



## **ORDINANCE NO. 3433**

**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 ADOPTING A NEW ARTICLE X TITLED “TOWNHOME RESIDENTIAL” TO THE MERCER CROSSING CODE (“PD-88”), AS AMENDED, SETTING FORTH THE DEVELOPMENT REGULATIONS OF PROPERTY DESIGNATED AS TOWNHOME WITHIN PD-88; DESIGNATING A 2.42± ACRE TRACT OF LAND OUT OF LOT 1, BLOCK 4, VALLEY VIEW COMMERCE PARK, AN ADDITION TO CITY OF FARMERS BRANCH, AND LOCATED WITHIN PD-88 FROM “COMMERCE DISTRICT” TO “TOWNHOME RESIDENTIAL DISTRICT”; AMENDING THE REGULATING PLAN FOR PD-88; ADOPTING A CONCEPTUAL SITE PLAN FOR SAID PROPERTY AND MAKING ADDITIONAL NON-SUBSTANTIVE TEXT AMENDMENTS TO THE MERCER CROSSING CODE TO CONFORM TO OTHER SUBSTANTIVE AMENDMENTS; 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 Regulating Plan shall be amended as set forth in Exhibit “A,” attached hereto and incorporated herein by reference.
- B. A new Article X titled “Townhome Residential District” shall be added to read in its entirety as set forth in Exhibit “B”, attached hereto and incorporated herein by reference.

C. The following non-substantive text changes shall be made:

1. Amend the following sentence before the last sentence in the third paragraph of Article I “Components of the Code” to read as follows:

*Some property within Mercer Crossing may be developed pursuant to regulations for a fourth development district, the Mid-Density Residential District as set forth in Article VIII of this Code, a fifth development district, the Office-1 District, as set forth in Article IX of this Code, or a sixth development district, the Townhome Residential District, as set forth in Article X of this Code.*

3. In the seventh paragraph of Article I “Components of the Code,” change the phrase “**Mid-Density Residential and Office-1 District**” to read “**Mid-Density Residential, Office-1 District, and Townhome Residential District.**”

**SECTION 2.** The real property described in Section X.H. in Exhibit “B,” hereto, shall be designated as Townhome Residential District and shall be developed substantially in accordance with the Conceptual Site Plan set forth in Exhibit “C”, attached hereto and incorporated herein by reference, which Conceptual Site Plan is hereby approved.

**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 as applicable to the use and development of the Property, 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 21<sup>ST</sup> DAY OF MARCH, 2017.**

ATTEST:

APPROVED:

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Amy Piukana, City Secretary

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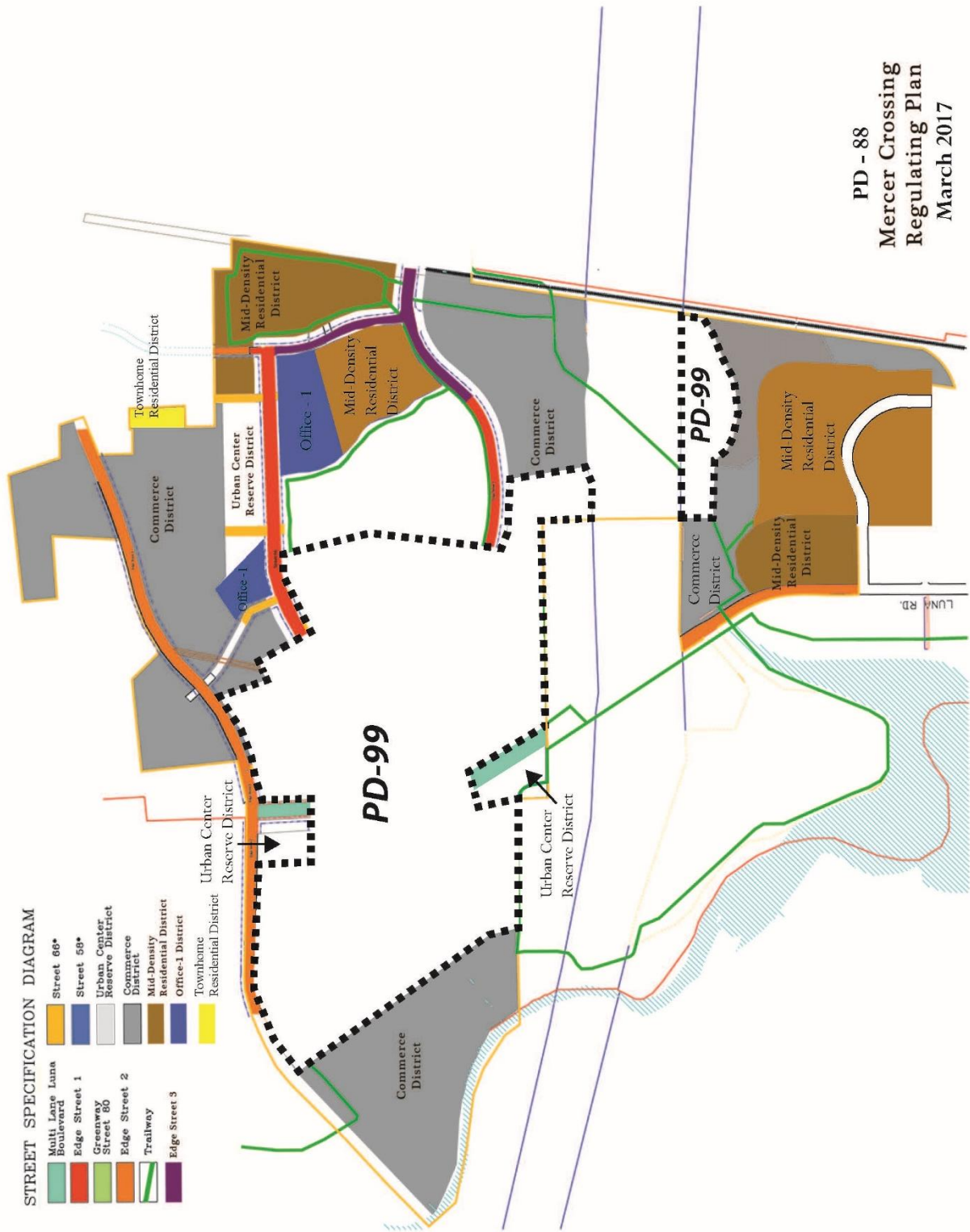
Bob Phelps, Mayor

APPROVED AS TO FORM:

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Peter G. Smith, City Attorney  
(kbl:3/13/17:84462)

Ordinance No. 3433  
Exhibit "A"  
Mercer Crossing Code - Revised Regulating Plan



PD - 88  
Mercer Crossing  
Regulating Plan  
March 2017

**Ordinance No. 3433**  
**Exhibit “B”**  
**Townhome Residential District Development Regulations**

**X. TOWNHOME RESIDENTIAL DISTRICT**

The *Townhome Residential District* is specifically designed to allow and provide for areas of attached, single-family development in a clustered lot pattern with a common usable open space system that is integral part of the development. This will include new single-family townhomes consisting of two (2) to four (4) story buildings. Typically, a townhome development has a density between 7 to 20 dwelling units per acre.

No single-family detached development is allowed within the Townhome Residential District.

All properties located within a Townhome Residential District shall be developed in accordance with the development regulations and standards applicable to a property located within the Urban Center District, except as follows:

**A. Development Regulations**

**1. Area**

- a. Minimum lot area: 1,540 square feet
- b. Minimum lot width: 22 feet
- c. Minimum lot depth: 70 feet
- d. Minimum dwelling unit area: 1,400 square feet
- e. Maximum lot coverage: 80%

**2. Height**

- a. *Building Height:*
  - (1) The height of the principal building is measured in stories.
  - (2) Unless otherwise indicated on an approved Site Plan, each principal building shall be not less than two (2) stories or more than four (4) stories in height.
  - (3) Enclosed amenity spaces affiliated with townhome development are encouraged.

- b. *Finished Floor Elevation:* The ground story finished floor elevation shall be no less than eighteen (18) inches above the adjacent street top of the curb.
- c. *Story Height:* Except for those areas constituting individual unit interior hallways and bathrooms, upper stories shall have at least nine (9) feet of clear interior height and a maximum story height of fourteen (14) feet (floor to ceiling).

## **B. Siting**

### **1. Street Façade:**

- a. Those portions of the building façade adjacent to the required minimum build-to line may include jogs of not more than three (3) feet in depth except as otherwise provided to allow bay windows, shop fronts and balconies.
- b. No complex of townhomes shall exceed 200 feet in length.

### **2. Buildable Area:**

- a. Buildings may occupy any portion of the lot behind the RBL, exclusive of any setbacks required by this Code.
- b. A total open area equal to at least fifteen percent (15%) of the total buildable area shall be preserved on every lot. Such total open area may be located anywhere behind the property line.

### **3. Lot Setbacks:** All lot setbacks shall be established by the Detailed Site Plan.

### **4. Garage and Parking:**

- a. Each dwelling unit shall contain a two-car garage in addition to required parking spaces.
- b. The garage door shall be setback 10 feet from the rear property line.

### **5. Unbuilt Common Lot Line Treatment:** A privacy fence or a screening area may be constructed along that portion of a common lot line not otherwise occupied by a building.

## **C. Building Elements**

### **1. Fenestration:**

- a. Blank lengths of wall exceeding twenty (20) linear feet are prohibited on all RBLS.
- b. Fenestration on the ground story façade that is facing a street shall comprise at least forty percent (40%), but not more than ninety percent (90%), of the façade area located between two (2) feet and ten (10) feet above the adjacent public sidewalk on which the façade fronts.
- c. Fenestration on an upper story façade that is facing a street shall comprise at least twenty-five percent (25%), but no more than seventy-five percent (75%), of the façade area per story (measured as a percentage of the façade between floor levels).

2. **Building Projections:** Awnings, balconies, stoops and roof decks are encouraged.

## **D. Architectural Standards**

The Architectural Standards of the Urban Center District shall apply in the Townhome Residential District, except that the following materials shall also be permitted subject to the described limitations:

1. **Primary Materials:** (75% of each façade or greater): Brick and tile masonry, native stone (or synthetic equivalent).
2. **Secondary Materials** (no greater than 25% of each façade): Stucco (cementitious finish), high quality hard wood, Hardie-Plank equivalent or better siding.
3. **Accent Materials** (no greater than 5% of each façade): Pre-cast masonry (for trim and cornice elements only), Gypsum Reinforced Fiber Concrete (for trim elements only), Metal, Split-Faced block (only for piers, foundation walls and chimneys)

## **E. Landscaping**

In addition to the trees required to be planted in streets and open spaces, one (1) tree shall be planted for every two (2) dwelling units. All trees planted may be clustered or dispersed throughout the site and must be shown on the landscape plan.

## **F. Utilities**

All utilities must be placed underground.

**G. Administration:**

The requirements and procedures for approval, modification, expiration, and extension of Concept Plans, Site Plans, and Special Exceptions set forth in Article VI applicable to development of property within an Urban Center District shall apply to the development of property within a Townhome Residential District.

**H. Property within District:**

The following property within PD-88 shall be designated as Townhome Residential District:

BEING a part of Lot 1, Block 4, of Valley View Commerce Park, an Addition in the City of Farmers Branch, Dallas County, Texas, a tract of land described in deed to North Dallas Bible Chapel, Inc., as recorded in Instrument File No. 201400039065, of the Official Public Records of Dallas County, Texas, as shown on survey and being more particularly described by metes and bounds as follows:

BEGINNING at a found 1/2 inch iron rod for corner on the West right of way line of Hutton Drive, being on the East line of said Lot 1, the Northeast corner of a tract of land described in deed to Cal Property Management Co., as recorded in Instrument File No. 200900203938, of the Official Public Records of Dallas County, Texas, and being the Southeast corner of said North Dallas Bible Chapel tract;

THENCE South 89 degrees 38 minutes 39 seconds West, along said Cal Property Management tract, a distance of 194.01 feet to a set 1/2 inch iron rod for corner on the East line of a tract of land described in deed to Art GNB Inc., as recorded in Instrument File No. 20070248392, of the Official Public Records of Dallas County, Texas;

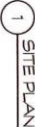
THENCE North 00 degrees 16 minutes 32 seconds West, along said Art GNB tract, a distance of 545.31 feet to a set 1/2 inch yellow-capped iron rod for corner, being the Southwest corner of a tract of land described in deed to Koko Katanjian, as recorded in Volume 2001146, Page 3584, of the Deed Records of Dallas County, Texas;

THENCE North 89 degrees 38 minutes 39 East, along said Katanjian tract, a distance of 192.96 feet to a set 1/2 inch yellow-capped iron rod for corner on the said West right of way line of Hutton Drive;

THENCE South 00 degrees 23 minutes 07 seconds East (directional control), a distance of 545.31 feet to the PLACE OF BEGINNING and containing 105,510 square feet or 2.42 acres of land.



P:\Packer - Hutton Drive Townhouses\Drawings\Sheets\ 514-01-01 Sheet A1.1 01-01.dwg , Plotted on: Feb 08, 2017 - 3:39pm



1		SITE PLAN	
		TOWNHOUSE - UNIT B	
LOT SIZE	27' x 47' x 43' x 50' FT	LOT SIZE	29' x 46' x 20' x 45' FT
STREET FRONTAGE	27' x 47' x 43' x 50' FT	STREET FRONTAGE	29' x 46' FT - 29M
UNIT SIZE	2,818 S.F. (261 SQ. MET.)	UNIT SIZE	3,114 S.F. (289 SQ. MET.)
STORIES	2 STORIES	STORIES	2 STORIES

**A**  
**1.1**

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ISSUES

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SV-0007  
SV-0017  
SV-0017  
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SV-0017

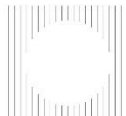


Ordinance No. 3433  
Exhibit "C"  
Conceptual Plan (Elevations – Cont.)

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ISSUED
02/28/19
03/01/19
03/07/19
03/08/19

Villas on Hutton  
Luxury Roof Top Residences"  
13145 Hutton Drive  
Farmers Branch, Texas 75234  
Exterior Elevations - Buildings III & IV



Project No. 51437.21

SHEET

**A**

**3.2**

