### **RESOLUTION NO. 2017-031**



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 16.746± ACRE TRACT OUT OF BLOCK B, 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 16.746± acre tract out of Block B, 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, as amended by Ordinance No. 3429 (collectively "the PD-99 Ordinance"), as well as the following regulations:

A. <u>Detailed Site Plan</u>: 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, Screening, and Sign Plan set forth in Exhibit "C," attached hereto and incorporated herein by reference notwithstanding any notes contained thereon to the contrary allowing for changes. All required landscaping to be planted within common areas, open spaces, street medians, and dedicated landscape easements as shown on Exhibit "C" 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.I, 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. <u>Building Design, Elevations, and Diversity</u>: 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 providing for "Texas Tudor." 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.** <u>Entry Signs</u>: 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 Exhibit "C" hereto.
- E. <u>Street Design</u>: Streets constructed within the Property shall be designed, constructed, and landscaped substantially in accordance with the Street Cross-Sections and Lot Details attached hereto as Exhibit "D" and incorporated herein by reference.
- F. <u>Parks and Trails</u>: Pedestrian trails, open spaces, and neighborhood parks shall be developed substantially in accordance with the Site Plan and Exhibit "C" hereto. No more than thirty (30) 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.
- **G.** <u>Screening Walls</u>: 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.
- **H.** <u>Lot Details</u>: The layout, setbacks and other details applicable to the design of the lots on the Property shall be in accordance with Exhibit "D" attached hereto.
- I. <u>Pattern Book</u>: 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. <u>Relationship to PD-99 Ordinance</u>: 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 16<sup>th</sup> DAY OF MAY, 2017.

ATTEST:

APPROVED:

Amy Piukana, City Secretary

Bob Phelps, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney (kbl:3/9/17:84066)

#### **Resolution No. 2017-031** Exhibit "A" – Description of Property

Being a tract of land out of the J. F. Chenoeth Survey, Abstract No. 267 and situated in the City of Farmers Branch, Dallas County, Texas, and surveyed by Miller Surveying, Inc. of Hurst, Texas in August of 2016, said tract being a portion of Block B, Westside Addition Section 1, an addition to the City of Farmers Branch according to the plat recorded as Document No. 200600172708 in the Official Public Records of Dallas County, Texas, Texas and being more particularly described by metes and bounds as follows:

Beginning at a 1/2 inch "MILLER 5665" capped steel rod set in the easterly boundary line of said Block B, said rod being in the westerly right-of-way line of Luna Road;

Thence South 02 degrees 42 minutes 47 seconds East with the easterly boundary line of said Block B and with said westerly right-of-way line a distance of 363.99 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 1590.00 feet and whose chord bears South 09 degrees 30 minutes 34 seconds East at 376.34 feet;

Thence southerly continuing with said easterly boundary line and said westerly right-of-way line and with said curve along an arc length of 377.23 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the northerly end of a corner clip for said westerly right-of-way line and the northerly right-of-way line of Mercer Parkway;

Thence South 28 degrees 45 minutes 05 seconds West with said corner clip a distance of 57.29 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the southerly end thereof;

Thence South 75 degrees 30 minutes 25 seconds West with the southerly boundary line of said Block B and with said northerly right-of-way line a distance of 56.98 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 964.50 feet and whose chord bears South 81 degrees 07 minutes 27 seconds West at 188.82 feet;

Thence westerly continuing with said southerly boundary line and said northerly right-of-way line and with said curve along an arc length of 189.12 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve;

Thence South 03 degrees 15 minutes 31 seconds East continuing with said southerly boundary line and said northerly right-of-way line a distance of 5.50 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 970.00 feet and whose chord bears North 64 degrees 21 minutes 16 seconds West at 937.69 feet;

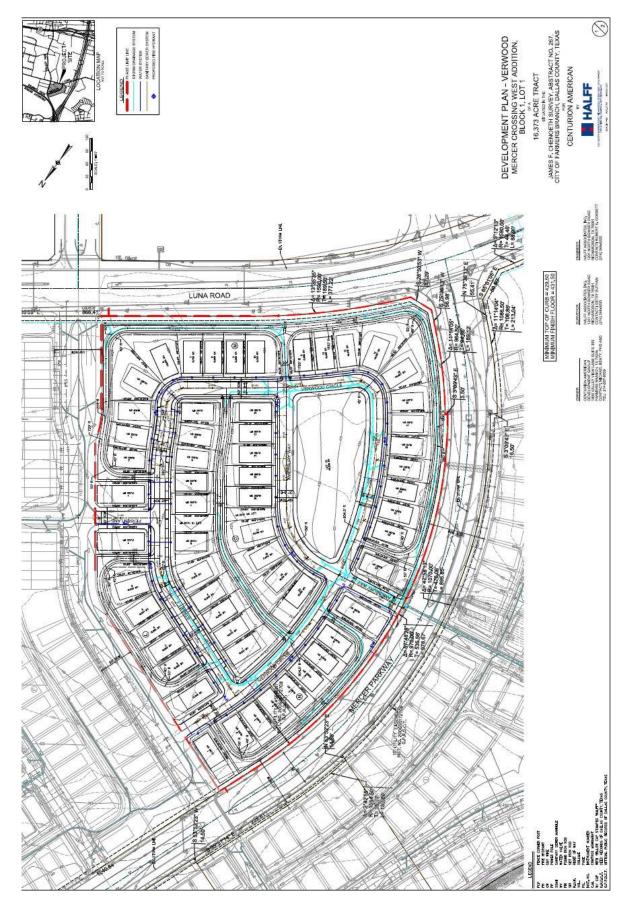
Thence northwesterly continuing with said southerly boundary line and said northerly right-ofway line and with said curve along an arc length of 978.67 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve; Thence North 35 degrees 27 minutes 02 seconds West with the westerly boundary line of said Block B and the easterly right-of-way line of Mercer Parkway a distance of 127.62 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence North 54 degrees 32 minutes 58 seconds East a distance of 439.84 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 210.00 feet and whose chord bears North 70 degrees 55 minutes 06 seconds East at 118.36 feet;

Thence easterly with said curve along an arc length of 119.99 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve;

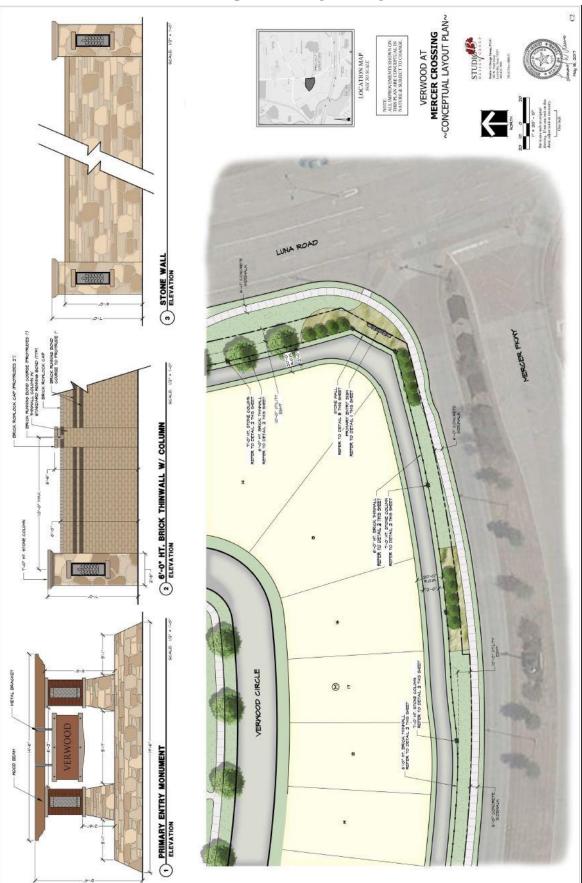
Thence North 87 degrees 17 minutes 13 seconds East a distance of 639.45 feet to the point of beginning and containing 16.746 acres of land, more or less.

### **Resolution No. 2017-031** Exhibit "B" – Detailed Site Plan

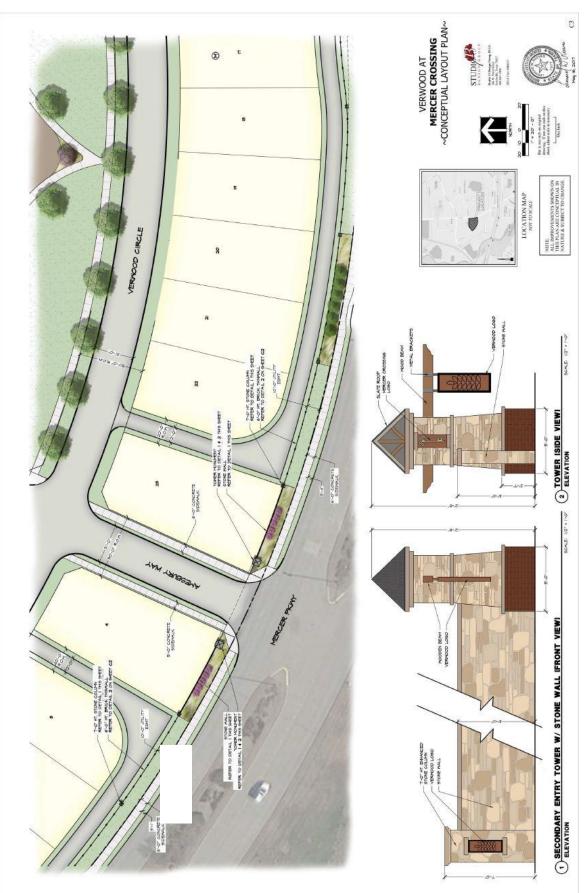


Resolution No. 2017-031 Exhibit "C" – Landscape, Screening, and Sign Plan

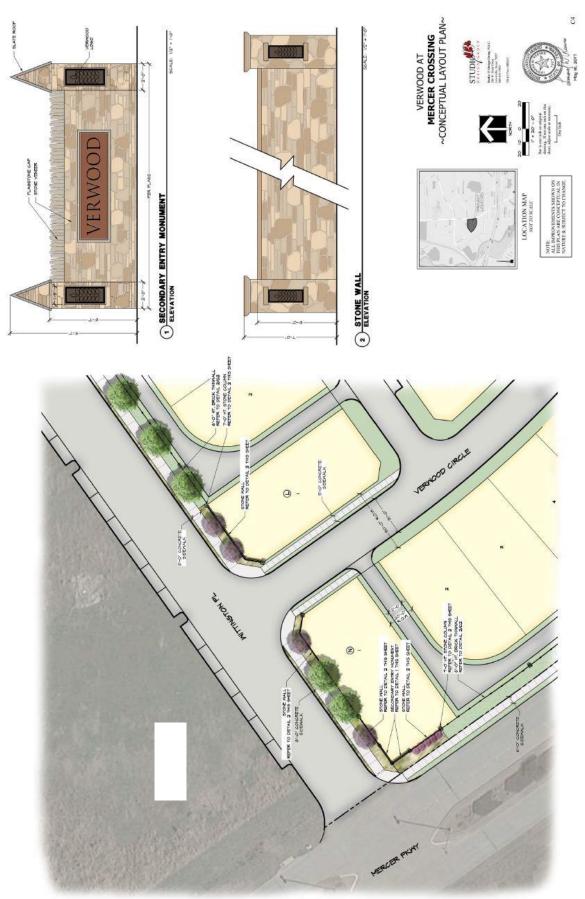




Resolution No. 2017-031 Exhibit "C" – Landscape, Screening, and Sign Plan (cont.)



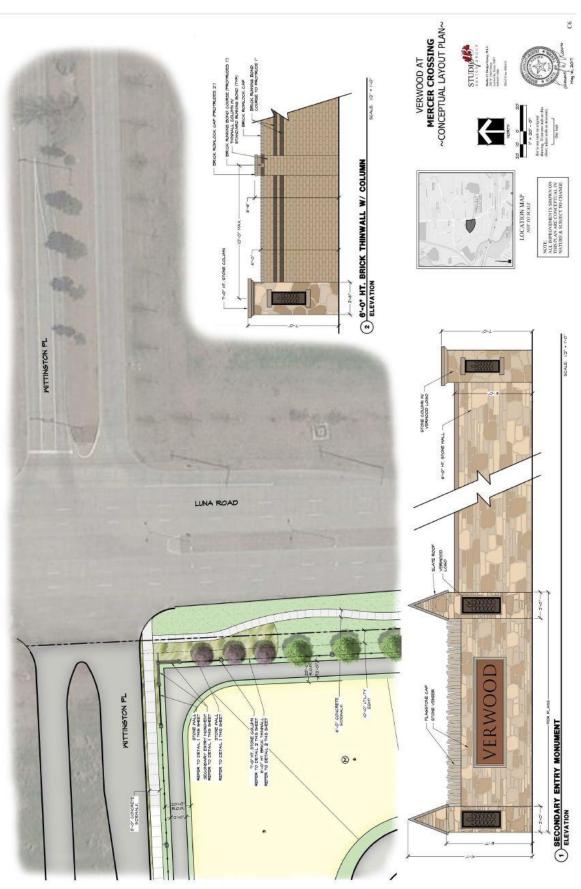
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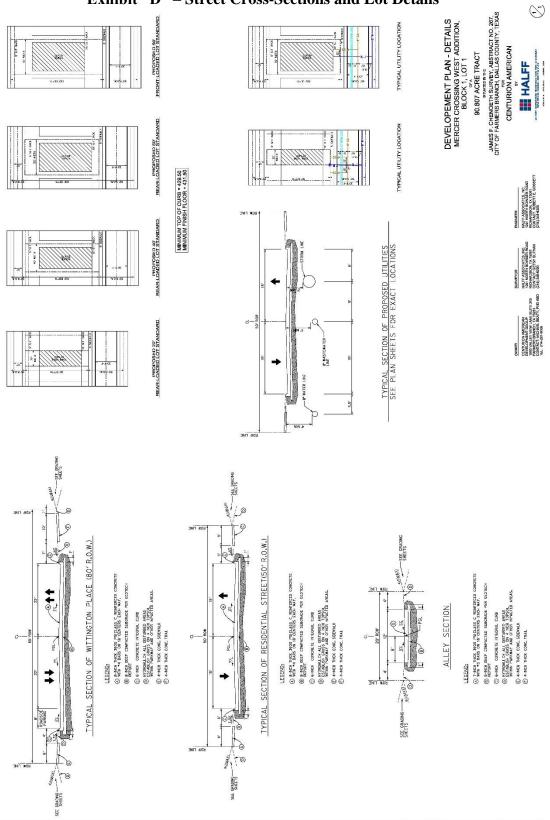
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### Resolution No. 2017-031 Exhibit "D" – Street Cross-Sections and Lot Details