 minutes 26 seconds East, a distance of 0.34 feet, being the southwest corner of said called 0.753 acre Transcontinental Realty Investors, Inc. tract;

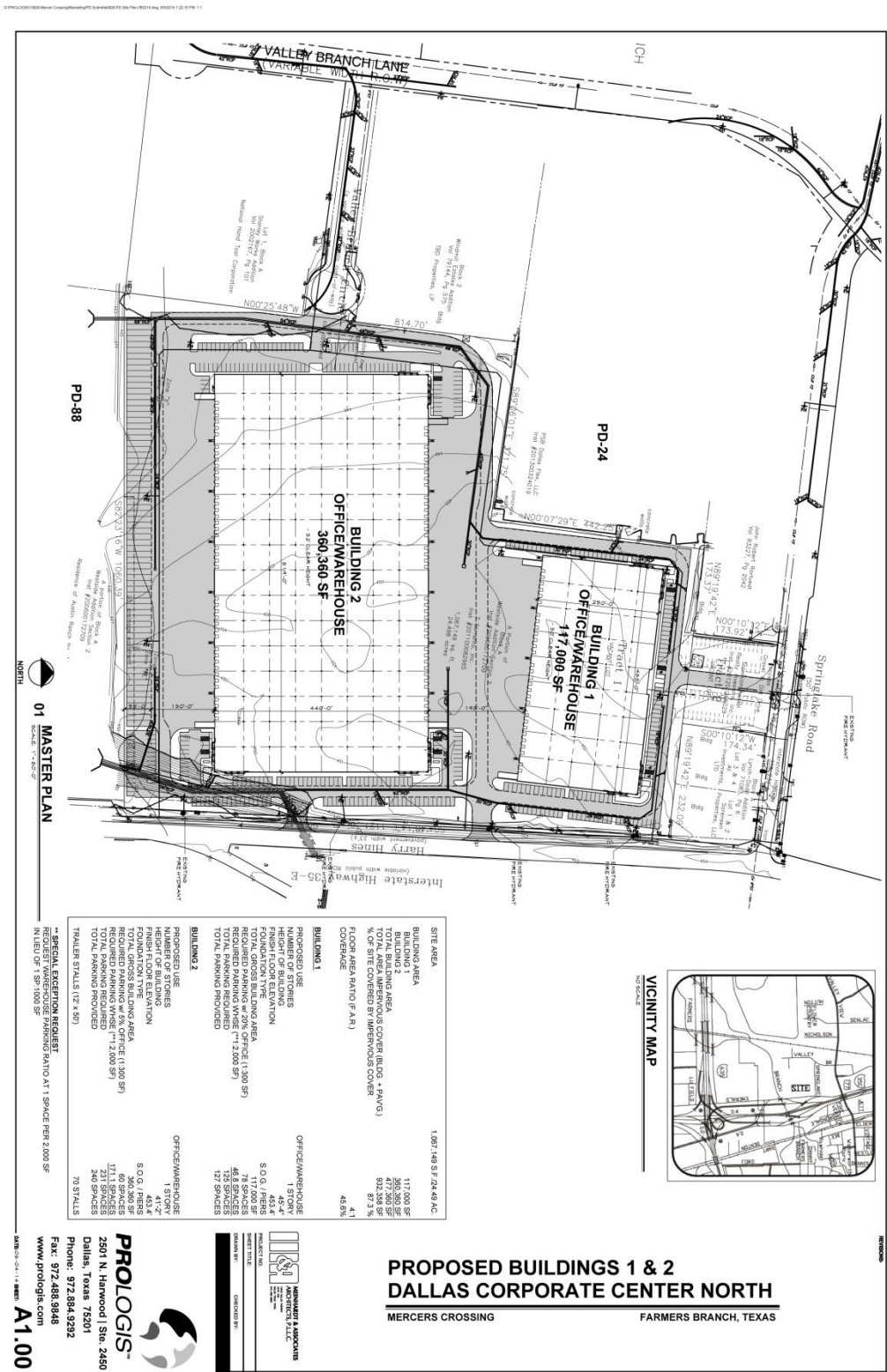
THENCE North 00 degrees 09 minutes 49 seconds East, departing said north line and along the west line of said 0.753 acre tract, a distance of 173.92 feet to a found 1/2-inch iron rod with a "RPLS 5632" cap for the northwest corner of said 0.753 acre tract, on the south right-of-way line of Springlake Road (a called 60 foot wide right-of-way);

THENCE North 89 degrees 11 minutes 38 seconds East along said south right-of-way line, a distance of 187.78 feet to a found 1/2-inch iron rod for the northeast corner of said 0.753 acre tract;

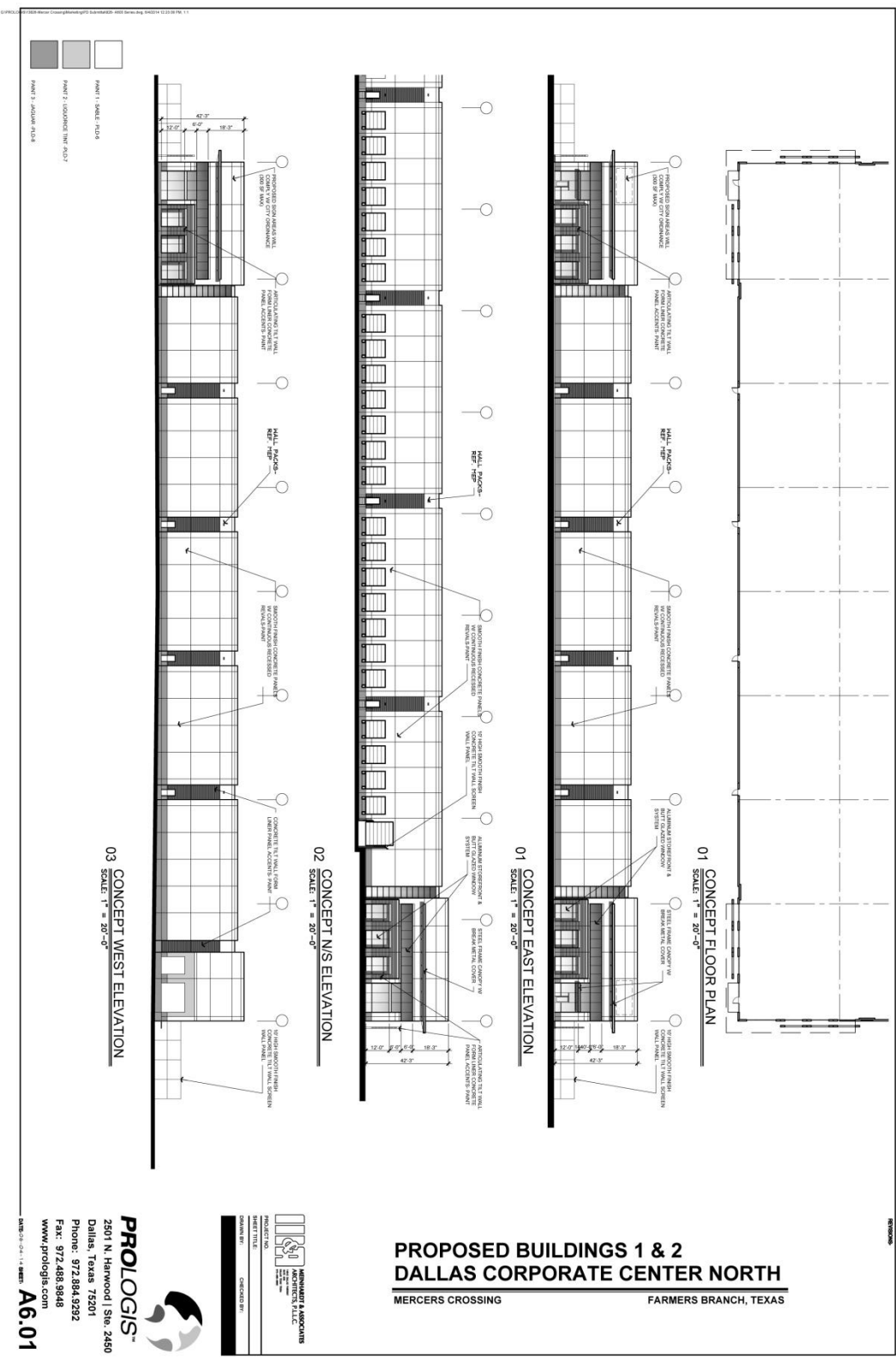
THENCE South 00 degrees 09 minutes 49 seconds West, departing said south right-of-way line, a distance of 174.34 feet to a point on the north line of said 23.748 acre tract of land, from which a found 1/2-inch iron rod bears North 05 degrees 33 minutes 12 seconds East, a distance of 0.55 feet, being the southeast corner of said 0.753 acre tract;

THENCE North 89 degrees 19 minutes 19 seconds East, along said north line, a distance of 232.09 feet to the POINT OF BEGINNING AND CONTAINING 1,067,149 square feet or 24.498 acres of land, more or less.

Ordinance No. 3292
Exhibit "B"
Concept Plan



Ordinance No. 3292
Exhibit "C"
Building Elevations



SITE AREA		TOTAL AREA	
BUILDING 1	117,000 SF	BUILDING 2	360,360 SF
BUILDING 2	360,360 SF	TOTAL BUILDING AREA	477,360 SF
TOTAL BUILDING AREA	477,360 SF	TOTAL SITE AREA	520,360 SF
TOTAL SITE AREA	520,360 SF	TOTAL PAVED AREA	480,360 SF
TOTAL PAVED AREA	480,360 SF	TOTAL UNPAVED AREA	40,000 SF
TOTAL UNPAVED AREA	40,000 SF	TOTAL PAVED PERCENTAGE	92.3%
TOTAL PAVED PERCENTAGE	92.3%	TOTAL UNPAVED PERCENTAGE	7.7%

LANDSCAPING NOTES	
1. All trees to be planted within 10' of building footprint.	
2. All trees to be planted within 10' of parking lot.	
3. All trees to be planted within 10' of access road.	
4. All trees to be planted within 10' of perimeter fence.	
5. All trees to be planted within 10' of street.	
6. All trees to be planted within 10' of building footprint.	
7. All trees to be planted within 10' of parking lot.	
8. All trees to be planted within 10' of access road.	
9. All trees to be planted within 10' of perimeter fence.	
10. All trees to be planted within 10' of street.	

DATE: 04.14
SHEET: 1

PROLOGIS
2901 N. Harwood / Ste. 2450
Dallas, Texas 75201
Phone: 972.884.9292
Fax: 972.488.9848
www.prologis.com

SMT
SPECIALTY MATERIALS TECHNOLOGY, INC.
A Division of SMT Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.smt.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000 North Central Expressway
Suite 1000
Dallas, Texas 75243
Phone: 972.488.9848
Fax: 972.488.9849
www.s&b.com

S&B
S&B ASSOCIATES, INC.
A Division of S&B Group, Inc.
10000