



RESOLUTION NO. 2016-116

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, APPROVING A DETAILED SITE PLAN AND RELATED DETAILED REGULATIONS FOR DEVELOPMENT OF A 35.715± ACRE TRACT OUT OF BLOCK D, WESTSIDE ADDITION SECTION 1, CITY OF FARMERS BRANCH, TEXAS DESCRIBED IN EXHIBIT “A” HERETO, LOCATED IN PLANNED DEVELOPMENT NO. 99 (PD-99); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, an application has been made for approval of detailed site plan for a 35.715± acre tract out of Block D, Westside Addition Section 1, City of Farmers Branch, Texas, described in Exhibit “A” attached hereto and incorporated herein by reference (“the Property”), which is located in Planned Development No. 99 (PD-99); and

WHEREAS, having received the recommendation of the Planning and Zoning Commission that the detailed site plan and associated drawings, including, but not limited to, landscape plan, and building elevations, should be approved as requested, the City Council of the City of Farmers Branch, in the exercise of the legislative discretion, has concluded that the requested site plan for the Property should be approved;

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

SECTION 1. The Property shall be developed in accordance with the regulations applicable to the Property as set forth in Ordinance No. 3359 (“the PD-99 Ordinance”) as well as the following regulations:

- A. **Detailed Site Plan:** The Property shall be developed substantially as set forth in the Detailed Site Plan attached hereto as Exhibit “B” and incorporated herein by reference (“the Site Plan”); provided, minor changes in location of streets and alleys may be made without further amendment to the Site Plan as long as the general pattern of traffic circulation and access is substantially maintained.
- B. **Landscape:**
 - (1) The common areas, open spaces, street medians, and dedicated landscape easements (if any) developed on the Property shall be landscaped substantially in accordance with the Landscape a Plan set forth in Exhibit “C,” attached hereto and incorporated herein by reference (“the Landscape Plan”). All required landscaping to be planted within common areas, open spaces, street medians, and dedicated landscape easements as shown on the Landscape Plan must be completed prior to issuance of a certificate of occupancy for any building constructed within the Property; provided, however, model homes used solely for sales office purposes may be constructed.

- (2) Individual residential lots shall be landscaped substantially in accordance with the provisions related to landscaping in the Pattern Book (as defined in Section 1.C, below). Installation of all required landscaping for individual residential lots shall be completed before the issuance by the City of a Certificate of Occupancy or Certificate of Completion for the dwelling unit constructed on said
- C. **Building Design, Elevations, and Diversity:** All buildings constructed on the Property shall be designed and constructed in substantial conformity with the architectural styles and materials set forth in the Pattern Book. At least three lots must separate dwelling units constructed with the same front building elevation, which separation shall apply to both the same side of the street and across the street.
- D. **Entry Signs:** Entry signs and related landscaped and structural features shall be constructed at the locations shown on the Site Plan and designed and constructed as shown on the Entry Sign Plan attached hereto as Exhibit “D” and incorporated herein by reference.
- E. **Street Design:** Streets constructed within the Property shall be designed, constructed, and landscaped substantially in accordance with the Street Cross Sections attached hereto as Exhibit “E” and incorporated herein by reference.
- F. **Amenity Center:** An amenity center developed in association with the development of the Property shall be generally located as shown on the Site Plan and Exhibit “F”, attached hereto and incorporated herein by reference. Notwithstanding the foregoing, nothing herein shall be construed as waiving the requirement of obtaining approval of a specific use permit for an amenity center as required by the PD-99 Ordinance before commencement of construction of the amenity center on the Property. In the event of any conflicts between this resolution and any subsequently approved specific use permit relating to the amenity center required by this resolution, the provisions of such specific use permit shall control.
- G. **Parks and Trails:** Pedestrian trails, open spaces, and neighborhood parks shall be developed substantially in accordance with the Site Plan and the Parks Plan attached hereto as Exhibit “G” and incorporated herein by reference. No more than fifty (50) building permits shall be issued for dwelling units constructed on lots within the Property prior to completion of construction of all parks, open spaces, and trails required by this resolution.
- H. **Screening Walls:** Screening walls shall be constructed at the locations shown on the Site Plan in accordance with the designs set forth in this resolution. Construction of all screening walls shall be completed prior to issuance of a certificate of occupancy for the first dwelling unit constructed on the Property other than model homes used solely for sales office purposes.
- I. **Pattern Book:** For purpose of this resolution, the phrase “Pattern Book” means Volume II “Pattern Book” of the *Mercer Crossing Design Guidelines* (Draft Four – November 7, 2016) prepared by G&A Consultants, LLC, (“the Pattern Book”), a copy of which is on

file in the Office of the City Secretary and incorporated as if fully set forth herein by reference to the date and number of this resolution.

- J. Relationship to PD-99 Ordinance:** In accordance with the provisions of the PD-99 Ordinance, upon its effective date, this resolution shall constitute additional regulations governing the use and development of the Property as if they were originally adopted as part of the PD-99 Ordinance; provided, however, in the event of any irreconcilable conflict between this resolution, including, but not limited to, the Pattern Book, and the PD-99 Ordinance, the provisions in the PD-99 Ordinance shall control.

SECTION 2. This resolution shall become effective immediately upon its approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THIS 13TH DAY OF DECEMBER, 2016.

ATTEST:

APPROVED:

Amy Piukana, City Secretary

Bob Phelps, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:12/4/16:81926)

Resolution No. 2016-116
Exhibit "A" – Description of Property

A tract of land out of the Francis Miller Survey, Abstract No. 926 and situated in the City of Farmers Branch, Dallas County, Texas, and surveyed by Miller Surveying, Inc. of Hurst, Texas in November 2015, said tract being a portion of Block D, Westside Addition Section 1, an addition to the City of Farmers Branch according to the plat recorded as Document No. 200600172708 of the Real Property Records of Dallas County, Texas, Texas and being more particularly described by metes and bounds as follows:

Commencing at a 1/2 inch "MILLER 5665" capped steel rod for the most westerly northwest corner of said Block D, said rod being the southeasterly end of a corner clip for the easterly right-of-way line of Luna Road and the southerly right-of-way line of Wittington Place; Thence North 42 degrees 27 minutes 18 seconds East with said corner clip a distance of 35.25 feet to a 1/2 inch capped steel rod found for the northeasterly corner thereof; Thence North 87 degrees 37 minutes 23 seconds East with the northerly boundary line of said Block D and with said southerly right-of-way line a distance of 399.76 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the left with a radius of 1096.32 feet and whose chord bears North 74 degrees 07 minutes 23 seconds East at 511.86 feet; Thence easterly continuing with said northerly boundary line and said southerly right-of-way line and with said curve along an arc length of 516.63 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve; Thence North 60 degrees 37 minutes 25 seconds East continuing with said northerly boundary line and said southerly right-of-way line a distance of 291.61 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the point of beginning of the tract described herein;

Thence North 60 degrees 37 minutes 23 seconds East continuing with said northerly boundary line and said southerly right-of-way line a distance of 795.82 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the right with a radius of 947.93 feet and whose chord bears North 74 degrees 30 minutes 11 seconds East at 454.80 feet;

Thence easterly continuing with said northerly boundary line and said southerly right-of-way line and with said curve along an arc length of 459.28 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve;

Thence South 01 degrees 11 minutes 26 seconds East a distance of 686.08 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence North 89 degrees 58 minutes 29 seconds West a distance of 214.63 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the left with a radius of 544.64 feet and whose chord bears South 06 degrees 33 minutes 46 seconds West at 660.64 feet;

Thence southerly with said curve along an arc length of 709.82 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve;

Thence 81 degrees 18 minutes 40 seconds East a distance of 239.55 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the right with a radius of 2173.01 feet and whose chord bears South 07 degrees 47 minutes 44 seconds West at 147.02 feet;

Thence southerly with said curve along an arc length of 147.05 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve;

Thence South 09 degrees 37 minutes 24 seconds West a distance of 466.36 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the right with a radius of 1350.00 feet and whose chord bears North 60 degrees 00 minutes 00 seconds West at 471.11 feet;

Thence westerly with said curve along an arc length of 473.53 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the left with a radius of 1450.00 feet and whose chord bears North 67 degrees 02 minutes 06 seconds West at 851.94 feet;

Thence westerly with said curve along an arc length of 864.70 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve;

Thence North 12 degrees 25 minutes 13 seconds East a distance of 775.55 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence North 11 degrees 52 minutes 52 seconds East a distance of 149.74 feet to the point of beginning and containing 35.715 acres of land, more or less.

[illegible]

Resolution No. 2016-116 Exhibit "C" – Landscape Plan



Resolution No. 2016-116 Exhibit "D" – Entry Sign Plans

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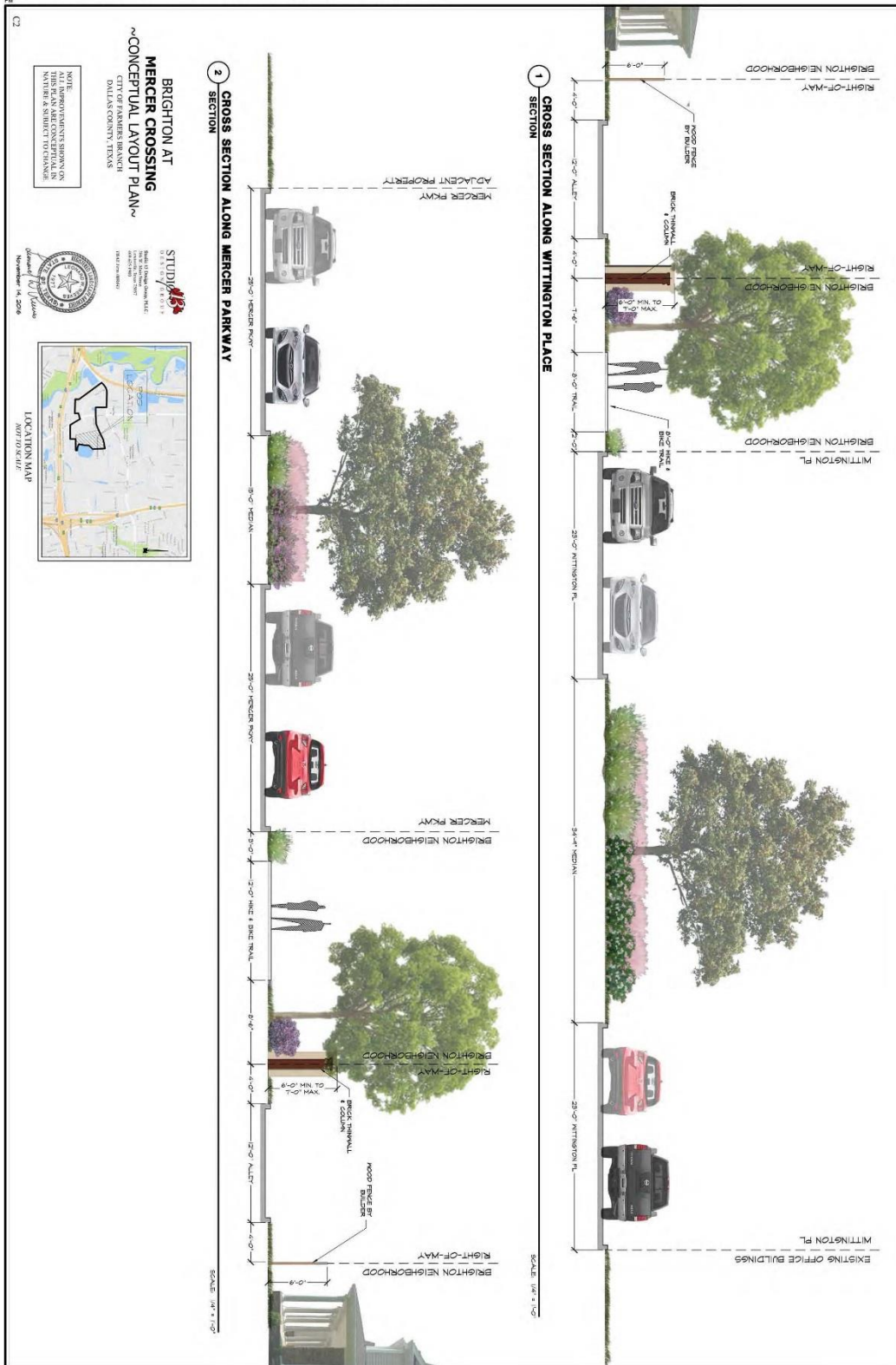


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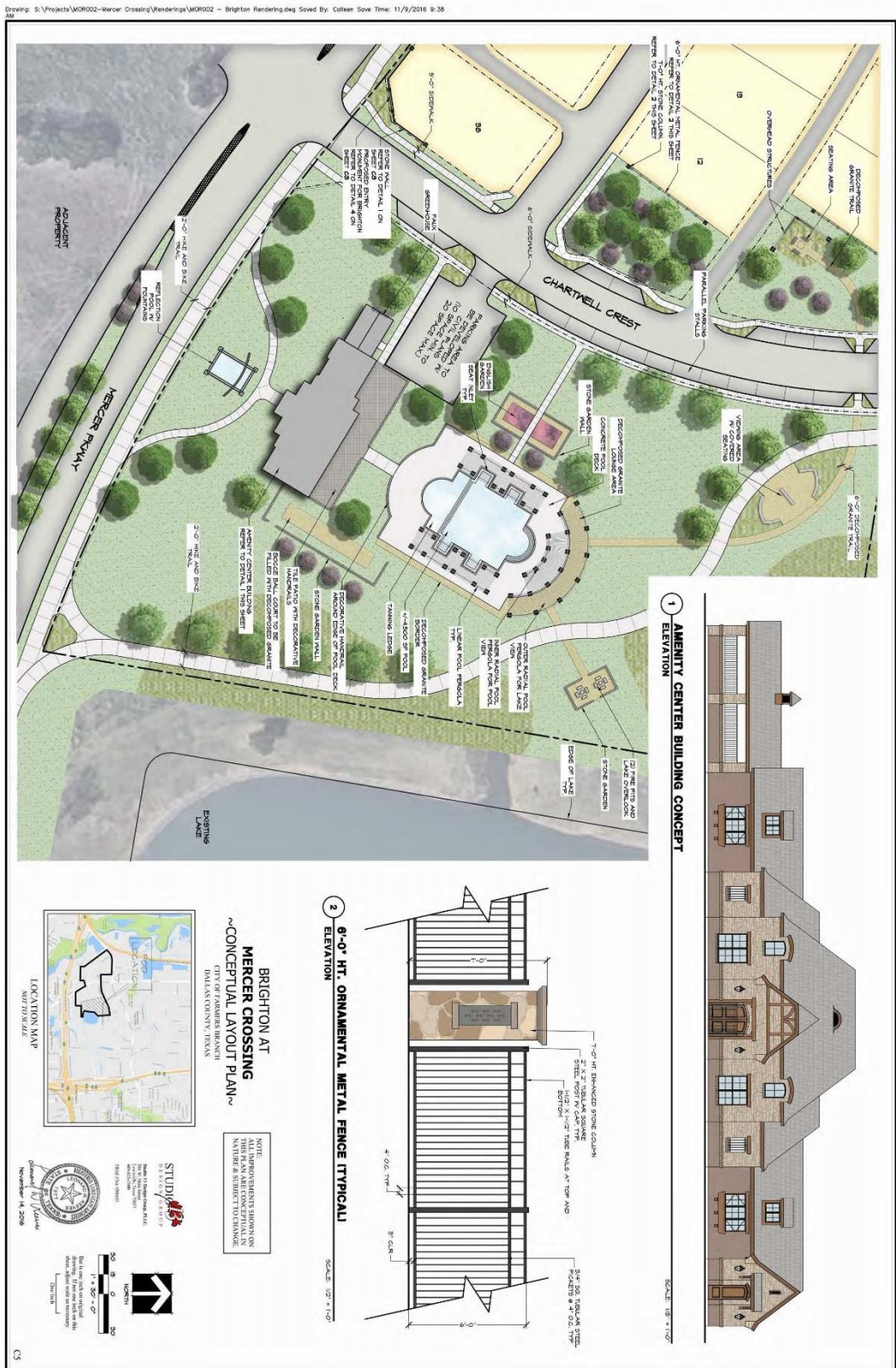
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Resolution No. 2016-116 Exhibit "F" – Amenity Center



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