

City of Carrollton

*1945 E. Jackson Road
Carrollton, TX 75006*



REGULAR WORKSESSION & MEETING

Tuesday, June 6, 2023

5:45 PM

CITY HALL, 2nd Floor

City Council

*Mayor Steve Babick
Mayor Pro Tem Andrew Palacios
Deputy Mayor Pro Tem Nancy S. Cline
Councilmember Christopher Axberg
Councilmember Jason Carpenter
Councilmember Richard Fleming
Councilmember Daisy Palomo
Councilmember H.A. "Rusty" Pendleton*

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

1. Receive **information and discuss 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 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.
 - **Section 551.087** to discuss Economic Development.
3. Council will reconvene in open session to consider action, if any, on matters discussed in the Executive Session.

*****WORKSESSION*****

4. Receive An Update From DART.
5. Discuss Council Liaison, Observer, And Committee Appointments.
6. Mayor And Council Reports And Information Sharing.

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

INVOCATION - Councilmember Rusty Pendleton

PLEDGE OF ALLEGIANCE - Mayor Pro Tem Andrew Palacios

PUBLIC COMMENT

- 7. Hearing of any citizen/visitor on items listed on the regular meeting agenda. Citizens wishing to address the Council regarding items not on the posted agenda will be called to speak during the Public Forum.**

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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

- *8. Consider Approval Of The May 2, 2023 Regular Meeting Minutes.**
- *9. Consider Approval Of The May 16, 2023 Regular Meeting Minutes.**

BIDS & PURCHASES

- *10. Consider Approval Of RFP # 23-016 Recreation Facilities Refresh For The Parks Department From Various Vendors In An Amount Not To Exceed \$118,395.66.**
- *11. Consider Approval Of The Purchase And Installation Of Cardio And Weight Equipment And A Functional Storage System From Comm-Fit For The Rosemeade Recreation Center Through An Inter-Local Agreement With Buy-Board In An Amount Not To Exceed \$310,178.12.**
- *12. Consider Approval Of Bid #23-021 For Asphalt Supplies 2023 From Austin Asphalt, Inc. In An Amount Not To Exceed \$90,000.00 Annually, For A Total Three-Year Contract -Amount Not To Exceed \$270,000.00.**

- *13.** Consider Approval Of Bid #23-018 For Traffic Signal Equipment For Public Works From Various Vendors In An Annual Amount of \$400,000.00 And Total Contract Value of \$1,200,000.00.
- *14.** Consider Approval Of Bid #23-009 For The Purchase And Installation Of Commercial Advance Metering Infrastructure (AMI) Water Meters From Fortiline, Inc. In An Amount Not To Exceed \$11,000,000.00.

CONTRACTS & AGREEMENTS

- *15.** Consider Authorizing The City Manager To Approve A Construction Contract With 3D Paving And Contracting, LLC For The Crosby Estates Section 1 Paving And Drainage Improvements Project In An Amount Not To Exceed \$3,831,573.37.
- *16.** Consider Authorizing The City Manager To Execute A Contract With Woven Health For Improvement Of Life Situations Of Low And Moderate Income Residents In An Amount Not To Exceed \$100,000, Increasing The Total Contract To An Amount Not To Exceed \$202,465.
- *17.** Consider Authorizing The City Manager To Approve A Construction Contract With C. Green Scaping, LP For The Hebron Parkway Guardrail And Live Screening Improvements Project On The South Of Hebron Parkway And Adjacent To The Estates Of High Country Neighborhood In An Amount Not To Exceed \$772,501.00.
- *18.** Consider Approval Of A Contract With Pitney Bowes Through A Buy Board Awarded Contract For The Leasing of Postage Equipment In An Amount Not To Exceed \$14,632.68 Annually, For A Total Five-Year Contract Value Not To Exceed \$73,163.40.

ORDINANCE

- *19.** Consider An Ordinance To Amend The Authorized Number Of Sub-Apparatus Operator And Firefighter Civil Service Positions Within The Carrollton Fire Department.
- *20.** Consider An Ordinance Of The City Council Of The City Of Carrollton, Texas Amending Chapter 10 Of The City Of Carrollton Code Of Ordinances, To Amend Section 10.99(A). General Penalty To Revise, Restate, And Remove References In That Section.
- *21.** Consider An Ordinance Of The City Council Of The City Of Carrollton, Texas Amending Chapter 97. Hotel Code Of The City Of Carrollton Code Of Ordinances, To Amend Section 97.09(G). Premises Requirements To Remain Consistent With State Law Changes.

- *22.** Consider An Ordinance Of The City Council Of The City Of Carrollton, Texas Amending Chapter 156 Private Wells Of The City Of Carrollton Code Of Ordinances, To Amend Section 156.06. Drilling Log To Remain Consistent With State Law Changes.
- *23.** Consider An Ordinance Increasing The Over Sixty-Five And Disabled Persons Exemption From \$80,000 To \$87,000 For Tax Year 2023.
- *24.** Consider An Ordinance Amending Chapter 174 ‘Stormwater And Flood Protection Ordinance’ Of The Carrollton Code Of Ordinances By Revising Article 8 ‘Floodplain Guidelines’ Related To Manufactured Homes And Construction Standards Within Floodplain Areas.

RESOLUTIONS

- *25.** Consider A Resolution Authorizing The City Manager To Enter Into A Contract With FORVIS, LLP For Independent Auditing Services In An Amount Not to Exceed \$143,500.
- *26.** Consider A Resolution Authorizing The City Manager To Negotiate And Execute Amendment No. 1 To The Interlocal Agreement With Dallas Area Rapid Transit For Additional Construction Services Related To The Carrollton Heights Drainage Improvement Project, In An Amount Not To Exceed \$173,357.56, And Increasing The Total Project To An Amount Not To Exceed \$1,906,933.11.
- *27.** Consider A Resolution Authorizing The City Manager To Negotiate And Execute A Professional Services Contract With Gresham Smith For Engineering Services Related To The Downtown Streetscape Infill Project In An Amount Not To Exceed \$371,380.00.
- *28.** Consider A Resolution Authorizing The City Manager To Negotiate And Execute A Second Amendment To The Master Development Agreement For Trinity Mills Station With Dallas Area Rapid Transit And The Integral Group, LLC.

PUBLIC HEARING - INDIVIDUAL CONSIDERATION

- 29.** Hold A Public Hearing And Consider An Ordinance Amending The Zoning On An Approximately 3.8-Acre Tract Zoned To The (SF-12/20) Single-Family Residential District And Located At 2400 Briardale Drive And Approximately 480 Feet East Of Kelly Boulevard, To Amend And Reestablish Planned Development District No. 119 (PD-119) To Change The Base Zoning To The (SF-8.4/18) Single-Family Residential District And Modify Development Standards, And To Provide Conceptual Plans; Amending The Official Zoning Map Accordingly. Case No. PLZPD 2022-196 The Enclave.
- 30.** Hold A Public Hearing And Consider An Ordinance To Establish A Special Use Permit For Miscellaneous Manufacturing For Screen Printing On Clothing And Textiles On An Approximately 0.50 Acre Tract Zoned Planned Development District No. 87 (PD-87) For The (HC) Heavy Commercial District And Located At 1407 Westway Circle, Approximately 572 Feet East Of Broadway; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2023-028 Integrity Branding.
- 31.** Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Repeal Special Use Permit No. 426 (SUP-426) At 1441 West Trinity Mills Road For A Motorcycle Training Center On An Approximately 12 Acre Tract, And To Repeal Special Use Permit No. 193 (SUP-193) At 1415 West Trinity Mills Road For An Automotive Repair And Quick Lube And Lubrication Service Facility On An Approximately 0.55 Acre Tract; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2023-012 Repeal Of Two SUPs.
- 32.** Hold A Public Hearing And Consider An Ordinance Amending The Text Of Article XX ‘Transit Center Regulations, Part 2 (TMTC) Trinity Mills Transit Center District’ Of The Comprehensive Zoning Ordinance To Amend Section C ‘General District Standards Related To Minimum Building Height’. Case No. PLZT 2023-013 CZO Text Amendment For Minimum Building Height In The TMTC District.
- 33.** Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Repeal Planned Development District No. 159 (PD-159) For An Approximately 0.63-Acre Tract Located At 2775 East Trinity Mills Road And At The Northwest Corner Of Marsh Lane And East Trinity Mills Road; Amending The Official Zoning Map Accordingly. Case No. PLZPD 2023-026 Repeal Of Planned Development Number 159.

PUBLIC FORUM

- 34. 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.**

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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 2nd day of June 2023 at 12:00pm.

Chloe Sawatzky

Chloe Sawatzky, 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 972-466-3001. 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.

FIREARMS PROHIBITED at City Council meetings pursuant to Texas Penal Code Sections 46.035(c) and 30.05.



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 2a

Agenda Date: 3/2/2021

Version: 1

Status: Pre-meeting

In Control: City Council

File Type:
Contracts/Agreements

Agenda Number: 1.

Receive **information and discuss Agenda.**



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 5215

Agenda Date:

Version: 1

Status: Executive session

In Control: City Council

File Type: Procedural Item

Agenda Number: 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 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.
- **Section 551.087** to discuss Economic Development.



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 5218

Agenda Date:

Version: 1

Status: Executive session

In Control: City Council

File Type: Procedural Item

Agenda Number: 3.

Council will reconvene in open session to consider action, if any, on matters discussed in the Executive Session.



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo File Number: 6201

Agenda Date: 6/6/2023

Version: 1

Status: Work Session

In Control: City Council

File Type: Work Session Item

Agenda Number: 4.

CC MEETING: June 6, 2023

DATE: May 31, 2023

TO: Erin Rinehart, City Manager

FROM: Chloe Sawatzky, City Secretary

Receive An **Update From DART.**



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6205

Agenda Date: 6/6/2023

Version: 1

Status: Work Session

In Control: City Council

File Type: Work Session Item

Agenda Number: 5.

CC MEETING: June 6, 2023

DATE: May 31, 2023

TO: Erin Rinehart, City Manager

FROM: Chloe Sawatzky, City Secretary

Discuss **Council Liaison, Observer, And Committee Appointments.**



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo File Number: 5231

Agenda Date:

Version: 1

Status: Work Session

In Control: City Council

File Type: Work Session Item

Agenda Number: 6.

Mayor And Council Reports And Information Sharing.



Agenda Memo

Agenda Date:

Version: 1

Status: Public Comment

In Control: City Council

File Type: Public Comment

Agenda Number: 7.

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City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6203

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Minutes

Agenda Number: *8.

CC MEETING: June 6, 2023

DATE: May 31, 2023

TO: Erin Rinehart, City Manager

FROM: Chloe Sawatzky, City Secretary

Consider **Approval Of The May 2, 2023 Regular Meeting Minutes.**

**CARROLLTON CITY COUNCIL
REGULAR MEETING AND WORKSESSION
MAY 2, 2023**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting on Tuesday, May 2, 2023 at 7:00 pm with the following members present; Mayor Pro Tem Andrew Palacios, Deputy Mayor Pro Tem Nancy Cline, Councilmembers Christopher Axberg, Adam Polter, Richard Fleming, Young Sung and H.A. “Rusty” Pendleton. Mayor Steve Babick was absent. Also present were City Manager Erin Rinehart, Assistant City Managers Marc Guy and Chrystal Davis, City Attorney Meredith Ladd and City Secretary Chloe Sawatzky.

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

Mayor Pro Tem Andrew Palacios called the meeting to order at 7:00 pm.

INVOCATION – Councilmember Young Sung

PLEDGE OF ALLEGIANCE – Deputy Mayor Pro Tem Nancy Cline and Troop 753

PRESENTATIONS

1. Present A Proclamation Naming May 2023 As Building Safety Month In Carrollton.
2. Present A Proclamation Recognizing Professional Municipal Clerks Week.

PUBLIC COMMENT

3. **Hearing of any citizen/visitor on items listed on the regular meeting agenda. Citizens wishing to address the Council regarding items not on the posted agenda will be called to speak during the Public Forum.**

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There were no speakers.

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 Polter moved approval of Consent Agenda Items 4-6; second by Councilmember Sung. The motion was approved with a unanimous 7-0 vote.

BIDS & PURCHASES

***4. Consider Authorizing The City Manager To Purchase Licensing And Maintenance From Hyland Software In The Amount of \$65,925.99 For A Total Two-Year Amount Not To Exceed \$131,851.98.**

CONTRACTS & AGREEMENTS

***5. Consider A Resolution Authorizing The City Manager To Negotiate And Execute Contract Amendment No. 2 With MESA Design Associates, Inc. For Additional Engineering Services Related To The Neighborhood Park Project At Warmington Drive And Plano Parkway In An Amount Not To Exceed \$45,928.00, For A Revised Contract Amount Not To Exceed \$280,892.00.**

***6. Consider Approval Of An Agreement With Roadmaster Striping LLC For Street Pavement Markings Through An Interlocal Agreement With The City Of Allen In An Amount Not To Exceed \$300,000.00.**

PUBLIC FORUM

7. 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.

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Terence Vidovic complained about his neighbor and the police department. He spoke against Republicans.

Deandre Murphy, 4253 Hunt Drive, asked about the speaking time for Public Forum and why it listed something different on the website. He also spoke about the desire to renew the foreign exchange program at Newman Smith High School as well as all CFBISD high schools and its benefits.

ADJOURNMENT - Mayor Pro Tem Palacios adjourned the meeting at 7:17 pm.

ATTEST:

Chloe Sawatzky, City Secretary

Steve Babick, Mayor



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6204

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Minutes

Agenda Number: *9.

CC MEETING: June 6, 2023

DATE: May 31, 2023

TO: Erin Rinehart, City Manager

FROM: Chloe Sawatzky, City Secretary

Consider **Approval Of The May 16, 2023 Regular Meeting Minutes.**

**CARROLLTON CITY COUNCIL
REGULAR MEETING AND WORKSESSION
MAY 16, 2023**

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, May 16, 2023 at 6:15 pm with the following members present; Mayor Steve Babick, Mayor Pro Tem Andrew Palacios, Deputy Mayor Pro Tem Nancy Cline (*arrived at 6:20 pm*), Councilmembers Christopher Axberg, Adam Polter, Richard Fleming, Young Sung and H.A. “Rusty” Pendleton. Also present were City Manager Erin Rinehart, Assistant City Managers Marc Guy and Chrystal Davis, City Attorney Meredith Ladd and City Secretary Chloe Sawatzky.

6:15 P.M. – COUNCIL BRIEFING ROOM

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

Mayor Babick called the meeting to order at 6:15 pm.

- 1. Receive information and discuss Agenda.**

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

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 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.
3. Council will reconvene in **Open Session** to consider action, if any, on matters discussed in the Executive Session. Council did not convene in Executive Session – no action taken.

*****WORKSESSION*****

- 4. Mayor And Council Reports And Information Sharing.**

Mayor Babick adjourned the Worksession at 6:39 pm.

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

Mayor Babick called the meeting to order at 7:00 pm.

INVOCATION – Councilmember Christopher Axberg

PLEDGE OF ALLEGIANCE – Councilmember Richard Fleming

PRESENTATIONS

- 5. Present A Proclamation Honoring National Police Week.**

PUBLIC COMMENT

- 6. Hearing of any citizen/visitor on items listed on the regular meeting agenda. Citizens wishing to address the Council regarding items not on the posted agenda will be called to speak during the Public Forum.**

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There were no speakers.

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 Pendleton moved approval of Consent Agenda Items 7-14 with Item 14 as amended; second by Deputy Mayor Pro Tem Cline. The motion was approved with a unanimous 7-0 vote.

MINUTES

- *7. Consider Approval Of The April 4, 2023 Regular Meeting Minutes.**
- *8. Consider Approval Of The April 18, 2023 Regular Meeting Minutes.**

BIDS & PURCHASES

- *9. Consider Authorizing The City Manager To Purchase Licensing And Maintenance Services From Harris Computer Systems In The Amount Of \$103,228.95, For A Two-Year Amount Not To Exceed \$216,780.80.**
- *10. Consider Approval Of RFP # 23-020 For Fertilizer Supplies For The Parks Maintenance Department From Various Vendors In The Amount Of \$90,000.00 Annually, For A Total Three-Year Contract Value Not To Exceed \$270,000.00.**
- *11. Consider Approval Of RFP # 23-019 Plant Protection For The Parks Department From Helena Agri Enterprises, LLC In The Amount Of \$90,000.00 Annually, For a Total Three-Year Contract Value Not To Exceed \$270,000.00.**

RESOLUTIONS

- *12. Consider A Resolution Accepting The Investment Officer's Quarterly Report For Second Quarter Ended March 31, 2023.**

***13. Consider A Resolution Authorizing The City Manager To Negotiate And Execute A Contract Renewal With Freedom Commercial Services, LLC For Mowing And Code Violation Abatement Services Through An Interlocal Agreement With The City Of Lewisville In An Amount Not To Exceed \$83,029.00.**

ORDINANCE

***14. Consider An Ordinance Canvassing The Returns And Declaring The Results Of The May 6, 2023 General Election.**

PRESENTATIONS

15. Presentation Acknowledging The Service Of Outgoing Councilmembers And Welcoming The Newly Elected Officials.

Mayor Babick invited Councilmember Polter to the floor and voiced appreciation for the years of service provided by Councilmember Polter and presented him with a personalized street name sign, a staff compiled picture book, and a bouquet of flowers.

Councilmember Polter talked about the highlights of his service on the City Council including his appreciation for the staff and their professionalism and spoke on challenges for incoming and on-going Council to consider. He thanked the community for allowing him to serve, stating it was his distinct honor and privilege.

Mayor Babick began his comments about Councilmember Young Sung stating that Councilmember Sung would always be remembered as the first Korean and Asian elected official. He expressed appreciation for Councilmember Sung's service, commitment to Carrollton, and presented him with a street name sign, picture book, and flowers.

Councilmember Sung thanked particular individuals for assistance during his service to Carrollton, including many staff members as well as past and current Councilmembers. He spoke of the highlights throughout his service on Council and his hopes of inspiring those to serve in the future.

Mayor Babick announced that former City of Carrollton Mayor and current Denton County Commissioner Kevin Falconer would administer the Oath of Office to the returning and newly elected Councilmembers.

Commissioner Falconer administered the Oath of Office to Jason Carpenter, Council Place 2; Daisy Palomo, Council Place 6; Andrew Palacios, Council Place 4; and Steve Babick, Mayor.

Mayor Babick invited the newly and reelected members to make comments.

Councilmember Carpenter thanked God, his family, campaign team, opponent Eddie Lopez, and the citizens of Carrollton. He spoke about his readiness to serve the citizens of the City of Carrollton. He challenged the citizens to stay involved, participate, let their talents shine, let their voice be heard, and let their influence be realized.

Councilmember Daisy Palomo thanked all those who voted in the election and talked about representing all of Carrollton. She expressed her appreciation for those who helped during the campaign and named specific individuals. She challenged women to keep going and to believe in themselves.

Councilmember Palacios acknowledged his wife and children, thanked his family and friends for their unwavering support as well as to the voters. He expressed appreciation for the City staff and stated he was proud to be a part of the team providing the core essential services to the residents. In closing, he stated he looks forward to continuing the focus on the vision and strategic goals of the City.

Mayor Babick began his comments by again thanking Councilmembers Adam Polter and Young Sung for their service. He also saluted the candidates who were not successful in this election for going through the process and encouraged them to stay involved. He also voiced his appreciation for the service of all Councilmembers and specifically thanked his family for their support. He stated that he is ready to get to work and leverage the momentum to move forward with the vision for the future.

ADJOURNMENT - Mayor Babick adjourned the meeting at 8:28 pm and invited the audience to attend the reception in the foyer.

ATTEST:

Chloe Sawatzky, City Secretary

Steve Babick, Mayor



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6193

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Bid/Purchases

Agenda Number: *10.

CC MEETING: June 6, 2023

DATE: May 31, 2023

TO: Erin Rinehart, City Manager

FROM: Scott Whitaker, Director of Parks & Recreation
Chrystal Davis, Assistant City Manager

Consider **Approval Of RFP # 23-016 Recreation Facilities Refresh For The Parks Department From Various Vendors In An Amount Not To Exceed \$118,395.66.**

BACKGROUND:

The staff plans to increase the usability and value to members by refreshing certain areas at the recreation facilities.

The purpose of this RFP was to select a qualified vendor to provide construction, demolition, and remodeling services for key areas of recreation facilities.

This award will result in adding new lockers in four (4) locker rooms, providing new installation of over 200 protective walls padding in the gymnasiums, repairing one of the sports courts, and front desk remodeling at the Rosemeade and Senior Centers.

Bid notifications were posted online, previous and interested vendors were contacted, and advertisements were placed in the Dallas Morning News, to which four vendors responded.

FINANCIAL IMPLICATIONS:

The items listed on RFP# 23-016 were approved for purchase from budgeted funds from CAP 854360 for the amounts listed below. A 10% contingency was added.

<u>COMPANY</u>	<u>ITEMS</u>	<u>AMOUNTS</u>
Construction Solutions USA	Lockers & Desk Furniture	\$60,488.42
Texas Precision Services	Wall Pad Coverings	\$44,200.00
Johnson Construction Services, LLC.	Gym Floor Repair	\$2,944.00
Contingency 10%		\$10,763.24
TOTAL		\$118,395.66

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommend that the best value bids meeting all specifications be awarded as listed above for a total amount awarded not to exceed \$118,395.66.

Event Number	RFP#23-016	Organization	City of Carrollton Purchasing
Event Title	Recreation Facilities Refresh	Workgroup	Purchasing
Event Description	This City of Carrollton has issued this	Event Owner	Patty Helms
Event Type	RFP	Email	Patty.Helms@cityofcarrollton.com
Issue Date	3/28/2023 08:40:49 AM (CT)	Phone	(972) 466-3115
Close Date	4/25/2023 01:00:00 PM (CT)	Fax	

Responding Supplier	City	State	Response Submitted	Lines Responded	Response Total
Construction Solutions USA	Carrollton	TX	'2023 12:26:02 PM	5	\$126,392.11
Johnson Construction Services, I	Alvarado	TX	'2023 12:28:00 PM	5	\$128,640.36
Texas Precision Services	Fort Worth	TX	'2023 01:49:36 PM	3	\$133,100.00
Steely Farm	Farmers Branch	TX	'2023 11:30:50 AM	5	\$166,432.44



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6200

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Bid/Purchases

Agenda Number: *11.

CC MEETING: Tuesday, June 6, 2023

DATE: May 23, 2023

TO: Erin Rinehart, City Manager

FROM: Heather Smith, Recreation Manager
Chrystal Davis, Assistant City Manager

Consider **Approval Of The Purchase And Installation Of Cardio And Weight Equipment And A Functional Storage System From Comm-Fit For The Rosemeade Recreation Center Through An Inter-Local Agreement With Buy-Board In An Amount Not To Exceed \$310,178.12.**

BACKGROUND:

Staff is seeking approval to replace 17 treadmills and 8 recumbent bikes, add 1 stair climber, and add a functional storage system along with free-weight equipment. The replacement pieces follow our normal 5-year evaluation process and due to mileage, repair costs, warranty expiration, and patron preference, staff feels these pieces should be replaced. The new stair climber will help with the demands placed on the existing two units and the storage system will enhance the workout space for our patrons.

Staff researched different types of equipment and visited other Dallas-Fort Worth facilities to test the equipment. Additionally, the functional storage system and new weight equipment to the Dance Room will give us a competitive edge.

FINANCIAL IMPLICATIONS:

Comm-Fit is a Buy-Board vendor.

The equipment and installation will be funded out of the Leisure Equipment Fund which is made up of revenues from the memberships at Recreation Centers for replacement of equipment.

The requested amount includes previously spent funds in the amount of \$25,939.60 for equipment at Crosby Recreation Center and Senior Center facilities along with a 10% contingency.

IMPACT ON COMMUNITY SUSTAINABILITY:

In each interaction, deliver a comfortable, informative experience where every customer feels valued.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends approval of the purchase and installation of 17 treadmills and 8 recumbent bikes, adding 1 stair climber, and adding a functional storage system with new weight equipment in an amount not to exceed \$310,178.12.



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6196

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Bid/Purchases

Agenda Number: *12.

CC MEETING: June 6, 2023

DATE: May 30, 2023

TO: Erin Rinehart, City Manager

FROM: Jody Byerly, Director Public Works
Marc Guy, Assistant City Manager

Consider **Approval Of Bid #23-021 For Asphalt Supplies 2023 From Austin Asphalt, Inc. In An Amount Not To Exceed \$90,000.00 Annually, For A Total Three-Year Contract –Amount Not To Exceed \$270,000.00.**

BACKGROUND:

The materials to be purchased from this price agreement will be used by the Public Works Department for miscellaneous paving and repair work throughout the City. This bid is for one year and contains the option to renew for two additional one-year renewal periods, if mutually agreed upon.

Bid notifications were posted online, previous and interested vendors were contacted, as well as advertisements were placed in the Dallas Morning News. Three vendors responded.

FINANCIAL IMPLICATIONS:

The materials will be purchased from budgeted funds for the cost center and amount as listed below.

<u>COST CENTER</u>	<u>LINE ITEM</u>	<u>BUDGET AMOUNT</u>
402001	ASPHALT	\$90,000.00

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends that City Council award the bid for asphalt supplies to Austin Asphalt, Inc. in an amount not to exceed the budget allocation of \$90,000.00 for the first year, and two additional one-year renewal periods, for a total three-year contract amount not to exceed \$270,000.00.

Event Number	RFP #23-021	Organization	City of Carrollton Purchasing
Event Title	Asphalt Supplies 2023	Workgroup	Purchasing
Event Description	The City of Carrollton is soliciting requests for	Event Owner	Julie Ketterer
Event Type	RFP	Email	Julie.Ketterer@cityofcarrollton.com
Issue Date	3/31/2023 11:01:46 AM (CT)	Phone	(972) 466-3105
Close Date	4/17/2023 03:00:00 PM (CT)	Fax	

Responding Supplier	City	State	Response Submitted	Lines Responded	Response Total
Austin Asphalt, Inc.	Coppell	TX	4/13/2023 03:57:30 PM (CT)	8	\$340,957.50
Texas Materials Group Ins. dba TexasBit	Irving	TX	4/17/2023 09:00:00 AM (CT)	8	\$389,000.00

Please note: Lines Responded and Response Total only includes responses to specification. No alternate response data is included.

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City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6197

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Bid/Purchases

Agenda Number: *13.

CC MEETING: June 6, 2023

DATE: May 31, 2023

TO: Erin Rinehart, City Manager

FROM: Jody Byerly, Director Public Works

Marc Guy, Assistant City Manager

Consider **Approval Of Bid #23-018 For Traffic Signal Equipment For Public Works From Various Vendors In An Annual Amount of \$400,000.00 And Total Contract Value of \$1,200,000.00.**

BACKGROUND:

The equipment to be purchased from this price agreement will take care of needs for traffic signal repairs and maintenance, installation of new traffic signals, replacement of existing pole tops and bases as necessary. This bid has the option for two (2) one-year renewals if mutually agreeable to both parties.

Bid notifications were posted online, previous and interested vendors were contacted, and advertisements were placed in the Dallas Morning News, of which four vendors responded. A panel of staff evaluators requested a BAFO, (Best and Final Offer), from the four vendors responding to the initial bid.

FINANCIAL IMPLICATIONS:

The materials on bid #23-018 will be purchased from budgeted funds and some capital accounts for the amount as listed below:

<u>COST CENTER</u>	<u>LINE ITEM</u>	<u>BUDGET AMOUNT</u>
TRAFFIC OPS/CAP	404001	\$ 400,000.00

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends that the bid be awarded to the best value vendor in each category as detailed below due to availability and pricing offered.

VENDOR

Paradigm Traffic Systems

CTC Inc.

MoboTrex Inc.

AWARD

Primary

Secondary

Tertiary

Event Number	23-018	Organization	City of Carrollton Purchasing
Event Title	Traffic Signal Equipment	Workgroup	Purchasing
Event Description	Congratulations, after care	Event Owner	Patty Helms
Event Type	RFP	Email	Patty.Helms@cityofcarrollton.com
Issue Date	03/31/2023	Phone	(972) 466-3115
Close Date	05/30/2023	Fax	

Responding Supplier	City	State	Response Submitted	Lines Responded	BAFO Response	Original Offers
General Traffic Equipment Corp	Newburgh	NY	/2023 08:47:46 AM	7	\$45,193.00	\$48,333.00
MoboTrex, Inc.	Davenport	IA	/2023 07:52:18 AM	13	\$75,530.00	\$75,380.00
Paradigm Traffic Systems (Kelly)	Arlington	TX	/2023 01:35:55 PM	22	\$348,192.00	\$344,917.00
Consolidated Traffic Controls, In	Arlington	TX	/2023 02:56:11 PM	30	\$432,066.00	\$450,839.00



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6198

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Bid/Purchases

Agenda Number: *14.

CC MEETING: June 6, 2023

DATE: May 31, 2023

TO: Erin Rinehart, City Manager

FROM: Jody Byerly, Director of Public Works
Marc Guy, Assistant City Manager

Consider **Approval Of Bid #23-009 For The Purchase And Installation Of Commercial Advance Metering Infrastructure (AMI) Water Meters From Fortiline, Inc. In An Amount Not To Exceed \$11,000,000.00.**

BACKGROUND

To improve customer service, reduce non-revenue water loss and improve workforce and asset management, the Public Works Department proposes to implement a Cellular LTE-M advanced metering infrastructure (AMI) automated water meter system. The AMI system will provide top-of-hour hourly meter readings for each meter in the City. The software will integrate with the City's utility billing software and provide a customer portal.

The conversion from standard manual-read water meters to AMI meters will be implemented in two phases. The first phase will consist of replacing manual-read water meters with AMI ultrasonic water meters on two commercial routes in two separate cycles.

The second phase will consist of the conversion of the remaining commercial meters and residential meters that are used in new construction. Conversions will begin after the first phase of the program has been completed.

Bid notifications were posted online, previous and interested vendors were contacted, and advertisements were placed in the Dallas Morning News. Four vendors responded. The low bid was unresponsive to the bid specifications and received negative references.

A panel of staff evaluators requested a BAFO (Best and Final Offer) from two of the four vendors responding to the initial bid. It was determined that the best value meeting the program specifications was submitted by Fortiline Inc.

FINANCIAL IMPLICATIONS

The AMI water meters will be purchased from budgeted funds for the cost center and amount as listed below:

<u>COST CENTER</u>	<u>LINE ITEM</u>	<u>BUDGET AMOUNT</u>
METER REPAIR SERV- 405004	60935 - R/M WATER METERS	\$11,000,000.00

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends that the City Council award the bid for the purchase and installation of AMI water meters to Fortiline Inc., in an amount not to exceed \$11,000,000.00.

Event Number	#23-009		Organization	City of Carrollton Purchasing		
Event Title	Replacement of Residential And Commercial AMI Meters (BAFR)		Workgroup	Purchasing		
Event Description			Event Owner	Patty Helms		
Event Type	RFP		Email	Patty.Helms@cityofcarrollton.com		
Issue Date	3/24/2023 11:50:01 AM (CT)		Phone	(972) 466-3115		
Close Date	5/10/2023 10:00:00 AM (CT)		Fax			
Responding Supplier	City	State	Response Submitted	Lines Responded	BAFO	Original Offer
Fortiline Inc	Dallas	TX	5/10/2023 08:30:11 AM (CT)	26	\$15,037,146.02	\$16,700,638.14
Core & Main LP	St. Louis	MO	5/9/2023 01:10:26 PM (CT)	26	\$17,919,169.42	\$19,280,589.42



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6173

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type:
Contracts/Agreements

Agenda Number: *15.

CC MEETING: June 6, 2023

DATE: May 15, 2023

TO: Erin Rinehart, City Manager

FROM: Jonathan Wheat, P.E., Director of Engineering
Marc Guy, Assistant City Manager

Consider Authorizing The City Manager To Approve A Construction Contract With 3D Paving And Contracting, LLC For The Crosby Estates Section 1 Paving And Drainage Improvements Project In An Amount Not To Exceed \$3,831,573.37.

BACKGROUND:

This contract will provide for the reconstruction of five (5) streets in the Crosby Estates Subdivision, including Milam Way, Milam Circle, Sam Houston Drive, Sam Houston Circle and Reagan Drive, as well as six (6) alleys. The project consists of the installation of approximately 12,670 linear feet of residential street pavement, 2,640 linear feet of alley pavement, and 11,620 linear feet of sidewalks. This project was part of the 2018 bond election.

The duration of construction is 365 calendar days. Construction will be performed such that all of the streets and alleys will not be under construction at the same time. Project signs will be placed at the entrances to the neighborhood during construction. All residents will be notified in writing regarding the project schedule prior to the start of construction. Additional handouts will be distributed as needed during the project.

FINANCIAL IMPLICATIONS:

Nine (9) bids were received on April 26, 2023. The low bid, in the amount of \$3,831,573.37, was submitted by 3D Paving and Contracting, LLC. The engineer's estimate for the project was \$5,056,316.16. 3D Paving and Contracting has performed numerous projects in Carrollton, most recently the Crosby Estates Section 2 and Northcrest Estates Sections 1 and 2 projects.

Funding is available in the Streets Consolidated, Drainage Consolidated and Utility Consolidated accounts. This project is also partly funded by Community Development Block Grant (CDBG)

funding.

IMPACT ON COMMUNITY SUSTAINABILITY:

This project will support the City Council's strategic objectives and vision of building a community that families and businesses want to call home by:

Sustaining quality of life - Improvements in the subdivision should improve the appearance of the neighborhood and encourage residents to provide better upkeep of their properties.

Sustaining day-to-day operations - The replacement of substandard infrastructure should reduce the need for non-scheduled or emergency repairs.

STAFF RECOMMENDATION/ACTION DESIRED:

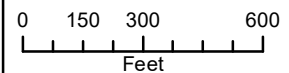
Staff recommends City Council authorize the City Manager to approve a construction contract with 3D Paving and Contracting for the Crosby Estates Section 1 Paving and Drainage Improvements Project in an amount not to exceed \$3,831,573.37.



— Crosby Estates Street Improvements
 Crosby Estates Alley Improvements



CROSBY ESTATES SECTION 1 PAVING AND DRAINAGE IMPROVEMENTS



U:\GIS DATA\MXD\
 05-11-2023 Crosby Estates Street

M. Natseway Engineering Technician



BIDDER'S LIST (LOWEST TO HIGHEST)

PROJECT **CROSBY ESTATES SECTION 1**
PAVING AND DRAINAGE IMPROVEMENTS
Days/Complete: 365 days

Date: April 26, 2023 @ 10:00 AM
Estimated Cost: \$5,056,316.16

#	CONTRACTOR	BID AMOUNT
1	3D Paving and Contractors, LLC	\$3,831,573.37
2	KIK Underground, LLC	\$4,138,435.75
3	Quality Excavation, LLC	\$4,851,420.65
4	XIT Paving & Construction, Inc.	\$4,908,470.00
5	Urban Infraconstruction, LLC	\$5,233,375.00
6	Tiseo Paving Company	\$5,330,502.75
7	McMahon Contracting, LP	\$5,319,787.29
8	FNH Construction, LLC	\$5,445,500.00
9	Axis Contracting, Inc.	\$5,609,272.00

BID TABULATION
CROSBY ESTATES SECTION 1- PAVING AND DRAINAGE IMPROVEMENTS

CITY OF CARROLLTON

BIDS OPENED: April 26, 2023

		3D Paving and Contractors, LLC P.O. Box 1698 Coppell, Tx 75019		KK Underground, LLC P.O. Box 850787 Richardson, TX 75085		Quality Excavation, LLC 5580 US Highway 337 Aubrey, TX 76227		XIT Paving & Construction, Inc. 3934 S. Hwy 287 Waxahachie, TX 75165		Urban Infraconstruction, LLC 2512 Gravel Dr. Fort Worth, TX 76118		Tiseo Paving Company P.O. Box 270040 Dallas, TX 7527		McMahon Contracting, LP 3019 Roy Orr Blvd Grand Prairie, TX 75050		FNH Construction, LLC 4099 McEwen Farmers Branch, TX 75244		Axis Contracting, Inc. P.O. Box 360715 Dallas, TX 75336	
ITEM	DESCRIPTION	UNIT	BID QTY	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
1	Mobilization	LS	1	\$182,455.87	\$182,455.87	\$100,000.00	\$100,000.00	\$242,000.00	\$242,000.00	\$185,000.00	\$185,000.00	\$150,000.00	\$150,000.00	\$156,750.00	\$156,750.00	\$265,442.83	\$265,442.83	\$500,000.00	\$500,000.00
2	Videotape Project Area	LS	1	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$1,500.00	\$1,500.00	\$4,500.00	\$4,500.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$5,000.00	\$5,000.00
3	Traffic Control & Barricades	LS	1	\$20,000.00	\$20,000.00	\$45,500.00	\$45,500.00	\$38,699.00	\$38,699.00	\$61,270.00	\$61,270.00	\$80,000.00	\$80,000.00	\$175,000.00	\$175,000.00	\$42,593.18	\$42,593.18	\$150,000.00	\$150,000.00
4	Erosion Control	LS	1	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$10,000.00	\$10,000.00	\$7,100.00	\$7,100.00	\$15,000.00	\$15,000.00	\$33,000.00	\$33,000.00	\$13,147.41	\$13,147.41	\$5,000.00	\$5,000.00
5	Remove and Replace Traffic or Street Signs	EA	19	\$750.00	\$14,250.00	\$750.00	\$14,250.00	\$650.00	\$12,350.00	\$549.00	\$10,431.00	\$1,200.00	\$22,800.00	\$709.50	\$13,480.50	\$751.42	\$14,276.98	\$1,150.00	\$21,850.00
6	Rem. & Disp. of Conc./Asph. Pavement, Drive and Alley	SY	26,660	\$14.50	\$386,570.00	\$15.00	\$399,900.00	\$16.00	\$426,560.00	\$25.00	\$666,500.00	\$22.00	\$586,520.00	\$19.80	\$527,868.00	\$12.37	\$329,784.20	\$20.00	\$533,200.00
7	Rem. & Disp. of Concrete Sidewalk	SY	5,280	\$10.00	\$52,800.00	\$10.00	\$52,800.00	\$14.00	\$73,920.00	\$4.00	\$21,120.00	\$20.00	\$105,600.00	\$13.20	\$69,696.00	\$7.46	\$39,388.80	\$20.00	\$105,600.00
8	Remove & Replace Exist Flume	SY	60	\$80.00	\$4,800.00	\$500.00	\$30,000.00	\$92.00	\$5,520.00	\$160.00	\$9,600.00	\$180.00	\$10,800.00	\$148.50	\$8,910.00	\$209.67	\$12,580.20	\$50.00	\$3,000.00
9	Remove & Replace Exist Steps	EA	5	\$575.00	\$2,875.00	\$750.00	\$3,750.00	\$1,900.00	\$9,500.00	\$1,951.00	\$9,755.00	\$3,000.00	\$15,000.00	\$1,100.00	\$5,500.00	\$4,781.72	\$23,908.60	\$500.00	\$2,500.00
10	Adjust Exist San. Sew. Manhole to Grade	EA	15	\$472.50	\$7,087.50	\$800.00	\$12,000.00	\$1,295.84	\$19,437.60	\$628.00	\$9,420.00	\$700.00	\$10,500.00	\$1,815.00	\$27,225.00	\$4,868.54	\$73,028.10	\$2,500.00	\$37,500.00
11	Remove Mainline S.S.C.O. & Construct 5' Dia. S.S.M.H.	EA	5	\$11,550.00	\$57,750.00	\$8,500.00	\$42,500.00	\$10,858.51	\$54,292.55	\$11,152.00	\$55,760.00	\$8,000.00	\$40,000.00	\$13,750.00	\$68,750.00	\$15,694.41	\$78,472.05	\$15,000.00	\$75,000.00
12	Adjust Exist Water Valve Stack to Grade	EA	18	\$260.00	\$4,680.00	\$385.00	\$6,930.00	\$860.96	\$15,497.28	\$278.00	\$5,004.00	\$650.00	\$11,700.00	\$968.00	\$17,424.00	\$423.79	\$7,628.22	\$850.00	\$15,300.00
13	Adjust Existing Fire Hydrant to Grade	EA	8	\$3,080.00	\$24,640.00	\$1,000.00	\$8,000.00	\$2,147.05	\$17,176.40	\$2,702.00	\$21,616.00	\$1,000.00	\$8,000.00	\$2,750.00	\$22,000.00	\$2,191.56	\$17,532.48	\$3,500.00	\$28,000.00
14	Remove and Replace Existing Water Meter Box	EA	171	\$260.00	\$44,460.00	\$652.00	\$111,492.00	\$821.42	\$140,462.82	\$472.00	\$80,712.00	\$1,000.00	\$171,000.00	\$726.00	\$124,146.00	\$734.92	\$125,671.32	\$850.00	\$145,350.00
15	Repair/Adjustment of Sprinkler System	AL	1	\$50,000.00	\$50,000.00	\$25,000.00	\$25,000.00	\$57,500.00	\$57,500.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00
16	8" Flexible Base (Crushed Stone or Concrete)	SY	22,125	\$18.00	\$398,250.00	\$14.15	\$313,068.75	\$22.00	\$486,750.00	\$31.00	\$685,875.00	\$25.00	\$553,125.00	\$25.30	\$559,762.50	\$25.79	\$570,603.75	\$25.00	\$553,125.00
17	Reinf. Concrete Alley Pavement	SY	3,840	\$69.00	\$264,960.00	\$69.00	\$264,960.00	\$95.00	\$364,800.00	\$102.00	\$391,680.00	\$100.00	\$384,000.00	\$141.25	\$542,400.00	\$129.01	\$495,398.40	\$85.00	\$326,400.00
18	8" Reinf. Concrete Pavement (Milam Way Only)	SY	7,540	\$80.00	\$603,200.00	\$93.00	\$701,220.00	\$118.00	\$889,720.00	\$87.00	\$655,980.00	\$103.00	\$776,620.00	\$108.30	\$816,582.00	\$130.78	\$782,501.20	\$85.00	\$640,900.00
19	6" Reinf. Concrete Pavement - Street	SY	13,665	\$68.00	\$929,220.00	\$79.00	\$1,079,535.00	\$64.00	\$874,560.00	\$68.00	\$929,220.00	\$86.00	\$1,175,190.00	\$86.65	\$1,184,072.25	\$84.47	\$1,154,282.55	\$75.00	\$1,024,875.00
20	5" Reinf. Concrete Driveway (in Alley)	SY	450	\$60.00	\$27,000.00	\$78.00	\$35,100.00	\$73.00	\$32,850.00	\$79.00	\$35,550.00	\$100.00	\$45,000.00	\$75.90	\$34,155.00	\$161.47	\$72,661.50	\$85.00	\$38,250.00
21	5" Reinf. Concrete Driveway (in Street)	SY	3,305	\$60.00	\$198,300.00	\$75.00	\$247,875.00	\$92.00	\$304,060.00	\$82.00	\$271,010.00	\$100.00	\$330,500.00	\$74.80	\$247,214.00	\$142.15	\$469,805.75	\$72.00	\$237,960.00
22	4" Reinf. Concrete Sidewalk	SY	5,665	\$55.00	\$311,575.00	\$63.00	\$356,895.00	\$71.00	\$402,215.00	\$79.00	\$447,535.00	\$80.00	\$339,900.00	\$60.50	\$342,732.50	\$80.08	\$340,353.20	\$82.00	\$351,230.00
23	6" Integral Street Concrete Curb	LF	11,065	\$4.00	\$44,260.00	\$5.50	\$60,857.50	\$5.00	\$55,325.00	\$3.00	\$33,195.00	\$6.00	\$66,390.00	\$4.00	\$44,260.00	\$4.10	\$45,366.50	\$14.00	\$154,910.00
24	6" Integral Sidewalk Concrete Curb	LF	855	\$4.00	\$3,420.00	\$5.50	\$4,702.50	\$7.00	\$5,985.00	\$3.00	\$2,565.00	\$6.00	\$5,130.00	\$22.00	\$18,810.00	\$13.88	\$11,867.40	\$30.00	\$25,650.00
25	Barrier Free Ramp	EA	24	\$1,600.00	\$38,400.00	\$1,850.00	\$44,400.00	\$3,250.00	\$78,000.00	\$1,881.00	\$45,144.00	\$2,200.00	\$52,800.00	\$2,145.00	\$51,480.00	\$2,493.24	\$59,837.76	\$2,850.00	\$68,400.00
26	Install New 3/8-inch Steel Plate over New Sidewalk Flume	EA	3	\$850.00	\$2,550.00	\$3,500.00	\$10,500.00	\$4,200.00	\$12,600.00	\$3,234.00	\$9,702.00	\$2,800.00	\$8,400.00	\$2,750.00	\$8,250.00	\$3,107.89	\$9,323.67	\$6,500.00	\$19,500.00
27	Furnish and Place Block Sodding with 2-inch Top Soil	SY	8,380	\$9.00	\$75,420.00	\$10.00	\$83,800.00	\$12.00	\$100,560.00	\$15.00	\$125,700.00	\$15.00	\$125,700.00	\$11.00	\$92,180.00	\$11.36	\$95,196.80	\$15.00	\$125,700.00
28	Remove & Replace Existing Inlet Top (10-feet)	EA	8	\$2,625.00	\$21,000.00	\$3,600.00	\$28,800.00	\$8,300.00	\$66,400.00	\$4,438.00	\$35,504.00	\$5,500.00	\$44,000.00	\$4,950.00	\$39,600.00	\$5,761.79	\$46,094.32	\$15,000.00	\$120,000.00
29	Remove & Replace Existing Inlet Top (20-feet)	EA	2	\$5,250.00	\$10,500.00	\$5,000.00	\$10,000.00	\$10,100.00	\$20,200.00	\$9,430.00	\$18,860.00	\$7,500.00	\$15,000.00	\$9,350.00	\$18,700.00	\$10,481.56	\$20,963.12	\$25,000.00	\$50,000.00
30	Tree Root Barrier (Existing Tree)	LF	480	\$52.50	\$25,200.00	\$35.00	\$16,800.00	\$58.00	\$27,840.00	\$50.00	\$24,000.00	\$50.00	\$24,000.00	\$33.00	\$15,840.00	\$34.95	\$16,776.00	\$55.00	\$26,400.00
31	Remove Exist Tree	EA	3	\$3,000.00	\$9,000.00	\$3,500.00	\$10,500.00	\$1,600.00	\$4,800.00	\$1,054.00	\$3,162.00	\$2,400.00	\$7,200.00	\$4,125.00	\$12,375.00	\$11,000.00	\$33,000.00	\$2,000.00	\$6,000.00
SUBTOTAL (ALL ITEMS)					\$3,831,573.37		\$4,138,435.75		\$4,851,420.65		\$4,908,470.00		\$5,233,375.00		\$5,330,502.75		\$5,319,787.25		\$5,445,500.00
																	\$5,320,362.58		\$5,488,500.00



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6188

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type:
Contracts/Agreements

Agenda Number: *16.

CC MEETING: June 6, 2023

DATE: May 23, 2023

TO: Erin Rinehart, City Manager

FROM: Melissa Everett, Director of Finance
Chrystal Davis, Assistant City Manager

Consider **Authorizing The City Manager To Execute A Contract With Woven Health For Improvement Of Life Situations Of Low And Moderate Income Residents In An Amount Not To Exceed \$100,000, Increasing The Total Contract To An Amount Not To Exceed \$202,465.**

BACKGROUND:

Woven Health Clinic is a 501(c)(3) charitable clinic that provides free and low-cost health care services for people who live in Dallas, Carrollton, Coppell, Addison, and Farmers Branch to those that cannot afford it. The City has partnered with the Woven Health Clinic for numerous years and has provided funding through its Community Funding Program.

As part of the Fiscal Year 2023 Budget, City Council appropriated \$100,000 to the Woven Health Clinic for the purposes of providing additional programs and services designed to improve life situations of the low- and moderate-income residents of the City of Carrollton. These funds were conditional on the Woven Health Clinic meeting specific requirements. This contract outlines the requirements that the Woven Health Clinic must meet.

FINANCIAL IMPLICATIONS:

This agenda item requests an increase of \$100,000, in addition to the previous Community Funding contract amount of \$10,000, and Fiscal Year 2023 Community Block Development Grant spending of \$92,465. This funding provides a continued financial resource for Woven Health to assist low- to moderate-income Carrollton residents.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council authorize the City Manager to enter a contract with the Woven Health

Clinic for the continued funding of low- and moderate-income assistance programs in an amount not to exceed \$100,000 for a total contract amount not to exceed \$202,465.



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6191

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type:
Contracts/Agreements

Agenda Number: *17.

CC MEETING: June 6, 2023

DATE: May 30, 2023

TO: Erin Rinehart, City Manager

FROM: Jonathan Wheat, P.E., Director of Engineering
Marc Guy, Assistant City Manager

Consider Authorizing The City Manager To Approve A Construction Contract With C. Green Scaping, LP For The Hebron Parkway Guardrail And Live Screening Improvements Project On The South Of Hebron Parkway And Adjacent To The Estates Of High Country Neighborhood In An Amount Not To Exceed \$772,501.00.

BACKGROUND:

In the FY20 budget, City Council funded the second phase of the citywide Screening Wall Infill Program. Three locations were selected for in-fill walls - Webb Chapel Road (west side, from Towerwood Drive to Gateway Avenue); Hebron Parkway (south side, generally from west of Marsh Ridge Road to the Loerwald Insurance office building); and Frankford Road (both sides, from the BNSF railroad tracks to Scott Mill Road). The original budget for all three projects was \$1.27 million. Based on the recommendation of the City Council Re-Development Committee, the Hebron Parkway project was the #2 priority for implementation.

The original scope of the Hebron Parkway project was to construct approximately 1,150 linear feet of 8' tall masonry wall on the south side of Hebron Parkway. The original project budget was \$270,000.

As the project design advanced, it became clear that the scope would need to be altered due to significant increases in market construction costs and the multiple utility conflicts that existed within the limited available right-of-way. In addition, the property owners adjacent to the project requested that a guardrail be added to protect their properties from vehicle crashes, which would require relocation of the existing sidewalk. In May 2021, the Re-Development Committee recommended that the project scope be modified to the installation of a 10' tall wood or simulated wood fence, installation of a decorative guardrail along the Hebron Parkway frontage, and relocation of the sidewalk behind the guardrail. The revised project estimate was \$660,000. In June 2021, the Committee recommended that the fence height be lowered to 8' due to escalating project costs.

In the FY22 budget review, City Council considered \$1.2 million of additional funding for the screening wall infill projects. The program construction estimate had increased to \$2.76 million. City Council chose to fund a citywide beautification initiative (lighted arterial intersection street signs) instead of allocating additional funding to the screening wall projects. Subsequently, in September 2021, the Re-Development Committee recommended that the Frankford Road projects be removed from the program, and design work was discontinued.

The Committee further recommended that the fence component be removed from the Hebron Parkway project in favor of replacing the photinias on the south side of Hebron Parkway. As a result, the final project scope was (1) relocation of the existing sidewalk away from the Hebron Parkway curb, (2) replacement of the existing living screen with a different plant species, and (3) installation of a decorative impact-resistant guardrail between the curb and new sidewalk. In August 2022, the Re-Development Committee recommended that the photinias be replaced with skyrocket juniper due to its low maintenance cost, fast rate of growth and the taller living screen height it offers compared to other plant species.

This contract will provide for the construction of approximately 1,035 linear feet of impact-resistant guardrail meeting TxDOT standards, a 4' wide concrete sidewalk and replacing the existing photinia plants with skyrocket junipers along the south side of Hebron Parkway. The duration of construction is 120 calendar days.

FINANCIAL IMPLICATIONS:

Only one bid was received on April 5, 2023. The bid, in the amount of \$772,501.00, was submitted by C. Green Scaping, LP. The engineer's estimate for the project was \$465,000.

Staff has evaluated project options, which include rejection of the bid and termination of the project, rejection of the bid and re-bidding the project at a later date either as an independent project or as part of another construction project, or altering the project scope and rebidding the project at a later date. Reducing the project scope further is not feasible, and further attempts to re-bid the project are unlikely to result in a lower cost and could possibly result in no bids being submitted. As a result, staff is recommending award of the construction bid as submitted.

Subtracting the project design costs and the construction cost of the Webb Chapel screening wall project, \$317,000 is available in the budget for the Hebron Parkway project. Additional funding of \$456,000 is available in the Streets Capital Fund.

Maintenance and irrigation costs are expected to be \$500 per year as the Skyrocket Juniper does not need annual pruning.

IMPACT ON COMMUNITY SUSTAINABILITY:

This project will support the City Council's strategic objectives and vision of building a community that families and businesses want to call home by:

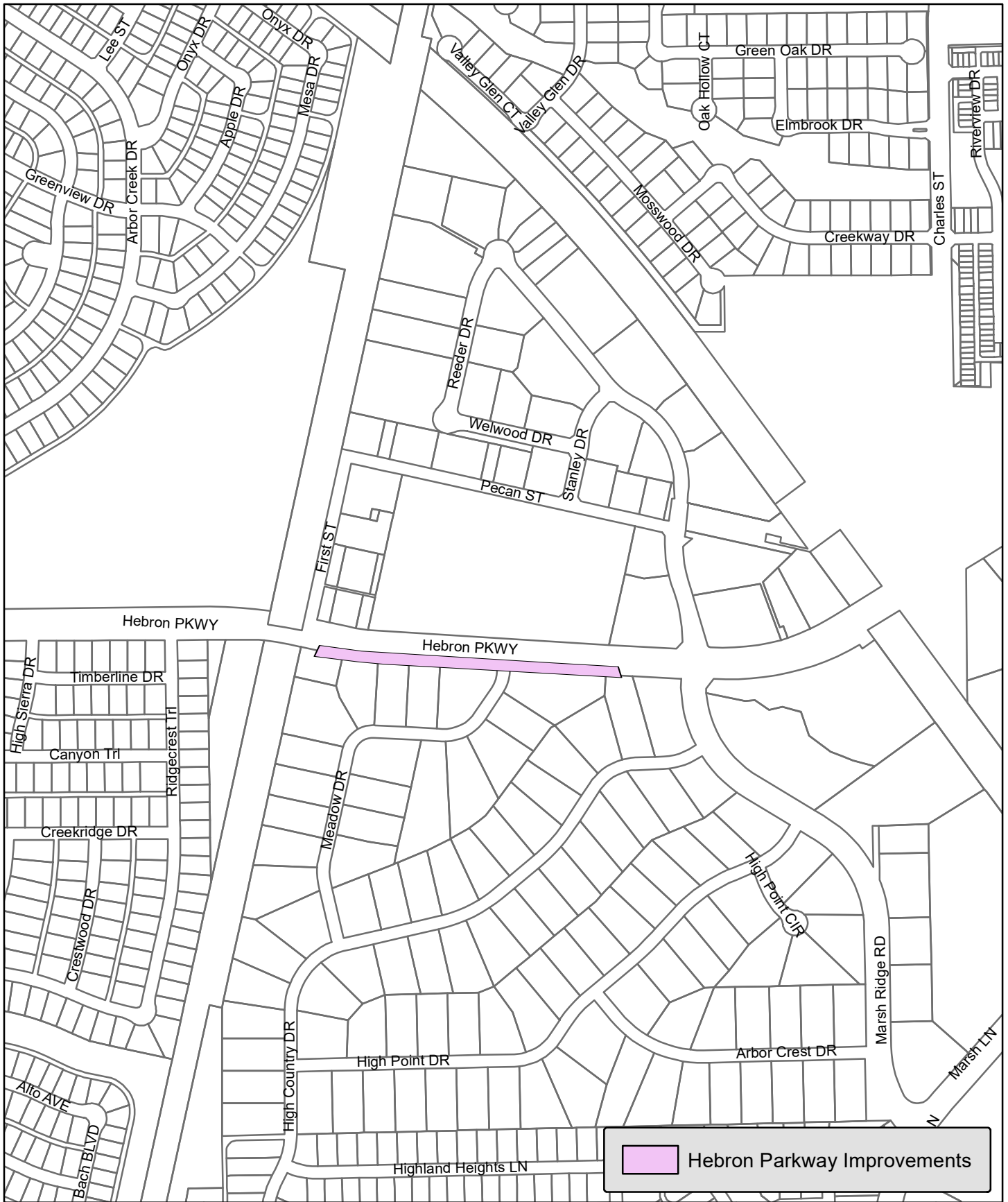
Sustaining quality of life - The proposed project improvements should improve the appearance of a major arterial street corridor and community entryway.

Sustaining day-to-day operations - The guardrail should enhance pedestrian safety along Hebron Parkway

and reduce the risk of vehicles crashing into the adjacent residential properties.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council award of the construction contract for the Hebron Parkway Guardrail and Live Screening Improvements Project to C. Green Scaping, LP in an amount not to exceed \$772,501.00.



HEBRON PARKWAY IMPROVEMENTS



U:\GIS DATA\MXD\
5-11-2023 Hebron Pkwy Improvements

M.Natseway Engineering Technician



BIDDER'S LIST (LOWEST TO HIGHEST)

PROJECT: Improvements Along Hebron Parkway
Days/Complete: 120 days

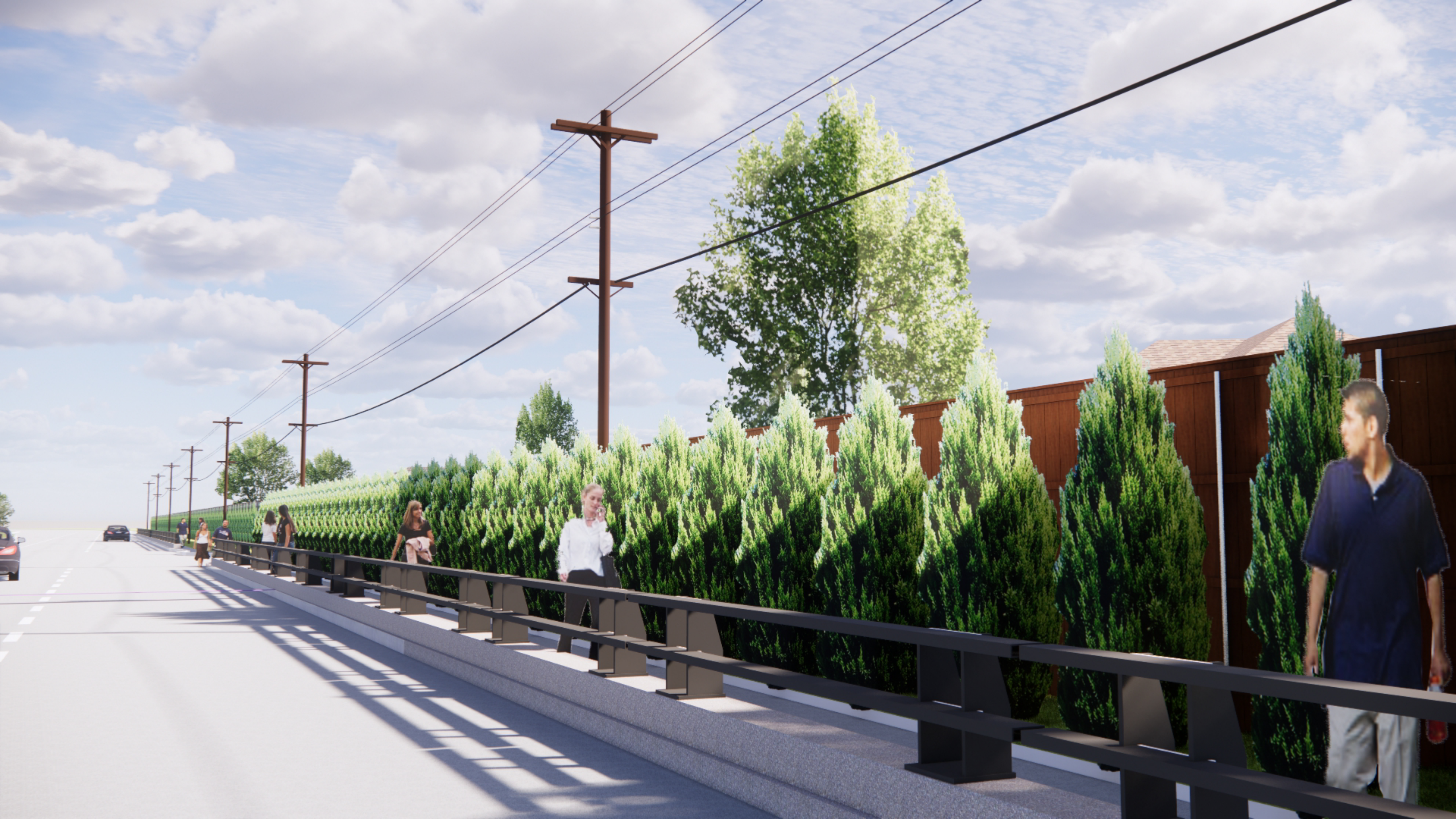
Date: April 5, 2023
Estimated Cost: \$465,000.00

#	CONTRACTOR	BID AMOUNT	
1	C. Green Scaping, LP	\$772,501.00	
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			

BID TABULATION
Improvements Along Hebron Parkway

BIDS OPENED: April 05, 2023

				1	
				C. Green Scaping, LP 2401 Handley Ederville Rd. Fort Worth, TX 76118	
ITEM	DESCRIPTION	UNIT	BID QTY	UNIT COST	TOTAL COST
1	Mobilization (Not to Exceed 5%)	LS	1	\$25,600.00	\$25,600.00
2	Videotape Project Area	LS	1	\$600.00	\$600.00
3	Remove and Dispose of Concrete Sidewalk	SY	575	\$15.00	\$8,625.00
4	Remove Existing Trees, Photina or Shrubs	LF	1,020	\$9.90	\$10,098.00
5	Traffic Contron Plan & Devices	LS	1	\$18,000.00	\$18,000.00
6	Erosion Control	LS	1	\$8,600.00	\$8,600.00
7	Construct Guard Rail (TxDOT Bridge Railing Type T1W)	LF	1,100	\$203.00	\$223,300.00
8	4-inch Thick Sidewalk	SY	8	\$71.00	\$568.00
9	Sidewalk Slab	SY	490	\$628.00	\$307,720.00
10	Planting Skyrocket Juniper	EA	255	\$638.00	\$162,690.00
11	Construct Guard Rail (MBGF-19)	LF	110	\$32.00	\$3,520.00
12	Planting Crepe Myrtle Tree	EA	3	\$1,060.00	\$3,180.00
SUBTOTAL (ALL ITEMS)					\$772,501.00





City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6192

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type:
Contracts/Agreements

Agenda Number: *18.

CC MEETING: June 6, 2023

DATE: May 31, 2023

TO: Erin Rinehart, City Manager

FROM: Melissa Everett, Director of Finance
Chrystal Davis, Assistant City Manager

Consider Approval Of A Contract With Pitney Bowes Through A Buy Board Awarded Contract For The Leasing of Postage Equipment In An Amount Not To Exceed \$14,632.68 Annually, For A Total Five-Year Contract Value Not To Exceed \$73,163.40.

BACKGROUND:

The Finance Department's General Services Unit manages all incoming and outgoing mail for the City's business needs. The equipment used is manufactured and serviced by Pitney Bowes. We currently lease a postage machine and folder unit to process outgoing letters, certified parcels, and packages. The current lease is coming to an end, and we will need to renew the lease for a five-year agreement which is paid monthly from budgeted funds.

The Local Government Purchasing Cooperative is an administrative agency created in accordance with Section 791.001 of the Texas Government Code. Its purpose is to obtain the benefits and efficiencies that can accrue to members of a cooperative, to comply with state bidding requirements, and to identify qualified vendors of commodities, goods, and services.

FINANCIAL IMPLICATIONS:

The lease will be purchased from budgeted funds for the accounts and amounts listed below over the term of the five-year lease.

ACCOUNTING UNIT	ACCOUNT	BUDGET (5yr)
145002-General Services	61700-Rentals Machinery	\$73,163.40

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends the City Council authorize the City manager to enter into a lease agreement with

Pitney Bowes for postage equipment in an amount not to exceed \$14,632.68 annually, for a five-year contract value not to exceed \$73,163.40.



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6174

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Ordinance

Agenda Number: *19.

CC MEETING: June 6, 2023

DATE: May 18, 2023

TO: Erin Rinehart, City Manager

FROM: Michael Thomson, Fire Chief

Marc Guy, Assistant City Manager

Consider An **Ordinance To Amend The Authorized Number Of Sub-Apparatus Operator And Firefighter Civil Service Positions Within The Carrollton Fire Department.**

BACKGROUND:

This agenda item is to amend Ordinance No. 4121, which was adopted by the City Council on January 10, 2023. It designates the number of positions in each classification of Firefighters in the Carrollton Fire Department. The proposed amendment reflects changes in the number of authorized Sub-Apparatus Operator positions from 15 to 12 and authorized Firefighter positions from 79 to 82. The change in the numbers of the specific classifications does not change the total number of authorized positions in the Fire Department.

The proposed amendment is a continuation of the first phase of a two-year implementation plan for the Fire Department reorganization. It is intended to ensure long-term sustainability and competitiveness in recruitment and retention, and prepare the Fire Department to update and revise its EMS incident deployment model.

FINANCIAL IMPLICATIONS:

Funding for phase one of the Fire Department's Sub-Apparatus Operator re-organization plan is included in the Fiscal Year 2023 operating budget.

IMPACT ON COMMUNITY SUSTAINABILITY:

The Fire Department re-organization is intended to ensure that it remains competitive in recruitment and retention and to reduce wear on apparatus while improving in-district reliability and response times.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approval of the attached ordinance amending Ordinance No. 4121 to decrease the number of authorized Sub-Apparatus Operator positions to 12 and increase the number of authorized Firefighter positions to 82.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, DESIGNATING THE NUMBER OF POSITIONS IN EACH CLASSIFICATION OF FIREFIGHTERS IN THE CARROLLTON FIRE DEPARTMENT; PROVIDING FOR SAVINGS, REPEAL, AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Local Government Code Section 143.021 provides that a municipality's governing body shall establish the classifications, and shall prescribe the number of positions in each classification of firefighters by ordinance;

WHEREAS, the City Council passed Ordinance No. 4121 on January 10, 2023, designating the number of positions in each classification of firefighters in the Carrollton Fire Department;

WHEREAS, due to anticipated changes in personnel in the Operations and Support Services Divisions of Carrollton Fire Rescue, the classification numbers need adjustment in order to maintain the necessary number of Sub-Apparatus Operators and Firefighters in the Operations Division; and

WHEREAS, the changes in the numbers of specific classifications will not change the total number of positions provided for in Ordinance No. 4121.

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

SECTION 1.

The number of positions and classifications of firefighters within the Carrollton Fire Department shall be:

<u>CLASSIFICATION</u>	<u>NO. OF POSITIONS</u>
Firefighters	82
Sub-Apparatus Operators	12
Apparatus Operators	39
Captains	32
Battalion Chiefs	6
Assistant Chiefs	2
	<hr/>
TOTAL	173

SECTION 2.

This Ordinance does not affect the right of the Fire Chief to appoint one person to the classification of Assistant Chief.

SECTION 3.

All provisions of the ordinances of the City of Carrollton, codified or uncoded, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City of Carrollton, codified or uncoded, not in conflict with the provisions of this Ordinance shall remain in full force and effect. The repeal of any ordinance or part of an ordinance by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinances in effect at the time of passage of this Ordinance.

SECTION 4.

If any section, sub-section, paragraph, clause, phrase, or provisions of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part or provisions hereof, other than the part so decided to be invalid or unconstitutional.

SECTION 5.

This Ordinance shall take effect immediately upon its adoption in accordance with and as provided by law and the City Charter.

DULY PASSED AND APPROVED this the 6th day of June 2023.

CITY OF CARROLLTON, TEXAS

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

Approved as to form:

Approved as to content:

Serenity Norman, Assistant City Attorney

Michael Thomson, Fire Chief



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6183

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Ordinance

Agenda Number: *20.

CC MEETING: June 6, 2023

DATE: May 25, 2023

TO: City Council

FROM: Meredith A. Ladd, City Attorney

Consider An **Ordinance Of The City Council Of The City Of Carrollton, Texas Amending Chapter 10 Of The City Of Carrollton Code Of Ordinances, To Amend Section 10.99(A). General Penalty To Revise, Restate, And Remove References In That Section.**

BACKGROUND:

As part of the review of the Code of Ordinances in response to proposed legislation, some out-of-date references were noted. This ordinance revises those obsolete references to be current.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends adopting the ordinance to amend section 10.99(A) to revise out of date references.

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING CHAPTER 10 OF THE CITY OF CARROLLTON CODE OF ORDINANCES, TO AMEND SECTION 10.99(A). GENERAL PENALTY TO REVISE, RESTATE, AND REMOVE REFERENCES IN THAT SECTION; PROVIDING SEVERABILITY, REPEALER, AND SAVINGS CLAUSES; AND PROVIDING 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 Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the code of ordinances 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.

Chapter 10. General Provisions, Section 10.99(A). General Penalty of the Code of Ordinances for the City of Carrollton, Texas, is hereby amended to state the following:

“(A) The conviction of a violation of a provision of this Code or any ordinance, rule, or regulation of the City, is punishable as follows:

(1) Not to Exceed \$500.00 for violation of the following Code chapters or sections:

- (a) Chapter 31 (Comprehensive Fee Schedule).
- (b) Chapter 37 (Records Management).
- (c) Chapter 53 (Streets and Sidewalks).
- (d) Chapter 54 (General Design Standards).
- (e) Chapters 70 through 73 (Traffic Code).
- (f) Chapter 99 (Apartment Crime Reduction Program).
- (g) Chapter 111 (Alcoholic Beverages).
- (h) Chapter 112 (BYOB Businesses Regulation).
- (i) Chapter 113 (Solicitors).

- (j) Chapter 115 (Regulated Property).
 - (k) Chapter 117 (Special Events).
 - (l) Chapter 130 (General Offenses).
 - (m) Chapter 132 (Public Library).
 - (n) Chapter 133 (Parks and Recreation).
 - (o) Chapter 151 (Sign Regulations).
- (2) Not to exceed \$2,000.00 if the provisions violated govern fire safety, zoning, or public health and sanitation provisions, as follows:
- (a) Chapter 50 (Solid Waste and Recycling).
 - (b) Chapter 52 (Water and Sewer Services).
 - (c) Chapter 56 (Cross-Connection Control and Prevention).
 - (d) Chapter 90 (Abandoned Property and Vehicles).
 - (e) Chapter 91 (Animal Regulations).
 - (f) Chapter 92 (Nuisances).
 - (g) Chapter 93 (Smoking in Public Places).
 - (h) Chapter 94 (Pool, Spa, and Interactive Water Feature and Fountain Regulations).
 - (i) Chapter 95 (Weeds and other Unsanitary Matter).
 - (j) Chapter 96 (Single- and Multi-Family Housing Code).
 - (k) Chapter 97 (Hotel Code).
 - (l) Chapter 98 (Commercial Property Maintenance Code).
 - (m) Chapter 116 (Restaurants and Food Establishments).
 - (n) Chapter 150 (Construction Codes).
 - (o) Chapter 152 (Subdivision Ordinance).
 - (p) Chapter 153 (Zoning Ordinance).
 - (q) Chapter 154 (Fence Regulations).
 - (r) Chapter 156 (Private Wells).
 - (s) Chapter 171 (Wastewater Pretreatment).
 - (t) Chapter 172 (Liquid Waste).
 - (u) Chapter 173 (Stormwater Pollution Prevention).
 - (v) Chapter 174 (Stormwater and Flood Protection).
 - (w) Chapter 175 (Municipal Setting Designation).
 - (x) Chapter 176 (Water Well Pollution Protection).
- (3) Fixed by state law if the violation is one for which the state has a fixed fine.”

Section 3.

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

Section 4.

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 5.

All other provisions of Chapter 10 not expressly amended as stated herein, as well as all other provisions of the Carrollton City Code, shall remain in full force and effect.

Section 6.

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

PASSED AND APPROVED this the Sixth day of June, 2023.

CITY OF CARROLLTON

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky
City Secretary

APPROVED AS TO FORM:

Meredith Ladd
City Attorney

APPROVED AS TO CONTENT:

Melissa Everett
Finance Director



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6184

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Ordinance

Agenda Number: *21.

CC MEETING: June 6, 2023

DATE: May 25, 2023

TO: City Council

FROM: Meredith A. Ladd, City Attorney

Consider An **Ordinance Of The City Council Of The City Of Carrollton, Texas Amending Chapter 97. Hotel Code Of The City Of Carrollton Code Of Ordinances, To Amend Section 97.09(G). Premises Requirements To Remain Consistent With State Law Changes.**

BACKGROUND:

The Texas Legislature approved HB 2127 that preempts Home Rule cities from enacting regulations that conflict with certain state laws. It was determined by staff that one section in Chapter 97, Hotel Code, of the Code of Ordinances may not be in line with state law. This revision provides for compliance in accordance with state law, as it may be amended.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends adopting this Ordinance revising Chapter 97 of the City Code of Ordinances.

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING CHAPTER 97. HOTEL CODE OF THE CITY OF CARROLLTON CODE OF ORDINANCES, TO AMEND SECTION 97.09(G). PREMISES REQUIREMENTS TO REVISE AND RESTATE LANGUAGE; PROVIDING SEVERABILITY, REPEALER, AND SAVINGS CLAUSES; AND PROVIDING 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, Section 54.004 of the Texas Local Government Code provides that a home rule municipality may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants; 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 code of ordinances 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.

Chapter 97. Hotel Code, Section 97.09(G) of the Code of Ordinances for the City of Carrollton, Texas, is hereby amended to state the following:

“(1) Consistent with State law, a hotel owner or keeper shall post a card or sign in a conspicuous place in each hotel room stating:

- (a) the daily room rate; and
- (b) the date the card or sign was posted.

(2) An increase in the daily room rate is not effective until the 30th day after the date a card or sign with the increased rate is posted.

(3) The owner or keeper of a hotel having 20 or more rooms shall give a guest assigned a room a ticket showing the daily room rate being charged for the room. The room rate on the ticket must conform with the rate posted under subsection (1).”

Section 3.

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

Section 4.

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 5.

All other provisions of Chapter 97 not expressly amended as stated herein, as well as all other provisions of the Carrollton City Code, shall remain in full force and effect.

Section 6.

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

PASSED AND APPROVED this the Sixth day of June, 2023.

CITY OF CARROLLTON

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky
City Secretary

APPROVED AS TO FORM:

Meredith Ladd
City Attorney

APPROVED AS TO CONTENT:

Cory Heiple
Environmental Services Director



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6185

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Ordinance

Agenda Number: *22.

CC MEETING: June 6, 2023

DATE: May 25, 2023

TO: City Council

FROM: Meredith A. Ladd, City Attorney

Consider An **Ordinance Of The City Council Of The City Of Carrollton, Texas Amending Chapter 156 Private Wells Of The City Of Carrollton Code Of Ordinances, To Amend Section 156.06. Drilling Log To Remain Consistent With State Law Changes.**

BACKGROUND:

The Texas Legislature approved HB 2127 that preempts Home Rule cities from enacting regulations that conflict with certain state laws. It was determined by staff that one section in Chapter 156, Private Wells, of the Code of Ordinances may not be in line with state law. This revision provides for compliance in accordance with state law, as it may be amended.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends adoption of this Ordinance revising Chapter 156 of the Code of Ordinances.

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING CHAPTER 156. PRIVATE WELLS OF THE CITY OF CARROLLTON CODE OF ORDINANCES, TO AMEND SECTION 156.06. DRILLING LOG TO REVISE AND RESTATE LANGUAGE; PROVIDING SEVERABILITY, REPEALER, AND SAVINGS CLAUSES; AND PROVIDING 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, Section 54.004 of the Texas Local Government Code provides that a home rule municipality may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants; 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 code of ordinances 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.

Chapter 156. Private Wells, Section 156.06. Drilling Log of the Code of Ordinances for the City of Carrollton, Texas, is hereby amended to state the following:

“Upon completion of the work, the owner of any water well shall furnish the city with a complete log of the drilling activities in a time and manner consistent with State law requirements.”

Section 3.

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

Section 4.

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 5.

All other provisions of Chapter 156 not expressly amended as stated herein, as well as all other provisions of the Carrollton City Code, shall remain in full force and effect.

Section 6.

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

PASSED AND APPROVED this the Sixth day of June, 2023.

CITY OF CARROLLTON

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky
City Secretary

APPROVED AS TO FORM:

Meredith Ladd
City Attorney

APPROVED AS TO CONTENT:

Cory Heiple
Environmental Services Director



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6186

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Ordinance

Agenda Number: *23.

CC MEETING: June 6, 2023

DATE: May 23, 2023

TO: Erin Rinehart, City Manager

FROM: Melissa Everett, Director of Finance
Chrystal Davis, Assistant City Manager

Consider An **Ordinance Increasing The Over Sixty-Five And Disabled Persons Exemption From \$80,000 To \$87,000 For Tax Year 2023.**

BACKGROUND:

The City of Carrollton currently provides a 20% homestead exemption and a \$80,000 exemption for both individuals over sixty-five (65) years of age or a disabled person as defined by the Social Security Administration.

Since 2007, the average homestead values have continued to climb which has resulted in a decrease in the value of the Over 65 and Disabled Persons exemptions. In 2007 the value of the exemption was approximately 35% of the average homestead value. To provide tax relief to our vulnerable citizens, in Tax Year 2022 the exemption was increased to \$80,000 to meet the targeted amount of 35% of the homestead value. For Tax Year 2023, the \$80,000 amount is approximately 32% of the average homestead value. Staff is recommending increasing the exemption amount from \$80,000 to \$87,000 for Tax Year 2023, which would result in bringing the value of the exemption back up to 35% of the prior year's average homestead value. Applying the current tax rate, this would reduce the tax bill of eligible residents by \$40 per year. The Central Appraisal Districts for Collin, Dallas and Denton Counties must have notice of the change by July 1st of each year for the exemption to be included during the annual Truth in Taxation Calculation which establishes the city's tax rate. This was taken to the Audit, Finance, and Governance Committee on May 4, 2023, and recommended for Council Approval.

FINANCIAL IMPLICATIONS:

By raising the exemption, the City will reduce its overall taxable value and will affect the annual Truth in Taxation calculation process. However, this change will provide tax relief to a vulnerable percentage of

the population, ensure the overall tax rates are manageable, and does not negatively affect the City's overall financial health. The actual tax rate for the upcoming year will be considered by Council after the certified roll has been received.

IMPACT ON COMMUNITY SUSTAINABILITY:

By increasing the exemption, Citizens of Carrollton will see increased tax relief for the upcoming tax year, continuing to make Carrollton a place our residents want to call home.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends approving the attached ordinance by maintaining the current homestead exemption and increasing the Over 65 and Disabled Persons exemption from \$80,000 to \$87,000 for Tax Year 2023.

ORDINANCE _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING ORDINANCE 4099, SECTION 2, TO ADOPT AN INCREASE IN THE AMOUNT OF A HOMESTEAD EXEMPTION FOR INDIVIDUALS OVER SIXTY-FIVE (65) YEARS OF AGE OR OLDER AND INDIVIDUALS WHO ARE DISABLED, FROM EIGHTY THOUSAND DOLLARS (\$80,000) TO EIGHTY-SEVEN THOUSAND DOLLARS (\$87,000) IN CONFORMITY WITH THE LAWS OF THE STATE OF TEXAS AND THE CITY; PROVIDING REPEALER, SEVERABILITY, AND SAVINGS CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Constitution Article 8 and the Section 11.13(d) of the Texas Property Tax Code authorizes the City Council for the City of Carrollton, Texas, to provide for an exemption from taxation by the City of a portion of the appraised value of a residence homestead of individuals who are sixty-five (65) years of age, or older, and for individuals who are disabled; and

WHEREAS, the City Council for the City of Carrollton, Texas desires to increase the amount of the residence homestead exemption for individuals who are sixty-five years of age, or older, and for individuals who are disabled;

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

SECTION 1

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

SECTION 2

Section 2 of Ordinance 4099 is hereby amended to state the following:

“An exemption amount to twenty percent (20%) of the assessed valuation, or a minimum of \$5,000 is hereby granted to owner-occupied single-family residential units within the City.

An exemption is granted for homestead property of \$87,000 to all persons sixty-five (65) years of age or older.

An exemption is granted for homestead property of \$87,000 to all persons classified as disabled. A disabled person is defined as one who is totally disabled as determined by the Social Security Administration.

No person may claim more than one (1) homestead exemption.”

SECTION 3

The Tax Assessors for the City of Carrollton are hereby directed to assess, extend, and enter upon the tax rolls of the City, for Tax Year 2023, the amounts and rates herein levied, and to keep a current amount of same and when same is collected.

SECTION 4

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 5

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

SECTION 6

All other provisions of Ordinance 4099 not expressly amended as stated herein, as well as all other provisions of the Carrollton City Code, shall remain in full force and effect

SECTION 7

This Ordinance shall become and be effective on and after its adoption and publication, and shall apply to tax year 2023 and subsequent tax years.

PASSED AND APPROVED this the Sixth day of June, 2023.

CITY OF CARROLLTON

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Meredith Ladd
City Attorney

Melissa Everett
Finance Director



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6187

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Ordinance

Agenda Number: *24.

CC MEETING: June 6, 2023

DATE: May 25, 2023

TO: Erin Rinehart, City Manager

FROM: Jonathan Wheat, P.E., Director of Engineering
Marc Guy, Assistant City Manager

Consider An **Ordinance Amending Chapter 174 ‘Stormwater And Flood Protection Ordinance’ Of The Carrollton Code Of Ordinances By Revising Article 8 ‘Floodplain Guidelines’ Related To Manufactured Homes And Construction Standards Within Floodplain Areas.**

BACKGROUND:

The City’s Stormwater and Flood Protection Ordinance sets forth the minimum requirements to provide and maintain a safe, efficient and effective drainage system within the City and to establish the various public and private responsibilities for the provisions of the ordinance. Among the key purposes of the ordinance is to establish a reasonable standard of design for development that prevents potential flood and stormwater damage, including mitigation of floodplain areas and construction within the floodplain.

The City participates in the National Flood Insurance Program’s (NFIP) Community Rating System (CRS). This system allows for the NFIP to review municipalities’ flood preparedness and rate their overall drainage and flood management systems. The rating scale is from 1 to 10 (1 being the best). Carrollton is currently rated at 6 as scored from previous cycles, which is considered better as compared to other cities in the DFW area. This rating allows Carrollton residents to receive discounts on flood insurance rates for their properties.

To maintain a rating of 6 for the current cycle, the City’s NFIP CRS coordinator is recommending that the Stormwater and Flood Protection Ordinance be amended to provide additional restrictive criteria for the construction of manufactured homes and related infrastructure within floodplain areas. The additional restrictions are as follows:

- Stands or lots are created so that the lowest floor of the manufactured home is at a minimum of one foot (1’) above the design flood elevation. The current ordinance allows the lowest

floor to be at the design flood elevation.

- Mechanical, electrical and utility equipment must be located at a minimum of one foot (1') above the design flood elevation. The current ordinance allows equipment to be at the design flood elevation.

These amendments do not affect development projects that the City is currently reviewing for design or construction, nor will they impact previously constructed projects.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approval of an ordinance amending Article 8, Section B (4)(a) 'Manufactured Homes' and Article 8, Section B, Item 9e 'Additional Construction Standards for Structures' of the Stormwater and Flood Protection Ordinance.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARROLLTON, TEXAS CHAPTER 174, "STORMWATER AND FLOOD PROTECTION ORDINANCE", BY REVISING ARTICLE 8, FLOODPLAIN GUIDELINES AND ADDING REQUIREMENTS FOR MANUFACTURED HOMES AND CONSTRUCTION STANDARDS FOR STRUCTURES; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; 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, Section 54.004 of the Texas Local Government Code provides that a Home Rule municipality may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants; and

WHEREAS, the City Council previously enacted Ordinance 3685 for the regulation of development within floodplain areas and stormwater and flood protection; and

WHEREAS, certain revisions to Ordinance 3685 are necessary to comply with federal regulatory requirements; and

WHEREAS, the City Council has investigated and determined that the revisions are necessary to protect health, life, and property of the citizens in the City and comply with federal regulations.

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

SECTION 1

The above and foregoing premises are found to be true and correct legislative and factual findings of the City Council and are incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2

The Code of Ordinances of the City of Carrollton Title XVII, Chapter 174, Article 8, Section B(4)(a) is hereby amended to read as follows:

Article 8, Section B (4)(a) - Manufactured Homes

“For all manufactured homes that are placed or substantially improved within a floodplain and flood-prone area that are moved onto sites for manufactured homes within an existing manufactured home park in which a manufactured home has not incurred substantial damage as a result of a flood, require that:

- All manufactured homes meet the minimum FEMA requirements;
- Stands or lots are created so that the lowest floor of the manufactured home is at minimum one foot (1’) above the design flood elevation;
- Adequate surface drainage and access for a hauler are provided; and;
- Manufactured homes shall be placed in a floodplain area on a pad site created by compacted fill or supported.”

SECTION 3

The Code of Ordinances of the City of Carrollton Title XVII, Chapter 174, Article 8, Section B(9)(e) is hereby amended to read as follows:

Article 8, Section B, Item 9e – Additional Construction Standards for Structures

- “Mechanical, electrical, and utility equipment shall be located at minimum one foot (1’) above the design flood elevation. Water heaters, furnaces, electrical distribution panels, and other critical mechanical or electrical installations must not be placed in basements. Electrical circuits for basements shall be separate from circuits serving floors above the basement, and circuits for basements shall be installed lowered from above.”

SECTION 4

All provisions of the ordinances of the City of Carrollton in direct conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City of Carrollton not in conflict with the provisions of this Ordinance shall remain in full force and effect.

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 take effect immediately upon its adoption and publication.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas,
this 6th day of June, 2023.

CITY OF CARROLLTON, TEXAS

Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

APPROVED AS TO FORM:

Meredith A. Ladd
City Attorney

APPROVED AS TO CONTENT:

Jonathan Wheat
Engineering Director

Stormwater and Flood Ordinance Modifications

Alterations to Existing Language

Existing - Article 8, Section B (4)(a) - Manufactured Homes

“For all manufactured homes that are placed or substantially improved within a floodplain and flood-prone area that are moved onto sites for manufactured homes within an existing manufactured home park in which a manufactured home has not incurred substantial damage as a result of a flood, require that:

- All manufactured homes meet the minimum FEMA requirements;*
- Stand or lots are created so that the lowest floor of the manufactured home is at or above the design flood elevation;*
- Adequate surface drainage and access for a hauler are provided; and;*
- Manufactured homes shall be placed in a floodplain area on a pad site created by compacted fill or supported.”*

Proposed - Article 8, Section B (4)(a) - Manufactured Homes

“For all manufactured homes that are placed or substantially improved within a floodplain and flood-prone area that are moved onto sites for manufactured homes within an existing manufactured home park in which a manufactured home has not incurred substantial damage as a result of a flood, require that:

- All manufactured homes meet the minimum FEMA requirements;*
- Stand or lots are created so that the lowest floor of the manufactured home **is at minimum one foot (1') above** the design flood elevation;*
- Adequate surface drainage and access for a hauler are provided; and;*
- Manufactured homes shall be placed in a floodplain area on a pad site created by compacted fill or supported.”*

Existing - Article 8, Section B, Item 9e – Additional Construction Standards for Structures

- *“Mechanical, electrical, and utility equipment shall be located above the design flood elevation. Water heaters, furnaces, electrical distribution panels, and other critical mechanical or electrical installations must not be placed in basements. Electrical circuits for basements shall be separate from circuits serving floors above the basement, and circuits for basements shall be installed lowered from above.”*

Proposed - Article 8, Section B, Item 9e – Additional Construction Standards for Structures

- *“Mechanical, electrical, and utility equipment shall be **located at minimum one foot (1') above** the design flood elevation. Water heaters, furnaces, electrical distribution panels, and other critical mechanical or electrical installations must not be placed in basements. Electrical circuits for basements shall be separate from circuits serving floors above the basement, and circuits for basements shall be installed lowered from above.”*



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6163

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *25.

CC MEETING: June 6, 2023

DATE: May 9, 2023

TO: Erin Rinehart, City Manager

FROM: Melissa Everett, Finance Director
Diana Vaughn, Chief Financial Officer

Consider A **Resolution Authorizing The City Manager To Enter Into A Contract With FORVIS, LLP For Independent Auditing Services In An Amount Not to Exceed \$143,500.**

BACKGROUND:

On May 4, 2021, a proposed fee commitment schedule was signed with BKD LLP for the Financial Statement Audit in Accordance with Government Auditing Standards and Compliance Audit in Accordance with Uniform Guidance. In 2022, BKD, LLP merged with Dixon Hughes Goodman (DHG) and became the new firm FORVIS, LLP. The original contract included a three-year commitment with two additional year-long extension options.

The proposed fee amount for fiscal year 2023 is \$117,500 and is based on testing one major federal program. If required, fees for additional major programs are \$8,000 each. Fees based on time expended for new auditing and accounting standards are not included in the standard engagement fee. These fees are estimated to range between \$6,000 and \$18,000. As such, approval for an additional \$18,000 for fees related to new accounting and auditing standards are included in the requested approval amount.

FINANCIAL IMPLICATIONS:

The services covered by this contract will be from funding in the Administrative Services Internal Service Fund. The audit fees for fiscal year 2023 audit are \$117,500 in base fees, an additional \$8,000 contingency for additional federal program testing, and \$18,000 for fees related to new accounting and auditing standards.

STAFF RECOMMENDATION/ACTION DESIRED:

Consider approving the attached resolution appointing FORVIS LLP as the City's Independent

Auditors and authorizing the City Manager to enter into a contract with FORVIS LLP for independent auditing services for an amount not to exceed \$143,500.

RESOLUTION NO. _____

A RESOLUTION APPOINTING FORVIS LLP AS THE CITY'S INDEPENDENT AUDITORS; AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FORVIS LLP TO PROVIDE AUDITING SERVICES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023 AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1

FORVIS LLP is hereby appointed as the independent auditors for the City of Carrollton and awarded a contract for auditing services for the fiscal year ending September 30, 2023 in an amount not to exceed \$143,500.

SECTION 2

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

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 6th day of June 2023.

CITY OF CARROLLTON, TEXAS

Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

APPROVED AS TO FORM:

Meredith Ladd, City Attorney

APPROVED AS TO CONTENT:

Melissa Everett, Finance Director



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6178

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *26.

CC MEETING: June 6, 2023

DATE: May 23, 2023

TO: Erin Rinehart, City Manager

FROM: Jonathan Wheat, P.E., Director of Engineering
Marc Guy, Assistant City Manager

Consider A Resolution Authorizing The City Manager To Negotiate And Execute Amendment No. 1 To The Interlocal Agreement With Dallas Area Rapid Transit For Additional Construction Services Related To The Carrollton Heights Drainage Improvement Project, In An Amount Not To Exceed \$173,357.56, And Increasing The Total Project To An Amount Not To Exceed \$1,906,933.11.

BACKGROUND:

On January 24, 2023, an interlocal agreement between the City and DART was approved to install an underground stormsewer pipe to serve the Carrollton Heights neighborhood. After approval of the interlocal agreement, the design of the stormsewer pipe under the BNSF railroad tracks had to be lowered to meet BNSF's requirements. This amendment adds a ten percent (10%) contingency to the contract to cover this change and any additional changes that may occur during construction.

FINANCIAL IMPLICATIONS:

This amendment will increase the total contract amount to \$1,906,933.11. Funding is available in the Streets Consolidated Fund.

IMPACT ON COMMUNITY SUSTAINABILITY:

As part of the City's NOTICE Program, this project will contribute to community sustainability by:

Sustaining quality of life - Improvements to the neighborhood infrastructure should encourage residents to provide better upkeep of their properties.

Sustaining day-to-day operations - The addition of a piped stormsewer system should reduce the need for non-scheduled or emergency repairs.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approval of a resolution authorizing the City Manager to negotiate and execute amendment no. 1 to the interlocal agreement with DART to provide construction services for additional drainage improvements to serve the Carrollton Heights neighborhood in an amount not to exceed \$173,357.56, increasing the total project to an amount not to exceed \$1,906,933.11.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AMENDMENT 1 TO THE INTERLOCAL AGREEMENT WITH DART, FOR CONSTRUCTION SERVICES RELATED TO CARROLLTON HEIGHTS DRAINAGE IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$173,357.56, INCREASING THE TOTAL PROJECT CONTRACT TO AN AMOUNT NOT TO EXCEED \$1,906,933.11; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1:

The City Manager is authorized to negotiate and execute Amendment 1 to the Interlocal Agreement with DART for construction services in an amount not to exceed \$173,357.56 for a revised contract amount not to exceed \$1,906,933.11.

SECTION 2:

The City Manager, or designee, is authorized to take those steps reasonable and necessary to comply with the intent of this Resolution.

SECTION 3:

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

PASSED and APPROVED on this 6th day of June 2023.

CITY OF CARROLLTON, TEXAS

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

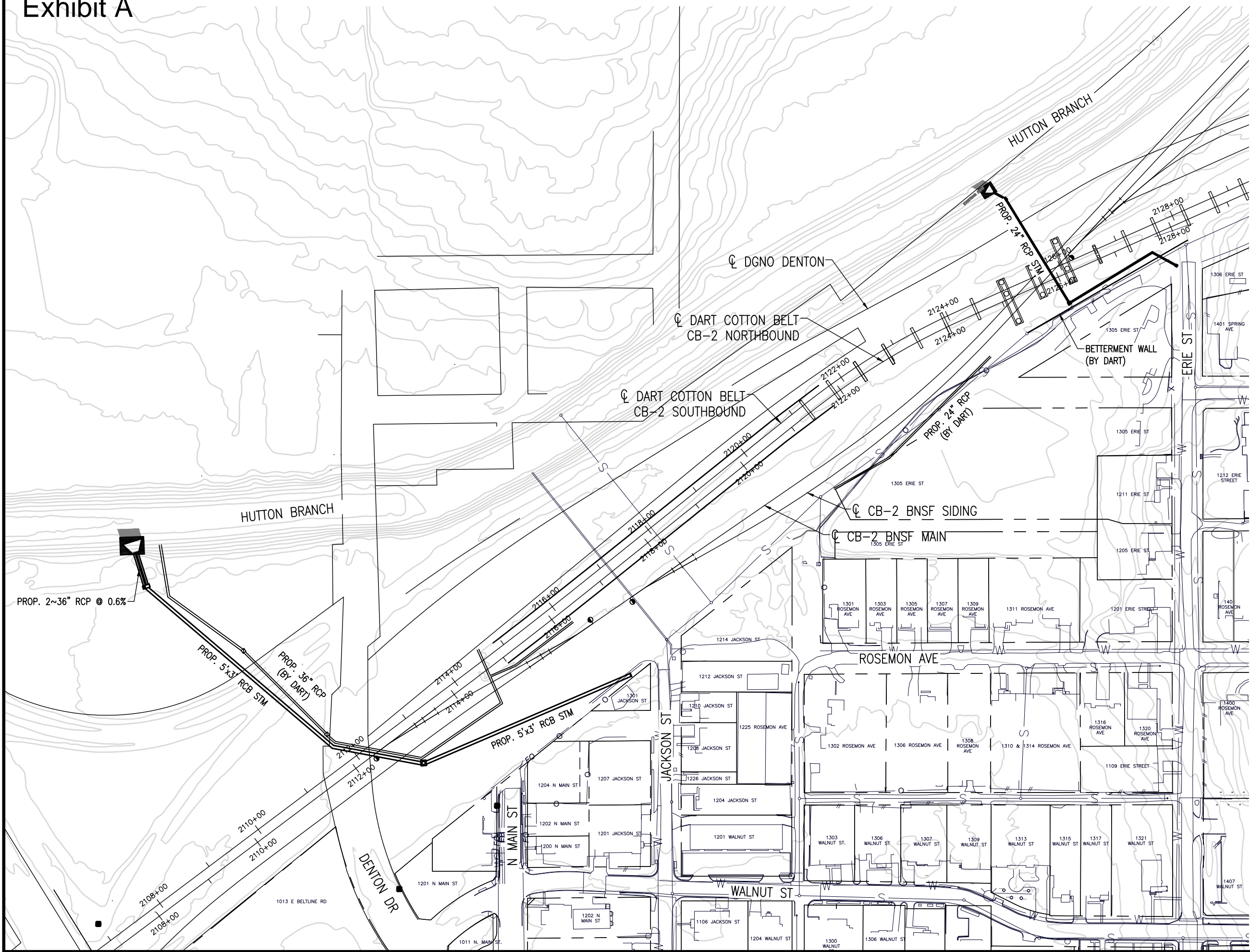
Approved as to form:

Approved as to content:

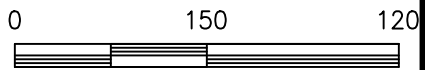
Meredith A. Ladd, City Attorney

Jonathan Wheat, P.E.,
Director of Engineering

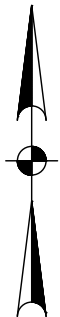
Exhibit A



CAUTION!!!!
EXISTING PHONE, GAS, ELECTRICAL, FIBER
OPTIC & CATV LINES IN PROJECT AREA.
CONTRACTOR SHALL VERIFY LOCATION OF ALL
UTILITIES PRIOR TO CONSTRUCTION. NOTIFY
TEXAS ONE CALL SYSTEM (811) AT LEAST 48
HOURS PRIOR TO CONSTRUCTION.



Scale: 1"=150'



INTERIM REVIEW ONLY
Document Incomplete: Not intended
for permit or construction.
Engineer: **JEFFREY J. FRISON, P.E.**
P.E. Serial No.: **86915**
Date: **NOVEMBER 18, 2022**
Walter P. Moore and Associates, Inc.
TBPE Firm Registration No. 1856

REVISION NO.	DESCRIPTION	BY	DATE
CITY OF CARROLLTON, TEXAS DEPARTMENT OF ENGINEERING			
CARROLLTON HEIGHTS DART DRAINAGE IMPROVEMENT			
OVERALL PLAN			
 Walter P. Moore and Associates, Inc. 500 North Akard Street, Suite 2300 Dallas, Texas 75201 214.740.6200 TBPE Firm Registration No. 1856			
			
DESIGN:	LJM	SCALE:	AS NOTED
DRAWN:	ED	SHEET	
APPROVED:		6 OF 12	
DATE:	NOV 2022		



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6190

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *27.

CC MEETING: June 6, 2023

DATE: May 30, 2023

TO: Erin Rinehart, City Manager

FROM: Jonathan Wheat, P.E., Director of Engineering
Marc Guy, Assistant City Manager

Consider A **Resolution Authorizing The City Manager To Negotiate And Execute A Professional Services Contract With Gresham Smith For Engineering Services Related To The Downtown Streetscape Infill Project In An Amount Not To Exceed \$371,380.00.**

BACKGROUND:

In 2021, funding was approved to update the streetscapes in Downtown Carrollton. Proposed areas for enhancement were presented to the City Council TOD Committee on May 5, 2021. On June 3, 2021, the Downtown Dumpster Screening Program was included in the project scope.

This contract will provide the construction plans for the Downtown Streetscape Infill Project. The construction will consist of approximately 20,000 square feet of sidewalk improvements, 1,350 square yards of concrete pavement, 2,400 linear feet of concrete curb and gutter and 5,500 square feet of landscaping with approximately 60 trees. The City's TOD streetscape standards will be applied to this project. The contract also includes the design of enhanced screening of 9 commercial dumpster locations in the Downtown.

The estimated construction cost is \$2,560,000.

Consultant selection was performed using a Request for Qualifications (RFQ) method whereby engineering firms submit a statement of qualifications which is evaluated by a four-person committee. Gresham Smith was selected to develop the plans, specifications and cost estimates for the proposed improvements.

FINANCIAL IMPLICATIONS:

Gresham Smith has submitted a proposal to the City to perform the engineering design services for the

project in an amount not to exceed \$371,380.00. Funding is available in the Transit Oriented Development Project Consolidated Fund.

IMPACT ON COMMUNITY SUSTAINABILITY:

This project will support the City Council's strategic objectives and vision of building a community that families and businesses want to call home by:

Sustaining quality of life - These improvements are intended to improve the appearance and walkability of the area for residents and visitors and extend the TOD aesthetic standards to other areas of Downtown.

Sustaining day-to-day operations - The repair and construction of sidewalks, concrete pavement and curbs and gutters should reduce the need for non-scheduled or emergency repairs.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approval of a resolution authorizing the City Manager to enter into a professional services contract with Gresham Smith for the preparation of engineering plans for the Downtown Streetscape Infill Project in an amount not to exceed \$371,380.00.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH GRESHAM SMITH, FOR ENGINEERING SERVICES RELATED TO DOWNTOWN STREETSCAPE INFILL PROJECT IN AN AMOUNT NOT TO EXCEED \$371,380.00 AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1:

The City Manager is authorized to negotiate and execute services contracts with Gresham Smith, for engineering services in an amount not to exceed \$371,380.00.

SECTION 2:

The City Manager, or designee, is authorized to take those steps reasonable and necessary to comply with the intent of this Resolution.

SECTION 3:

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

PASSED and APPROVED on this 6th day of June 2023.

CITY OF CARROLLTON, TEXAS

By: _____
Steve Babick, Mayor

ATTEST:

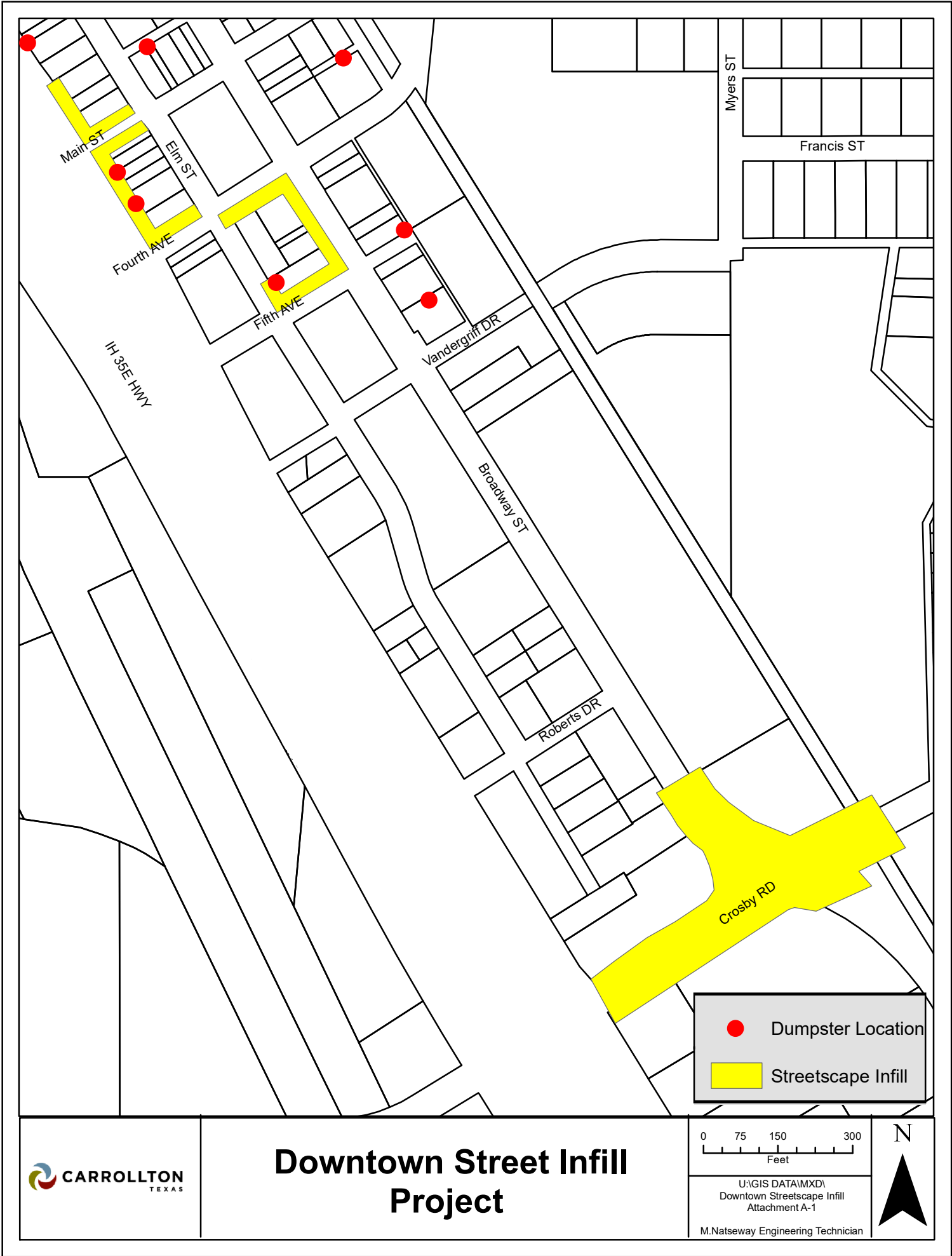
Chloe Sawatzky, City Secretary

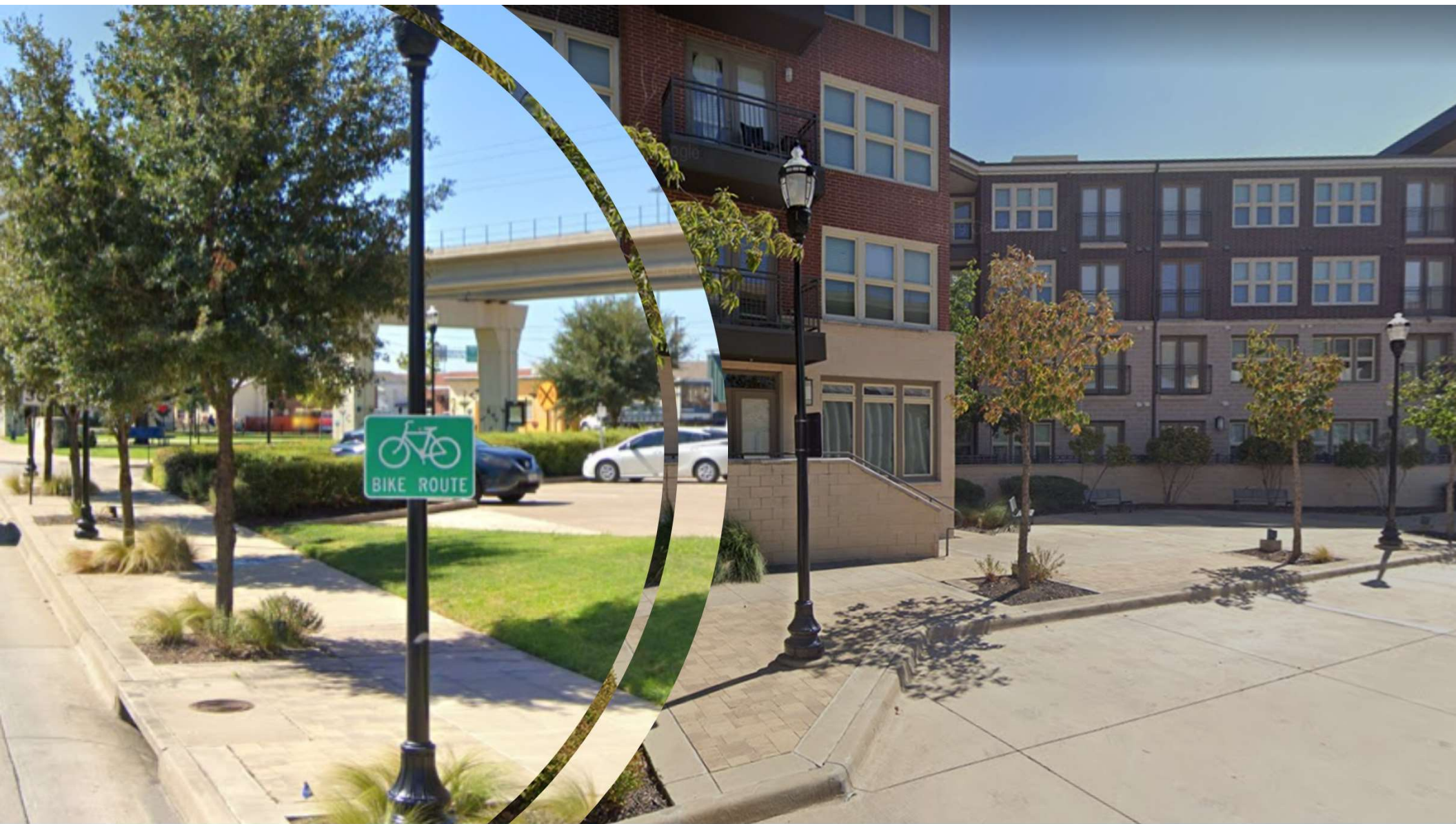
Approved as to form:

Approved as to content:

Meredith A. Ladd, City Attorney

Jonathan Wheat, P.E.,
Director of Engineering







Agenda Memo

File Number: 6195

Agenda Date: 6/6/2023

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Resolution

Agenda Number: *28.

CC MEETING: June 6, 2023

DATE: May 31, 2023

TO: Erin Rinehart, City Manager

FROM: Josh Giles, Development Program Manager
Ravi Shah, Director of Development Services
Marc Guy, Assistant City Manager

Consider A Resolution Authorizing The City Manager To Negotiate And Execute A Second Amendment To The Master Development Agreement For Trinity Mills Station With Dallas Area Rapid Transit And The Integral Group, LLC.

BACKGROUND:

On November 5, 2019, the City Council approved the Master Development Agreement (MDA) between Dallas Area Rapid Transit (DART) and The Integral Group, LLC (Integral). The MDA was executed on March 1, 2020. As part of the MDA, Integral provided a proposal for the design, construction and operation of a mixed-use development on the property collectively owned by the City and DART, known as Trinity Mills Station. The MDA includes a Program Plan of anticipated development that is to occur on the site's seven tracts of land and includes commencement of construction deadlines for each phase.

The City, DART and Integral executed the first amendment to the MDA on October 26, 2021, which extended the deadline for the commencement of construction on Phase I of the City-owned property by one year. Integral is seeking a second amendment to provide a one-year extension regarding the commencement of construction deadline for the phases located on the DART-owned property, which would align the sequencing requirements and commencement of construction deadlines with the original intent of the MDA. The new commencement of construction deadline for the phases located on the DART property would move from March 20, 2024, to March 20, 2025, due to the COVID-19 global pandemic's negative effect on labor shortages and supply chain disruptions. *The proposed extension does not affect the timing requirements of the commencement of construction on Phase I or future phases on the City-owned property.*

IMPACT ON COMMUNITY SUSTAINABILITY:

The City Council's strategic TOD objectives are to create sustainable, vibrant, livable districts with a variety of high-density residential, office and retail uses, incorporating enhanced pedestrian amenities and supporting transit ridership.

STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approval of a resolution authorizing the City Manager to negotiate and execute a second amendment to the Master Development Agreement For Trinity Mills Station with Dallas Area Rapid Transit and The Integral Group, LLC.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A SECOND AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT FOR TRINITY MILLS STATION WITH DALLAS AREA RAPID TRANSIT AND THE INTEGRAL GROUP, LLC; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Carrollton, Texas (“City”) approved a Master Development Agreement (“MDA”) for Trinity Mills Station with Dallas Area Rapid Transit (“DART”) and The Integral Group, LLC (“Integral”) on November 5, 2019; and

WHEREAS, the City owns approximately 8.73 acres, near the DART Green Line Transit Station (“City Property”) located within a development known as Trinity Mills Station and desires to revitalize this area; and

WHEREAS, DART owns approximately 9.31 acres, near the DART Green Line Transit Station (“DART Property”) located within a development known as Trinity Mills Station and desires to revitalize this area; and

WHEREAS, the City, DART, and Integral executed a first amendment to the MDA on October 26, 2021, which extended the deadline for the commencement of construction of Phase I of the City-owned property by one year; and

WHEREAS, Integral is seeking a second amendment to provide a one-year extension regarding the commencement of construction deadline for the phases located on DART Property (“Second Amendment”), which would align the sequencing requirements and commencement of construction deadlines with the original intent of the MDA; and

WHEREAS, the new commencement of construction deadline for the phases located on DART Property would move from March 20, 2024 to March 20, 2025, due to the Covid-19 global pandemic’s negative effect on labor shortages and supply chain disruptions; and

WHEREAS, the Second Amendment will not affect the timing requirements of commencement of construction on Phase I or future phases located on City Property; and

WHEREAS, the City has determined that approving the Second Amendment will further the objectives of the City and will benefit the City and City’s residents;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY 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 of the City of Carrollton, 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 negotiate and execute a second amendment to the Master Development Agreement for Trinity Mills Station with Dallas Area Rapid Transit and The Integral Group, LLC.

Section 3

This Resolution shall take effect upon passage.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas this 6th day of June 2023.

CITY OF CARROLLTON, TEXAS

ATTEST:

Chloe Sawatzky, City Secretary

Steve Babick, Mayor

APPROVED AS TO FORM:

Meredith Ladd, City Attorney

APPROVED AS TO CONTENT:

Josh Giles, Development Program
Manager

Ravi Shah, Director of Development
Services



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6175

Agenda Date: 6/6/2023

Version: 1

Status: Public Hearing/Individual
Consideration

In Control: City Council

File Type: Public Hearing

Agenda Number: 29.

CC MEETING: June 6, 2023

DATE: May 22, 2023

TO: Erin Rinehart, City Manager

FROM: Loren Shapiro, AICP, Planning Manager
Marc Guy, Assistant City Manager

Hold A Public Hearing And Consider An Ordinance Amending The Zoning On An Approximately 3.8-Acre Tract Zoned To The (SF-12/20) Single-Family Residential District And Located At 2400 Briardale Drive And Approximately 480 Feet East Of Kelly Boulevard, To Amend And Reestablish Planned Development District No. 119 (PD-119) To Change The Base Zoning To The (SF-8.4/18) Single-Family Residential District And Modify Development Standards, And To Provide Conceptual Plans; Amending The Official Zoning Map Accordingly. Case No. PLZPD 2022-196 The Enclave.

BACKGROUND:

The applicant is requesting to amend, expand and reestablish PD-119 to change the zoning on an approximately 3.8-acre tract from the (SF-12/20) Single-Family Residential District to the (SF-8.4/18) Single-Family Residential District to be comparable with the zoning of the adjoining properties. The applicant proposes to subdivide and develop the property with six single-family detached homes on lots with a minimum area of 9,700 square feet and with homes containing a minimum of 3,000 square feet of living area and rear or side-entry garages with alley access.

PD-119 was originally adopted by the City Council in 1990 for an approximately 7.25-acre tract. It changed the base zoning from the (SF-12/20) Single-Family Residential District to the (SF-8.4/18) Single-Family Residential District. It required homes to have a minimum living area of 2,000 square feet (Parkside Estates subdivision - west of the property). The applicant's proposed development standards align with the adjacent Parkside Estates and Copperwood Addition Phase 2 subdivisions, which require minimum lot widths of 70 feet and lot depths of at least 110 feet. The City's Zoning Ordinance requires written notices be mailed to property owners within 200 feet of the land being considered for a change of zoning prior to the Planning and Zoning Commission and City Council public hearings. This provides property owners the opportunity to respond to proposed rezoning

requests with their support or opposition. If written protest against the zoning change request is submitted by the owners of 20 percent or more of the land immediately adjoining and within 200 feet of the property being considered for a zoning change, a favorable vote by three-fourths of the City Council, a minimum of six members, is required to approve the zoning change.

On March 2, 2023, the Planning and Zoning Commission considered 'The Enclave' rezoning request and recommended approval by a 7-0 vote.

On April 4, 2023, City Council considered the rezoning request. The owners of 20 percent or more of the land within 200 feet of the property being considered filed written opposition to the change, which invoked the three-fourths vote requirement. City Council voted to approve the zoning change request by a 5-2 vote. However, due to the written opposition from the property owners, the motion to approve did not receive the required 6 favorable votes by City Council, and the rezoning request was denied.

The Zoning Ordinance does not allow a new application to be submitted for rezoning a property that has been denied by City Council within one year of the Council's action, except:

- a. At the request of the City Council;
- b. Upon written request by the applicant the City Council may waive the 12 month waiting period and permit a new application to be filed. Such request for waiver may be set for a public hearing if required by a majority vote of the City Council, or;
- c. Where the property involved is temporarily classified to the (IH) Interim Holding District.

On April 18, 2023, the City Council voted unanimously to reconsider the zoning change request at its June 6, 2023, meeting.

Written notices were mailed to inform property owners within 200 feet of the property of the June 6 City Council public hearing.

STAFF RECOMMENDATION/ACTION DESIRED:

On March 2, 2023, the Planning and Zoning Commission recommended **APPROVAL** of the request with staff stipulations.

Written protests have been received against the rezoning request, signed by the owners of 20 percent or more of the area of land within 200 feet of the property being considered. As a result, the rezoning request can be approved only by a favorable vote of three-fourths of all members of the City Council (a minimum of 6 votes needed in support).

The attached ordinance reflects the action of the Commission.

Staff recommends approval and adoption of the ordinance.

RESULTS SHEET

Date: 06/06/23

Case No./Name: PLZPD 2022-196 The Enclave

A. STIPULATIONS AND RECOMMENDATIONS

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

1. The development shall be in general conformance with the attached applicant's conceptual site plan, conceptual landscape plan, and conceptual building elevations.
2. The base zoning within the PD shall be (SF-8.4/18) Single-Family Residential District.
3. The minimum lot size shall be 9,700 square feet.
4. A Homeowners Association (HOA) shall be established in accordance with the Comprehensive Subdivision Ordinance prior to final platting of the property.
5. The HOA shall be responsible for the improvement and maintenance of all common areas and drainage ways within the area of the Conceptual Plans.
6. All front yards shall contain a shade tree chosen from the approved "Large Tree" list in CZO Article XXV. Landscape and Screening.
7. The development shall comply with the City Stormwater and Flood Protection Ordinance.
8. The minimum dwelling unit floor area (living area) shall be 3,000 square feet.
9. The minimum lot width shall be 80 feet.
10. Privacy fencing for lots shall be stained vertical board-on-board wood fencing with cap and metal poles. Metal poles shall be used for fence support and inside of the fence.
11. Privacy fences may not extend closer than ten feet (10') from the nearest front corner of the home.
12. Garage conversions shall be prohibited.
13. Garages shall not face streets.
14. Carports shall be prohibited.
15. In the event there is any inconsistency between the text of this ordinance and any conceptual plan, the text of this ordinance shall control.

B. P&Z ACTION from P&Z meeting: 02/02/23

Result: **MEETING CANCELED** /Vote:

C. P&Z ACTION from P&Z meeting: 03/02/23

Result: **APPROVED** /Vote: 7-0 (Martin and Taylor absent)

D. CC PUBLIC HEARING / ORDINANCE ACTION from CC meeting: 04/04/23

Result: **DENIED** /Vote: 5-2 (Polter and Sung opposed, as the vote did not meet the super majority threshold of 6 votes in favor - Motion failed).

- E. CC RECONSIDER FAILED MOTION FOR APPROVAL** from CC meeting: 04/18/23
Result: **APPROVED** /Vote: 7-0
- F. CC PUBLIC HEARING / ORDINANCE ACTION** from CC meeting: 06/06/23
Result: /Vote:



Application Explanation and Description of Request or Project

The Enclave Subdivision

We are requesting a PD amendment to change an approximately 3.759 acre tract located East of Kelly Blvd. and Briardale Dr intersection, approximately 500 ft. current address 2400 Briardale Dr (John Warner ABST PG 530 Track 4). Current zoning is (SF-12/20), we are requesting to incorporate existing lot to surrounding zoning PD 119 and follow design standards stipulate on PD 119 for proposed 6 lot subdivision.

Lot Information:

John Warner ABST 1591 PG 530

Tract 4

3.759 ACS

The purpose of our request is to develop a new 6 lot subdivision for single family residential homes, with a minimum dwelling unit floor area for all single-family residences shall be 3,000 square feet and no maximum sq. ft.

proposed Lots size will be as follow:

LOT 1 - Area 14,913.8 sq. ft.

LOT 2 - Area 64,722.2 sq. ft.

LOT 3 - Area 37,984.3 sq. ft.

LOT 4 - Area 9,791.3 sq. ft.

LOT 5 - Area 12,922.01 sq. ft.

LOT 6 - Area 13,132.4 sq. ft.

ZONING CHANGECase Coordinator: Michael McCauley

GENERAL PROJECT INFORMATION**SITE ZONING:** (SF-12/20) Single-Family Residential District

	<u>SURROUNDING ZONING</u>	<u>SURROUNDING LAND USES</u>
NORTH	PD-035 for the (SF-8.4/16) Single-Family Residential District	Single-Family Residential Subdivision
SOUTH	(SF-12/20) Single-Family Residential District	TX Utilities Electric Co. Property
EAST	PD-035 for the (SF-8.4/16) Single-Family Residential District	Single-Family Residential Subdivision
WEST	PD-119 for the (SF-8.4/18) Single-Family Residential District	Single-Family Residential Subdivision

REQUEST: Rezone from (SF-12/20) Single-Family Residential District to PD-119 for the (SF-8.4/18) Single-Family Residential District

The applicant proposes to amend the adjoining PD-119 by including the subject 3.8-acre tract for a proposed single-family residential development with modified development standards.

PROPOSED USE: Single-Family Residential Subdivision**ACRES/LOTS:** Approximately 3.8 acres / 1 tract (proposed 6 lots)**LOCATION:** 2400 Briardale Drive and approximately 480 feet east of Kelly Boulevard**HISTORY:** The property is undeveloped and not platted.

On October 6, 2022, staff recommended approval for Case No. PLZST 2022-139; however, the Planning & Zoning Commission recommended denial on the applicant's request to change the same tract's zoning (straight zoning) from (SF-12/20) Single-Family Residential District to (SF-8.4/18) Single-Family Residential District. The neighboring property owners opposed the applicant's request. The applicant did not appeal the Commission's recommendation for denial.

COMPREHENSIVE PLAN: Residential – Single-Family Detached

TRANSPORTATION Briardale Drive is designated as a local street.
PLAN:

OWNER: ZARAI Construction, LLC

REPRESENTED BY: Victor Castro / BTR Construction Group, LLC

STAFF ANALYSIS**PROPOSAL**

The applicant is requesting approval to rezone a 3.8-acre undeveloped tract from (SF-12/20) Single-Family Residential District to PD-119 for the (SF-8.4/18) Single-Family Residential District.

BACKGROUND

On March 2, 2023 Planning and Zoning Commission recommended approval of the request. However, staff received more than 20 percent opposition from property owners within 200 feet of the subject property. Therefore, a minimum 3/4 affirmative vote or 6 Council members would need to support the request to override the noticed property owners' opposition.

On April 4, 2023 City Council voted on a motion to approve the zoning request. However, since the motion only received an approval of 5-2, below the minimum 3/4 or 6 votes, the motion did not carry and the case was denied.

On April 18, 2023 City Council approved reconsideration of the rezoning request to the June 6, 2023 City Council meeting.

ELEMENTS TO CONSIDER

1. The tract is not developed or platted.
2. The property is zoned (SF-12/20) Single-Family Residential District, and like the adjoining properties to its west (Parkside Estates), and north and east (Copperwood Addition I and II), the applicant is requesting to rezone to a Planned Development and change its base zoning to SF-8.4/18. Both PD-119 and PD-35 require a minimum floor area of 2,000 square-feet; an increase from the minimum floor areas of 1,800 and 1,600 square-feet required with their respective base zoning. The proposed Enclave regulations are more restrictive than adjoining Parkside and Creekwood PDs shown below.

	<u>CURRENT</u>	<u>PD-119 PARKSIDE</u>	<u>PD-35 COPPERWOOD</u>	<u>PROPOSED ENCLAVE</u>
BASE ZONING	SF-12/20	SF-8.4/18	SF-8.4/16	SF-8.4/18
MINIMUM LOT SIZE (sf)	12,000	8,400	8,400	9,791
MINIMUM FLOOR AREA (sf)	2,000	2,000	2,000	3,000
MINIMUM LOT WIDTH (ft)	90	70	70	80
MINIMUM LOT DEPTH (ft)	120	110	110	110

3. After the applicant met with the Parkside Estates' HOA (PD-119) to discuss the applicant's proposal, the applicant increased the minimum dwelling unit floor area (living area) to 3,000 square feet because of that meeting.
4. Parkside Estates' HOA supports the applicant's request.

5. The proposal exceeds the minimum floor area required for houses in the adjoining Planned Developments by 1,000 square-feet by requiring a minimum 3,000 square-foot floor area.
6. The proposal provides an 80-foot minimum lot width and exceeds the minimum lot widths by approximately 10 feet.
7. The development proposal consists of 6 lots, will be designed with a cul-de-sac, and will not allow cut-through traffic between the two adjoining properties, Parkside Estates and Copperwood Addition.
8. All homes will be designed with either rear or side entry garages accessing the existing alleys.
9. The proposal is surrounded by similar zoning districts and is consistent with those uses.
10. A portion of the tract is located within a floodplain and will be designed to not adversely impact the current on-site drainage and surrounding properties. Similar to other development proposals (including residential subdivisions) located in a floodplain, the development shall comply with the Federal Emergency Management Agency (FEMA) regulations and the City's Stormwater and Flood Protection Ordinance.
11. Staff received written protest against the rezoning request, signed by the owners of 20 percent or more of the area of the land immediately adjoining the subject property and extending 200 feet therefrom. Therefore, the rezoning request shall not become effective except by the favorable vote of three-fourths (3/4) of all members of the City Council (a minimum 6 votes needed in support).
12. Even though the tract could be developed as a four (4) lot residential subdivision consistent with the current (SF-12/20) Single-Family Residential District regulations, and without the application needing City Council review and approval, the site would still require compliance with the Federal Emergency Management Agency (FEMA) regulations and the City's Stormwater and Flood Protection Ordinance. Without rezoning the tract to a Planned Development, the development could have front-loaded garages and a minimum 2,000 square-foot living area.

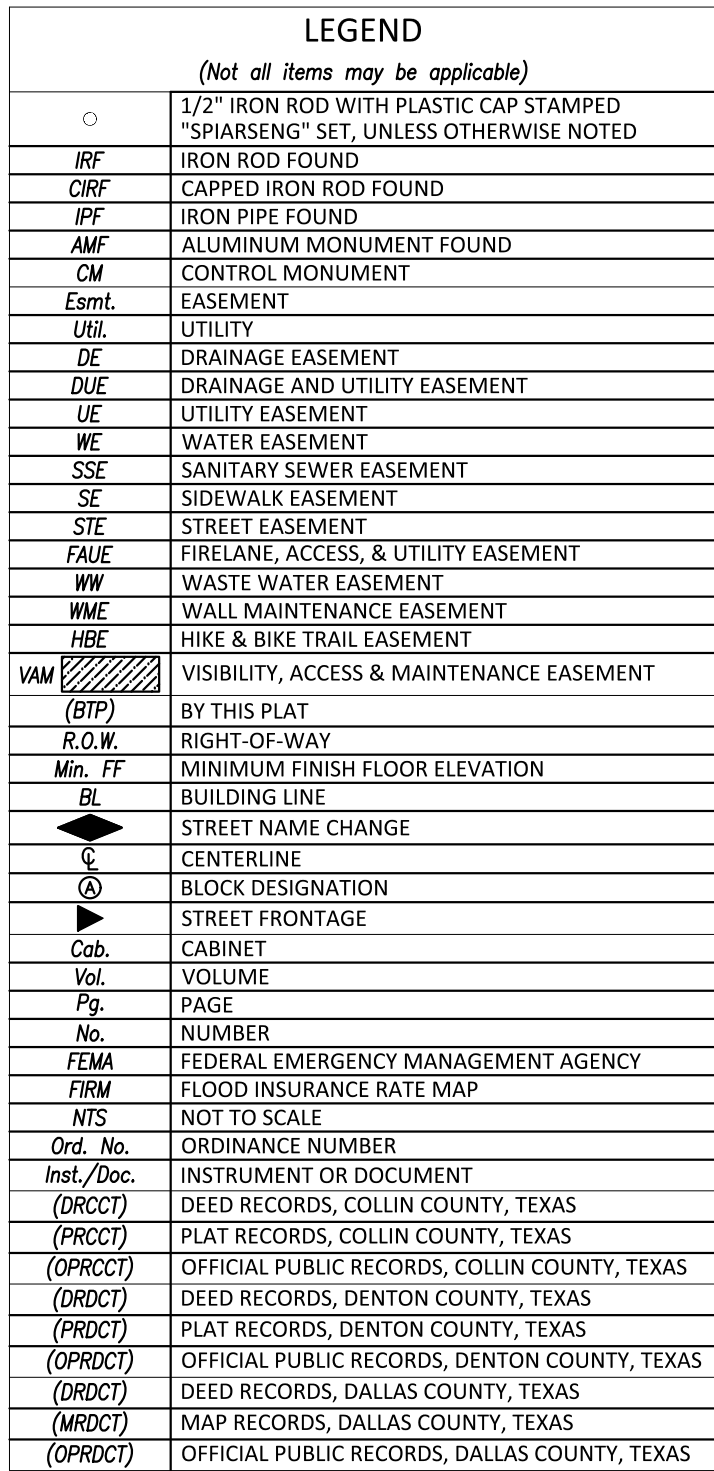
PLANNED DEVELOPMENT REQUESTED

1. All front yards shall contain a shade tree chosen from the approved "Large Tree" list in CZO Article XXV. Landscape and Screening.
2. The minimum dwelling unit floor area (living area) shall be 3,000 square feet.
3. The minimum lot width shall be 80 feet.

4. The minimum lot size shall be 9,700 square feet.
5. Privacy fencing for lots shall be stained vertical board-on-board wood fencing with cap and metal poles. Metal poles shall be used for fence support and inside of the fence.
6. Privacy fences may not extend closer than ten feet (10') from the nearest front corner of the home.
7. All homes will be designed with either rear or side entry garages accessing the existing alleys. No garages shall front streets.
8. Garage conversion shall be prohibited.
9. Carports shall be prohibited.

CONCLUSION

The request to rezone from (SF-12/20) Single-Family Residential District to PD-119 for the (SF-8.4/18) Single-Family Residential District appears appropriate and compatible with the surrounding properties' zoning districts and uses.



Line #	Length	Direction
BL1	241.42	S 88°29'44" W
BL2	142.56'	N 01°28'23" W
BL3	99.59'	N 89°31'07" E
BL4	50.00'	N 00°28'53" W
BL5	100.46'	S 89°31'07" W
BL6	508.60	N 01°28'23" W
BL7	241.43'	N 88°54'02" E
BL8	699.46'	S 01°28'23" E

**DRAINAGE SHALL COMPLY WITH
STATE, FEDERAL AND CITY
REQUIREMENTS.**



PROPERTY OWNER / DEVELOPER:

ZARAI CONSTRUCTION LLC
3952 OAKMONT DR.
THE COLONY, TX 75056
(214) 675-0605

CITY FILE NUMBER:

No.	REVISION/ISSUE	DATE

PROJECT NAME :

THE ENCLAVE

ADDRESS :

2400 BRIARDALE DRIVE
CARROLLTON, TX 75006

SHEET TITLE :

CONCEPTUAL
LANDSCAPE PLAN

DRAWN BY :

REVISED BY:

ISSUED FOR :

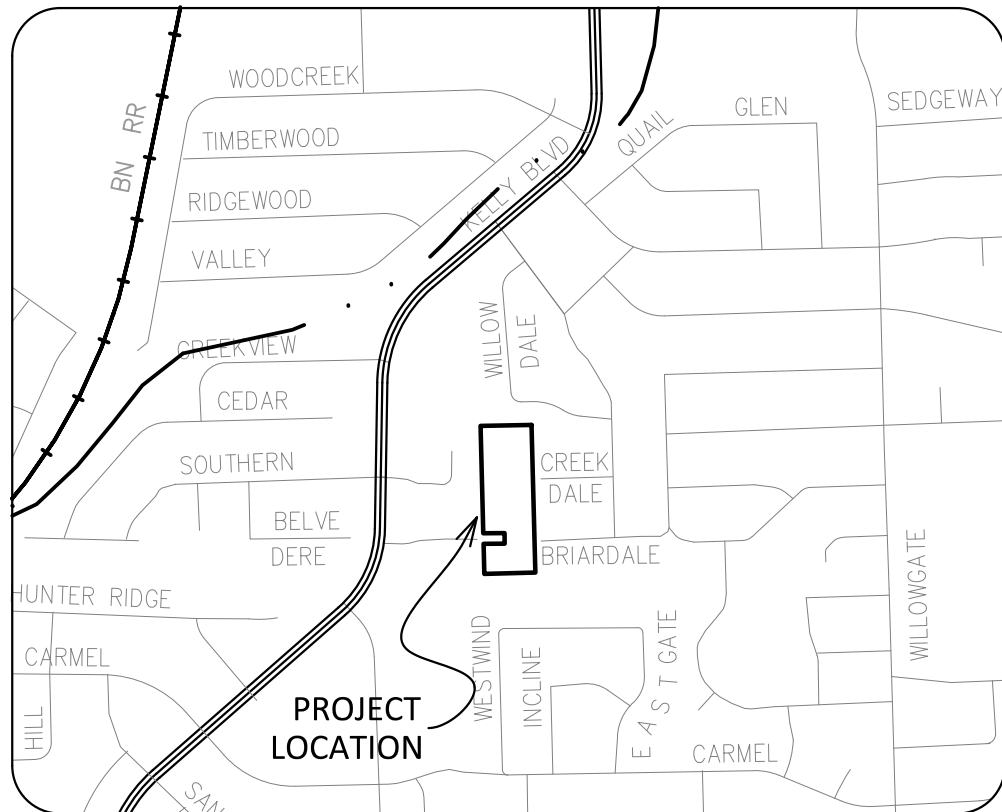
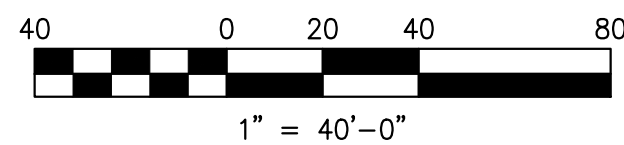
SHEET No.

DATE :
01.17.2023

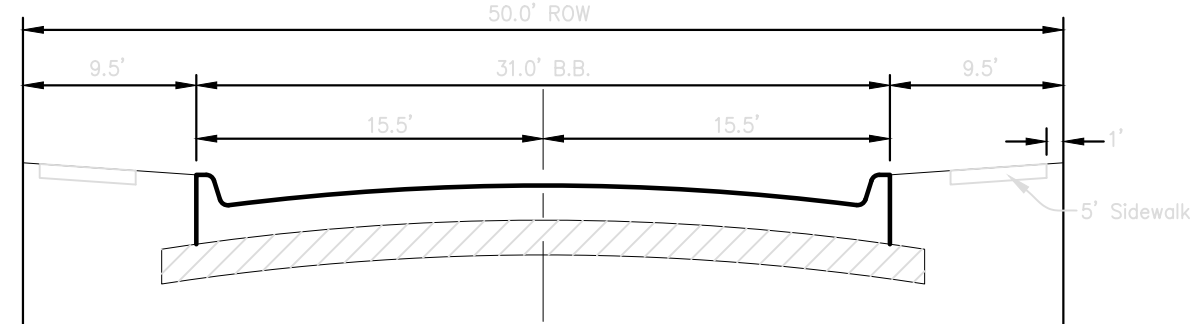
2.0

CITY FILE No. PLZPD 2022-

NORTH



LOCATION MAP
1" = 1000'

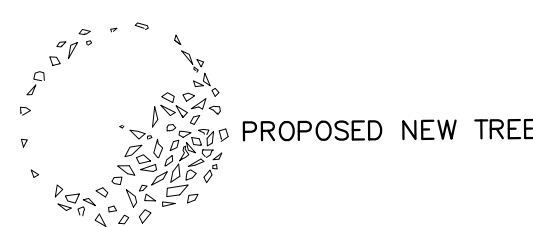


Typical 31' BB Pavement Section
Not To Scale

GROUND COVER
BERMUDA GRASS
REQUIRED = 16,918 SQ.FT.
PROVIDED = 133,858 SQ.FT.



EXISTING TREE TO REMAIN



PROPOSED NEW TREE

PROPOSED LOTS			
Lot #	Block #	Square Feet	Acreage
1	B	14911.95	0.342
2	B	65,220.63	1.497
3	B	38,600.32	0.886
4	A	9,792.52	0.225
5	A	12,922.01	0.297
6	A	13,355.53	0.307

PROPOSED ZONING			
• SINGLE FAMILY SF-8.4/18	8,400 SQ.FT.		
• MINIMUM LOT AREA	3,000 SQ.FT.		
• MINIMUM FLOOR AREA OF DWELLING UNIT			
PROVIDED SETBACKS			
• FRONT SETBACK	25'		
• SIDE SETBACK	9'		
• (STRUCTURE TALLER THAN ONE STORY)			
• REAR SETBACK	20'		

CITY NOTES

- A. SIDEWALKS (WHICH ARE REQUIRED IN ALL DISTRICTS, WITH THE SINGLE EXCEPTION OF LOCAL INDUSTRIAL STREETS) SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CARROLLTON'S SPECIFICATIONS. THE DEVELOPER WILL CONSTRUCT SIDEWALKS ALONG THE REAR AND SIDE OF LOTS THAT ABUT COLLECTOR OR ARTERIAL THOROUGHFARES OR WHICH ABUT PERIMETER STREETS, OR WHERE AN ALLEY IS ADJACENT TO A COLLECTOR OR ARTERIAL THOROUGHFARE. THE BUILDER ON A LOT WILL CONSTRUCT ALL OTHER SIDEWALKS ON THE FRONT AND SIDE OF LOTS ON INTERNAL STREETS. CERTIFICATES OF OCCUPANCY WILL NOT BE ISSUED UNTIL SUCH REQUIREMENTS HAVE BEEN MET.
- B. A MASONRY SCREENING WALL (CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CARROLLTON'S SPECIFICATIONS AND THE COMPREHENSIVE ZONING ORDINANCE) WILL BE CONSTRUCTED BY THE DEVELOPER ALONG THE END OF THE BRIARDALE DRIVE EXTENSION FOR A DISTANCE OF 110 FEET.
- C. A MINIMUM OF 10% OF THE TOTAL SITE IS REQUIRED TO BE LANDSCAPED. (THE LANDSCAPING MUST BE LOCATED IN ACCORDANCE WITH THE COMPREHENSIVE ZONING ORDINANCE, BE IDENTIFIED BY A SHADING PATTERN WHICH IS IDENTIFIED IN THE LEGEND AND IDENTIFIED IN SQUARE FEET ON THE SITE PLAN.)
- D. SELLING OFF A PORTION OF THIS ADDITION BY METES AND BOUNDS DESCRIPTION WITHOUT A REPLAT BEING APPROVED BY THE CITY OF CARROLLTON IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.



III







**Excerpt From Draft Minutes
Planning & Zoning Commission
Meeting of March 2, 2023**

Hold A Public Hearing To Consider An Ordinance **Amending The Zoning** On An Approximately 3.8-Acre Tract Zoned (SF-12/20) Single-Family Residential District And Located At 2400 Briardale Drive And Approximately 480 Feet East Of Kelly Boulevard To Amend And Reestablish Planned Development District 119 To Change The Base Zoning To (SF-8.4/18) Single-Family Residential District And Modify Development Standards And To Provide Conceptual Plans; Amending The Official Zoning Map Accordingly. **Case No. PLZPD 2022-196 The Enclave**. Case Coordinator: Michael McCauley.

Michael McCauley, Senior Planner, stated that the applicant is requesting to amend and reestablish PD-119 to change the zoning on an approximately 3.8-acre tract from (SF-12/20) Single-Family Residential District to (SF-8.4/18) Single-Family Residential District to be comparable to adjoining districts with plans to subdivide the tract for single-family detached residential development (6 lots) with a minimum 3,000 square-foot floor area (living area) and rear or side-entry garages with alley access. He referred to a previous request by the applicant that was considered and denied by the Commission in October 2022, noting that at that time there were no exhibits that could be tied to the proposal. He also advised that residents spoke in opposition to the October request. McCauley explained that the applicant considered the information they received at that hearing and developed the current proposal before the Commission. He talked about the existing homes to the east and west of the site. He reviewed the current proposal for 80-foot-wide lots and Briardale Drive would be a cull-d-sac eliminating pass-through traffic. The homes will have a minimum 3,000 square feet of living area. He acknowledged the existence of an area of floodplain and explained that the property could be developed in accordance with FEMA regulations as well as the City's Stormwater and Flood Plain Protection Ordinance. He reviewed the conceptual home elevations and stated that he felt the proposed development would enhance the neighboring properties. He provided a property owner map illustrating the nine properties in opposition to the request. Staff recommended approval with stipulations.

Chair Windrow asked McCauley to elaborate more about the property to the north and asking if it could be developed in the future. McCauley stated it would be challenging to develop that part of the property because it would require the development of a street for homes to front on.

Commissioner Foster asked if it were typical to require an HOA. McCauley replied that if a development has a common area or a drainage easement as in this case, a HOA would be required in accordance with the CSO. He added that the proposed development would not be gated. With regard to the turn radius for emergency vehicles, McCauley stated that the Fire Marshal had reviewed the plans and made no negative comments.

1st Vice Chair Powell asked about the site's drainage. McCauley stated it is proposed as a drainage easement and stated that would occur at the time of platting. He reiterated that the applicant would have to comply with FEMA and the City's ordinance. He added that the proposed concept plan is subject to change based on FEMA and the City's ordinance. Powell asked if the City still collects

Impact Fees for residential development. Matt Brennan, City Civil Engineering and Floodplain Manager, replied that the City does collect Impact Fees.

Commissioner Overholt voiced concern about Lots 2 and 3 being so large and was concerned it could become a nuisance. He suggested that the area could be turned over to the HOA to be used for athletic fields or some type of attraction for the residents. He stated that he could not support the large size of those lots. McCauley stated that any accessory buildings or storage would have to comply with City ordinances. With regard to it being turned over to the HOA, he stated the City does not get directly involved with HOAs but it could be discussed with the applicant.

Commissioner Kramer referred to Stipulation 13 and felt that four of the proposed homes faced the street. McCauley clarified that the proposed garages face the alleys, not streets. The houses would face the street with the cull-d-sac and stated the homes would be rear-loaded or side entry with direct access from the alley. Commissioner Kramer asked for clarification of Stipulation 11 regarding fences. McCauley explained that the stipulation means the fence must be setback at least 10 feet from the front of the house. With regards to the minimum distance between houses, McCauley stated it would be 10 feet from the property line.

Commissioner Doyle asked if the comment cards in the packet were from the previous case. McCauley replied these were cards received for the current proposal. The cards received for the previous case (October 2022) were not included. Commissioner Doyle asked if the current proposal appending the lots to the HOA to the west means the previous concerns were mitigated. McCauley replied that he has not personally spoken with the HOA President and deferred to the applicant.

Powell stated that he agreed with Commissioner Overholt concerning the size of Lots 2 and 3 and he noted that there doesn't appear to be a good access to the area. He felt it would be impractical unless an avenue for ingress and egress could be created that doesn't require residents to walk down the alley or drainage easement. McCauley replied that he understood the concerns.

Chair Windrow stated that because the proposal is to go to a PD, the applicant will have to follow the conceptual design plan if approved as proposed and McCauley replied affirmatively.

Victor Castro, 1341 W Mockingbird Lane, Dallas, applicant, stated that the covenants of the Parkside Estates HOA does not allow boats, mobile homes, etc. that will make the lot look dirty and he felt sure the HOA would enforce its covenants. He stated that after the previous application, they met with the HOA and have reached an agreement and it would be recorded at the County.

Chair Windrow opened the Public Hearing.

In support but did not wish to speak:

Syed Jafri, Jafri Construction

Spoke in support:

Brad Trudeau, 2305 Briardale Drive, President of the Parkside Estates HOA; Brian Farlow, 2304 Briardale Drive.

Chair Windrow announced that of the comment cards received by staff, 6 were in support and 8 were opposed. There being no other speakers, he offered the applicant an opportunity to make closing remarks and the applicant declined. Chair Windrow opened the floor for discussion by the Commission.

Chair Windrow stated his feeling that the current application has the controls necessary for the development and suggested an additional stipulation that there could not be more than 6 lots. He stated he was happy with the proposal presented and would vote in favor of approval.

- * ***Commissioner Foster moved to close the public hearing and approve Case No. PLZPD 2022-196 The Enclave with staff stipulations; second by Commissioner Overholt.*** Commissioner Overholt felt the process for in-fill development worked well and thanked the applicant and residents for working together. ***The motion was approved with a unanimous 7-0 vote, (Taylor and Martin absent).***

**Excerpt From Minutes
City Council
Meeting of April 4, 2023**

25. Hold A Public Hearing And Consider An Ordinance Amending The Zoning On An Approximately 3.8-Acre Tract Zoned To The (SF-12/20) Single-Family Residential District And Located At 2400 Briardale Drive And Approximately 480 Feet East Of Kelly Boulevard, To Amend And Reestablish Planned Development District 119 (PD-119) To Change The Base Zoning To The (SF-8.4/18) Single-Family Residential District And Modify Development Standards, And To Provide Conceptual Plans; Amending The Official Zoning Map Accordingly.
Case No. PLZPD 2022-196 The Enclave.

Loren Shapiro explained that the request is to expand an existing development and rezone the property. He stated that the applicant has met with the adjacent Parkside Subdivision located to the west of the subject site. He described the applicant's request for six lots with a minimum of 9,700 sq ft; minimum 3,000 sq ft homes; minimum lot size width of 80 ft. along with other development standards. He stated that while staff recommends approval, a super majority vote (6) is required to over-ride the opposition. He reviewed conceptual home elevations and provided a map highlighting the homeowners within 200 ft. in opposition to the request.

Deputy Mayor Pro Tem Cline asked about the feasibility of the removal of the flood plain. Shapiro replied that the applicant would need to acquire approval from FEMA and would have to provide civil plans that would comply with City ordinances regarding drainage which usually happens during the platting process.

Mayor Babick asked if a different developer could develop the site with more homes and still meet the minimum set out. Shapiro stated it would be very difficult and in addition, they would have to modify the concept plan which would require approval by the Planning and Zoning Commission and the City Council.

Councilmember Polter voiced concern about the drainage and the ability to develop the site.

Mayor Babick invited the applicant to make a presentation.

Victor Castro, representing the Enclave, did not make a formal presentation but was available to answer questions. He stated he could not answer questions about the drainage because they have not gotten to that step in the development process and assured the Council that they would follow all of the steps required. He felt it would benefit everyone.

Mayor Babick opened the public hearing and announced the receipt of one card in support by Syed Jafri, Jafri Construction.

Brian Farlow, 2301 Briardale Drive, advised that Parkside has expanded their HOA to include the subject site. He stated that the HOA covenants are more restrictive than the PD and they felt it was about the best they could do to govern that piece of land. He felt that the developer has done the right thing and he spoke in support of the request with confidence.

There being no other speakers, Mayor Babick closed the public hearing.

Councilmember Sung asked if the applicant had spoken with FEMA. Mayor Babick clarified that the question before the Council was with regard to zoning and drainage would be addressed as part of the subsequent process. City Attorney Meredith Ladd stated the applicant would be required to get a permit from FEMA but it is not part of the zoning process.

Councilmember Fleming moved approval of Item 25; second by Councilmember Pendleton. The vote was 4-2-1; Councilmembers Axberg and Polter opposed, and Councilmember Sung abstained. Mayor Babick explained that the initial vote was flawed due to the inappropriate use of an abstention. A second vote was called and the motion failed with a 5-2 vote; Councilmembers Polter and Sung opposed. Mayor Babick noted that the motion failed because the vote did not meet the super majority threshold of 6 votes in favor.

PUBLIC COMMENTS

Case No/Name: PLZPD 2022-196 Date: 2/6/23

Name: Jay Houny

Address: 2420 Georgetown Dr.

City, ST, ZIP: Carrollton, TX 75006

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

Comments: _____

Signature: Jay Houny

Received
FEB 13 2023
Planning
City of Carrollton

Case No/Name: PLZPD 2022-196 Date: 1-26-2023

Name: LAWRENCE R MAGRUDER

Address: 2509 CREEKDALE CT

City, ST, ZIP: CARROLLTON, TX 75006

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

Comments: _____

Signature: LR Magruder

Received
FEB 03 2023
Planning
City of Carrollton

PUBLIC COMMENTS

Case No/Name: PLZPD 2022-196 The Enclave Date: 1/28/23

Name: Michael Larson

Address: 2404 Georgetown Dr.

City, ST, ZIP: Carrollton, Tx 75066

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

Comments: I support it "only" if the developer keeps his commitment to building 2500+ sq ft homes on sites.

Signature: MJL

Received
FEB 08 2023
Planning
City of Carrollton

Case No/Name: Rezoning of Parkview Estates Date: 2/20/2023

Name: #4 Shea + Tiffany Sumlin

Address: 2320 Briardale Dr.

City, ST, ZIP: Carrollton, TX 75006

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

Comments: We oppose this proposition. We bought our home for the space. It will be very crowded. Also the water way challenge concerns me. There is already shifting soil. My home has already had foundation trouble!

Signature: Shea + Tiffany Sumlin

Received
FEB 24 2023
Planning
City of Carrollton

PUBLIC COMMENTS

Case No/Name: PLZPD 2020-196 Date: _____

Name: Rose Portillo

Address: 2317 Briardale Dr

City, ST, ZIP: Carrollton Tx. 75006

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

Comments: N/A

Signature: [Signature] Planning
City of Carrollton

Received
FEB 28 2023

Case No/Name: PLZPD 2022-196 THE ENCLAVE Date: 1/25/2023

Name: Ruby D & Lisa A Rabenalt

Address: 2412 Georgetown Dr

City, ST, ZIP: CARROLLTON TX 75006-2030

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

Comments: _____

Signature: [Signature] Planning
City of Carrollton

Received
JAN 30 2023

PUBLIC COMMENTS

Case No/Name: PLZPD 2022-196 ^{The Enclave} Date: MAR 2 2023

Name: JAMES MINK

Address: 2526 Willowdale Dr

City, ST, ZIP: Carrollton TX 75006

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

Comments: Very Poor DRAINAGE plan

Received
FEB 28 2023
Planning
City of Carrollton

Signature: [Signature]

Case No/Name: PLZPD 2022-196 ^{The Enclave} Date: 24 Jan 2023

Name: Marvin D. Hoag

Address: 2508 Creekdale Ct.

City, ST, ZIP: Carrollton, TX 75006

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

Comments: _____

Received
JAN 30 2023
Planning
City of Carrollton

Signature: [Signature]

PUBLIC COMMENTS

Case No/Name: PLZPD 2022-196 Date: 2/17/23
Name: RON WISEMAN
Address: 2525 BRIARDALE DR.
City, ST, ZIP: CARROLLTON, TX 75006

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

Comments: IT IS A FLOOD PLAIN
WITH INSUFFICIENT ACCESS IN
OR OUT.

Signature: [Signature]

Received
FEB 28 2023
Planning
City of Carrollton

Case No/Name: PLZPD 2022-196 THE ENCLAVE Date: 1/24/23
NORTH TEXAS TX 750
Name: ROBERT COOK & DONNIE J. WISEMAN
Address: 2528 BRIARDALE DR.
City, ST, ZIP: CARROLLTON, TX 75006

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

Comments: _____

Signature: [Signature] & [Signature]

Received
JAN 30 2023
Planning
City of Carrollton

PUBLIC COMMENTS

Case No/Name: PLZD 2022-196 Date: 3/23/23
Name: Mark Swanson
Address: 2526 Briardale Drive
City, ST, ZIP: Carrollton, TX 75006

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

Comments: Will negatively affect my property
value and my neighbors.

Received
MAR 28 2023
Planning
City of Carrollton

Signature: [Signature]

Case No/Name: PLZPD 2022-196 THE ENCLAVE Date: 3/24/23
Name: JACK MOWDY
Address: 2506 CREEKDALE CT
City, ST, ZIP: Carrollton, TX 75006

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

Comments: _____

Received
MAR 28 2023
Planning
City of Carrollton

Signature: Jack Mowdy

PUBLIC COMMENTS

Case No/Name: PLZPD 2022-196 Date: 3-27-23

Name: Carlos MARTINEZ


Address: 2529 BRIARDALE Dr.

City, ST, ZIP: Carrollton, TX. 75006

I hereby register my: ☐ Support ☒ ~~Opposition~~ **Received**
to the above referenced case. **MAR 28 2023**

Comments: LEAVE AS IS, OR TURN INTO A
WALKING TRAIL or Dog Park

Signature: Carlos Martinez

 **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 Brad Trudeau Phone _____ Date 3-2-23

Address 2305 Briardale City Carrollton Zip 75006

Public Hearing Agenda Item # 4 PLZPD 2022 - 196


☒ 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: Parkside HOA

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

PUBLIC COMMENTS

 **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 Brian Farlow Phone (214) 244-2727 Date 2 Mar 23
Address 2304 Briardale Dr City Carrollton Zip 75006

Public Hearing Agenda Item # #4 PLZPD 2022-196

☒ 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: Self & Parkside HOA

**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 Victor Castro Phone 214-241-9169 Date 03/02/23
Address 1341 W. Mockingbird Ln #608W City Dallas Zip 75247


Public Hearing Agenda Item # PLZPD 2022-196 The Enclave #4

☒ 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."**

PUBLIC COMMENTS

 **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 SYED JAFRI Phone 214 675 0605 Date 03/02/23
Address PO BOX 796053 City DALLAS Zip 75379

Public Hearing Agenda Item # 2022 - 196 #4

☐ 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: ZARAI CONSTRUCTION

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

PLANNING DEPARTMENT
CITY OF CARROLLTON
DATE: 06/06/2023

PLANNED DEVELOPMENT NO. 119
THE ENCLAVE AND PARKSIDE ESTATES

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ITS COMPREHENSIVE ZONING ORDINANCE TO AMEND, RESTATE AND REPLACE PLANNED DEVELOPMENT 119 AND THEREBY SUPERSEDE ORDINANCE NUMBER 1671 IN ITS ENTIRETY TO REVISE PROVISIONS FOR PLANNED DEVELOPMENT 119; TO AMEND AND REESTABLISH PLANNED DEVELOPMENT 119 FOR AN APPROXIMATELY 3.8-ACRE TRACT LOCATED AT 2400 BRIARDALE DRIVE AND APPROXIMATELY 480 FEET EAST OF KELLY BOULEVARD; TO CHANGE THE ZONING FROM (SF-12/20) SINGLE-FAMILY RESIDENTIAL DISTRICT TO PLANNED DEVELOPMENT 119 FOR THE (SF-8.4/18) SINGLE-FAMILY RESIDENTIAL DISTRICT; TO MODIFY DEVELOPMENT STANDARDS; AND TO PROVIDE CONCEPTUAL PLANS; AMENDING 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 Second day of March 2023, the Planning and Zoning Commission considered and made recommendations on a certain request for a Planned Development District (Case No. PLZPD 2022-196); 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 the Sixth day of June 2023, at which all persons were given an opportunity to present testimony; and

WHEREAS, this change of zoning will distinguish development standards specially applicable to the unique nature of the approximately 11.07-acre tract; 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 119, as established by Ordinance 1671 on November 20, 1990, is hereby amended, restated and replaced, thereby superseding ordinance number 1671 in its entirety and is described on Exhibit A and generally depicted on Exhibit B to provide for the following:

Permitted Uses

Permitted uses shall be all principal and accessory uses which are allowed by right in the (SF-8.4/18) Single-Family 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-8.4/18) Single-Family Residential District and the Comprehensive Zoning Ordinance, as amended.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (SF-8.4/18) Single-Family Residential 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.

Section 3.

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

Tract A

1. The development shall be in general conformance with the Conceptual Site Plan, Conceptual Landscape Plan, and Conceptual Building Elevations, attached as Exhibits C, D, and E, respectively, provided however, that:
 - a. The minimum lot size shall be 9,700 square feet.
 - b. The minimum dwelling unit floor area (living area) shall be 3,000 square feet.
 - c. The minimum lot width shall be 80 feet.
 - d. Privacy fencing for lots shall be stained vertical board-on-board wood fencing with cap and metal poles. Metal poles shall be used for fence support and inside of the fence.
 - e. Privacy fences may not extend closer than ten feet (10') from the nearest front corner of the home.
 - f. Garage conversions shall be prohibited.
 - g. Garages shall not face streets.
 - h. Carports shall be prohibited.

- i. All front yards shall contain a shade tree chosen from the approved “Large Tree” list in CZO Article XXV. Landscape and Screening.
 - j. The development shall comply with the City Stormwater and Flood Protection Ordinance.
 - k. A Homeowners Association (HOA) shall be established in accordance with the Comprehensive Subdivision Ordinance prior to final platting of the property.
 - l. The HOA shall be responsible for the improvement and maintenance of all common areas and drainage ways within the area of the Conceptual Plans.
2. In the event there is any inconsistency between the text of this ordinance and any conceptual plan, the text of this ordinance shall control.

Tract B

1. The minimum dwelling unit floor area (living area) for all single-family residences shall be 2,000 square feet.

Section 4.

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

Section 5.

Any person 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 6.

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

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 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 9.

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

PASSED AND APPROVED this the Sixth day of June 2023.

CITY OF CARROLLTON

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky
City Secretary

APPROVED AS TO FORM:

Albert Thomas
Assistant City Attorney

APPROVED AS TO CONTENT:

Michael McCauley
Senior Planner

**EXHIBIT A
LEGAL DESCRIPTIONS**

**TRACT A
THE ENCLAVE**

This is to certify that I have, this date, made an on the ground survey of the property located on 2400 Briardale Drive in the City of Carrollton, Texas, described as follows:

Being that certain 3.88-acre tract of land situated in the John Warner Survey Abstract No. 1591, City of Carrollton, Dallas County, Texas and being port of Tract No. 1 as described in deed to Roy P. warranty deed recorded in Instrument No. 201200111238, Official Public Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 Inch iron rod found for the Southeast corner of said Nguyen and Le tract, some Records, Dallas County, Texas, some being in the North line of the D. P. & L. Co. right of way (Volume 4746, Page 265) (a variable width right of way);

THENCE South 89 deg. 33 min. 51 sec. West along the common line of said Nguyen and Le tract, and said D. P. & L Co right of way, a distance of 241.42 feet to a 1/2-inch iron rod set with "Pelser & Mankin SURV red plastic cap (hereinafter referred to as 1/2 Inch iron rod set) for the Southwest corner of said Nguyen and Le tract, same being the Southeast corner of Parkside Estates, an addition to the City of Carrollton, Dallas County, Texas, according to the plat thereof recorded in Volume 92068, Page 2748, said Map Records;

THENCE North 00 deg. 24 min. 16 sec. West, along the common line of said Nguyen and Le tract, and said Parkside Estates, a distance of 142.56 feet to a 1/2-inch iron rod set at the Southwest corner of that certain tract of land to the City of Carrollton, by deed recorded in Volume 92055, Page 8105, aforesaid Deed Records;

THENCE along the common line of said Nguyen and Le tract and said City of Carrollton tract as follows:

South 89 deg. 24 min. 46 sec. East, a distance of 99.59 feet to a 1/2-inch iron rod set for the Southeast corner of said City of Carrollton tract;

North 00 deg. 35 min. 14 sec. East, a distance of 50.00 feet to a 1/2-inch iron rod set for the Northeast corner of said City of Carrollton tract;

North 89 deg. 24 min. 46 sec. West, a distance of 100.46 feet to a 1/2-inch iron rod set for the Northwest corner of said City of Carrollton tract, same being a Southwest corner of sold Nguyen and Le tract, same being in the East line of aforesaid Parkside Estates;

THENCE North 00 deg. 24 min. 16 sec. West, along the common line of said Nguyen and Le tract, and said Parkside Estates, passing the Northeast corner of said Parkside Estates, same being the Southeast corner of Parkside Estates, Phase-2, on addition to the City of Carrollton, Dallas County, Texas, according to the plat thereof recorded in Volume 2000089, Page 6, aforesaid Map Records and continuing along said common line of Nguyen and Le tract and said Parkside Estates, Pahse-2, a total distance of 508.60 feet to a 1/2 inch iron rod set for the

Northwest corner of said Nguyen and Le tract, same being a Southwest corner of aforesaid Copperwood Addition Phase II;

THENCE along the common line of said Nguyen and Le tract and said Copperwood Addition Phase as follows:

North 89 deg. 58 min. 09 sec. East, a distance of 241.43 feet to a ½-Inch iron rod set for the Northeast corner of sold Nguyen and Le tract, same being an internal corner of said Copperwood Addition Phase II;

South 00 deg. 24 min. 16 sec. East, a distance of 699.46 feet to the **POINT OF BEGINNING** and containing 169,073 square feet or 3.88 acres of computed land, more or less,

**TRACT B
PARKSIDE ESTATES**

BEING all of that certain lot, tract or parcel of land situated in the JOHN WARNER SURVEY, A-1591, City of Carrollton, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 3/4" iron rod at the northernmost southwest corner of Copperwood Addition, Phase II, an addition to the City of Carrollton, Texas, recorded in Volume 83028, Page 2863 of the Deed Records of Dallas County, Texas; said point also being the northwest corner of the M. H. Carter 3.87 acre tract of land; **THENCE** S 00°17'56" E, 44.68' with the west line of said Carter tract to a 3/4" iron rod at the **PLACE OF BEGINNING**:

THENCE S 00°17'56" F, 657.62' with the west line of said Carter tract to a 3/4" iron rod for corner in the north line of a variable width D.P.& L. Company R.O.W.;

THENCE S 89°51'54" W, 498.66' with the north line of said D.P.& L. Company property to a 3/4" iron rod for corner in the east line of Kelly Springfield Road and on a curve to the left having a central angle of 13°56'34" and a radius of 500.00' bearing N 75°24'56" W;

THENCE northeasterly around said curve and with the east line of Kelly Springfield Road, a distance of 121.67';

THENCE N 00°38'00" E, 543.82' with the east line of Kelly Springfield Road to a 3/4" iron rod for corner;

THENCE S 89°21'30" E, 473.09' to the place of beginning and containing 316,798.13 square feet or 7.2727 acres of land.

EXHIBIT B
GENERAL DEPICTIONS (1 OF 2)

TRACT A
THE ENCLAVE



EXHIBIT B
GENERAL DEPICTIONS (2 OF 2)

TRACT B
PARKSIDE ESTATES

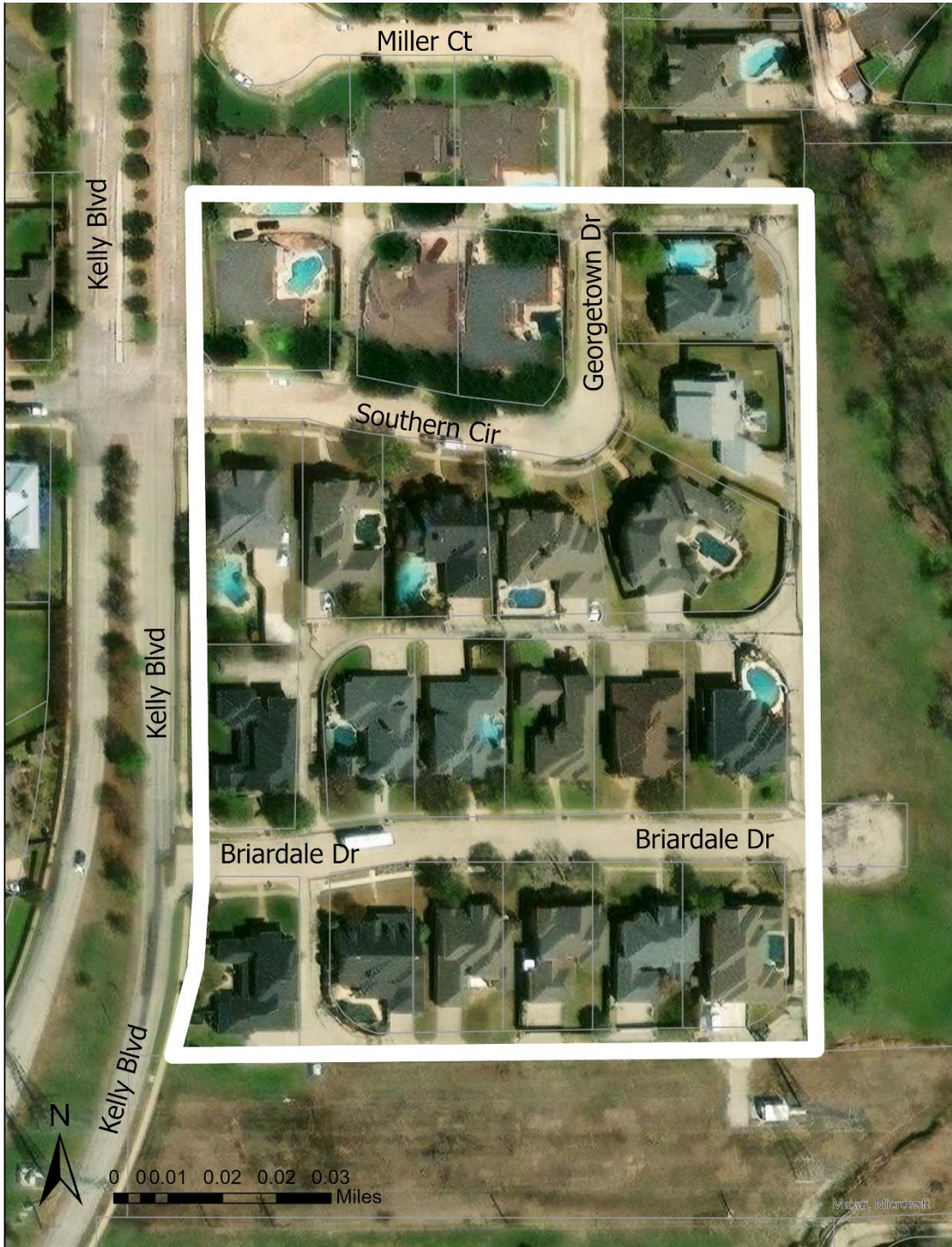


EXHIBIT D

CONCEPTUAL LANDSCAPE PLAN

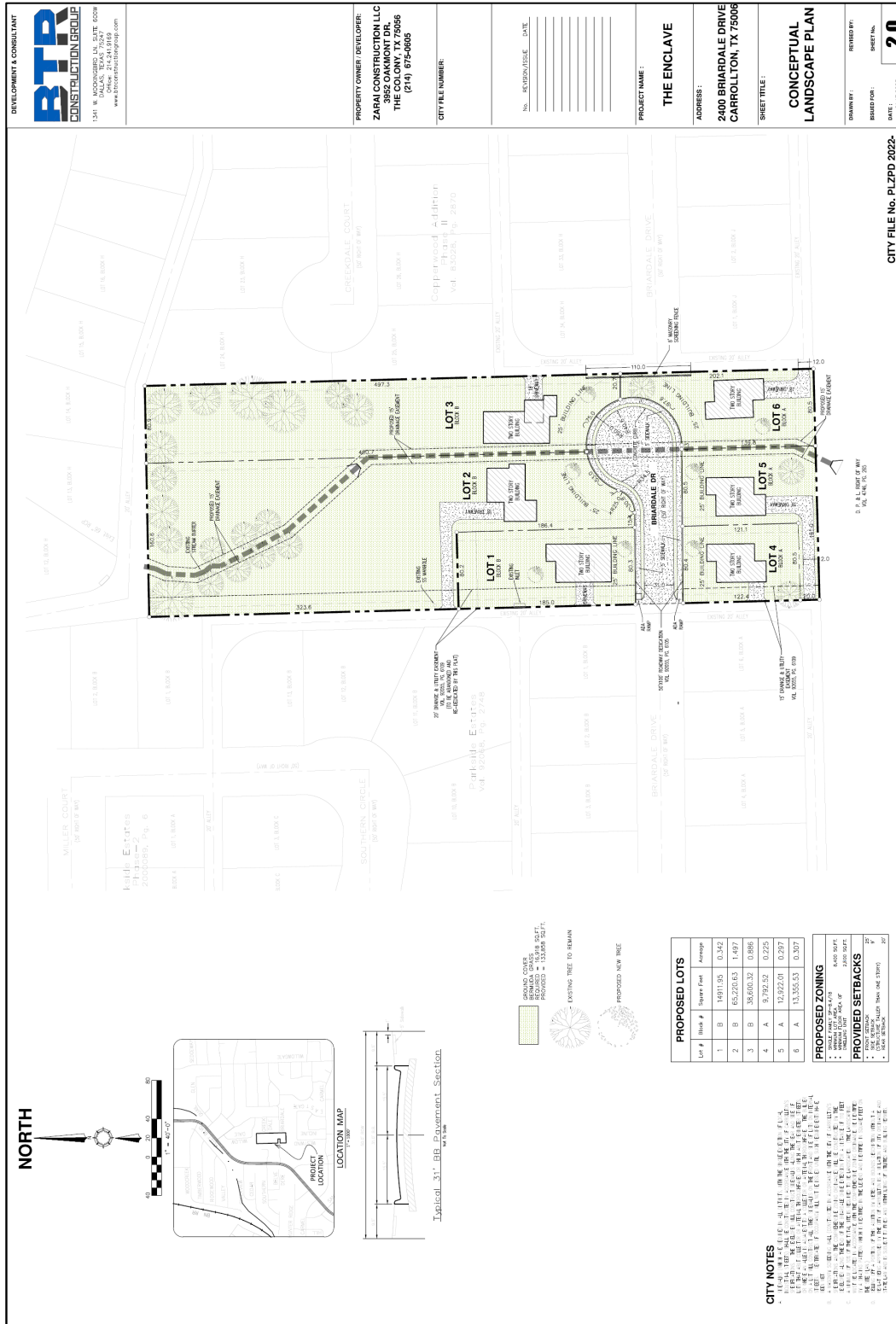


EXHIBIT E
CONCEPTUAL BUILDING ELEVATIONS (1 OF 2)



EXHIBIT E
CONCEPTUAL BUILDING ELEVATIONS (2 OF 2)





City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6176

Agenda Date: 6/6/2023

Version: 1

Status: Public Hearing/Individual
Consideration

In Control: City Council

File Type: Public Hearing

Agenda Number: 30.

CC MEETING: June 6, 2023

DATE: May 23, 2023

TO: Erin Rinehart, City Manager

FROM: Loren Shapiro, AICP, Planning Manager
Marc Guy, Assistant City Manager

Hold A **Public Hearing And Consider An Ordinance To Establish A Special Use Permit For Miscellaneous Manufacturing For Screen Printing On Clothing And Textiles On An Approximately 0.50 Acre Tract Zoned Planned Development District No. 87 (PD-87) For The (HC) Heavy Commercial District And Located At 1407 Westway Circle, Approximately 572 Feet East Of Broadway; Amending The Official Zoning Map Accordingly.** Case No. PLSUP 2023-028 Integrity Branding.

BACKGROUND:

This is a request to approve a special use permit (SUP) to allow for miscellaneous manufacturing for direct-to-garment screen printing on clothing and textiles at an existing facility.

This use requires approval of a special use permit in the (HC) Heavy Commercial zoning district.

STAFF RECOMMENDATION/ACTION DESIRED:

On May 4, 2023, the Planning and Zoning Commission recommended **APPROVAL** of the request.

The attached ordinance reflects the action of the Commission. Staff recommends approval and adoption of the ordinance.

RESULT SHEET

Date: 06/06/2023

Case No./Name: PLSUP 2023-028 Integrity Branding

A. STAFF STIPULATIONS AND RECOMMENDATIONS

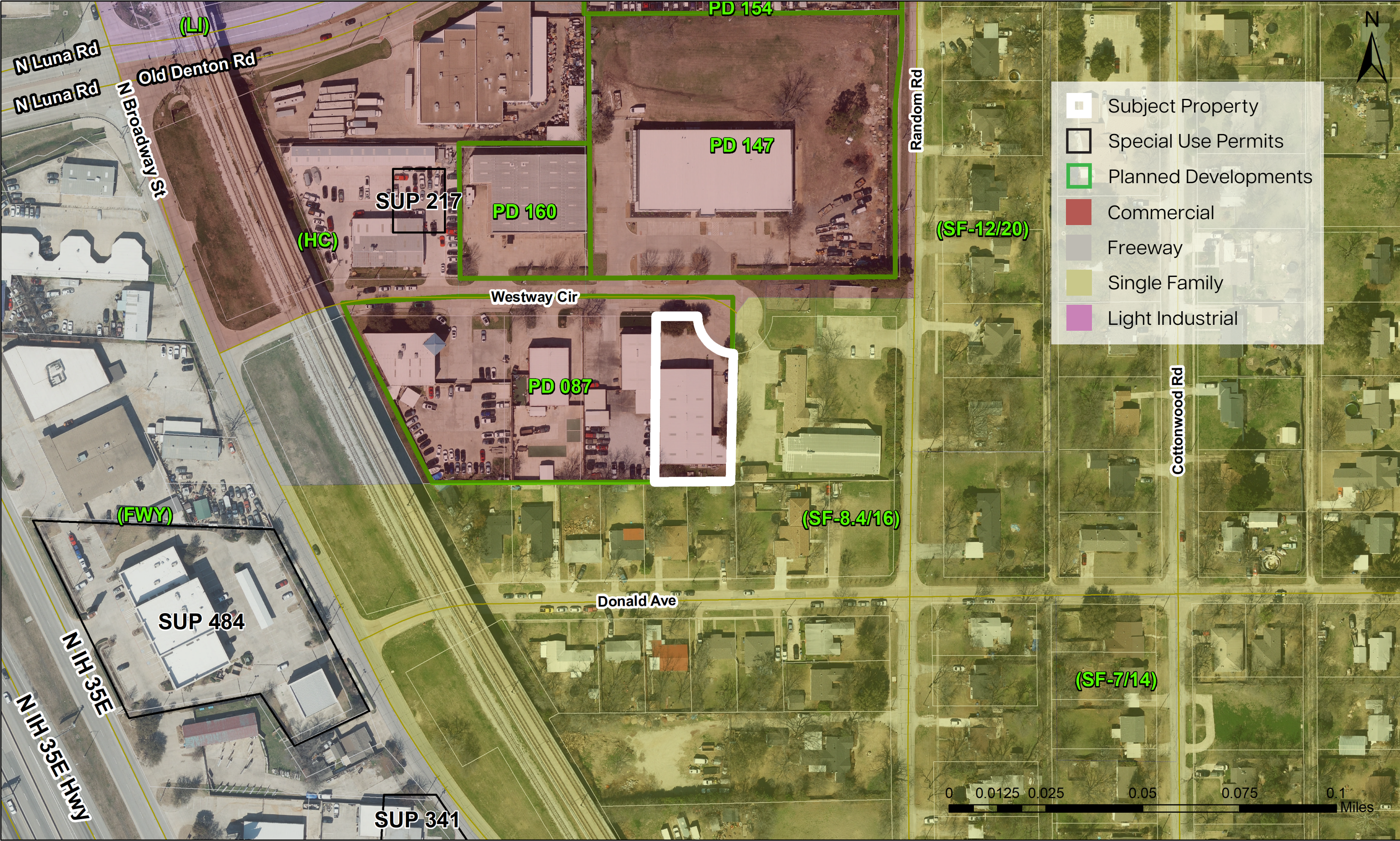
Allow Miscellaneous Manufacturing (On Clothes and Textiles)

B. P&Z ACTION from P&Z meeting: 05/04/23

Result: **APPROVAL**/Vote: 7-0 (Kramer and Taylor absent)

C. CC PUBLIC HEARING / ORDINANCE ACTION from CC meeting: 06/06/23

Result: /Vote:



APPLICANT'S NARRATIVE

Allow screen printing (miscellaneous manufacturing) at 1407 Westway Circle.

SPECIAL USE PERMIT

Case Coordinator: Loren Shapiro

GENERAL PROJECT INFORMATION

SITE ZONING: PD-87 for the (HC) Heavy Commercial District

	<u>SURROUNDING ZONING</u>	<u>SURROUNDING LAND USES</u>
NORTH	PD-87 for the (HC) Heavy Commercial District	Church
SOUTH	(SF-8.4/16) Single-Family Residential District	Single-Family Residential
EAST	(SF-8.4/16) Single-Family Residential District	House of Worship
WEST	PD-87 for the (HC) Heavy Commercial District	Oak Creek Park Across Train Tracks

REQUEST: A Special Use Permit to allow for miscellaneous manufacturing for screen printing on clothing and textiles at an existing facility

PROPOSED USE: Miscellaneous manufacturing (screen printing on clothing and textiles)

ACRES/LOTS: Approximately 0.50 acres / 1 lot

LOCATION: 1407 Westway Circle

HISTORY: The Commission approved a final plat on April 17, 1986.
The approximately 9,100 square-foot facility was constructed in 2003.

COMPREHENSIVE PLAN: Commercial – High Intensity

TRANSPORTATION PLAN: Westway Circle is a Local Industrial Street.

OWNER: Carstens Properties LLC

REPRESENTED BY: Scott Carstens, Integrity Branding

STAFF ANALYSIS

REQUEST

The applicant is requesting a SUP to allow miscellaneous manufacturing for screen printing on clothes and other items inside an existing warehouse.

SITE DESIGN AND LANDSCAPING

This facility has ample parking and the landscaping is well maintained.

ZONING ORDINANCE REQUIREMENTS

Planned Development 87 (PD-87) for the (HC) Heavy Commercial District allows office and warehouse uses at this location.

Screen printing is classified as miscellaneous manufacturing. Miscellaneous manufacturing requires approval of a SUP in the (HC) Heavy Commercial zoning district.

ELEMENTS TO CONSIDER

1. The 9,100 square foot building was constructed in 2003. No building expansion is proposed with the SUP request.
2. The business proposes to use print screening machines and dryers to print on clothing and textiles such as shirts, jackets and towels. The machines will be utilized inside the building.
3. The property does not have any known code violations.
4. No public comments were received.

PURPOSE OF A SPECIAL USE PERMIT

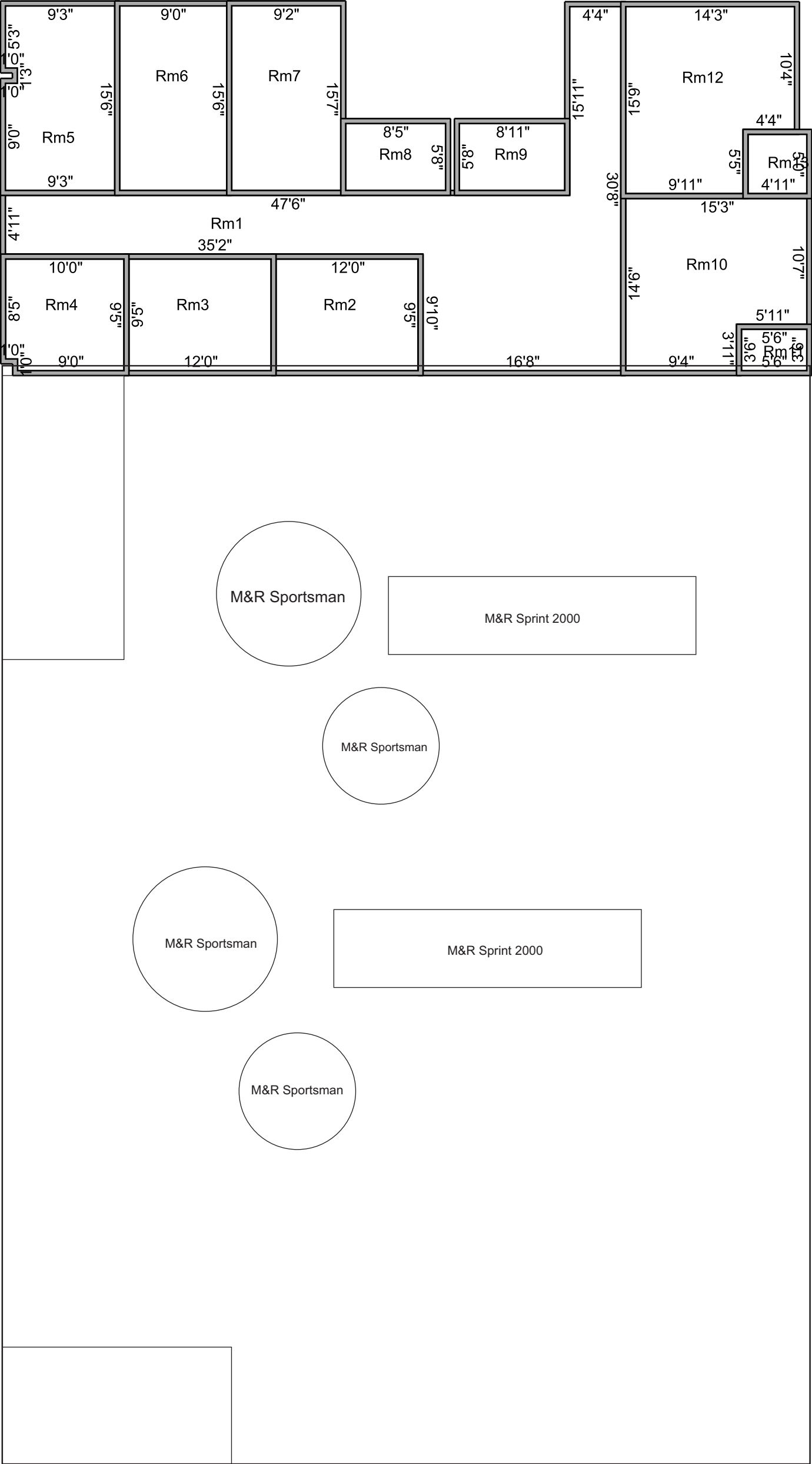
The purpose of a Special Use Permit is to authorize and regulate uses which may be beneficial in a specific instance to the general welfare of the community yet ensure that such uses are not detrimental to surrounding property, and are consistent with the stated purpose of the zoning district in which such uses are located regarding conditions of operation, location, arrangement and construction.

CONCLUSION

Staff believes the granting of the SUP should not be detrimental to the surrounding properties and is consistent with the stated purpose of the zoning district in which the proposed use is located; therefore, staff supports the applicant's request for a SUP.

EXISTING BUILDING





**DRAFT Minutes
City of Carrollton
Planning & Zoning Commission
May 4, 2023
Briefing Session and Meeting**

A meeting of the City of Carrollton Planning & Zoning Commission was held on Thursday, May 4, 2023 at 6:30 p.m. in the Council Chambers at City Hall.

Commission Members Present:

Scott Windrow, Chair
John Powell, 1st Vice Chair
Mark Yarbrough
Kathleen Foster
Al Overholt
Jim Doyle, Vice Chair
Willadean Martin

Commission Members Absent:

Kathryn Taylor
Greg Kramer

Staff Members Present:

Loren Shapiro, Planning Manager
Michael McCauley, Senior Planner
Herb Cavanaugh, Asst. Fire Chief
Emily Offer, Planner
Jared Nations, Fire Prevention Captain

Albert Thomas, Asst. City Attorney
John Romberger, Transportation
Ed Green, Plan Review Manager
Jay Vockler, Arson Investigation
Lydia Tormos, Admin Support Specialist

Guests Present:

Council Observer: Rusty Pendleton

*(Note: * = designation of a motion)*

PUBLIC HEARING:

4. Hold A Public Hearing To Consider An Ordinance To **Establish A Special Use Permit** For Miscellaneous Manufacturing For Screen Printing On Clothing And Textiles On An Approximately 0.50-Acre Tract Zoned PD-87 For The (HC) Heavy Commercial District And Located At 1407 Westway Circle, Approximately 572 Feet East Of Broadway Street; Amending The Official Zoning Map Accordingly. **Case No. PLSUP 2023-028 Integrity Branding.** Case Coordinator: Loren Shapiro.

Planning Manager Loren Shapiro stated the SUP would allow screen printing machines which are classified as miscellaneous manufacturing. He provided photos of the existing building and stated there would be no additions to the building. He reviewed the Conceptual Floor Plan and briefly described the proposed business. No comments were received from the public. Staff recommended approval of the request.

1st Vice Chair Powell asked if this occupant closes its business, would another business that falls under the miscellaneous manufacturing category be able to operate under this proposed SUP or would it have to come before the Commission. Shapiro replied that the SUP would be classified for the screen printing so if a different business wants to operate there, they would have to get the SUP amended.

Chair Windrow asked if the proposed use would occupy the whole building and Shapiro stated he would defer the question to the applicant.

Scott Carstens, 2207 Wickham Circle, Carrollton, applicant, provided a brief history of his business and explained that he has leased the building to Reflection Glass for the last 7 years; however, he has decided to return to his building in Carrollton. He described the family-owned company and stated they were excited to return. In answer to Chair Windrow's question, he stated that Reflection Glass has moved out and the sign has been removed.

Vice Chair Doyle asked about odor discharges from the building. Mr. Carstens stated that the dryers do vent through the roof but the inks that he uses don't have any kind of odor.

Chair Windrow opened the public hearing; there were no speakers.

Commissioner Foster asked if there was any type of environmental impact associated with the screen print business. Ed Green, Building Inspection, stated the applicant would complete an environmental survey form that would be forwarded to the Environmental Services Department.

Commissioner Martin asked when the form is typically completed. Green replied that it is typically done around the same time of the permitting.

*** *1st Vice Chair Powell moved to close the public hearing and approve Case No. PLSUP 2023-028 Integrity Branding with staff stipulations; second by Commissioner Martin. The motion was approved with a unanimous 7-0 vote (Tayler and Kramer absent).***

PUBLIC COMMENTS

Case No/Name: PLSUP 2023-028 Date: 5-1-23

Name: Richmond Family Investments

Address: 1410 Westway Circle

City, ST, ZIP: Carrollton, TX 75006

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

Comments: _____

Received

MAY 08 2023

**Planning
City of Carrollton**

Signature: 

PLANNING DEPARTMENT
CITY OF CARROLLTON
Date: 06/06/2023

SPECIAL USE PERMIT NO. 492
DEVELOPMENT NAME: Integrity Branding

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY ESTABLISHING SPECIAL USE PERMIT NUMBER 492 TO PROVIDE FOR MISCELLANEOUS MANUFACTURING (SCREEN PRINTING ON CLOTHING AND TEXTILES) ON AN APPROXIMATELY 0.5-ACRE TRACT LOCATED AT 1407 WESTWAY CIRCLE, APPROXIMATELY 572 FEET EAST OF BROADWAY STREET; AMENDING 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 a public hearing held on the Fourth day of May, 2023, the Planning & Zoning Commission considered and made recommendation on a certain request for a Special Use Permit (Case No. PLSUP2023-028);

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 the Sixth day of June, 2023, at which all persons were given an opportunity to present testimony; and

WHEREAS, the City Council has determined the following amendment to the zoning laws to allow the requested use is not detrimental to the surrounding property, and is consistent with the purpose of the zoning district in which the above described property is located; 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.

Special Use Permit Number 492 is hereby established for a certain approximately 0.50-acre tract located at 1407 Westway Circle and being more specifically described on Exhibit A and generally depicted on Exhibit B, providing for the following:

I. Permitted Use

Miscellaneous Manufacturing (Screen Printing On Clothing And Textiles)

Section 3.

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

Section 4.

Any person 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 Sixth day of June, 2023.

CITY OF CARROLLTON

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

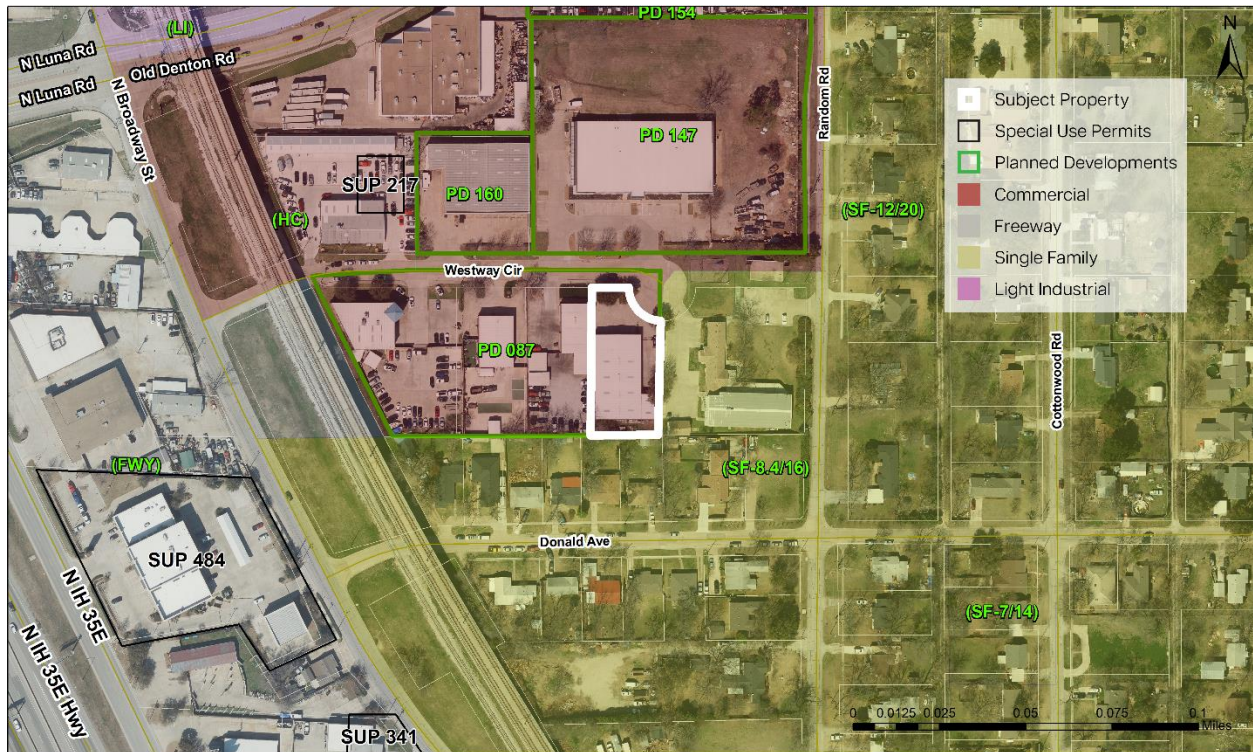
Albert Thomas
Assistant City Attorney

Loren Shapiro, AICP
Planning Manager

EXHIBIT A
LEGAL DESCRIPTION

LOT 4, BLOCK A
WESTWAY ADDITION
0.50 ACRES

EXHIBIT B GENERAL DEPICTION





City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6179

Agenda Date: 6/6/2023

Version: 1

Status: Public Hearing/Individual
Consideration

In Control: City Council

File Type: Public Hearing

Agenda Number: 31.

CC MEETING: June 6, 2023

DATE: May 23, 2023

TO: Erin Rinehart, City Manager

FROM: Loren Shapiro, AICP, Planning Manager
Marc Guy, Assistant City Manager

Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Repeal Special Use Permit No. 426 (SUP-426) At 1441 West Trinity Mills Road For A Motorcycle Training Center On An Approximately 12 Acre Tract, And To Repeal Special Use Permit No. 193 (SUP-193) At 1415 West Trinity Mills Road For An Automotive Repair And Quick Lube And Lubrication Service Facility On An Approximately 0.55 Acre Tract; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2023-012 Repeal Of Two SUPs.

BACKGROUND:

This is a City-initiated request to reassess the continued appropriateness of two special use permits. SUP-426 is for a motorcycle training center and SUP-193 is for an automotive repair and quick lube and lubrication service facility.

The City-owned properties are part of the Trinity Mills Station mixed use project, and are not currently occupied by the uses authorized by the special use permits. As a result, the special use permits are no longer needed.

STAFF RECOMMENDATION/ACTION DESIRED:

On April 6, 2023, the Planning and Zoning Commission recommended **APPROVAL** of the request.

Staff recommends approval and adoption of the ordinance repealing the special use permits.

RESULTS SHEET

Date: 06/06/23


Case No./Name: PLSUP 2023-012 Repeal of Two SUPs

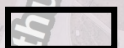
A. STIPULATIONS AND RECOMMENDATIONS

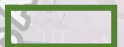
Staff recommends **APPROVAL** to repeal the two SUPs.

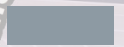
B. P&Z ACTION from P&Z meeting: 04/06/23
Result: APPROVAL /Vote: 9-0

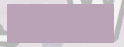
C. CC PUBLIC HEARING / ORDINANCE ACTION from CC meeting: 06/06/23
Result: /Vote:

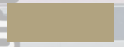
 Subject Property


 SUP

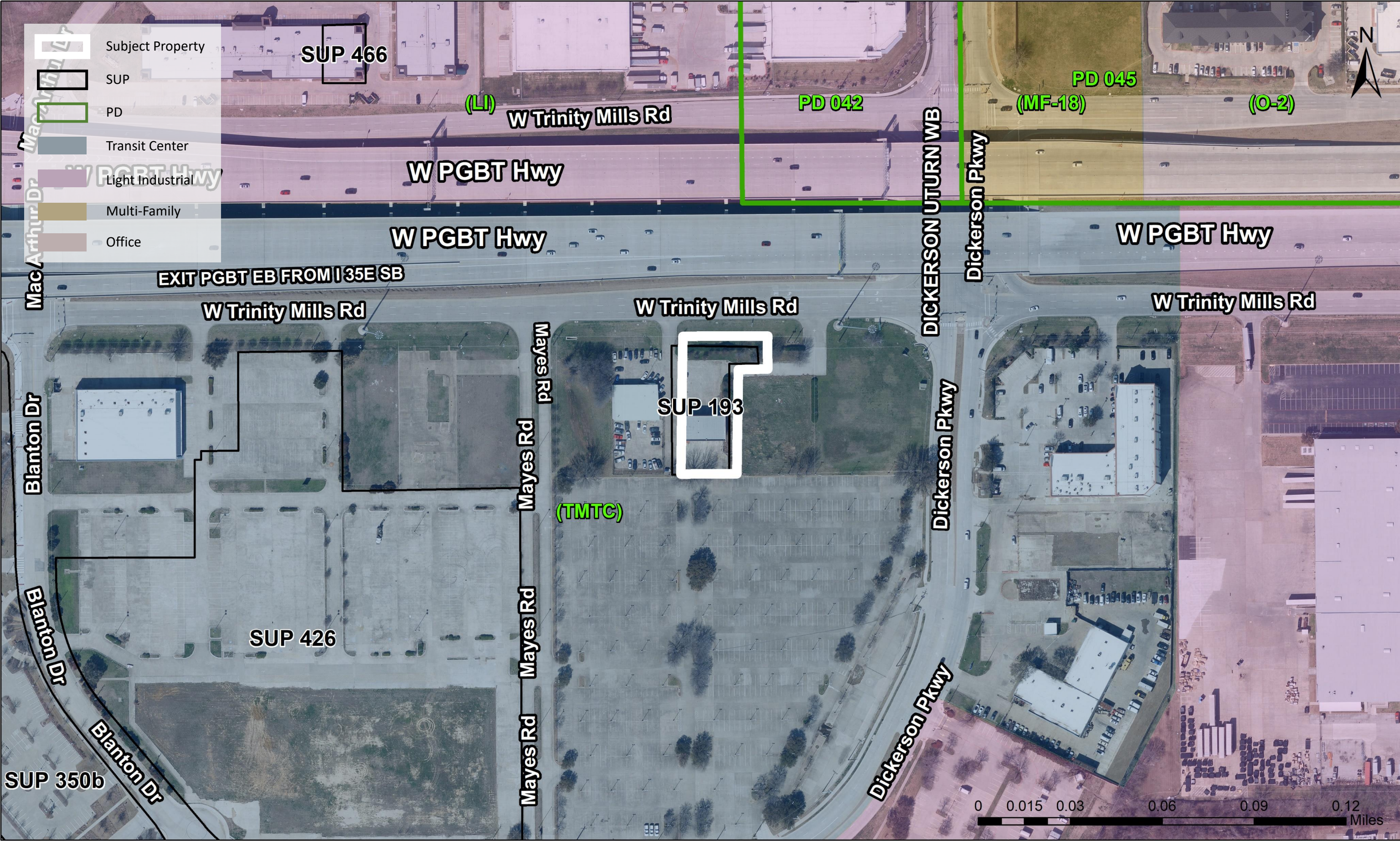
 PD

 Transit Center

 Light Industrial

 Multi-Family

 Office



SUP 466

(LI)

W Trinity Mills Rd

PD 042

PD 045

(MF-18)

(O-2)

W PGBT Hwy

W PGBT Hwy

EXIT PGBT EB FROM I 35E SB

W Trinity Mills Rd

W Trinity Mills Rd

SUP 193

(TMT)

W Trinity Mills Rd

SUP 426

Blanton Dr

Blanton Dr

SUP 350b

Blanton Dr

Mayes Rd

Mayes Rd

Mayes Rd

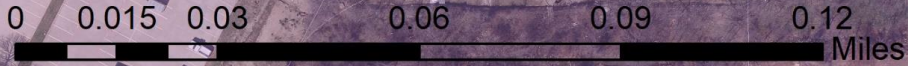
Mayes Rd

DICKERSON TURN WB

Dickerson Pkwy

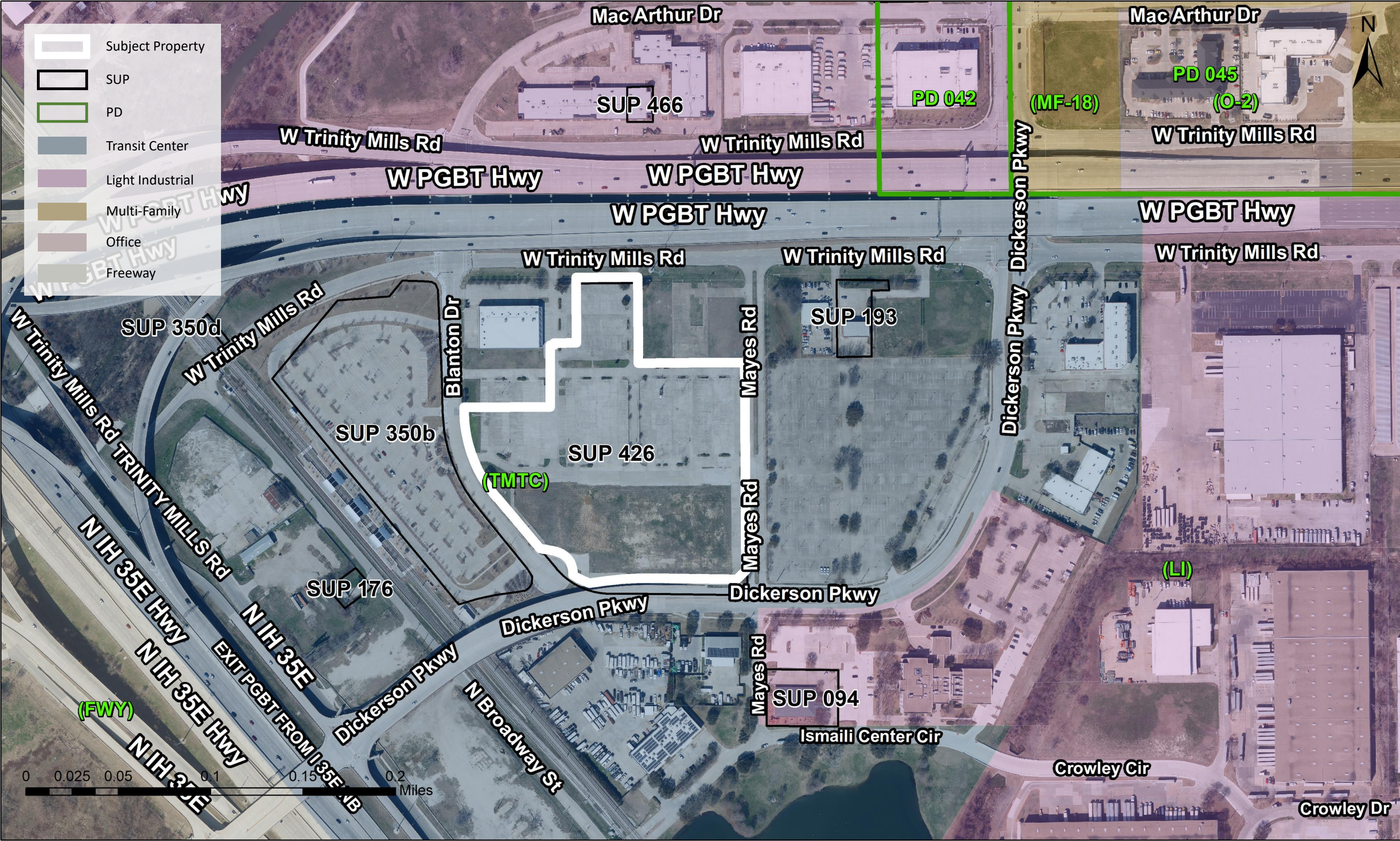
Dickerson Pkwy

Dickerson Pkwy



Legend:

- Subject Property
- SUP
- PD
- Transit Center
- Light Industrial
- Multi-Family
- Office
- Freeway



SPECIAL USE PERMIT

Case Coordinator: Emily Offer

GENERAL PROJECT INFORMATION

REQUEST: City-initiated to rezone to repeal two Special Use Permits (SUPs). The City periodically reviews SUPs to determine if approved land uses are operational or are no longer active. SUPs that are inactive or have not been operating are rezoned to remove the SUP designation from the official zoning map and repeal the ordinance adopted for the land use.

SUP-426 Ordinance [3694]

PASSED AND APPROVED: 08/18/2015

PURPOSE: To allow for a motorcycle training center

ACRES/ LOTS: 12 acres/1 lot

LOCATION: 1441 West Trinity Mills Road

SITE ZONING: (TMTC) Trinity Mills Transit Center District

HISTORY: The property was platted into a lot of legal record in 1985.

The current zoning was established in April 2005. Prior to that, the property was zoned for the (LI) Light Industrial District.

OWNER: City of Carrollton

REPRESENTED BY: City of Carrollton

SUP-193 Ordinance [3625]

PASSED AND APPROVED: 07/01/14

PURPOSE: To allow for an automotive repair and quick lube & lubrication service facility

ACRES/ LOTS: 0.55 acres

LOCATION: 1415 West Trinity Mills Road

SITE ZONING: (TMTC) Trinity Mills Transit Center District

HISTORY: The property was originally part of a larger lot platted in 1986 and replatted in 1987.

Established with no expiration date on 06/06/95 Ord. 2075 for Automobile Quick Lube, Oil Change and Tune Up Facility.

Amended on 07/18/1995 Ord. 2085 for Automobile Quick Lube, Oil Change and Tune Up Facility.

The existing building was constructed in 1995 (as a “Kwik Kar”).

Amended on 03/01/05 Ord. 2962 for Automotive Repair with termination date 01/01/10.

Prior to 2005 the property was zoned for the (LI) Light Industrial District.

In 2005 the (TC) Transit Center District was created, and the property was zoned (TC) Transit Center, Urban General Sub-district.

Repealed and reestablished on 04/07/09 Ord. 3292 for Automotive Repair with termination date 01/01/12.

Repealed and reestablished on 04/05/11 Ord. 3432 for Automotive Repair & Maintenance and Automobile Quick Lube & Lubrication Service which had a termination date of 01/01/18.

OWNER: City of Carrollton

REPRESENTED BY: City of Carrollton

STAFF ANALYSIS

PROPOSAL/BACKGROUND

This is a City-initiated request to reassess the continued appropriateness of two SUPs numbered 426 for a Motorcycle Training Center and 193 for an Automotive Repair and Quick Lube & Lubrication Service Facility.

ELEMENTS TO CONSIDER

- The City periodically reviews SUPs to determine if approved land uses are operational or are no longer active. SUPs that are inactive or have not been operating are rezoned to remove the SUP designation from the official zoning map and repeal the ordinance adopted for the land use.
- Both SUPs are not being used and are now obsolete. The properties containing both SUPs are city owned, and are part of the Trinity Mills Transit Center TOD Master Plan.

CONCLUSION

Staff believes SUP-426 and SUP-193 are no longer appropriate or necessary and the SUP ordinances should be repealed and removed from the official Zoning Map.

**Minutes
City of Carrollton
Planning & Zoning Commission
April 6, 2023
Briefing Session and Meeting**

A meeting of the City of Carrollton Planning & Zoning Commission was held on Thursday, April 6, 2023, at 6:30 p.m. in the Council Chambers at City Hall.

Commission Members Present:

Scott Windrow, Chair
John Powell, 1st Vice Chair
Greg Kramer
Mark Yarbrough
Kathleen Foster
Al Overholt
Jim Doyle, Vice Chair
Kathryn Taylor
Willadean Martin

Commission Members Absent:

None

Staff Members Present:

Loren Shapiro, Planning Manager
Michael McCauley, Senior Planner
Herb Cavanaugh, Fire Marshal
Emily Offer, Planner

Albert Thomas, Asst. City Attorney
John Romberger, Transportation
Jared Nations, Deputy Fire Marshal
Ed Green, Plan Review Manager

Guests Present:

None

*(Note: * = designation of a motion)*

PUBLIC HEARING:

2. Hold A Public Hearing To Consider An Ordinance **Amending The Zoning To Repeal Two Special Use Permits** Numbered 426 (1441 West Trinity Mills Road) For A Motorcycle Training Center On An Approximately 12 Acre Tract And 193 (1415 West Trinity Mills Road) For An Automotive Repair And Quick Lube & Lubrication Service Facility On An Approximately 0.55 Acre Tract; Amending The Official Zoning Map Accordingly. **Case No. PLSUP 2023-012 Repeal Of Two SUPs.** Case Coordinator: Emily Offer.

Emily Offer, Planner, presented the City-initiated request to repeal two SUPs because the SUPs were no longer in use. She stated that the two subject properties are owned by the City of Carrollton and are located in the Trinity Mills Transit Center District. Staff recommended approval of the request to repeal the two SUPs.

Commissioner Overholt spoke about the importance of removing unused SUPs.

Commissioner Martin asked if repealing the SUPs would allow someone to do something different on the property and Offer replied affirmatively.

Chair Windrow opened the public hearing; there being no speakers, he opened the floor for discussion or a motion.

- * *Commissioner Overholt moved to close the public hearing and approve Case No. PLSUP 2023-012 Repeal of Two SUPs; second by 1st Vice Chair Powell. The motion was approved with a unanimous 9-0 vote.*

PLANNING DEPARTMENT
CITY OF CARROLLTON
Date: 06/06/2023

PLSUP 2023-012
DEVELOPMENT NAME: REVOKE TWO
SUPS

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ITS COMPREHENSIVE ZONING ORDINANCE REPEALING ORDINANCE NUMBER 3694 WHICH ESTABLISHED SPECIAL USE PERMIT NUMBER 426 ON MARCH 19, 1985; REPEALING ORDINANCE NUMBER 3625 WHICH ESTABLISHED SPECIAL USE PERMIT NUMBER 193 ON JULY 1, 2014; AMENDING THE OFFICIAL ZONING MAP; PROVIDING SEVERABILITY, REPEALER, AND SAVINGS CLAUSES; AND PROVIDING AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at a public hearing held on the Sixth day of April 2023, the Planning & Zoning Commission considered and made recommendation to repeal two Special Use Permits (Case No. PLSUP 2023-012); and

WHEREAS, these changes of zoning are in accordance with the adopted Comprehensive Plan of the City of Carrollton, as amended; and

WHEREAS, the City Council conducted a public hearing on the Sixth day of June 2023, at which all persons were given an opportunity to present testimony; and

WHEREAS, the City Council has determined the following amendments to the zoning laws to repeal the two Special Use Permits are consistent with the purpose of the zoning district in which the above described property are located; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendments 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 3694 establishing Special Use Permit Number 426 is hereby repealed for a tract of land located at 1441 West Trinity Mills Road and depicted in Exhibit A.

Section 3.

Ordinance Number 3625 establishing Special Use Permit Number 193 is hereby repealed for a tract of land located at 1415 West Trinity Mills Road and depicted in Exhibit A.

Section 4.

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

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 10.

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 11.

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

PASSED AND APPROVED this the Sixth day of June 2023.

CITY OF CARROLLTON

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky
City Secretary

APPROVED AS TO FORM:

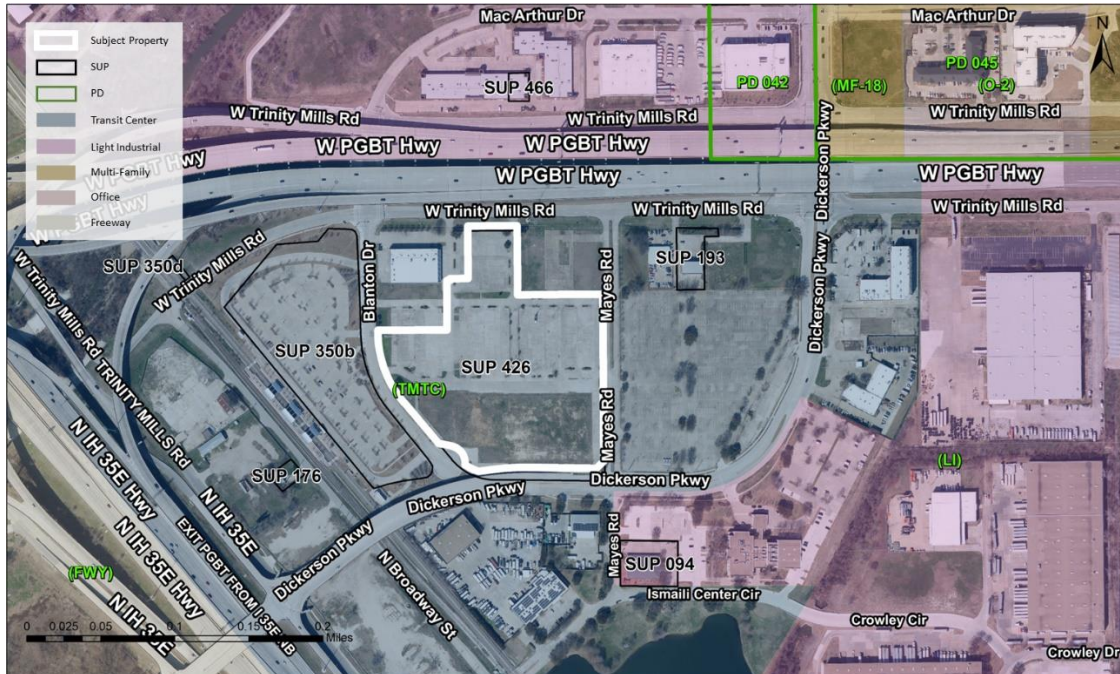
APPROVED AS TO CONTENT:

Albert Thomas
Assistant City Attorney

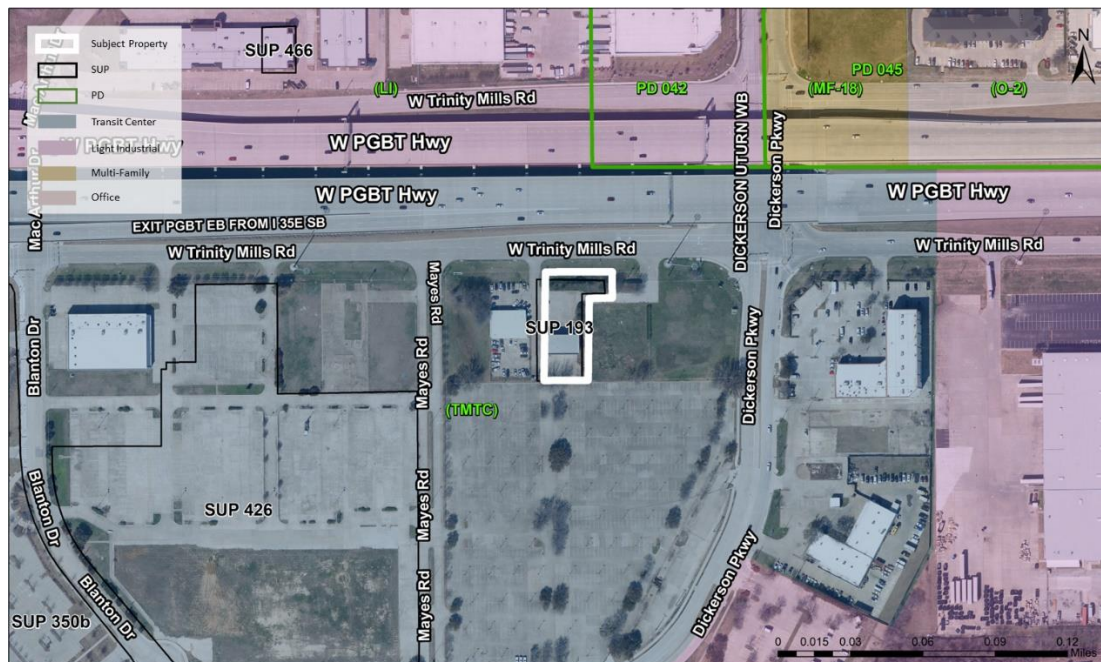
Emily Offer
Planner

EXHIBIT A
SPECIAL USE PERMIT LOCATIONS

SUP-426 1441 W Trinity Mills Road



SUP-193 1415 W Trinity Mills Road





City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6156

Agenda Date: 6/6/2023

Version: 1

Status: Public Hearing/Individual
Consideration

In Control: City Council

File Type: Public Hearing

Agenda Number: 32.

CC MEETING: June 6, 2023

DATE: May 25, 2023

TO: Erin Rinehart, City Manager

FROM: Loren Shapiro, AICP, Planning Manager
Marc Guy, Assistant City Manager

Hold A **Public Hearing And Consider An Ordinance Amending The Text Of Article XX ‘Transit Center Regulations, Part 2 (TMTC) Trinity Mills Transit Center District’ Of The Comprehensive Zoning Ordinance To Amend Section C ‘General District Standards Related To Minimum Building Height’**. Case No. PLZT 2023-013 CZO Text Amendment For Minimum Building Height In The TMTC District.

BACKGROUND:

This is a City-initiated request to amend the text of the Comprehensive Zoning Ordinance to reduce the minimum building height in the (TMTC) Trinity Mills Transit Center District.

Staff recommends reducing the minimum allowed building height from 6 stories to 5 stories due to market and economic trends and conditions, and construction costs.

STAFF RECOMMENDATION/ACTION DESIRED:

On April 6, 2023, the Planning & Zoning Commission recommended **APPROVAL** of the proposed text amendments.

The attached ordinance reflects the action of the Commission. Staff recommends approval and adoption of the ordinance.

RESULTS SHEET

Date: 06/06/2023

Case No./Name: PLZT 2023-013 CZO Text Amendment Art XX Reducing Minimum Building Height in TMTC

A. STAFF STIPULATIONS AND RECOMMENDATIONS

Staff recommends **APPROVAL** as submitted.

1. The following are the Comprehensive Zoning Ordinance articles and text to be amended (New text is red underlined and ~~Red strike through~~ is content removed):

Article XX. Transit Center District Regulations, Part 2 (TMTC) Trinity Mills Transit Center Regulations, Section C. General District Standards.

4. SUB-DISTRICT STANDARDS:

SUB-DISTRICT STANDARDS (Ord. 3321, 09/01/09)

STANDARD	Trinity Mills
Building Height (Ord. No. 3891, 12/11/18)	Min: <u>5</u> 6 stories Max: Unlimited
Build-to Lines (Ord. No. 3939, 12/13/19)	Zero feet from the ROW (6 feet from the ROW if abutting IH-35E and/or Trinity Mills Road)
Side and Rear Setback Lines (not abutting any ROW)	In accordance with the applicable requirements of the building codes of the City of Carrollton

B. P&Z RECOMMENDATIONS from P&Z meeting: 04/06/2023
Result: Approval /Vote: 9-0

C. CC PUBLIC HEARING and ORDINANCE ACTION from CC meeting:
06/06/2023
Result: /Vote:

ZONING TEXT AMENDMENTS

Case Coordinators: Loren Shapiro

GENERAL PROJECT INFORMATION

REQUEST: Approval of amendments to the Carrollton Comprehensive Zoning Ordinance (CZO) Amending Article XX Transit Center District, Part 2 (TMTC) Trinity Mills Transit Center District to reduce the minimum building height from 6 to 5-stories.

REPRESENTED BY: City of Carrollton

Background

The minimum building height was established in the (TMTC) Trinity Mills Transit Center District to ensure a denser urban village in close proximity to the DART station. The current minimum building height is six (6) stories in the TMTC District. However, there has been a continuous trend and demand to develop multifamily or mixed-use multifamily properties a minimum of 5 stories instead of 6. Construction costs significantly increase for buildings 5 stories or greater. As a result, along with the market demand and trends, projects, in the TMTC District, have received waivers to the minimum building height over the past three years including Gateway I-35E and Eviva, which were approved for 5-stories.

In addition to Carrollton, multifamily and mixed multifamily and commercial buildings have been constructed to 4 or 5-stories in Addison Circle, Downtown Plano, and City Line Richardson. Few multifamily structures have exceeded 5-stories.

Comparable Multifamily or Mixed-Use

<u>Other Cities</u>	<u>Height - Stories</u>
Addison - The Grove - 4150 Belt Line Road	4
Addison - Amali Addison 15250 Quorum Drive	4
Addison - 15800 Spectrum Drive	4
Addison - Alegro	4 & 5
Plano - Junction Apartments 930 E 15th Street	4 & 5
Plano - Ferro 1005 11th Street	4
Plano - Aura One90 - 680 Executive Drive	4
Richardson - Axis 110 - 110 W. City Line Drive	5
Richardson - SYNC City Line - 120 W. City Line Drive	5
Richardson - Anthem City Line - 1250 State Street	5
Richardson - The Register - 3250 Wilshire Way	5

In conclusion, staff recommends reducing the minimum building height from 6 to 5-stories in the TMTC District in response to market demand, trends, and construction costs. The reduction in the minimum building height shall not significantly reduce the development of a dense walkable urban village as envisioned for the Trinity Mills Transit Center District.

DRAFT Minutes
City of Carrollton
Planning & Zoning Commission
April 6, 2023
Briefing Session and Meeting

A meeting of the City of Carrollton Planning & Zoning Commission was held on Thursday, April 6, 2023, at 6:30 p.m. in the Council Chambers at City Hall.

Commission Members Present:

Scott Windrow, Chair
John Powell, 1st Vice Chair
Greg Kramer
Mark Yarbrough
Kathleen Foster
Al Overholt
Jim Doyle, Vice Chair
Kathryn Taylor
Willadean Martin

Commission Members Absent:

None

Staff Members Present:

Loren Shapiro, Planning Manager
Michael McCauley, Senior Planner
Herb Cavanaugh, Fire Marshal
Emily Offer, Planner

Albert Thomas, Asst. City Attorney
John Romberger, Transportation
Ed Green, Plan Review Manager

Guests Present:

None

3. Hold A Public Hearing To Consider An Ordinance Amending The Text Of Article XX. Transit Center Regulations, Part 2 (TMTC) Trinity Mills Transit Center District Of The Comprehensive Zoning Ordinance To Amend Section C. General District Standards Related To Minimum Building Height. Case No. PLZT 2023-013 CZO Text Amendment For Minimum Building Height In The TMTC District. Case Coordinator: Loren Shapiro

Planning Manager Loren Shapiro stated that staff is recommending amendments to the Trinity Mills Transit Center District regarding the minimum height of structures. The current regulation requires a minimum height of 6 stories in the Trinity Mills Transit Center District. Minimum heights are one to 4 stories in the other Transit Center Districts (Downtown and Frankford Road). Mr. Shapiro mentioned City Council approved two multifamily projects, Gateway and Eviva, both in the Trinity Mills Transit Center District, granting a building height of 5-stories instead of the minimum 6. He indicated existing conditions in the development industry, including trends, market demand, and cost have contributed to developments constructed to 4 and 5 stories. He explained there are substantially higher construction costs involved in building multifamily structures higher than 5 stories. He also provided a comparison of multifamily or mixed-use building heights in transit areas in the nearby cities of Addison, Plano, and Richardson. Staff recommended a CZO text amendment that would reduce the minimum building height from 6-stories to 5-stories in the TMTC District. The maximum height would remain unchanged at unlimited.

Commissioner Foster asked why staff didn't recommend a minimum height of 4 stories. Shapiro referred to two developments that the City Council allowed a minimum height of 5 stories and replied that from their experience with meeting and talking with developers, staff felt that 5 stories was a

sufficient reduction. Commissioner Foster voiced concern that it might be better to have a minimum of 4 stories.

Commissioner Overholt stated he was in favor of the reduction to 5 stories and asked about the effect it would have on project completion. Shapiro stated the recommendation is due to the trends of the market and the greater construction costs. He stated that a minimum of 5 stories would keep the urban feel and density in place. He added that project completion dates have many factors other than height.

Commissioner Kramer asked if lowering the required minimum height would benefit the City or the developer. Shapiro felt it would benefit both and explained that staff is working to ensure that the approved Master Plan is implemented. Staff felt that a required minimum of 5 stories ensures the preferred density.

Commissioner Martin asked for clarification about the other buildings that were approved for 5 stories and the need to reduce the requirement and made other general comments. Shapiro explained that the other developments received a waiver to reduce the development to 5 stories and was part of the reason for the recommendation.

Commissioner Foster asked about the process if a developer only wanted to build a 4-story structure and Shapiro replied that the request for the reduction would have to be approved by the City Council.

Chair Windrow opened the public hearing; there being no speakers, he opened the floor for discussion or a motion.

**** Commissioner Overholt moved to close the public hearing and approve of Case No. PLZT 2023-013 CZO Text Amendment for Minimum Building Height In The TMTC District reduced from 6 stories to 5 stories; second by Vice Chair Doyle. The motion was approved with a unanimous 9-0 vote.***

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ORDINANCE NUMBER 1470, OTHERWISE KNOWN AS THE COMPREHENSIVE ZONING ORDINANCE, AMENDING THE TEXT OF ARTICLE XX. TRANSIT CENTER DISTRICT, PART 2 (TMTC) TRINITY MILLS TRANSIT CENTER DISTRICT REGULATIONS OF THE COMPREHENSIVE ZONING ORDINANCE TO AMEND SECTION C. GENERAL DISTRICT STANDARDS 4. SUBDISTRICT STANDARDS RELATED TO MINIMUM BUILDING HEIGHT; PROVIDING PENALTY, SEVERABILITY, REPEALER, AND SAVINGS CLAUSES; AND PROVIDING AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at a public hearing held on the Sixth day of April 2023, the Planning & Zoning Commission considered and made recommendation on a change to the Comprehensive Zoning Ordinance of the City of Carrollton (Case No. PLZT 2023-013); and

WHEREAS, the City Council conducted a public hearing on the Sixth day of June 2023, 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.

Article XX. Transit Center District Regulations, Part 2 Trinity Mills Transit Center District Regulations, Section C. General District Standards, 4. Sub-district Standards of the Comprehensive Zoning Ordinance, City of Carrollton, Texas, is hereby amended to state the following:

“

4. SUB-DISTRICT STANDARDS:

SUB-DISTRICT STANDARDS

STANDARD	Trinity Mills
Building Height	Min: 5 stories Max: Unlimited
Build-to Lines	Zero feet from the ROW (6 feet from the ROW if abutting IH-35E and/or Trinity Mills Road)
Side and Rear Setback Lines (not abutting any ROW)	In accordance with the applicable requirements of the building codes of the City of Carrollton

- a. A license agreement is required for any encroachment into the right-of-way, unless specified in an incentive agreement between the City and Developer.”

Section 3.

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 4.

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

Section 5.

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 6.

Ordinance Number 1470, otherwise known as the Comprehensive Zoning Ordinance, Chapter 153 of the Code of Ordinances, and the Official Zoning Map, as amended, shall remain in full force and effect.

Section 7.

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

PASSED AND APPROVED this the Sixth day of June, 2023.

CITY OF CARROLLTON

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Albert Thomas
Assistant City Attorney

Loren Shapiro, AICP
Planning Manager



City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

File Number: 6165

Agenda Date: 6/6/2023

Version: 1

Status: Public Hearing/Individual
Consideration

In Control: City Council

File Type: Public Hearing

Agenda Number: 33.

CC MEETING: June 6, 2023

DATE: May 22, 2023

TO: Erin Rinehart, City Manager

FROM: Loren Shapiro, AICP, Planning Manager
Marc Guy, Assistant City Manager

Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Repeal Planned Development District No. 159 (PD-159) For An Approximately 0.63-Acre Tract Located At 2775 East Trinity Mills Road And At The Northwest Corner Of Marsh Lane And East Trinity Mills Road; Amending The Official Zoning Map Accordingly. Case No. PLZPD 2023-026 Repeal Of Planned Development Number 159.

BACKGROUND:

This is a City-initiated request to reassess the continued appropriateness of Planned Development No. 159 (PD-159). It is part of a regular process of staff assessment of the continued appropriateness of planned development districts and special use permits across the City. The repeal would eliminate PD-159 and retain the base zoning of the (LR-2) Local Retail District.

PD-159 was established on March 5, 2002, by the City Council to allow a reduced rear yard setback (5 feet in lieu of the required 10 feet) for a proposed expansion to a convenience store and gasoline service station. At the time of PD-159's adoption, the City's Zoning Ordinance allowed gasoline service stations by right in the (LR-2) Local Retail District, whereas today it requires City Council approval of a special use permit (SUP).

A freestanding retail building was constructed in 2005, meeting the minimum 10-foot rear yard setback for the base (LR-2) Local Retail District. As a result, a planned development district is not needed on this property.

STAFF RECOMMENDATION/ACTION DESIRED:

On May 4, 2023, the Planning and Zoning Commission recommended **APPROVAL** of the request. The attached ordinance reflects the action of the Commission.

Staff recommends approval and adoption of the ordinance repealing PD-159.

RESULTS SHEET

Date: 06/06/23

Case No./Name: PLZPD 2023-026 Repeal of Planned Development Number 159

A. STIPULATIONS AND RECOMMENDATIONS

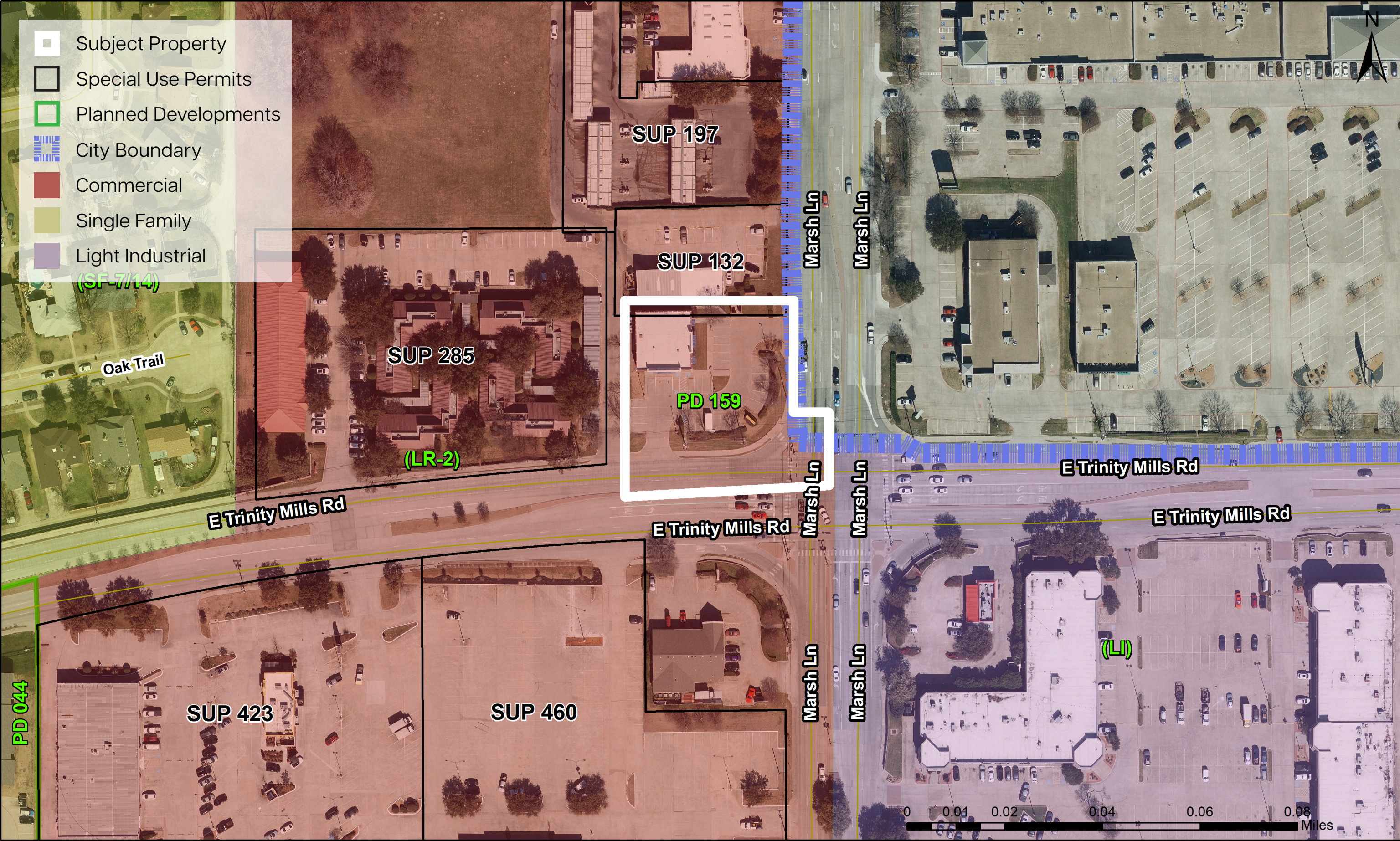
Staff recommends **APPROVAL** to repeal PD-159.

B. P&Z ACTION from P&Z meeting: 05/04/23

Result: **APPROVED** /Vote: 7-0 (Taylor and Kramer absent)

C. CC PUBLIC HEARING / ORDINANCE ACTION from CC meeting: 06/06/23

Result: /Vote:



ZONING CHANGE

Case Coordinator: Michael McCauley

GENERAL PROJECT INFORMATION

REQUEST: Rezone to repeal PD-159

- The approximately 0.63-acre tract is located at 2775 E. Trinity Mills Road and further described as the northwest corner of Marsh Lane and E. Trinity Mills Road.
- The Dallas Central Appraisal District lists the property owner as AB Carrollton Property, LTD.
- The base zoning is (LR-2) Local Retail District.
- PD-159 was established, via Ordinance 3483, on 03/05/02 by the City Council to allow a reduced rear yard setback (5 feet in lieu of the required 10 feet) for a proposed expansion to a convenience store and gasoline station.

REPRESENTED BY: Michael McCauley / City of Carrollton

STAFF ANALYSIS

PROPOSAL/BACKGROUND

This is a city-initiated request to reassess the continued appropriateness of PD-159.

ELEMENTS TO CONSIDER

- The city periodically reviews Planned Developments to determine if a PD is in use or no longer active. PDs that are inactive or deemed unnecessary, are rezoned to remove the PD while maintaining the base zoning. The PD number designation and ordinance number will be removed from the official zoning map.
- PD-159 (Ordinance 2665) was established on 03/05/02 by the City Council for an approximately 0.63-acre tract located at 2775 E. Trinity Mills Road to allow a reduced rear yard setback (5 feet in lieu of the required 10 feet) for a proposed expansion to a convenience store and gasoline station. At the time of PD-159's adoption, the CZO allowed gasoline stations by right in the (LR-2) Local Retail District, whereas today it requires a SUP. So, basically the PD was for the 5-foot rear yard setback reduction and was tied to conceptual plans.
- The convenience store and gasoline station were demolished around 2004, and the site was rebuilt with a retail shell building in 2005. The existing building has a 10-foot rear yard setback, meeting the minimum rear yard setback in the (LR-2) Local Retail District.
- The continued use of the land in accordance with the base zoning (LR-2) Local Retail District will not be affected by repealing the PD.
- The current use is a personal care service salon (Mind & Body Boutique) and the use is allowed in the (LR-2) Local Retail District.
- Staff spoke with the property owner and the owner understands the reason for the city-initiated rezoning to repeal PD-159.
- No public comments were received.

CONCLUSION

Staff believes PD-159 is no longer appropriate or necessary and should be repealed and removed from the official Zoning Map.

**Excerpt From Draft Minutes
Planning & Zoning Commission
Meeting of May 4, 2023**

3. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Repeal Planned Development Number 159 (Ordinance 2665) For An Approximately 0.63-Acre Tract Located At 2775 East Trinity Mills Road And At The Northwest Corner Of Marsh Lane And East Trinity Mills Road; Amending The Official Zoning Map Accordingly. Case No. PLZPD 2023-026 Repeal Of Planned Development Number 159. Case Coordinator: Michael McCauley.

Senior Planner Michael McCauley stated that when the PD was established in 2002, it was solely to allow for a 5-foot building encroachment into the required 10-foot rear setback, which is the north property line, for a proposed expansion to a gasoline station and convenience store. He explained that the gasoline station and convenience store were later demolished, and the site rebuilt with a retail shell building and a 10-foot rear setback. He stated because the building has a 10-foot rear setback, there is no value or benefit in continuing the PD on the site. No public comments were received. He advised that staff has discussed this item with the property owner. Staff recommended approval of the request.

Commissioner Martin asked for clarification about the shell building and asked if there was anyone occupying the building currently. McCauley stated there is a current certificate of occupancy for a salon and that the repeal has no effect on the building or the current use.

Chair Windrow opened the public hearing; there were no speakers.

** Commissioner Foster moved to close the public hearing and approve amending the zoning to repeal PD 159, Case No. PLZPD 2023-026 Repeal of Planned Development No. 159; second by 1st Vice Chair Powell. The motion was approved with a unanimous 7-0 vote (Taylor and Kramer absent).*

PLANNING DEPARTMENT
CITY OF CARROLLTON
DATE: 06/06/23

CASE NO. PLZPD 2023-026
REPEAL PD-159

ORDINANCE NUMBER 4107

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ITS COMPREHENSIVE ZONING ORDINANCE TO REPEAL PLANNED DEVELOPMENT NUMBER 159 (ORDINANCE NUMBER 2665) FOR AN APPROXIMATELY 0.63-ACRE TRACT LOCATED AT 2775 EAST TRINITY MILLS ROAD AND AT THE NORTHWEST CORNER OF MARSH LANE AND EAST TRINITY MILLS ROAD; AMENDING 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 Fourth day of May 2023, the Planning and Zoning Commission considered and made recommendation on a certain request to consider the rezoning of Planned Development Number 159; 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 the Sixth day of June 2023, 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.

That Planned Development Number 159 is hereby repealed and rezoned to the (LR-2) Local Retail District for a certain approximately 0.63-acre tract of land located at 2775 East Trinity Mills Road and at the northwest corner of Marsh Lane and East Trinity Mills Road, and more specifically described and generally depicted on Exhibit A, allowing for the following uses:

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.

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 shall be subject to the conditions established in Article XXI. of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations.

Section 3.

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

Section 4.

Any person 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.

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 7.

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 8.

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

PASSED AND APPROVED this the Sixth day of June 2023.

CITY OF CARROLLTON

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky
City Secretary

APPROVED AS TO FORM:

Albert Thomas
Assistant City Attorney

APPROVED AS TO CONTENT:

Michael McCauley
Senior Planner

EXHIBIT A
LEGAL DESCRIPTION AND GENERAL DEPICTION

LOT 1, BLOCK 1
MOBIL OIL No. 2
AND THE ADJACENT NORTH ONE-HALF RIGHT-OF-WAY OF EAST TRINITY MILLS
ROAD AND THE ADJACENT WEST ONE-HALF RIGHT-OF-WAY OF MARSH LANE





City of Carrollton

1945 E. Jackson Rd
Carrollton TX 75006

Agenda Memo

Agenda Date:

Version: 1

Status: Public Forum

In Control: City Council

File Type: Public Forum

Agenda Number: 34.

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, clapping, 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.