



ORDINANCE NO. 3279

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 4.822± ACRE TRACT OF LAND OUT OF THE SAMUEAL F. BROWN SURVEY, ABSTRACT NO. 158, IN THE CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” HERETO, FROM PLANNED DEVELOPMENT NO. 60 (PD-60) ZONING DISTRICT TO PLANNED DEVELOPMENT NO. 96 (PD-96) ZONING DISTRICT; ADOPTING DEVELOPMENT STANDARDS; ADOPTING A CONCEPT/SITE PLAN; ADOPTING A LANDSCAPE PLAN; ADOPTING BUILDING ELEVATIONS; APPROVING SPECIAL EXCEPTIONS; 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. 60 (PD-60) to Planned Development No. 96 (PD-96) 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 Planned Development No. 96 (PD-96) adopted pursuant to Ordinance No. 3180 except as follows:

- A. Notwithstanding Section 2.A.3.c.(2) of Ordinance No. 3180, the Property may be developed with enclosed garage parking may be developed for fewer than 55% of the residential units developed on the Property; provided, however, such percentage shall in no case be less than 44%.

- B. Notwithstanding Section 2.A.3.c.(3) of Ordinance No. 3180, the Property may be developed with surface parking located between the proposed four (4) story building and Royal Lane as shown on the Concept/Site Plan attached hereto as Exhibit B, but only if such parking area is screened from Royal Lane by installation of a decorative metal fence with masonry columns and evergreen landscape hedge as shown on the Landscape Plan attached hereto as Exhibit C and as required by Section 2.I.3 of Ordinance No. 3180.
- C. Notwithstanding Section 2.A.3.c.(6) of Ordinance No. 3180:
 - 1. Up to 25% of the exterior façade of the primary building may be constructed with Stucco; and
 - 2. Detached garage buildings shall conform with Section 2.A.3.c.(16), provided, however, up to 75% of the exterior façades of such garage buildings may be constructed with the same or complimentary Stucco treatment used on the primary building located on the Property.

SECTION 3. The Property shall be used and developed in accordance with the Site Plan, Landscape Plan, and Building Elevations set forth in Exhibits “B”, “C”, and “D”, respectively, attached hereto and incorporated herein by reference, which are hereby approved.

SECTION 4. 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 5. 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 6. 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 7. 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 8. 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 17th OF JUNE, 2014.**

ATTEST:

APPROVED:

Angela Kelly, City Secretary

William P. Glancy, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:6/6/13:66076)

Ordinance No. 3279
Exhibit "A"
Description of Property

Being 4.822 acre tract of land situated in the Samuel P. Brown, Survey, Abstract No. 158, being a portion of that certain tract of land conveyed to Gateway Properties, LLC, by deed recorded in Document No. 20080003804, Real Property Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found for corner at the southeast corner of said 4.822 acre tract of land being described and the southwest corner of Lot 1, Block 1, Lincoln Royal Addition, an addition to the City of Irving, according to the plat thereof recorded in Instrument No. 201200161985, Official Public Records of Dallas County, Texas, same point being in the north right-of-way line of Royal Lane (a 110.00 foot right-of-way), said point also being the beginning of a curve to the right having a radius of 11409.00 feet, a delta angle of 00 degrees 43 minutes 16 seconds and a chord bearing and distance of North 88 degrees 25 minutes 40 seconds West, 143.58;

THENCE in a northwesterly direction along said curve to the right and along the north line of said Royal Lane, an arc distance of 143.58 feet to a 1/2 inch iron rod set for corner;

THENCE North 88 degrees 04 minutes 03 seconds West, along the south line of said 4.822 acre tract of land being described and along the north right-of-way line of said Royal Lane, a distance of 439.59 feet to a 1/2 inch iron rod set for corner;

THENCE North 88 degrees 31 minutes 48 seconds West, continuing along the south line of said 4.822 acre tract of land being described and along the north right-of-way line of said Royal Lane, a distance of 67.86 feet to a 1/2 inch iron rod set for corner, said point being the most southerly southwest corner of said 4.822 acre tract of land being described;

THENCE North 01 degrees 28 minutes 12 seconds East, along the west line of said 4.822 acre tract of land being described and along the north right-of-way line of said Royal Lane, a distance of 60.02 feet to a 1/2 inch iron rod set for corner;

THENCE North 88 degrees 31 minutes 48 seconds West, along the south line of said 4.822 acre tract of land being described and along the north right-of-way line of said Royal Lane, a distance of 21.01 feet to a 1/2 inch iron rod set for corner, said point being the most westerly southwest corner of said 4.822 acre tract of land being described and being in the east line of a tract of land conveyed to Dallas County Utility and Reclamation District, by deed recorded in Volume 91171, Page 1249, of the Deed Records of Dallas County, Texas;

THENCE North 21 degrees 38 minutes 38 seconds East, along the common line of said 4.822 acre tract of land being described and said Dallas County Utility and Reclamation District, a distance of 34.44 feet to a 1/2 inch iron rod set for corner, said point being in a curve to the right having a radius of 500.00 feet, and a delta angle of 56 degrees 24 minutes 50 seconds;

THENCE continuing along the common line of said 4.822 acre tract of land being described and said Dallas County Utility and Reclamation District, and along the said curve to the right an arc

distance of 492.30 feet, and a chord bearing and distance of North 49 degrees 51 minutes 03 seconds East, 472.66 feet to a 1/2 inch iron rod set for corner, said point being in a curve to the right having a radius of 150.00 feet, and a delta angle of 62 degrees 30 minutes 00 seconds;

THENCE continuing along the common line of said 4.822 acre tract of land being described and said Dallas County Utility and Reclamation District, and along the said curve to the right an arc distance of 163.62 feet, and a chord bearing and distance of South 70 degrees 41 minutes 32 seconds East, 155.63 feet to a 1/2 inch iron rod set for corner;

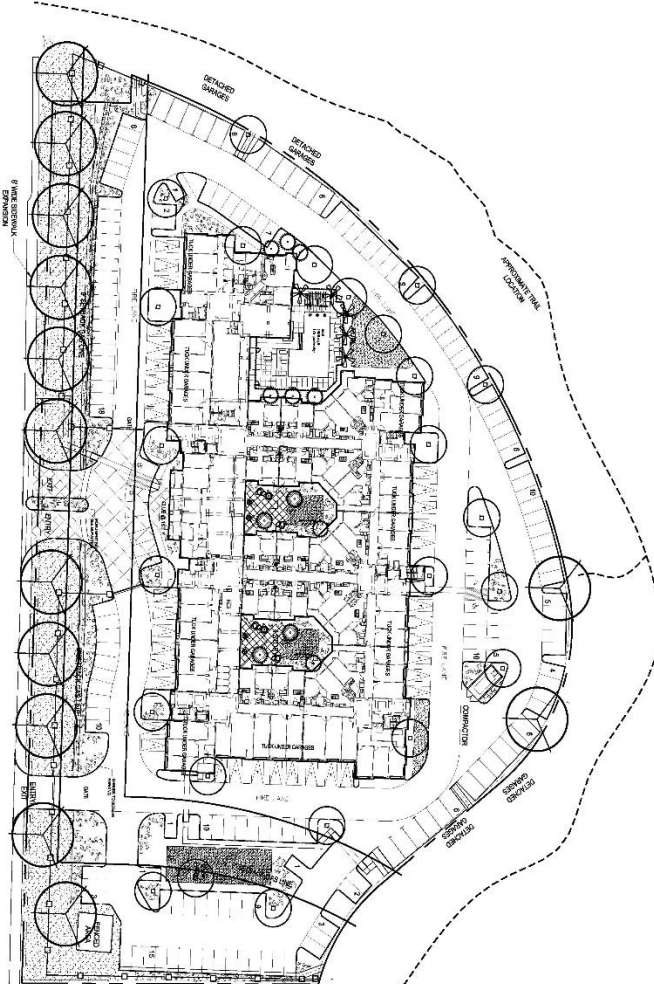
THENCE South 39 degrees 26 minutes 32 seconds East, continuing along the common line of said 4.822 acre tract of land being described and said Dallas County Utility and Reclamation District, a distance of 118.19 feet to a 1/2 inch iron rod set for corner, said point being in a curve to the left having a radius of 143.32 feet, and a delta angle of 35 degrees 41 minutes 37 seconds;

THENCE continuing along the common line of said 4.822 acre tract of land being described and said Dallas County Utility and Reclamation District, and along the said curve to the left an arc distance of 89.28 feet, and a chord bearing and distance of South 57 degrees 17 minutes 25 seconds East, 87.85 feet to a 1/2 inch iron rod set for corner, said point being in the west line of said Lot 1, Block 1;

THENCE South 00 degrees 04 minutes 25 seconds East, along the common line of said 4.822 acre tract of land being described and said Lot 1, Block 1, a distance of 227.62 feet to the POINT OF BEGINNING and containing 210,051 square feet or 4.822 acres of computed land.

Ordinance No. 3279
Exhibit "B"
Conceptual Site Plan

N
SCALE: 1" = 30' (24x36" SHEET)
0' 30' 60' 120'

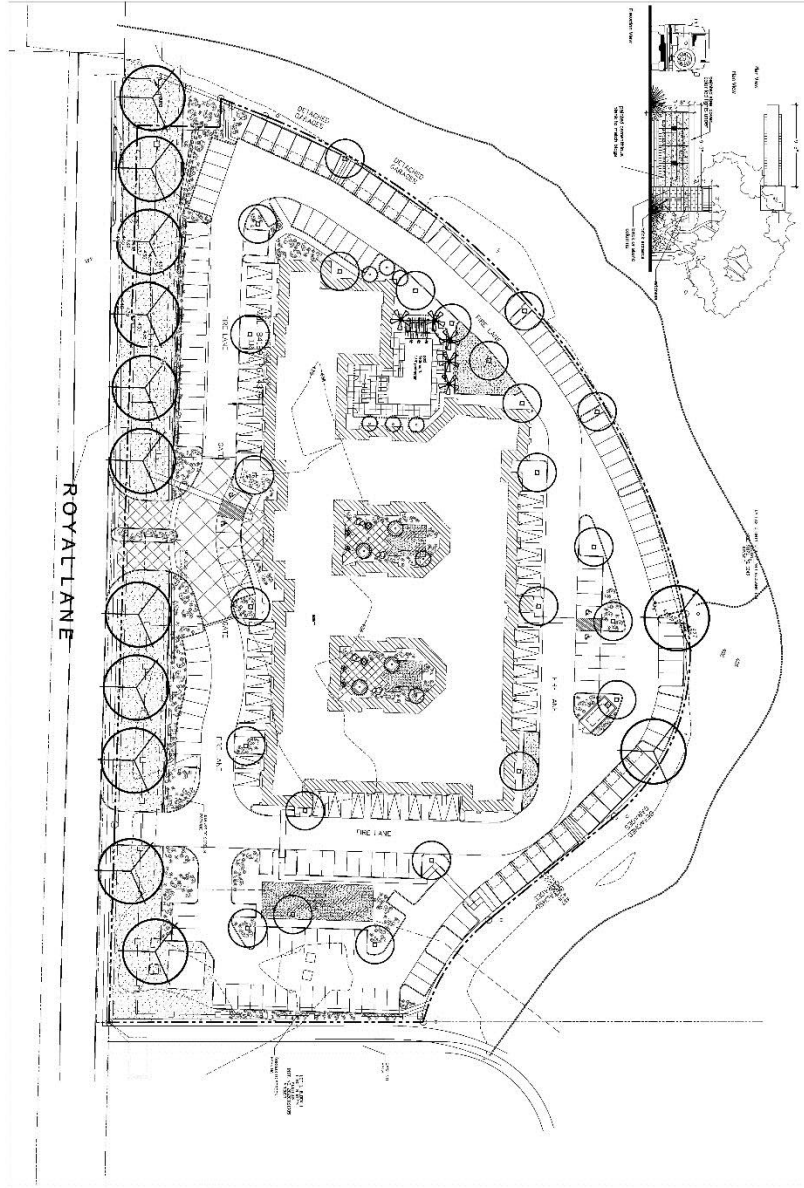


RIVERSIDE PARK						FARMERS BRANCH	
UNIT TABULATION - 4 STORY						20100001	
UNIT TYPE	NET AREA SF	UNIT COUNT	PERCENTAGE	TOTAL AREA	% PERCENTAGE		
42	10,110	16	1.6%	10,110	1.6%		
43	10,110	16	1.6%	10,110	1.6%		
44	10,110	16	1.6%	10,110	1.6%		
45	10,110	16	1.6%	10,110	1.6%		
46	10,110	16	1.6%	10,110	1.6%		
47	10,110	16	1.6%	10,110	1.6%		
48	10,110	16	1.6%	10,110	1.6%		
49	10,110	16	1.6%	10,110	1.6%		
50	10,110	16	1.6%	10,110	1.6%		
51	10,110	16	1.6%	10,110	1.6%		
52	10,110	16	1.6%	10,110	1.6%		
53	10,110	16	1.6%	10,110	1.6%		
54	10,110	16	1.6%	10,110	1.6%		
55	10,110	16	1.6%	10,110	1.6%		
56	10,110	16	1.6%	10,110	1.6%		
57	10,110	16	1.6%	10,110	1.6%		
58	10,110	16	1.6%	10,110	1.6%		
59	10,110	16	1.6%	10,110	1.6%		
60	10,110	16	1.6%	10,110	1.6%		
61	10,110	16	1.6%	10,110	1.6%		
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63	10,110	16	1.6%	10,110	1.6%		
64	10,110	16	1.6%	10,110	1.6%		
65	10,110	16	1.6%	10,110	1.6%		
66	10,110	16	1.6%	10,110	1.6%		
67	10,110	16	1.6%	10,110	1.6%		
68	10,110	16	1.6%	10,110	1.6%		
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111	10,110	16	1.6%	10,110	1.6%		
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183	10,110	16	1.6%	10,110	1.6%		
184	10,110	16	1.6%	10,110	1.6%		
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186	10,110	16	1.6%	10,110	1.6%		
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188	10,110	16	1.6%	10,110	1.6%		
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190	10,110	16	1.6%	10,110	1.6%		
191	10,110	16	1.6%	10,110	1.6%		
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193	10,110	16	1.6%	10,110	1.6%		
194	10,110	16	1.6%	10,110	1.6%		
195	10,110	16	1.6%	10,110	1.6%		
196	10,110	16	1.6%	10,110	1.6%		
197	10,110	16	1.6%	10,110	1.6%		
198	10,110	16	1.6%	10,110	1.6%		
199	10,110	16	1.6%	10,110	1.6%		
200	10,110	16	1.6%	10,110	1.6%		
TOTALS	864	134	206	100.0%	134,104	2%	

Ordinance No. 3279

Exhibit "C"

Conceptual Landscape Plan



LANDSCAPE NOTES

1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE TEXAS LANDSCAPE ARCHITECTS' MANUAL.

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TREE PLANNING

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SHOULDER PLANNING

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BOULDER DETAIL

SCALE 1\"/>

RIVERSIDE PARK
 FARMERS BRANCH, TX
 HP#10020

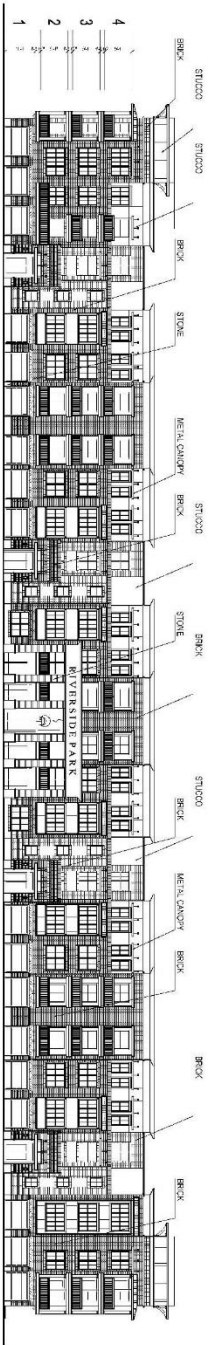
05/07/2014

HUYI REYS & PARTNERS ARCHITECTS, L.P.
 5530 Apple Road, Suite 200, Dallas, TX 75242
 Phone: (214) 691-1111 Fax: (214) 691-1112
 Email: info@huyireys.com Website: www.huyireys.com

Ordinance No. 3279

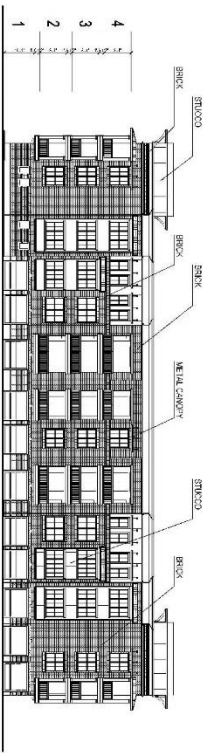
Exhibit “D”

Elevations



SOUTH ELEVATION

MATERIALS:
BRICK: 73%
STUCCO: 21%
STONE: 6%



EAST ELEVATION

MATERIALS:
BRICK: 75%
STUCCO: 25%

SCALE: 1/16" = 1'-0" (24"x36" SHEET)

0 16' 32' 64'

BUILDING I - ELEVATIONS

A 415

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06/06/2014

RIVERSIDE PARK
BAM Capital Group
Farmers Branch, TX

HP#10020



HUMPHREYS & PARTNERS ARCHITECTS L.P.
5339 Alpha Street, Suite 300 Dallas, TX 75240 972.701.9836 972.701.9835
NEW ORLEANS OFFICE: 1000 Poydras Street, Suite 2000 New Orleans, LA 70112 504.581.1000 504.581.1001
DENVER OFFICE: 1700 Broadway, Suite 1000 Denver, CO 80202 303.733.1000 303.733.1001

[illegible]

BRICK:	4.107 S.F. = 70,3%
STUCCO:	1.731 S.F. = 29,7%
TOTAL:	5.838 S.F.

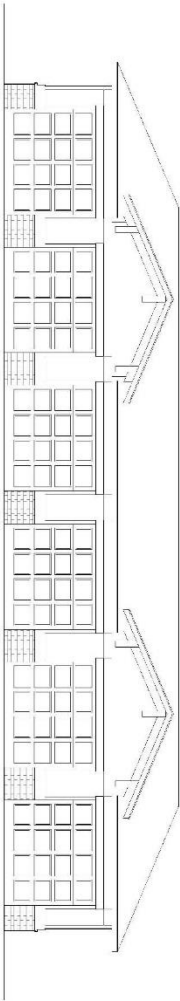
Architectural elevation drawing of a building facade. The drawing shows a series of windows and structural elements. The facade is composed of stone and brick. The drawing is labeled with 'STONE' and 'BRICK' materials. On the left side, there is a vertical scale with numbers 1 through 4. The drawing is oriented vertically, with the top of the building at the top of the page.

SCALE: 1/16" = 1'-0" (24"x36" SHEET)

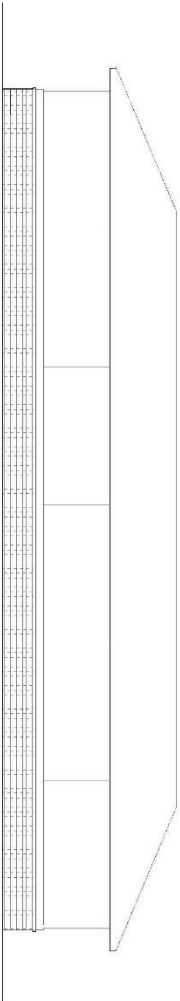
A 416

HUMPHREYS & PARTNERS ARCHITECTS L.P.
5339 Alpha Road, Suite 300, Dallas, TX 75240 (972) 701-9636 (972) 701-9659
www.humphreys.com marketing@humphreys.com
DALLAS NEW ORLEANS CHICAGO KANSAS CHARLOTTE NORTHWEST PHOENIX CLEVELAND DUBAI

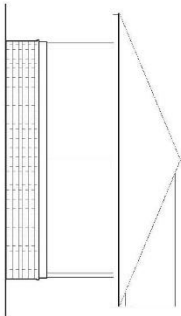
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Exhibit “D” (cont.)
Elevations



ELEVATION FRONT



ELEVATION BACK



ELEVATION SIDE

DETACHED HOUSE
ELEVATIONS

SCALE: 1/4" = 1'-0" 24" x 36" SHEET
0' 4' 8' 12'

A01 01

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04/17/2014

RIVERSIDE PARK
FARMERS BRANCH
LAS COLINAS, TX

HPA#10020



HUMPHREYS & PARTNERS ARCHITECTS L.P.
25209 Alpha Road, Suite 300 Dallas, TX 75224 972.701.9800 972.701.9839
DALLAS VAN GRIFFIN CHAMBERS RONY CHAMBERLAIN PARTNERS PLLC MC CLELLAN DEBBE