



ORDINANCE NO. 3743

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS AMENDED, BY AMENDING THE REGULATIONS RELATING TO THE DEVELOPMENT AND USE OF LOT 1, BLOCK 1, ALPHA METROPOLITAN ADDITION FROM LIGHT INDUSTRIAL (LI) ZONING DISTRICT TO PLANNED DEVELOPMENT DISTRICT NUMBER 107 (PD-107) FOR MULTI-FAMILY USES; ADOPTING DEVELOPMENT REGULATIONS; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the laws of the State of Texas and the ordinances of the City of Farmers Branch, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended;

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

SECTION 1. The Comprehensive Zoning Ordinance and Zoning Map of the City of Farmers Branch, Texas, be and the same are hereby amended by amending the regulations relating to the use and development of Lot 1, Block 1, Alpha Metropolitan Addition, , an addition to the City of Farmers Branch, Dallas County, Texas, according to the map thereof recorded in Volume 98083, Page 81 Map Records, Dallas County, Texas (the "Property") which is presently zoned as Light Industrial (LI) by changing the zoning to create Planned Development District No. 107 (PD-107) for Multi-Family Uses subject to the use and development regulations set forth in Exhibit "A," attached hereto and incorporated herein by reference (the "PD-107 Development Regulations").

SECTION 2. The Property shall be developed and used in accordance with applicable provisions of the City of Farmers Branch Comprehensive Zoning Ordinance, as amended ("CZO") except to the extent modified by the PD-107 Regulations.

SECTION 3. In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Farmers Branch and the provisions of this Ordinance, the provisions of this Ordinance shall be controlling.

SECTION 4. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect

ORDINANCE NO. 3743
EXHIBIT "A"
DEVELOPMENT REGULATIONS FOR
PLANNED DEVELOPMENT DISTRICT NO. 107 (PD-107)

SECTION 1. STATEMENT OF INTENT AND APPLICABILITY:

City of Farmers Branch, Texas, Ordinance No. 3743, enacted on May 3, 2022, and to which this Exhibit "A" is attached and a part thereof, amends the City of Farmers Branch Comprehensive Zoning Ordinance ("CZO") and the Zoning Map of the City of Farmers Branch, Texas, as previously amended, relating to the use and development of 5.005± acres described as Lot 1, Block 1, Alpha Metropolitan Addition, an addition to the City of Farmers Branch, Dallas County, Texas, according to the map thereof recorded in Volume 98083, Page 81 Map Records, Dallas County, Texas, and depicted on Appendix 1, attached hereto and incorporated herein by reference ("the Property") by establishing Planned Development District No. 107 (PD-107) for Multi-Family Use (referred to herein alternatively as "PD-107" or "the District"). The use and development of the Property shall comply with the provisions of the CZO except as provided in this Exhibit "A" (the "PD-107 Regulations" or "these Regulations"). In the event of an irreconcilable conflict between the PD-107 Regulations and the CZO, these Regulations shall control. Any topic of regulation not addressed by these Regulations shall be governed by the CZO or other applicable development regulations of the City.

The intent of these Development Regulations is to provide for the redevelopment of the Property to be used and developed for high quality multi-family housing. The development of this District is consistent with the Community Mixed Use Subdistrict vision provided for in the City of Farmers Branch East Side Comprehensive Plan adopted January 24, 2017, pursuant to Ordinance No. 3420 ("the East Side Plan"). Therefore, this District and these Development Regulations are enacted with the intent of furthering the vision of the Community Mixed Use Subdistrict and the East Side Plan by providing for development that achieves a high degree of function and design. Additionally, in enacting these Regulations, consideration was given to the Multi-Family Development Policy adopted pursuant to Ordinance No. 3715. The City Council finds that these Regulations are substantially consistent with said policy. To the extent these Regulations are not consistent with the Multi-Family Development Policy, the City Council finds these Regulations, taken as a whole, are consistent with the spirit and intent of said policy and that it is in the public interest to enact these Regulations notwithstanding such inconsistencies.

SECTION 2. PERMITTED USES

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

- A. **Primary Use:** Multi-family dwelling unit
- B. **Accessory Use:**
 - 1. Structured parking garage

2. Landscape Open Space

SECTION 3. DEVELOPMENT STANDARDS.

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

A. Residential Density and Floor Area Ratio (FAR).

1. The minimum density for multi-family residential shall be 55 dwelling units per acre and shall not to exceed a maximum of 85 dwelling units per acre.
2. The minimum FAR is 3:1. No maximum FAR shall be required. FAR calculations shall include the garage.

B. Building Heights. The structure height shall not exceed seventy-four (74) feet ; provided, however, the height of chimneys, ornamental cupolas, domes and spires, steeples, cellular antennas, elevator penthouse or bulkhead, roof lighting, and parapet walls located on the roofs of buildings constructed on the Property may exceed seventy-four (74) feet but not more than eighty-four (84) feet in height.

C. Building Placement.

1. Required build-to zones and building setbacks shall be measured from the boundary lines of the Property and established in accordance with the requirements in the table below. As used in the table below, "Building Frontage Build-Out" means the percentage of the lot width where the principal building and/or parking garage must be located within the required build-to-zone.

Front Build-to-Zone for Alpha Road	Minimum: 10 feet; Maximum: 20 feet
Front Build-to-Zone for Welch Road	Minimum: 10 feet Maximum: 15 feet
Required Side or Rear Setback	No minimum setback (or as required by the Building Code)
Building Frontage Build-Out for Alpha Road	Minimum 65% lot width
Building Frontage Build-Out for Welch Road	Minimum 80% lot width.

*Where easements encumber the entire required Build-to-Zone, the building shall be built to the easement line.

2. Stoops, stairs, balconies, and other architectural building elements may encroach with the minimum setback a distance not to exceed two (2) feet.

3. Except for the garage entrance and/or exit, the façade of a structured parking garage adjacent to a public street frontage shall be concealed from view of said street. The multi-family building shall be wrapped around the parking garage as shown on the Conceptual Site Plan.

D. **Lot Coverage.** The maximum permitted lot coverage shall be 75%

E. **Building Design Standards.**

1. For the purposes of this Section 3.E, the following definitions shall apply:
 - a. BLANK WALL AREA means any portion of the exterior of a building that does not include a material change; windows or doors; or columns, pilasters, or other articulations greater than 24 inches in depth. Blank wall area is measured horizontally on each facade.
 - b. FACADE means any separate face of a building, including parapet walls and omitted wall lines, or any part of a building which encloses or covers usable space. Where separate facades are oriented in one direction, or in directions within 45 degrees of one another, they are to be considered as part of a single façade.
 - c. GROUND-LEVEL means the level of a building closest to, adjacent to, and above the street.
 - d. PEDESTRIAN OPEN SPACE means a pedestrian area, facility, or feature that is located on the Property, inside or outside of the public right-of-way and outside of private drive aisle and/or fire lanes, and that is publicly accessible and privately maintained. Examples include but are not limited to green space, public art, public plaza, hardscape, amenities along public street, and seating areas.
2. Blank wall areas located on a façade facing Alpha Road or Welch Road shall not exceed 30 feet in length.
3. The buildings constructed on the Property shall be designed and constructed to appear substantially as set forth in the Conceptual Elevations attached hereto as Appendix 4 and incorporated herein by reference (the "Conceptual Elevations").
4. The building shall include a functioning, primary building entrance accessible from a public sidewalk or plaza and shall be easily identifiable utilizing pedestrian-scale design elements including, but not limited to: recessed entrances, increased glazing, canopies, awnings, storefront windows, and/or similar architectural features intended to accentuate the building entrance.

5. All mechanical and related equipment located on the rooftop of any building must be screened so as not to be visible from any public right-of-way.
6. All electrical and utility boxes at the ground-level shall be screened and located away from public view.

F. **Landscape Open Space, Streetscape and Pedestrian Amenity.** The streetscape standards in this Section 3.F are intended to provide for a cohesive streetscape along block faces, emphasizing the public realm with a consistent design theme and enhancing the physical relations between buildings and their adjacent streets. These streetscape standards are also intended to promote increased walkability for pedestrians and provide access opportunities for properties.

1. Landscaped areas may include a combination of zones of grass, ground cover, trees and shrubs, fountains and water treatments, and sculptures.
2. The Property shall be developed with not less than 20% of landscape open space.
3. Not less than 150 square feet of private open space per dwelling unit shall be developed on the Property.
4. Construction of a landscaped courtyard or public plaza, not less than 5,000 square feet and located at the northeast corner of Alpha and Welch Road within the Property, shall be complete prior to issuance of a certificate of occupancy for any of the buildings containing dwelling units is issued. Said plaza shall be developed with at least two covered seating areas, one prominent water feature or art installation, hardscape and landscape enhancements, not less than four benches, bollard lights and connected pathways, linking the plaza with sidewalks along the adjacent public street as well as the multi-family building on the Property. Not less than 6,000 square feet of ground floor area, consisting of leasing office, club and amenity space shall be located at the southwest corner of the multifamily building facing the public plaza or courtyard.
5. A sidewalk not less than six-feet (6') wide shall be constructed along Welch Road.
6. A meandering hike and bike trail not less than ten-feet (10') wide shall be constructed along Alpha Road.
7. All streetlights, bollard lights, trash receptacles, street furniture, and amenities shall be generally uniform in design and approved as part of the Detailed Site Plan.
8. Downward sloping pedestrian lights shall be installed every 25 linear feet along Alpha and Welch Road located on the public ROW side of the new sidewalk.
9. Bollard lights shall be installed within the plaza to provide pedestrian lighting.

10. One canopy tree shall be planted every 30 linear feet along public street frontage. Trees shall have a minimum caliper size of three inches (3") at time of planting, measured at a point four feet (4') above the root ball. Prior to issuance of a certificate of occupancy for any building with dwelling units constructed on the Property:
 - a. No fewer than 20 canopy trees, including both existing and new planted trees, shall be planted along Welch Road;
 - b. No fewer than 14 canopy trees, including both existing and new planted trees, shall be planted along Alpha Road.
11. Plant material species shall be selected from the Recommended Plant Material list included in the CZO, unless a different species is identified on an approved Landscape Plan.
12. All plant materials (excluding trees existing on the Property on the effective date of this ordinance) installed as required by the CZO or these Development Regulations shall be fully irrigated by an automatic irrigation system and maintained in a healthy living growing condition. Any required landscaping that is removed must be replaced with the same or comparable species and be not less than the same caliper (if a tree) or size of the plant material that was required to be planted when originally installed.
13. A Landscape Plan shall be submitted for review and approval concurrently with the Detailed Site Plan for the Property to be developed.
14. The Director of Public Works or designee shall have authority to approve an exception to the minimum distance set forth in paragraphs 8, 9, and 10 of this Section 3.F. to the extent necessary to avoid conflicts with the location of (i) existing or future utilities or other public improvements or (ii) the final location of driveways, pedestrian crossings, or similar property conditions.

G. Parking.

1. Parking shall be provided for the proposed uses in structured parking garage as shown on the Conceptual Site Plan at a rate of not less than 1.6 parking spaces for each multi-family dwelling unit.
2. On-street parking spaces shall be not less than eight (8) feet wide by not less than 22 feet long.
3. Surface and structured parking spaces shall be not less than nine (9) feet wide and not less than 18 feet long.

4. When structured parking is provided, parking columns may encroach up to seven (7) inches into a parking space.
5. Except for the garage entrance and/or exit, the façade of a structured parking garage adjacent to a public street frontage shall be concealed from view of said street.

H. **Sign Standards.** The size, quantity, location, and type of on-premise building signs within the Property shall be as follows:

1. **Wall Signs.**

- a. Maximum total sign face area per façade for wall signs shall not exceed 500 square feet.
- b. Wall signs are only permitted on the building elevations facing Alpha Road or Welch Road.
- c. Box signs and internally illuminated signs are not permitted as wall signs.

2. **Blade Signs.**

- a. Blade signs perpendicular to the building shall not exceed 150 square feet in area and shall be not less than nine (9) feet clear height above the sidewalk.
- b. No more than one blade sign per street frontage shall be permitted.

3. **Monument Signs**

- a. No more than one monument sign maybe installed along each street frontage after approval of the Detailed Site Plan. Monument signs shall not obstruct view or be installed within traffic visibility triangles. Size, height, area, location of proposed monument sign shall be established by the Detailed Site Plan.
- b. Decorative landscaping shall be installed around the base of each monument sign in accordance with the Detailed Site Plan.

SECTION 4. REQUIRED SUBMISSIONS

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

A. **CONCEPTUAL SITE PLAN APPROVAL**

1. The Conceptual Site Plan establishes the general development intent for the District, including general street layout, primary block configuration, conceptual

building shape and layout on each block, general location of public and private parks and amenities, parking arrangement, generalized public use, access easements, and development phasing if the site is to be developed in phases. The Conceptual Site Plan shall serve as a guide for the approval of any and all subsequent Detailed Site Plan submissions relating to the District, but shall not be construed to specify precise dimensions, locations, or configurations; such details shall more accurately and appropriately be determined at the time of Detailed Site Plan approval.

2. Any significant deviation from the Conceptual Site Plan not constituting a Minor Modification as provided below, shall require an amendment to the Conceptual Site Plan in accordance with the procedures required for a zoning amendment. The Planning Director shall make the initial determination as to whether a requested change constitutes a Minor Modification.
3. The Planning Director shall have the right to present any Conceptual Site Plan amendment to the Planning and Zoning Commission and City Council for approval, even if it constitutes a Minor Modification.

B. DETAILED SITE PLAN APPROVAL

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

C. SPECIAL EXCEPTIONS

In those circumstances where the owner/applicant believes that, due to unique characteristics of the site or other circumstances, strict compliance with these Development

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

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

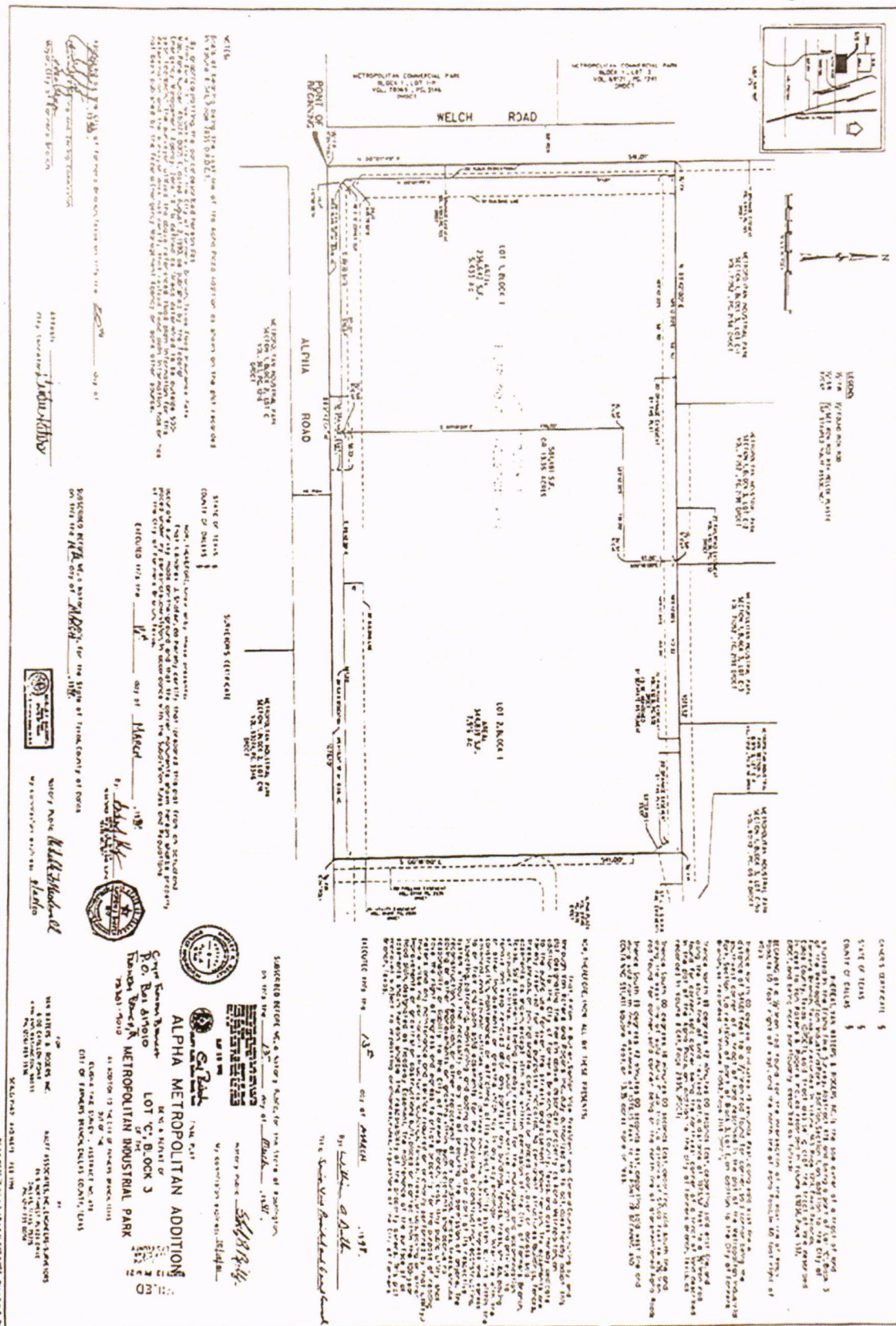
D. MINOR MODIFICATIONS

For purposes of these Development Regulations, a "Minor Modification" is a change to the Conceptual Site Plan, Conceptual Landscape Plan, Conceptual Elevations, and/or Detailed Site Plan, whichever is applicable, that is determined to meet the goals and intent of PD-107. A Minor Modification may be approved administratively by the Planning Director if, and only if, the Minor Modification:

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

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

ORDINANCE NO. 3743
DEVELOPMENT REGULATIONS FOR
PLANNED DEVELOPMENT DISTRICT NO. 107 (PD 107)
APPENDIX 1 - PLAT OF THE PROPERTY



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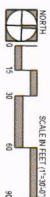
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EXISTING TREE LIST:

LEGEND:

EXISTING TREE TO REMAIN

EXISTING TREE TO BE REMOVED



SHEET NO.:
L000

PROJECT # 609-1-10
DATE PRINTED 06/21/2015
DRAWING TITLE
**EXISTING
TREE PLAN**

REVISIONS:

PROJECT LOCATION:
CITY OF
FARMERS
BRANCH,
DALLAS
COUNTY,
TEXAS.

SPACES ENGINEERING, INC.
785 Carter Road, Suite 11
Pleasanton, TX 75075
Telephone: (972) 422-0000
Type No. P-2121
Contact: David Bond

ARCHITECT:
HEICK ARCHITECTS
4535 Excel Parkway
Addicks, TX 75001
Telephone: (214) 520-0800
Contact: Eric Earnshaw

LENOX ALPHA

DATE SEALED: 04/25/01

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© 2005 Telecommunications Research

Phone: (512) 388-4...

BLU FISH COLLABORA
P.O. BOX 40787, AUSTIN

LANDSCAPE ARCHITECTS

2000

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COLLABORATION

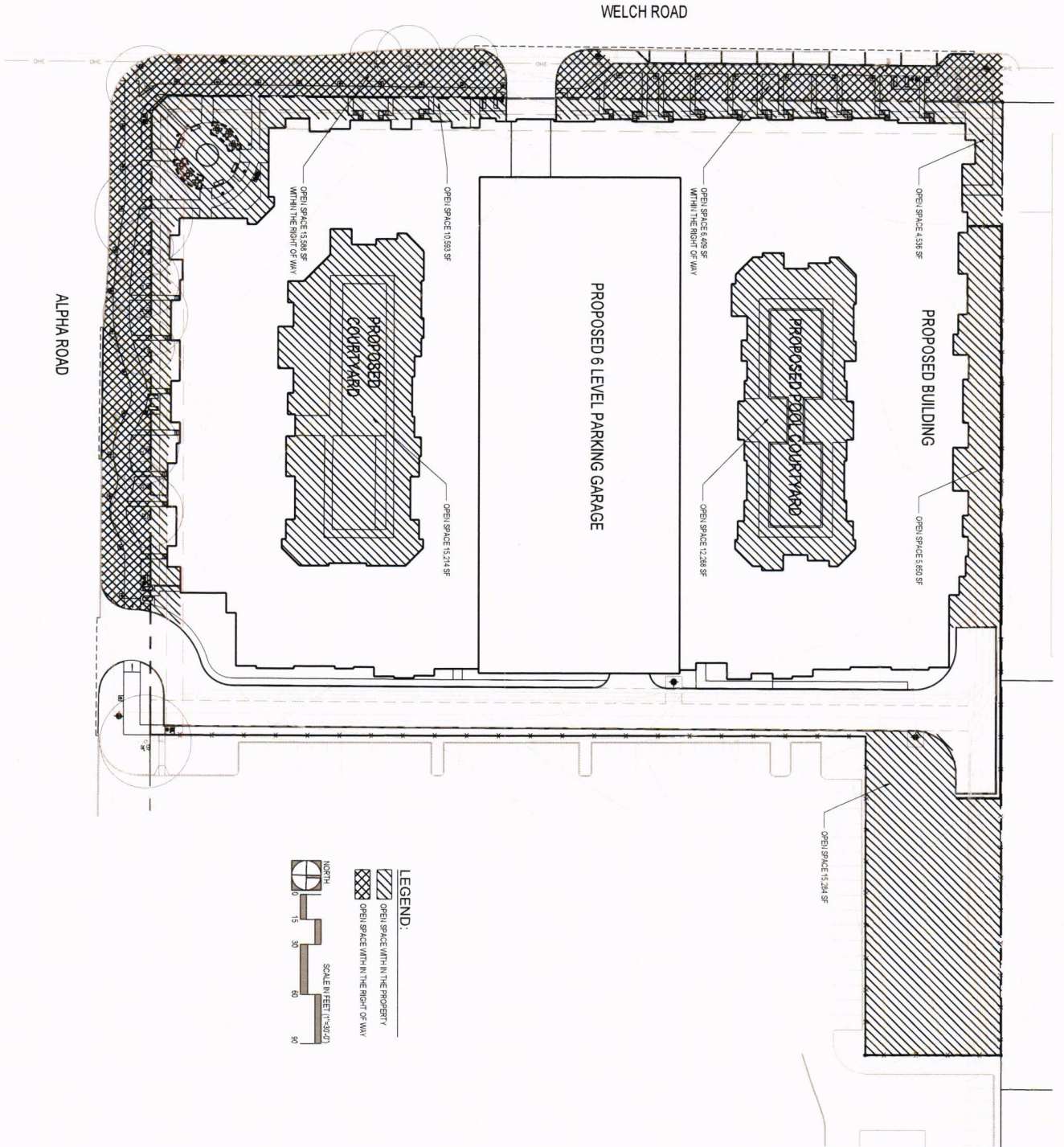
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**ORDINANCE NO. 3743
DEVELOPMENT REGULATIONS FOR
PLANNED DEVELOPMENT DISTRICT NO. 107 (PD-107)
APPENDIX 3 – CONCEPTUAL LANDSCAPE PLAN (cont.)**



LEGEND:

OPEN SPACE WITHIN THE PROPERTY

OPEN SPACE WITHIN THE RIGHT OF WAY

SCALE IN FEET 1"=30.0'

NORTH

0 15 30 45 60

BE
COLLABORATIVE
LANDSCAPE
ARCHITECTURE
P.O. BOX 40752 AUSTIN, TX 78764
PHONE (512) 384-1119



PROFESSIONAL SEAL
DATE SEALED: 04/25/2022

PROJECT NAME:
LENOX ALPHA

OWNER:
CITY OF FARMERS
BRANCH, DALLAS
COUNTY, TEXAS

ARCHITECT:
4355 Land Parkway
Dallas, TX 75246
Telephone: (214) 528-8878
Contact: Eric Gamble

ENGINEER:
7815 Oak Grove Road, Suite 100
Dallas, TX 75248
Telephone: (214) 528-8878
Contact: David Bond

PROJECT LOCATION:
CITY OF FARMERS
BRANCH,
DALLAS
COUNTY,
TEXAS.

REVISIONS

NO.	DESCRIPTION

PROJECT # 000-1-104
DATE PRINTED: 04/25/2022
DRAWING TITLE:
**PUBLIC/PRIVATE
OPEN SPACE
EXHIBIT**
SHEET NO.
L100.1

**ORDINANCE NO. 3743
DEVELOPMENT REGULATIONS FOR
PLANNED DEVELOPMENT DISTRICT NO. 107 (PD-107)
APPENDIX 4 – CONCEPTUAL ELEVATIONS**

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SOUTH ELEVATION



MATERIAL	%
MASONRY	40%
SIDING	50%
BOARD & BATTEN	10%

MATERIAL	%
MASONRY	40%
BOARD & BATTEN	10%

WEST ELEVATION



SITE PLAN

IN THE CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS
ELISH FIRE SURVEY ABSTRACT NO. 478
217.995 SQ. FT./5.00 ACRES

PREPARED BY:
JAMES L. LUTTRELL, JR.
REGISTERED PROFESSIONAL SURVEYOR
NO. 10000
EXPIRATION DATE: 12/31/2024
OFFICE: 10000
ADDRESS: 10000
DALLAS, TEXAS 75243
PHONE: (214) 343-1000
FAX: (214) 343-1000
CELL: (214) 343-1000
EMAIL: jlluttrell@jlluttrell.com
WEBSITE: www.jlluttrell.com

Map 21 SE 4th No. 21-346

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.

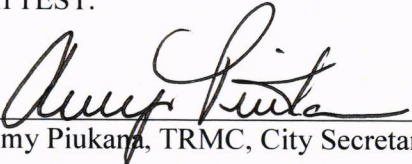
SECTION 5. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

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.

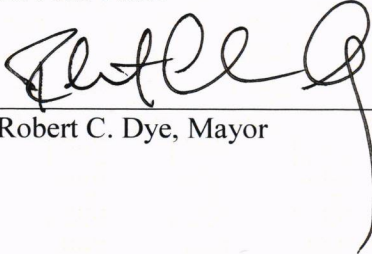
SECTION 7. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THIS THE 3RD DAY OF MAY 2022.

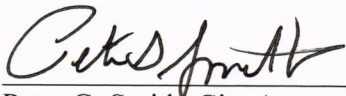
ATTEST:


Amy Piukara, TRMC, City Secretary

APPROVED:


Robert C. Dye, Mayor

APPROVED AS TO FORM:


Peter G. Smith, City Attorney
(kbl:4/26/2022:129162)