Mercer Crossing Code

August 2012

Adopted by Ordinance 2868
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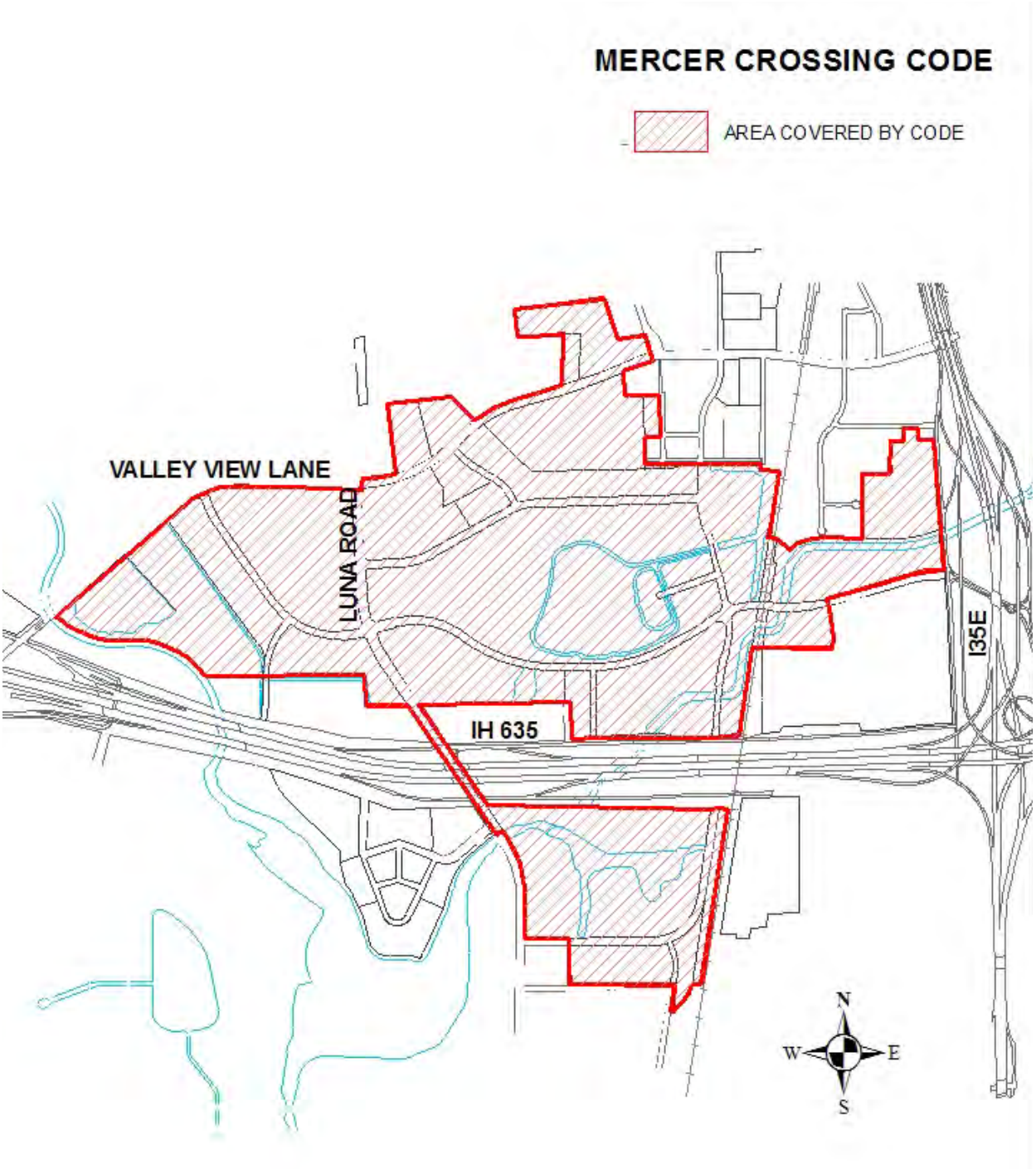
Amended by Ordinance 3085
Amended by Ordinance 3190


MERCER CROSSING CODE
AREA COVERED BY CODE
VALLEY VIEW LANE
LUNA ROAD
IH 635
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BOUNDARY DESCRIPTION

BEGINNING at a point situated in the Wm. M. Cochran Survey, Abstract No. 279, said point being at the intersection of the south right-of-way line of Interstate Highway No. 635 (LBJ Freeway) and the west right-of-way line of Chicago Rock Island and Pacific (C.R.I.&P.) railroad right-of-way said railroad right-of-way deeded to the City of Dallas by Chicago Pacific Corporation in a special warranty deed filed in Volume 86057, Page 0342, D.R.D.C.T.;

THENCE South 09°17'10" West, following along the west right-of-way of said railroad right-of-way, for a distance of 936.36 feet to a point;

THENCE South 89°42'38" East, for a distance of 25.34 feet to a point;

THENCE South 09°17'10" West, continuing along the west right-of-way line of said railroad, for a distance of 1525.56 feet to a point; being the point of curvature of a curve to the right, having a delta of 48°15'04", a radius of 603.29 feet, and a chord bearing and distance of South 52°47'33" West, 493.17 feet;

THENCE along said curve, and continuing along the west right-of-way of said railroad, an arc distance of 508.06 feet to a point; being in the east right-of-way line of Mathis Street (a 64 foot right-of-way);

THENCE North 09°17'10" East, along said east right-of-way line, for a distance of 358.30 feet to a point; being in the north right-of-way line of Crown Drive (a 64 foot right-of-way);

THENCE West, along said north right-of-way line, for a distance of 1374.86 feet to a point;

THENCE North 00°06'37" West, leaving said north right-of-way line, for a distance of 619.20 feet, being in the north right-of-way line of Knightsbridge Road, and being the point of curvature of a curve to the right, having a delta of 03°07'13", a radius of 950.00 feet, and a chord bearing and distance of South 88°32'38" West, 51.73 feet;

THENCE along said curve, and said north right-of-way line, an arc distance of 51.74 feet to a point;

THENCE West, continuing along said north right-of-way line, for a distance of 531.61 feet to a point; being in the east right-of-way line of Luna Road (a 100 foot right-of-way);

THENCE North 00°46'13" East, following along said east right-of-way line, for a distance of 570.50 feet to a point, being the point of curvature of a curve to the left, having a delta of 32°32'57", a radius of 1196.28 feet, and a chord bearing a distance of South 17°22'38" East, 670.49 feet, being the west line of a 17.118 acre tract in the William P. Shahan Survey, Abstract

No. 1337, Dallas County, Texas, and being a portion of a 44.062 acre tract recorded in Volume 70039, Page 1481.

THENCE along said curve, and continuing along said east right-of-way line, an arc distance of 679.59 feet to a point;

THENCE North 34°18'36" West, continuing along said east right-of-way line, for a distance of 95.14 feet to a point;

THENCE southwesterly, leaving said east right-of-way line at right angles and crossing Luna Road (variable width right-of-way) for a distance of 100.00 to a point in the west right-of-way line of said Luna Road;

THENCE North 32°22'19" West, for a distance of 150.00 feet to a point, being at the south right-of-way line of Mira Lago Blvd.;

THENCE crossing said Mira Lago Blvd., and continuing in a northwesterly direction along said west right-of-way line of Luna Road to a point in the south right-of-way line of LBJ Freeway and continuing along the west right-of-way line of Luna Road to its intersecting point with the north right-of-way line of said Interstate Highway No. 635, said point being the southeast corner of the revised final plat of Park West Phase II of LBJ/Luna Tract "C" Addition to the City of Farmers Branch, Texas, Volume 85186, Page 3424;

THENCE continuing in a northwesterly direction along said west right-of-way line of Luna Road, to the southeast corner of Block B of Westside Addition Section 1, an addition to the City of Farmers Branch, as record in the Map Records of Dallas County, Texas, instrument number 200600172;

THENCE departing said west right-of-way line of Luna Road along the south line of said Block B, in a westerly direction, a distance of 540 feet, more or less, to a point at the most southerly southwest corner of said Block B;

THENCE in a northerly direction along a west line of said Block B, a distance of 390 feet, more or less, to a point;

THENCE in a westerly direction, along the south line of said Block B, a distance of 1274 feet, more or less, to a point for corner;

THENCE crossing a 200 foot wide tract conveyed to the Carrollton-Farmers Branch Flood Control District by deed recorded in the Dallas County Deed Records, Volume 76112, Page 1722, to a point in the east line of a tract of land conveyed to ART Walker Cummings as Tract II in deed Volume 98142, Page 3329, D.R.D.C.T.;
THENCE in a southerly direction, along the east side of said Tract II, a distance of approximately 50 feet to a point for corner said point being in the north line of a 33.384 acre tract

of land known as Park West Phase II of LBJ/Luna Tract "C" Addition to the City of Farmers Branch, Texas, Volume 85186, Page 3424;

THENCE in a westerly direction along said north line of said addition, a distance of 548 feet more or less to a point being on the east top bank of the Elm Fork of the Trinity River;

THENCE meandering in a northwesterly direction along said east top bank of said Elm Fork of the Trinity River to its intersecting point with the southeasterly right-of-way line of Valley View Lane (a variable width right-of-way);

THENCE in a northeasterly direction, along said southeasterly right-of-way, to a point for corner being the most westerly corner of Westside Addition Section 1 an addition to the City of Farmers Branch as recorded in the office of the Dallas County Clerk by instrument number 200600172708;

THENCE continuing in a northeasterly direction along said southeasterly right-of-way line of Valley View Lane, passing Mercer Parkway (a 100 foot wide right-of-way), and continuing in an easterly direction along said south right-of-way line of Valley View Lane (a 115 foot wide right-of-way), passing the west right-of-way line of Luna Road (a 130 foot wide right-of-way), and continuing to a point at the southeast corner of said Luna Road and Valley View Lane, said point generally being at the northwest corner of Block C of said Westside Addition Section 1;

THENCE in a northerly direction, crossing Valley View Lane, to a point at the northeast corner Luna Road, said point generally being the southwest corner of Lot 1, Bonneau Addition Phase II, an addition to the City of Farmers Branch, recorded in Volume 96168, Page 3245;

THENCE in a northeasterly direction along the north right-of-way line of said Valley View Lane, to a point generally being the southeast corner of said Bonneau Addition;

THENCE departing the north right-of-way line of Valley View Lane, in a northerly direction along the east line of said Bonneau Addition Phase II, a distance of approximately 910 feet, more or less, to a point in the south right-of-way line of Keenan Bridge Road;

THENCE in an easterly direction along said south right-of-way line of Keenan Bridge Road, to a point generally being the northwest corner of a 7.36 acre tract of land conveyed to Downtown Development by deed recorded in the Deed Records of Dallas County, Texas, Volume 2005010, Page 6581;

THENCE continuing along said south right-of-way line of Keenan Bridge Road to a point generally being the northeast corner of said 7.36 acre tract of land;

THENCE continuing along the southwest right-of-way line of said Keenan Bridge Road, in a southeasterly direction, to a point in the north right-of-way line of Valley View Lane generally being the most easterly corner of said 7.36 acre tract of land;

THENCE departing said easterly corner of said 7.36 acre tract, in a northeasterly direction crossing said Keenan Bridge Road right-of-way, following along said north right-of-way line of Valley View Lane in a northeasterly direction for a distance of approximately 1,150 feet to a point being the southwest corner of Lot 1, Block 1, Dalho Truck Lease Addition to the City of Farmers Branch as recorded in Volume 89007, Page 0527;

THENCE departing said north right-of-way line of Valley View Lane, in a northerly direction along the west side of said Dalho Truck Lease Addition, to a point in a south line of a 22.995 acre tract out of the Francis Miller Survey, Abstract No. 926, City of Farmers Branch, Dallas, County, Texas; originally recorded by plat as the El Chico Addition, Volume 77180, Page 3067, D.R.D.C.T.;

THENCE South 87°25'19" West, along said south line of said El Chico Addition to a point being the most westerly southwest corner of said El Chico Addition being a point for corner;

THENCE North 03°51'41" West, for a distance of 335.67 feet to a point being the most northwesterly corner of said El Chico Addition and being in the south line of the 175 foot wide Farmers Branch-Carrollton Flood Control District Channel right-of-way;

THENCE North 85°00'54" East, along the north line of said El Chico Addition and said flood control district south line to a point at the northwest corner of a 4.4082 acre tract of land conveyed from Transcontinental Brewery, Inc. to the City of Farmers Branch by Special Warranty Deed recorded in the Dallas County Deed Records Volume 2001174, Page 2511, being a point for corner;

THENCE departing said south line of the flood control right-of-way, in a southeasterly direction along the west line of said 4.4082 acre tract, a distance of 555 feet, more or less, to a point at the southwest corner of said City 4.4082 acre tract;

THENCE departing said southwest corner, along the south line of said 4.4082 acre tract, in a northeasterly direction, a distance of 360 feet, more or less, to a point in the west right-of-way line of Hutton Drive;

THENCE along said west right-of-way line of Hutton Drive, in a southeasterly direction, passing the north right-of-way line of Valley View Lane at 230 feet, more or less, and continuing across said Valley View Lane right-of-way to a point in the south right-off-way line of said Valley View Lane, said point also being in the north line of Auto Classics Addition to the City of Farmers Branch as recorded in Volume 78175, Page 0810 of the Map Records of the Dallas County Clerk;

THENCE along said south right-of-way line of Valley View Lane in a southwesterly direction, passing the northwest corner of said Auto Classics Addition and continuing along said south right-of-way line to the northwest corner of a 2.165 acre tract of land conveyed to VH Printing, L.P. by deed recorded in Volume 2005159, Page 7153 of the Dallas County Deed Records said

point also being the northeast corner of a 45 acre tract of land previously conveyed to GNB Batteries, Inc.

THENCE departing said south right-of-way line of Valley View Lane, along the west side of said 2.165 acre tract, in a southerly direction, a distance of 311 feet, more or less, to a point being the southwest corner of said 2.165 acre tract;

THENCE in an easterly direction, along the south line of the said 2.165 acre tract, a distance of 251 feet more or less, to the southeast corner of said 2.165 acre tract;

THENCE in a southerly direction, departing said southeast corner of said 2.165 acre tract, a distance of 5 feet, more or less, to the northwest corner of Lot 1, Block 4, Valley View Commerce Park addition to the City of Farmers Branch as recorded in the Dallas County Clerk's office under Volume 84084, Page 5695

THENCE in an easterly direction, along the north line of said Valley View Commerce Park addition, a distance of 193 feet, more or less, to a point in the west right-of-way line of Hutton Drive (a 70 foot wide right-of-way);

THENCE in a southerly direction, along said west Hutton Drive right-of-way line, a distance of 545 feet, more or less, to a point being the southeast corner of said Valley View Commerce Park addition;

THENCE departing said west right-of-way line of Hutton Drive, in a westerly direction along the south line of said Valley View Commerce Park addition, a distance of 194 feet, more or less, to a point at the southwest corner of said addition, said point also being the northwest corner of Lot 2, Block 4, Valley View Commerce Park addition as recorded in the Map Records of the Dallas County Clerk's office under Volume 85107, Page 5702;

THENCE in a southerly direction, along the west line of said Lot 2, a distance of 285 feet, more or less, to a point at the southwest corner of said lot;

THENCE in an easterly direction along the south line of said Valley View Commerce Park addition, crossing the Hutton Drive street right-of-way and continuing in an easterly direction, crossing the Senlac Drive street right-of-way to a point at the southeast corner of Lot 3, Block 1 of said Valley View Commerce Park addition, said point also being the southwest corner of Nicholson Road Joint Venture addition to the City of Farmers Branch as recorded in Volume 80231, Page 0171 of the Map Records of the Dallas County Clerk's office;

THENCE continuing in an easterly direction along the south line of said Nicholson Road Joint Venture addition, passing the southeast corner of said addition, to a point in the centerline of Nicholson Road, said point also being in the east line of the Francis Miller Survey, Abstract No. 926 and on the west line of the Thomas L. Chenowith Survey, Abstract No. 325;

THENCE in a southerly direction along said common survey lines, a distance of approximately 65 feet to a point at the southwest corner of Lot 3, Block A of Farmers Branch Industrial Park West, as recorded in Volume 79129, Page 0865 of the Map Records of the Dallas County Clerks office;

THENCE in an easterly direction, along the south line of said Lot 3, a distance of 259 feet, more or less to a point in the west right-of-way line of the C.R.I.&P. railroad right-of-way that was conveyed to the City of Dallas as Tract 2 by deed recorded in Volume 86057, Page 0342 of the Deed Records of Dallas County, Texas;

THENCE in a southwesterly direction, along the west right-of-way line of said C.R.I.&P. railroad right-of-way, a distance of approximately 1,000 feet to a point;

THENCE crossing said railroad right-of-way, in an easterly, a distance of approximately 100 feet to a point in the east line of said railroad right-of-way, said point also being the most westerly north corner of Block A, Westside Addition Section 2 to the City of Farmers Branch, as recorded under instrument number 200600172709 of the Map Records of Dallas County, Texas;

THENCE along a northerly line of said Block A, Westside Addition Section 2, South 83°00’03”East, a distance of 18.19 feet to a point;

THENCE along said northerly block line South 59°25’40”East, for a distance of 96.43 feet to a point;

THENCE along said northerly block line South 45°08’55” East, for a distance of 107.01 feet to a point;

THENCE along said northerly block line North 47°58’52” East, for a distance of 134.59 feet to a point;

THENCE along said northerly block line North 70°15’08” East, for a distance of 99.68 feet to a point;

THENCE along said northerly block line North 80°02’32” East, for a distance of 105.72 feet to a point;

THENCE along said northerly block line North 82°50’28” East, for a distance of 63.13 feet to a point;

THENCE along said northerly block line North 85°32’28” East, for a distance of 79.41 feet to a point;

THENCE along said northerly block line North 89°30’55” East, continuing along said Block A, a distance of 472.13 feet to a point;

THENCE continuing along said Block A, Westside Addition Section 2, North 00°27’30” West, for a distance of 834.81 feet to a point;

THENCE continuing along said Block A, North 89°16’39” East, a distance of 371.39 feet to a point;

THENCE continuing along said Block A, North 00°00’14” West, for a distance of 442.26 feet to a point being the most northerly northwest corner of said Block A;

THENCE North 89°13’50” East, along the north line of said Block A to a point at the southwest corner of the east one-half of Lot 72 of Willowdale Addition, an unrecorded addition to the City of Farmers Branch, Dallas County, Texas;

THENCE departing said north line of Block A, in a northerly direction along the west line of said east one-half of Lot 72, a distance of 175 feet, more or less, to the northwest corner of the east one-half of said Lot 72, and being a point in the south right-of-way line of Springlake Road;

THENCE departing said northwest corner of said lot, in an easterly direction along said south right-of-way line, passing Lot 73 for a total distance of 187.5 feet to a point at the northeast corner of Lot 74 of said unrecorded addition;

THENCE departing said south right-of-way line and said northeast corner of said Lot 74, in a southerly direction along the east side of said Lot 74, a distance of 187.5 feet to a point at the southeast corner of said lot 74, said point also being in the north line of said Block A of said Westside Addition Section 2;

THENCE North 89°13’50” East, along the north line of said Block A to a point in the west right-of-way line of Interstate Highway 35E (IH35E) (a variable width right-of-way) said point being the northeast corner of said Block A;

THENCE South 04°47’56” East, along said west right-of-way line, for a distance of 1447.46 feet to a point;

THENCE South 05°53’10” East, along said west right-of-way line, for a distance of 323.33 feet to a point in the centerline of Mercer Parkway (a 100 foot wide right-of-way);

THENCE departing said west right-of-way line of IH35E along the south line of said Block A to a point at the southwest corner of said Mercer Parkway and Northern Parkway, said point also being the northeast corner of Block B of said Westside Addition Section 2;

THENCE in a southeasterly direction, along west right-of-way line of said Northern Parkway and the east side of said Block B, to a point at the southeast corner of said Block B;

THENCE departing said west right-of-way line of said Northern Parkway, along the south line of said Block B, a distance of 980.53 feet to a point at the southwest corner of said Block B, said point also being in the east right-of-way line of said C.R.I.&P. railroad and continuing across said railroad right-of-way, a distance of 100 feet more or less to the west line of said railroad right-of-way, said point also being in the east line of Block I of Westside Addition Section 1 an addition to the City of Farmers Branch as recorded in the office of the Dallas County Clerk by instrument number 200600172708;

THENCE in a southwesterly direction along the said west line of the railroad right-of-way and the said east line of said Block I, to a point at the southeast corner of said Block I, said point also being in the north right-of-way line of Interstate Highway No. 635 (LBJ Freeway);

THENCE in a westerly direction along said north right-of-way line of Interstate Highway No. 635 and the south line of said Block I, passing Knightsbridge Road (an 80 foot wide right-of-way) and continuing along the south line of Block E and the north line of said LBJ Freeway, to a point at the most southerly southwest corner of said Block E;

THENCE departing said north right-of-way line of LBJ Freeway, North 00°40’31”West, for a distance of 488.87 feet to a point;

THENCE South 88°56’53”West, for a distance of 1916.28 feet to a point in the east right-of-way line of Luna Road;

THENCE in a southeasterly direction along said east right-of-way line of Luna Road, to a point in the north right-of-way line of said LBJ Freeway, said point also being the northwest corner of a 7.105 acre tract of land known as Lot 1, Block 1, Tract F, Park West Phase V Addition, Volume 87007, Page 3105;

THENCE in an easterly direction, along said south right-of-way line of LBJ Freeway and the north line of said Park West Phase V addition to a point at the northeast corner of said addition;

THENCE in an easterly direction, along said south right-of-way line of said LBJ Freeway to its intersecting point with the west line of said C.R.I.&P. railroad right-of-way, being the POINT OF BEGINNING.

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I. Components of the Code

The *Mercer Crossing Code* provides the specific means to guide implementation of the citizen-endorsed vision adopted in the Farmers Branch *West Side Plan* for the development and redevelopment of properties comprising **Mercer Crossing.** The area included in **Mercer Crossing** and subject to the **Mercer Crossing Code** is graphically illustrated in Exhibit A and more specifically described in Exhibit B.

The *Mercer Crossing Code* is designed to foster a setting for economic growth and diverse urban neighborhoods in a sustainable mixed-use pattern. A series of vibrant, diverse urban centers will be integrated with employment and commercial districts (as well as recreational opportunities).

The **Mercer Crossing Code** is primarily organized around three general development districts: the urban center, the urban center reserve and the commerce district. The ***urban center*** establishes a detailed urban street grid and sets forth specific standards designed to produce a mixed-use, pedestrian-oriented place characterized by broad sidewalks and street trees, shop fronts, sidewalk cafes, and other commercial uses at street level, with upper story residences or offices. The ***urban center reserve*** will allow for the future expansion of the ***urban center*** subject to City Council approval of a REGULATING PLAN that would be prepared by the developer. The ***commerce districts*** have more flexible development standards, allowing for commercial development ranging from small, single lot, one story, single-use projects (such as stand-alone office or retail buildings, including "big box" retail) to large, multi-site, multi-story mixed use developments, shopping centers, business parks or corporate campuses. 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. These districts are designated on the Mercer Crossing Regulating Plan.

The *Mercer Crossing Code* (also referred to herein as "the **Code**") is a legal document that regulates land-development by setting careful and coherent controls on building form—while employing more flexible parameters relative to building use and density. This greater emphasis on physical form is intended to produce safe, attractive and enjoyable public spaces (good streets, neighborhoods and parks) complemented with a healthy mix of uses. With proper urban form, a greater integration of building uses is natural and comfortable. The **Mercer Crossing Code** uses simple and clear graphic prescriptions and parameters for <u>height</u>, <u>siting</u>, and <u>building elements</u> to address the basic necessities for forming good public space.

Wherever there appears to be a conflict between the *Mercer Crossing Code* and other sections of the *Farmers Branch Comprehensive Zoning Ordinance* (as applied to a particular development in Mercer Crossing), the requirements specifically set forth in the **Mercer Crossing Code** shall prevail. For development standards not covered by the **Mercer Crossing Code**, the other applicable sections in the *Farmers Branch Comprehensive Zoning Ordinance* shall be used as the requirement.

Similarly, all development must comply with all pertinent Federal, State or local regulations and ordinances.
The ***Mercer Crossing Code*** is comprised of: the ***Regulating Plan***, illustrative ***Street Type Specifications,*** the ***Building Envelope Standards***, ***Streetscape Standards***, ***Architectural Standards***, ***Administrative Procedures***, ***Definitions***, and **Mid Density Residential**.

How to Use this Code

In order to understand what the Code allows on property within **Mercer Crossing** there are three basic steps.

1. Look at the **REGULATING PLAN**. Find the property. Note the REQUIRED BUILDING LINE (RBL) and the PARKING SETBACK LINE. Note the color of the fronting STREET-SPACE – this determines the BUILDING ENVELOPE STANDARD for buildings fronting that street(s). (See the key at the upper right of the REGULATING PLAN.)
2. Look at the appropriate **BUILDING ENVELOPE STANDARD** page in the Code. This page will tell you the basic parameters for building on this site in terms of Height, Siting, Elements, and Use.
3. Look at the **ARCHITECTURAL STANDARDS** section to understand the parameters for the external building materials and architectural configurations.

This information explains where the building will sit on the street, the limits on its three dimensional form, the range of uses, and the palette of materials that will cover it. *For exact dimensions specific to your property consult with City staff.*

For additional information regarding the STREET-SPACE, look to the **STREET TYPES** and the **STREETSCAPE STANDARDS.** These will show the prescriptions for the character of the STREET-SPACE including vehicular traffic lane widths, curb radii, sidewalk and tree planting area dimensions, and on-street parking configurations.

Definitions

Wherever a word is in SMALL CAPITAL LETTERS format, consult the **Definitions** for the specific meaning. Words used in the **Mercer Crossing Code,** but not defined by the **Mercer Crossing Code,** which are defined in the *Farmers Branch Comprehensive Zoning Ordinance*, shall have the meanings set forth therein.

The Regulating Plan

The **REGULATING PLAN** is the key document for the **Mercer Crossing Code** that provides specific information on permitted development for each building site. The REGULATING PLAN also shows how each LOT relates to public spaces (STREETS, CIVIC GREENS, PEDESTRIAN PATHWAYS, etc.) and the surrounding neighborhood. There may be additional regulations for LOTS in special locations as identified in the REGULATING PLAN.

The Street-Type Specifications

The Street-Type Specifications illustrate typical configurations for streets within **Mercer Crossing**. Specifications address vehicular traffic lane widths, curb radii, sidewalk and tree planting area dimensions, and on-street parking configurations.

The Building Envelope Standards

The **BUILDING ENVELOPE STANDARDS** establish basic parameters governing building form, including the envelope for building placement (in three dimensions) and certain permitted/required building elements, such as shopfronts, BALCONIES, and STREET WALLS. The BUILDING ENVELOPE STANDARDS establish both the boundaries within which things may be done and specific things that must be done. The applicable standard for a building is determined by its STREET FRONTAGE contained in the REGULATING PLAN. This produces a coherent STREET-SPACE and allows the building greater latitude behind its street FACADE.

The intent of the BUILDING ENVELOPE STANDARDS is to shape vital public space—and specific physical and functional character—throughout **Mercer Crossing** through placement and envelope controls on buildings that frame the STREET-SPACE. They aim for the minimum level of control necessary to meet that goal.

The Streetscape and Architectural Standards

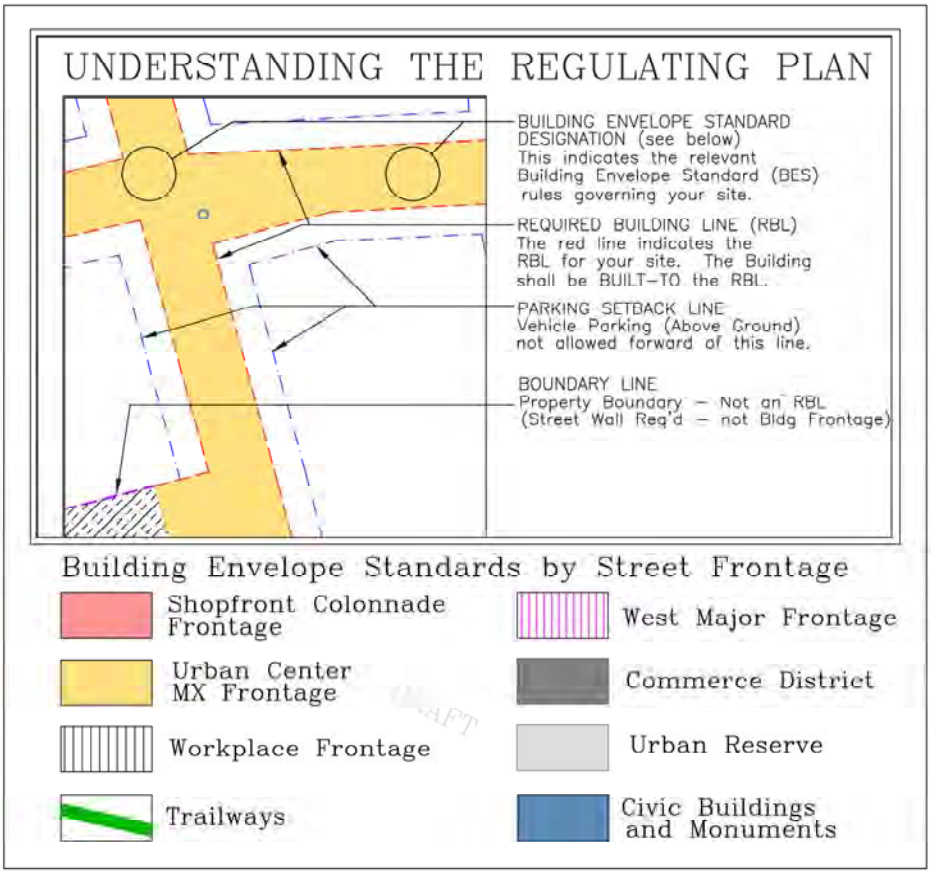
The purpose of the **Streetscape Standards** is to ensure coherent STREET-SPACE and to assist builders and owners with understanding the relationship between the public space of the **Mercer Crossing** and their own building. These standards set the parameters for the placement of street-trees and other amenities or appurtenances (e.g., benches, signs, STREET LIGHTS, etc.) on or near each building site.

The goal of the **Architectural Standards** is a coherent and pleasing architectural character that is complementary to the best local traditions. The **Architectural Standards** govern a building's architectural elements regardless of its BUILDING ENVELOPE STANDARD and set the parameters for allowable materials, configurations, and construction techniques. Equivalent or better products than those specified are always encouraged and may be submitted for approval to the City.

II. The Regulating Plan

A. Understanding the REGULATING PLAN

A REGULATING PLAN provides standards for the disposition of each property or lot and illustrates how each relates to the adjacent properties and STREET-SPACE. Building on the ***Farmers Branch West Side Plan***, a REGULATING PLAN has been produced for area within Farmers Branch known as **Mercer Crossing**.



<u>Building Sites are Coded by their STREET FRONTAGE</u>

The key above explains the elements of the REGULATING PLAN and serves as a reference when examining the REGULATING PLAN.

The REGULATING PLAN is the controlling document and principal tool for implementing the ***Mercer Crossing Code.*** It identifies: 1) the Urban Center, the Urban Center Reserve, and the Commerce Districts; 2) the BUILDING ENVELOPE STANDARD (BES) for each building site within the Urban Center; and 3) the BES frontages for additional streets within Mercer Crossing.

B. Rules for New Development

New development in **Mercer Crossing** shall integrate street (roadway) design and land development to create a complementary and connected pattern for growth and development. The rules below will establish/create (either) compact, mixed-use centers or provide flexible opportunities for large-scale employment and commerce districts (see REGULATING PLAN).

1. Streets, BLOCKS and ALLEYS in the Urban Center(s)

A. Connectivity of the street grid throughout **Mercer Crossing**, specifically intersection alignments, is regulated by the **Mercer Crossing** Code. For certain streets (***types 66*** and ***58***, see the ***Street Specification Diagram***), the center line may be moved up to seventy-five (75) feet in either direction, as long as: the street connectivity is maintained; no intersection occurs within 100 feet of another intersection; and the BLOCK configuration meets the standards defined in *Item C* below.

B. All lots shall share a frontage line with a STREET-SPACE.

C. All lots and/or all contiguous lots shall be considered to be part of a BLOCK for this purpose. No BLOCK face shall have a length greater than 400 feet without an ALLEY, common drive or access easement, or PEDESTRIAN PATHWAY providing through-access to another street, ALLEY or common access easement, STREET-SPACE, or conservation restricted land. Individual lots with less than 75 feet of frontage are exempt from the requirement to interrupt the BLOCK face; those with over 250 feet of frontage shall meet the requirement within their lot, unless already satisfied within that BLOCK face.

D. ALLEYS or common access easements shall provide access to the rear of all lots, except where lots are on a perimeter common to a Commerce District or non-developable or conservation lands. ALLEY construction is required as part of the redevelopment project within the rear setback, unless an ALLEY already exists. Alleys shall be constructed to meet the City construction standards in order to be suitable for emergency and service vehicle access.

E. Where an ALLEY does not exist and is not constructed at the time of redevelopment of any property, the developer is required to dedicate the ALLEY right of way within the rear setback to the City, build the ALLEY, maintain the area within the rear setback by, at a minimum:

1. Sodding and providing routine landscape maintenance to the area.
2. Keeping the area clear of debris, stored materials, and vehicles.

F. Curb Cuts shall be limited to no more than one per 200 feet of STREET FRONTAGE.

2. Streets, BLOCKS and ALLEYS in Commerce Districts

A. Curb Cuts shall be limited to no more than one per 100 feet of STREET FRONTAGE.

B. Connectivity of the street grid throughout **Mercer Crossing**, specifically intersection alignments, is a goal of the **Mercer Crossing Code**. Where a street stub-out is shown on the REGULATING PLAN, no other curb cut/intersecting street is permitted within 100 feet.

3. BUILDINGS

A. The hierarchy of BUILDING ENVELOPE STANDARDS (BES), in descending order is: SHOPFRONT COLONNADE SITES, URBAN CENTER SITES, WORKPLACE SITES, and WEST MAJOR SITES. The maximum building floor-plate (footprint) for SHOPFRONT COLONNADE and URBAN CENTER sites is 60,000 square feet; beyond that limit a special exception is necessary. There is no maximum floor-plate limitation for WORKPLACE and WEST MAJOR sites.

B. For each BLOCK face within the designated URBAN CENTER areas, building(s) along the RBL shall present a complete and discrete vertical FAÇADE composition (i.e., a new FAÇADE design) at an average STREET FRONTAGE length of no greater than sixty (60) feet for SHOPFRONT COLONNADE SITES; and seventy-five (75) feet for URBAN CENTER SITES. Each FAÇADE composition shall include a functioning, primary STREET-SPACE entry. This requirement may be satisfied through the use of liner shops for large floor-plate buildings. Individual infill projects on lots with frontage of less than 100 feet are exempted from the FAÇADE composition requirement (for sites that straddle/split the Urban Center and Commerce District designation, the portion of the site outside of the designated URBAN CENTER area is not included).

C. When the BUILDING ENVELOPE STANDARD (BES) designation changes along a STREET FRONTAGE, the property owner has the option of applying either BES for a maximum additional distance of 75 feet in either direction along that frontage.

4. STREETSCAPE

A. STREET TREES shall be planted by the developer at the time of development at an average spacing of no greater than thirty (30) feet on the side(s) of the STREET-SPACE being developed.

B. At the time of development, the developer is required to install sidewalks.

5. PARKING

A. Parking goals for **Mercer Crossing**:

- Enable people to park once at a convenient location and to access a variety of commercial and civic enterprises in pedestrian friendly environments by encouraging shared parking.
- Reduce diffused, inefficient, single-purpose reserved parking.
- Maximize on-street parking.
- Increase visibility and accessibility of parking.

B. Parking standards for **Mercer Crossing**:

1. A minimum of 1 and 1/8 parking space per residential unit, of which a minimum of 1/8 parking space per residential unit shall be provided as shared parking. There are no maximum limits on shared parking.
2. A minimum of one space per 1,000 square feet of non-residential Gross Floor Area (GFA) shall be provided as shared parking; there are no set maximum limits on shared parking. New on-street parking spaces created in conjunction with the development, which did not previously exist, may be counted toward the minimum

requirement for shared parking. Any limitations on the shared parking (time limits or hours of the day) shall be subject to approval by the City Manager, or appointed designee, which shall be given upon a finding that at least 12 hours of public parking are provided in any 24-hour period and that at least 8 of those hours are provided during either business or nighttime hours depending whether the City Manager determines that the primary public use will be for commercial or residential uses.

3. A maximum of one space per 1,000 square feet of non-residential GFA or two spaces per residential unit may be made available for reserved parking.
4. Commerce Districts are exempt from all shared parking requirements.
   - Achieving parking requirements:

     Parking requirements may be met either on-site or within a radius of 600 feet of the development parcel.

     Shared parking shall be designated by appropriate signage and markings as required by City policy.

C. RULES FOR NEW REGULATING PLANS *(Urban Center Reserve land subdivision)*

1. INTRODUCTION

As described previously, this Code includes a REGULATING PLAN – the "coding key" – for the **Mercer Crossing** Urban Center. All development within the urban center shall comply with this REGULATING PLAN.

Prior to development of land designated ***urban center reserve***, *approval* of a REGULATING PLAN by City Council is required. A REGULATING PLAN for any area within the ***urban center reserve*** shall be prepared in accordance with the following requirements:

2. GENERAL REQUIREMENTS FOR NEW REGULATING PLANS

The overall goal of these prescriptions is the creation of good urban form. New REGULATING PLANS should be created to achieve a new urban neighborhood or to extend and complement an existing REGULATING PLAN. Tracts of land initially located within the ***urban center reserve*** that are subsequently changed to the ***urban center*** designation should be developed as pedestrian-oriented, mixed-use places characterized by an interconnected street and block pattern and providing for a variety of public spaces.

A. The regulating plan identifies three (3) urban center reserve districts. Prior to development occurring in any of the urban center reserve districts, a REGULATING PLAN must be prepared for the entire district in which the development is located.

B. When an area is to be added to the **Mercer Crossing** Urban Center, it shall provide for a mix of uses and all **Mercer Crossing** Code standards for the Urban Center shall be met, including: the BES, streetscape standards, architectural standards, typical street sections, and the rules for new development (above).

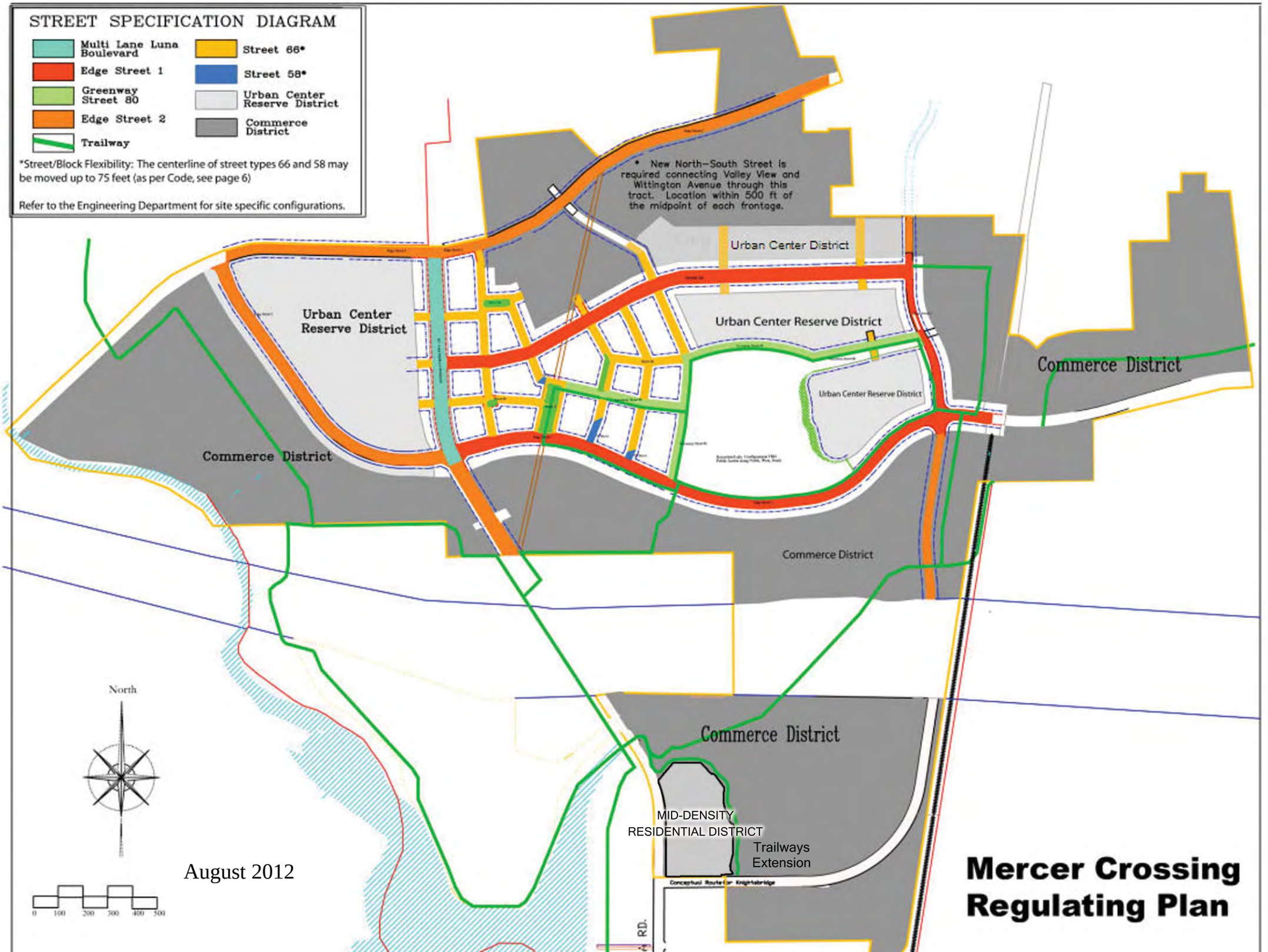
C. In order for a new REGULATING PLAN to be approved:

1) All lots shall share a FRONTAGE LINE with a street.
2) A central CIVIC GREEN or SQUARE of at least 10,000 square feet shall be provided per each district of 30 acres, or portion thereof. The CIVIC GREEN or SQUARE area shall be measured independent of the adjoining street rights-of-way. This will contribute to the collection of public spaces in **Mercer Crossing** specifically, and the West Side in general.
3) CIVIC GREENS or SQUARES of smaller size shall be distributed throughout the district so that no lot is farther away than a 5-minute walk (i.e., 1300 feet).
4) Public spaces—CIVIC GREENS or SQUARES—shall constitute no less than 4% of the net lot area of any new urban center district.
5) The central CIVIC GREEN or SQUARE shall be located within a radius of 500 feet of the geometric center of the lots and shall have at least 60% of its perimeter abutting a STREET-SPACE.
6) The perimeter dimension of all BLOCKS within a subdivision shall not exceed 1500 feet. BLOCKS shall be measured at the external/RBL lines (or along public rights-of-way or other public or private property lines where an RBL is not present). All lots and/or all contiguous lots shall be considered to be part of a BLOCK for this purpose.
7) No BLOCK face shall have a length greater than 400 feet without an ALLEY, common drive or access easement, or PEDESTRIAN PATHWAY providing through-access to another street, ALLEY or common access easement, STREET-SPACE, or conservation-restricted land. Individual lots with less than 75 feet of frontage are exempt from the requirement to interrupt the BLOCK face; those with over 250 feet of frontage shall meet the requirement within their lot, unless already satisfied within that BLOCK face.
8) ALLEYS or common access easements shall provide access to the rear of all lots, except where lots are on a perimeter common to a Commerce District or non-developable or conservation lands. ALLEY construction is required as part of the redevelopment project within the rear setback, unless an ALLEY already exists. Alleys shall be constructed to meet the City construction standards in order to be suitable for emergency and service vehicle access.
9) BUILDING ENVELOPE STANDARDS shall be either URBAN CENTER or SHOPFRONT COLONNADE along Luna Road and WEST MAJOR along Mercer Parkway west of Luna Road and Valley View Lane. The same BUILDING ENVELOPE STANDARDS shall face across streets, framing the same STREET-SPACE.

10) When separated by an ALLEY or a COMMON LOT LINE when fronting different STREET-SPACE (i.e. a corner lot and its adjacent lot), building types from any category may sit adjacent or alongside one another, but shall not face across a STREET-SPACE. Such BUILDING ENVELOPE STANDARD changes shall be consistent on both sides of the STREET-SPACE and shall not occur more than once per 200 lineal feet of STREET-SPACE length.
11) Streets used for new REGULATING PLANS may be chosen from the street types required in the *urban center* proper. Streets intersecting and connecting across Mercer Parkway; Wittington Place, Luna Road, and/or Knightsbridge Road shall continue the same street type (unless otherwise specified in the existing Urban Center Regulating Plan).

D. REGULATING PLAN

The following page contains the REGULATING PLAN for **Mercer Crossing**.


STREET SPECIFICATION DIAGRAM
Multi Lane Luna Boulevard
Edge Street 1
Greenway Street 80
Edge Street 2
Trailway
Street 66*
Street 58*
Urban Center Reserve District
Commerce District
*Street/Block Flexibility: The centerline of street types 66 and 58 may be moved up to 75 feet (as per Code, see page 6)
Refer to the Engineering Department for site specific configurations.
* New North-South Street is required connecting Valley View and Wittington Avenue through this tract. Location within 500 ft of the midpoint of each frontage.
Urban Center District
Urban Center Reserve District
Urban Center Reserve District
Urban Center Reserve District
Commerce District
Commerce District
Commerce District
Commerce District
MID-DENSITY RESIDENTIAL DISTRICT
Trailways Extension
Conceptual Route for Knightsbridge
North
0 100 200 300 400 500
August 2012
Mercer Crossing Regulating Plan

E. Street Types

The streets serving **Mercer Crossing** will balance the needs of all forms of traffic, auto and pedestrian, to maximize mobility and convenience for citizens of Farmers Branch and visitors to **Mercer Crossing**. While all streets will appropriately balance pedestrian and automobile needs, their character will vary with their location. Some streets will carry a large volume of traffic and provide a more active and intense urban pedestrian experience while others will provide a less active and more intimately scaled STREET-SPACE.

The Street-Type specifications illustrate *typical* configurations for STREET-SPACES within **Mercer Crossing**. The specifications address vehicular traffic lane widths, curb radii, sidewalks, tree planting area, and on-street parking configurations. They also provide comparative pedestrian crossing distances as a gauge of pedestrian comfort.

Modifications to the STREET-SPACE specifications may be allowed if necessary to accommodate or respond to specific conditions. The modifications shall be the minimum necessary to address a specific situation or circumstance in order to preserve the integrity of the STREET-SPACE and minimize impact on the pedestrian experience, and shall be limited to the following:

- Adding turn lanes to respond to critical traffic needs;
- Adding medians at intersections when such medians provide enhancements, enhance the pedestrian safety, or address critical traffic needs;
- Prohibiting on-street parking during peak periods; or
- Adding or deleting lanes adjacent to CIVIC GREENS or SQUARES or other public spaces to enhance access or encourage pedestrian usage.

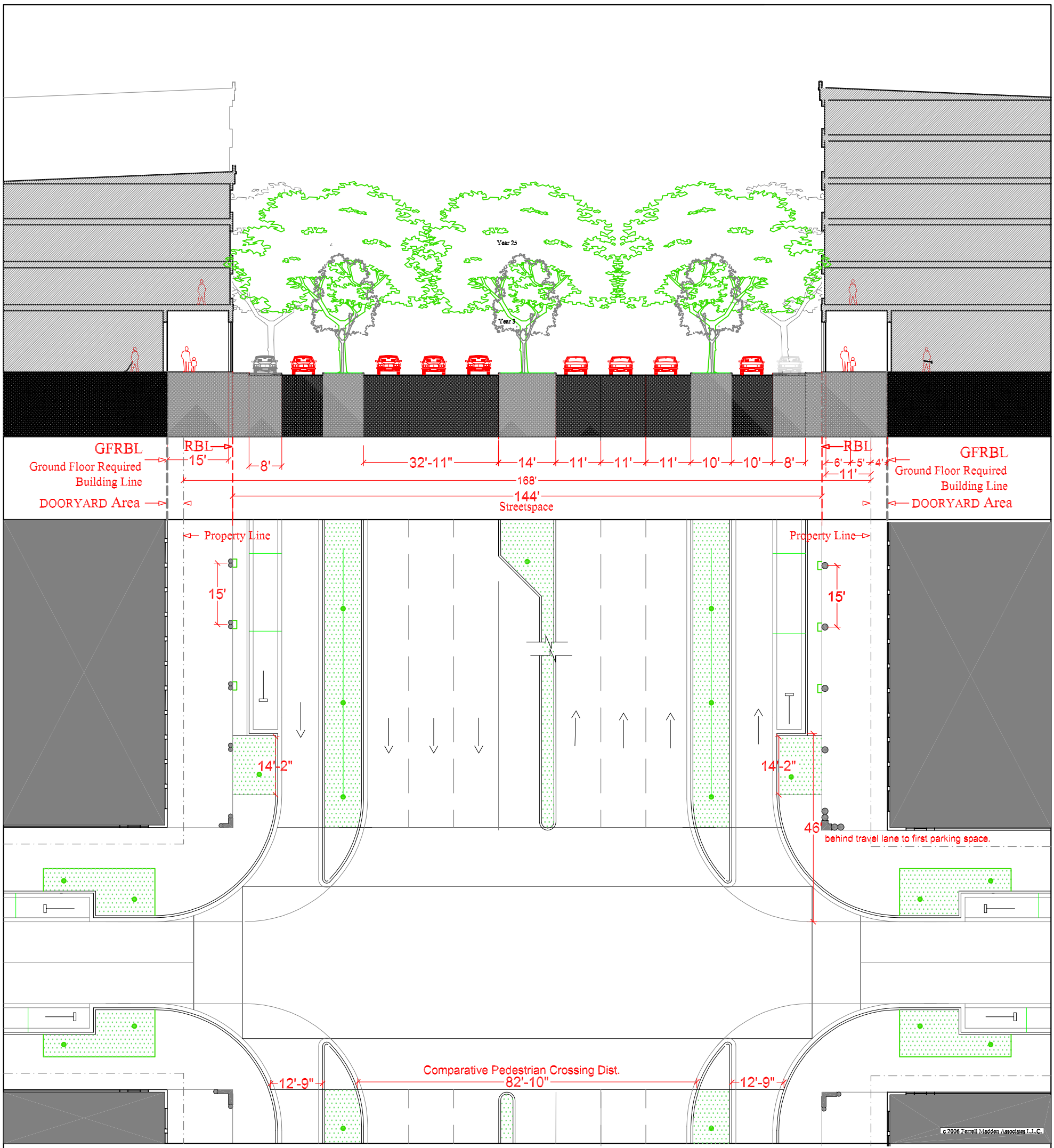
Streets existing at the time of this Code's adoption that are not consistent with the STREET-SPACE specifications set forth herein may be exempted from certain of these specifications. However, such exemption shall not include the requirement to provide street trees, sidewalks, trails or pathways, on-street parking and other required STREET-SPACE appurtenances.

Valley View Lane

The number of lanes for Valley View Lane shown in the STREET-SPACE specifications is for illustrative purpose only. The exact number of lanes shall be set forth in the City-wide Master Thoroughfare Plan.

Trails

Trails are proposed to accommodate alternative transportation modes to the automobile; to promote walking and the use of bicycles; and to increase mobility and convenience. Trails shall be minimum twelve (12) feet wide and situated within easements no less than sixteen (16) feet wide. However, where trails coincide with streets shown on the REGULATING PLAN, the required sidewalks may satisfy the trail requirement within the applicable STREET-SPACE specifications.

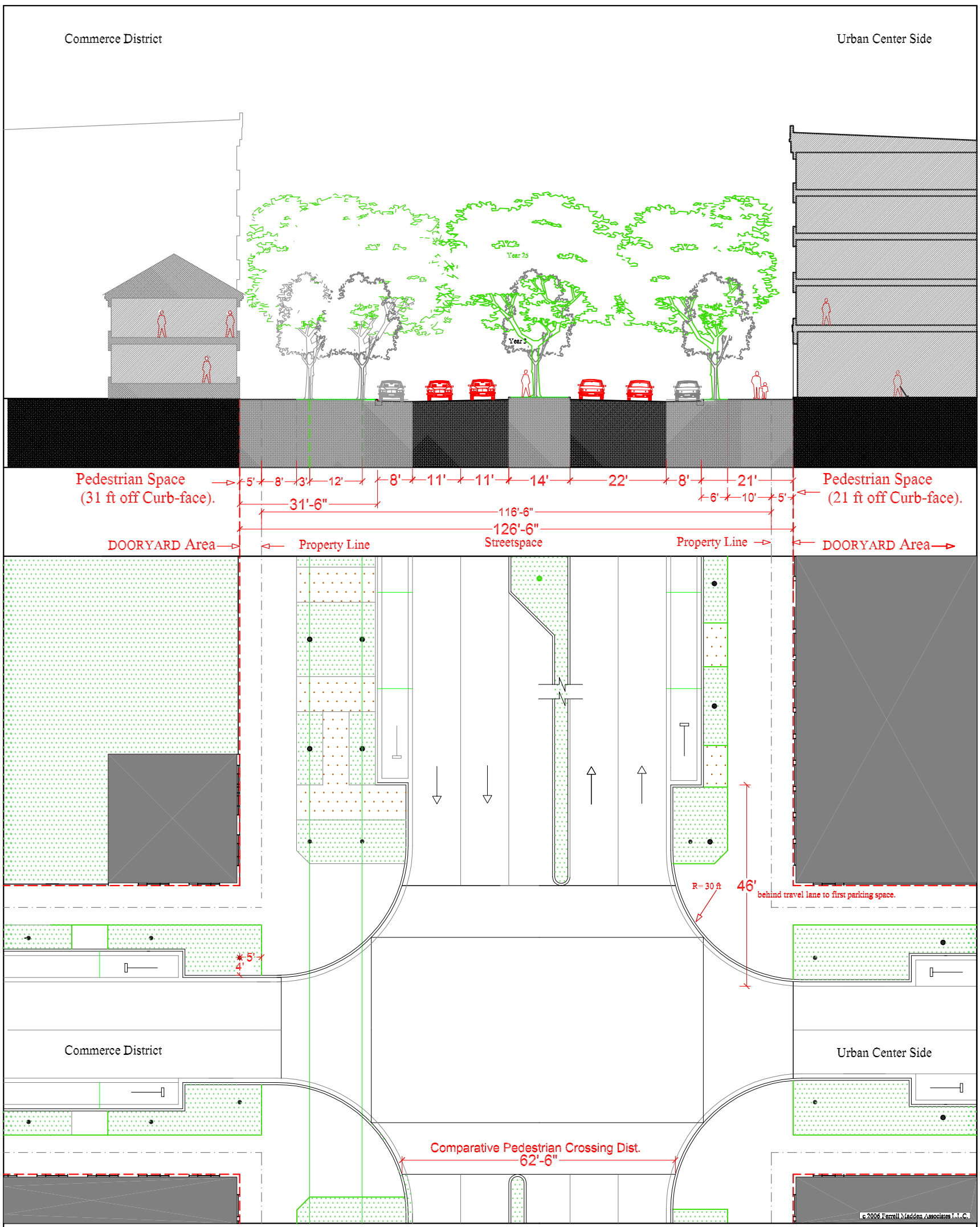


West Side: Luna Boulevard (with Shopfront Colonnade Frontage)

STREETSPACE: 144 feet. Sidewalks: 15 feet within Colonnade: (6 foot clear sidewalk, 4 foot DOORYARD area). Central Travel Lanes: 6 @ 11 feet, Slip Lane 2 @ 10 feet, Parking Lanes: 8 feet. Central Treed Median: 14 feet. Treed Side Medians: 10 feet. Comparative Pedestrian Crossing Distance 83 feet (dimension crossing through lanes).

Note: These drawings are for Illustrative Purposes Only. Refer to the Engineering Department for the Situation Specific to your Site.

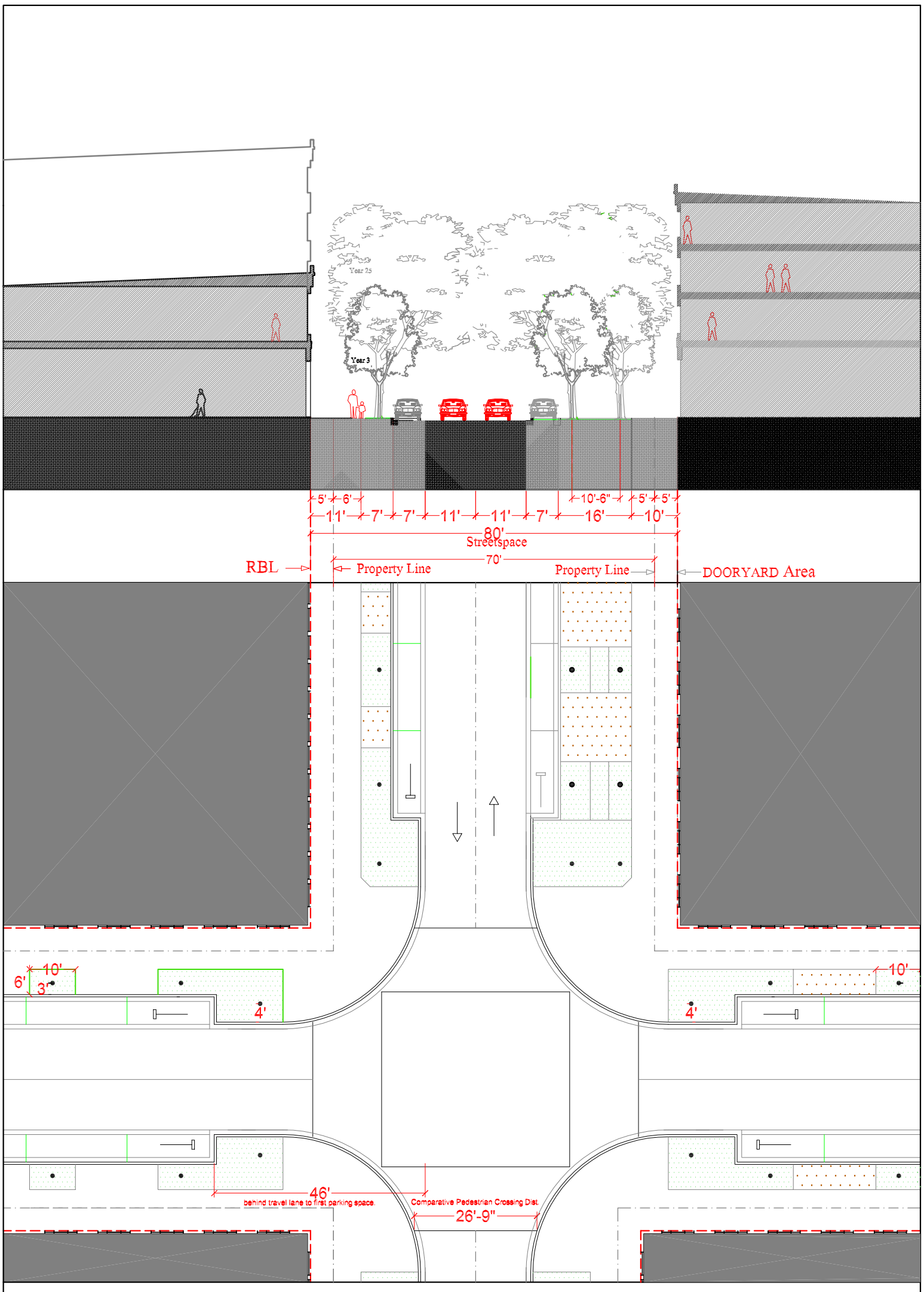
FMA: 6/9/06



West Side: Urban Center Edge One Streets (concurrent URBAN CENTER and WORKPLACE)

STREETSPACE: 126 feet (at this configuration). Pedestrian Area width 31 ft: Sidewalk 13 ft, 18 ft treelawn; and 21 ft: sidewalk 15 ft, 6 ft treelawn. Travel Lanes: (varies) @ 11 feet, Treed Median (optional): preferred minimum 14 feet. Comparative Pedestrian Crossing Distance 62 feet (at this configuration --all dimensions to face of curb).

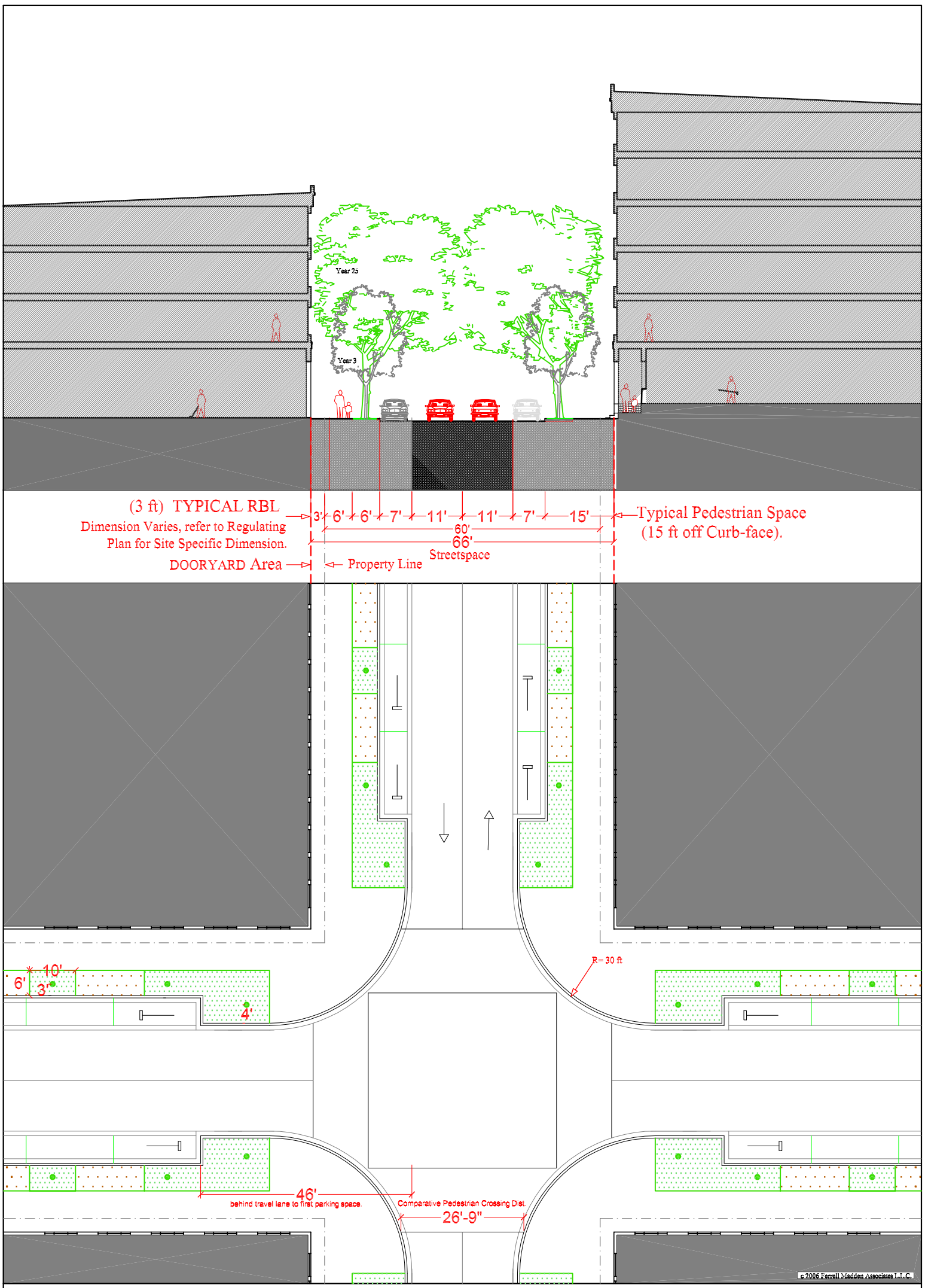
Note: These drawings are for Illustrative Purposes Only. Refer to the Engineering Department for the Situation Specific to your Site. FMA: 6/9/06



West Side Greenway Street 80

STREETSPACE: 80 feet. Pedestrian Area width 18 ft: Sidewalk 11 ft, 7 ft treelawn, 11 ft clear and 26 ft: sidewalk 10 ft, 16 ft treelawn. Travel Lanes: 2 @ 11 feet. Dedicated Parking Lanes: 7 feet. Comparative Pedestrian Crossing Distance 27 feet (all dimensions to face of curb at crossing).

Note: These drawings are for Illustrative Purposes Only. Refer to the Regulating Plan for the Situation Specific to your Site. FMA: 6/9/06

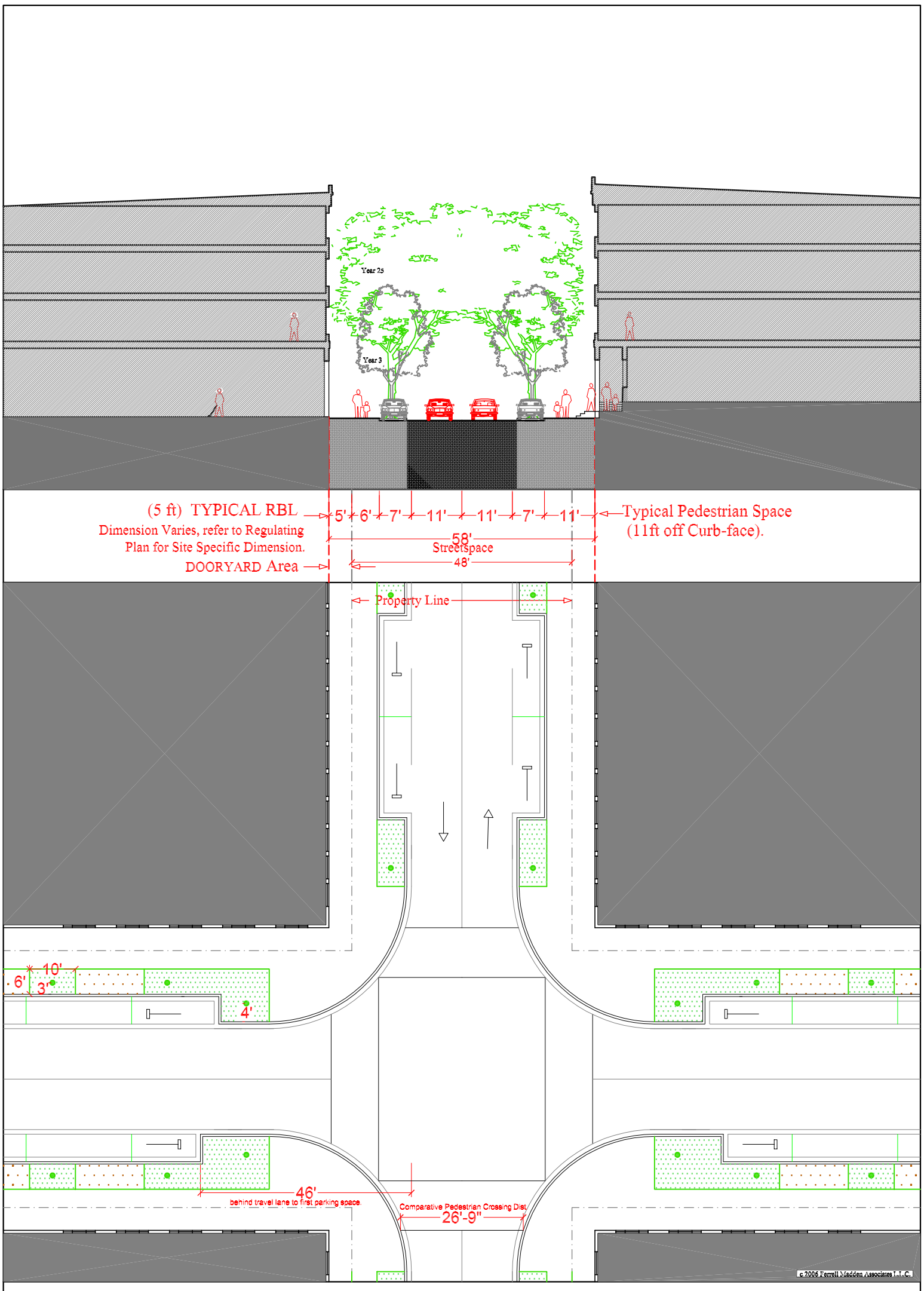


West Side: Street 66

STREETSPACE: 66 feet. Pedestrian Area width 15 ft (6 feet tree, sidewalks 6 feet clear, 3ft DOORYARD).
Travel Lanes: 2 @ 11 feet. Dedicated Parking Lanes: 7 feet. Tree Planters: 6 x 10 feet open area, connected.
Comparative Pedestrian Crossing Distance 26 feet (all dimensions to face of curb).

Note: These drawings are for Illustrative Purposes Only. Refer to the Regulating Plan for the Situation Specific to your Site.

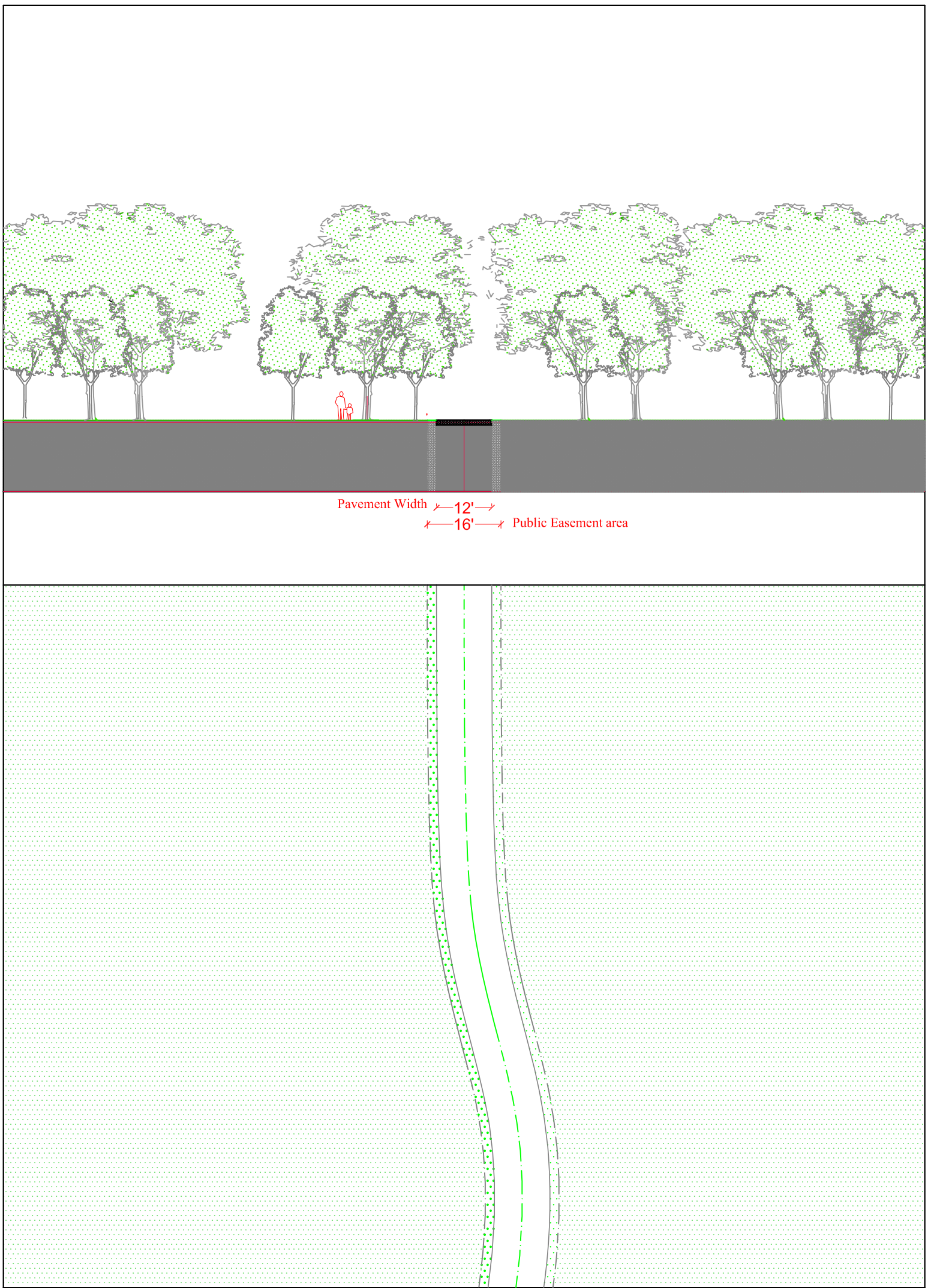
FMA: 6/9/06



West Side: Local Street 58

STREETSPACE: 58 feet. Sidewalks: 11 ft (6 feet clear, 5ft DOORYARD). Travel Lanes: 2 @ 11 feet.
Dedicated Parking/Street Tree Lanes: 7 feet. Tree Planters: 6.5 x 14 feet minimum.
Comparative Pedestrian Crossing Distance 27 feet (all dimensions to face of curb).

Note: These drawings are for Illustrative Purposes Only. Refer to the Regulating Plan for the Situation Specific to your Site. FMA: 6/9/06



Mercer Crossing Trails

Trail Easement Width: 16 feet. Pavement Width: 12 feet. Paving Material: reinforced Concrete, 6 inches in depth.

Comparative Animal Crossing Distance 12 feet (all dimensions to edge of pavement).

Note: These drawings are for Illustrative Purposes Only. Refer to the City of Farmers Branch for the Situation Specific to your Site.

III. Building Envelope Standards

The REGULATING PLAN identifies the BUILDING ENVELOPE STANDARDS (BES) for all building sites within the **Urban** Center and some additional STREET FRONTAGES within **Mercer Crossing**. The goal of the BES is the creation of a healthy and vital public realm through good STREET-SPACE. Deviations from the BES can be approved only through a *Special Exception Process* as provided for in **Article VI. Administration** of this Code. The BES set the basic parameters governing building construction, including the building envelope (in three dimensions) and certain required and/or permitted elements, such as COLONNADES, STOOPS, balconies, porches, and STREET WALLS.

A. General Guiding Principles for URBAN CENTERS

- Buildings are aligned and close to the street.
  Buildings form the space of the street.

- The street is a coherent space, with consistent building forms on both sides.
  This agreement of buildings facing across the STREET-SPACE contributes to a clear public space and STREET-SPACE identity.

- Buildings oversee the STREET-SPACE with active fronts.
  This overview of the STREET-SPACE contributes to vital and safe public space.

- Property lines are physically defined by buildings, walls, or fences.
  Land should be clearly *public* or *private*—in public view and under surveillance or private and protected.

- Buildings are designed for towns and cities.
  Rather than being simply pushed closer together, as in many suburban developments, buildings must be designed for the urban situation within towns and cities. Views are directed to the STREET-SPACE and interior gardens/court-yards, not into neighboring lots.

- Vehicle storage/parking, (not including on-street parking), garbage and mechanical equipment are kept away from the STREET-SPACE.

B. COMMERCE DISTRICT DEVELOPMENT STANDARDS

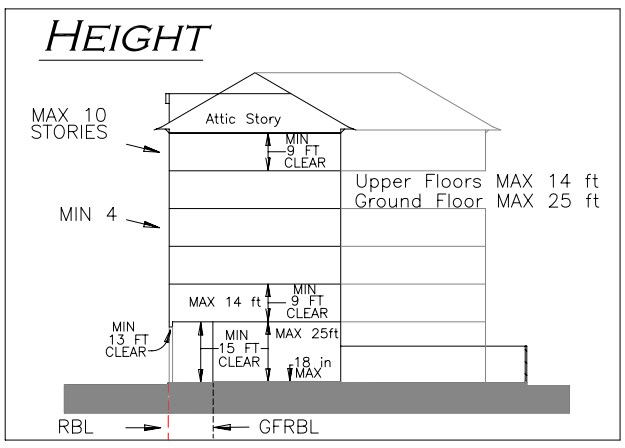
Within the COMMERCE DISTRICT the BUILDING ENVELOPE STANDARD prescriptions of this Code apply only to those RBL frontages along Mercer Parkway, Knightsbridge Road, Wittington Place, Luna Road, and Valley View Lane as designated on the REGULATING PLAN to a lot depth of 100 feet (measured from the right of way line). Properties within the COMMERCE DISTRICT that are not required to comply with the BES prescriptions (i.e., properties or portions of properties located beyond the 100 foot depth threshold) shall comply with the development standards set forth in the Farmers Branch Comprehensive Zoning Ordinance for Light Industrial (LI) zoning districts.

This provision relates to LI development standards exclusively, (e.g., including but not limited to, setbacks, floor area ratio, landscaping, building height, signage, performance standards, sanitation, loading spaces etc.) and *shall not be construed to include LI uses*. Uses permitted in the COMMERCE DISTRICTS are limited strictly to those specified in the Mercer Crossing Code herein.

C. BUILDING ENVELOPE STANDARDS

The following pages contain the BUILDING ENVELOPE STANDARDS for Mercer Crossing.

Building Envelope Standards: Shopfront Colonnade Sites



Building Height
1. The height of the principal building is measured in STORIES.
2. Each principal building shall be at least four (4) STORIES in height, but no greater than ten (10) STORIES in height, except as otherwise provided on the REGULATING PLAN. Attic story is excluded from minimum and maximum height calculation.

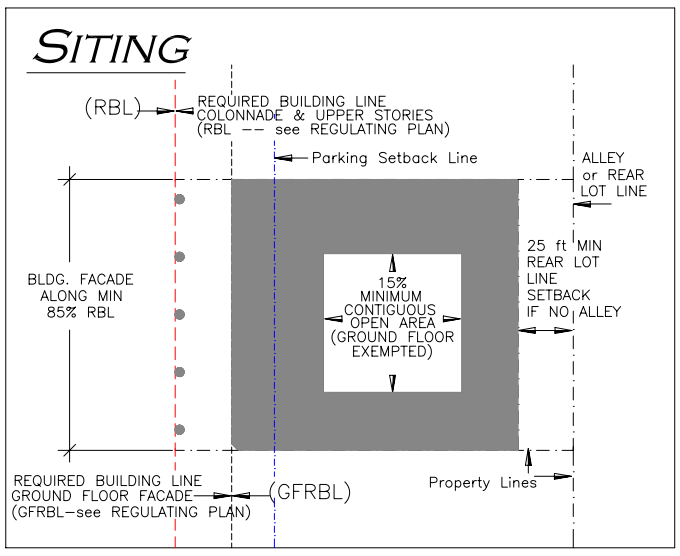
Parking Structure Height
Where a parking structure is within 40 feet of any principal building that portion of the structure shall not exceed the buildings EAVE or PARAPET HEIGHT.

GROUND STORY Height:
1. The GROUND STORY finished floor elevation shall be equal to, or greater than, the adjacent exterior sidewalk elevation up to a maximum finished floor elevation of eighteen (18) inches.
2. The GROUND STORY shall have at least fifteen (15) feet of clear interior height (floor to ceiling) contiguous to the GFRBL frontage for at least one-half (½) of its area.
3. The maximum STORY HEIGHT for the GROUND STORY is twenty-five (25) feet.

Upper STORY Height
1. The maximum floor-to-floor STORY HEIGHT for STORIES other than the GROUND is fourteen (14) feet.
2. At least eighty percent (80%) of each upper STORY shall have an interior clear height (floor to ceiling) of at least nine (9) feet.

Mezzanines
Mezzanines having a floor area greater than one-half (½) of the floor area of the STORY in which the mezzanine is situated shall be counted as a full STORY.

STREET WALL Height
1. A STREET WALL not less than six (6) feet in height or greater than eighteen (18) feet in height shall be required along any GFRBL frontage that is not otherwise occupied by a building on the lot.
2. STREET WALL height shall be measured from the adjacent public sidewalk or, when not adjacent to a sidewalk, from the ground elevation once construction is complete.



Street FACADE
1. On each lot the building FAÇADE shall be built to the RBL for at least eighty-five percent (85%) of its RBL and/or GFRBL length.
2. The building FAÇADE shall be built to the RBL and GFRBL within thirty (30) feet of a BLOCK CORNER.
3. These portions of the building FAÇADE (the required minimum build to) may include jogs of not more than eighteen (18) inches in depth except as otherwise provided to allow SHOPFRONTS, and BAY WINDOWS (upper STORIES only).
4. GROUND STORY unit frontage widths shall be a maximum of one hundred twenty (120) feet.

BUILDABLE AREA
1. Buildings may occupy any portion of the lot behind the RBL (and GFRBL) exclusive of any setbacks required by this Code
2. A contiguous OPEN AREA equal to at least fifteen percent (15%) of the total BUILDABLE AREA shall be preserved on every lot. Such contiguous OPEN AREA may be located anywhere behind the PARKING SETBACK LINE, either at grade or at the second or third STORY.
3. No part of any building, except overhanging eaves, AWNINGS, or BALCONIES shall occupy the remaining lot area.

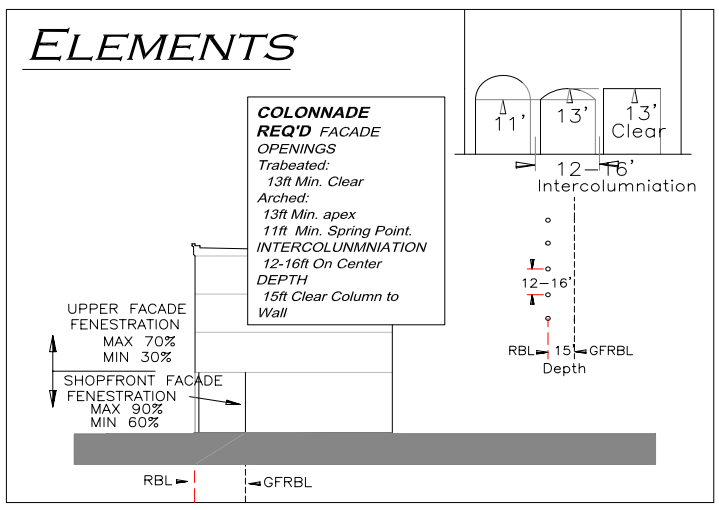
Side Lot Setbacks
There are no required side lot setbacks.

Garage and Parking
1. GARAGE ENTRIES or driveways shall be located at least seventy-five (75) feet away from any BLOCK CORNER or another GARAGE ENTRY on the same BLOCK, unless otherwise designated on the REGULATING PLAN.
2. GARAGE ENTRIES shall have a clear height of no greater than sixteen (16) feet nor a clear width exceeding twenty-four (24) feet.
3. Designated GARAGE ENTRIES and ALLEYS shall be the sole means of vehicular access to a lot.
4. GARAGE ENTRIES may be setback up to a maximum of twenty-four (24) inches behind the surrounding FACADE.
5. Vehicle parking areas on private property shall be located behind the PARKING SETBACK LINE, except where parking is provided below grade.
6. These requirements are not applicable to on-street parking.

ALLEYS
There is no required setback from ALLEYS. On lots having no ALLEY access, there shall be a minimum setback of twenty-five (25) feet from the rear lot line.

Corner Lots
Corner lots shall satisfy the code requirements for their full RBL length unless otherwise specified in this code.

Unbuilt RBL and COMMON LOT LINE Treatment
1. A STREET WALL shall be required along any RBL frontage that is not otherwise occupied by a building on the lot. The STREET WALL shall be located not more than eight (8) inches behind the RBL.
2. PRIVACY FENCES may be constructed along that portion of a COMMON LOT LINE not otherwise occupied by a building on the lot.



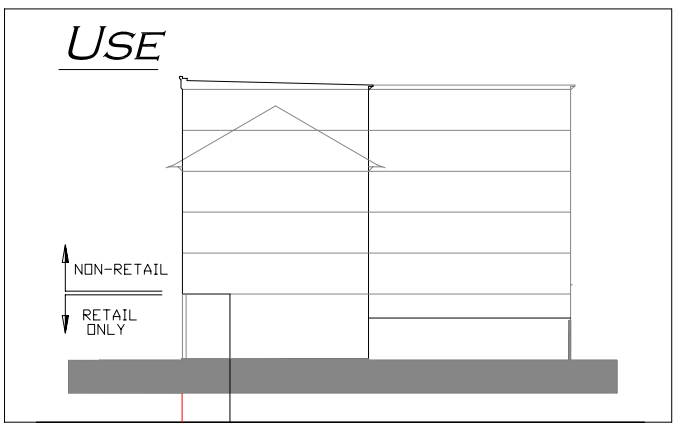
FENESTRATION
1. Blank lengths of wall exceeding fifteen (15) linear feet are prohibited on all RBL/GFRBLS.
2. FENESTRATION on the GROUND STORY FACADES shall comprise at least sixty percent (60%), but not more than ninety percent (90%) of the FACADE area situated between two (2) and ten (10) feet above the adjacent public sidewalk on which the FACADE fronts.
3. FENESTRATION on the upper STORY FACADES shall comprise at least thirty percent (30%), but no more than seventy percent (70%), of the FACADE area per STORY (measured as a percentage of the FACADE between floor levels).
4. Privacy: No window may face or direct views toward a COMMON LOT LINE within thirty feet (30) unless: that view is contained within the lot (e.g. by a PRIVACY FENCE/GARDEN WALL) or, the window sill is at least 6' above the finished floor level.

Building Projections
1. AWNINGS, BALCONIES, and STOOPS shall not project closer than five (5) feet to a COMMON LOT LINE.
2. No part of any building, except overhanging eaves, BALCONIES, BAY WINDOWS, and AWNINGS, as specified by the Code, shall encroach beyond the RBL.
3. No part of any building, except shopfronts and signs, as otherwise permitted by the Code, shall encroach into the COLONNADE beyond the GFRBL.

Doors/Entries
Functioning entry door(s) shall be provided along GROUND STORY FACADES at intervals not greater than seventy-five (75) linear feet.

COLONNADES
Where designated on the REGULATING PLAN, COLONNADES shall:
1. Have a minimum interior floor to ceiling clear height of fifteen (15) feet (excepting blade signs and street lighting as specified in this Code).
2. Have minimum thirteen (13) foot FAÇADE opening height to beam (or to the top of the arch and minimum eleven (11) feet to the springing point.)
3. Have an intercolumniation of twelve (12) to sixteen (16) feet on center.
4. Have a continuous public access easement of at least six (6) feet wide running adjacent to the columns/piers
5. Have columns/piers with no single horizontal dimension greater than twenty two (22) inches or less than ten (10) inches. This limitation shall apply between grade and eleven (11) feet in height.
6. Have 15 feet between the RBL and the GFRBL except as otherwise specified in the REGULATING PLAN.

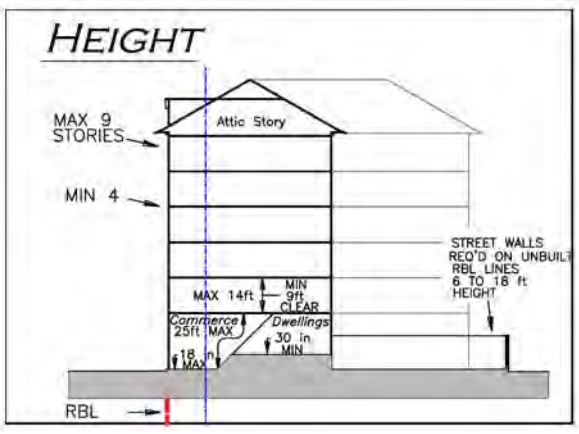
STREET WALLS
A vehicle entry gate no wider than eighteen (18) feet or a pedestrian entry gate no wider than six (6) feet shall be permitted within any required STREET WALLS.



GROUND STORY
The GROUND STORY shall house RETAIL uses. See Height specifications above for the specific requirements.

Upper STORIES
The upper STORIES shall house residential or COMMERCE uses excluding RETAIL SPECIALTY and RETAIL TRADE uses (except those that have direct RBL frontage and are second STORY extensions of the GROUND STORY use).

Building Envelope Standards: Urban Center Sites



Building Height
1. The height of the principal building is measured in STORIES.
2. Each principal building shall be at least four (4) STORIES in height, but no greater than nine (9) STORIES in height, except if otherwise provided on the REGULATING PLAN.
3. Additional habitable space is permitted within the roof where configured as an ATTIC STORY.

Parking Structure Height
Where a parking structure is within 40 feet of any principal building that portion of the structure shall not exceed the building's EAVE or PARAPET HEIGHT.

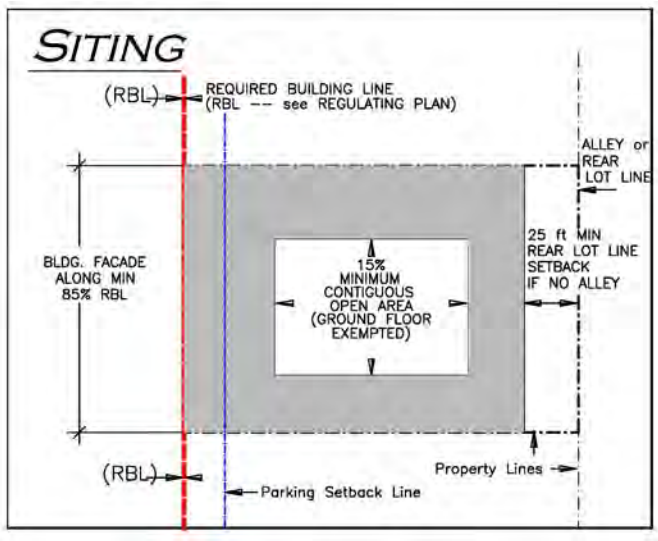
GROUND STORY Height: COMMERCE Uses
1. The GROUND STORY finished floor elevation shall be equal to, or greater than the exterior sidewalk elevation in front of the building, to a maximum finished floor elevation of eighteen (18) inches above the sidewalk.
2. The GROUND STORY shall have at least fifteen (15) feet of clear interior height (floor to ceiling) contiguous to the RBL frontage for a minimum depth of at least (20) twenty feet.
3. The maximum STORY HEIGHT for the GROUND STORY is twenty-five (25) feet.

GROUND STORY Height: Residential Units
1. The finished floor elevation shall be no less than thirty (30) inches and no more than eighty (80) inches above the exterior sidewalk elevation at the RBL.
2. The first STORY shall have an interior clear height (floor to ceiling) of at least nine (9) feet and a maximum STORY HEIGHT of sixteen (16) feet.

Upper STORY Height
1. The maximum floor-to-floor STORY HEIGHT for STORIES other than the GROUND STORY is fourteen (14) feet.
2. At least eighty percent (80%) of each upper STORY shall have an interior clear height (floor to ceiling) of at least nine (9) feet.

Mezzanines
Mezzanines having a floor area greater than one-half (1/2) of the floor area of the STORY in which the mezzanine is situated shall be counted as full STORIES.

STREET WALL Height
1. A STREET WALL not less than six (6) feet in height or greater than eighteen (18) feet in height shall be required along any RBL frontage that is not otherwise occupied by the principal building on the lot.
2. The height of the street wall shall be measured from the adjacent public sidewalk, or when not adjacent to a sidewalk, from the ground elevation once construction is complete.



Street FACADE
1. On each lot the building FAÇADE shall be built to the RBL for at least eighty-five percent (85%) of the RBL length.
2. The building FAÇADE shall be built to the RBL within thirty (30) feet of a BLOCK CORNER.
3. These portions of the building FAÇADE (the required minimum build to) may include jogs of not more than eighteen (18) inches in depth except as otherwise provided to allow BAY WINDOWS, shopfronts, and BALCONIES.

BUILDABLE AREA
1. Buildings may occupy any portion of the lot behind the RBL, exclusive of any setbacks required by this Code
2. A contiguous OPEN AREA equal to at least fifteen percent (15%) of the total BUILDABLE AREA shall be preserved on every lot. Such contiguous OPEN AREA may be located anywhere behind the PARKING SETBACK, either at grade or at the second or third STORY.
3. No part of any building, except overhanging eaves, AWNINGS, or BALCONIES shall occupy the remaining lot area.

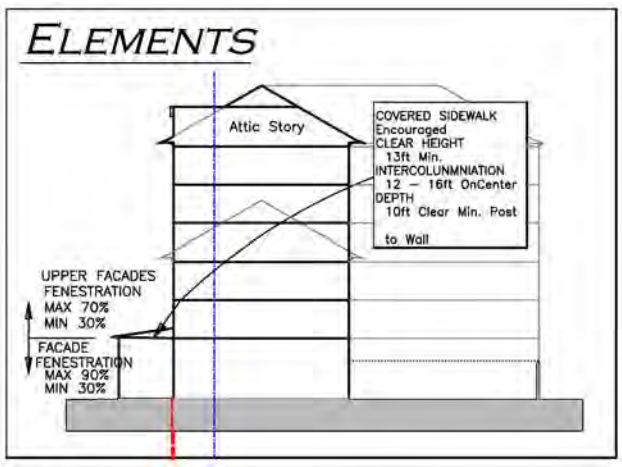
Side Lot Setbacks
There are no required side lot setbacks.

Garage and Parking
1. GARAGE ENTRIES or driveways shall be located at least seventy-five (75) feet away from any BLOCK CORNER or another GARAGE ENTRY on the same BLOCK, except if otherwise provided on the REGULATING PLAN.
2. GARAGE ENTRIES shall have a clear height of no greater than sixteen (16) feet nor a clear width exceeding twenty-four (24) feet.
3. Designated GARAGE ENTRIES and ALLEYS shall be the sole means of vehicular access to a lot.
4. GARAGE ENTRIES may be setback up to a maximum of twenty-four (24) inches behind the surrounding FACADE.
5. Vehicle parking areas on private property shall be located behind the PARKING SETBACK LINE, except where parking is provided below grade.
6. These requirements are not applicable to on-street parking.

ALLEYS
There is no required setback from ALLEYS. On lots having no ALLEY access, there shall be a minimum setback of twenty-five (25) feet from the rear lot line.

Corner Lots
Corner lots shall satisfy the code requirements for the full RBL length – unless otherwise specified in this code.

Unbuilt RBL and COMMON LOT LINE Treatment
1. A STREET WALL shall be required along any RBL frontage that is not otherwise occupied by a building. The STREET WALL shall be located not more than eight (8) inches behind the RBL.
2. PRIVACY FENCES may be constructed along that portion of a COMMON LOT LINE not otherwise occupied by a building.



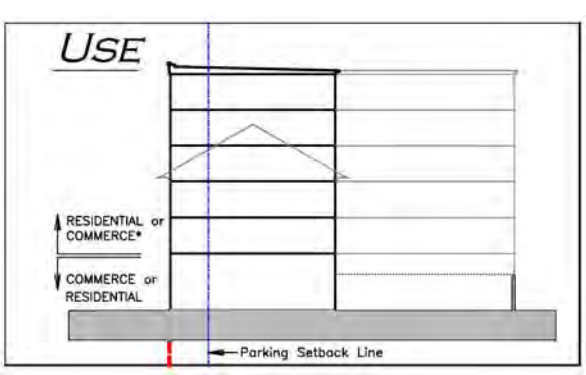
FENESTRATION
1. Blank lengths of wall exceeding twenty (20) linear feet are prohibited on all RBLS.
2. FENESTRATION on the GROUND STORY FACADES shall comprise at least forty percent (40%), but not more than ninety percent (90%), of the FACADE area situated between two (2) and ten (10) feet above the adjacent public sidewalk on which the FACADE fronts.
3. FENESTRATION on the upper story FACADES shall comprise at least thirty percent (30%), but no more than seventy percent (70%), of the FACADE area per STORY (measured as a percentage of the FACADE between floor levels).
4. No window may face or direct views toward a COMMON LOT LINE that is within thirty (30) feet unless: that view is contained within the lot, or the window sill is at least 6 feet above the finished floor level. There are no required COMMON LOT LINE setbacks for Urban Center Sites.

Building Projections
1. AWNINGS, BALCONIES, and STOOPS shall not project closer than five (5) feet to a COMMON LOT LINE.
2. No part of any building, except overhanging eaves, AWNINGS, BALCONIES, BAY WINDOWS, STOOPS, and shop fronts as specified by the Code, shall encroach beyond the RBL.
3. AWNINGS that project over the sidewalk portion of a STREET-SPACE shall maintain a clear height of at least ten (10) feet.

Doors/Entries
Functioning entry door(s) shall be provided along GROUND STORY FACADES at intervals not greater than seventy-five (75) linear feet.

COVERED SIDEWALKS
COVERED SIDEWALKS are encouraged, but not required. Where provided, COVERED SIDEWALKS shall:
1. Have a minimum interior clear height of thirteen (13) feet except as otherwise provided for signs, street lighting and similar appurtenances.
2. Have a minimum of ten (10) feet clear width between the FACADE and the support posts or columns of the sidewalk cover structure.
3. Have posts or columns spaced twelve (12) to sixteen (16) feet on center.
4. Provide for a continuous public access easement at least four (4) feet wide running adjacent and parallel to the supporting columns/posts
5. Have columns/posts with no single horizontal dimension greater than twelve (12) inches or less than six (6) inches.

STREET WALLS
A vehicle entry gate no wider than eighteen (18) feet or a pedestrian entry gate no wider than six (6) feet shall be permitted within any required STREET WALL.



GROUND STORY
The GROUND STORY shall house COMMERCE or residential uses. See Height specifications above for specific requirements unique to each use.

Upper STORIES
The upper STORIES shall house residential and/or COMMERCE uses, *excluding RETAIL SPECIALTY and RETAIL TRADE uses (except those that have direct RBL frontage and are second STORY extensions of the GROUND STORY use).
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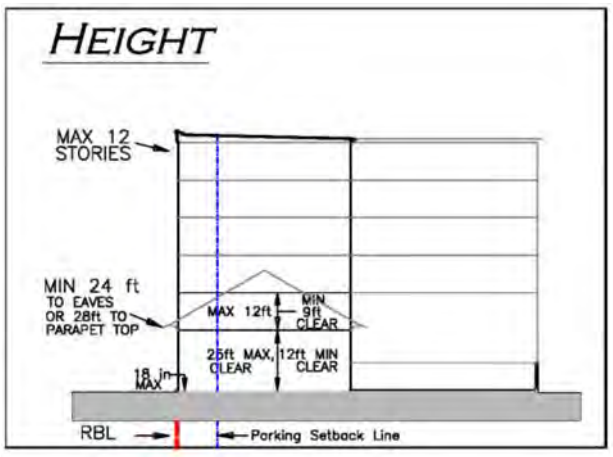
Building Envelope Standards: West Major Sites



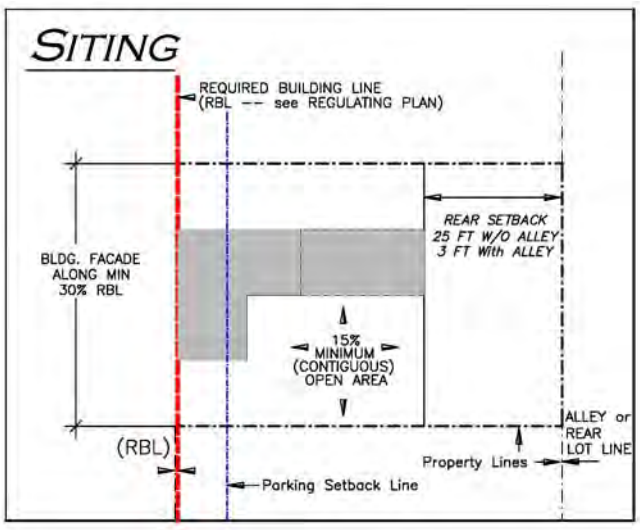
Building Height
1. The height of the principal building is measured in STORIES.
2. Each principal building shall be at least two (2) STORIES / twenty four (24) feet to EAVES OR twenty eight (28) feet to PARAPET TOP in height, but no greater than twelve (12) STORIES in height, except if otherwise provided on the REGULATING PLAN.

Parking Structure Height
Where a parking structure is within 40 feet of any principal building that portion of the structure shall not exceed the buildings EAVE or PARAPET HEIGHT.

GROUND STORY Height:
1. The GROUND STORY finished floor elevation shall be equal to, or greater than the exterior sidewalk elevation in front of the building, to a maximum finished floor elevation of eighteen (18) inches above the sidewalk.
2. The GROUND STORY shall have at least twelve (12) feet of clear interior height (floor to ceiling) contiguous to the RBL frontage for at least one-half (½) of its area.
3. The maximum STORY HEIGHT for the GROUND STORY is twenty-five (25) feet.

Upper STORY Height
1. The maximum floor-to-floor STORY HEIGHT for STORIES other than the GROUND STORY is twelve (12) feet.
2. At least eighty percent (80%) of each upper STORY shall have an interior clear height (floor to ceiling) of at least nine (9) feet.

Mezzanines
Mezzanines having a floor area greater than one-half (½) of the floor area of the STORY in which the mezzanine is situated shall be counted as full STORIES.



Street FACADE
1. On each lot the building FAÇADE shall be built to the RBL for at least forty percent (40%) of the RBL length.
2. The building FAÇADE shall be built to any RBL within thirty (30) feet of a BLOCK CORNER.
3. These portions of the building FAÇADE (the required minimum build to) may include jogs of not more than eighteen (18) inches in depth except as otherwise provided to allow BAY WINDOWS, shopfronts, and BALCONIES.

BUILDABLE AREA
1. Buildings may occupy any portion of the lot behind the RBL, exclusive of any setbacks required by this Code
2. A contiguous OPEN AREA equal to at least fifteen percent (15%) of the total BUILDABLE AREA shall be preserved on every lot. Such contiguous OPEN AREA may be located anywhere behind the PARKING SETBACK, either at grade or at the second or third STORY.
3. No part of any building, except overhanging eaves, AWNINGS, or BALCONIES shall occupy the remaining lot area.

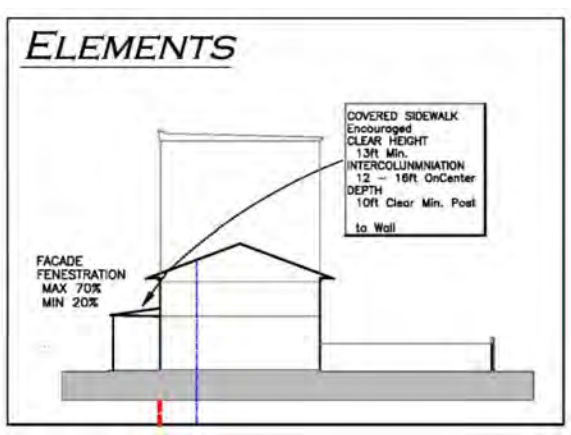
Side Lot Setbacks
There are no required side lot setbacks.

Garage and Parking
1. GARAGE ENTRIES or driveways shall be located at least seventy-five (75) feet away from any BLOCK CORNER or another GARAGE ENTRY on the same BLOCK, unless otherwise designated on the REGULATING PLAN.
2. GARAGE ENTRIES shall have a clear height of no greater than sixteen (16) feet nor a clear width exceeding twenty-four (24) feet.
3. GARAGE ENTRIES may be setback up to a maximum of twenty-four (24) inches behind the surrounding FACADE.
4. Vehicle parking areas on private property shall be located behind the PARKING SETBACK LINE, except where parking is provided below grade.
5. These requirements are not applicable to on-street parking.

ALLEYS
There is a three (3) foot required setback from ALLEYS. On lots having no ALLEY access, there shall be a minimum setback of twenty-five (25) feet from the rear lot line.

Corner Lots
Corner lots shall satisfy the code requirements for the full RBL length – unless otherwise specified in this code.

COMMON LOT LINE Treatment
PRIVACY FENCES may be constructed along that portion of a COMMON LOT LINE not otherwise occupied by a building. A PRIVACY FENCE six (6) feet in height shall be required along any COMMON LOT LINE (that is not otherwise occupied by a building) adjacent to any existing district other than WEST MAJOR.



FENESTRATION
1. Blank lengths of wall exceeding twenty (20) linear feet are prohibited on all RBLS.
2. FENESTRATION on FACADES shall comprise at least thirty percent (30%), but no more than seventy percent (70%), of the FACADE area per STORY (measured as a percentage of the FACADE between floor levels).

Building Projections
1. AWNINGS, BALCONIES, and STOOPS shall not project closer than five (5) feet to a COMMON LOT LINE.
2. No part of any building, except overhanging eaves, AWNINGS, BALCONIES, BAY WINDOWS, STOOPS, and shop fronts as specified by the Code, shall encroach beyond the RBL.
3. AWNINGS that project over the sidewalk portion of a STREET-SPACE shall maintain a clear height of at least ten (10) feet.

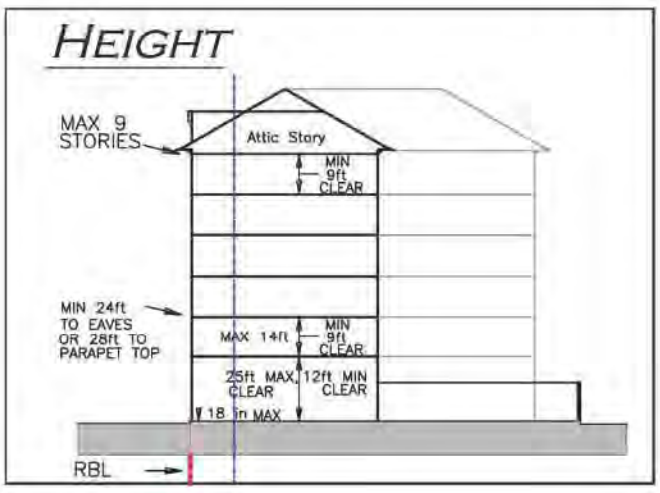
Doors/Entries
Functioning entry door(s) shall be provided along GROUND STORY RBL FACADES at intervals not greater than one hundred (100) linear feet.

COVERED SIDEWALKS
COVERED SIDEWALKS are encouraged, but not required. Where provided, COVERED SIDEWALKS shall:
1. Have a minimum interior clear height of thirteen (13) feet except as otherwise provided for signs, street lighting and similar appurtenances.
2. Have a minimum of ten (10) feet clear width between the FACADE and the support posts or columns of the sidewalk cover structure.
3. Have posts or columns spaced twelve (12) to sixteen (16) feet on center.
4. Provide for a continuous public access easement at least four (4) feet wide running adjacent and parallel to the sidewalk cover columns/posts
5. Have columns/posts with no single horizontal dimension greater than twelve (12) inches or less than six (6) inches.

GROUND STORY
The GROUND STORY shall house COMMERCE.

Upper STORIES
The upper STORIES shall house COMMERCE uses *excluding RETAIL SPECIALITY and RETAIL TRADE uses (except those that have direct RBL frontage and are second STORY extensions of the GROUND STORY USE).

Building Envelope Standards: Workplace Sites



Building Height

1. The height of the principal building is measured in STORIES.
2. Each principal building shall be at least one (1) STORY / twenty four (24) feet to EAVES OR twenty eight (28) feet to PARAPET TOP in height, but no greater than nine (9) STORIES in height, except if otherwise provided on the REGULATING PLAN. Additional habitable space is permitted within the roof where configured as an ATTIC STORY.

Parking Structure Height

Where a parking structure is within 40 feet of any principal building that portion of the structure shall not exceed the buildings EAVE OF PARAPET HEIGHT.

GROUND STORY Height:

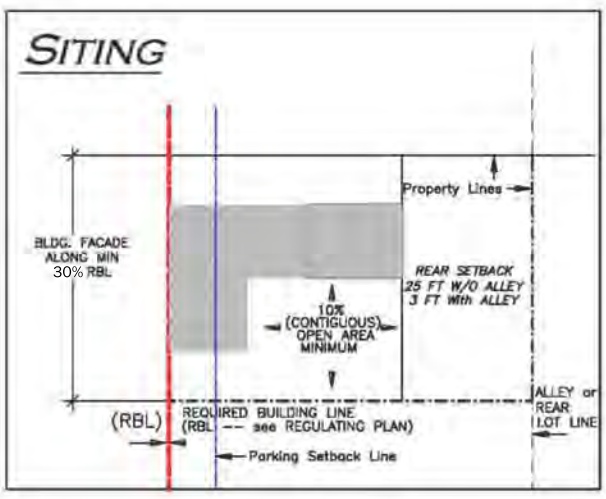
1. The GROUND STORY finished floor elevation shall be equal to, or greater than the exterior sidewalk elevation in front of the building, to a maximum finished floor elevation of eighteen (18) inches above the sidewalk.
2. The GROUND STORY shall have at least twelve (12) feet of clear interior height (floor to ceiling).
3. The maximum STORY HEIGHT for the GROUND STORY is twenty-five (25) feet.

Upper STORY Height

1. The maximum floor-to-floor STORY HEIGHT for STORIES other than the GROUND STORY is fourteen (14) feet.
2. At least eighty percent (80%) of each upper STORY shall have an interior clear height (floor to ceiling) of at least nine (9) feet.

Mezzanines

Mezzanines having a floor area greater than one-half (1/2) of the floor area of the STORY in which the mezzanine is situated shall be counted as full STORIES.



Street FACADE

Where an RBL is designated on the REGULATING PLAN:

1. A building FAÇADE shall be built to the RBL for at least thirty percent (30%) of the RBL length.
2. A building FAÇADE shall be built to any RBL within thirty (30) feet of a BLOCK CORNER.
3. These portions of the building FAÇADE (the required minimum build to) may include jogs of not more than eighteen (18) inches in depth except as otherwise provided to allow BAY WINDOWS, shopfronts, and BALCONIES.

BUILDABLE AREA

1. Buildings may occupy any portion of the lot behind the RBL, exclusive of any setbacks required by this Code
2. A contiguous OPEN AREA equal to at least ten percent (10%) of the total BUILDABLE AREA shall be preserved on every lot. Such contiguous OPEN AREA may be located anywhere behind the PARKING SETBACK, either at grade or at the second STORY.
3. No part of any building, except overhanging eaves, AWNINGS, or BALCONIES shall occupy the remaining lot area.

Side Lot Setbacks

There are no required side lot setbacks

Garage and Parking

1. GARAGE ENTRIES or driveways shall be located at least seventy-five (75) feet away from any BLOCK CORNER or another GARAGE ENTRY on the same BLOCK, except if otherwise provided on the REGULATING PLAN.
2. GARAGE ENTRIES shall have a clear height of no greater than sixteen (16) feet nor a clear width exceeding twenty-four (24) feet.
3. GARAGE ENTRIES may be setback up to a maximum of twenty-four (24) inches behind the surrounding FACADE.
4. Vehicle parking areas on private property shall be located behind the PARKING SETBACK LINE, except where parking is provided below grade.
5. These requirements are not applicable to on-street parking.

ALLEYS

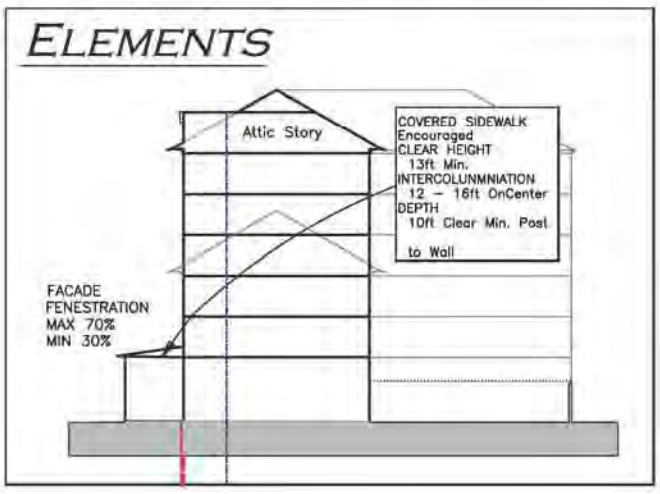
There is three (3) foot required setback from ALLEYS. On lots having no ALLEY access, there shall be a minimum setback of twenty-five (25) feet from the rear lot line.

Corner Lots

Corner lots shall satisfy the code requirements for the full RBL length – unless otherwise specified in this code.

Unbuilt RBL and COMMON LOT LINE Treatment

PRIVACY FENCES may be constructed along that portion of a COMMON LOT LINE not otherwise occupied by a building.



FENESTRATION

1. Blank lengths of wall exceeding forty (40) linear feet are prohibited on all RBLS.
2. FENESTRATION ON FACADES shall comprise at least twenty percent (20%), but no more than seventy percent (70%), of the FACADE area per STORY (measured as a percentage of the FACADE between floor levels).

Building Projections

1. AWNINGS, BALCONIES, and STOOPS shall not project closer than five (5) feet to a COMMON LOT LINE.
2. No part of any building, except overhanging eaves, AWNINGS, BALCONIES, BAY WINDOWS, STOOPS, and shop fronts as specified by the Code, shall encroach beyond the RBL.
3. AWNINGS that project over the sidewalk portion of a STREET-SPACE shall maintain a clear height of at least ten (10) feet.

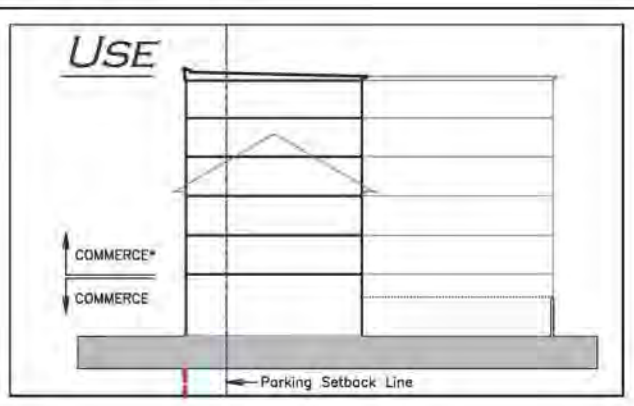
Doors/Entries

Functioning entry door(s) shall be provided along GROUND STORY RBL FACADES at intervals not greater than one hundred –fifty (150) linear feet.

COVERED SIDEWALKS

COVERED SIDEWALKS are encouraged, but not required. Where provided, COVERED SIDEWALKS shall:

1. Have a minimum interior clear height of thirteen (13) feet except as otherwise provided for signs, street lighting and similar appurtenances.
2. Have a minimum of ten (10) feet clear width between the FACADE and the support posts or columns of the sidewalk cover structure.
3. Have posts or columns spaced twelve (12) to sixteen (16) feet on centers.
4. Provide for a continuous public access easement at least four (4) feet wide running adjacent and parallel to the supporting columns/posts.
5. Have columns/posts with no single horizontal dimension greater than twelve (12) inches or less than six (6) inches.



GROUND STORY

The GROUND STORY shall house COMMERCE uses.

Upper STORIES

The upper STORIES shall house COMMERCE uses *excluding RETAIL SPECIALITY and RETAIL TRADE uses (except those that have direct RBL frontage and are second STORY extensions of the GROUND STORY USE). Additional habitable space is permitted within the roof where configured as an ATTIC STORY.

D. Limited and Prohibited Uses

1. Within Designated *Urban Center*s

Uses permitted with a Specific Use Permit:

- Any commercial amusement use (indoor and outdoor)
- Any permitted use having drive-through service
- Any permitted use having outside storage or display
- Any permitted use serving alcoholic beverages
- Hotels and motels

Prohibited uses:

- Sexually oriented business
- Motor vehicle sales and repair of any kind
- Gasoline service stations and car washes
- Establishments selling used goods or merchandise
- Industrial and manufacturing use of any kind
- Warehousing and distribution facility

2. Within Designated *Commerce Districts*

Uses permitted with a Specific Use Permit:

- Any commercial amusement use (indoor and outdoor)
- Any permitted use having drive-through service
- Any permitted use having outside storage or display
- Any permitted use serving alcoholic beverages
- Hotels and motels
- Gasoline service stations and car washes
- Establishments selling used goods or merchandise
- Industrial and manufacturing use of any kind
- Warehousing and distribution facility

Prohibited uses:

- Sexually oriented business
- Motor vehicle sales and repair of any kind

IV. Streetscape Standards

The **Streetscape Standards** ensure the coherence of the STREET-SPACE. They also serve to assist building owners and operators with understanding the relationship between the STREET-SPACE and their own lots. This code requires that **Mercer Crossing** sites will be developed with buildings placed at the RBL along the outer edge of the lots they occupy. These standards also establish an environment that encourages and facilitates pedestrian activity. Native trees and plants contribute to privacy, noise reduction, maintenance of the natural habitat, and conservation of water.

A. General Principles and Intent

THE STREETSCAPE

- RBL frontages contribute to the public streetscape and therefore are subject to more regulation than the rest of the lot.
- STREET TREES are part of an overall streetscape plan designed to provide both form (canopy) and comfort (shade) to the STREET-SPACE. STREET TREES give special character and coherence to each STREET-SPACE. The desired aesthetic shall be achieved through the use of native/proven hardy adapted species.

FRONTS AND REARS

- Building FACADES are the public "face" of every building. Owners are encouraged to place planters and window boxes with flowering plants and/or climbing vines within 12 inches of the building FACADE.
- The private, interior portions of the lots (toward the ALLEY) allow commercial operators to utilize these spaces as efficient working environments unseen by the public and allow residents to have private and semi-private (for apartment and condominium buildings) gardens and courtyards.
- For sites outside of the Urban Center designated areas, the interior portions of the lots (i.e., more than one hundred (100) feet away from their major street frontages as measured from the right-of-way line) allow greater flexibility. These areas are not regulated by the SITING and ELEMENTS standards of the applicable BES, nor by the **Architectural Standards** of the **Mercer Crossing Code.**

B. Minimum Standards

THE STREETSCAPE

- Each STREET-SPACE shall have STREET TREES planted along the STREET TREE ALIGNMENT LINE (generally four (4) feet from the back of the curb) at an average spacing not greater than thirty (30) feet on center (measured per BLOCK face or on a project by project basis, whichever is the smaller lineal dimension). Required tree-planting area widths are specified in the **Street Types** specifications or the REGULATING PLAN.

- At planting, STREET TREES shall be at least 3 inches in diameter (measured 6 feet above grade) and at least 10 feet in overall height. Species shall be selected from the **Mercer Crossing STREET TREE List (Section D)**. Consult CITY PLANNING STAFF for the designated tree species for a particular BLOCK face.
- Any unpaved ground area shall be planted with groundcover, flowering vegetation, or climbing vines.
- STREET TREES shall be "limbed up" as they gain appropriate maturity so as to not interfere with pedestrian or truck travel (minimum 7 feet clear over the sidewalk and 14 feet over the travel lanes of the street).

REARS

- At least 1 tree per 800 square feet of the required open (unpaved) area shall be planted in the rear lot area not closer than 5 feet to any COMMON LOT LINE. Such trees shall be at least 3 inches in diameter (measured 6 feet above grade) and 10 feet in overall height at installation. Species shall be selected from the **Mercer Crossing Tree Lists (Section D)**. SHOPFRONT COLONNADE and URBAN CENTER sites are exempt from this requirement.

SIDEWALKS

- Sidewalks not otherwise designated in the REGULATING PLAN or **Street Type** specifications, are a minimum of 6 feet wide and shall be constructed to meet all City specifications.

TURF AND GROUNDCOVER (WHERE CLEARLY VISIBLE FROM THE STREET-SPACE and along the ALLEY)

- All turf grass must be solidly sodded at installation—not seeded, sprigged, or plugged.
- Vegetative groundcovers may be used in place of turf grass.

ON-STREET PARKING

- The parking space/tree planting pattern may be interrupted by existing or new driveways designated in the REGULATING PLAN, streets, ALLEYS, and transit stops/stations.
- Parking spaces shall be constructed in a manner that allows proper drainage.

GENERAL NOTES

- In addition to the lot, the owner must maintain the following areas:
  - ✓ The portion of the STREET-SPACE between their lot line(s) and the back of the curb.
  - ✓ The portion of the ALLEY between the lot line(s) and the edge of pavement.
- All landscaping shall be irrigated and maintained by the adjacent property owner or Property Owners Association.
- All plant material (including trees) shall conform to the standards of the *American Association of Nurserymen* and shall have passed any inspections required under State regulations.
- Mechanical and electrical equipment including, but not limited to, air compressors, pumps, exterior water heaters, water softeners, private garbage cans (not including

public sidewalk waste bins), and storage tanks may not be stored or located within any STREET-SPACE (water pumps not visible are not included in this prohibition).

- Street lighting shall be placed along the STREET TREE ALIGNMENT LINE.

C. CIVIC GREENS AND SQUARES

In addition to the above landscape requirements, CIVIC GREENS and SQUARES located within **Mercer Crossing** shall be designed, planted and maintained according to the following requirements:

SQUARES are generally intended to be active pedestrian centers. They should be designed appropriate to their high (pedestrian) traffic level with a higher percentage of paved surface area. CIVIC GREENS are spaces intended for less intensive foot traffic. Pervious paving materials (to allow oxygen for tree roots) are encouraged in both SQUARES and CIVIC GREENS, and the percentage of impervious paving material is limited. The trees of SQUARES and CIVIC GREENS provide a landscape and civic architecture that complement the surrounding building architecture. A clear view through the public space (from 2 to 8 feet in height) is important for safety and urban design purposes.

MATERIALS AND CONFIGURATIONS

- STREET TREES shall be planted along the STREET TREE ALIGNMENT LINE at an average spacing not greater than thirty (30) feet on center (per BLOCK face). These required trees shall be selected from the **Mercer Crossing Area STREET TREE List** (section D).
- The ground surface level elevation shall be between 0 and 18 inches above the top of the adjacent curb.
- Except for tree trunks, STREET LIGHTS, CIVIC BUILDINGS, PUBLIC ART or monuments, there shall be a clear view between 2 and 8 feet above grade. The foliage of newly planted trees may intrude into this area until the tree has sufficient growth to allow such a clear trunk height.
- Trees within the SQUARE or CIVIC GREEN shall be selected from the **Mercer Crossing Tree Lists (Section D)**.
- Asphalt is prohibited within the SQUARE or CIVIC GREEN, but may be incorporated in the travel lane design.

1. SQUARES

Surface treatment and materials (within the area back-of-curb to back-of-curb excluding any CIVIC BUILDING, PUBLIC ART or monument footprint).

- Minimum 20 percent and maximum 30 percent unpaved pervious surface (turf, groundcover, gravel, soil or mulch).

2. CIVIC GREENS

Surface treatment and materials (within the area back-of-curb to back-of-curb excluding any CIVIC BUILDING, PUBLIC ART or monument footprint).

- Minimum 50 percent unpaved pervious surface area (turf, groundcover, gravel, soil or mulch).

D. Mercer Crossing Tree Lists

The following list contains all species approved for use in **Mercer Crossing.** It contains native and acceptable adapted species. Other species may be used for planting within a lot. Invasive exotic species may not be used anywhere on lots or other areas within the **Mercer Crossing**. The use of alternate species may be permitted, but only if approved by Development Review Committee as so provided in **Article VI. Administration**.

STREET TREE List

First Preference

▪ *Quercus virginiana*	Live Oak
▪ *Quercus buckleyi shurmardi*	Red Oak
▪ *Quercus muhlenbergii*	Chinquapin Oak
▪ *Pistacia chinensis*	Chinese Pistache
▪ *Ulmus parvifolia*	Lacebark Elm
▪ *Gleditsia triacanthos var. inermis*	Thornless Honey Locust

Second Preference

▪ *Taxodium distichum*	Bald Cypress
▪ Taxodium ascendens	Pond Cypress

Public Space Tree List

(In addition to the above, species that may be placed within squares, civic greens, and parks.)

▪ *Carya illinoinensis*	Pecan
▪ *Quercus macrocarpa*	Bur Oak
▪ *Magnolia grandiflora*	Magnolia
▪ *Cercis canadensis var. texensis*	Texas redbud
▪ *Cercis x texensis*	Oklahoma Redbud
▪ *Sophora affinis*	Eve's Necklace
▪ *Ilex vomitoria*	Yaupon Holly
▪ *Ginkgo biloba*	Ginkgo (male only)
▪ *Lagerstromia Indica*	Crepe Myrtle

V. Architectural Standards

The **Architectural Standards** for the **Mercer Crossing Code** serve to establish a coherent character for the district and encourage a high caliber, lasting quality of development. Buildings must be reviewed by the City Planning staff to verify that they meet the **Architectural Standards** (as well as the balance of the **Mercer Crossing Code**). The City Planning staff will also work with the developer or designer to show them how to work within the Code.

A. General Principles and Intent

TRADITION

- These standards favor an aesthetic that is traditional in a broad sense. They specify an architectural aesthetic of load-bearing walls and regionally appropriate materials. The standards also specify certain details, such as window proportions, roof or cornice configurations, shopfronts, and overhangs.
- The intent behind these standards is to foster coherent and regionally appropriate development.
- All building materials to be used shall express their specific properties. For example, stronger and heavier materials (masonry) may support lighter materials (wood), *not* the reverse.

EQUIVALENT OR BETTER

- While only materials, techniques, and product types prescribed here are allowed, equivalent or better practices and products are encouraged and shall be submitted to the City Manager (or designee) for review. Additional products may be added to the list through an amendment to the Code or may be allowed on a case-by-case basis through the Special Exception Process (see **Article VI. Administration, Section D**) for this Code.

WHERE CLEARLY VISIBLE FROM THE STREET-SPACE

- Many of these standards apply only in conditions WHERE CLEARLY VISIBLE FROM THE STREET-SPACE. Note that the definition of STREET-SPACE includes parks, CIVIC SQUARES, and CIVIC GREENS. These controls therefore concentrate on the public space/views from the public space and minimize interference in the private realm. For example, an architectural element that is visible only through an opening in a STREET WALL is not CLEARLY VISIBLE FROM THE STREET-SPACE.

B. Building Walls (Exterior)

INTENT AND GUIDING ILLUSTRATIONS FOR BUILDING WALLS

Building walls should reflect and complement the traditional materials and techniques of the Texas region. They should express the construction techniques and structural constraints of traditional, long lasting, building materials. Simple configurations and solid craftsmanship are favored over complexity and ostentation in building form and the articulation of details. All building materials to be used shall express their specific properties. For example, heavier more permanent materials (masonry) support lighter materials (wood). *The illustrations and statements on this page are advisory only. Refer to the Code standards below for the specific prescriptions of this section.*

STANDARDS FOR BUILDING WALLS (WHERE CLEARLY VISIBLE FROM THE STREET-SPACE)

Materials: The following materials are permitted.

Primary Materials (75 percent of FACADE or greater):

- Brick and tile masonry
- Native stone (or synthetic equivalent)

Secondary Materials (no greater than 25% of FACADE):

- Hardie-Plank™ equivalent or better siding
- Stucco (cementitious finish)

Accent Materials (no greater than 5% of FACADE):

- Pre-cast masonry (for trim and cornice elements only)
- Gypsum Reinforced Fiber Concrete (GFRC—for trim elements only)
- Metal (for beams, lintels, trim elements and ornamentation only)
- Split-faced block (only for piers, foundation walls and chimneys)

Configurations and Techniques: The following configurations and techniques are permitted.

Walls

- Wall openings: the horizontal dimension of the opening shall not exceed the vertical dimension except where otherwise prescribed in this Code.
- Wall openings shall not span vertically more than one story.
- Wall openings shall correspond to interior space and shall not span across building structure such as the floor structural and mechanical thickness.
- Material changes shall be made within a constructional logic—as where an addition (of a different material) is built onto the original building.

Wood Siding and Wood Simulation Materials

- Lap siding (horizontal) configuration
- Smooth or rough-sawn finish (no faux wood grain)

Brick, Block and Stone

- Must be detailed and in an appropriate load-bearing configurations.

Stucco (cementitious finish)

- Smooth or sand only, no roughly textured finish.

C. Roofs and PARAPETS

INTENT AND GUIDING ILLUSTRATIONS FOR ROOFS AND PARAPETS

Roofs and PARAPETS should demonstrate a common-sense recognition of the climate by utilizing appropriate pitch, drainage, and materials in order to provide visual coherence to **Mercer Crossing**. *The illustrations and statements on this page are advisory only. Refer to the Code standards below for the specific prescriptions of this section.*

STANDARDS FOR ROOFS AND PARAPETS (WHERE CLEARLY VISIBLE FROM THE STREET-SPACE)

Materials: The following materials are permitted.

- Clay or concrete (faux clay)
- Tile (barrel or flat roman)
- Slate (equivalent synthetic or better)
- Metal (standing seam, equivalent or better)
- Dimensional Asphalt shingles
- Cedar Shingles
- Cornices and soffits may be a combination of wood, vinyl, and/or metal

Configurations and Techniques: The following configurations and techniques are permitted.

Pitched Roofs

- Pitch (exclusive of roofs behind PARAPET walls)
  - → Simple hip and gable roofs shall be symmetrically pitched between 4:12 and 10:12.
  - → Shed roofs, attached to the main structure, shall be pitched between 3:12 and 8:12.
- Overhang
  - → Eaves must overhang 18 to 30 inches on the primary structure for the initial four (4) stories. For each additional story; six (6) inches shall be added to the minimum and twelve (12) inches shall be added to the maximum, up to a maximum projection of 7 feet.
  - → Eaves and rakes on accessory buildings, dormers, and other smaller structures must overhang at least 8 inches.
  - → Timber eaves and balcony brackets must be a minimum of 4 inches x 4 inches in dimension.

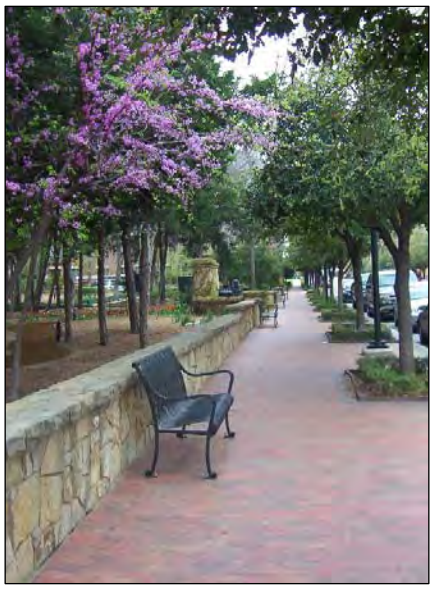
Parapet Roofs (Cornice and Coping Standards)

- Allowed only where the roof material is not visible from any adjacent STREET-SPACE.
- Cornices and Other Features
  - → Buildings without visible roof surfaces and overhanging eaves may satisfy the overhang requirement with a cornice projecting horizontally between 6 and 12 inches beyond the building walls for the on the primary structure for the initial four (4) stories. For each additional story; six (6) inches shall be added to the minimum and twelve (12) inches shall be added to the maximum, up to a maximum projection of 6 feet.
  - → Skylights and roof vents are permitted only on the roof plane opposite the primary street (or RBL) or when shielded from STREET-SPACE view by the building's PARAPET wall.

D. STREET WALLS and GARDEN WALLS

INTENT AND GUIDING ILLUSTRATIONS FOR STREET WALLS AND GARDEN WALLS

STREET and GARDEN WALLS establish a clear edge to the STREET-SPACE where the buildings do not. The ***Mercer Crossing Code*** requirements include masonry walls that define outdoor spaces and separate the STREET-SPACE from the private realm (parking lots, trash cans, gardens, and equipment). All STREET and GARDEN WALL facades shall be as carefully designed as the building FAÇADE, with the finished side out, i.e. the "better" side facing the STREET-SPACE. *The illustrations and statements on this page are advisory only. Refer to the Code standards below for the specific prescriptions of this section.*



STANDARDS FOR STREET AND GARDEN WALLS (WHERE CLEARLY VISIBLE FROM THE STREET-SPACE)

A STREET WALL is a masonry wall set back not more than 8 inches from the RBL or adjacent building FAÇADE and built to the height specified in the BUILDING ENVELOPE STANDARDS. A vehicle entry gate (opaque, maximum 18 feet wide) and a pedestrian entry gate (maximum 6 feet wide) are both allowed as limited substitutions within any required STREET WALL length.

Materials: The following materials are permitted:

- Native/regional stone and equivalent imitation stone
- Metal (wrought iron, welded steel and/or aluminum [electro-statically plated black])
- Brick
- Stucco on concrete block (or poured) only with brick or stone coping
- A combination of materials (e.g. stone piers with brick infill panels)

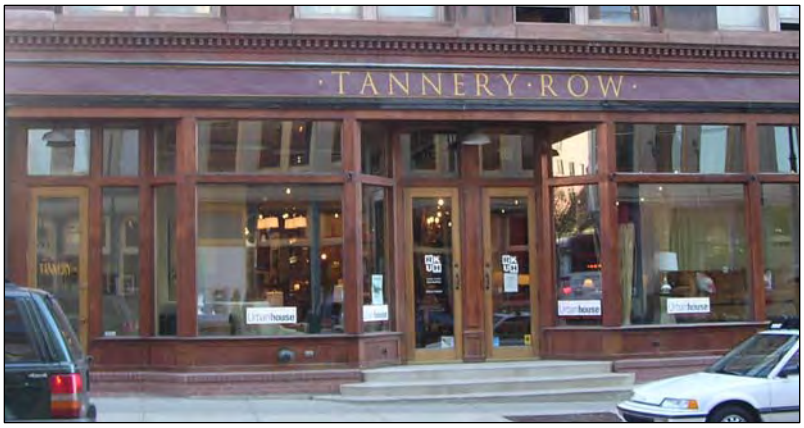
Configurations and Techniques: The following configurations and techniques are permitted.

- STREET WALLS along any unbuilt REQUIRED BUILDING LINE shall be built to the height and length specified in the BUILDING ENVELOPE STANDARD.
- Metal work may additionally be treated to imitate a copper patina.
- Copings shall project between 1/2 inch and 4 inches from the face of the wall.

E. Windows and Doors

INTENT AND GUIDING ILLUSTRATIONS FOR WINDOWS AND DOORS

The placement, type, and size of windows and doors help to establish the scale and vitality of the STREET-SPACE. For commercial buildings, they allow interplay between the shop interiors and the STREET-SPACE. For residential streets, they foster the "eyes on the street" surveillance, which provides for the security and safety for the area. Windows should be divided by multiple panes of glass. This helps the window "hold" the surface of the FAÇADE, rather than appearing like a "hole" in the wall (an effect produced by a large single sheet of glass). *The illustrations and statements on this page are advisory only. Refer to the Code standards below for the specific prescriptions of this section.*



STANDARDS FOR WINDOWS AND DOORS (WHERE CLEARLY VISIBLE FROM THE STREET-SPACE)

Materials: The following materials are permitted.

- Windows shall be of anodized aluminum, wood, clad wood, vinyl, or steel.
- Window glass shall be clear, with light transmission at the ground story at least 90 percent and for the upper stories 75 percent (modification as necessary to meet any applicable building and energy code requirements). Specialty windows (one per FAÇADE maximum) may utilize stained, opalescent, or glass block.
- Window screens shall be black or gray.
- Screen frames shall match window frame material or be dark anodized.
- Doors shall be of wood, clad wood, or steel and may include glass panes.

Configurations and Techniques: The following configurations and techniques are permitted.

- *The following requirements apply to* ***all windows****:*

  → The horizontal dimension of the opening shall not exceed the vertical dimension except where otherwise prescribed in this Code.
  → Windows may be ganged horizontally (maximum 5 per group) if each grouping is separated by a mullion, column, pier or wall section that is at least 7 inches wide.
  → Windows shall be no closer than 30 inches to building corners (excluding BAY WINDOWS) unless otherwise prescribed on the REGULATING PLAN.
  → Exterior shutters, if applied, shall be sized and mounted appropriately for the window (one-half the width), even if inoperable.

- *The following requirements apply to* ***all upper-STORY windows****:*

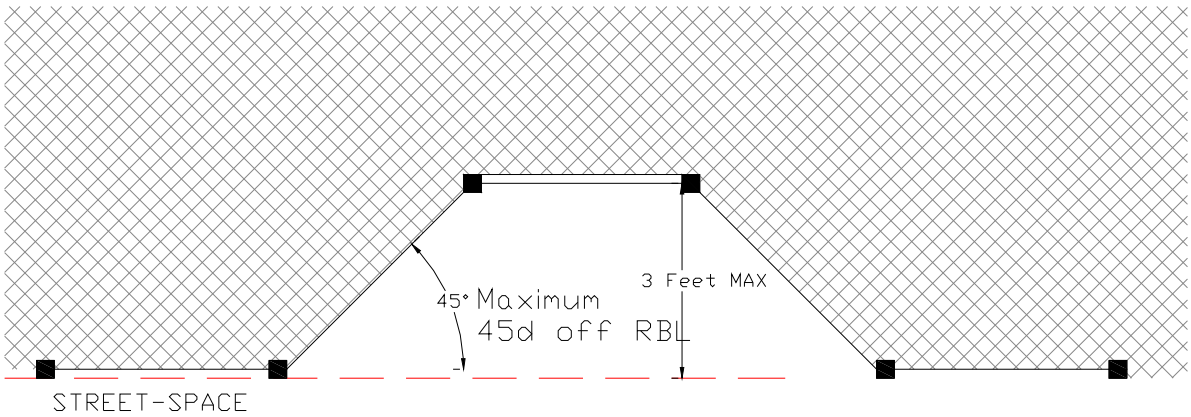
  → Windows shall be double-hung, single-hung, awning, or casement windows.
  → Fixed windows are permitted only as a component of a system including operable windows within a single wall opening.
  → Residential buildings/floors: panes of glass no larger than 36" vertical by 30" horizontal.
  → The maximum pane size for office uses is 48" vertical by 40" horizontal.
  → Egress windows may be installed according to the appropriate building code.

- *The following requirements apply to* ***shopfront (GROUND FLOOR) windows and doors****:*

  → Single panes of glass not larger than 8 feet in height by 4 feet wide.
  → A minimum of 60 percent of the windowpane surface area shall allow views into the GROUND FLOOR of the building for a depth of at least 15 feet.
  → Windows shall not be made opaque by window treatments (excepting operable sunscreen devices within the conditioned space)
  → Shopfronts may extend up to 24 inches beyond the FAÇADE/RBL into the STREET-SPACE.

- Doors:

  → Double-height entryways (those that span more than one STORY) are not allowed.
  → Doors shall not be recessed more than 3 feet behind the shop-front windows and, in any case, shall have a clear view and path to a 45-degree angle past the perpendicular from each side of the door.

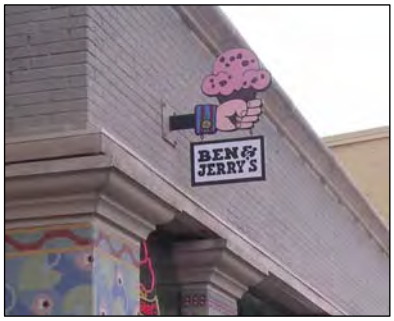


Shopfront Entry Geometry

F. Signage

INTENT AND GUIDING ILLUSTRATIONS FOR SIGNAGE

Signs along the **Mercer Crossing** commercial frontages should be clear, informative to the public and should weather well. Signage is desirable for advertising shops and offices, and as decoration. Signs should be scaled to the nature of the district. For example, in the U*rban Center* (which is characterized by mixed-uses, a distinctly pedestrian-oriented STREET-SPACE and slow-moving automobile traffic) signage that is glaring or too large creates distraction, intrudes into and lessens the experience, and creates visual clutter. *The illustrations and statements on this page are advisory only. Refer to the Code standards below for the specific prescriptions of this section.*



STANDARDS FOR SIGNAGE (WHERE CLEARLY VISIBLE FROM THE STREET-SPACE)

General:

- Wall signs are permitted within the area between the second STORY floor line and the first floor ceiling, within a horizontal band not to exceed 2 feet in height. In no case shall this band be higher than 18 feet or lower than 12 feet above the adjacent sidewalk.
- Letters shall not exceed 18 inches in height or width and 3 inches in relief. Signs shall not come closer than 2 feet to an adjacent COMMON LOT LINE.
- Additionally, company logos or names may be placed within this horizontal band or placed or painted within ground floor or second STORY office windows. Company logos or names shall not be larger than a rectangle of 8 square feet.
- A masonry or bronze plaque bearing an owner or building name may be placed in the building's cornice/PARAPET wall or under the EAVES, and above the upper STORY windows. Any such plaque shall be no larger than a rectangle of 18 square feet.
- Blade signs (perpendicular to the RBL) not more than 18 inches vertical by 3 feet horizontal and minimum 9 feet clear height above the sidewalk may be hung below the second STORY level, from FAÇADE, or from an overhang or awning.
- *Prohibited Signs:* Billboards, free-standing pole signs, monument signs, marquees, any kind of animation, roof and painted window signs, and signs painted on the exterior walls of buildings are prohibited. No flashing, traveling, animated, or intermittent lighting shall be on the exterior of any building whether such lighting is of temporary or long-term duration. Portable or wheeled signs and advertising devices located outside any building are not allowed, pursuant to City regulations.

AWNINGS/Overhangs:

When an AWNING or overhang is incorporated into a building, the following requirements must be met:

- Minimum 10 feet clear height above sidewalk, minimum 6 feet depth out from the building FAÇADE (maximum to curb or tree-planting strip, whichever is closer).
- Canvas cloth or equivalent (no shiny or reflective materials), metal or glass.
- No internal illumination through the AWNING/overhang.
- Lettering on AWNINGS limited to 6 inches tall on vertically hanging fabric at curb side of awning.
- No one-quarter cylinder configurations.

G. Lighting and Mechanical Equipment

INTENT AND GUIDING ILLUSTRATIONS FOR LIGHTING AND MECHANICAL EQUIPMENT

Materials and equipment chosen for lighting fixtures should be durable and weather well. Appropriate lighting is desirable for nighttime visibility, crime deterrence, and decoration. However, lighting that is too bright or intense creates glare, hinders night vision, and creates light pollution. *The illustrations and statements on this page are advisory only. Refer to the Code standards below for the specific prescriptions of this section.*

LIGHTING AND MECHANICAL EQUIPMENT STANDARDS (WHERE CLEARLY VISIBLE FROM THE STREET-SPACE)

Lighting:

- STREET LIGHTS: The American Style Pole and Texas Style luminaire (or other STREET LIGHT as the City may specify) shall be used in **Mercer Crossing**.
- STREET LIGHTS shall be located on the STREET TREE ALIGNMENT LINE on each side of the STREET-SPACE and travel lanes (unless otherwise indicated in this Code) with a maximum average spacing per BLOCK face of 75 feet on center. STREETLIGHT illumination elements shall be placed between nine (9) feet and sixteen (16) feet above grade.
- At the front of the building, exterior lights shall be mounted between 6 feet and 14 feet above adjacent grade.
- All lots with ALLEYS shall have lighting fixtures within 5 feet of the ALLEY right of way. This fixture shall illuminate the ALLEY, shall be between 13 and 16 feet in height, and shall not cause glare in adjacent lots.
- Lighting elements shall be specified to prohibit those that cast a clearly/perceptively unnatural spectrum of light (such as low pressure sodium). Incandescent, metal halide, or halogen are preferred. No heavy intensity discharge (HID) or fluorescent lights (except compact fluorescent bulbs that screw into standard sockets) may be used on the exterior of buildings. The City may adjust these standards as technologies advance and produce additional acceptable elements.
- Floodlights or directional lights (maximum 75-watt bulbs) may be used to illuminate ALLEYS, parking garages and working (maintenance) areas, but must be shielded or aimed in such a way that they do not shine into other lots, the STREET-SPACE, or direct light up and/or out of **Mercer Crossing**.
- Floodlighting shall not be used to illuminate building walls (i.e. no up-lighting).
- Site lighting shall be of a design and height and shall be located so as to illuminate only the lot. An exterior lighting plan must be approved as consistent with these standards by the City Manager or appointed designee.
- No flashing, traveling, animated, or intermittent lighting shall be visible from the exterior of any building whether such lighting is of temporary or long-term duration.
- Lighting for parking garages shall satisfy Crime Prevention Through Environmental Design (CPTED) standards.

Mechanical Equipment:

- The following shall be placed behind and away from any RBL, not be stored or located within any STREET-SPACE, and be screened from view from the STREET-SPACE:

- Air compressors, mechanical pumps, exterior water heaters, water softeners, utility and telephone company transformers, meters or boxes, garbage cans, storage tanks, and similar equipment shall not be stored or located within any area considered STREET-SPACE under this Code.

- Roof mounted equipment shall be placed behind and away from any RBL and be screened from view from the STREET-SPACE.

VI. Administration

Intent: The **Mercer Crossing Code** is intended to provide an incentive to property owners and developers who are willing to develop in a particular form. This section of the Code sets forth the provisions for reviewing and approving development applications within **Mercer Crossing**. The intent is to ensure that all development occurring under this Code is consistent with the provisions of the Code as they pertain to height, siting, architectural standards, and building form. All five elements of the **Mercer Crossing Code*: Definitions***, the **Regulating Plans,** the **Building Envelope Standards,** the **Streetscape Standards** and the **Architectural Standards** — shall be applied during review.

Mercer Crossing is comprised of three distinct areas: the ***urban center***, ***urban center reserve***, and ***commerce district*** (see REGULATING PLAN for geographic limits of each area). The **Mercer Crossing Code** includes a REGULATING PLAN and other related standards for the urban center. The Code does not prescribe a REGULATING PLAN for the urban center reserve and commerce district. A REGULATING PLAN for the urban center reserve will be developed in accordance with the rules prescribed in the Rules for New Development section of Chapter II. A REGULATING PLAN is encouraged but not required in the Commerce District.

Urban Center

All development within Urban Center must receive site plan approval from the Development Review Committee prior to issuance of a building permit. Deviations to development standards will require approval from the Planning and Zoning Commission (see Section D. Special Exceptions in this Chapter). Any change to the REGULATING PLAN will require Planning and Zoning Commission and City Council approval of a rezoning application.

Urban Center Reserve

A REGULATING PLAN must be produced prior to development in this district (see Rules for Preparing a REGULATING PLAN). The REGULATING PLAN will require zoning approval from the Planning and Zoning Commission and City Council. Once a REGULATING PLAN is established, development review shall be the same as that for Urban Center review process.

Commerce District

All development within the Commerce District must receive site plan approval from Planning and Zoning Commission and City Council. Any deviations to development standards will require approval of special exceptions by the Planning and Zoning Commission (see Section D. Special Exceptions in this Chapter).

A. Development Review Committee

The Development Review Committee (DRC) is established to provide a coordinated and centralized technical review process to ensure compliance with the requirements of the Code. The Development Review Committee shall be comprised of personnel from the City departments that have an interest in the development review and approval process. The City Manager shall appoint the members of the Committee and in no case shall the Committee be composed of less than 5 members. The City Manager or his/her designee shall create appropriate rules and regulations for the conduct of the Development Review Committee.

POWERS AND DUTIES

1. The Development Review Committee shall be responsible for the review of Concept Plans, Site Plans and any other development related applications that may be required by the *Code*.
2. The Development Review Committee shall be responsible for making determinations on the application and interpretation of guidelines, standards, and requirements of the Code.
3. The Development Review Committee may require the applicant to submit additional information not otherwise specifically required by the *Code*, which is reasonably necessary to review and determine whether the proposed development complies with the requirements of the Code.
4. The Development Review Committee shall not be authorized to waive or vary requirements of the Code, the Comprehensive Zoning Ordinance or any other applicable ordinance of the City of Farmers Branch.

OPERATIONAL PROCEDURES

1. The Development Review Committee shall meet as necessary to review development applications.
2. Such meeting shall be open to the public, but participation shall be limited to committee members, unless a member of the committee requests information of someone in attendance.
3. It shall be the responsibility of the Planning Director, or the Director's designee, to collect the comments of the DRC, prepare a written staff analysis of the outstanding issues related to each application, and provide it to the applicant in a timely manner.

B. Site Plans

All development within **Mercer Crossing** must receive Site Plan approval prior to the issuance of a building permit. A Certificate of Occupancy shall not be issued unless all aspects of the development fully conform to the approved Site Plan. The purpose of the Site Plan review process is to:

1. Ensure compliance with applicable development regulations;

2. Promote better site design;
3. Integrate projects more effectively into their surrounding environment;
4. Prevent the impairment or depreciation of property values;
5. Improve internal vehicular and pedestrian circulation;
6. Encourage quality and innovative site planning techniques;
7. Coordinate and document the design of public and private improvements to be constructed;
8. Coordinate the subdivision of land, including the establishment of easements, development agreements and provision of surety; and
9. Protect and enhance the overall general public welfare.

EXPIRATION OF SITE PLANS

A Site Plan shall become null and void twenty-four (24) months after its approval if a building permit has not been issued within the twenty-four (24) month period subsequent to the Site Plan's approval. The Planning Director, or appointed designee may, at any time, render a Site Plan null and void if construction on the site does not fully conform to the approved Site Plan.

EXTENSION OF EXPIRATION DATE

The Planning Director or appointed designee may, upon written request by the applicant, grant an extension of the approved period not to exceed twelve (12) months, provided that:

1. No changes are made on the original approved Site Plan;
2. The applicant can show intent of initiating construction on the site within the twelve (12) month extension period;
3. The applicant demonstrates that failure to obtain building permits and substantially begin construction within twenty-four (24) months of Site Plan approval was beyond the applicant's control; and
4. There have been no changes to the applicable development code provisions on which the approval was based. If there have been changes to the applicable Code provisions and the expired site plan does not comply with those changes, then the extension shall not be granted; in this case, a new Site Plan application shall be required.

DENIAL OF SITE PLAN

If a Site Plan is not approved by the DRC, reasons for such action shall be provided to the applicant in writing. Site Plans not approved by the DRC may be appealed to the Planning and Zoning Commission and City Council. Such appeals must be submitted in written form by the applicant within fifteen (15) calendar days following notice of the site plan's denial by the DRC. The Planning and Zoning Commission shall review the proposed Site Plan and provide a recommendation to the City Council. Subsequent to receiving a recommendation

from the Planning and Zoning Commission, the appeal shall then be considered by the City Council for final determination.

SITE PLAN AMENDMENTS AND WAIVERS

The Planning Director or appointed designee may authorize minor modifications to approved Site Plans and waive the requirement of a Site Plan for minor construction or site improvements (e.g.: signs, limited parking lot modifications, small building additions, accessory structures, fences, etc.) provided that:

1. The basic relationship of the proposed development, improvements, or construction to adjacent property is not adversely affected.
2. There is no conflict or non-conformance with the requirements or intent of the Code or the Comprehensive Zoning Ordinance.
3. The fundamental character of the development as a whole is not detrimentally changed or altered.

However, notwithstanding any other provisions of the Code, the Planning Director may require a Site Plan for any development or improvement to be submitted for approval to the DRC, or the Planning and Zoning Commission and City Council, if it is deemed to be in the best interest of the City to do so.

C. Concept Plans

A Concept Plan shall be required when only part of a larger tract of land under common ownership is to be developed; when development is to take place in phases; or when property not previously subdivided in accordance with City requirements is to be developed.

The purpose of the Concept Plan is to demonstrate to the DRC how compliance with the *West Side Plan* and the **Mercer Crossing Code** is to be achieved, the compatibility of anticipated land uses, and how improvements within and among individual parcels of land or phases of development are to be coordinated.

EXPIRATION OF CONCEPT PLANS

A Concept Plan shall become null and void twenty-four (24) months after its approval, unless a site plan or preliminary plat is approved for all or part of the property included in the Concept Plan. Such approval of a site plan or preliminary plat shall automatically extend the expiration date for the remaining portion of the original Concept Plan for a period of twenty-four (24) additional months.

EXTENSION OF EXPIRATION DATE

The owner (or the owner's authorized representative) of property for which a Concept Plan has been approved may submit a written request to the Planning Director to extend the Concept Plan's expiration date, with no single extension exceeding twelve (12) months. The Planning Director may grant an extension of the approved period not to exceed twelve (12) months, provided that:

1. No changes are made on the original approved Concept Plan; and
2. There have been no changes to the applicable development code provisions on which the approval was based. If there have been changes to the applicable Code provisions and the expired Concept Plan does not comply with those changes, the extension shall not be granted; in this case, a new Concept Plan application shall be required.

DENIAL OF CONCEPT PLAN

If a Concept Plan is not approved by the DRC, reasons for such action shall be provided to the applicant in writing. Concept Plans not approved by the DRC may be appealed to the Planning and Zoning Commission and City Council. The applicant must submit such appeals in written form within fifteen (15) calendar days following notice of the Concept Plan's denial by the DRC. The Planning and Zoning Commission shall review the Concept Plan and provide a recommendation to the City Council. Subsequent to receiving a recommendation from the Planning and Zoning Commission, the appeal shall then be considered by the City Council for final determination.

D. Special Exceptions

In those circumstances where the applicant believes that, due to unique characteristics of the site or other special circumstances, strict compliance with the Code is not feasible or desirable and that deviation from the Code will allow for equal or better results, the Planning and Zoning Commission may be petitioned to grant a Special Exception to the Code relative to the specific provision(s) in question.

The Planning and Zoning Commission shall consider all requests for Special Exceptions to the Code within the context of consistency with the spirit and intent of the Code and whether such Special Exception(s) represent the minimum modification(s) necessary.

PROCESS

The Planning and Zoning Commission shall hold a public hearing to consider all requests for Special Exceptions to the Code.

At least fifteen (15) days prior to the hearing date, notice of the time and place of such hearing shall be published in the official newspaper of the City of Farmers Branch.

Written notice of the public hearing shall be sent to all owners of real property located within the area to be considered for the Special Exception and to all owners of real property located within two hundred (200) feet of the area for which the Special Exception is requested. Such notice shall be given not less than ten (10) days prior to the date set for the public hearing by posting such notice, properly addressed and postage-paid to each owner of record as it appears on the most recently approved tax roll.

The concurring vote of five (5) members of the Planning and Zoning Commission shall be necessary to grant a Special Exception.

APPEALS

All decisions of the Planning and Zoning Commission concerning Special Exceptions shall be final unless appealed to the City Council. An applicant may appeal the decision of the Planning and Zoning Commission only by filing a letter requesting an appeal with the Planning Director within fifteen (15) days of the date of the Planning and Zoning Commission's denial.

E. Nonconforming Uses and Structures

It is the intent of the Code to regulate nonconforming uses and structures because they have been found to be in incompatible with the permitted uses and dimensional requirements set forth in the Code. It is further the purpose of the Code to encourage the discontinuance of nonconforming uses and structures. However, nothing herein contained shall be construed as prohibiting the change in tenancy, ownership, or management of a nonconforming lot, use, or structure, provided such change is otherwise lawful.

EXPANSION

No nonconforming use shall be expanded or increased.

CONVERSION

The change of occupancy from one nonconforming use to a different nonconforming use shall be prohibited. Once a nonconforming use is changed to a conforming use, it may not revert to a nonconforming use.

ABANDONMENT

Once a nonconforming use or structure has been abandoned, all nonconforming rights shall cease and use of the premises shall be in conformance to the provisions of the Code. Any nonconforming use which is discontinued or which remains vacant for a period of six (6) months shall be considered to have been abandoned.

F. Existing Office Development

All multi-story office buildings and associated structures (including surface parking lots) legally existing at the time of adoption of this ordinance are hereby declared legal and valid structures relative to zoning and may continue to exist as legal and valid structures subsequent to passage of this ordinance.

All multi-story office buildings and associated structures (including surface parking lots) legally existing at the time of adoption of this ordinance shall be exempt from the requirements of Article VI, Section E of this ordinance and Article 20, Section 102 of the Comprehensive Zoning Ordinance pertaining to nonconforming uses and structures.

VII. Definitions

The following terms are defined for the purpose of the **Mercer Crossing Code**. Terms not defined here may be defined elsewhere in the Comprehensive Zoning Ordinance. In such case, the definition contained in the Comprehensive Zoning Ordinance will be used. Certain terms in the Code are used in very specific ways, often excluding some of the meanings of common usage. Wherever a word is printed in SMALL CAPITAL LETTERS, it is being used as defined herein.

ACCESSORY UNIT
A building (maximum floor area of 650 square feet) that is not the primary structure, located on a LOT that can be used as additional residential or home occupation space by the owner of the primary structure.

ALLEY/ALLEY ACCESS EASEMENT
The public right-of-way for vehicles and pedestrians within a BLOCK that provides access to the rear of buildings, vehicle parking (e.g., garages), utility meters, and recycling and garbage bins. The easement for public access as described above. ALLEYS that also serve as fire lanes shall provide a paved surface at least twenty-four (24) feet in width; those providing for two-way traffic shall provide a paved surface at least twenty (20) feet in width; and those providing for one-way traffic shall provide a paved surface twelve (12) feet wide.

AWNING
A cantilevered, projected or suspended cover over the sidewalk portion of the STREET-SPACE. Also, roof-like coverings, usually of canvas or metal and often adjustable, placed over the sidewalk, windows, or doors to provide protection from sun and rain. Awnings shall have a minimum clear height of ten (10) feet.

ATTIC STORY
Habitable space within a building situated within the structure of a pitched roof and above the uppermost regular STORY. ATTIC STORIES may have only DORMER windows on their RBL façade. ATTIC STORIES are permitted for all BES sites and do not count against the maximum STORY limit of the BES.

BALCONY
An exterior platform attached to the building FACADE (forward of its REQUIRED BUILDING LINE). BALCONIES (where *required* in the BUILDING ENVELOPE STANDARD) must be roofed and enclosed by balustrades (railings) and posts that extend up to the roof. BALCONIES aligned vertically on adjacent floors may post up to one another and share a single roof element. BALCONIES shall project no less than five (5) feet from the FACADE and shall have no less than seven (7) feet in width. BALCONIES may not project within five (5) feet of a COMMON LOT LINE.

BAY or BAY WINDOW
Generally, a U-shaped enclosure, extending the interior space of the building outward of the exterior building wall/ RBL (along its STREET-SPACE side). Minimum interior clear width at main

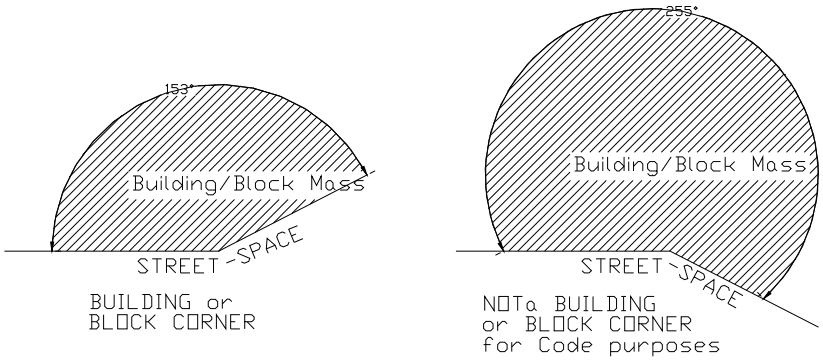
wall of four (4) feet; projection not greater than thirty-six (36) inches beyond the RBL; walls and windows shall be between ninety (90) degrees (perpendicular) and zero (0) degrees (parallel) relative to the primary wall from which they project.

BLOCK
An increment of land comprised of LOTS, ALLEYS, and tracts circumscribed and not traversed by STREETS (PEDESTRIAN PATHWAYS excepted). BLOCKS shall be measured at the frontage lot lines (along the REQUIRED BUILDING LINE).

BLOCK CORNER
This refers to the outside corner of a BLOCK at the intersection of any two STREETS. Some of the requirements of the BUILDING ENVELOPE STANDARDS are specific to BLOCK CORNERS. Inside corners, where the resulting angle formed by the BLOCK face is less than 180 degrees (concave), are not considered BLOCK CORNERS for the purposes of this Code.

BUILDABLE AREA
The area of the LOT that building(s) may occupy, which includes the entire area of the LOT behind the RBL, exclusive of any setbacks. The BUILDABLE AREA sets the limits of the building footprint now and in the future—additions to structures must be within the designated area.

BUILDING CORNER
This refers to the outside corner of a building where the primary building mass is within an angle less than 180 degrees. Some of the proscriptions of the BUILDING ENVELOPE STANDARDS are specific to BUILDING CORNERS. Inside corners, where the exterior space of the building mass forms an angle of more than 180 degrees, are not considered BUILDING CORNERS for the purposes of this Code.



BUILDING ENVELOPE STANDARDS (BES)
The part of the Code that establishes basic parameters regulating building form, including the envelope, placement (in three dimensions) and certain permitted/required building elements, such as storefronts, BALCONIES, and STREET WALLS. The BUILDING ENVELOPE STANDARDS establish both the boundaries within which things may be done and specific things that must be done. The applicable BES for a site is determined by its STREET FRONTAGE as per the REGULATING PLAN. This produces a coherent STREET-SPACE and allows the building greater latitude behind its street FACADE.

CIVIC BUILDINGS
Those buildings that house CIVIC USES located on the sites designated on the REGULATING PLAN. Publicly owned CIVIC BUILDINGS and publicly owned PUBLIC ART are not subject to the BUILDING ENVELOPE STANDARD prescriptions of this Code.

CIVIC GREEN OR SQUARE
Public spaces located within **Mercer Crossing** as designated on the REGULATING PLAN. The term SQUARE is generally used to describe spaces that have more paved surface area. The term CIVIC GREEN is generally used to describe a formally configured, small public lawn or park that is primarily unpaved. Both shall have at least sixty percent (60 %) of their perimeter fronting rights-of-way and both spaces should be surrounded by STREET TREES. Their dimensions shall be no narrower than a 1:5 ratio and no SQUARE or CIVIC GREEN width or breadth dimension shall be less than twenty-five (25) feet. Situated at prominent locations within **Mercer Crossing** and often dedicated to important events or citizens, CIVIC GREENS and SQUARES shall not include active recreation structures such as ball fields and courts. See the **Streetscape Standards** for the specific controls on SQUARES and CIVIC GREENS.

COLONNADE (also known as Arcade)
A roofed or built structure, extending beyond the RBL and over the sidewalk or SQUARE, open to the STREET-SPACE except for supporting columns, piers, or arches. Residential or office units may occupy the space over the COLONNADE. COLONNADES shall have a minimum clear height of fifteen (15) feet (signage or lighting may encroach) and a minimum clear width (from FAÇADE frontage or GROUND FLOOR REQUIRED BUILDING LINE) to inside column face of thirteen (13) feet. Supporting columns/piers shall be located no more than five (5) feet from the back of the curb (minimum six (6) foot continuous public access easement within the COLONNADES' clear width in conformance with federal and state accessibility requirements). Where a COLONNADE is built the requirement for STREET TREES is waived for that STREET FRONTAGE. (*See BES for complete specifications.)*

COMMERCE *(See USE)*
Any use that is defined herein as a BUSINESS SERVICE, PERSONAL SERVICE, PROFESSIONAL OFFICE, RETAIL SERVICE, RETAIL SPECIALTY, RETAIL TRADE or STUDIO use and specifically excluding any type of sexually oriented business.

COMMERCE DISTRICT
Those lots/tracts of land set aside for COMMERCE USES designated on the REGULATING PLAN. All development within the COMMERCE DISTRICT requires site plan approval by the City Council (see Chapter VI). Within the COMMERCE DISTRICT the BUILDING ENVELOPE STANDARD prescriptions of this Code apply only to those RBL frontages along Mercer Parkway, Knightsbridge, Wittington, Luna Road, and Valley View Lane as designated on the REGULATING PLAN to a lot depth of 100 feet (measured from the right-of-way).

COVERED SIDEWALK
A roofed or built structure attached to the FAÇADE and extending beyond the RBL and over the sidewalk or SQUARE, open to the STREET-SPACE except for supporting columns, piers, or arches.

COVERED SIDEWALKS shall have a minimum clear height of thirteen (13) feet (signage or lighting may encroach) and a minimum clear width (from FAÇADE frontage or REQUIRED BUILDING LINE) to inside column face of ten (10) feet. The area within a COVERED SIDEWALK shall be open to all public access. Supporting columns/piers shall be located no more than five (5) feet from the back of the curb (minimum six (6) foot continuous public access easement within the COVERED SIDEWALKS' clear width in conformance with federal and state accessibility requirements). *See BES for complete specifications.*

COMMON LOT LINES
Lot lines shared by adjacent private lots (see also REAR LOT LINES).

DOORYARD
The area, within the STREET-SPACE, between the FAÇADE of the building (generally the RBL) and the property line. STOOPS, balconies, and for appropriate COMMERCE uses, temporary displays, café seating and other encroachments as specified by the City may be placed within the DOORYARD area.

DORMERS
Small, roofed ancillary structures with windows providing light and air to habitable space within the roof. DORMERS are permitted and do not constitute a STORY so long as they do not break the primary EAVE line, are individually less than fifteen (15) feet wide, and are collectively not more than sixty percent (60%) of the REQUIRED BUILDING LINE FAÇADE length. (See also ATTIC STORY).

EAVE HEIGHT
Where used to limit building height in the Code, EAVE HEIGHT shall be measured at the bottom of the top layer of roofing material at its outermost point from the building wall.

FAÇADE
Building face; the building elevation facing the STREET-SPACE. (Building walls facing interior courts, COMMON LOT LINES, and ALLEYS are not FACADES.)

FENESTRATION
Openings in the building wall allowing light and views between interior and exterior. FENESTRATION is measured as glass area (excluding muntins and similar window frame elements with a dimension greater than one and one half (1.5) inches) for conditioned space and as open area for parking structures or other un-conditioned, enclosed space.

FIRST FLOOR
See GROUND STORY.

FRONT PORCH
The ground floor platform attached to the front or RBL side of the main building. Required FRONT PORCHES, where specified in the BUILDING ENVELOPE STANDARDS, must be roofed and enclosed by balustrades (railings) and posts that extend up to the roof and shall not be otherwise enclosed, above a height of forty-two (42) inches, except with insect screening.

GARAGE ENTRY
An opening (with curb cut) in the building FAÇADE and/or STREET WALL where vehicles may enter into the BLOCK interior for general parking and business servicing. GARAGE ENTRIES shall not exceed sixteen (16) feet clear height and twenty-four (24) feet clear width and shall not be sited within seventy-five (75) feet of the BLOCK CORNER or another GARAGE ENTRY on the same BLOCK. GARAGE ENTRY portals may be set back up to twenty-four (24) inches behind the surrounding FAÇADE.

GARDEN WALL
A masonry wall defining a property line or delineating a private area. Shall be set back (or forward) not more than eight (8) inches from the alignment specified in the REGULATING PLAN or BES). A vehicle entry gate (opaque and maximum twelve (12) feet wide) and a pedestrian entry gate (maximum six (6) feet wide) are both allowed within any required GARDEN WALL length.

GROUND FLOOR REQUIRED BUILDING LINE (GFRBL) *(See REQUIRED BUILDING LINE, GROUND FLOOR)*

GROUND STORY
The first level of a building at or above grade. For COMMERCE buildings, at least eighty percent (80%) of the finished floor elevation shall be within eighteen (18) inches of the adjacent fronting sidewalk level. When a residential use occupies the GROUND STORY, the finished floor elevation shall be thirty (30) to eighty (80) inches above the fronting sidewalk elevation, unless otherwise specified in the BUILDING ENVELOPE STANDARDS. The next STORY above the GROUND STORY is the second floor.

MID-DENSITY RESIDENTIAL
Subdistrict allowing multi-family residential development of approximately 3-4 stories having a density of 20-35 dwelling units per acre. No single family development is allowed within this district.

OPEN AREA
The area within the BUILDABLE AREA and behind the PARKING SETBACK LINE, accessible to all occupants of the particular building or site, and open to the sky. OPEN AREA shall *not* be: built-upon, parked or driven upon (except for emergency access).

PARAPET HEIGHT
Where used to limit building height in the Code, PARAPET HEIGHT shall be measured at the top of the parapet, including any coping. An additional three (3) feet in height by twelve (12) feet in width (or fifteen percent (15%) of the façade, whichever is greater) is permitted for a section of the parapet emphasizing the building's primary STREET-SPACE entry or a BLOCK CORNER.

PARKING,

- RESERVED: Parking not available to the public, but only to specifically identified users (either a single user per space or a set of users for a group of spaces), whether for free or at a fee.

▪ SHARED: Parking available to the public on an unreserved basis for free or at the same fee for all users. Time limits may be imposed to ensure turn-over. Hours of public availability may also be restricted.

PARKING SETBACK LINE
A line/plane indicated on the REGULATING PLAN that extends vertically and generally parallel to the RBL and thirty (30) feet behind the adjoining street right-of-way or property line. All parking shall be set-back behind this line, excepting where it is below grade or is otherwise indicated on the REGULATING PLAN. The PARKING SETBACK LINE is a permissive minimum distance measured from the adjoining street right-of-way or property line and parking may be placed anywhere within the lot behind this line, except where otherwise specified in this Code.

PEDESTRIAN PATHWAY/TRAIL
Interconnecting paved ways that provide pedestrian and bicycle passage through BLOCKS running from a STREET-SPACE to another STREET-SPACE, an ALLEY or an interior BLOCK parking area or any TRAIL as depicted on the REGULATING PLAN. The area within a PEDESTRIAN PATHWAY/TRAIL shall be a public access easement or public right-of-way. The easement width for these pathways shall not be less than sixteen feet (16) feet with a paved surface not less than twelve (12) feet wide, except where otherwise specified on the REGULATING PLAN, and shall provide an unobstructed view straight through their entire length.

PRIVACY FENCE
An opaque fence made of wood or masonry (not chain link or any other type of rolled fence) along ALLEYS and COMMON LOT LINES (where more than ten (10) feet away from the REQUIRED BUILDING LINE). It may be as high as nine (9) feet above the adjacent ground.

PUBLIC ART
Art that is visually or physically accessible to the public (within the public realm e.g. a STREET-SPACE) and that is acquired by City funds, donated to the City, or provided by a private entity as a community benefit, including monuments and statues, building ornament, and visible public infrastructure such as bridges, etc.

REAR LOT LINES
Lot lines, generally COMMON LOT LINES parallel to the RBL and often along ALLEYS. For purposes of minimum rear setbacks prescribed in the BES, LOT LINES more than one-hundred fifty (150) feet from the RBL are considered REAR LOT LINES.

REGULATING PLAN
Part of the Code that is the coding key for the BUILDING ENVELOPE STANDARDS that provide specific information for the disposition of each building site. The REGULATING PLAN also shows how each site relates to adjacent STREET-SPACES, **Mercer Crossing,** and the surrounding neighborhoods.

REQUIRED BUILDING LINE (RBL)
A line/plane indicated on the REGULATING PLAN, defining the STREET FRONTAGE which extends vertically and generally parallel to the street, at which the building FAÇADE shall be placed.

The building shall be built-to the REQUIRED BUILDING LINE (RBL) as shown on the REGULATING PLAN. The RBL is a requirement, not a permissive minimum as is a set-back. The RBL for each site is shown on the REGULATING PLAN. The minimum length of building that is required to be built-to the RBL is shown on the appropriate BUILDING ENVELOPE STANDARD.

REQUIRED BUILDING LINE, GROUND FLOOR (GFRBL)
A line/plane indicated on the REGULATING PLAN, specific to the SHOPFRONT COLONNADE BES, defining the shopfront frontage line behind and generally parallel to the RBL. The GFRBL extends vertically for the full clear height of the colonnade and generally parallel to the street, at which the shopfront FAÇADE shall be placed. The upper stories and the colonnade columns/piers shall be built-to the REQUIRED BUILDING LINE (RBL) as shown on the REGULATING PLAN. The GFRBL is a requirement, not a permissive minimum as is a set-back. The GFRBL for each site is shown on the REGULATING PLAN. The minimum length of building that is required to be built-to the GFRBL is shown on the SHOPFRONT COLONNADE BUILDING ENVELOPE STANDARD.

RETAIL (*See USE*)

SHOPFRONT COLONNADE BUILDING
Buildings as defined in the BUILDING ENVELOPE STANDARD for SHOPFRONT COLONNADE Frontage sites.

SIDEWING
The portion of a building extending along a side lot line toward the ALLEY or rear of the lot.

STOOP
An entry platform on the RBL side of a building. STOOPS may be roofed, but they shall not be enclosed.

STORY/STORY HEIGHT
That space within a building, and above grade, that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above. STORY HEIGHT parameters are as specified by the appropriate BUILDING ENVELOPE STANDARD.

STREET FRONTAGE
That portion of the lot or building that is coincident with the RBL as required by the Code.

STREET LIGHT
A luminaire installed on both sides of streets, along the STREET TREE ALIGNMENT LINE, unless otherwise designated on the REGULATING PLAN, at intervals of no more than seventy-five (75) feet measured parallel to the street. STREET LIGHTS shall be between nine (9) and sixteen (16) feet above ground in height. Lighting standards for STREET-SPACES and ALLEYS should be developed to meet the minimum standards of the *Illumination Engineering Society* (with the design criteria giving equal weight to the lighting of the pedestrian areas and the automobile areas).

STREET-SPACE

Includes all space between fronting RBLS (streets, SQUARES, PEDESTRIAN PATHWAYS, CIVIC GREENS, sidewalks, parks)—including any transit service operator passenger platform—but not GARAGE ENTRYS or ALLEYS.

STREET TREE
A tree required per the REGULATING PLAN and listed in the **Mercer Crossing STREET TREE List** located in the Code's **Streetscape Standards**. STREET TREES shall be of a proven hardy and drought tolerant species, large enough to form a canopy with sufficient clear trunk to allow traffic to pass under unimpeded. STREET TREES shall be planted at an average no greater than thirty (30) feet on center (measured per BLOCK face). Where necessary, spacing allowances may be made to accommodate curb cuts, fire hydrants and other infrastructure elements; however, at no location shall spacing exceed forty-five (45) feet on center.

STREET TREE ALIGNMENT LINE
A line along which STREET TREES are to be planted and STREET LIGHTS and other such infrastructure are to be placed. The STREET TREE ALIGNMENT LINE is parallel with the street or SQUARE right of way and, unless otherwise specified in the REGULATING PLAN, is three (3) feet behind the back-of-curb. (Existing trees are not required to be relocated by this requirement.)

STREET WALL
A masonry wall set back not more than eight (8) inches from the RBL and built to the height specified in the BUILDING ENVELOPE STANDARDS. A vehicle entry gate (opaque, maximum eighteen (18) feet wide) and a pedestrian entry gate (maximum six (6) feet wide) are both allowed within any required STREET WALL length.

URBAN CENTER DISTRICT
Those tracts of land designated as URBAN CENTER and intended to have a vital mix of uses and subject to the full parameters of the **Mercer Crossing Code.** The portions of **Mercer Crossing** not within the URBAN CENTER DISTRICT are designated as COMMERCE DISTRICTS and are so designated on the REGULATING PLAN.

URBAN CENTER FRONTAGE BUILDING
Building types as defined in the BUILDING ENVELOPE STANDARDS for **Mercer Crossing** URBAN CENTER frontage sites.

URBAN CENTER RESERVE
Those tracts of land designated on the **Mercer Crossing** REGULATING PLAN that are adjacent to the URBAN CENTER and will allow for the future expansion of the urban center subject to City Council approval of a REGULATING PLAN that would be prepared by the developer.

USE, BUSINESS SERVICE
Establishments primarily engaged in rendering services to business establishments on a fee or contract basis, including but not limited to advertising and mailing; building maintenance; employment service; management and consulting services; equipment rental and leasing

(other than heavy construction equipment); commercial research; development and testing; photo finishing; and supplies services.

USE, CIVIC
Community uses including: meeting halls; libraries; schools; police and fire stations; post offices (retail operations only, no primary distribution facilities); places of worship; museums; cultural, visual and performing art centers; transit centers; government functions open to the public; and, other similar uses.

USE, COMMERCIAL AMUSEMENT (INDOOR)
Establishments that provide amusement, entertainment or games of skill for a fee or admission charge including, but not limited to, billiards, bowling, video or game arcades, movie theaters, and skating rinks.

USE, PERSONAL SERVICE
Establishments primarily engaged in providing services involving the care of a person or his or her apparel, including laundry, cleaning and garment services, garment pressing, coin operated laundries, beauty shops, barber shops, shoe repair, reducing salons and health clubs, clothing rental, etc.

USE, PROFESSIONAL OFFICE
Includes, but are not limited to lawyers, engineers, architects, landscape architects, accountants, economic consultants, doctors, dentists, chiropractors, veterinarians or other similar professions.

USE, RETAIL
Includes the following:

- RETAIL SERVICE
  Establishments providing services, as opposed to products, to the general public, including restaurants, hotels and motels, finance, real estate and insurance, travel agencies, health and educational services, and galleries.
- RETAIL SPECIALTY
  Include, but are not limited to the sale of gifts, antiques, flowers, books, jewelry, wearing apparel or craft shops making articles exclusively for sale at retail on the premises. Establishments selling used goods or merchandise and retail store sales consisting primarily of specialty and novelty items as defined by Resolution No. 77-028 are specifically excluded.
- RETAIL TRADE
  Establishments engaged in selling new goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. Establishments primarily engaged in the selling of used goods or merchandise are specifically excluded.

USE, STUDIO
Includes, but is not limited to dance, art, music, photography, radio or television and specifically excluding any type of sexually oriented business.

WEST MAJOR FRONTAGE BUILDING
Building types as defined in the BUILDING ENVELOPE STANDARDS for **Mercer Crossing** WEST MAJOR frontage sites.

"WHERE CLEARLY VISIBLE FROM THE STREET-SPACE"
Many requirements of the Code apply only where the subject is "CLEARLY VISIBLE FROM THE STREET-SPACE." Note that the definition of STREET-SPACE includes SQUARES, CIVIC GREENS, parks, and all public space except ALLEYS. A building element more than thirty (30) feet from the RBL /STREET-SPACE (such as elements facing a COMMON LOT LINE more than thirty (30) feet away from a RBL and/or street) is by definition *not* CLEARLY VISIBLE FROM THE STREET-SPACE. Also common and/or party walls are by definition *not* CLEARLY VISIBLE FROM THE STREET-SPACE. *This does not exempt vehicle parking spaces/lots from any BES requirements.* Sites not within a URBAN CENTER DISTRICT (those portions more than 100 ft beyond the RBL) are by definition not CLEARLY VISIBLE FROM THE STREET-SPACE.

WORKPLACE FRONTAGE BUILDING
Building types as defined in the BUILDING ENVELOPE STANDARDS for **Mercer Crossing** WORKPLACE frontage sites.

VIII. MID-DENSITY RESIDENTIAL

The Mid-Density Residential development district is specifically designed to allow new multi-family or higher density residential development consisting of three (3) to four (4) story buildings. Typically, three (3) story residential development has a density of between 20 and 35 dwelling units per acre. No single family development is allowed within the Mid-Density Residential development district.

A. Development Regulations

Property located within a Mid-Density Residential development district shall be developed in accordance with development regulations applicable to property located within an Urban Center District except as follows:

1. 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 three (3) stories or more than four (4) stories in height.

(3) Leasing offices affiliated with urban residential development are permitted to be one (1) story in height, not exceeding 7,500 square foot in area.

b. Parking Structure Height

The portion of a parking structure within forty (40) feet of any principal building shall not exceed the height of the eave or parapet of the principal building.

c. Ground Story Height:

(1) The ground story finished floor elevation shall be equal to, or greater than, the exterior sidewalk elevation in front of the building, to a maximum finished floor elevation of eighteen (18) inches above the sidewalk.

(2) Except for those areas constituting individual unit interior hallways and bathrooms, the ground story shall have at least nine (9) feet of clear interior height (floor to ceiling).

(3) The maximum story height for the ground floor is sixteen (16) feet.

d. Upper Story Height:

(1) The maximum floor-to-floor height for stories other than the ground story is fourteen (14) feet.

(2) Except for those areas constituting individual unit interior hallways and bathrooms, upper stories shall have at least nine (9) feet of clear interior height (floor to ceiling).

e. Mezzanines

A Mezzanine having a floor area greater than one-half (1/2) of the floor area of the story in which the mezzanine is situated shall be counted as full story.

f. Street Wall Height:

(1) A street wall not less than six (6) feet in height or greater than eighteen (18) feet in height shall be required along any RBL frontage that is not otherwise occupied by the principal building on the lot.

(2) The height of the street wall shall be measured from (i) the adjacent public sidewalk, or (ii) when not adjacent to a sidewalk, from the ground elevation once construction is complete.

2. Siting

a. Street Façade:

(1) On each lot, the building façade for each building facing a street shall be built to the RBL at eighty-five percent (85%) of the RBL length.

(2) The building façade shall be built to the RBL within thirty (30) feet of a block corner.

(3) 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. Buildable Area:

(1) Buildings may occupy any portion of the lot behind the RBL, exclusive of any setbacks required by this Code.

(2) 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.

c. Side Lot Setbacks

There are no required side lot setbacks.

d. Garage and Parking:

(1) Garage entries or driveways shall be located at least seventy-five (75) feet away from any block corner.

(2) Garage entries shall have a clear height of no greater than sixteen (16) feet, nor a clear width exceeding twenty-four (24) feet.

(3) Garage entries may be setback up to a maximum of three (3) feet behind the surrounding façade.

(4) Vehicle parking areas on private property shall be located behind the parking setback line, except where parking is provided below grade.

(5) Tandem spaces behind individual garage spaces are permitted, except for those spaces that directly open to a required fire lane.

(6) These requirements are not applicable to on-street parking.

e. Alleys

There is no required setback from alleys.

f. Corner Lots

Corner lots shall satisfy the Code requirements for the full RBL length-unless otherwise specified in this Code.

g. Unbuilt RBL and Common Lot Line Treatment

A street wall or privacy fence may be constructed along that portion of a common lot line not otherwise occupied by a building.

3. Elements

a. Fenestration:

(1) Blank lengths of wall exceeding twenty (20) linear feet are prohibited on all RBLS.

(2) Fenestration on the ground story facades that are facing streets shall comprise at least forty percent (40%), but not more than ninety percent (90%), of the façade area situated between two (2) and ten (10) feet above the adjacent public sidewalk on which the façade fronts.

(3) Fenestration on upper story facades 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).

(4) No window may face or direct views toward a common lot line that is within thirty (30) feet unless: that view is contained within the lot, or the window sill is at least six (6) feet above the finished floor level.

b. Building Projections:

(1) Awnings, balconies, and stoops shall not project closer than five (5) feet to a common lot line.

(2) No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and shop fronts as specified by the Code, shall encroach beyond the RBL.

(3) Awnings that project over the sidewalk portion of a street space shall maintain a clear height of at least ten (10) feet.

c. Use.

(1) Ground Story: The ground story shall house residential uses or their affiliated uses, such as leasing office, fitness center, game rooms, etc.

(2) Upper Stories: The upper stories shall house residential uses or their affiliated uses located as shown on the Conceptual Plan approved for the property.

3. Street Types

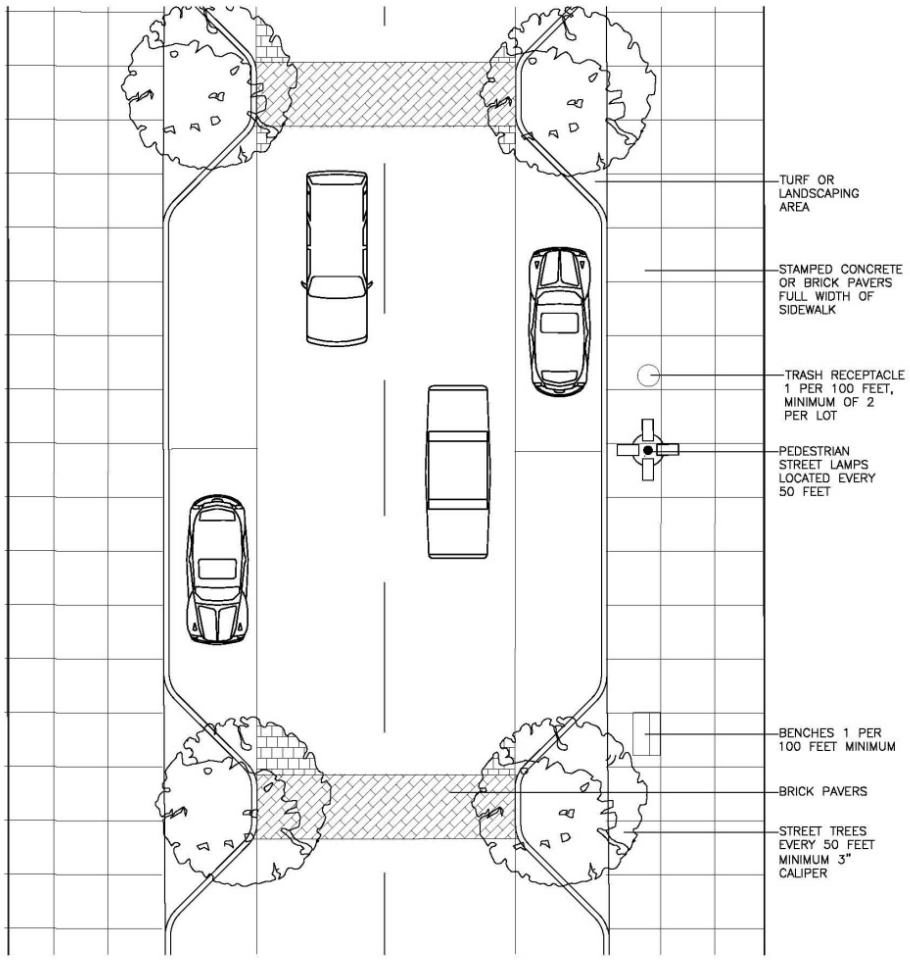
Property within the Mid-Density Residential development district shall be developed in accordance with the following street types:

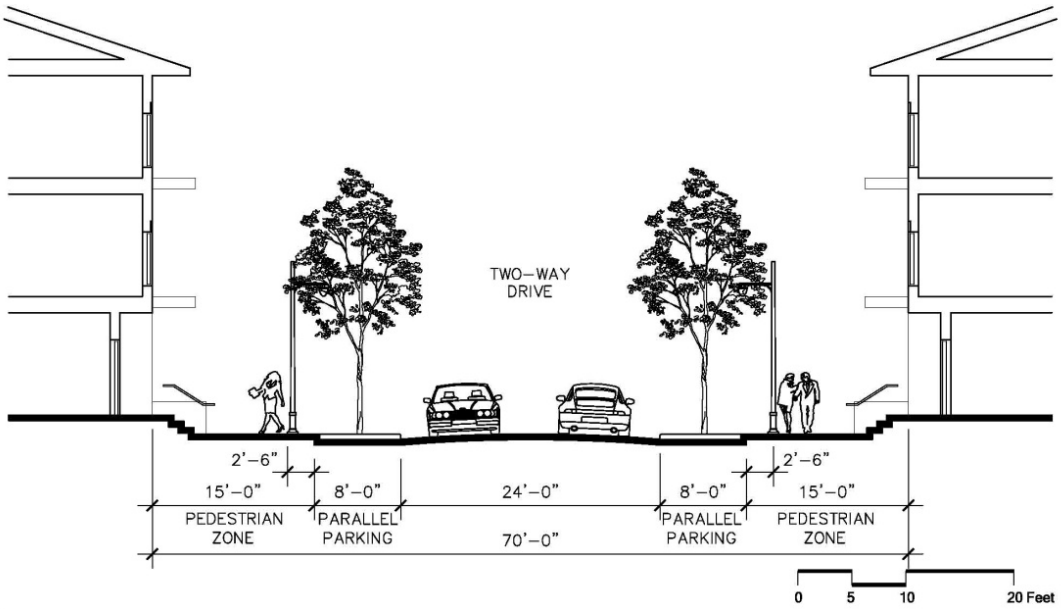
a. Internal private streets shall be developed in accordance with Street Type E-1.

b. Areas adjacent to Luna Road shall be developed in accordance with Street Type E-2.

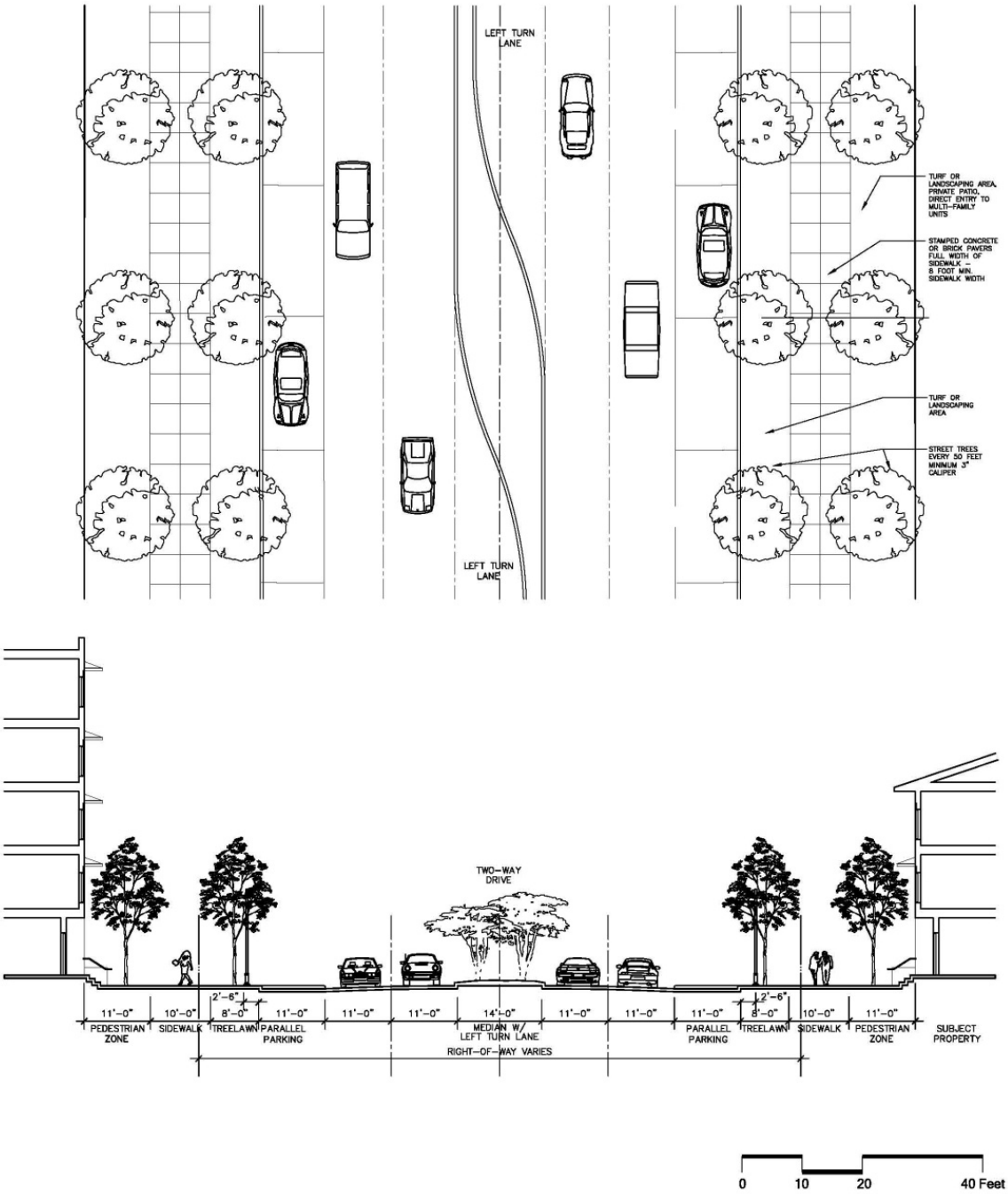
c. Areas adjacent to Knightsbridge Road shall be developed in accordance with Street Type E-3.

Street Type E-1

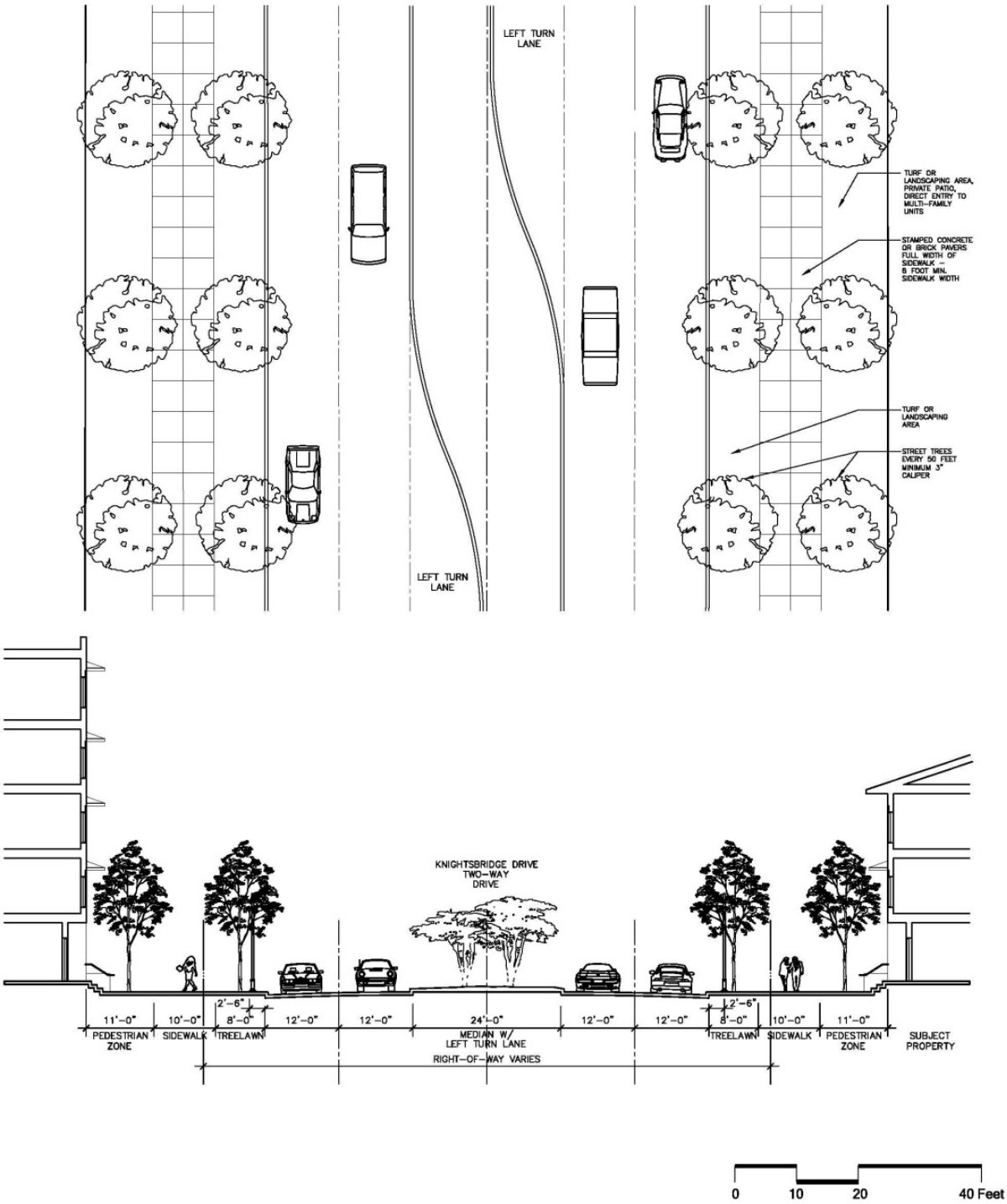




Street Type E-2



Street Type E-3



B. Administration:

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

IX. Approved Ordinances and Amendments

FARMERS BRANCH

ORDINANCE NO. 3190

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 VIII TITLED "MID-DENSITY RESIDENTIAL" TO THE MERCER CROSSING CODE ("PD-88"), AS AMENDED, SETTING FORTH THE DEVELOPMENT REGULATIONS OF PROPERTY DESIGNATED AS MID-DENSITY RESIDENTIAL WITHIN PD-88; DESIGNATING A 17.44± ACRE TRACT OF LAND OUT OF THE HEIRS OF WILLIAM P. HARRISON SURVEY, ABSTRACT NO. 1337 AND HARRISON C. MARSH SURVEY, ABSTRACT NO. 916, CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS, DESCRIBED IN EXHIBIT "A," HERETO, AND LOCATED WITHIN PD-88 FROM "COMMERCE DISTRICT" TO "MID-DENSITY RESIDENTIAL"; AMENDING THE REGULATING PLAN FOR PD-88; 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 VIII titled "Mid-Density 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. In the first sentence of the third paragraph of Article I "Components of the Code," insert the word "primarily" after the word "organized";

2. Add the following sentence before the last sentence in the third paragraph of Article I "Components of the Code":

> *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.*

3. In the seventh paragraph of Article I "Components of the Code," change the phrase "and ***Definitions***" to read "***Definitions***, and ***Mid-Density Residential***."

SECTION 2. The real property described in Section IV.C. in Exhibit "B," hereto, shall be designated as Mid-Density Residential.

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 17th DAY OF JULY 2012.

ATTEST:

Angela Kelly, City Secretary

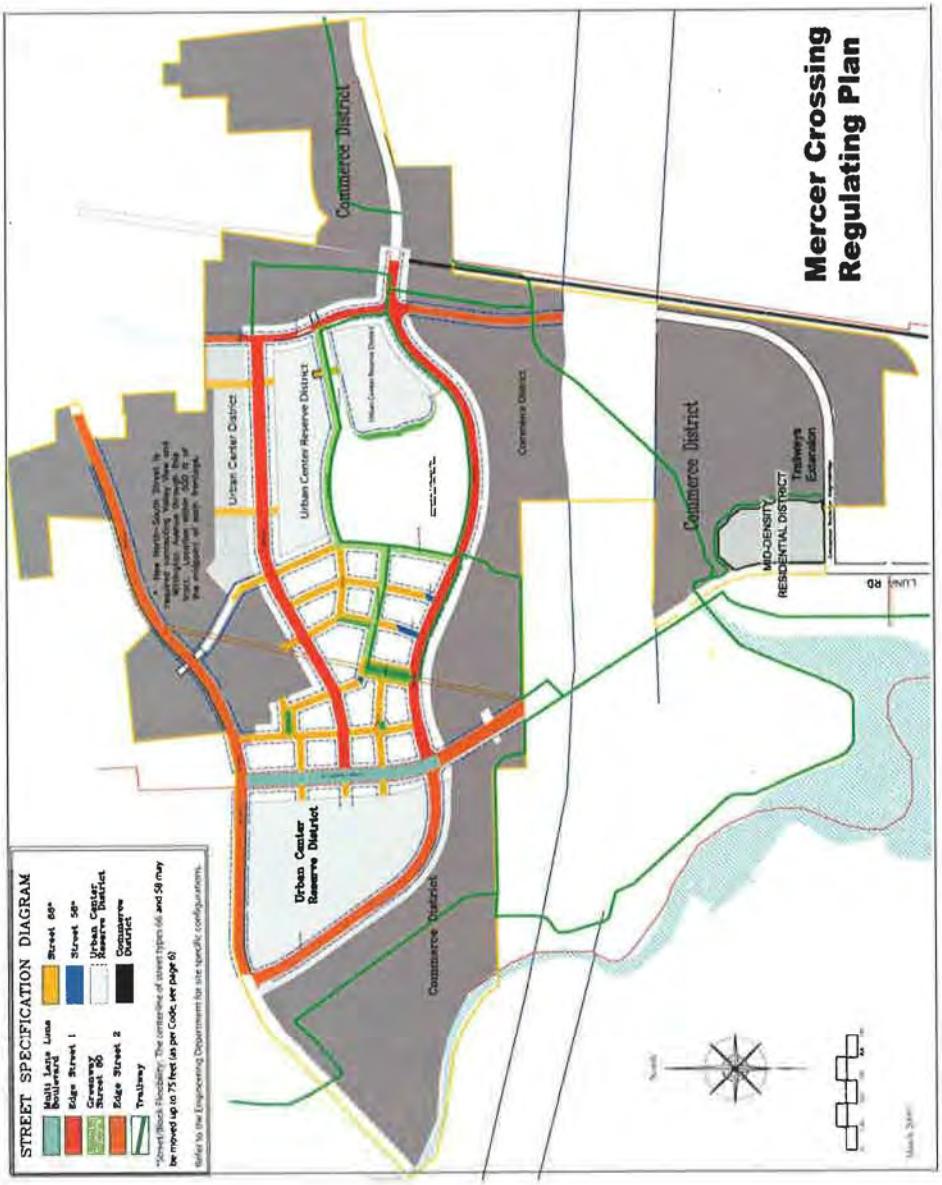
APPROVED:

William P. Glancy, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney

Ordinance No. 3190
Exhibit "A"
Mercer Crossing Code - Revised Regulating Plan



GFF Planning

REGULATING PLAN

Mercer Crossing on Luna
Farmers Branch, Texas

Job #: 12016.00
File Name: Sht_RegulatingPlan1.psd
Date: 04/25/12
Drawn by: BSM

Ordinance No. 3190
Exhibit "B"

VIII. MID-DENSITY RESIDENTIAL

The Mid-Density Residential development district is specifically designed to allow new multi-family or higher density residential development consisting of three (3) to four (4) story buildings. Typically, three (3) story residential development has a density of between 20 and 35 dwelling units per acre. No single family development is allowed within the Mid-Density Residential development district.

A. Development Regulations

Property located within a Mid-Density Residential development district shall be developed in accordance with development regulations applicable to property located within an Urban Center District except as follows:

1. 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 three (3) stories or more than four (4) stories in height.

(3) Leasing offices affiliated with urban residential development are permitted to be one (1) story in height, not exceeding 7,500 square foot in area.

b. *Parking Structure Height*: The portion of a parking structure within forty (40) feet of any principal building shall not exceed the height of the eave or parapet of the principal building.

c. *Ground Story Height:*

(1) The ground story finished floor elevation shall be equal to, or greater than, the exterior sidewalk elevation in front of the building, to a maximum finished floor elevation of eighteen (18) inches above the sidewalk.

(2) Except for those areas constituting individual unit interior hallways and bathrooms, the ground story shall have at least nine (9) feet of clear interior height (floor to ceiling).

(3) The maximum story height for the ground floor is sixteen (16) feet.

c. *Upper Story Height*:

(1) The maximum floor-to-floor height for stories other than the ground story is fourteen (14) feet.

(2) Except for those areas constituting individual unit interior hallways and bathrooms, upper stories shall have at least nine (9) feet of clear interior height (floor to ceiling).

d. *Mezzanines*: A Mezzanine having a floor area greater than one-half (1/2) of the floor area of the story in which the mezzanine is situated shall be counted as full story.

e. *Street Wall Height*:

(1) A street wall not less than six (6) feet in height or greater than eighteen (18) feet in height shall be required along any RBL frontage that is not otherwise occupied by the principal building on the lot.

(2) The height of the street wall shall be measured from (i) the adjacent public sidewalk, or (ii) when not adjacent to a sidewalk, from the ground elevation once construction is complete.

2. Siting

a. *Street Façade*:

(1) On each lot, the building façade for each building facing a street shall be built to the RBL at eighty-five percent (85%) of the RBL length.

(2) The building façade shall be built to the RBL within thirty (30) feet of a block corner.

(3) 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. *Buildable Area*:

(1) Buildings may occupy any portion of the lot behind the RBL, exclusive of any setbacks required by this Code.

(2) 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.

c. *Side Lot Setbacks*: There are no required side lot setbacks.

d. *Garage and Parking*:

(1) Garage entries or driveways shall be located at least seventy-five (75) feet away from any block corner.

(2) Garage entries shall have a clear height of no greater than sixteen (16) feet, nor a clear width exceeding twenty-four (24) feet.

(3) Garage entries may be setback up to a maximum of three (3) feet behind the surrounding façade.

(4) Vehicle parking areas on private property shall be located behind the parking setback line, except where parking is provided below grade.

(5) Tandem spaces behind individual garage spaces are permitted, except for those spaces that directly open to a required fire lane.

(6) These requirements are not applicable to on-street parking.

e. *Alleys*: There is no required setback from alleys.

f. *Corner Lots*: Corner lots shall satisfy the Code requirements for the full RBL length-unless otherwise specified in this Code.

g. *Unbuilt RBL and Common Lot Line Treatment:* A street wall or privacy fence may be constructed along that portion of a common lot line not otherwise occupied by a building.

3. Elements

a. *Fenestration*:

(1) Blank lengths of wall exceeding twenty (20) linear feet are prohibited on all RBLS.

(2) Fenestration on the ground story facades that are facing streets shall comprise at least forty percent (40%), but not more than ninety percent (90%), of the façade area situated between two (2) and ten (10) feet above the adjacent public sidewalk on which the façade fronts.

(3) Fenestration on upper story facades 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).

(4) No window may face or direct views toward a common lot line that is within thirty (30) feet unless: that view is contained within the lot, or the window sill is at least six (6) feet above the finished floor level.

b. *Building Projections*:

(1) Awnings, balconies, and stoops shall not project closer than five (5) feet to a common lot line.

(2) No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and shop fronts as specified by the Code, shall encroach beyond the RBL.

(3) Awnings that project over the sidewalk portion of a street space shall maintain a clear height of at least ten (10) feet.

c. *Use.*

(1) *Ground Story*: The ground story shall house residential uses or their affiliated uses, such as leasing office, fitness center, game rooms, etc.

(2) *Upper Stories*: The upper stories shall house residential uses or their affiliated uses located as shown on the Conceptual Plan approved for the property.

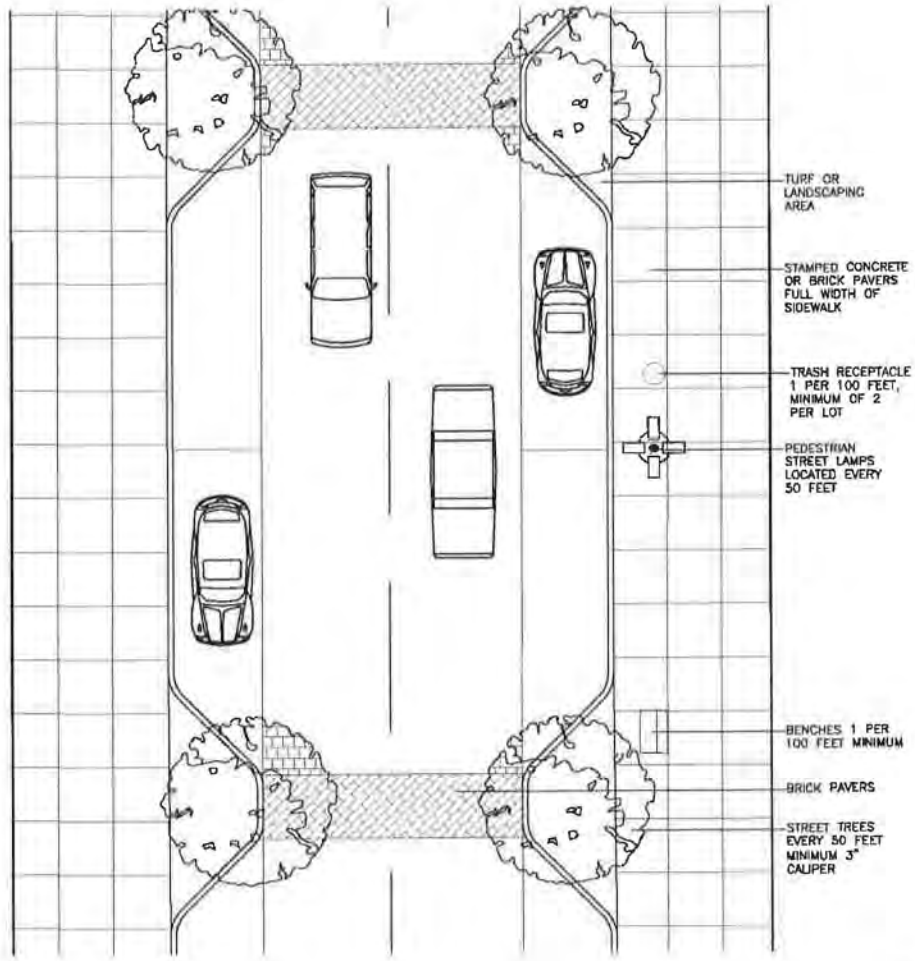
4. Street Types: Property within the Mid-Density Residential development district shall be developed in accordance with the following street types:

a. Internal private streets shall be developed in accordance with Street Type E-1.

b. Areas adjacent to Luna Road shall be developed in accordance with Street Type E-2.

c. Areas adjacent to Knightsbridge Road shall be developed in accordance with Street Type E-3.

Street Type E-1- Central Drive Sections



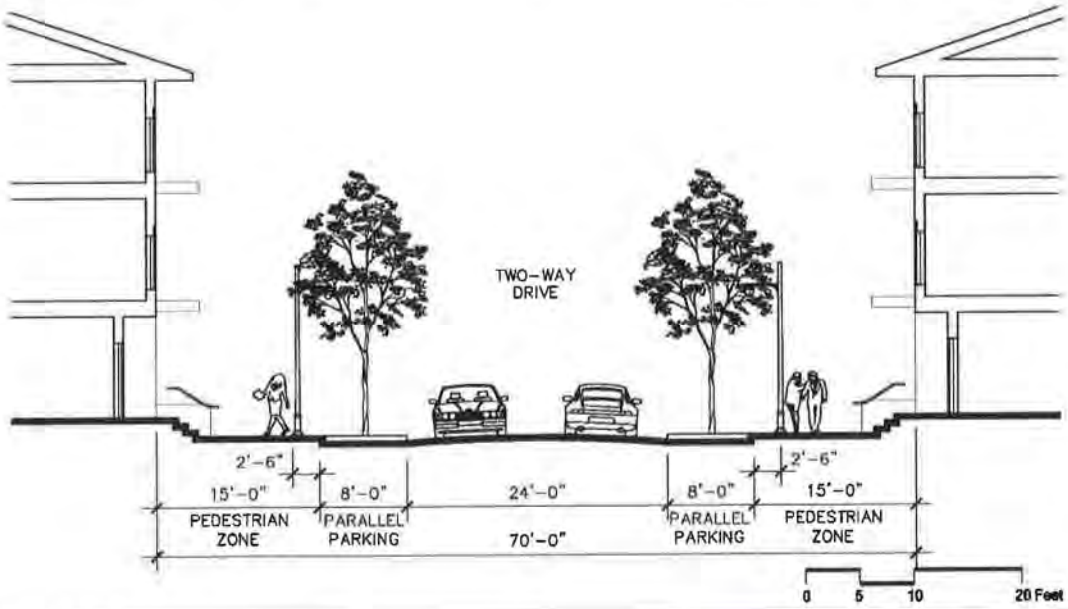


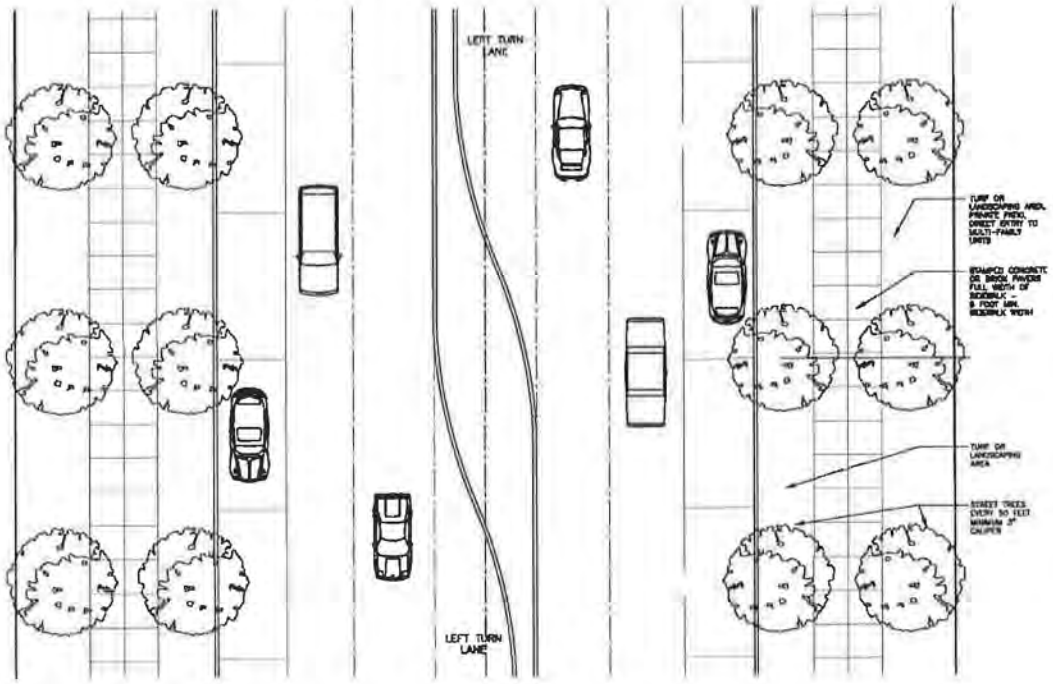
EXHIBIT "E-1"
SITE SECTION
(Modification of West Side: Street 66)

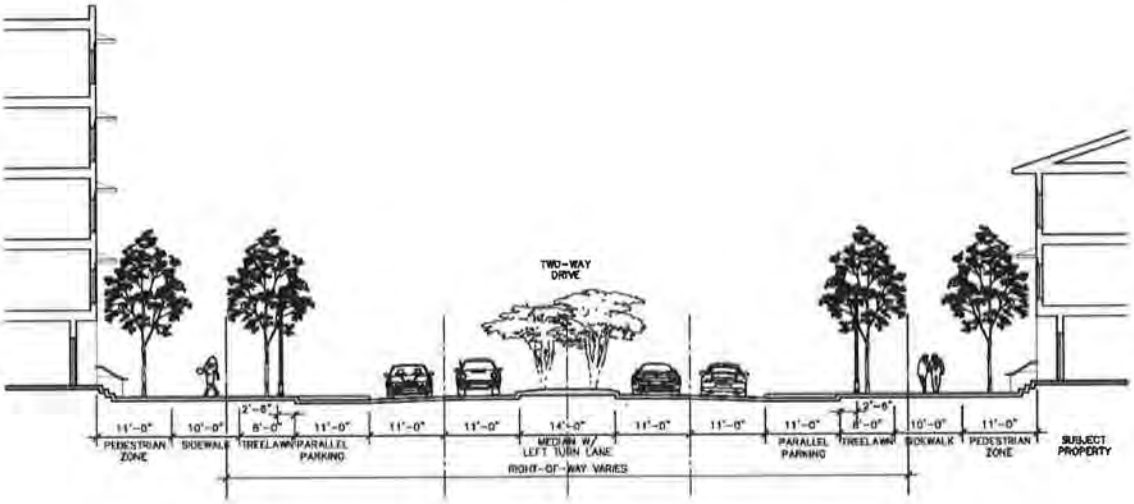
Mercer Crossing on Luna
Farmers Branch, Texas

Job #: 12016.00
File Name: Site-PD-SiteSection-E1.dwg
Date: 03/30/12
Drawn by: RLG/BBM

GFF Planning

Street Type E-2 – Luna Road Section





0 10 20 40 Feet

EXHIBIT "E -2"
SITE SECTION
(Modification of "West Side: Edge Two Streets")

Mercer Crossing on Luna
Farmers Branch, Texas

Job #: 12016.00
File Name: Site-PD-SiteSectionE2.dwg
Date: 04/25/12
Drawn by: RLG/BEM

GFF Planning

2608 Fairmount Street
Suite 300
Dallas, Texas 75201

214.303.1500/Tel
214.303.1502/Fax
www.gff.com

Street Type E-3 – Knightsbridge Road Section

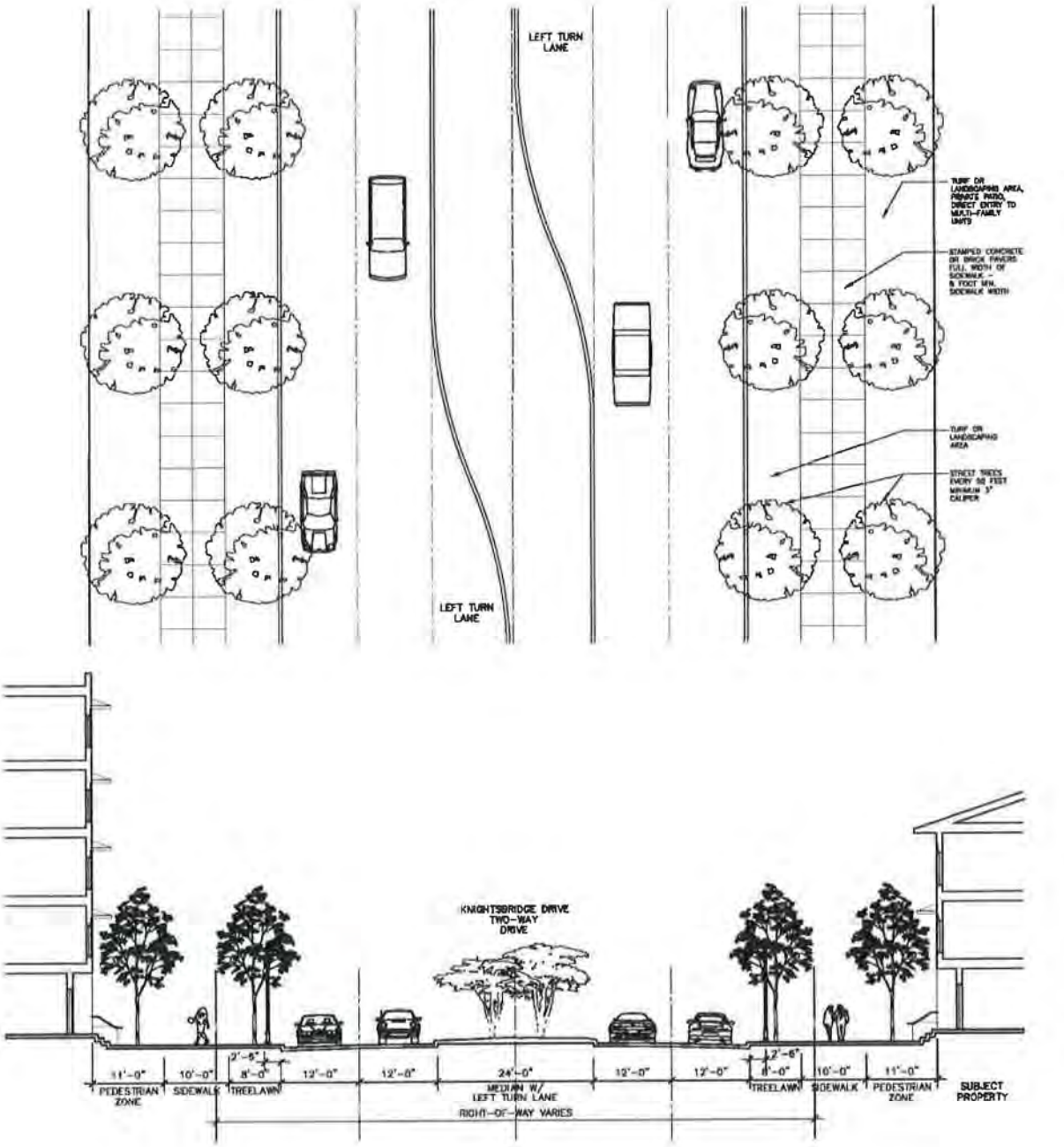


EXHIBIT "E-3"
SITE SECTION
(Modification of "West Side: Edge Two Streets")
Mercer Crossing on Luna
Farmers Branch, Texas

Job #: 12018.00
File Name: Site-PD-SiteSectionE3.dwg
Date: 04/25/12
Drawn by: RLG/BEM

GFF Planning
2505 Fairmount Street
Suite 300
Dallas, Texas 75201
214.303.1500/Tel
214.303.1512/Fax
www.gff.com

B. Administration:

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

C. Property within District

The following property within Mercer Crossing shall be designated as Mid-Density Residential:

A tract of land situated in the Heirs of William P. Shahan Survey, Abstract No. 1337 and the Harrison C. Marsh Survey, Abstract No. 916, Dallas County, Texas and being a portion of that certain tract of land as described in General Warranty Deed to **CONTINENTAL COMMON, INC.** as recorded in County Clerk's Document No. 201000322105 of the Deed Records of Dallas County, Texas and also being a portion of that certain tract of land as described in General Warranty Deed to **TCIMANHATTEN2, LLC** as recorded in County Clerk's Document No. 200900073145 of the Deed Records of Dallas County, Texas and also being a portion of that certain tract of land as described in Substitute Trustee's Deed to **2M HOLDINGS, LP** as recorded in County Clerk's Document No. 201100012048 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found with "Pate Surveyors" cap at the intersection of the northerly right-of-way line of Knightsbridge Drive (100 foot wide Right-of-way) and the easterly right-of-way line of Luna Road (a variable width right-of-way);

THENCE North 00 degrees 17 minutes 53 seconds East, departing the northerly right-of-way line of said Knightsbridge Drive and along the easterly right-of-way line of said Luna Road, a distance of 571.68 feet to a 1/2 inch iron rod found at the beginning of a non-tangent curve to the left, having a central angle of 21 degrees 45 minutes 27 seconds, a radius of 1,196.28 feet and being subtended by a 451.55 foot chord which bears North 10 degrees 32 minutes 44 seconds West;

THENCE, along said curve to the left and along the easterly right-of-way line of said Luna Road in a northwesterly direction, an arc distance of 454.28 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE North 40 degrees 06 minutes 02 seconds East, departing the easterly right-of way line of said Luna Road, a distance of 246.89 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE East, a distance of 271.11 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner at the beginning of a curve to the right, having a central angle of 02 degrees 57 minutes 46 seconds, a radius of 54.00 feet and being subtended by a 2.79 foot chord which bears South 88 degrees 31 minutes 07 seconds East;

THENCE, along said curve to the right in a southeasterly direction, an arc distance of 2.79 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 48 degrees 02 minutes 16 seconds East, a distance of 47.46 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 43 degrees 06 minutes 02 seconds East, a distance of 44.63 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 40 degrees 49 minutes 11 seconds East, a distance of 50.41 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 53 degrees 33 minutes 43 seconds East, a distance of 31.07 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE North 84 degrees 19 minutes 33 seconds East, a distance of 20.55 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 46 degrees 30 minutes 59 seconds East, a distance of 13.69 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 36 degrees 16 minutes 00 seconds East, a distance of 167.64 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 03 degrees 42 minutes 18 seconds West, a distance of 104.85 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 01 degrees 23 minutes 36 seconds East, a distance of 36.86 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 04 degrees 49 minutes 05 seconds East, a distance of 16.08 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 09 degrees 40 minutes 46 seconds East, a distance of 39.71 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 13 degrees 47 minutes 42 seconds East, a distance of 21.39 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 14 degrees 57 minutes 31 seconds East, a distance of 36.56 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 16 degrees 34 minutes 56 seconds East, a distance of 26.03 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 19 degrees 36 minutes 51 seconds East, a distance of 43.90 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 24 degrees 34 minutes 57 seconds East, a distance of 26.23 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 27 degrees 32 minutes 37 seconds East, a distance of 21.45 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 33 degrees 02 minutes 34 seconds East, a distance of 20.74 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 49 degrees 17 minutes 24 seconds East, a distance of 25.26 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 77 degrees 51 minutes 34 seconds East, a distance of 17.54 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 07 degrees 45 minutes 36 seconds West, a distance of 96.86 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 00 degrees 22 minutes 33 seconds East, a distance of 203.94 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 13 degrees 43 minutes 06 seconds West, a distance of 127.48 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 02 degrees 51 minutes 59 seconds East, a distance of 62.29 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 39 degrees 47 minutes 45 seconds East, a distance of 40.80 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 89 degrees 30 minutes 40 seconds West, a distance of 7.40 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner at the beginning of a curve to the left, having a central angle of 01 degrees 06 minutes 48 seconds, a radius of 2,064.50 feet and being subtended by a 40.11 foot chord which bears South 88 57 16 West;

THENCE, along said curve to the left in a southwesterly direction, an arc distance of 40.11 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner at the end of said curve;

THENCE South 88 degrees 23 minutes 52 seconds West, a distance of 70.29 feet to a 5/8 inch iron rod set with "RPLS 5539" cap for a corner;

THENCE South 00 degrees 33 minutes 36 seconds East, a distance of 14.27 feet to a 1/2 inch iron rod found at the northeasterly corner of the aforementioned Knightsbridge Drive and being

the beginning of a non-tangent curve to the right, having a central angle of 03 degrees 06 minutes 48 seconds, a radius of 950.00 feet and being subtended by a 51.61 foot chord which bears South 87 degrees 53 minutes 00 seconds West;

THENCE, along said curve to the right and along the northerly right-of-way line of said Knightsbridge Drive in a southwesterly direction, an arc distance of 51.62 feet to a 5/8 inch iron rod found with "Pate Surveyors" cap for a corner at the end of said curve, from which a 1/2 iron rod found bears North 11 degrees 31 minutes 06 seconds West, 0.37 feet;

THENCE South 89 degrees 26 minutes 24 seconds West, along the northerly right-of-way line of said Knightsbridge Drive, a distance of 531.90 feet to the **POINT OF BEGINNING** and containing 759,692 square feet or 17.440 acres of land, more or less.

ORDINANCE NO. 3085

FARMERS BRANCH

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 IN THE REGULATION PLAN OF A PORTION OF PLANNED DEVELOPMENT NO. 88 (PD-88) FOR 21.16 ACRE TRACT OF LAND GENRALLY LOCATED NORTH OF WITTINGTON PLACE AND EAST OF CHARTWELL CREST AND WEST OF SENLAC DRIVE AND BEING FURTHER DESCRIBED IN EXHIBIT "A" FROM "COMMERCE DISTRICT" TO "URBAN CENTER" AND AMENDING THE STREET TYPE PLAN FOR CERTAIN STREETS WITHIN THE 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 use and development regulations for an approximately 21.16 acre portion of Planned Development No. 88 (PD-88) Mercer Crossing Code ("the Mercer Crossing Code"), as amended, said property being more particularly described in Exhibit "A," attached hereto and incorporated herein by reference ("the Property"), by amending Section II "The Regulating Plan," Subsection D, "Regulating Plan" of the Mercer Crossing Code by changing the designation of the Property from "Commerce District" to "Urban Center" as illustrated in Exhibit "B," and by amending the Street Type Plan for the Property as shown in "Exhibit "C," attached hereto and incorporated herein by reference.

SECTION 2. The use and development of the Property shall be subject to the regulations set forth in Section III "Building Envelope Standards," Subsection C "Urban Center Sites" Development Standards" of the Mercer Crossing Code.

SECTION 3. The Property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended, and as amended herein.

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. 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 THE 13TH DAY OF JULY, 2010.

APPROVED:

Tim O'Hare, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney

ATTEST:

Cindee Peters, City Secretary

EXHIBIT "A"
Legal Description

BEING an approximately 21.16 acre tract of land situated in the Wm. M. Cochran Survey, Abstract No. 279 and in Farmers Branch, Dallas County, Texas. Said property being a portion of land as owned by American Realty Trust, Inc. as located in Volume 2001068, Page 1590, Deed Records Dallas County, Texas and being described more particularly as follows:

BEGINNING at a point on the corner clip of Senlac Drive (a 70 foot right-of-way) and Wittington Place (a 110 foot right-of-way);

THENCE southwesterly along said corner clip, South 44°07'14" West, a distance of 35.64 feet to a point for corner on the north right-of-way of said Wittington Place;

THENCE westerly along said north right-of-way of Wittington Place the following:

> South 88°42'44" West, a distance of 2,021.24 feet to a point for corner on a curve to the left;
>
> Westerly along said curve having a radius of 1,057.93 feet, a central angle of 16°33'53" and an arc distance of 305.86 feet to a point for corner on the corner clip of Chartwell Crest (a 85 foot right-of-way),

THENCE northwesterly and along said corner clip of Chartwell Crest, North 66°09'54" West, a distance of 21.37 feet to a point for corner on the northeast right-of-way of Chartwell Crest;

THENCE northwesterly along Chartwell Crest the following:

> North 24°25'18" West, a distance of 39.35 feet to a point for corner on a curve to the left;
>
> Northwesterly along said curve having a radius of 642.50 feet, a central angle of 34°34'27" and an arc distance of 387.71 feet to a point for corner, said point being the most southerly corner of Lot 1, Block A, Mercer Crossing Addition I, as recorded in Volume 2003184, Page 61, Deed Records Dallas County, Texas;

THENCE northeasterly along the southeast property line of said Lot 1, Block A and leaving said Chartwell Crest, North 44°07'00" East, a distance of 358.35 feet to the north property boundary of said American Realty Trust, Inc. tract and a point for corner;

THENCE southeasterly along said American Realty Trust tract, South 46°00'08" East, a distance of 281.29 feet to a point for corner;

THENCE easterly and continuing along said American Realty Trust tract, North 88°42'31" East, a distance of 1,688.10 feet to the southwest corner of Hutton Drive (a 70 foot right-of-way) as recorded in Volume 2000028, Page 02701, D.R.D.C.T., and a point for corner;

EXHIBIT "A" (con't)
Legal Description

THENCE northerly along said west right-of-way of Hutton Drive, North 02°44'37" West, a distance of 122.03 feet to a point on the south boundary of Valley View Commerce Park as recorded in Volume 84084, Page 2455, D.R.D.C.T., and a point for corner;

THENCE easterly along said south boundary of Valley View Commerce Park, North 89°19'56" East, a distance of 497.13 feet to a point for corner on the west right-of-way of said Senlac Drive;

THENCE southerly along said west right-of-way of Senlac Drive the following:

South 00°20'33" West, a distance of 66.26 feet to a point for corner;

North 89°31'44" East, a distance of 2.55 feet to a point for corner;

South 00°29'51" East, a distance of 370.79 feet to the

POINT OF BEGINNING and containing 21.16 acres of land, more or less.

EXHIBIT "B"
Revised Regulating Plan

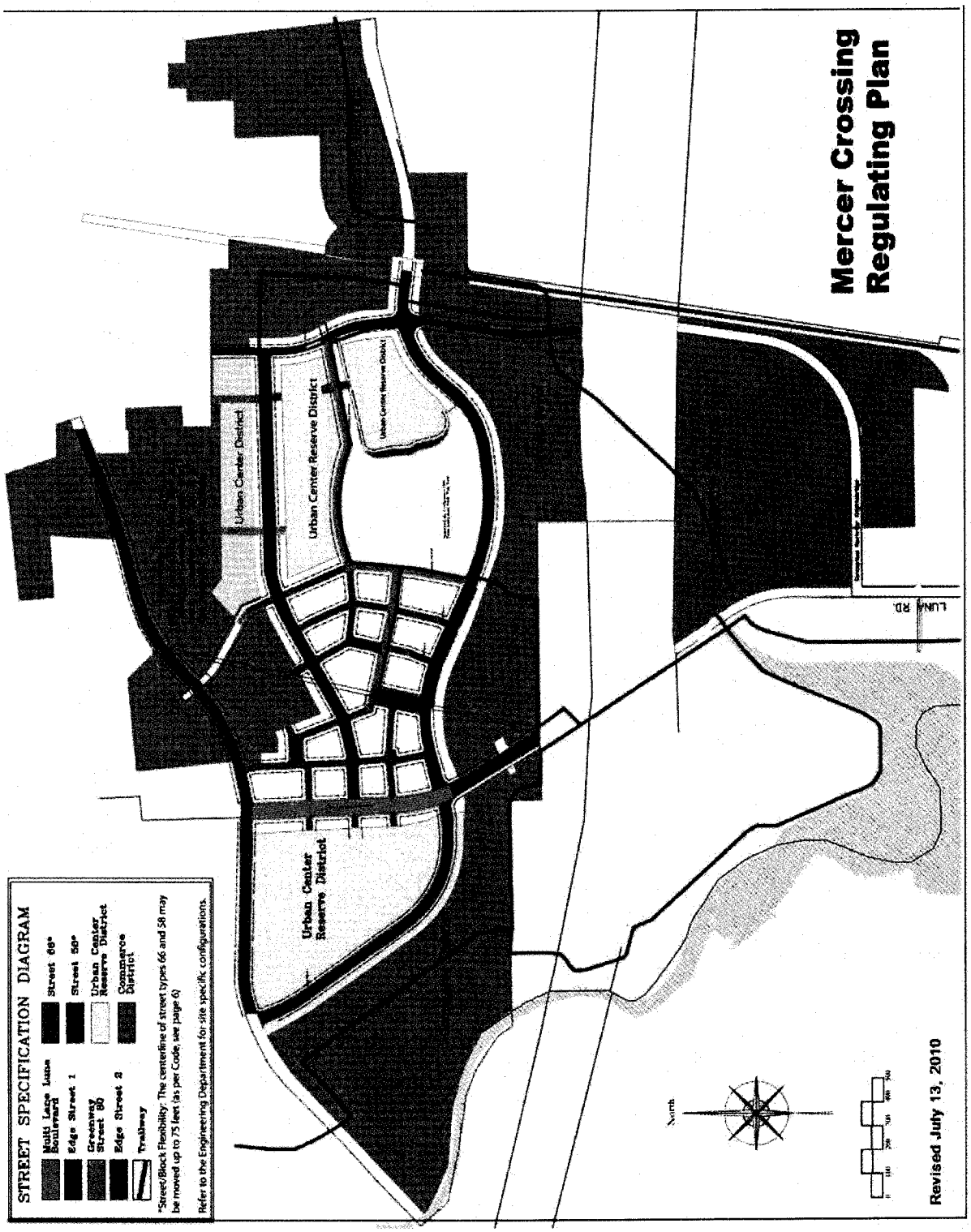
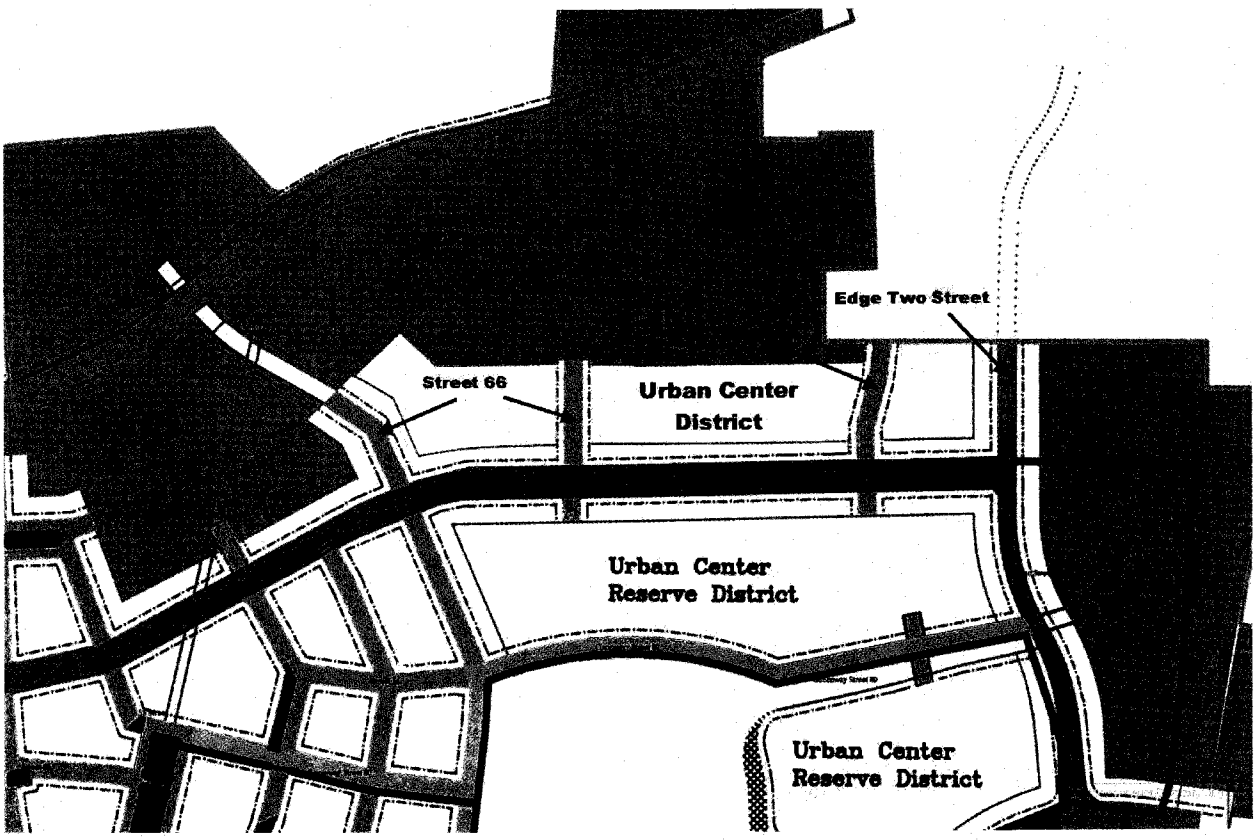


EXHIBIT "C"

Revised Street Type Plan



FARMERS
BRANCH

ORDINANCE NO. 3020

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 AMENDING PLANNED DEVELOPMENT NO. 88 (PD-88) FOR THE TRACT OF LAND GENRALLY BOUNDED ON THE NORTH BY THE SOUTHERN RIGHT-OF-WAY LINE OF LBJ FREEWAY (US I-635), ON THE EAST BY THE WESTERN RIGHT-OF-WAY LINE OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD AND ON THE SOUTH BY CENTERLINE OF CROWN DRIVE; ON THE WEST BY THE CENTERLINE OF LUNA ROAD AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; BY AMENDING THE REGULATING PLAN TO DELETE THE "EDGE TWO" STREET DESIGNATION FROM THE PORTIONS OF LUNA ROAD AND KNIGHTSBRIDGE ROAD LOCATED SOUTH OF THE LBJ FREEWAY; PROVIDING FOR A REPEALING 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:

SECTION 1. That the Comprehensive Zoning Ordinance and Zoning Map of the City of Farmers Branch, Texas, is hereby amended by amending the use and development regulations for the property described in Exhibit "A," attached hereto and incorporated herein by reference, said regulations being set forth in Ordinance No. 2868 creating Planned Development No. 88 (PD-88) Mercer Crossing Code ("the Mercer Crossing Code"), by amending Section II "The Regulating Plan", Subsection D "Regulating Plan" of the Mercer Crossing Code by deleting the "Edge Two" street designation from

those portions of Luna Road and Knightsbridge Road located south of the Interstate Highway 635 (LBJ Freeway), as illustrated in Exhibit "B," attached hereto and incorporated herein by reference.

SECTION 2. That the use and development of the property described in Exhibit "A," attached hereto, shall be subject to the regulations set forth in Section III "Building Envelope Standards," Subsection B "Commerce District Development Standards" of the Mercer Crossing Code.

SECTION 3. That the above described property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended, and as amended herein.

SECTION 4. That all provisions of the ordinances of the City of Farmers Branch in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Farmers Branch not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. That 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. In addition to and accumulative of all other penalties, the City of Farmers Branch shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 9. 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 17th day of March, 2009.

APPROVED:

Tim O'Hare, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(K. Laughlin reviewed 3/10/09)

ATTEST:

Cindee Peters, City Secretary

EXHIBIT "A"

BOUNDARY DESCRIPTION
Southern Portion of Planned Development 88 (PD-88)

BEGINNING at a point situated in the Wm. M. Cochran Survey, Abstract No. 279, said point being at the intersection of the south right-of-way line of Interstate Highway No. 635 (LBJ Freeway) and the west right-of-way line of Chicago Rock Island and Pacific (C.R.I.&P.) railroad right-of-way said railroad right-of-way deeded to the City of Dallas by Chicago Pacific Corporation in a special warranty deed filed in Volume 86057, Page 0342, D.R.D.C.T.;

THENCE South 09°17'10" West, following along the west right-of-way of said railroad right-of-way, for a distance of 936.36 feet to a point;

THENCE South 89°42'38" East, for a distance of 25.34 feet to a point;

THENCE South 09°17'10" West, continuing along the west right-of-way line of said railroad, for a distance of 1525.56 feet to a point; being the point of curvature of a curve to the right, having a delta of 48°15'04", a radius of 603.29 feet, and a chord bearing and distance of South 52°47'33" West, 493.17 feet;

THENCE along said curve, and continuing along the west right-of-way of said railroad, an arc distance of 508.06 feet to a point; being in the east right-of-way line of Mathis Street (a 64 foot right-of-way);

THENCE North 09°17'10" East, along said east right-of-way line, for a distance of 358.30 feet to a point; being in the north right-of-way line of Crown Drive (a 64 foot right-of-way);

THENCE West, along said north right-of-way line, for a distance of 1374.86 feet to a point;

THENCE North 00°06'37" West, leaving said north right-of-way line, for a distance of 619.20 feet, being in the north right-of-way line of Knightsbridge Road, and being the point of curvature of a curve to the right, having a delta of 03°07'13", a radius of 950.00 feet, and a chord bearing and distance of South 88°32'38" West, 51.73 feet;

THENCE along said curve, and said north right-of-way line, an arc distance of 51.74 feet to a point;

THENCE West, continuing along said north right-of-way line, for a distance of 531.61 feet to a point; being in the east right-of-way line of Luna Road (a 100 foot right-of-way);

THENCE North 00°46'13" East, following along said east right-of-way line, for a distance of 570.50 feet to a point, being the point of curvature of a curve to the left, having a delta of 32°32'57", a radius of 1196.28 feet, and a chord bearing a distance of South 17°22'38" East, 670.49 feet, being the west line of a 17.118 acre tract in the William P. Shahan Survey, Abstract No. 1337, Dallas County, Texas, and being a portion of a 44.062 acre tract recorded in Volume 70039, Page 1481.

THENCE along said curve, and continuing along said east right-of-way line, an arc distance of 679.59 feet to a point;

THENCE North 34°18'36" West, continuing along said east right-of-way line, for a distance of 95.14 feet to a point;

THENCE southwesterly, leaving said east right-of-way line at right angles and crossing Luna Road (variable width right-of-way) for a distance of 100.00 to a point in the west right-of-way line of said Luna Road;

THENCE North 32°22'19" West, for a distance of 150.00 feet to a point, being at the south right-of-way line of Mira Lago Blvd.;

THENCE crossing said Mira Lago Blvd., and continuing in a northwesterly direction along said west right-of-way line of Luna Road to a point in the south right-of-way line of LBJ Freeway;

THENCE in an easterly direction, along said south right-of-way line of said LBJ Freeway to its intersecting point with the west line of said C.R.I.&P. railroad right-of-way, being the POINT OF BEGINNING and CONTAINING 200 Acres of land, more or less.

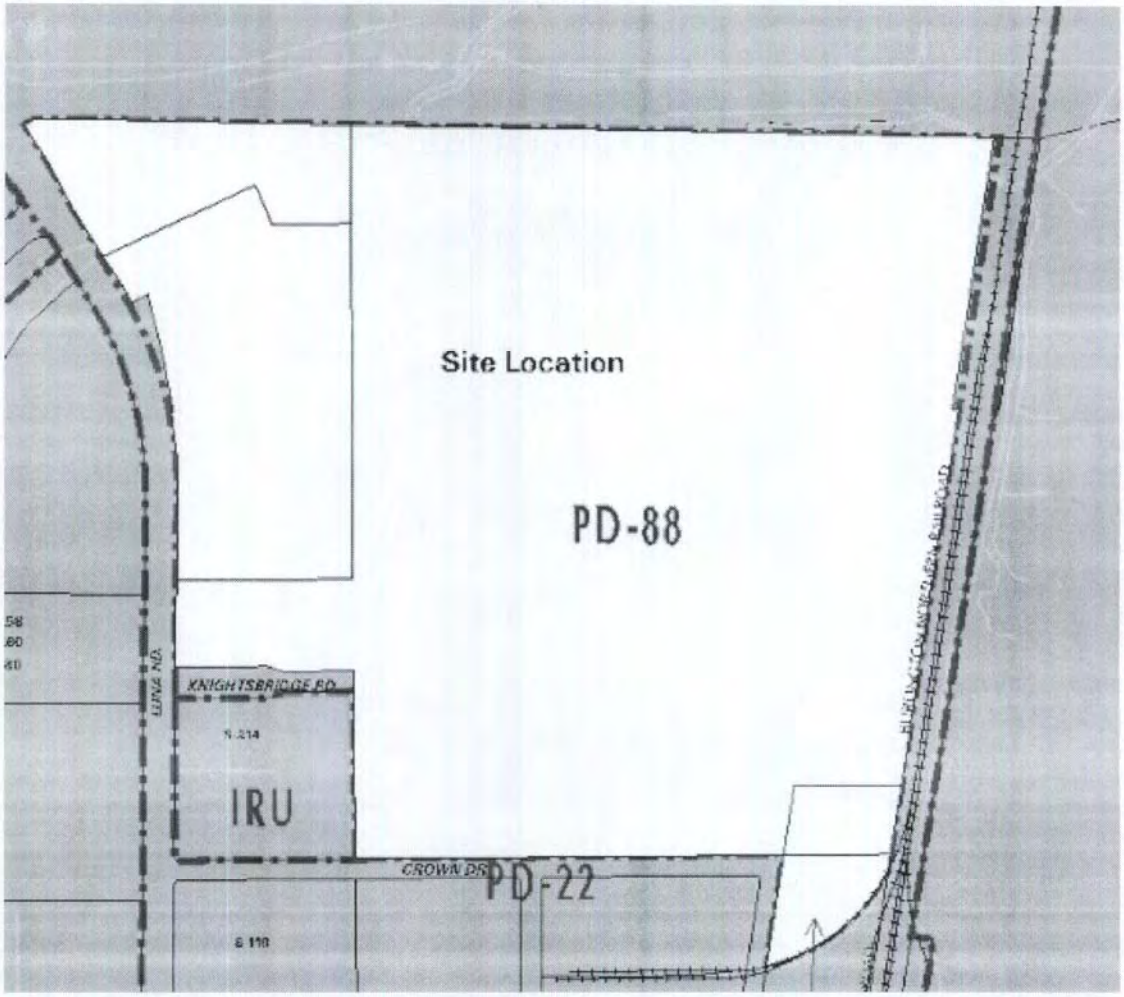
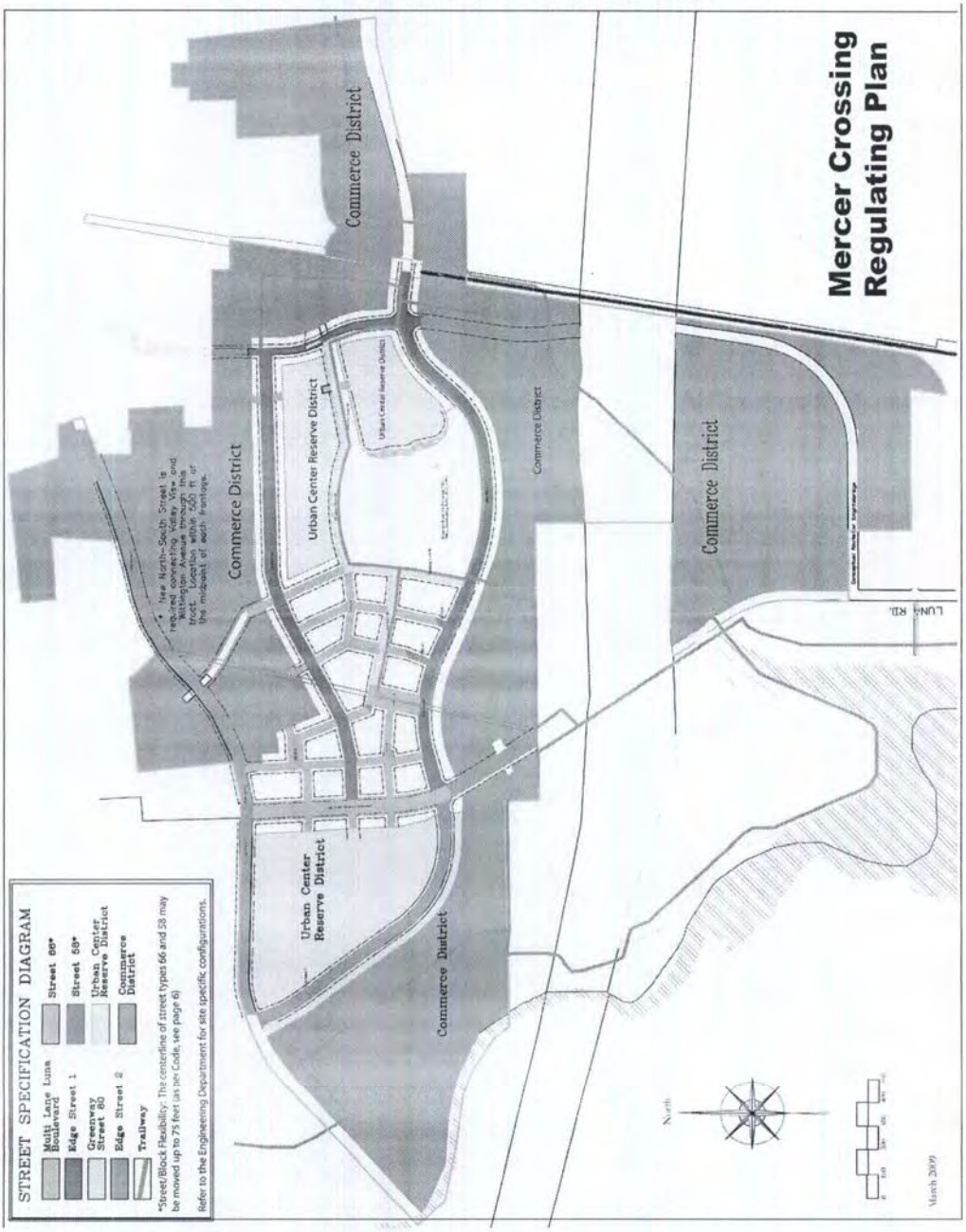

Site Location
PD-88
KNIGHTSBRIDGE RD
LUNA NO.
IRU
CROWN DR
PD-22

EXHIBIT "B"
Revised Regulating Plan



Ordinance Number 2868

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 changing the zoning district classification of multiple properties comprising approximately 875 acres in area generally located west of Interstate 35E and more specifically described in Exhibit A and Exhibit B, from Planned Development District Nos. 24 (portion thereof), 50, 60, 61, 72, 77, 78, 85 to Planned Development No. 88 (PD-88) Mercer Crossing Code; establishing use and development standards for PD-88; providing a savings clause; providing for injunctive relief; providing a severability clause; providing for a penalty of fine not to exceed two thousand dollars ($2,000.00); and providing an effective date.

WHEREAS the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, and general welfare of the City to enact a new zoning ordinance; and WHEREAS the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend, replace and restate the existing Planned Development District Nos. 24 (portion thereof), 50, 60, 61, 72, 77, 78, 85, as amended; and

WHEREAS the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan (specifically the *West Side Plan*) and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS the Planning and Zoning Commission has given reasonable consideration to, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS the City Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said change in zoning should be made.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

Section 1. That all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

Section 2. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended by changing the zoning district classification of the following described tracts of land, approximately 875 acres in area, from Planned Development District Nos. 24 (portions thereof), 50, 60, 61, 72, 77, 78, and 85 to Planned Development District 88-Mercer Crossing Code, and establishing development standards as set forth in Exhibit "C". Said property being shown on Exhibit "A" and more specifically described in Exhibit "B"

Section 3. That all uses in the Planned Development No. 88-Mercer Crossing Code shall conform in operation, location and construction to the development standards as set forth in Exhibit "C", and to the extent not in conflict with Exhibit "C", to the development and performance standards as established by the Comprehensive Zoning Ordinance of the City of Farmers Branch.

Section 4. 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, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense.

Section 5. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid, void, or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Section 6. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Section 7. Whereas it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, on this the August 21, 2006.

ATTEST:

_____

Cindee Peters, City Secretary

APPROVED:

_____

Bob Phelps, Mayor

APPROVED AS TO FORM:

_____

City Attorney

EXHIBIT A

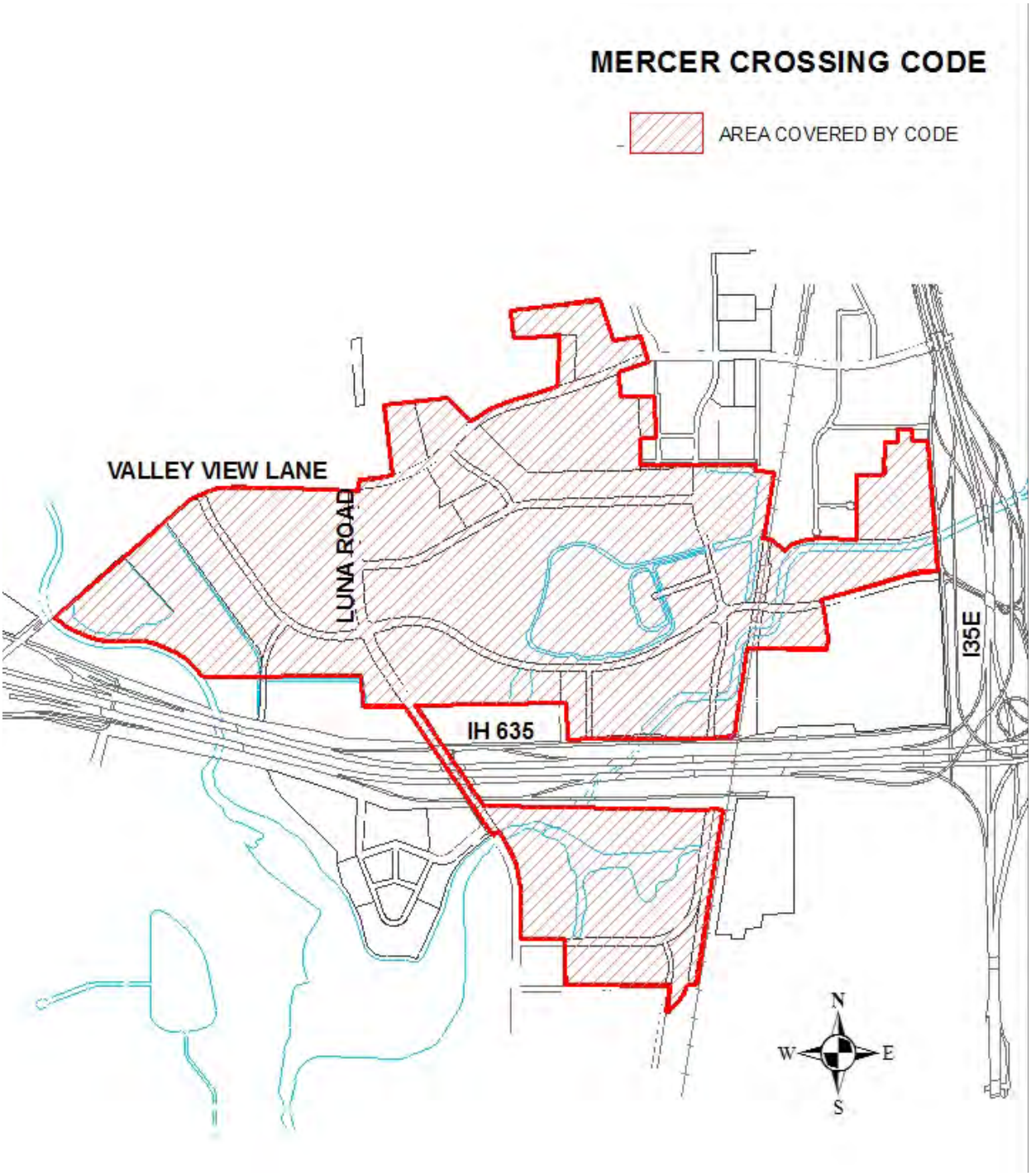

MERCER CROSSING CODE
AREA COVERED BY CODE
VALLEY VIEW LANE
LUNA ROAD
IH 635
I35E
N
W
E
S

Exhibit B
BOUNDARY DESCRIPTION

BEGINNING at a point situated in the Wm. M. Cochran Survey, Abstract No. 279, said point being at the intersection of the south right-of-way line of Interstate Highway No. 635 (LBJ Freeway) and the west right-of-way line of Chicago Rock Island and Pacific (C.R.I.&P.) railroad right-of-way said railroad right-of-way deeded to the City of Dallas by Chicago Pacific Corporation in a special warranty deed filed in Volume 86057, Page 0342, D.R.D.C.T.;

THENCE South 09°17'10" West, following along the west right-of-way of said railroad right-of-way, for a distance of 936.36 feet to a point;

THENCE South 89°42'38" East, for a distance of 25.34 feet to a point;

THENCE South 09°17'10" West, continuing along the west right-of-way line of said railroad, for a distance of 1525.56 feet to a point; being the point of curvature of a curve to the right, having a delta of 48°15'04", a radius of 603.29 feet, and a chord bearing and distance of South 52°47'33" West, 493.17 feet;

THENCE along said curve, and continuing along the west right-of-way of said railroad, an arc distance of 508.06 feet to a point; being in the east right-of-way line of Mathis Street (a 64 foot right-of-way);

THENCE North 09°17'10" East, along said east right-of-way line, for a distance of 358.30 feet to a point; being in the north right-of-way line of Crown Drive (a 64 foot right-of-way);

THENCE West, along said north right-of-way line, for a distance of 1374.86 feet to a point;

THENCE North 00°06'37" West, leaving said north right-of-way line, for a distance of 619.20 feet, being in the north right-of-way line of Knightsbridge Road, and being the point of curvature of a curve to the right, having a delta of 03°07'13", a radius of 950.00 feet, and a chord bearing and distance of South 88°32'38" West, 51.73 feet;

THENCE along said curve, and said north right-of-way line, an arc distance of 51.74 feet to a point;

THENCE West, continuing along said north right-of-way line, for a distance of 531.61 feet to a point; being in the east right-of-way line of Luna Road (a 100 foot right-of-way);

THENCE North 00°46'13" East, following along said east right-of-way line, for a distance of 570.50 feet to a point, being the point of curvature of a curve to the left, having a delta of 32°32'57", a radius of 1196.28 feet, and a chord bearing a distance of South 17°22'38" East, 670.49 feet, being the west line of a 17.118 acre tract in the William P. Shahan Survey, Abstract

No. 1337, Dallas County, Texas, and being a portion of a 44.062 acre tract recorded in Volume 70039, Page 1481.

THENCE along said curve, and continuing along said east right-of-way line, an arc distance of 679.59 feet to a point;

THENCE North 34°18’36” West, continuing along said east right-of-way line, for a distance of 95.14 feet to a point;

THENCE southwesterly, leaving said east right-of-way line at right angles and crossing Luna Road (variable width right-of-way) for a distance of 100.00 to a point in the west right-of-way line of said Luna Road;

THENCE North 32°22’19” West, for a distance of 150.00 feet to a point, being at the south right-of-way line of Mira Lago Blvd.;

THENCE crossing said Mira Lago Blvd., and continuing in a northwesterly direction along said west right-of-way line of Luna Road to a point in the south right-of-way line of LBJ Freeway and continuing along the west right-of-way line of Luna Road to its intersecting point with the north right-of-way line of said Interstate Highway No. 635, said point being the southeast corner of the revised final plat of Park West Phase II of LBJ/Luna Tract “C” Addition to the City of Farmers Branch, Texas, Volume 85186, Page 3424;

THENCE continuing in a northwesterly direction along said west right-of-way line of Luna Road, to the southeast corner of Block B of Westside Addition Section 1, an addition to the City of Farmers Branch, as record in the Map Records of Dallas County, Texas, instrument number 200600172;

THENCE departing said west right-of-way line of Luna Road along the south line of said Block B, in a westerly direction, a distance of 540 feet, more or less, to a point at the most southerly southwest corner of said Block B;

THENCE in a northerly direction along a west line of said Block B, a distance of 390 feet, more or less, to a point;

THENCE in a westerly direction, along the south line of said Block B, a distance of 1274 feet, more or less, to a point for corner;

THENCE crossing a 200 foot wide tract conveyed to the Carrollton-Farmers Branch Flood Control District by deed recorded in the Dallas County Deed Records, Volume 76112, Page 1722, to a point in the east line of a tract of land conveyed to ART Walker Cummings as Tract II in deed Volume 98142, Page 3329, D.R.D.C.T.;
THENCE in a southerly direction, along the east side of said Tract II, a distance of approximately 50 feet to a point for corner said point being in the north line of a 33.384 acre tract

of land known as Park West Phase II of LBJ/Luna Tract "C" Addition to the City of Farmers Branch, Texas, Volume 85186, Page 3424;

THENCE in a westerly direction along said north line of said addition, a distance of 548 feet more or less to a point being on the east top bank of the Elm Fork of the Trinity River;

THENCE meandering in a northwesterly direction along said east top bank of said Elm Fork of the Trinity River to its intersecting point with the southeasterly right-of-way line of Valley View Lane (a variable width right-of-way);

THENCE in a northeasterly direction, along said southeasterly right-of-way, to a point for corner being the most westerly corner of Westside Addition Section 1 an addition to the City of Farmers Branch as recorded in the office of the Dallas County Clerk by instrument number 200600172708;

THENCE continuing in a northeasterly direction along said southeasterly right-of-way line of Valley View Lane, passing Mercer Parkway (a 100 foot wide right-of-way), and continuing in an easterly direction along said south right-of-way line of Valley View Lane (a 115 foot wide right-of-way), passing the west right-of-way line of Luna Road (a 130 foot wide right-of-way), and continuing to a point at the southeast corner of said Luna Road and Valley View Lane, said point generally being at the northwest corner of Block C of said Westside Addition Section 1;

THENCE in a northerly direction, crossing Valley View Lane, to a point at the northeast corner Luna Road, said point generally being the southwest corner of Lot 1, Bonneau Addition Phase II, an addition to the City of Farmers Branch, recorded in Volume 96168, Page 3245;

THENCE in a northeasterly direction along the north right-of-way line of said Valley View Lane, to a point generally being the southeast corner of said Bonneau Addition;

THENCE departing the north right-of-way line of Valley View Lane, in a northerly direction along the east line of said Bonneau Addition Phase II, a distance of approximately 910 feet, more or less, to a point in the south right-of-way line of Keenan Bridge Road;

THENCE in an easterly direction along said south right-of-way line of Keenan Bridge Road, to a point generally being the northwest corner of a 7.36 acre tract of land conveyed to Downtown Development by deed recorded in the Deed Records of Dallas County, Texas, Volume 2005010, Page 6581;

THENCE continuing along said south right-of-way line of Keenan Bridge Road to a point generally being the northeast corner of said 7.36 acre tract of land;

THENCE continuing along the southwest right-of-way line of said Keenan Bridge Road, in a southeasterly direction, to a point in the north right-of-way line of Valley View Lane generally being the most easterly corner of said 7.36 acre tract of land;

THENCE departing said easterly corner of said 7.36 acre tract, in a northeasterly direction crossing said Keenan Bridge Road right-of-way, following along said north right-of-way line of Valley View Lane in a northeasterly direction for a distance of approximately 1,150 feet to a point being the southwest corner of Lot 1, Block 1, Dalho Truck Lease Addition to the City of Farmers Branch as recorded in Volume 89007, Page 0527;

THENCE departing said north right-of-way line of Valley View Lane, in a northerly direction along the west side of said Dalho Truck Lease Addition, to a point in a south line of a 22.995 acre tract out of the Francis Miller Survey, Abstract No. 926, City of Farmers Branch, Dallas, County, Texas; originally recorded by plat as the El Chico Addition, Volume 77180, Page 3067, D.R.D.C.T.;

THENCE South 87°25’19” West, along said south line of said El Chico Addition to a point being the most westerly southwest corner of said El Chico Addition being a point for corner;

THENCE North 03°51’41” West, for a distance of 335.67 feet to a point being the most northwesterly corner of said El Chico Addition and being in the south line of the 175 foot wide Farmers Branch-Carrollton Flood Control District Channel right-of-way;

THENCE North 85°00’54” East, along the north line of said El Chico Addition and said flood control district south line to a point at the northwest corner of a 4.4082 acre tract of land conveyed from Transcontinental Brewery, Inc. to the City of Farmers Branch by Special Warranty Deed recorded in the Dallas County Deed Records Volume 2001174, Page 2511, being a point for corner;

THENCE departing said south line of the flood control right-of-way, in a southeasterly direction along the west line of said 4.4082 acre tract, a distance of 555 feet, more or less, to a point at the southwest corner of said City 4.4082 acre tract;

THENCE departing said southwest corner, along the south line of said 4.4082 acre tract, in a northeasterly direction, a distance of 360 feet, more or less, to a point in the west right-of-way line of Hutton Drive;

THENCE along said west right-of-way line of Hutton Drive, in a southeasterly direction, passing the north right-of-way line of Valley View Lane at 230 feet, more or less, and continuing across said Valley View Lane right-of-way to a point in the south right-off-way line of said Valley View Lane, said point also being in the north line of Auto Classics Addition to the City of Farmers Branch as recorded in Volume 78175, Page 0810 of the Map Records of the Dallas County Clerk;

THENCE along said south right-of-way line of Valley View Lane in a southwesterly direction, passing the northwest corner of said Auto Classics Addition and continuing along said south right-of-way line to the northwest corner of a 2.165 acre tract of land conveyed to VH Printing, L.P. by deed recorded in Volume 2005159, Page 7153 of the Dallas County Deed Records said point also being the northeast corner of a 45 acre tract of land previously conveyed to GNB Batteries, Inc.

THENCE departing said south right-of-way line of Valley View Lane, along the west side of said 2.165 acre tract, in a southerly direction, a distance of 311 feet, more or less, to a point being the southwest corner of said 2.165 acre tract;

THENCE in an easterly direction, along the south line of the said 2.165 acre tract, a distance of 251 feet more or less, to the southeast corner of said 2.165 acre tract;

THENCE in a southerly direction, departing said southeast corner of said 2.165 acre tract, a distance of 5 feet, more or less, to the northwest corner of Lot 1, Block 4, Valley View Commerce Park addition to the City of Farmers Branch as recorded in the Dallas County Clerk's office under Volume 84084, Page 5695

THENCE in an easterly direction, along the north line of said Valley View Commerce Park addition, a distance of 193 feet, more or less, to a point in the west right-of-way line of Hutton Drive (a 70 foot wide right-of-way);

THENCE in a southerly direction, along said west Hutton Drive right-of-way line, a distance of 545 feet, more or less, to a point being the southeast corner of said Valley View Commerce Park addition;

THENCE departing said west right-of-way line of Hutton Drive, in a westerly direction along the south line of said Valley View Commerce Park addition, a distance of 194 feet, more or less, to a point at the southwest corner of said addition, said point also being the northwest corner of Lot 2, Block 4, Valley View Commerce Park addition as recorded in the Map Records of the Dallas County Clerk's office under Volume 85107, Page 5702;

THENCE in a southerly direction, along the west line of said Lot 2, a distance of 285 feet, more or less, to a point at the southwest corner of said lot;

THENCE in an easterly direction along the south line of said Valley View Commerce Park addition, crossing the Hutton Drive street right-of-way and continuing in an easterly direction, crossing the Senlac Drive street right-of-way to a point at the southeast corner of Lot 3, Block 1 of said Valley View Commerce Park addition, said point also being the southwest corner of Nicholson Road Joint Venture addition to the City of Farmers Branch as recorded in Volume 80231, Page 0171 of the Map Records of the Dallas County Clerk's office;

THENCE continuing in an easterly direction along the south line of said Nicholson Road Joint Venture addition, passing the southeast corner of said addition, to a point in the centerline of Nicholson Road, said point also being in the east line of the Francis Miller Survey, Abstract No. 926 and on the west line of the Thomas L. Chenowith Survey, Abstract No. 325;

THENCE in a southerly direction along said common survey lines, a distance of approximately 65 feet to a point at the southwest corner of Lot 3, Block A of Farmers Branch Industrial Park

West, as recorded in Volume 79129, Page 0865 of the Map Records of the Dallas County Clerks office;

THENCE in an easterly direction, along the south line of said Lot 3, a distance of 259 feet, more or less to a point in the west right-of-way line of the C.R.I.&P. railroad right-of-way that was conveyed to the City of Dallas as Tract 2 by deed recorded in Volume 86057, Page 0342 of the Deed Records of Dallas County, Texas;

THENCE in a southwesterly direction, along the west right-of-way line of said C.R.I.&P. railroad right-of-way, a distance of approximately 1,000 feet to a point;

THENCE crossing said railroad right-of-way, in an easterly, a distance of approximately 100 feet to a point in the east line of said railroad right-of-way, said point also being the most westerly north corner of Block A, Westside Addition Section 2 to the City of Farmers Branch, as recorded under instrument number 200600172709 of the Map Records of Dallas County, Texas;

THENCE along a northerly line of said Block A, Westside Addition Section 2, South 83°00’03”East, a distance of 18.19 feet to a point;

THENCE along said northerly block line South 59°25’40”East, for a distance of 96.43 feet to a point;

THENCE along said northerly block line South 45°08’55” East, for a distance of 107.01 feet to a point;

THENCE along said northerly block line North 47°58’52” East, for a distance of 134.59 feet to a point;

THENCE along said northerly block line North 70°15’08” East, for a distance of 99.68 feet to a point;

THENCE along said northerly block line North 80°02’32” East, for a distance of 105.72 feet to a point;

THENCE along said northerly block line North 82°50’28” East, for a distance of 63.13 feet to a point;

THENCE along said northerly block line North 85°32’28” East, for a distance of 79.41 feet to a point;

THENCE along said northerly block line North 89°30’55” East, continuing along said Block A, a distance of 472.13 feet to a point;

THENCE continuing along said Block A, Westside Addition Section 2, North 00°27’30” West, for a distance of 834.81 feet to a point;

THENCE continuing along said Block A, North 89°16’39” East, a distance of 371.39 feet to a point;

THENCE continuing along said Block A, North 00°00’14” West, for a distance of 442.26 feet to a point being the most northerly northwest corner of said Block A;

THENCE North 89°13’50” East, along the north line of said Block A to a point at the southwest corner of the east one-half of Lot 72 of Willowdale Addition, an unrecorded addition to the City of Farmers Branch, Dallas County, Texas;

THENCE departing said north line of Block A, in a northerly direction along the west line of said east one-half of Lot 72, a distance of 175 feet, more or less, to the northwest corner of the east one-half of said Lot 72, and being a point in the south right-of-way line of Springlake Road;

THENCE departing said northwest corner of said lot, in an easterly direction along said south right-of-way line, passing Lot 73 for a total distance of 187.5 feet to a point at the northeast corner of Lot 74 of said unrecorded addition;

THENCE departing said south right-of-way line and said northeast corner of said Lot 74, in a southerly direction along the east side of said Lot 74, a distance of 187.5 feet to a point at the southeast corner of said lot 74, said point also being in the north line of said Block A of said Westside Addition Section 2;

THENCE North 89°13’50” East, along the north line of said Block A to a point in the west right-of-way line of Interstate Highway 35E (IH35E) (a variable width right-of-way) said point being the northeast corner of said Block A;

THENCE South 04°47’56” East, along said west right-of-way line, for a distance of 1447.46 feet to a point;

THENCE South 05°53’10” East, along said west right-of-way line, for a distance of 323.33 feet to a point in the centerline of Mercer Parkway (a 100 foot wide right-of-way);

THENCE departing said west right-of-way line of IH35E along the south line of said Block A to a point at the southwest corner of said Mercer Parkway and Northern Parkway, said point also being the northeast corner of Block B of said Westside Addition Section 2;

THENCE in a southeasterly direction, along west right-of-way line of said Northern Parkway and the east side of said Block B, to a point at the southeast corner of said Block B;

THENCE departing said west right-of-way line of said Northern Parkway, along the south line of said Block B, a distance of 980.53 feet to a point at the southwest corner of said Block B, said point also being in the east right-of-way line of said C.R.I.&P. railroad and continuing across said railroad right-of-way, a distance of 100 feet more or less to the west line of said railroad right-of-way, said point also being in the east line of Block I of Westside Addition Section 1 an addition to the City of Farmers Branch as recorded in the office of the Dallas County Clerk by instrument number 200600172708;

THENCE in a southwesterly direction along the said west line of the railroad right-of-way and the said east line of said Block I, to a point at the southeast corner of said Block I, said point also being in the north right-of-way line of Interstate Highway No. 635 (LBJ Freeway);

THENCE in a westerly direction along said north right-of-way line of Interstate Highway No. 635 and the south line of said Block I, passing Knightsbridge Road (an 80 foot wide right-of-way) and continuing along the south line of Block E and the north line of said LBJ Freeway, to a point at the most southerly southwest corner of said Block E;

THENCE departing said north right-of-way line of LBJ Freeway, North 00°40’31”West, for a distance of 488.87 feet to a point;

THENCE South 88°56’53”West, for a distance of 1916.28 feet to a point in the east right-of-way line of Luna Road;

THENCE in a southeasterly direction along said east right-of-way line of Luna Road, to a point in the north right-of-way line of said LBJ Freeway, said point also being the northwest corner of a 7.105 acre tract of land known as Lot 1, Block 1, Tract F, Park West Phase V Addition, Volume 87007, Page 3105;

THENCE in an easterly direction, along said south right-of-way line of LBJ Freeway and the north line of said Park West Phase V addition to a point at the northeast corner of said addition;

THENCE in an easterly direction, along said south right-of-way line of said LBJ Freeway to its intersecting point with the west line of said C.R.I.&P. railroad right-of-way, being the POINT OF BEGINNING.