



## MEMORANDUM

**To:** Mayor and City Council

**From:** Mindi Hurley, Director of Community Development

**Date:** January 26, 2021

**Reference:** Consider approval of an Ordinance for PD-259R-SF- 7&9, Blackberry Farm, a zoning change request from PD-259-SF-7&9 (Planned Development 259- Single-Family – 7&9) to PD-259R-SF- 7&9 (Planned Development 259 Revised- Single-Family – 7&9), to revise the Detail Site Plan and Conditions, to permit the development of 74 single-family lots and nine (9) common area lots on 54.8 acres of land located on the north side of Sandy Lake Road, approximately 750 feet northeast of Starleaf Road (Extended); and authorizing the Mayor to sign.

### **2040: Enhance the Unique “Community Oasis” Experience**

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#### **Executive Summary:**

This ordinance is for the Blackberry Farm Planned Development that includes 74 residential lots and nine common area lots, originally approved by City Council in 2018. Two phases have been approved for this development. Phase 1 includes 54 lots and 8 common areas, while Phase 2 has 20 lots with one common area. Since staff last brought this to Council, the applicant has addressed the conditions relating to the requirement for flood, drainage studies and establishing a land conservancy. The CLOMR has been approved by FEMA and detail site and engineering plans have been revised to reflect the recommendations. These items required a lengthy review and approval process before the City could approve the engineering plans and ultimately this ordinance. Now that they have been completed the final ordinance is being brought to council for approval.

#### **Analysis:**

On December 11, 2018, the City Council, approved this zoning change subject to the following conditions:

- A. The exterior of a maximum of 18 single family residences in this development shall be permitted to be constructed with stucco exterior finish in lieu of masonry as provided in the Comprehensive Zoning Ordinance. Stucco as used in this ordinance shall be defined as continuous plaster or mortar of seven-eighths (7/8”) of an inch thickness over wood frame with metal lath and elastomeric topcoat. All single-family residences permitted to be of

stucco material or plaster shall be of earth tone color.

- B. Minimum 25-foot front building line shall be provided for all single-family lots.
- C. Homes to be built on Lot 1 and Lot 20 in Block D shall have a minimum size of 2,800 square feet.
- D. There will be a minimum side yard setback of 5 feet on Lots 1 through 20, Block D.
- E. Sidewalks will be constructed at time of house construction on all single-family lots.
- F. No alley shall be required for any Lots within the development.
- G. Hardscapes consisting of masonry, wood, stucco where home is stucco, and/or decorative metal courtyard wingwalls and screening may be constructed and maintained to a maximum height of eight (8) feet shall be permitted in front yard but must be behind the 25-foot front building setback and shall be an integral architectural component of the primary structure.
- H. The center island in the cul-de-sac at the east end of known as Persimmon Drive shall be constructed of cobblestone patterned concrete and shall be maintained by the Homeowners Association.
- I. No building permits shall be issued for home construction prior to the filing of the Final Plat, Conservation Easement and HOA covenants.
- J. Prior to filing of the Final Plat for Phase 1, permits shall be approved by the U.S. Army Corps of Engineers and the Conservation Easement shall be established.
- K. Prior to issuance of a building permit for the first structure (including the Farm House on Common Lot 2X), proof of the initial payment for the establishment of the Conservation Easement shall be submitted to the City of Coppell, estimated to be \$92,000. Thereafter, at the time of issuance of building permits for the remaining 54 single family homes in Phase 1, verification of payment of the remaining balance of the \$300,000, estimated to be \$3,852 on a per lot shall be submitted to the city of Coppell.

- L. The Homeowners Association shall be responsible to maintain the stabilization along the creek bank of Denton Creek from erosion. Each Lot Owner shall be notified and provide a hold harmless agreement by separate instrument that the City and Developer are not liable for future erosion of the creek bank. The Developer shall dedicate a conservation easement to a third-party land conservancy for the purposes of monitoring and enforcing the integrity of the stream banks. Notice of the provisions shall be noted on the Final Plat. The conservation easement will be executed and filed prior to filing the Final Plat.
- M. The Homeowners Association shall be responsible to maintain the storage basins/ponds being constructed with the development as well as all common lots, Farm House Homeowners Association Covenants Declarations and Restrictions.
- N. The HOA documents shall reflect a minimum 40-year termination clause.
- O. Tree mitigation fees of \$125,000 must be paid prior to issuance of any building permit or construction.
- P. Park fees are required in the amount of \$1,285 per lot shall be paid by the time of issuance of any residential building permit.
- Q. The creek crossing bridge shall be a concrete single arch culvert with a stone pattern and textured concrete or natural stone veneer and a steel rail on a reinforced concrete base as shown on Exhibit E, attached hereto.
- R. This project is not subject to the Erosion Hazard Setback per City Ordinance, Sec. 13-9-1, G20.
- S. Retaining Walls are to be constructed of stone and maintained by the lot owner, as illustrated on Exhibit F, attached hereto and made a part of this ordinance. If the owner fails to maintain the wall, the Homeowners Association has the right to repair the wall and assess the lot owner. City has no responsibility for the retaining walls on private property.
- T. Detail Site and Landscape Plan for Lot 2X and the screening wall entry feature shall be attached to this PD as Exhibit D and shall govern the development, maintenance and use of

said lot subject to:

- a. The farm house at the subdivision entrance will not be used or occupied as a residence or retail business, except occasional sales of seasonal botanical gardening materials which may occur for four (4) times a year for two consecutive weeks (14 days).
  - b. The development of Lot 2X and the entry features shall be constructed prior to the issuance of a building permit for the first home, other than a model home.
- U. The development and maintenance of Lot 2X shall be in accordance with Section 2(T) of this Ordinance.

**Legal Review:**

The City Attorney reviewed this ordinance.

**Fiscal Impact:**

None

**Recommendation:**

The Planning Department recommends approval.

**Attachments:**

- 1. Ordinance
- 2. Exhibit "A" – Legal Description
- 3. Exhibit "B" – Detail Site Plan
- 4. Exhibit "C" - Landscape Plan
- 5. Exhibit "D" – Entry Feature and Common Area Lot 2X
- 6. Exhibit "E" - Bridge Exhibit
- 7. Exhibit "F" - Retaining/Screening Wall Exhibit