RESOLUTION NO. 2021-069



A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, APPROVING AN AMENDED DETAILED SITE PLAN, INCLUSIVE OF LANDSCAPE PLAN AND BUILDING ELEVATIONS, AND PROVIDING FOR CERTAIN DEVELOPMENT CONDITION RELATING TO THE DEVELOPMENT AND USE OF A 1.52± ACRE PORTION OF LOT 1, BLOCK A, KOMERICA ADDITION LOCATED IN PLANNED DEVELOPMENT NO. 77 (PD-77); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, an application has been made for approval of an amended detailed site plan for a 1.52± acre portion of Lot 1, Block A, Komerica Addition, an addition to the City of Farmers Branch, Texas, according to the plat thereof recorded in Instrument No. 201700000765, Map Records, Dallas County, Texas, said portion being more particularly described in Exhibit "A," attached hereto and incorporated herein by reference ("the Property") which is located in Planned Development No. 77 (PD-77); 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 Amended Detailed Site Plan for the Property subject to the following conditions should be approved.

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

SECTION 1. The Detailed Site Plan approved pursuant to Resolution No. 2017-108, relating to the development and use of the Property is hereby amended in its entirety such that on and after the effective date of this resolution:

- A. The Property shall be developed substantially in accordance with the Amended Detailed Site Plan attached hereto as Exhibit "B" and incorporated herein by reference, and the Landscape Plan attached hereto as Exhibit "C" and incorporated herein by reference; and
- B. The buildings constructed on the Property shall be designed and constructed to appear substantially as illustrated on the Elevations attached hereto as Exhibit "D" incorporated herein by reference.

The approval of the Amended Detailed Site Plan by this resolution does not constitute approval of (i) a subdivision of the Property such that title to the Property to which the Amended Detailed Site Plan applies may be conveyed by metes and bounds description without the approval of a subdivision plat pursuant to state law and the City's Subdivision Ordinance, as amended, or (ii) approval of the use and development of the Property for a use indicated on the Amended Detailed Site Plan which otherwise requires the approval of an amendment to the zoning

regulations applicable to the Property, including, but not limited to, approval of a specific use permit.

SECTION 2. In addition to the requirements set forth in Section 1, above, no building permit shall be issued for the construction of any building on the Property until:

- A. A replat of Lot 1, Block A, Komerica Addition, an addition to the City of Farmers Branch, Texas, according to the plat thereof recorded in Instrument No. 201700000765, Map Records, Dallas County, Texas, dividing said lot into two separate platted lots has been approved in accordance with applicable state law and city ordinances and recorded in the Map Records of Dallas County, Texas; and
- B. Such replat dedicates for the benefit of the owners of both lots and the public a mutual access easement that provides vehicle and pedestrian access to Senlac Drive from and over the driveway shown on the Amended Detailed Site Plan, or alternatively, a mutual access easement in a form acceptable to the City Attorney that provides that same type of mutual access to Senlac Drive for the benefit of both lots and the public has been signed in recordable form and recorded with the required replat.

SECTION 3. This resolution shall become effective immediately upon its approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THIS 18^{TH} DAY OF MAY 2021.

APPROVED:

Robert C. Dye, Mayor

ATTEST:

Amy Piukana, City Secretary

APPROVED AS TO FORM:

Peter G. Smith, City Attorney

(kbl:4/30/21:122161)

Resolution No. 2021-069 Exhibit "A" – Description of Property

BEING a part of Lot 1, Block A of KOMERICA ADDITION, LOT 1, BLOCK A, an addition to the City of Farmers Branch, Dallas County, Texas, recorded in Instrument No. 201700000765 of the Map Records of Dallas County, Texas, and being part of that same tract of land described in deed to Komerica Building Maintenance, Inc., recorded in Instrument No. 201500218983 of the Deed Records of Dallas County, Texas, and said tract being more particularly, described as follows:

BEGINNING at a 5/8" iron rod found at the common southeast corner of Lot 1, Block A of said Komerica Addition, Lot 1, Block A addition and the southwest corner of Lot 1, Block 1 of Austin Turf Addition, an addition to the City of Farmers Branch, Texas, recorded in Instrument No. 200600196120 of the Map Records of Dallas County, Texas; said point being in the north line of Lot 1A, Block B of Nicholson Road Joint Venture, an addition to the City of Farmers Branch, Texas, recorded in Volume 80231, Page 171 of the Map Records of Dallas County, Texas;

THENCE N 89° 30′ 09" W, 196.26′ along the north line of said Lot 1A, Block B to a 1/2" iron rod found at the northeast comer of Lot 2, Block 1 of Replat Lot 1, Block 1 & Lot 1, Block 4, Valley View Commerce Park, an addition to the City of Farmers Branch, Dallas County, Texas, recorded in Volume 85107, Page 5695 of the Map Records of Dallas County, Texas;

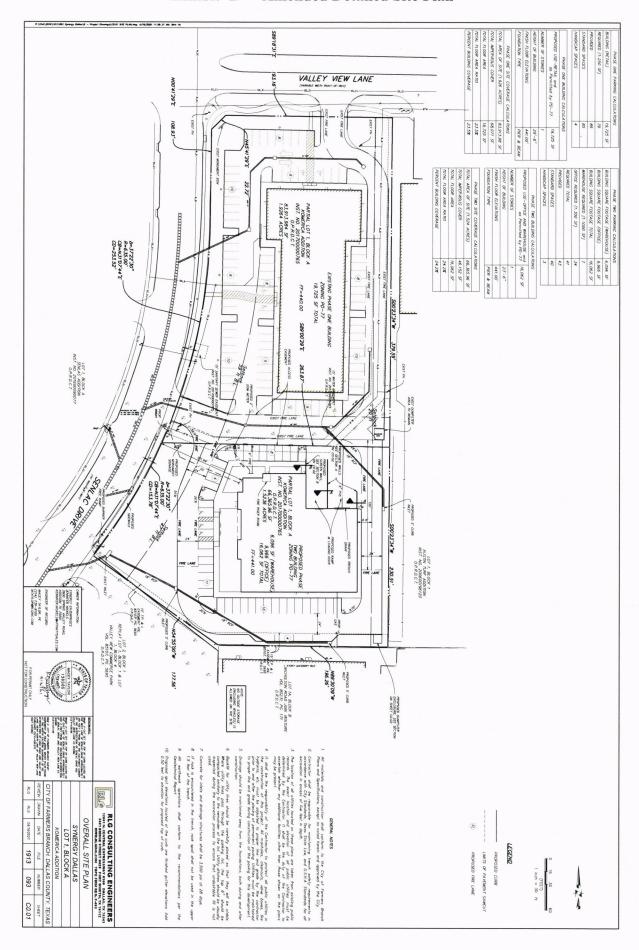
THENCE N 54° 55′ 00" W, 177.56′ along the north line of said Lot 2, Block 1 to a cross found for corner in the east R.O.W. line of Senlac Drive (a 70′ R.O.W.) and being on a curve to the left having a central angle of 13° 52′ 31" and a radius of 635.00′ (Chord Bearing N 31° 07′ 44" E, 153.40′);

THENCE around said curve and along the east line of Senlac Drive, a distance of 153.78' to a 5/8" iron rod set for corner;

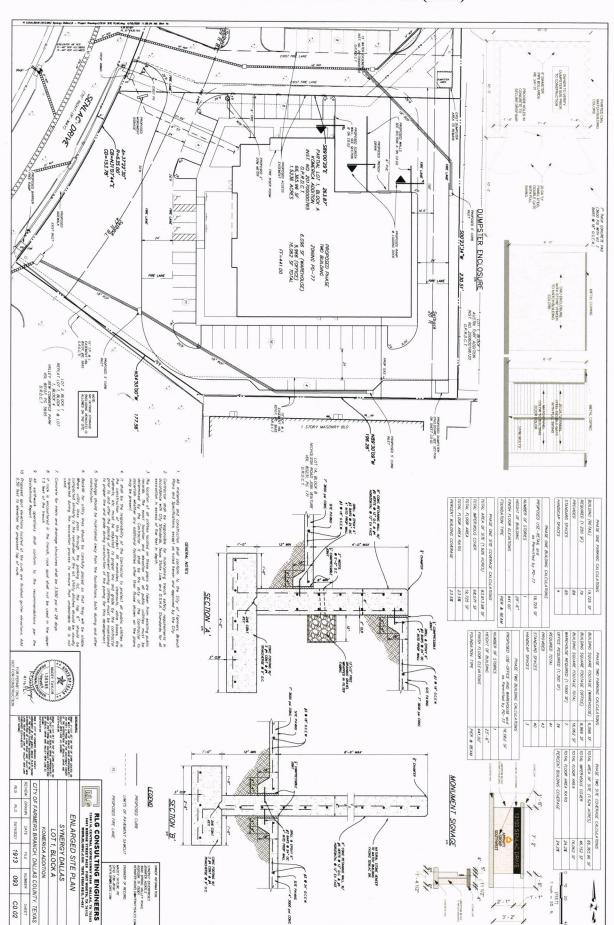
THENCE S 89° 00' 29" E, 263.87' to a 5/8" iron rod set for corner in the west line of the aforementioned Lot 1, Block 1 of Austin Turf Addition;

THENCE S 00°·23′ 34″ W, 230.51′ along the west line of Lot 1, Block 1 of said Austin Turf Addition to the Point of Beginning and containing 66,365.96 square feet or 1.5236 acres of land.

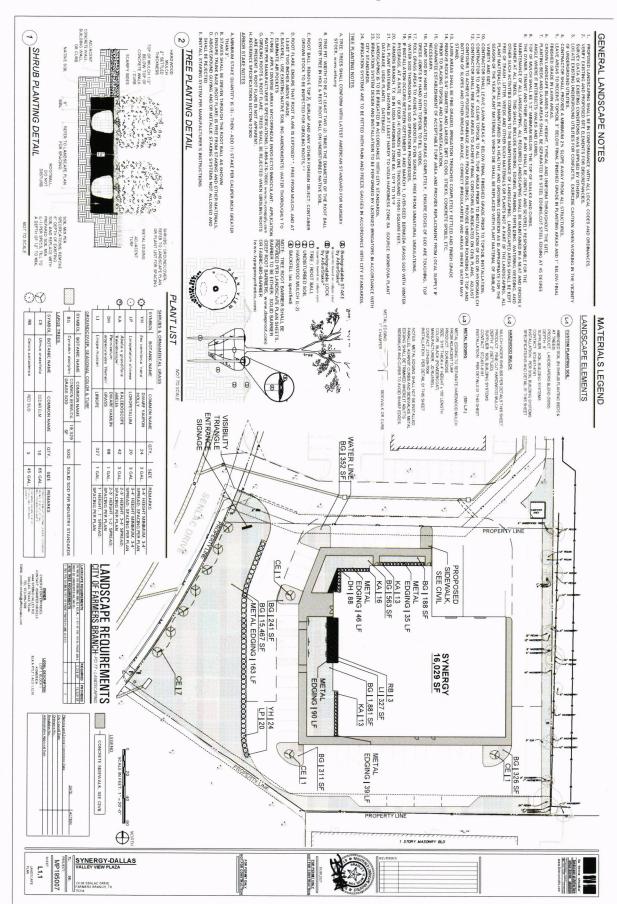
Resolution No. 2021-069 Exhibit "B" – Amended Detailed Site Plan



Resolution No. 2021-069 Exhibit "B" – Amended Detailed Site Plan (cont.)



Resolution No. 2021-069 Exhibit "C" — Landscape Plan



Resolution No. 2021-069 Exhibit "D" — Elevations

