

## ORDINANCE NO. 2106

**AN ORDINANCE AMENDING CHAPTER 84 OF THE CODE OF ORDINANCES, THE UNIFIED DEVELOPMENT CODE OF THE CITY OF EULESS, TEXAS; AMENDING THE CITY OF EULESS ZONING DISTRICT MAP ON 9.2562 ACRE TRACT WITHIN THE B.F. CROWLEY SURVEY ABSTRACT NO. 320, FROM SINGLE FAMILY DETACHED DWELLING DISTRICT (R-1) TO PLANNED DEVELOPMENT DISTRICT (PD); ADOPTING SPECIFIC DEVELOPMENT STANDARDS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission has conducted a public hearing on April 5, 2016, in conjunction with Zoning Case No. 15-10-PD, and has rendered a recommendation to the City Council with respect to this case; and

**WHEREAS**, the City Council has conducted a public hearing on May 10, 2016, considered the recommendation of the Planning and Zoning Commission, and has determined that the proposed change is in the best interest of the general welfare of the City of Euless.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EULESS, TEXAS THAT:**

### SECTION 1.

The official zoning district map of the City of Euless, Texas, being a part of Chapter 84 of the Code of Ordinances, be amended to read so that the zoning district classification of 9.2562 acre tract within the B.F. Crowley Survey, Abstract No. 320 as described on the attached **Exhibit "A-1" and "A-2"**, is changed from Single Family Detached Dwelling District (R-1) to into Planned Development (PD) being further described on **Exhibits "B-1"** (Single Family Residential Design Standards & Elements).

### SECTION 2.

**DEVELOPMENT STANDARDS** It is hereby declared that the following development standards shall be applicable to the Planned Development zoning district. All other development standards to residential development within the City of Euless Unified Development Code (Chapter 84 City of Euless Code of Ordinances) are applicable to this Planned Development with the exception of the following:

1. Minimum lot size – 6000 square feet. Average 7,935 square feet.
2. Maximum lot coverage shall be 60 percent.
3. Minimum lot width – 54'
4. No alleys shall be required.

5. All lots to have full sprinkler and full sod.
6. Sidewalks will be provided to current City of Euless standards of 5' in width.
7. Minimum single family home size – 2,000 square feet. Average 2,300 square feet.
8. Front Yard Setback – 15' minimum at residence. 20' at garage.
9. Side Yard Setback – 7.0' minimum, 15' Adjacent to a side street.
10. Rear Yard Setback – 15' minimum.
11. Minimum 90% masonry material coverage on all facades. Cementitious siding product may be located at second floor areas framed over roof at first floor.
12. Rear elevations of second story homes of lots that abut adjacent subdivisions shall limit windows to translucent and not transparent glass.
13. Minimum Roof Pitch: 8:12, except porches. – Minimum 3:12 at shed roofs, dormers, awnings, and at second floor windows only.
14. Masonry subdivision walls will be installed along the Ash Lane frontage of the subdivision.
15. A masonry screening wall is identified to be located along a portion of the west side of Benjamin Road and the south side of Block A, Lot 1. The Developer pledges their cooperation with the City of Euless to modify the location of the masonry screening wall and agrees to allow the City of Euless to construct a drive approach off of Benjamin Road. The City Council authorizes the City Manager to modify the location of the masonry screening wall to accommodate future capital improvements related to Fire Station Number One.

### **SECTION 3.**

**SEVERABILITY CLAUSE.** It is hereby declared to be the intention of the City Council of the City of Euless that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase.

### **SECTION 4.**

**PENALTY FOR VIOLATION.** Any person, firm, or corporation violating any of the terms and provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in accordance with Chapter 1, "General Provisions," Section 1-12, "General Penalty," Euless Code of Ordinances. Each such violation shall be deemed a separate offense and shall be punishable as such hereunder.

### **SECTION 5.**

**SAVINGS CLAUSE.** All rights and remedies of the City of Euless are expressly saved as to any and all violations of the provisions of the Euless Unified Development Code applicable to the Property that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 6.**

**PUBLICATION.** The caption, penalty clause, and effective date clause of this ordinance shall be published in a newspaper of general circulation in the City of Euless, in compliance with the provisions of Article II, Section 12 of the Euless City Charter.

**SECTION 7.**

**EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage, as provided by the Euless City Charter and the laws of the State of Texas.

**PRESENTED AND PASSED ON FIRST AND FINAL READING** at a regular meeting of the Euless City Council on May 10, 2016 by a vote of \_\_\_\_ ayes, \_\_\_\_ nays, and \_\_\_\_ abstentions.

APPROVED:

\_\_\_\_\_  
Linda Martin, Mayor

ATTEST:

\_\_\_\_\_  
Kim Sutter, TRMC, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Wayne Olson, City Attorney

**Exhibit A-1  
Legal Description**

BEING a 9.2562 acre tract or parcel of land situated in the B.F. CROWLEY SURVEY, Abstract No. 320, City of Euless, Tarrant County, Texas, and being a part of that certain tract of land described in deed to Hurst-Euless-Bedford Independent School District Board of Trustees recorded in Volume 4919, Page 53, Deed Records, Tarrant County, Texas (D.R.T.C.T.), and being more particularly described as follows:

BEGINNING at an aluminum monument found at the southwest corner of Block 1 of WOODLANDS ADDITION, an Addition to the City of Euless, according to the plat thereof recorded in Volume 388-149, Page, 93, Deed Records, Tarrant County, Texas, said point being in the North line of East Ash Lane, a 60-foot public right of way, and being at the northeast corner of the right of way easement agreement to the City of Euless recorded in Volume 6544, Page 789, Deed Records, Tarrant County, Texas;

THENCE South 89 degrees 50 minutes 26 seconds West, along the north line of said Ash Lane, a distance of 515.55 feet to an aluminum monument found at the southeast corner of the tract of land described in deed to the City of Euless recorded in Instrument Number D215121344, Official Public Records, Tarrant County, Texas;

THENCE North 01 degrees 29 minutes 36 seconds West, along the east line of said City of Euless tract, a distance of 167.29 feet to an aluminum monument found at the northeast corner of said City of Euless tract;

THENCE South 89 degrees 50 minutes 26 seconds West, along the north line of said City of Euless tract, a distance of 140.00 feet to a 5/8" iron rod with yellow cap stamped "JDJR" set at the northwest corner of said City of Euless tract, said point being at the easterly southeast corner of EDINBOROUGH ADDITION, an Addition to the City of Euless, according to the plat thereof recorded in Cabinet A, Slide 8106, Plat Records, Tarrant County, Texas;

THENCE North 01 degrees 29 minutes 36 seconds West, along the east line of said EDINBOROUGH ADDITION, a distance of 472.12 feet to a 1/2" iron rod found at the northeast corner of said EDINBOROUGH ADDITION and being in the southerly line of WOODLANDS III ADDITION, an Addition to the City of Euless according to the plat thereof recorded in Volume 388-174, Page 74, Deed Records, Tarrant County, Texas;

THENCE North 01 degrees 29 minutes 36 seconds West, along the southerly line of said WOODLANDS III ADDITION, a distance of 6.49 feet to an aluminum monument found at the northwest corner of said Hurst-Euless-Bedford Independent School District tract;

THENCE North 89 degrees 23 minutes 24 seconds East, along said WOODLANDS III ADDITION and along the north line of said Hurst-Euless-Bedford Independent School District tract, a distance of 660.42 feet to a "PK" nail found at the southeast corner of

said WOODLANDS III ADDITION, said point being the northeast corner of said Hurst-Euless-Bedford Independent School District tract, and being in the west line of said WOODLANDS ADDITION;

THENCE South 01 degrees 03 minutes 22 seconds East, along the West line of said WOODLANDS ADDITION, a distance of 651.00 feet to the Point of Beginning, and containing 9.2562 Acres (403,198.24 square feet) of land more or less.



## Exhibit B-1

1. Architectural grade asphalt shingles.
2. Wood and with Iron option, 8' front doors.
3. Brick and Stone – brick and/or stone elevations for all plans. Each floor plan design, with minimum of 4 plans, will have 3 different front elevation designs: Elevation type “A” – brick, Elevation type “B” – brick and stone, Elevation “C” – brick and more stone than Elevation B.
4. Cementitious fiberboard or other alternative materials varying from the required masonry products may be requested by the builder based on a particular architectural style of home. The City of Euless Building Official shall determine if the home design warrants changes to the required masonry percentages. Second floor areas framed over roof at first floor will be permitted.
5. Porches – all plans will have a minimum square footage of 30 square feet. Front porches may encroach the front building line by the maximum of five (5'). A rear porch will be optional.
6. Ornamental coach lights on all front elevations.
7. Windows – Vinyl divided light windows (Prairie Style) standard on all front elevations.
8. Concealed HVAC units, trash storage and utility meters (as appropriate).
9. Brick shall course exactly to the top and bottom of all walls.
10. Plan Repetition – will build each elevation no more than 5 times in the neighborhood.
11. Windows will be single or double hung with sliders on the sides as necessary in bedrooms.
12. Windows are to be placed on each wall elevation with a proper wall to window ratio.
13. If shutters are used, shutters shall be the same height as the associated opening and proportional in scale to the windows and elevation.
14. Gutters shall be aluminum or painted if necessary.
15. If a porch is used, the porch column base shall not protrude beyond the foundation.
16. Eaves and Soffits – consist of cementitious products.
17. Landscaping shall include a minimum of 2 trees and 12 shrubs with stone edging.
18. Each home will include an irrigation system for front, side and rear yard.
19. Ornamental address blocks placed on each house on the front façade.

### Optional Features – Variations per plan and customer selections

20. Dormer windows & arched windows.
21. Second story front/rear porches per plan.
22. Stone facades options with additional stone details.
23. Decorative cedar accents per elevation.
24. Decorative porch rails and columns per plan selected.
25. Cedar garage doors with steel support option available
26. Aggregate finished concrete driveways and lead walks – optional
27. Front up lighting options available