



ORDINANCE NO. 3421

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF FARMERS BRANCH, TEXAS, BY AMENDING ORDINANCE NO. 3326 AMENDING THE USE AND DEVELOPMENT REGULATIONS FOR LOTS 1 AND 2, BLOCK A, ROYAL HOSPITALITY ADDITION, LOCATED IN THE URBAN SUBDISTRICT OF PLANNED DEVELOPMENT NO. 88 (PD-88) BY AMENDING THE SITE PLAN, BUILDING ELEVATIONS FOR A HOTEL, AND THE DEVELOPMENT REGULATIONS FOR THE SPECIFIC USE PERMIT FOR HOTEL USE ON LOT 2, BLOCK A OF SAID PROPERTY; 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 the regulations previously adopted pursuant to Ordinance No. 3326 applicable to the use and development of property located with the Urban Center Sub-district of Planned Development No. 88 (PD-88) Mercer Crossing Code ("the Mercer Crossing Code"), as previously amended, and described as Lot 1, Block A and Lot 2, Block A, Royal Hospitality Addition, an addition to the City of Farmers Branch, Texas, according to the plat recorded as Instrument No. 201600034640, Official Public Records, Dallas County, Texas ("the Property")(the Property being the same land described in Exhibit "A" of Ordinance No. 3326 as replatted), as follows:

- A. Exhibit "B" to Ordinance No. 3326 titled "Site Plan" is amended and replaced in its entirety with the "Site Plan" set forth in Exhibit "A," attached hereto and incorporated herein by reference.

- B. The building elevations in Exhibit “D” to Ordinance No. 3326 and titled “Building Elevations – Hotel” are amended and replaced in their entirety as set forth in Exhibit “B” “Hotel Elevations” attached hereto and incorporated herein by reference.
- C. The use and development of Lot 2, Block A of the Property for hotel use pursuant to the Specific Use Permit granted in Section 1.B. of Ordinance No. 3326 shall be subject to the following conditions:
- (1) The hotel shall be a “limited service hotel” with four above-ground stories and no fewer than 120 guest rooms;
 - (2) Construction of a five (5) level parking garage with no fewer than 142 parking spaces must be completed prior to issuance of a certificate of occupancy for the hotel;
 - (3) The hotel must contain at least one single meeting room with not less than 3,000 square feet of meeting space, not including back of house operational areas;
 - (4) The main lobby and front desk of the hotel area must contain not of 1,500 square feet;
 - (5) The hotel must provide a hospitality lounge/bar area with an area of not less than 800 square feet providing beverage services to hotel guests;
 - (6) The hotel must be constructed with a breakfast area and provide limited onsite food service with both hot and cold breakfast foods and drinks;
 - (7) The hotel must be constructed with an indoor pool and equipped fitness room;
 - (8) The exterior façades of the hotel must conform substantially to Exhibit “D” as amended by Exhibit “B” of this Ordinance; and
 - (9) The use and development of Lot 2, Block A of the Property must otherwise substantially conform to the Site Plan set forth in Exhibit “A” of this Ordinance.

For purposes of determining compliance with the minimum areas set forth in Paragraphs (3), (4), and (5), the areas may not overlap such that no area within the meeting space, main lobby and front desk area, or hospitality lounge/bar area, respectively, is included within the area any of the other areas.

- D. The use and development of Lot 1, Block A of the Property, including, but not limited to, the maximum number of dwelling units and the minimum number of ground and structured parking spaces, shall substantially conform to the Site Plan set forth in Exhibit “A” of this Ordinance.

- E. The provisions of Ordinance No. 3326 applicable to the development and use of the Property remain in full force and effect except to the extent amended by this Ordinance.

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 7th DAY OF FEBRUARY, 2017.

ATTEST:

APPROVED:

Amy Piukana, City Secretary

Bob Phelps, Mayor

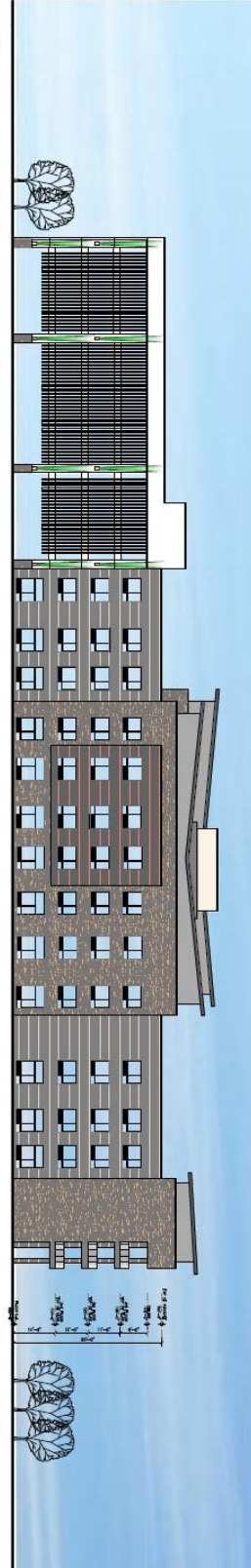
APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:1/29/17:83367)

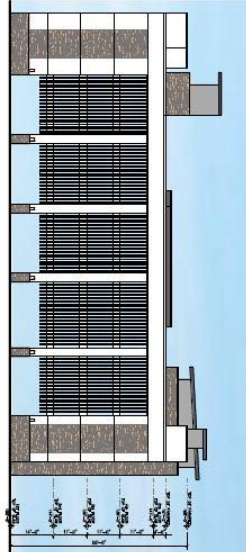
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Ordinance No. 3421
Exhibit “B” - Hotel Elevations
(Ordinance No. 3326 Exhibit “D” Building Elevations – Hotel as Amended)

C1
SOUTH ELEVATION
SCALE: 1/16"=1'-0"



B1
WEST ELEVATION
SCALE: 1/16"=1'-0"



B2
EAST ELEVATION
SCALE: 1/16"=1'-0"



A1
NORTH ELEVATION
SCALE: 1/16"=1'-0"

