

# City of Carrollton

*1945 E. Jackson Road  
Carrollton, TX 75006*



## REGULAR WORKSESSION & MEETING

**Tuesday, July 11, 2017**

**5:45 PM**

**CITY HALL, 2nd Floor**

### **City Council**

*Mayor Kevin Falconer  
Mayor Pro Tem Glen Blanscet  
Deputy Mayor Pro Tem John Sutter  
Councilmember James Lawrence  
Councilmember Mike Hennefer  
Councilmember Doug Hrbacek  
Councilmember Frances Cruz  
Councilmember Young Sung*

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

1. Receive **information and discuss Consent Agenda.**
2. Council will convene in Executive Session pursuant to Texas Government Code:
  - **Section 551.071** for private consultation with the City Attorney to seek legal advice with respect to pending and contemplated litigation and 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 551.072** to discuss certain matters regarding real property.
  - **Section 551.076** to discuss security matters.
3. Council will reconvene in open session to consider action, if any, on matters discussed in the Executive Session.

**\*\*\*WORKSESSION\*\*\***

4. Receive Briefing On Dallas Area Rapid Transit.
5. Receive An Overview Of Ambulance Coverage And Utilization.
6. Discuss Indian Creek Golf Course.
7. Mayor and Council reports and information sharing.

**\*\*\*REGULAR MEETING 7:00 PM\*\*\*****INVOCATION****PLEDGE OF ALLEGIANCE****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 June 20, 2017 Special Meeting Minutes.

- \*9. Consider Approval Of The June 27, 2017 Regular Meeting Minutes.

## BIDS & PURCHASES

- \*10. Consider Approval Of RFP #17-038 For The Gravley Center Roof Replacement To Nations Renovations In An Amount Not To Exceed \$196,844.55.
- \*11. Consider Approval Of The Purchase Of One (1) Concrete Saw From ASCO Through An Inter-Local Agreement In An Amount Not To Exceed \$29,700.00.

## CONTRACTS & AGREEMENTS

- \*12. Consider Approval Of A Development And Transfer Agreement With Tri-Star Construction, Inc.

## RESOLUTIONS

- \*13. Consider A Resolution Finding That Oncor Electric Delivery Company LLC's Application To Change Rates Within The City Should Be Denied; Finding That The City's Reasonable Rate Case Expenses Shall Be Reimbursed By The Company; Finding That The Meeting At Which This Resolution Is Passed Is Open To The Public As Required By Law; Requiring Notice Of This Resolution To The Company And Legal Counsel.
- \*14. Consider A Resolution Authorizing The City Manager To Negotiate And Execute An Economic Development Incentive Agreement With A-S 122 Carrollton Town Center, LP At 2540 Old Denton Road, Suite 154 In An Amount Not To Exceed \$55,000.00.
- \*15. Consider A Resolution Ratifying A Member To Serve On The Civil Service Commission.
- \*16. Consider A Resolution Appointing One Member To The Board Of Managers Of The Denco Area 9-1-1 District.

## PUBLIC HEARING - INDIVIDUAL CONSIDERATION

17. Hold A Public Hearing And Consider A Resolution To Amend The Comprehensive Plan And Future Land Use Map To Change An Approximately 11-Acre Site Located At The Northwest Corner Of Dozier Road And Plano Parkway From Medium Intensity Commercial And Medium Intensity Office Uses To Single-Family Detached Residential Uses. Case No. 04-17MD1 Mustang Park, Phase 10 (Comprehensive Plan). Case Coordinator: Michael McCauley.

18. Hold A Public Hearing And Consider An Ordinance To Amend The Zoning On An Approximately 11-Acre Tract Zoned (CC) Corporate Commercial District And PD-175 For The (LR-2) Local Retail District, Located At The Northwest Corner Of Dozier Road And Plano Parkway To PD-175 To Allow For The (SF-5/12) Single-Family Residential District; Amending The Official Zoning Map Accordingly. Case No. 04-17Z1 Mustang Park, Phase 10 (Zoning). Case Coordinator: Michael McCauley.
19. Hold A Public Hearing And Consider A Resolution Adopting The Program Year 2017 Community Development Block Grant One-Year Plan Of Action And Budget.

## **PUBLIC FORUM**

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



**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 7th day of July 2017 at 12:00pm.*

*Laurie Garber*

*Laurie Garber, City Secretary*

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

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

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





# City of Carrollton

## Agenda Memo

File Number: 3362

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**Agenda Date:** 7/11/2017

**Version:** 1

**Status:** Work Session

**In Control:** City Council

**File Type:** Work Session Item

**Agenda Number:** 4.

**CC MEETING:** July 11, 2017

**DATE:** June 28, 2017

**TO:** Erin Rinehart, City Manager

**FROM:** Laurie Garber, City Secretary/Admin. Services Director

Receive **Briefing On Dallas Area Rapid Transit.**





# City of Carrollton

## Agenda Memo

File Number: 3360

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**Agenda Date:** 7/11/2017

**Version:** 1

**Status:** Work Session

**In Control:** City Council

**File Type:** Work Session Item

**Agenda Number:** 5.

**CC MEETING:** July 11, 2017

**DATE:** June 23, 2017

**TO:** Erin Rinehart, City Manager

**FROM:** Gregg Salmi, Fire Chief

Receive An **Overview Of Ambulance Coverage And Utilization.**

### **BACKGROUND:**

The purpose of this briefing is to provide City Council with an overview of Carrollton Fire Rescue's medic coverage and utilization, and provide an update on the implementation of the sixth medic.





# City of Carrollton

## Agenda Memo

File Number: 3366

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**Agenda Date:** 7/11/2017

**Version:** 1

**Status:** Work Session

**In Control:** City Council

**File Type:** Work Session Item

**Agenda Number:** 6.

**CC MEETING:** July 11, 2017

**DATE:** June 29, 2017

**TO:** Erin Rinehart, City Manager

**FROM:** Scott Whitaker, Parks and Recreation Director

Discuss **Indian Creek Golf Course.**

### **BACKGROUND:**

Indian Creek Golf Course closed in May 2015 due to flooding. On October 2015 staff presented the City Council with options and costs to re-open the Lakes and Creek Courses; with a goal to open the Lakes Course in April 2016 and the Creek Course in August 2016.

At this time staff will update the City Council regarding capital expenses it took to reopen the 36-hole facility, as well as, review progress made and past and present operating budgets from Indian Creek Golf Course.







# City of Carrollton

## Agenda Memo

File Number: 3371

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**Agenda Date:** 7/11/2017

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Minutes

**Agenda Number:** \*8.

**CC MEETING:** July 11, 2017

**DATE:** July 5, 2017

**TO:** Erin Rinehart, City Manager

**FROM:** Laurie Garber, City Secretary/Admin. Services Director

Consider Approval Of The June 20, 2017 Special Meeting Minutes.

**CARROLLTON CITY COUNCIL  
SPECIAL COUNCIL MEETING  
JUNE 20, 2017**

The City Council of the City of Carrollton, Texas convened in a Special Council Meeting on Tuesday, June 20, 2017 at 5:45 p.m. with the following members present; Mayor Matthew Marchant, Mayor Pro Tem Doug Hrbacek, Councilmembers Mike Hennefer, Glen Blanscet, James Lawrence, Frances Cruz, Young Sung and John Sutter. Also present were City Manager Erin Rinehart, Assistant City Managers Marc Guy, Chrystal Davis and Bob Scott, City Attorney Meredith Ladd and City Secretary Laurie Garber.

**5:45 P.M. – COUNCIL BRIEFING ROOM**

**\*\*\*PRE-MEETING/EXECUTIVE SESSION\*\*\***

Mayor Marchant called the meeting to order at 5:45 p.m.

1. Receive **information and discuss Consent Agenda.**

**\*\*\*WORKSESSION\*\*\***

2. Discuss **Upcoming Council Meeting Schedule.**

This item was not discussed.

3. **Mayor and Council reports and information sharing.**

Mayor Marchant adjourned the Worksession to convene the Executive Session at 5:55 pm.

**\*\*\*SPECIAL COUNCIL MEETING\*\*\***

Mayor Marchant called the Special Council Meeting to order at 6:00 p.m.

**INVOCATION – Councilmember James Lawrence**

**PLEDGE OF ALLEGIANCE and TEXAS PLEDGE – Councilmember Glen Blanscet**

**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.)*

**Mayor Pro Tem Hrbacek moved approval of Items 4-6; second by Councilmember Blanscet and the motion was approved with a unanimous 7-0 vote.**

**MINUTES**

- \*4. Consider Approval Of The May 23, 2017 Regular Meeting Minutes.**
- \*5. Consider Approval Of The May 26, 2017 Council Workshop Minutes.**

- \*6. Consider Approval Of The June 6, 2017 Regular Meeting Minutes.**

**OTHER BUSINESS**

- 7. Consider An Ordinance Canvassing The Returns Of The June 10, 2017 Runoff Election.**

**Councilmember Blanscet moved approval of Item 7; second by Mayor Pro Tem Hrbacek and the motion was approved with a unanimous 7-0 vote.**

**PRESENTATIONS**

- 8. Presentation Acknowledging The Service Of The Outgoing Mayor And Welcoming The Newly Elected Mayor.**

Mayor Pro Tem Hrbacek highlighted the service given by Matthew Marchant as a member of the Council and as Mayor of the City of Carrollton. He stated that Mayor Marchant's visionary and innovative work transformed Downtown Carrollton into the iconic cornerstone of the Carrollton community. He underscored that Mayor Marchant is passionate, fair, transparent and inclusive; comprehends all sides of every issue and is driven by "What's best for Carrollton". He presented Mayor Marchant with a plaque, street sign and memory book commemorating his service to the City.

Mayor Marchant noted a few of the things he was most proud about; thanked his family, past and present council members who he served with; and the City staff. Lastly, he thanked the citizens for allowing him to serve.

Municipal Judge Meredith Lyons administered the Oath of Office to newly elected Mayor Kevin Falconer.

Mayor Falconer thanked the voters and citizens of Carrollton; thanked his support team; thanked Steve Babick for his service to the City; thanked past and present Council members; thanked the City staff and especially thanked Matthew Marchant. Lastly he thanked his family and most importantly he thanked God. He stated that he truly believes that Carrollton can be the premier place to live, work and play in Texas and called upon everyone to think and act with courage and determination; commit to work together as a team; think about what's best for the community; trust and believe in one another and support one another.

**ADJOURNMENT**

Mayor Falconer adjourned the meeting at 6:40 pm.

**ATTEST:**

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Laurie Garber, City Secretary

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Kevin Falconer, Mayor





# City of Carrollton

## Agenda Memo

File Number: 3370

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**Agenda Date:** 7/11/2017

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Minutes

**Agenda Number:** \*9.

**CC MEETING:** July 11, 2017

**DATE:** July 5, 2017

**TO:** Erin Rinehart, City Manager

**FROM:** Laurie Garber, City Secretary/Admin. Services Director

Consider Approval Of The June 27, 2017 Regular Meeting Minutes.

**CARROLLTON CITY COUNCIL  
REGULAR WORKSESSION AND MEETING  
JUNE 27, 2017**

The City Council of the City of Carrollton, Texas convened in a Regular Worksession and Meeting on Tuesday, June 27, 2017 at 6:00 p.m. with the following members present; Mayor Kevin Falconer, Councilmembers Mike Hennefer, Glen Blanscet, James Lawrence, Frances Cruz, Young Sung and John Sutter. Mayor Pro Tem Doug Hrbacek was absent. Also present were City Manager Erin Rinehart, Assistant City Managers Marc Guy, Chrystal Davis, and Bob Scott, Asst. City Attorney Susan Keller and City Secretary Laurie Garber.

**6:00 P.M. – COUNCIL BRIEFING ROOM**

**\*\*\*PRE-MEETING/EXECUTIVE SESSION\*\*\***

Mayor Falconer called the meeting to order at 6:00 p.m.

1. Receive **information and discuss Consent 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.

**\*\*\*WORKSESSION\*\*\***

4. Discuss **Strategic Planning Session Agenda.**

Mayor Falconer introduced the item noting that generally the meeting would begin at noon on the Friday and end mid to late Saturday. Randy Pennington would facilitate the session. Mayor Falconer asked the Council members to get any specific items to be discussed to him or the City Manager.

5. **Mayor and Council reports and information sharing.**

Mayor Falconer adjourned the Worksession to convene the Regular Meeting at 6:26 p.m.

**\*\*\*REGULAR MEETING\*\*\***

Mayor Falconer called the Regular Meeting to order at 7:04 p.m.

**INVOCATION – Councilmember Young Sung**

**PLEDGE OF ALLEGIANCE and TEXAS PLEDGE – Councilmember John Sutter**

**PUBLIC FORUM**

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

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

The following individuals voiced concerns about 287g and requested a dialog be opened:

Elaine Harrison, 2800 Leisure Lane, Barbara Vibbert, 2417 Via del Sur; Julio Acosta, 1644 Blackstone Drive; Brian Dungan, 2750 E Trinity Mills Road; Michelle Beckley, 3206 Sugarbush; and Nolan Adams.

Nolan Adams also addressed the Council regarding a concern about racial profiling and suggested a substation in south Carrollton with an attached community garden and that it be a bicycle only substation.

**CONSENT AGENDA**

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Mayor Falconer opened the floor for a motion on Items 7-16.

**Councilmember Lawrence moved approval of Items 7-16 including the names for Mayor Pro Tem as Councilmember Glen Blanscet and Councilmember John Sutter as Deputy Mayor Pro Tem; second by Councilmember Cruz and the motion was approved with a unanimous 6-0 vote.**

**BIDS & PURCHASES**

**\*7. Consider Approval Of The Purchase Of Ammunition For The Police Department From Multiple Vendors In An Amount Not To Exceed \$65,000.00.**

**\*8. Consider Approval Of The Purchase Of Travel Services For The Carrollton Senior Center From Premier World Discovery In An Amount Not To Exceed \$97,000.00.**

**\*9. Consider Approval Of The Purchase Of Travel Services For The Carrollton Senior Center From Collette In An Amount Not To Exceed \$115,000.00.**

**\*10. Consider Approval Of The Purchase Of Security Cameras And Installation By Stealth Monitoring For Oak Hills Park In An Amount Not To Exceed \$14,775.00.**

**\*11. Consider Approval For The Painting Of Various Facilities From Premier Metroplex Painting In An Amount Not To Exceed \$30,000.00.**

**\*12. Consider Approval Of The Purchase To Replace Lights At Mill Valley Tennis Court By Musco Lighting Through An Inter-Local Agreement With BuyBoard In An Amount Not To Exceed \$69,500.00.**

#### **CONTRACTS & AGREEMENTS**

**\*13. Consider Authorizing The City Manager To Approve A Construction Contract With McMahon Contracting, LP, For The Vandergriff Drive Drainage Improvements Project (Broadway To IH-35E) In An Amount Not To Exceed \$1,170,952.78.**

#### **ORDINANCE**

**\*14. Consider An Ordinance To Vacate And Abandon Carroll Avenue, West From Myers Street To The Existing Alley To The South, And To Vacate And Abandon The Alley South Of Belt Line Road Between Myers Street And Main Street, To The Adjacent Property Owners, And Authorizing The City Manager To Convey The Properties.**

#### **RESOLUTIONS**

**\*15. Consider A Resolution Appointing A Mayor Pro Tem And A Deputy Mayor Pro Tem.**

**\*16. Consider A Resolution Authorizing The City Manager To Execute A Professional Services Contract With BW2 Engineers For Engineering Surveying Services In An Amount Not To Exceed \$45,000.**

#### **OTHER BUSINESS**

**17. Consider A Resolution Authorizing The City Manager To Negotiate And Execute An Amendment To The Disposition And Development Agreement With TCC High Street Development For A Mixed-Use Development In Historic Downtown Carrollton And Providing Funding For The Myers Street Reconstruction In An Amount Not To Exceed \$723,000.00.**

**Deputy Mayor Pro Tem Sutter moved approval of Item 17; second by Mayor Pro Tem Blanscet and the motion was approved with a unanimous 6-0 vote.**

#### **ADJOURNMENT**

Mayor Falconer adjourned the meeting at 7:26 pm.

#### **ATTEST:**

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Laurie Garber, City Secretary

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Kevin Falconer, Mayor





# City of Carrollton

## Agenda Memo

File Number: 3367

**Agenda Date:** 7/11/2017

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Bid/Purchases

**Agenda Number:** \*10.

**CC MEETING: July 11, 2017**

**DATE:** June 30, 2017

**TO:** Erin Rinehart, City Manager

**FROM:** Vince Priolo, Purchasing Manager

Consider **Approval Of RFP #17-038 For The Gravley Center Roof Replacement To Nations Renovations** In An Amount Not To Exceed \$196,844.55.

### **BACKGROUND:**

A sealed Request For Proposal (RFP) was issued for the replacement of the roof at the Gravley Center. It is approximately 14 years old, is not under warranty and is in poor condition. Numerous leaks have been found and repairs made, especially over the last few years. Most recently we have called the roofer for different leaks three times in the last three months.

The roofing consultant Roof Technical Services, Inc. was hired to provide a five year roof plan for various city roofs. They rated this roof as "Failed" and recommended replacement with a new 60 mil TPO roof membrane that carries a 20 year NDL (No Dollar Limit) warranty. Thermoplastic polyolefin (TPO) single-ply roofing membranes are among the fastest growing commercial roofing products and have gained broad industry acceptance for their many performance and installation advantages. As demand increases for heat-reflective and energy efficient roofing systems, TPO single-ply roofing membranes continue to provide exceptional resistance to ultraviolet, ozone and chemical exposure

The RFP resulted in four companies who responded to the bid. The base proposal for this bid includes all work necessary to provide a complete and serviceable re-roofing system.

### **FINANCIAL IMPLICATIONS:**

The Gravley Center roof replacement will be paid for with budgeted funds for the cost center and amount as listed below.

<u>CAP ACCOUNT</u>	<u>ACTIVITY</u>	<u>BUDGET AMOUNT</u>
854104	Miscellaneous Services	\$196,844.55

**STAFF RECOMMENDATION/ACTION DESIRED:**

Staff recommends approval of the base bid from Nations Renovations for the roof replacement at the Gravley Center in the amount not to exceed \$196,844.55. This amount includes a contingency fee of 5% for unforeseen damage as work progresses.

NOTE: Staff recommends excluding the low bidder, Innovative Construction Services, due to their lack of being in business for 5 years as specified in the bid. Not only do they not meet the minimum qualifications as stated in the bid, but our consultant has no knowledge of this company doing commercial roofing and she does not recommend an award to them.

GRAVLEY CENTER ROOF REPLACEMENT RFP # 17-038				
	Nations Renovation	Innovative Construction Services	Paragon Roofing Inc.	Heritage One Roofing
BASE PROPOSAL	\$ 187,471.00	\$ 163,714.86	\$ 194,500.00	\$ 270,000.00
SUBSTANTIAL COMPLETION	90 days	not specified	30 days	90 days





# City of Carrollton

## Agenda Memo

File Number: 3375

**Agenda Date:** 7/11/2017

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Bid/Purchases

**Agenda Number:** \*11.

**CC MEETING:** July 11, 2017

**DATE:** July 05, 2017

**TO:** Erin Rinehart, City Manager

**FROM:** Dwayne Bianco, Fleet and Facilities Director & Vince Priolo, Purchasing Manager

Consider Approval Of The Purchase Of One (1) Concrete Saw From ASCO Through An Inter-Local Agreement In An Amount Not To Exceed \$29,700.00.

### BACKGROUND:

Fleet Services is requesting the purchase of one (1) concrete saw from ASCO. On average concrete saws have a 4-6 year life expectancy. This unit has been in service for over 4 years and has required \$10,795.68 in repairs. The concrete saw currently faces a major engine failure. The City currently has 2 similar concrete saws and is covering the shortage from other departments. The estimated cost of repair is \$12-15,000.00. The Street department uses this unit often, working on repairing roads across the City.

For competitive purposes, quotes were requested from multiple vendors. Options for replacement were received from ASCO and Kirby-Smith. Based off the performance quality and overall build, fleet recommends the Husqvarna saw, purchased from ASCO through a BuyBoard agreement.

Quotes:

ASCO: \$29,700.00

Kirby Smith: \$29,720.00

### FINANCIAL IMPLICATIONS:

<u>ACCOUNT UNIT</u>	<u>ACCOUNT</u>	<u>BUDGET AMOUNT</u>
Fleet Replacement	Mobile Equipment	\$29,700.00

### STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends approval to purchase one (1) concrete saw from ASCO through a local BuyBoard agreement in the amount of \$29,700.00.

### BuyBoard Quote

**ASSOCIATED SUPPLY COMPANY, INC.**

**THE FOLLOWING DETAILS SHALL BE PROVIDED WITH ANY BUYBOARD PURCHASE ORDER (FAX PURCHASE ORDER TO 800-211-5454)**

**BuyBoard Vendor:** Associated Supply Company, Inc.  
2019 Airport Fwy Euless, TX. 76040  
**Phone:** 817-283-2844  
**Fax:** 817-283-7836

**Prepared By:** Sharon Reeves  
**Mobile:** 817-313-8129  
**Email:** sreeves@ascoba.com

Date Prepared: 06/07/2017

**Government Agency:** City of Carrollton

**Ship To: City of Carrollton**  
**2711 Nimitz Drive**  
**Carrollton, Texas 75007**

**Bill To:** City of Carrollton  
2711 Nimitz Drive  
Carrollton, Texas 75007

**Contacts' Name:** Anthony Jasso  
**Email:** [anthony.jasso@cityofcarrollton.com](mailto:anthony.jasso@cityofcarrollton.com)

Phone: (214) 497-4632  
Fax:

**Product Description:** Husqvarna FS 5000

BuyBoard Contract: 515-16

I. Price List Dated: 01/01/2017

**Base Price:** \$ 35,758.00

## II: Base Bid Options (Itemized Below)

[illegible]

### III. SUB-TOTAL OF I & II

<b>IV. BuyBoard Discount:</b>	<b>10.00%</b>	<b>\$</b>	<b>3,575.80</b>
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### V: NON-BASE OPTIONS

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**SUB-TOTAL: \$** .

**VI: UNPUBLISHED OPTIONS ADDED TO CONTRACT PRICE (SUBTOTAL OF COL1 & COL 2)**

**VII: TOTAL IV + VI**

**VIII: QUANTITY ORDERED UNITS:** 1

<b>IX: TRADE-IN OR OTHER CREDIT(S):</b>	<b>\$</b>	<b>2,482.20</b>
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**SUB-TOTAL: \$** -

Options List Price Total: \$ -

**\$ 35,758 00**

**BUYBOARD CONTRACT PRICE: \$ 32,182 20**

**Non-Base Options (%) =** 0

[illegible]

**SUB-TOTAL: \$** \_\_\_\_\_

\$ -

**\$ 32,182.20**

**\$ 32,182.20**

**\$ 2,482.20**

**TOTAL: \$ 29,700 00**

**FAX ALL PURCHASE ORDERS TO BUYBOARD AT 800-211-5454**

Fernando Villaverde Jr.  
 06/13/17



*The Authority in Construction,  
Paving and Crane Equipment*

[www.kirby-smith.com](http://www.kirby-smith.com)

06/12/2017

Quote #: sgieser-1448

Anthony Jasso  
CITY OF CARROLLTON  
Po Box 110535  
Carrollton, TX 75011

Dear Anthony Jasso:

We are pleased to quote the following for your consideration:

**Husqvarna Saw 2017 model FS 5000 w/ 0 hours, Unit # N.I.S., S/N Factory Order.**

The following Factory and Dealer Options are included in the package:

- FS 5000
- 26" blade guard
- E- tracking option
- Blade clutch optionaw

To be purchased through BuyBoard. Contract #515-16

Contract price is \$\$35,758.00; less contract discount of 10% (-\$3,575.00);

Less AJ discount of \$2,463.00;

New net selling price is \$\$29,720.00.

**Price Complete:**

**\$29,720.00**

We believe the equipment as quoted will exceed your expectations. On behalf of Kirby-Smith Machinery, Inc., thank you for the opportunity to quote Husqvarna machinery.

Sincerely,

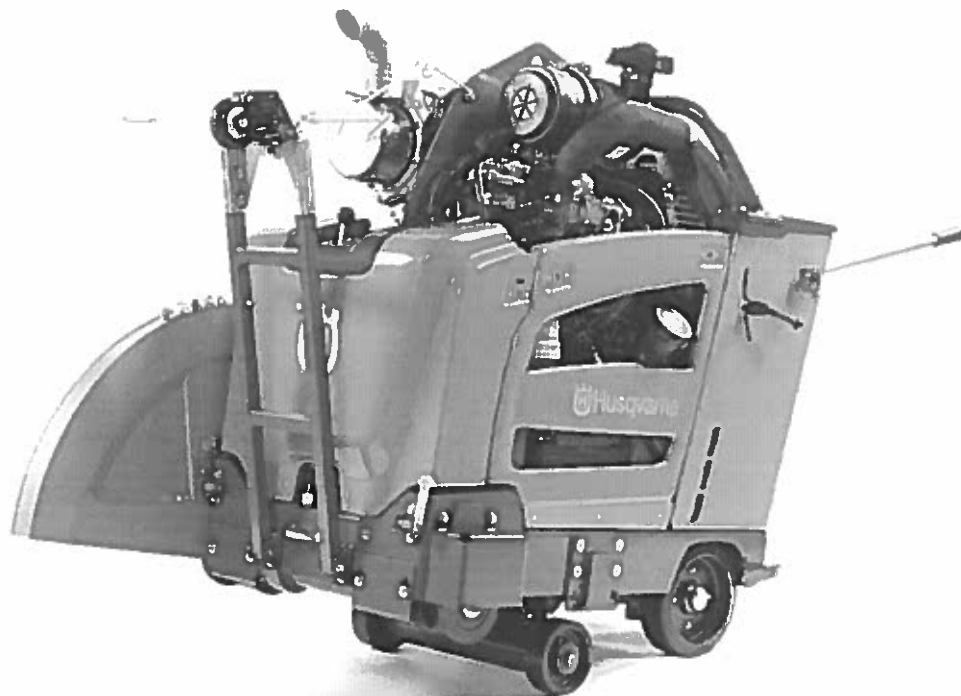
SOL GIESER  
Governmental Sales Manager  
214-371-7777  
817-475-6544  
[sgieser@kirby-smith.com](mailto:sgieser@kirby-smith.com)

*\*Subject to all applicable taxes. \*This proposal is good for 30 days & subject to availability.\*\**

[www.kirby-smith.com](http://www.kirby-smith.com) | 888-861-0219

Oklahoma City \* Tulsa \* Dallas \* Fort Worth \* Abilene \* Amarillo \* Lubbock \* Odessa \* St. Louis \* Kansas City

Projected







# City of Carrollton

## Agenda Memo

File Number: 3369

**Agenda Date:** 7/11/2017

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:**  
Contracts/Agreements

**Agenda Number:** \*12.

**CC MEETING: July 11, 2017**

**DATE:** June 29, 2017

**TO:** Erin Rinehart, City Manager

**FROM:** Scott Whitaker, Parks & Recreation Director

Consider Approval Of A Development And Transfer Agreement With Tri-Star Construction, Inc.

### **BACKGROUND:**

In August 2015 City Council approved a lease agreement with Blue Sky Sports on land east of McInnish Park. This land was previously a landfill and Blue Sky Sports plans to develop an indoor and outdoor soccer facility on approximately thirty acres.

Arthur James, Inc. proposed to do all the rough grading and dirt work at this location. Upon completion of all the grading work, the City agreed to transfer 6.27 acres of land on Sandy Lake Road to Arthur James, Inc. Arthur James, Inc. was also to grade soccer field "A" at Veterans Park where Blue Sky Sports will install a synthetic turf field at no cost to the City.

The contract with Arthur James, Inc. was recently terminated in accordance with the terms of the agreement. The City and Blue Sky have negotiated with a new construction company, Tri-Star Construction, Inc. to finish all the grading and repairs under the same contractual agreement. Tri-Star Construction, Inc. has previously completed the construction of three Blue Sky projects. Tri-Star Construction is willing to assume the costs associated with repairing the breach at the landfill prior to beginning construction on the rest of the property as well as covering any city expenses related to the breach.

### **FINANCIAL IMPLICATIONS:**

Upon execution of this agreement Tri-Star Construction will provide the city with a check to cover all costs associated with the breach of the landfill. There will be no cost to the City.

### **STAFF RECOMMENDATION/ACTION DESIRED:**

Staff requests approval for this development and transfer agreement.

## **DEVELOPMENT AND TRANSFER AGREEMENT**

THIS DEVELOPMENT AND TRANSFER AGREEMENT (this “**Agreement**”) is made and entered into on this \_\_\_\_ day of July, 2017 (the “**Effective Date**”), by and between the CITY OF CARROLLTON, TEXAS, a Texas home rule municipality (the “**City**”), and TRI-STAR CONSTRUCTION, INC., a Texas corporation, and its successors and assigns (“**Developer**”).

### **RECITALS**

A. The City is the owner of that certain 41.94 acre tract of real property located in the City of Carrollton, County of Denton, State of Texas, as more particularly described in Exhibit A attached hereto and made a part hereof, along with the McInnish Park soccer field, for the limited purposes of grading for a turf field as set forth in Exhibit F-1 (collectively, the “**City Property**”).

B. The City and Blue Sky Sports Center of Carrollton, LP, a Texas limited partnership (“**Blue Sky**”), have entered into a ground lease for such portion of the City Property described in Exhibit B attached hereto and made a part hereof (the “**Blue Sky Tract**”).

C. Developer is experienced in the performance of grading land and has agreed to grade the City Property pursuant to the terms of this Agreement.

D. In consideration of the grading of the City Property, City has agreed to transfer to Developer that certain 6.27 acre tract located in the City of Carrollton, County of Denton, State of Texas, as more particularly described in Exhibit C attached hereto and made a part hereof (the “**Developer Tract**”), perform such other actions as set forth in this Agreement.

NOW, THEREFORE, in consideration of the foregoing premises and the covenants and agreements herein contained, the receipt and sufficiency of which are hereby acknowledged by the parties, City and Developer agree as follows:

### **AGREEMENTS**

1. Definitions. As used herein, the following terms shall have the following definitions:

a. “**Conception Plan**” shall be the Conception Plan (12/22/2015) prepared by Engineer, a copy of which is attached hereto as Exhibit D and made a part hereof. The Conception Plan is not a final, approved plan and is subject to modification.

b. “**Engineer**” shall mean Homeyer Engineering, Inc., a Texas corporation.

c. ***“Grading Plan”*** shall be the mass grading plan prepared by Engineer for the City Property. A preliminary copy of the Grading Plan is attached hereto as Exhibit E and made a part hereof.

2. Developer Obligations.

a. Developer shall submit the proposed final Grading Plan to the City within thirty (30) days of the Effective Date of this Agreement.

b. Developer shall grade the City Property in accordance with the Grading Plan and as further set out in Section 4 of this Agreement.

c. Developer shall furnish to the City payment and performance bonds in the name of the City and Developer for one hundred percent (100%) of the cost of the grading project. Developer shall furnish all bonds to the City prior to the commencement of the grading of the City Property. The bonds shall meet the requirements of Chapter 2253 of the Texas Government Code.

d. Developer shall, at Developer’s expense, correct and reseal that portion of the landfill cap which was breached by a third party during construction on the Blue Sky Tract (the “Cap Work”) in accordance with the instructions provided by the City’s retained consultant, Risa Weinberger as set forth in Exhibit F and made a part hereof. Developer shall deposit with the City the sum of \$155,000 consisting of reimbursement to the City for its expenses relating to and arising from the Cap Work and reimbursement for the payment of Risa Weinberger’s consulting fees. Any portion of the deposit not used by the City shall be refunded to Developer at the conclusion of the Cap Work.

3. City Obligations. In consideration of Developer grading the City Property, City shall:

a. provide final approval of the Grading Plan within thirty (30) days of Developer submitting the Grading Plan application to City;

b. transfer to Developer, good and indefeasible title to the Developer Tract, free and clear of any and all liens, assessments, unrecorded easements, security interests and other encumbrances, in accordance with Section 5 of this Agreement; and

c. issue a permit to Developer to construct, as evidenced on and in accordance with the Conception Plan, one or more of the following: (i) a deceleration lane on Sandy Lake Road, adjacent to the Northern boundary of the Developer Tract, (ii)

two (2) curb cuts on the Northern boundary of the Developer Tract providing access to Sandy Lake Road, and (iii) a median opening and left turn lane on Sandy Lake Road. Upon issuance of the permit(s), Developer shall have the option, but not the obligation, to construct the aforementioned deceleration lane, curb cuts, median opening and left turn lane.

4. Grading of the City Property. Developer shall, at its sole cost and expense, grade the City Property in accordance with the Grading Plan and Exhibit F attached hereto and made a part hereof and subject to the following terms and conditions:

a. Within sixty (60) days of the final approval of the Grading Plan by both City and Developer, Developer shall commence grading the City Property. Approval of the Grading Plan shall not be unreasonably, withheld, conditioned or delayed.

b. Commencing on the Effective Date and continuing until final approval by the Engineer of the grading on the City Property, City shall grant Developer full, free and complete access to the City Property and *McInnish* Park at all times to enable Developer to perform the grading services on the City Property. During the period upon which Developer is performing its grading services, the City shall not enter onto the City Property without the express prior written consent of Developer, which shall not be unreasonably denied. Any request by City to enter onto the City Property during this period shall be made at least one (1) business day in advance.

c. Subject to the terms of Exhibit F, Developer shall have the exclusive power to accomplish the arranging, supervising, coordinating and completing all aspects of the grading of the City Property. Subject to Exhibit F, Developer may make non-material changes to the Grading Plan as Developer may, in the exercise of its sole judgment, deem necessary to complete the grading of the City Property.

d. Developer shall have the right to add or remove soil, dirt and other fill on the City Property necessary to comply with the Grading Plan.

e. During the period upon which Developer is performing its grading services, Developer may, at its sole cost and expense, install temporary signs on the City Property to identify Developer as the party performing the grading services and to provide warnings regarding entering onto the City Property.

f. Final written approval of the grading shall be made by the Engineer, which approval shall not be unreasonably withheld, conditioned or delayed. Engineer shall provide such written approval by providing Developer, Blue Sky and the City with a

letter confirming that the work performed by Developer complies with the Grading Plan. Engineer's approval of the grading shall occur within fifteen (15) days after Developer notifies Engineer, in writing, of Developer's completion of the grading services.

g. Blue Sky and/or the City shall provide Developer with the most recent copy of a Phase I performed in relation to the City Property.

h. Developer shall not be liable for any pre-existing environmental issues related to the City Property, unless Developer fails to comply with the Grading Plan which results in an environmental issue to the City Property.

i. Except as otherwise specifically provided in this Agreement, upon completion of the grading of the City Property, Developer shall have no further obligation with regard to the City Property.

5. Transfer of Developer Tract. Upon Developer's completion and approval by the Engineer of the grading of the City Property in accordance with Grading Plan, City shall, with the consent of Blue Sky, transfer to Developer (or an affiliated entity designated by Tri-Star) good and indefeasible title to the Developer Tract, free and clear of any and all liens, assessments, unrecorded easements, security interests and other encumbrances and in accordance with the following terms and conditions:

a. The Developer Tract shall be transferred to Developer by Special Warranty Deed immediately upon completion of the grading of the City Property. The transfer of the Developer Tract shall be together with all of City's right, title and interest appurtenant to such land, including, without limitation, all of City's right, title and interest, if any, in and to all access, air, water, riparian, development, and utility rights pertaining thereto, and all improvements and personal property located on the Developer Tract. The City shall have the right to maintain easements on the boundaries of the Developer Tract for any and all public utilities, drainage and water/wastewater, or other public rights and necessities. Said easements shall not interfere with Developer's use of the Developer Tract.

b. As of the Effective Date, in accordance with the applicable standards and regulations of the Texas Commission on Environmental Quality, Developer may conduct inspections of the Developer Tract to conduct feasibility studies regarding Developer's intended use of the Developer Tract. Developer's studies may include, but not be limited to, core borings; environmental and architectural tests and investigations and physical inspections of all subsurface soils. Developer, its agents, employees, consultants and invitees shall have the right of reasonable entry onto the Developer Tract for

purposes of said inspections, tests and examinations deemed necessary by Developer. All said studies, tests and inspections shall be at Developer's sole cost and expense.

c. Developer shall only be responsible for such ad valorem taxes and/or operating expenses incurred on the Developer Tract subsequent to the transfer of the Developer Tract to Developer.

d. Developer shall be entitled to designate an entity other than in Developer's name for transfer receipt of the Developer Tract in accordance with this Agreement and, in such event, the City shall transfer the Developer Tract to such entity.

6. Rezoning of Developer Tract. As of the Effective Date, Developer may begin taking such actions to rezone the Developer Tract to a Local Retail District (LR-1 or LR-2). The Developer Tract is limited to uses in accordance with a City Council-approved rezoning classification for LR-1 or LR-2. The City will use all good-faith efforts to assist in the rezoning process.

7. Cross-Easement and Parking Agreement. Subsequent to the transfer of the Developer Tract to Developer, Developer will enter into a mutual access easement and parking agreement with Blue Sky. The terms of this Section 7 shall survive the termination of this Agreement.

8. Construction Easement.

a. Blue Sky Tract. City and Blue Sky hereby grant, bargain, sell and convey unto Developer, a non-exclusive, perpetual temporary construction easement on, over, across, along, under and through the Blue Sky Tract to permit the construction and development of the Developer Tract, provided; however, that the use of this construction easement shall be kept to a minimum, shall not unreasonably interfere with City's or Blue Sky's use of the Blue Sky Tract, and that such area shall be restored by Developer to its original condition at no expense to City or Blue Sky. The construction easement shall be for ingress and egress only for persons, vehicles, materials, machinery and equipment in, over, on, across, under and through such portions of the construction easement as are, and only to the extent, reasonably necessary for Developer to construct and develop the Developer Tract. Developer may file a memorandum of the easement in the Dallas County Real Property Records so that legal notice of the easement is provided to all persons. Furthermore, Developer may require City and/or Blue Sky to execute the memorandum of the easement in a mutually-acceptable form. This construction easement shall expire upon one and one-half (1½) years after the final approval of the

grading of the City Property by Developer. The terms of this Section 8 shall survive the termination of this Agreement.

b. McInnish Park. City hereby grants, bargains, sells and conveys unto Developer, a non-exclusive, perpetual temporary construction easement on, over, across, along, under and through McInnish Park to permit the construction and development of the Developer Tract, provided; however, that the use of this construction easement shall be kept to a minimum, shall not unreasonably interfere with City's use of McInnish Park, and that such area shall be restored by Developer to its original condition at no expense to City. The construction easement shall be for ingress and egress only for persons, vehicles, materials, machinery and equipment in, over, on, across, under and through such portions of the construction easement as are, and only to the extent, reasonably necessary for Developer to grade McInnish Park. Developer may file a memorandum of the easement in the Denton County Real Property Records so that legal notice of the easement is provided to all persons. Furthermore, Developer may require City to execute the memorandum of the easement in a mutually-acceptable form. This temporary construction easement shall expire upon one and one-half (1½) years after the final approval of the grading of the City Property by Developer. The terms of this Section 8 shall survive the termination of this Agreement.

9. Insurance.

a. From the commencement of the grading of the City Property through the final approval by the Engineer of the grading on the City Property (the ***"Insurance Period"***), Developer shall, at Developer's expense, maintain in full force and effect from an insurer authorized to operate in Texas, public liability insurance naming City and Blue Sky as additional insureds with policy limits on an occurrence basis in a minimum amount of \$1,000,000.

b. Prior to the Insurance Period, Developer must provide City and Blue Sky with a copy of insurance certificate evidencing the required coverage. If the insurance coverage is renewed or changes in any manner or degree at any time during the Insurance Period, Developer must, not later than ten (10) days after the renewal or change, provide City and Blue Sky a copy of an insurance certificate evidencing the renewal or change.

c. If Developer fails to maintain the required insurance in full force and effect at all times during the Insurance Period, after written notice from City to Developer and reasonable opportunity for Developer to cure such failure, City may:

i. purchase insurance that will provide City the same coverage as the required insurance and Developer must immediately reimburse City for such expense; or

ii. exercise Landlord's remedies under Section 12.

10. Liability. Except as otherwise provided in this Agreement, City is not responsible to Developer or Developer's employees, guests, or invitees for any damages, injuries, or losses to person or property incurred on the City Property caused by:

a. an act, omission, or neglect of: Developer's agents, Developer's guests, Developer's employees, or Developer's invitees; or

b. fire, flood, water leaks, ice, snow, hail, winds, explosion, smoke, riot, strike, interruption of utilities, theft, burglary, robbery, assault, vandalism, other persons, environmental contaminants, or other occurrences or casualty losses.

11. Indemnity. FROM AND AFTER EXECUTION OF THIS AGREEMENT, DEVELOPER ASSUMES ALL RISKS OF ITS OWN OPERATIONS, AND THOSE OF ITS AGENTS, INDEPENDENT CONTRACTORS, AND ANY LICENSEES ON THE CITY PROPERTY. DEVELOPER AND ITS AGENTS, INDEPENDENT CONTRACTORS, AND ANY LICENSEES, SHALL INDEMNIFY, DEFEND AND HOLD CITY, ITS EMPLOYEES, DIRECTORS, OFFICERS AND AGENTS HARMLESS FROM AND AGAINST, ANY AND ALL DEMANDS, CLAIMS, CAUSES OF ACTION, FINES, PENALTIES, DAMAGES (INCLUDING CONSEQUENTIAL DAMAGES), LIABILITIES, JUDGEMENTS, AND EXPENSES (INCLUDING, WITHOUT LIMITATION, REASONABLE ATTORNEYS' FEES AND EXPERT WITNESS FEES) WHICH ARISE OUT OF OR RELATE TO (1) THE GRADING OF THE CITY PROPERTY; (2) ANY ACTIVITY, WORK, OR THING DONE OR PERMITTED BY DEVELOPER IN OR ABOUT THE CITY PROPERTY; (3) ANY BREACH BY DEVELOPER OR ITS EMPLOYEES, AGENTS, CONTRACTORS OR INVITEES OF THIS AGREEMENT; AND (4) ANY INJURY, LOSS OR DAMAGE TO THE PERSON, PROPERTY OR BUSINESS OF DEVELOPER, ITS EMPLOYEES, AGENTS, OR CONTRACTORS OR ANY INVITEES ENTERING UPON THE CITY PROPERTY UNDER THE EXPRESS OR IMPLIED INVITATION OF DEVELOPER. IF ANY ACTION OR PROCEEDING IS BROUGHT AGAINST CITY OR ITS EMPLOYEES, DIRECTORS, OFFICERS OR AGENTS BY REASON OF ANY SUCH CLAIM FOR WHICH DEVELOPER HAS INDEMNIFIED CITY, DEVELOPER, UPON WRITTEN NOTICE FROM CITY, WILL DEFEND THE SAME AT DEVELOPER'S EXPENSE WITH COUNSEL REASONABLY SATISFACTORY TO CITY. DEVELOPER'S OBLIGATIONS UNDER THIS SECTION



SHALL SURVIVE THE EXPIRATION OR OTHER TERMINATION OF THIS AGREEMENT.

12. Defaults and Remedies.

a. Developer Default. Each of the following shall constitute a “***Developer Default***” hereunder:

- i. Failure of Developer to comply with any material provision of this Agreement and the continuation of such failure for a period of thirty (30) days after receipt of written notice from the City of such failure.
- ii. Failure of Developer to complete grading in accordance with the terms of this Agreement within ninety (90) days from the date of final approval of the Grading Plan by both City and Developer, as further described in Section 3.a. of this Agreement (the “***Completion Date***”); however, the Completion Date shall be extended by one day for each day Developer cannot perform its obligations under this Agreement due to adverse weather conditions. The City shall, in its sole reasonable discretion, determine what constitutes adverse weather conditions.

Upon the occurrence of any Developer Default, City shall have the right, at any time after the final expiration of the curative period prescribed above, and while such Developer Default continues, (A) to enforce specific performance of this Agreement; or (B) to bring suit for damages against Developer, or both, or (C) to exercise any other remedies that may be provided by law or in equity. In the event of Developer Default, the easement rights granted hereunder shall immediately terminate on the date of the final expiration of the curative period. Upon termination of this Agreement, City shall have no further claims, demands or actions against Developer in connection with the terms of this Agreement, except for such provisions in this Agreement the survive the termination of this Agreement.

b. City Default. Each of the following shall constitute a “***City Default***” hereunder:

- i. Failure of City to transfer the Developer Tract to Developer upon completion, in accordance with the terms of this Agreement, and acceptance of the grading of the City Property.
- ii. Failure of City to comply with any material provision of this Agreement and the continuation of such failure for a period of thirty (30) days after receipt of written notice from the Developer of such failure.

Upon the occurrence of any City Default, Developer shall have the right, at any time after the final expiration of the curative period prescribed above, and while such City Default continues, (A) to enforce specific performance of this Agreement; or (B) to bring suit for damages against City, or both, or (C) to exercise any other remedies that may be provided by law or in equity. Upon termination of this Agreement, Developer shall have no further claims, demands or actions against City.

c. Other Remedies. In the event of the occurrence of either a Developer Default or a City Default hereunder, the aggrieved party (Developer or City, as the case may be) shall, in addition to its other rights and remedies hereunder, have the right to recover from the party in default all reasonable costs and expenses incurred by the aggrieved party in enforcing its rights and remedies hereunder, including reasonable attorneys' fees. The termination of this Agreement by either Developer or City by reason of default by the other party, as aforesaid, shall not relieve either party of any of its obligations theretofore accrued under this Agreement prior to the effective date of such termination.

13. Miscellaneous.

a. Notice. Any notice or communication required or permitted hereunder shall be given in writing, sent by (i) personal delivery; or (ii) United States mail, postage prepaid, first class, registered or certified mail, return receipt requested; or (iii) overnight delivery by a nationally recognized overnight courier service (e.g. UPS, Federal Express), addressed as follows:

If to City:                      City of Carrollton  
City Manager's Office  
1945 E. Jackson Rd.  
Carrollton, Texas 75006  
Attention: \_\_\_\_\_

If to Developer:              TRI-STAR CONSTRUCTION, INC.  
3601 Yucca Drive  
Building #2  
Flower Mound, Texas 75028  
Attention: Randall S. Ahlfs

If to Blue Sky:                Blue Sky Sports Center of Carrollton, LP  
1278 FM 407, Suite 109  
Lewisville, Texas 75077  
Attention: Greg Bertrand

or to such other address or to the attention of such other person as hereafter shall be designated in writing by the applicable parties sent in accordance herewith. Any such notice or communication shall be deemed to have been given either at the time of delivery to the party's address provided herein, or in the case of mail, as of three (3) days after postmark when sent by United States mail to the address and in the manner provided herein. Either party may from time to time, by written notice to the other party in accordance with the terms hereof, designate a different address for notice.

b. Captions. The titles or captions contained in this Agreement shall have no effect and shall neither limit nor amplify the provisions of the Agreement itself.

c. Entire Agreement. This Agreement, when signed by both City and Developer, constitutes a final written expression of all the terms of this Agreement and is a complete and exclusive statement of those terms relating to the subject matter hereof. This Agreement shall not be amended or changed except by written instrument signed by the party to be charged therewith.

d. Severable Provisions. If any provision of this Agreement or the application thereof to any person or circumstance shall be invalid or unenforceable to any extent, then the other provisions of this Agreement, the provision in question to any other extent, and the application thereof to any other person or circumstance shall not be affected thereby and shall be enforced to the greatest extent permitted by law.

e. Governing Law and Venue. This Agreement has been entered into in the State of Texas, is performable in the State of Texas, and shall be governed by the laws of the State of Texas. Venue shall be in Dallas County, Texas, for any lawsuit between the parties hereto with respect to any matter covered by this Agreement.

f. Non-Assignable without the Consent of the Other Party. Neither City nor Developer shall assign, transfer, mortgage, pledge or otherwise encumber or dispose of this Agreement or all or any part of its rights and interests hereunder except to an affiliated entity, and any attempted assignment, mortgage, pledge, encumbrance or disposition shall be void ab initio.

g. Parties Bound. This Agreement shall be binding upon and inure to the benefit of City and the Developer and their respective successors and assigns.

h. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be effective only upon delivery and thereafter shall be deemed an original, and all of which shall be taken to be one and the same instrument, for

the same effect as if all parties hereto had all signed the same signature page. Any signature page of this Agreement may be detached from any counterpart of this Agreement without impairing the legal effect of any signature thereon and may be attached to another counterpart of this Agreement identical in form hereto but having attached to it one or more additional signature pages. This Agreement may be executed by facsimile signatures and such signatures shall be deemed an original.

i. Force Majeure. Whenever a period of time is prescribed in this Agreement for the taking of any action (other than monetary obligations) by a party, no party shall be liable or responsible for, and there shall be excluded from the computation of such period of time, any delays resulting from (a) acts or occurrences beyond the reasonable control of such party (including fire, explosion, power failure, lightning, severe weather, acts of God, war, revolution, or civil commotion); or (b) labor unrest (including strikes, slowdowns, picket-lines, and boycotts whether primary or secondary), and without regard to whether such labor unrest could have been settled by acceding to the demands of a labor organization. In such event, the party whose performance is directly affected by the circumstances shall be excused from such performance on a day-for-day basis to the extent of the interference. If such excuse of the performance of the directly affected party shall prevent related performance by the other party, then the performance of the other party shall be excused from such performance on a day-for-day basis to the extent of the interference. In the event that any such event of force majeure shall continue for more than sixty (60) days, then the parties shall enter into good faith negotiations directed toward a mutually acceptable resolution of outstanding obligations hereunder.

j. Confidentiality. Except as and to the extent required by law or as may otherwise be provided in the Agreement, without the prior written consent of the other party, no party shall, and each party shall direct their respective officers, directors, shareholders, members, managers, partners, employees and other representatives not to, disclose (except to their respective accountants, attorneys and other professionals having a bona fide need to know) the contents, terms or conditions contained in this Agreement and the other documents and instruments executed in connection herewith. If one party is required by law to make any such unauthorized disclosure, it must first provide to the other party the content of the proposed disclosure, the reasons that such is required, and the time and place such disclosure will be made. The terms of this Section 11.j. shall survive the termination of this Agreement.

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EXECUTED as of the Effective Date.

**CITY:**

**CITY OF CARROLLTON,**  
a Texas home rule municipality

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**DEVELOPER:**

**TRI-STAR CONSTRUCTION, INC.,**  
a Texas corporation

By: \_\_\_\_\_  
Name: Randall S. Afhls  
Title: Vice President

Acknowledged and agreed to for purposes of Section 4.f.:

**HOMEYER ENGINEERING, INC.,**  
a Texas corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Acknowledged and agreed to for purposes of Sections 4.g., 5, 7 and 8.a.:

**BLUE SKY SPORTS CENTER OF CARROLLTON, LP,**  
a Texas limited partnership

By: Blue Sky Carrollton Management, Inc.,  
a Texas corporation,  
its general partner

By: \_\_\_\_\_  
Peter Brody, President



# City of Carrollton

## Agenda Memo

File Number: 3350

**Agenda Date:** 7/11/2017

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** \*13.

**CC MEETING:** July 11, 2017

**DATE:** July 5, 2017

**TO:** Erin Rinehart, City Manager

**FROM:** Laurie Garber, City Secretary/Admin. Services Director

Consider A **Resolution Finding That Oncor Electric Delivery Company LLC's Application To Change Rates Within The City Should Be Denied; Finding That The City's Reasonable Rate Case Expenses Shall Be Reimbursed By The Company; Finding That The Meeting At Which This Resolution Is Passed Is Open To The Public As Required By Law; Requiring Notice Of This Resolution To The Company And Legal Counsel.**

### **BACKGROUND:**

The City of Carrollton, along with 158 other cities served by Oncor Electric Delivery Company LLC ("Oncor" or "Company") is a member of the Steering Committee of Cities Served by Oncor ("Steering Committee"). The Steering Committee has been in existence since the late 1980s. It took on a formal structure in the early 1990s when cities served by the former TXU gave up their statutory right to rate case expense reimbursement in exchange for higher franchise fee payments. Empowered by city resolutions and funded by *per capita* assessments, the Steering Committee has been the primary public interest advocate before the Public Utility Commission, the Courts, and the Legislature on electric utility regulation matters for the last 30 years.

On March 17, 2017, Oncor filed an application to change rates with cities retaining original jurisdiction. In the filing, the Company seeks to increase system-wide transmission and distribution rates by \$317 million or approximately 7.5% over present revenues. The Company asks the City to approve an 11.8% increase in residential rates and a 0.5% increase in street lighting rates. If approved, a residential customer using 1000 kWh per month would see a bill increase of about \$6.68 per month.

In March, the Steering Committee engaged the services of three consultants, Mr. Lane Kollen, Mr. Richard Baudino, and Mr. Karl Nalepa, to review the Company's filing. The consultants identified numerous unreasonable expenses and propose significant reductions to the Company's request. Accordingly, the Steering Committee's attorneys recommend that all

members adopt the Resolution denying the rate change. Once the Resolution is adopted, Oncor will have 30 days to appeal the decision to the Public Utility Commission of Texas where the appeal will be consolidated with Oncor's filing (i.e. PUC Docket No. 46957) currently pending at the Commission.

Under the law, cities with original jurisdiction over this matter have 125 days from the initial filing to take final action on the application. By the agreement of the parties, this deadline was suspended until August 19, 2017. As such, all cities with original jurisdiction will need to adopt the resolution no later than August 19.

**Purpose of the Resolution:**

The purpose of the Resolution is to deny the rate application and consolidation proposed by Oncor.

**Explanation of "Be It Ordained" Paragraphs:**

1. This paragraph finds that the Company's application is unreasonable and should be denied.
2. This section states that the Company's current rates shall not be changed.
3. The Company will reimburse the cities for their reasonable rate case expenses. Legal counsel and consultants approved by the Cities will submit monthly invoices that will be forwarded to Oncor for reimbursement.
4. This section merely recites that the resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.
5. This section provides Oncor and counsel for the cities will be notified of the City's action by sending a copy of the approved and signed resolution to counsel.



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF CARROLLTON, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S ("ONCOR" OR "COMPANY") APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.**

WHEREAS, the City of Carrollton, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company"), and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the City is a member of the Steering Committee of Cities Served by Oncor ("Steering Committee"), a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area; and

WHEREAS, on or about March 17, 2017, Oncor filed with the City an application to increase system-wide transmission and distribution rates by \$317 million or approximately 7.5% over present revenues. The Company asks the City to approve an 11.8% increase in residential rates and a 0.5% increase in street lighting rates; and

WHEREAS, the Steering Committee is coordinating its review of Oncor's application and working with the designated attorneys and consultants to resolve issues in the Company's filing; and

WHEREAS, through review of the application, the Steering Committee's consultants determined that Oncor's proposed rates are excessive; and

WHEREAS, the Steering Committee's members and attorneys recommend that members deny the Application; and

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

Section 1. The rates proposed by Oncor to be recovered through its electric rates charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

Section 2. The Company shall continue to charge its existing rates to customers within the City.

Section 3. The City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of the adoption of this Resolution.

Section 4. It is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Section 5. A copy of this Resolution shall be sent to Oncor, Care of Howard Fisher, Oncor Electric Delivery Company, LLC, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202 and to Thomas Brocato, Counsel to the Steering Committee, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

PASSED AND APPROVED this 11TH day of JULY, 2017.

CITY OF CARROLLTON

By: \_\_\_\_\_  
Kevin Falconer, Mayor

ATTEST:

\_\_\_\_\_  
Laurie Garber  
City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Susan Keller  
Assistant City Attorney



# City of Carrollton

## Agenda Memo

File Number: 3356

**Agenda Date:** 7/11/2017

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** \*14.

**CC MEETING: July 11, 2017**

**DATE:** June 29, 2017

**TO:** Erin Rinehart, City Manager

**FROM:** Ravi Shah, Director of Development Services and Krystle Nelinson, Development Program Manager

Consider A **Resolution Authorizing The City Manager To Negotiate And Execute An Economic Development Incentive Agreement With A-S 122 Carrollton Town Center, LP At 2540 Old Denton Road, Suite 154** In An Amount Not To Exceed \$55,000.00.

### **BACKGROUND:**

NewQuest Properties is the owner of Carrollton Town Center, which is located at the southeast corner of President George Bush Turnpike (PGBT) and Old Denton Road. It is anchored by 99 Ranch Market. NewQuest recently invested \$7.7 million to update the center and upgrade the building façades. The City Council approved a \$750,000 grant in 2014 through the Retail Rehabilitation Grant Program to aid in the shopping center update. The center is nearly 100% occupied.

NewQuest has requested a grant for the renovation of 2540 Old Denton Road, Suite 154, which is a vacant out-parcel building on the property's PGBT frontage. The building was most recently occupied by a Verizon retail store, which has moved into a lease space in the main shopping center building. NewQuest would like to renovate the building to match the rest of the shopping center's façade and lease it. The renovation project's total budget is \$550,000.

### **FINANCIAL IMPLICATIONS:**

In accordance with the Retail Rehabilitation Grant Program, the property is eligible for a grant not to exceed \$55,000. The grant is receipt-reimbursement based. Funding is available in the General Fund account for the Retail Rehabilitation Program.

### **IMPACT ON COMMUNITY SUSTAINABILITY:**

In accordance with the economic development plan of enhancing the tax base through redevelopment, this project meets all criteria. The redevelopment of this building will generate additional tax revenue and enhance the economic viability of the surrounding area.

**STAFF RECOMMENDATION/ACTION DESIRED:**

The City Council Re-Development Sub-Committee unanimously recommended approval of this grant at the June 6, 2017 meeting. Staff recommends City Council approval of a resolution authorizing the City Manager to negotiate and execute an Economic Development Incentive Agreement with A-S 122 Carrollton Town Center, LP at 2540 Old Denton Road, Suite 154, in an amount not to exceed \$55,000.00.

## Location Map

Addresses: 2540 Old Denton Road, Suite 154





**Carrollton Town Center**  
**2540 Old Denton Road, Suite 154**

**Current**



**Future Renderings**



**EAST ELEVATION**  
SCALE : 3/16" = 1'-0"



**NORTH ELEVATION**  
SCALE : 3/16" = 1'-0"



**SOUTH ELEVATION**  
SCALE : 3/16" = 1'-0"



**WEST ELEVATION**  
SCALE : 3/16" = 1'-0"

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT BY AND BETWEEN THE CITY AND A-S 122 CARROLLTON TOWN CENTER LP, ESTABLISHING A PROGRAM OF GRANTS IN AMOUNTS NOT TO EXCEED \$55,000 FOR 2540 OLD DENTON ROAD, SUITE 154 TO PROMOTE LOCAL ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY WITHIN THE CITY; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Carrollton, Texas (“City Council”), has authority to reduce blight in order to protect the health, safety and welfare of the residents of the City of Carrollton, Texas (“City”); and

**WHEREAS**, the City Council has taken steps towards reducing blight along the City’s major thoroughfares; and

**WHEREAS**, the Retail Redevelopment and Rehabilitation of Aging and Underutilized Retail Facilities Program was adopted in 2007 due to the significant number of retail shopping centers and other retail facilities in Carrollton that were built prior to 1987 and were not conducive to new retail concepts, exhibited aging appearances, or had obsolete signage and building designs; and

**WHEREAS**, Carrollton Town Center – located at 2540 Old Denton Road – is an aging retail facility located along one of the City’s major thoroughfares; and

**WHEREAS**, A-S 122 Carrollton Town Center LP (“Owner”) received a \$750,000 grant in 2014 through the Retail Redevelopment and Rehabilitation of Aging and Underutilized Retail Facilities Program and invested \$7.7 million to update the center and upgrade the building façades; and

**WHEREAS**, the Owner plans to invest an additional \$550,000 to renovate the exterior and interior of the out-parcel affronting President George Bush Turnpike frontage – addressed as Suite 154; and

**WHEREAS**, the City Council has been presented a grant request by the Owner to establish a program of grants in an amount not to exceed \$55,000 for the redevelopment of 2540 Old Denton Road, Suite 154, in order to promote local economic development and stimulate business and commercial activity within the City in accordance with the City’s Retail Redevelopment and Rehabilitation of Aging and Underutilized Retail Facilities Program; and

**WHEREAS**, upon full review and consideration of the terms of the request, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the City Manager shall be authorized to negotiate and execute an agreement with Company on behalf of the City of Carrollton;

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

**SECTION 1.**

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

**SECTION 2.**

The requested terms and conditions of a proposed economic development agreement with A-S 122 Carrollton Town Center LP having been reviewed by the City Council, and found to be acceptable and in the best interests of the City and its citizens, are hereby in all things approved.

**SECTION 3.**

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

**SECTION 4.**

This Resolution shall take effect upon passage.

**DULY PASSED AND APPROVED** by the City Council of the City of Carrollton, Texas this 11th day of July, 2017.

CITY OF CARROLLTON, TEXAS

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Kevin Falconer, Mayor

ATTEST:

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Laurie Garber, City Secretary



APPROVED AS TO FORM:

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Meredith A. Ladd  
City Attorney

APPROVED AS TO CONTENT:

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Krystle Nelinson  
Development Program Manager

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Ravi Shah  
Director of Development Services





# City of Carrollton

## Agenda Memo

File Number: 3363

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**Agenda Date:** 7/11/2017

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** \*15.

**CC MEETING:** July 11, 2017

**DATE:** June 28, 2017

**TO:** Erin Rinehart, City Manager

**FROM:** Laurie Garber, City Secretary/Admin. Services Director

Consider A **Resolution Ratifying A Member To Serve On The Civil Service Commission.**

### **BACKGROUND:**

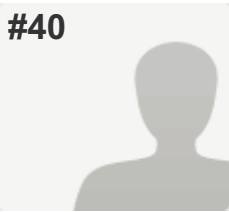
Lisa Francis is appointed to serve on the Civil Service Commission by the City Manager for the term specified or from the date of their qualification to serve until their successors are appointed.

Lisa Francis                      July 11, 2019

### **STAFF RECOMMENDATION/ACTION DESIRED:**

Staff recommends approval of the attached Resolution ratifying the appointment made by the City Manager.

#40



**COMPLETE**

**Collector:** Web Link 1 (Web Link)

**Started:** Tuesday, August 02, 2016 1:34:14 PM

**Last Modified:** Tuesday, August 02, 2016 1:46:51 PM

**Time Spent:** 00:12:36

**IP Address:** 144.160.98.91

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**PAGE 4: Application**

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**Q1: Candidate Information**

Name:	Lisa Francis
Street Address:	3828 Westminster Dr.
City, State & Zip:	Carrollton, TX 75007
Phone Number (Day & Night):	214-558-2889
Years Lived in Carrollton:	2
Email Address:	lisafrancis@gmail.com

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

1st Choice:	Firefighter's & Police Officer's Civil Service Commission
2nd Choice:	Tax Increment Reinvestment Zone No. 1 (TIRZ)
3rd Choice:	Planning and Zoning Commission

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

N/A

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

N/A

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

I currently work at AT&T in a strategy role and am accustomed to developing long term strategic goals and developing plans for implementation. I also hold an MBA and an MS in Cyber Security which included physical security best practices and audit procedures.

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

I think the diversity of the community and the responsiveness of the local government are two of Carrollton's best features. My husband and I have enjoyed the short time we have been here.

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

Construction/Traffic and overbuilding on property can become issues for Carrollton.

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**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF CITY OF CARROLLTON, TEXAS,  
RATIFYING MEMBERS TO SERVE ON THE CIVIL SERVICE COMMISSION; AND  
PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1**

The following are appointed to serve on the Civil Service Commission by the City Manager for the term specified or from the date of their qualification to serve until their successors are appointed and qualified to serve.

Lisa Francis

July 11, 2019

**SECTION 2**

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

**DULY PASSED AND APPROVED** by the City Council of the City of Carrollton, Texas  
this 11th day of July, 2017.

**CITY OF CARROLLTON, TEXAS**

\_\_\_\_\_  
Kevin Falconer, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Laurie Garber, City Secretary

\_\_\_\_\_  
Meredith A. Ladd, City Attorney





# City of Carrollton

## Agenda Memo

File Number: 3364

**Agenda Date:** 7/11/2017

**Version:** 1

**Status:** Consent Agenda

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** \*16.

**CC MEETING:** July 11, 2017

**DATE:** June 28, 2017

**TO:** Erin Rinehart, City Manager

**FROM:** Laurie Garber, City Secretary/Admin. Services Director

Consider A **Resolution Appointing One Member To The Board Of Managers Of The Denco Area 9-1-1 District.**

### **BACKGROUND:**

Each year the City of Carrollton votes for a member to be appointed to the Denco Area 9-1-1 District Board of Managers. The following people have been nominated:

#### **Nominee**

Sue Tejml

#### **Nominating Municipality**

City of Corinth

City of Highland Village

City of Lewisville

Town of Copper Canyon

Town of Hickory Creek

Town of North Lake

Town of Trophy Club

David Terre

City of The Colony

Chrystal Davis

City of Carrollton

Attached for your review are bios/resumes of each nominee.

### **STAFF RECOMMENDATION/ACTION DESIRED:**

Staff recommends approving the resolution appointing a member to the Denco 9-1-1 Board of Managers.

## **Sue Rosson Tejml**

March 2016

835 Orchid Hill Lane  
Argyle-Copper Canyon, TX 76226-4526

Metro: 940-241-2216  
[suecoppercanyon@aol.com](mailto:suecoppercanyon@aol.com)

**PERSONAL:** Native Texan; raised in Corpus Christi (Copper Canyon resident since 1991)  
Married to husband Emil Tejml (engineer & attorney, retired Hoechst-Celanese VP)  
(In case you wondered, his Czech name does rhyme – A mull TAY mull.)  
Three adult children (all A&M grads), seven grandchildren (ages 4 to 28)  
With corporate moves, we have lived in 4 states, 6 Texas cities & worked abroad  
Stay-at-home mother, until I became an attorney at age 40.

**EDUCATION:** University of Texas at Austin (B.A. History)  
University of Hawaii (all summer, literature & history of the Pacific)  
Texas A&M University at Kingsville (M.A. History)  
Rice University (full scholarship for PhD History, lack dissertation for degree)  
New York University Law School (2 years) - U. of Houston Law School (LL.B.)

**MAYOR:** **Town of Copper Canyon for 12 years; re-elected unopposed 7<sup>th</sup> term 2017-2019**

**2015 Copper Canyon ranked #6 in Ten Best Neighborhoods in DFW Metroplex by *Dallas Morning News*, ranked #4 in safety for residents**

**Leadership North Texas Graduate – North Texas Commission – 2015 Class 6**

**Denco 911 – Board of Managers 2013-2017; nominee for 3rd term 2017-2019**

### **“What’s Happening in Copper Canyon”**

For 12 years I have personally written this monthly Mayor’s column in  
The *Cross Timbers Gazette*, a local newspaper with 41,000 circulation.  
(Second in circulation in Denton County only to the *Dallas Morning News*.)  
This has been my attempt to keep residents informed of events in our Town and  
also of subjects of general interest in the area – roads, water, gas well drilling, etc.

### **Initiated Annual Denton County Mayors Crime Luncheon (2012-2017)**

The goal was to coordinate information on area crime between the Mayors,  
their Police Chiefs, the Denton County Sheriff’s Office, the Commissioners  
Court, our Texas Legislature representatives, and our US Congressman.

### **Denton County Emergency Services District #1**

Our small Town’s dilemma was inability to adequately fund emergency services.  
The Founding Committee’s task was to educate residents on the benefits of an ESD.  
The ESD would collectively provide fire and emergency medical services to the  
towns of Argyle, Bartonville, Copper Canyon, Corral City, Northlake, and FWSD  
#6 and #7 in Lantana. But a specific property tax would be needed to fund it.  
ESD#1 was created in 2006 by a 62% positive vote in a district-wide election.



**Drafting Committee: "Best Practices for Municipalities and Gas Pipelines"**

(Adopted 2010 by most cities and pipeline corporations with gas pipeline operations in Denton County.) This was a collaborative effort of Mayors, Denton County Commissioners, and the Texas Pipeline Association. The goal was to **expedite safe pipeline construction**, but with a **minimal impact** on landowners, local businesses, and future development plans of each city.

**Argyle Volunteer Fire District Board** (Served 12 years, 2005 to present)

**Neighborhood Watch and Crime Prevention**

Copper Canyon does not have a police department. Resident Block Captains were recruited for each street in town. The Town Council then contracted to pay for two Sheriff's Deputies dedicated to Copper Canyon for 80 hours per week. On every shift the Deputy patrols each street in Copper Canyon at least once and sometimes twice. The result has been a virtually crime free community for the past nine years. (It helps that the town is a stable community with neighbors personally knowing each other for years.)

**LEGAL:** Solo Attorney 15 years (General Civil Practice - municipal, family law, oil & gas)  
Matagorda County Bar Association - President  
State Bar of Texas: State CLE Committee  
District 5 Admissions  
Texas Bar Foundation - Life Member

**FAMILY LAW:** Board Certified Family Law (for 10 years)  
Texas Supreme Court Committee on Child Support Guidelines  
Texas Supreme Court Committee on Child Visitation Guidelines

**MUNICIPAL:** City Attorney of Bay City, Texas (for 6 years; population approx. 20,000)  
Municipal Prosecutor  
Legal Advisor to Police Department  
Bay City Home Rule Charter Commission (elected public office, Co-Chairman)  
Texas City Attorneys Association

**VOLUNTEER:** CASA of Denton County (2 years)  
(Volunteer as a Court appointed Special Advocate for abused children)  
HUG Romania – Volunteer in a Romanian orphanage for 3 weeks  
CERT trained for Town of Copper Canyon's Emergency Response

**INTERESTS:** **Home Design:** Designed 5 of our family homes, including home in Copper Canyon  
**Misc.:** Computer, cooking, dollhouse miniatures, hunting, organic gardening  
**Read:** Biography, history, current global events, 1800's British romance novels

**WORLD TRAVEL:** Eisenhower "People to People Ambassador" – Texas guest of China's Department of Justice for one month with 50 American women attorneys & judges

**Have visited for a week to a month each in:** Alaska, Australia, Bermuda, Beirut, Canada, China, Czech Republic, England, France, Germany, Greece, Hawaii, Ireland, Italy, Japan, Mexico, Romania, Russia, Saudi Arabia, Scotland, Singapore, Switzerland, Tahiti, Turkey, Venezuela, & Wales.

**Hope to visit:** Africa, Argentina, Brazil, Egypt, India, Israel, New Zealand, Peru, & Tasmania.

**2017 Travel:** Two weeks in Far East in April – Korea and Japan (Hopefully, without military conflict)

**NOTE:** Way more than you wanted to know! But, if you have read this far – Thank you.

Being on Denco 911's Board for four years has been an enlightening experience for me. We take for granted that when we call 911, a qualified person will answer and immediately send help. Dallas's recent experience is sobering. Lives are at stake when an emergency call center is understaffed AND there are communication difficulties!

The Denton County Sheriff's Office kindly accommodated my request to "sit in" on a shift of 911 active dispatchers. WOW! The stress is so obvious, because minutes mean the difference in response to a heart attack or child not breathing or home fire or traffic accident. Training is critical! The Dispatcher has seconds to get accurate answers from a person who may be understandably hysterical in the midst of a personal emergency or even tragedy!

If you can, I would genuinely appreciate your support for another two years on Denco 911's Board. And, in return, I promise to keep learning how we can make our Denco 911 continue to be the best it can be for everyone in need of emergency response in Denton County.

Sue Tejml

**David Terre**  
**3941 Teal Cove**  
**The Colony, Texas 75056**  
**972 740-4526**

#### EDUCATION

Moberly Community College (2 Years)

Drake University

Earned a BS Degree in Business Administration and a Minor in Economics

#### EMPLOYMENT HISTORY

Enjoyed a wonderful 46 year career working for Wilson Sporting Goods; rose through the ranks to become VP of Sales responsible for all domestic sales. Along the way, also managed European Sales Operations while living in Germany and playing professional basketball in Belgium. Worked in marketing coordinating successful new product introductions; and, also managed West Coast Distribution Operations.

#### THE COLONY PLANNING and ZONING COMMISSION

Served 3 years- 2008 thru 2011 as a member and Vice Chair of the board.

#### THE COLONY CITY COUNCIL

- Elected in 2011 and received the honor of being elected Mayor Pro Tem during my first term.
- In 2012 appointed to the Local Development Corporation Board of Directors to oversee Grandscape (Nebraska Furniture Mart) Development.
- In 2013 became the first Council Member from The Colony to ever be elected to Denton County Tax Appraisal District Board of Directors.
- Was reelected in 2014 to a second term on council, receiving 71% of the total vote in a three candidate race.

#### HONORS RECEIVED

1982 Drake University Basketball Hall of Fame

1994 Moberly Community College Basketball Hall of Fame

1995-2003 Three-time Senior Olympics Gold Medal Winner playing for the USA Basketball Team

1999 Received Wilson Wall of Fame Honor

2007 Selected as Moberly Community College Outstanding Alumni of The Year

2013 Received Washington High School Hall of Honor Award

**Chrystal Davis**  
1317 Oneida Drive, Carrollton, TX 75010  
940-465-6860  
[Chrystal.Davis@cityofcarrollton.com](mailto:Chrystal.Davis@cityofcarrollton.com)

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**Summary:**

An effective problem solver and relationship builder skilled in enlisting the support of team members in aligning with project and organizational goals. Executive Team member with over 12 years' experience in municipal government providing guidance and direction to various operational areas.

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**Experience:**

**City of Carrollton, Carrollton, TX**

Assistant City Manager

Jan 2016 – present

- Provide direction and guidance to various departments, which include Parks and Recreation, Library, Fleet and Facilities, Human Resources and Administrative Services. Work with various departments in regards to our regional dispatch center, NTECC. Evaluate performance within assigned City departments, program categories and services to ensure prompt, efficient and effective service delivery.
- Responsible for assistance and support to the City Manager and City Council. Assists the City Council in responding to inquiries and/or requests for information from citizens.

**City of Carrollton, Carrollton, TX**

Workforce Services & Civil Service Director

July 2013–Jan 2016

- Responsible for daily operational HR functions, to include: Strategic planning, staffing, employee relations/investigations, HRIS administration, management development, performance management, benefit administration and civil service administration.
- Successfully took all employee benefits to market and transitioned to a new TPA and healthcare network.
- Worked closely with the Deferred Compensation Employee Advisory committee and The Hyas Group to consolidate deferred compensation providers.
- Worked with NTECC Executive Director and Board to establish new policies and HR procedures for the consolidated dispatch center.
- Transitioned to a robust Applicant Tracking system with Spanish application capabilities, a customizable screening tool and a manager self-service component.
- Transitioned working spouses off of the health plan which resulted in an approximate \$700,000 savings to the health fund.
- Eliminated performance evaluations and transitioned the organization to goal setting.
- Conducted a dependent audit which eliminated 12 dependents from the health plan and provided a \$60,000 savings to the health fund.
- Introduced lower cost healthcare solutions to the clinic to save employee & health fund dollars.
- Shared HR and clinic services with multiple governmental entities.

**City of Carrollton, Carrollton, TX**

Workforce Services Manager & Civil Service Administrator

May 2007–July 2013

- Responsible for HR functions, to include: Strategic planning, staffing, employee relations/investigations, management development, performance management and civil service administration. Lead a staff of 5 in support of 850+ employees in 20+ locations.
- Successfully competed with the open market and was declared Substantially Competitive maintaining all HR functions. Down-sized from a staff of 12 to 7.75.
- Eliminated department overtime for 5 consecutive years with a savings over \$50,000.
- Provided in-house recruitments for key positions to eliminate headhunter costs resulting in approximately \$100,000 savings.
- Hired Stimulus Workers and hosted a job fair in effort to fill 250 positions for 42 local businesses, including the City of Carrollton. Efforts recognized by the Wall Street Journal.
- Implemented first online application system and initiated the automation of hiring and exiting forms. Designed workflow for paperless personnel files.
- Implemented the Employee Health & Wellness Center.

**City of Carrollton, Carrollton, TX**

Staffing Coordinator &amp; Civil Service Administrator

Mar 2005–May 2007

- Worked on the Lawson project to setup first online application system that would interface with the new HRIS.
- Screened paper applications and managed advertising contracts.
- Coordinated special recruitments and conducted pre-employment testing.
- Conducted FLSA audit various positions not previously audited.
- Updated job descriptions and created job descriptions for new positions.
- Maintained DOT drug testing software and handled all random drug testing.
- Administered all Civil Service exams and served as the liaison to the Civil Service Commission.

**Financial Center Credit Union, Stockton, CA**

Human Resources &amp; Development Manager

Mar 2002–Mar 2005

- Responsible for all HR functions, including: Strategic planning, staffing, employee relations, ADP payroll, management development, benefits administration, compensation & classification and performance management.
- Supported 120 employees in 4 locations.
- Instituted first Classification and Compensation system to ensure market competitiveness.
- Handled all workers' compensation claims and unemployment hearings.
- Developed training curriculum for new loan software and transitioned organization to automated underwriting system.

**Providian Financial, Sacramento, CA**

Trainer/On-The-Job Training Coach/Collection Rep

Apr 2000-Mar 2002

- Trained new collection representatives.
- Monitored calls for quality assurance.
- Coached employees on the job for maximum performance & customer service.
- Trained and transitioned 400 sales employees to collections.

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**Education:** California State University Stanislaus, Turlock, CA  
Bachelor's Degree – Business Administration

**Certification:** Certified Public Manager (CPM), Arlington, TX – in progress  
Texas State University – NCTCOG

**Professional in Human Resources (PHR)**

Human Resource Certification Institute

**Society for Human Resource Management - Certified Professional (SHRM-CP)**

Society for Human Resource Management

**Advisory  
Roles:**

Carrollton Leadership Academy (CLA), Organizational Efficiency Task Force (OETF),  
Compensation Committee, IT Technical Advisory Committee, Fiduciary Committee, IT Steering  
Committee, Executive Team

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, APPOINTING ONE MEMBER TO THE BOARD OF MANAGERS OF THE Denco 9-1-1 DISTRICT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 772, Health and Safety Code, provides that two voting members of the Board of Managers of an Emergency Communication District shall be appointed jointly by all cities and towns lying wholly or partly within the District;

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

**SECTION 1**

The City of Carrollton hereby votes for \_\_\_\_\_ as the City's appointed member of the Board of Managers for the Denco Area 9-1-1 Emergency Communication District.

**SECTION 2**

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

**DULY PASSED AND APPROVED** by the City Council of the City of Carrollton, Texas this 11<sup>th</sup> day of July, 2017.

\_\_\_\_\_  
Kevin Falconer, Mayor

**ATTEST:**

\_\_\_\_\_  
Laurie Garber, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Meredith Ladd, City Attorney



# City of Carrollton

## Agenda Memo

File Number: 3332

**Agenda Date:** 7/11/2017

**Version:** 1

**Status:** Public  
Hearing/Individual  
Consideration

**In Control:** City Council

**File Type:** Public Hearing

**Agenda Number:** 17.

**CC MEETING:** July 11, 2017

**DATE:** June 5, 2017

**TO:** Erin Rinehart, City Manager

**FROM:** Michael McCauley, Senior Planner

Hold A **Public Hearing And Consider A Resolution To Amend The Comprehensive Plan And Future Land Use Map To Change An Approximately 11-Acre Site Located At The Northwest Corner Of Dozier Road And Plano Parkway From Medium Intensity Commercial And Medium Intensity Office Uses To Single-Family Detached Residential Uses.** Case No. 04-17MD1 Mustang Park, Phase 10 (Comprehensive Plan). Case Coordinator: Michael McCauley.

### **BACKGROUND:**

This is a request for an amendment to the Comprehensive Plan and Future Land Use Map to amend the land use designations for an approximately 11-acre site from medium intensity commercial and medium intensity office uses to single-family detached residential uses.

A companion request to amend the zoning on the property is on this agenda as Case No. 04-17Z1 Mustang Park, Phase 10.

### **STAFF RECOMMENDATION/ACTION DESIRED:**

On June 1, 2017, the Planning & Zoning Commission recommended **APPROVAL**. The attached resolution reflects the action of the Commission. The action of the Commission was unanimous and no public opposition has been received.

**RESULTS SHEET**

**Date:** 07/12/17

**Case No./Name:** 04-17MD1 Mustang Park, Phase 10 (Comp Plan)

**A. STIPULATIONS AND RECOMMENDATIONS**

Staff recommends approval.

**B. P&Z ACTION** from P&Z meeting: 06/01/17  
Result: **APPROVED** /Vote: 9-0

**C. CC RECOMMENDATION** from CC meeting: 07/11/17  
Result: /Vote:



## **FUTURE LAND USE MAP AMENDMENT**

Case Coordinator: Michael McCauley

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### **GENERAL PROJECT INFORMATION**

**LAND USE:** Medium Intensity Commercial and Medium Intensity Office

	<b><u>SURROUNDING ZONING</u></b>	<b><u>SURROUNDING LAND USES</u></b>
NORTH	PD-207 for the (SF-5/15) Single-Family Residential District and Town of Hebron	Proposed Single-Family Subdivision and Existing Commercial Use (Hebron)
SOUTH	PD-175 for the (LR-2) Local Retail District (Part of Mustang Park)	Undeveloped
EAST	Town of Hebron	Undeveloped and Commercial Type Use
WEST	PD-193 for the (CC) Corporate Commercial District	Warehouse Distribution

**REQUEST:** Approval of an amendment to the Land Use designations shown on the Comprehensive Plan's Future Land Use Map from "Medium Intensity Commercial and Medium Intensity Office" to "Single Family Detached Residential" to allow for a proposed Single-Family Residential subdivision (Case No. 04-17Z1 Mustang Park).

**PROPOSED USE:** Single-Family Residential Subdivision

**ACRES/LOTS:** Approximately 11 acres

**LOCATION:** Northwest corner of Dozier Road and Plano Parkway

**HISTORY:** PD-175 (Ordinance 3019) was established in 2005 for the Mustang Park development.

PD-175 has been through various changes since its initial Council adoption.

**COMPREHENSIVE PLAN:** Medium Intensity Commercial and Office

**TRANSPORTATION PLAN:** Plano Parkway is designated as an (A6D) Six-Lane Divided Arterial and Dozier is designated as a (C2U) Two-Lane Undivided Collector.

**OWNER:** Mustang Carrollton Properties, Ltd.

**REPRESENTED BY:** Jed Dolson/Green Brick Partners

## **STAFF ANALYSIS**

### **PROPOSAL**

Approval of an amendment to the Land Use designations shown on the Comprehensive Plan's Future Land Use Map from "Medium Intensity Commercial and Medium Intensity Office" to "Single Family Detached Residential" to allow for a proposed Single-Family Residential subdivision (Case No. 04-17Z1 Mustang Park), Latera.

### **ELEMENTS TO CONSIDER**

1. A companion request to amend the zoning on the subject property is on this agenda (Case No. 04-17Z1 Mustang Park, Phase 10).

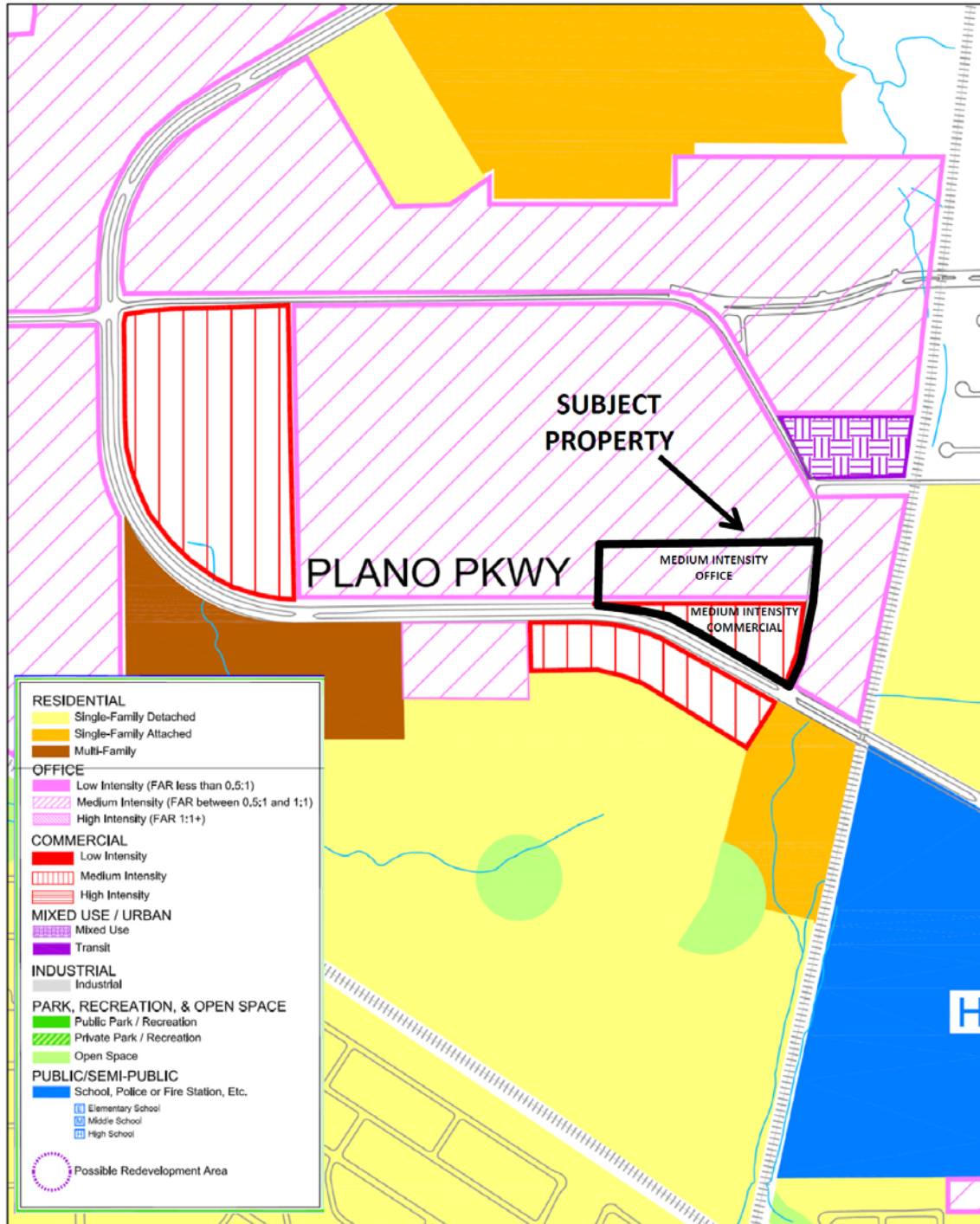
### **CONCLUSION**

The proposed changes to the Future Land Use Map appear appropriate and consistent with the proposed zoning with the accompanying Case No. 04-17Z1 Mustang Park, Phase 10 (Zoning).

**AERIAL PHOTO**

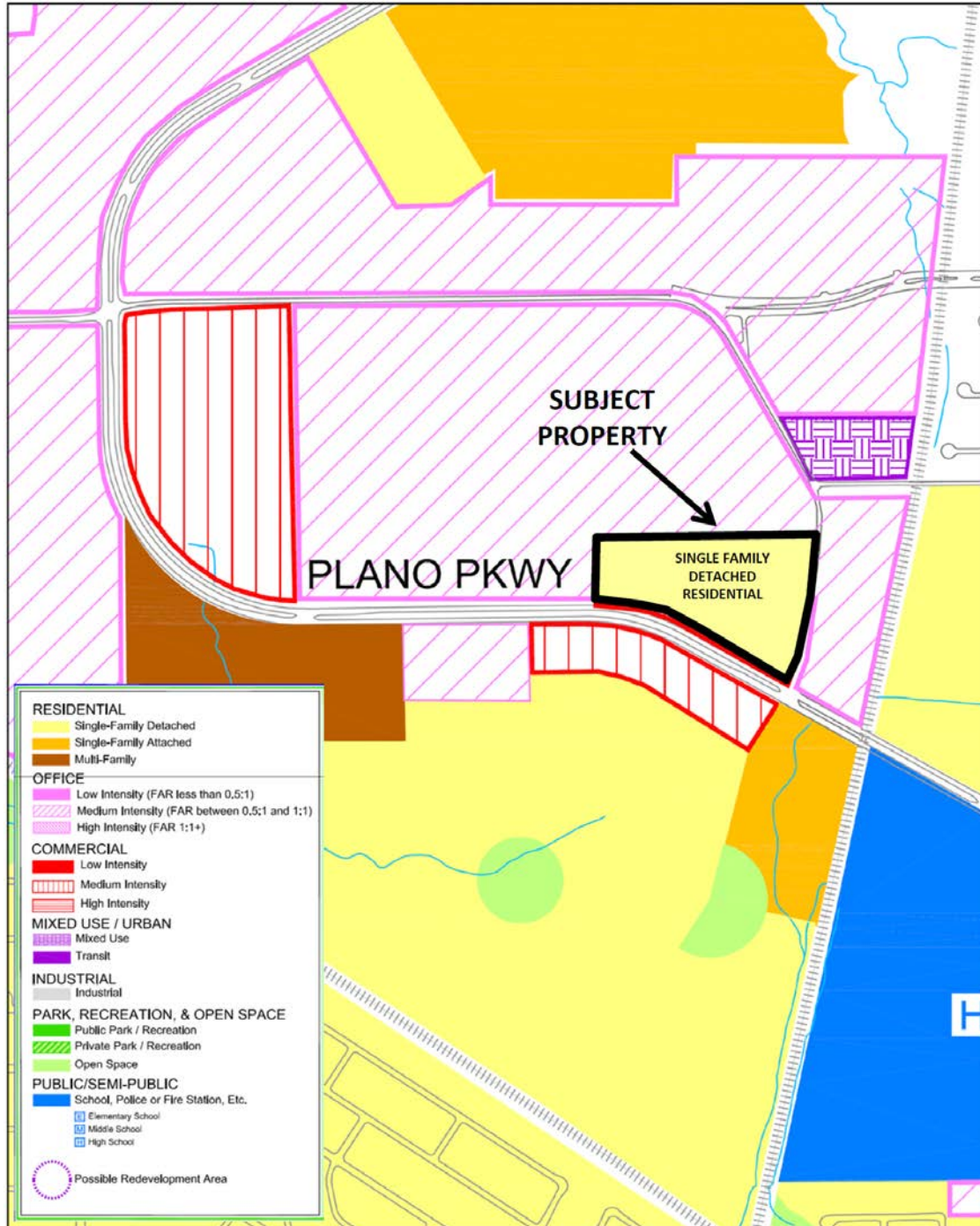


**EXHIBIT A  
CURRENT LAND USE MAP**





**EXHIBIT B**  
**PROPOSED LAND USE MAP**



PUBLIC COMMENTS  
CASE NOS. 04-17Z1 AND 04-17MD1  
MUSTANG PARK, PHASE 10

04-17MD1  
Case No/Name: 04-17Z1 Date: 5-24-17  
Name: Billingsley Pin Oak Partners  
Address: 1722 Routh St. Ste 770  
City, ST, ZIP: Dallas, TX 75201

Received

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

MAY 30 2017

Comments: We think this zoning change  
will benefit the neighborhood

Planning  
City of Carrollton

Signature: H. Billingsley

**Excerpt from Draft Minutes  
Planning & Zoning Commission  
Meeting of June 1, 2017**

*Chair Averett advised that Items 5 and 6 would be heard simultaneously with separate action.*

5. Public Hearing To Consider And Act On A Resolution To **Amend The Comprehensive Plan** And The Future Land Use Map To Change An Approximately 11-Acre Site Located On The Northwest Corner Of Dozier Road And Plano Parkway From Medium Intensity Commercial And Medium Intensity Office To Single-Family Detached Residential. **Case No. 04-17MD1 Mustang Park Phase 10 (Comprehensive Plan)**. Case Coordinator: Michael McCauley.
6. Public Hearing To Consider And Act On An Ordinance To **Amend The Zoning** On An Approximately 11-Acre Tract Zoned (CC) Corporate Commercial District And PD-175 For The (LR-2) Local Retail District Located On The Northwest Corner Of Dozier Road And Plano Parkway (FM 544) To PD-175 To Allow For The (SF-5/12) Single-Family Residential District; Amending The Official Zoning Map Accordingly. **Case No. 04-17Z1 Mustang Park Phase 10 (Zoning)**. Case Coordinator: Michael McCauley.

Senior Planner Michael McCauley presented the two cases regarding Mustang Park Phase 10. Staff recommended approval with the stipulations outlined in the case report as well as the addendum presented during the Worksession with three additional stipulations. He advised that staff did not receive any comments in opposition and did receive one notice in support of the requests.

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

- \* *Kraus moved to close the public hearing on Item 5 and approve the amendment to the Comprehensive Plan for Case No. 04-17MD1 Mustang Park Phase 10 in accordance with the stipulations and amendments; second by Chadwick and the motion was approved with a unanimous 9-0 vote.*
- \* *Chadwick moved to close the public hearing and approve Case No. 04-17Z1 Mustang Park Phase 10 (Zoning) with staff stipulations plus the three additional stipulations that were presented in the Worksession; second by Kiser and the motion was approved with a unanimous 9-0 vote.*

Resolution No. \_\_\_\_\_

PLANNING DEPARTMENT  
City of Carrollton

DEVELOPMENT NAME:  
Mustang Park, Phase 10 (Comprehensive Plan)

**RESOLUTION NUMBER \_\_\_\_\_**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING THE COMPREHENSIVE PLAN ADOPTED BY RESOLUTION NUMBER 2672 ON FEBRUARY 18, 2003, TO AMEND THE DESIGNATION FOR AN APPROXIMATELY 11-ACRE TRACT OF LAND LOCATED AT THE NORTHWEST CORNER OF DOZIER ROAD AND PLANO PARKWAY FROM MEDIUM INTENSITY COMMERCIAL AND MEDIUM INTENSITY OFFICE TO SINGLE FAMILY DETACHED RESIDENTIAL; AMENDING ACCORDINGLY THE FUTURE LAND USE MAP; PROVIDING SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION.

**WHEREAS**, the Planning & Zoning Commission reviewed and studied an amendment to the Comprehensive Plan (Case No. 04-17MD1); and

**WHEREAS**, the Planning & Zoning Commission conducted a public hearing on June 1, 2017, and after all persons were given an opportunity to present testimony, considered and recommended the following change regarding an appropriate future land use; and

**WHEREAS**, the City Council conducted a public hearing on July 11, 2017, at which all persons were given an opportunity to present testimony; and

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

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

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

Section 1.

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



Section 2.

The 2003 Comprehensive Plan is hereby amended for only that 11 acre tract of land located at the northwest corner of Dozier Road and Plano Parkway shown to be designated for Medium Intensity Commercial and Medium Intensity Office on the attached Exhibit A, by amending said tract to provide for the Single Family Detached Residential land use designation as identified on Exhibit B. This amendment, collectively with all other existing Comprehensive Plan provisions will constitute the Comprehensive Plan for all matters related to long-range guidance relative to zoning decisions, land subdivision, thoroughfare construction and growth management on such property.

Section 3.

An amendment to the Future Land Use Map of the City's Comprehensive Plan for said tract, which amendment is attached hereto as Exhibit B and incorporated herein for all purposes, is hereby adopted by the City Council.

Section 4.

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

Section 5.

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

Section 6.

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

Resolution No. \_\_\_\_\_

PASSED AND APPROVED this the Eleventh day of July, 2017.

CITY OF CARROLLTON

By: \_\_\_\_\_  
Kevin Falconer, Mayor

ATTEST:

\_\_\_\_\_  
Laurie Garber  
City Secretary

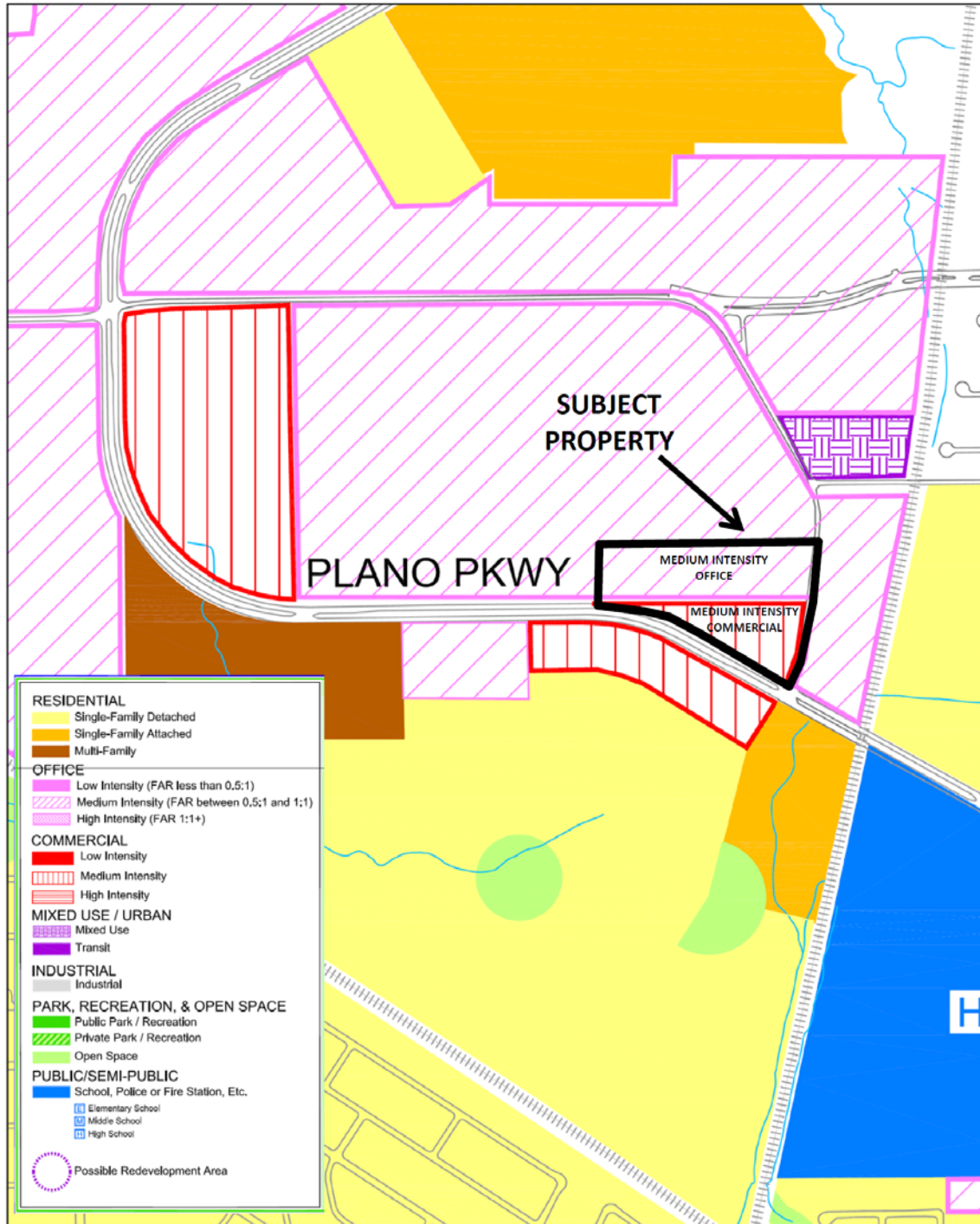
APPROVED AS TO FORM:

\_\_\_\_\_  
Susan Keller  
Assistant City Attorney

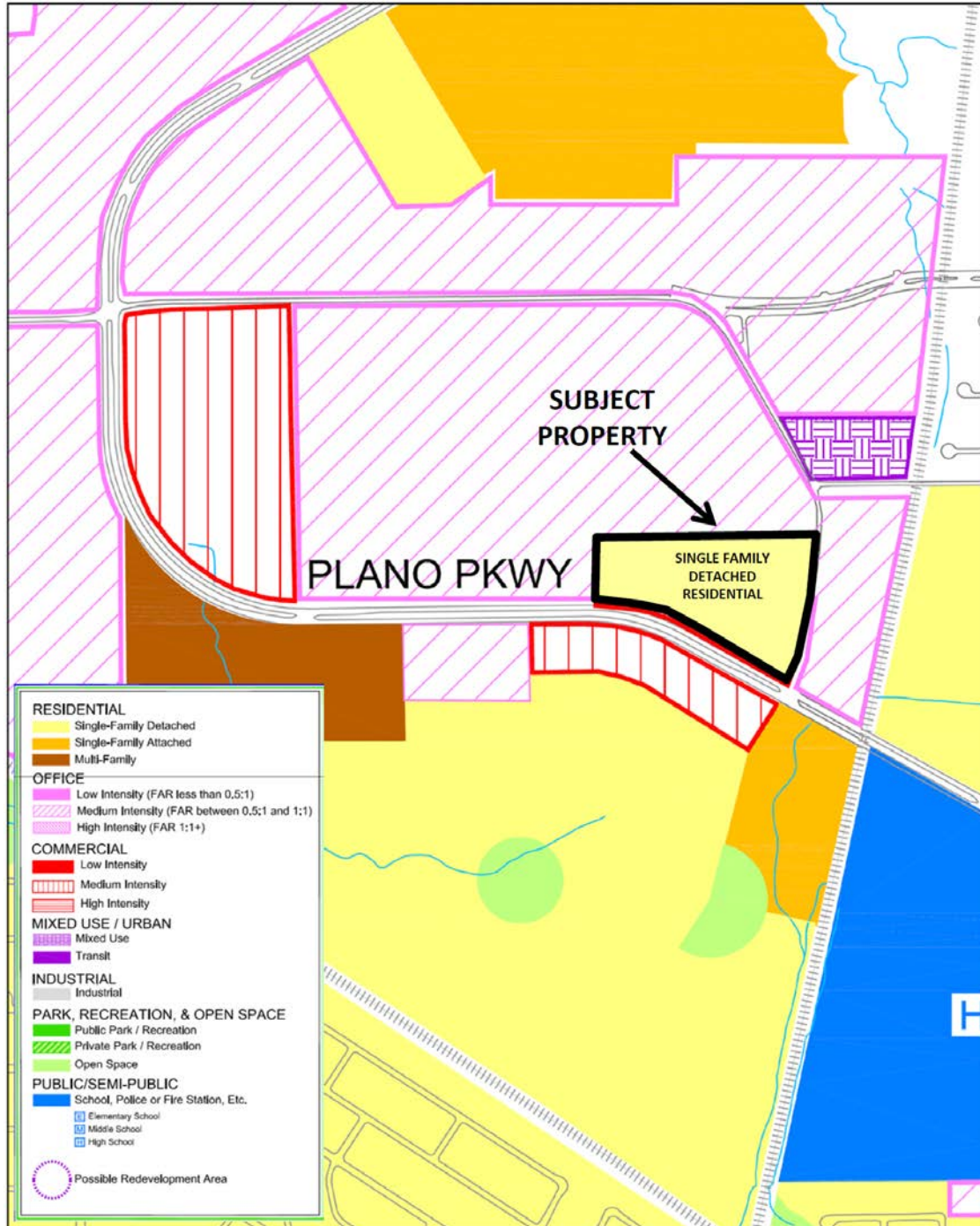
APPROVED AS TO CONTENT:

\_\_\_\_\_  
Michael McCauley  
Senior Planner

## EXHIBIT A CURRENT LAND USE MAP



**EXHIBIT B**  
**PROPOSED LAND USE MAP**





# City of Carrollton

## Agenda Memo

File Number: 3333

**Agenda Date:** 7/11/2017

**Version:** 1

**Status:** Public  
Hearing/Individual  
Consideration

**In Control:** City Council

**File Type:** Public Hearing

**Agenda Number:** 18.

**CC MEETING:** July 11, 2017

**DATE:** June 5, 2017

**TO:** Erin Rinehart, City Manager

**FROM:** Michael McCauley, Senior Planner

Hold A **Public Hearing And Consider An Ordinance To Amend The Zoning On An Approximately 11-Acre Tract Zoned (CC) Corporate Commercial District And PD-175 For The (LR-2) Local Retail District, Located At The Northwest Corner Of Dozier Road And Plano Parkway To PD-175 To Allow For The (SF-5/12) Single-Family Residential District; Amending The Official Zoning Map Accordingly. Case No. 04-17Z1 Mustang Park, Phase 10 (Zoning). Case Coordinator: Michael McCauley.**

### **BACKGROUND:**

This is a request for approval of an amendment to PD-175 from the (LR-2) Local Retail District and (CC) Corporate Commercial District to the (SF-5/12) Single-Family Residential District with modified development standards.

A companion case to amend the Comprehensive Plan and Future Land Use Map for the property is also on this agenda as Case No. 04-17MD1 Mustang Park, Phase 10 - Comp Plan.

### **STAFF RECOMMENDATION/ACTION DESIRED:**

On June 1, 2017, the Planning & Zoning Commission recommended **APPROVAL**. The attached ordinance reflects the action of the Commission. The action of the Commission was unanimous and no public opposition has been received.

## RESULTS SHEET

**Date:** 07/12/17

**Case No./Name:** 04-17Z1 Mustang Park, Phase 10

### A. STIPULATIONS AND RECOMMENDATIONS

Staff recommends approval with the following stipulation:

1. Development shall be in general conformance with the attached applicant's exhibits, provided however that:
  - a. A masonry screening wall shall be shown on the Conceptual Landscape Plan along the southern, eastern and western boundary ensuring the detail of the wall is consistent with PD-175.
  - b. The northern perimeter screening shall be a board-on-board wooden privacy fence (6 ft. minimum height) with metal posts facing inward and installed by the developer.
  - c. Privacy fencing for single-family lots:
    - Stained wood fencing with metal poles. Metal poles shall be used for fence support, but on the inside of the fence.
    - The maximum height of fences shall be six feet (6').
    - Fences may not extend closer than ten feet (10') from the nearest front corner of the home
  - d. Front Yard Trees:
    - At least one (1) ornamental tree shall be required in front yard of each lot. The placement of trees shall not impede sight visibility.
    - Multi-trunk trees shall be a minimum of three inches (3") in diameter measured as follows: the diameter of the largest stem plus ½ the diameter of remaining stems.
  - e. Electric meters, gas meters, air conditioning equipment and all other similar equipment and appurtenances shall not face any public street.
  - f. An "entry ribbon" consisting of decorative pavers or stained and pattern-stamped concrete shall be provided at all entrances of the subdivision. Said entry ribbon shall be no less than six feet (6') in depth and shall extend across the width of the entrance. The entry ribbon shall be called-out on the Conceptual Landscape Plans and Zoning Exhibit at the entrances from Plano Parkway and Dozier Road.
  - g. Minimum front yard setback (house face) shall be ten feet (10') and maximum twenty feet (20'); the minimum front yard setback for a garage shall be twenty feet (20').
  - h. Carports and garage awnings are prohibited.
  - i. Front-entry garages are permitted.

- j. All garage doors shall be a decorative wood or “faux wood” or equivalent paneled door.
- k. The cul-de-sac pavement radius shall be fifty feet (50’) minimum to the face of the curb.
- l. Drainage design shall meet the storm water ordinance.
- m. On corner lots, the side setback adjacent to the right-of-way shall be ten (10) feet, including key lots.
- n. Minimum lot size shall be 4,000 square feet.
- o. Minimum lot width shall be forty-five feet (45’).
- p. Minimum lot depth shall be eighty-five feet (85’).
- q. Minimum floor area of dwelling unit shall be 1,800 square feet.
- r. Maximum lot coverage shall be 65%.
- s. Chimneys provided on homes adjacent to Parker Road and Dozier Road shall either be 100% masonry or direct vent.
- t. Exterior façade materials shall consist of a minimum of ninety percent (90%) brick and/or stone.

**B. P&Z ACTION** from P&Z meeting: 06/01/17  
Result: **APPROVED** with stipulations /Vote: 9-0

**C. CC RECOMMENDATION** from CC meeting: 07/11/17  
Result: /Vote:

## ZONING

Case Coordinator: Michael McCauley

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### **GENERAL PROJECT INFORMATION**

**SITE ZONING:** (CC) Corporate Commercial District and PD-175 for the (LR-2) Local Retail District

	<b><u>SURROUNDING ZONING</u></b>	<b><u>SURROUNDING LAND USES</u></b>
NORTH	PD-207 for the (SF-5/15) Single-Family Residential District and Town of Hebron	Proposed Single-Family Residential Subdivision and Existing Commercial Use (Hebron)
SOUTH	PD-175 for the (LR-2) Local Retail District (Part of Mustang Park)	Proposed Office Condo Across Plano Parkway
EAST	Town of Hebron	Undeveloped and Commercial Type Use
WEST	PD-193 for the (CC) Corporate Commercial District	Warehouse Distribution

**REQUEST:** Approval of an amendment to PD-175 (rezoning from LR-2 and CC to (SF-5/12) Single-Family Residential) for a future subdivision, Latera

**PROPOSED USE:** Single-Family residential subdivision

**ACRES/LOTS:** Approximately 11 acres/55 residential lots and five common area lots

**LOCATION:** Northwest corner of Dozier Road and Plano Parkway

**HISTORY:** PD-175 (Ordinance 3019) was established in 2005 for the Mustang Park development.

PD-175 has been through various changes since its initial Council adoption.

**COMPREHENSIVE PLAN:** Medium Intensity Commercial and Office

**TRANSPORTATION PLAN:** Plano Parkway is designated as an (A6D) Six-Lane Divided Arterial and Dozier is designated as a (C2U) Two-Lane Undivided Collector.

**OWNER:** Mustang Carrollton Properties, Ltd.

**REPRESENTED BY:** Jed Dolson/Green Brick Partners



## **STAFF ANALYSIS**

### **PROPOSAL**

The applicant is requesting an amendment to PD-175 (rezoning from LR-2 and CC to SF-5/12 Single-Family Residential) for a future single-family residential subdivision, Latera.

### **ELEMENTS TO CONSIDER**

1. The applicant proposes a 55 lot residential subdivision.
2. The PD will change the zoning to (SF-5/12) Single-Family Residential with some alternative to the requirements of the Comprehensive Zoning Ordinance.
3. The HOA will be responsible for the improvement and maintenance of all common areas and/or common facilities contained within the area of the Conceptual Site Plan and Landscape Plans.
4. Alleys are not required.
5. All garage doors shall be a decorative wood or “faux wood” or equivalent paneled door.
6. Chimneys provided on homes adjacent to Plano Parkway and Dozier Road shall either be 100% masonry or direct vent.
7. An “entry ribbon” consisting of decorative pavers or stained and pattern-stamped concrete shall be placed in each entry driveway. Said entry ribbon shall be no less than six feet (6’) in depth and shall extend across the width of the driveway.
8. The minimum exterior brick or stone content is 70%; the applicant proposes a minimum 90% brick and stone veneer.
9. Per Article XI, Section F of the Comprehensive Subdivision Ordinance, a solid opaque masonry screening wall is required along Plano Parkway and Dozier Road.
10. Per Article XXV, Section C of the Comprehensive Zoning Ordinance, a solid opaque masonry screening wall is required along the western perimeter of the proposed subdivision.

### **DEVELOPMENT STANDARDS (LOTS AND HOMES):**

- On corner lots, the side setback adjacent to the right-of-way shall be ten (10) feet, including key lots.
- Carports are prohibited.
- Front-entry garages are permitted.
- Minimum lot size shall be 4,000 square feet in lieu of 5,000 square feet.
- Minimum lot width shall be forty-five feet (45’) in lieu of fifty feet (50’).
- Minimum side yard setback shall be ten feet (10’) on street in lieu of fifteen feet (15’).
- Minimum front yard setback shall be ten feet (10’) and maximum twenty feet (20’) in lieu of twenty feet (20’); twenty feet (20’) to garage in lieu of eighteen feet (18’).
- Maximum lot coverage shall be 65% instead of 55%.
- Minimum living floor area of dwelling unit shall be 1,800 square feet in lieu of 1,200 square feet.
- Minimum brick/stone façade content shall be 90% instead of 70%.

- Chimneys provided on homes adjacent to Parker Road and Dozier Road shall either be 100% masonry or direct vent.

#### **CONCLUSION**

Staff believes the development proposal to amend the Planned Development is appropriate for the proposed residential subdivision. Further, the development proposal is consistent with recent development proposals in the area.

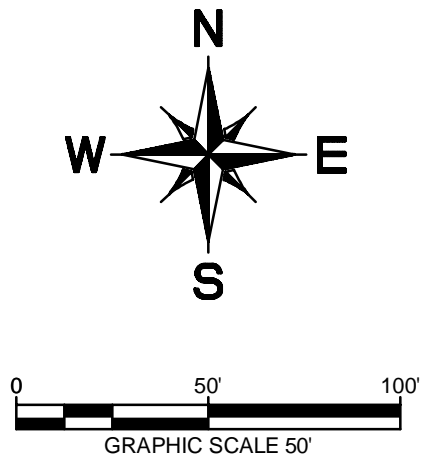
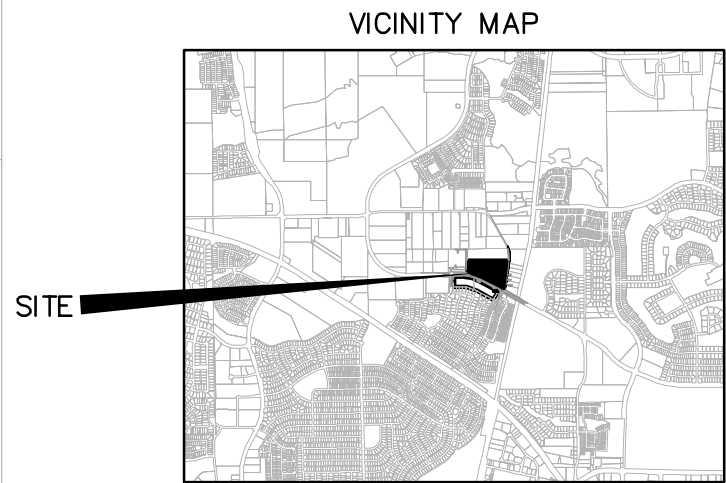


AERIAL PHOTO





Plotted By: Ross, Casey Date: June 28, 2017 04:32:03pm File Path: K:\VRL\Civil\084497502-Latera\CAD\Preliminary\Exhibits\ZONING EXHIBIT.dwg  
This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. and be without liability to Kimley-Horn and Associates, Inc.



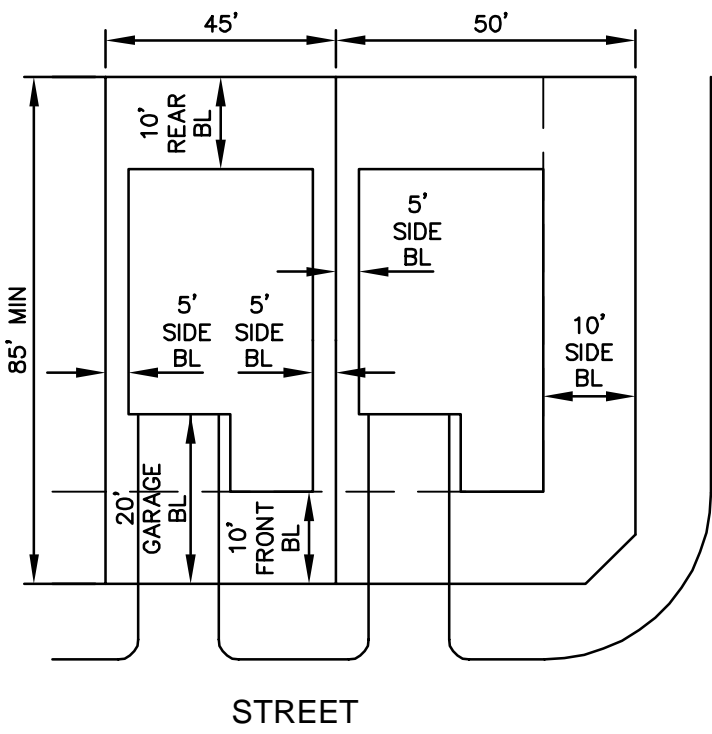
PD 193  
AUSTIN RANCH COMMERCIAL  
VOL. 1412, PG. 469

AREA DESIGNATION	CUMULATIVE AREA (AC)	PARCEL 19493 AREA (AC)	PARCEL 99137 AREA (AC)
RIGHT-OF-WAY	2.607 AC	1.726 AC	0.881 AC
OPEN SPACE	0.797 AC	0.226 AC	0.571 AC
RESIDENTIAL LOT	6.964 AC	5.391 AC	1.573 AC
BUFFER	0.649 AC	0.219 AC	0.430 AC

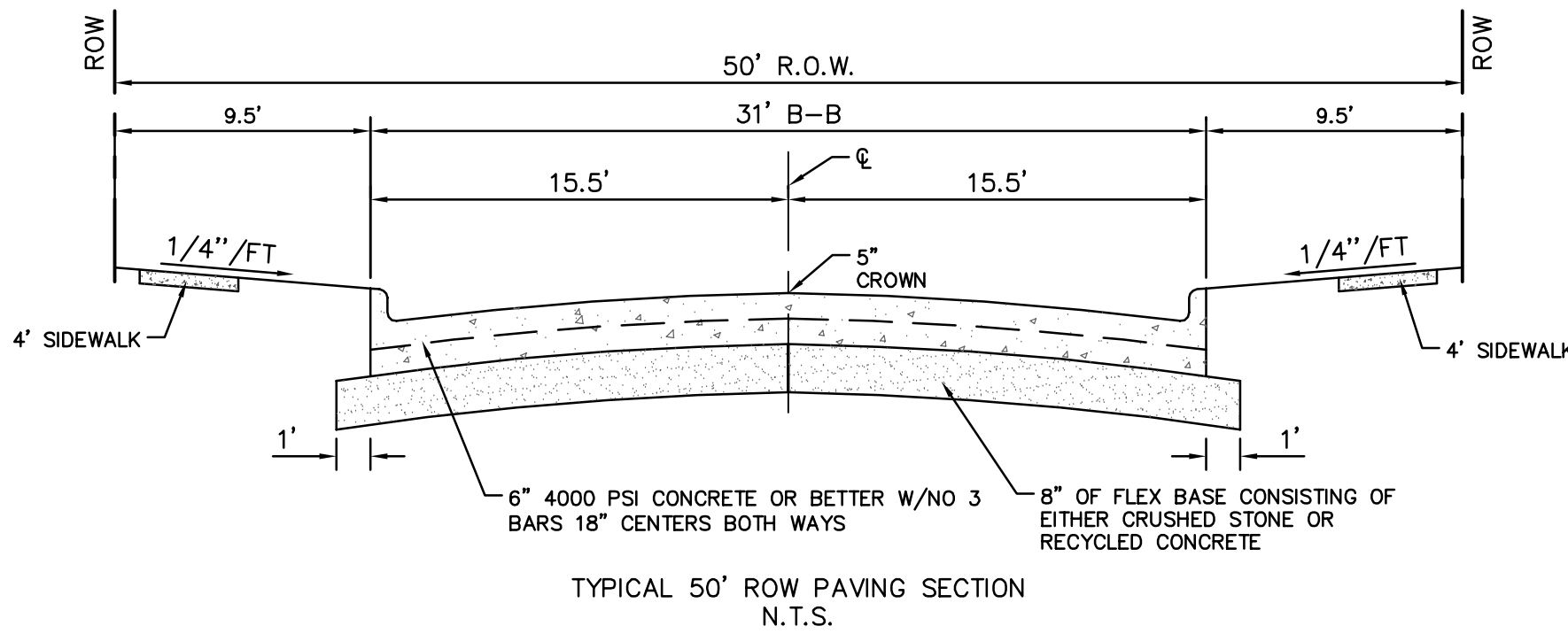
#### NOTES:

1. PROPOSED ZONING IS PD-175 FOR THE (SF-5/12) SINGLE FAMILY RESIDENTIAL DISTRICT.
2. ACCORDING TO FIRM MAP NO. 48085C0365J PREPARED BY FEMA FOR DENTON COUNTY, TEXAS THIS PROPERTY IS WITHIN ZONE X.
3. ALL NEW UTILITIES TO BE INSTALLED UNDERGROUND.
4. ALL SETBACKS ARE AS FOLLOWS:
  - 4.1. MINIMUM LOT AREA 4,000 SF
  - 4.2. MINIMUM LOT WIDTH 45' (40' ALONG CUL-DE-SACS & ELBOWS)
  - 4.3. MINIMUM LOT DEPTH 85'
  - 4.4. MINIMUM SIDE YARD SETBACK 5' (10' ON STREET)
  - 4.5. MINIMUM REAR YARD SETBACK 10'
  - 4.6. MINIMUM FRONT YARD LIVING AREA SETBACK IS 10'/MAXIMUM IS 20' (MINIMUM 20' TO GARAGE)
  - 4.7. MAXIMUM LOT COVERAGE 65%
  - 4.8. MINIMUM FLOOR AREA OF DWELLING UNIT 1,800 SF
5. ALL LOTS LABELED "OPEN SPACE LOT" SHALL BE IRRIGATED WITH A FULLY AUTOMATED SPRINKLER SYSTEM.
6. ALL LOTS LABELED "OPEN SPACE LOT" ARE COMMON AREAS AND SHALL BE MAINTAINED BY THE HOA.
7. 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.
8. THE DEVELOPER WILL CONSTRUCT SIDEWALKS ALONG THE REAR AND SIDE OF LOTS THAT ABOUT COLLECTOR OR ARTERIAL THOROUGHFARES OR WHICH ABOUT PERIMETER STREETS, NO SIDEWALK SHALL BE BUILT ALONG DOZIER ROAD.
9. THE BUILDER ON A LOT WILL CONSTRUCT ALL OTHER SIDEWALKS ON THE FRONT AND SIDE OF LOTS ON INTERNAL STREETS.

10. A SIX FOOT (6') HIGH MASONRY SCREENING WALL SHALL BE CONSTRUCTED ALONG THE ENTIRE SOUTHERN, EASTERN AND WESTERN BOUNDARY (EXCEPT ADJACENT TO HOA LOT 2) ENSURING THE DETAIL OF THE WALL IS CONSISTENT WITH PD-175. THE NORTHERN PERIMETER SCREENING SHALL BE A BOARD-ON-BOARD WOODEN PRIVACY FENCE (SIX-FOOT MINIMUM HEIGHT) WITH METAL POSTS FACING INWARD AND CONSTRUCTED BY THE DEVELOPER.
11. 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 PLAN.
12. 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 PERMIT.
13. PER COMPREHENSIVE ZONING ORDINANCE, ARTICLE XXVIII, SECTION A. (1) (D), BLOCK C LOTS 6 & 10 ARE KEY LOTS AND WILL HAVE TWO (2) FRONT YARD SETBACKS.
14. THE HOA WILL BE RESPONSIBLE FOR THE IMPROVEMENT AND MAINTENANCE OF ALL COMMON AREAS AND/OR COMMON FACILITIES CONTAINED WITHIN THE AREA OF THE CONCEPTUAL SITE PLAN AND LANDSCAPE PLANS.
15. ALLEYS ARE NOTE REQUIRED.
16. CARPORTS ARE PROHIBITED.
17. FRONT-ENTRY GARAGES ARE PERMITTED.
18. ALL GARAGE DOORS SHALL BE A DECORATIVE WOOD OR "FAUX WOOD" OR EQUIVALENT PANELED DOOR.
19. CHIMNEYS PROVIDED ON HOMES ADJACENT TO PLANO PARKWAY AND DOZIER ROAD SHALL EITHER BE 100% MASONRY OR DIRECT VENT.



TYPICAL LOT  
DIMENSION DETAIL  
NTS



1ST SUBMITTAL - FEBRUARY 22, 2017  
2ND SUBMITTAL - APRIL 14, 2017  
3RD SUBMITTAL - MAY 18, 2017

#### ZONING EXHIBIT

### LATERA

55 RESIDENTIAL LOTS, 5 HOA LOTS  
CITY OF CARROLLTON CASE NO. 04-17Z1

MAY 2017

APPLICANT:  
GREEN BRICK PARTNERS  
2805 N. DALLAS PARKWAY  
SUITE 400  
PLANO, TX 75093  
P (469) 573-6762  
CONTACT: JED DOLSON

OWNER:  
MUSTANG CARROLLTON  
PROPERTIES, LTD.  
16475 DALLAS PARKWAY  
SUITE 800  
ADDISON, TX 75001  
P (972) 931-7400  
CONTACT: STEVE FOLSOM

OWNER:  
BILLINGSLEY PIN OAK  
PARTNERS, LTD.  
1722 ROUTH STREET  
SUITE 770  
DALLAS, TX 75201  
P (214) 270-1000  
CONTACT: KEITH MABRY

ENGINEER / SURVEYOR:  
KIMLEY-HORN & ASSOCIATES  
STATE OF TEXAS  
REGISTRATION No. F-928  
5750 GENESIS COURT  
SUITE 200  
FRISSO, TX 75034  
P (972) 335-3580  
CONTACT: CASEY ROSS

Kimley»Horn



# APPLICANT'S EXHIBITS

## Conceptual Landscape Exhibit

### 1 of 8

#### GENERAL CONSTRUCTION NOTES

1. ALL CONSTRUCTION, TESTING, AND MATERIALS SHALL BE IN ACCORDANCE WITH THE CITY CURRENT STANDARDS, DETAILS, AND SPECIFICATIONS.
2. PRIOR TO ANY CONSTRUCTION ACTIVITIES, THE CONTRACTOR SHALL BE FAMILIAR WITH THE PLANS INCLUDING ALL NOTES, STANDARDS, SPECIFICATIONS, DETAILS, AND CITY STANDARDS.
3. TESTING AND INSPECTION OF MATERIALS SHALL BE PERFORMED BY A COMMERCIAL TESTING LABORATORY APPROVED BY THE CLIENT AND CITY. CONTRACTOR SHALL SUBMIT MATERIALS OR SPECIMENS FOR TESTING, AND SHALL PROVIDE SUFFICIENT EVIDENCE THAT THE MATERIALS PROVIDED TO BE INCORPORATED INTO THE WORK ARE IN ACCORDANCE WITH THE SPECIFICATIONS.
4. CONTRACTOR SHALL NOTIFY THE CITY AT LEAST 48 HOURS PRIOR TO BEGINNING ANY CONSTRUCTION.
5. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO BEGINNING ANY CONSTRUCTION.
6. CONTRACTOR MUST KEEP AVAILABLE COPIES AT ALL TIMES APPROVED CONSTRUCTION PLANS AND COPIES OF ANY REQUIRED PERMITS, ALONG WITH THE CURRENT VERSIONS OF THE FOLLOWING REFERENCES: CITY OF CARROLLTON ENGINEERING STANDARDS, NOTES, SPECIFICATIONS, TIEOUT SPECIFICATIONS, TIEOUT STANDARD DRAWINGS.
7. ALL BEST MANAGEMENT PRACTICES (BMPs) OR OTHER DOCUMENTS WHICH REQUIRE REVIEW BY THE CITY SHALL BE SUBMITTED BY THE CONTRACTOR SUFFICIENTLY IN ADVANCE OF BEGINNING CONSTRUCTION TO ALLOW NO LESS THAN 14 CALENDAR DAYS FOR REVIEW AND RESPONSE BY THE CITY.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL REQUIRED CONSTRUCTION SURVEYING AND STAKING AND SHALL NOTIFY THE CLIENT AND CITY OF ANY DISCREPANCIES PRIOR TO BEGINNING WITH ANY WORK.
9. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL SURVEY MARKERS INCLUDING BENCH MARKS, PROPERTY CORNERS, OR SURVEY MEASUREMENTS WITHIN THE LIMITS OF CONSTRUCTION AND OUTSIDE ROW DURING CONSTRUCTION. ANY SURVEY MARKERS DISTURBED DURING CONSTRUCTION SHALL BE REPLACED BY THE CONTRACTOR AT NO COST TO THE CLIENT.
10. CONTRACTOR IS RESPONSIBLE FOR KEEPING STREET AND DRIVEWAYS ACCESSIBLE TO THE PROJECT PRIOR TO MUD AND DIRT AT ALL TIMES. CONTRACTOR SHALL CLEAN UP AND REMOVE ALL LOOSE MATERIAL RESULTING FROM CONSTRUCTION OPERATIONS. THE CONTRACTOR SHALL TAKE ALL AVAILABLE PRECAUTIONS TO CONTROL DIRT.
11. THE EXISTENCE AND LOCATIONS OF THE PUBLIC AND PRIVATE UTILITIES SHOWN ON THE DRAWINGS WERE OBTAINED FROM A AVAILABLE RECORDED AND ARE APPROXIMATE. THE CONTRACTOR SHALL DETERMINE THE DEPTH AND LOCATION OF EXISTING UNDERGROUND UTILITIES PRIOR TO EXCAVATING, TRENCHING, OR DRILLING AND SHALL BE REQUIRED TO TAKE ANY PRECAUTIONARY MEASURES TO PROTECT ALL LINES SHOWN AND / OR ANY OTHER UNDERGROUND UTILITIES NOT OF RECORD OR NOT SHOWN ON THE PLANS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING ALL PUBLIC AGENCIES AND PRIVATE UTILITIES 48 HOURS PRIOR TO CONSTRUCTION. (2011 TEXAS 190.044-047) THE CONTRACTOR MAY BE REQUIRED TO LOCATE THEIR FACILITIES AT NO COST TO THE CITY. THE CONTRACTOR WILL BE RESPONSIBLE FOR DAMAGE TO UTILITIES IF THE DAMAGE IS CAUSED BY NEGLIGENCE OR FAILURE TO HAVE LOCATIONS DETERMINED.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING FACILITIES OR ADJACENT PROPERTIES DURING CONSTRUCTION. ANY REMEDIAL OR DAMAGE TO EXISTING FACILITIES SHALL BE REPLACED OR REPAIRED TO EQUAL OR BETTER CONDITION BY THE CONTRACTOR.
13. CONTRACTOR SHALL BE RESPONSIBLE FOR PURCHASING AND INSTALLING ALL TEMPORARY AND PERMANENT TRAFFIC CONTROL, IN ACCORDANCE WITH THE MINIMUM REQUIREMENTS OF THE LATEST REVISION OF THE TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (TMUD) AND TIEOUT BARRIAGE AND CONSTRUCTION STANDARDS.
14. CONTRACTOR SHALL NOT IMPERF TRAFFIC ON EXISTING STREETS, DRIVEWAYS, ALLEYS, OR FIRE LANES OPEN TO THE PUBLIC. IN THE EVENT THE CONSTRUCTION WORK REQUIRES THE CLOSURE OF AN EXISTING STREET, ALLEY, OR FIRE LANE, THE CONTRACTOR SHALL ACQUIRE THE ROAD CLOSURE THROUGH THE CITY TRAFFIC DIVISION.
15. CONTRACTOR SHALL NOT STORE MATERIALS, EQUIPMENT OR OTHER CONSTRUCTION ITEMS ON ADJACENT PROPERTIES OR RIGHT-OF-WAY WITHOUT THE PRIOR WRITTEN CONSENT OF THE PROPERTY OWNER AND THE CITY.
16. TEMPORARY FENCING SHALL BE INSTALLED PRIOR TO THE REMOVAL OF EXISTING FENCING. TEMPORARY FENCING SHALL BE REMOVED AFTER PREPARED FENCING IS APPROVED BY THE CITY. ALL TEMPORARY AND PREPARED FENCING LOCATIONS SHALL BE SUBJECT TO FIELD REVIEW AS DIRECTED BY THE CITY.
17. UNDESIRABLE EXCAVATED MATERIAL OR CONSTRUCTION DEBRIS SHALL BE REMOVED AND DISPOSED OF CORRECTLY AT AN APPROVED DISPOSAL FACILITY BY THE CONTRACTOR AT HIS EXPENSE.
18. CONTRACTOR SHALL AVOID DAMAGE TO EXISTING TREES. WHEN NECESSARY, TREES AND SHRUBS REMAINING FOR CONSTRUCTION SHALL BE PERFORMED BY CERTIFIED TREE SURGEON OR UNDER THE SUPERVISION OF A REGISTERED LANDSCAPE ARCHITECT OR QUALIFIED ARBORIST.
19. EROSION CONTROL DEVICES SHALL BE INSTALLED ON ALL PROJECTS PRIOR TO BEGINNING CONSTRUCTION AND SHALL BE MAINTAINED THROUGHOUT THE PROJECT IN A CONDITION ACCEPTABLE TO THE CITY.
20. CONTRACTOR SHALL LOCATE AND PROTECT ALL EXISTING LANDSCAPE IRRIGATION SYSTEMS. DAMAGE TO EXISTING IRRIGATION SYSTEMS AND LANDSCAPE MATERIALS SHALL BE REPAIRED TO EQUAL OR BETTER CONDITION AT NO COST TO CITY OR CLIENT.
21. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN A NEAT AND ACCURATE RECORD OF CONSTRUCTION FOR THE CLIENT'S AND CITY'S RECORD.

# CONSTRUCTION PLANS

## FOR

# CONCEPTUAL LANDSCAPE

## PLANS

~LATERA~

### CITY OF CARROLLTON

### TEXAS

SUBMITTAL DATE May 22, 2017



LOCATION MAP  
NOT TO SCALE

#### SHEET INDEX

1.1	OVERALL LAYOUT PLAN
1.1.1	HARDSCAPE & LANDSCAPE PLANS
1.6	LANDSCAPE DETAILS

#### OWNER / DEVELOPER:

GREEN BRICK PARTNERS  
2805 N. DALLAS PARKWAY  
SUITE 400  
PLANO, TEXAS 75093  
PH. (469) 450-5585  
CONTACT: JED DOLSON

#### CIVIL ENGINEER:

KIMLEY-HORN AND  
ASSOCIATES  
5750 GENESIS COURT  
SUITE 200  
FRISCO, TEXAS 75034  
PH. (972) 335-3580  
CONTACT: CASEY ROSS

#### LANDSCAPE ARCHITECT:

CODY JOHNSON STUDIO, LLC  
12217 CHATTANOOGA DR.  
FRISCO, TEXAS 75035  
PH. (903) 570-0162  
CONTACT: CODY JOHNSON, RLA, ASLA, LI

#### GENERAL LANDSCAPE NOTES:

- INSPECTIONS**
1. NO EXCAVATION SHALL OCCUR IN CITY ROW WITHOUT A ROW PERMIT. CONTACT THE PUBLIC WORKS DEPARTMENT.
  2. THE CONTRACTOR SHALL MARK ALL WATER LINES, SEWER LINES, AND TREE LOCATIONS PRIOR TO CALLING FOR ROW INSPECTION AND PERMIT.
  3. THE LANDSCAPE INSTALLATION SHALL COMPLY WITH APPROVED LANDSCAPE DRAWINGS PRIOR TO FINAL ACCEPTANCE BY THE CITY AND SIGNATURE OF A CERTIFICATE OF OCCUPANCY.
  4. WATER METERS, CLEANOUTS AND OTHER APPURTENANCES SHALL BE ACCESSIBLE, ADJUSTED TO GRADE, CLEARLY MARKED WITH PLAGING AND COMPLIANT WITH PUBLIC WORKS DEPARTMENT STANDARDS PRIOR TO CALLING FOR FINAL LANDSCAPE AND ROW INSPECTIONS.

#### LANDSCAPE STANDARDS

1. PLANTING AND LANDSCAPE ELEMENTS SHALL COMPLY WITH THE CITY'S ENGINEERING DESIGN STANDARDS, PUBLIC ROW, VISIBILITY REQUIREMENTS.
2. UNLESS OTHERWISE SPECIFIED, TREES SHALL BE PLANTED NO LESS THAN 6 FEET FROM CURBS, SIDEWALKS, UTILITY LINES, EXISTING WALLS AND OTHER STRUCTURES. THE CITY HAS FINAL APPEAL FOR ALL TREE PLACEMENTS.
3. A MINIMUM THIRDS (1/3) OF BARKED AROUND A TREE MUST REMAIN CLEAR OF LANDSCAPE PLANTING TO THE TREE CROWN.
4. OTHER TREE TRUNKS, WHEN REQUIRED, SHALL BE 10% MINIMUM FROM THE EDGE OF A STORM SEWER CURB DRAINAGE AND THE EDGE OF THE CROWN SHALL BE 4% MINIMUM FROM THE TREE TRUNK.
5. THE AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2014) SPECIFICATIONS SHALL GOVERN PLANT QUALIFICATIONS, GRADES, AND STANDARDS.
6. TREE PLANTING SHALL COMPLY WITH DETAILS HEREIN AND THE INTERNATIONAL SOCIETY OF ARBORICULTURE (ISA) STANDARDS.
1. A 2" LAYER OF MULCH SHALL BE PROVIDED AROUND THE BASE OF THE PLANTED TREE. THE MULCH SHALL BE ROLLED BACK 4" FROM THE TRUNK OF THE TREE.
2. TREE PITS SHALL BE TYPED FOR WATER PRECIPITATION. IF WATER DOES NOT DRAIN OUT OF TREE PIT WITHIN 24 HOURS, THE TREE SHALL BE MOVED OR DRAINAGE SHALL BE PROVIDED.
3. ALL SOIL TO HAVE 1" OF COMPOSTED SOIL, LIVING BARKS TECHNOLOGY, OR APPROVED EQUAL FILLED AND TYPED TO A DEPTH OF 6" MINIMUM.
4. ALL PLANT BEDS SHALL BE TOP DRESSED WITH A MINIMUM OF 1" LAYER OF HARDWOOD MULCH.
5. NATIVE SITE TURRELS IS TO BE PROTECTED FROM EXCAVATION OR STOCKPILING. NATIVE SITE TURRELS SHALL BE LABORATORY TESTED BY AN ACCREDITED LABORATORY AND AMENDED PER SALS LABORATORY'S RECOMMENDATIONS.

#### IRRIGATION STANDARDS

1. ANY CHANGES TO THE APPROVED IRRIGATION DRAWINGS SHALL BE AUTHORIZED BY THE CITY.
2. CONTACT DEVELOPMENT SERVICES FOR AN IRRIGATION PERMIT PRIOR TO INSTALLING THE IRRIGATION SYSTEM.
3. IRRIGATION OVER SPRAY OR FOGGERS AND WALKS IS PROHIBITED.
4. MAINLINE, VALVE, OR CONTROL WOOD SHALL NOT BE LOCATED IN THE CITY'S ROW.
5. IF IRRIGATION CONTROLS SHALL BE PROGRAMMED AND ADJUSTED TO NOT EXCEED THE LANDSCAPE WATER ALLOWANCE (LWA) PRIOR TO APPROVAL OF LANDSCAPE INSTALLATION.
6. VALVES SHALL BE LOCATED A MINIMUM OF (5') AWAY FROM STORM SEWERS, AND MAINLINE WOOD LINES AND PIPES FROM CITY FIRE HYDRANTS AND WATER VALVES.
7. THE ROW DEPTH UNDER STREETS, DRIVEWAYS, AND FIRE LANES SHALL PROVIDE (2') OF CLEARANCE MINIMUM.
8. IRRIGATION HEADS THAT RUN PARALLEL AND OVER PUBLIC WATER AND SANITARY WATER LINES SHALL BE PROTECTED BY TYPED LATERALS OR BELL BENDS. A MINIMUM 5" PIPES (1" DIAMETER) IS REQUIRED BETWEEN IRRIGATION MAIN LINES AND LATERALS THAT RUN PARALLEL TO PUBLIC WATER AND SANITARY WATER LINES.
9. NO VALVES, BACKFLOW PREVENTION ASSEMBLIES, CHECK VALVES ETC. SHALL BE LOCATED CLOSER THAN 1' FROM THE CURB AT STREET OR DRIVE INTERSECTION.

#### MAINTENANCE STANDARDS

1. THE CITY SHALL BE RESPONSIBLE FOR THE ESTABLISHMENT, MAINTENANCE, AND TENDERS OF PLANT MATERIALS IN ACCORDANCE WITH THE CDDO DETAIL AND AN APPROPRIATE FOR THE SEASON OF THE YEAR.
2. LANDSCAPE AND OPEN AREAS SHALL BE FREE OF TRASH, LITTER AND WEEDS.
3. NO PLANT MATERIAL SHALL BE ALLOWED TO ENCROACH ON ROW, SIDEWALKS OR RASMENTS TO THE EXTENT THAT VISUAL OR NOISE OF TRAVEL FOR VEHICLES, PEDESTRIANS, OR BICYCLIST TRAFFIC IS IMPAIRED.
4. TREE MAINTENANCE SHALL BE IN ACCORDANCE WITH THE STANDARDS OF THE INTERNATIONAL SOCIETY OF ARBORICULTURE.
5. TREE STAKED MATERIALS, IF USED, SHALL BE REMOVED AFTER (1) SEASON OF SEASON, NO MORE THAN (2) YEARS AFTER INSTALLATION (TYP). TREE STAKES, WIND, AND HORN ARE PROHIBITED.

#### TREE PROTECTION NOTES

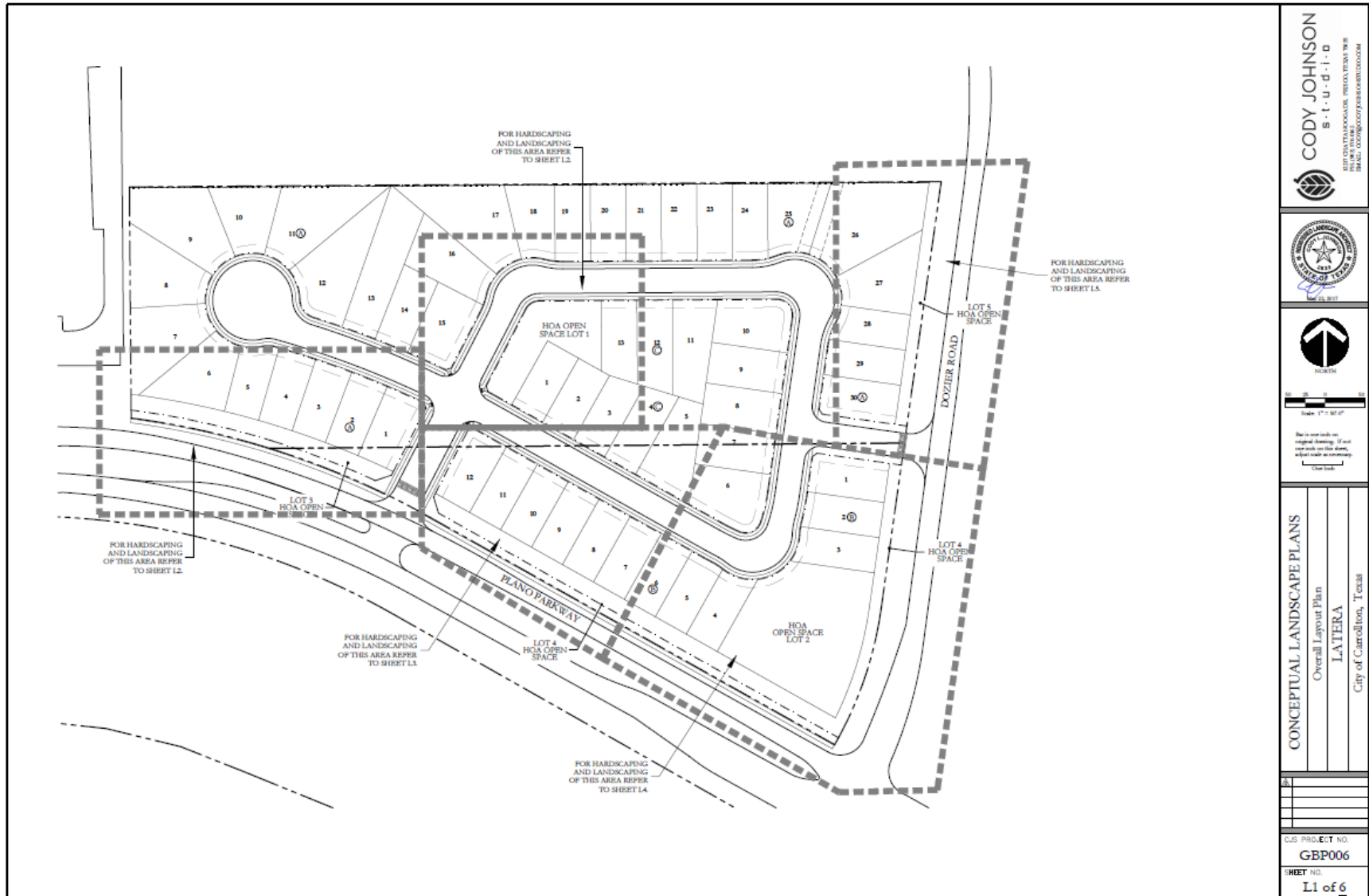
1. CONTACT DEVELOPMENT SERVICES FOR A TREE REMOVAL PERMIT PRIOR TO REMOVAL OR TRANSPLANTING OF ANY TREES.
2. TREES 10" IN DBH TO REMAIN ON SITE SHALL BE PROTECTED WITH A 4" TALL, BRIGHTLY COLORED PLASTIC, PINK, OR SILT FENCE, PLACED AT THE DROP LINE OF THE TREE.
3. PRIOR TO THE PRE CONSTRUCTION MEETING OR OBTAINING A GRADING PERMIT, ALL TREE MARKERS AND PROTECTIVE FENCING SHALL BE INSTALLED BY THE OWNER AND BE INSPECTED BY DEVELOPMENT SERVICES.
4. NO EQUIPMENT SHALL BE CHANNEL OR HANDLED LOCATED WITHIN THE LIMITS OF THE ROOT ZONE OF THE TREE WHICH REMAIN ON SITE.
5. NO SOIL, WOOD, OR OTHER ATTACHMENTS SHALL BE ATTACHED TO ANY TREE TO REMAIN ON SITE.
6. VEHICLES AND CONSTRUCTION EQUIPMENT SHALL NOT PARK OR DRIVE WITHIN THE LIMITS OF THE DROP LINE.
7. GRASS CHARGES IN ORDER OF 1" INCHES CUT OR PULL SHALL NOT BE ALLOWED WITHIN A ROOT ZONE, UNLESS ACCORDING TO THE PROTECTION METHODIC ARE APPROVED BY THE CITY.
8. NO TRENCHING SHALL BE ALLOWED WITHIN THE DROP LINE OF A TREE, UNLESS APPROVED BY THE CITY.
9. ALL EXCAVATED TREES SHALL BE CHIPPED AND USED FOR MULCH ON SITE OR HULLED OFF SITE.
10. ALL TREE MAINTENANCE TECHNIQUES SHALL BE IN CONFORMANCE WITH INDUSTRY IDENTIFIED STANDARDS. IMPROPER OR MALICIOUS PRUNING TECHNIQUES ARE STRICTLY PROHIBITED.



CODY JOHNSON  
s · t · u · d · i · o

CITY CASE FILE NO. 04-17Z1

**APPLICANT'S EXHIBITS**  
**Conceptual Landscape Exhibit**  
**2 of 8**



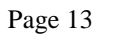
**CODY JOHNSON**  
 S-I-U-I-D  
 SEAL OF THE CITY OF CARROLLTON, TEXAS  
 04-17Z1



**CONCEPTUAL LANDSCAPE PLANS**  
 Overall Layout Plan  
**LATERA**  
 City of Carrollton, Texas

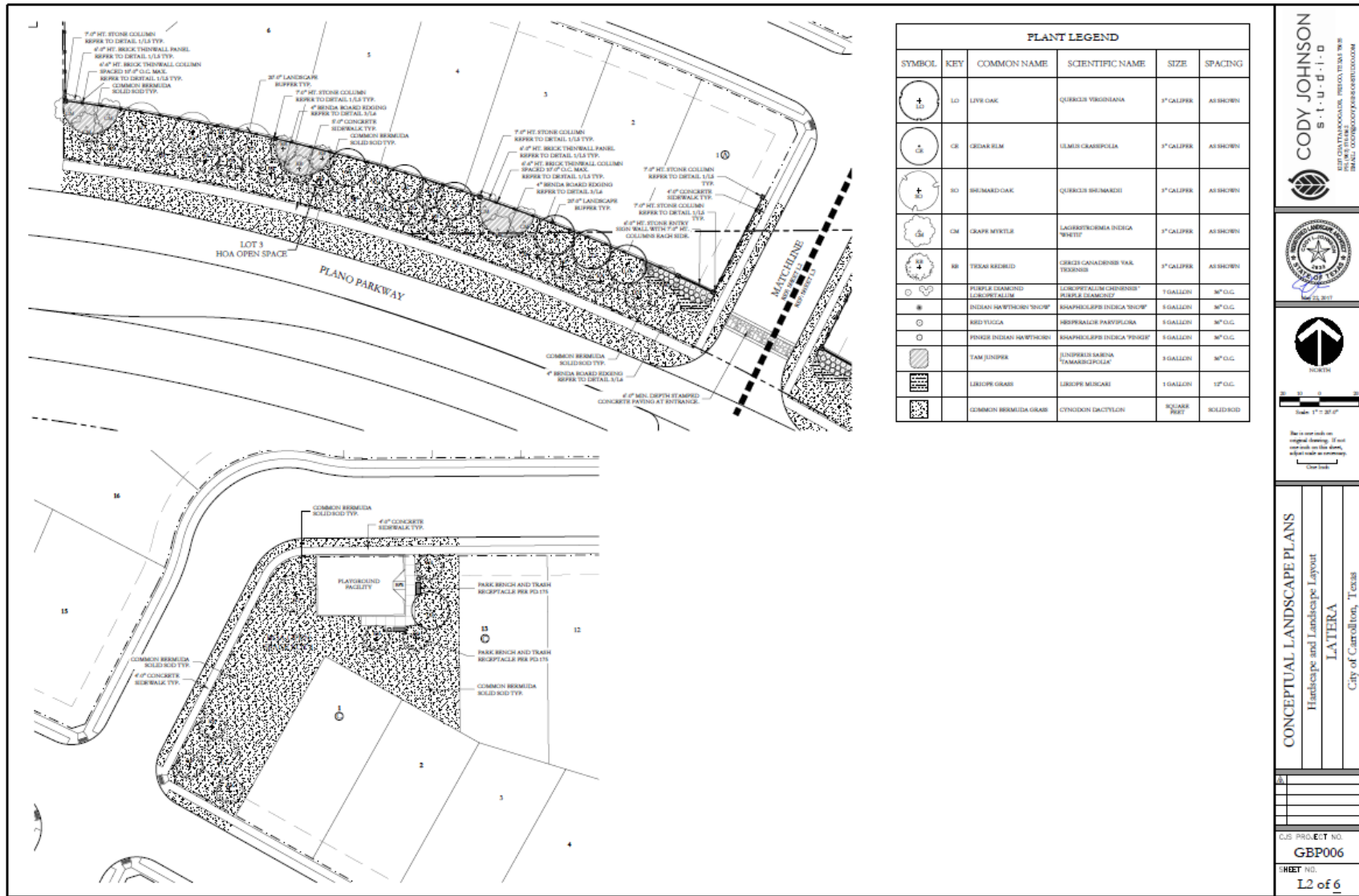
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CITY PROJECT NO.  
**GBP006**  
 SHEET NO.  
**L1 of 6**

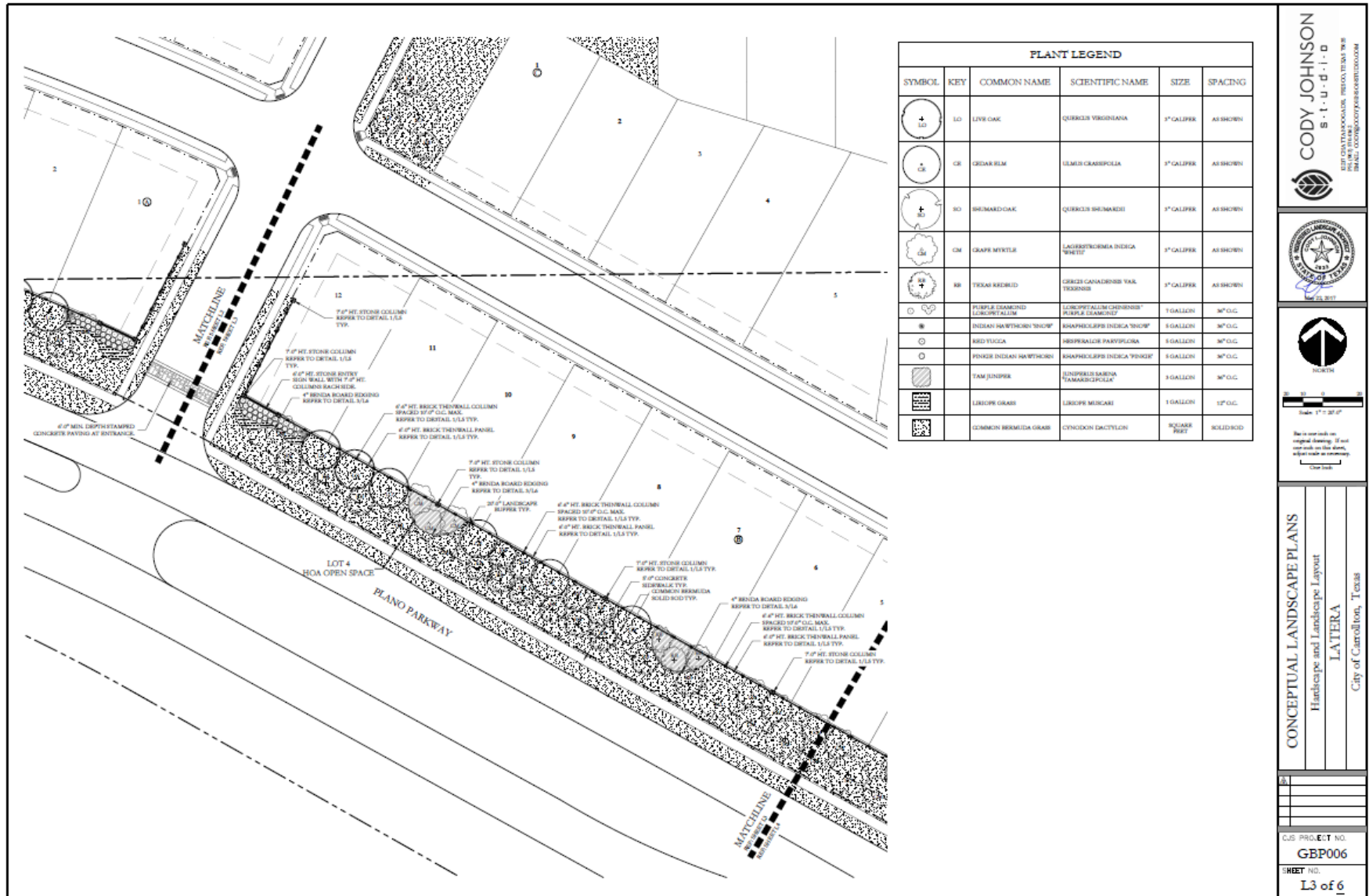




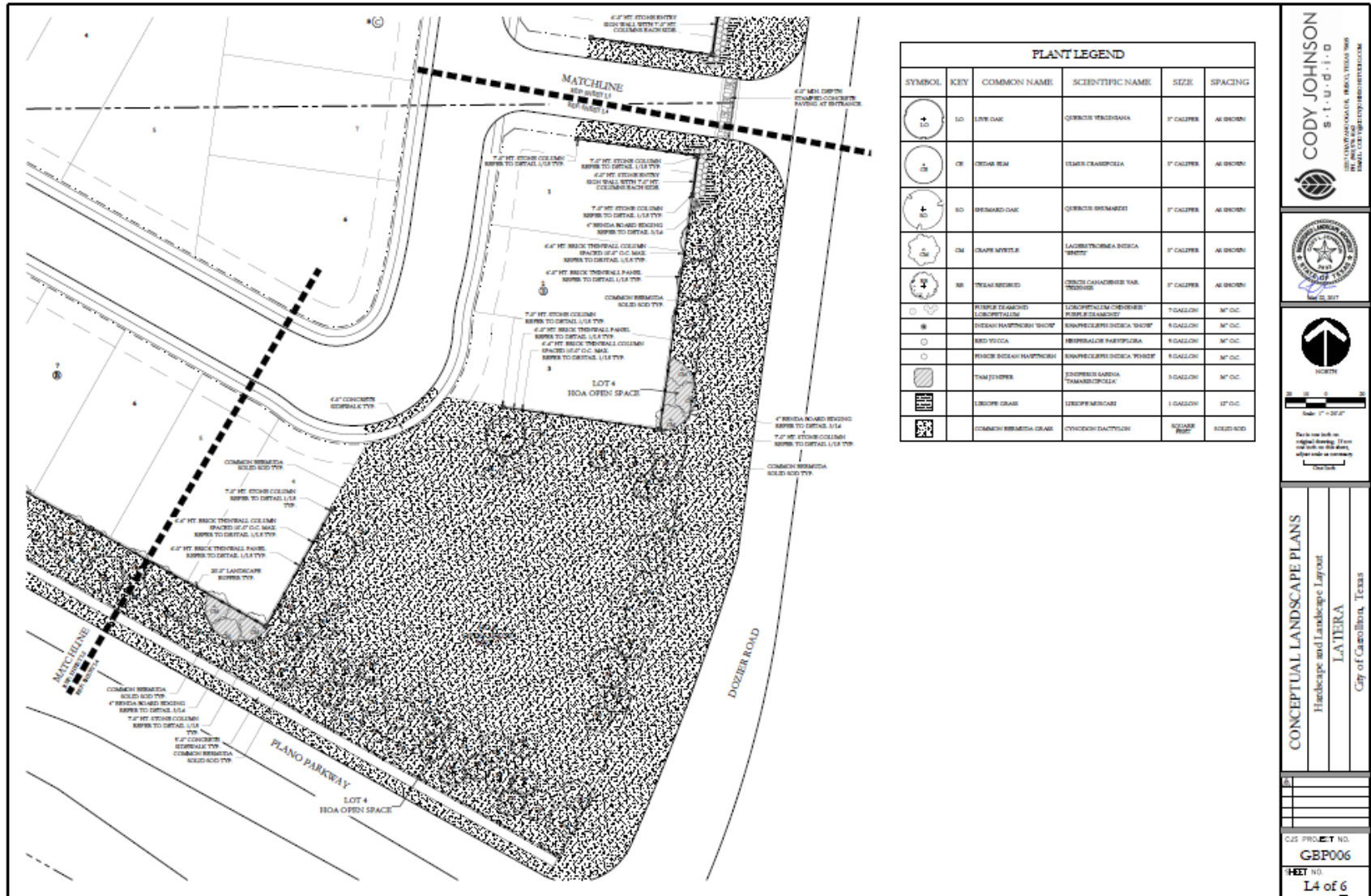
# **APPLICANT'S EXHIBITS** **Conceptual Landscape Exhibit** **4 of 8**



# APPLICANT'S EXHIBITS Conceptual Landscape Exhibit 5 of 8

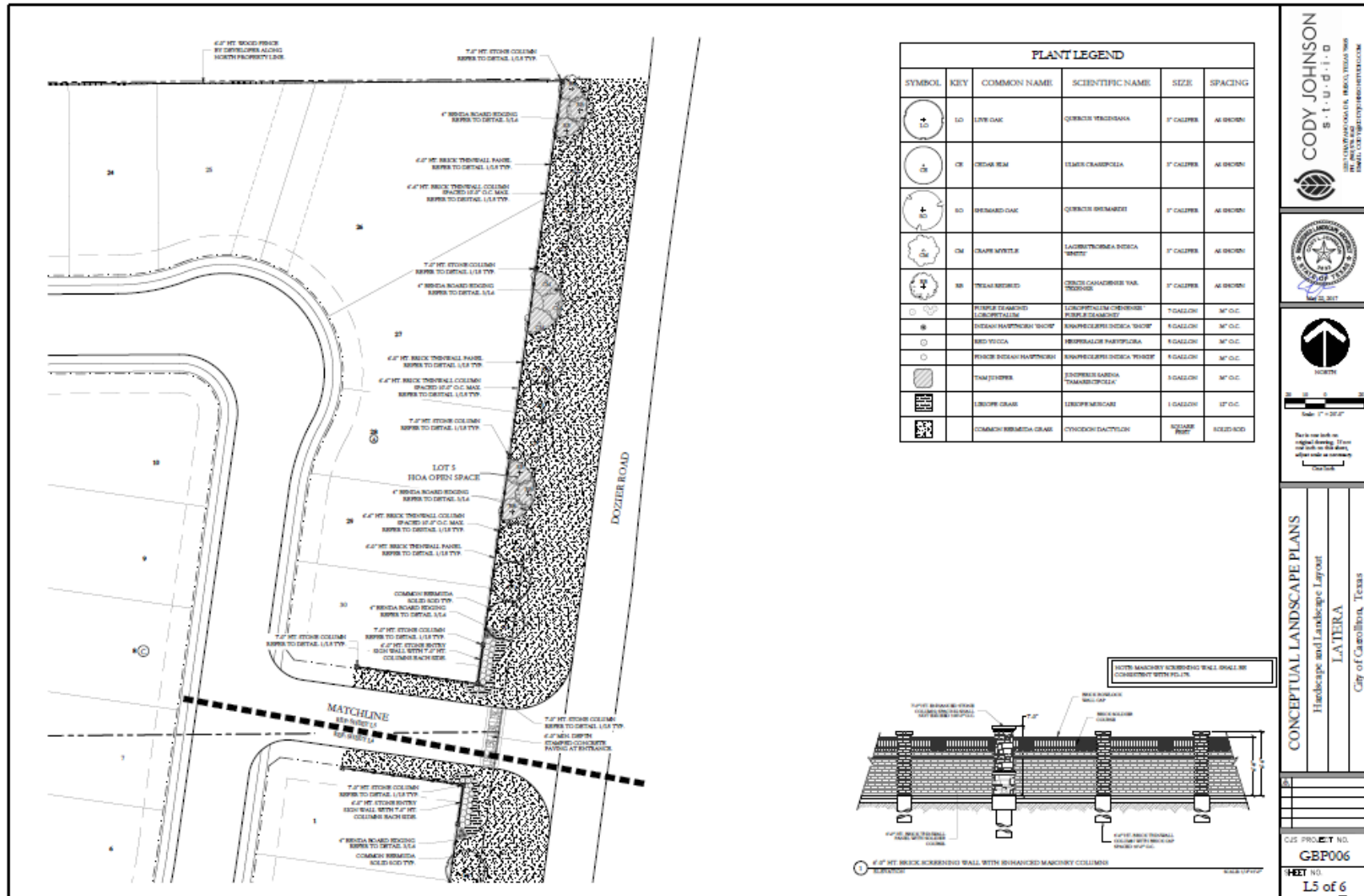


# APPLICANT'S EXHIBITS Conceptual Landscape Exhibit 6 of 8





**APPLICANT'S EXHIBITS**  
**Conceptual Landscape Exhibit**  
**7 of 8**





**APPLICANT'S EXHIBITS**  
**Conceptual Building Elevations**  
**1 of 3**





**APPLICANT'S EXHIBITS**  
**Conceptual Building Elevations**  
**2 of 3**



**APPLICANT'S EXHIBITS**  
**Conceptual Building Elevations**  
**3 of 3**





PUBLIC COMMENTS  
CASE NOS. 04-17Z1 AND 04-17MD1  
MUSTANG PARK, PHASE 10

04-17MD1  
Case No/Name: 04-17Z1 Date: 5-24-17  
Name: Billingsley Pin Oak Partners  
Address: 1722 Routh St. Ste 770  
City, ST, ZIP: Dallas, TX 75201

Received

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

MAY 30 2017

Comments: We think this zoning change  
will benefit the neighborhood

Planning  
City of Carrollton

Signature: H. Billingsley

**Excerpt from Draft Minutes  
Planning & Zoning Commission  
Meeting of June 1, 2017**

*Chair Averett advised that Items 5 and 6 would be heard simultaneously with separate action.*

5. Public Hearing To Consider And Act On A Resolution To **Amend The Comprehensive Plan** And The Future Land Use Map To Change An Approximately 11-Acre Site Located On The Northwest Corner Of Dozier Road And Plano Parkway From Medium Intensity Commercial And Medium Intensity Office To Single-Family Detached Residential. **Case No. 04-17MD1 Mustang Park Phase 10 (Comprehensive Plan)**. Case Coordinator: Michael McCauley.
6. Public Hearing To Consider And Act On An Ordinance To **Amend The Zoning** On An Approximately 11-Acre Tract Zoned (CC) Corporate Commercial District And PD-175 For The (LR-2) Local Retail District Located On The Northwest Corner Of Dozier Road And Plano Parkway (FM 544) To PD-175 To Allow For The (SF-5/12) Single-Family Residential District; Amending The Official Zoning Map Accordingly. **Case No. 04-17Z1 Mustang Park Phase 10 (Zoning)**. Case Coordinator: Michael McCauley.

Senior Planner Michael McCauley presented the two cases regarding Mustang Park Phase 10. Staff recommended approval with the stipulations outlined in the case report as well as the addendum presented during the Worksession with three additional stipulations. He advised that staff did not receive any comments in opposition and did receive one notice in support of the requests.

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

- \* *Kraus moved to close the public hearing on Item 5 and approve the amendment to the Comprehensive Plan for Case No. 04-17MD1 Mustang Park Phase 10 in accordance with the stipulations and amendments; second by Chadwick and the motion was approved with a unanimous 9-0 vote.*
- \* *Chadwick moved to close the public hearing and approve Case No. 04-17Z1 Mustang Park Phase 10 (Zoning) with staff stipulations plus the three additional stipulations that were presented in the Worksession; second by Kiser and the motion was approved with a unanimous 9-0 vote.*

## **AMENDMENTS TO PD-175 MUSTANG PARK (PHASE 10 – LATERA)**

For City Council's convenience, the following are the only proposed changes to the entire Planned Development (PD-175):

### **SECTION 2**

#### **TRACT 8: Permitted Uses**

Permitted uses shall be all principal and accessory uses which are allowed by right in the ~~(LR-2) Local Retail District~~, (SF-5/12) 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 ~~(LR-2) Local Retail District~~ (SF-5/12) Single-Family Residential District and the Comprehensive Zoning Ordinance, as amended, except as otherwise provided.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the ~~(LR-2) Local Retail District~~ (SF-5/12) 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**

#### **TRACT 8: Special Development Standards**

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

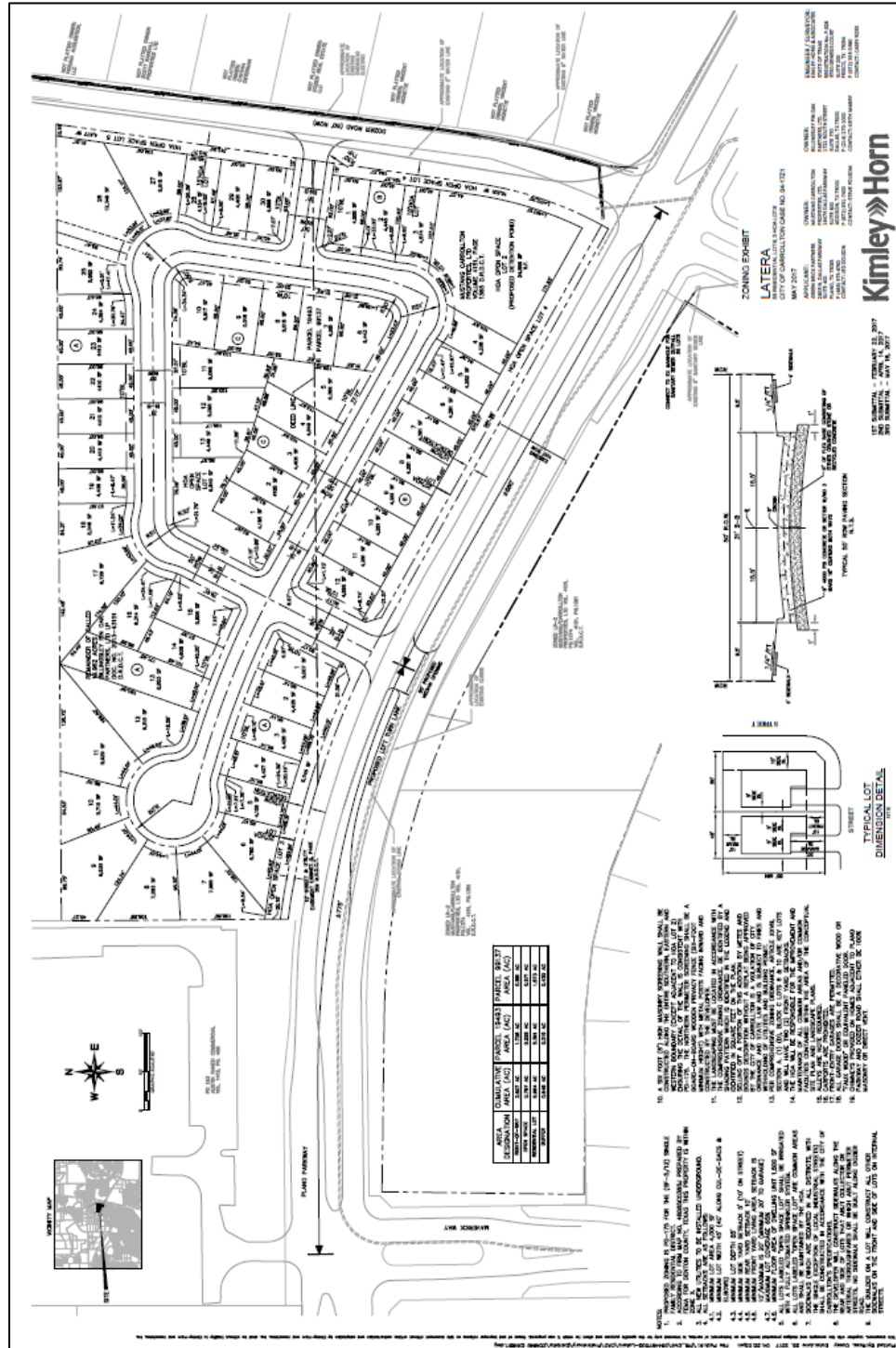
1. ~~The minimum landscape buffer along Plano Parkway shall be twenty feet (20') in depth. Said landscape buffer shall contain, at a minimum, the following elements:~~
  - a. ~~One (1) shade tree, a minimum of three caliper inches (3") in size and a minimum of ten feet (10') in height at the time of planting, for each forty feet (40') of street frontage or fraction thereof, and;~~
  - b. ~~Four (4) ornamental trees, a minimum of six feet (6') in height at the time of planting, for each forty feet (40') of street frontage or fraction thereof. Three (3) ornamental trees may be substituted for a shade tree if planted directly underneath overhead utility lines.~~
2. ~~Minimum depth of rear setback shall be one and one half (1.5) times the height of the building, as measured to the top plate of the building.~~
3. ~~An "entry ribbon" consisting of decorative pavers or stained and pattern stamped concrete shall be placed in each entry driveway. Said entry ribbon shall be no less than six feet (6') in depth and shall extend across the width of the driveway.~~

- ~~4. A landscaped island shall be provided at the end of each parking row and at a minimum interval of twelve (12) spaces. Such island shall be a minimum of nine feet (9') in width, measured "face to face" and shall extend the length of the adjacent parking space. Landscape islands shall also be required when parking spaces are located behind a building and said parking spaces shall be screened from view of the street.~~
- ~~5. Electrical meters, gas meters, air conditioning equipment and all other similar equipment and appurtenances shall not face any public street.~~
1. Development shall be in accordance with the Conceptual Site Plan, Conceptual Landscaping Plan and Conceptual Building Facades attached hereto and incorporated herein as Exhibits S, T and U, respectively.
2. The minimum landscape buffer along Plano Parkway shall be twenty feet (20') in depth. Said landscape buffer shall contain, at a minimum, the following elements:
  - a. One (1) shade tree, a minimum of three caliper inches (3") in size and a minimum of ten feet (10') in height at the time of planting, for each forty feet (40') of street frontage or fraction thereof, and;
  - b. Four (4) ornamental trees, a minimum of six feet (6') in height at the time of planting, for each forty feet (40') of street frontage or fraction thereof. Three (3) ornamental trees may be substituted for a shade tree if planted directly underneath overhead utility lines.
3. Front Yard Trees:
  - a. At least one (1) ornamental tree shall be required in front yard of each lot. The placement of trees shall not impede sight visibility.
  - b. Multi-trunk trees shall be a minimum of three inches (3") in diameter measured as follows: the diameter of the largest stem plus ½ the diameter of remaining stems.
4. A six foot (6') high, masonry screening wall shall be constructed along the entire southern, eastern and western boundary ensuring the detail of the wall is consistent with PD-175.
5. The northern perimeter screening shall be a board-on-board wooden privacy fence (six-foot minimum height) with metal posts facing inward and constructed by the developer.
6. Privacy fencing for single-family lots:
  - a. Stained wood fencing with metal poles. Metal poles shall be used for fence support, but on the inside of the fence.
  - b. The maximum height of fences shall be six feet (6').
  - c. Fences may not extend closer than ten feet (10') from the nearest front corner of the home
7. Electric meters, gas meters, air conditioning equipment and all other similar equipment and appurtenances shall not face any public street.
8. An "entry ribbon" consisting of decorative pavers or stained and pattern-stamped concrete shall be provided at all entrances of the subdivision. Said entry ribbon shall be

no less than six feet (6') in depth and shall extend across the width of the entrance. The entry ribbon shall be called-out on the Conceptual Landscape Plans and Zoning Exhibit at the entrances from Plano Parkway and Dozier Road.

9. A homeowner's association (HOA) shall be established in accordance with the Comprehensive Subdivision Ordinance prior to final platting of the first tract.
10. The HOA will be responsible for the improvement and maintenance of all common areas and/or common facilities.
11. Drainage design shall meet the storm water ordinance.
12. Alleys shall not be required.
13. Carports and garage awnings are prohibited.
14. Front-entry garages are permitted.
15. Lot Development standards:
  - a. Minimum lot size: 4,000 square feet.
  - b. Minimum lot width: forty-five feet (45'), forty feet (40') along cul-de-sacs and elbows.
  - c. Minimum lot depth: eighty-five feet (85').
  - d. Maximum lot coverage: sixty-five percent (65%).
  - e. House Setbacks:
    - i. Front yard living area: minimum ten feet (10')/maximum 20 feet (20').
    - ii. Garage face: minimum twenty feet (20').
    - iii. Side yard: five feet (5') interior lots/ten feet (10') corner lots.
    - iv. Rear Yard: ten feet (10') minimum.
16. Dwelling Unit Characteristics:
  - a. Minimum floor area of dwelling unit size shall be 1,800 square feet.
  - b. All garage doors shall be a decorative wood or "faux wood.
  - c. Chimneys provided on homes adjacent to Plano Road and Dozier Road shall either be 100% masonry or direct vent.
  - d. Exterior façade materials shall consist of a minimum of ninety percent (90%) brick and/or stone.

## Tract 8



## Tract 8





GENERAL CONSTRUCTION NOTES

1. ALL CONSTRUCTION, EXISTING, AND MATERIAL SHALL BE IN ACCORDANCE WITH THE CITY OF CARROLLTON SPECIFICATIONS AND STANDARDS.
2. PERMITS AND CONSTRUCTION ACTIVITIES: THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND STANDARDS.
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# CONSTRUCTION PLANS

## FOR

# CONCEPTUAL LANDSCAPE PLANS

### ~LATERA~

#### CITY OF CARROLLTON TEXAS

SUBMITTAL DATE May 22, 2017



SHEET INDEX	
11	CONCEPTUAL LANDSCAPE PLANS
12, 13	LANDSCAPE DETAILS

**OWNER / DEVELOPER:**  
GREEN BRICK PARTNERS  
2805 N. DALLAS PARKWAY  
SUITE 400  
PLANO, TEXAS 75093  
PH: (469) 498-5385  
CONTACT: JED DOLSON

**CIVIL ENGINEER:**  
KIMLEY HORN AND ASSOCIATES  
5750 GENESIS COURT  
SUITE 200  
FRISCO, TEXAS 75034  
PH: (972) 335-5580  
CONTACT: CASEY ROSS

**LANDSCAPE ARCHITECT:**  
CODY JOHNSON STUDIO, LLC  
12217 CHATTANOOGA DR.  
FRISCO, TEXAS 75035  
PH: (905) 570-0162  
CONTACT: CODY JOHNSON, RLA, ASLA, LI



**CODY JOHNSON**  
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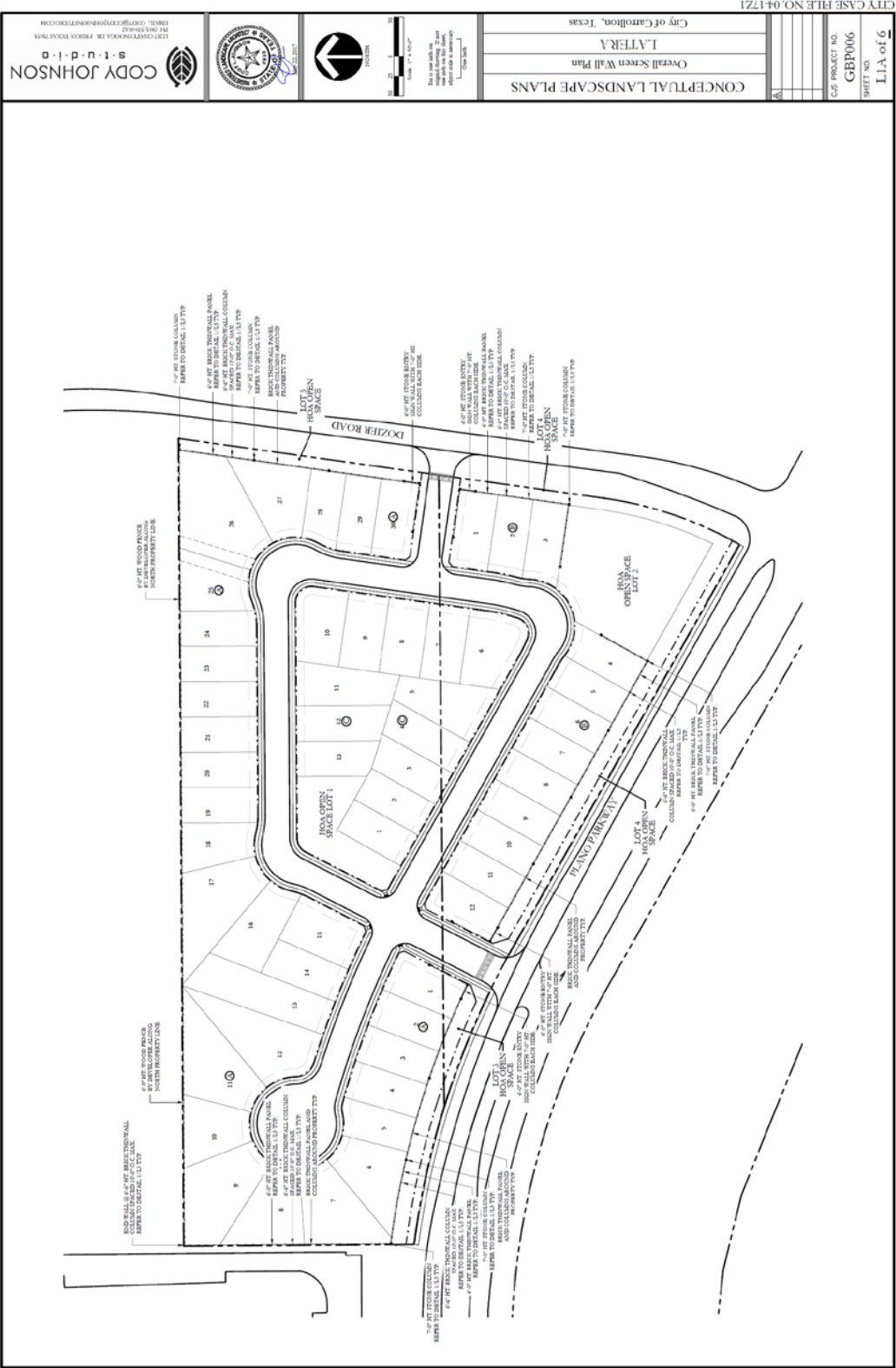
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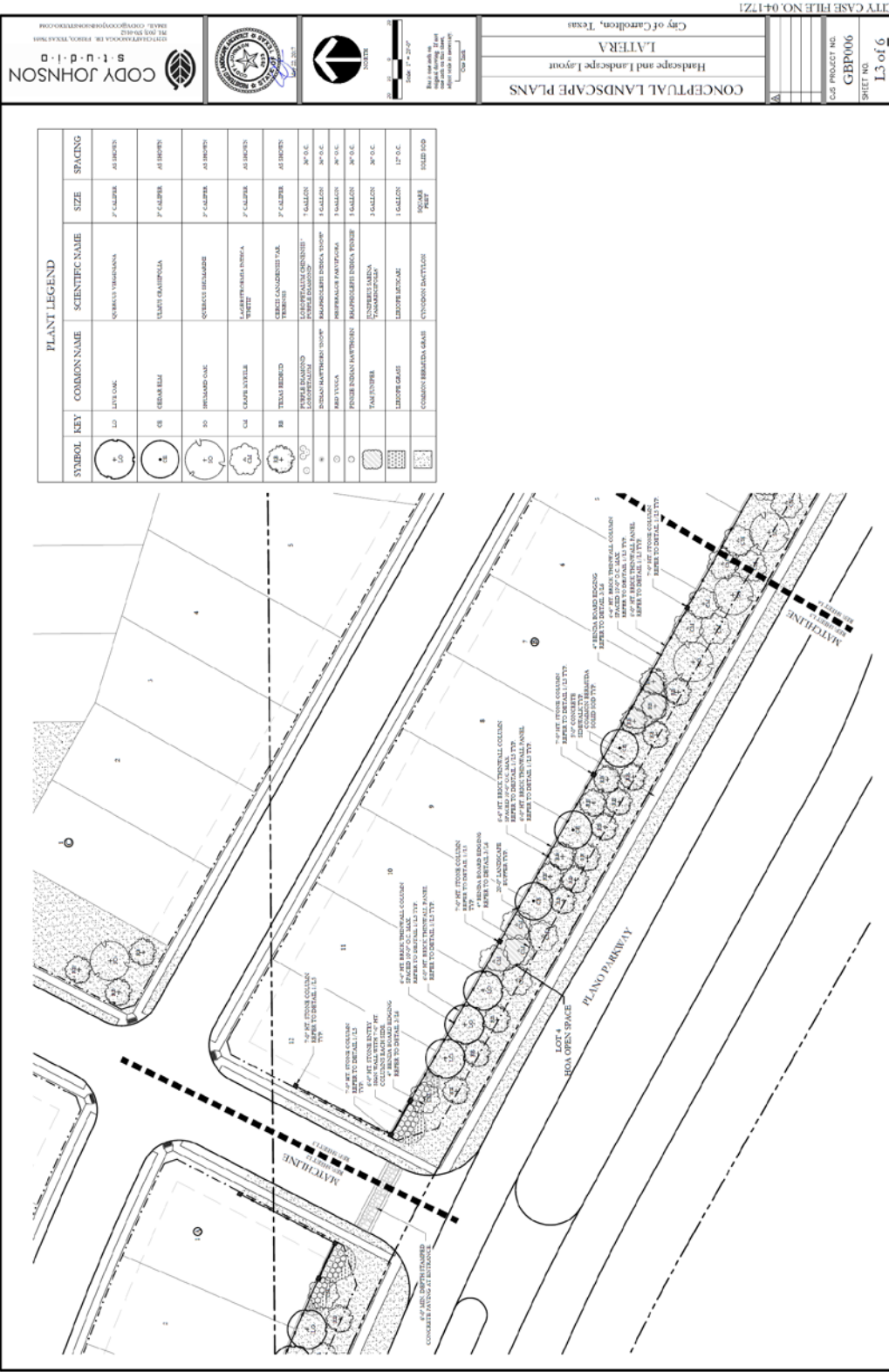
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Conceptual Landscape Plan (4 of 9)



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Conceptual Landscape Plan (6 of 9)

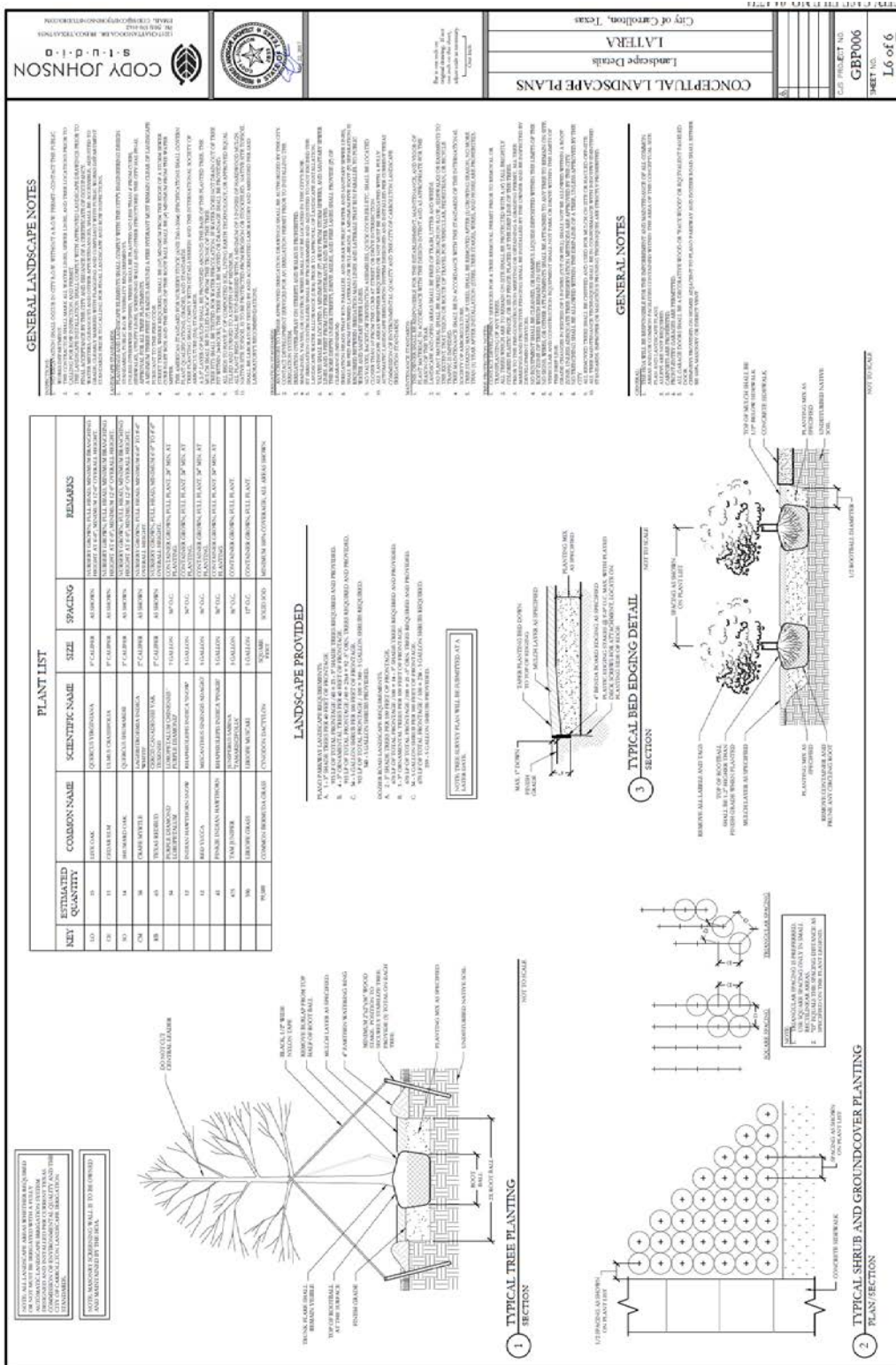


**PLANT LEGEND**

SYMBOL	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING
(Symbol)	LO	LUTE OAK	QUERCUS VITAEANA	7' CALIPER	AT BROWN
(Symbol)	CE	CEAR BLM	ULMUS CRASSIFOLIA	7' CALIPER	AT BROWN
(Symbol)	HO	HIGHLAND OAK	QUERCUS BRUGGERI	7' CALIPER	AT BROWN
(Symbol)	CM	GRAPES VITIFERA	LAGERTERIA-TELLA ESCHIA	7' CALIPER	AT BROWN
(Symbol)	MB	TEXAS REDWOOD	QUERCUS AGAGNOSTIC VAIL	7' CALIPER	AT BROWN
(Symbol)	1	FLORAL BANGLOW	LODOPALM	1 GALLON	30' O.C.
(Symbol)	2	INDIAN ANTHURUS	INDIAN ANTHURUS	1 GALLON	30' O.C.
(Symbol)	3	RED YUCCA	HAFFRAGUS PANTAGAEA	1 GALLON	30' O.C.
(Symbol)	4	POURER BUSH	POURER BUSH	1 GALLON	30' O.C.
(Symbol)	5	FLORAL BANGLOW	LODOPALM	1 GALLON	30' O.C.
(Symbol)	6	LEUCOPHYLLA	LEUCOPHYLLA	1 GALLON	30' O.C.
(Symbol)	7	CONDO	CONDO	1 GALLON	30' O.C.
(Symbol)	8	CONDO	CONDO	1 GALLON	30' O.C.
(Symbol)	9	CONDO	CONDO	1 GALLON	30' O.C.
(Symbol)	10	CONDO	CONDO	1 GALLON	30' O.C.
(Symbol)	11	CONDO	CONDO	1 GALLON	30' O.C.
(Symbol)	12	CONDO	CONDO	1 GALLON	30' O.C.
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**Exhibit U**  
**Conceptual Single Family Elevations (1 of 2)**  
**Tract 8**





Exhibit U  
Conceptual Single Family Elevations (2 of 2)



PLANNING DEPARTMENT  
CITY OF CARROLLTON

PLANNED DEVELOPMENT NO. 175  
DEVELOPMENT NAME: Mustang Park, Phase 10

ORDINANCE NUMBER \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY AMENDING PLANNED DEVELOPMENT NUMBER 175 PROVIDING FOR THE (SF-10/18), (SF-7/16), (SF-5/12) AND (SF-PH) SINGLE-FAMILY RESIDENTIAL, (SF-TH) SINGLE-FAMILY TOWNHOUSE, (MF-18) MULTI-FAMILY RESIDENTIAL, (O-2) OFFICE AND (LR-2) LOCAL RETAIL DISTRICTS, ADDITIONAL USES AND MODIFIED DEVELOPMENT STANDARDS ON A CERTAIN APPROXIMATELY 236.83-ACRE TRACT OF LAND LOCATED AT THE SOUTHEAST CORNER OF PLANO PARKWAY AND PARKER ROAD, THE SOUTH SIDE OF PLANO PARKWAY, WEST OF THE BURLINGTON NORTHERN & SANTA FE RAILROAD, AND THE NORTHWEST CORNER OF PLANO PARKWAY AND DOZIER ROAD; AMENDING THE OFFICIAL ZONING MAP; AND PROVIDING FOR A PENALTY OF \$2,000 PER DAY, SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

**WHEREAS**, at a public hearing held on the First day of June, 2017, the Planning & Zoning Commission considered and made recommendation on a certain request for a Planned Development District (Case No. 04-17Z1);

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

**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.

Planned Development Number 175 is hereby amended in its entirety for a certain approximately 236.83-acre site described on the attached Exhibit A and located at the southeast corner of Plano Parkway and Parker Road, the south side of Plano Parkway, west of the Burlington Northern & Santa Fe Railroad, and the northwest corner of Plano Parkway and Dozier Road, for the following uses:

### **TRACT 1: Permitted Uses**

Permitted uses shall be all principal and accessory uses which are allowed by right in the (SF-TH) Single-Family Townhouse Residential or (LR-2) Local Retail Districts, in accordance with Article V of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations of the chosen zoning district (either (SF-TH) Single-Family Townhouse Residential or (LR-2) Local Retail Districts) and the Comprehensive Zoning Ordinance, as amended, except as otherwise provided.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (SF-TH) Single-Family Townhouse Residential or (LR-2) Local Retail Districts, as appropriate for the chosen zoning 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.

### **TRACT 2: Permitted Uses**

Permitted uses shall be all principal and accessory uses which are allowed by right in the (SF-PH) Single Family Patio Home 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-PH) Single Family Patio Home District and the Comprehensive Zoning Ordinance, as amended, except as otherwise provided.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (SF-PH) Single Family Patio Home 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.

### **TRACT 3: Permitted Uses**

Permitted uses shall be all principal and accessory uses which are allowed by right in the (MF-18) Multi-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 (MF-18) Multi-Family Residential District and the Comprehensive Zoning Ordinance, as amended, except as otherwise provided.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (MF-18) Multi-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.

#### **TRACT 4: Permitted Uses**

Permitted uses shall be all principal and accessory uses which are allowed by right in the (SF-10/18), (SF-7/16) and (SF-5/12) Single-Family Residential Districts, in accordance with Article V of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations of the chosen zoning district (either the (SF-10/18), (SF-7/16) or (SF-5/12) Single-Family Residential Districts) and the Comprehensive Zoning Ordinance, as amended, except as otherwise provided.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (SF-10/18), (SF-7/16) or (SF-5/12) Single-Family Residential Districts, as appropriate for the chosen zoning 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.

#### **TRACT 5: Permitted Uses**

Permitted uses shall be all principal and accessory uses which are allowed by right in the (O-2) Office District, in accordance with Article V of the Comprehensive Zoning Ordinance, as amended, except as provided below, and shall be developed in accordance with all applicable regulations of the (O-2) Office District and the Comprehensive Zoning Ordinance, as amended, except as otherwise provided.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (O-2) Office District, in accordance with Article V of the Comprehensive Zoning Ordinance, as amended, except as provided below. Such Special Use Permit(s) shall be subject to the conditions established in Articles XXI and XXXI of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations.

#### **TRACT 5: Additional Uses**

The following additional uses are permitted by right (codes are from the North American Industry Classification System, 2007 edition):

1. Nursing Care Facilities (NAICS Code 6231)
2. Community Care Facilities for the Elderly (NAICS Code 6233)
3. Health & Personal Care Stores (NAICS Code 4462)
4. Outpatient Care Centers (NAICS Code 6214)

## **TRACT 6: Permitted 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, except as otherwise provided.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (LR-2) Local Retail District in accordance with Article V of the Comprehensive Zoning Ordinance, as amended. Such Special Use Permit(s) shall be subject to the conditions established in Articles XXI and XXXI of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations.

## **TRACT 6: Additional Uses**

The following additional uses are permitted by right (codes are from the North American Industry Classification System, 2007 edition):

1. Nursing Care Facilities (NAICS Code 6231)
2. Community Care Facilities for the Elderly (NAICS Code 6233)
3. Health & Personal Care Stores (NAICS Code 4462)
4. Outpatient Care Centers (NAICS Code 6214)

## **TRACT 7: Permitted Uses**

Permitted uses shall be all principal and accessory uses which are allowed by right in the (MF-18) Multi-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 (MF-18) Multi-Family Residential District and the Comprehensive Zoning Ordinance, as amended, except as otherwise provided.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (MF-18) Multi-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.

## **TRACT 8: Permitted Uses**

Permitted uses shall be all principal and accessory uses which are allowed by right in the (SF-5/12) 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-5/12) Single-Family Residential District and the Comprehensive Zoning Ordinance, as amended, except as otherwise provided.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (SF-5/12) 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.

#### **TRACT 9: Permitted Uses**

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

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (SF-TH) Single-Family Townhouse Residential 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 special conditions, restrictions and regulations:

#### **TRACT 1: Special Development Standards**

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

1. The minimum landscape buffer along Parker Road (F.M. 544) and Plano Parkway shall be twenty feet (20') in depth. Said landscape buffer shall contain, at a minimum, the following elements:
  - a. One (1) shade tree, a minimum of three caliper inches (3") in size and a minimum of ten feet (10') in height at the time of planting, for each forty feet (40') of street frontage or fraction thereof, and;
  - b. Four (4) ornamental trees, a minimum of six feet (6') in height at the time of planting, for each forty feet (40') of street frontage or fraction thereof. Three (3) ornamental trees may be substituted for a shade tree if planted directly underneath overhead utility lines.
2. For retail development, a landscaped island shall be provided at the end of each parking row and at a minimum interval of twelve (12) spaces. Such island shall be a minimum of nine feet (9') in width, measured "face-to-face" and shall extend the length of the adjacent parking space. Landscape islands shall also be required when parking spaces

are located behind a building and said parking spaces shall be screened from view of the street.

3. An “entry ribbon” consisting of decorative pavers or stained and pattern-stamped concrete shall be placed in each entry driveway. Said entry ribbon shall be no less than six feet (6’) in depth and shall extend across the width of the driveway.
4. Electrical meters, gas meters, air conditioning equipment and all other similar equipment and appurtenances shall not face any public street.

## **TRACT 2: Special Development Standards**

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

1. Development shall be in accordance with the Conceptual Site Plan, Conceptual Landscaping Plan, Conceptual Building Facades, Conceptual Wall and Perimeter Landscape Details, and Conceptual Typical Street Section attached hereto and incorporated herein as Exhibits N, O, P, Q and R respectively.
2. Development shall be in accordance with the following conditions:
  1. A homeowner’s association (HOA) shall be established in accordance with the Comprehensive Subdivision Ordinance prior to final platting of the first tract.
  2. The HOA will be responsible for the improvement and maintenance of all common areas and/or common facilities contained within the area of the Conceptual Site Plan.
  3. An entry ribbon consisting of six foot (6') wide decorative pavers or stained and pattern stamped concrete shall be provided at all entrances of the subdivision at the intersection with Plano Parkway.
  4. Electric meters, gas meters, air conditioning equipment and all other similar equipment and appurtenances shall not face any public street.
  5. Alleys shall not be required.
  6. Carports and garage awnings shall be prohibited.
  7. Sidewalks shall be a minimum five feet (5') wide. Sidewalks shall not locate along the back of street curbs.
  8. A landscape buffer with a minimum average depth of twenty feet (20') shall be provided along Plano Parkway on common area lots owned and maintained by the HOA.
    - a. One (1) shade tree, a minimum of three caliper inches (3”) in size and a minimum of ten feet (10’) in height at the time of planting, for each forty feet (40’) of street frontage or fraction thereof, and;
    - b. Four (4) ornamental trees, a minimum of six feet (6’) in height at the time of

planting, for each forty feet (40') of street frontage or fraction thereof. Three (3) ornamental trees may be substituted for a shade tree if planted directly underneath overhead utility lines.

- c. Unobstructed sight visibility shall be maintained at intersections including but not limited to Plano Parkway and in conformance with the Carrollton Code of Ordinances, as may be amended.
  - a) Ground cover and shrubs shall be maintained to a maximum height of twenty-four inches (24"); and
  - b) Trees planted and maintained at no less than seven feet (7') above finished grade.

9. Front Yard Trees:

- a. At least 1 (one) canopy tree shall be required in front yard of each lot. The placement of trees shall not impede sight visibility.
- b. Trees shall be a minimum three inches (3") in diameter, measured twelve inches (12") from the root ball, when planted. The planting of said tree shall take place in conjunction with the construction of the adjacent home.

10. Fencing and Screening Walls:

- a. Perimeter fencing along east and north property lines of the development shall be six feet (6') tall stained wood, board-on-board. Metal poles shall be used for fence support, but on the inside of the fence.
- b. Privacy fencing for single-family lots:
  - a) Stained wood fencing with metal poles. Metal poles shall be used for fence support, but on the inside of the fence.
  - b) The maximum height of fences shall be six feet (6').
  - c) Fences may not extend closer than ten feet (10') from the nearest front corner of the home.
- c. Plano Parkway Screening: A six foot (6') high, masonry screening wall, with enhanced stone columns approximately one hundred-twenty feet (120') on center, shall be constructed along Plano Parkway where a home sides or backs to Plano Parkway.

11. Lot Development Standards:

- a. Minimum lot size: 4,000 square feet
- b. Minimum lot width: forty-five feet (45')
- c. Minimum lot depth: ninety feet (90')
- d. Maximum lot coverage: sixty-five percent (65%)
- e. Minimum Setbacks:
  - a) Front Yard:



- (1) House Face: Minimum ten feet (10')
- (2) Garage Face: Minimum eighteen feet (18')

b) Side Yard:

- (1) Interior Lots: five feet (5')
- (2) Side Street/Corner Lot: ten feet (10')

c) Rear Yard: ten feet (10') minimum

12. Dwelling Unit Characteristics:

- a. Minimum dwelling unit size shall be 2,000 square feet.
- b. Minimum masonry content for facades abutting Plano Parkway shall be ninety percent (90%).
- c. Chimneys provided on homes adjacent to Plano Parkway shall be one hundred percent (100%) masonry or direct vent.

**TRACT 3: Special Development Standards**

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

- 1. Maximum density shall be twenty-five (25) dwelling units per acre.
- 2. Maximum building height shall be four (4) stories or sixty-five feet (65'). Minimum building height shall be three (3) stories.
- 3. Front and side yard setbacks (measured from property line to any structure) shall be thirty feet (30').
- 4. Rear yard setbacks (measured from property line to any structure) shall be fifty feet (50').
- 5. There shall be no minimum storage space requirement for each individual unit.
- 6. Parking shall be provided at a ratio of one uncovered space per bedroom.
- 7. Minimum unit size shall be 750 square feet.
- 8. The minimum landscape buffer along Plano Parkway shall be twenty feet (20') in depth. Said landscape buffer shall contain, at a minimum, the following elements:
  - a. One (1) shade tree, a minimum of three caliper inches (3'') in size and a minimum of ten feet (10') in height at the time of planting, for each forty feet (40') of street frontage or fraction thereof, and;
  - b. Four (4) ornamental trees, a minimum of six feet (6') in height at the time of planting, for each forty feet (40') of street frontage or fraction thereof. Three (3) ornamental trees may be substituted for a shade tree if planted directly underneath overhead utility lines.

- c. A minimum of seventy-five percent (75%) of the exterior building façade materials on each elevation shall be brick, stone or stucco (excluding EIFS). However, the Planning & Zoning Commission, through the Technical Site Plan Approval process, may approve alternative percentages and building materials on each elevation between fifty percent (50%) and seventy-four and nine-tenths percent (74.9%) based upon durability of materials, building articulation, architectural features and architectural style relating to the district.

#### **TRACT 4: Special Development Standards**

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

##### **1. For any Development in Tract 4:**

- a. A homeowner's association shall be established in accordance with the Comprehensive Subdivision Ordinance prior to final platting the first tract. The property owner's association will be responsible for the improvement and maintenance of all common areas and/or common facilities contained within the area of the Conceptual Site Plan.
- b. Alleys shall not be required.
- c. A solid masonry perimeter screening wall, not less than six feet (6') in height measured at the highest finished grade and designed by a Professional Engineer registered in the State of Texas, shall be installed and maintained where lots in Tract 4 abut Tracts 5, 6, and 7.

The design of said walls shall be approved by the City Manager or designee, and constructed prior to the issuance of a letter of acceptance by the Engineering Department for the construction of any public improvements within Tract 4.

Said walls may be "phased in" as part of the subdivision of various phases of development in Tract 4.

Said walls shall be maintained by a home owner's association.

- d. Solid masonry perimeter screening walls shall be prohibited where streets in Tract 4 abut adjacent streets, common landscape areas or public "hike-and-bike" trails. Decorative metal fences with masonry columns, not less than six feet (6') in height measured at the highest finished grade and designed by a Professional Engineer registered in the State of Texas, may be installed in these areas, provided however that open pedestrian passageways no less than ten feet (10') in width are included.

The design of said screening walls shall be approved by the City Manager or designee, and constructed prior to the issuance of a letter of acceptance by the Engineering Department for the construction of any public improvements in Tract 4.

Said screening walls may be "phased in" as part of the subdivision of various phases of development in Tract 4.

Said walls shall be maintained by a home owner's association.

No fence shall be erected which is located in a required side or rear yard setback and which is parallel to, or approximately parallel to, a screening wall, and which exceeds the height of such screening wall or which is located in a required side or rear yard setback and which is perpendicular to, or approximately perpendicular to, a screening wall, and which exceeds the height of such screening wall.

- e. A “board-on-board” fence, not less than eight feet (8’) in height measured at the highest finished grade and designed by a Professional Engineer registered in the State of Texas, may be installed and maintained where lots in Tract 4 abut Tract 9 and/or the public “hike-and-bike” trails, provided however that said fence shall consist of cedar or redwood and shall include a masonry column located at each rear lot corner and at the intersection of the side lot line with the front building setback line.
- f. For a minimum of seventy-five percent (75%) of the total number of houses built, facades shall include projections, recesses, articulation, as well as variation of materials, colors, roof lines and window design as conceptually shown in Exhibit E. For a minimum of seventy-five percent (75%) of the total number of houses built, garages facing the street shall be a minimum of four feet (4’) behind the building line and recessed from the front façade of the building a minimum of four feet (4’).
- g. An “amenity center” including such elements as a pool, mail kiosk and/or cabana shall be permitted as shown in Exhibit L Conceptual Streetscape Program. Said amenity center shall have the following development standards:
  - i. Minimum setback for any above-ground structure (e.g. cabana, pergola) to any property line shall be fifteen feet (15’).
  - ii. Security fencing around the pool shall be decorative metal.
  - iii. Screening around the pool equipment may consist of an opaque wooden fence.
  - iv. Landscaping shall be in accordance with Exhibit L Conceptual Streetscape Program.
  - v. A cabana may include kitchen facilities.

## **2. For (SF-10/18) Single-Family Residential Development**

*(For all 80’ lots shown on Exhibit C Conceptual Site Plan):*

- a. Minimum floor area of dwelling unit shall be 2,400 square feet.
- b. Maximum building coverage shall be fifty-five percent (55%).
- c. Exterior façade materials: each elevation below the top plate line shall have a minimum of seventy percent (70%) brick, stone or glass block excluding doors, garage doors and windows. The exterior insulation finishing system (EIFS) is prohibited from meeting the seventy percent (70%) minimum requirement.
- d. Minimum front setback shall be twenty feet (20’).
- e. Minimum rear setback shall be twenty feet (20’).
- f. Minimum side setback shall be eight feet (8’).

- g. Garage doors shall be clad in stained natural cedar or faux wood, as conceptually shown in Exhibit D.
- h. Driveways shall be decorative pavers, exposed concrete aggregate, stained and pattern-stamped, patterned, saw-cut or salt-finished concrete.
- i. Garage doors shall not face the street unless they meet the following minimum front setbacks:
  - i. One-car garage: forty-five feet (45').
  - ii. Two-car garage: sixty feet (60').
- j. Carports & garage awnings shall be prohibited.

**3. For (SF-7/16) development**

*(For all 60' lots shown on Exhibit C Conceptual Site Plan):*

- a. Minimum lot frontage on a public street shall be sixty feet (60').
- b. Minimum floor area of dwelling unit shall be 2,000 square feet.
- c. Maximum building coverage shall be fifty-five percent (55%).
- d. Exterior façade materials: each elevation below the top plate line shall have a minimum of seventy percent (70%) brick, stone or glass block excluding doors, garage doors and windows. The exterior insulation finishing system (EIFS) is prohibited from meeting the seventy percent (70%) minimum requirement.
- e. Minimum front setback for single-story living areas shall be fifteen feet (15').
- f. Minimum front garage setback shall be twenty feet (20').
- g. Minimum rear setback shall be twenty feet (20').
- h. Minimum side setback shall be five feet (5').
- i. Garage doors shall be clad in stained natural cedar or faux wood, as conceptually shown in Exhibit D.
- j. Driveways shall be decorative pavers, exposed concrete aggregate, stained and pattern-stamped, patterned, saw-cut or salt-finished concrete.
- k. Carports and garage awnings shall be prohibited.

**4. For (SF-5/12) Development**

*(For all 50' lots shown on Exhibit C Conceptual Site Plan):*

- a. Minimum floor area of dwelling unit shall be 1,800 square feet.
- b. Exterior façade materials: each elevation below the top plate line shall have a minimum of seventy percent (70%) brick, stone or glass block excluding doors, garage doors and windows. The exterior insulation finishing system (EIFS) is prohibited from meeting the seventy percent (70%) minimum requirement.
- c. Minimum front setback for single-story living areas shall be fifteen feet (15').
- d. Minimum garage door setback shall be twenty feet (20').
- e. Minimum rear setback shall be fifteen feet (15').
- f. Minimum side setback shall be five feet (5').

- g. Garage doors shall be clad in stained natural cedar or faux wood, as conceptually shown in Exhibit D.
- h. Driveways shall be decorative pavers, exposed concrete aggregate, stained and pattern-stamped, patterned, saw-cut or salt-finished concrete.
- i. Carports and garage awnings shall be prohibited.

#### **TRACT 5: Special Development Standards**

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

1. The minimum landscape buffer along Plano Parkway shall be twenty feet (20') in depth. Said landscape buffer shall contain, at a minimum, the following elements:
  - a. One (1) shade tree, a minimum of three caliper inches (3'') in size and a minimum of ten feet (10') in height at the time of planting, for each forty feet (40') of street frontage or fraction thereof, and;
  - b. Four (4) ornamental trees, a minimum of six feet (6') in height at the time of planting, for each forty feet (40') of street frontage or fraction thereof. Three (3) ornamental trees may be substituted for a shade tree if planted directly underneath overhead utility lines.
2. Minimum depth of rear setback shall be one and one-half (1.5) times the building height, as measured to the top plate of the building.
3. An "entry ribbon" consisting of decorative pavers or stained and pattern-stamped concrete shall be placed in each entry driveway. Said entry ribbon shall be no less than six feet (6') in depth and shall extend across the width of the driveway.
4. A landscaped island shall be provided at the end of each parking row and at a minimum interval of twelve (12) spaces. Such island shall be a minimum of nine feet (9') in width, measured "face-to-face" and shall extend the length of the adjacent parking space. Landscape islands shall also be required when parking spaces are located behind a building and said parking spaces shall be screened from view of the street.
5. Electrical meters, gas meters, air conditioning equipment and all other similar equipment and appurtenances shall not face any public street.

#### **TRACT 6: Special Development Standards**

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

1. The minimum landscape buffer along Plano Parkway shall be twenty feet (20') in depth. Said landscape buffer shall contain, at a minimum, the following elements:
  - a. One (1) shade tree, a minimum of three caliper inches (3'') in size and a minimum of ten feet (10') in height at the time of planting, for each forty feet (40') of street frontage or fraction thereof, and;
  - b. Four (4) ornamental trees, a minimum of six feet (6') in height at the time of planting, for each forty feet (40') of street frontage or fraction thereof. Three (3)

ornamental trees may be substituted for a shade tree if planted directly underneath overhead utility lines.

2. Minimum depth of rear setback shall be one and one-half (1.5) times the height of the building, as measured to the top plate of the building.
3. An “entry ribbon” consisting of decorative pavers or stained and pattern-stamped concrete shall be placed in each entry driveway. Said entry ribbon shall be no less than six feet (6’) in depth and shall extend across the width of the driveway.
4. A landscaped island shall be provided at the end of each parking row and at a minimum interval of twelve (12) spaces. Such island shall be a minimum of nine feet (9’) in width, measured “face-to-face” and shall extend the length of the adjacent parking space. Landscape islands shall also be required when parking spaces are located behind a building and said parking spaces shall be screened from view of the street.
5. Electrical meters, gas meters, air conditioning equipment and all other similar equipment and appurtenances shall not face any public street.

### **TRACT 7: Special Development Standards**

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

1. Maximum density shall be twenty-seven (27) dwelling units per acre.
2. Maximum building height shall be four (4) stories or sixty-five feet (65’) except along Plano Parkway, where the maximum building height shall be three (3) stories or thirty-six feet (36’). Minimum building height shall be three (3) stories or thirty-six feet (36’). The appropriate arrangement of building heights shall be determined by the Planning & Zoning Commission during the Technical Site Plan review.
3. The minimum setback (measure from property line to any structure) along Plano Parkway shall be thirty feet (30’).
4. The minimum setback along the easterly property line fronting the street shown on the attached Conceptual Site Plan shall be twenty feet (20’).

The Planning & Zoning Commission is authorized to reduce this setback to fifteen feet (15’) during a Technical Site Plan review, provided that enhanced building elevations and landscaping which exceed the requirements of Article X Multi-Family Residential Districts of the Comprehensive Zoning Ordinance are provided along the easterly property line.

5. The minimum setback along the westerly property line abutting Tract 2 shall be twenty feet (20’).
6. The minimum setback along the southerly property line fronting the street shown on the Conceptual Site Plan shall be fifty feet (50’). The minimum setback along the southerly property line not abutting the street shown on the attached Conceptual Site Plan shall be seventy-five feet (75’).

7. Rear yard setbacks (measured from property line to any structure) shall be fifty feet (50').
8. There shall be no minimum storage space requirement for each individual unit.
9. Parking shall be provided at a minimum ratio of 1.25 spaces per dwelling unit.
10. Minimum unit size shall be 650 square feet.
11. The minimum landscape buffer along Plano Parkway shall be twenty feet (20') in depth. Said landscape buffer shall contain, at a minimum, the following elements:
  - a. One (1) shade tree, a minimum of three caliper inches (3") in size and a minimum of ten feet (10') in height at the time of planting, for each forty feet (40') of street frontage or fraction thereof, and;
  - b. Four (4) ornamental trees, a minimum of six feet (6') in height at the time of planting, for each forty feet (40') of street frontage or fraction thereof. Three (3) ornamental trees may be substituted for a shade tree if planted directly underneath overhead utility lines.
12. Along the entirety of the southerly property line a landscape buffer shall be provided which meets the design requirements of Article XXV Landscaping & Buffering, Section B, Subsection 5, Item (b)(2)(A) of the Comprehensive Zoning Ordinance, provided however that fencing may meander through the landscape buffer.
13. An "entry ribbon" consisting of decorative pavers or stained and pattern-stamped concrete shall be placed in each entry driveway. Said entry ribbon shall be no less than six feet (6') in depth and shall extend across the width of the driveway.
14. A landscaped island shall be provided at the end of each parking row and at a minimum interval of twelve (12) spaces. Such island shall be a minimum of nine feet (9') in width, measured "face-to-face" and shall extend the length of the adjacent parking space. Landscape islands shall also be required when parking spaces are located behind a building and said parking spaces shall be screened from view of the street.
15. Electrical meters, gas meters, air conditioning equipment and all other similar equipment and appurtenances shall not face any public street.
16. Carports shall be in general conformance with Exhibit M.

#### **TRACT 8: Special Development Standards**

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

1. Development shall be in accordance with the Conceptual Site Plan, Conceptual Landscaping Plan and Conceptual Building Facades attached hereto and incorporated herein as Exhibits S, T and U, respectively.
2. The minimum landscape buffer along Plano Parkway shall be twenty feet (20') in depth. Said landscape buffer shall contain, at a minimum, the following elements:

- a. One (1) shade tree, a minimum of three caliper inches (3") in size and a minimum of ten feet (10') in height at the time of planting, for each forty feet (40') of street frontage or fraction thereof, and;
  - b. Four (4) ornamental trees, a minimum of six feet (6') in height at the time of planting, for each forty feet (40') of street frontage or fraction thereof. Three (3) ornamental trees may be substituted for a shade tree if planted directly underneath overhead utility lines.
3. Front Yard Trees:
  - a. At least one (1) ornamental tree shall be required in front yard of each lot. The placement of trees shall not impede sight visibility.
  - b. Multi-trunk trees shall be a minimum of three inches (3") in diameter measured as follows: the diameter of the largest stem plus ½ the diameter of remaining stems.
4. A six foot (6') high, masonry screening wall shall be constructed along the southern, eastern and western boundary ensuring the detail of the wall is consistent with PD-175.
5. The northern perimeter screening shall be a board-on-board wooden privacy fence (six-foot minimum height) with metal posts facing inward and constructed by the developer.
6. Privacy fencing for single-family lots:
  - a. Stained wood fencing with metal poles. Metal poles shall be used for fence support, but on the inside of the fence.
  - b. The maximum height of fences shall be six feet (6').
  - c. Fences may not extend closer than ten feet (10') from the nearest front corner of the home
7. Electric meters, gas meters, air conditioning equipment and all other similar equipment and appurtenances shall not face any public street.
8. An "entry ribbon" consisting of decorative pavers or stained and pattern-stamped concrete shall be provided at all entrances of the subdivision. Said entry ribbon shall be no less than six feet (6') in depth and shall extend across the width of the entrance. The entry ribbon shall be called-out on the Conceptual Landscape Plans and Zoning Exhibit at the entrances from Plano Parkway and Dozier Road.
9. A homeowner's association (HOA) shall be established in accordance with the Comprehensive Subdivision Ordinance prior to final platting of the first tract.
10. The HOA will be responsible for the improvement and maintenance of all common areas and/or common facilities.
11. Drainage design shall meet the storm water ordinance.
12. Alleys shall not be required.
13. Carports and garage awnings are prohibited.
14. Front-entry garages are permitted.



15. Lot Development standards:

- a. Minimum lot size: 4,000 square feet.
- b. Minimum lot width: forty-five feet (45'), forty feet (40') along cul-de-sacs and elbows.
- c. Minimum lot depth: eighty-five feet (85').
- d. Maximum lot coverage: sixty-five percent (65%).
- e. House Setbacks:
  - i. Front yard living area: minimum ten feet (10')/maximum 20 feet (20').
  - ii. Garage face: minimum twenty feet (20').
  - iii. Side yard: five feet (5') interior lots/ten feet (10') corner lots.
  - iv. Rear Yard: ten feet (10') minimum.

16. Dwelling Unit Characteristics:

- a. Minimum floor area of dwelling unit size shall be 1,800 square feet.
- b. All garage doors shall be a decorative wood or "faux wood.
- c. Chimneys provided on homes adjacent to Plano Road and Dozier Road shall either be 100% masonry or direct vent.
- d. Exterior façade materials shall consist of a minimum of ninety percent (90%) brick and/or stone.

**TRACT 9: Special Development Standards**

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

1. For any development in Tract 9:

- a. There shall be no private driveways permitted on to Plano Parkway except for emergency access driveways. This does not prohibit the extension to the south of Dozier Road into Tract 9 as shown on the Conceptual Site Plan.
- b. The minimum landscape buffer along Plano Parkway shall be twenty feet (20') in depth. Said landscape buffer shall contain, at a minimum, the following elements:
  - i. One (1) shade tree, a minimum of three caliper inches (3") in size and a minimum of ten feet (10') in height at the time of planting, for each forty feet (40') of street frontage or fraction thereof, and;
  - ii. Four (4) ornamental trees, a minimum of six feet (6') in height at the time of planting, for each forty feet (40') of street frontage or fraction thereof. Three (3) ornamental trees may be substituted for a shade tree if planted directly underneath overhead utility lines.
- c. Elevations shall be in accordance with the Conceptual Townhouse Elevations as shown in Exhibit G.

- d. Minimum Lot Area shall be 1,600 square feet.
- e. Minimum Lot Width shall be twenty-two feet (22').
- f. Minimum Lot Depth shall be seventy-three feet (73').
- g. Minimum Front Yard Setback shall be ten feet (10').
- h. Minimum Rear Yard Setback shall be five feet (5').
- i. Maximum Impervious Lot Coverage shall be eighty percent (80%).
- j. A street cross section may be as shown in Exhibit F.
- k. Sidewalks and landscaping in the right-of-way shall be similar in character and design to the "Urban: Residential Character" street found in Section 7 of the GDS shall be installed (See Exhibit H).
- l. Exhibit C Conceptual Site Plan shall show the proposed extension of Dozier Road extending all the way through Tract 8 and connecting with the roadway network to the south in Tract 8.
- m. An "amenity center" including such elements as a pool, mail kiosk and/or cabana shall be permitted as shown in Exhibit I Amenity Center Conceptual Site Plan, Exhibit J Amenity Center Conceptual Landscape Plan and Exhibit K Amenity Center Conceptual Elevations. Said amenity center shall have the following development standards:
  - i. Minimum setback for any above-ground structure (e.g. cabana, pergola) to Plano Parkway shall be twenty feet (20').
  - ii. Minimum setback for any above-ground structure (e.g. mail kiosk) to Dozier Road shall be twenty feet (20').
  - iii. Minimum distance for any above-ground structure (e.g. mail kiosk, cabana) to Holt Drive shall be fifteen feet (15').
  - iv. Minimum setback for any above-ground structure (e.g. pergola, pool equipment enclosure) to the Burlington Northern & Santa Fe Railroad shall be twenty feet (20').
  - v. Security fencing around the pool shall be decorative metal.
  - vi. Screening around the pool equipment may consist of an opaque wooden fence.
  - vii. Landscaping shall be in accordance with Exhibit J Amenity Center Conceptual Landscape Plan.
  - viii. A cabana may include kitchen facilities.

### **Special Provisions Affecting All Tracts**

- 1. A standardized streetscape program shall be developed for the subject property in accordance with Exhibit L.

The streetscape program shall include such items as common area landscaping, the design of all screening walls, fences, entry monuments, special street lights, special street

signs, mail boxes, public art, street furniture (e.g. trash receptacles, benches, bike racks & news racks) and any other items not mentioned herein which the developer determines to be a contributing factor to a theme or look for the subject property.

Said elements described by and included in the streetscape program shall be installed and maintained by the home owner's association.

2. A standardized architectural design theme shall be developed for the subject property. All development other than single-family detached residential or single-family attached residential (i.e. "townhouse") shall conform to the architectural design theme.
3. Public "hike-and-bike" pathways shall generally be provided by the developer as shown on the attached Conceptual Site Plan, or as amended to meet franchise utility restrictions within their easement.
4. Rainwater retention (i.e. "wet") ponds shall be provided as shown on the attached Conceptual Site Plan. Each shall be equipped with a decorative fountain or other aeration device.

#### 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.

To the extent of any prior ordinance of the City of Carrollton (or any provision, clause, phrase, sentence or paragraph contained therein) conflicts with this ordinance, said conflicting ordinance, provision, clause, phrase, sentence or paragraph is hereby repealed.

Section 9.

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

PASSED AND APPROVED this the Eleventh day of July, 2017.

CITY OF CARROLLTON

By: \_\_\_\_\_  
Kevin Falconer, Mayor

ATTEST:

\_\_\_\_\_  
Laurie Garber  
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Susan Keller  
Assistant City Attorney

\_\_\_\_\_  
Michael McCauley  
Senior Planner

## Exhibit A

### Legal Description

BEING a tract of land out of the A. DYER SURVEY, Abstract no. 360, the S. EVANS SURVEY, Abstract No. 397, the McKINNEY & WILLIAMS SURVEY, Abstract No. 937 and the J. SMITH SURVEY, Abstract no. 1226, in the City of Carrollton, Denton County, Texas, being part of the tract of land described in deed to Mustang Properties, Inc., recorded in Volume 4151, Page 1374 and Volume 4151, Page 1365 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a point for the intersection of the centerline of the Atchison, Topeka and Santa Fe Railroad (150' ROW) and the centerline of the Burlington Northern Railroad (100' ROW at this point) for the beginning of a curve to the left with a radius of 6,875.35 feet, a central angle of 5 deg. 18 min. 40 sec. and a chord bearing and distances of North 49 deg. 05 min. 40 sec. West, 637.09 feet;

THENCE with the centerline of said Atchison Topeka and Santa Fe Railroad the following courses and distances to wit:

Northwesterly, with said curve, an arc distance of 637.31 feet to a point for the beginning of a compound curve to the left with a radius of 9,167.00 feet, a central angle of 01 deg. 35 min. 00 sec., and a chord bearing and distance of North 52 deg. 32 min. 39 sec. West, 253.32 feet;

Northwesterly, with said curve, an arc distance of 253.33 feet to a point for a corner;

North 53 deg. 20 min. 09 sec. West, a distance of 3,068.95 feet to a point for a corner;

THENCE leaving said centerline, the following courses and distances to wit:

North 03 deg. 05 min. 11 sec. East, a distance of 411.78 feet to a point for corner;

North 03 deg. 05 min. 11 sec. East, a distance of 549.99 feet to a point for corner;

North 03 deg. 05 min. 11 sec. East, a distance of 374.78 feet to a point for corner;

North 03 deg. 05 min. 11 sec. East, a distance of 353.69 feet to a point for corner;

North 03 deg. 05 min. 02 sec. East, a distance of 78.05 feet to a point for corner;

North 72 deg. 36 min 49 sec. East, a distance of 50.01 feet to a point for corner in the centerline of Plano Parkway (100' ROW) for the beginning of a non-tangent curve to the right with a radius of 999.99 feet, a central angle of 20 deg. 33 min. 36 sec., and a chord bearing and distance of North 07 deg. 06 min. 23 sec. West, 356.92 feet;

THENCE with said centerline, the following courses and distances to wit:

Northwesterly, said curve, an arc distance of 358.84 feet to appoint for corner;

North 03 deg. 10 min. 02 sec. East, a distance of 592.32 feet to a point for the intersection of the centerline of said Plano Parkway and the centerline of Parker Road (80' ROW) for

the beginning of a non-tangent curve to the right with a radius of 561.19 feet, a central angle of 24 deg. 02 min. 26 sec. East, a distance of 790.20 feet to a point for corner;

THENCE with the centerline of said Parker Road, the following courses and distances to wit:

Northeasterly, said curve, and arc distance of 237.81 feet to a point for corner;

South 87 deg. 02 min. 26 sec. East, a distance of 790.20 feet to a point for corner;

THENCE leaving said centerline, South 03 deg. 42 min. 20 sec. West, a distance of 1,645.81 feet to a point for corner in the centerline of said Plano Parkway for the beginning of a non-tangent curve to the left with a radius of 999.99 feet, a central angle of 00 deg. 02 min. 40 sec. and a chord bearing and distance of South 87 deg. 09 min. 35 sec. East, 0.77 feet.

THENCE with the centerline of said Plano Parkway, the following courses and distances to wit:

Southeasterly, with said curve, and arc distance of 0.77 feet to a point for corner;

South 87 deg. 10 min. 55 sec. East, a distance of 1,454.48 feet to a point for the beginning of a tangent curve to the right with a radius of 1,000.00 feet, a central angle of 17 deg. 43 min. 23 sec. and a chord bearing and distance of South 78 deg. 19 min. 14 sec. East, 308.09 feet.

Southeasterly with said curve, an arc distance of 309.32 feet to a point for corner;

North 20 deg. 32 min. 28 sec. East, a distance of 50.041 feet to a point for corner in the north right-of-way line of said Plano Parkway;

THENCE South 87 deg. 11 min. 15 sec. East, a distance of 844.83 feet to a point for corner in the centerline of Dozier Road (80' ROW);

THENCE with said centerline, the following courses and distances to wit:

South 11 deg. 14 min. 17 sec. West, a distance of 217.34 feet to a point for the beginning of a non-tangent curve to the right with a radius of 520.00 feet, a central angle of 21 deg. 57 min. 19 sec. and a chord bearing and distance of South 22 deg. 08 min. 33 sec. West, 198.04 feet;

Southwesterly, with said curve, and arc distance of 199.26 feet to a point for corner;

South 33 deg. 07 min. 13 sec. West, a distance of 49.77 feet to a point for corner in the centerline of said Plano Parkway

THENCE with said centerline, South 57 deg. 21 min. 58 sec. East, a distance of 459.19 feet to a point for corner at the intersection of the centerline of said Plano Parkway with the centerline of said Burlington Northern Railroad;

THENCE with the centerline of said Burlington Northern Railroad, South 15 deg. 55 min. 41 sec. West, a distance of 2,776.66 feet to the POINT OF BEGINNING and containing 229.24 acres of land, more or less.

AND

BEING a tract of land situated in the Abiah Dyer Survey, Abstract No. 360, City of Carrollton, Denton County, Texas and being all of a tract of land described in a Special Warranty Deed to Town Center of Austin Ranch No. 1, Inc., recorded in Document No. 2017-39362 of the Deed Records of Denton County, Texas (D.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with plastic cap stamped "Spiars Eng" found for the northwest corner of said Town Center of Austin Ranch No. 1, Inc. Tract, same being the southwest corner of a called 2.709 acre tract described in a Special Warranty Deed to Trails at Arbor Hills, LLC recorded in Document No. 2017-6223 (D.R.D.C.T.), same also being a point on the easterly line of Lot 1, Block A of Austin Ranch Commercial Addition, an addition to the City of Carrollton, according to the Final Plat thereof recorded in Document No. 2017-254 of the Plat Records of Denton County, Texas (P.R.D.C.T.), same also being a point on the southerly line of a called 10.0 acre tract of land described in a deed to Diane Dozier Culpepper, recorded in Volume 545, Page 478 (D.R.D.C.T.);

THENCE North 89°19'14" East, departing the easterly line of said Lot 1, Block A, with the southerly line of said 2.709 acre tract and said 10.0 acre tract, same being common with the northerly line of said Town Center of Austin Ranch No. 1 tract, passing at a distance of 358.03 feet the southeast corner of said 2.709 acre tract, continuing with the southerly line of said 10.0 acre tract and the northerly line of said Town Center of Austin Ranch No. 1 tract, a total distance of 1034.61 feet to a 1 inch iron pipe found in the westerly line of F.M. 544 (a.k.a. Dozier Road) for the southeast corner of said 10.0 acre tract, the northeast corner of said Town Center of Austin Ranch No. 1 tract for the northeast corner of this tract;

THENCE South 7°48'02" West, departing the southeast corner of said 10.0 acre tract, with the easterly line of said Town Center of Austin Ranch No. 1 tract, same being common with the westerly line of said Dozier Road, a distance of 335.02 feet to a 1/2 inch iron pipe found for the northeast corner of that tract of land conveyed to Mustang Carrollton Properties, LTD, according to the document filed of record in Document Number 1998-71944, Deed Records Denton County, Texas, same being common with the southeast corner of said Town Center of Austin Ranch No. 1 tract and the southeast corner of this tract;

THENCE South 89°16'43" West, leaving said common corner and west line of Dozier Road, with the north line of said Mustang Carrollton tract, same being common with the south line of said Town Center of Austin Ranch No.1 tract, a distance of 804.16 feet to a 1/2 inch iron rod with plastic cap stamped "Wier & Assoc." found in the northerly line of Plano Parkway, at the beginning of a non-tangent curve to the left having a central angle of 10°06'45", a radius of 1050.00 feet, a chord bearing and distance of North 78°01'29" West, 185.08 feet;

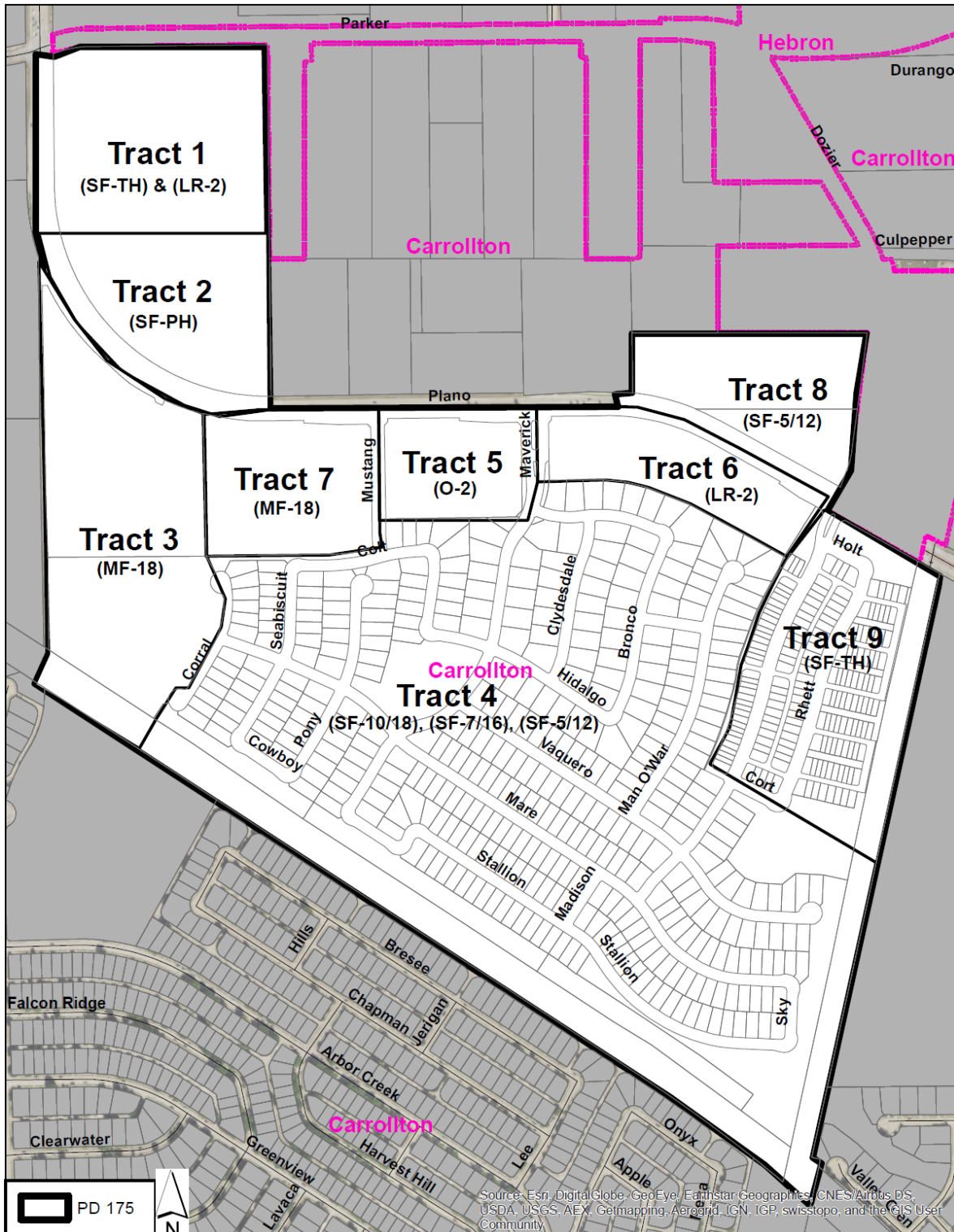
THENCE in a northwesterly direction, with said curve to the left and northerly line of Plano Parkway, an arc distance of 185.32 feet to a point for the southwest corner of this tract, from which a 1/2 inch iron rod with plastic cap stamped "RLG Inc." found for witness bears N 00°46'17" W, 8.39 feet;

THENCE North 0°46'17" West, leaving the northerly line of said Plano Parkway, with the east line of the above mentioned Lot 1, Block A, Austin Ranch Commercial Addition, a distance of 291.40 feet to the POINT OF BEGINNING and containing 7.593 acres (330,732 square feet) of land, more or less.



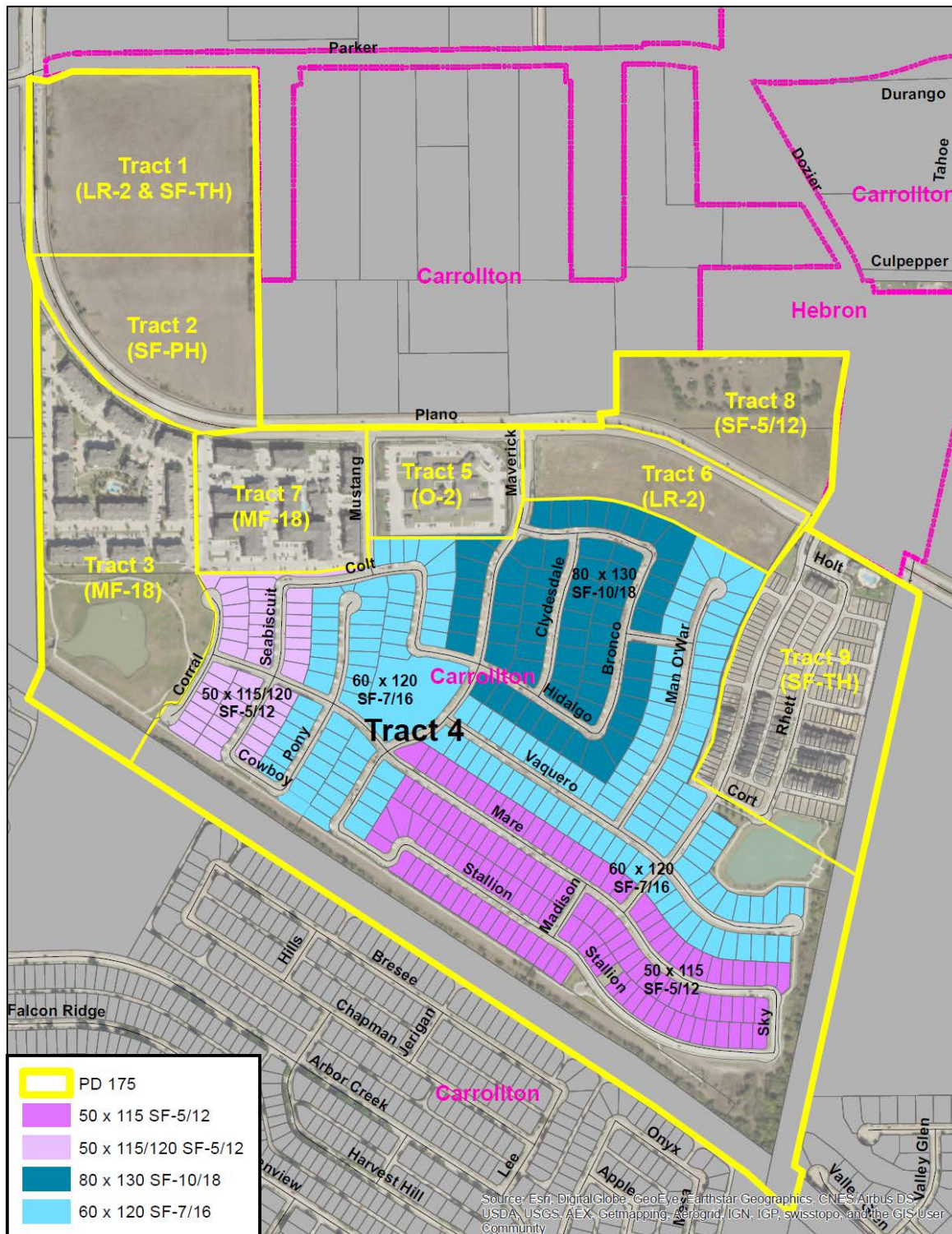
## Exhibit B

### Location & Tracts



# Exhibit C

## Conceptual Site Plan





## Exhibit D

Conceptual Garage Doors



## Exhibit E

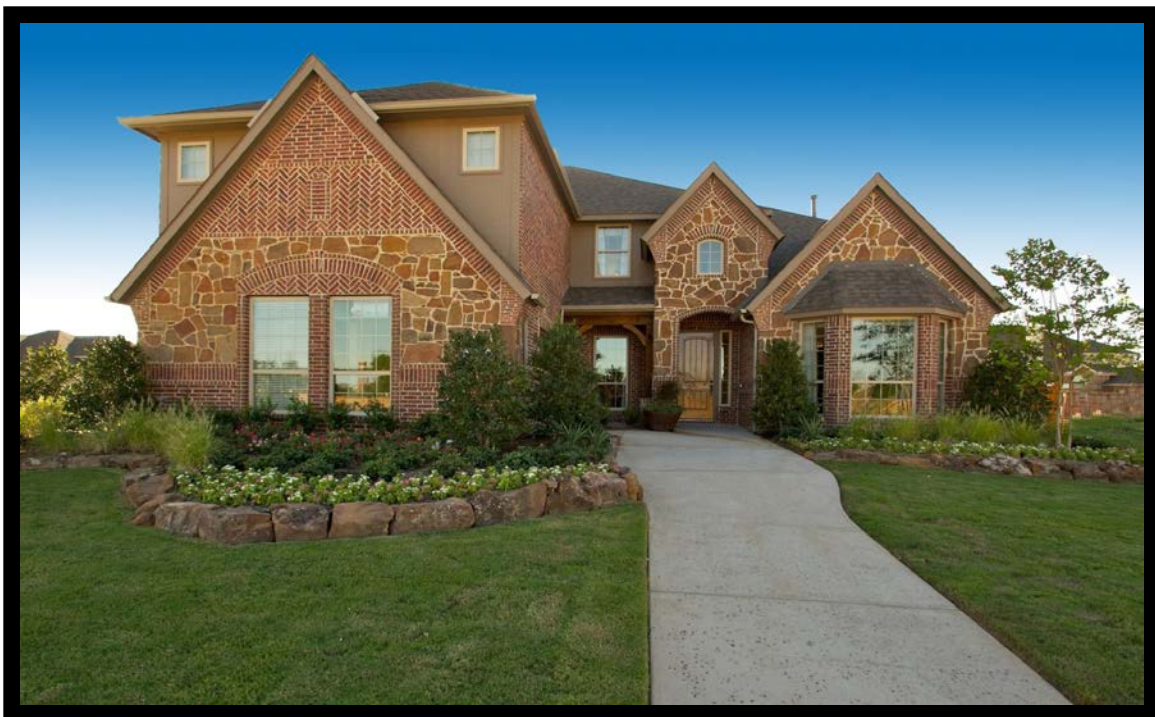
Conceptual Single-Family Elevations





## Exhibit E

Conceptual Single-Family Elevations



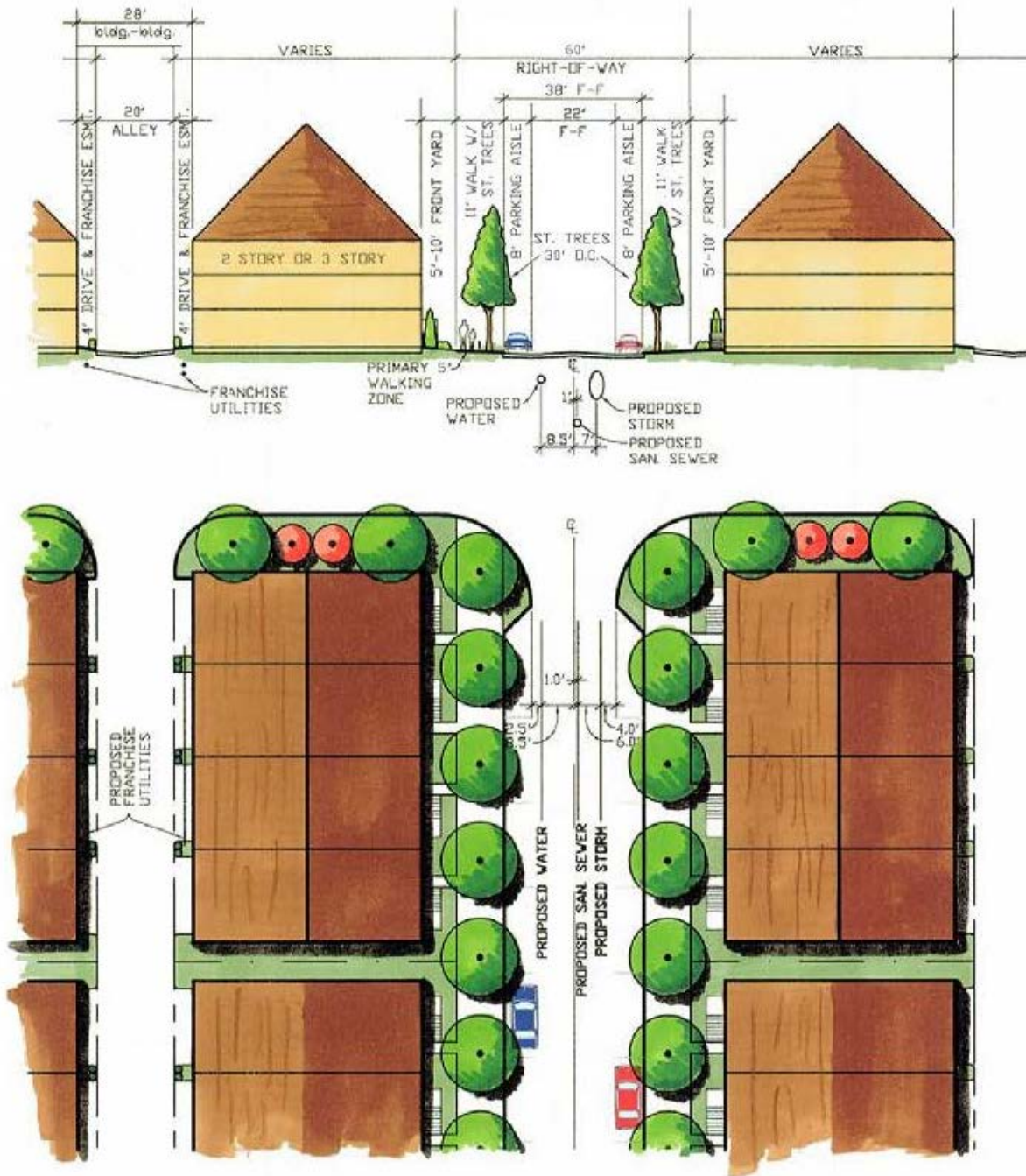


## Exhibit E

Conceptual Single-Family Elevations



# Exhibit F Conceptual Townhouse Street Cross Section Tract 9





**Exhibit G**  
Conceptual Townhouse Elevations  
Tract 9

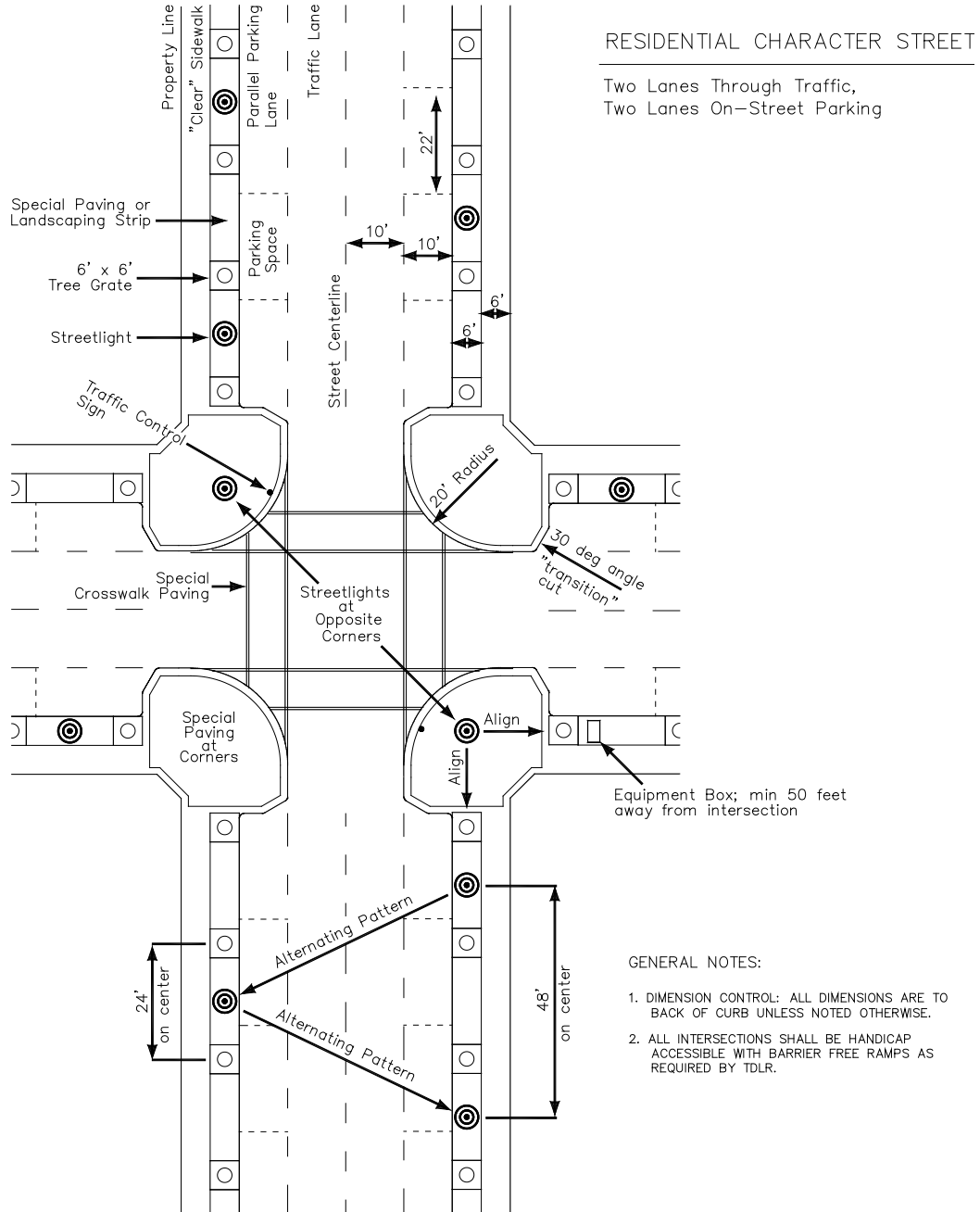




# Exhibit H

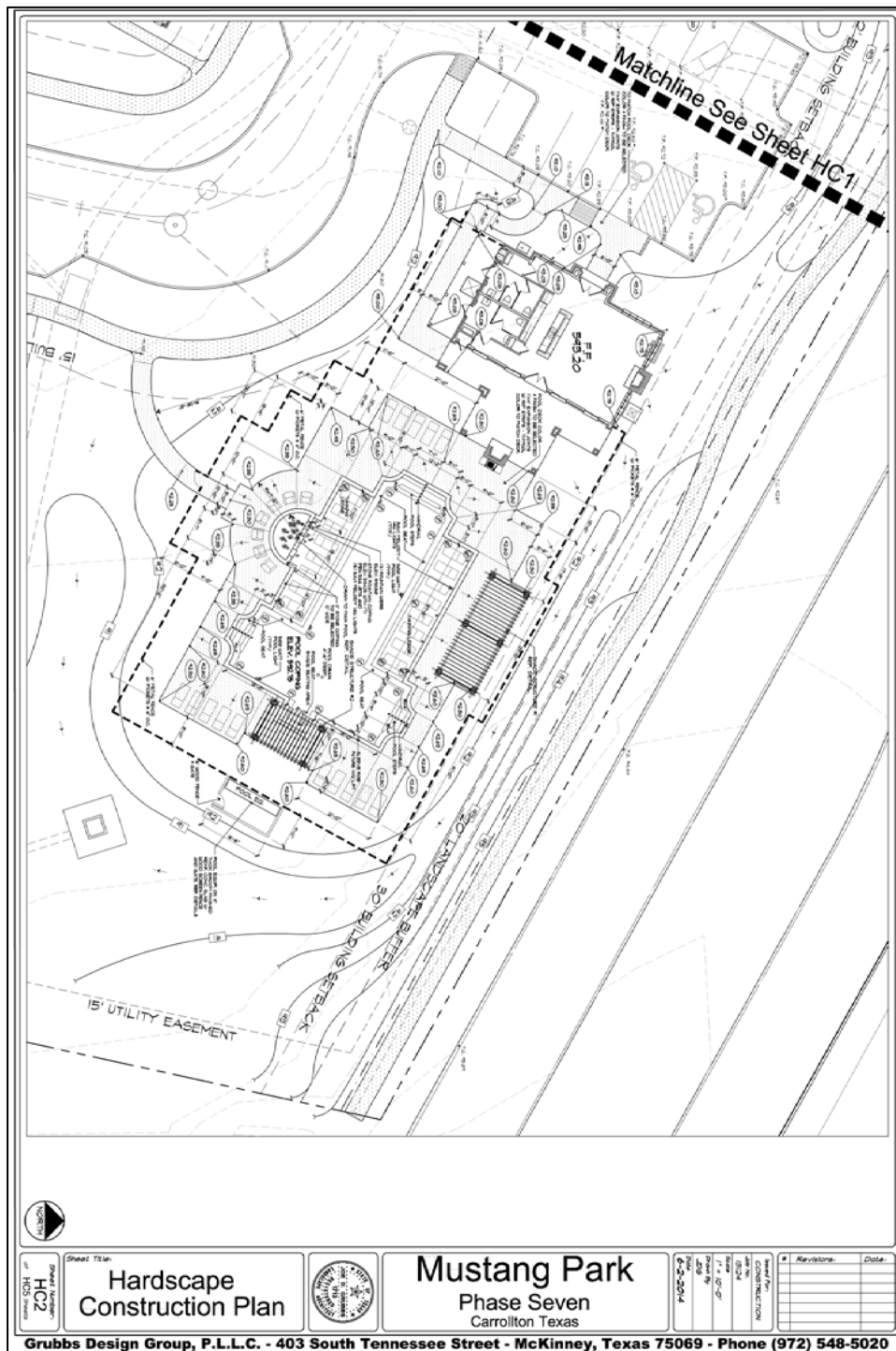
## “Urban” Sidewalk and Landscaping Program

### Tract 9

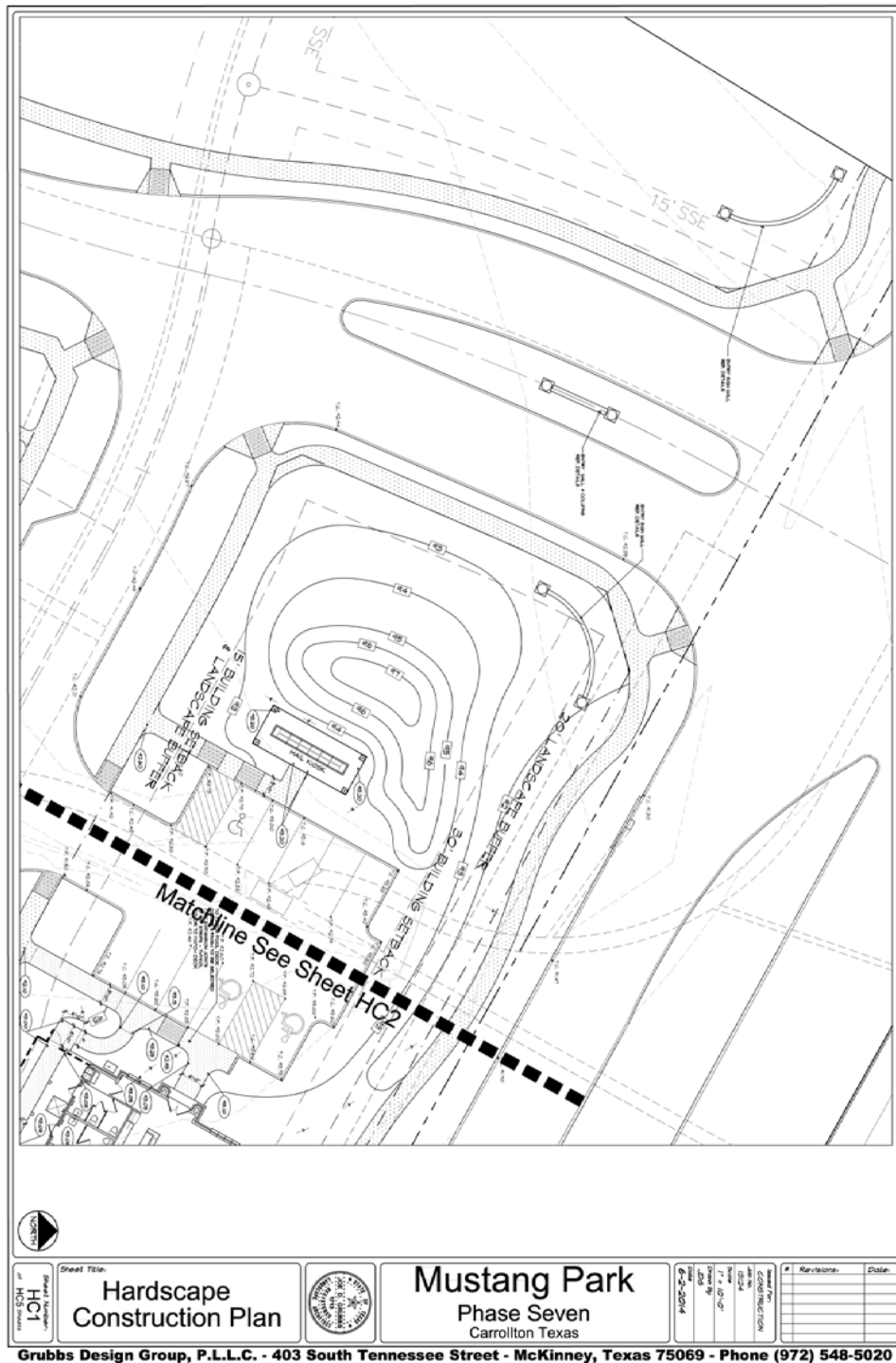


# Exhibit I

## Amenity Center Conceptual Site Plan

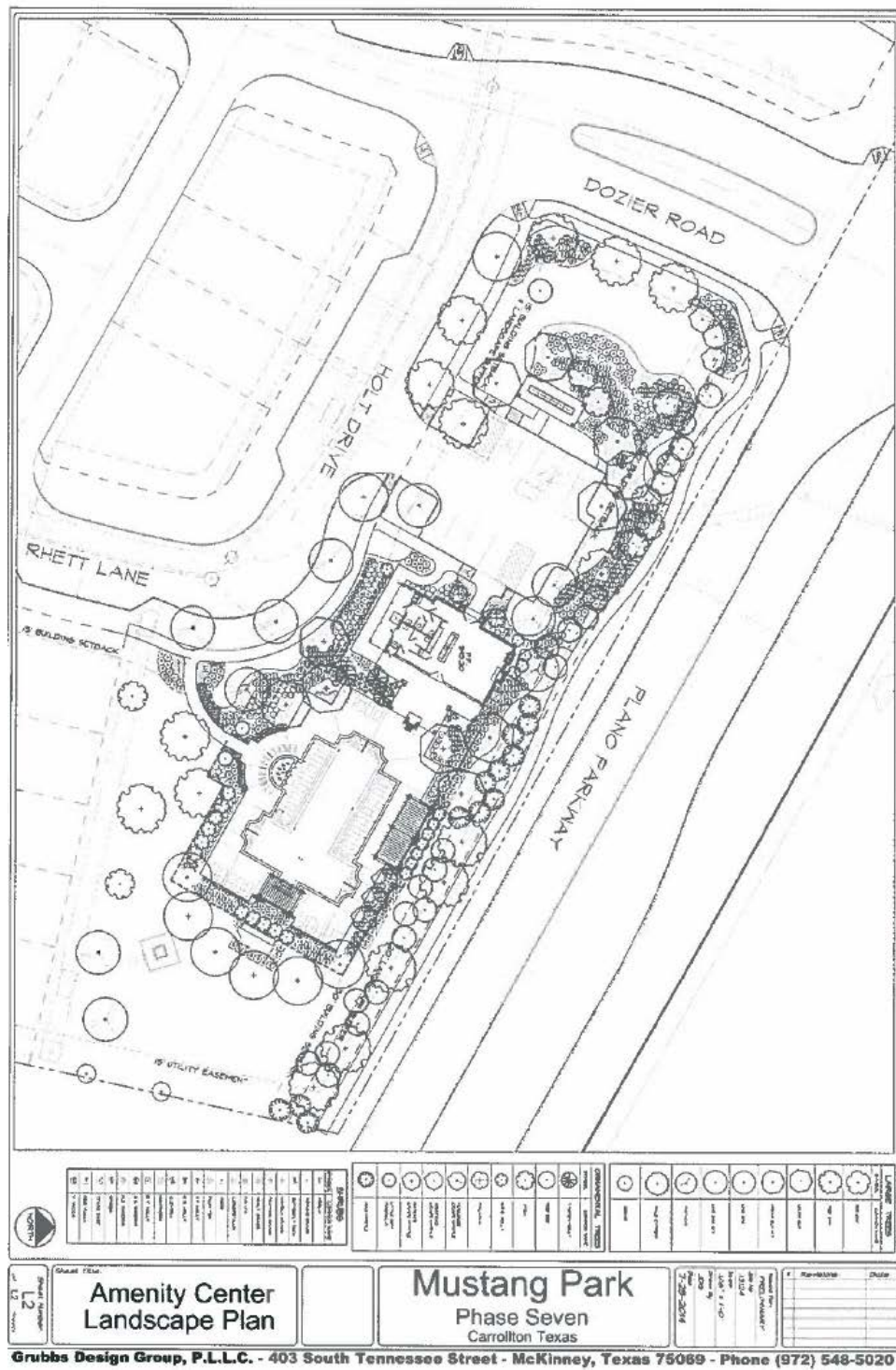


**Exhibit I**  
**Amenity Center Conceptual Site Plan**  
**(West Side of Tract)**



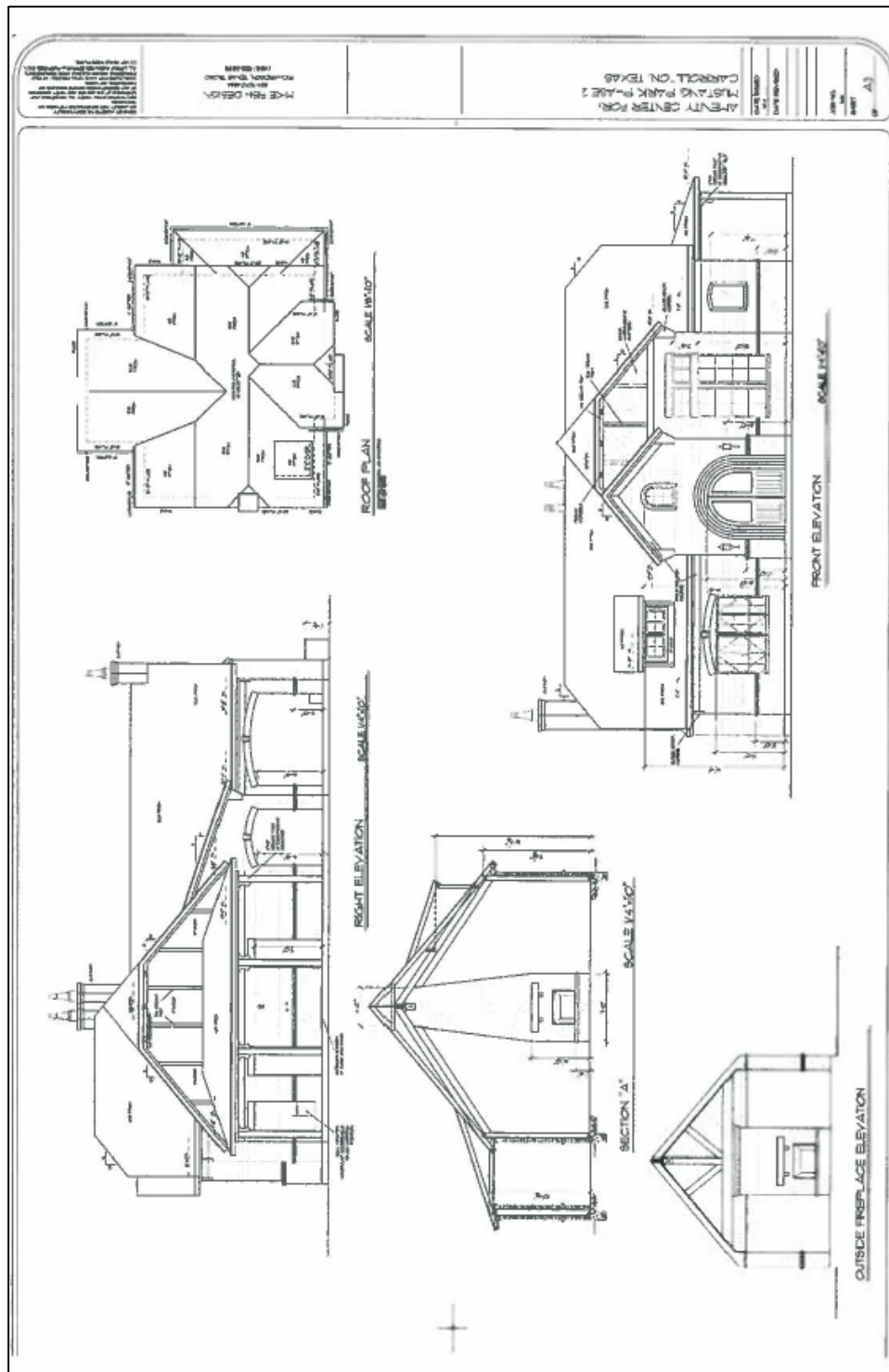
# Exhibit J

## Amenity Center Conceptual Landscape Plan



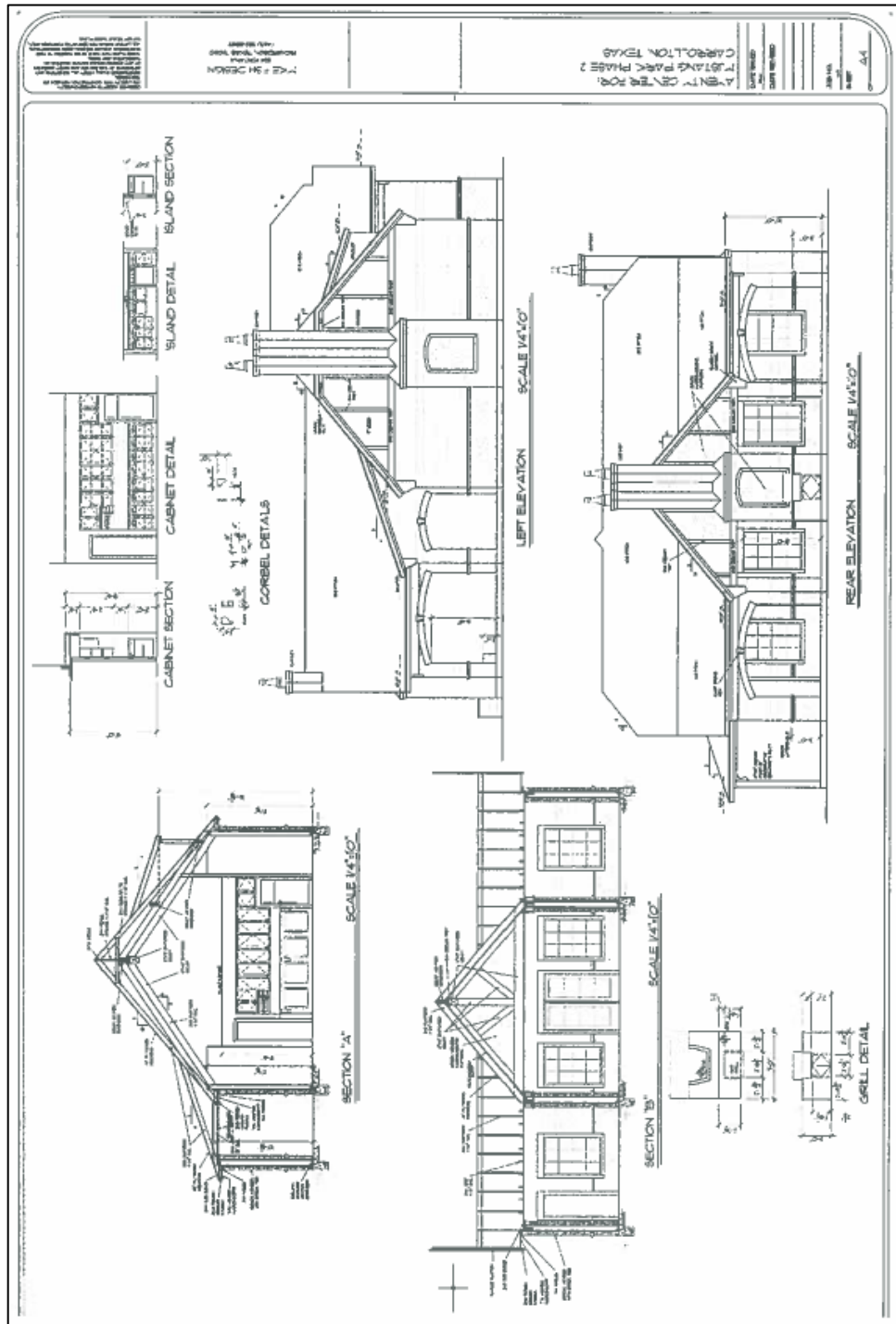
# Exhibit K

## Amenity Center Conceptual Elevations (1 of 2)



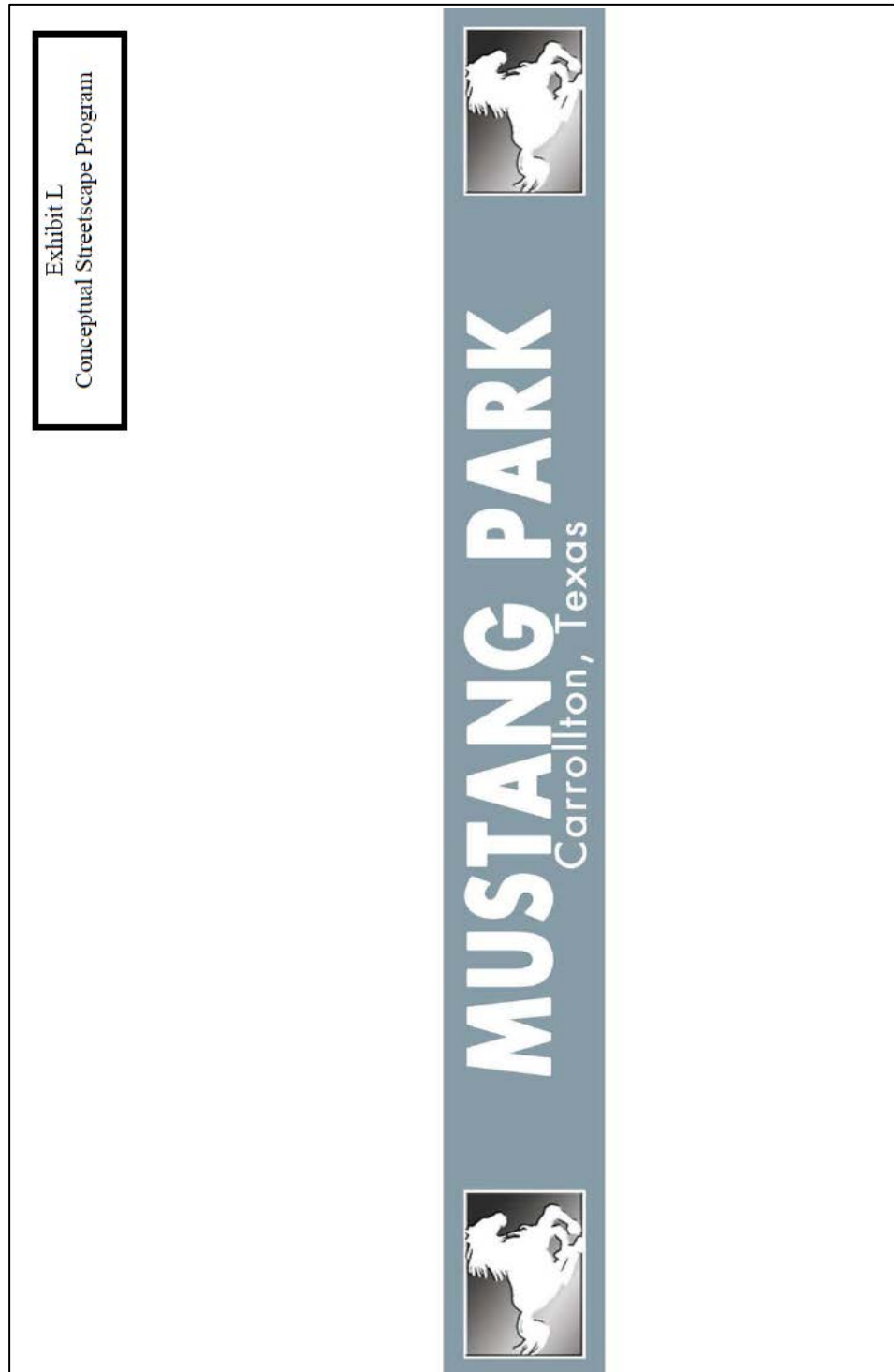
# Exhibit K

## Amenity Center Conceptual Elevations (2 of 2)



# Exhibit L

## Conceptual Streetscape Program





# Exhibit L

## Conceptual Streetscape Program





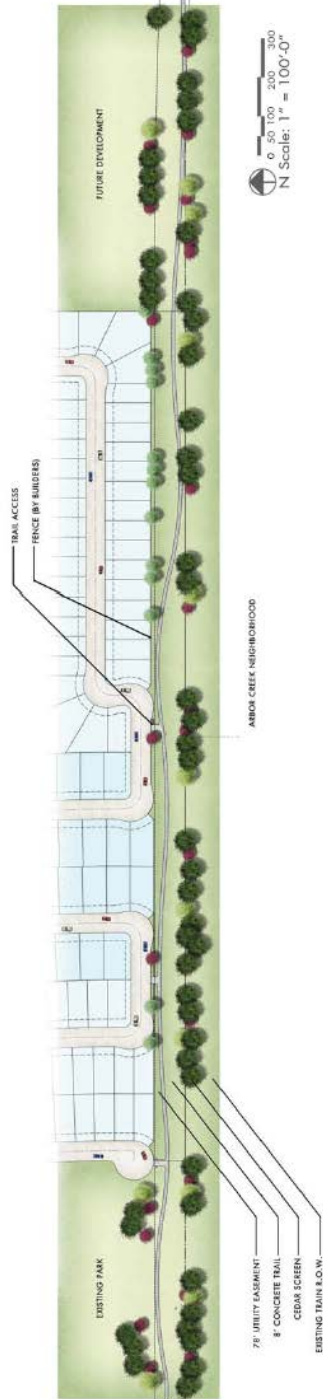


# Exhibit L

## Conceptual Streetscape Program

### Exhibit L

#### Conceptual Streetscape Program



Easment Utility Plan

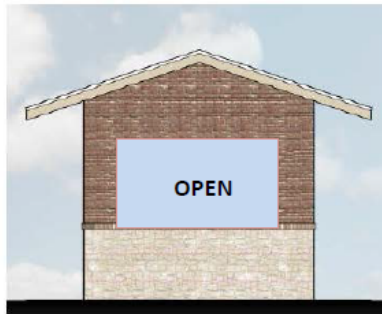


Mustang Park  
Carrollton, Texas



## Exhibit M

Conceptual Carports (1 of 2)



SIDE ELEVATIONS



FRONT AND REAR ELEVATIONS

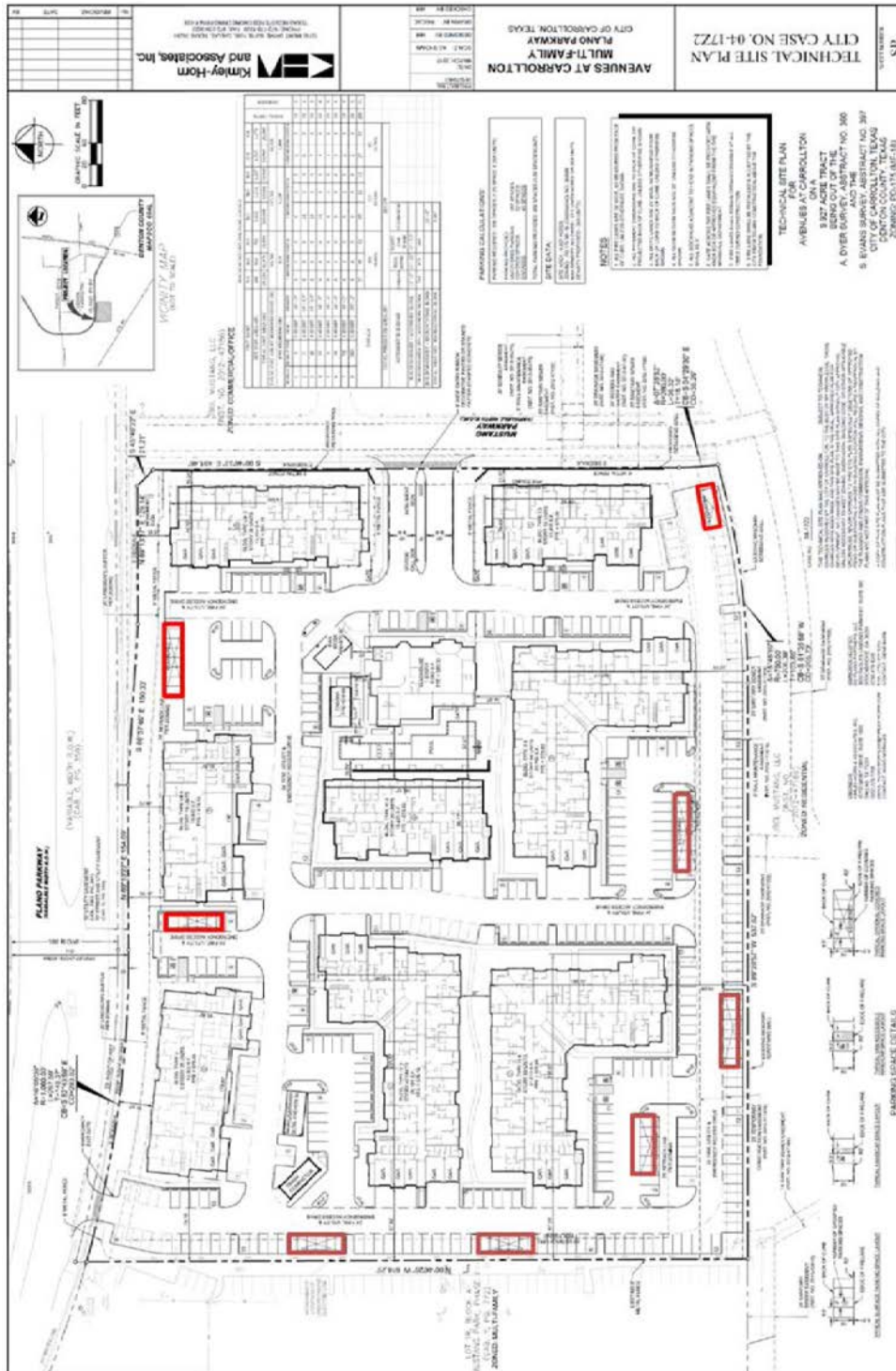
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CAR CANOPY

MASONRY 100%

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# Exhibit M Conceptual Carport Locations (2 of 2)





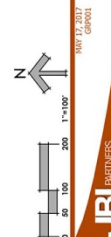
# EXHIBIT N

## Conceptual Site Plan



EXHIBIT N  
CONCEPTUAL SITE PLAN  
Carrollton, Texas  
ENGINEERING, PLANNING, AND ARCHITECTURE  
FOR REAL ESTATE DEVELOPMENT  
15001 QUORUM DR. SUITE 200 B  
AUSTIN, TX 78704

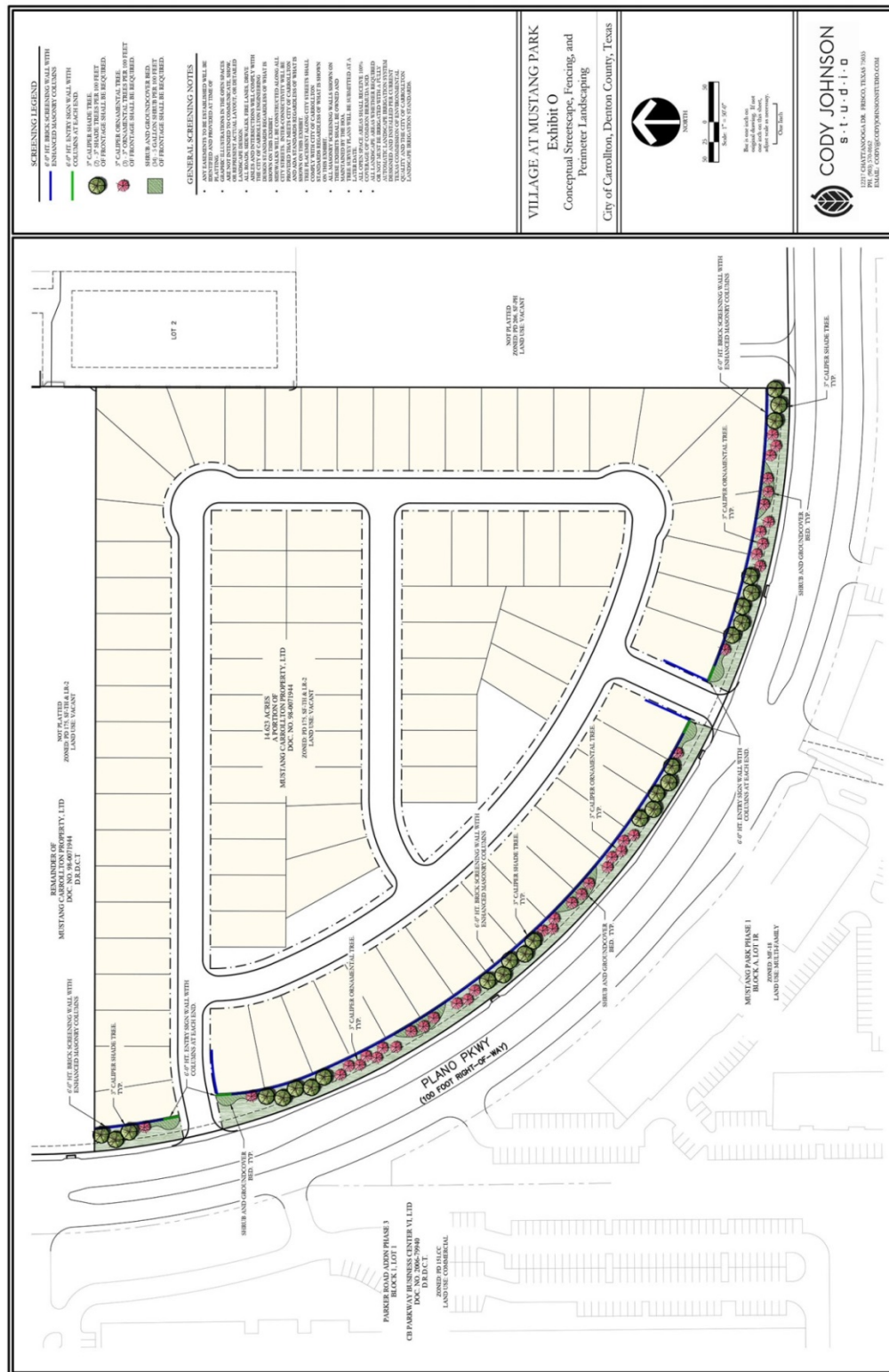
VILLAGE AT MUSTANG PARK





## EXHIBIT O

### Conceptual Streetscape, Fencing & Perimeter Landscaping



# EXHIBIT P

## Conceptual Single-Family Building Elevations

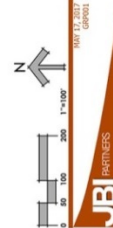
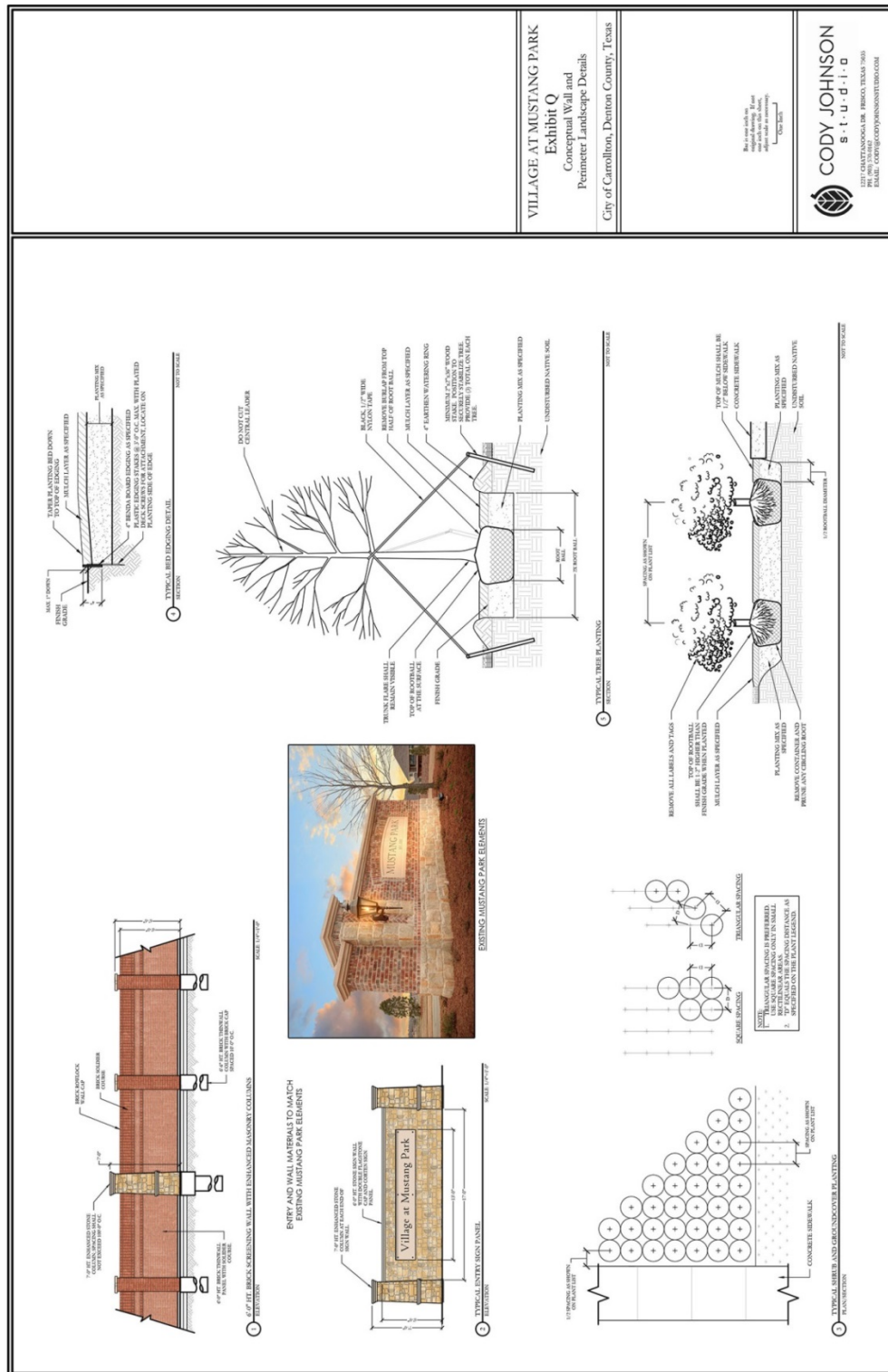


EXHIBIT P  
CONCEPTUAL SINGLE-FAMILY  
BUILDING ELEVATIONS  
Carrollton, Texas  
ENGINEERING, PLANNING, AND ARCHITECTURE  
FOR REAL ESTATE DEVELOPMENT  
15501 QUORAM DR., SUITE 200 W  
DALLAS, TX 75244

VILLAGE AT MUSTANG PARK

## EXHIBIT Q

### Conceptual Wall & Perimeter Landscape Details



# EXHIBIT R

## Typical Street Section

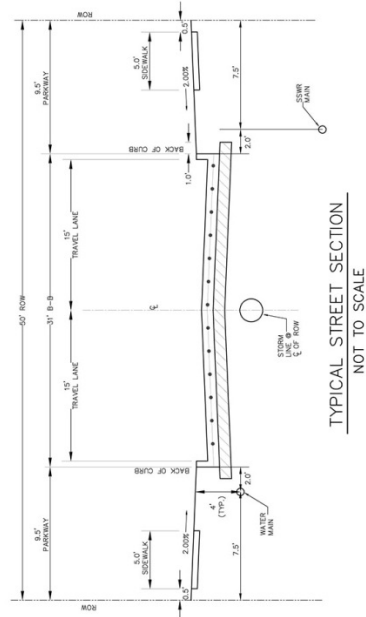
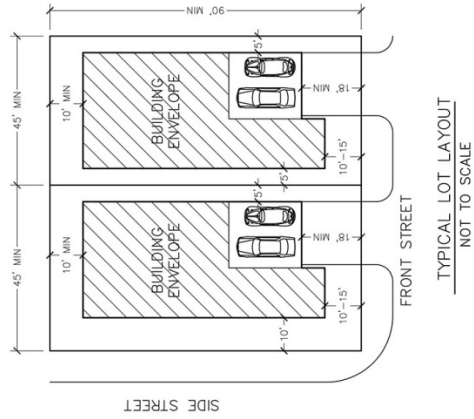


EXHIBIT R  
TYPICAL STREET SECTION  
Carrollton, Texas  
FOR REAL ESTATE DEVELOPMENT  
10201 GULFVIEW DR., SUITE 200 E  
ADDISON, TX 75001

VILLAGE AT MUSTANG PARK





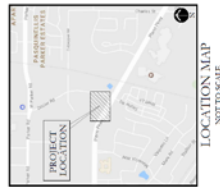




CONSTRUCTION PLANS  
FOR  
CONCEPTUAL LANDSCAPE  
PLANS  
~LATERA~  
CITY OF CARROLLTON  
TEXAS

SUBMITTAL DATE May 22, 2017

SHEET INDEX	
LI	OVERALL LAYOUT PLAN
L2-L5	HARDSCAPE & LANDSCAPE PLANS
L6	LANDSCAPE DETAILS



<b>OWNER/DEVELOPER:</b> GREEN BRICK PARTNERS 2805 N. DALLAS PARKWAY SUITE 400 PLANO, TEXAS 75093 PHONE: 972-335-5880 CONTACT: JED DOLSON	<b>CIVIL ENGINEER:</b> KIMLEY-HORN AND ASSOCIATES 5130 GENESIS COURT SUITE 200 Frisco, Texas 75034 PHONE: 972-335-5380 CONTACT: CASEY ROSS	<b>LANDSCAPE ARCHITECT:</b> CODY JOHNSON STUDIO, LLC 12217 CHATTANOOGA DR. FRISCO, TEXAS 75035 PH. (903) 570-0162 CONTACT: CODY JOHNSON, RLA, ASLA, LI
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## GENERAL CONSTRUCTION NOTES

- [illegible]

GENERAL LANDSCAPE NOTES:

- [illegible]

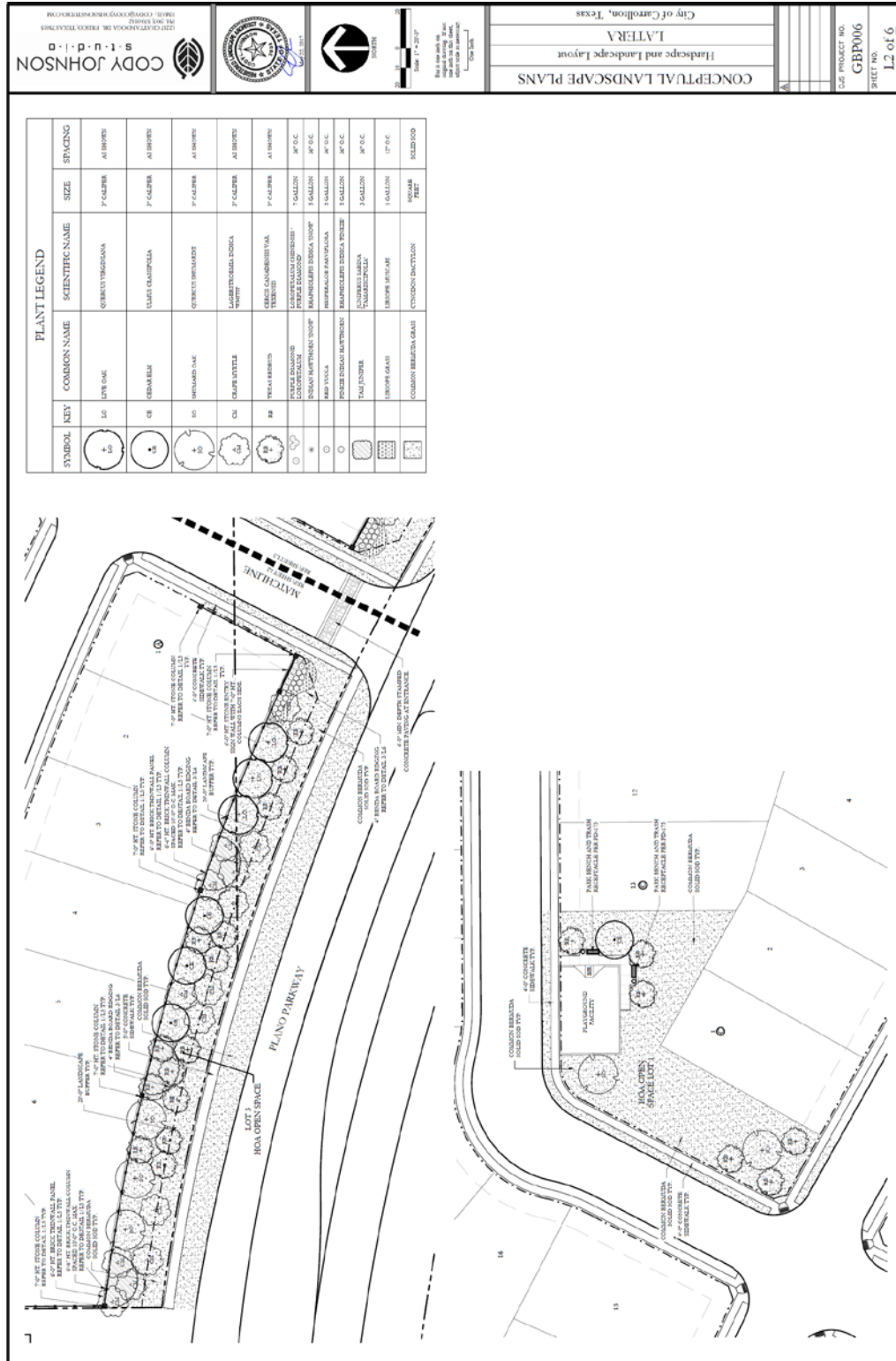






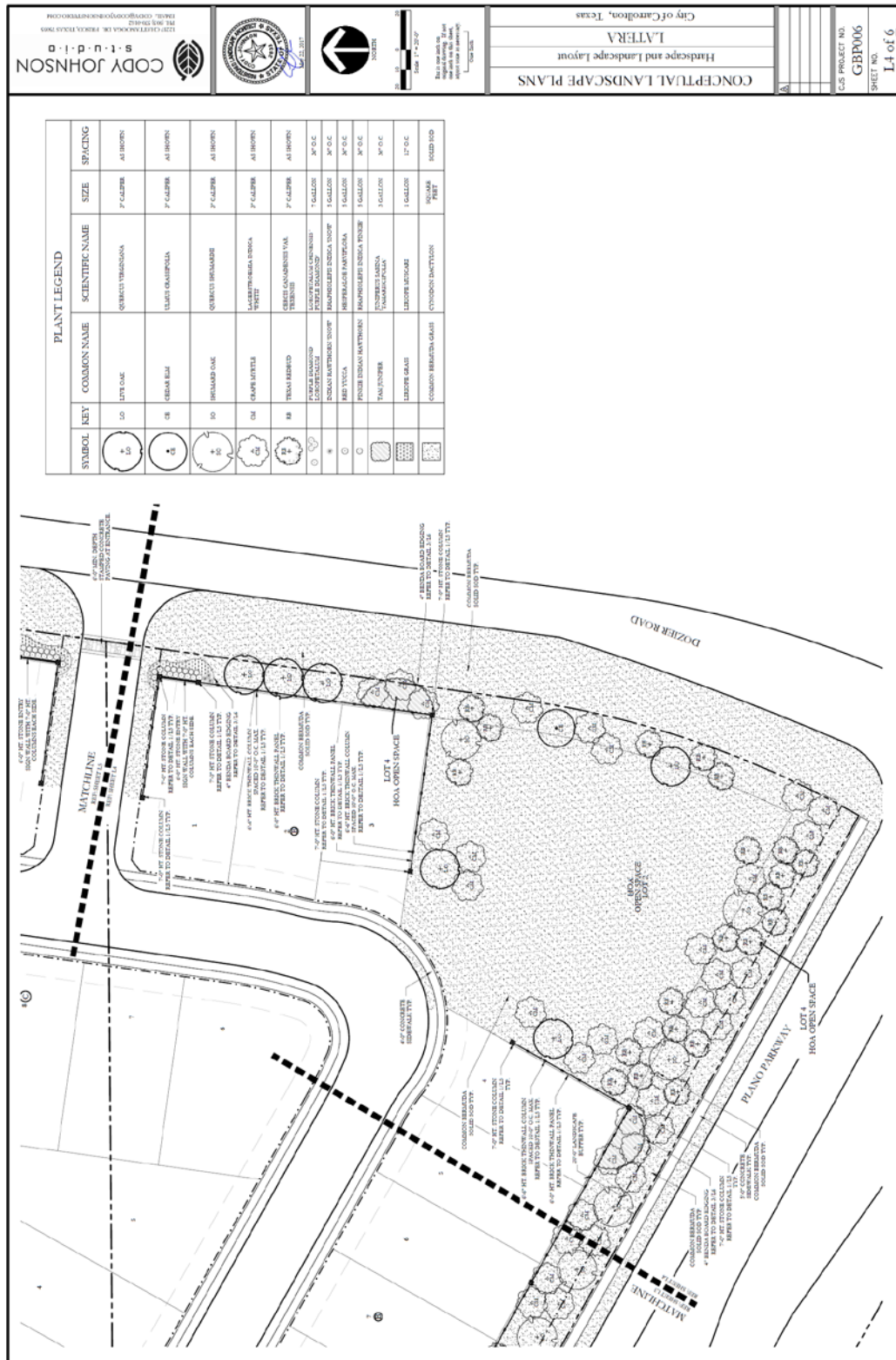


Conceptual Landscape Plan (5 of 9)





## Conceptual Landscape Plan (7 of 9)











**Exhibit U**  
Conceptual Single Family Elevations (1 of 2)  
Tract 8



## Exhibit U

Conceptual Single Family Elevations (2 of 2)







# City of Carrollton

## Agenda Memo

File Number: 3378

**Agenda Date:** 7/11/2017

**Version:** 1

**Status:** Public  
Hearing/Individual  
Consideration

**In Control:** City Council

**File Type:** Public Hearing

**Agenda Number:** 19.

**CC MEETING:** July 11, 2017

**DATE:** June 28, 2017

**TO:** Erin Rinehart, City Manager

**FROM:** Scott Hudson, Environmental Services Director

Hold A Public Hearing And Consider A Resolution Adopting The Program Year 2017 Community Development Block Grant One-Year Plan Of Action And Budget.

### BACKGROUND:

This agenda item is to hold a public hearing and receive comments on the proposed Community Development Block Grant Program Year (PY) 2017 One-Year Plan of Action and Budget. The item also includes a proposed resolution to adopt this document.

On October 1, 2017 the City of Carrollton will receive \$722,379 in Community Development Block Grant (CDBG) funds from the United States Department of Housing and Urban Development (HUD). The CDBG program is designed to address housing and community development concerns for low to moderate income families and neighborhoods. According to federal law, these funds must be used for the principal benefit of persons of low and moderate income in Carrollton. The proposed Plan of Action fulfills these requirements.

The proposed budget includes \$566,278 for the reconstruction of streets and sidewalks in the Woodcrest Estates Neighborhood (NOTICE), \$79,000 for the Housing Rehabilitation Repair Program, \$15,000 for redevelopment of the toddler playground at Crosby Recreational Center, and \$62,101 for Enhanced Code Enforcement in the CDBG Target Area. All of the activities in the proposed budget are identified as major priorities in the previously adopted 2014-2018 Consolidated Plan in accordance with HUD regulations.

On June 8, 2017, the Neighborhood Advisory Commission conducted a public hearing and voted unanimously to recommend adoption of the One-Year Plan of Action by the City Council.

### FINANCIAL IMPLICATIONS:

The PY 2017 Community Development Block Grant will provide \$722,379 in new financial resources for community development initiatives.

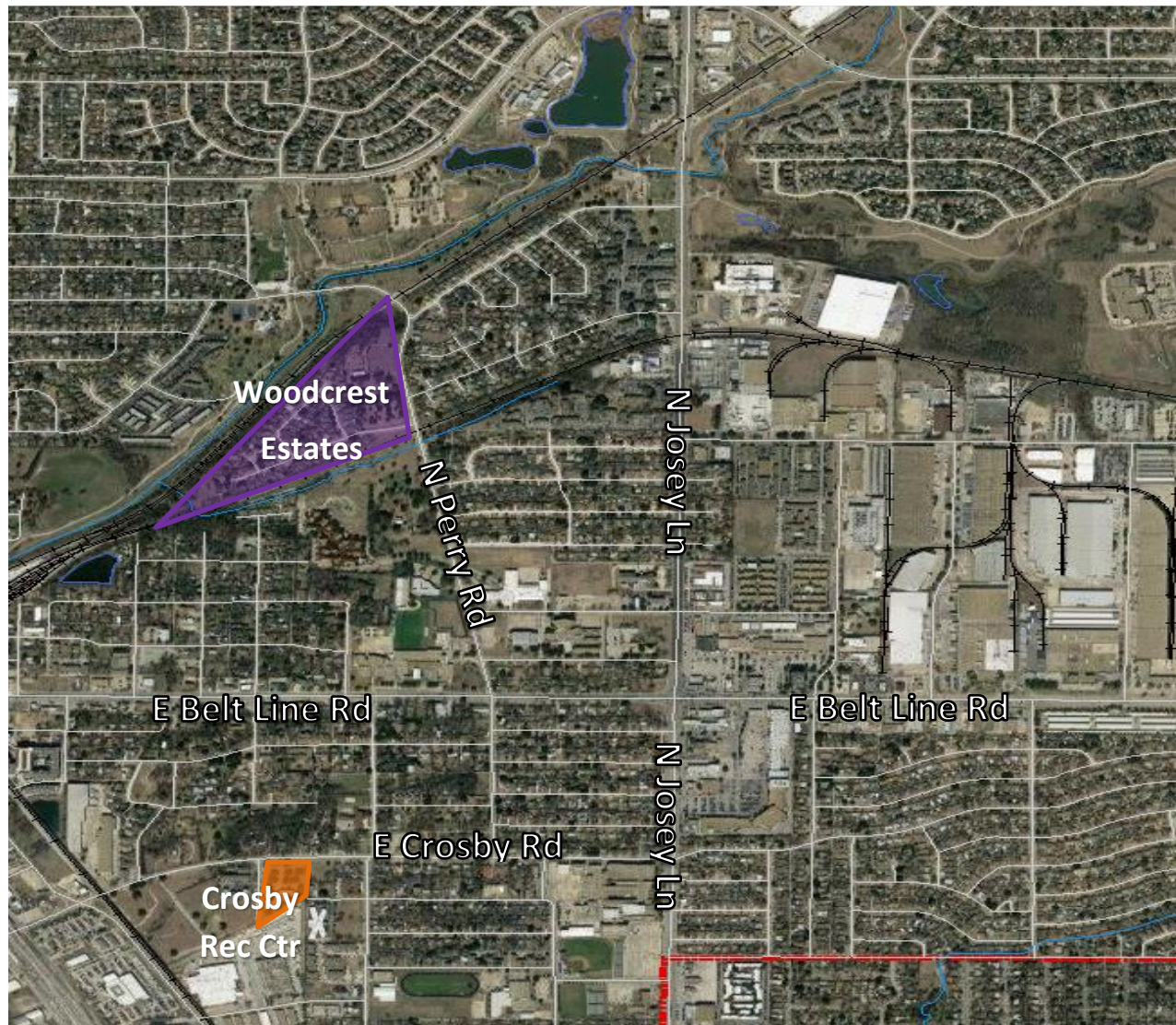
**IMPACT ON COMMUNITY SUSTAINABILITY:**

Annually, the Carrollton Community Development Block Grant program secures, allocates and administers approximately \$700,000 in new community development resources for use in the low and moderate income areas of the City. Long-term community sustainability is supported by significant financial reinvestment in the physical infrastructure of aging neighborhoods, housing rehabilitation, and code enforcement.

**STAFF RECOMMENDATION/ACTION DESIRED:**

Staff recommends that the City Council conduct the public hearing and adopt the PY 2017 Community Development Block Grant One-Year Plan of Action and Budget.

CDBG Project Areas Program Year 2017 – Woodcrest Estates and Crosby Recreation Center





## Executive Summary

### AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

#### 1. Introduction

The One-Year Action Plan represents the fourth year of Carrollton's 2014-2018 Consolidated Plan (ConPlan). It identifies activities for Program Year 2017 to address community needs. The Plan outlines and describes resources, projects and activities to be funded and the proposed goals for the 2017 program year.

The City of Carrollton established the following housing and community development goals, objectives and outcomes for 2014-2018 program years.

Objectives and outcomes for 2014-2018 program years established the following housing and community development goals:

- The three *Goals* guide how the City allocates its block grant funding for the next two program years.
- The *Objectives* and *Outcomes* refer to the 2017 One-Year Action Plan and fall under one of the three five-year goals. The *Objectives* detail what Carrollton intends to accomplish with funding resources to meet housing and community needs. *Outcomes* detail how the City will monitor the accomplishments (e.g. households assisted, facilities rehabilitated, etc.).

The City is planning on receiving \$722,379 in CDBG funding from the Department of Housing and Urban Development. Funding will be used to address five-year goals and annual objectives.

The analysis for the ConPlan identified infrastructure needing major repair or replacement in low-moderate income areas and housing rehabilitation as priorities. These types of repairs are not affordable to low income households and failing to address the needs would lead to lower property values and blight in the community. Therefore, along with infrastructure repair, the City will provide funding for homeowners' rehab needs through CDBG and General Fund allocations. It will also assist social service agencies with operating costs with General Funds.



Carrollton is committed to serving residents with the greatest needs. The City anticipates an estimated \$350,000 in General Funds to assist partners providing social services to Carrollton residents in need.

## **2. Summarize the objectives and outcomes identified in the Plan.**

*This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.*

### **One Year 2017 Action Plan: Objectives and Outcomes**

The One Year Objectives and Outcomes demonstrate how the City's activities support and achieve the three goals listed below.

#### **Goal No. 1: Revitalize and maintain public infrastructure in the City's low and moderate income neighborhoods.**

Due to the City's aging neighborhoods and unique circumstances involving soil quality in the Carrollton area, significant public infrastructure repairs are needed in the City. The City has elected to systematically implement needed street, alley, sidewalk, water and sewer line repairs/replacement one neighborhood at a time until the entire public infrastructure in an area has been addressed. Once infrastructure repairs/replacement are completed the City ensures the neighborhoods are preserved through code enforcement activities.

**Objective 1.1 (SL-3.1, DH-3.1)** Continue to fund the City's Neighborhood Oriented Targeted Infrastructure and Code Enforcement (NOTICE) program with CDBG dollars. Update and revise existing ranking system as needed to prioritize neighborhoods for the program. Complete necessary infrastructure repairs or replacement to streets, alleys, sidewalks, water lines and sewer lines until the entire neighborhood is addressed.

- *Outcome 1.1.* Through the NOTICE program, the City will repair and reconstruct public infrastructure in two to three low and moderate income neighborhoods over the next four years.

**Objective 1.2 (SL-3.2, DH-3.2)** Continue enhanced code enforcement with CDBG funds in low-to-moderate income areas.

- *Outcome 1.2.* Utilization of enhanced code enforcement to address health and safety concerns in areas designated low-to-moderate income and to ensure lasting improved quality to structures in those neighborhoods.

**Objective 1.3. (SL-3.3)** Continue providing matching grants with general funds to neighborhood groups to upgrade and restore public property in the City with the City's Neighborhood Enhancement Matching Grant Program (NEMGP).

- *Outcome 1.3.* At the discretion of City Council, the City will continue to allocate up to \$60,000 per year in NEMGP funds. This will be matched by the neighborhood groups in sweat equity (volunteer work hours), donated materials, cash, and labor.

**Goal No. 2: Preserve and strengthen existing housing stock through various housing rehabilitation programs.**

**Objective 2.1. (DH-3.4)** Continue to fund the City's Housing Rehabilitation program with CDBG funds to assist low to moderate income homeowners with minor home repairs that they would otherwise be unable to afford.

- *Outcome 2.1.* The City will provide financial assistance to approximately eighteen households each year through its Housing Rehabilitation program.

**Goal No. 3: Assist local social service providers targeting low to moderate income residents.**

**Objective 3.1. (SL-2.1)** Continue to allocate a portion of the City's General Fund toward grants and donations for Carrollton service providers that target low to moderate income residents.

Outcome/Objective Codes	Availability/Accessibility	Affordability	Sustainability
Decent Housing	DH-1	DH-2	DH-3
Suitable Living Environment	SL-1	SL-2	SL-3
Economic Opportunity	EO-1	EO-2	EO-3

**Table 1 - - Outcome and Objectives**

### **3. Evaluation of past performance**

*This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.*

Program Year 2016's accomplishments include: reconstruction of streets and sidewalks in the Santa Rosa neighborhood, successful completion of 18 housing repair projects and a total of 1,257 code enforcement actions in the CDBG target area. The City expended 100 percent of its CDBG funds for activities that principally benefit low and moderate income persons.

**Current Year's PY 2017 Activities Include:**

NOTICE Woodcrest Estates Neighborhood	\$566,278
Housing Rehabilitation	\$79,000
Crosby Recreational Center	\$15,000
Enhanced Code Enforcement	<u>\$62,101</u>
<b>Total Funds</b>	<b><u>\$722,379</u></b>

To address these needs, the City proposes a strategy which focuses on preserving residential infrastructure, neighborhood stability and affordable housing. This will be supplemented by annual general fund contributions from the City to support the emergency assistance, homeless prevention and supportive services provided by nonprofit partners.

The City of Carrollton's CDBG investments have been used to make long lasting improvements to many low and moderate income neighborhoods.

<b>Activities</b>	<b>Funding Amount</b>
NOTICE - Woodcrest Estates Neighborhood	\$566,278
Housing Rehabilitation	\$79,000
Enhanced Code Enforcement	\$62,101
Crosby Rec. Playground Redevelopment	\$15,000
Total	\$722,379

**Table 2 - - Current Year's PY2017 Activities**

#### **4. Summary of Citizen Participation Process and consultation process**

*Summary from citizen participation section of plan.*

Leadership responsibility for the success of this program ultimately rests with the City of Carrollton and more specifically with the Community Services Division. The Community Services staff assists in coordinating the efforts of the entities involved, making periodic progress reports to federal, state and local governmental bodies, providing technical assistance to local not-for-profit organizations, and encouraging involvement from the business community. The 2017 Action Plan Draft was submitted to the City's Neighborhood Advisory Committee (NAC) at the June 8, 2017 meeting in conjunction with the first public meeting for the PY2017 Action Plan.

#### **5. Summary of public comments**

*This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.*

**First Public Hearing - June 8, 2017** The first public hearing was conducted as part of the Neighborhood Advisory Committee meeting on June 8, 2017. Attendees included the nine commissioners of the Neighborhood Advisory Committee, one City Councilmember, and four staff members from the Environmental Services Department. No citizens appeared for the public hearing and therefore no comments were submitted from the public. Staff presented the Action Plan and addressed corrections needing to be made to the Plan. No further comments were received by staff from the committee members, council member, or other City staff.

## **6. Summary of comments or views not accepted and the reasons for not accepting them**

**First Public Hearing - June 8, 2017** At the first public hearing all comments and views were accepted. No comments or views were declined.

## **7. Summary**

## PR-05 Lead & Responsible Agencies – 91.200(b)

### 1. Agency/entity responsible for preparing/administering the Consolidated Plan

*Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.*

Agency Role		Name	Department/Agency
CDBG Administrator		CARROLLTON	Environmental Services/Community Services

Table 3 – Responsible Agencies

### Narrative (optional)

### Consolidated Plan Public Contact Information

## **AP-10 Consultation – 91.100, 91.200(b), 91.215(l)**

### **1. Introduction**

The City of Carrollton consulted with residents and stakeholders (e.g., social service providers, local churches, city departments and other community partners). Consultation included two public meetings to obtain citizen participation in the PY 2017 Annual Action Plan process; dialogue on Carrollton's Nextdoor social media channel; and other written communications.

**Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).**

As needed, the Community Services Division provides technical assistance and information to private and public organizations that seek to provide affordable housing and support services to residents of Carrollton.

During the PY 2017 Annual Action Plan period, the City will continue to promote and emphasize the need for greater coordination between all agencies active in Carrollton so as to minimize the duplication of efforts. Cooperative efforts in applying for available funds will be initiated between public and private housing providers so as to maximize the potential for being awarded funds by the State and Federal Government. Efforts to enhance coordination between the public and private sector will ensure needs are being properly addressed and resources are being maximized

**Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.**

Homelessness is a relatively recent challenge in the Carrollton community. The City is not formally a member of the Continuum of Care and through this planning process continues to consider how to coordinate in the future with the continuum to address this emerging issue.

**Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS.**

The City has expressed an interest and willingness to assist and participate in the Dallas Area Consortium on Homelessness, as well as the Denton County Consortium on Homelessness. This would be a supporting role, offering assistance to agencies that are working to mitigate homelessness in the region.



**2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities.**

**Table 4 – Agencies, groups, organizations who participated**

1	<b>Agency/Group/Organization</b>	Metrocrest Services
	<b>Agency/Group/Organization Type</b>	Services - Housing Services - Children Services - Elderly Persons Services - Persons with Disabilities Services - Homeless Services - Education Services - Employment
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Strategy Non-Homeless Special Needs Anti-poverty Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Metrocrest Services is the primary provider of non-profit social services in the City of Carrollton. Metrocrest Services was sent a draft of the PY2017 Action Plan via email for comment.
2	<b>Agency/Group/Organization</b>	Bea's Kids
	<b>Agency/Group/Organization Type</b>	Services - Children Services - Education Child Welfare Agency
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs Anti-poverty Strategy

	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Bea's Kids is a non-profit organization serving underprivileged children. Bea's Kids was sent a draft of the PY2017 Action Plan by email for comment.
3	<b>Agency/Group/Organization</b>	Carrollton Community Gardens
	<b>Agency/Group/Organization Type</b>	Services - Children Services - Elderly Persons Services - Persons with Disabilities Services - Education
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Carrollton Community Gardens is a non-profit organization serving Carrollton with beautification, environmental responsibility and three community Gardens. Carrollton Community Gardens was sent a draft copy of the PY2017 Action Plan via email for comment.
4	<b>Agency/Group/Organization</b>	Neighborhood Advisory Commission
	<b>Agency/Group/Organization Type</b>	Other government - Local

	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Neighborhood Revitalization
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Neighborhood Advisory Commission is comprised of a group of Carrollton citizens appointed by the Carrollton City Council to assist and identify areas of the City for use of CDBG projects and grants which assist in removing blight from the community and enhance low-to-moderate income neighborhoods within Carrollton. Each member was emailed a draft of the PY2017 Action Plan which was discussed at the June 8, 2017 NAC meeting. The meeting also served to conduct the first public hearing for the PY2017 Action Plan.
5	<b>Agency/Group/Organization</b>	CASA of Denton County
	<b>Agency/Group/Organization Type</b>	Services - Housing Services - Children Services - Victims of Domestic Violence Services - Homeless Services - Victims
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs

	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	CASA of Denton was sent a draft of the PY2017 Annual Action Plan via email for comment.
6	<b>Agency/Group/Organization</b>	Children's Advocacy Center Of Denton County
	<b>Agency/Group/Organization Type</b>	Services - Housing Services - Children Services - Victims of Domestic Violence Services - Homeless—Services - Victims
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Children's Advocacy Center was sent a draft of the PY2017 Action Plan via email for comment.
7	<b>Agency/Group/Organization</b>	CHRISTIAN COMMUNITY ACTION (CCA)
	<b>Agency/Group/Organization Type</b>	Services - Housing Services - Children Services - Elderly Persons Services - Persons with Disabilities Services - Persons with HIV/AIDS Services - Victims of Domestic Violence Services - Homeless Services - Health Services - Education Services - Employment Health Agency

	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Anti-poverty Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Christian Community Action was sent a draft of PY2017 Action Plan via email for comment.
8	<b>Agency/Group/Organization</b>	THE FAMILY PLACE
	<b>Agency/Group/Organization Type</b>	Services - Housing Services - Children Services - Victims of Domestic Violence Services - Victims
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Family Place was sent a draft of the PY2017 Action Plan via email for comment.
9	<b>Agency/Group/Organization</b>	Metrocrest Community Clinic
	<b>Agency/Group/Organization Type</b>	Services-Health Health Agency
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs Anti-poverty Strategy



	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Metrocrest Community Clinic was sent a draft copy of the PY2017 Action Plan via email for comment.
10	<b>Agency/Group/Organization</b>	MOSAIC
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Services-Persons with Disabilities
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Public Housing Needs Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	MOSAIC was sent a draft copy of the PY2017 Action Plan via email for comment.

**Identify any Agency Types not consulted and provide rationale for not consulting**

N/A; all relevant agencies and organizations were invited to participate in the PY2017 Action Plan process.

**Other local/regional/state/federal planning efforts considered when preparing the Plan**

<b>Name of Plan</b>	<b>Lead Organization</b>	<b>How do the goals of your Strategic Plan overlap with the goals of each plan?</b>
Continuum of Care		

**Table 5 – Other local / regional / federal planning efforts**

**Narrative (optional)**

Carrollton participates in joint funding of the non-profit organizations providing services to low income residents in many municipalities in the region. This cooperative funding promotes efficient delivery of services to residents in need and recognizes needs do not end at jurisdictional boundaries, but require regional solutions.

## **AP-12 Participation – 91.105, 91.200(c)**

### **1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting**

The City of Carrollton and its community partners hosted two public meetings to obtain citizen participation in the PY 2017 Action Plan process.

The City of Carrollton promoted the public meetings through local print media; social media including Carrollton's Nextdoor channel; and through direct invitations to local stakeholders. The first public hearing was held on June 8th, 2017 as part of the Neighborhood Advisory Commission Meeting at Carrollton City Hall; a second public hearing occurred on July 11th, 2017 as part of the City Council Meeting at Carrollton City Hall.

Each public meeting included:

- A brief overview of the Action Plan purpose and process;
- A presentation of the allowed uses of CDBG funds;
- A presentation of the location of low and moderate income (LMI) areas in the City of Carrollton;
- A presentation of how the City has invested CDBG funds in LMI neighborhoods in the past; and
- A discussion with attendees about housing and community development needs in Carrollton and the activities they would prioritize.

Citizens and stakeholders were also invited to comment on the draft PY 2017 Action Plan during the 30-day public comment period that began on June 1st, 2017.

The first public hearing held on June 8, 2017 with the Neighborhood Advisory Commission resulted in the PY2017 Action Plan being presented to the nine commissioners, City councilmember liaison, and staff. No citizen comments were forthcoming from the public hearing held at this time. No amendments to the proposed projects or funding of the projects was proposed by the public or the commission members. The Neighborhood Advisory Commission voted unanimously 9-0 to accept the PY2017 Action Plan and have it forwarded for the second public hearing with the City Council on July 11, 2017 as part of the normally scheduled council meeting.

### Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Newspaper Ad	Non-targeted/broad community	Insert comments on response/attendance for newspaper ad posting.	Insert comments on items from newspaper ad posting.	Insert comments if public comments not accepted.	
2	Internet Outreach	Non-targeted/broad community	Insert comments on response/attendance for web page posting.	Insert comments on items from web page posting.	Insert comments if public comments not accepted.	<a href="http://www.cityofcarrollton.com/cdbg">www.cityofcarrollton.com/cdbg</a>

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
3	Public Hearing	Non-targeted/broad community	First public hearing was conducted on June 8, 2017 with the Neighborhood Advisory Commission (NAC). The meeting had a total of 14 attendees. Present were 9 members of the NAC, 1 city council member, and 4 city staff members.	Comments made were typographical in nature calling for correction. No other comments were submitted by attendees for changes in the projects or allocations as submitted.	There were no comments that were not accepted.	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
4	Public Hearing	Non-targeted/broad community	Second public hearing was conducted on July 11, 2017 in conjunction with the City Council meeting at Carrollton City Hall. _____ persons at the City Council meeting made a response or addressed items in the PY2017 Action Plan. City Council _____ the PY2017 Action Plan by a vote of _____.	Insert comments on items from 2nd public hearing.	Insert comments if public comments not accepted.	

**Table 6 – Citizen Participation Outreach**

## **Expected Resources**

### **AP-15 Expected Resources – 91.220(c) (1, 2)**

#### **Introduction**

This section discusses the resources that will be used to meet the goals of the 2014-2018 Five-year Consolidated Plan. These resources are



financial, involve partnership opportunities, and include ability to leverage additional funds.

### Priority Table

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Reminder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	722,379	0	0	722,379	0	Reflects final allocation. Allocation amount initially based on a 2% reduction through sequestration as Federal Budget had not been determined at time PY2017 Action Plan was developed. Reduction in the allocation has been allotted to the City's NOTICE project.

**Table 7 - Expected Resources – Priority Table**

### **Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied**

In exchange for the funding, the agencies and organizations work closely with the City in the provision of social services to all citizens in need. The close partnership the City has with the various agencies grows with each year of collaboration. Staff that is employed as part of CDBG grant administration and planning activity provide technical, referral and capacity building assistance for the agencies on an ongoing basis.

The list below identifies some of the principal partners for the City's priority funding and service development:

- Bea's Kids
- CASA of Denton County
- Children's Advocacy Center for Denton County
- Christian Community Action
- The Family Place
- Habitat for Humanity
- Keep Carrollton Beautiful/Carrollton Community Gardens
- LaunchAbility
- Metrocrest Community Clinic
- Metrocrest Services
- MOSAIC
- PediPlace

The City meets with all of its partners on an as-needed basis to develop organization capacity and programming offerings. Staff also regularly provides technical assistance and professional expertise to further develop institutional structure for all agencies and organizations serving the low-to-moderate income citizens of Carrollton.

Based on previous budgets and at the City Council's discretion the City anticipates allocating general funds in the following areas:

- \$60,000 for Neighborhood Enhancement Matching Grants
- \$350,000 for Social Service Agency funding (estimated value)
- \$30,000 for Neighborhood Empowerment Zone funding
- \$8,000 for Single Family Rehab Incentives in NOTICE neighborhoods
- \$2,200,000 for Capital Improvement work in NOTICE - Woodcrest Estates
- \$187,354 for salary and benefits for three Community Development staff who oversee the NEMGP grants, MHRP grants, PHP grants, Single-Family Rehab Incentives, Emergency Repair Grants, and NOTICE infrastructure improvements.

**If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan.**

Improvements to public infrastructure, this year in Woodcrest Estates, and upgrades to public parks, this year at the Crosby Recreation Center, are on publicly owned land. Using general funds, neighborhood beautification grants are carried out along public rights-of-way. Otherwise the City does not intend to use publicly owned land or property to fulfill the goals of the 2014-2018 five-year Consolidated Plan.

#### **Discussion**

Please see above.

## Annual Goals and Objectives

### AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

#### Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
<b>1</b>	Goal 1. Improve Neighborhood Infrastructure	2014	2018	Non-Housing Community Development	2014-2018 NOTICE Priority Neighborhoods	Neighborhood Infrastructure Improvements	CDBG: \$581,278	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 12,585 Persons Assisted Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 73 Households Assisted
<b>2</b>	Goal 2. Enhance Code Enforcement	2014	2018	Non-Housing Community Development	2014-2018 NOTICE Priority Neighborhoods	Housing and Neighborhood Improvements	CDBG: \$62,101	Rental units rehabilitated: 200 Household Housing Units Housing Code Enforcement/Foreclosed Property Care: 4,013 Household Housing Units
<b>3</b>	Goal 3. Provide Neighborhood Matching Grants	2014	2018	Non-Housing Community Development	2014-2018 NOTICE Priority Neighborhoods	Housing and Neighborhood Improvements	CDBG: \$0	Other: 5 Other

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
4	Goal 4. Preserve Existing Housing Stock	2014	2018	Affordable Housing Non-Housing Community Development	2014-2018 NOTICE Priority Neighborhoods	Housing and Neighborhood Improvements	CDBG: \$79,000	Homeowner Housing Rehabilitated: 18 Household Housing Units
5	Goal 5. Assist Service Providers	2014	2018	Homeless Non-Homeless Special Needs Non-Housing Community Development	2014-2018 NOTICE Priority Neighborhoods	Public Services/Social Supports	CDBG: \$0	Homelessness Prevention: 15,000 Persons Assisted
6	Promote Economic Development	2014	2018	Non-Housing Community Development		Neighborhood Infrastructure Improvements	CDBG: \$0	Facade treatment/business building rehabilitation: 1 Business

**Table 8 – Goals Summary**

## Goal Descriptions

<b>1</b>	<b>Goal Name</b>	Goal 1. Improve Neighborhood Infrastructure
	<b>Goal Description</b>	<p>As captured in the analysis conducted for the Consolidated Plan, the City's housing needs are relatively modest. The City's community development needs, however, are much greater. As noted above, the City's infrastructure needs replacing to prevent substantial repair bills for owners. Low-income households in particular would have much difficulty affording the \$10,000 to \$15,000 it would take to pay for infrastructure improvements themselves. If these repairs were not made, infrastructure would continue to decline, leading to lower property values and neighborhood decline. To preserve the housing stock of its low and moderate income neighborhoods, many of which are minority-concentrated, the City has made public infrastructure improvements a top priority. In addition, the City will provide capital funding for materials and specialized labor for neighborhood revitalization in LMI target neighborhoods.</p> <p>To determine which low and moderate income neighborhoods have the greatest needs, the City has developed a needs identification and ranking system, which it reviews and updates on a regular basis. This system takes into account property/housing values, crime, age of housing stock, code violations and other relevant characteristics to determine which neighborhoods have the greatest needs and would benefit the most from community investment.</p>
<b>2</b>	<b>Goal Name</b>	Goal 2. Enhance Code Enforcement
	<b>Goal Description</b>	Utilization of enhanced code enforcement preserves structure repairs and maintenance requirements of residential property which ensures the improved aesthetic and structural quality of structures while providing protection for the health and safety of residents in the LMI areas.
<b>3</b>	<b>Goal Name</b>	Goal 3. Provide Neighborhood Matching Grants
	<b>Goal Description</b>	Continue to provide matching grants to neighborhood groups to upgrade and restore public property in the City through the City's Neighborhood Enhancement Matching Grant Program. Goal is to have 5 projects with 1 in a Low-Mod area.

4	<b>Goal Name</b>	Goal 4. Preserve Existing Housing Stock
	<b>Goal Description</b>	Low-income households in particular would have difficulty affording the \$3,000 to \$10,000 it would take to pay for housing improvements themselves. If these repairs were not made, structures would continue to decline, leading to lower property values and neighborhood decline. To preserve the housing stock of its low and moderate income neighborhoods, many of which are minority-concentrated, the City has made it a priority to continue to fund the City's Housing Rehabilitation program which includes People Helping People, Minor Home Repair and Emergency Repair projects to assist low to moderate income homeowners complete minor home repairs that they would otherwise been unable to afford with additional general funds. Goal is to address 18 structures each year.
5	<b>Goal Name</b>	Goal 5. Assist Service Providers
	<b>Goal Description</b>	Continue to allocate a portion of the City's General Fund towards grants and donations for Carrollton service providers that target low to moderate income residents.
6	<b>Goal Name</b>	Promote Economic Development
	<b>Goal Description</b>	Continue to allocate a portion of the City's General Fund toward grants to maintain and enhance aging retail spaces through the Retail Redevelopment program.

**Table 9 – Goal Descriptions**

**Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b):**

Carrollton does not have HOME funds and therefore is N/A.



## AP-35 Projects – 91.220(d)

### Introduction

This section details the projects proposed for the PY2017 Action Plan to be funded through CDBG appropriations.

#	Project Name
1	NOTICE - Woodcrest Estates
2	Minor Home Repair
3	Enhanced Code Enforcement
4	Emergency Repair Grant
5	People Helping People
6	Crosby Recreation Center Tot Playground Redevelopment

**Table 10 – Project Information**

### Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The priorities for PY2017 Action Plan are based on identification of the greatest needs in Carrollton, as described in the MA and NA sections of the Consolidated Plan. These include aging infrastructure and aging housing stock. In the PY2017 Action Plan, the City of Carrollton will allocate a total of \$722,379 in CDBG funds along with \$60,000 in prior year PY2015 & PY2016 funding to meet these objectives. The specific allocation of those funds is as follows:

- 78% or \$566,278 dedicated to physical improvements to the infrastructure within Woodcrest Estates Neighborhood
- 11% or \$79,000 dedicated to the development of the City's Housing Rehabilitation Program which includes Minor Home Repair, Emergency Repair and People Helping People activities.
- 9% or \$62,101 for Enhanced Code Enforcement in the CDBG Targeted area.
- 2% or \$15,000 funding for redevelopment of toddler playground at Crosby Recreational Center (Also using \$60,000 in funding from PY2015 & PY2016 available from prior years).

The City of Carrollton will also be working to Assist Service Providers who have projects in the 2014-2018 NOTICE Neighborhoods. By assisting the Social Service agencies the City will be addressing needs for housing and neighborhood improvements. Funding by the City to these agencies is anticipated to be approximately \$350,000 for the fiscal year. The activities covered by these agencies include housing services, children services, elderly services, person with disabilities, homelessness, education services, neighborhood revitalization and health services.

## Projects

### AP-38 Projects Summary

#### Project Summary Information

**Table 11 – Project Summary**

<b>1</b>	<b>Project Name</b>	NOTICE - Woodcrest Estates
	<b>Target Area</b>	2014-2018 NOTICE Priority Neighborhoods
	<b>Goals Supported</b>	Goal 1. Improve Neighborhood Infrastructure
	<b>Needs Addressed</b>	Neighborhood Infrastructure Improvements
	<b>Funding</b>	CDBG: \$566,278
	<b>Description</b>	NOTICE project in the Woodcrest Estates subdivision which is located in the low-to-moderate income area for infrastructure repair/replacement.
	<b>Target Date</b>	8/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	71 single-family residential homes will benefit from the proposed infrastructure repairs within the Woodcrest Estates neighborhood.

	<b>Location Description</b>	<p><b><u>Cecil Drive</u></b> - 1500, 1501, 1503, 1504, 1506, 1508, 1510,1512,1514,1516,1518,1600, 1601, 1602,1603, 1604,1605,1607,1608,1609,1611,1612,1614,1616,1618</p> <p><b><u>Cecil Court</u></b> -1505, 1507, 1509,1511,1513, 1515, 1517</p> <p><b><u>Camero Drive</u></b> - 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1619, 1621, 1623, 1625, 1627, 1629, 1631, 1633, 1635, 1637</p> <p><b><u>Malibu Drive</u></b> - 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1610, 1612</p>
	<b>Planned Activities</b>	Water line and sewer line replacement. Street and sidewalk repair/replacement
<b>2</b>	<b>Project Name</b>	Minor Home Repair
	<b>Target Area</b>	
	<b>Goals Supported</b>	Goal 4. Preserve Existing Housing Stock
	<b>Needs Addressed</b>	Housing and Neighborhood Improvements
	<b>Funding</b>	CDBG: \$60,000
	<b>Description</b>	Minor Home Repair grants to individuals in low-to-moderate income areas to address repair of structural issues on single-family residential owned homes.
	<b>Target Date</b>	8/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Expected to work with 15 single-family residential homes for grants in the Minor Home Repair Program
	<b>Location Description</b>	Applicants must income qualify for the grant and the locations are unknown at this time until said grant is awarded.
	<b>Planned Activities</b>	Home owner in conjunction with City staff work on addressing structurally deficient items on the single-family residential home and repairing them in order to bring them up to code.
	<b>Project Name</b>	Enhanced Code Enforcement

<b>3</b>	<b>Target Area</b>	2014-2018 NOTICE Priority Neighborhoods
	<b>Goals Supported</b>	Goal 2. Enhance Code Enforcement
	<b>Needs Addressed</b>	Housing and Neighborhood Improvements
	<b>Funding</b>	CDBG: \$62,101
	<b>Description</b>	Enhanced code enforcement performed in low-to-moderate income areas to address issues relating to structural disrepair in the designated area.
	<b>Target Date</b>	8/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Approximately 4,000 residential rental units in the CDBG designated area for Enhanced Code Enforcement Officer.
	<b>Location Description</b>	Actions under enhanced code enforcement will address multi-family and single-family rental properties in the CDBG designated area of the City.
	<b>Planned Activities</b>	Perform annual inspections of multi-family residential property, address code enforcement violations at those locations and have the property owners repair the violations and bring them into compliance with City codes. Inspection of single-family rentals may also occur in the area, addressing housing code violations as they arise.
<b>4</b>	<b>Project Name</b>	Emergency Repair Grant
	<b>Target Area</b>	
	<b>Goals Supported</b>	Goal 4. Preserve Existing Housing Stock
	<b>Needs Addressed</b>	Housing and Neighborhood Improvements
	<b>Funding</b>	CDBG: \$10,000
	<b>Description</b>	Provide grants for repair projects designated as emergency situations requiring prompt attention.
	<b>Target Date</b>	8/31/2018

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	It is estimated the Emergency Repair grant will benefit 3 low-to-moderate income families who financially qualify for the grant.
	<b>Location Description</b>	Locations are determined at time of submittal and qualification review by staff of the applicant.
	<b>Planned Activities</b>	Repairs on a structure of an immediate nature.
<b>5</b>	<b>Project Name</b>	People Helping People
	<b>Target Area</b>	
	<b>Goals Supported</b>	Goal 4. Preserve Existing Housing Stock
	<b>Needs Addressed</b>	Housing and Neighborhood Improvements
	<b>Funding</b>	CDBG: \$9,000
	<b>Description</b>	Projects in low-to-moderate income areas which involve public participation in repairs to a single-family owned residential property.
	<b>Target Date</b>	8/31/2018
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	It is estimated 5 low-to-moderate income families who income qualified will be assisted with the People Helping People program.
	<b>Location Description</b>	Locations are determined by review by staff and availability of citizen participants to work at the homeowners' property.
	<b>Planned Activities</b>	Minor home repairs of single-family, owner occupied residential homes in the city performed by citizens and community groups from the city.
<b>6</b>	<b>Project Name</b>	Crosby Rec. Center Tot Playground Redevelopment
	<b>Target Area</b>	2014-2018 NOTICE Priority Neighborhoods

<b>Goals Supported</b>	Goal 1. Improve Neighborhood Infrastructure
<b>Needs Addressed</b>	Public Services/Social Supports
<b>Funding</b>	CDBG: \$15,000
<b>Description</b>	CDBG funding to be used for redevelopment of toddler playground at the Crosby Recreation Center which is located in and serves an area of the City of Carrollton which is low-to-moderate income. Project area: County 113, Tracts 137.13(1), 137.14(1), 137.14(2), 137.14(3), 137.14(4), 137.17(1), 137.17(2), 137.18(2) and 137.18(3). Area population served is 22,274 of which 12,585 are LMI which is a .5650 percentage of the total population.
<b>Target Date</b>	8/31/2018
<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Area population served is 22,274 of which 12,585 are LMI which is a .5650 percentage of the total population. Area population is largely Hispanic.
<b>Location Description</b>	Location of project is 1610 E. Crosby Road, Carrollton Texas 75006. Area population affected is in the following project area: County 113, Tracts 137.13(1), 137.14(1), 137.14(2), 137.14(3), 137.14(4), 137.17(1), 137.17(2), 137.18(2) and 137.18(3).
<b>Planned Activities</b>	Redevelopment of toddler playground at the Crosby Recreational Center to better serve as a community center for the low-to-moderate income minority groups living in the surrounding neighborhoods. Will allocate \$15,000 in PY2017 funding, and \$60,000 from available prior year funding from PY2015 & PY2016.





## **AP-50 Geographic Distribution – 91.220(f)**

### **Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed.**

During the 2017 Action Plan year, CDBG funding for the NOTICE program will be allocated to CDBG-eligible priority neighborhoods. Neighborhoods receiving improvements are ranked according to infrastructure needs.

For the 2014-2018 Consolidated Plan, low and moderate income (LMI) areas were identified based on the 2012 American Community Survey (ACS) and the 2014 HUD LMI categories.

The calculation used to identify LMI areas was: 1) Determine average household size by Census tract using 2012 ACS; 2) Determine the LMI ceiling by tract, which is 80% of the median family income limit closest to the tract-level average family size; 3) Using household income distribution data from the ACS, determine the number of households in the tract that earn less than the LMI ceiling; 4) Calculate the proportion of the tract's households that the LMI households represent. If 42.59% or more, the tract is an LMI tract. The LMI tracts are shown in the Grantee Unique Appendices. The first map identifies the LMI tracts in Carrollton. The second map shows the location of planned construction activities.

- 79% or \$566,278 dedicated to physical improvements to the infrastructure within the Woodcrest Estates neighborhood in the CDBG Target area.
- 11% or \$79,000 dedicated to development of the City's Housing Rehabilitation Program which includes Minor Home Repair, Emergency Repair and People Helping People activities.
- 8% or \$62,101 for Enhanced Code Enforcement in the CDBG Target area.
- 2% or \$15,000 for redevelopment of toddler playground at Crosby Recreational Center in the CDBG Target Area
- \$60,000 in PY 2015 & 2016 funding for redevelopment of toddler playground at Crosby Recreational Center in the CDBG Target Area.

During the 2017 Action Plan year, the City of Carrollton will allocate funding geographically toward the Woodcrest Estates neighborhood, in Dallas County (137.17), census tract 137.17, block group 1. This neighborhood is an Hispanic concentrated area.

The appendix also shows where minority-concentrated tracts are located. These are based on the following definition: A minority-concentrated area is any neighborhood or census tract in which: 1) the percentage of households in a particular racial or ethnic minority group is at least 20 percentage points higher than the percentage of that minority group for the housing market areas; 2) the total percentage of minority persons is at least 20 percentage points higher than the total percentage of all minorities in the housing market areas as a whole; or 3) if a metropolitan area, the total percentage of minority persons exceeds 50 percent of its population. The housing market area is the region where it is

likely that renters and purchasers would be drawn for a particular housing project. Generally the housing market area is the county.

### **Geographic Distribution**

<b>Target Area</b>	<b>Percentage of Funds</b>
2014-2018 NOTICE Priority Neighborhoods	91

**Table 12 - Geographic Distribution**

### **Rationale for the priorities for allocating investments geographically**

Neighborhoods receiving improvements are ranked according to infrastructure needs and LMI status. Many of these neighborhoods are also minority concentrated areas.

### **Discussion**

CDBG funds will be used to meet priority community needs for those areas and individuals who are low to moderate income.

## Affordable Housing

### AP-55 Affordable Housing – 91.220(g)

#### Introduction

This section summarizes the affordable housing goals for the PY2017 Action Plan.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	0
Special Needs	0
Total	0

**Table 13 - One Year Goals for Affordable Housing by Support Requirement**

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	18
Acquisition of Existing Units	0
Total	18

**Table 14 - One Year Goals for Affordable Housing by Support Type**

#### Discussion

Please see above.

## **AP-60 Public Housing – 91.220(h)**

### **Introduction**

This section is not applicable, as the City of Carrollton does not have a public housing authority.

### **Actions planned during the next year to address the needs to public housing**

N/A

### **Actions to encourage public housing residents to become more involved in management and participate in homeownership**

N/A

### **If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance**

N/A

### **Discussion**

N/A

## **AP-65 Homeless and Other Special Needs Activities – 91.220(i)**

### **Introduction**

This section describes the activities planned during the PY2017 program year to address the needs of persons who are homeless and other non-homeless special needs.

### **Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including**

#### **Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs**

Outreach to persons experiencing homelessness is through the City's partner agencies, primarily Metrocrest Services and Christian Community Action. Carrollton allocates a portion of general funds each year to supporting these organizations and their efforts to prevent homelessness and provide needed services to the homeless population.

#### **Addressing the emergency shelter and transitional housing needs of homeless persons**

The City will continue to partner with Metrocrest Services, who will provide the following services:

- Case Management
- Thorough assessment and evaluation of individual needs. Monitoring individuals as they move

from homelessness to transitional housing to permanent housing

- Prevention
- Rent/Mortgage assistance
- Utility assistance
- Education and training on budgeting and financial management
- Supportive Services
- Emergency financial assistance
- Rent/Mortgage assistance
- Counseling and/or advocacy
- Medical/Dental/Vision assistance
- Emergency food assistance
- Emergency clothing assistance
- Emergency shelter assistance
- Employment assistance
- Transportation assistance
- Programs: holiday food and gifts
- Education
- Job counseling
- Employment skills training
- Tax preparation assistance
- Money management classes
- Summer camp
- Information and referral to various programs
- Seasonal programs: school supplies and school shoes

The above-mentioned services are provided to the homeless population, population at risk of becoming homeless and those transitioning from homelessness.

**Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.**

Please see above

**Helping low-income individuals and families avoid becoming homeless, especially extremely**

low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

Please see above

## Discussion

Please see above

<b>One year goals for the number of households to be provided housing through the use of Housing Opportunities for Persons with AIDS (HOPWA) for:</b>
Short-term rent, mortgage, and utility assistance to prevent homelessness of the individual or family
Tenant-based rental assistance
Units provided in housing facilities (transitional or permanent) that are being developed, leased, or operated
Units provided in transitional short-term housing facilities developed, leased, or operated with HOPWA funds
Total



## **AP-75 Barriers to affordable housing – 91.220(j)**

### **Introduction**

This section describes the City's plan to address barriers in affordable housing identified in the 2015 Analysis of Impediments to Fair Housing Choice (AI).

**Actions planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment.**

### **2015 Recommended Fair Housing Action Plan**

The Analysis (AI) recommended that the City of Carrollton consider the following Fair Housing Action Plan (FHAP) and activities for reducing fair housing impediments.

**Item 1.** Improve the personal credit and financial literacy of certain Carrollton residents.

**Item 2.** Continue City funding of home improvement and modification programs. Carrollton should continue to help low income residents with home improvements and accessibility modifications that they cannot afford and/or for which they cannot access residential credit from the private sector.

**Item 3.** Increase the inventory of deeply affordable rentals in Carrollton. The City should continue to support the development of subsidized rental units that are affordable to residents earning less than \$20,000 per year, and accommodate a range of unit sizes to ensure that the families living in poverty with children have access to stable and affordable housing.

**Item 4.** Modify some aspects of the City's land use code to mitigate discriminatory treatment of persons with disabilities.

**Item 5.** Improve access to fair housing information.

### **Discussion**

The fair housing impediments found in the 2015 AI update are discussed below.

**Impediment 1. Residential credit—particularly home improvement loans—can be difficult for minority households in Carrollton to access. This may adversely affect conditions of Carrollton's neighborhoods**

**with high proportions of minority residents.**

- Residential loans are denied between 20 and 30 percent of the time for most minority applicants, compared to between 13 and 14 percent for non-Hispanic, white and Asian applicants.
- Middle-income African American loan applicants are denied residential loans at almost twice the rate of white applicants.
- For the majority of borrower groups (whites excepted), home improvement loans are denied more than 70 percent of the time. The high rates of denials have implications for the condition of homes—and spillover effects in neighborhoods—of the City’s minority residents.
- Although not perfectly correlated, many areas of high denials and high subprime lending have historically been found in the neighborhoods where minority residents are concentrated.

**Impediment 2. Lack of affordable rental housing in Carrollton may disproportionately impact Hispanic residents and children.**

Carrollton’s Hispanic residents have a poverty rate that is twice as high as other racial groups. Children have the highest poverty rate of any age cohort. As such, these two groups of residents are disproportionately affected by limited affordable housing in the City.

The limited number of affordable rentals in Carrollton relative to low income household growth, coupled with rising housing costs, has increased the need for affordable rentals during the past decade. The shortage of affordable rentals may disproportionately impact residents of Hispanic descent and children, who have the highest rates of poverty in Carrollton.

**Impediment 3. Fair housing information may be difficult for residents to find.**

Although City staff has a standard process for referring residents with questions about their fair housing rights to appropriate organizations in the greater Dallas area, City websites do not contain information about fair housing. When faced with fair housing questions, residents would need to contact City staff directly, then be referred to the appropriate department or organization outside of Carrollton.

## **AP-85 Other Actions – 91.220(k)**

### **Introduction**

*This section reports additional efforts the City will undertake during the program year to address residents' housing and community development needs.*

### **Actions planned to address obstacles to meeting underserved needs**

Limited funding and resources to address the most complicated situations (e.g., chronically homeless) are the primary obstacles to meeting underserved needs in Carrollton. The City is anticipated to allocate approximately \$350,000 in general fund dollars to its social service partners to help address the basic un-met needs of residents, including food, medical care, clothing and emergency housing assistance.

### **Actions planned to foster and maintain affordable housing**

Housing actions will be accomplished through existing efforts to preserve affordable housing through neighborhood and housing unit improvement programs (NOTICE, Housing Rehabilitation).

### **Actions planned to reduce lead-based paint hazards**

Mitigating lead-based paint hazards will mostly be accomplished through lead paint testing and, if lead is found, abatement through the Minor Home Repair program.

The City will also provide information to all program applicants regarding the hazards of lead-based paint and display and distribute materials (in English and Spanish) on lead-based paint hazards during community events.

### **Actions planned to reduce the number of poverty-level families**

In addition, the Community Services Division will provide technical assistance and information to private and public organizations that seek to provide affordable housing and support services to residents of Carrollton.

### **Actions planned to develop institutional structure**

The City will promote and emphasize the need for greater coordination between all agencies active in Carrollton so as to minimize the duplication of efforts. Cooperative efforts in applying for available funds will be initiated between public and private housing providers so as to maximize the potential for being awarded funds by the state and federal Government. Efforts to enhance coordination between the public and private sector will ensure that needs are being properly addressed and that resources are

being maximized.

**Actions planned to enhance coordination between public and private housing and social service agencies.**

Please see above.

**Discussion**

Please see above.

## Program Specific Requirements

### AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

#### Introduction

*Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.*

#### Community Development Block Grant Program (CDBG)

##### Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
<b>Total Program Income:</b>	<b>0</b>

#### Other CDBG Requirements

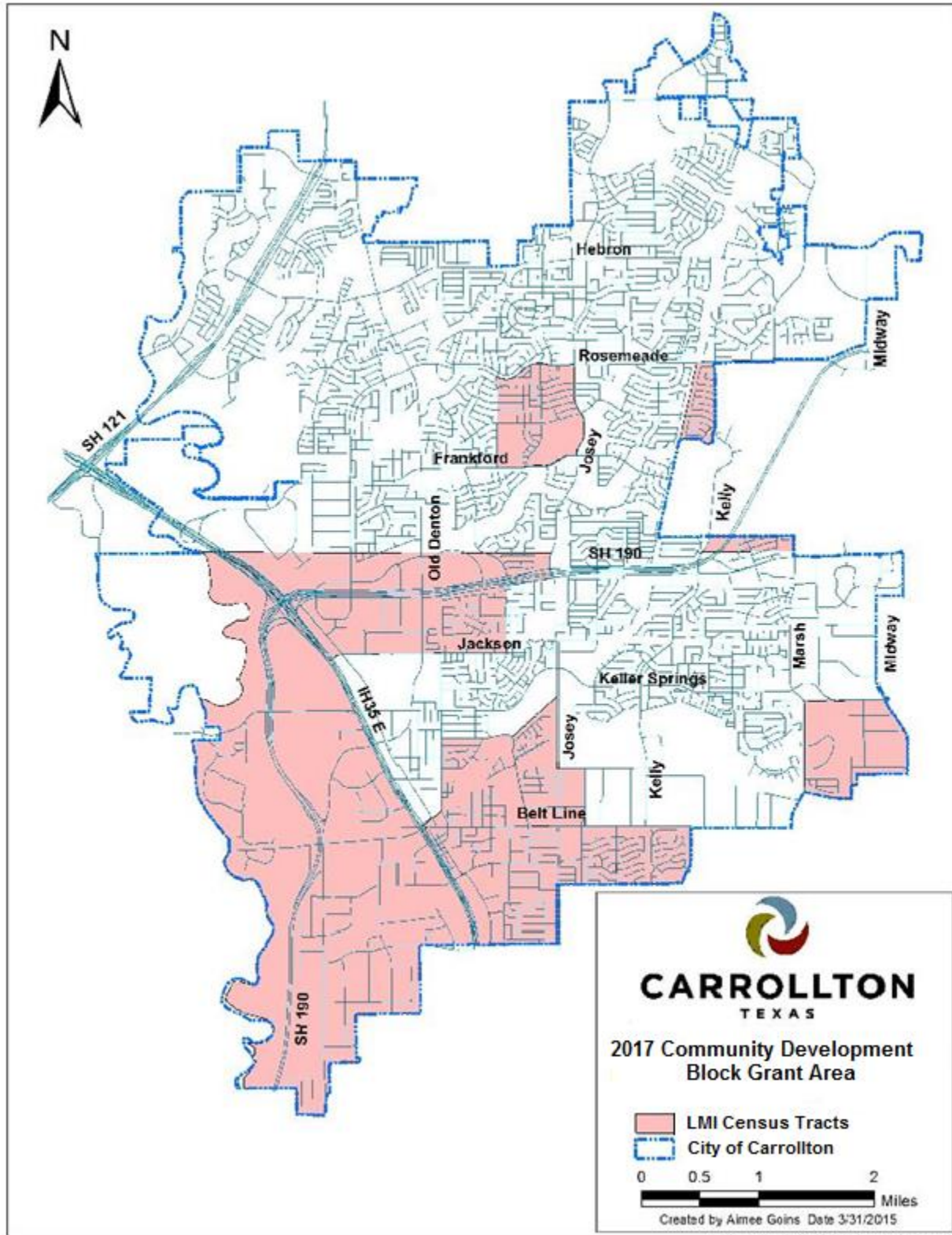
1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

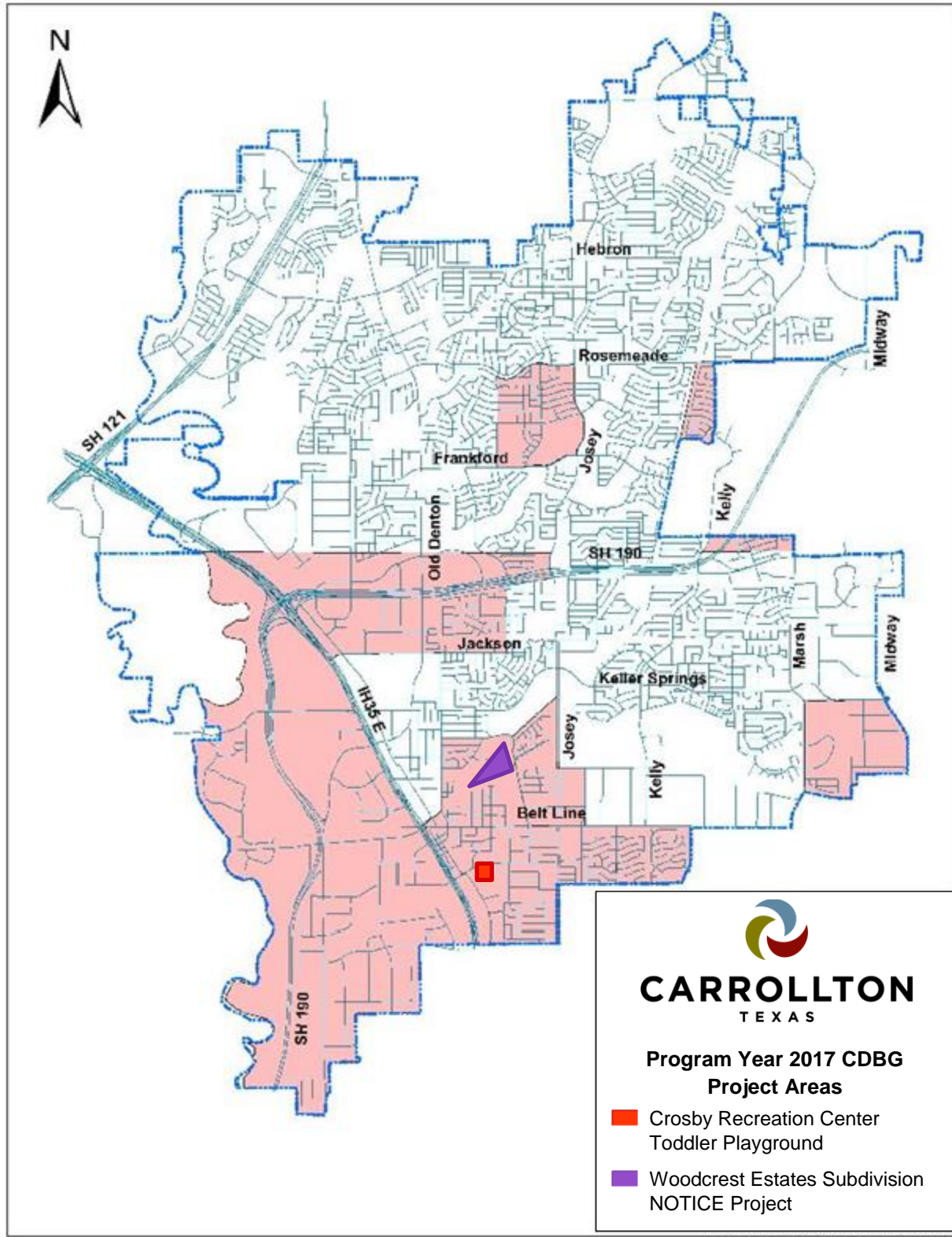
## **Discussion**

## Attachments



## Grantee Unique Appendices





**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, ADOPTING THE DRAFT PROGRAM YEAR 2017 COMMUNITY DEVELOPMENT BLOCK GRANT ONE-YEAR PLAN OF ACTION AND BUDGET AND PROVIDING AN EFFECTIVE DATE.**

**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 the Texas Local Government Code and its Home Rule Charter; and

**WHEREAS**, the City of Carrollton is entitled to receive \$722,379 in Community Development Block Grant funds from the United States Department of Housing and Urban Development in Program Year 2017; and

**WHEREAS**, the Neighborhood Advisory Commission reviewed the Program Year 2017 Community Development Block Grant One-Year Plan of Action and Budget; and

**WHEREAS**, on June 8, 2017, the Neighborhood Advisory Commission held a public hearing on the Program Year 2017 Community Development Block Grant One-Year Plan of Action and Budget, and after all persons were given an opportunity to present verbal and written testimony, did consider and make recommendations for this Plan and Budget incorporated therein; and

**WHEREAS**, the City Council conducted a public hearing on July 11, 2017 and thereby provided all persons with an opportunity to present verbal and written testimony; and

**WHEREAS**, the City Council has concluded that the adoption of the Plan and Budget for the Program Year 2017 is in the best interest of the City and is for the purpose of securing additional community development resources for the primary benefit of low and moderate income citizens:

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

**SECTION 1.**

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

**SECTION 2.**

The Program Year 2017 Community Development Block Grant One-Year Plan of Action and Budget, which draft document is attached hereto and incorporated herein for all purposes, establishes the strategies and goals for the Carrollton Community Development Block Grant Program and is hereby adopted by the City Council.

**SECTION 3.**

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

**SECTION 4.**

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

**DULY PASSED AND APPROVED** by the City Council of the City of Carrollton, Texas this 11<sup>th</sup> day of July, 2017.

CITY OF CARROLLTON, TEXAS

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Kevin Falconer, Mayor

ATTEST:

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Laurie Garber, City Secretary

APPROVED TO FORM:

APPROVED TO CONTENT:

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Meredith A. Ladd  
City Attorney

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Scott Hudson  
Environmental Services Director





# City of Carrollton

## Agenda Memo

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**Agenda Date:** 7/11/2017

**Version:** 1

**Status:** Public Forum

**In Control:** City Council

**File Type:** Public Forum

**Agenda Number:** 20.

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

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