

City of Carrollton

1945 E. Jackson Rd.
Carrollton, Tx. 75006



REGULAR WORKSESSION & MEETING

Tuesday, May 5, 2015

5:45 PM

CITY HALL, 2nd Floor

City Council

Mayor Matthew Marchant
Mayor Pro Tem Bob Garza
Deputy Mayor Pro Tem Anthony Wilder
Councilmember Jeff Andonian
Councilmember Steve Babick
Councilmember Kevin Falconer
Councilmember Doug Hrbacek
Councilmember Lisa Sutter

*****PRE-MEETING / EXECUTIVE SESSION*******5:45 P.M. – COUNCIL BRIEFING ROOM**

1. Receive **information and discuss Consent Agenda.**
2. Council will convene in Executive Session pursuant to Texas Government Code:
 - Section 551.071 for private consultation with the City Attorney to seek legal advice with respect to pending and contemplated litigation and all matters on this agenda to which the City Attorney has a duty under the Texas Rules of Discipline and Professional conduct regarding confidential communication with the City Council.
 - Hamrla, et al, v. City
 - Camelot Landfill Application
 - Section 551.074 to discuss personnel matters.
 - Presiding and Associate Judges
3. Council will **reconvene in open session** to consider action, if any, on matters discussed in the Executive Session.

*****WORKSESSION*****

4. Discuss Appointment To The Parks Board.
5. Discuss Preliminary Concepts For Infrastructure Aesthetics And Design Standards At Targeted Entryway Intersections.
6. Discuss Acquisition Of A Mass Notification System.
7. Discuss Municipal Court Update.
8. Discuss Final Results Of The Sale Of City Of Carrollton General Obligation Improvement And Refunding Bonds, Series 2015.
9. Discuss Josey Lane And Belt Line Road Zoning Overlay Concept.
10. Discuss Acceptance Of A Donation For The Parks And Recreation Department.
11. Mayor and Council reports and information sharing.

*****REGULAR MEETING 7:00 PM*******INVOCATION**

PLEDGE OF ALLEGIANCE**PRESENTATIONS**

12. Present A Proclamation Declaring May 2015 As Motorcycle Awareness Month.
13. Present A Proclamation Declaring May 10 Through May 16, 2015 As National Police Week And May 15, 2015 As Peace Officers' Memorial Day.
14. Present A Service Award To Battalion Chief Chris Cothes.

PUBLIC FORUM

15. **Hearing of any citizen/visitor on items not listed on the regular meeting agenda. Citizens wishing to address the Council regarding items on the posted agenda will be called to speak during the Council's consideration of such items.**

Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed between 2 and 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the Council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

CONSENT AGENDA

*(*All items marked with a single asterisk are part of a Consent Agenda and require no deliberation by the Council. Each Council member has the prerogative of removing an item from this agenda so that it may be considered separately. Contracts and agreements are available in the City Secretary's Office.)*

MINUTES

- *16. Consider Approval Of The April 21, 2015 Regular Meeting Minutes.

BIDS & PURCHASES

- *17. Consider Approval Of Bid #15-008 Plant Protection From Various Vendors For The Parks Department In An Amount Not to Exceed \$70,000.00.
- *18. Consider Approval Of Bid #15-025 For Crack Sealing For Public Works From Champion Infrastructure, LLC In An Amount Not To Exceed \$400,000.00.
- *19. Consider Approval Of RFP #15-026 For Street, Alley & Sidewalk Repair For Public Works From Saz Global Inc. In An Amount Not To Exceed \$1,100,000.00.

CONTRACTS & AGREEMENTS

- *20. Consider Authorizing The City Manager To Approve A Contract With Tiseo Paving Company For The Old Denton Road Pavement Replacement Project (Trinity Mills/PGBT To Frankford Road) In The Amount Of \$6,983,867.00.
- *21. Consider Authorizing The City Manager To Approve Change Order #1 With Schmoltdt Construction For The Town Square And Pioneer Park Project For Installation Of Four Additional Trees And Two Fountains In The Amount Of \$47,685.42 For A Revised Contract Amount Not To Exceed \$863,608.58 And Authorizing The City Manager To Procure The Fountains And Necessary Equipment In An Amount Not To Exceed \$26,300.00.
- *22. Consider Authorizing The City Manager To Enter Into A Lease Agreement For Covert Vehicles For The Police Department In An Amount Not To Exceed \$33,400.00.
- *23. Consider Authorizing The City Manager To Enter Into Contract Negotiations To Provide Residential And City Facility Solid Waste Collection Services For The City Of Carrollton.

RESOLUTIONS

- *24. Consider A Resolution Appointing A Member To The Parks Board To Fill A Vacancy.
- *25. Consider A Resolution Reappointing Municipal Court Judges.
- *26. Consider A Resolution For A Project Specific Agreement (PSA) With Dallas County Road And Bridge District #4 For A Mill And Overlay Of The 1000 Through 1200 Blocks Of West Alan Avenue And The 1000 Through 1200 Blocks Of West Russell Avenue In An Amount Not To Exceed \$105,757.52.

- *27. Consider A Resolution Authorizing The City Manager To Amend The Individuals Authorized To Invest Funds And Make Withdrawals From The Public Funds Investment Pool Known As "TexPool," On Behalf Of The City.
- *28. Consider A Resolution Authorizing The City Manager To Enter Into A Redevelopment Incentive Agreement With Joe the Baker, LLC For 1104 Elm Street In An Amount Not To Exceed \$55,000.00.
- *29. Consider A Resolution Authorizing The City Attorney To Take All Steps Necessary To Oppose Municipal Solid Waste Permit Amendment, Proposed Permit Number 1312B.
- *30. Consider A Resolution To Name Thomas Baseball Field #1 "Shane Patterson Field."

PUBLIC HEARING-CONSENT AGENDA

- *31. Hold A Public Hearing And Consider A Resolution For An Amendment To The Transportation Plan And Transportation Plan Map To Change The Roadway Designations Of: (A) MacArthur Drive Between Trinity Mills Road/PGBT And Old Denton Road And (B) Raiford Road Between Old Denton Road And Trinity Mills Road/PGBT. Case No. 01-15MD1 Mac Arthur/Raiford Transportation Plan Amendments/City Of Carrollton. Case Coordinator: Christopher Barton.
- *32. Hold A Public Hearing And Consider An Ordinance To Change The Street Name Of Jamestown Lane Between Josey Lane And Scott Mill Road To Rainwater Lane. Case No. 05-15MD2 Jamestown Lane (Street Name Change)/City Of Carrollton. Case Coordinator: Christopher Barton.

PUBLIC HEARING - INDIVIDUAL CONSIDERATION

33. Hold A Public Hearing And Consider A Resolution For An Amendment To The Comprehensive Plan And The Land Use Map To Change An Approximately 3.4-Acre Site From Single-Family Residential Detached Uses To Single-Family Residential Attached Uses Located In The Vicinity Of The Southwest Corner Of Frankford Road And McCoy Road. Case No. 03-15MD1 McCoy Villas Comprehensive Plan Amendment/Harlan Properties, Inc. Case Coordinator: Michael McCauley.

34. Hold A Public Hearing And Consider An Ordinance Amending PD-63 To Change The Zoning Of A Certain Tract From The (SF-12/20) Single-Family Residential District To The (SF-TH) Single-Family Townhouse Residential District With Special Development Standards; Amending Accordingly The Official Zoning Map. The Approximately 3.4-Acre Tract Is Located In The Vicinity Of The Southwest Corner Of Frankford Road And McCoy Road. Case No. 10-14Z3 McCoy Villas/Harlan Properties, Inc. Case Coordinator: Michael McCauley.
35. Hold A Public Hearing And Consider An Ordinance To Rezone To Amend Planned Development District 54 To Remove An Approximately 17.5-Acre Tract And To Amend Planned Development District 148 To Remove An Approximately 20.6-Acre Tract And To Establish A New Planned Development District For The (O-4) Office District With Modified Development Standards And To Allow The Additional Use Of Multi-Family Residential Uses On An Approximately 38.1-Acre Tract Of Land Located On The East Side Of Midway Road Between International Parkway And Park Boulevard; Amending Accordingly The Official Zoning Map. The Site Is Currently Zoned PD-54 For The (HC) Heavy Commercial District And PD-148 For The (HC) Heavy Commercial District With SUP 277 For Required Parking On A Lot Separate From The Main Use. Case No 02-15Z1 RP at Park/Billingsley Development Corp. Case Coordinator: Christopher Barton.

ADJOURNMENT

CERTIFICATE - I certify that the above agenda giving notice of meeting was posted on the bulletin board at the City Hall of Carrollton, Texas on the 1st day of May 2015 at 12:00pm.

Krystle F. Nelinson

Krystle F. Nelinson, City Secretary

This building is wheelchair accessible. For accommodations or sign interpretive services, please contact City Secretary's Office at least 72 hours in advance at 972-466-3005. Opportunities and services are offered by the City of Carrollton without regard to race, color, age, national origin, religion, sex or disability.

Pursuant to Section 551.071 of the Texas Government Code, the City Council reserves the right to consult in a closed meeting with its attorney and to receive legal advice regarding any item listed on this agenda. Further, the Texas Open Meetings Act, codified in Chapter 551 of the Texas Government Code, does not require an agenda posting where there is a gathering of a quorum of the City Council at a regional, state or national convention or workshop, social function, convention, workshop, ceremonial event or press conference. The City Secretary's Office may occasionally post agendas for social functions, conventions, workshops, ceremonial events or press conference; however, there is no legal requirement to do so and in the event a social function, convention, workshop, ceremonial event or press conference is not posted by the City Secretary's Office, nothing shall preclude a quorum of the City Council from gathering as long as "deliberations" within the meaning of the Texas Open Meetings Act do not occur.



City of Carrollton

Agenda Memo

File Number: 1997

Agenda Date: 5/5/2015

Version: 1

Status: Work Session

In Control: City Council

File Type: Work Session Item

Agenda Number: 4.

CC MEETING: May 5, 2015

DATE: April 27, 2015

TO: Leonard Martin, City Manager

FROM: Krystle F. Nelinson, Management Analyst/City Secretary

Discuss **Appointment To The Parks Board.**

BACKGROUND:

Staff was notified on Monday, April 27 that a member of the Parks Board has moved out of Carrollton. This has opened up a position on the Board, with a term expiring in October 2016.

The applicants from the last round of board/commission appointments who indicated an interest in serving on the Parks Board have been attached for reference.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff has prepared a Resolution appointing one person to the Parks Board, and it has been placed it on the Consent Agenda for this meeting.

2014 Boards & Commission Applications

#43



COMPLETE

Collector: Web Link (Web Link)

Started: Tuesday, September 09, 2014 6:20:01 PM

Last Modified: Tuesday, September 09, 2014 6:28:54 PM

Time Spent: 00:08:53

IP Address: 173.74.106.251

PAGE 3: Application

Q1: Candidate Information

Name: Jean-Marc Fix
Complete Address(Include Zip): 1040 Magnolia Dr., Carrollton 75007
Phone Number (Day & Night): 214-528-2020 night 972-910-9752
Years Lived in Carrollton: 8
Email Address: jeanmarcfix@hotmail.com

Q2: Board Preferences List choice in order of preference (1st, 2nd and 3rd)

1st Choice: Library Board
2nd Choice: Parks & Recreation Board

Q3: Provide the name and the date(s) of prior service, if any, on any Carrollton board:

None

Q4: Are you currently holding any public office or appointment? If so, what?

No

Q5: Please list any special knowledge, education or experience that qualifies you to serve in the areas you have indicated and explain why you are seeking an appointment. Also, list any business or personal relationships with the city that might create a conflict of interest or that may affect your ability to serve.

I worked at my college library as a student and I love books (but also technologically pretty savvy). Professionally, I work with a lot of interdisciplinary committees so I am used to working on getting consensus. No conflict of interest.

Q6: What do you perceive to be Carrollton's two greatest strengths?

- 1) Starting to capitalize on trails making a pleasant place to live
- 2) Starting to get a good business base

Q7: What do you perceive to be Carrollton's two greatest weaknesses?

Lack of clear image to make Carrollton special.
Lots of work to be done to be pedestrian friendly (lack of sidewalk, work on downtown Carrollton)

2014 Boards & Commission Applications

#46



COMPLETE

Collector: Web Link (Web Link)

Started: Tuesday, September 09, 2014 7:00:57 PM

Last Modified: Tuesday, September 09, 2014 7:48:24 PM

Time Spent: 00:47:27

IP Address: 173.74.204.243

PAGE 3: Application

Q1: Candidate Information

Name: Patrick McDonnell
Complete Address(Include Zip): 1904 Hood Circle
Phone Number (Day & Night): 7345480013
Years Lived in Carrollton: 17
Email Address: patrickm02L@gmail.com

Q2: Board Preferences List choice in order of preference (1st, 2nd and 3rd)

1st Choice: Parks Board

Q3: Provide the name and the date(s) of prior service, if any, on any Carrollton board:

n/a

Q4: Are you currently holding any public office or appointment? If so, what?

No

Q5: Please list any special knowledge, education or experience that qualifies you to serve in the areas you have indicated and explain why you are seeking an appointment. Also, list any business or personal relationships with the city that might create a conflict of interest or that may affect your ability to serve.

Master's in Urban Planning. I'm seeking appointment because I want to help make the city (my hometown) a lot more pedestrian and bike friendly. I like what's happening now but I want to magnify it with some of the things I've learned while working at Dallas City Hall and from the placemaking and public spaces work that I've done as a freelance urban planner. I want to bring excitement and flavor to Carrollton

Q6: What do you perceive to be Carrollton's two greatest strengths?

Good Schools and Family Environment
Young Mayor who listens and is inspiring

Q7: What do you perceive to be Carrollton's two greatest weaknesses?

Bike Infrastructure
Youngish Vibe

2014 Boards & Commission Applications

#35

INCOMPLETE

Collector: Web Link (Web Link)

Started: Sunday, September 07, 2014 9:54:43 AM

Last Modified: Sunday, September 07, 2014 10:20:40 AM

Time Spent: 00:25:57

IP Address: 71.164.164.216

PAGE 3: Application

Q1: Candidate Information

Name: Carrie Solley
Complete Address(Include Zip): 4700 N Josey Ln., #3818, Carrollton, TX 75010
Phone Number (Day & Night): (214) 808-2179
Years Lived in Carrollton: 5 years
Email Address: carriesolley@verizon.net

Q2: Board Preferences List choice in order of preference (1st, 2nd and 3rd)

1st Choice: Parks and Receptions Board
2nd Choice: Museum Board
3rd Choice: Neighborhood Advisory Board

Q3: Provide the name and the date(s) of prior service, if any, on any Carrollton board:

Council Member for the Carrollton Senior Center

Q4: Are you currently holding any public office or appointment? If so, what?

No

Q5: Please list any special knowledge, education or experience that qualifies you to serve in the areas you have indicated and explain why you are seeking an appointment. Also, list any business or personal relationships with the city that might create a conflict of interest or that may affect your ability to serve.

Served on HOA in PNHA, Garland, TX for over 10 years. Retired at 72 from Public Acctg. Would like to help make a difference in our city.

Q6: What do you perceive to be Carrollton's two greatest strengths?

Citizens involvement for Carrollton
Plants and trees on our main streets and keeping Carrollton clean

Q7: What do you perceive to be Carrollton's two greatest weaknesses?

Needing a dog park

2014 Boards & Commission Applications

#50

COMPLETE



Collector: Web Link (Web Link)

Started: Tuesday, September 09, 2014 6:21:58 PM

Last Modified: Wednesday, September 10, 2014 6:45:36 AM

Time Spent: 12:23:38

IP Address: 173.57.186.66

PAGE 3: Application

Q1: Candidate Information

Name:	Andrew Webb
Complete Address(Include Zip):	1431 Charlotte Way, Carrollton, TX 75007
Phone Number (Day & Night):	214-263-0021
Years Lived in Carrollton:	4
Email Address:	theandrewwebb@yahoo.com

Q2: Board Preferences List choice in order of preference (1st, 2nd and 3rd)

1st Choice:	Capital Improvements Plan Advisory Committee (CIPAC)
2nd Choice:	Property Standards Board
3rd Choice:	Parks & Recreation Board

Q3: Provide the name and the date(s) of prior service, if any, on any Carrollton board:

None

Q4: Are you currently holding any public office or appointment? If so, what?

No

2014 Boards & Commission Applications

Q5: Please list any special knowledge, education or experience that qualifies you to serve in the areas you have indicated and explain why you are seeking an appointment. Also, list any business or personal relationships with the city that might create a conflict of interest or that may affect your ability to serve.

Education: MBA with Finance focus.

Work: nearly 10 years in various finance functions for private companies. 5 of that in Corporate Finance/Treasury dealing with planning, debt structures and liquidity issues.

Result: comfortable with numbers, creating and reading reports, planning/forecasting/analysis.

Real estate: for the past two years I have focused on the single-family housing market and bought and renovated six distressed houses that I now lease. None in Carrollton. Through this process I have become familiar with local markets, with building/housing issues and how various cities operate (each house is in a different city).

Recreational: I am an avid user of the Carrollton trails and am eager to see them expanded.

I am seeking this first-time appointment to become better acquainted with our community, to share my strengths and help where I can, and to learn where I can serve in the future.

There are no conflicts of interest at this time, but given my real estate endeavors and my focus on distressed houses, I suppose there could be one down the road specific to the Property Standards Board.

Q6: What do you perceive to be Carrollton's two greatest strengths?

Location: as DFW expands outwards and in particular northward, Carrollton's location in the middle between outlying communities and Dallas will become increasingly important. This is clearly already the situation now, given the quick turn on newly listed houses and the high prices commanded. The quick access to several major key highways is a major driver of this, as well as the development along the Sam Rayburn Tollway (e.g. Nebraska Furniture Mart).

Demographics: the population is very young and is relatively diverse.

Q7: What do you perceive to be Carrollton's two greatest weaknesses?

Location: because Carrollton is bounded by other cities, the room to grow outward is limited; this points to the need to find opportunities for redevelopment in existing areas.

Administrative burden: I do not know the real impact of these two areas, but I suspect that there must be a higher administrative burden to the city because Carrollton straddles two counties and multiple school districts.



City of Carrollton

Agenda Memo

File Number: 1992

Agenda Date: 5/5/2015

Version: 1

Status: Work Session

In Control: City Council

File Type: Work Session Item

Agenda Number: 5.

CC MEETING: May 5, 2015

DATE: April 27, 2015

TO: Leonard Martin, City Manager

FROM: Lorri Dennis, City Arborist

Discuss Preliminary Concepts For Infrastructure Aesthetics And Design Standards At Targeted Entryway Intersections.

BACKGROUND:

This project is one of the City Council's strategic sustainability objectives from the 2014 summer retreat. The project objective is to improve certain entryways into Carrollton to better distinguish Carrollton from Dallas. Seven entryways will be targeted by this program. The city has retained Kevin Sloan Architects to provide design concepts, using the Rosemeade Parkway/Marsh Lane entryway as a pilot to define key elements for the program.

Staff presented conceptual ideas to the Re-Development Sub-Committee on January 26, 2015. The Sub-Committee prioritized several key entryways where Carrollton abuts Dallas, as well as several bridge abutment locations which are targeted for future visual improvements. The most challenging entryway on the priority list is the intersection of Marsh Lane and Rosemeade Parkway. Kevin Sloan presented preliminary concepts to the Re-Development Sub-Committee on April 20. The Re-Development Sub-Committee supported the concepts and requested a presentation be made to the City Council.

STAFF RECOMMENDATION/ACTION DESIRED:

The purpose of this presentation is to determine the level of Council support for such standards and to provide input on the first location. If Council is supportive, staff will develop a full scope of work for the locations prioritized by the Re-Development Sub-Committee.

**FY 2015 City Council Urban Design Strategies
Re-Development Sub-Committee Recommendation**

Priority 1. City Limit/Entryway Delineations (projects not prioritized)

- Marsh @ Rosemeade, including the Oncor substation
- Crosby Road @ Broadway
- Kelly @ Rosemeade
- Kelly @ Morningside/PGBT
- Marsh @ Trinity Mills
- Midway @ International/KCS railroad
- Midway @ Trinity Mills
- Frankford @ BNSF railroad

Priority 2. Designs for Aesthetic Bridge Retrofits (projects not prioritized)

- Rosemeade @ Furneaux Creek
- Marsh @ Country Place
- Keller Springs @ Columbian Club
- Josey @ Cherokee Path
- Rosemeade @ Andrew
- Scott Mill @ Greenwood

Priority 3. Add standard aesthetic elements to major capital improvement projects



City of Carrollton

Agenda Memo

File Number: 1968

Agenda Date: 5/5/2015

Version: 1

Status: Work Session

In Control: City Council

File Type: Work Session Item

Agenda Number: 6.

CC MEETING: May 5, 2015

DATE: April 14, 2015

TO: Leonard Martin, City Manager

FROM: Elliott J. Reep, Emergency Management Coordinator

Discuss **Acquisition Of A Mass Notification System.**

BACKGROUND:

Following City Council direction from the November 4, 2014 worksession, the City's emergency management staff coordinated a review process of potential mass notification vendors. DFW area cities were polled on their systems and numerous vendors were screened for the desired system capabilities and features. In addition, a series of web demonstrations were conducted with potential vendors and city staff. The process culminated with on-site presentations from two potential vendors, Everbridge, Inc. and Send Word Now Communication, Inc.

Based on pricing, capabilities and recommendations from area partners, Everbridge, Inc. was selected as the vendor best able to deliver the services desired by the City. Everbridge, Inc. provided a one year GSA-approved contract with a four-year extension option package. The contract provides unlimited emergency and non-emergency alerting services for the City at a cost of \$43,835.44 for the first year and then \$40,588.37 annually for each of the optional four year extension periods. The first year price of \$43,835.44 includes: a basic service cost of \$35,514.82; a one-time implementation and set-up fee of \$3,247.07; and \$5,073.55 for the Smart Weather Alerting package.

Based on information provided by the vendor as well as feedback from partner cities of comparable size who utilize mass notification systems, the City's emergency management staff recommends that the Smart Weather Alerting package be evaluated during the initial year of the contract prior to committing to future possible extensions. This is due to the fact that the larger a city's population the higher the number of messages which are required to be sent out at one time during severe weather alerting as opposed to more localized notification alerts. The speed at which this occurs depends on the local telecommunications infrastructure. While general estimates can be made by telecom providers based on their capacity, the true results require

real-world testing to verify capability.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff seeks to provide City Council information on the recommended mass notification system and seeks guidance from Council regarding the purchase of the notification system from Everbridge, Inc.



City of Carrollton

Agenda Memo

File Number: 2006

Agenda Date: 5/5/2015

Version: 1

Status: Work Session

In Control: City Council

File Type: Work Session Item

Agenda Number: 7.

CC MEETING: May 5, 2015

DATE: April 28, 2015

TO: Mayor and City Council

FROM: Meredith Lyon, Presiding Judge, Carrollton Municipal Court

Discuss **Municipal Court Update.**



City of Carrollton

Agenda Memo

File Number: 2018

Agenda Date: 5/5/2015

Version: 1

Status: Work Session

In Control: City Council

File Type: Work Session Item

Agenda Number: 8.

CC MEETING: May 5, 2015

DATE: April 29, 2015

TO: Leonard Martin, City Manager

FROM: Bob Scott, Assistant City Manager

Discuss **Final Results Of The Sale Of City Of Carrollton General Obligation Improvement And Refunding Bonds, Series 2015.**

BACKGROUND:

The City completed the negotiated sale the Series 2015 General Obligation Improvement and Refunding Bonds consisting of combined proceeds of \$48,990,134, including premiums, on April 22, 2015. The issue consists of \$18,841,702 of new improvement bonds and \$30,148,432 of refunding bonds. The new improvement bonds are being issued to provide funds for street improvements in the amount of \$8,585,000; traffic improvements in the amount of \$200,000; drainage improvements in the amount of \$3,670,000; Public Safety Facilities Improvements in the amount of \$5,000,000; Parks improvements in the amount of \$1,220,000; and to pay estimated costs of issuance of \$166,702. The refunding bonds will refund \$29,375,000 of Series 2005 and 2006 bonds, pay accrued interest and costs of issuance.

FINANCIAL IMPLICATIONS:

The Bonds are tax-supported debt. All costs of issuance will be paid from the proceeds from the issuance of the bonds. Bonds will be subject to arbitrage laws.

IMPACT ON COMMUNITY SUSTAINABILITY:

Issuance of the Series 2015 new improvement bonds will assist the City in the continuation of the capital improvement program. The issuance of the refunding bonds provided a net present value savings of debt service of \$3,942,904.

STAFF RECOMMENDATION/ACTION DESIRED:

Receive a briefing from staff on the final results of the bond sale.



City of Carrollton

Agenda Memo

File Number: 1999

Agenda Date: 5/5/2015

Version: 1

Status: Work Session

In Control: City Council

File Type: Work Session Item

Agenda Number: 9.

CC MEETING: May 5, 2015

DATE: April 23, 2015

TO: Leonard Martin, City Manager

FROM: Ravi Shah, Director of Development Services

Discuss **Josey Lane And Belt Line Road Zoning Overlay Concept.**

BACKGROUND:

This project is one of the City Council's strategic sustainability objectives from the 2014 summer retreat. The City Council Re-Development Sub-Committee initially discussed this item on January 26, 2015.

The limits of the proposed overlay have been defined as properties fronting on Josey Lane from Keller Springs Road to the city's southern boundary near Spring Valley Road and fronting on Belt Line Road from Josey Lane to Marsh Lane. The project objective is to create a zoning overlay in these corridors to remove obstacles to future property re-development and rehabilitation, improve the visual character and sustain property values in these corridors over time, and create incentives to encourage private reinvestment in property and site improvements.

Much of the study area was platted and developed from the 1960s to the mid-1980s. As a result, many properties do not comply with current zoning, subdivision and development standards. Re-development of such properties may be hindered by current development standards that do not contemplate the smaller lot sizes and higher building coverages that exist on many sites. These elements can be addressed through a special zoning overlay.

The proposal submitted by staff recommends three tiers of zoning overlay to address the different stages of property development or re-development. The three tiers are re-development (demolition and rebuild on-site); rehabilitation (renovation of the existing building(s); and occupancy inspection (change of ownership or tenant of an existing building).

The Re-Development Sub-Committee met again on April 21, 2015 and discussed the three scenarios in depth. Staff proposed transitional steps to offer an increase in opportunities for

properties to eventually be re-developed, rehabilitated or refreshed. Steps included allowances for reduced exterior masonry on rehabilitation of existing buildings, allowances for reduced parking on fully-developed lots, reduced building setbacks and increased lot coverage/floor-to-area ratios, which would allow greater chances for adaptive reuse of properties.

A more detailed overview will be provided during the worksession.



City of Carrollton

Agenda Memo

File Number: 2019

Agenda Date: 5/5/2015

Version: 1

Status: Work Session

In Control: City Council

File Type: Work Session Item

Agenda Number: 10.

CC MEETING: May 5, 2015

DATE: April 30, 2015

TO: Leonard Martin, City Manager

FROM: Erin Rinehart, Assistant City Manager

Discuss **Acceptance Of A Donation For The Parks And Recreation Department.**

BACKGROUND:

The purpose of this item is to allow the City Council an opportunity to discuss the acceptance of a donation of funds to be used by the Parks and Recreation Department.



City of Carrollton

Agenda Memo File Number: 2008

Agenda Date: 5/5/2015

Version: 1

Status: Presentations

In Control: City Council

File Type: Presentation

Agenda Number: 12.

CC MEETING: May 5, 2015

DATE: April 28, 2015

TO: Leonard Martin, City Manager

FROM: Krystle F. Nelinson, Management Analyst/City Secretary

Present A **Proclamation Declaring May 2015 As Motorcycle Awareness Month.**

WHEREAS, today's society is finding more citizens involved in motorcycling on the roads of our country; and

WHEREAS, motorcyclists are roughly unprotected and therefore more prone to injury or death in a crash than other vehicle drivers; and

WHEREAS, campaigns have helped inform riders and motorists alike on motorcycle safety issues to reduce motorcycle related risks, injuries, and, most of all, fatalities, through a comprehensive approach to motorcycle safety; and

WHEREAS, it is the responsibility of all who put themselves behind the wheel, to become aware of motorcyclists, regarding them with the same respect as any other vehicle traveling the highways of this country; and it is the responsibility of riders and motorists alike to obey all traffic laws and safety rules; and

WHEREAS, urging all citizens of our community to become aware of the inherent danger involved in operating a motorcycle, and for riders and motorists alike to give each other the mutual respect they deserve;

NOW, THEREFORE I, Matthew Marchant, Mayor of the City of Carrollton do hereby proclaim the month of May, as Motorcycle Safety and Awareness Month in this city. Further, I urge all residents to do their part to increase safety and awareness in our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Carrollton, Texas to be affixed this 5th day of May, 2015.

A handwritten signature in black ink, appearing to read 'Matthew Marchant', written over a horizontal line.

Matthew Marchant, Mayor



City of Carrollton

Agenda Memo

File Number: 1993

Agenda Date: 5/5/2015

Version: 1

Status: Presentations

In Control: City Council

File Type: Presentation

Agenda Number: 13.

CC MEETING: May 5, 2015

DATE: April 27, 2015

TO: Leonard Martin, City Manager

FROM: Rex D. Redden, Chief of Police

Present A **Proclamation Declaring May 10 Through May 16, 2015 As National Police Week And May 15, 2015 As Peace Officers' Memorial Day.**

BACKGROUND:

In 1962, President John F. Kennedy signed Public Law 87-726 designating May 15 Peace Officers' Memorial Day, and the week in which May 15 falls as National Police Week. The law was amended by the Violent Crime Control and Law Enforcement Act of 1964, Public Law 103-322, signed by President Bill Clinton, directing that the flag of the United States be displayed at half-staff on all government buildings on May 15 each year. While the actual dates change from year to year, National Police Week is always the calendar week beginning on Sunday, which includes May 15.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends that the Mayor and City Council declare May 10 through May 16, 2015 as National Police Week and May 15, 2015, as Peace Officers' Memorial Day in the City of Carrollton and that the Mayor and City Council present a proclamation in support of this national recognition.

WHEREAS, the Congress and President of the United States have designated May 15 as Peace Officers Memorial Day, and the week in which it falls as National Police Week; and

WHEREAS, the members of the Carrollton Police Department play an essential role in safeguarding the rights and freedoms of the citizens of Carrollton; and

WHEREAS, it is important that all citizens know and understand the problems, duties and responsibilities of their police department, and that members of our police department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression ; and

WHEREAS, the Carrollton Police Department has grown to be a modern and scientific law enforcement agency which unceasingly provides a vital public service;

NOW, THEREFORE, I, Matthew Marchant, call upon all citizens of Carrollton and upon all patriotic, civil and educational organizations to observe the week of May 10th-16th, 2015, as **National Police Week** with appropriate ceremonies in which all of our people may join in commemorating police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities and, in doing so, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

I call upon all citizens of Carrollton to observe Thursday, May 15, 2015, as Peace Officers Memorial Day in honor of those peace officers who, through their courageous deeds, have lost their lives or have become disabled in the performance of duty.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Carrollton, Texas to be affixed this 5th day of May, 2015.



Matthew Marchant, Mayor



City of Carrollton

Agenda Memo

File Number: 1989

Agenda Date: 5/5/2015

Version: 1

Status: Presentations

In Control: City Council

File Type: Presentation

Agenda Number: 14.

CC MEETING: May 5, 2015

DATE: April 22, 2015

TO: Leonard Martin, City Manager

FROM: John G. Murphy, Fire Chief

Present A Service Award To Battalion Chief Chris Cothes.

BACKGROUND:

This agenda item is to recognize Battalion Chief Chris Cothes for his 30 years of service with Carrollton Fire Rescue and for his dedicated service to the citizens and visitors of Carrollton since April 19, 1985.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff requests that Mayor Marchant present Chief Cothes with his 30 year personalized badge and the City's 30 year gold service coin.



City of Carrollton

Agenda Memo File Number: 2007

Agenda Date: 5/5/2015

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Minutes

Agenda Number: *16.

CC MEETING: May 5, 2015

DATE April 28, 2015

TO: Leonard Martin, City Manager

FROM: Krystle F. Nelinson, Management Analyst/City Secretary

Consider Approval Of The April 21, 2015 Regular Meeting Minutes.

**CARROLLTON CITY COUNCIL
REGULAR WORKSESSION AND MEETING
APRIL 21, 2015**

The City Council of the City of Carrollton, Texas convened in a Regular Worksession and Meeting on Tuesday, April 21, 2015 at 5:45 p.m. with the following members present; Mayor Matthew Marchant, Mayor Pro Tem Bob Garza, Deputy Mayor Pro Tem Anthony Wilder, Councilmembers Kevin Falconer, Doug Hrbacek, Lisa Sutter, Jeff Andonian and Steve Babick. Also present were City Manager Leonard Martin, Assistant City Managers Marc Guy, Bob Scott and Erin Rinehart, City Attorney Meredith A. Ladd and City Secretary Krystle Nelinson.

5:45 P.M. – COUNCIL BRIEFING ROOM

*****WORKSESSION*****

Mayor Marchant called the meeting to order at 5:51 p.m.

4. Discuss Dates For Strategic Planning Session.

A consensus was reached in favor of July 10-11.

5. Discuss The Solid Waste RFP Committee's Vendor Selection Recommendation.

Lon Fairless, IT Director, recognized the Committee for their work and stated the decision was not unanimous. He explained the responses and differences in the bids. Staff provided a qualified recommendation to proceed with Waste Management to do qualified negotiation assuming they would agree to some specific stipulations which he explained to the Council. He stated they were slightly lower priced than Republic but with lower rankings and staff further recommended that if Waste Management could not agree to the stipulations, that they work with Republic. He also advised that the third vendor, Progressive, was only two points less than the top two, but there was some concern about the experience and equipment. Councilmembers Babick and Sutter provided feedback regarding the Committee recommendation and their thoughts on the service. Leonard Martin advised the Council that he communicated by email to the CEO of Waste Management outlining concerns and observations regarding service. Mr. Fairless presented information regarding customer impact and a comparison between the two top vendors. Discussion of the stipulations also included the possibility of penalties for poor services. Agreement was reached against weekly pickup of recyclables due to the added cost. A consensus was reached in favor of proceeding as recommended by the Committee. Mayor Marchant thanked the Committee for the months of work on the RFP and bid responses.

*****PRE-MEETING *****

1. Receive information and discuss Consent Agenda.

*****REGULAR MEETING 7:00 PM*****

Mayor Marchant called the Regular Meeting to order at 7:18 p.m.

INVOCATION – Councilmember Kevin Falconer

PLEDGE OF ALLEGIANCE – led by a local Girl Scout and Boy Scout in the audience.

PRESENTATIONS

11. Recognition Of Carrollton Community Chorus.

PUBLIC FORUM

12. Hearing of any citizen/visitor on items not listed on the regular meeting agenda. Citizens wishing to address the Council regarding items on the posted agenda will be called to speak during the Council's consideration of such items. Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed between 2 and 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

Scott Whitaker, Parks & Recreation Director, invited the Council and the public to participate in the 5k Run/1k Fun Run scheduled for May 2, 2015 that would meander along the Carrollton Trail System.

Kevin McCormick, 3209 San Sebastian, addressed the Council regarding traffic congestion and listed ideas to address alternative modes of transportation such as bus service.

CONSENT AGENDA

*(*All items marked with a single asterisk are part of a Consent Agenda and require no deliberation by the Council. Each Council member has the prerogative of removing an item from this agenda so that it may be considered separately. Contracts and agreements are available in the City Secretary's Office.)*

Councilmember Falconer moved approval of Items 13-20; second by Councilmember Hrbacek and the motion was approved with a unanimous 7-0 vote.

MINUTES

***13. Consider Approval Of The April 7, 2015 Regular Meeting Minutes.**

BIDS & PURCHASES

***14. Consider Approval Of The Purchase Of Court Resurfacing In An Amount Not To Exceed \$30,150.00.**

CONTRACTS & AGREEMENTS

***15. Consider Authorizing The City Manager To Approve A Project Specific Agreement (PSA) With Dallas County Road And Bridge District #4 For A Street Mill And Overlay Of The 1000 Through 1200 Blocks Of West Alan Avenue And The 1000 Through 1200 Blocks Of West Russell Avenue In An Amount Not To Exceed \$105,757.52.**

***16. Consider Authorizing The City Manager To Approve A Contract Amendment For Demolition And Environmental Remediation Services With Lindamood Demolition In An Amount Not To Exceed \$37,145.00 For A Total Amended Contract Amount Of \$1,311,492.00.**

***17. Consider Authorizing The City Manager To Approve A Professional Services Contract With Terracon Consultants, Inc. And Kleinfelder For Geotechnical And Material Testing Services In An Amount Not To Exceed \$500,000.00.**

RESOLUTIONS

***18. Consider A Resolution Authorizing The City Manager Or His Designee To Enter Into An Agreement To Sell A 40,893 Square Feet Tract Of Land In Fee Simple, Which Tract Is Part Of A Parcel Of Land Located At 1825 North IH-35E; And Providing An Effective Date.**

***19. Consider A Resolution Authorizing The City Manager To Approve A Contract With BBC Research And Consulting To Prepare The Analysis Of Impediments To Fair Housing In An Amount Not To Exceed \$37,560.00.**

PUBLIC HEARING-CONSENT AGENDA

***20. Hold A Public Hearing And Consider An Ordinance To Rezone To Establish A Special Use Permit For A Temporary Surface Parking Lot With Special Conditions Located Across Two Parcels On An Approximately 0.2-Acre Tract Located At 1101 Carroll Avenue And A Second Approximately 0.41-Acre Tract Located At 1104 East Belt Line Road; Amending Accordingly The Official Zoning Map. Case No. 04-15SUP2 Downtown Temporary Parking Lot 5/City of Carrollton. Case Coordinator: Christopher Barton.**

OTHER BUSINESS

21. Consider Appeal Under Section 52.084 Of The Carrollton City Code Of The Applicability Of The Impact Fees To The Development At 2226 Arbor Crest Drive.

Mayor Marchant announced that the item was resolved administratively and required no action.

Mayor Marchant adjourned the Regular Meeting at 7:35 p.m. and announced that Council would reconvene in Worksession.

*****WORKSESSION CONTINUED*****

Mayor Marchant reconvened the Worksession at 7:46 p.m.

6. Discuss Update Of Camelot Landfill Expansion Process.

Scott Hudson, Director of Environmental Services, used an aerial map to depict the location of the Camelot and DFW Landfills. He advised that an application to expand the Camelot Landfill was filed with the Texas Commission on Environmental Quality (TCEQ) in March 2012. The proposal would allow the landfill to go up another 202 ft for a total height of 725 ft msl (mean sea level). Being a major permit modification, the proposed changes would significantly extend the size and operating life of the landfill. He provided a review of the current landfill status and an update on the pending expansion process and application timeline.

7. Discuss A Municipal Marketing Program.

Councilmember Babick noted that the Council approved an assessment of the topic in May 2013 and brought forward the results of the assessment. He used the Marketing Dashboard in the Legends assessment to review the various types of marketing, degree of difficulty and revenue possibility. He described the Water Towers Partners group and noted that in Corporate Partnership Programs, the Brands were looking for exposure and the Municipalities were looking for revenue. He stressed that he was not talking about the types of banners and signs that have typically been found around little league ball parks and asked the Council to consider revisiting the previous assessment or consider a mini update of the assessment. Ashley Mitchell, Administrative Services Director, advised that Legends was based in Carrollton and noted that many of the cities that ventured into Municipal Marketing were no longer putting as much effort into it. She further stated that Legends focused more on whether Carrollton had the type of assets that people would pay for and Legends didn't feel that Carrollton had the facilities that would attract sponsorships. It would attract community partnerships such as trash cans with logos which staff could investigate further. She agreed that the community partnerships could offset City expenses but probably would not bring in revenue. Kelli Lewis, Marketing Director, advised that staff had tried to get a title sponsor for the Switchyard Festival event but have not been successful. She also explained that Marketing Services has been working with departments such as Animal Services with marketing sponsorship opportunities for dog runs and cat cages and with Parks on items such as sponsoring trees. Ms. Mitchell stated staff could contact Legends to ask about the cost of a refresh of the assessment and ask questions about assets and opportunity. She also noted that a policy would be necessary. A consensus was reached for staff to ascertain the costs for an update of the Legends assessment.

8. Discuss Proposed Revisions And Updates To The Stormwater And Flood Protection Ordinance.

Cesar Molina, Director of Engineering, advised that the Stormwater and Flood Protection Ordinance was last updated in 2000 and that revisions were needed to address inconsistencies in the document, to correct or update language related to federal issues, and to set forth new requirements for re-development and storm water quality initiatives. He asked Mike McKay, Civil Engineering Manager and Flood Plain Administrator to brief the Council.

Mr. McCay reviewed the proposed changes and explained that there was no drastic change to current policy; it addressed FEMA issues; and addressed new issues of proportionality, storm water quality, increased detention and redevelopment considerations. He stated the development of the revised ordinance included input from a variety of sources, both internal and external. The project was led by William (Bill) Wallace, P.E. and Jenny LaFoy, P.E. with Nathan D. Maier Consulting Engineers. A committee consisted of end users to provide feedback and guidance to the development of the ordinance including Bill Walker – Billingsley Company – Development Community; Curtis Beitel, P.E. – HDR – Consultant Community; David Humphrey – Humphrey and Morton – Contractor; Brian O’Neill, P.E. – Pacheco Koch – Consultant – Private Land Development; Rob Guarnieri, P.E. – City Building Inspection; Krista Pender – Code Enforcement - Stormwater Quality; and Regina Edwards – Assistant City Attorney. It was also reviewed by the Texas Water Development Board (FEMA review agency) and the City Attorney. Discussion was held and no changes were recommended.

9. Discuss A.W. Perry Homestead Museum Adjacent Property Use And Acquisition.

Mayor Marchant noted that the subject property was about 2.5 acres adjacent to the Museum on two sides and the City maintains the property because it is used for some events. He also noted that it was currently zoned single family. Discussion was held about possible development of the site, possible uses and the need for preservation. A consensus was reached to discuss costs in Executive Session.

10. Mayor and Council reports and information sharing.

Mayor Marchant adjourned the Worksession at 9:28 p.m. to convene in Executive Session.

*****EXECUTIVE SESSION*****

2. Council convened in Executive Session at **9:28 p.m.** pursuant to Texas Government Code:

- **Section 551.071** for private consultation with the City Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the City Attorney has a duty under the Texas Rules of Discipline and Professional conduct regarding confidential communication with the City Council.
 - Hamrla, et al v. City
 - Camelot Landfill Application

3. Council **reconvened in open session at 10:24 p.m.** to consider action, if any, on matters discussed in the Executive Session. No action taken.

ADJOURNMENT

Mayor Marchant adjourned the meeting at 10:24 p.m.

ATTEST:

Krystle Nelinson, City Secretary

Matthew Marchant, Mayor



City of Carrollton

Agenda Memo File Number: 1994

Agenda Date: 5/5/2015

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Bid/Purchases

Agenda Number: *17.

CC MEETING: May 5, 2015

DATE: April 30, 2015

TO: Leonard Martin, City Manager

FROM: Vince Priolo, Purchasing Manager

Consider Approval Of Bid #15-008 Plant Protection From Various Vendors For The Parks Department In An Amount Not to Exceed \$70,000.00.

BACKGROUND:

The chemicals to be purchased from this price agreement will take care of all plant protection requirements for the Parks department. This bid contains two one-year renewal options if mutually agreeable between the city and the vendor.

Bids were advertised and received from which six responded.

FINANCIAL IMPLICATIONS:

The chemicals on RFP# 15-008 will be purchased from budgeted funds for the cost centers and amounts as listed below:

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>BUDGET AMOUNT</u>
PARKS	60220 - Chemicals	\$50,000.00
ATHLETICS	60220 - Chemicals	\$20,000.00

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends that the bid meeting all specifications and considered the “best value” for the City be awarded as listed below for an amount not to exceed \$70,000.

<u>COMPANY</u>	<u>ITEMS</u>
Winfield	Primary Vendor Items 3, 4, 9 Secondary Vendor Items 7, 10 & 13
Helena Chemical	Primary Vendor Item 1, 5, 11 Secondary Vendor Items 2 & 3
Alligare	Primary Vendor Item 10, 12, & 13 Secondary Vendor Items 5 & 8
BWI	Primary Vendor Items 2, 6, 7, 8, 14 Secondary Vendor Items 4, 9, 11
Harrells	Secondary Vendor Item 14

John Deere Secondary Vendor Items 1, 6, 12

Bid #15-008 Plant Protection Tab Sheet

Item	Quantity	Request Product Size	Description	Request Pricing	Product Packaging	Winfield	Helena Chemical	Alligare	BWI	Harrells	John Deere
INSECTICIDES											
1.	128 oz.	4 x 1.6 oz. packets	Merit 75 (or equivalent) WG,	4 cases	32 oz. per case	\$ 384.00	\$ 330.00	No Bid	\$ 361.00	\$ 500.00	\$ 344.80
2.	100 LBS	1 LB cans	Acephate 75 wg	8 cases + 4 cans	12 cans per case	\$ 1,050.00	\$ 849.99	No Bid	\$ 767.00	\$ 975.00	\$ 976.00
3.	150 LBS	2 lb. canisters	Advion fire ant bait	9 cases + 3 bottles)	8 bottles per case	\$ 2,100.00	\$ 2,100.00	No Bid	\$ 2,186.25	\$ 2,418.75	\$ 2,505.00
4.	20 gals	2.5g bottle	PRIMO (or equivalent)	4 cases	2 bottles per case	\$ 2,320.00	\$ 2,800.00	No Bid	\$ 2,445.00	\$ 3,250.00	\$ 2,719.84
HERBICIDES											
5.	150 gal.	2.5 gal.	Round Up/Pro	30 cases	2 bottles per case	\$ 2,212.80	\$ 1,755.00	\$ 1,960.50	\$ 2,295.00	\$ 2,265.60	\$ 2,827.80
6.	80 bottles	1.3 oz.	Sedge-Hammer	8 cases	10 bottles per case	\$ 5,680.00	\$ 6,400.00	No Bid	\$ 4,648.00	\$ 5,336.00	\$ 5,229.60
7.	150 gals.	2.5 gal.	3-Way (24D)	30 cases	2 bottles per case	\$ 3,247.20	\$ 3,487.50	No Bid	\$ 2,690.00	\$ 3,420.00	\$ 3,793.80
8.	500 gal.	2.5 gal	Aqua-Master	100 cases	2 bottles per case	\$ 9,250.00	\$ 9,975.00	\$ 9,210.00	\$ 5,149.00	\$ 11,870.00	\$ 12,898.00
9.	200 grams	5 x 5-gram packets	Monument	8 boxes	25 grams per bottle	\$ 1,920.00	\$ 1,920.00	No Bid	\$ 1,920.00	\$ 1,920.00	\$ 1,920.00
10.	100 lbs.	5 lbs. bottle	Sure-Guard	5 cases	4 bottles per case	\$ 11,880.00	\$ 12,000.00	\$ 6,500.00	\$ 12,682.00	\$ 13,200.00	\$ 14,087.20
11	800 ounces	6 oz. bottles (8-12 per case)	Tribute Total	40 cases	20 bottles per case	\$ 260,720.00	\$ 43,344.70	No Bid	\$ 43,670.00	\$ 156,432.00	\$ 78,216.00
ADDITIVES & AQUATICS											
12.	500 gal.	2.5 gal.	Spi-Max Blue Dye Indicator	100 cases	2 bottles per case	\$ 13,600.00	\$ 22,500.00	\$ 8,000.00	\$ 14,370.00	\$ 12,150.00	\$ 8,268.00
13.	500 gal.	1 gal	Surfactant - Red River	125 cases	4 bottles per case	\$ 6,875.00	\$ 7,125.00	\$ 4,390.00	nb	N/B	No Bid
14.	750 gal.	2.5 GAL	Surfactant - Surf-AC 820	187 case + 2 bottles	4 bottles per case	\$ 13,352.25	\$ 10,687.50	No Bid	\$ 6,127.50	\$ 10,278.00	\$ 10,837.50
			PRIMARY	SECONDARY							



City of Carrollton

Agenda Memo File Number: 1996

Agenda Date: 5/5/2015

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Bid/Purchases

Agenda Number: *18.

CC MEETING: May 5, 2015

DATE: April 27, 2015

TO: Leonard Martin, City Manager

FROM: Vince Priolo, Purchasing Manager

Consider Approval Of Bid #15-025 For Crack Sealing For Public Works From Champion Infrastructure, LLC In An Amount Not To Exceed \$400,000.00.

BACKGROUND:

This contract will be utilized by the Street Department to perform crack and joint sealing on concrete panel replacements performed by in-house repair crews and to perform preventative maintenance by sealing cracks in various neighborhoods throughout the city. This bid contains two one-year renewal options if mutually agreeable between the city and the vendor.

Bids were advertised and received from which three responded.

FINANCIAL IMPLICATIONS:

The service on RFP# 15-025 will be purchased from budgeted funds for the cost centers and amounts as listed below:

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>BUDGET AMOUNT</u>
CAP ACCOUNT - 854460	68200 - STREET IMPROVEMENTS	\$ 400,000.00

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends that the overall low bid meeting all specifications be awarded to Champion Infrastructure, LLC for an amount not to exceed \$400,000.00.

CRACK & JOINT SEALING 15-025

LINE	QUANTITY	UOM	DESCRIPTION	Curtco Inc.		Champion Infrastructure		Scodeller Construction	
				UNIT PRICE	TOTAL ITEM	UNIT PRICE	TOTAL ITEM	UNIT PRICE	TOTAL ITEM
1	8.487	L.M.	Area 1	\$ 10,000.00	\$ 84,870.00	\$ 3,400.00	\$ 28,855.80	\$ 7,950.00	\$ 67,471.65
2	5.785	L.M.	Area 2	\$ 10,000.00	\$ 57,850.00	\$ 3,400.00	\$ 19,669.00	\$ 7,950.00	\$ 45,990.75
3	9.892	L.M.	Area 3	\$ 10,000.00	\$ 98,920.00	\$ 3,400.00	\$ 33,632.80	\$ 7,950.00	\$ 78,641.40
4	15.868	L.M.	Area 4	\$ 10,000.00	\$ 158,680.00	\$ 3,400.00	\$ 53,951.20	\$ 7,950.00	\$ 126,150.60
5	2.608	L.M.	Area 5	\$ 10,000.00	\$ 26,080.00	\$ 3,400.00	\$ 8,867.20	\$ 7,950.00	\$ 20,733.60
6	38.105	L.M.	Area 6	\$ 10,000.00	\$ 381,050.00	\$ 3,400.00	\$ 129,557.00	\$ 8,560.00	\$ 326,178.80
7	20,000	L.F.	Construction Joints Sealed On Concrete Streets	\$ 3.00	\$ 60,000.00	\$ 4.00	\$ 80,000.00	\$ 1.00	\$ 20,000.00
8	5,000	L.F.	Redwood Expansion Joints On Concrete Streets	\$ 2.50	\$ 12,500.00	\$ 5.00	\$ 25,000.00	\$ 2.00	\$ 10,000.00
9	2,500	L.F.	Cracks Sealed On Asphalt or Concrete Streets	\$ 0.60	\$ 1,500.00	\$ 1.00	\$ 2,500.00	\$ 1.00	\$ 2,500.00
				\$	881,450.00	\$	382,033.00	\$	697,666.80



City of Carrollton

Agenda Memo File Number: 2002

Agenda Date: 5/5/2015

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Bid/Purchases

Agenda Number: *19.

CC MEETING: May 5, 2015

DATE: April 29, 2015

TO: Leonard Martin, City Manager

FROM: Vince Priolo, Purchasing Manager

Consider Approval Of RFP #15-026 For Street, Alley & Sidewalk Repair For Public Works From Saz Global Inc. In An Amount Not To Exceed \$1,100,000.00.

BACKGROUND:

This contract will be utilized by the Street Department to reduce pending backlog of street, alley, and sidewalk concrete repairs which will enable the department to stay current with incoming service requests.

Bids were advertised and received from which two vendors responded. Bids were advertised in the normal manner with advertisements in the Carrollton Leader, plan rooms notified, and all past vendors were contacted.

FINANCIAL IMPLICATIONS:

The service on RFP #15-026 will be purchased from budgeted funds for the cost centers and amounts as listed below.

<u>COST CENTER</u>	<u>LINE ITEM</u>	<u>BUDGET AMOUNT</u>
CAP ACCOUNT 854460	68200-114360499	\$1,100,000.00
	TOTAL	\$1,100,000.00

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends that the low bid meeting all specifications be awarded to Saz Global Inc. for the amount not to exceed \$1,100,000.

NOTE: The quantities listed on the tabsheet and in the bid document were stated in the bid as estimates only. The staff recommended amount is based on their budget and based on immediate need and statistical data compiled by the Public Works Streets and Alley survey.

STREET, ALLEY & SIDEWALK REPAIR 15-026

ITEM	QTY	UNIT	DESCRIPTION	SAZ Global Inc		Camino Construction LP	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	3000	Sq. Yd	6 Inch Concrete - Street repairs	\$ 74.80	\$ 224,400.00	\$ 120.00	\$ 360,000.00
2	2000	Sq. Yd.	6 Inch Concrete - Alley repairs ("V" bottom)	\$ 77.00	\$ 154,000.00	\$ 126.00	\$ 252,000.00
3	2000	Sq. Yd.	10 Inch Concrete - Alley repairs (Flat bottom/5" invert)	\$ 68.20	\$ 136,400.00	\$ 137.00	\$ 274,000.00
4	150	Sq. Yd	6 Inch Concrete - Street repairs (Class "K" Concrete)	\$ 60.00	\$ 9,000.00	\$ 191.00	\$ 28,650.00
5	1,000	Sq. Yd.	7 Inch Concrete - Street repairs	\$ 66.00	\$ 66,000.00	\$ 125.00	\$ 125,000.00
6	150	Sq. Yd.	7 Inch Concrete - Street repairs (Class "K" Concrete)	\$ 65.00	\$ 9,750.00	\$ 203.00	\$ 30,450.00
7	1,500	Sq. Yd	8 Inch Concrete - Street repairs	\$ 72.60	\$ 108,900.00	\$ 131.00	\$ 196,500.00
8	150	Sq. Yd.	8 Inch Concrete - Street repairs (Class "K" Concrete)	\$ 66.00	\$ 9,900.00	\$ 221.00	\$ 33,150.00
9	1500	L. F.	Installation of 6" integral curb in conjunction with pavement repairs	\$ 7.70	\$ 11,550.00	\$ 10.00	\$ 15,000.00
10	2000	Sq. Yd.	Repair of Sidewalks in conjunction with other repairs	\$ 51.70	\$ 103,400.00	\$ 77.00	\$ 154,000.00
11	600	Sq. Yd	Repair or Replacement of Drive Approaches	\$ 74.80	\$ 44,880.00	\$ 103.00	\$ 61,800.00
12	1,000	Sq. Ft.	Installation of retaining wall for walk / wall combination	\$ 25.85	\$ 25,850.00	\$ 50.00	\$ 50,000.00
13	30	Each	Barrier Free Ramps at Street Corner	\$ 1,100.00	\$ 33,000.00	\$ 2,800.00	\$ 84,000.00
14	50	Sq. Yd	New sidewalks	\$ 44.00	\$ 2,200.00	\$ 77.00	\$ 3,850.00
15	50	Sq. Yd	Installation of brick median pavers in conjunction with other repairs	\$ 52.25	\$ 2,612.50	\$ 220.00	\$ 11,000.00
16	250	L.F.	18 inch Curb and Gutter (on asphalt street)	\$ 22.00	\$ 5,500.00	\$ 70.00	\$ 17,500.00
17	250	L.F.	24 inch Curb and Gutter (on asphalt street)	\$ 25.30	\$ 6,325.00	\$ 77.00	\$ 19,250.00
18	250	L.F.	30 inch Curb and Gutter (on asphalt street)	\$ 28.60	\$ 7,150.00	\$ 83.00	\$ 20,750.00
19	3000	L.F.	18 inch Curb and Gutter (on concrete street)	\$ 19.80	\$ 59,400.00	\$ 67.00	\$ 201,000.00
20	2500	Sq. Yd.	60/40 Sidewalk Program	\$ 90.00	\$ 225,000.00	\$ 100.00	\$ 250,000.00
21	100	Sq. Yd.	Asphalt Base failure repair in conjunction with curb and gutter repairs on asphalt streets	\$ 19.25	\$ 1,925.00	\$ 172.00	\$ 17,200.00
22	2	EACH	8 Foot Curb Line Inlet	\$ 4,000.00	\$ 8,000.00	\$ 6,500.00	\$ 13,000.00
23	4	EACH	8 Foot Inlet Top	\$ 2,750.00	\$ 11,000.00	\$ 3,800.00	\$ 15,200.00
24	2	EACH	10 Foot Curb Line Inlet	\$ 4,400.00	\$ 8,800.00	\$ 6,700.00	\$ 13,400.00
25	4	EACH	10 Foot Inlet Top	\$ 3,000.00	\$ 12,000.00	\$ 7,000.00	\$ 28,000.00
26	20	EACH	Vertical adjustment of water meters, sewer cleanouts or sprinkler control boxes to grade	\$ 250.00	\$ 5,000.00	\$ 600.00	\$ 12,000.00
27	5	EACH	Rebuild Brick mailboxes due to relocation or grade adjustments	\$ 500.00	\$ 2,500.00	\$ 1,500.00	\$ 7,500.00
28	500	Cu. Yds.	Topsoil fill material	\$ 22.00	\$ 11,000.00	\$ 35.00	\$ 17,500.00
29	500	Sq. Yds.	Common Bermuda sod	\$ 4.00	\$ 2,000.00	\$ 10.00	\$ 5,000.00
30	500	Sq. Yds.	Raleigh St. Augustine sod	\$ 6.00	\$ 3,000.00	\$ 12.00	\$ 6,000.00
Total for all items				\$	1,310,442.50	\$	2,322,700.00



City of Carrollton

Agenda Memo

File Number: 1990

Agenda Date: 5/5/2015

Version: 1

Status: Consent Agenda

In Control: City Council

File Type:
Contracts/Agreements

Agenda Number: *20.

CC MEETING: May 5, 2015

DATE: April 24, 2015

TO: Leonard Martin, City Manager

FROM: Cesar J. Molina, Jr., P.E., Director of Engineering

Consider Authorizing The City Manager To Approve A Contract With Tiseo Paving Company For The Old Denton Road Pavement Replacement Project (Trinity Mills/PGBT To Frankford Road) In The Amount Of \$6,983,867.00.

BACKGROUND:

This project was authorized by voters in the 2013 Bond Election and will provide for the reconstruction of 5,520 linear feet of Old Denton Road from Trinity Mills/PGBT to Frankford Road along with new sidewalks, landscaping and irrigation. The project will also include the rehabilitation and updating of the Furneaux Creek bridge with new railing and stone fascia, the addition of a new traffic signal at Nottingham Drive and Peacock Boulevard (Raiford Crossing) and enhanced landscaping.

The duration of construction is fifteen (15) months and construction will be phased so that two lanes of traffic are open at all times. Project signs will be placed at the ends of Old Denton Road while it is under construction. The project has been placed on the monthly Construction Update and is included in the City's web site. Most trees located within the median will be removed to accommodate traffic but new landscaping will be added throughout the project. No wildlife will be affected by the construction.

FINANCIAL IMPLICATIONS:

Three (3) bids were received on April 23, 2015. These bids ranged from a low of \$6,983,867.00 submitted by Tiseo Paving Company to a high bid of \$8,907,830.00. Tiseo's last completed city project was Champion Circle in 2011, but they also completed Dickerson Road, Old Denton Road south of PGBT, two Belt Line Road projects and several others prior to that. They appear capable of completing this project within the bid price and the allotted time. The construction budget originally set up for Old Denton Road was \$6,000,000.00, but additional funding from Dallas County increased the available funding to \$6,700,000.00. Funding for Old Denton Road is available from several accounts including the Streets Consolidated Fund (Account Unit

854460), the Tree Reforestation Fund (Account 357805) and Beautification & Intersection Improvement Fund (Account Unit 854201). Additionally, staff anticipates additional funds will be available as a result of the debt refinancing that was recently completed.

IMPACT ON COMMUNITY SUSTAINABILITY:

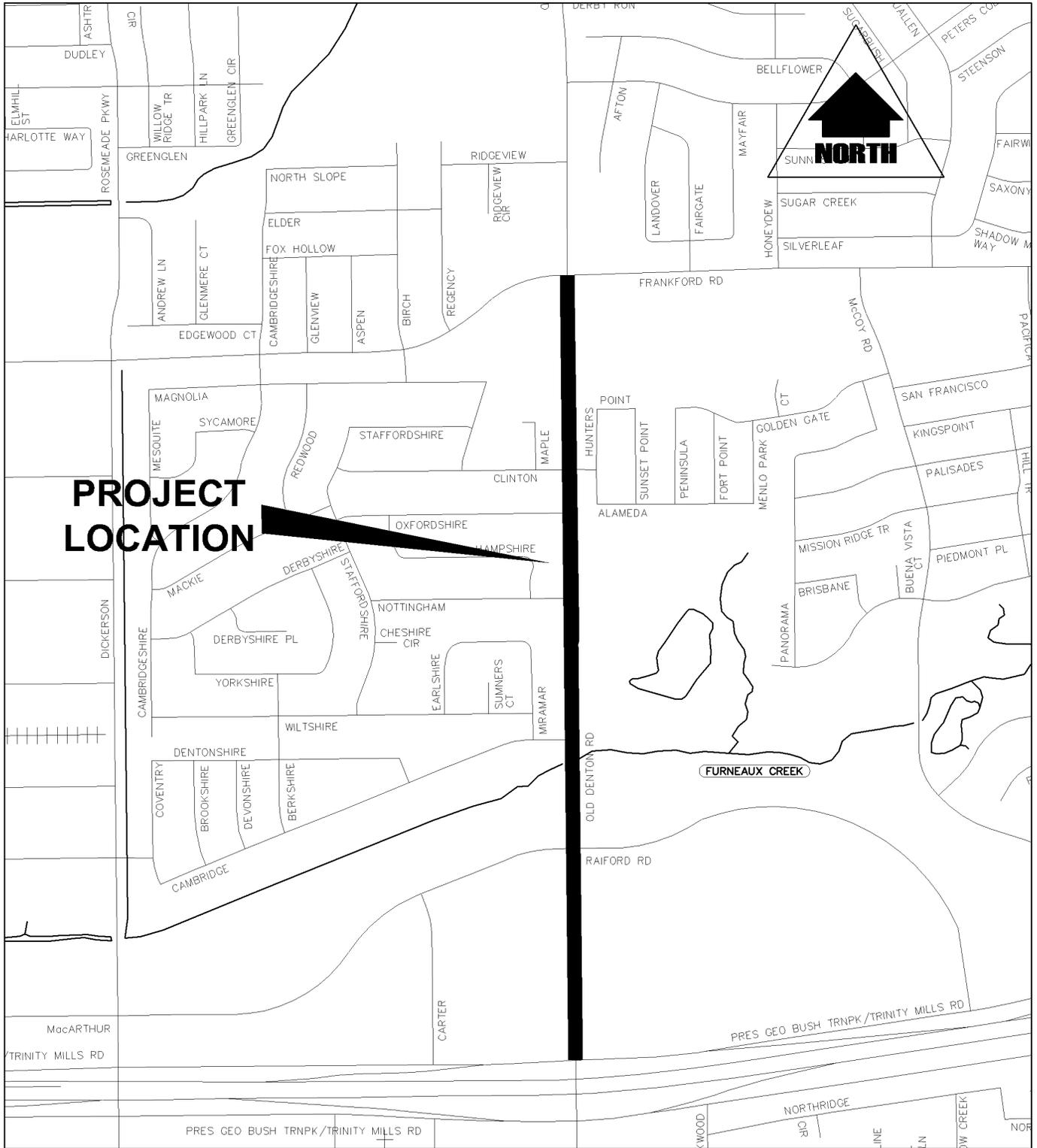
This project will contribute to community sustainability by:

- Sustaining quality of life - Reconstruction of Old Denton Road through this section will improve mobility in this high traffic area while reducing maintenance costs associated with continued pavement failures.
- Sustaining day-to-day operations - The replacement of the existing street pavement and the new storm sewer lines should reduce the need for non-scheduled or emergency repairs and ongoing maintenance.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends awarding the contract for the Old Denton Road reconstruction project from Trinity Mills/PGBT to Frankford Road to Tiseo Paving Company in the amount of \$6,983,867.00.

ATTACHMENT A LOCATION MAP



FILENAME: OLD DENTON ROAD TRINITY MILLS TO FRANKFORD.DWG



CARROLLTON
TEXAS
Where Connections Happen

OLD DENTON ROAD TRINITY MILLS TO FRANKFORD

SCALE: NTS DATE: 05-12

**ENGINEERING
DEPARTMENT**

BIDDERS LIST

PROJECT: Old Denton Road Pavement Replacement DATE: April 23, 2015

DAYS/COMPLETE: 455 ESTIMATED COST: \$6,700,000.00

CONTRACTOR	BID AMOUNT
Tiseo Paving Co.	\$6,983,867.00
Lone Star Civil Construction, Inc.	\$7,582,160.00
Glenn Thurman, Inc.	\$8,907,830.00



City of Carrollton

Agenda Memo

File Number: 2012

Agenda Date: 5/5/2015

Version: 1

Status: Consent Agenda

In Control: City Council

File Type:
Contracts/Agreements

Agenda Number: *21.

CC MEETING: May 5, 2015

DATE: April 29, 2015

TO: Leonard Martin, City Manager

FROM: Cesar J. Molina, Jr., P.E., Director of Engineering

Consider Authorizing The City Manager To Approve Change Order #1 With Schmoldt Construction For The Town Square And Pioneer Park Project For Installation Of Four Additional Trees And Two Fountains In The Amount Of \$47,685.42 For A Revised Contract Amount Not To Exceed \$863,608.58 And Authorizing The City Manager To Procure The Fountains And Necessary Equipment In An Amount Not To Exceed \$26,300.00.

BACKGROUND:

The City Council awarded a contract on January 20, 2015 to Schmoldt Construction in the amount of \$815,923.16 for the repurposing of Pioneer Park and to create a new park in the Historic Downtown Square. The Pioneer Park project includes removing the trees, crushed granite and circular concrete bench and replacing those elements with grass, new trees and installing new benches. The Town Square project involves the removal of the existing parking lot and replacing it with a park consisting of trees, upgraded lighting and a water feature, surrounded by 35 parking spaces.

Change Order No. 1 reflects a change in scope to add four trees to the southwest corner of the Square and add the installation of two fountains on the north side of the Square where a water table sculpture was originally proposed. The trees were deleted from the original project scope to leave more open area to view the stage for the Festival at the Switchyard event. The city is supplying the fountains, pumps, pools, lights and accessories at a cost of \$26,300.00.

At the April 21, 2015 TOD Sub-Committee meeting, these modifications were presented to and endorsed by the Sub-Committee.

FINANCIAL IMPLICATIONS:

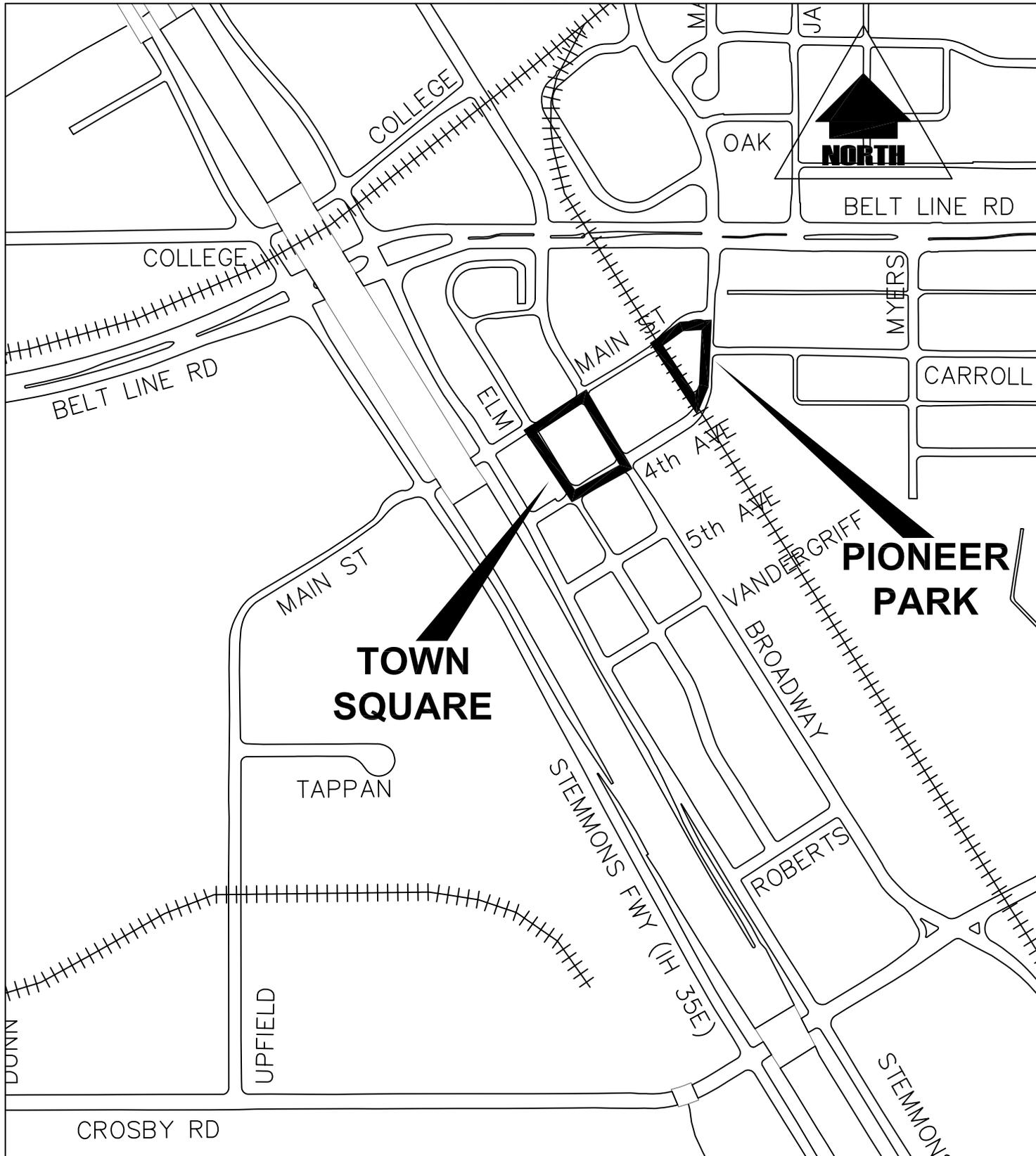
Funding for the additional construction work in the amount of \$73,985.42 is available in Account Unit 854102-113840199 (Transit Oriented Development Projects).

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends authorizing the City Manager to:

- A. Execute Change Order No. 1 to Schmoldt Construction, which will increase the construction contract in an amount not to exceed \$47,685.42, thus revising the contract amount to \$863,608.58 -- a 6.31% increase -- and increase the contract length by 20 calendar days; and
- B. Acquire the fountain and necessary equipment in an amount not to exceed \$26,300.00.

EXHIBIT A



FILENAME: TOWN SQUARE AND PIONEER PARK.dwg



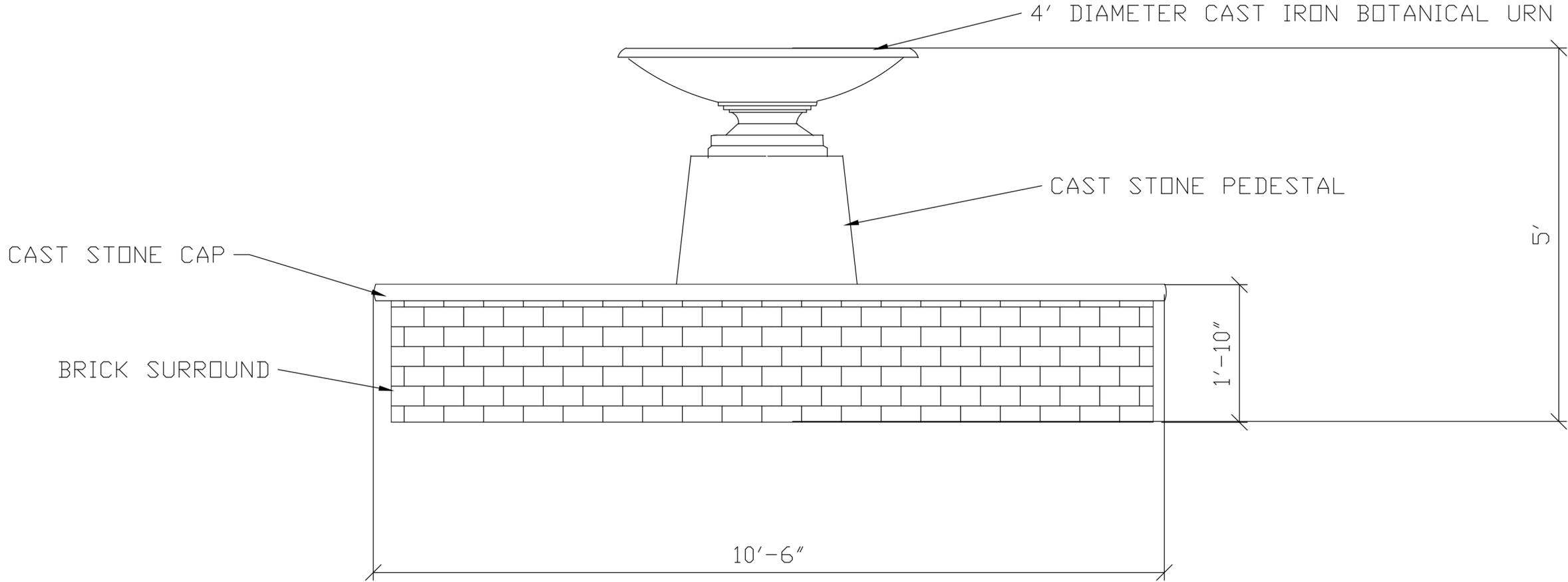
Where Connections Happen

**TOWN SQUARE
&
PIONEER PARK**

SCALE: NTS DATE: 12/14

**ENGINEERING
DEPARTMENT**

CITY OF CARROLLTON





City of Carrollton

Agenda Memo

File Number: 2003

Agenda Date: 5/5/2015

Version: 1

Status: Consent Agenda

In Control: City Council

File Type:
Contracts/Agreements

Agenda Number: *22.

CC MEETING: May 5, 2015

DATE: April 28, 2015

TO: Leonard Martin, City Manager

FROM: Rex Redden, Chief of Police

Consider Authorizing The City Manager To Enter Into A Lease Agreement For Covert Vehicles For The Police Department In An Amount Not To Exceed \$33,400.00.

BACKGROUND:

The Carrollton Police Department has used lease vehicles for purposes of the covert investigations function for several years. Leasing is less expensive than a fleet vehicle purchase on a short-term basis. In order to provide a degree of officer safety and investigative security, the name of the leasing company has been omitted.

In order to provide vehicles for the Covert Investigations Unit, the Department will be leasing six vehicles for an 18-month term. The lease vehicle expense is a budgeted line item in the amount of \$33,400.00.

The Department requested new quotes for a lease agreement. A leasing company provided the lowest quote and a new agreement was negotiated. The new lease price for six vehicles is \$2,756.58 monthly or \$33,078.96 annually. The lease agreement has been reviewed and approved by Vince Priolo, Purchasing Manager.

FINANCIAL IMPLICATIONS:

These lease costs are included annually in the Department's operating budget. This item has no financial implications beyond the budgeted costs.

IMPACT ON COMMUNITY SUSTAINABILITY:

Use of these vehicles enhances the effectiveness of Police Department covert operations including, but not limited to, narcotics enforcement and criminal surveillance.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council authorize the City Manager to enter into an agreement for the leasing of six vehicles for covert operations in an amount not to exceed \$33,400.00.



City of Carrollton

Agenda Memo File Number: 2013

Agenda Date: 5/5/2015

Version: 1

Status: Consent Agenda

In Control: City Council

File Type:
Contracts/Agreements

Agenda Number: *23.

CC MEETING: May 5, 2015

DATE: April 29, 2015

TO: Leonard Martin, City Manager

FROM: Lon Fairless, Information Technology Director

Consider Authorizing The City Manager To **Enter Into Contract Negotiations To Provide Residential And City Facility Solid Waste Collection Services For The City Of Carrollton.**

BACKGROUND:

The City Council appointed Lisa Sutter, Steve Babick, Lark Tribble, Jack Stotz and Bill Kirkland to review proposals for solid waste services based on the Carrollton Request for Proposal, RFP 15-014. The RFP included various service delivery options for consideration. The City Council reviewed the Committee recommendations at the April 7, 2015 meeting. After much discussion, City staff was directed to request final offers based on the following changes to the current solid waste collection services.

1. Switch customer primary call center services from the vendor to the City call center.
2. Eliminate the recycling rewards program.
3. Five year contract with potential five one year renewals
4. None of the other RFP separately priced service options were included.

The RFP review committee reconvened with the new task to review final offers based on Council direction. The Committee recommendations were presented to Council at the April 21, 2015 meeting. The three proposals were rated very closely with two being tied for the highest rating. With some hesitancy, the Committee recommended to Council that the City negotiate first with the incumbent provider, Waste Management, but only if specific stipulations are accepted. Otherwise to then undertake negotiations with Republic with the same stipulations.

The referenced stipulations address the following:

1. Agreement to performance standards with meaningful strong penalties that include:
 - a. An effective, efficient, and proactive two way communication between the City and Contractor
 - b. effective and efficient method to provide agile response to the unpredictable seasonal peak demand

2. Agreement to the draft agreement.

FINANCIAL IMPLICATIONS:

Funds for the residential and City facility solid waste collection services are provided from the enterprise Solid Waste Fund.

STAFF RECOMMENDATION/ACTION DESIRED:

Request the Council to authorize the City Manager to enter into contract negotiations for solid waste collection services with Waste Management in an amount not to exceed \$6,200,000.00 for Fiscal Year 2016. If unsuccessful, then the City Manager is authorized to enter into contract negotiations with Republic also with the stipulations above.



City of Carrollton

Agenda Memo File Number: 1998

Agenda Date: 5/5/2015

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *24.

CC MEETING: May 5, 2015

DATE: April 27, 2015

TO: Leonard Martin, City Manager

FROM: Krystle F. Nelinson, Management Analyst/City Secretary

Consider A **Resolution Appointing A Member To The Parks Board To Fill A Vacancy.**

BACKGROUND:

This is a companion item to the Worksession discussion.

STAFF RECOMMENDATION/ACTION DESIRED:

Appoint a member to the Parks Board to fill a vacancy.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF CITY OF CARROLLTON, TEXAS,
APPOINTING MEMBERS TO SERVE ON THE PARKS & RECREATION BOARD;
AND PROVIDING AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS,
THAT:**

SECTION 1

The following are appointed to serve on the Parks & Recreation Board at the pleasure of the City Council for the term specified or from the date of their qualification to serve until their successors are appointed and qualified to serve.

_____ (unexpired term) October 31, 2016

SECTION 2

This resolution shall take effect immediately from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas
this 5th day of May, 2015

CITY OF CARROLLTON, TEXAS

Matthew Marchant, Mayor

ATTEST:

APPROVED AS TO FORM:

Krystle F. Nelinson, City Secretary

Meredith A. Ladd, City Attorney



City of Carrollton

Agenda Memo

File Number: 1956

Agenda Date: 5/5/2015

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *25.

CC MEETING: May 5, 2015

DATE: April 13, 2015

TO: Leonard Martin, City Manager

FROM: Deryl Corley, Court Administrator

Consider A **Resolution Reappointing Municipal Court Judges.**

BACKGROUND:

Section 2.12 of the City Charter establishes the qualifications for and requires the City Council to appoint Municipal Court Judges every two years. The current terms for the Municipal Court Judge and Assistant Municipal Court Judges expire on May 24, 2015.

FINANCIAL IMPLICATIONS:

This position does not represent an increase in staffing and all related costs have already been incorporated into the City's 2015 budget.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends approval of the attached Resolution.



DATE	May 2011
JOB CODE	
FLSA	EXEMPT
EEO	01

JOB TITLE: Municipal Court Judge
 DEPARTMENT/DIVISION: Municipal Court/ Municipal Court-Judges
 REPORTS TO: City Council

SUMMARY: Appointed and under the administrative direction of the City Council, presides over Municipal Court sessions and functions as Magistrate to administer justice in the disposition of cases involving ordinance or statutory misdemeanor violations within the jurisdiction of the Municipal Court. Supervises Assistant Municipal Court Judges.

AUTHORIZED BY: CHAPTER 30 GOVERNMENT CODE, (SUBCHAPTER V, SEC. 30.857), ORDINANCE 1920 AND CITY CHARTER SEC. 2.12

ESSENTIAL JOB FUNCTIONS:

- Reports to the City Council on the status of the Municipal Court as required.
- Supervises Assistant Municipal Court Judges
 - Assigns daily duties.
 - Sets uniform docket standards for all judges.
 - Monitors productivity, workload and performance throughout the year and prepares an annual performance review for review by the city council
 - Assists with the interview and selection process in the event of a judicial vacancy.
 - Acts as primary liaison to council regarding judicial issues
- Performs Municipal Judge duties as outlined in Texas State law, subject to assignment by the City Council, including but not limited to:
 - Presides over Municipal Court for all class "C" misdemeanors; holds court sessions to hear persons accused of violating city laws, ordinances, and other misdemeanor violations within the jurisdiction of the Municipal Court.
 - Determines innocence or culpability (when hearing cases without a jury) and levies fine or bail commensurate with the violation in such a manner to preserve equity and uniformity in the application of existing laws and ordinances.
 - Directs jurors in trial cases on proper interpretation of law.
 - Advises inmates of their rights, sets bonds, accepts pleas.
 - Reviews and signs affidavits for search and arrest warrants.
 - Coordinates court activities and judicial policy with the Court Administrator, Assistant City Manager responsible for Municipal Courts, City Attorney's Office, other city departments, and with outside agencies.
 - Participates and provides input in the selection and implementation of computerized court software

- Reviews and signs court related paper work in a timely and efficient manner so as to promote efficient and effective court operations and collections.
- Performs Magistrate duties as outlined in Texas State law including but not limited to:
 - Issues warrants, summons, magistrate warnings, etc.
 - Presides over driver's license suspension sessions for the Department of Public Safety; stolen property hearings, juvenile warnings, mental commitment hearings, etc.
 - Signs various paperwork such as arrest warrants, search warrants, prisoner transfer documentation, appeal bonds, affidavits, judgments and dismissals, etc.
- Works with the City Council Judicial Committee to establish Judicial Policy and Orders within the parameters of state law but also consistent with the values of the community and needs of other departments.
- Works with the City Council Judicial Committee to establish judge specific performance benchmarks regarding the effectiveness and productivity of the court.
- Prepares an annual report to the City Council regarding judicial performance and
- Performs legal research on occasion as needed.
- As a full time employee of the city, recognizes that Municipal Judge is their primary employment and takes precedence over other employment commitments. Will seek permission in advance of accepting secondary employment opportunities. Will be present and primarily engaged in City of Carrollton duties during regular business hours Monday through Friday, except for city holidays.
- Performs other duties as assigned.

SUPERVISORY/BUDGET RESPONSIBILITIES:

- Supervises the Assistant Municipal Court Judges and coordinates judicial related budget requests through the Court Administrator.

WORKING CONDITIONS:

- Sits for extended periods of time performing duties such as; hearing cases, preparing reports, and other related duties.
- Operates Office equipment such as computer, copy machine, calculator, etc.
- Periodically performs duties at unusual hours and on weekends and holidays.
- Is exposed to dangerous criminal elements.

KNOWLEDGE, SKILLS, AND ABILITIES:

- Knowledge of ordinances, statutes, and court decisions relating to Municipal Court jurisdiction.
- Knowledge of judicial procedure and rules of evidence.
- Knowledge of and the ability to conduct legal research.

- Knowledge of the organization, duties, powers, limitations, and authority of the Municipal Court.
- Ability to analyze evidence presented in court, to apply existing laws impartially, and to render prompt and equitable verdicts.
- Ability to communicate effectively, both in writing and verbally.
- Ability to express legal interpretations clearly, concisely, and in a forthright manner using a vocabulary level understandable to parties concerned.
- Skill in public/employee relations and problem solving.

PREFERENCES:

- None

MINIMUM QUALIFICATIONS:

- Juris Doctorate Degree in law from an accredited institution.
- Three years experience practicing law.
- Licensed with the State Bar of Texas.
- United States citizen.
- During the tenure of office, the municipal court judge shall reside in the City of Carrollton.
- Resident of the State of Texas for at least one year prior to appointment
- Qualified Voter.
- May hold no other elected public office.

CONDITIONS OF EMPLOYMENT:

- Pass pre-employment drug screening.
- Pass a motor vehicle record check.
- Pass a criminal history check



DATE	May 17, 2011
JOB CODE	
FLSA	EXEMPT
EEO	01

JOB TITLE: Assistant Municipal Court Judges
DEPARTMENT/DIVISION: Municipal Court/Municipal Court-Judges
REPORTS TO: Municipal Court Judge

SUMMARY: Appointed by City Council and under the administrative direction of the Municipal Court Judge, presides over Municipal Court Sessions and functions as Magistrate to administer justice in the disposition of cases involving ordinance or statutory misdemeanor violations within the jurisdiction of the Municipal Court.

ESSENTIAL JOB FUNCTIONS:

Performs Municipal Judge duties as outlined in Texas State Law, Subject to assignment by the Municipal Judge, including but not limited to:

- Presides over Municipal Court for all class C Misdemeanors; holds court sessions to hear persons accused of violating city laws, ordinances, and other misdemeanor violations within the jurisdiction of the Municipal Court
- Determines innocence or culpability (when hearing cases without a jury) and levies fine or bail commensurate with the violation in such a manner to preserve equity and uniformity in the application of existing laws and ordinances
- Directs jurors in trial cases on proper interpretation of law
- Advises inmates of their rights, sets bonds, and accepts pleas.
- Reviews and signs affidavits for search and arrest warrant
- Coordinates daily court activities with the Municipal Judge, Court Administrator, City Attorney office.
- Performs Magistrate duties as outlined in Texas State Law including but not limited to:
 - Issues Warrants, summons, magistrate warning, etc.
 - Presides over driver's license suspension sessions for the Department of Public Safety; stolen property hearings, juvenile warnings, mental commitment hearings, etc.
 - Signs various paperwork such as arrest warrants, search warrants, prisoner transfer documentation, appeal bonds, affidavits, judgments, and dismissals, etc.
 - Performs legal research on occasion as needed
 - If Assistant Judge position is fulltime, the employee recognizes that the Assistant Municipal Judge is their primary employment and therefore takes precedence over other employment commitments. Will seek permission in advance of accepting secondary employment opportunities. Full time positions will be present and

Assistant Municipal Court Judge

primarily engaged in City of Carrollton duties during regular business hours Monday through Friday, except for city holidays.

- Performs other duties as assigned

SUPERVISORY/BUDGET RESPONSIBILITIES:

- None

WORKING CONDITIONS:

- Sits for extended periods of time performing duties such as; hearing cases, preparing reports, signing judgments and other related duties.
- Operates office equipment such as computer, copy machine, calculator, etc.
- Periodically performs duties at unusual hours and on weekends and holidays.
- Is exposed to dangerous criminal elements.

KNOWLEDGE, SKILLS, AND ABILITIES:

- Knowledge of ordinances, statutes, and court decisions relating to Municipal Court jurisdictions.
- Knowledge of judicial procedure and rules of evidence
- Knowledge of and the ability to conduct legal research
- Knowledge of the organization, duties, powers, limitations, and authority of the Municipal court
- Ability to analyze evidence and data presented in court, to apply existing laws impartially, and to render prompt and equitable verdicts
- Ability to communicate effectively, both writing and verbally
- Ability to express legal interpretations clearly, concisely, and in a forthright manner using a vocabulary level understandable to parties concerned.
- Ability to conduct judicial proceedings in an efficient and effective matter.
- Skill in public/employee relations and problem solving

PREFERENCES:

- None

MINIMUM QUALIFICATIONS:

- Juris Doctorate Degree in law from an accredited institution
- Two years experience practicing law
- Licensed with the State Bar of Texas for at least one year prior to appointment
- Qualified Voter.
- May hold no other elected public office.
- United States Citizen
- Resident of the State of Texas

CONDITIONS OF EMPLOYMENT:

- Must pass pre-employment drug screen
- Must pass MVR
- Pass a criminal history check.
- May be called upon to perform duties at unusual hours and on weekends and holidays.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, APPOINTING A MUNICIPAL COURT JUDGE AND ASSISTANT MUNICIPAL COURT JUDGES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Charter requires the appointment of Municipal Court Judges for a term of two years;

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

SECTION 1

The attached job descriptions for Judge, Municipal Court and Assistant Judge, Municipal Court are hereby adopted.

SECTION 2

Meredith Lyon is appointed to serve as Judge, Municipal Court, for a period of two years and will perform the duties as described in the job description.

SECTION 3

Cathy Haden and Dana Huffman are each appointed to serve as an Assistant Judge, Municipal Court, for a period of two years and will perform the duties as described in the job description.

SECTION 4

This resolution shall take effect immediately from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas this ____ day of _____, 2015.

Matthew Marchant, Mayor

ATTEST:

APPROVED AS TO FORM:

Krystle Nelinson, City Secretary

Meredith Ladd, City Attorney



City of Carrollton

Agenda Memo

File Number: 1995

Agenda Date: 5/5/2015

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *26.

CC MEETING: May 5, 2015

DATE: April 27, 2015

TO: Leonard Martin, City Manager

FROM: Robert Kopp, Director of Public Works

Consider A Resolution For A Project Specific Agreement (PSA) With Dallas County Road And Bridge District #4 For A Mill And Overlay Of The 1000 Through 1200 Blocks Of West Alan Avenue And The 1000 Through 1200 Blocks Of West Russell Avenue In An Amount Not To Exceed \$105,757.52.

BACKGROUND:

City Council approved this item at the April 21, 2015 meeting. However, Dallas County needs a formal resolution approved by the City Council to secure proper authorization to use County crews and equipment. The re-approval of this item includes the resolution that meets Dallas County's needs.

Under an existing Master Interlocal Agreement, the Dallas County Public Works Department provides road and bridge maintenance and repair on "Type E" streets situated within the City. Type E streets are local residential streets. This has proven to be an economical arrangement when compared to the costs of using a private contractor.

This proposed project will resurface the 1000 through 1200 blocks of West Alan Avenue and the 1000 through 1200 blocks of West Russell Avenue. Traffic control is provided for in the agreement by Dallas County and the city will provide message boards as necessary to notify the public.

FINANCIAL IMPACT:

Dallas County Public Works estimates the project cost to be \$105,757.52. Since this street classification does not include financial participation by Dallas County, the city of Carrollton will fund 100% of the costs. Funding is available from Account Unit 854460, Account 68210, Activity 114380499, Bond revenue.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approve the attached resolution authorizing the City Manager to execute a Project Specific Agreement (PSA) with Dallas County to perform an asphalt overlay in the 1000 through 1200 blocks of West Alan Avenue and the 1000 through 1200 blocks of West Russell Avenue in an amount not to exceed \$105,757.52.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF CARROLLTON, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROJECT SPECIFIC AGREEMENT (PSA) WITH DALLAS COUNTY FOR TYPE “E” STREET OVERLAY PROJECTS ON 1000 THROUGH 1200 BLOCKS OF W. ALAN AVENUE AND 1000 THROUGH 1200 BLOCKS OF W. RUSSELL AVENUE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Carrollton, Texas and the County of Dallas, Texas desire to enter into a project specific agreement for the purpose of improving 1000 through 1200 blocks of W. Alan Avenue and 1000 through 1200 blocks of W. Russell Avenue; and

WHEREAS, the Interlocal Cooperation Act (Texas Government Code Chapter 791, as amended) authorizes any local government to contract with one or more local governments to perform governmental functions and services under the terms of the Act; and

WHEREAS, the Dallas County Public Works Department has previously provided labor, materials, and overhead for asphalt overlays of city streets; and

WHEREAS, W. Alan Avenue and W. Russell Avenue are a Type “E” street classification which does not include financial participation by Dallas County.

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

SECTION 1:

All of the above premises to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this resolution as if copied in their entirety.

SECTION 2:

The City Manager is hereby authorized to enter into a Project Specific Agreement (PSA) with Dallas County for milling and overlay of the existing street surface on 1000 through 1200 blocks of W. Alan Avenue and 1000 through 1200 blocks of W. Russell Avenue.

SECTION 3:

The City of Carrollton will provide 100% of the “not to exceed” cost in the amount of \$105,757.52 to be deposited with Dallas County prior to commencement of construction.

SECTION 4:

The City Manager is authorized to take those steps reasonable and necessary to comply with the intent of this resolution.

SECTION 5:

This resolution shall take effect immediately from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas, this 5th day of May, 2015.

ATTEST

CITY OF CARROLLTON, TEXAS

Krystle F. Nelinson, City Secretary

Matthew Marchant, Mayor

APPROVED AS TO FORM:

Meredith A. Ladd
City Attorney

APPROVED AS TO CONTENT:

Robert Kopp
Director of Public Works



City of Carrollton

Agenda Memo

File Number: 2000

Agenda Date: 5/5/2015

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *27.

CC MEETING: May 5, 2015

DATE: April 28, 2015

TO: Leonard Martin, City Manager

FROM: Robert Scott, Chief Financial Officer

Consider A Resolution Authorizing The City Manager To Amend The Individuals Authorized To Invest Funds And Make Withdrawals From The Public Funds Investment Pool Known As "TexPool," On Behalf Of The City.

BACKGROUND:

Due to changes in City staff an updated list of individuals authorized to invest funds and make withdrawals from TexPool need to be updated, approved by resolution and provided to the Local Government Pool known as TexPool.

FINANCIAL IMPLICATIONS:

Payments of Capital improvements projects can potentially be delayed if proper funds are not withdrawn from TexPool to expedite payment of projects when due.

IMPACT ON COMMUNITY SUSTAINABILITY:

These individuals will be allowed to transact on behalf of the City from small to large sums of funds identified by daily cash management as monies needed to cover the city day to day operations.

STAFF RECOMMENDATION/ACTION DESIRED:[Staff recommends passage of resolution authorizing the City Manager to authorize the individuals listed on the attached resolution as Authorized City Representatives to invest or withdraw funds from the government pool known as TexPool.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF CARROLLTON, TEXAS, AUTHORIZING THE CITY MANAGER TO AMEND THE INDIVIDUALS AUTHORIZED TO INVEST FUNDS AND MAKE WITHDRAWALS FROM THE PUBLIC FUNDS INVESTMENT POOL KNOWN AS "TEXPOOL," ON BEHALF OF THE CITY OF CARROLLTON, TEXAS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Carrollton, Texas, (the "Participant") is a political subdivision of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds, to act as a custodian of investments purchased with local investment funds;

WHEREAS, the Participant hereby requests the following changes regarding the individuals authorized to act on behalf of the Participant;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS:

SECTION 1.

That the City of Carrollton, Texas, has entered into a Participation Agreement and has established accounts in its name in TexPool, for the purpose of transmitting local funds for investment in TexPool.

SECTION 2.

That the City of Carrollton designates and authorizes the following individuals, whose signatures appear on this Resolution to transmit funds to TexPool for investment and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.

1. Name Robert B. Scott (Secondary Contact) Title CFO/ACM

Signature _____

2. Name Claudia Gallegos (Primary Contact) Title City Treasurer

Signature _____

3. Name Jonathan Scheu Title Management Analyst

Signature _____

4. Name Krystle Nelinson Title City Secretary

Signature _____

5. Name Courtney Jackson

Title Admin. Support Asst.

Signature _____

SECTION 3.

That this Resolution supersedes and replaces the City of Carrollton previous designation of officers, officials or employees as Authorized Representatives and its authorization shall continue in full force and effect until amended or revoked by the City of Carrollton, and until the TexPool receives a copy of any such amendment or revocation.

SECTION 4.

That the City Manager is authorized to take those steps reasonable and necessary to comply with the intent of this resolution.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas this 5th day of May, 2015.

Matthew Marchant, Mayor

ATTEST:

Krystle Nelinson, City Secretary

Approved as to Form:

Approved as to Content:

Meredith A. Ladd, City Attorney

Priscilla Robinson, City Treasurer



Resolution
Authorizing Participation in the TexPool Investment Pools
And Designating Authorized Representatives

WHEREAS, City of Carrollton # 77364

("Participant") is a local government or state agency of the State of Texas and is empowered to delegate to the public funds investment pools the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pools ("**TexPool/TexPool Prime**"), public funds investment pools, were created on behalf of entities whose investment objectives in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.

NOW THEREFORE, be it resolved as follows:

- A. That Participant shall enter into a Participation Agreement to establish an account in it's name in **TexPool/TexPool Prime**, for the purpose of transmitting local funds for investment in **TexPool/TexPool Prime**.
- B. That the individuals, whose signatures appear in this Resolution, are authorized representatives of the Participant and are each hereby authorized to transmit funds for investment in **TexPool/TexPool Prime** and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.

List of the authorized representatives of the Participant. These individuals will be issued P.I.N. numbers to transact business via the phone with a Participant Service Representative.

1. Name: Robert B. Scott Title: ACM / CFO
 Phone/Fax/Email: 972-466-3103 / 972-466-3535 / bob.scott@cityofcarrollton.com
 Signature: _____

2. Name: Claudia Gallegos Title: City Treasurer
 Phone/Fax/Email: 972-466-5740 / 972-466-3535 / claudia.gallegos@cityofcarrollton.com
 Signature: _____

3. Name: Courtney Jackson Title: Administrative Support Assistant
 Phone/Fax/Email: 972-466-3110 / 972-466-3535 / courtney.jackson@cityofcarrollton.com
 Signature: _____

4. Name: Jonathan Scheu Title: Senior Management Analyst
 Phone/Fax/Email: 972-466-3494 / 972-466-3535 / jonathan.scheu@cityofcarrollton.com
 Signature: _____

5. Name: Krystle Nelinson Title: City Secretary
Phone/Fax/Email: 972-466-3005 / 972-466-3535 / krystle.nelinson@cityofcarrollton.com
Signature: _____

List the name of the Authorized Representative provided above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements under the Participation Agreement.

Name: Claudia Gallegos

In addition and at the option of the Participant, one additional authorized representative can be designated to perform inquiry only of selected information. This limited representative cannot make deposits or withdrawals. If the Participant desires to designate a representative with inquiry rights only, complete the following information.

6. Name N/A Title _____
Phone/Fax/Email: _____

C. That this resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until **TexPool/TexPool Prime** receives a copy of any such amendment or revocation.

This resolution is hereby introduced and adopted by the Participant at its regular/special meeting held on the ____ Day of May 5, 20 15.

Document is to be signed by your Board President, Mayor or County Judge and attested by your Board Secretary, City Secretary or County Clerk.

NAME OF PARTICIPANT: City of Carrollton

SIGNED: _____

Signature

Matthew Marchant

Printed Name

Mayor

Title

ATTEST: _____

Signature

Krystle Nelinson

Printed Name

City Secretary

Title



City of Carrollton

Agenda Memo

File Number: 2015

Agenda Date: 5/5/2015

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *28.

CC Meeting: May 5, 2015

Date: April 29, 2015

To: Leonard Martin, City Manager

FROM: Peter J. Braster, Senior Development Manager

Consider A **Resolution Authorizing The City Manager To Enter Into A Redevelopment Incentive Agreement With Joe the Baker, LLC For 1104 Elm Street** In An Amount Not To Exceed \$55,000.00.

BACKGROUND:

In June of 2007, City Council adopted the Retail Re-Development and Rehabilitation Grant Program ("Grant Program") to provide financial incentives to existing retail shopping centers and other retail facilities for enhancements and/or redevelopment. On September 3, 2013 the City Council amended the program to include Historic Downtown Carrollton. The program is attraction/retention-based with the goal of attracting new business to Downtown Carrollton.

City staff has been working with Joe Baker for four months to locate his bakery in Downtown Carrollton. Known as 'Joe the Baker', Mr. Baker was looking for a space that would allow him to expand his baking operation supplying an expanding list of North Texas restaurants; provide a permanent place to continue teaching baking classes; and provide a small retail bakery and catering operation. Staff presented the benefits of locating Joe the Baker in Downtown Carrollton at the April 21, 2015 City Council TOD Sub-Committee meeting. The members of the Sub-Committee unanimously agreed that the incentive agreement should go to the full Council for approval.

The redevelopment of the bakery/restaurant meets the goals of the Grant Program, based upon the criteria established by City Council. Mr. Baker has requested a grant from the City under the terms of the Program. The requested grant would provide funds for the construction of permanent improvements to the building, including, but not limited to, utilities, interior finish-out, signage, and minor façade improvements. The building's landlord is contributing a \$16,500 package of tenant improvements, FFE, and rental assistance in addition to the City's incentive. Mr. Baker will be funding remaining FFE needed to successfully operate. In accordance with the Grant Program, the grant is reimbursement-based.

The property is located within a Neighborhood Empowerment Zone. Therefore, building permit and inspection fee waivers for the improvements and other contractor registration and licensing are included as part of this incentive package. All applicable building permits, contractor registrations and licensing must be obtained prior to the commencement of any construction work. In addition, all applicable City health inspection permit fee waivers will be included as part of this incentive package.

FINANCIAL IMPLICATIONS:

Under the Grant Program of the City, Joe the Baker, LLC (Company) is eligible for a grant not to exceed \$55,000.00 for the timeframe of June 1, 2015 to December 31, 2015.

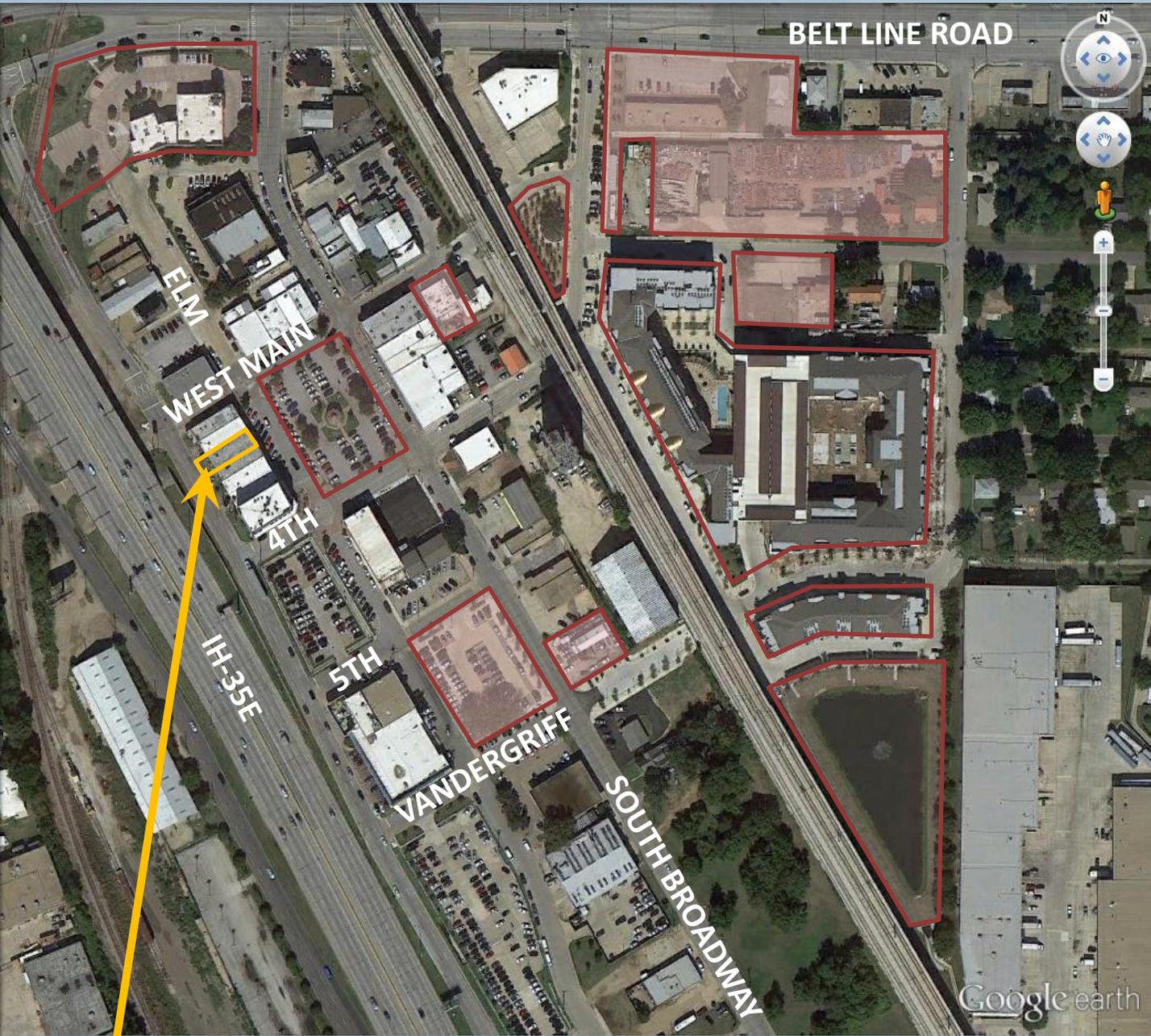
IMPACT ON COMMUNITY SUSTAINABILITY:

In accordance with the Economic Development plan of enhancing the tax base through redevelopment and business attraction, this project meets all criteria.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approval of a resolution authorizing the City Manager to enter into a redevelopment incentive agreement with Joe the Baker, LLC for 1104 Elm Street.

Attachment A Location Map



City Property

Subject Property

1104 Elm Street

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT BY AND BETWEEN THE CITY AND JOE THE BAKER, LLC, ESTABLISHING A PROGRAM OF GRANTS IN AMOUNTS NOT TO EXCEED \$55,000 FOR 1104 ELM STREET TO PROMOTE LOCAL ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY WITHIN THE CITY; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented a proposed agreement, which is attached hereto as Exhibit A, between the City of Carrollton, Texas and Joe the Baker, LLC (“Agreement”), establishing a program of grants in an amount not to exceed \$55,000 for the redevelopment of 1104 Elm Street, which property is further described in Attachment 1 and attached hereto and incorporated for all purposes, in order to promote local economic development and stimulate business and commercial activity within the City in accordance with the City’s Retail Re-Development and Rehabilitation Grant Program (a Chapter 380 Economic Development Program); and,

WHEREAS, upon full review and consideration of the Agreement, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the City Manager shall be authorized to execute it on behalf of the City of Carrollton;

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

Section 1

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Resolution as if copied in their entirety.

Section 2

The City Manager is hereby authorized to execute the attached Agreement and all other documents in connection therewith on behalf of the City of Carrollton, substantially according to the terms and conditions set forth in the Agreement and this Resolution, but not to exceed \$55,000.

Section 3

This Resolution shall take effect upon passage.

PASSED AND APPROVED ON MAY 5, 2015.

CITY OF CARROLLTON, TEXAS

Matthew Marchant, Mayor

ATTEST:

Krystle Nelinson, City Secretary

APPROVED AS TO FORM:

Meredith A. Ladd
City Attorney

APPROVED AS TO CONTENT:

Peter J. Braster
Senior Development Manager

Ravi Shah
Director of Development Services

ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT

This Economic Development Incentive Agreement (“Agreement”) is made by and between the City of Carrollton, Texas (the “City”), a Texas municipality, and Joe the Baker, LLC., a Texas limited liability corporation (“Company”), acting by and through its respective authorized officers and representatives.

WITNESSETH:

WHEREAS, Company’s business is located at 1104 Elm Street in Downtown Carrollton (the “Property”), as generally depicted in the plan, attached hereto and incorporated by reference, as if written word for word herein, in Exhibit “A”, as such plans may be further amended and approved pursuant to applicable laws; and.

WHEREAS, Company desires to revitalize the existing structure for use as a bakery and to hold instructional baking classes and conduct retail bakery sales; and

WHEREAS, Company intends to rehabilitate the existing structure, which is not suitable for Company’s proposed commercial activities, in connection with the re-development of the Property; and

WHEREAS, Company will construct all necessary on-site improvements to serve the Property; and

WHEREAS, the City is authorized by Texas Local Government Code § 380.001, *et seq.* to provide economic development grants to promote local economic development and to stimulate business and commercial activity in the City; and

WHEREAS, the City Council of the City of Carrollton finds that it is in the best interest of the City to make a grant to the Company as an economic development incentive to use for rehabilitating the structure on the Property, as set out herein.

NOW THEREFORE, in consideration of the foregoing and the premises, mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Company, intending to be legally bound, hereby covenant and agree as follows:

Article I Definitions

For purposes of this Agreement, each of the following terms shall have the meaning set forth herein unless the context clearly indicates otherwise:

“Effective Date” shall mean the last date on which all of the parties hereto have executed this Agreement.

“Event of Force Majeure” shall mean any contingency or cause beyond the reasonable control of a party including, without limitation, acts of God or the public enemy, war, riot, civil commotion, insurrection, government or de facto governmental action (unless caused by the intentionally wrongful acts or omissions of the party), fires, explosions or floods, strikes, slowdowns or work stoppages any of which event(s) directly and significantly impact the Company’s operations in the City. An economic downturn shall not constitute an Event of Force Majeure.

Article II Term

The term of this Agreement shall begin on the Effective Date and continue until May 31, 2020 (the “Term”), unless sooner terminated as provided herein.

Article III Obligations of Company

In consideration for the grant of public funds as set forth in Article IV below, the Company agrees to perform the following:

3.1 **Development of Property.** On or before June 1, 2015, Company will enter into a lease agreement with a landlord to occupy and operate a bakery on the Property. Subject to extension for Events of Force Majeure, (A) construction on the improvements, as set forth below, will begin no later than June 15, 2015, as evidenced by Company or Lessee obtaining a building permit for the Property, and (B) build out of the Property will be substantially complete by July 15, 2015, as evidenced by a Certificate of Occupancy (or applicable equivalent) for the structure located thereon; provided, however, an extension of this date may be granted based upon market conditions.

3.2 **Performance.**

(A) Company agrees and covenants that it will diligently and faithfully, in a good and workmanlike manner, construct improvements and/or rehabilitate the structure on the Property in order to facilitate the occupancy of the Property by the Company; and

(B) On or before August 1, 2015, Company agrees to be open for the operation of public retail sales each week during the Term of this Agreement: (1) on Fridays and Saturdays from 10 am to 8 pm; and (2) from Sunday to Thursday not less than any combination of thirty (30) hours. The retail hours shall continue through the initial term of the Company’s lease agreement with the landlord.

3.3 **Improvements.** Company shall, during the term of this Agreement, make real property improvements in and on the Property to consist of the rehabilitation of an existing structure necessary for its use and occupancy as a bakery, as generally depicted in Exhibit “A”, as such plans may be further amended and approved pursuant to applicable laws, and such other improvements on the Property.

Article IV Economic Development Grant

4.1 Grant.

(A) The City will reimburse Company for the “Improvement Costs” with the City’s share being an amount not to exceed Fifty Five Thousand Dollars (\$55,000). For the purposes of this Section 4.1(A), Improvement Costs shall include costs related to improvements which are permanent and fixed to the building or Property and are necessary to improve the building for use as a bakery, including, but not limited to, health and safety, utilities, interior finish-out, signage, awning, and façade improvements. Reimbursement for Improvement Costs shall be made no more frequently than two (2) times per month, by the City, each time within fifteen (15) days of the receipt of written invoices or documentation evidencing the total actual costs of the work performed prior to the date of such request, with any necessary supporting documentation that may be reasonably requested by the City.

(B) The Property is located within a Neighborhood Empowerment Zone. Therefore, in addition to the reimbursements provided for in Subsection (A) above: (i) Building permit and Inspection fees for the improvements and other contractor registration and licensing are included as part of this incentive package; and (ii) In addition, all applicable City health inspection permit fees will be included as part of this incentive package. All applicable building permits, contractor registrations and licensing must be obtained prior to the commencement of any construction work.

(C) The Property is located within the Transit Center Historic Core Zoning Sub-District. Therefore, on-street parking which is available along the frontage lines of a development site may be counted toward the parking requirement for the development. For this Property, both sides of Elm Street shall be considered frontage. Furthermore, additional parking space requirements above those that can be met by on-site or curb-side parking are subject to payment of cash-in-lieu of parking fee to the City. Any payment of cash-in-lieu of parking fees shall be included in this incentive package.

4.2 Grant Payment Requirements and Schedule.

(A) Subject to compliance with Article III above, Company may submit itemized documents setting forth the Taxable Value of the improvement(s) and request grant funds in accordance with the terms of Section 4.1. City will reimburse Company within fifteen (15) days of receipt of appropriate documentation evidencing the requested reimbursement.

Article V Default; Termination

5.1 **Events of Termination.** This Agreement terminates upon any one or more of the following:

- (1) By expiration of the Term; or

(2) If a party materially defaults or breaches any of the terms or conditions of this Agreement and such default or breach is not cured within sixty (60) days after written notice thereof by the non-defaulting party unless a longer period is provided. Any default under this provision and right to recover any claims, refunds, damages and/or expenses shall survive the termination of the Agreement.

The City Manager is authorized on behalf of the City to send notice of default and to terminate this Agreement for any default that is not cured, following written notice, and opportunity to cure, as set forth above.

5.2 **Effect of Termination/Survival of Obligations**. The rights, responsibilities and liabilities of the parties under this Agreement shall be extinguished upon the applicable effective date of termination of this Agreement, except for any obligations or default(s) that existed prior to such termination or as otherwise provided herein and those liabilities and obligations shall survive the termination of this Agreement, including the refund provision, maintenance of records, and access thereto.

Article VI Retention and Accessibility of Records

6.1 **Records**. Company shall maintain the fiscal records and supporting documentation for expenditures of funds associated with this Agreement. Company shall retain such records, and any supporting documentation for the greater of:

- (1) Five (5) years from the end of the Agreement period; or
- (2) The period required by other applicable laws and regulations.

6.2 **Accessibility**. Company gives City, its designee, or any of their duly authorized representatives, reasonable access to and the right to examine relevant books, accounts, records, audit reports, reports, files, documents, written or photographic material, videotape and other papers, things, or personal and Real Property belonging to or in use by Company pertaining to the Economic Development Program Grant (the "Records") upon receipt of ten (10) business days written notice from the City. The City's access to Company's books and records will be limited to information needed to verify that Company is and has been complying with the terms of this Agreement. Any information that is not required by law to be made public shall be kept confidential by City. In no event shall City's access to Company's Records include any access to any personal and/or medical data of any employees of Company. Company shall not be required to disclose to the City any information that by law Company is required to keep confidential. Should any good faith dispute or question arise as to the validity of the data provided, the City reserves the right to require Company to obtain an independent firm to verify the information. This certified statement by an independent firm shall be provided at the sole cost of Company. The rights to access the Records shall terminate five (5) years after the termination or expiration of this Agreement. Failure to provide reasonable access to the Records to authorized City representatives shall give the City the right to terminate this Agreement as provided for in Section 5.1 above, or any portion thereof, for reason of default. All Records shall be retained by

Company for a period of five (5) years after all performance requirements are achieved for audit purposes until such audits or other administrative, civil or criminal matters including, but not limited to, investigations, lawsuits, administrative inquiries and open record requests are completed. Company agrees to maintain the Records in an accessible location.

Article VII Assignment

This Agreement may not be assigned without the express written consent of the non-assigning party, except that the Company may assign this Agreement without obtaining the City's consent (a) to one of its wholly owned or managed affiliates, or (b) to any person or entity that directly or indirectly acquires, through merger, sale of stock, purchase or otherwise, all or more than ninety (90) percent of the assets of the Company as long as the Company gives sixty (60) days prior written notice to the City and the assignee executes an agreement with the City to be bound to all the terms and conditions of this Agreement and be responsible for any default(s) that occurred prior to or after the assignment.

For any assignment not covered by (a) or (b) in the preceding paragraph, the Company must obtain the prior approval of the City through its City Manager, which will not be unreasonably withheld or delayed, and the assignee must agree to be bound to all the terms and conditions of this Agreement and to accept all liability for any default that occurred prior to and/or after the assignment.

Any assignment agreement must be furnished in a form acceptable to the City and be provided at least thirty (30) days prior to the effective assignment date.

Article VIII Miscellaneous

8.1 **No Joint Venture.** It is acknowledged and agreed by the parties that the terms of this Agreement are not intended to and shall not be deemed to create a partnership or joint venture among the parties. Neither party shall have any authority to act on behalf of the other party under any circumstances by virtue of this Agreement. It is understood and agreed between the parties that the Company, in performing its obligations thereunder, is acting independently, and the City assumes no responsibilities or liabilities in connection therewith to third parties, and Company agrees to indemnify and hold City harmless therefrom; it is further understood and agreed among parties that the City, in performing its obligations hereunder, is acting independently, and the City assumes no responsibilities in connection therewith to third parties.

8.2 **Notice of Bankruptcy.** In the event Company files for bankruptcy, whether involuntarily or voluntary, Company shall provide written notice to the City within three (3) business days of such event.

8.3 **Authorization.** Each party represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this Agreement.

8.4 **Notice.** Any notice required or permitted to be delivered hereunder shall be deemed received three (3) days thereafter sent by United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the party at the address set forth below (or such other address as such party may subsequently designate in writing) or on the day actually received if sent by courier or otherwise hand delivered.

If intended for the City:

City of Carrollton, Texas
Attention: City Manager
P.O. Box 110535
Carrollton, TX 75011

With a copy to:
City of Carrollton, Texas
Attention: City Attorney
P.O. Box 110535
Carrollton, TX 75011

If intended for the Company:

Joe the Baker, LLC
Attn: Mr. Joe Baker

8.5 **Entire Agreement.** This Agreement is the entire Agreement between the parties with respect to the subject matter covered in this Agreement. There is no other collateral oral or written agreement between the parties that in any manner relates to the subject matter of this Agreement.

8.6 **Governing Law.** This Agreement shall be governed and construed in accordance with the laws of the State of Texas, without giving effect to any conflicts of law rule or principle that might result in the application of the laws of another jurisdiction. Venue for any action concerning this Agreement, the transactions contemplated hereby or the liabilities or obligations imposed hereunder shall be in the State District Court of Dallas County, Texas.

8.7 **Amendment.** This Agreement may only be amended by the mutual written agreement of the parties.

8.8 **Severability.** In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

8.9 **Recitals.** The recitals to this Agreement are incorporated herein.

8.10 **Authorized to Bind.** The persons who execute their signatures to this Agreement and any certifications related to this Agreement represent and agree that they are authorized to sign and bind their respective parties to all of the terms and conditions contained herein.

8.11 **Compliance.** Under Chapter 2264 of the Texas Local Government Code, Company has submitted the required certification that the business, or a branch, division, or department of the business, does not and will not knowingly employ an undocumented worker. An undocumented worker means an individual who, at the time of employment, is not lawfully admitted for permanent residence to the United States or authorized under the law to be employed in that manner in the United States. If after receiving this public subsidy/grant from the City, the Company, or a branch, division, or department of the business, is convicted of a violation under 8 U.S.C. Section 1324a(f), the Company shall repay the amount of the grant from the City with interest, at the rate of 5% according to the terms provided by this Agreement under Section 2264.053, but not later than the 120th day after the date the public agency, state or local taxing jurisdiction, or economic development corporation notifies the Company of the violation. City may exercise all rights to enforce this recovery as allowed by Subchapter C of Chapter 2264 or any other laws.

8.12 **Counterparts.** This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument.

EXECUTED the _____ day of _____, 2015.

ATTEST:

CITY OF CARROLLTON, TEXAS

Krystle Nelinson, City Secretary

Leonard Martin, City Manager

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Meredith Ladd, City Attorney

Peter J. Braster, Senior Development Manager

COMPANY

By: Joe the Baker, LLC.

By: _____
Name: _____
Title: _____

STATE OF _____)

COUNTY OF _____)

BEFORE ME, the undersigned authority, on this day personally appeared _____,
_____ of Joe the Baker, LLC., known to me to be the person whose name is
subscribed to the foregoing instrument and acknowledged to me that he executed the same for
the purposes and considerations therein expressed, in the capacity therein stated and as the act
and deed of said limited liability Company.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of
_____, 2015.

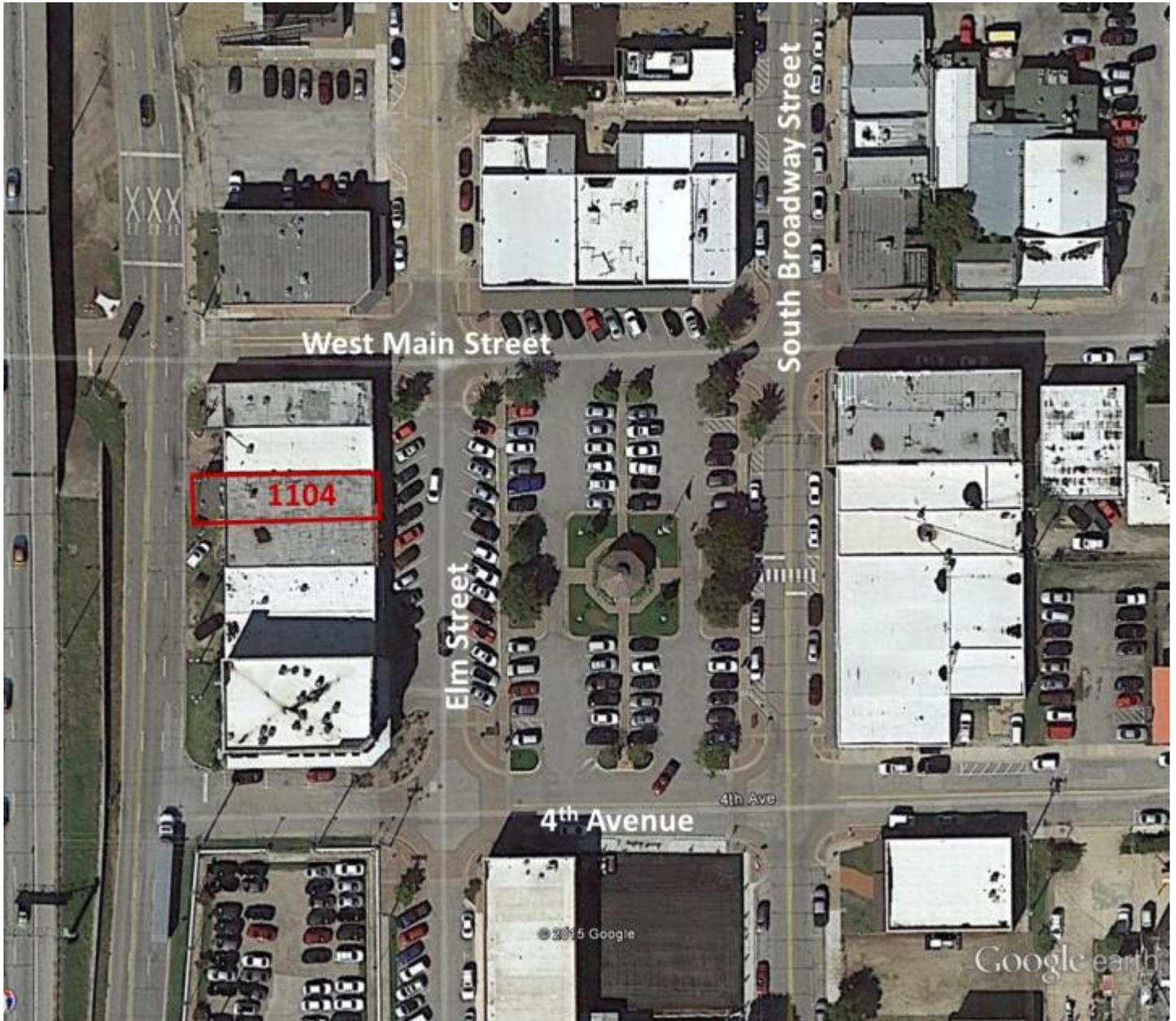
(seal) Notary Public

Printed or Typed Name of Notary Public
My commission expires:

Exhibit "A"

Address: 1104 Elm Street, Carrollton, Texas, 75006

Legal Description: Original Town Carrollton, Block N Lot 3





City of Carrollton

Agenda Memo

File Number: 2005

Agenda Date: 5/5/2015

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *29.

CC MEETING: May 5, 2015

DATE: April 28, 2015

TO: Mayor and City Council

FROM: Meredith A. Ladd, City Attorney

Consider A **Resolution Authorizing The City Attorney To Take All Steps Necessary To Oppose Municipal Solid Waste Permit Amendment, Proposed Permit Number 1312B.**

BACKGROUND:

The purpose of this item is to pass a Resolution authorizing the City Attorney, or her selected counsel, to take all appropriate action to oppose Proposed Permit Number 1312B which is necessary and in the best interests of the residents of the City of Carrollton.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends approval of the attached resolution.

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AUTHORIZING THE CITY ATTORNEY TO TAKE ALL STEPS NECESSARY TO OPPOSE MUNICIPAL SOLID WASTE PERMIT AMENDMENT, PROPOSED PERMIT NUMBER 1312B; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Carrollton, Texas, has determined that issues remain regarding the environmental impact of the proposed Municipal Solid Waste Permit Amendment, Proposed Permit Number 1312B (“Permit”); and

WHEREAS, the City Council desires to oppose the issuance of the Permit, including, but not limited to, submitting comments and requesting a contested case hearing as an “affected person” on the requested Permit; and

WHEREAS, the City Council desires that the City Attorney, or her selected counsel, take all appropriate action to oppose the Permit which is necessary and in the best interests of the residents of the City of Carrollton.

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

SECTION 1.

All of the above premises to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this resolution as if copied in their entirety.

SECTION 2.

The City Attorney, or her designee, is hereby authorized and directed to take all appropriate action to oppose the Permit, including, but not limited to, submitting comments and requesting a contested case hearing as an “affected person” on the requested Permit.

SECTION 3.

This resolution shall take effect immediately from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas, this 5th day of May, 2015

CITY OF CARROLLTON, TEXAS

Matthew Marchant, Mayor

ATTEST:

Krystle Nelinson, City Secretary

APPROVED AS TO FORM:

Meredith A. Ladd, City Attorney



City of Carrollton

Agenda Memo

File Number: 2017

Agenda Date: 5/5/2015

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *30.

CC MEETING: May 5, 2015

DATE: April 28, 2015

TO: Leonard Martin, City Manager

FROM: Kim Bybee, Athletics Manager, and Scott Whitaker, Parks & Recreation Director

Consider A **Resolution To Name Thomas Baseball Field #1 “Shane Patterson Field.”**

BACKGROUND:

Shane Patterson grew up in Carrollton and played baseball at Jimmy Porter Park and Thomas Park. In January of his senior year at Newman Smith High School, Shane died in a car accident just before the start of his senior baseball season.

A group of friends has put together a Facebook page to support naming Thomas Baseball Field #1 “Shane Patterson Field”.

On March 28, 2015, the Shane Patterson memorial softball game was held at Thomas Baseball Field #1. Alumni of Newman Smith High School played against alumni of R.L. Turner High School.

The fundraising by this group will go toward all costs associated with renaming the field, including signage, brochures, publications, and administrative fees. Additional funds could go towards aesthetic improvements at the field.

FINANCIAL IMPLICATIONS:

There are no financial implications for the City.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff presented the name change for Thomas Baseball Field #1 to the Park Board on April 27. Park Board members and Staff recommend approval of the name change to “Shane Patterson Field”.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, TO NAME THOMAS BASEBALL FIELD #1 THE "SHANE PATTERSON FIELD" IN HONOR OF SHANE PATTERSON; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1

Thomas Baseball Field #1 is named Shane Patterson Field.

SECTION 2

The City Manager is authorized to take all necessary action to fulfill the intent of this Resolution.

SECTION 3

This resolution shall take effect on May 6, 2015.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas this _____ day of _____, _____.

Matthew Marchant, Mayor

ATTEST:

Krystle Nelinson, City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Meredith Ladd, City Attorney

Erin Rinehart,
Assistant City Manager



City of Carrollton

Agenda Memo

File Number: 1959

Agenda Date: 5/5/2015

Version: 1

Status: Public Hearing/Consent
Agenda

In Control: City Council

File Type: Public Hearing

Agenda Number: *31.

CC MEETING: May 5, 2015

DATE: April 13, 2015

TO: Leonard Martin, City Manager

FROM: Christopher Barton, Chief Planner

Hold A Public Hearing And Consider A Resolution For An Amendment To The Transportation Plan And Transportation Plan Map To Change The Roadway Designations Of: (A) MacArthur Drive Between Trinity Mills Road/PGBT And Old Denton Road And (B) Raiford Road Between Old Denton Road And Trinity Mills Road/PGBT. Case No. 01-15MD1 Mac Arthur/Raiford Transportation Plan Amendments/City Of Carrollton. Case Coordinator: Christopher Barton.

BACKGROUND:

This is a request for an amendment to the Transportation Plan to change the designations of MacArthur Drive and Raiford Road.

STAFF RECOMMENDATION/ACTION DESIRED:

On April 2, 2015, the Planning & Zoning Commission recommended **APPROVAL** of the amendments to the Transportation Plan as presented. The attached resolution reflects the action of the Commission. Because the action of the Commission was unanimous and no public opposition has been received, this item is being placed on the Public Hearing - Consent portion of the agenda.

RESULT SHEET

Date: 05/06/15

Case No./Name: CASE NO. 01-15MD1 MacArthur/Raiford (Transportation plan)

A. STAFF STIPULATIONS AND RECOMMENDATIONS

Staff recommends **APPROVAL** of the Transportation Plan Amendment as presented.

B. P&Z RECOMMENDATION from P&Z meeting: 04/02/15

Result: **APPROVED** /Vote: 7 – 0 (Krauss and Stotz absent)

C. CC PUBLIC HEARING from CC meeting: 05/05/15

Result: /Vote:

TRANSPORTATION PLAN AMENDMENT

Case Coordinator: Christopher Barton

GENERAL PROJECT INFORMATION

REQUEST: Approval of an amendment to the City’s Transportation Plan to change the full lengths of MacArthur Drive and Raiford Road from their current Transportation Plan designation of (A4D) Four-Lane Divided Arterial to (C4T) Four-Lane TOD Collector.

LOCATIONS: MacArthur Drive from Trinity Mills Road (SH 190)/Pres. Geo. Bush Turnpike to Old Denton Road, and Raiford Road from Old Denton Road to Trinity Mills Road (SH 190)/Pres. Geo. Bush Turnpike.

HISTORY: The current Transportation Plan was adopted by Resolution No. 2672 in 2003 as part of the Carrollton Comprehensive Plan. However, the designations as arterials for MacArthur & Raiford date from at least the previous plan (adopted in 1991). The current designations have never been re-evaluated.

COMPREHENSIVE PLAN: High Intensity Residential and High Intensity & Medium Intensity Commercial.

STAFF ANALYSIS

BACKGROUND – GENERAL

The current designation of (A4D) Four-Lane Divided Arterial for both MacArthur Drive and Raiford Road date from the 1991 Transportation Plan component of the Comprehensive Land Use Plan. This was likely driven by the perception that the intersection of Old Denton Road and Trinity Mills Road (along with what was to become the PGBT) was going to develop into a major regional shopping location.

Since 1991, development patterns as well as the City’s vision have changed significantly in this area.

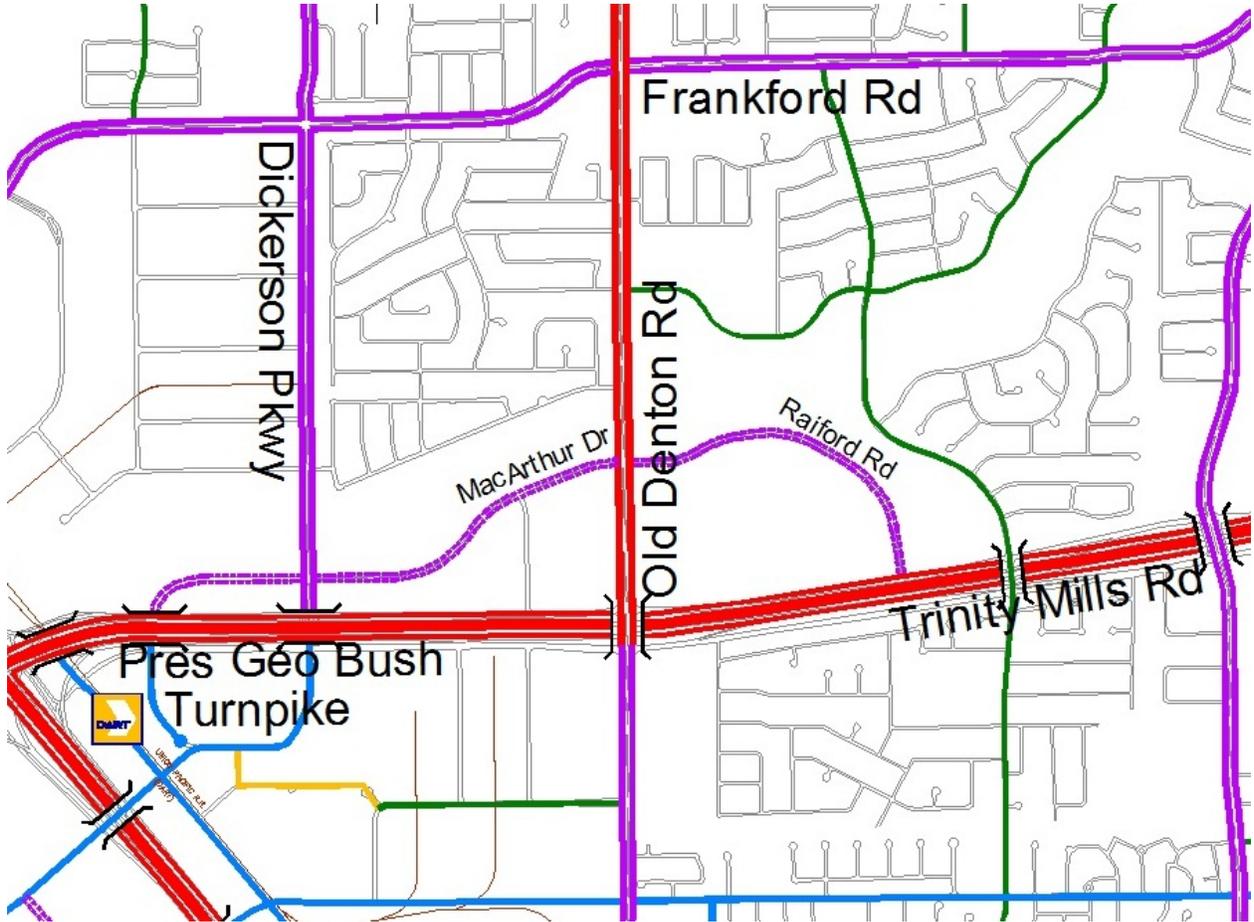
The area is in the “*Raiford Road Overlay Strategic Vision*” study area. The study concludes that the entire area can be made into a model of suburban redevelopment and infill or “backfill” development in part by making the area between the hotel site at McCoy Road and Trinity Mills Station a more urban, mixed, walkable community with sufficient residential units to support the DART station as well as existing and future commercial development. The study and resulting development guidelines (*Urban Design Standards for Raiford Road*) were adopted by City Council by Resolution No. 3503 on December 6, 2011 and are intended to serve as general guides to the character of future development and redevelopment in this area.

A significant element of the future of the MacArthur/Raiford corridor is to have it develop as a lower-volume, lower-speed street, not a high-speed arterial.

CONCLUSION

Based on the findings from the traffic impact analysis the Transportation Plan amendments appear appropriate.

Existing Transportation Plan



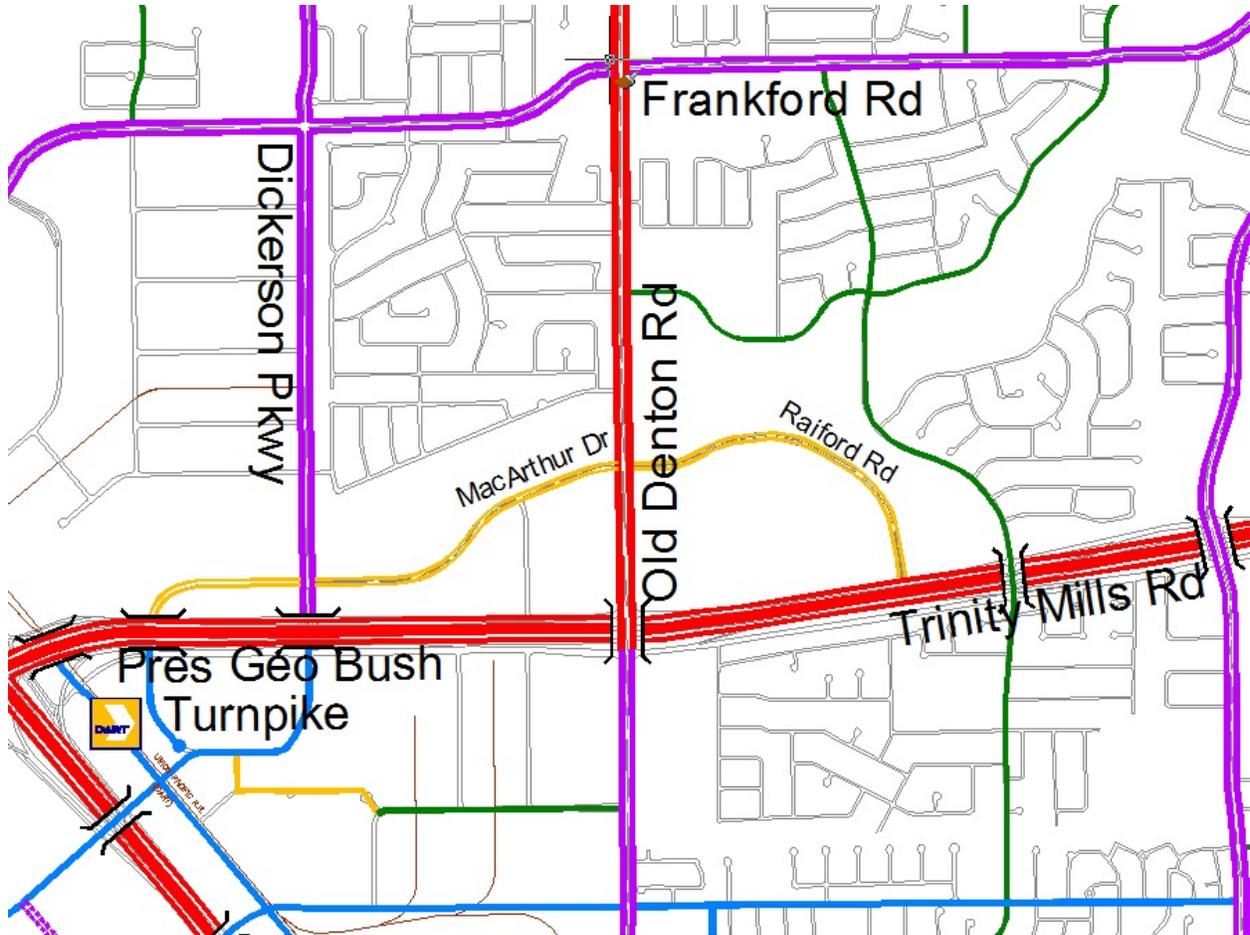
ARTERIALS

-  Controlled Access Highway
-  (A8D) 8-Lane Divided
-  (A6DL) 6-Lane Divided (limited access)
-  (A6D) 6-Lane Divided
-  (A4D) 4-Lane Divided

COLLECTORS

-  (C4U) 4-Lane Undivided
-  (C2D) 2-Lane Divided
-  (C2U) 2-Lane Undivided
-  (C4T) 4-Lane Undivided, TOD area
-  (C2T) 2-Lane Undivided, TOD area

Proposed Transportation Plan



ARTERIALS

-  Controlled Access Highway
-  (A8D) 8-Lane Divided
-  (A6DL) 6-Lane Divided (limited access)
-  (A6D) 6-Lane Divided
-  (A4D) 4-Lane Divided

COLLECTORS

-  (C4U) 4-Lane Undivided
-  (C2D) 2-Lane Divided
-  (C2U) 2-Lane Undivided
-  (C4T) 4-Lane Undivided, TOD area
-  (C2T) 2-Lane Undivided, TOD area

**Excerpt from Draft Minutes
Planning & Zoning Commission
Meeting of April 2, 2105**

Hold A Public Hearing To Consider & Act On A **Resolution For An Amendment To The Transportation Plan & The Transportation Plan Map** To Change The Roadway Designations Of: (A) MacArthur Drive Between Trinity Mills Road And Old Denton Road And (B) Raiford Road Between Old Denton Road And Trinity Mills Road. **Case No. 01-15MD1 MacArthur/Raiford Transportation Plan Amendments/City Of Carrollton.** Case Coordinator: Christopher Barton.

Barton noted this was a City initiated request and presented the case. Staff recommended approval as presented.

Chair McAninch opened the public hearing and invited speakers to the podium; there being no speakers, she closed the public hearing.

- *Chadwick moved approval of Case No. 01-15MD1 MacArthur/Raiford Transportation Plan Amendments as presented; second by Daniel-Nix and the motion was approved with a unanimous 7-0 vote.*

RESOLUTION NO. _____
Case No. 01-15MD1 Mac Arthur/Raiford (Transp. Plan)

PLANNING
City of Carrollton
Date: 05/05/15

RESOLUTION NUMBER _____

RESOLUTION NUMBER _____ OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING THE TRANSPORTATION PLAN AND TRANSPORTATION PLAN MAP OF THE COMPREHENSIVE PLAN TO CHANGE THE ROADWAY DESIGNATIONS OF MAC ARTHUR DRIVE AND RAIFORD ROAD; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE AFTER ITS ADOPTION AND PASSAGE.

WHEREAS, the Planning & Zoning Commission reviewed and studied an amendment to the Transportation Plan and Transportation Plan Map of the Comprehensive Plan (Case No. 01-15MD1); and

WHEREAS, the Planning & Zoning Commission conducted a public hearing on April 2, 2015, and after all persons were given an opportunity to present testimony, considered and recommended a change to the Transportation Plan and Transportation Plan Map regarding certain roadway designations; and

WHEREAS, the City Council conducted a public hearing on May 5, 2015, at which all persons were given an opportunity to present testimony;

WHEREAS, the amendment is in accordance with the goals, objectives and policies of the Comprehensive Plan, adopted by Resolution Number 2672 on February 18, 2003, as amended; and

WHEREAS, the City Council has concluded that the amendments to the Transportation Plan and Transportation Plan Map are in the best interest of the city and are for the purpose of protecting the health, safety, and general welfare of the city and its citizens.

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

RESOLUTION NO. _____
Case No. 01-15MD1 Mac Arthur/Raiford (Transp. Plan)

Section 1.

The above and foregoing premises are found to be true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2.

The Transportation Plan Map, an element of the Comprehensive Plan, is hereby amended as follows:

- a. The designation of Mac Arthur Drive is hereby changed from Four Lane Divided Arterial (A4D) to Four Lane TOD Collector (C4T).
- b. The designation of Raiford Road is hereby changed from Four Lane Divided Arterial (A4D) to Four Lane TOD Collector (C4T).

Section 3.

This amendment is intended to replace and repeal in its entirety the Transportation Plan Map for that portion of the City of Carrollton, Texas, as identified on the attached Exhibit A with the Transportation Plan Map identified as Exhibit B, and that said Exhibit B shall hereafter constitute the Transportation Plan Map for all matters related to long-range guidance relative to thoroughfare construction on such property.

Section 4.

Save and except as amended herein, the Comprehensive Plan adopted on February 18, 2003 by Resolution Number 2672, as amended, shall remain in full force and effect.

Section 5.

The provisions of this resolution are severable. If any section, sub-section, paragraph, clause, phrase or provision of this resolution or its application to any person or circumstance shall be adjudged or held invalid, that invalidity shall not affect the provisions that can be given effect without the invalid provision or application.

RESOLUTION NO. _____
Case No. 01-15MD1 Mac Arthur/Raiford (Transp. Plan)

Section 6.

This resolution shall become and be effective on and after its adoption.

PASSED AND APPROVED this the Fifth day of May, 2015.

CITY OF CARROLLTON

By: _____
Matthew Marchant, Mayor

ATTEST:

Krystle Nelinson
City Secretary

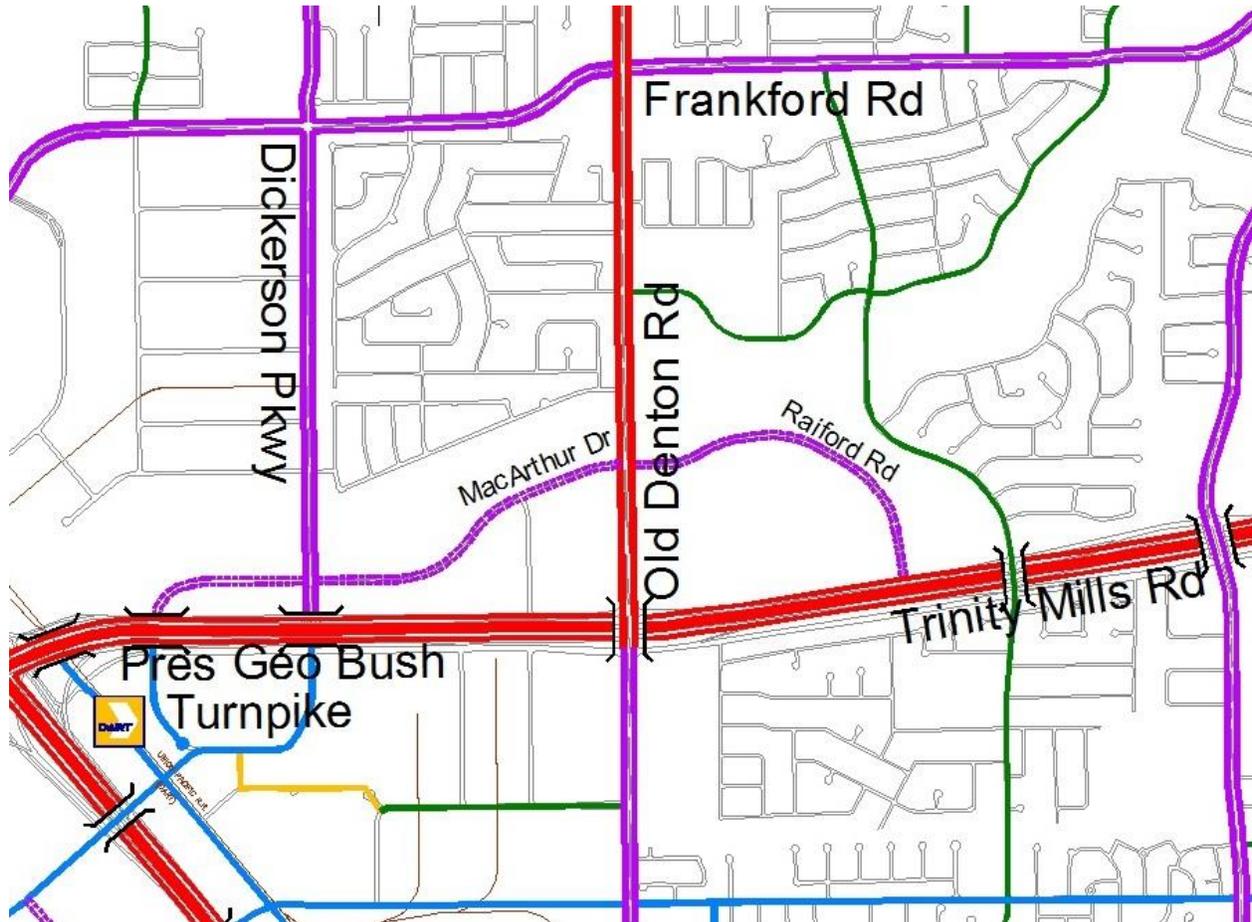
APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

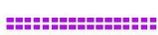
Susan Keller
Assistant City Attorney

Christopher Barton, AICP
Chief Planner

EXHIBIT A
CURRENT TRANSPORTATION PLAN MAP



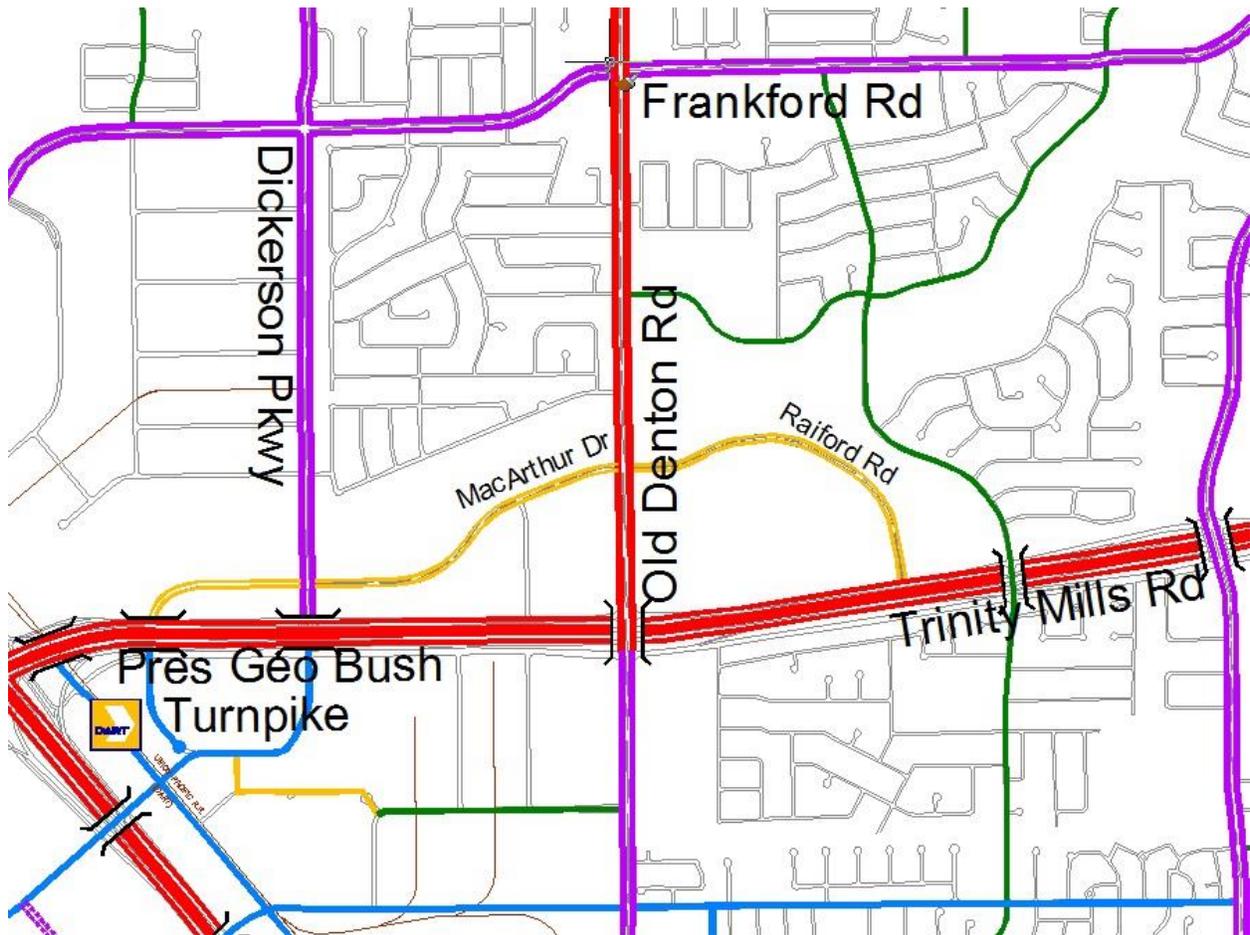
ARTERIALS

-  Controlled Access Highway
-  (A8D) 8-Lane Divided
-  (A6DL) 6-Lane Divided (limited access)
-  (A6D) 6-Lane Divided
-  (A4D) 4-Lane Divided

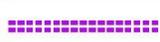
COLLECTORS

-  (C4U) 4-Lane Undivided
-  (C2D) 2-Lane Divided
-  (C2U) 2-Lane Undivided
-  (C4T) 4-Lane Undivided, TOD area
-  (C2T) 2-Lane Undivided, TOD area

EXHIBIT B
 REVISED TRANSPORTATION PLAN MAP



ARTERIALS

-  Controlled Access Highway
-  (A8D) 8-Lane Divided
-  (A6DL) 6-Lane Divided (limited access)
-  (A6D) 6-Lane Divided
-  (A4D) 4-Lane Divided

COLLECTORS

-  (C4U) 4-Lane Undivided
-  (C2D) 2-Lane Divided
-  (C2U) 2-Lane Undivided
-  (C4T) 4-Lane Undivided, TOD area
-  (C2T) 2-Lane Undivided, TOD area



City of Carrollton

Agenda Memo

File Number: 2004

Agenda Date: 5/5/2015

Version: 1

Status: Public Hearing/Consent
Agenda

In Control: City Council

File Type: Public Hearing

Agenda Number: *32.

CC MEETING: May 5, 2015

DATE: April 28, 2015

TO: Leonard Martin, City Manager

FROM: Christopher Barton, Chief Planner

Hold A Public Hearing And Consider An **Ordinance To Change The Street Name Of Jamestown Lane Between Josey Lane And Scott Mill Road To Rainwater Lane. Case No. 05-15MD2 Jamestown Lane (Street Name Change)/City Of Carrollton. Case Coordinator: Christopher Barton.**

BACKGROUND:

This is a City-initiated case in response to the Rainwater Family's request to change the street name of Jamestown Lane between Josey Lane and Scott Mill Road to Rainwater Lane.

FINANCIAL IMPLICATIONS:

The City would incur the expense of fabricating and replacing three street name blades on Jamestown Lane. The estimated cost is \$171.00.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends **APPROVAL** of the attached ordinance.

05-15MD2 Jamestown Ln. (street name change)

RESULT SHEET

Date: 05/06/15

Case No./Name: CASE NO. 03-15MD2 Jamestown Lane (Street Name Change)

A. STAFF STIPULATIONS AND RECOMMENDATIONS

Staff recommends **APPROVAL** of the attached ordinance as presented.

B. CC PUBLIC HEARING from CC meeting: 05/05/15

Result: /Vote:

MISCELLANEOUS DEVELOPMENT

Case Coordinator: Christopher Barton

GENERAL PROJECT INFORMATION

REQUEST: Approval of an ordinance for a street name change for the portion of Jamestown Lane (between Josey Lane and Scott Mill Road) to “Rainwater Lane”.

THOROUGHFARE PLAN: Jamestown Lane between Josey Lane and Scott Mill Road is designated as a (C2U) Two-Lane Undivided Collector.

**PROPERTIES WITH
AFFECTED
JAMESTOWN
LANE ADDRESSES:** None

REPRESENTED BY: City of Carrollton

05-15MD2 Jamestown Ln. (street name change)

Location Map



ORDINANCE NO. _____

Case No. 05-15MD2 Jamestown Ln. (street name change)

PLANNING DEPARTMENT

City of Carrollton

Date: 05/05/15

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS RENAMING A PORTION OF JAMESTOWN LANE BETWEEN JOSEY LANE AND SCOTT MILL ROAD TO “RAINWATER LANE”; AND PROVIDING FOR AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, the City of Carrollton, Texas (the “City”) is a Home Rule municipality possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code and its Home Rule Charter; and

WHEREAS, the City of Carrollton received a request to change a street name within the City to honor and recognize the significance of an important part of the City’s history; and

WHEREAS, the City Council has determined the street name change is in the interest of the citizens of Carrollton.

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

Section 1.

The portion of the public street named “Jamestown Lane” between North Josey Lane and Scott Mill Road, as shown on the attached Exhibit A, shall be named “Rainwater Lane”.

Section 2.

This ordinance shall be cumulative of all other ordinances affecting the names of streets in the City of Carrollton except insofar as it may be in conflict with the provisions of those ordinances, in which instance they are expressly repealed.

Section 3.

The City Manager is authorized to take all action necessary to carry out the intent of this ordinance.

Section 4.

This ordinance shall become and be effective on and after its adoption and publication.

ORDINANCE NO. _____

Case No. 05-15MD2 Jamestown Ln. (street name change)

PASSED AND APPROVED this the Fifth day of May, 2015.

CITY OF CARROLLTON

By: _____
Matthew Marchant, Mayor

ATTEST:

Krystle Nelinson
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Susan Keller
Assistant City Attorney

Christopher Barton, AICP
Chief Planner

Exhibit A

Location Map





City of Carrollton

Agenda Memo

File Number: 1986

Agenda Date: 5/5/2015

Version: 1

Status: Public
Hearing/Individual
Consideration

In Control: City Council

File Type: Public Hearing

Agenda Number: 33.

CC MEETING: May 5, 2015

DATE: April 21, 2015

TO: Leonard Martin, City Manager

FROM: Michael McCauley, Senior Planner

Hold A Public Hearing And Consider A Resolution For An Amendment To The Comprehensive Plan And The Land Use Map To Change An Approximately 3.4-Acre Site From Single-Family Residential Detached Uses To Single-Family Residential Attached Uses Located In The Vicinity Of The Southwest Corner Of Frankford Road And McCoy Road. Case No. 03-15MD1 McCoy Villas Comprehensive Plan Amendment/Harlan Properties, Inc. Case Coordinator: Michael McCauley.

BACKGROUND:

This is a request for an amendment to the Comprehensive Plan and the Land Use Map to change an approximately 3.4-acre site from single-family residential detached uses to single-family residential attached uses. The Comprehensive Plan amendment will allow a zoning change to be considered by City Council to allow a proposed townhouse development on this site.

A companion request to amend PD-63 to change the base zoning from the (SF-12/20) Single-Family Residential District to the (SF-TH) Single-Family Townhouse Residential District with modified standards is also on this agenda (Case No. 10-14Z3 McCoy Villas PD Amendment).

On April 7, 2015, the City Council continued this case and its companion zoning case (McCoy Villas PD Amendment, Case No. 10-14Z3) to the May 5, 2015 meeting to allow the applicant time to address Council’s concerns about the zoning case.

STAFF RECOMMENDATION/ACTION DESIRED:

On March 5, 2015, the Planning & Zoning Commission recommended **APPROVAL**. The attached resolution reflects the action of the Commission. Because the action of the Commission was not unanimous and public opposition to the change was received, this item is

being placed on the Public Hearing - Individual Consideration portion of the agenda.

RESULT SHEET

Date: 05/06/15

Case No./Name: CASE NO. 03-15MD1 McCoy Villas Comprehensive Plan Amendment

A. STAFF STIPULATIONS AND RECOMMENDATIONS

Staff recommends **DENIAL** of the Comprehensive Plan Amendment.

B. P&Z RECOMMENDATION from P&Z meeting: 03/05/15

Result: **APPROVAL** /Vote: 7-2 (Chadwick and McAninch opposed)

C. CC PUBLIC HEARING from CC meeting: 04/07/15

Result: **CONTINUED** to 05/05/15 /Vote: (Sutter, Wilder and Babick opposed)

D. CC PUBLIC HEARING from CC meeting: 05/05/15

Result: /Vote:

STAFF ANALYSIS

PROPOSAL/REQUEST

- The applicant is requesting an amendment to the Comprehensive Plan and the Land Use Map to change an approximately 3.4-acre site from Single-Family Residential Detached to Single-Family Residential Attached. Approving the Comprehensive Plan amendment will allow a zoning change to be considered by Council to allow a proposed townhouse development on this site.
- The applicant has submitted a companion request to amend PD-63 to change the base zoning from the (SF-12/20) Single-Family Residential District to the (SF-TH) Single-Family Townhouse Residential District with modified standards is also on this agenda (Case No. 10-14Z3 McCoy Villas PD Amendment).

SITE ELEMENTS

- The subject property is bordered on all sides by PD-63 with the following uses and zoning districts:
 - North – Church (SF-12/20) Single-Family Residential Detached District
 - South – Detached Residential (SF-PH) Single-Family Patio Homes District
 - East – Apartments (MF-15) Multi-Family District
 - West – Elementary School (SF-12/20) Single-Family Residential District
- The subject property has a 30 foot ingress/egress easement and 15 foot utility easement used by the church and the adjoining elementary school from McCoy Road. As shown by the applicant, the proposed townhouse development will be over the easements.
- The property has a current land use designation of Single-Family Residential Detached allowing for a density of 0-6 dwelling units per net acre.
- The proposed land use designation change to Single-Family Residential Attached will allow a density of 6-12 dwelling units per net acre.
- The property was not intended for high-density residential townhouse development.

APPLICANT'S POSITION

The applicant has stated the following:

We respect the City's Comprehensive Plan. However, the issue here is why we have chosen townhome development over single family lots. The reasons for our choice to develop townhomes here are as follows:

- a. All maturing cities should look for higher density quality developments, in our opinion. In this scenario, all city services are more efficiently utilized. Quality denser

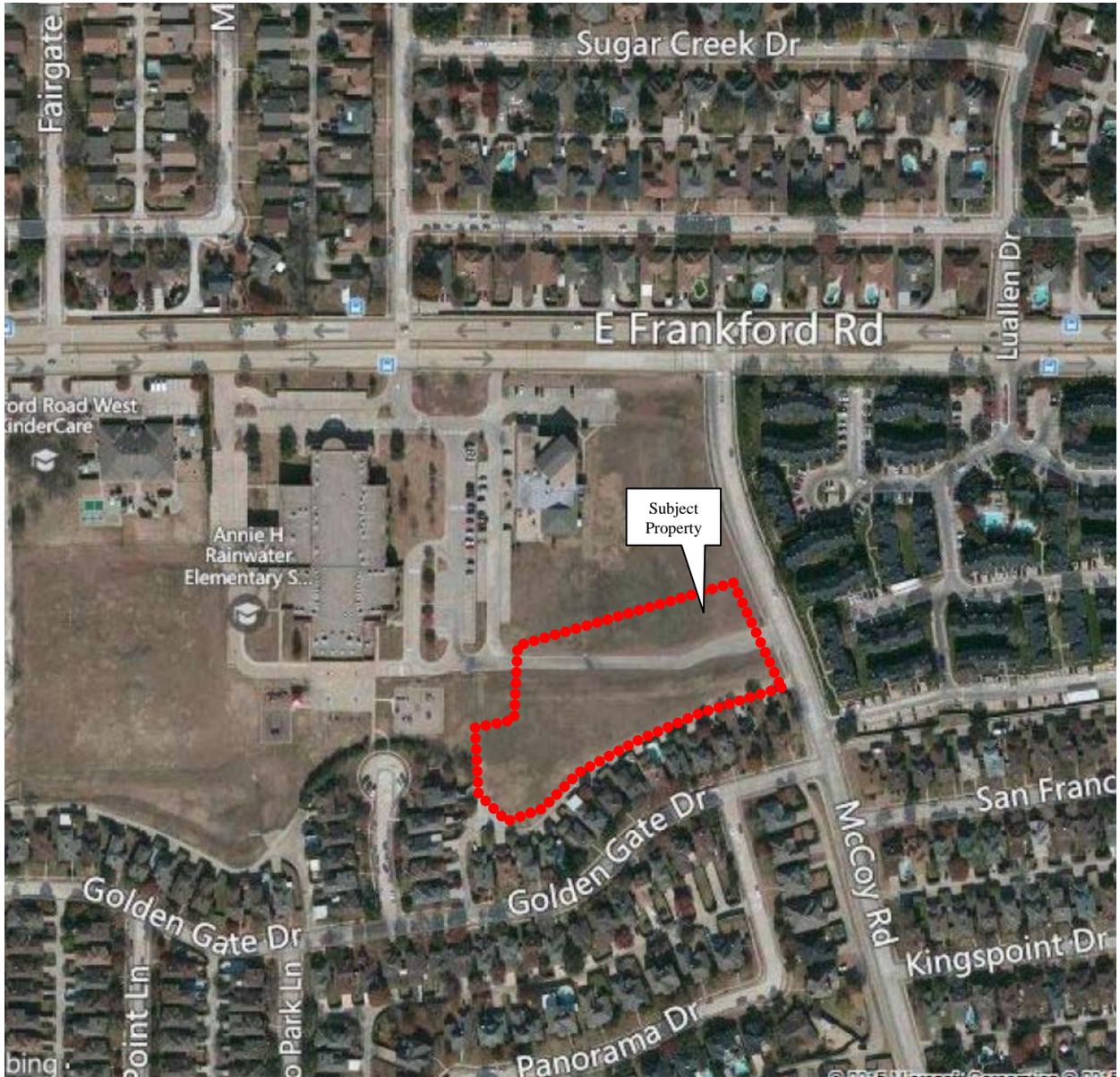
neighborhoods create safer and friendlier environment. Trips to work, shopping and pleasure become shorter, hence less pollution.

- b. When the maturing city has only few developable infill parcels left, prices go up and the developer can justify the economics of the project only by creating greater density. The city also benefits by having greater dollar amount on their tax roll.
- c. We are creating here a little lifestyle community where the young buyer and the empty nester will let their HOA take care of the exterior façade and yard maintenance, freeing up their weekends more pleasant activities.

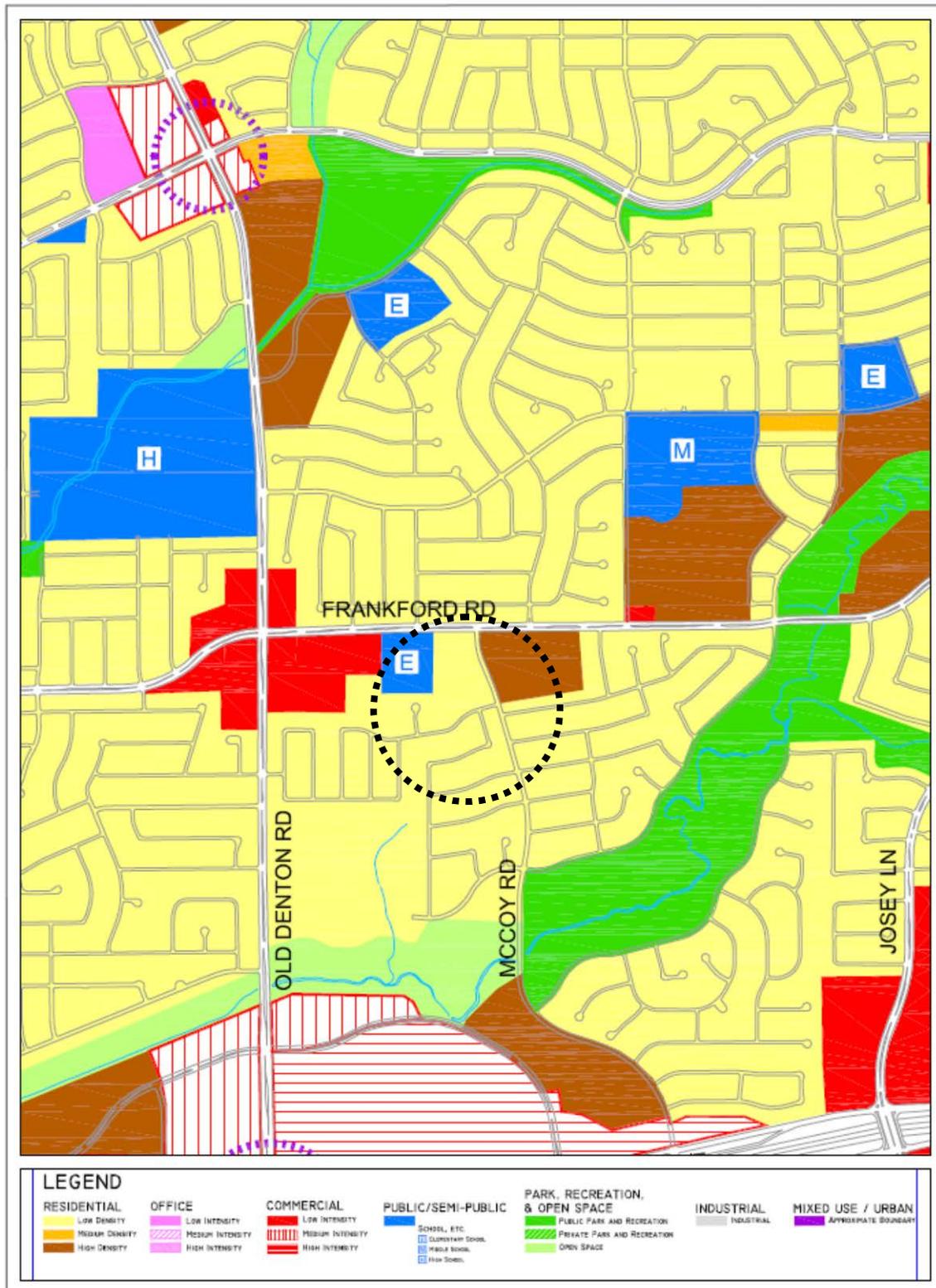
Conclusion

The applicant's request for a land use designation change will permit twice the density currently allowed and adversely impact the usage of the ingress/egress easement the adjoining church and elementary school uses. Therefore, staff does not find the applicant's request for a Comprehensive Plan Amendment appropriate for this site.

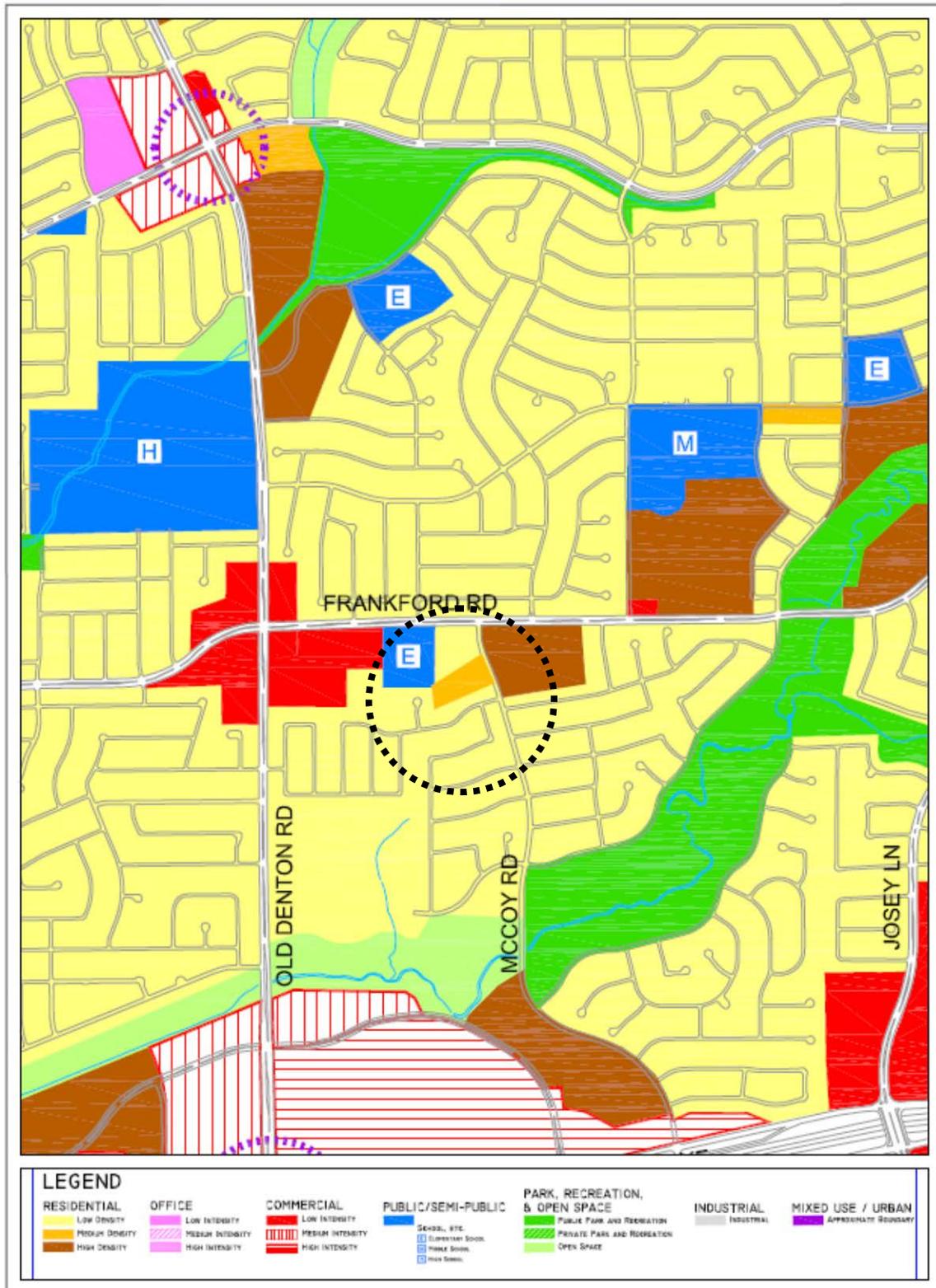
LOCATION MAP



EXISTING COMPREHENSIVE PLAN (Land Use Map)



PROPOSED COMPREHENSIVE PLAN (Land Use Map)



**PUBLIC COMMENTS
OPPOSITION**

 **CARROLLTON**
TEXAS **PLANNING & ZONING APPEARANCE CARD**

Please complete this card and submit it to a city staff member prior to the beginning of the meeting.

Name ANNA GOSLING Phone 972-815-9189 Date 3/5/15
Address 1602 E. FRANKFORD #1207 City CARROLLTON Zip 75007

Public Hearing Agenda Item # 13 & 14

I wish to speak IN FAVOR of this item. I wish to speak IN OPPOSITION to this item.

I do not wish to speak; however, please record my SUPPORT OPPOSITION.
Please identify the group or organization you represent, if any: Please do not build homes on that land.

**Please read and comply with the
"Guidelines for Speaking at City Government Public Meetings."**

Case No/Name: 10-1423 McCoy Villas Date: 3-22-15

Name: Tony Fortin

Address: 1503 Golden Gate Dr.

City, ST, ZIP: CARROLLTON, TX. 75007

Received

I hereby register my: Support Opposition
to the above referenced case.

MAR 23 2015

Planning
City of Carrollton

Comments: _____

Privacy & open space are very
important to me. As are property
values.

Signature: Tony Fortin

Case No/Name: 10-1433 Date: 2-24-14
Name: McCoy Villas
Address: 1926 Golden Gate Dr.
City, ST, ZIP: Carrollton, TX 75007

I hereby register my: Support Opposition
to the above referenced case.

Comments: DO NOT WANT
Construction - this is
children walkway

Signature: [Signature]
MAR 02 2015
Building Inspection
City of Carrollton

Case No/Name: 03-15MD1 McCoy Villas Date: 2/25/15
Name: Jacob Anderson
Address: 1403 Golden Gate Dr.
City, ST, ZIP: Carrollton, TX 75007

I hereby register my: Support Opposition
to the above referenced case.

Comments: _____
Received
MAR 02 2015
Planning
City of Carrollton

Signature: [Signature]

SUPPORT

 **CARROLLTON**
TEXAS **PLANNING & ZONING APPEARANCE CARD**

Please complete this card and submit it to a city staff member prior to the beginning of the meeting.

Name Heather Erickson Phone 214-529-0492 Date 3/5

Address 1737 Delaford Dr City Carrollton Zip 75007

Public Hearing Agenda Item # 14, 15

I wish to speak IN FAVOR of this item. I wish to speak IN OPPOSITION to this item.

I do not wish to speak; however, please record my SUPPORT OPPOSITION.

Please identify the group or organization you represent, if any: Mcloy Villas

**Please read and comply with the
"Guidelines for Speaking at City Government Public Meetings."**

 **CARROLLTON**
TEXAS **PLANNING & ZONING APPEARANCE CARD**

Please complete this card and submit it to a city staff member prior to the beginning of the meeting.

Name Jan Erickson Phone 972-492-9292 Date 3-5-15

Address 1737 DELAFORD DR City CARROLLTON Zip 75007

Public Hearing Agenda Item # 14,15

I wish to speak IN FAVOR of this item. I wish to speak IN OPPOSITION to this item.

I do not wish to speak; however, please record my SUPPORT OPPOSITION.

Please identify the group or organization you represent, if any: McCoy Villas

**Please read and comply with the
"Guidelines for Speaking at City Government Public Meetings."**

 **CARROLLTON**
TEXAS **PLANNING & ZONING APPEARANCE CARD**

Please complete this card and submit it to a city staff member prior to the beginning of the meeting.

Name J. STEVEN WALTER Phone 469 483 4326 Date 3/5/2015

Address 643 CARLINGHOUSE LN City EXAR Zip 75252

Public Hearing Agenda Item # 19

I wish to speak IN FAVOR of this item. I wish to speak IN OPPOSITION to this item.

I do not wish to speak; however, please record my SUPPORT OPPOSITION.

Please identify the group or organization you represent, if any: WACOY VILLAS

**Please read and comply with the
"Guidelines for Speaking at City Government Public Meetings."**

 **CARROLLTON**
TEXAS **PLANNING & ZONING APPEARANCE CARD**

Please complete this card and submit it to a city staff member prior to the beginning of the meeting.

Name Barbara Shell Phone 972 466 1944 Date 3/5/15

Address 4253 Hunter Dr #2309 City Carrollton Zip 75010

Public Hearing Agenda Item # 14

I wish to speak IN FAVOR of this item. I wish to speak IN OPPOSITION to this item.

I do not wish to speak; however, please record my SUPPORT OPPOSITION.

Please identify the group or organization you represent, if any: McCoy Villas

**Please read and comply with the
"Guidelines for Speaking at City Government Public Meetings."**

 **CARROLLTON**
TEXAS **PLANNING & ZONING APPEARANCE CARD**

Please complete this card and submit it to a city staff member prior to the beginning of the meeting.

Name Edwin Bayano Phone 972-242-9844 Date 3-5-2015
Address 1404 GoldenGate City CARROLLTON Zip 75007

Public Hearing Agenda Item # 214?

I wish to speak IN FAVOR of this item. I wish to speak IN OPPOSITION to this item.

I do not wish to speak; however, please record my SUPPORT OPPOSITION.

Please identify the group or organization you represent, if any: _____

**Please read and comply with the
"Guidelines for Speaking at City Government Public Meetings."**

 **CARROLLTON**
TEXAS **PLANNING & ZONING APPEARANCE CARD**

Pecha

Please complete this card and submit it to a city staff member prior to the beginning of the meeting.

Name Marcia Seebachan Phone 2144581054 Date 3/5/
Address 2019 Stefani Ct City Carrollton Zip _____

Public Hearing Agenda Item # 14

I wish to speak IN FAVOR of this item. _____ I wish to speak IN OPPOSITION to this item.
_____ I do not wish to speak; however, please record my _____ SUPPORT * _____ OPPOSITION.

Please identify the group or organization you represent, if any: _____

**Please read and comply with the
"Guidelines for Speaking at City Government Public Meetings."**

 **CARROLLTON**
TEXAS **PLANNING & ZONING APPEARANCE CARD**

Please complete this card and submit it to a city staff member prior to the beginning of the meeting.

Name Mark Mohrweis Phone 972.746.7187 Date March 5 2015
Address 1533 Brighton Dr City Carrollton Zip 75007

Public Hearing Agenda Item # 14315

I wish to speak IN FAVOR of this item. I wish to speak IN OPPOSITION to this item.

I do not wish to speak; however, please record my SUPPORT OPPOSITION.

Please identify the group or organization you represent, if any: Redeemer Covenant Church

**Please read and comply with the
“Guidelines for Speaking at City Government Public Meetings.”**

 **CARROLLTON**
TEXAS **PLANNING & ZONING APPEARANCE CARD**

Please complete this card and submit it to a city staff member prior to the beginning of the meeting.

Name GABE CRUZ Phone 919 948 7503 Date 3.

Address 2909 PANORAMA DR. City CARROLLTON Zip 75007

Public Hearing Agenda Item # 15

I wish to speak IN FAVOR of this item. I wish to speak IN OPPOSITION to this item.

I do not wish to speak; however, please record my SUPPORT OPPOSITION.

Please identify the group or organization you represent, if any: PAUSADES POINT
NEIGHBORHOOD ASSOC.

**Please read and comply with the
"Guidelines for Speaking at City Government Public Meetings."**

 **CARROLLTON**
TEXAS **PLANNING & ZONING APPEARANCE CARD**

Please complete this card and submit it to a city staff member prior to the beginning of the meeting.

Name GENE BURKS Phone 972-613-0300 Date 3-5-15
Address 3704 STANDIDGE City CARROLLTON Zip 75007

Public Hearing Agenda Item # 14

I wish to speak IN FAVOR of this item. I wish to speak IN OPPOSITION to this item.

I do not wish to speak; however, please record my SUPPORT OPPOSITION.

Please identify the group or organization you represent, if any: Redeemer Church
myself as a property owner

**Please read and comply with the
"Guidelines for Speaking at City Government Public Meetings."**

 **CARROLLTON**
TEXAS **PLANNING & ZONING APPEARANCE CARD**

Please complete this card and submit it to a city staff member prior to the beginning of the meeting.

Name LOBYA SHARI SPARKS Phone 9724920031 Date 3/

Address 2357 Highways Creek Rd City CARROLLTON Zip 75007

Public Hearing Agenda Item # 14 & 15

I wish to speak IN FAVOR of this item. I wish to speak IN OPPOSITION to this item.

I do not wish to speak; however, please record my SUPPORT, OPPOSITION.

Please identify the group or organization you represent, if any: Redeemer Covenant Church

**Please read and comply with the
"Guidelines for Speaking at City Government Public Meetings."**

 **CARROLLTON**
TEXAS **PLANNING & ZONING APPEARANCE CARD**

Please complete this card and submit it to a city staff member prior to the beginning of the meeting.

Name Randall D. Chrisman Phone 972-466-0969 Date 3-5-2015
Address 1501 Broken Bow Trail City Carrollton Zip 75007

Public Hearing Agenda Item # 14 & 15

I wish to speak IN FAVOR of this item. I wish to speak IN OPPOSITION to this item.

I do not wish to speak; however, please record my SUPPORT OPPOSITION.

Please identify the group or organization you represent, if any: _____

**Please read and comply with the
“Guidelines for Speaking at City Government Public Meetings.”**

 **CARROLLTON**
TEXAS **PLANNING & ZONING APPEARANCE CARD**

Please complete this card and submit it to a city staff member prior to the beginning of the meeting.

Name CLIFF ERICKSON Phone 214-492-9527 Date 3-5-13
Address 1737 DELAFORD DRIVE City CARROLLTON Zip 75007

Public Hearing Agenda Item # 14

I wish to speak IN FAVOR of this item. I wish to speak IN OPPOSITION to this item.

I do not wish to speak; however, please record my SUPPORT OPPOSITION.

Please identify the group or organization you represent, if any: McCoy Villas

**Please read and comply with the
"Guidelines for Speaking at City Government Public Meetings."**

**Excerpt from Draft Minutes
Planning & Zoning Commission
Meeting of March 5, 2015**

14. Hold A Public Hearing And Consider A Resolution For An **Amendment To The Comprehensive Plan And The Future Land Use Map** To Change An Approximately 3.4-Acre Site From Single-Family Residential Detached To Single-Family Residential Attached Located In The Vicinity Of The Southwest Corner Of Frankford Road And McCoy Road. **Case No. 03-15MD1 McCoy Villas/Harlan Properties, Inc.** Case Coordinator: Michael McCauley.

15. Hold A Public Hearing And Consider An Ordinance **Amending PD-63** Changing The Zoning Of A Certain Tract From (SF-12/20) Single-Family Residential District To (SF-TH) Single-Family Townhouse Residential District With Special Development Standards; Amending Accordingly The Official Zoning Map. The Approximately 3.4-Acre Tract Is Located In The Vicinity Of The Southwest Corner Of Frankford Road And McCoy Road. **Case No. 10-14Z3 McCoy Villas/Harlan Properties, Inc.** Case Coordinator: Michael McCauley.

McCauley presented the two cases in detail and advised that staff received three letters in opposition to the request. He stated that staff felt the development was too dense for the location and that it should remain as single family detached, which would provide a lower density than the townhouses. He referred to proposed stipulations in the event the Commission chose to approve the request.

Jim Dewy, JDJR Engineers, 2500 Texas Drive, Irving, stated the applicant understands the stipulations but didn't agree with some of the comments presented by staff. He noting it was an in-fill development and felt it was an appropriate buffer between the single family development and the multifamily development. He explained that one reason they did not propose alleys was because the homeowners association to the south did not want to share the alley and talked about the easement. He noted that a buffer between single family developments was not required and felt the screening wall was a sufficient buffer between the townhomes and the single family neighborhood. With regard to the stipulations, he stated they could not agree to the stipulation with regard to the separate easement and driveway to the north of the site but could agree with the remaining stipulations. He talked about the economics of the proposal and requested the Commission's approval.

Discussion was held with regard to the traffic impact on Joy Drive due to the proximity of and access to the elementary school and church. While reviewing each of the stipulations, Mr. Dewy noted that none of the existing homes in the neighborhood had enhanced driveways but if required, they would prefer to use exposed aggregate. With regard to the front building setback, he stated the garage would have a 25 foot setback but was requesting a 20 foot front building setback. With regard to school buses being able to make the necessary turns from Joy Drive to the school, he said there were fire lanes on the property and said since fire trucks could navigate the turn, then it should be able to accommodate school buses turning.

McCauley noted a correction to the case report in that Lots 2 – 10 had less than the required minimum depth of 110 foot. Mr. Dewy stated the Code required 100 feet and noted that most were 110 foot, but a few were even a little less.

Stotz voiced concern with the 25 foot lot width and felt that the City needed to maintain the 35 foot lot width requirement. Mr. Dewy noted that they try to break up the garage door look by using single and double garage doors and felt the 25 foot lot width would be a good product for the area. Concern was also voiced by the Commission with regard to amount of concrete at the front of the homes because the yard would be in the back. Mr. Dewy felt that the people who would buy the product don't want much yard maintenance and won't have a problem with the amount of concrete.

Chair McAninch opened the public hearing and invited speakers to the podium.

The following individuals spoke in favor of the request:

Randall D. Chrisman, 1501 Broken Bow Tr., Carrollton, TX
Coby & Shari Sparks, 2357 Highlands Creek Rd., Carrollton, TX
Gene Burks, 3704 Standridge, Carrollton, TX
Gabe Cruz, 2909 Panorama Dr., Carrollton, TX
Mark Mohrweis, 1533 Brighton Dr., Carrollton, TX
Marcia Seebachan, 2019 Stefani Ct., Carrollton, TX
Edwin Bayard, 1404 Golden Gate, Carrollton, TX

The following people were in support but didn't wish to speak:

Jan Erickson, 1737 Delaford Dr., Carrollton, TX
Heather Erickson, 1737 Delaford Dr., Carrollton, TX
Barbara Shell, 4253 Hunt Dr., Carrollton, TX
Cliff Erickson, 1737 Delaford Dr., Carrollton, TX
J. Steven Walker, Dallas, TX

The following person did not wish to speak but was in opposition:

Anna Gosling, 1602 E. Frankford Rd., Carrollton, TX

In rebuttal and closing comments, Mr. Dewy requested the Commission's support for the request as presented.

Chair McAninch opened the floor for discussion. In response to a question from Nesbit, McCauley stated that the preliminary plat reflects a 20 foot front building setback and a 25 foot garage door setback which is what is required by City Code for front loaded homes but because the lots were more narrow, staff felt it would be more appropriate to have a 25 foot front building setback. McCauley also said that staff would support a 100 foot lot depth.

Chair McAninch advised the Board that legal counsel recommended another stipulation as part of the zoning case as follows: provide the City with a letter from the School district agreeing to the abandonment of the existing 30 foot wide ingress and egress easement prior to the City Council consideration of the zoning case and as an abandonment of such easement at the time of platting of the property executed by the School District. Mr. Dewy stated he understood the stipulation and asked that it be required at the time of platting.

** Stotz moved to close the public hearing and approve Case No. 03-15MD1 McCoy Villas Comprehensive Plan amendment; second by Kiser and the motion was approved with a 7-2 vote, Chadwick and McAninch opposed.*

** Stotz moved to close the public hearing and approve Case No. 10-14Z3 McCoy Villas with staff stipulation Nos. 2 – 11 specifying that No. 6 - the driveways shall be constructed of decorative pavers; No. 9 - the entry ribbon shall be constructed with decorative pavers, and the stipulation proposed by legal counsel; second by Daniel-Nix.* Chair McAninch stated she agreed with the Church trying to do something with the land but did not think the proposed plan was the right choice due to the density. Chadwick stated that he supported the Church but could not support the reduced setbacks.

Rob Guarnieri, Dev. Services Sr. Engineer, noted that a 15 foot landscape buffer is required on McCoy which was not reflected on the preliminary plat and also that the first driveway had to be 40 foot from the intersecting property lines from McCoy and Joy Drive to be in compliance with the Driveway Ordinance. He stated that these issues would normally surface when the plans are submitted for review. Adam D. Lathrom, Attorney, suggested a possible continuance to address the raised issues.

Chair McAninch noted that Stotz did not wish to withdraw the motion and called for the vote. The motion was approved with a 5-4 vote; Kraus, Chadwick, McAninch and Romo opposed.

PLANNING DEPARTMENT
City of Carrollton
Date: 05/05/15

DEVELOPMENT NAME:
McCoy Villas (Comprehensive Plan)

RESOLUTION NUMBER _____

RESOLUTION NUMBER _____ OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE LAND USE PLAN, ADOPTED BY RESOLUTION NUMBER 2672 ON FEBRUARY 18, 2003, FOR AN APPROXIMATELY 3.4-ACRE TRACT OF LAND LOCATED IN THE VICINITY OF THE SOUTHWEST CORNER OF FRANKFORD ROAD AND MCCOY ROAD TO ALLOW FOR SINGLE-FAMILY ATTACHED USES; PROVIDING FOR SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE AFTER ITS PASSAGE.

WHEREAS, the Planning & Zoning Commission reviewed and studied an amendment to the Comprehensive Plan (Case No. 03-15MD1); and

WHEREAS, the Planning & Zoning Commission conducted a public hearing on March 5, 2015 and after all persons were given an opportunity to present testimony, considered and recommended the following change regarding an appropriate future land use; and

WHEREAS, the City Council conducted a public hearing on April 7, 2015, at which all persons were given an opportunity to present testimony; and

WHEREAS, the City Council has concluded that the amendment to the Plan is in the best interest of the city and is for the purpose of protecting the health, safety, and general welfare of the city and its citizens; and

WHEREAS, the amendment is in accordance with the goals, objectives and policies of the Comprehensive Plan, adopted by Resolution Number 2672 on February 18, 2003, as amended.

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

Section 1.

An amendment to the Future Land Use Map of the City’s Comprehensive Land Use Plan, which amendment is attached hereto as Exhibit B and incorporated herein for all purposes, is hereby adopted by the City Council for property located in the vicinity of the southwest corner of Frankford Road and McCoy Road.

Section 2.

This amendment is intended to repeal the 2003 Comprehensive Land Use Plan land use designation for only that portion of the City of Carrollton as identified on the attached Exhibit A (Single-Family Detached uses) and replace it with the land use designation as identified on Exhibit B (Single-Family Attached uses), and this change will constitute the Comprehensive Plan for all matters related to long-range guidance relative to zoning decisions, land subdivision, thoroughfare construction and growth management on such property.

Section 3.

Save and except as amended herein, the Comprehensive Plan adopted on February 18, 2003 by Resolution Number 2672, as amended, shall remain in full force and effect.

Section 4.

The provisions of this Resolution are severable. If any section, sub-section, paragraph, clause, phrase or provision of this Resolution or its application to any person or circumstance shall be adjudged or held invalid, that invalidity shall not affect the provisions that can be given effect without the invalid provision or application.

Section 5.

This Resolution shall become effective immediately from and after its passage.

PASSED AND APPROVED this the Fifth day of May, 2015.

CITY OF CARROLLTON

By: _____
Matthew Marchant, Mayor

ATTEST:

Krystle Nelinson
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Susan Keller
Assistant City Attorney

Michael McCauley
Senior Planner

EXHIBIT A
CURRENT LAND USE MAP

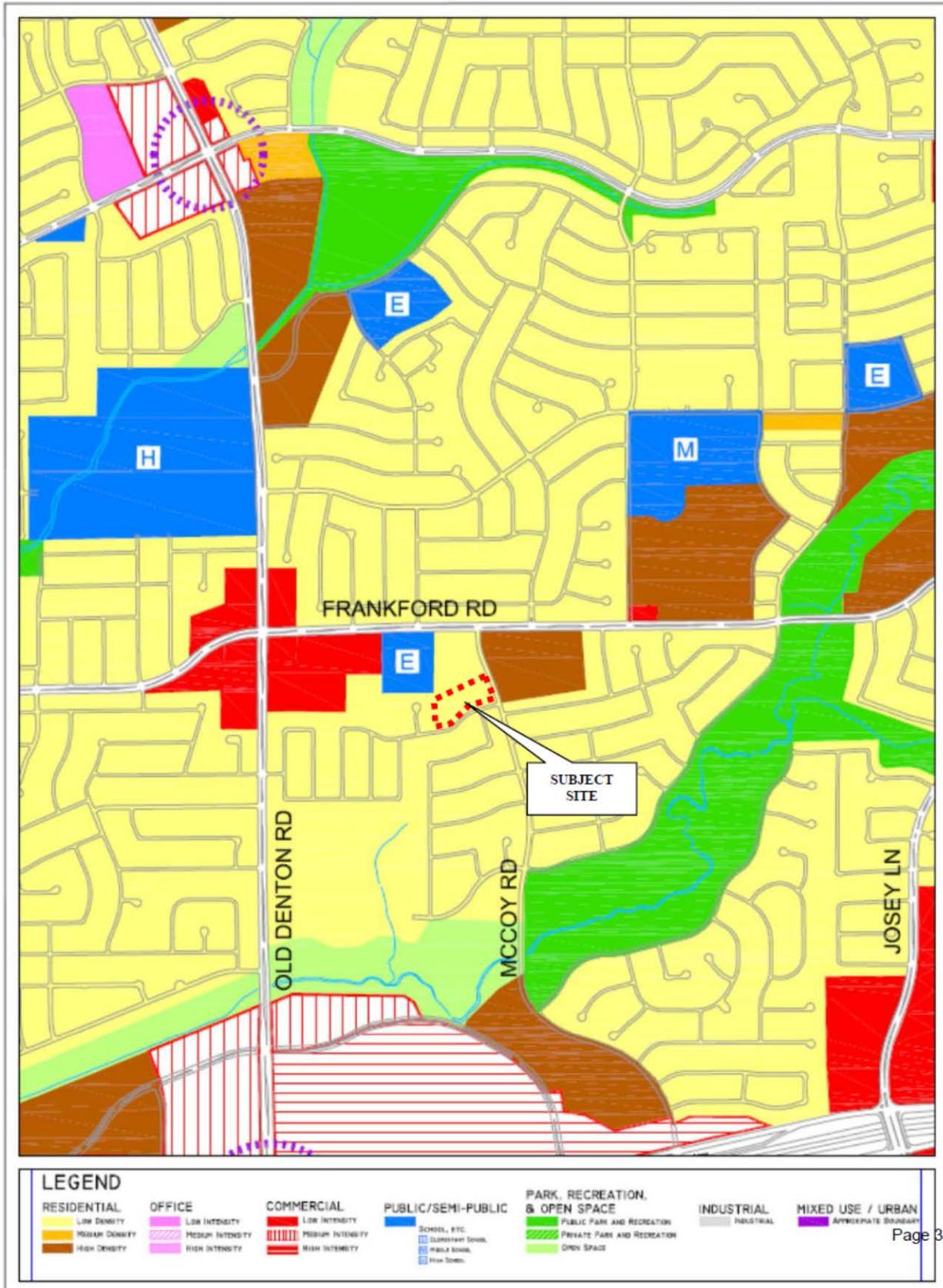
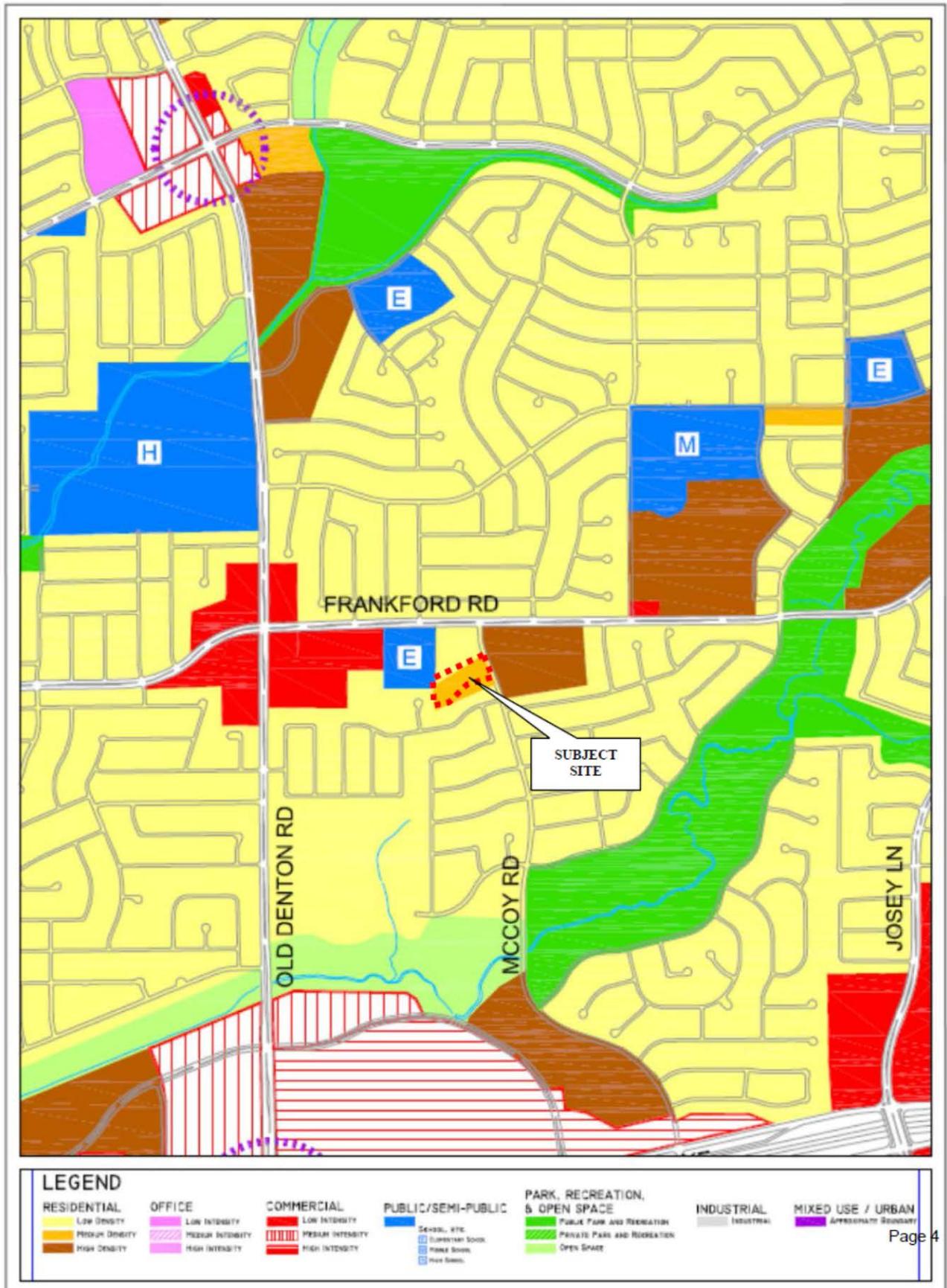


EXHIBIT B
REVISED LAND USE MAP





City of Carrollton

Agenda Memo

File Number: 2014

Agenda Date: 5/5/2015

Version: 1

Status: Public
Hearing/Individual
Consideration

In Control: City Council

File Type: Public Hearing

Agenda Number: 34.

CC MEETING: May 5, 2015

DATE: April 29, 2015

TO: Leonard Martin, City Manager

FROM: Christopher Barton, Chief Planner

Hold A Public Hearing And Consider An Ordinance Amending PD-63 To Change The Zoning Of A Certain Tract From The (SF-12/20) Single-Family Residential District To The (SF-TH) Single-Family Townhouse Residential District With Special Development Standards; Amending Accordingly The Official Zoning Map. The Approximately 3.4-Acre Tract Is Located In The Vicinity Of The Southwest Corner Of Frankford Road And McCoy Road. Case No. 10-14Z3 McCoy Villas/Harlan Properties, Inc. Case Coordinator: Michael McCauley.

BACKGROUND:

This is a request for an amendment to Planned Development No. 63 (PD-63) to change the zoning of a 3.4 acre tract from the (SF-12/20) Single-Family Residential District to the (SF-TH) Single-Family Townhouse Residential District with modified standards to allow a proposed townhouse development.

A companion request for an amendment to the Comprehensive Plan to change the land use designation on this 3.4-acre site from single-family residential detached uses to single-family residential attached uses is also on this agenda (Case No. 03-15MD1 McCoy Villas Comprehensive Plan Amendment).

On April 7, 2015, the City Council continued the case to the May 5, 2015 meeting to allow the applicant time to address Council’s concerns. The Council expressed concerns to the front entry garages, utility box locations and the lack of colored building elevations for Council to review.

STAFF RECOMMENDATION/ACTION DESIRED:

On March 5, 2015, the Planning and Zoning Commission recommended **APPROVAL** with stipulations. The attached ordinance reflects the recommendation of the Commission. Because the vote of the Commission was not unanimous and opposition was expressed by some of the adjoining neighbors, this item is being placed on the Public Hearing - Individual Consideration

portion of the agenda.

RESULT SHEET

Date: 05/06/15

Case No./Name: 10-14Z3 McCoy Villas

A. STAFF STIPULATIONS AND RECOMMENDATIONS

Staff recommends **DENIAL**. However, if the Commission chooses to recommend in favor of the request, staff recommends the following stipulations:

1. A separate easement and driveway shall be provided north of Joy Drive between McCoy Road and the Rainwater Elementary parking lot. No access from the parking lot to Joy Drive shall be allowed. Joy Drive shall not be a thru street.
2. Landscaping shall be compliant with Article XXV of the City's Comprehensive Zoning Ordinance.
3. Alleys shall not be required and front-entry garages shall be allowed no closer than 25 ft. from the front property line.
4. The front building setback shall be a minimum 25 ft.
5. Garage doors shall be clad in stained natural cedar or faux wood.
6. Driveways shall be decorative pavers, exposed concrete aggregate, stained and pattern-stamped, patterned, saw-cut or salt-finished concrete.
7. Carports shall be prohibited.
8. A homeowner's association shall be established in accordance with the Comprehensive Subdivision Ordinance prior to platting the tract. The homeowner's association will be responsible for the improvement and maintenance of all common areas and/or common facilities shown, including perimeter wall, on the Conceptual Site Plan.
9. An "entry ribbon" consisting of decorative pavers or stained and pattern-stamped concrete shall be placed in the street intersection with McCoy Road. Said entry ribbon shall be no less than ten feet (10') in depth, shall extend across the width of the street and shall generally align with the abutting sidewalk.
10. The development shall be in general conformance with Exhibit A.
11. Drainage shall comply with all codes and ordinances.

B. P&Z RECOMMENDATIONS from P&Z meeting: 03/05/2015

Result: **APPROVED** with stipulations /Vote: 5-4 (McAninch, Chadwick, Romo, Kraus opposed)

PLANNING COMMISSION RECOMMENDED STIPULATIONS

1. Landscaping shall be compliant with Article XXV of the City's Comprehensive Zoning Ordinance.
2. Alleys shall not be required and front-entry garages shall be allowed no closer than 25 ft. from the front property line.
3. The front building setback shall be a minimum 25 ft.
4. Garage doors shall be clad in stained natural cedar or faux wood.
5. Driveways shall be decorative pavers.
6. Carports shall be prohibited.
7. A homeowner's association shall be established in accordance with the Comprehensive Subdivision Ordinance prior to platting the tract. The homeowner's association will be responsible for the improvement and maintenance of all common areas and/or common facilities shown, including perimeter wall, on the Conceptual Site Plan.
8. An "entry ribbon" consisting of decorative pavers shall be placed in the street intersection with McCoy Road. Said entry ribbon shall be no less than ten feet (10') in depth, shall extend across the width of the street and shall generally align with the abutting sidewalk.
9. The development shall be in general conformance with Exhibit A.
10. Drainage shall comply with all codes and ordinances.
11. The applicant will provide the City with written documentation signed by the School District reflecting the School District's agreement to abandon the existing 30' wide ingress and egress easement extending between McCoy Road and Rainwater Elementary School prior to the zoning case proceeding to the City Council for consideration; and, shall provide the City with the School District's fully executed abandonment of said 30' wide ingress and egress easement contemporaneously with Applicant's plat submittal for McCoy Villas.

C. CC PUBLIC HEARING and ORDINANCE ACTION from CC meeting: 04/07/2015
Result: **CONTINUED** to May 5, 2015 /Vote: 4-3 (Sutter, Wilder and Babick opposed)

D. CC PUBLIC HEARING and ORDINANCE ACTION from CC meeting: 05/05/2015
Result: /Vote:

REZONING

Case Coordinator: Michael McCauley

GENERAL PROJECT INFORMATION

SITE ZONING: PD-63 for the (SF-12/20) Single-Family Residential District

	<u>SURROUNDING ZONING</u>	<u>SURROUNDING LAND USES</u>
NORTH	PD-63 for the (SF-12/20) Single-Family Residential District	Church
SOUTH	PD-63 for the (SF-PH) Single-Family Patio Home District	Single-Family Residential Subdivision
EAST	PD-63 for the (MF-15) Multi-Family Residential District	Apartment Complex
WEST	PD-63 for the (SF-12/20) Single-Family Residential District	Elementary School

REQUEST: Approval for an amendment to PD-63 to change the zoning on a 3.4-acre tract from (SF-12/20) Single-Family Residential District to (SF-TH) Single-Family Townhouse Residential District with special development standards

PROPOSED USE: Townhouse Residential development

ACRES/LOTS: 3.4 Acres/36 residential lots

LOCATION: Vicinity of southwest corner of Frankford Road and McCoy Road

HISTORY: PD-63 was established in 1980 as a 525-acre master plan with various residential, retail and office uses.

PD-63 was amended in 1983 to change the Office Zoning District to Single-Family Detached (SF-PH/Single-Family Patio Home District) for the property bordering the southern perimeter of this site.

PD-63 was amended in 1992 to change the (O-2) Office District to (SF-12/20) Single-Family Residential District for this site.

COMPREHENSIVE PLAN: Single-Family Detached

TRANSPORTATION PLAN: McCoy Road is designated as a (C2U) Two-Lane Undivided Collector.

OWNER: Redeemer Evangelical Covenant Church, Inc.

REPRESENTED BY: Harlan Properties, Inc.

STAFF ANALYSIS

PROPOSAL/BACKGROUND

This is a request for approval for an amendment to PD-63 to change the zoning on a 3.4-acre tract from (SF-12/20) Single-Family Residential District to (SF-TH) Single-Family Townhouse Residential District with special development standards for a 36-lot townhouse development without alleys.

PD-63 was established in 1980 as a 525-acre master plan with various residential, retail and office uses. It was amended in 1983 to change the Office Zoning District to Single-Family Detached (SF-PH/Single-Family Patio Home District) for the property bordering the southern perimeter of this site. The Planned Development was later amended in 1992 to change the (O-2) Office District to (SF-12/20) Single-Family Residential District for this site.

The following table provides a comparison of the current (SF-12/20) Single-Family Residential District standards, proposed (SF-TH) Single-Family Townhouse Residential District and the proposed standards from the applicant. Other than the base zoning in PD-63, the Planned Development does not provide any restrictions or limitations to the property.

Requirements	(SF-12/20) Current Standards	(SF-TH) Current Standards	(SF-TH) Proposed Standards
Minimum Lot Area (sq. ft.)	12,000	3,500	2,500
Maximum Building Coverage (%)	45	45	70
Minimum Lot Width (ft.)	90	35	25
Minimum Lot Depth (ft.)	120	100	100
Minimum Front Setback (ft.)	35	20	20
Minimum Rear Yard Setback (ft.)	20	10	10
Minimum Brick or Stone Content (%)	70	70	86
Alleys Required/Proposed	Yes/Yes	Yes/Yes	Yes/Yes

INITIAL ELEMENTS TO CONSIDER

- The subject property has a 30 foot ingress/egress easement and 15 foot utility easement used by the church and the adjoining elementary school from McCoy Road. As shown by the applicant, the proposed townhouse development will be over the easements.

The City Engineering Department stipulated a separate easement and driveway be provided along the northern perimeter of the proposed development between McCoy Road and the Rainwater Elementary parking lot to avoid access from Joy Drive (proposed). This will eliminate any possible stacking and congestion on Joy Drive caused by vehicular traffic to and from the school and church. The applicant informed staff that the Church will not sell the developer any additional land.

- Appropriate transitional methods should be considered at all locations where the development of higher-density residential land uses abuts lower-density residential property (either built or zoned). In general, transitions between different types of intensities of land use should be made gradually, particularly where natural or man-made buffers are not available.

The applicant is not providing a transitional buffer.

- The retention of trees, natural vegetation, and environmentally sensitive areas whenever possible to separate low-density residential developments from other more intensive land uses, such as townhouse development, should be applied wherever possible.

The applicant is not proposing any landscape buffering between the residential uses.

- Avoid the use of fences as a sole means of providing screening and buffering.

The applicant is providing an 8' brick screening wall along the northern perimeter of the development site and a 6' brick wall along the eastern perimeter. Further, the applicant is providing a 6' cedar fence along the rest of the developments perimeter.

- Because of the narrowness of townhouse development lots, garage access should be from the rear via an alley.

The applicant is not proposing alleys with the townhouse development.

- “Minimized emphasis” on garages facing the front should be considered when single-family residential development is considered.

The applicant’s proposal maximizes the garages on the front façade.

- Townhouse developments require 1 guest parking space per 4 dwelling units. The applicant is required to provide 9 guest parking spaces.

The applicant is not providing any guest parking spaces.

- Due to the applicant’s proposal, they are not able to provide a 15 ft. landscape buffer along McCoy Road as requested by staff.

- The city’s driveway ordinance requires the driveway location to be a minimum 40 feet from the intersecting property lines from McCoy Road and Joy Drive. Appeal to the Director of Engineer for the distance reduction is required.

The applicant has not asked the Director of Engineering for a reduction.

- The applicant has stated that the building elevations will be consistent with his Shoals Creek Trails townhouse development project in Garland.

Shoals Creek is a master-planned townhouse development with guest parking and a community pool. This proposal has neither.

The city has approved a few residential townhouse developments with lot widths less than 25 feet. Below is a listing of some of these residential townhouse developments and their design features:

Subdivision Name	Lot Width	Guest Parking	Alleys	Front Entry Garage
Parkview Villas	22.00	Yes	Yes	No
Austin Woods Phase 1	30.00	Yes	Yes	No
Raiford Crossing	25.00	Yes	Yes	No
Estates of Indian Creek, Phase 4	27.50	Yes	Yes	No
Mustang Park, Phase 7	22.00	Yes	Yes	No
Quail Creek North, Phase 1	25.00	Yes	Yes	No

ELEMENTS TO CONSIDER WITH RESUBMITTAL

The applicant initially submitted a design illustrating 36 lots. The development proposed 35 townhome lots and one lot for on-site retention. Since the Council's initial review last month, the applicant has revised their layout to use all lots (36) for townhome development and transfer their development's drainage into the storm water drainage system along McCoy Road. This concept would be contingent on an engineering study demonstrating that the McCoy Road stormwater system can handle the additional demand.

The revised site plan shows the proposed lots on the south side of Joy Drive having alley access to the existing alley. As such, no masonry screening wall along that alley would be provided. Instead, the individual lots would install their own privacy fences in accordance with City codes.

Lots along the north side of Joy Drive would have access to a new alley to be constructed. As this alley will face undeveloped land to the north and be very visible from public rights-of-way, a masonry screening wall along the north side of this alley will be constructed by the developer. The north alley will also tie into the access easement serving the Rainwater Elementary School parking lot. While this solution is not ideal and theoretically could allow for residential traffic to "cut through" the school property, staff does not feel that this will be a major problem.

Because the applicant is changing to alley-loaded homes, Council had indicated that reducing the minimum required front yard setback from 25 feet to 10 feet to allow for rear parking and driveways would be acceptable. The revised images reflect this request.

Further, the applicant has agreed to the following additional stipulations:

1. Fencing/screening along the rear property lines shall be made of masonry and be consistent throughout the subdivision. Details to be approved by staff.
2. No parking shall be permitted on the north side of the proposed street between the hours of 7:00 a.m. – 9:00 a.m. and 2:00 p.m. – 4:00 p.m. on school days. Modifications to "no parking" may be made through an Engineering study.

The applicant has submitted a revised exhibit showing rear-entry garages with alley access on the northern and southern borders of their development proposal, as well as a utility easement at the end of each lot for utility boxes and provided the Council with revised colored building elevations.

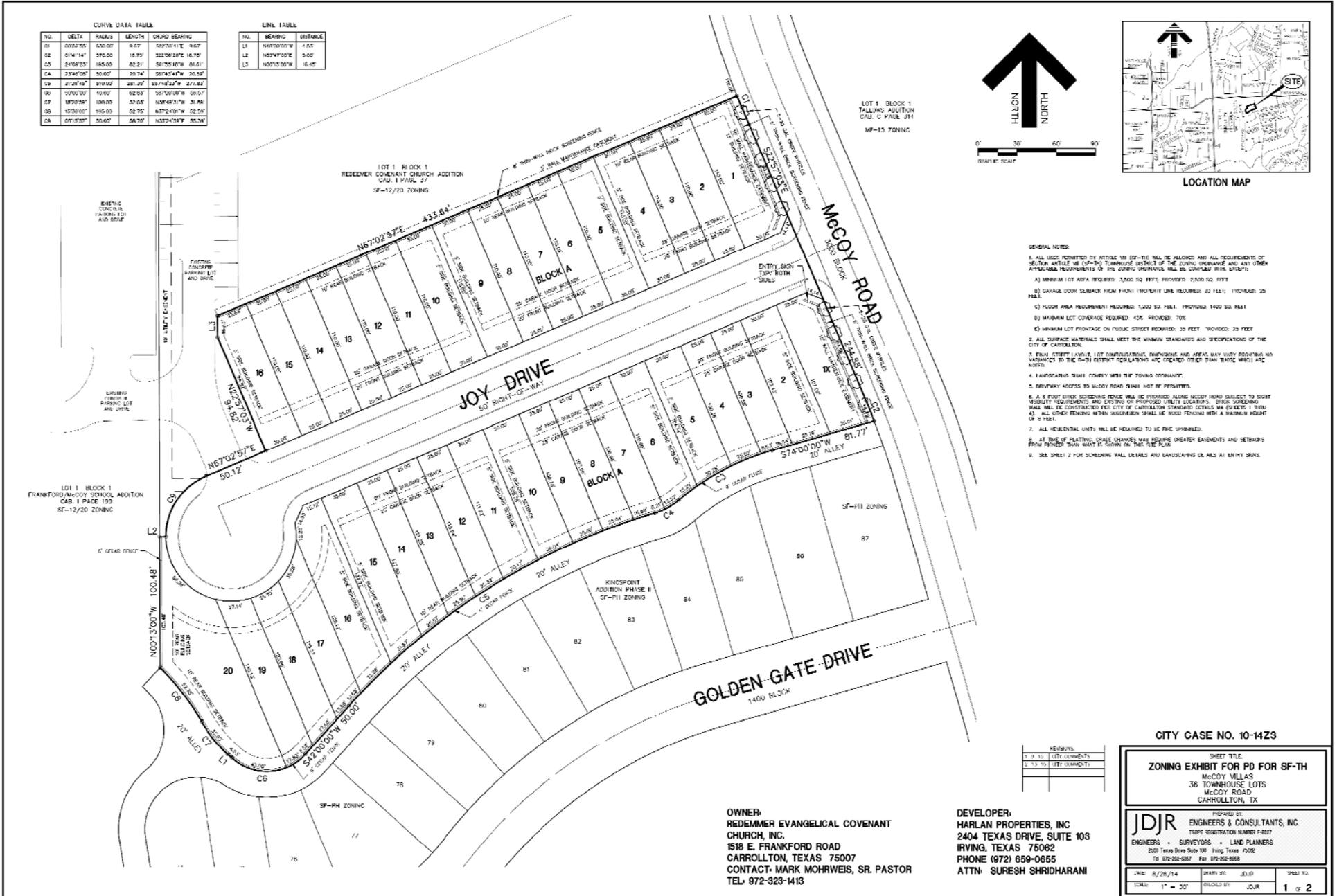
CONCLUSION

Staff believes the applicant has addressed the Council's reasons for continuing the case, which was to allow the applicant time to address front entry garages, location of utility boxes and provide quality, four-sided colored building elevations for Council's review.

If the Council decides to approve the applicant's request, staff recommends the Council consider the Planning Commission's recommended stipulations and consider adding the following stipulations:

1. Fencing/screening along the rear property lines shall be made of masonry and be consistent throughout the subdivision. Details to be approved by staff.
2. No parking shall be permitted on the north side of the proposed street between the hours of 7:00 a.m. – 9:00 a.m. and 2:00 p.m. – 4:00 p.m. on school days. Modifications to “no parking” may be made through an Engineering study.

ORIGINAL CONCEPTUAL SITE PLAN

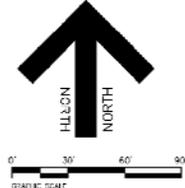


CURVE DATA TABLE

NO.	DELTA	RAIUS	LENGTH	CHORD BEARING
C1	00°52'50"	630.00	8.67	S89°50'41"E 8.67
C2	01°11'14"	270.00	16.77	S22°08'29"E 16.78
C3	24°59'25"	145.00	82.31	S57°55'18"W 81.51
C4	23°46'08"	50.00	29.74	S61°42'41"W 29.58
C5	21°28'42"	370.00	281.27	S37°46'27"W 273.82
C6	19°50'00"	10.00	62.67	S87°00'00"W 56.97
C7	18°30'58"	100.00	33.63	N86°48'11"W 33.86
C8	15°20'00"	145.00	52.55	N37°24'00"W 52.55
C9	08°19'57"	50.00	26.70	N87°45'54"W 26.56

LINE TABLE

NO.	BEARING	DISTANCE
L1	N48°30'00"W	4.53
L2	N85°47'00"E	9.00
L3	N00°13'00"W	16.45



- GENERAL NOTES:**
1. ALL USES PERMITTED BY ARTICLE VII (C) (1)-(10) WILL BE ALLOWED AND ALL REQUIREMENTS OF SECTION 100.04 (C) (1)-(10) THROUGHOUT THE ZONING ORDINANCE AND ANY OTHER APPLICABLE REQUIREMENTS OF THE ZONING ORDINANCE WILL BE COMPLIED WITH EXCEPT:
 - A) MINIMUM LOT AREA REQUIRED: 3,500 SQ FEET PROVIDED: 2,500 SQ FEET
 - B) VARIANCE FROM SETBACK FROM FRONT (THROUGH LINE PROVIDED: 22 FEET) PROVIDED: 20 FEET
 - C) FLOOR AREA REQUIREMENT PROVIDED: 1,000 SQ FEET PROVIDED: 1,400 SQ FEET
 - D) MINIMUM LOT COVERAGE REQUIRED: 40% PROVIDED: 70%
 - E) MINIMUM LOT FRONTAGE ON PUBLIC STREET REQUIRED: 35 FEET PROVIDED: 25 FEET
 2. ALL SURFACE MATERIALS SHALL MEET THE MINIMUM STANDARDS AND SPECIFICATIONS OF THE CITY OF CARROLLTON.
 3. FRONT STREET LIGHTS, LOT COMPENSATIONS, PAVERS AND PERKS MAY VARY PROVIDED NO VARIANCES TO THE CITY STREET REGULATIONS ARE CREATED OTHER THAN THOSE WHICH ARE NOTED.
 4. LANDSCAPING SHALL COMPLY WITH THE ZONING ORDINANCE.
 5. DRIVEWAY ACCESS TO MCCOY ROAD SHALL NOT BE PERMITTED.
 6. A 6" FIRST FLOOR SCREENING FENCE WILL BE PROVIDED ALONG MCCOY ROAD SUBJECT TO SOFT VEGETATION REQUIREMENTS AND EXISTING VEGETATION LOCATIONS. SCREENING WALL SHALL BE CONSTRUCTED PER CITY OF CARROLLTON STANDARD SPECIFICATIONS (SECTION 1.10.00). ALL OTHER FENCING WHEN SUBMITTED SHALL BE WOOD FENCING WITH A MAXIMUM HEIGHT OF 6 FEET.
 7. ALL RESIDENTIAL UNITS WILL BE REQUIRED TO BE FIRE SPRINKLED.
 8. AT TIME OF FENCING, OWNER SHALL PROVIDE GREATER ENCLOSURES AND SETBACKS FROM PERKED THAN WHAT IS SHOWN ON THIS SITE PLAN.
 9. SEE SHEET 2 FOR SCREENING WALL DETAILS AND LANDSCAPING DETAILS AT ENTRY DRIVE.

CITY CASE NO. 10-14Z3

1. CITY COMMENTS	
2. CITY COMMENTS	

SHEET TITLE
ZONING EXHIBIT FOR PD FOR SF-TH
 MCCOY VILLAS
 36 TOWNHOUSE LOTS
 MCCOY ROAD
 CARROLLTON, TX

PREPARED BY:
JDJR ENGINEERS & CONSULTANTS, INC.
 TSBP# REGISTRATION NUMBER F-6507
 ENGINEERS • SURVEYORS • LAND PLANNERS
 2501 Texas Drive Suite 100 Irving, Texas 75062
 Tel: 972-652-6507 Fax: 972-652-6558

DATE: 8/28/14	PREPARED BY: JLR	DRAWN BY: JLR
SCALE: 1" = 30'	CHECKED BY: JLR	SHEET NO. 1 OF 2

OWNER:
 REDEEMER EVANGELICAL COVENANT
 CHURCH, INC.
 1518 E. FRANKFORD ROAD
 CARROLLTON, TEXAS 75007
 CONTACT: MARK MOHRWEIS, SR. PASTOR
 TEL: 972-323-1413

DEVELOPER:
 HARLAN PROPERTIES, INC
 2404 TEXAS DRIVE, SUITE 103
 IRVING, TEXAS 75062
 PHONE (972) 659-0655
 ATTN: SURESH SHRIDHARAN

**CONCEPTUAL SCREENING WALL
AND ENTRANCE SIGN**



ORIGINAL CONCEPTUAL BUILDING ELEVATIONS

McCOY VILLAS
CARROLLTON

PLAN NUMBER
ELEVATIONS

COMBO-4 UNITS-ELEVATIONS

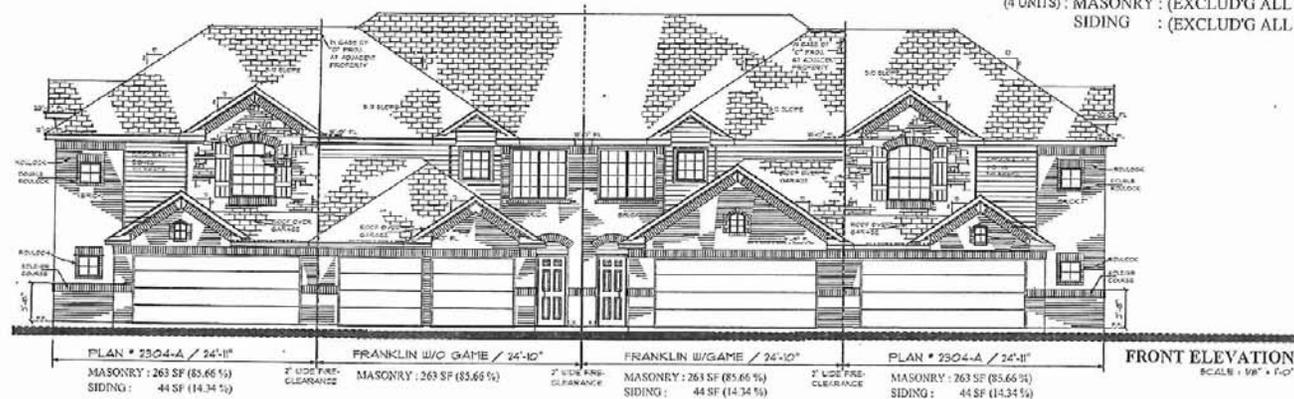
DRAWN BY
DATE 2/7/2015

SUMNER HOMES, INC.
2404 TEXAS DRIVE # 103
IRVING, TEXAS 75062
(214) 659-0855

SUMNER
HOMES



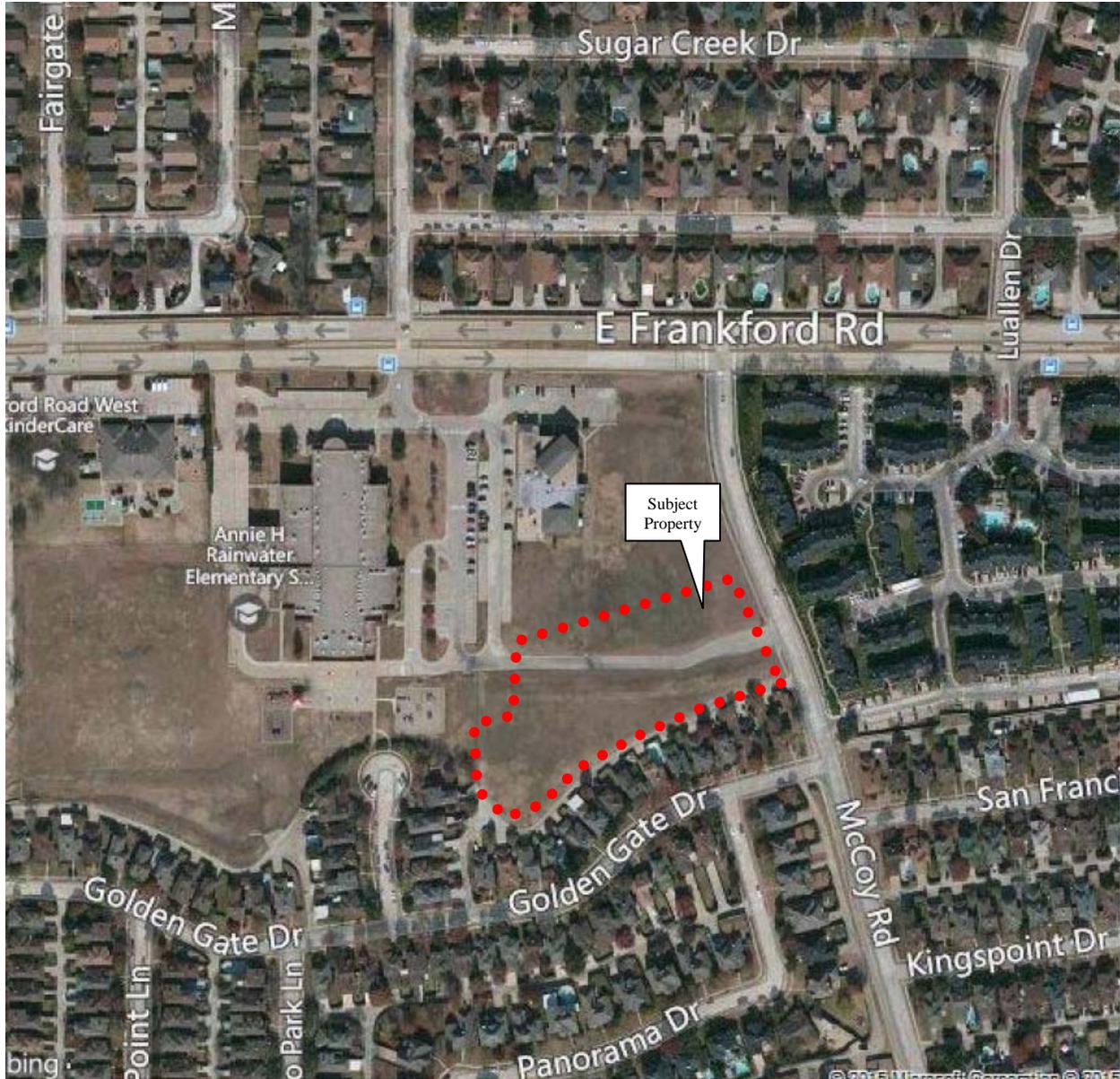
TOTAL
(4 UNITS) : MASONRY : (EXCLUD'G ALL OPEN'GS) 3784 SF = (95.36 %)
SIDING : (EXCLUD'G ALL OPEN'GS) 184 SF = (04.64 %)



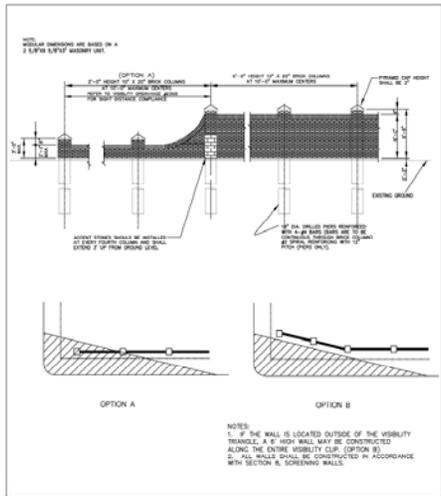
ORIGINAL REPRESENTATIVE HOMES



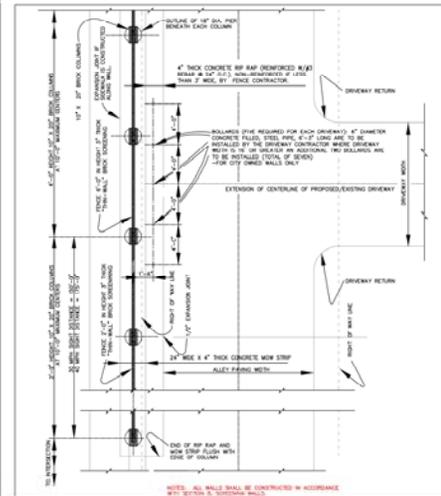
AERIAL PHOTO



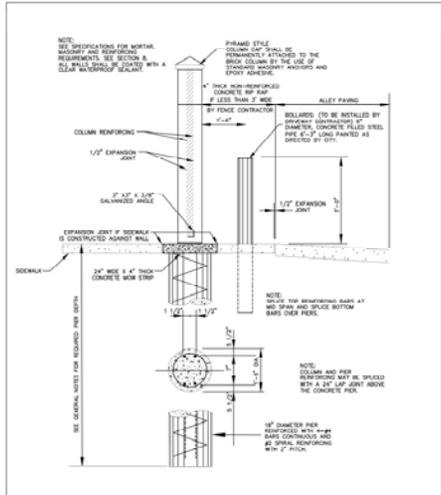
New Fence and Entry Sign Details



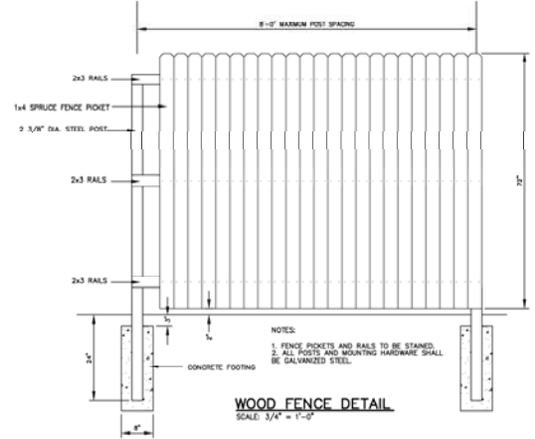
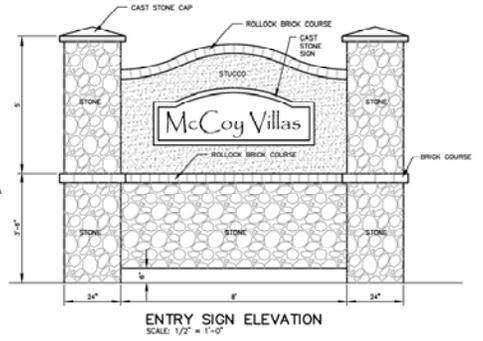
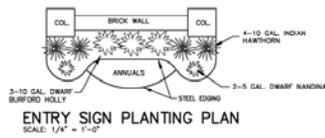
GENERAL DESIGN STANDARDS
MISCELLANEOUS DETAILS
BRICK SCREENING WALL ELEVATION
SCALE: 1/4" = 1'-0"
DATE: 01/20/11
SHEET 2 OF 4
M-4 ENGINEERING DEPARTMENT



GENERAL DESIGN STANDARDS
MISCELLANEOUS DETAILS
BRICK SCREENING WALL SECTIONAL PLAN VIEW
SCALE: 1/4" = 1'-0"
DATE: 01/20/11
SHEET 2 OF 4
M-4 ENGINEERING DEPARTMENT



GENERAL DESIGN STANDARDS
MISCELLANEOUS DETAILS
BRICK SCREENING WALL CROSS SECTION
SCALE: 1/4" = 1'-0"
DATE: 01/20/11
SHEET 2 OF 4
M-4 ENGINEERING DEPARTMENT



REVISIONS:	
1-8-11	CITY COMMENTS
2-13-11	CITY COMMENTS
4-27-11	CC COMMENTS

CITY CASE NO. 10-14Z3

SHEET TITLE
SCREENING FENCE DETAILS
McCoy Villas
36 TOWNHOUSE LOTS
McCoy Road
CARROLLTON, TX

PREPARED BY:
JDJR ENGINEERS & CONSULTANTS, INC.
ENGINEERS - SURVEYORS - LAND PLANNERS
2500 Texas Drive Suite 100 Irving, Texas 75062
Tel: 972-282-8367 Fax: 972-282-8968

DATE: 8/26/14 DRAWN BY: JDJR SHEET NO.
SCALE: 1" = 30' CHECKED BY: JDJR 2 OF 2

OWNER:
REDEMMEER EVANGELICAL COVENANT
CHURCH, INC.
1518 E. FRANKFORD ROAD
CARROLLTON, TEXAS 75007
CONTACT: MARK MOHRWEIS, SR. PASTOR
TEL: 972-323-1413

DEVELOPER:
HARLAN PROPERTIES, INC
2404 TEXAS DRIVE, SUITE 103
IRVING, TEXAS 75062
PHONE (972) 659-0655
ATTN: SURESH SHRIDHARAN

New Elevation Drawings
Five-Unit Elevations



REAR ELEVATION



SIDE ELEVATION

New Elevation Drawings
Six-Unit Elevations



REAR ELEVATION



SIDE ELEVATION

**Excerpt from Draft Minutes
Planning & Zoning Commission
Meeting of March 5, 2015**

14. Hold A Public Hearing And Consider A Resolution For An **Amendment To The Comprehensive Plan And The Future Land Use Map** To Change An Approximately 3.4-Acre Site From Single-Family Residential Detached To Single-Family Residential Attached Located In The Vicinity Of The Southwest Corner Of Frankford Road And McCoy Road. **Case No. 03-15MD1 McCoy Villas/Harlan Properties, Inc.** Case Coordinator: Michael McCauley.

15. Hold A Public Hearing And Consider An Ordinance **Amending PD-63** Changing The Zoning Of A Certain Tract From (SF-12/20) Single-Family Residential District To (SF-TH) Single-Family Townhouse Residential District With Special Development Standards; Amending Accordingly The Official Zoning Map. The Approximately 3.4-Acre Tract Is Located In The Vicinity Of The Southwest Corner Of Frankford Road And McCoy Road. **Case No. 10-14Z3 McCoy Villas/Harlan Properties, Inc.** Case Coordinator: Michael McCauley.

McCauley presented the two cases in detail and advised that staff received three letters in opposition to the request. He stated that staff felt the development was too dense for the location and that it should remain as single family detached, which would provide a lower density than the townhouses. He referred to proposed stipulations in the event the Commission chose to approve the request.

Jim Dewy, JDJR Engineers, 2500 Texas Drive, Irving, stated the applicant understands the stipulations but didn't agree with some of the comments presented by staff. He noting it was an in-fill development and felt it was an appropriate buffer between the single family development and the multifamily development. He explained that one reason they did not propose alleys was because the homeowners association to the south did not want to share the alley and talked about the easement. He noted that a buffer between single family developments was not required and felt the screening wall was a sufficient buffer between the townhomes and the single family neighborhood. With regard to the stipulations, he stated they could not agree to the stipulation with regard to the separate easement and driveway to the north of the site but could agree with the remaining stipulations. He talked about the economics of the proposal and requested the Commission's approval.

Discussion was held with regard to the traffic impact on Joy Drive due to the proximity of and access to the elementary school and church. While reviewing each of the stipulations, Mr. Dewy noted that none of the existing homes in the neighborhood had enhanced driveways but if required, they would prefer to use exposed aggregate. With regard to the front building setback, he stated the garage would have a 25 foot setback but was requesting a 20 foot front building setback. With regard to school buses being able to make the necessary turns from Joy Drive to the school, he said there were fire lanes on the property and said since fire trucks could navigate the turn, then it should be able to accommodate school buses turning.

McCauley noted a correction to the case report in that Lots 2 – 10 had less than the required minimum depth of 110 foot. Mr. Dewy stated the Code required 100 feet and noted that most were 110 foot, but a few were even a little less.

Stotz voiced concern with the 25 foot lot width and felt that the City needed to maintain the 35 foot lot width requirement. Mr. Dewy noted that they try to break up the garage door look by using single and double garage doors and felt the 25 foot lot width would be a good product for the area. Concern was also voiced by the Commission with regard to amount of concrete at the front of the homes because the yard would be in the back. Mr. Dewy felt that the people who would buy the product don't want much yard maintenance and won't have a problem with the amount of concrete.

Chair McAninch opened the public hearing and invited speakers to the podium.

The following individuals spoke in favor of the request:

Randall D. Chrisman, 1501 Broken Bow Tr., Carrollton, TX
Coby & Shari Sparks, 2357 Highlands Creek Rd., Carrollton, TX
Gene Burks, 3704 Standridge, Carrollton, TX
Gabe Cruz, 2909 Panorama Dr., Carrollton, TX
Mark Mohrweis, 1533 Brighton Dr., Carrollton, TX
Marcia Seebachan, 2019 Stefani Ct., Carrollton, TX
Edwin Bayard, 1404 Golden Gate, Carrollton, TX

The following people were in support but didn't wish to speak:

Jan Erickson, 1737 Delaford Dr., Carrollton, TX
Heather Erickson, 1737 Delaford Dr., Carrollton, TX
Barbara Shell, 4253 Hunt Dr., Carrollton, TX
Cliff Erickson, 1737 Delaford Dr., Carrollton, TX
J. Steven Walker, Dallas, TX

The following person did not wish to speak but was in opposition:

Anna Gosling, 1602 E. Frankford Rd., Carrollton, TX

In rebuttal and closing comments, Mr. Dewy requested the Commission's support for the request as presented.

Chair McAninch opened the floor for discussion. In response to a question from Nesbit, McCauley stated that the preliminary plat reflects a 20 foot front building setback and a 25 foot garage door setback which is what is required by City Code for front loaded homes but because

the lots were more narrow, staff felt it would be more appropriate to have a 25 foot front building setback. McCauley also said that staff would support a 100 foot lot depth.

Chair McAninch advised the Board that legal counsel recommended another stipulation as part of the zoning case as follows: provide the City with a letter from the School district agreeing to the abandonment of the existing 30 foot wide ingress and egress easement prior to the City Council consideration of the zoning case and as an abandonment of such easement at the time of platting of the property executed by the School District. Mr. Dewy stated he understood the stipulation and asked that it be required at the time of platting.

** Stotz moved to close the public hearing and approve Case No. 03-15MD1 McCoy Villas Comprehensive Plan amendment; second by Kiser and the motion was approved with a 7-2 vote, Chadwick and McAninch opposed.*

** Stotz moved to close the public hearing and approve Case No. 10-14Z3 McCoy Villas with staff stipulation Nos. 2 – 11 specifying that No. 6 - the driveways shall be constructed of decorative pavers; No. 9 - the entry ribbon shall be constructed with decorative pavers, and the stipulation proposed by legal counsel; second by Daniel-Nix.* Chair McAninch stated she agreed with the Church trying to do something with the land but did not think the proposed plan was the right choice due to the density. Chadwick stated that he supported the Church but could not support the reduced setbacks.

Rob Guarnieri, Dev. Services Sr. Engineer, noted that a 15 foot landscape buffer is required on McCoy which was not reflected on the preliminary plat and also that the first driveway had to be 40 foot from the intersecting property lines from McCoy and Joy Drive to be in compliance with the Driveway Ordinance. He stated that these issues would normally surface when the plans are submitted for review. Adam D. Lathrom, Attorney, suggested a possible continuance to address the raised issues.

Chair McAninch noted that Stotz did not wish to withdraw the motion and called for the vote. The motion was approved with a 5-4 vote; Kraus, Chadwick, McAninch and Romo opposed.

PLANNING DEPARTMENT
City of Carrollton
Date: 05/05/15

PLANNED DEVELOPMENT NO. 63
DEVELOPMENT NAME: McCoy Villas

ORDINANCE NUMBER _____

ORDINANCE NO. _____ OF THE CITY OF CARROLLTON AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY AMENDING PLANNED DEVELOPMENT NUMBER 63, IN PART, TO CHANGE THE ZONING OF AN APPROXIMATELY 3.4-ACRE TRACT LOCATED IN THE VICINITY OF THE SOUTHWEST CORNER OF FRANKFORD ROAD AND MCCOY ROAD FROM THE (SF-12/20) SINGLE-FAMILY RESIDENTIAL DISTRICT TO THE (SF-TH) SINGLE-FAMILY TOWNHOUSE RESIDENTIAL DISTRICT WITH MODIFIED DEVELOPMENT STANDARDS; AMENDING ACCORDINGLY THE OFFICIAL ZONING MAP; PROVIDING PENALTY, SEVERABILITY, REPEALER AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at its regular meeting held on the Fifth day of March, 2015, the Planning and Zoning Commission considered and made recommendations on a certain request for a Planned Development District (Case No. 10-14Z3);

WHEREAS, this change of zoning is in accordance with the adopted Comprehensive Plan of the City of Carrollton, as amended; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare.

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

Section 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2.

Planned Development Number 63 is hereby amended for a certain approximately 3.4-acre tract located in the vicinity of the southwest corner of Frankford Road and McCoy Road and described on the attached Exhibit A and depicted on the attached Exhibit B, to read as follows:

“I. Permitted Uses

The following uses will be permitted:

Permitted uses shall be all principal and accessory uses which are allowed by right in the (SF-TH) Single-Family Townhouse Residential District, in accordance with Article V of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations of the (SF-TH) Single-Family Townhouse Residential District and the Comprehensive Zoning Ordinance, as amended, except as otherwise provided in this ordinance.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (SF-TH) Single-Family Townhouse Residential District, in accordance with Article V of the Comprehensive Zoning Ordinance, as amended, except as otherwise provided below. Such Special Use Permit(s) shall be subject to the conditions established in Articles XXI and XXXI of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations.

II. Special Development Standards

Development shall be in accordance with the following special conditions, restrictions, and regulations:

1. The front building setback shall be a minimum 10 feet.
2. Garage doors shall be clad in stained natural cedar or faux wood.
3. Driveways shall be decorative pavers.
4. A homeowner's association shall be established in accordance with the Comprehensive Subdivision Ordinance prior to platting the tract. The homeowner's association will be responsible for the improvement and maintenance of all common areas, including perimeter wall and fence, and/or common facilities shown on the Conceptual Site Plan.
5. An “entry ribbon” consisting of decorative pavers shall be placed in the street intersection with McCoy Road. Said entry ribbon shall be no less than ten feet (10’) in depth, shall extend across the width of the street and shall generally align with the abutting sidewalk.
6. The development shall be in general conformance with Exhibits C and D.”

SECTION 3.

The Comprehensive Zoning Ordinance and the Official Zoning Map are hereby amended to reflect the action taken herein.

SECTION 4.

Any person, firm or corporation violating a provision of this ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

SECTION 5.

The provisions of this ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

SECTION 6.

This ordinance shall be cumulative of all provisions of ordinances of the City of Carrollton, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 7.

Ordinance Number 1470, otherwise known as the Comprehensive Zoning Ordinance and the Official Zoning Map, as amended, shall remain in full force and effect.

SECTION 8.

This ordinance shall become and be effective on and after its adoption and publication.

PASSED AND APPROVED this the Fifth day of May, 2015.

CITY OF CARROLLTON

By: _____
Matthew Marchant, Mayor

ATTEST:

Krystle Nelinson
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Susan Keller
Assistant City Attorney

Michael McCauley
Senior Planner

Exhibit A
Legal Description

BEING a 3.3416 acre tract or parcel of land lying and being situated in the B. BACCUS SURVEY, Abstract 119, in the City of Carrollton, Denton County, Texas and being a portion of Lot 1, Block 1, REDEEMER COVENANT CHURCH ADDITION, an addition to the City of Carrollton, Denton County, Texas as recorded in Cabinet I, Page 37, Plat Records, Denton County, Texas (P.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found at the intersection of the west right-of-way line of McCoy Road (a 60-foot wide public right-of-way per Cabinet I, Page 37, P.R.D.C.T.) with the north line of a 20-foot wide alley shown on the plat of said REDEEMER COVENANT CHURCH ADDITION;

THENCE along the north line of said 20-foot wide alley and the south line of said Lot 1 the following:

South 74 degrees 00 minutes 00 seconds West, a distance of 81.77 feet to a 1/2 inch iron rod found for the beginning of a curve to the left having a radius of 195.00 feet and a chord bearing South 61 degrees 55 minutes 18 seconds West, 81.61 feet;

THENCE Southwesterly, along said curve to the left, through a central angle of 24 degrees 09 minutes 23 seconds, an arc distance of 82.21 feet to a 1/2 inch iron rod found for the end of said curve and the beginning of a curve to the right having a radius of 50.00 feet and a chord bearing South 61 degrees 43 minutes 41 seconds West, 20.59 feet;

THENCE Southwesterly, along said curve to the right, through a central angle of 23 degrees 46 minutes 08 seconds, an arc distance of 20.74 feet to a 1/2 inch iron rod found for the end of said curve and the beginning of a curve to the left having a radius of 510.00 feet and a chord bearing South 57 degrees 48 minutes 23 seconds West, 277.83 feet;

THENCE Southwesterly, along said curve to the left, through a central angle of 31 degrees 36 minutes 45 seconds, an arc distance of 281.39 feet to a 1/2 inch iron rod found for the end of said curve;

THENCE South 42 degrees 00 minutes 00 seconds West, a distance of 50.00 feet to a 1/2 inch iron rod found for the beginning of a curve to the right having a radius of 40.00 feet and a chord bearing South 87 degrees 00 minutes 00 seconds West, a distance of 56.57 feet;

THENCE Westerly, along said curve to the right, through a central angle of 90 degrees 00 minutes 00 seconds, an arc distance of 62.83 feet to a 1/2 inch iron rod found for the end of said curve;

THENCE North 48 degrees 00 minutes 00 seconds West, a distance of 4.53 feet to a 1/2 inch iron rod found for the beginning of a curve to the right having a radius of 100.00 feet and a chord bearing North 38 degrees 49 minutes 31 seconds West, 31.89 feet;

THENCE Northwesterly, along said curve to the right, through a central angle of 18 degrees 20 minutes 59 seconds, an arc distance of 32.03 feet to a 1/2 inch iron rod found for the end of said curve and the beginning of a curve to the left having a radius of 195.00 feet and a chord bearing North 37 degrees 24 minutes 01 seconds West, 52.59 feet;

THENCE Northwesterly, along said curve to the left, through a central angle of 15 degrees 30 minutes 00 seconds, an arc distance of 52.75 feet to a 1/2 inch iron rod found for the end of said curve and the most westerly southwest corner of said Lot 1;

THENCE North 00 degrees 13 minutes 00 seconds West, along the west line of said Lot 1, a distance of 100.48 feet to a point for corner;

THENCE North 89 degrees 47 minutes 00 seconds East, a distance of 5.00 feet to a point for the beginning of a curve to the right having a radius of 49.94 feet and a chord bearing North 33 degrees 23 minutes 54 seconds East, 55.37 feet;

THENCE Northeasterly, along said curve to the right, through a central angle of 67 degrees 20 minutes 00 seconds, an arc distance of 58.69 feet to a point for the end of said curve;

THENCE North 67 degrees 03 minutes 28 seconds East, a distance of 50.14 feet to a point for corner;

THENCE North 22 degrees 57 minutes 03 seconds West, a distance of 94.82 feet to a point for corner;

THENCE North 00 degrees 13 minutes 00 seconds West, a distance of 16.45 feet to a point for corner;

THENCE North 67 degrees 02 minutes 57 seconds East, a distance of 433.64 feet to a point on the aforementioned west right-of-way line of McCoy Road and the east line of said Lot 1; said point also being the beginning of a curve to the left having a radius of 7,892.50 and a chord bearing South 22 degrees 57 minutes 03 seconds East, 9.67 feet;

THENCE Southeasterly, along said curve to the left, said east lot line and said west right-of-way line, through a central angle of 00 degrees 04 minutes 13 seconds, an arc distance of 9.67 feet to a point for the end of said curve;'

THENCE South 22 degrees 57 minutes 03 seconds East, along said west right-of-way line and the east line of said Lot 1, a distance of 244.88 feet to a 1/2 inch iron rod found for the beginning of a curve to the right having a radius of 570.00 feet and a chord bearing South 22 degrees 06 minutes 26 seconds East, 16.76 feet;

THENCE Southerly, along said curve to the right, said west right-of-way line and the east line of said Lot 1, through a central angle of 01 degrees 41 minutes 14 seconds, an arc distance of 16.79 feet to the Point of Beginning and containing 3.3416 Acres (145,561 Square Feet) of land.

(This description is based upon the plat of Lot 1, Block 1, REDEEMER COVENANT CHURCH ADDITION, an addition to the City of Carrollton, recorded in Cabinet I, Page 37, P.R.D.C.T.)

Exhibit B
Location Map

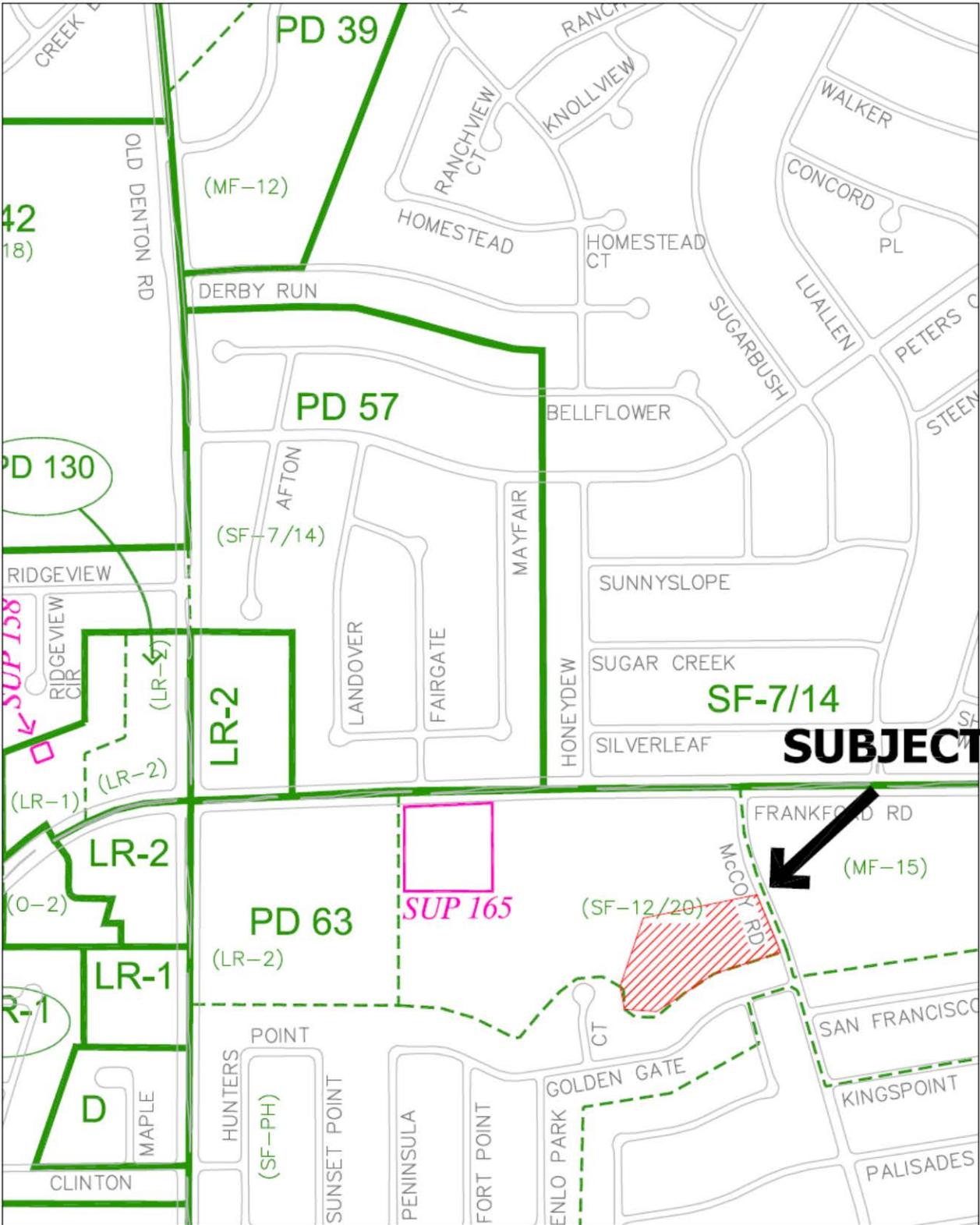


Exhibit C Conceptual Screening Wall And Entry Sign Details

ENTRY SIGN PLANTING PLAN
SCALE: 1/4" = 1'-0"

ENTRY SIGN ELEVATION
SCALE: 1/4" = 1'-0"

WOOD FENCE DETAIL
SCALE: 3/4" = 1'-0"

CITY CASE NO. 10-1423

SCREENING FENCE DETAILS
SHEET NO. 1 MCCOY VILLAS 36 MARKET ROAD CARROLLTON, TX

JDJR	DESIGNED BY SWAINBERRY CONSULTANTS, INC.
ENGINEER	DESIGNED BY SWAINBERRY CONSULTANTS, INC.
CHECKED BY	DESIGNED BY SWAINBERRY CONSULTANTS, INC.
DATE: 07/27/14	DATE: 07/27/14
SCALE: 1" = 30'	SCALE: 1" = 30'
SHEET NO. 2	SHEET NO. 2

<p>OWNER: REDDIMER EVANGELICAL COVENANT CHURCH, INC. 16500 ROAD IRVING, TEXAS 75062 CONTACT: MARK MORRIS, SR. PASTOR TEL: 817-923-1413</p>	<p>DEVELOPER: HARLAN PROPERTIES, INC 2404 TEXAS DRIVE, SUITE 103 IRVING, TEXAS 75062 CONTACT: SURESH SURESHKARAN ATTN: SURESH SURESHKARAN</p>
---	--

**GENERAL DESIGN STANDARDS
MISCELLANEOUS DETAILS
SECTIONAL PLAN VIEW**

SCALE: 1/4" = 1'-0"

**GENERAL DESIGN STANDARDS
MISCELLANEOUS DETAILS
CROSS SECTION**

SCALE: 1/4" = 1'-0"

Exhibit D
Conceptual Building Designs
Five-Unit Buildings



REAR ELEVATION



SIDE ELEVATION

Exhibit D
Conceptual Building Designs
Six-Unit Buildings



REAR ELEVATION



SIDE ELEVATION



City of Carrollton

Agenda Memo

File Number: 1961

Agenda Date: 5/5/2015

Version: 1

Status: Public
Hearing/Individual
Consideration

In Control: City Council

File Type: Public Hearing

Agenda Number: 35.

CC MEETING: May 5, 2015

DATE: April 14, 2015

TO: Leonard Martin, City Manager

FROM: Christopher Barton, Chief Planner

Hold A Public Hearing And Consider An Ordinance To Rezone To Amend Planned Development District 54 To Remove An Approximately 17.5-Acre Tract And To Amend Planned Development District 148 To Remove An Approximately 20.6-Acre Tract And To Establish A New Planned Development District For The (O-4) Office District With Modified Development Standards And To Allow The Additional Use Of Multi-Family Residential Uses On An Approximately 38.1-Acre Tract Of Land Located On The East Side Of Midway Road Between International Parkway And Park Boulevard; Amending Accordingly The Official Zoning Map. The Site Is Currently Zoned PD-54 For The (HC) Heavy Commercial District And PD-148 For The (HC) Heavy Commercial District With SUP 277 For Required Parking On A Lot Separate From The Main Use. Case No 02-15Z1 RP at Park/Billingsley Development Corp. Case Coordinator: Christopher Barton.

BACKGROUND:

This is a request for approval of a new planned development district to allow for a mix of office, multi-family residential and local retail uses, largely on an undeveloped tract on the east side of Midway Road between Park Boulevard and International Parkway. As part of this case the developed portions of the area will be rezoned to reflect actual development patterns.

On February 25, 2015 the Planning & Zoning Commission continued this case to the March 5, 2015 meeting to allow the applicant to investigate modifications to the proposal in response to comments made by residents of the Air Park Estates area (in unincorporated Collin County).

On March 5, 2015 the Planning & Zoning Commission continued this case to the April 2, 2015 meeting to allow the applicant to investigate further modifications to the proposal in response to comments made by residents of the Air Park Estates area.

On April 2, 2015, the Planning & Zoning Commission recommended **APPROVAL** of the case

with staff stipulations. The attached ordinance reflects the action of the Commission. Although the action of the Commission was unanimous, public opposition has been received. Therefore this item is being placed on the Public Hearing - Individual Consideration portion of the agenda.

STAFF RECOMMENDATION/ACTION DESIRED:

On April 2, 2015 the Planning & Zoning Commission recommended **APPROVAL** with staff stipulations.

RESULT SHEET

Date: 03/06/15

Case No./Name: 02-15Z1 RP at Park

A. STAFF STIPULATIONS AND RECOMMENDATIONS

Staff recommends **APPROVAL** with the following stipulations:

1. A new planned development district for that (O-4) Office District and (LR-2) Local Retail District shall be created. Additional permitted uses shall be multi-family residential uses.
2. Special development standards for any development shall be:
 - a. Shared parking between all uses and all lots, and parking on a lot separate from the main use (whether required or non-required) shall be allowed by right.
 - b. Drive-through windows shall be allowed by right.
 - c. Air Park Drive shall be improved to meet the standards of a (C2U) Two-Lane Undivided Collector from East Hebron Parkway (Park Boulevard) southward to the south property line of the subject property.
 - d. Screening walls shall not be required along any property lines.
 - e. Multi-story office buildings may have façade materials substantially similar to those of the existing office building located at 4100 Midway Road (Lot 1R, Block A, Crow-Billingsley Hermes Addition). *(Stipulation added after 02/05/15).*
3. Special development standards for any multi-family development shall be:
 - a. Development shall be in substantial conformance with the Conceptual Site Plan and Conceptual Elevation Drawings.
 - b. The maximum number of multi-family dwelling units shall be 500.
 - c. The minimum number of parking spaces for multi-family residential development shall be 1.5 per dwelling unit.
 - d. The requirement that all parking spaces shall be within 150 feet of the dwelling unit served by such parking space (Article X, Section K (1) of the CZO) shall not apply.
 - e. The minimum dwelling unit sizes shall be 500 sq. ft. (efficiency), 550 sq. ft. (one bedroom), 700 sq. ft. (two bedroom) and 1,000 sq. ft. (three or more bedroom).
 - f. The maximum height of any building shall be five stories.

- g. A deceleration lane into the entrance along Midway Road labeled as “Secondary Entry” on the Conceptual Site Plan shall be required.
- h. A minimum internal stacking distance of 75 feet shall be required for the entrance along Midway Road labeled as “Secondary Entry” on the Conceptual Site Plan shall be required.
- i. ~~A traffic signal at the intersection of Air Park Drive and Park Boulevard shall be required. (Note: not allowed by Plano)~~
- j. For the purpose of signage, the mutual access drive between Lots 5R & 6, Block A, Crow Billingsley Hermes Addition (3412 E. Hebron Pkwy. & 3420 E. Hebron Pkwy.) shall be considered to be part of the subject tract.
- k. ~~Security gates shall be installed across the entrance to Piper Lane and across Air Park Drive south of the southern driveway into the multi-family development on the west side of Air Park Drive as shown on the attached Exhibit _____. Said gates shall be installed as part of the improvement of Air Park Drive by the developer, but shall be maintained by the Air Park Drive homeowners association or equivalent, and shall provide appropriate access for all emergency personnel and all residents.~~
- l. ~~The southern driveway into the multi family development along Air Park Drive, labeled “secondary entry,” on the Conceptual Site Plan shall be designed, to the greatest extent feasible, to direct traffic exiting onto Air Park Drive to the north.~~
- m. ~~To discourage trespassing, a minimum four foot tall fence shall be installed and paid for by the developer between the airport runway and the eastern right of way of Air Park Drive as shown on the attached Exhibit _____. Said fence shall extend from the Park Boulevard right of way south to the north property line of the lots along the north side of Piper Drive, thence west to Air Park Drive (if not already along the east ROW of Air Park Drive). Said fence shall be maintained by the Air Park Drive homeowners association or equivalent.~~
- n. *A fence consisting of masonry columns with decorative metal (“wrought iron”) panels shall be installed along the east property line of the project along Air Park Road. Within said fence “emergency access only” vehicular access gates shall be permitted.*

- B. P&Z RECOMMENDATION** from P&Z meeting: 02/05/15
Result: **CONTINUED** to the March 5, 2015 meeting/Vote: 6 – 0 (Daniel-Nix & Romo absent, one seat vacant)
- C. P&Z RECOMMENDATION** from P&Z meeting: 03/05/15
Result: **CONTINUED** to the April 7, 2015 meeting/Vote: 7-1 (Stotz opposed, Romo abstaining due to conflict of interest.
- D. P&Z RECOMMENDATION** from P&Z meeting: 04/02/15

 - 1. Result: **APPROVED**/Vote: 6 – 0 (Krauss & Stotz absent, Romo abstaining due to conflict of interest)
- E. CC PUBLIC HEARING** from CC meeting: 05/05/15
Result: /Vote:

ZONING

Case Coordinator: Christopher Barton

GENERAL PROJECT INFORMATION

SITE ZONING: PD-148 & PD-54 for the (HC) Heavy Commercial District with SUP 277 for required parking on a lot separate from the main use

SURROUNDING ZONING

SURROUNDING LAND USES

NORTH	In Plano	General retail and restaurants (across Park Boulevard)
SOUTH	PD-195 for the (O-4) Office District	Private school
EAST	PD-195 for the (O-4) Office District, (IH) Interim Holding District and unincorporated Denton County	Private school; airfield & single family homes (across Air Park Drive)
WEST	PD-148 for the (HC) Heavy Commercial District and (LR-2) Local Retail District	General retail and restaurants, and undeveloped (across Midway Road)

REQUEST: Approval of an amendment to the zoning to establish specific development standards for a mixed-use development

PROPOSED USE: Office and multi-family uses

ACRES/LOTS: Approximately 38.1 Acres/10 lots

LOCATION: East side of Midway Road, between Hebron Parkway (known in Plano as Park Blvd.) and International Parkway

HISTORY: The subject property was annexed into the city in February 1978. At that time the PD-54 zoning was established, although then it was for single family residential uses.

In 1981 the PD for the subject tract was amended to provide for commercial uses. In 1983 the PD was amended again to remove certain uses, but the “base” zoning of (HC) was not changed.

Subdivisions (including replats) in this area were recorded in 2000, 2001, 2003 & 2007.

Eight of the ten lots have been developed with office and local retail uses. Two lots remain undeveloped.

COMPREHENSIVE PLAN: High Intensity Commercial uses

TRANSPORTATION PLAN: Midway Road and Park Avenue (Hebron Parkway) are both designated as (A6D) Four-Lane Divided Arterials.

OWNER: Billingsley Development Corp., MidPark Center, LLC

REPRESENTED BY: Lucilio Pena/Billingsley Development Corp.

STAFF ANALYSIS

PROPOSAL

A request to create a new Planned Development to allow for a “horizontal mixed-use” development consisting of office buildings along Midway Road (one already existing) and a multi-family residential development further east, in the “interior” of the property.

The new development would take advantage of its proximity to the existing retail/restaurant development along Hebron Parkway as well as the existing fitness & recreational sports center (LA Fitness) to create an integrated development.

CURRENT ORDINANCE REQUIREMENTS

The southerly portion of the subject tract is currently zoned PD-148 for the (HC) Heavy Commercial District. The northerly portion of the subject tract is currently zoned PD-54 for the (HC) Heavy Commercial District.

Neither PD-54 (Ordinance No. 1054) nor PD-148 (Ordinance No. 2265) has any development standards which would apply to the current office building, the retail/restaurant developments along Hebron Parkway (Park Boulevard) or the existing fitness & recreational sports center. However, multi-family residential uses are not allowed in the (HC) Heavy Commercial District.

ELEMENTS TO CONSIDER

1. Given the way the area east of Midway Road between Hebron Parkway (Park Boulevard) and International Parkway have developed, the (HC) Heavy Commercial District is not an appropriate “base” zoning for the area. Properly designed, multi-family residential uses could take advantage of and support the surrounding retail and office uses.
2. The proposed multi-family residential development would be semi-urban in character, consisting of three, four & five-story buildings. The buildings would be pulled closer to internal private driveways (which would look and function like “streets”) giving a more traditional streetscape/atmosphere. Parking for the residential use would be a mix of surface parking, “tuck-under” parking (on the ground level of the backs of buildings) and a five-level parking garage.
3. The cost of the parking garage would drive construction costs up such that a very high-quality development would be expected.
4. The character of the architecture would be consistent with high-density, high-quality, more-urban design. The number of units would be about 500 (up to 40 per gross acre).

TRAFFIC IMPACT ANALYSIS

City staff has received and reviewed a Traffic Impact Analysis (TIA). Based on the results, staff has the following observations:

- Improvements to Air Park Drive (abutting the east side of the site) will be required from the southerly edge of the project to Park Boulevard.
- ~~Another new traffic signal on Midway (at the “primary entrance” to the multi-family development will be required. The actual signal will be in the City of Plano, which has been notified of this proposed development by Carrollton staff. (The City of Plano has jurisdiction over this intersection, and they will not allow the signal.)~~
- A deceleration lane for the “secondary entrance” along Midway Road will be required. At this conceptual stage this is not necessary to show, but is noted in the staff stipulations to inform the applicant.
- The Conceptual Site Plan does not show the required minimum 75-foot internal storage distance for the “secondary entrance” along Midway Road. At this conceptual stage this is not necessary to show, but is noted in the staff stipulations to inform the applicant.

ADDITIONAL INFORMATION
SUBSEQUENT TO THE 02/05/15 MEETING

First Meeting with Air Park Estates residents:

On Friday, February 20, 2015, City staff attended a meeting between two representatives of the Air Park Estates residents (John “JR” Hammond and Joe Head) and the applicant (Henry & Lucy Billingsley and Lucilo Pena). At that meeting the two parties concluded that three actions could be taken to make the proposed development more acceptable to the residents. Those elements are reflected in the revised staff stipulations found in the Result Sheet and are repeated here:

1. ~~Security gates shall be installed across the entrance to Piper Lane and across Air Park Drive south of the southern driveway into the multi-family development on the west side of Air Park Drive. Said gates shall be installed as part of the improvement of Air Park Drive by the developer, but shall be maintained by the Air Park Drive homeowners association, and shall provide appropriate access for all emergency personnel.~~
2. ~~The southern driveway into the multi-family development shall be designed, to the greatest extent feasible, to direct traffic exiting onto Air Park Drive to the north.~~
3. ~~To discourage trespassing, a minimum four-foot tall chain link fence shall be installed by the developer between the airport runway and the eastern right-of-way of Air Park Drive. Said fence shall extend from the Park Boulevard right-of-way south to the north property line of the lots along the north side of Piper Drive, thence west to Air Park Drive (if not already along the east ROW of Air Park Drive). Said fence shall be maintained by the Air Park Drive homeowners association.~~

The three above elements were replaced by the items on the next page, subsequent to the meeting of March 20, 2015.

Note that an additional stipulation regarding the building façade material for the proposed multi-story office building along Midway Road has also been added to the staff stipulations, but it was not part of the discussion between the parties.

Additional information provided by the applicant in response to certain statements made at the Planning Commission meetings of February 5, 2015 and March, 2015 are included in this case report, attached after the minutes of those meeting.

Additional Information:

City staff has learned that the City of Plano will not allow a traffic signal to be located at the intersection of Air Park Drive and Park Boulevard. Carrollton staff still believes the intersection will function adequately, since the improvement of Air Park Drive to Carrollton standards will allow for two northbound lanes at the intersection: one for left turns (or “through movements into the QuikTrip), one for right turns.

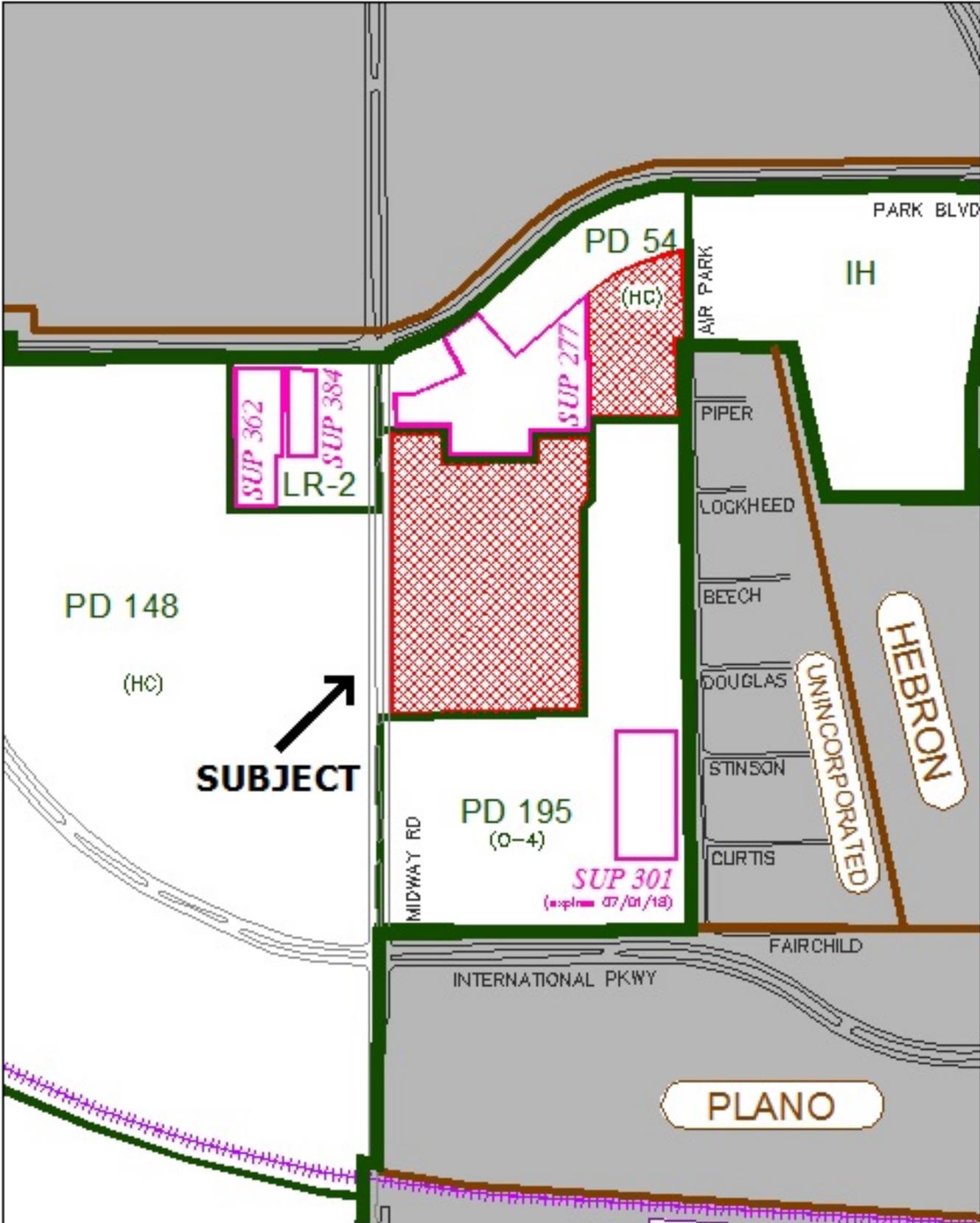
Also, the City of Plano will not allow Air Park Drive to be extended directly to the south to intersect with International Parkway as it would be too close to an existing driveway for the Prince of Peace Church/School complex and would not align with an existing median opening.

Second Meeting with Air Park Estates residents:

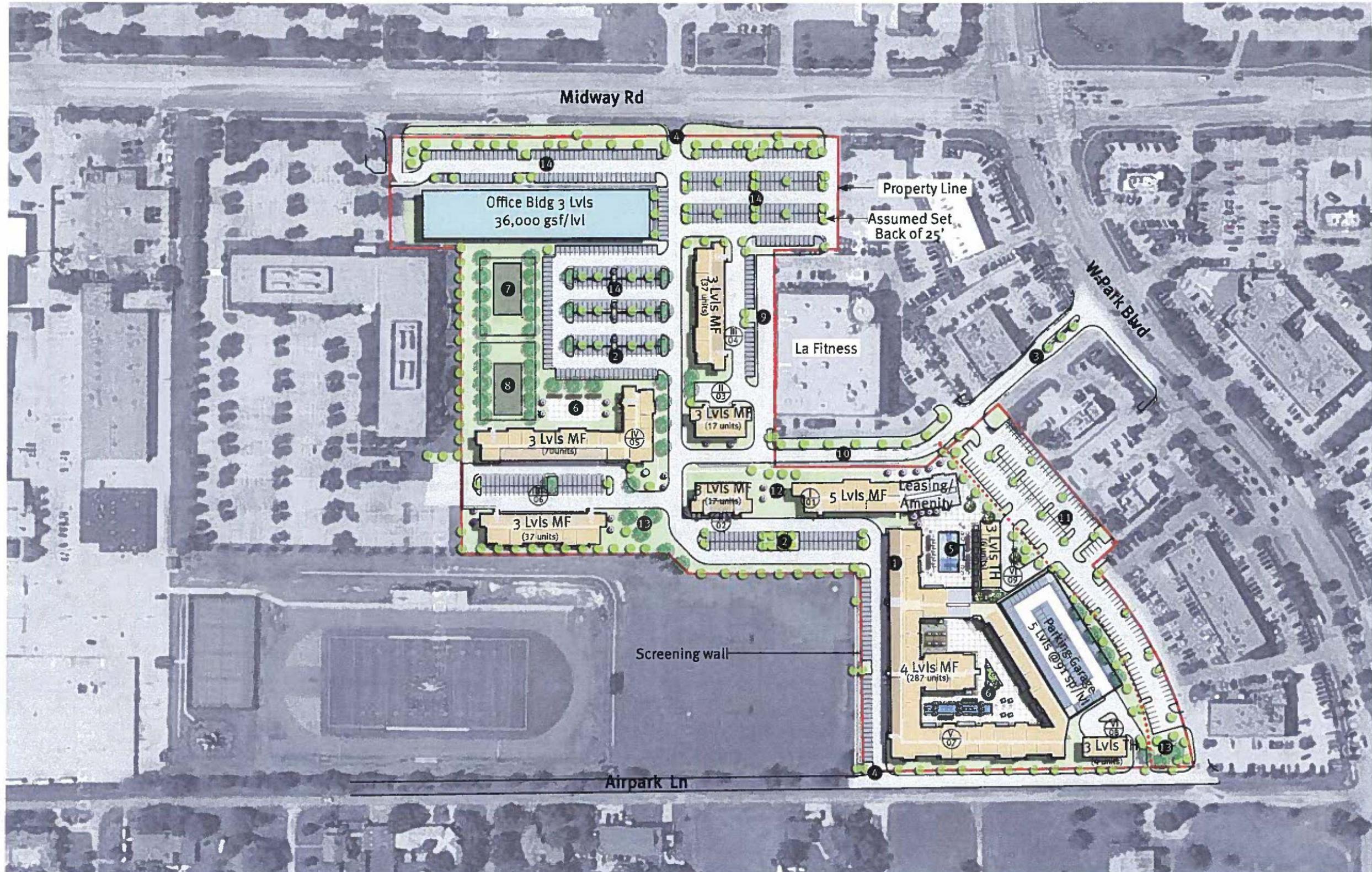
On Friday, March 20, 2015, City staff attended a second meeting between representatives of the Air Park Estates residents and the applicant. The purpose of the meeting was to discuss the possibility of further changes to the site plan. At that meeting the two sides agreed to the following changes:

1. The southerly driveway into the project from Air Park Drive would be converted to an “emergency vehicle only” access gate.
2. The northerly driveway into the project from Air Park Drive would be closed entirely, and the residential buildings fronting Air Park Drive would be extended further north.
3. A fence (conceptually consisting of masonry columns with decorative steel (colloquially “wrought iron”) panels would extend from the southeast corner of the project (abutting Air Park Drive) to the northeasterly corner of the project. Said fence would be designed only to allow for emergency vehicle access (see number 1 above). The only pedestrian access would be that required by fire or other safety codes.
4. The parking garage would be redesigned to only have a single entrance, which would face away from Air Park Drive. This would discourage tenants from trying to use Air Park Drive.
5. A new parking lot landscaping island/median would be installed to further discourage tenants from going through the rear of the existing retail parking lots toward Air Park Drive.

LOCATION & CURRENT ZONING



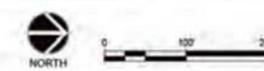
ORIGINAL CONCEPTUAL SITE PLAN



- ① Tuck Under Parking
- ② Residential Parking Court
- ③ Main Entry
- ④ Secondary Entry
- ⑤ Pool Courtyard
- ⑥ Residential Courtyard
- ⑦ Existing Detention Area
- ⑧ Future Additional Detention Area
- ⑨ New/Added La Fitness Parking
- ⑩ Reconfigured La Fitness Parking (to create entry blvd)
- ⑪ Reconfigured Retail/Commercial Parking (108 sps)
- ⑫ Pocket Park
- ⑬ Dog Park
- ⑭ Office Parking Court

FIRST **REVISED** CONCEPTUAL SITE PLAN





- 1** PRIMARY ENTRANCE
- 2** SECONDARY ENTRANCE
- 3** GARAGE ENTRY
- 4** POOL COURTYARD
- 5** RESIDENT COURTYARD
- 6** EXISTING DETENTION AREA WITH BASKETBALL COURT
- 7** FUTURE DETENTION AREA WITH AMENITIES
- 8** NEW SPINE ROAD
- 9** POCKET PARK
- 10** DOG PARK
- 11** ACCESS GATE FOR FIRE DEPARTMENT ONLY

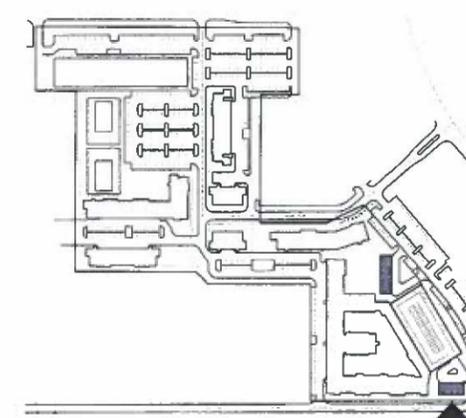
CONCEPTUAL MULTI-FAMILY ELEVATIONS
 (Three-story building, Type 1)



2 6 2 1 14 2

Legend

- | | | | | | | |
|----------------------|-----------------------|--------------------|----------------------|-----------------|-------------------------|-----------------------|
| 1 Brick | 2 Siding | 3 Nichiha Panel | 4 Manufactured Panel | 5 Storefront | 6 Decorative Metal Rail | 7 Wood Slates Rail |
| 8 Metal Rail & Glass | 9 Cementitious Siding | 10 Simulated Stone | 11 Concrete Panel | 12 Metal Awning | 13 Wood Handrail | 14 Composite Shingles |



Key Map

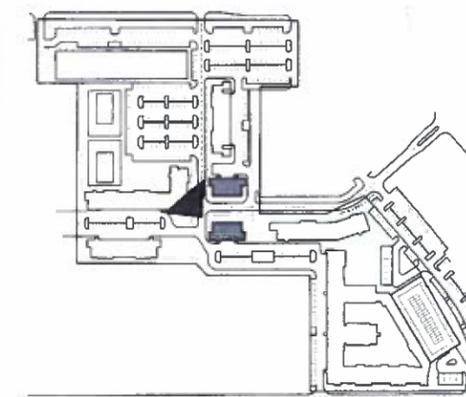
CONCEPTUAL MULTI-FAMILY ELEVATIONS
 (Three-story building, Type 2)



2 1 14 7 10 2 1

Legend

- 1 Brick
- 2 Siding
- 3 Nichiha Panel
- 4 Manufactured Panel
- 5 Storefront
- 6 Decorative Metal Rail
- 7 Wood Slates Rail
- 8 Metal Rail & Glass
- 9 Cementitious Siding
- 10 Simulated Stone
- 11 Concrete Panel
- 12 Metal Awning
- 13 Wood Handrail
- 14 Composite Shingles

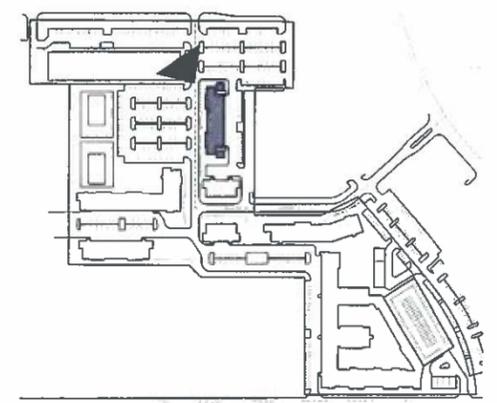


Key Map

CONCEPTUAL MULTI-FAMILY ELEVATIONS
 (Three-story building, Type 3)



4 5 10 1 2 6 6 12 2 10 1



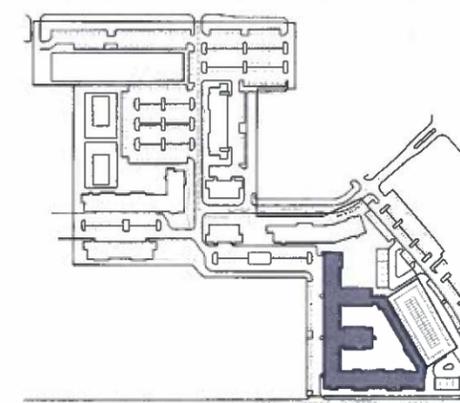
Legend

- 1 Brick
- 2 Siding
- 3 Nichiha Panel
- 4 Manufactured Panel
- 5 Storefront
- 6 Decorative Metal Rail
- 7 Wood Slates Rail
- 8 Metal Rail & Glass
- 9 Cementitious Siding
- 10 Simulated Stone
- 11 Concrete Panel
- 12 Metal Awning
- 13 Wood Handrail
- 14 Composite Shingles

CONCEPTUAL MULTI-FAMILY ELEVATIONS
(Four-story building)



6 2 9 14 6 2 2 2 6 9 10



Key Map

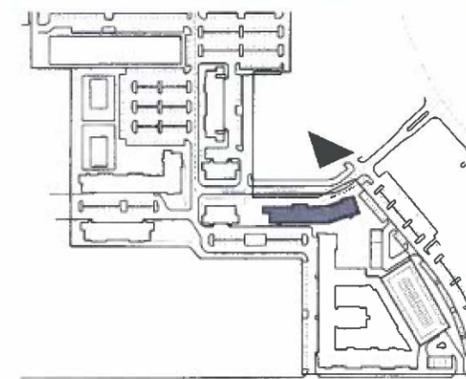
Legend

- 1 Brick
- 2 Siding
- 3 Nichiha Panel
- 4 Manufactured Panel
- 5 Storefront
- 6 Decorative Metal Rail
- 7 Wood Slates Rail
- 8 Metal Rail & Glass
- 9 Cementitious Siding
- 10 Simulated Stone
- 11 Concrete Panel
- 12 Metal Awning
- 13 Wood Handrail
- 14 Composite Shingles

CONCEPTUAL MULTI-FAMILY ELEVATIONS
(Five-story building)



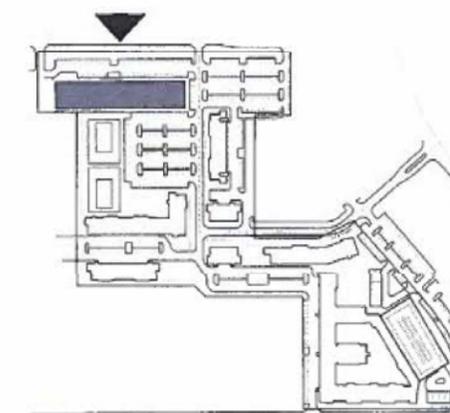
6 10 4 5 8 4 2 13 3 10 4 1 6



Legend

- 1 Brick
- 2 Siding
- 3 Nichiha Panel
- 4 Manufactured Panel
- 5 Storefront
- 6 Decorative Metal Rail
- 7 Wood Slates Rail
- 8 Metal Rail & Glass
- 9 Cementitious Siding
- 10 Simulated Stone
- 11 Concrete Panel
- 12 Metal Awning
- 13 Wood Handrail
- 14 Composite Shingles

SUPPLEMENTARY INFORMATION
 Office building currently allowed by right
 This image will not be included in the new PD



Legend

- | | | | | | | |
|----------------------|-----------------------|--------------------|----------------------|-----------------|-------------------------|-----------------------|
| 1 Brick | 2 Siding | 3 Nichiha Panel | 4 Manufactured Panel | 5 Storefront | 6 Decorative Metal Rail | 7 Wood Slates Rail |
| 8 Metal Rail & Glass | 9 Cementitious Siding | 10 Simulated Stone | 11 Concrete Panel | 12 Metal Awning | 13 Wood Handrail | 14 Composite Shingles |

Key Map

SUPPLEMENTARY INFORMATION

Birds-Eye View
(north is to the right)



**Excerpt from Approved Minutes
Planning & Zoning Commission
Meeting of February 5, 2014**

Hold A Public Hearing And Consider An Ordinance To Rezone To Amend Planned Development District 54 To Remove An Approximately 17.5-Acre Tract And To Amend Planned Development District 148 To Remove An Approximately 20.6-Acre Tract And To **Establish A New Planned Development District For The (O-4) Office District With Modified Development Standards And To Allow The Additional Use Of Multi-Family Residential Uses** On An Approximately 38.1-Acre Tract Of Land Located On The East Side Of Midway Road Between International Parkway And Park Boulevard; Amending Accordingly The Official Zoning Map. The Site Is Currently Zoned PD-54 For The (HC) Heavy Commercial District And PD-148 For The (HC) Heavy Commercial District With SUP 277 For Required Parking On A Lot Separate From The Main Use. **Case No 02-15Z1 RP at Park/Billingsley Development Corp.** Case Coordinator: Christopher Barton.

Barton presented the case stating it would create a new Planned Development District which would combine a new office building along Midway Road with approximately 500 multi-family residential rental units. Staff recommended a deceleration lane into the main entrance on Midway Road and that Air Park Drive be improved and widened. A new traffic signal at the intersection Air Park Drive and Park Boulevard/Hebron Parkway was highly recommended but that section of the road is in Plano not Carrollton. Staff is currently in communication with the City of Plano concerning this but at this time has not received a definitive answer as to whether Plano will install a signal. Staff recommended approval with a number of stipulations.

Lucy Billingsley, 6701 Turtle Creek, Dallas, applicant, provided an extensive presentation noting they let the buildings define the streets. She talked about the courtyards and open space areas and referred to the elevations and artists renderings. She advised that the elevations were not precise but were indicative of what they plan to do.

Stotz stated it was his understanding that the townhomes and all the units would be for lease and would not be for sale and Ms. Billingsley replied that he was correct.

Vice Chair Averett opened the public hearing and invited speakers to the podium.

The following individuals spoke in opposition to the request:

Fred Taylor, 6305 Lockheed, Plano, in Air Park Dallas
John Hammond, 6335 Douglas, Plano
Joe Head, 1890 Air Park Lane, Plano
David Seals, 6335 Stinson Street, Plano
Bill Strahan, 6300 Douglas Street, Plano
Paul Whitesell, 6355 Stinson Street, Plano
Diane Harmon, 2101 Lavaca Trail, Carrollton

The following individuals submitted a card in opposition but did not wish to speak:

Margaret Ernst, 6305 Lockheed, Plano

The following individuals spoke in favor of the request:

Lucilo Pena, 1717 Arts Plaza, Dallas, President of Development –
Billingsley Development Co.

Henry Billingsley, Billingsley Development Co., 6701 Turtle Creek, Dallas

There being no other speakers, Vice Chair Averett opened the floor for discussion or a motion by the Commission.

Nesbit stated he was excited about development of the area and about the possibility of a mixed use development specifically. He recognized the history between Air Park and the Billingsley Company and said he felt there were valid concerns or questions that need to be addressed before he would be comfortable making a final decision. Primarily the concerns were FAA concerns, a traffic control device that the City would not have control over, and screening between the two properties.

Stotz asked about the number of take-offs and landings and Mr. Whitesell stated the information would be available through the Addison Airport.

Kiser asked about constructing a fence on the east side of Air Park Lane with controlled access to get past the public area back into the residential area. Mr. Whitesell replied that where the road would go into Air Park Meadow was not only outside of Carrollton; it was beyond the first set of houses. Barton advised that the annexation went approximately 630 feet south of Park. Ms. Billingsley suggested they be given an opportunity to gather data to clarify the things that were being questioned such as the road before moving forward. Mr. Hammond suggested the problem could probably be resolved if they would open Air Park access to the residential part to International Parkway and then it could be fenced with an access gate.

McAninch voiced concerns about the air strip being unprotected and the need for security.

** Kiser moved to keep the public hearing open, and continued the case until all issues have been resolved including the security and safety of the airfield, possibly another traffic study, and confirmation from the City of Plano if they were willing to install the traffic signal; second by Nesbit. Barton suggested continuing the hearing to a date certain such as the March 5 meeting. Kiser agreed to continue the case to the March 5 meeting and Nesbit agreed with the change. The motion was approved with a unanimous 6-0 vote (Romo and Daniel-Nix absent, one vacant seat).*

**Excerpt from Approved Minutes
Planning & Zoning Commission
Meeting of March 5, 2014**

10. Hold A Public Hearing And Consider An Ordinance To Rezone To Amend Planned Development District 54 To Remove An Approximately 17.5-Acre Tract And To Amend Planned Development District 148 To Remove An Approximately 20.6-Acre Tract And To **Establish A New Planned Development District For The (O-4) Office District With Modified Development Standards And To Allow The Additional Use Of Multi-Family Residential Uses** On An Approximately 38.1-Acre Tract Of Land Located On The East Side Of Midway Road Between International Parkway And Park Boulevard; Amending Accordingly The Official Zoning Map. The Site Is Currently Zoned PD-54 For The (HC) Heavy Commercial District And PD-148 For The (HC) Heavy Commercial District With SUP 277 For Required Parking On A Lot Separate From The Main Use. **Case No 02-15Z1 RP at Park/Billingsley Development Corp.** Case Coordinator: Christopher Barton.

Chair McAninch advised that Commissioner Romo had filed a Conflict of Interest affidavit and recused himself from the meeting.

Barton presented the case noting that the case was continued from the February 5, 2015 meeting to allow the applicant to investigate modifications in response to comments made by residents of the Air Park Estates area. He referred to a meeting held with staff, the applicant and residents of Air Park that he felt was productive.

Lucy Billingsley, Billingsley Co., applicant, recapped the previous presentation stating it would be a development with office, residential rental consisting of townhomes and apartments with a structured garage and would be a very urban oriented development. She underscored that the residents of Air Park were not citizens of Carrollton and that the neighbors of the property within Carrollton were supportive of the proposal. She addressed the things that add value for those at Air Park and others in the area such as installing gates at Air Park and improvements to Air Park Lane owned by the Billingsley Company. She explained that a second traffic analysis was conducted and the results provided to the city of Plano along with the restated offer to fund the construction of a traffic signal, but Plano has denied the request finding that it did not meet the needs to warrant one. She stated they were willing to commit to installing a chain link fence as requested by the residents of Air Park to prohibit people from entering the air strip and used the aerial map to depict the location of the fence. She stated that the zoning committee for Air Park has voted to approve the following actions: road improvement, dedication to the City, the annexation, the two points of access, the fence and the gates. She stated she has read and understands the staff stipulations.

Steve Stoner, DeShazo Group, 400 S. Houston Street, Dallas, stated that the traffic analysis showed that traffic would flow in all directions but probably a little higher to the east and to the south. He noted that Air Park Lane would be equally attractive as the other access points on Park Blvd and Midway Road. The garage traffic was probably best suited to access Air Park Lane but would have ability to access other points as well.

Chair McAninch opened the public hearing and invited speakers to the podium.

The following individuals spoke in opposition to the request due to density, incompatible use, safety, traffic, drainage, and nuisance concerns:

Samuel Head, 1890 Air Park Ln., Plano, TX
Joe Head, 1890 Air Park Ln., Plano, TX
Chris Kratovil, 1717 Main St., #4200, Dallas, TX
Scott Meyer, 6315 Douglas St., Plano, TX
John Hammond, 6335 Douglas St., Plano, TX
Fred Taylor, 6305 Lockheed St., Plano, TX
Tony Mazzu, 1620 Air Park Ln., Plano, TX
David Deals, 6335 Stinson St., Plano, TX
Bruce Kaminski, 6304 Piper St., Plano, TX

The following individuals submitted a card in opposition but did not wish to speak:

Alicia Jones, 6315 Beech, Plano, TX
Larry Sandell, 6315 Beech, Plano, TX
Margie Hammond, 6335 Douglas St., Plano, TX
Margaret Ernst, 6305 Lockheed St. Plano, TX
Alfred Pick, 6345 Douglas St., Plano, TX

The following individual submitted a card in a neutral position and did not wish to speak:

Chris Willhite;

Ms. Billingsley provided rebuttal and clarifications in her closing comments. She stated that the location of the gates could be changed and also referred to the letter submitted from the FAA advising that the development would not have an adverse impact on Air Park Dallas. Discussion was held with regard to residents' use of Air Park Lane and Ms. Billingsley stated the only way to have no impact on Air Park Lane would require a full redesign. Henry Billingsley stepped up and talked about constructing a road from Park Blvd. to the entry of the main garage which is completely in the city limits of Carrollton and it would have to be accessible for fire and police. He underscored that Air Park Lane was not a private road.

Chair McAninch opened the floor for discussion or a motion. Commissioners voiced the need for more work and compromise between the development and Air Park residents to address the issues and concerns of both parties and specifically noted the possibility of access at International Parkway.

** Averett moved to keep the public hearing open and continue Case No. 02-15Z1 RP at Park to the April 2, 2015 Planning & Zoning meeting; second by*

Daniel-Nix and the motion was approved with a 7-1- vote, (Stotz opposed and Romo abstained due to conflict of interest).

Commissioner Romo returned to the dais.

**Excerpt from Draft Minutes
Planning & Zoning Commission
Meeting of April 2, 2014**

Hold A Public Hearing And Consider An Ordinance To Rezone To Amend Planned Development District 54 To Remove An Approximately 17.5-Acre Tract And To Amend Planned Development District 148 To Remove An Approximately 20.6-Acre Tract And To **Establish A New Planned Development District For The (O-4) Office District With Modified Development Standards And To Allow The Additional Use Of Multi-Family Residential Uses** On An Approximately 38.1-Acre Tract Of Land Located On The East Side Of Midway Road Between International Parkway And Park Boulevard; Amending Accordingly The Official Zoning Map. The Site Is Currently Zoned PD-54 For The (HC) Heavy Commercial District And PD-148 For The (HC) Heavy Commercial District With SUP 277 For Required Parking On A Lot Separate From The Main Use. **Case No 02-15Z1 RP at Park/Billingsley Development Corp.** Case Coordinator: Christopher Barton.

Chair McAninch advised that Commissioner Romo excused himself from the meeting for Item 8 due to a conflict of interest.

Barton noted that the Commission considered the case on February 25 and again on March 5, 2015 and therefore would not review the entire request again; only pointed out the items that had changed since the March 5th meeting. He advised that the applicant submitted a second revised site plan and stated the essential changes were the addition of a fence consisting of masonry columns periodically with a tubular steel panel in between the columns along the eastern boundary of the property line adjacent to Air Park Drive to the northeast corner of the subject property; an emergency access gate at the southwest corner; removal of a proposed driveway near the northeast corner; redesign of the parking garage so there would be no exit to the northeast; and added a small apartment building where a driveway had been previously proposed. He explained that due to the revisions some of the stipulations changed and reviewed the changes. Staff recommended approval with stipulations.

Lucy Billingsley, 6701 Turtle Creek, Dallas, stated that in accordance with the Commission's request, they met with the neighbors about the desire to limit the foot and vehicular traffic on Air Park Lane and felt that the goal was achieved in the redesign of the property. She further stated that they were still willing to erect the fence depicted as the red line on the plan to address safety and access to the airport. Lastly, she stated that she read and understood the revised stipulations.

Chair McAninch opened the public hearing noting a 10 minute limit for speakers on both sides of the request due to the two previous hearings on the item and limiting first time speakers to 1 minute. She invited speakers to the podium.

Pat Atkins, Planning Consultant for Air Park Dallas residents, 3076 Hayes Lane, Rockwall, requested the item be tabled to allow for more time to work out specific details if the multi-family use would be allowed adjacent to Air Park. He stated the residents were not in support of multi-family use. He said that if the Commission chooses to move forward, the residents request

an extension of the wrought iron fence to 544/Park to act as a barrier and request that the entry along the retail corridor north of the multi-family be emergency access only.

Bruce Kaminski, 6304 Piper Street, provided photos of general traffic on Air Park Lane. He used an aerial to depict where planes currently park stating the proposed fence would go into that area.

Gale Woefordorf addressed concern with the mix if incompatible uses without adequate buffering. He voiced opposition to the proposed zoning change.

Margie Hammond, 6335 Douglas Street, addressed traffic concerns.

David Keith, 6321 Douglas Street, stated that people park on the side of Air Park Lane now because of inadequate parking currently on the Billingsley project and stated he was not comfortable with people parking further into the residential neighborhood.

Paul Whitesell, 6355 Stinson Street, license holder for the Air Park water system, stated there was a 3" water line about 2 feet deep along Air Park Lane where the vehicles were parked. He voiced concern that the line would be compromised by the traffic. He felt the requested extension of the fence would address the concern. He also voiced concern about excess drainage or runoff onto Air Park Lane from the west.

Chair McAninch noted that the 10 minutes time limit had been reached for those opposed to the request and invited those in favor of the request to speak.

Jacob Ebara, 1827 E. Peters Colony, stated he reviewed the plans and felt it was a great idea.

Donna Carter, 2245 Round Rock Drive, spoke in support of the development. She felt it would be beneficial to the City, the residents and the local businesses.

Chair McAninch noted that Chris Potter submitted a card in support of the request but did not wish to speak.

Mark Shisler, 4645 Plano Parkway, stated he was in favor of the request.

There being no other speakers, Chair McAninch offered the floor to the applicant for rebuttal or closing remarks.

Ms. Billingsley stated that they were committed to addressing drainage at the appropriate time with staff in accordance with City Code. She further noted that access to the retail was vital to the success of the retail establishments.

* ***Kiser moved to approve Case No. 02-15Z1 RP at Park with stipulations but eliminating Stipulations K regarding security gates installed across Piper Lane and Air Park Drive,***

*L regarding Air Park Drive being labeled as a secondary entry, with an effort to direct traffic to the north, and M regarding installation of a four foot tall fence along the airport runway, as listed in the staff report and with the addition of Stipulation N requiring a fence consisting of masonry columns with decorative metal (“wrought iron”) panels to be installed along the east property line of the project along Air Park Road. Within said fence “emergency access only” vehicular access gates shall be permitted; second by Daniel-Nix. Nesbit stated that at the last meeting the Commission asked the two parties to meet to improve the proposal, and he felt it was accomplished, although the Air Park residents were asking for more things. He stated he was looking forward to the development proceeding. **The motion was approved with a 6-0 vote (Stotz and Kraus absent, Romo abstained).***

PLANNING DEPARTMENT
City of Carrollton
Date: 05/05/15

PLANNED DEVELOPMENT NO. 201
DEVELOPMENT NAME: RP on Park

ORDINANCE NUMBER _____

ORDINANCE NO. _____ OF THE CITY OF CARROLLTON AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY ESTABLISHING PLANNED DEVELOPMENT NO. 201 PROVIDING FOR THE (O-4) OFFICE AND (LR-2) LOCAL RETAIL DISTRICTS WITH MODIFIED DEVELOPMENT STANDARDS; AMENDING ORDINANCES NUMBER 1797 AND 1054 TO REMOVE FROM PLANNED DEVELOPMENTS 148 AND 54 A CERTAIN APPROXIMATELY 38.1 ACRE TRACT OF LAND LOCATED ON THE EAST SIDE OF MIDWAY ROAD BETWEEN INTERNATIONAL PARKWAY AND HEBRON PARKWAY (PARK BOULEVARD); PROVIDING PENALTY, SEVERABILITY, REPEALER AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at its regular meeting held on the Second day of April, 2015, the Planning and Zoning Commission considered and made recommendations on a certain request for a Planned Development District (Case No. 02-15Z2); and

WHEREAS, this change of zoning is in accordance with the adopted Comprehensive Plan of the City of Carrollton, as amended; and

WHEREAS, the City Council conducted a public hearing on May 5, 2015, at which all persons were given an opportunity to present testimony; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare.

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

Section 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2.

Ordinance Number 1797 creating Planned Development Number 124 is hereby amended to remove the property described in the attached Exhibit A from Planned Development 124 and the provisions thereof, and to amend the boundaries of Planned Development 124 accordingly. Except as herein amended, Planned Development Number 124 shall remain in full force and effect.

Section 3.

Ordinance No. 1054 as approved on May 17, 1983 is hereby repealed in its entirety.

Section 4.

Planned Development Number 201 is hereby established for a certain approximately 38.1-acre tract of land located on the east side of Midway Road between International Parkway and Hebron Parkway (Park Boulevard) being more specifically described on the attached Exhibit A and depicted on Exhibit B.

I.

Permitted Uses

The following uses will be permitted by right:

A. Tract 1

Permitted uses shall be all principal and accessory uses which are allowed by right in the (LR-2) Local Retail District, in accordance with Article V of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations of the (LR-2) Local Retail District and the Comprehensive Zoning Ordinance, as amended, except as otherwise provided in Subsection II below.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (LR-2) Local Retail District, in accordance with Article V of the Comprehensive Zoning Ordinance, as amended. Such Special Use Permit(s) shall be subject to the conditions established in Articles XXI and XXXI of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations.

B. Tract 2

Permitted uses shall be all principal and accessory uses which are allowed by right in the (O-4) Office District, in accordance with Article V of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations of the (O-4) Office District and the Comprehensive Zoning Ordinance, as amended, except as otherwise provided in Subsection III below.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (O-4) Office District, in accordance with Article V of the Comprehensive Zoning Ordinance, as amended. Such Special Use Permit(s) shall be subject to the conditions established in Articles XXI and XXXI of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations.

II.
Additional Uses

The following additional uses will be permitted by right:

A. Tract 1

No additional uses permitted by right.

B. Tract 2

Multi-Family Residential Development.

III.
Special Development Standards

Development shall be in accordance with the following special conditions, restrictions and regulations:

A. Tract 1

1. Shared parking between all uses and all lots, and parking on a lot separate from the main use (whether required or non-required) shall be allowed by right.
2. Drive-through windows shall be allowed by right.
3. Screening walls shall not be required along any property lines.

B. Tract 2

1. Shared parking between all uses and all lots, and parking on a lot separate from the main use (whether required or non-required) shall be allowed by right.
2. Screening walls shall not be required along any property lines.
3. Multi-story office buildings may have façade materials substantially similar to those of the existing office building located at 4100 Midway Road (Lot 1R, Block A, Crow-Billingsley Hermes Addition).
4. Special development standards for any multi-family residential development shall be:
 - a. Development shall be in substantial conformance with the Conceptual Site Plan and Conceptual Building Designs attached herein as Exhibits C & D.
 - b. The maximum number of multi-family dwelling units shall be 500.
 - c. The minimum number of parking spaces for multi-family residential development shall be 1.5 per dwelling unit.

- d. The requirement that all parking spaces shall be within 150 feet of the dwelling unit served by such parking space (Article X, Section K (1) of the CZO) shall not apply.
- e. The minimum dwelling unit sizes shall be 500 sq. ft. (efficiency), 550 sq. ft. (one bedroom), 700 sq. ft. (two bedroom) and 1,000 sq. ft. (three or more bedroom).
- f. The maximum height of any building shall be five stories.
- g. A deceleration lane into the entrance along Midway Road labeled as “Secondary Entry” on the Conceptual Site Plan shall be required.
- h. A minimum internal stacking distance of 75 feet shall be required for the entrance along Midway Road labeled as “Secondary Entry” on the Conceptual Site Plan shall be required.
- i. For the purpose of signage, the mutual access drive between Lots 5R & 6, Block A, Crow Billingsley Hermes Addition (3412 E. Hebron Pkwy. & 3420 E. Hebron Pkwy.) shall be considered to be part of the subject tract.
- j. A fence consisting of masonry columns with decorative metal (“wrought iron”) panels shall be installed along the east property line of the project along Air Park Road. Along said fence “emergency access only” vehicular access gates shall be permitted.

Section 5.

The Comprehensive Zoning Ordinance and the Official Zoning Map are hereby amended to reflect the action taken herein.

Section 6.

Any person, firm or corporation violating a provision of this ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

Section 7.

The provisions of this ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

Section 8.

To the extent of any prior ordinance of the City of Carrollton (or any provision, clause, phrase, sentence or paragraph contained therein) conflicts with this ordinance, said conflicting ordinance, provision, clause, phrase, sentence or paragraph is hereby repealed.

Section 9.

Ordinance Number 1470, otherwise known as the Comprehensive Zoning Ordinance and the Official Zoning Map, as amended, shall remain in full force and effect.

Section 10.

This ordinance shall become and be effective on and after its adoption and publication.

PASSED AND APPROVED this the Fifth day of May, 2015.

CITY OF CARROLLTON

By: _____
Matthew Marchant, Mayor

ATTEST:

Krystle Nelinson
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Susan Keller
Assistant City Attorney

Christopher Barton, AICP
Chief Planner

Exhibit A

Legal Descriptions

For 3400 E. Hebron Parkway:

Lot 1R, Block 1, Mobile Oil FM 544 & Midway Addition

For 3412 Park Boulevard:

Lot 5R, Block A, Replat of Crow-Billingsley Hermes Addition

For 3420 Park Boulevard:

Lot 6, Block A, Crow-Billingsley Hermes Addition

For 3424 Park Boulevard:

Lot 7R, Block A, Crow-Billingsley Hermes Addition

For 3432 Park Boulevard:

Lot 8R1, Block A, Replat of Crow-Billingsley Hermes Addition

For 3450 E. Hebron Parkway:

Lot 9R, Block A, Replat of Crow-Billingsley Hermes Addition

For 4220 Midway Road:

Lot 4R2, Block A, Crow-Billingsley Hermes Addition

For 4212 Midway Road:

Lot 3R2, Block A, Crow-Billingsley Hermes Addition

For 4208 Midway Road:

Lot 2R2, Block A, Crow-Billingsley Hermes Addition

For 4100 Midway Road:

Lot 1R, Block A, Crow-Billingsley Hermes Addition

Exhibit B

Tract Map

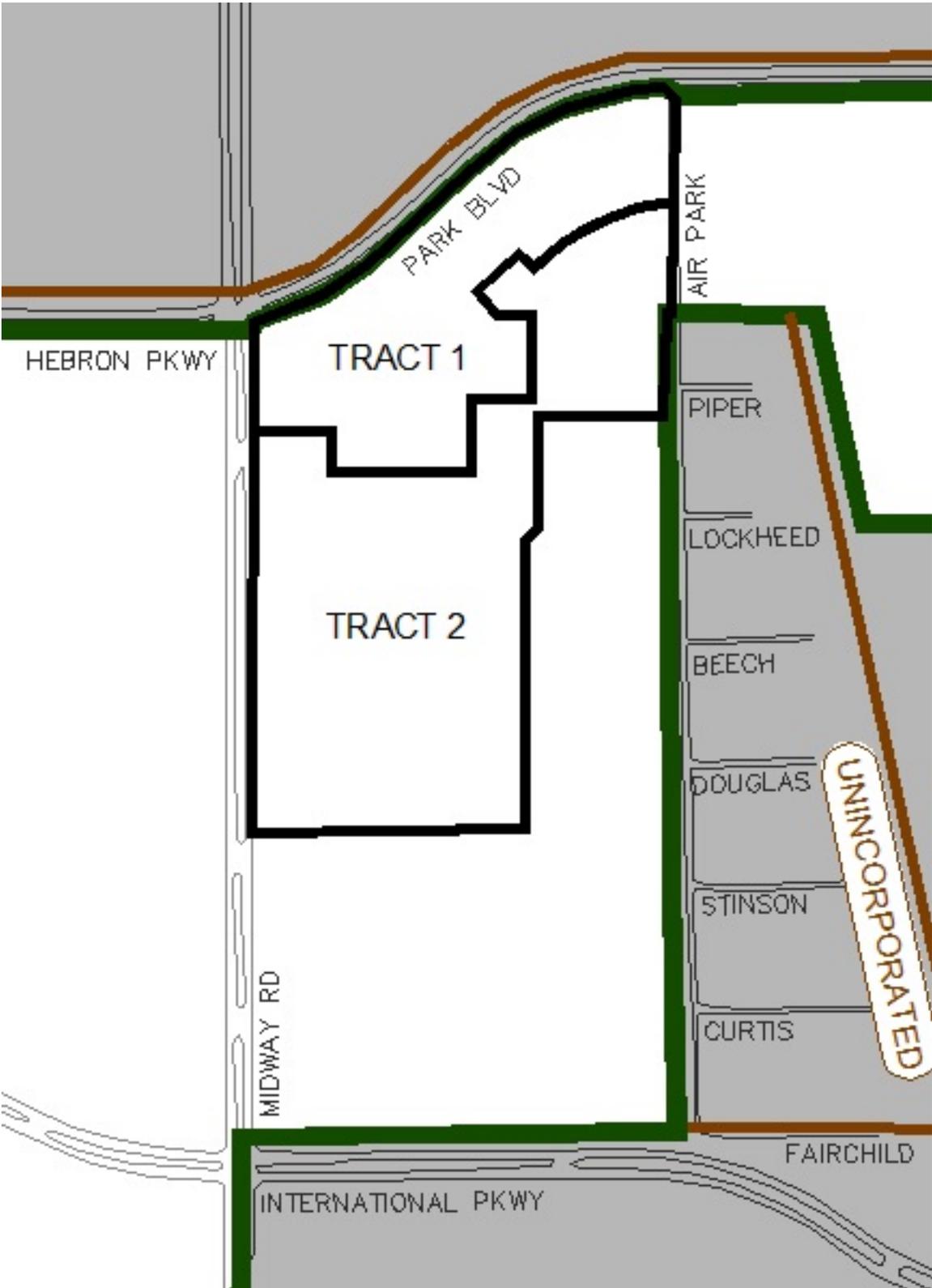


Exhibit C

Conceptual Site Plan For Multi-Family Development



Exhibit D

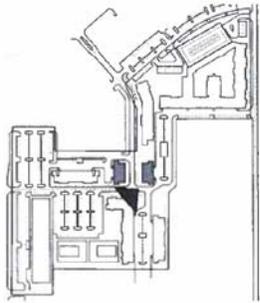
Conceptual Building Designs For Multi-Family Development



- Legend
- 1 Brick
- 2 Metal Rail & Glass
- 3 Siding
- 4 Cementitious Siding
- 5 Wicker Panel
- 6 Simulated Stone
- 7 Manufactured Panel
- 8 Concrete Panel
- 9 Storefront
- 10 Decorative Metal Rail
- 11 Wood Handrail
- 12 Wood Slates Rail
- 13 Composite Shingles

Exhibit D

Conceptual Building Designs For Multi-Family Development

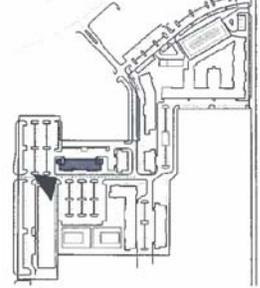


Key Map

- Legend**
- 1 Brick
 - 2 Siding
 - 3 Metal Rail & Glass
 - 4 Hicliha Panel
 - 5 Manufactured Panel
 - 6 Stonefront
 - 7 Decorative Metal Rail
 - 8 Wood Slates Rail
 - 9 Simulated Stone
 - 10 Concrete Panel
 - 11 Wood Handrail
 - 12 Composite Shtingles

Exhibit D

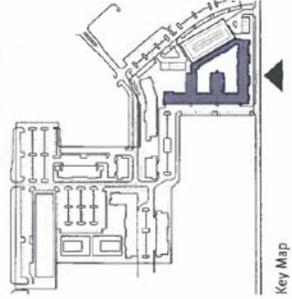
Conceptual Building Designs For Multi-Family Development



- Legend**
- 1 Brick
 - 2 Sliding
 - 3 Metal Rail & Glass
 - 4 Stucco Panel
 - 5 Manufactured Panel
 - 6 High Rise Panel
 - 7 Simulated Stone
 - 8 Storefront
 - 9 Concrete Panel
 - 10 Decorative Metal Rail
 - 11 Wood Shingles
 - 12 Composite Shingles
 - 13 Wood Slat Rail
 - 14 Wood Handrail
 - 15 Metal Awning

Exhibit D

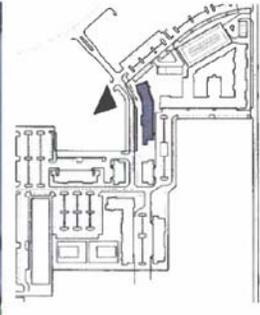
Conceptual Building Designs For Multi-Family Development



- Legend**
- 1 Brick
 - 2 Sliding
 - 3 Nichiha Panel
 - 4 Manufactured Panel
 - 5 Storefront
 - 6 Decorative Metal Rail
 - 7 Wood Slatex Rail
 - 8 Metal Rail & Glass
 - 9 Cementitious Siding
 - 10 Simulated Stone
 - 11 Concrete Panel
 - 12 Metal Awning
 - 13 Wood Handrail
 - 14 Composite Shingles

Exhibit D

Conceptual Building Designs For Multi-Family Development



- Legend**
- 1 Brick
 - 2 Siding
 - 3 Metal Rail & Glass
 - 4 Manufactured Panel
 - 5 Nichia Panel
 - 6 Concrete Panel
 - 7 Silestone Stone
 - 8 Silestone
 - 9 Composite Siding
 - 10 Metal Awning
 - 11 Concrete Panel
 - 12 Metal Awning
 - 13 Decorative Metal Rail
 - 14 Wood Handrail
 - 15 Wood Slat Rail
 - 16 Composite Shingles