



ORDINANCE NO. 3390

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 8.795± ACRE TRACT OF LAND OUT OF THE HARRISON C. MARSH SURVEY, ABST. NO. 916, CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS, DESCRIBED IN EXHIBIT "A," HERETO, AND LOCATED WITHIN PD-88 (MERCER CROSSING CODE) FROM "COMMERCE DISTRICT" TO "MID-DENSITY RESIDENTIAL"; ADOPTING A CONCEPTUAL SITE PLAN, CONCEPTUAL LANDSCAPE PLAN; AND BUILDING ELEVATIONS; 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, as follows:

- A. The property described in Exhibit "A," attached hereto and incorporated herein by reference, ("the Property") 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).
- B. The Property shall be used and developed in accordance with the Conceptual Site Plan, Conceptual Landscape Plan, and Building Elevations attached hereto as Exhibits "B," "C," and "D," respectively, and incorporated herein by reference.
- C. The Regulating Plan shall be amended as set forth in Exhibit "E," attached hereto and incorporated herein by reference.

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 20TH DAY OF SEPTEMBER, 2016.

ATTEST:

APPROVED:

Amy Piukana, City Secretary

Bob Phelps, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:9/1216:79017)

Ordinance No. 3390
Exhibit "A"
Description of Property

DESCRIPTION, of an 8.795 acre tract of land situated in the Harrison C. Marsh Survey, Abstract No. 916 Dallas County, Texas; said tract being part of that certain tract of land described in Substitute Trustee's Deed to 2M Holdings, LP recorded in Instrument No. 201100012048 of the Official Public Records of Dallas County, Texas and part of that certain tract of land described in General Warranty Deed to TCI Manhattan 2, LLC recorded in Instrument No. 200900073145 of said Official Public Records; said 8.795 acre tract being more particularly described as follows:

COMMENCING, at the northeast corner of Knightsbridge Road (a 100-foot right-of-way) as described in Street Deed recorded in Volume 83213, Page 599 of the Deed Records Dallas County, Texas; said point being the southernmost southeast corner Lot 2R, Block A, Mercer Crossing South, an addition to the City of Farmers Branch, Texas according to the plat recorded in Instrument No. 201500167623 of said Official Public Records;

THENCE, in a northerly and easterly direction, along an east line and a south line of said Lot 2, the following four (4) calls:

North 00 degrees, 33 minutes, 36 seconds West, a distance of 14.27 feet to a point;

North 88 degrees, 23 minutes, 52 seconds East, 70.29 feet to a point at the beginning of a tangent curve to the right;

Along said curve to the right, having a central angle of 1 degree, 06 minutes, 48 seconds, a radius of 2,064.50 feet, a chord bearing and distance of North 88 degrees, 57 minutes, 16 seconds East, 40.12 feet, an arc distance of 40.12 feet, to a point at the end of said curve;

North 89 degrees, 30 minutes, 40 seconds East, a distance of 7.40 feet to the most easterly southeast corner of said Lot 2;

THENCE, North 39 degrees, 47 minutes, 45 seconds West, with the east line of said Lot 2, a distance of 8.08 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for the POINT OF BEGINNING; said point being at the intersection of the said east line of Lot 2 and the proposed northerly right-of-way line of Knightsbridge Road (a proposed 100-foot right-of-way);

THENCE, departing the said proposed northerly line of Knightsbridge Road and along the said east line of Lot 2R and Lot 1, Block A, of Trinity South Addition, an addition to the City of Farmers Branch, Texas according to the plat recorded in Instrument No. 201300194446 of said Official Public Records, the following eighteen (18) calls:

North 39 degrees, 47 minutes, 45 seconds West, a distance of 32.72 feet to a point for corner;

North 02 degrees, 51 minutes, 59 seconds West, a distance of 62.29 feet to a point for an angle point;

North 13 degrees, 43 minutes, 06 seconds East, a distance of 127.48 feet to a point for an angle point;

North 00 degrees, 22 minutes, 33 seconds West, at a distance of 200.52 feet passing a 1/2-inch iron rod with "PACHECO KOCH" cap set at the southwest corner of said 2M Holdings tract, the northeast corner of said Lot 2R, Block A, the northwest corner of said TCI Manhattan 2 tract, and the southeast corner of said Lot 1, Block A, then continuing in all a total distance of 203.94 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for an angle point;

North 07 degrees, 45 minutes, 36 seconds East, a distance of 96.86 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner;

North 77 degrees, 51 minutes, 34 seconds West, a distance of 17.54 feet to a point for an angle point;

North 49 degrees, 17 minutes, 24 seconds West, a distance of 25.26 feet to a point for an angle point;

North 33 degrees, 02 minutes, 34 seconds West, a distance of 20.74 feet to a point for an angle point;

North 27 degrees, 32 minutes, 37 seconds West, a distance of 21.45 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for an angle point;

North 24 degrees, 34 minutes, 57 seconds West, a distance of 26.23 feet to a point for an angle point;

North 19 degrees, 36 minutes, 51 seconds West, a distance of 43.90 feet to a point for as angle point;

North 16 degrees, 34 minutes, 56 seconds West, a distance of 26.03 feet to a point for an angle point;

North 14 degrees, 57 minutes, 31 seconds West, a distance of 36.56 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for an angle point;

North 13 degrees, 47 minutes, 42 seconds West, a distance of 21.39 feet to a point for an angle point;

North 09 degrees, 40 minutes, 46 seconds West, a distance of 39.71 feet to a point for an angle point;

North 04 degrees, 49 minutes, 05 seconds West, a distance of 16.08 feet to a point for an angle point;

North 01 degree, 23 minutes, 36 seconds West, a distance of 36.86 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for an angle point;

North 03 degrees, 42 minutes, 12 seconds East, a distance of 104.85 feet to 1/2-inch iron rod with "PACHECO KOCH" cap set for corner; said point being a northeast corner of said Lot 1;

THENCE, into and across said 2M Holdings tract and said TCI Manhattan 2 tract, the following four (4) calls:

South 36 degrees, 15 minutes, 50 seconds East, a distance of 7.30 feet to a point at the beginning of a tangent curve to the left;

Along said curve to the left, having a central angle of 54 degrees, 32 minutes, 17 seconds, a radius of 280.00 feet, a chord bearing and distance of South 63 degrees, 31 minutes, 59 seconds East, 256.57 feet, an arc distance of 266.52 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set at the end of said curve;

North 89 degrees, 11 minutes, 53 seconds West, a distance of 419.38 feet to a mag nail with "PACHECO KOCH" washer set for corner;

South 10 degrees, 01 minutes, 39 seconds West, at a distance of 549.07 feet passing a south line of said 2M Holdings Tract and a north line of TCI Manhattan 2 tract, then continuing in all a total distance of 699.98 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for corner in a non-tangent curve to the left; said point being in the said proposed north line of Knightsbridge Road;

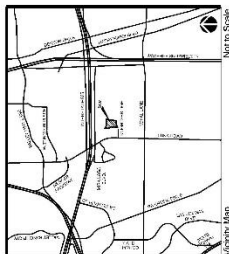
THENCE, in a southwesterly direction, along said curve the left and the said proposed north line of Knightsbridge Road, having a central angle of 41 degrees, 35 minutes, 05 seconds, a radius of 520.00 feet, a chord bearing and distance of South 79 degrees, 14 minutes, 07 seconds West, 369.18 feet, an arc distance of 377.41 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set at the beginning of a reverse curve to the right;

THENCE, in a southwesterly direction, along said curve to the right and continuing along the said proposed north line of Knightsbridge Road, having a central angle of 12 degrees, 01 minute, 37 seconds, a radius of 420.00 feet, a chord bearing and distance of South 64 degrees, 27 minutes, 23 seconds West, 88.00 feet, an arc distance of 88.16 feet to the POINT OF BEGINNING;

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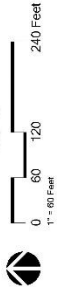
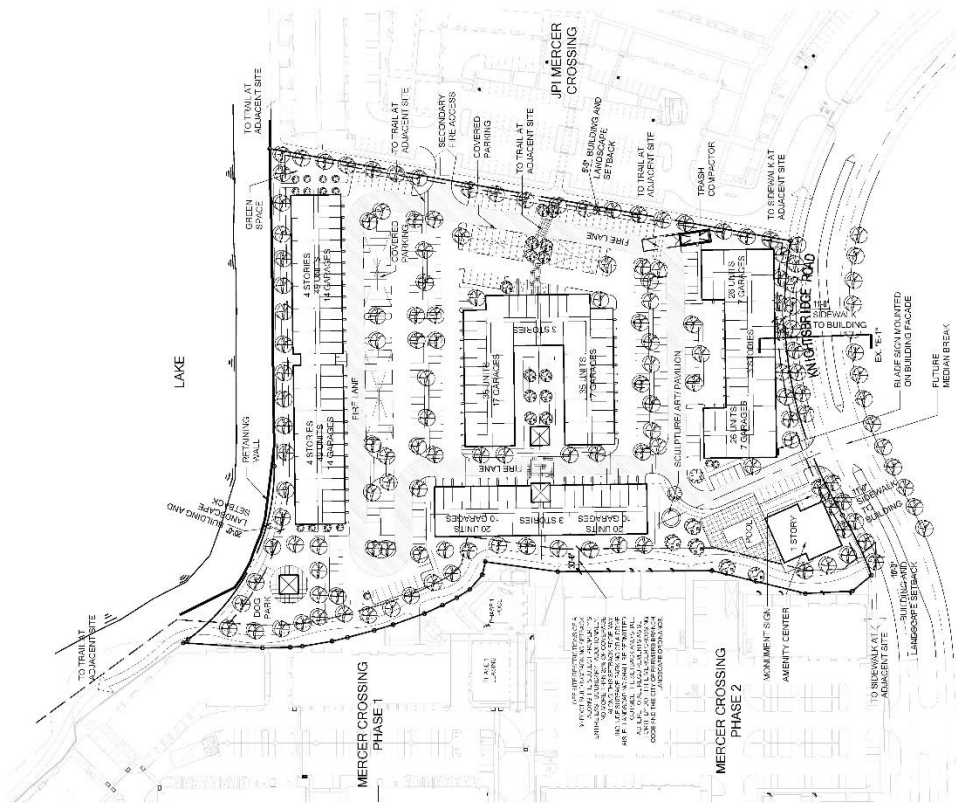
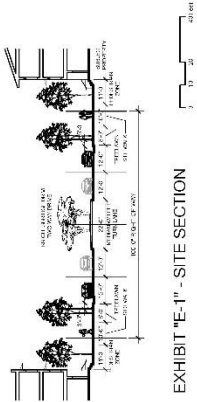
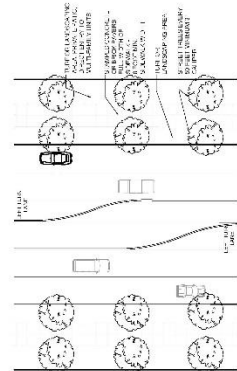
Exhibit "B"

Conceptual Site Plan

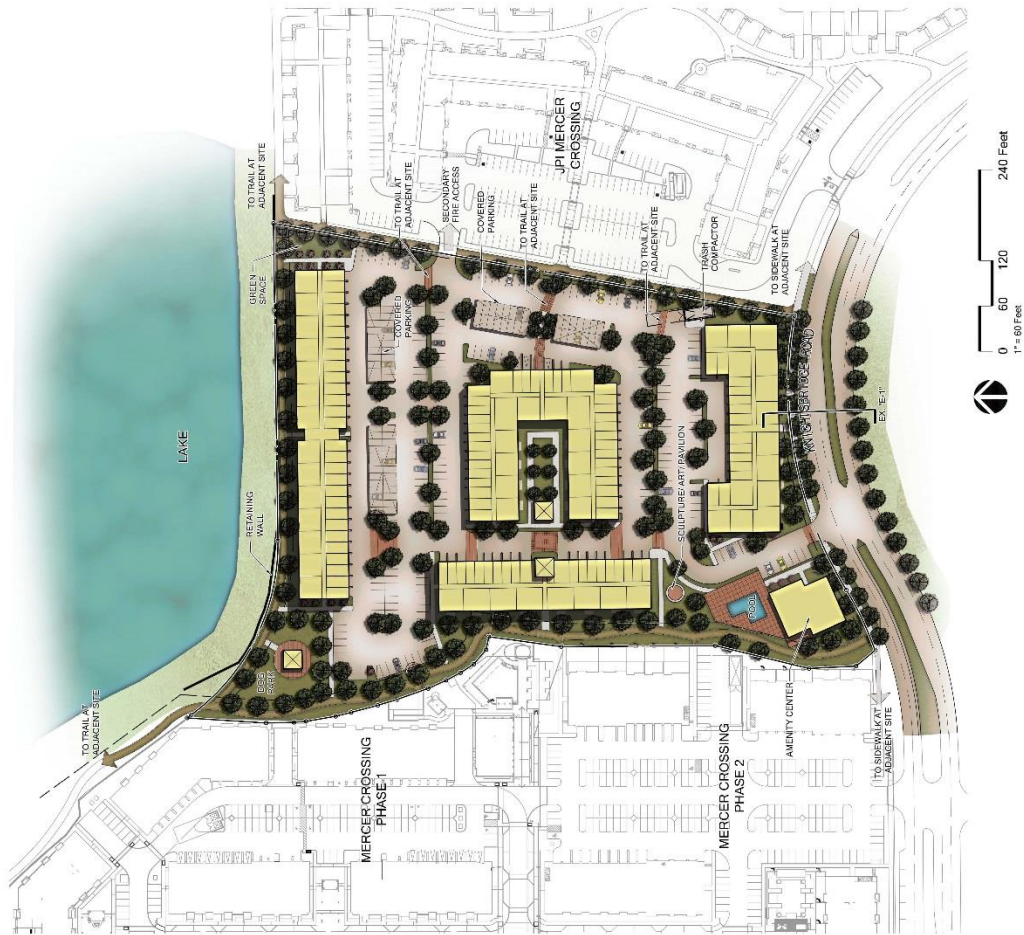


Notes:
 All development within the property boundary shown is proposed.
 Proposed zoning: PD Amendment
 Existing zoning: PD 88
 All fire lanes must be fire lane access and utility easements.
 All streets are two way streets.

PROJECT SITE	307,000 sq. ft.
PROPOSED DEVELOPMENT	1,000 LU / Freeway, Suite 800
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Owner: 204 Holdings, LP Contact: RL Lums 1003 LU / Freeway, Suite 800 Dallas, Texas 75254 Phone: 214.752.5400 RL.Lums@plainsource.com	Developer: Plainsource Realty Advisors, Inc. Contact: Matthew Harris 1003 LU / Freeway, Suite 800 Dallas, Texas 75254 Phone: 214.752.5400 mharris@plainsourerealty.net	Job #: 15283 File Name: Site-14.dwg Date: 08/12/2016 Drawn by: Riley E. Moore/ Robbie Sullivan
PLANNING gff	2000 Park Street, Suite 100 Dallas, Texas 75201 Phone: 214.752.5400 Fax: 214.752.5401	CONCEPTUAL SITE PLAN NEC of Knightbridge & Luna Road Farmers Branch, Texas 8.795 Acres Exhibit A

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Ordinance No. 3390
Exhibit “D”
Building Elevations



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Ordinance No. 3390
Exhibit "D"
Building Elevations (cont.)



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PD - 88
Mercer Crossing
Regulating Plan
August 2016 _ draft

