



ORDINANCE NO. 3935

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS AMENDED, BY AMENDING THE REGULATIONS RELATING TO THE DEVELOPMENT AND USE OF LOT 4, BLOCK 1, WELLINGTON SQUARE ADDITION FROM LIGHT INDUSTRIAL (LI) ZONING DISTRICT TO PLANNED DEVELOPMENT DISTRICT NUMBER 109 (PD-109) FOR MULTI-FAMILY USES; ADOPTING DEVELOPMENT REGULATIONS; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY 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, be and the same are hereby amended by amending the regulations relating to the use and development of Lot 4, Block 1, Wellington Square, an addition to the City of Farmers Branch, Dallas County, Texas, according to the map thereof recorded in Volume 79206, Page 350, Deed Records, Dallas County, Texas (the "Property") which is presently zoned as Light Industrial (LI), by changing the zoning to create Planned Development District No. 109 (PD-109) for multifamily uses subject to the use and development regulations set forth in Exhibit "A," attached hereto and incorporated herein by reference (the "PD-109 Development Regulations").

SECTION 2. The Property shall be developed and used in accordance with applicable provisions of the City of Farmers Branch Comprehensive Zoning Ordinance, as amended ("CZO"), except to the extent modified by the PD-109 Regulations.

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, 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) 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 THE 15th DAY OF JULY 2025.

ATTEST:

APPROVED:

Erin Flores, TRMC, City Secretary,

Terry Lynne, Mayor

APPROVED AS TO FORM:

Whitt Wyatt, City Attorney

ORDINANCE NO. 3935
EXHIBIT "A" DEVELOPMENT REGULATIONS FOR
PLANNED DEVELOPMENT DISTRICT NO. 109 (PD-109)

SECTION 1. STATEMENT OF INTENT AND APPLICABILITY:

City of Farmers Branch, Texas, Ordinance No. 3935, enacted on July 15, 2025 and to which this Exhibit "A" is attached and a part thereof, amends the City of Farmers Branch Comprehensive Zoning Ordinance ("CZO") and the Zoning Map of the City of Farmers Branch, Texas, as previously amended, relating to the use and development of 2.12± acres described as Lot 4, Block 1, Wellington Square, an addition to the City of Farmers Branch, Dallas County, Texas, according to the map thereof recorded in Volume 79206, Page 350, Deed Records, Dallas County, Texas, and depicted on Appendix 1, attached hereto and incorporated herein by reference ("the Property") by establishing Planned Development District No. 109 (PD-109) for multifamily use (referred to herein alternatively as "PD-109" or "the District"). The use and development of the Property shall comply with the provisions of the CZO except as provided in this Exhibit "A" (the "PD-109 Regulations" or "these Regulations"). In the event of an irreconcilable conflict between the PD-109 Regulations and the CZO, these Regulations shall control. Any topic of regulation not addressed by these Regulations shall be governed by the CZO or other applicable development regulations of the City.

The intent of these Development Regulations is to provide for the redevelopment of the Property to be used and developed for high-quality multi-family housing. The development of this District is consistent with the Mixed-Use designation provided for on the Future Land Use Map of the Farmers Branch 2045 Comprehensive Plan adopted August 1, 2023 ("the Comprehensive Plan").

SECTION 2. PERMITTED USES

No portion of the Property shall be developed and used for, and no building on the Property shall be erected or converted to any use other than the following:

- A. **Primary Use:** Multi-family dwelling or apartment
- B. **Accessory Uses:** Structured parking garage; landscaped open space and private amenities

SECTION 3. DEVELOPMENT STANDARDS:

The Property shall be developed in accordance with the following provisions.

- A. **Density.** The minimum density for multi-family residential development shall be 55 dwelling units per acre, with a maximum of 135 total units.
- B. **Building Height:** The maximum height of any structure constructed on the Property shall be ninety (90) feet or eight (8) stories, inclusive of structured parking; provided, however, the height of chimneys, ornamental cupolas, domes and spires, steeples, cellular antennas, elevator penthouse or bulkhead, roof lighting, and parapet walls located on the roofs of

buildings constructed on the Property may extend up to ten (10) feet above the maximum allowed building height.

C. Building Placement:

- (1) Minimum building setbacks shall be as depicted on the Conceptual Site Plan.
- (2) Canopies, awnings, balconies, raised planters, railings, access ramps, and other architectural elements may be located within the required setback area and above sidewalks located outside of the public street right-of-way.
- (3) The maximum permitted lot coverage shall be 80%.

D. Parking:

- (1) Off-Street parking shall be located in a structured parking garage constructed on the Property as shown on the Site Plan. The minimum required off-street parking ratio shall be 1.2 parking spaces for each bedroom in a multifamily dwelling unit.
- (2) Parking spaces within the parking garage shall be not less than nine (9) feet wide or 18 feet long.
- (3) On-street parking spaces shall be not less than eight (8) feet wide by not less than 22 feet long.
- (4) An on-street loading zone shall be clearly marked, designated, and striped and be a not less than ten (10) feet wide or 40 feet long.

E. Landscape Open Space, Streetscape, and Pedestrian Amenity: All landscaped areas, streetscapes, and pedestrian amenities on the Property shall be designed and constructed to appear substantially as set forth in the Conceptual Landscape Plan attached hereto as Appendix 2 and incorporated herein by reference and comply with the following:

- (1) Landscaped areas may include a combination of zones of grass, ground cover, trees and shrubs, fountains and water treatments, and sculptures.
- (2) The Property shall be developed with not less than 15% of landscape open space, which may include elevated courtyards.
- (3) All streetlights, bollard lights, trash receptacles, street furniture, and amenities shall be generally uniform in design and approved as part of the Detailed Site Plan
- (4) Street trees shall be planted not less than 35 linear feet apart along all public streets and back of curb. Trees shall have a minimum caliper size of three inches (3") at time of planting, measured at a point four feet (4') above the root ball. The locations of required tree plantings may be adjusted in the event of conflict with utilities and public improvements.

- (5) Plant material species shall be selected from the Recommended Plant Material list included in the CZO, unless a different species is identified on an approved Landscape Plan.
- (6) A pedestrian sidewalk not less than six feet (6') wide shall be constructed along northern, western, and southern property boundaries.
- (7) The owner of the portion of the Property adjacent to the street right-of-way shall be responsible for maintenance, repair, and/or replacement of street trees, landscaping, street furniture, and irrigation systems installed within the right-of-way.
- (8) All plant materials installed as required by the CZO or these Development Regulations shall be fully irrigated by an automatic irrigation system and maintained in a healthy living and growing condition. Any required landscaping that is removed shall be replaced with the same or comparable species and caliper plant material.

F. Building Design Standards: The buildings constructed on the Property shall comply with the following:

- (1) The building constructed on the Property shall be designed and constructed to appear substantially as set forth in the Conceptual Building Elevations attached hereto as Appendix 3 and incorporated herein by reference;
- (2) All rooftop mechanical and related equipment located shall be screened or set back sufficiently far from the edge of the roof so as not to be visible from any public right-of-way; and
- (3) Unless prohibited by the owner of the utility box, all electrical and utility boxes at the ground level shall be screened and located away from public view.
- (4) The façade of the structured parking garage shall be designed and constructed to be complementary to the architectural style of the primary building. Screening mechanisms and design shall be determined with the Detailed Site Plan.

G. Sign Standards: The size, quantity, location, and type of on premise signs installed or constructed on the Property shall comply with the CZO or must be approved as part of a Sign Plan submitted for approval by the City Council following receipt of a recommendation from the Planning and Zoning Commission.

SECTION 4. REQUIRED SUBMISSIONS

The following regulations shall apply to the development and use of any portion of the Property:

A. CONCEPTUAL SITE PLAN APPROVAL

1. The Conceptual Site Plan establishes the general development intent for the District, including general street layout, primary block configuration, conceptual building shape and layout on each block, general location of public and private parks and amenities, parking arrangement, generalized public use, access easements, and development phasing if the site is to be developed in phases. The Conceptual Site Plan shall serve as a guide for the approval of any and all subsequent Detailed Site Plan submissions relating to the District, but shall not be construed to specify precise dimensions, locations, or configurations; such details shall more accurately and appropriately be determined at the time of Detailed Site Plan approval.
2. Any significant deviation from the Conceptual Site Plan not constituting a Minor Modification as provided below, shall require an amendment to the Conceptual Site Plan in accordance with the procedures required for a zoning amendment. The Planning Director shall make the initial determination as to whether a requested change constitutes a Minor Modification.
3. The Planning Director shall have the right to present any Conceptual Site Plan amendment to the Planning and Zoning Commission and City Council for approval, even if it constitutes a Minor Modification.

B. DETAILED SITE PLAN APPROVAL

1. Prior to beginning any development on a building site within the Property, a Detailed Site Plan detailing the proposed development shall be submitted to the Planning and Zoning Commission for review and recommendation to City Council for final approval. No construction permits for the portion of the Property within the boundaries shown on the Detailed Site Plan shall be issued prior to approval of the Detailed Site Plan. Approval shall be based on compliance with the Detailed Site Plan, these Development Regulations, the CZO, and the Conceptual Site Plan.
2. A request for an amendment to an approved Detailed Site Plan may be reviewed and approved administratively by the Planning Director if it determined that the requested amendment is consistent with the approved Detailed Site Plan and constitutes a Minor Modification as defined below. All other amendments to the Detailed Site Plan shall be approved in the same manner as the original Detailed Site Plan. The Planning Director shall have the authority to require any requested amendment to a Detailed Site Plan to be reviewed by the Planning and Zoning Commission and approved by the City Council.
3. A site may be developed in phases pursuant to these Development Regulations, in which case each phase shall conform to these Development Regulations as though it were a separate site.

C. SPECIAL EXCEPTIONS

In those circumstances where the owner/applicant believes that, due to unique characteristics of the site or other circumstances, strict compliance with these Development Regulations is not feasible or desirable and that deviation from these Development Regulations will allow for equal or better results, a request may be made for approval of a special exception concurrent with the application for approval of a Detailed Site Plan. The Planning and Zoning Commission shall consider all requests for special exceptions and make a recommendation to the City Council with respect to approval. Special exceptions must be reviewed based on the standards within the context of consistency with the overall concept of the District and these Regulations. Notwithstanding the foregoing, the City Council may not grant a special exception which:

1. Would result in the approval of a land use not otherwise authorized by these Development Regulations or the CZO; or
2. Increases the allowable intensity or density of any land use within the District; or
3. Effectively results in an amendment to the CZO to an extent beyond the amendments established by these Development Regulations.

D. MINOR MODIFICATIONS

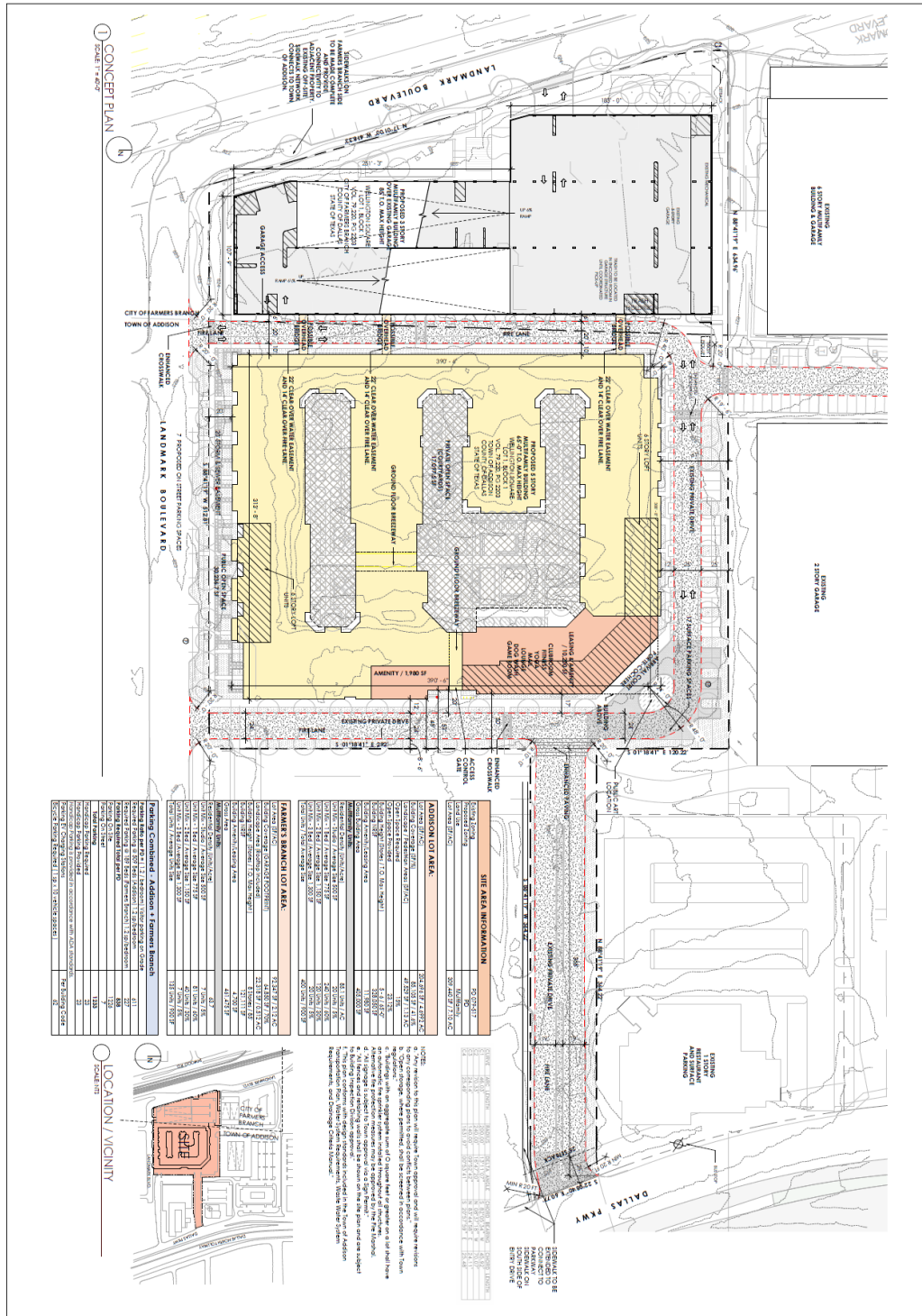
For purposes of these Development Regulations, a "Minor Modification" is a change to the Conceptual Site Plan, Conceptual Landscape Plan, Conceptual Elevations, and/or Detailed Site Plan, whichever is applicable, that is determined to meet the goals and intent of PD-109. A Minor Modification may be approved administratively by the Planning Director if, and only if, the Minor Modification:

1. Does not materially change the circulation and building locations shown on the Conceptual Site Plan and/or a Detailed Site Plan; or
2. Does not increase the building area permitted by these Development Regulations; or
3. Does not materially alter the relationship between the buildings and the internal streets through the alteration of minimum setback requirements; or
4. Does not allow a use not otherwise authorized by these Development Regulations; or
5. Does not increase or decrease the allowable intensity or density of any land use within the District; or
6. Does not substantially alter the architectural character and/or building form as shown on the Conceptual Building Elevations; or

7. Does not otherwise effectively result in an amendment to these Development Regulations or the CZO to an extent beyond the amendments established by these Development Regulations.

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APPENDIX 1 –CONCEPTUAL SITE PLAN



APPENDIX 2 –CONCEPTUAL LANDSCAPE PLAN



APPENDIX 3 – CONCEPTUAL ELEVATIONS

