

ORDINANCE NO. 2020

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EULESS, CHAPTER 84, UNIFIED DEVELOPMENT CODE, AMENDING THE CITY OF EULESS ZONING DISTRICT MAP ON 4.991 ACRES OF THE J.E. WHITENER ESTATES ADDITION, BLOCK 1, TRACTS 1A AND C, BY CHANGING THE ZONING FROM NEIGHBORHOOD BUSINESS DISTRICT (C-1) ZONING AND PLANNED DEVELOPMENT DISTRICT (PD) ZONING INTO PLANNED DEVELOPMENT DISTRICT (PD) ZONING AS DESCRIBED HEREIN AND ON THE ATTACHED "EXHIBIT A"; PROVIDING FOR A SEVERABILITY CLAUSE, PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has conducted a public hearing on January 7, 2014 in conjunction with Zoning Case No. #13-06-PD, and has rendered a recommendation to the City Council with respect to this case;

WHEREAS, the City Council has conducted a public hearing on January 28, 2014, 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:

SECTION 1.

THAT 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 4.991 acres of the J.E. Whitener Estates Addition, Block 1, Tracts 1A and C, is changed from Neighborhood Business District (C-1) zoning and Planned Development District (PD) zoning into Planned Development District (PD) zoning and on the attached "**Exhibit A**". Said property described above shall be subject to all the safeguards and conditions set forth on said "Exhibit A" or stipulated herein. Said "Exhibit A" shall be applicable only to the property described herein.

SECTION 2.

THAT all residential structures shall be developed and constructed in accordance with the architectural design criteria as attached in "**Exhibit B.**"

SECTION 3.

THAT the elevations of residential structures shall be developed and constructed consistent with the building elevations attached as “**Exhibit C**” as a guide for their development. Innovation and modifications to individual elevations may be approved by the City of Euless Building Official.

SECTION 4.

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 5.

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 6.

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 7.

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 8.

EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication, 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 Eules City Council on January 28, 2014, by a vote of ___ ayes, ___ nays, and ___ abstentions.

APPROVED:

ATTEST:

Mary Lib Saleh, Mayor

Kim Sutter, TRMC, City Secretary

APPROVED AS TO FORM:

Wayne Olson, City Attorney

Exhibit A

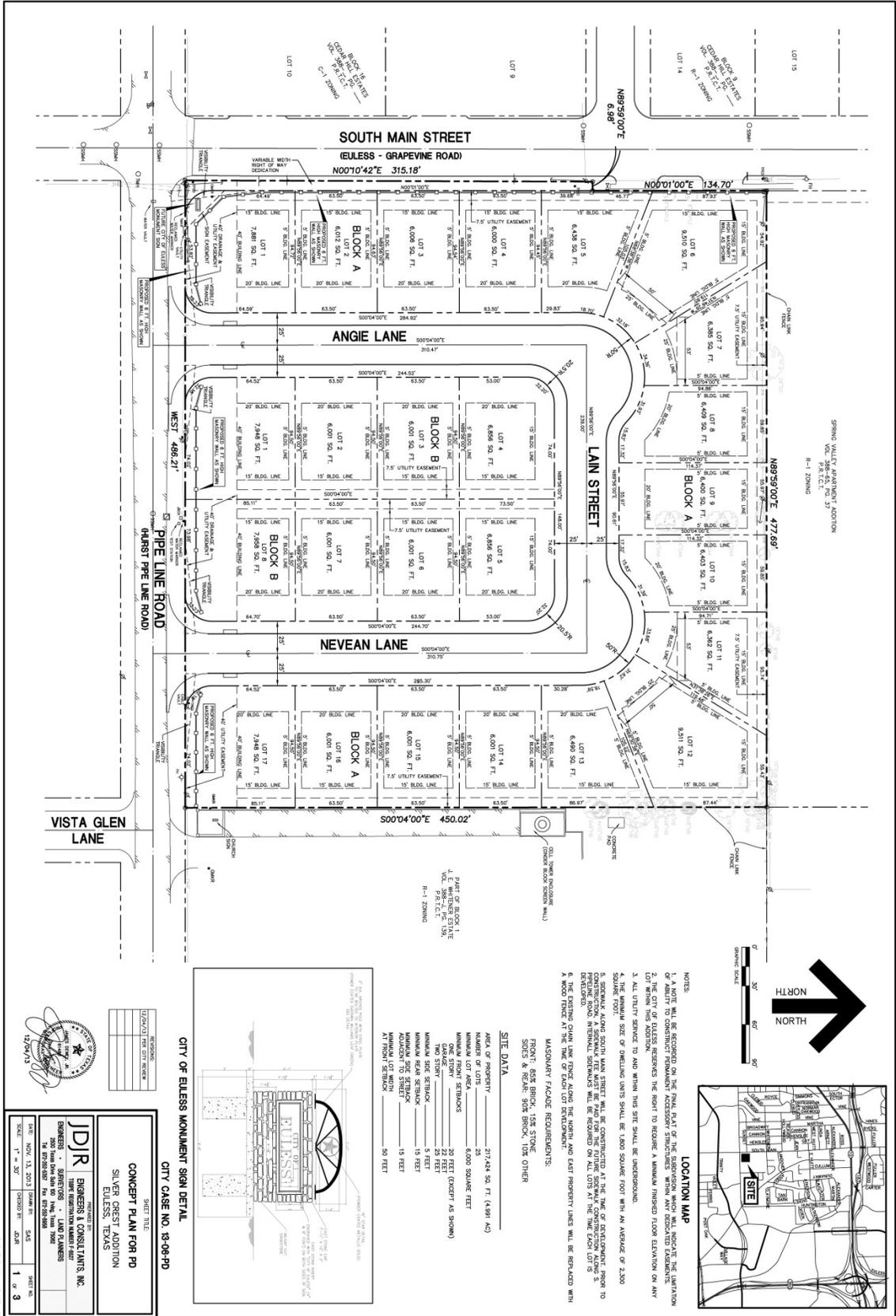


Exhibit B

Silver Crest Addition – Silver Bay Group - Design Criteria

Design Standards

1. Masonry brick veneer and natural stone and/or cement stucco will be used on house exterior. Limited areas in the façade may use painted cementitious board where it is difficult to use masonry. Brick details will articulate the front façade consisting of soldier course and other diagonal brick patterns and row lock, etc. on top of openings. The masonry ratio may be comprised of 80% brick, 10% stone and 10% siding depending on design. However, front façade shall be 100% masonry.
2. Minimum roof pitch shall be 6:12, except porches may be 4:12
3. Architectural grade 30 year asphalt shingles shall be used.
4. Wood, steel or stained fiberglass simulated wood grain front door with transom panel above to be used.
5. Facades will be custom designed for each house as much as possible. However, the same façade will not be repeated within any 5 adjacent lots or across the street from those lots. Arched window heads may be used with arched brick details.
6. HVAC condensing units and utility meters will be placed to the side and rear yards toward the back of the house concealed from the front view.
7. Windows shall be single or double hung recessed in the brick/stone opening to create depth.
8. The design may contain window decorative shutters made of louvers or panels and shall be the same height as the windows.
9. Gutters shall be surface mounted, galvanized steel or aluminum and painted.
10. Dormers shall be used to articulate the house façade in some designs. The dormer proportions shall be designed by the architect of record.
11. Structural posts exposed on the street wall shall be no less than 6”X6” in cross section.
12. If a porch is used, porch beams shall be visible from both the inside and the outside of the porch. Seams between the beam face and the bottom of built up beams shall occur beneath the beam.
13. The design may use stoop and portico at the front door and/or front porch and decorative railings.
14. The houses will have a minimum 1,800 square feet of air conditioned area and a two-car garage.

Exhibit C – Building Elevations

