

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

Meeting Agenda

City Council

Monday, April 10, 2023 3:00 PM Council Chambers

REGULAR MEETING

1. 3:00 P.M. - CALL MEETING TO ORDER

2. WORK SESSION

Update from Habitat for Humanity - State of Habitat Presentation

Discussion Regarding 2023 City Council Priorities

Discussion Regarding the April 10, 2023 Consent Agenda Items

3. PROCLAMATIONS

23-5281 North Texas Community 2023 Spring Litter Cleanup Challenge

Attachments: Proclamation

23-5289 National Public Safety Telecommunicators Week

Attachments: Proclamation

4. JOINT WORK SESSION WITH THE PLANNING AND ZONING COMMISSION

Future Land Use Plan Update

Legislative Update on Senate and House Bills Influencing Development and Growth

5. RECESS INTO EXECUTIVE SESSION

Pursuant to Section 551.071, Texas Government Code, the Council reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting for any posted agenda item, to receive advice from its attorney as permitted by law.

A. Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 348-270155-14

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 3:20-CV-2061-N-BK

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 348-325719-21

Seek Advice of City Attorney Regarding Pending Litigation – Cause No. 4:23-CV-00131-O

Seek Advice of City Attorney Regarding Security Measures

Seek Advice of City Attorney Regarding Regulation of Short Term Rentals

Seek Advice of City Attorney Regarding Legal Issues Pertaining to Economic Development Projects Listed in Section 3.D of the Agenda

B. Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072

Land Acquisition for Future Development

- C. Personnel Matters Pursuant to Section 551.074
- D. Deliberation Regarding Commercial or Financial Information Received From or the Offer of a Financial or Other Incentive Made to a Business Prospect Seeking to Locate, Stay or Expand in or Near the Territory of the City and with which the City is Conducting Economic Development Negotiations Pursuant to Section 551.087

Economic Development Project # 21-19

Economic Development Project # 21-33

Economic Development Project # 22-14

Economic Development Project # 23-03

- 6. 6:30 P.M. SPRING 2023 INTERNSHIP CLASS RECEPTION WITH CITY COUNCIL
- 7. 7:00 PM OR IMMEDIATELY FOLLOWING RECEPTION RECONVENE INTO REGULAR BUSINESS SESSION
- 8. <u>INVOCATION</u>
- 9. PLEDGE OF ALLEGIANCE

10. TEXAS PLEDGE

"Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State Under God; One and Indivisible"

11. PROCLAMATION

23-5276 Child Abuse Prevention Month Proclamation

Attachments: Child Abuse Prevention Month

12. RECOGNITION

Ben Barber Innovation Academy DECA Chapter

Spring 2023 Internship Class

13. CITIZEN COMMENTS

Citizens wishing to address the Council on non-public hearing agenda items and items not on the agenda may do so at this time. Due to regulations of the Texas Open Meetings Act, please do not expect a response from the Council as they are not able to do so. THIS WILL BE YOUR ONLY OPPORTUNITY TO SPEAK UNLESS YOU ARE SPEAKING ON A SCHEDULED PUBLIC HEARING ITEM. After the close of the citizen comments portion of the meeting only comments related to public hearings will be heard. All comments are limited to five (5) minutes.

In order to be recognized during the "Citizen Comments" or during a Public Hearing (applicants included), please complete a blue or yellow card located at the entrance of the Council Chambers. Please present the card to the Assistant City Secretary prior to the start of the meeting.

14. COUNCIL ANNOUNCEMENTS

15. STAFF COMMENTS

In addition to matters specifically listed below, Staff comments may include updates on ongoing or proposed projects and address of posted agenda items.

A. City Manager Report or Authorized Representative

Current/Future Agenda Items

16. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

17. CONSENT AGENDA

All matters listed under consent agenda have been previously discussed, require little or no deliberation, or are considered to be routine by the council. If discussion is desired,

then an item will be removed from the consent agenda and considered separately. Otherwise, approval of the consent agenda authorizes the City Manager to implement each item in accordance with staff's recommendation.

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

23-5284 Ordinance - Approval of an Ordinance Requesting to Abandon Certain Drainage Easements Relating to the Somerset Addition to Bloomfield Homes, L.P.

Presenters: Raymond Coffman

Attachments: Ordinance

Exhibit A

Location Map

Quitclaim Deed

Quitclaim Exhibit A

Resolution - A Resolution Awarding a Contract for Construction of the Turner Way Wastewater Lift Station Rehabilitation Project to Dake Construction, and Authorizing Funding for an Amount Not to Exceed \$1,204,610.00 (Utility Fund)

<u>Presenters:</u> Alex Whiteway <u>Attachments:</u> <u>Resolution</u>

Resolution - A Resolution Authorizing Funding for the Installation of Roofing at Fire Station No. 4 to McClung Roofing Through the Interlocal Purchasing System (OMNIA Partners) for an Amount Not to Exceed One Hundred Seventeen Thousand Two Hundred and Sixty Dollars \$117,260.00 (General Fund)

<u>Presenters:</u> Jason Alexander

Attachments: Resolution

LBK Roof Replacement Proposal
Ramon Franklin Roof Proposal
McClung Roofing Proposal

Resolution - A Resolution Authorizing Funding in an Amount Not to Exceed \$530,000.00 and Approval of Contracts, Including Design Services and Survey Services with Dunaway Associates, LLC, to Prepare West. Broad Street at Retta Rd. for Public Bidding and Construction (Street Bond Fund)

Presenters: Raymond Coffman

Attachments: Resolution

W. Broad Location Map

23-5286 Resolution - A Resolution Authorizing the Acquisition and Transfer of the Knob Hill Water Supply Corporation ("Knob Hill") Water Distribution Facilities and Customers to the City of Mansfield and Authorizing the City Manager or his Designee to Execute a Contract with Knob Hill and Make

Application for Sale Transfer Merger (STM) with the Public Utility Commission (PUC)

<u>Presenters:</u> Jeff Price

<u>Attachments:</u> Resolution

23-5278 Minutes - Approval of the March 20, 2023 Regular City Council Meeting

Minutes

Presenters: Susana Marin

Attachments: 3-20-23 DRAFT Meeting Minutes

END OF CONSENT AGENDA

18. PUBLIC HEARING

Ordinance - Public Hearing and First and Final Reading on an Ordinance Approving Proposed Amendments to Section 155.072 of the Mansfield Code of Ordinances Related to Limiting the Number of Principal Buildings and Outbuildings Permitted in the D-1 and D-2 Zones within the D, Downtown District, and Permitting Row Houses By-Right in the D-2 and SD-1 Zones within the D, Downtown District (OA#23-003)

<u>Presenters:</u> Jason Alexander <u>Attachments:</u> <u>Ordinance</u>

Ordinance - Public Hearing and First and Final Reading on an Ordinance of the City Council of the City of Mansfield, Texas, Amending the Boundaries of Tax Increment Reinvestment Zone Number One, City of Mansfield, Texas; Extending the Term of Tax Increment Reinvestment Zone Number One, City of Mansfield, Texas; Approving an Amended and Restated Final Project and Finance Plan for Tax Increment Reinvestment Zone Number One, City of Mansfield, Texas; Making Certain Findings; Providing a Severability Clause; and Providing for an Immediate Effective Date

<u>Presenters:</u> Matt Jones <u>Attachments:</u> Ordinance

Project and Finance Plan

19. PUBLIC HEARING AND FIRST READING

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Change of zoning from C-2, Community Business District to S, South Mansfield Form Based Development District on Approximately 12.899
Acres in the Joseph Lawrence Survey, Abstract No. 616, City of Mansfield, Ellis County, Texas on Property Located at 3400 Harmon Road; M.R. Development, Developer (ZC#23-004)

Presenters: Jason Alexander

Attachments: Ordinance

Exhibit A

Maps and Supporting Information

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from C-2, Community Business District to PD, Planned Development District with C-2, Community Business District Uses and Eating Places with Drive-Through Service (Two Quick Service Restaurants) on Approximately 2.08 Acres Located at 1734 N. US 287; DEB 287, LLC, Owner; First Hartford Realty Corporation, Developer; and Bohler Engineering, Engineer (ZC#23-002)

Presenters: Jason Alexander

Attachments: Ordinance

Exhibit A - Legal Description

Exhibit B - Planned Development Standards

Exhibit B1 - Development Plan
Exhibit D - Landscape Plan

Maps and Supporting Information

20. PUBLIC HEARING CONTINUATION AND SECOND AND FINAL READING

Ordinance - Public Hearing Continuation and Second and Final Reading on an Ordinance Approving a Zoning Change from SF-7.5/12, Single-Family Residential District and PD, Planned Development District to D, Downtown District, D-1, Sub-Urban Zone on Approximately 1.460 Acres Located at 505 W. Kimball St., 506 W. Kimball St., and 509

Alvarado St.; Benjamin Hartman, owner

<u>Presenters:</u> Jason Alexander <u>Attachments:</u> <u>Ordinance</u>

Exhibit A

Maps and Supporting Information

Ordinance - Public Hearing Continuation and Second and Final Reading on an Ordinance Approving a Zoning Change from PD, Planned Development District to PD, Planned Development District Multi-Family Residential Uses on Approximately 7.77 Acres out of the Henry Odell Survey, Abstract No. 1196, Tarrant County, Texas, on Property Located at 1725 E. Broad Street; Bridgeview Real Estate, owner/developer (ZC#22-019)

<u>Presenters:</u> Jason Alexander <u>Attachments:</u> <u>Ordinance</u>

Exhibit A - Legal Description

Exhibit B - Site Plan

Exhibit B-1 - PD Planned Development District Regulations (Clean)

Exhibit B-1 - PD Planned Development District Regulations (Redlines)

Exhibit C - Elevations

Exhibit D - Landscape

Exhibit E - Sign Plan

Maps and Supporting Information

21. NEW BUSINESS

Discussion and Possible Action Considering the Approval of a Resolution Regarding the Nomination of A Candidate to Serve on the Board of Directors for the Tarrant Appraisal District for the Calendar Years 2022 and 2023

<u>Presenters:</u> Troy Lestina

<u>Attachments:</u> Resolution

<u>23-5275</u>

Ordinance - First and Final Reading on an Ordinance Approving a Development Agreement with BV Landco LP Regarding the Development of Approximately 26.801 Acres, Being Lot 2R2, Block 47, Hillcrest Addition, According to the Plat Filed in Cabinet A, Slide 9110, and Lot 3, Block 47, Hillcrest Addition, According to the Plat Filed in Volume 388-45, Page 29, Plat Records, Tarrant County, Texas, Located at 203 South Wisteria Street and 1304 East Broad Street; Approving a Concept Plan and Phasing Plan; Providing that this Ordinance Shall Be Cumulative of All Ordinances; Providing a Savings Clause; Providing for a Penalty Clause; Providing a Severability Clause; and Providing an Effective Date

<u>Presenters:</u> Jason Alexander

<u>Attachments:</u> <u>Ordinance</u>

<u>Exhibit A</u>

22. ADJOURN

CERTIFICATION

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the April 10, 2023 Regular City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, mansfieldtexas.gov, on Thursday, April 6, 2023 prior to 5:00 p.m., in compliance with Chapter 551, Texas Government Code.

Susana Marin, City Secretary

Approved as to form:

City Attorney

This facility is ADA compliant. If you plan to attend this public meeting and have a disability that requires special arrangements, please call (817) 473-0211 at least 48 hours in advance. Reasonable accommodation will be made to assist your needs. PLEASE SILENCE CELL PHONES WHILE THE CITY COUNCIL MEETING IS IN SESSION.



1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

STAFF REPORT

File Number: 23-5281

Agenda Date: 4/10/2023 Version: 1 Status: To Be Presented

In Control: City Council File Type: Proclamation

Agenda Number:

Title

North Texas Community 2023 Spring Litter Cleanup Challenge

WHEREAS, the EPA has identified that approximately 80% of litter found in the marine environment as originating from land-based sources; and

WHEREAS, litter is a problem affecting the beauty and health of communities, impacting our environment by polluting our land and water bodies; and

WHEREAS, residents, businesses, community groups, and service organizations are seeking ways to help be part of the solution through education, collaboration and volunteer participation in litter cleanup events and activities; and

WHEREAS, the North Texas Community Cleanup Challenge encourages everyone in North Central Texas to participate in fighting the problem of litter; and

WHEREAS, the City of Mansfield is dedicated to Keep Mansfield Beautiful by hosting annual cleanup campaigns and initiatives;

NOW, THEREFORE, I, Michael Evans, Mayor of the City of Mansfield, Texas, join with members of the City Council, to hereby proclaim April 2023,

NORTH TEXAS COMMUNITY 2023 SPRING LITTER CLEANUP CHALLENGE

and ask our residents to join us by participating by picking up litter during the month of April and by making a point to help Keep Mansfield Beautiful year-round.

IN WITNESS WHEREOF, I do hereby set my hand and cause the official seal of the City of Mansfield to be affixed this 10th day of April, 2023.



1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

STAFF REPORT

File Number: 23-5289

Agenda Date: 4/10/2023 Version: 1 Status: To Be Presented

In Control: City Council File Type: Proclamation

Agenda Number:

Title

National Public Safety Telecommunicators Week

- **WHEREAS**, emergencies can occur at anytime that require police, fire or emergency medical services; and
- **WHEREAS**, when an emergency occurs the prompt response of police officers, firefighters and paramedics is critical to protect life and preserve property; and
- **WHEREAS**, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Mansfield-Kennedale Police-Fire Communications Center; and
- **WHEREAS**, Public Safety telecommunicators are the first and most critical contact our citizens have with emergency services, exhibiting compassion, understanding and professionalism during the performance of their jobs; and
- **WHEREAS**, they also serve as a vital link for police officers and firefighters on the scene, monitoring on-scene activities by radio, these telecommunicators provide key information to help insure the safety of public safety personnel; and
- **WHEREAS**, public safety telecommunicators of the City of Mansfield have contributed substantially to the apprehension of criminals, suppression of fires and lifesaving treatment of patients;
- **NOW, THEREFORE**, I, Michael Evans, Mayor of the City of Mansfield, Texas, join with members of the City Council to hereby proclaim April 9-15, 2023,

NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK

in Mansfield and ask residents to show appreciation to the men and women whose diligence and professionalism keep citizens safe.

IN WITNESS WHEREOF, I do hereby set my hand and cause the official seal of the City of Mansfield to be affixed this 10th day of April, 2023.



1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

STAFF REPORT

File Number: 23-5276

Agenda Date: 4/10/2023 Version: 1 Status: To Be Presented

In Control: City Council File Type: Proclamation

Agenda Number:

Title

Child Abuse Prevention Month Proclamation

WHEREAS, children are our future and every child deserves a nurturing family and safe environment to grow into a healthy, productive member of the community; and

WHEREAS, child abuse is one of our nation's most serious public health problems and threatens the safety of our community; and

WHEREAS, in Tarrant County, 5,506 children were confirmed as victims of child abuse or neglect in 2022; and

WHEREAS, finding solutions to prevent child abuse is a community responsibility and depends on the involvement of all citizens; and

WHEREAS, effective child abuse prevention, investigation and treatment programs succeed because of partnerships among public and private agencies, schools, religious organizations, medical services, and the business community.

NOW, THEREFORE, I, Michael Evans, Mayor of the City of Mansfield, Texas, join with the members of the City Council to hereby proclaim the month of April 2023 as

CHILD ABUSE PREVENTION MONTH

in the City of Mansfield, Texas and urge all citizens to work together to help reduce child abuse and neglect significantly in the years to come.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the official seal of the City of Mansfield, Texas, to be affixed this 10th day of April, 2023.



1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

STAFF REPORT

File Number: 23-5284

Agenda Date: 4/10/2023 Version: 1 Status: Consent

In Control: City Council File Type: Ordinance

Agenda Number:

Title

Ordinance - Approval of an Ordinance Requesting to Abandon Certain Drainage Easements Relating to the Somerset Addition to Bloomfield Homes, L.P.

Requested Action

To consider the subject easement abandonment.

Recommendation

The Engineering Staff recommends the approval of the request to abandon the Drainage Easements relating to the Somerset Addition to Bloomfield Homes, L.P.

Description/History

These drainage easements were created to accommodate off-site temporary drainage improvements for the previously constructed Somerset Phase 3 Addition. The drainage improvements consisted only of earthen open channels and no permanent infrastructure. The abandonment of these easements was anticipated and is necessary to develop Somerset Phases 4, 4B, and 5A as shown in the approved Somerset Development Plan. These open channels will be filled and the storm water will now be conveyed in a storm drain system within street right-of-way.

Justification

The City currently has no public drainage infrastructure within the easement and does not anticipate needing it in the future.

Funding Source

No Funding Necessary

Prepared By

Mohammed Howlader, Project Manager, Engineering Department, 817-276-4295

ORDINANCE	NO.	

AN ORDINANCE VACATING AND ABANDONING CERTAIN DRAINAGE EASEMENTS RELATING TO THE SOMERSET ADDITION; DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR OF THE CITY OF MANSFIELD, TEXAS, TO EXECUTE QUITCLAIM DEEDS RELEASING PUBLIC OWNERSHIP INTEREST OR CONTROL OF SAID EASEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Mansfield is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and,

WHEREAS, the City Council of the City of Mansfield, Texas, after careful study and consideration, has determined that certain utility easements and drainage easements relating to the Somerset Addition to the City of Mansfield, Johnson County, Texas, more specifically described in the attached Exhibit "A", are not being used by, nor useful or convenient to the public in general; therefore, they constitute a public charge without a corresponding public benefit, and the public would be better served and benefited by the vacation and abandonment of said easements; and,

WHEREAS, in order to remove any question as to the continued interest or ownership of the public in said easement, the City, upon request, will execute Quitclaim Deeds releasing all title, ownership and control in said easements to the fee title owner or owners of the underlying property.

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

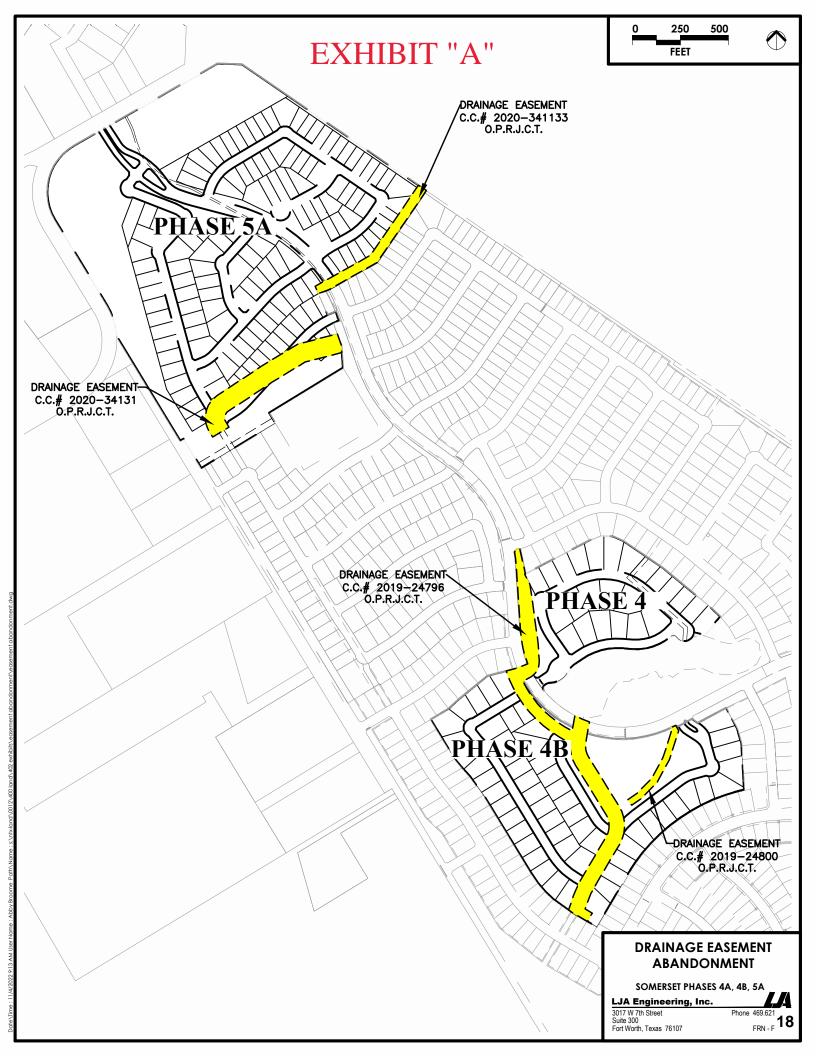
SECTION 1.

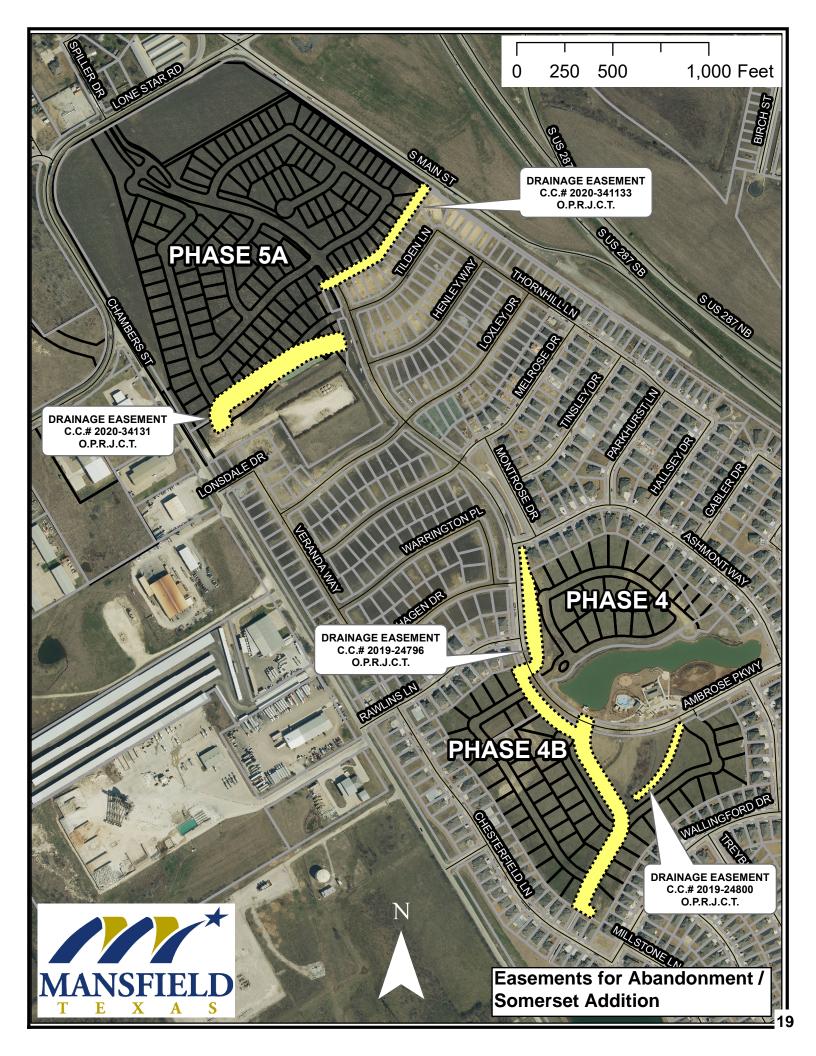
The drainage easements more particularly described and depicted on Exhibit "A" attached hereto and incorporated herein for all purposes, are not being used by, nor useful or convenient to the public in general. Such easements constitute a public charge without a corresponding benefit, and the public would be better served and benefited by the vacation and abandonment of said easements. Accordingly, the drainage easements relating to the Somerset Addition shown on the attached Exhibit "A" are hereby vacated and abandoned as public property and such easement areas so abandoned shall revert in fee simple to the owner or owners of the underlying property.

SECTION 2.

The Mayor of the City of Mansfield, Texas, is hereby authorized and empowered to execute a quitclaim deed releasing all claims to title, ownership, or control of the easement described hereinabove, on behalf of the City of Mansfield, Texas.

Ordinance No	23-5284
Page 2 of 2	
	SECTION 3.
A copy of said quitclaim de Johnson County, Texas by the office	ed shall be presented for filing with the County Clerk of of the City Secretary.
	SECTION 4.
This ordinance shall be in further as required by law and it is so ordain	ll force and effect from and after its passage and publication ed.
	E FIRST AND FINAL READING BY THE CITY ANSFIELD, TEXAS, THIS 10 TH DAY OF APRIL 2023.
	Michael Evans, Mayor
ATTEST:	
Susana Marin, City Secretary	
APPROVED AS TO FORM AND	LEGALITY:
Bradley Anderle, City Attorney	





QUITCLAIM DEED

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF JOHNSON

EVECUTED 4:

That the City Council of the City of Mansfield, County of Johnson, State of Texas, after careful study and consideration, has determined that certain drainage easements located within Somerset Phases 4, 4B, and 5A as shown and described in attached Exhibit "A", are not being used by, nor useful or convenient to the public in general; therefore, they constitute a public charge without a corresponding public benefit, and the public would be better served and benefited by their vacation and abandonment. For and in consideration of the above findings and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City of Mansfield ("Grantor") does hereby bargain, sell, release, vacate, abandon and forever quitclaim unto Bloomfield Homes, L.P. ("Grantee") and any and all heirs, legal representatives or assigns, all of its right, title and interest in and to the following described real property situated in Johnson County, Texas, to wit:

[Refer to Exhibit "A" Attached]

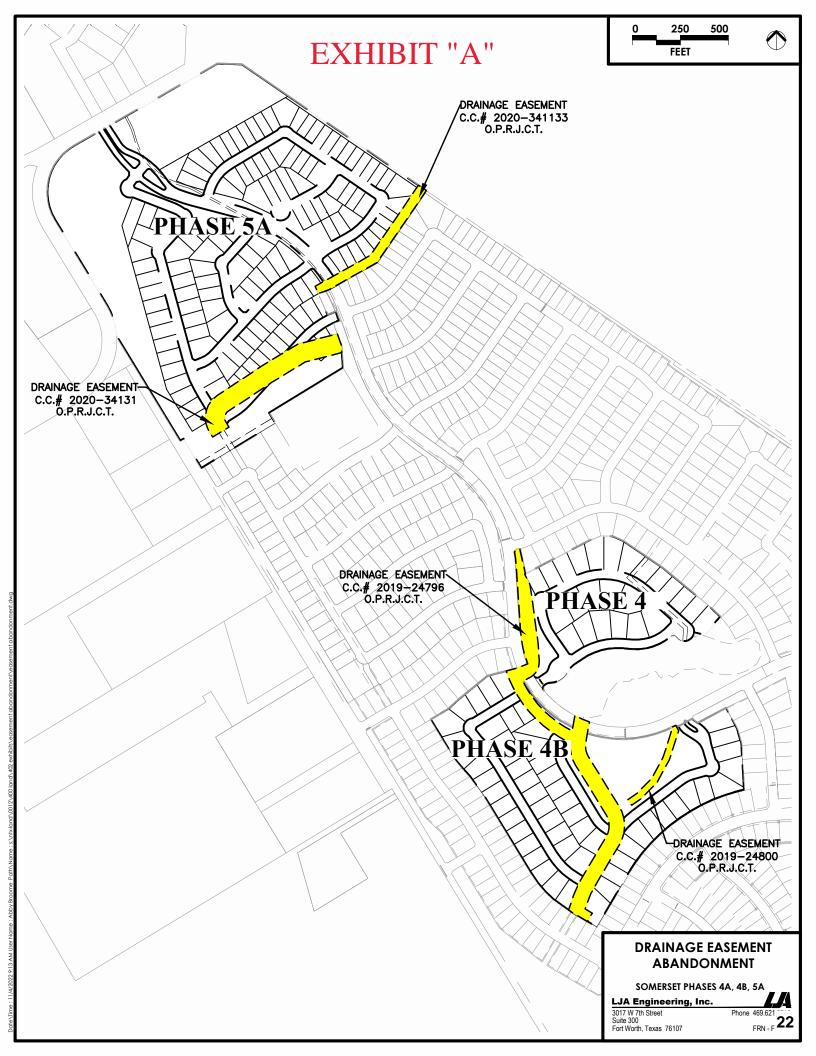
TO HAVE AND TO HOLD all of its right, title and interest in and to the above described drainage easements unto the said Grantee, heirs and assigns forever, so that neither Grantor nor its heirs, legal representatives or assigns shall have, claim or demand any right or title to the aforesaid drainage easements, premises or appurtenances or any part thereof.

EXECUTED this day of	
	CITY OF MANSFIELD
	By:

2022

Michael Evans, Mayor

Resolution No
Page 2
STATE OF TEXAS
COUNTY OF JOHNSON
This instrument was acknowledged before me on the day of,
2023, by Michael Evans, Mayor of the City of Mansfield, Texas, a municipality, on behalf of said
nunicipality.
Notary Public





1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

STAFF REPORT

File Number: 23-5274

Agenda Date: 4/10/2023 Version: 1 Status: Consent

In Control: City Council File Type: Resolution

Agenda Number:

Title

Resolution - A Resolution Awarding a Contract for Construction of the Turner Way Wastewater Lift Station Rehabilitation Project to Dake Construction, and Authorizing Funding for an Amount Not to Exceed \$1,204,610.00 (Utility Fund)

Requested Action

Consider the Resolution awarding a contract for the construction of the Turner Way Wastewater Lift Station Rehabilitation Project to Dake Construction, and authorizing funding for an amount not to exceed \$1,204,610.00 (Utility Fund).

Recommendation

Staff recommends approval.

Description/History

This Lift Station was constructed in 1997 in preparation to receive the wastewater flow for the Oakview Estates, Oak Run Estates, and Hunter Oaks Estates Housing Additions. Due to the location of the downstream manhole across FM 157, the lift station cannot be bypassed during emergency situations. Several other improvements including an emergency generator, control system, electrical, and check valve vault will be a part of the project.

The project was bid on March 22, 2023, and there were four bidders for the project. The lowest qualified bidder was Dake Construction. Bids ranged from a low bid of \$1,095,100.00 to a high bid of \$2,087,524.00. The contract time for this project is One Hundred Eighty (180) calendar days or approximately 6 months.

The requested funds are for a construction contract in the amount of \$1,095,100.00, a 10% construction contingency, survey, materials testing, inspections, and other miscellaneous services needed to complete the construction of the project within a budget not to exceed \$1,204,610.00.

Justification

Turner Way Lift Station is a critical piece of infrastructure within the City needed to serve the Oakview Estates, Oak Run Estates, and Hunter Oak Estates Housing Additions. Dake Construction was the lowest bidder to conduct the rehabilitation of Turner Way Lift Station. Staff and Garver, the engineering design consultant for the project, have reviewed the Statement of Qualifications submitted by Dake Construction. Garver has submitted a Letter of Recommendation recommending awarding the project to Dake Construction based on references and project-based qualifications. The Water Utilities Department feels that Dake

File Number: 23-5274

Construction has the necessary staff and equipment to complete a job of this size and scope within the allowed contract time.

Funding Source

The funding source will be from the Utility Construction Fund.

Prepared By

Alex Whiteway, Assistant Director of Water Utilities 817-728-3615

A RESOLUTION AWARDING A CONTRACT FOR CONSTRUCTION OF THE TURNER WAY WASTEWATER LIFT STATION REHABILITATION PROJECT TO DAKE CONSTRUCTION FOR AN AMOUNT NOT TO EXCEED \$1,204,610.00 (UTILITY FUND)

WHEREAS, the City of Mansfield has publicly advertised and requested competitive bids for the construction of the rehabilitation of Turner Way Wastewater Lift Station; and,

WHEREAS, all bids were received, opened and publicly read aloud on March 22, 2023; and,

WHEREAS, the funding source for the construction of the rehabilitation of Turner Way Wastewater Lift Station will be from the Utility Fund; and,

WHEREAS, it is recognized that it is in the best interest of the citizens of the City of Mansfield that the construction provided for herein be started at the earliest possible date to insure necessary service and delivery.

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

SECTION 1.

The City Manager or his designee is hereby authorized and directed to execute an agreement with DAKE Construction, for construction of the rehabilitation of Turner Way Wastewater Lift Station for an amount of One Million Ninty-Five Thousand One Hundred Dollars and No Cents (\$1,095,100.00).

SECTION 2.

Funding is hereby authorized to include a ten percent contingency for a total amount not to exceed One Million Two Hundred Four Thousand Six Hundred Ten Dollars No Cents (\$1,204,610.00).

SECTION 3.

This Resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Mansfield, and it is accordingly so resolved.

PASSED AND APPROVED THIS THE 10TH DAY OF APRIL, 2023.

Resolution No Page 2 of 2		23-5274
ATTEST:	Michael Evans, Mayor	
Susana Marin City Secretary	_	



1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

STAFF REPORT

File Number: 23-5282

Agenda Date: 4/10/2023 Version: 1 Status: Consent

In Control: City Council File Type: Resolution

Agenda Number:

Title

Resolution - A Resolution Authorizing Funding for the Installation of Roofing at Fire Station No. 4 to McClung Roofing Through the Interlocal Purchasing System (OMNIA Partners) for an Amount Not to Exceed One Hundred Seventeen Thousand Two Hundred and Sixty Dollars \$117,260.00 (General Fund)

Requested Action

Approve a Resolution authorizing funding for the installation of roofing at Fire Station No. 4 and execution of an agreement with McClung Roofing to provide roofing installation services through the Interlocal Purchasing System (OMNIA Partners) for an amount not to exceed \$117,260.00.

Recommendation

Approve Resolution

Description/History

The roofing at Fire Station No. 4 is a shingled roof that has been repaired several times due to weather and poor installation. The decking has started to release, and it needs to be replaced. The amount of \$117,260.00 also includes ten (10) percent contingency.

Justification

The decking of the roof is starting to release due to poor installation and is causing water damage during rain events to ceiling tile and other building components.

Funding Source

General Fund. The requested amount includes ten (10) percent contingency.

Prepared By

Andy Hale, Facilities and Construction Manager 817-728-3626

RESOLUTION NO.	
NEDOLO HOLLIO.	

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT FOR THE INSTALLATION OF ROOFING AT FIRE STATION NO. 4 TO MCCLUNG ROOFING THROUGH THE INTERLOCAL PURCHASING SYSTEM (OMNIA PARTNERS) FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED SEVENTEEN THOUSAND TWO HUNDRED AND SIXTY DOLLARS (\$117,260.00); AND PROVIDING AN EFFECTIVE DATE (GENERAL FUND)

WHEREAS, the City of Mansfield received the Bid through the Interlocal Purchasing System OMNIA partners; and,

WHEREAS, the funding source for the installation of roofing at Fire Station No. 4 will be from the General Fund: and.

WHEREAS, it is recognized that it is in the best interest of the citizens of the City of Mansfield that the installation provided for herein commence as soon as possible in order to ensure necessary service and delivery.

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

SECTION 1.

The City Manager or his designee is authorized to execute an agreement with McClung Roofing for the installation of roofing at Fire Station No. 4 for an amount not to exceed one hundred seventeen thousand two hundred and sixty dollars (\$117,260.00).

SECTION 2.

This Resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Mansfield, and it is accordingly so resolved.

PASSED AND APPROVED THIS THE 10TH DAY OF APRIL, 2023.

	Michael Evans, Mayor
ATTEST:	
Susana Marin, City Secretary	



LBK ROOFING LLC.

2126 Hamilton Rd. | Argyle, Texas 76226 (972) 804-2998 | Pete@lbkroofing.com

Project Name Mansfield Fire Station #4 3/13/2023

Attn: Andy Hale OMNIA Partners CPN# TX-R180903-318270

~12,500 SqFt Shingle Replacement & ~800 SqFt Mod Bit Restoration

Base Bid

One Hundred Nine Thousand Seventeen Dollars and Fifty Two Cents

\$109,017.52

Scope of work

Shingle Replacement:

Set up safety equipment per OSHA requirements.

Remove existing roof system down to OSB deck.

Install normal batten system - 1'x4' boards 24" from center (vertical & horizontal boards)

Install new OSB.

Install synthetic felt.

Install starter shingles.

Install Malarky Highlander in owner choice of color @ 4 nails per shingle.

Install new edge metal to cover the new 1" lip.

Clean and inspect jobsite.

Mod Bit Restoration:

Set up safety equipment per OSHA requirements.

Power wash entirety of roof free of dirt and debris.

Apply AlphaGard Bio Base @ 4 gal/sq.

Install Permafab reionforcing fabric.

Install AlphaGaurd Bio Top coat @ 2 gal/sq.

Address all detail per manufacturer specifications.

Clean and inspect jobsite.

Excludes: Exterior wall sealants, EIFS, Windows, and Doors, Mechanical and Electrical not pertaining to the new roof system.

Terms and Conditions

LBK Roofing will not be responsible for scheduling delays due to inclement weather, strike, or other forces beyond the company's control. Materials will be invoiced upon arrival of jobsite. Should there be any discrepancies between the documents, future specification or instructions provided; this proposal will be subject to revision.

All invoices will be due within 30 days of the provided date. Any project that has a duration of 30 days or more will be billed on a monthly billing cycle. 50% will be billed prior to start and remaining 50% at completion if project lasts less than one month. This quotation is valid for 30 days. LBK roofing prefers payment by mailed check, if ACH is requested, our process requires that there is secondary verification via phone with our deidcated personnel. This process will be communicated at the time of ACH request to avoid any fraudulent activity. LBK is not responsible for fraud reimbursement if this process is not followed.

Bid Performed By LBK Roofing LLC

 Name
 Pete Aguirre

 Contact number
 (972) 804-2998

 Email
 Pete@LBKroofing.com

Thank You For Giving Us The Opportunity To Bid On Your Roof!

Customer Signature

^{*3-}year LBK workmanship warranty.

^{*15-}year manufacturer warranty.

 $^{^{*}}$ signature gives LBK Roofing authority to perform work based on bid listed above





Date:	Submitted To:	Company:	
3.13.23	Andy Hale	City of Mansfield	
Email:	Office Location:	Office Location:	
Phone:	Job Name:	Job Name: RF Bid Number:	
	OMNIA Partners CPN # TX-R180903-3	OMNIA Partners CPN # TX-R180903-318270 – City of Mansfield FS #4 6060	
Fax:	Job Location:	Job Location:	
	1954 N. Main St., Mansfield, TX 7606	1954 N. Main St., Mansfield, TX 76063	

Shingle Roof System Replacement (approximately 11,500 SF)

- Remove existing asphalt shingles and underlayment from existing substrate
- Supply and install new 1x4 batten system and OSB decking over existing substrate
- Supply and install synthetic underlayment over new deck substrate
- Supply and install asphalt shingles and associated accessories to complete watertight shingle roof system
- · Supply and install new drip edge at roof perimeter, existing gutters downspouts, and edge fascia to remain in place
- Supply 1 year installers warranty

Low Slope Roof Fluid Applied Restoration (approximately 1,000 SF)

- Existing mod bit roof system and sheet metal flashing to remain in place
- Supply and install Tremco Geogard primer coat
- Supply and install Tremco Alphaguard BIO base coat
 - embed permafab in base coat application
- Supply and install Tremco Alphasguard BIO top coat
- Supply 1 year Installers warranty
- Supply 20 year Manufacturer Warranty

Project Specific Inclusions

Hoisting

Project Specific Exclusions

- Taxes
- MEP Scopes of Work
- Bonding, Engineering and Permitting

We Propose hereby to furnish material and labor – complete in accordance with above specifications – for the sum of:

Base Bid Amount: \$133,286.00

Alternate Options and Unit Costs



Roofing

ROOFING & SHEET METAL

Date: March 13, 2023

- Modified Bitumen

To: The City of Mansfield. TX

BUREPDM

1200 E Broad St Mansfield, TX 76063

TPO/PVCMetalShingles

Attn: Andy Hale

RE:

- Tile

Fire Station #4 retrofit Standing Seam metal roof.

ROOF MAINTENANCE & LEAK REPAIR

OMNIA Partners CPN# TX-R180903-318270

- Building Surveys

Dear Mr. Hale,

- Leak Repair

After our conversation and review of the project regarding the above mentioned property, we have listed below a brief scope of work outlining what we have interpreted from that conversation and inspection. The below listed scope of work has been compiled from these discussions that we have had regarding this project's roofing system as well as the suggested scope of work on this project.

- Roof Maintenance

Once you have reviewed this proposal and if it meets your expectations, please let us know. However, if it does not meet your expectations in any way please do not hesitate to let us know of this as well. We will be happy to make any adjustments necessary to accommodate your needs within reason.

"Scope of Work"

Includes:

- We will remove all existing roofing material as well as any loose existing underlayment down to the existing plywood decking. All debris will be properly disposed of in a proper and legal landfill.
- 2. Once the existing roofing system has been removed and the underlying decking material has been exposed, we will install a new 1"x4" lathing system across the entire roof area. The new lathing will be set in a manner that will extend up and down the roof slope from eave to ridge, and/or peak, at and on a 24" on center fashion. At all perimeters and penetrations, we will install a 1"x4" nailer farming each of these conditions. Once the lathing has been installed, we will then install new OSB type decking material over the entire affected area. The new OSB decking will be attached to the existing metal decking through the previously installed 1"x4" boards. The new OSB fasteners will be installed at the rate of a min of one (1) fastener per every 8-12 on center up the slopes of the roof at each

- 1"x4" lath installed with typical insulation screws designed to penetrate typical metal decking materials.
- 3. Prior to installing the new roofing system, we will install a new synthetic dry-sheet over the entire affected area.
- 4. Once all roof areas have been properly prepped and dried in and subsequently readied for the installation of the new roofing material, we will provide for the installation of a new thirty (30) year dimensional composition shingle roof in a color as chosen by the owner and/or its representative. All shingles will be installed in a manner as to be fastened per the manufacturer's recommendations utilizing four (4) nails per shingle installed including the starter course where used.
- 5. We will install a new ridge system in all areas as it existed prior to the new roof being installed.
- We will install new metal components in all areas affected as per the manufacturer's recommendations including and strictly limited the soil stack lead vents.
- 7. All other flashings will be salvaged such as solar powered roof vents and stepshingles. All new flashing installed that is seen from the ground will be provided in a pre-finished product. All salvaged sheet-metal components, if any, will be hand painted once the roof has been installed with a contrasting "Roof Paint" as supplied by the roofing manufacturer where seen from the ground level.
- 8. We will salvage all sheet-metal penetration flashing that are still acceptably functional and paint in a coordinating color that compliments the new roof installed.
- 9. We will restore the existing MB roof system, and sheet metal flashing to remain in place.
- 10. We will supply and install Tremco Geogard primer coat, install Tremco Alphaguard BIO base coat, we will embed Permafab in the base coat.
- 11. We will apply Tremco Alphaguard BIO top coat over the base coat.
- 12. Includes 2 year Installers warranty and a Tremco 20-Year Manufacturer Warranty

Sales price for the above mentioned ----- = \$106,600.00

Excludes:

- 1. Any wood work.
- 2. Any electrical work
- 3. Any plumbing work
- 4. Any mechanical work
- 5. Any night work
- 6. Any OCP policies
- 7. Any bonding

Please let us know of your decision on the very important project as soon as possible. As you know, the logistics of such a project is extremely difficult and we will need as much notice as possible to accommodate your needs on this project.

Thank you in advance for this opportunity to perform the repairs on the property and look forward to hopefully helping you with your roofing needs in the future.

Sincerely, Robert A. Allen



1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

STAFF REPORT

File Number: 23-5285

Agenda Date: 4/10/2023 Version: 1 Status: Consent

In Control: City Council File Type: Resolution

Agenda Number:

Title

Resolution - A Resolution Authorizing Funding in an Amount Not to Exceed \$530,000.00 and Approval of Contracts, Including Design Services and Survey Services with Dunaway Associates, LLC, to Prepare West. Broad Street at Retta Rd. for Public Bidding and Construction (Street Bond Fund)

Requested Action

Consider the authorization of funding and approval of contracts.

Recommendation

The authorization of funding in an amount not to exceed \$530,000.00 and approval of a contracts, including design and survey services with Dunaway Associates, LLC, to prepare West Broad Street at Retta Rd. for public bidding and construction.

Description/History

West Broad Street was improved in 2012 to just east of the intersection with Retta Road. Since 2012, traffic volumes have increased significantly at this western limit of Mansfield. There are safety concerns at the intersections with Retta Road and Lillian Road due to increased volume, turning movements, horizontal and vertical visibility, and the angle of the Lillian Rd. intersection.

An alternatives analysis was prepared by Dunaway Associates, LLC that resulted in two alternatives, a signalized intersection, and a multilane roundabout. Both alternatives were presented to city council at a work session and council agreed to move forward with the roundabout design.

West Broad Street will be improved to a four-lane divided concrete roadway from its current two-lane asphalt rural section with a multilane roundabout at the intersection of Retta Road. The project scope includes an extensive landscape design as this will be a significant entryway to Mansfield from the west.

This project is part of the 2022 Roadway Capital Improvement Plan with an estimated construction cost of \$2,743,270.08.

The requested funds are for design and survey services with Dunaway Associates, LLC in the amount of \$420,000.00 which includes an additional 5% design fee contingency for potential design scope changes, \$100,000.00 for right-of-way and easement acquisition, and \$10,000.00 for subsurface investigation and other miscellaneous services needed to prepare the project for

File Number: 23-5285

public bidding and construction, for a total budget not to exceed \$530,00.00.

Justification

This project is included in the 2022 Roadway Capital Improvement Plan. The Director of Engineering Services will attend the meeting to answer Council's questions regarding the proposed funding and contracts.

Funding Source

Street Bond Fund

Prepared By

Gus Chavarria, CIP Project Manager, Engineering Department, 817-276-4235

RESOL	UTION	NO.	

A RESOLUTION AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED \$530,000.00 AND APPROVAL OF CONTRACTS, INCLUDING DESIGN SERVICES WITH DUNAWAY ASSOCIATES, LLC, TO PREPARE WEST BROAD STREET AT RETTA RD. FOR PUBLIC BIDDING AND CONSTRUCTION (STREET BOND FUND)

WHEREAS, the City Council recognizes the need to proceed forward with design and survey of West Broad Street at Retta Rd. for the benefit of the citizens of the City of Mansfield; and,

WHEREAS, the City Staff has reviewed the proposal for the design and survey of West Broad Street at Retta Rd.; and,

WHEREAS, the City Council has received the recommendation of Staff to contract with Dunaway Associates, LLC for design services; and,

WHEREAS, it is necessary to authorize and secure funds from the Street Bond Fund.

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

SECTION 1.

Funding is hereby authorized in the amount of Five Hundred Thirty Thousand and 00/100 Dollars (\$530,000.00) to prepare this project for public bidding and construction.

SECTION 2.

The City Manager or his designee is hereby authorized and directed to execute necessary contracts to prepare this project for public bidding and construction with Dunaway Associates, LLC for design services for an amount not to exceed Four Hundred Twenty Thousand and 00/100 Dollars (\$420,000.00)

SECTION 3.

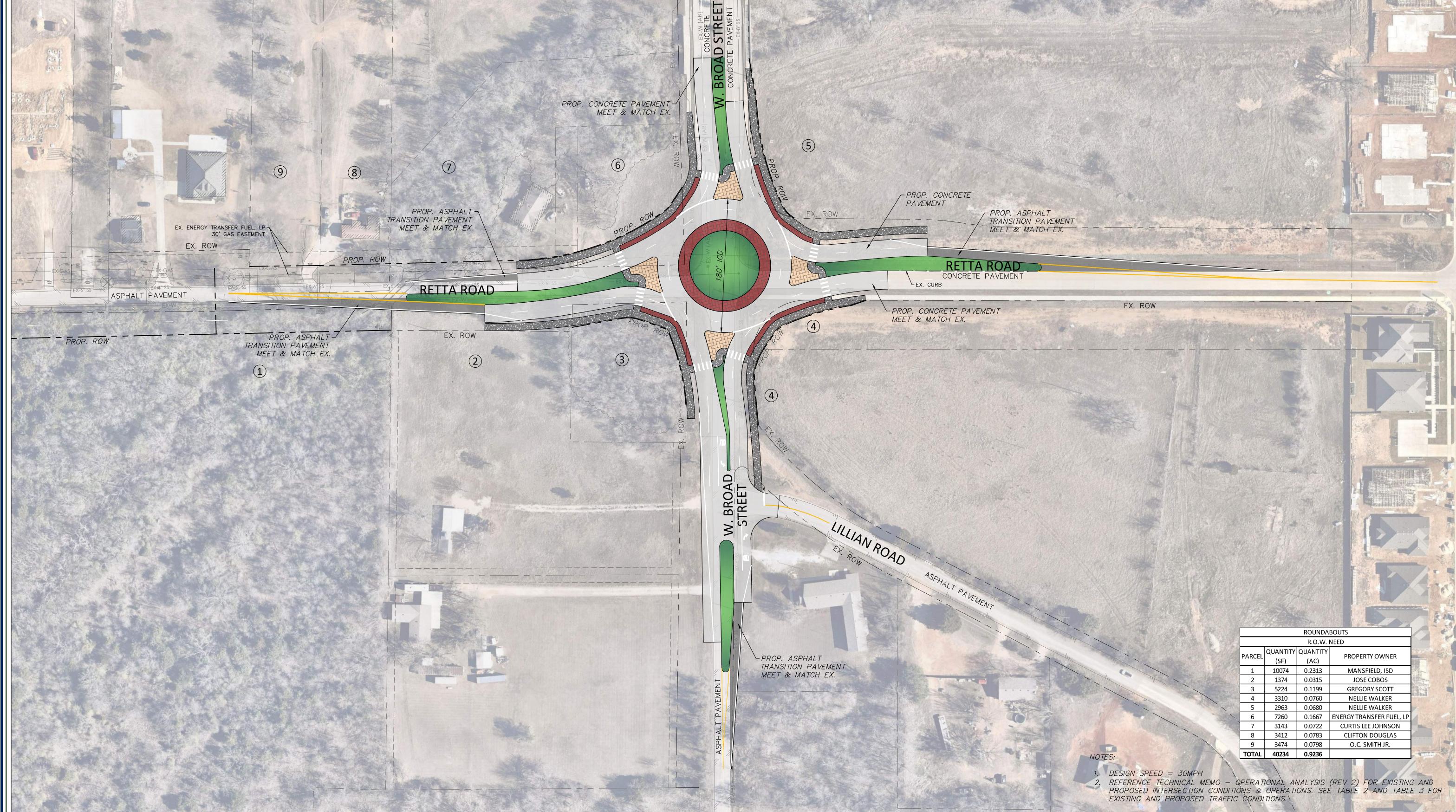
The City Manager or his Designee is hereby authorized and directed to execute contractual documents for other miscellaneous services to complete the design of the project.

SECTION 4.

This Resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Mansfield, and it is accordingly so resolved.

PASSED AND APPROVED THIS THE 10th DAY OF APRIL 2023.

Resolution No Page 2 of 2	23-5285
	Michael Evans, Mayor
ATTEST:	
Susana Marin, City Secretary	



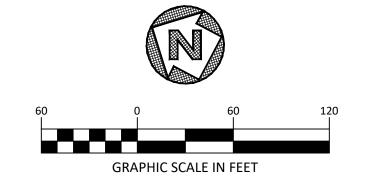


Tel: 817.335.1121 (TX REG. F-1114) PRELIMINARY - FOR REVIEW ONLY
THESE DOCUMENTS ARE FOR DESIGN REVIEW
AND NOT INTENDED FOR CONSTRUCTION,
BIDDING OR PERMIT PURPOSES. THEY WERE
PREPARED BY, OR UNDER THE SUPERVISION OF:
QUINTEN D. PLUMER
P.E.# 138475

DATE: January 18, 2023

ATTACHMENT A

BROAD STREET AT RETTA ROAD CONCEPTUAL DESIGN EXHIBIT - MULTI-LANE ROUNDABOUT







CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

STAFF REPORT

File Number: 23-5286

Agenda Date: 4/10/2023 Version: 1 Status: Consent

In Control: City Council File Type: Resolution

Agenda Number:

Title

Resolution - A Resolution Authorizing the Acquisition and Transfer of the Knob Hill Water Supply Corporation ("Knob Hill") Water Distribution Facilities and Customers to the City of Mansfield and Authorizing the City Manager or his Designee to Execute a Contract with Knob Hill and Make Application for Sale Transfer Merger (STM) with the Public Utility Commission (PUC)

Requested Action

Consider the Resolution authorizing a contract with Knob Hill for acquiring distribution facilities and customers and authorization to apply with the PUC for an STM of the service area.

Recommendation

Staff recommends approval of the Resolution.

Description/History

Over the past couple of years, the Knob Hill system has fallen into disrepair. In October of 2022, Mansfield began serving Knob Hill through a metered connection to stabilize distribution pressures to their customers. The Knob Hill system does not have enough revenue to operate long-term under this condition and no longer desires to operate as a public water system.

Considerations:

- Knob Hill will assign the distribution assets at no cost.
- The cost to tie into our system is estimated at around \$50,000 with replacing all the water meters and adding two fire hydrants.
- Knob Hill will maintain ownership of the water well and the lot the well is on.
 - Knob Hill will dispose of the plant and cap the water well.

Justification

While the Knob Hill WSC is wholly located in the Mansfield City Limits, we do not have service area rights through a Certificate of Convenience and Necessity (CCN). Upon passage of this Resolution, Mansfield will apply with the PUC to transfer the service area rights. We have had some preliminary discussions with the PUC and TCEQ to expedite the process. I expect that it will likely take six months to complete the transfer.

Funding Source

Utility Fund

File Number: 23-5286

Prepared By

Jeff Price, Executive Director, Public Works 817-728-3602

RESOLUTION NO.	•

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE ACQUISITION AND TRANSFER OF THE KNOB HILL WATER SUPPLY CORPORATION ("KNOB HILL") WATER DISTRIBUTION FACILITIES AND TO THE CITY OF MANSFIELD, TEXAS ("MANSFIELD"); **CUSTOMERS** AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT DESIGNATING RETAIL WATER SERVICE TERRITORY AND TRANSFERRING DISTRIBUTION FACILITIES AND CUSTOMERS MANSFIELD AND KNOB HILL; AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE SUCH DOCUMENTS AND TO TAKE SUCH ACTIONS AS NECESSARY, OR REQUESTED, BY THE PUBLIC UTILITY COMMISSION OF TEXAS AND/OR THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY TO COMPLETE THE ACQUISITION AND TRANSFER OF THE KNOB HILL WATER DISTRIBUTION FACILITIES AND **CUSTOMERS** TO MANSFIELD; AND, PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Mansfield ("Mansfield") is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and,

WHEREAS, Knob Hill Water Supply Corporation ("Knob Hill") provides retail water service to over 35 customers in Tarrant County, Texas; and,

WHEREAS, Knob Hill's customers are located in the city limits of Mansfield, Texas ("Mansfield"); and,

WHEREAS, Knob Hill currently obtains treated wholesale water from Mansfield; and,

WHEREAS, Knob Hill's management has requested that Mansfield acquire Knob Hill's water distribution facilities and customers, and provide water service to the area and customers currently served by Knob Hill; and,

WHEREAS, before the transfer of the Knob Hill water distribution facilities and customers to Mansfield may occur, Knob Hill must execute the attached Agreement Designating Retail Water Service Territory and Transferring Facilities and Customers ("Agreement") transferring the water distribution facilities and customers, and the Public Utility Commission of Texas ("PUCT") must approve the transfer of the water distribution facilities and customers to Mansfield; and,

WHEREAS, upon full review and consideration of the Agreement and all matters attendant and related thereto, the City Council finds that the acquisition by Mansfield of the Knob Hill water distribution facilities and customers will accomplish a public purpose and is in the best interest of Mansfield and its citizens.

Resolution No.			
Page 2 of 3			

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

SECTION 1.

The facts, recitations and findings contained in the preamble of this resolution are hereby found and declared to be true and correct and are incorporated and adopted as part of this resolution for all purposes.

SECTION 2.

The City Council approves (i) the acquisition by Mansfield of the Knob Hill water distribution facilities and customers and (ii) the Agreement Designating Retail Water Service Territory and Transferring Facilities and Customers attached as Exhibit "A".

SECTION 3.

The City Council authorizes the City Manager, or his designee, to (i) execute the Agreement; (ii) execute and file with the Public Utility Commission of Texas a Sale, Transfer or Merger Application relating to the acquisition and transfer of the Knob Hill water distribution facilities and customers to Mansfield; and, (iii) take all other actions and execute all other documents necessary or requested to complete the acquisition and transfer of the Knob Hill water distribution facilities and customers to Mansfield including, but not limited to, any additional actions required by either the PUCT or the Texas Commission on Environmental Quality.

SECTION 4.

The sections, paragraphs, sentences, clauses and phrases of this resolution are severable and, if any phrase, clause, sentence, paragraph or section of this resolution should be declared invalid, illegal or unenforceable by the final judgment or decree of any court of competent jurisdiction, such invalidity, illegality or unenforceability shall not affect the validity, legality or enforceability of any of the remaining phrases, clauses, sentences, paragraphs and sections of this resolution and such remaining provisions shall remain in full force and effect and shall be construed and enforced as if the invalid, illegal or unenforceable provision had never been included in this resolution.

SECTION 5.

This Resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Mansfield, and it is accordingly so resolved.

PASSED AND APPROVED THIS THE 10TH DAY OF APRIL, 2023.

Michael Evans, Mayor	

23-5286

Resolution NoPage 3 of 3	23-5286
ATTEST:	
Susana Marin, City Secretary	



CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

STAFF REPORT

File Number: 23-5278

Agenda Date: 4/10/2023 Version: 1 Status: Approval of Minutes

In Control: City Council File Type: Meeting Minutes

Agenda Number:

Title

Minutes - Approval of the March 20, 2023 Regular City Council Meeting Minutes

Requested Action

Action to be taken by the Council to approve the minutes.

Recommendation

Approval of the minutes by the Council.

Description/History

The minutes of the March 20, 2023 Regular City Council Meeting are in DRAFT form and will not become effective until approved by the Council at this meeting.

Justification

Permanent Record

Funding Source

N/A

Prepared By Susana Marin, TRMC, City Secretary 817-276-4203



CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

Meeting Minutes - Draft

City Council

Monday, March 20, 2023 3:00 PM Council Chambers

REGULAR MEETING

3:00 P.M. - CALL MEETING TO ORDER

Mayor Evans called the meeting to order at 3:00 p.m.

Council Member Leyman was absent due to his resignation.

Present 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

N/A's 1 - Mike Leyman

WORK SESSION

Discussion Regarding the Roadway Impact Fee Update

Director of Engineering Services Raymond Coffman presented a recap of past discussions on the Roadway Impact Fee Update and then spoke in detail on single-family fee comparisons amongst cities in the Dallas/Fort Worth Metroplex. He presented a sample fee comparison chart of current and proposed fees for different categories of developments and types of businesses, and answered Council questions. There was discussion regarding staff's proposed fee increases and the direction given to staff to bring updated information back to Council at a future work session.

Discussion Regarding the March 20, 2023 Consent Agenda Items

Executive Director of Community Services Matt Young spoke and answered question on agenda item 23-5251, Assistant City Manager Matt Jones answered questions on agenda items 23-5255 and 5256, Deputy City Manager Troy Lestina spoke and answered questions on agenda item 23-5263, and Fire Chief Mike Ross and City Manager Joe Smolinski spoke and answered questions on agenda item 23-5269.

RECESS INTO EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 4:05 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 4:27 p.m. Mayor Evans recessed the executive session at 7:04 p.m.

Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 348-270155-14

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 3:20-CV-2061-N-BK

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 348-325719-21

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 4:23-CV-00131-O

Seek the Advice of City Attorney on Section 6.033a of the Texas Tax Code Regarding the Tarrant Appraisal District Board of Directors

Seek Advice of City Attorney Regarding Activities Afforded First Amendment Protections

Seek Advice of City Attorney Regarding Legal Issues Pertaining to Economic Development Projects Listed in Section 3.D of the Agenda

Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072

Land Acquisition for Future Development

Personnel Matters Pursuant to Section 551.074

Board Appointments

Deliberation Regarding Commercial or Financial Information Received From or the Offer of a Financial or Other Incentive Made to a Business Prospect Seeking to Locate, Stay or Expand in or Near the Territory of the City and with which the City is Conducting Economic Development Negotiations Pursuant to Section 551.087

Economic Development Project #21-33

Economic Development Project #22-14

Economic Development Project #22-21

Economic Development Project #22-23

6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION

7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION

CITY OF MANSFIELD Page 2

Mayor Evans reconvened the meeting into regular business session at 7:08 p.m.

INVOCATION

Carmin Harris with the Mansfield Mission gave the Invocation.

PLEDGE OF ALLEGIANCE

Council Member Bounds led the Pledge of Allegiance.

TEXAS PLEDGE

"Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State Under God; One and Indivisible"

Council Member Lewis led the Texas Pledge.

CITIZEN COMMENTS

Wayne Wilshire, 1101 Pinehurst Court - Mr. Wilshire thanked City Council and staff for the addition of on-course restrooms to the Mansfield National Golf Club.

Jeff Law, 2500 Handly Ederville Road - Mr. Law spoke on efforts to increase transparency at the Tarrant Appraisal District.

Michael Mainer, 4901 Havenside Way - Mr. Mainer thanked the City Council and staff for their hard work.

Dr. Benita Reed, 2943 Arenoso - Dr. Reed thanked the City Council and staff on behalf of Leadership Mansfield Class #13.

COUNCIL ANNOUNCEMENTS

Council Member Bounds spoke on the success of the Pickle Parade.

Mayor Evans thanked state representatives David Cook and Chris Turner, recognized Police Chief Tracy Aaron and Mansfield first responders, Mayor Pro Tem Todd Tonore, and City Manager Joe Smolinski, and read a letter from Congressman Jake Ellzey recognizing the City Council for being awarded the TMCA City Council of the Year.

There were no other Council announcements.

SUB-COMMITTEE REPORTS

23-5260

Minutes - Approval of the March 9, 2023 Hotel/Motel Occupancy Tax Funds Policy and Allocation Sub-Committee Meeting Minutes (vote will be only by members of the sub-committee: Short (Chair), Evans, and Lewis)

Council Member Short gave a report on the meeting.

A motion was made by Council Member Lewis to approve the minutes of the

March 9, 2023 Hotel/Motel Occupancy Tax Funds Policy and Allocation Sub-Committee Meeting. Seconded by Council Member Short. The motion CARRIED by the following vote:

Aye: 3 - Julie Short; Casey Lewis and Michael Evans

Nay: 0
Abstain: 0

Non-Voting: 3 - Larry Broseh; Todd Tonore and Tamera Bounds

23-5261

Minutes - Approval of the March 13, 2023 Revitalization of Historic Downtown Mansfield Meeting Minutes (vote will be only by members of the sub-committee: Tonore (Chair), Lewis, and Bounds)

Mayor Pro Tem Tonore gave a report of the meeting.

A motion was made by Mayor Pro Tem Tonore to approve the minutes of the March 13, 2023 Revitalization of Historic Downtown Mansfield Sub-Committee Meeting. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 3 - Casey Lewis; Todd Tonore and Tamera Bounds

Nay: 0
Abstain: 0

Non-Voting: 3 - Larry Broseh; Julie Short and Michael Evans

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

Presentation of the 2022 Annual Comprehensive Financial Report (ACFR)

Dan Barron with Forvis presented the FY22 Audit.

Capital Improvement Plan Update - Raymond Coffman

Raymond Coffman gave an update on the Roadway Capital Improvement Plan.

Sales Tax Election Update - Bernadette McCranie

Director of Communications and Outreach Bernadette McCranie gave an update on resources available for the upcoming sales tax election.

Police Department Update on the March 13, 2023 Incident at Katherine Rose Memorial Park - Chief Tracy Aaron

Tracy Aaron gave a recap of the incident and Joe Smolinski made brief comments.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

There was no action taken.

CONSENT AGENDA

23-5246

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Authorizing the Execution of a Joint Election Agreement and Contract with Ellis County Elections Administrator to Perform Election Services for the May 6, 2023 General and Special Elections; and Providing an Effective Date

A motion was made by Council Member Short to approve the following resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE ELLIS COUNTY ELECTIONS ADMINISTRATOR TO PERFORM ELECTION SERVICES FOR THE MAY 6, 2023, GENERAL AND SPECIAL ELECTIONS; AND PROVIDING AN EFFECTIVE DATE

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0
Abstain: 0

Enactment No: RE-3995-23

23-5247

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Authorizing the Execution of a Joint Election Agreement and Contract with Tarrant County Elections Administrator to Perform Election Services for the May 6, 2023 General and Special Elections; and Providing an Effective Date

A motion was made by Council Member Short to approve the following resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE. CITY OF MANSFIELD, TEXAS, AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE TARRANT COUNTY ELECTIONS ADMINISTRATOR TO PERFORM ELECTION SERVICES FOR THE MAY 6, 2023, GENERAL AND SPECIAL ELECTIONS; AND PROVIDING AN EFFECTIVE DATE

(Resolution in its entirety located in the City Secretary's Office)

Page 5

Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

Nay: 0
Abstain: 0

Enactment No: RE-3996-23

23-5251

Resolution - A Resolution to Consider Awarding a Construction Contract to AAA Time Saver Services of San Antonio, Texas in the Amount of \$341,923 for Construction of an On-Course Restroom Building at Mansfield National Golf Club

A motion was made by Council Member Short to approve the following resolution:

A RESOLUTION TO CONSIDER AWARDING A CONSTRUCTION CONTRACT TO AAA TIME SAVER SERVICES OF SAN ANTONIO, TEXAS IN THE AMOUNT OF \$341,923 FOR CONSTRUCTION OF AN ON-COURSE RESTROOM BUILDING AT MANSFIELD NATIONAL GOLF CLUB

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0
Abstain: 0

Enactment No: RE-3997-23

23-5255

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving an Agreement with Quorum Architecture for Design Services for an Animal Control Facility and Expansion of the Service Center in an Amount not to Exceed \$1,000,000; Authorizing the City Manager, or His Designee, to Execute any Documents Necessary to Implement this Resolution; and Providing an Effective Date

A motion was made by Council Member Short to approve the following resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING AN AGREEMENT WITH QUORUM ARCHITECTURE FOR DESIGN SERVICES FOR AN ANIMAL CONTROL FACILITY AND EXPANSION OF THE SERVICE CENTER IN AN AMOUNT NOT TO EXCEED \$1,000,000; AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE ANY DOCUMENTS NECESSARY TO IMPLEMENT THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE

(Resolution in its entirety located in the City Secretary's Office)

Page 6

Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and

Tamera Bounds

Nay: 0
Abstain: 0

Enactment No: RE-3998-23

23-5256

Resolution - A Resolution of the City Council of Mansfield, Texas, Setting a Public Hearing under Section 311.003 of the Texas Tax Code for a Tax Increment Reinvestment Zone Extension Consisting of Approximately 35 Additional Acres of Land Generally Located East of Wisteria Street and West of Magnolia Street Along East Broad Street and Being Wholly Located Within the Corporate Limits of the City of Mansfield, Texas; Authorizing the Issuance of Notice by the City Secretary of the City of Mansfield, Texas, Regarding the Public Hearing; and Directing the City of Mansfield, Texas to Prepare an Updated Project and Finance Plan

A motion was made by Council Member Short to approve the following resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, SETTING A PUBLIC HEARING UNDER SECTION 311.003 OF THE TEXAS TAX CODE FOR A TAX INCREMENT REINVESTMENT ZONE EXTENSION CONSISTING OF APPROXIMATELY 35 ADDITIONAL ACRES OF LAND GENERALLY LOCATED EAST OF WISTERIA STREET AND WEST OF MAGNOLIA STREET ALONG EAST BROAD STREET AND BEING WHOLLY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF MANSFIELD, TEXAS; AUTHORIZING THE ISSUANCE OF NOTICE BY THE CITY SECRETARY OF THE CITY. OF MANSFIELD, TEXAS, REGARDING THE PUBLIC HEARING; AND DIRECTING THE CITY OF MANSFIELD, TEXAS TO PREPARE AN UPDATED PROJECT AND FINANCE PLAN

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0
Abstain: 0

Enactment No: RE-3999-23

<u>23-5262</u>

Resolution - A Resolution Authorizing Funding for the Condition Assessment of the Walnut Creek Sanitary Sewer Interceptor to Evaluate the Remaining Service Life of the Aging Pipeline to Texas Finite Research Institute for an Amount of Ninety-Nine Thousand Dollars and Zero Cents \$99,000.00 (Utility Fund)

A motion was made by Council Member Short to approve the following resolution:

A RESOLUTION AUTHORIZING FUNDING FOR THE CONDITION ASSESSMENT OF THE WALNUT CREEK SANITARY SEWER INTERCEPTOR TO EVALUATE THE REMAINING SERVICE LIFE OF THE AGING PIPELINE TO TEXAS FINITE RESEARCH INSTITUTE FOR AN AMOUNT OF NINETY-NINE THOUSAND DOLLARS AND ZERO CENTS \$99,000.00 (UTILITY FUND)

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and

Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: RE-4000-23

23-5263

Resolution - A Resolution of the City Council of the City Of Mansfield, Texas, Reallocating \$150,000 of the 2022-2023 Hotel/Motel Occupancy Tax Funds; Authorizing the City Manager, or His Designee, to Execute any Documents Necessary to Distribute Said Funds; and Providing an Effective Date

A motion was made by Council Member Short to approve the following resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, REALLOCATING \$150,000 OF THE 2022-2023 HOTEL/MOTEL OCCUPANCY TAX FUNDS; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY TO DISTRIBUTE SAID FUNDS; AND PROVIDING AN EFFECTIVE DATE

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and

Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: RE-4001-23

23-5264

Resolution - A Resolution Authorizing the City Manager or Designee to Enter Into a Software as a Service Agreement (SAAS) with WaterSmart for the Renewal of the Customer Engagement and Analytics Portal

A motion was made by Council Member Short to approve the following resolution:

A RESOLUTION AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ENTER

INTO A SOFTWARE AS A SERVICE AGREEMENT WITH WATERSMART FOR THE RENEWAL OF THE CUSTOMER ENGAGEMENT AND ANALYTICS PORTAL

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0
Abstain: 0

Enactment No: RE-4002-23

23-5269

Resolution - A Resolution of the City Council of the City Of Mansfield, Texas, Supporting the Application and Acceptance of a FEMA Staffing For Adequate Fire And Emergency Response (SAFER) Grant for the Hiring of Six Fulltime Firefighters for the Mansfield Fire Department; Authorizing the City Manager, or His Designee, to Execute any Documents Necessary to Implement this Resolution; and Providing an Effective Date

A motion was made by Council Member Short to approve the following resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, SUPPORTING THE APPLICATION AND ACCEPTANCE OF A FEMA STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT FOR THE HIRING OF SIX FULL TIME FIREFIGHTERS FOR THE MANSFIELD FIRE DEPARTMENT; AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE ANY DOCUMENTS NECESSARY TO IMPLEMENT THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0
Abstain: 0

Enactment No: RE-4003-23

<u>23-5231</u>

Minutes - Approval of the February 22-25, 2023 City Council Strategic Visioning Workshop Minutes

A motion was made by Council Member Short to approve the minutes of the February 22-25, 2023 City Council Strategic Visioning Workshop as presented. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

<u>23-5232</u> Minutes - Approval of the February 27, 2023 Regular City Council Meeting Minutes

A motion was made by Council Member Short to approve the minutes of the February 27, 2023 Regular City Council Meeting as presented. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and

Tamera Bounds

Nay:

Abstain: 0

23-5258 Minutes - Approval of the March 6, 2023 Regular City Council Meeting Minutes

A motion was made by Council Member Short to approve the minutes of the March 6, 2023 Regular City Council meeting as presented. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and

Tamera Bounds

Nay: 0

Abstain: (

<u>23-5259</u> Minutes - Approval of the March 7, 2023 Special Joint City Council and Mansfield Independent School District Board Meeting Minutes

A motion was made by Council Member Short to approve the minutes of the March 7, 2023 Special Joint City Council and Mansfield Independent School District Board meeting as presented. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and

Tamera Bounds

Nay: 0

Abstain: 0

END OF CONSENT AGENDA

PUBLIC HEARING AND FIRST READING

Ordinance - Public Hearing Continuation and First Reading on an Ordinance Approving a Zoning Change from SF-12/22, Single-Family

Residential District and PD, Planned Development District to PD, Planned Development District for Single-Family Attached (Brownstones) and Multi-Family Residential Uses on Approximately 9.77 Acres out of the Henry Odell Survey, Abstract No. 1196, Tarrant County, Texas, on Property Located at 1725 E. Broad Street and 257 Carlin Road; Bridgeview Real Estate, owner/developer and Nelson Family Revocable Trust, owner (ZC#22-019)

A motion was made by Council Member Broseh to remove this item from the table. Seconded by Council Member Short. The motion carried unanimously, with Council Member Leyman not voting due to his resignation from Council and subsequent absence from the meeting.

Jason Alexander presented the item and answered questions. Applicants Dru Guillot and Steve May spoke and answered questions.

Mayor Evans continued the public hearing at 8:34 p.m.

Steve Nelson, 257 Carlin Road - Mr. Nelson spoke in support of the item.

With no one else wishing to speak, Mayor Evans continued the public hearing at 8:37 p.m.

A motion was made by Council Member Short to approve the first reading of the ordinance with the recommendations as stated by Mr. Alexander. Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 4 - Larry Broseh; Julie Short; Michael Evans and Tamera Bounds

Nay: 2 - Casey Lewis and Todd Tonore

Abstain: 0

23-5218

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from SF-12/22, Single-Family Residential District to PD, Planned Development District for C-2, Community Business District based Commercial Uses on 2.9 Acres of Land in the W.C. Low Survey, Abstract No. 970, Generally Located Southeast of the Intersection of Grand Meadows Boulevard and North Holland Road on Property at 700 North Holland Road

Jason Alexander presented the item and stated the developer has requested it be remanded to the Planning and Zoning Commission, which staff supports. Applicant Audra Buckley spoke on the item.

Mayor Evans opened the public hearing at 8:40 p.m. With no one wishing to speak, Mayor Evans continued the public hearing at 8:40 p.m.

A motion was made by Council Member Short to table the item indefinitely. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

NEW BUSINESS

23-5257

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Casting Votes in Favor of the Recall of a Member of the Tarrant County Appraisal District Board of Directors Pursuant to Section 6.033(B) of the Texas Tax Code

Council Member Lewis spoke on this item.

A motion was made by Council Member Lewis to approve the following resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, CASTING VOTES IN FAVOR OF THE RECALL OF A MEMBER OF THE TARRANT APPRAISAL DISTRICT BOARD OF DIRECTORS PURSUANT TO SECTION 6.033(B) OF THE TEXAS TAX CODE; AND PROVIDING AN EFFECTIVE DATE

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Council Member Bounds. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans and

Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: RE-4004-23

23-5266

Discussion and Possible Action Regarding a Request for Support for a Tarrant County State Hospital Study

Troy Lestina presented the item and answered Council questions.

A motion was made by Council Member Bounds to approve the request. Seconded by Council Member Short. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and

Tamera Bounds

Nay: 0

Abstain: 0

23-5267

Discussion and Possible Action Regarding an Appointment to the Planning and Zoning Commission

Jason Alexander presented the item.

A motion was made by Council Member Lewis to appoint Michael Bennett to the unexpired term of Justin Gilmore on the Planning and Zoning Commission. Seconded by Council Member Short. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and

Tamera Bounds

Nay: 0

Abstain: 0

ADJOURN

A motion was made by Council Member Lewis to adjourn the meeting at 8:47 p.m. Seconded by Council Member Short. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and

Tamera Bounds

Nay: 0

Abstain: 0

	Michael Evans, Mayor
ATTEST:	
	Susana Marin, City Secretary

CITY OF MANSFIELD Page 13



CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

STAFF REPORT

File Number: 23-5288

Agenda Date: 4/10/2023 Version: 1 Status: Public Hearing

In Control: City Council File Type: Ordinance

Agenda Number:

Title

Ordinance - Public Hearing and First and Final Reading on an Ordinance Approving Proposed Amendments to Section 155.072 of the Mansfield Code of Ordinances Related to Limiting the Number of Principal Buildings and Outbuildings Permitted in the D-1 and D-2 Zones within the D, Downtown District, and Permitting Row Houses By-Right in the D-2 and SD-1 Zones within the D, Downtown District (OA#23-003)

Requested Action

To consider the proposed ordinance amendment

Recommendation

The Planning and Zoning Commission held a public hearing on March 22, 2023, and voted 5 to 0 to recommend approval.

Ayes: 5 - Axen, Mainer, Bennett, Groll, and Shaw

Nays:

Absent: 2 - Goodwin and Thompson

The Department of Planning and Development Services recommends approval.

Description/History

The D, Downtown District is a zoning designation which purposefully emphasizes building form and the function of public (and semi-public) space over building use. This zoning designation is intended to preserve and protect Mansfield's historic urban core and enable and encourage context-sensitive environments defined by human-scaled development, a rich mix of uses, vibrant streetscapes and elevated architecture.

The first amendment, as proposed, intends to limit the total number of principal buildings and outbuildings to one (1) each within the D-1 and D-2 Zones. The first amendment will be a new provision and it will ensure that low intensity (i.e., the D-1 Zones) and transitional areas (i.e., the D-2 Zones) are not adversely impacted by infill and redevelopment within the historic urban core. The proposed language is as follows:

"(4) In D-1 and D-2 zones, only two buildings may be built on each lot, one principal building and one outbuilding."

The second amendment, as proposed, intends to amend a Specific Use Permit approval for row houses in the D-2 and SD-1 Zones, and to allow the same as a permitted use

File Number: 23-5288

by-right in the D-2 and SD-1 Zones. The second amendment would modify Table 3, Building Function and Specific Use, as shown in the attached ordinance.

These two amendments are not only consistent with the direction for infill and redevelopment within Mansfield's historic urban core; they also complement and sustain the vision, goals, and recommendations emerging from the present work on the Future Land Use Plan and will guide future projects in a manner that honors and preserves the unique character of Historic Downtown Mansfield.

Prepared By

Jason Alexander, AICP, CEcD, Executive Director of Planning and Development Services 817-276-4229

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 155, "ZONING," OF THE CODE OF ORDINANCES OF THE CITY OF MANSFIELD, TEXAS, TO AMEND PROVISIONS OF THE D, DOWNTOWN DISTRICT TO MODIFY STANDARDS RELATED TO LIMITING THE NUMBER OF BUILDINGS THAT MAY BE BUILT ON A LOT IN THE D-1 AND D-2 ZONES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of Chapter 155 the Code of Ordinances of the City of Mansfield, Texas, "Zoning", have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing opportunity to all property owners generally and to all interested citizens, the governing body of the City is of the opinion and finds that the Code of Ordinances should be amended, and;

WHEREAS, the City of Mansfield, Texas is a home-rule municipality located in Tarrant County, created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to its Charter; and;

WHEREAS, the City Council recognizes a need to add clarity to the Code of Ordinances through amendments that help define intent of administration.

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

SECTION 1.

That Section 155.072(I) of the Mansfield Code of Ordinances, "Lot Standards," is hereby amended by inserting the following new standards limiting the total number of principal buildings and outbuildings that may be built on each lot in D-1 and D-2 Zones and to read as follows:

"(4) In D-1 and D-2 zones, only two buildings may be built on each lot, one principal building and one outbuilding."

SECTION 2.

That Section 155.072, "Building Function and Specific Use Table," Table 3, of the Code of Ordinances of the City of Mansfield is hereby amended by allowing "Row House" as a use that is permitted by-right in the D-2 and SD-1 Zones of the D, Downtown District, as follows:

TABLE 3

Page 2 of 3

BUILDING FUNCTION AND SPECIFIC USE				
	D-1	D-2	D-3	SD-1
RESIDENTIAL.				
ROW HOUSE	S	P	P	P

LEGEND:

P: Permitted by right

S: Permitted by specific use permit

Square left blank: The use is not permitted

SECTION 3.

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4.

Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Zoning Ordinance as a whole.

SECTION 5.

Any person, firm or corporation violating any of the provisions of this ordinance or the Zoning Ordinance, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6.

This ordinance shall take effect immediately from and after its passage upon reading and the publication of the caption, as the law and charter in such cases provide.

DULY PASSED ON THE FIRST AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS 10TH DAY OF APRIL 2023.

Ordinance NoPage 3 of 3		23-5288
	Michael Evans, Mayor	
ATTEST:		
Susana Marin, City Secretary		
APPROVED AS TO FORM AND LEGALITY:		

Bradley Anderle, City Attorney



CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

STAFF REPORT

File Number: 23-5290

Agenda Date: 4/10/2023 Version: 1 Status: Public Hearing

In Control: City Council File Type: Ordinance

Agenda Number:

Title

Ordinance - Public Hearing and First and Final Reading on an Ordinance of the City Council of the City of Mansfield, Texas, Amending the Boundaries of Tax Increment Reinvestment Zone Number One, City of Mansfield, Texas; Extending the Term of Tax Increment Reinvestment Zone Number One, City of Mansfield, Texas; Approving an Amended and Restated Final Project and Finance Plan for Tax Increment Reinvestment Zone Number One, City of Mansfield, Texas; Making Certain Findings; Providing a Severability Clause; and Providing for an Immediate Effective Date

Requested Action

Take action to amend the boundaries, extend the term and amend the Final Project and Finance Plan for the Tax Increment Reinvestment Zone Number One.

Recommendation

Staff recommends the approval of the Ordinance.

Description/History

The City Council wishes to extend the term, extend the boundary to properties generally located East of Wisteria Street and West of Magnolia Street along Broad Street and north of Broad Street and east of Carlin Road and amend the Final Project and Finance Plan for the Tax Increment Reinvestment Zone Number One; being wholly located within the corporate limits of the City of Mansfield, Texas.

Justification

A special financing district is necessary to help financially support the development and elevated standards for improvement within the district.

Funding Source

N/A

Prepared By

Matt Jones, Assistant City Manager

ODDINA	NCE NO.	
UKDINA	INCE INC.	

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE BOUNDARIES OF TAX INCREMENT REINVESTMENT ZONE NUMBER ONE, CITY OF MANSFIELD, TEXAS; EXTENDING THE TERM OF TAX INCREMENT REINVESTMENT ZONE NUMBER ONE, CITY OF MANSFIELD, TEXAS; APPROVING AN AMENDED AND RESTATED FINAL PROJECT AND FINANCE PLAN FOR TAX INCREMENT REINVESTMENT ZONE NUMBER ONE, CITY OF MANSFIELD, TEXAS; MAKING CERTAIN FINDINGS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE

WHEREAS, the City of Mansfield, Texas (the "<u>City</u>"), pursuant to Chapter 311 of the Texas Tax Code, as amended (the "<u>Act</u>"), may designate a geographic area within the City as a tax increment reinvestment zone if the area satisfies the requirements of the Act; and,

WHEREAS, pursuant to and as required by the Act, the City Council of the City (the "<u>City Council</u>") prepared a *Tax Increment Reinvestment Zone Number One, City of Mansfield, Texas, Preliminary Project and Finance Plan* (the "<u>Preliminary Project and Finance Plan</u>") for Tax Increment Reinvestment Zone Number One, City of Mansfield, Texas ("TIRZ #1"); and,

WHEREAS, on December 13, 2006, the City Council approved Ordinance No. 1608 creating TIRZ #1 (the "<u>Creation Ordinance</u>"), pursuant to the Act, which contained approximately 3,100 acres described and depicted in **Exhibit A** attached hereto; and,

WHEREAS, on August 27, 2007, Ellis County agreed to participate in TIRZ #1 by approving a participation agreement: and,

WHEREAS, on November 28, 2007, the City Council approved Ordinance No. OR-1655-07, which approved the *Tax Increment Reinvestment Zone Number One*, *City of Mansfield, Texas, Final Project and Finance Plan* (the "Final Project and Finance Plan"); and,

WHEREAS, on February 26, 2008, Tarrant County agreed to participate in TIRZ #1 by approving a participation agreement: and,

WHEREAS, the City may amend the boundary of TIRZ #1, including adding to or removing property from TIRZ #1, subject to the requirements of the Act; and,

WHEREAS, the City Council has a desire to add certain property to TIRZ #1, generally located east of Wisteria Street and west of Magnolia Street along East Broad Street, and consisting of approximately 38 acres, as depicted on **Exhibit B** attached hereto (the "<u>TIRZ Expansion Area</u>"); and,

WHEREAS, the City may amend the term of TIRZ #1, including extending or compressing the term of the TIRZ #1, subject to the requirements of the Act; and,

WHEREAS, the City Council has a desire to extend the term of TIRZ #1 from December 31, 2035, to December 31, 2050 (the "Term Extension"); and,

WHEREAS, the City Council has prepared the *Tax Increment Reinvestment Zone Number One, City of Mansfield, Texas, Amended and Restated Final Project and Finance Plan* (the "<u>Amended Plan</u>"), attached hereto as **Exhibit C**, inclusive of the TIRZ Expansion Area and the Term Extension; and,

WHEREAS, a notice of public hearing on amending TIRZ #1 was published in the Fort Worth Star Telegram, a newspaper of general circulation within the City, on March 27, 2023, which date is not later than the seventh (7th) day prior to the public hearing held on April 10, 2023; and.

WHEREAS, on April 10, 2023, the City Council held a public hearing on the following: (i) amending the boundaries of TIRZ #1 to include the TIRZ Expansion Area, (ii) considering the approval of the Term Extension, and (iii) considering the approval of the Amended Plan; and,

WHEREAS, at the public hearing on April 10, 2023, interested persons were allowed to speak for or against including the TIRZ Expansion Area in the TIRZ #1, the proposed amended boundaries of TIRZ #1, and the concept of tax increment financing, and owners of property in the TIRZ Expansion Area were given a reasonable opportunity to protest the inclusion of their property in TIRZ #1; and,

WHEREAS, the City has taken all actions required to create and amend TIRZ #1 including, but not limited to, all actions required by the Act, the Texas Open Meetings Act, and all other laws applicable to the creation and amendment of TIRZ #1; and,

WHEREAS, on April 10, 2023, the Board of Tax Increment Reinvestment Zone Number One, City of Mansfield, Texas recommended approval of the Amended Plan, a copy of which is attached hereto as **Exhibit C**.

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

SECTION 1.

That the recitals, findings, and determinations contained in the preamble to this Ordinance are incorporated into the body of this Ordinance as if fully set forth in this Section and are hereby found and declared to be true and correct legislative findings and are adopted as part of this Ordinance for all purposes.

SECTION 2.

That the City Council does hereby amend the boundary of TIRZ #1 to include the TIRZ Expansion Area, as depicted on **Exhibit B** and incorporated herein for all purposes.

Ordinance No 23-5290 Page 3 of 4		
SECTION 3.		
That the City Council does hereby amend the Creation Ordinance to replace Section 5 of the Creation Ordinance with the following text: That TIRZ #1 shall take effect on January 1, 2006 and that the termination of TIRZ #1 shall occur on December 31, 2050, or at an earlier time designated by subsequent ordinance of the City Council in the event the City determines that TIRZ #1 should be terminated due to insufficient private investment, accelerated private investment or other good cause, or at such time as all project costs and tax increment bonds, if any, and the interest thereon, have been paid in full.		
SECTION 4.		
That the City Council does hereby approve the Amended Plan, a copy of which is attached hereto as $\textbf{Exhibit}\ \mathbf{C}$ and incorporated herein for all purposes.		
SECTION 5.		
That if any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be invalid, the validity of the remaining provisions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no provision of this Ordinance shall become inoperative because of the invalidity of another provision; and, therefore, all provisions of this Ordinance are declared severable for that purpose.		
SECTION 6.		
This Ordinance shall take effect immediately upon its passage in accordance with the Charter of the City, as provided by law.		
DULY PASSED ON THE FIRST AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS 10 TH DAY OF APRIL 2023.		

ATTEST:

Susana Marin, City Secretary

Michael Evans, Mayor

Ordinance No Page 4 of 4	23-5290
APPROVED AS TO FORM AND LEGALITY	
Bradley Anderle, City Attorney	



TAX INCREMENT REINVESTMENT ZONE NUMBER ONE,
CITY OF MANSFIELD, TEXAS,
AMENDED & RESTATED
FINAL PROJECT AND FINANCE PLAN
APRil 10, 2023

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SECTION 1: DEFINITIONS

Capitalized terms used in this Amended Plan shall have the meanings given to them in **Section I** below unless otherwise defined in this Amended Plan or unless the context in which a term is used clearly requires a different meaning. Unless otherwise defined, a reference to a "Section," or an "Exhibit," shall be a reference to a Section of this Amended Plan or an Exhibit attached to and made a part of this Amended Plan for all purposes.

"Act" means Chapter 311, Texas Tax Code, Tax Increment Financing Act, as amended.

"Administrative Costs" means the actual, direct costs paid or incurred by or on behalf of the City to administer the Zone, including planning, engineering, legal services, organizational costs, publicizing costs, or implementations costs paid by or on behalf of the City that are directly related to the administration of the Zone.

"Amended Plan" means this Amended and Restated Tax Increment Reinvestment Zone Number
One, City of Mansfield, Texas, Final Project and Finance Plan.

"Appraisal Districts" means the Tarrant Appraisal District, Ellis Appraisal District, and Central Appraisal District of Johnson County.

"Board" means the Board of Directors for the Zone.

"Captured Appraised Value" means the taxable value of the Zone, on a parcel-by-parcel basis for each year during the term of the Zone, as calculated and confirmed annually by the Appraisal Districts, less the Tax Increment Base.

"City" means the City of Mansfield, Texas.

"City Council" means the governing body of the City.

"City TIRZ Increment" means the portion of the City's ad valorem tax increment equal to sixty-five percent (65%) of the ad valorem real property taxes collected and received by the City on the Captured Appraised Value in the Zone, as further described in **Section 12.1**.

"Creation Ordinance" means Ordinance No. 1608 adopted by the City Council on December 13, 2006, designating the creation of the Zone and the Board.

"Ellis County" means Ellis County, Texas.

"Ellis County TIRZ Increment" means the portion of the Ellis County's ad valorem tax increment equal to thirty percent (30%) of the ad valorem real property taxes collected and received by Ellis

County on the Captured Appraised Value in the Zone, effective January 1, 2006 through December 31, 2030.

"Ellis County Participation Agreement" means that certain Interlocal Agreement to Participate in Tax Increment Reinvestment Zone Number One, City of Mansfield, Texas, entered into by the City, Ellis County, and the Board on August 27, 2007, detailing the City and Ellis County's participation in the Zone.

"Feasibility Study" means the economic feasibility study as prepared at the creation of the Preliminary Plan and updated if Plan is updated or amended, and focuses only on direct financial benefits, as further described in Section 9, and shown on Exhibit E.

"Final Plan" means the Tax Increment Reinvestment Zone Number One, City of Mansfield, Texas, Final Project and Finance Plan adopted by the City Council on November 28, 2007, by approval of Ordinance No. OR-1655-07.

"Preliminary Plan" means the *Tax Increment Reinvestment Zone Number One, City of Mansfield, Texas, Preliminary Project and Finance Plan,* approved by the City Council on December 13, 2006. "Project Costs" means the total actual costs for projects in the Zone, including the Public Improvements, and the Administrative Costs.

"Property" means 3,416.87 acres of land as depicted on Exhibit A and described in Exhibit H.

"Public Improvements" means the public improvements including roads, water, sewer and related infrastructure that is provided for the development of the Property.

"Tarrant County" means Tarrant County, Texas.

"Tarrant County TIRZ Increment" means the portion of the Tarrant County's ad valorem tax increment equal to thirty percent (30%) of the ad valorem real property taxes collected and received by Tarrant County on the Captured Appraised Value in the Zone, effective January 1, 2006 through December 31, 2031.

"Tarrant County Participation Agreement" means that certain Interlocal Agreement to Participate in Tax Increment Reinvestment Zone Number One, City of Mansfield, Texas entered into by the City, Tarrant County, and the Board on February 26, 2008, detailing the City and Tarrant County's participation in the Zone.

"Tax Increment Base" means total appraised value of taxable real property in the Zone at the time of creation of the Zone.

"TIRZ No. 1 Fund" means the tax increment fund created by the City and segregated from all other funds of the City.

"Zone" means Tax Increment Reinvestment Zone Number One, City of Mansfield, as depicted on Exhibit A, and described in Exhibit H.

SECTION 2: INTRODUCTION

2.1 Authority and Purpose

The City created the Zone using the authority under the Act to designate a contiguous or noncontiguous geographic area within the corporate limits or extraterritorial jurisdiction of the City as a tax increment reinvestment zone to promote development or redevelopment of the area because the City Council determined that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future, that the Zone is economically feasible, and that creation of the Zone was in the best interest of the City and the property in the Zone. The purpose of the Zone is to facilitate such development or redevelopment by financing the costs of public works, public improvements, programs, and other projects benefiting the Zone, plus other costs incidental to those expenditures, all of which costs are authorized by the Act.

2.2 Eligibility Requirements

An area is eligible under the Act to be designated as a tax increment reinvestment zone if the area:

- substantially arrests or impairs the sound growth of the municipality designating the Zone, retard the provision of housing accommodations, or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition; or
- 2) is predominantly open or undeveloped and, because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impairs or arrests the sound growth of the City; or
- 3) is in a federally assisted new community located in the City or in an area immediately adjacent to a federally assisted new community; or
- 4) is in an area described in a petition requesting that the area be designated as a reinvestment zone, if the petition is submitted to the governing body of the City by the owners of property constituting at least fifty percent (50%) of the appraised value of the property in the area according to the most recent certified appraisal roll for the county in which the area is located.

The City cannot, however, designate a zone if more than thirty percent (30%) of the property in the proposed zone, excluding property that is publicly owned, is used for residential purposes, or if the total appraised value of taxable real property in the proposed zone and in existing reinvestment zones exceeds fifty percent (50%) of the total appraised value of taxable real property in the City and in industrial districts created by the City.

2.3 The Zone

The Property within the Zone is currently located within the corporate limits of the City. The Property is underdeveloped, and substantially impairs and arrests the sound growth of the City. Due to its size, location, and physical characteristics development would not occur solely through private investment in the foreseeable future. The Property lacks public infrastructure and requires economic incentive to attract development for the purpose of providing long-term economic benefits including, but not limited to, increased real property tax base for all taxing units in the Zone. If the Public Improvements are financed as contemplated by this Amended Plan, the City envisions that the Property will be developed to take full advantage of the opportunity to bring to the City, and County, a quality development.

2.4 Preliminary Plan and Hearing

Before the City Council adopted the Creation Ordinance, the City Council prepared the Preliminary Plan in accordance with the Act and held a public hearing on the creation of the Zone and its benefits to the City and to the Property, at which public hearing interested persons were given the opportunity to speak for and against the creation of the Zone, the boundaries of the Zone and the concept of tax increment financing, and at which hearing the owners of the Property were given a reasonable opportunity to protest the inclusion of their Property in the Zone. The requirement of the Act for a preliminary reinvestment zone financing plan was satisfied by the Preliminary Plan, the purpose of which was to describe, in general terms, the development of the Zone, and the economic incentive that would be undertaken by the Zone. A description of the uses of the Property is located in **Exhibit F**, and confirmed by the adoption of this Amended Plan.

2.5 Creation of the Zone

Upon the closing of the December 13, 2006 public hearing, the City Council approved the Creation Ordinance and made the following findings:

- 1) that development or redevelopment of the Property would not have occurred solely through private investment in the reasonably foreseeable future, and
- 2) that the Zone was feasible, and
- 3) that improvements in the Zone would significantly enhance the value of all the taxable real property in the Zone and would be of general benefit to the City, and
- 4) that the Zone met the eligibility requirements of the Act.

Among other provisions required by the Act, the Creation Ordinance appointed the Board.

2.6 Council Action

2.6.1 Final Project and Finance Plan

On November 28, 2007, the City Council approved Ordinance No. OR-1655-07, adopting a Final Plan for the Zone.

2.6.2 County Participation in the Zone

On February 26, 2008, the City Council and Tarrant County entered into the Tarrant County Participation Agreement, and Tarrant County followed with approval of the Agreement at their February 26, 2008 meeting. The Tarrant County Participation Agreement details Tarrant County's participation in the TIRZ Fund to a term of 25 years beginning January 1, 2006 and ending December 31, 2031, in an amount not to exceed \$22,950,000.

On August 27, 2007, the City Council and Ellis County entered into the Ellis County Participation Agreement, and Ellis County followed with approval of the Ellis County Participation Agreement at their August 27, 2007 meeting. The Ellis County Participation Agreement details Ellis County's participation in the TIRZ Fund to a term of 24 years beginning January 1, 2006 and ending December 31, 2030.

2.6.3 Amended Plan

On April 10, 2023, the Board reviewed, and recommended to the City Council this Amended Plan, which amends and restates the Final Plan in its entirety. The City Council shall consider this Amended Plan and upon an authorizing ordinance, pursuant to which the City will contribute the City TIRZ Increment into the TIRZ Fund to fund the Project Costs benefiting the Zone.

2.6.4 Boundary Amendment

On April 10, 2023, the City Council approved Ordinance No. ____, which added certain property from the Zone, as identified on **Exhibit H**.

SECTION 3: DESCRIPTION AND MAPS

3.1 Existing Uses and Conditions

The Property is primarily zoned Planned Development, Commercial, and Two-family Residential. At the time of creation of the Zone, the Property was primarily undeveloped or underdeveloped, and there was no public infrastructure to support development. Development requires extensive public infrastructure that: (1) the City could not provide, and (2) would not be provided solely through private investment in the foreseeable future.

3.2 Proposed Uses

The proposed uses of the Property in the City include residential and commercial, as shown on **Exhibit G**.

3.3 Parcel Identification

The parcels identified on **Exhibit I** provide sufficient detail to identify with ordinary and reasonable certainty the territory included in the Zone.

SECTION 4: PROPOSED CHANGES TO ORDINANCES, PLANS, CODES, RULES, AND REGULATIONS

The Property is wholly located in the corporate limits of the City and is subject to the City's zoning regulation. The City has exclusive jurisdiction over the subdivision and platting of the property within the Property and the design, construction, installation, and inspection of water, sewer, drainage, roadway, and other public infrastructure. No proposed changes to zoning ordinances, comprehensive plan, building codes, subdivision rules, or other municipal ordinances are planned.

SECTION 5: RELOCATION OF DISPLACED PERSONS

No persons were displaced and in need of relocation due to the creation of the Zone or shall be due to the implementation of this Amended Plan.

SECTION 6: NON-PROJECT COSTS

Non-Project costs are costs that were spent to develop in the Zone but were not financed by the Zone, and were financed by other funds. The list of non-project costs is shown on **Exhibit B**, and were estimated to be approximately \$752,470,000.

SECTION 7: PUBLIC IMPROVEMENTS

7.1 Categories of Public Improvements

All Public Improvements shall be designed and constructed in accordance with all applicable City standards and shall otherwise be inspected, approved, and accepted by the City. At the City's option, the Public Improvements may be expanded to include any other category of improvements authorized by the Act.

7.2 Location of Public Improvements

The estimated locations of the proposed Public Improvements are depicted on **Exhibit F**. These locations may be revised and refined, with the approval of the Board, from time to time without amending this Amended Plan.

SECTION 8: PROJECT COSTS

8.1 Project Costs

The total Project Costs are estimated to be \$151,453,049, as shown below and detailed on **Exhibit C**. The Public Improvements are estimated to be \$151,082,537, the Administrative Costs are estimated to be \$370,512.

i. Administrative Costs

The Administrative Costs are estimated to be \$10,000 per year beginning 2023 and escalating at two percent (2%) thereafter. The Administrative Costs shall be paid each year from the TIRZ Fund before any other Project Costs are paid.

ii. Public Improvements

The total Public Improvements are estimated to be \$158,082,537, as shown on **Exhibit C**.

8.2 Estimated Timeline of Incurred Costs

The Administrative Costs will be incurred annually through the remaining duration of the Zone. It is estimated the Public Improvements will be incurred between 2023 and 2050, as shown on **Exhibit D**, and funded annually over the remaining term of the Zone.

SECTION 9: FEASIBILITY STUDY

The Feasibility Study, as shown on **Exhibit E**, focuses on only direct financial benefits (i.e. ad valorem tax revenues from the development of Public Improvements in the Zone). Based on the Feasibility Study, during the term of the Zone, new development (which would not have occurred but for the Zone) will generate approximately \$286,002,703 in total new real property tax revenue for the participating taxing entities. Approximately \$155,625,127 will be deposited into the TIRZ No. 1 Fund to pay for the Project Costs over the life of the Zone. The remaining real property tax revenue over that period, estimated at \$130,377,576 shall be retained by the participating taxing entities.

The Feasibility Study shows the cumulative City TIRZ Increment is estimated to be \$151,642,216, which will be available to pay a portion of the Project Costs, until the term expires or is otherwise

terminated. The remainder of the new City real property tax revenue generated within the Zone and retained by the City is estimated to be \$81,653,501 over the term.

The Feasibility Study shows the cumulative Tarrant County TIRZ Increment is estimated to be \$3,257,966, which will be available to pay a portion of the Project Costs, until the term expires or is otherwise terminated. The remainder of the new Tarrant County real property tax revenue generated within the Zone and retained by Tarrant County is estimated to be \$39,012,105 over the term.

The Feasibility Study shows the cumulative Ellis County TIRZ Increment is estimated to be \$724,946, which will be available to pay a portion of the Project Costs, until the term expires or is otherwise terminated. The remainder of the new Ellis County real property tax revenue generated within the Zone and retained by Ellis County is estimated to be \$9,711,970 over the term.

One hundred percent (100%) of all taxing revenues generated for other taxing entities by the new development within the Zone will be retained by the respective taxing entities. Based on the foregoing, the feasibility of the Zone has been demonstrated.

SECTION 10: ESTIMATED BONDED INDEBTEDNESS

No tax increment reinvestment zone bonds or public indebtedness by the City secured by the tax increments pursuant to the Act, is contemplated.

SECTION 11: APPRAISED VALUE

11.1 Tax Increment Base

The Tax Increment Base of the Zone at the time of creation was \$81,429,802, and was confirmed by the Appraisal Districts. The portion of the Tax Increment Base within Tarrant County is \$78,067,516, within Ellis County is \$190,665, and within Johnson County is \$3,171,621. Each year, the Appraisal Districts shall confirm the current Captured Appraised Value. The taxable value of the Zone as of Tax Year 2022 is \$947,513,109.

11.2 Estimated Captured Appraised Value

It is estimated that upon the proposed expiration of the term of the Zone, the total Captured Appraised Value of taxable real property in the Zone will be approximately \$1,692,539,847 as shown on **Exhibit E**. The actual Captured Appraised Value, as certified by the Appraisal Districts, for each year, will be used to calculate the annual City TIRZ Increment, the Tarrant County TIRZ Increment, and Ellis County TIRZ Increment, pursuant to this Amended Plan and the respective participation agreements.

SECTION 12: METHOD OF FINANCING

12.1 TIRZ No. 1 Fund Contributions

This Amended Plan shall obligate the City to deposit the City TIRZ Increment into the TIRZ No. 1 Fund. For example, in FY 2023, the City's ad valorem tax rate was \$0.6800 per \$100 of taxable value, therefore the City would contribute \$0.4420 per \$100 of the Captured Appraised Value in the Zone levied and collected, into the TIRZ No. 1 Fund.

The Tarrant County Participation Agreement shall obligate Tarrant County to deposit the Tarrant County TIRZ Increment into the TIRZ Fund beginning in 2006. For example, in FY 2022, Tarrant County's ad valorem tax rate was \$0.2240 per \$100 of taxable value, therefore Tarrant County would contribute \$0.0672 per \$100 of the Captured Appraised Value in the Zone levied and collected, to the TIRZ Fund. Tarrant County's maximum contribution to the TIRZ No. 1 Fund is \$22,950,000, pursuant to the Tarrant County Participation Agreement.

The Ellis County Participation Agreement shall obligate Ellis County to deposit the Ellis County TIRZ Increment into the TIRZ Fund beginning in 2023. For example, in FY 2022, Ellis County's ad valorem tax rate was \$0.2730 per \$100 of taxable value, therefore Ellis County would contribute \$0.0819 per \$100 of the Captured Appraised Value in the Zone levied and collected, to the TIRZ Fund.

All payments of Project Costs shall be made solely from the TIRZ Fund and from no other funds of the City, Tarrant County, or Ellis County unless otherwise approved by their respective governing bodies. The TIRZ Fund shall only be used to pay the Project Costs. The City may amend this Amended Plan in compliance with the Tarrant County Participation Agreement and the Ellis County Participation Agreement, including but not limited to what is considered a Project Cost.

12.2 Funding Mechanisms

All payments of Project Costs shall be made solely from the TIRZ No. 1 Fund and from no other funds of the City, Tarrant County or Ellis County, unless otherwise approved by its respective governing bodies. The TIRZ No. 1 Fund shall only be used to pay the Project Costs. The City may amend this Amended Plan in compliance with the Tarrant County Participation Agreement, the Ellis County Participation Agreement, and the Act, including but not limited to what is considered a Project Cost.

SECTION 13: DURATION OF THE ZONE, TERMINATION

13.1 Duration

The stated term of the Zone commenced upon the execution of the Creation Ordinance and shall continue until December 31, 2050, with the last increment being due by January 31, 2051, unless otherwise terminated or extended in accordance with the Creation Ordinance, or the Act.

13.2 Termination

The Zone shall terminate on the earlier of (i) December 31, 2050, or (ii) at such time that the Project Costs have been paid in full. If upon expiration of the stated term of the Zone, the obligations of the Zone have not been fully funded by the TIRZ No. 1 Fund, the City, Tarrant County, and Ellis County shall have no obligation to pay the shortfall and the term shall not be required to be extended. Nothing in this section is intended to prevent the City, Tarrant County, or Ellis County from extending the term of the Zone in accordance with the Act.

LIST OF EXHIBITS

Unless otherwise stated, all references to "Exhibits" contained in this Amended Plan shall mean and refer to the following exhibits, all of which are attached to and made a part of this Amended Plan for all purposes.

Exhibit A	Map of the Zone
Exhibit B	Non-Project Costs
Exhibit C	List of Project Costs
Exhibit D	Estimated Timeline of Incurred Project Costs
Exhibit E	Feasibility Study
Exhibit F	Map of Public Improvements
Exhibit G	Proposed Uses of the Property
Exhibit H	Boundary Amendment
Exhibit I	Parcel Identification

EXHIBIT A – MAP OF THE ZONE

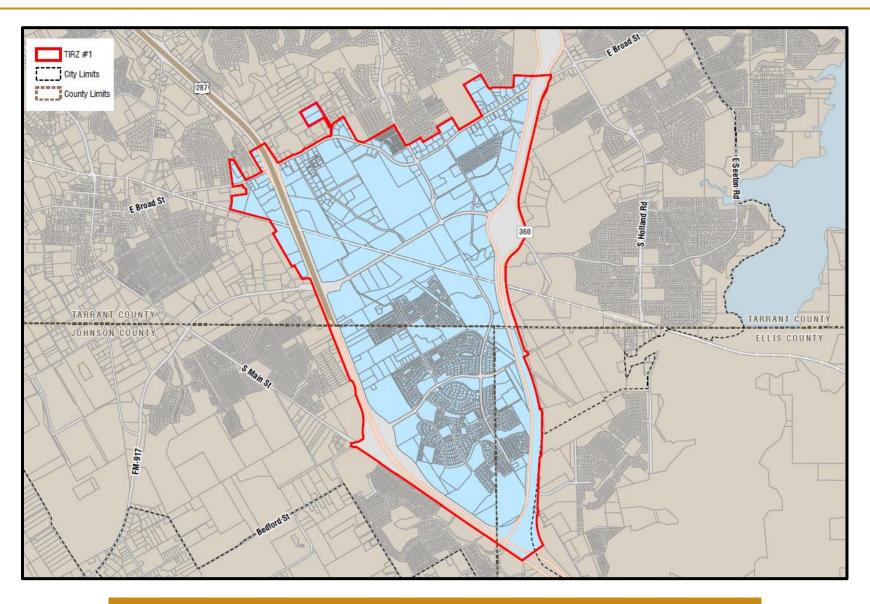


EXHIBIT B - NON-PROJECT COSTS

Tax Increment Reinvestment Zone Number One,
City of Mansfield, Texas
Non-Project Costs

Non-Project Costs ^{1,2}	
Base Taxable Value	\$ 81,429,802
2023 Taxable Value	\$ 1,022,015,783
Total	\$ 752,470,000

- (1) Total Non-Project Costs are estimated to be the approximate 80% of the increase in value from the Tax Increment Base to the 2023 Taxable Value.
- (2) Provided for illustrative purposes only, and subject to change.

EXHIBIT C – LIST OF PROJECT COSTS

Tax Increment Reinvestment Zone Number One, City of Mansi Project Costs		
Public Improvements		
A. Roadway		
1. Matlock Road	\$	9,411,600
2. Lone Star Road	\$	5,161,200
3. Mitchell Road	\$	5,646,960
4. US 287 Northbound Frontage Road	\$	6,502,267
4. US 287 Southbound Frontage Road	\$	6,502,267
6. Secondary Roads in Reserve PD Subtotal	\$ \$	29,339,393
B. Sanitary Sewer	٠,	62,563,687
1. Misc. Sewer Mains	\$	651,000
2. Low Branch Lift Station	\$	3,500,000
Sanitary Sewer Subtotal	\$	4,151,000
C. Water		, . ,
1. 24" along Heritage PKWY; 16" along Mitchell	\$	1,220,240
2. 24" along Matlock; 30" along Lone Star; 16" across SH 360	\$	1,398,950
3. 12" along N. Bound SH 287; 36" along Mitchell	\$	3,268,020
4. 24" along SH 360 S. Bound; 30" along US 287 and Lone Star	\$	2,106,300
5. 36" along N. Bound US 287 and Broad	\$	1,601,040
6. New 20 MGD Water Treatment Plant	\$	15,400,000
7. ElevatedWater Storage Tank	\$	3,500,000
Water Subtotal	\$	28,494,550
D. Drainage		
Misc. Regional Det./Drain. Facilities	\$	2,800,000
Drainage Subtotal	\$	2,800,000
E. Underground Electric Service		C 24 C F 0
Underground Electric Service Underground Electric Service Subtotal	\$ \$	6,216,500
F. Parks	Ą	6,216,500
Neighborhood Parks	\$	8,058,400
2. Pocket Parks	\$	
3. Linear Park	\$	2,520,000
Parks Subtotal	\$	20,876,800
G. Gateways & Highway Bridge Enhancement		-,,-
1. Intersections of Broad and US 287 and Broad and SH 360	\$	420,000
2. Intersections of Heritage and US 287 and Heritage and SH 360	\$	420,000
3. Intersections of Lone Star and US 287 and Lone Star and SH 360	\$	420,000
4. Intersections of Matlock and Broad and Matlock and SH 360	\$	420,000
Gateways & Highway Bridge Enhancement Subtotal	\$	1,680,000
H. Other Public Improvements		
1. Fire Station	\$	2,800,000
2. Recreation Center	\$	4,900,000
3. Library	\$	4,200,000
4. Mass Transit Facility	\$	7,000,000
5. Public Art	\$	1,400,000
6. Wisteria Hall	\$	4,000,000
Other Public Improvements Subtotal	\$	24,300,000
Public Improvements Subtotal ¹		151,082,537
Administrative Costs	\$	370,512
Project Costs	\$	151,453,049

EXHIBIT D – ESTIMATED TIMELINE OF INCURRED PROJECT COSTS

Tax Increment Reinvestment Zone Number One, City of Mansfield, Texas Estimated Timeline of Incurred Project Costs

Zone	Calendar	Adı	ministrative	Public Total Project Costs ¹			: Costs ¹		
Year	Year		Costs	In	nprovements		Annual		Cumulative
17	2023	\$	10,000	\$	4,213,105	\$	4,223,105	\$	4,223,105
18	2024	\$	10,200	\$	4,577,404	\$	4,587,604	\$	8,810,708
19	2025	\$	10,404	\$	4,577,200	\$	4,587,604	\$	13,398,312
20	2026	\$	10,612	\$	4,576,992	\$	4,587,604	\$	17,985,916
21	2027	\$	10,824	\$	4,941,279	\$	4,952,103	\$	22,938,019
22	2028	\$	11,041	\$	4,941,062	\$	4,952,103	\$	27,890,121
23	2029	\$	11,262	\$	4,940,841	\$	4,952,103	\$	32,842,224
24	2030	\$	11,487	\$	5,305,115	\$	5,316,602	\$	38,158,826
25	2031	\$	11,717	\$	5,204,690	\$	5,216,407	\$	43,375,233
26	2032	\$	11,951	\$	4,804,043	\$	4,815,994	\$	48,191,227
27	2033	\$	12,190	\$	5,133,106	\$	5,145,295	\$	53,336,522
28	2034	\$	12,434	\$	5,132,862	\$	5,145,295	\$	58,481,818
29	2035	\$	12,682	\$	5,132,613	\$	5,145,295	\$	63,627,113
30	2036	\$	12,936	\$	5,461,661	\$	5,474,597	\$	69,101,711
31	2037	\$	13,195	\$	5,461,403	\$	5,474,597	\$	74,576,308
32	2038	\$	13,459	\$	5,461,139	\$	5,474,597	\$	80,050,905
33	2039	\$	13,728	\$	5,790,171	\$	5,803,899	\$	85,854,804
34	2040	\$	14,002	\$	5,789,897	\$	5,803,899	\$	91,658,703
35	2041	\$	14,282	\$	5,789,617	\$	5,803,899	\$	97,462,603
36	2042	\$	14,568	\$	6,118,633	\$	6,133,201	\$	103,595,803
37	2043	\$	14,859	\$	6,118,341	\$	6,133,201	\$	109,729,004
38	2044	\$	15,157	\$	6,118,044	\$	6,133,201	\$	115,862,205
39	2045	\$	15,460	\$	6,447,043	\$	6,462,503	\$	122,324,708
40	2046	\$	15,769	\$	6,446,734	\$	6,462,503	\$	128,787,211
41	2047	\$	16,084	\$	6,446,418	\$	6,462,503	\$	135,249,714
42	2048	\$	16,406	\$	6,775,399	\$	6,791,805	\$	142,041,518
43	2049	\$	16,734	\$	6,775,070	\$	6,791,805	\$	148,833,323
44	2050	\$	17,069	\$	2,602,657	\$	2,619,726	\$	151,453,049
Т	otal	\$	370,512	\$	151,082,537	\$:	151,453,049		

(1) Estimate provided for illustrative purposes only.

EXHIBIT E – FEASIBILITY STUDY

Tax Increment Reinvestment Zone Number One, City of Mansfield, Texas Feasibility Study

			Total Added				City			Tarrant Co	ounty		Ellis Cou	nty				
	Calendar	Growth/	Development	Total Taxable	Total Incremental	TIRZ	Increment	Retained	TIRZ	Increment	Retained	TIRZ	Increment	Retained	Total T	RZ Contribution	Total Retaine	d New Revenue
TIRZ Year	Year	Year ¹	Value ²	Value	Value	%	Annual	Annual	%	Annual	Annual	%	Annual	Annual	Annua	Cumulative	Annual	Cumulative
Base	2006			\$ 81,429,802														
17	2023	2%	\$ 74,502,674	\$ 1,022,015,783	\$ 940,585,981	65% \$	3,828,088	\$ 2,061,278	30%	313,975	\$ 732,608	30%	\$ 81,041	\$ 189,097	\$ 4,223,	105 \$ 4,223,105	\$ 2,982,983	\$ 2,982,983
18	2024	2%	\$ -	\$ 1,022,015,783	\$ 940,585,981	65% \$	4,157,390	\$ 2,238,595	30% \$	342,788	\$ 799,838	30%	\$ 87,426	\$ 203,994	\$ 4,587,	504 \$ 8,810,708	\$ 3,242,427	\$ 6,225,410
19	2025	2%	\$ -	\$ 1,022,015,783	\$ 940,585,981	65% \$	4,157,390	\$ 2,238,595	30% \$	342,788	\$ 799,838	30%	\$ 87,426	\$ 203,994	\$ 4,587,	504 \$ 13,398,312	\$ 3,242,427	\$ 9,467,836
20	2026	2%	\$ 74,502,674	\$ 1,096,518,456	\$ 1,015,088,654	65% \$	4,157,390	\$ 2,238,595	30% \$	342,788	\$ 799,838	30%	\$ 87,426	\$ 203,994	\$ 4,587,	504 \$ 17,985,916	\$ 3,242,427	\$ 12,710,263
21	2027	2%	\$ -	\$ 1,096,518,457	\$ 1,015,088,655	65% \$	4,486,692	\$ 2,415,911	30% \$	371,600	\$ 867,068	30%	\$ 93,811	\$ 218,891	\$ 4,952,	103 \$ 22,938,019	\$ 3,501,870	\$ 16,212,133
22	2028	2%	\$ -	\$ 1,096,518,457	\$ 1,015,088,655	65% \$	4,486,692	\$ 2,415,911	30% \$	371,600	\$ 867,068	30%	\$ 93,811	\$ 218,891	\$ 4,952,	103 \$ 27,890,121	\$ 3,501,870	\$ 19,714,003
23	2029	2%	\$ 74,502,674	\$ 1,171,021,130	\$ 1,089,591,328	65% \$	4,486,692	\$ 2,415,911	30% \$	371,600	\$ 867,068	30%	\$ 93,811	\$ 218,891	\$ 4,952,	103 \$ 32,842,224	\$ 3,501,870	\$ 23,215,873
24	2030	0.0%	\$ -	\$ 1,171,021,130	\$ 1,089,591,328	65% \$, ,	\$ 2,593,227	· .	,	\$ 934,297	30%	\$ 100,195	\$ 233,789	\$ 5,316,	502 \$ 38,158,826	\$ 3,761,313	\$ 26,977,186
25	2031	0.0%	\$ -	\$ 1,171,021,130	\$ 1,089,591,328	65% \$	4,815,994	\$ 2,593,227	30% \$	400,413	\$ 934,297	7 0%	\$ -	\$ 333,984	\$ 5,216	407 \$ 43,375,233	\$ 3,861,509	\$ 30,838,695
26	2032	2%	\$ 74,502,674	\$ 1,245,523,804	\$ 1,164,094,002	65% \$	4,815,994	\$ 2,593,227	0%	-	\$ 1,334,713	0%	\$ -	\$ 333,984	\$ 4,815,	994 \$ 48,191,227	\$ 4,261,922	\$ 35,100,616
27	2033	2%	\$ -	\$ 1,245,523,804	\$ 1,164,094,002	65% \$	5,145,295	\$ 2,770,544	0%	-	\$ 1,430,753	3 0%	\$ -	\$ 355,266	\$ 5,145,		\$ 4,556,562	\$ 39,657,179
28	2034	2%	\$ -	\$ 1,245,523,804	\$ 1,164,094,002	65% \$	5,145,295	\$ 2,770,544	0%	-	\$ 1,430,753	0%	\$ -	\$ 355,266	\$ 5,145,	. , ,	\$ 4,556,562	\$ 44,213,741
29	2035	2%	\$ 74,502,674	\$ 1,320,026,478	\$ 1,238,596,676	65% \$	5,145,295	\$ 2,770,544	0%	-	\$ 1,430,753	3 0%	\$ -	\$ 355,266	\$ 5,145,	295 \$ 63,627,113	\$ 4,556,562	\$ 48,770,304
30	2036	2%	\$ -	\$ 1,320,026,478	\$ 1,238,596,676	65% \$	5,474,597	\$ 2,947,860	0%	-	\$ 1,526,796	0%	\$ -	\$ 376,547	\$ 5,474	,	\$ 4,851,203	1 ' ' ' 1
31	2037	2%	\$ -	\$ 1,320,026,478	\$ 1,238,596,676	65% \$	5,474,597	\$ 2,947,860	0%	-	\$ 1,526,796	0%	\$ -	\$ 376,547	\$ 5,474	597 \$ 74,576,308	\$ 4,851,203	
32	2038	2%	\$ 74,502,674	\$ 1,394,529,152	\$ 1,313,099,350	65% \$	5,474,597	\$ 2,947,860	0%	-	\$ 1,526,796		\$ -	\$ 376,547	\$ 5,474	597 \$ 80,050,905	\$ 4,851,203	\$ 63,323,914
33	2039	2%	\$ -	\$ 1,394,529,152	\$ 1,313,099,350	65% \$	5,803,899	\$ 3,125,176	0%	-	\$ 1,622,838	3 0%	\$ -	\$ 397,829	\$ 5,803,	399 \$ 85,854,804	\$ 5,145,844	\$ 68,469,758
34	2040	0.0%	\$ -	\$ 1,394,529,152	\$ 1,313,099,350	65% \$	5,803,899	\$ 3,125,176	0%	-	\$ 1,622,838	3 0%	\$ -	\$ 397,829	\$ 5,803,	399 \$ 91,658,703	\$ 5,145,844	\$ 73,615,602
35	2041	0.0%	\$ 74,502,674	\$ 1,469,031,825	. , , ,	65% \$	5,803,899	\$ 3,125,176	0%	-	\$ 1,622,838	3 0%	\$ -	\$ 397,829	\$ 5,803,	399 \$ 97,462,603	\$ 5,145,844	
36	2042	2%	\$ -	\$ 1,469,031,825	. , , ,	65% \$	-,, -	\$ 3,302,493		-	\$ 1,718,883		т	\$ 419,111	\$ 6,133,	- ,,,	\$ 5,440,485	1 ' ' '
37	2043	2%	\$ -		. , , ,	65% \$		\$ 3,302,493		-	\$ 1,718,883		•	\$ 419,111		201 \$ 109,729,004	\$ 5,440,485	
38	2044	2%	\$ 74,502,674	\$ 1,543,534,499		•	, ,	\$ 3,302,493	0%	-	\$ 1,718,883		\$ -	\$ 419,111	\$ 6,133,	. , ,	\$ 5,440,485	
39	2045	2%	\$ -	\$ 1,543,534,499	\$ 1,462,104,697	65% \$, -,	0%	-	\$ 1,814,924		\$ -	\$ 440,393	\$ 6,462,	, , , , , , ,	\$ 5,735,126	
40	2046	2%	\$ -	\$ 1,543,534,499	. , , ,	65% \$, ,		0%	-	\$ 1,814,924		\$ -	\$ 440,393	\$ 6,462,	. , ,	\$ 5,735,126	
41	2047	2%	\$ 74,502,674	\$ 1,618,037,173	\$ 1,536,607,371	65% \$	6,462,503	\$ 3,479,809	0%	-	\$ 1,814,924		\$ -	\$ 440,393	\$ 6,462,	503 \$ 135,249,714	\$ 5,735,126	\$ 112,288,277
42	2048	2%	\$ -		\$ 1,536,607,371			\$ 3,657,126		-	\$ 1,910,966		•	\$ 461,675	\$ 6,791,	, , , , , ,		\$ 118,318,043
43	2049	2%	\$ -		\$ 1,536,607,371			\$ 3,657,126			\$ 1,910,966		•	\$ 461,675	\$ 6,791,	. , ,		\$ 124,347,809
44	2050	0.00%	\$ 74,502,674	\$ 1,692,539,847	\$ 1,611,110,045			\$ 3,657,126			\$ 1,910,966	_	•	\$ 461,675	\$ 6,791,	. , ,	\$ 6,029,766	
	Total		\$ 745,026,736			\$	151,642,216	\$ 81,653,501	5	3,257,966	\$ 39,012,10	5	\$ 724,946	\$ 9,711,970	\$ 155,625,	127	\$ 130,377,576	

Assumptions

City AV Rate \$ 0.68000
Tarrant County AV Rate \$ 0.22400
Ellis County AV Rate \$ 0.27300

Footnotes

¹⁾ Values increased at 2% annually, with two years of no growth each decade to simulate an economic downturn.

²⁾ Value is added based on average increase in Total City Assessed Value over the past 10 years.

EXHIBIT F – MAP OF PUBLIC IMPROVEMENTS

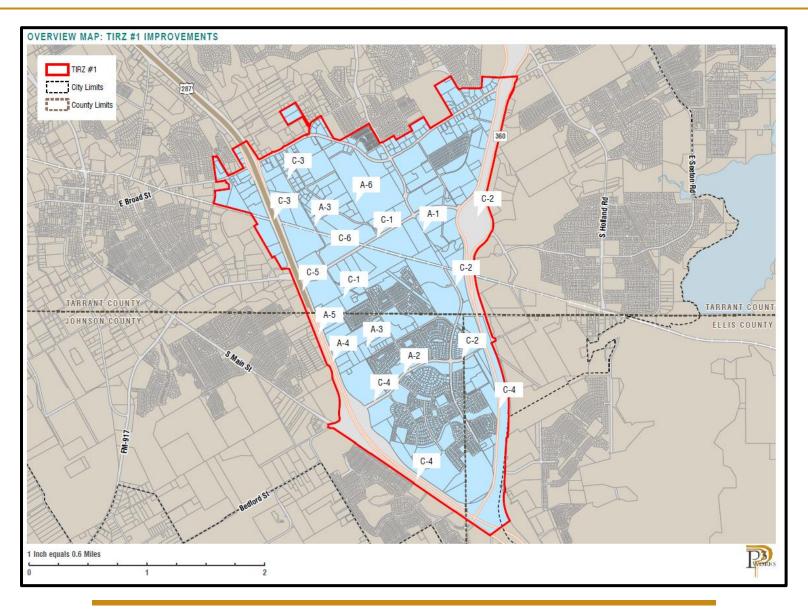


EXHIBIT G – PROPOSED USES OF THE PROPERTY

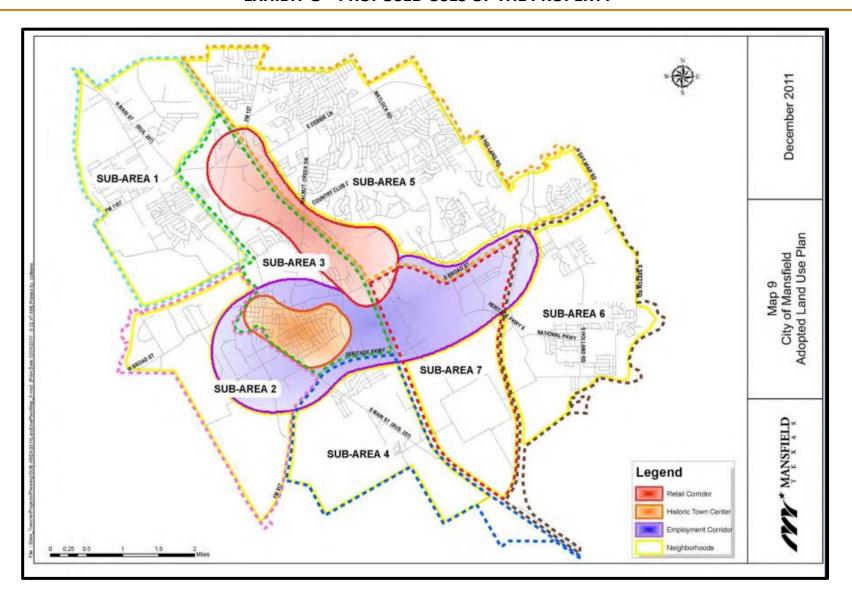


EXHIBIT H – BOUNDARY AMENDMENT

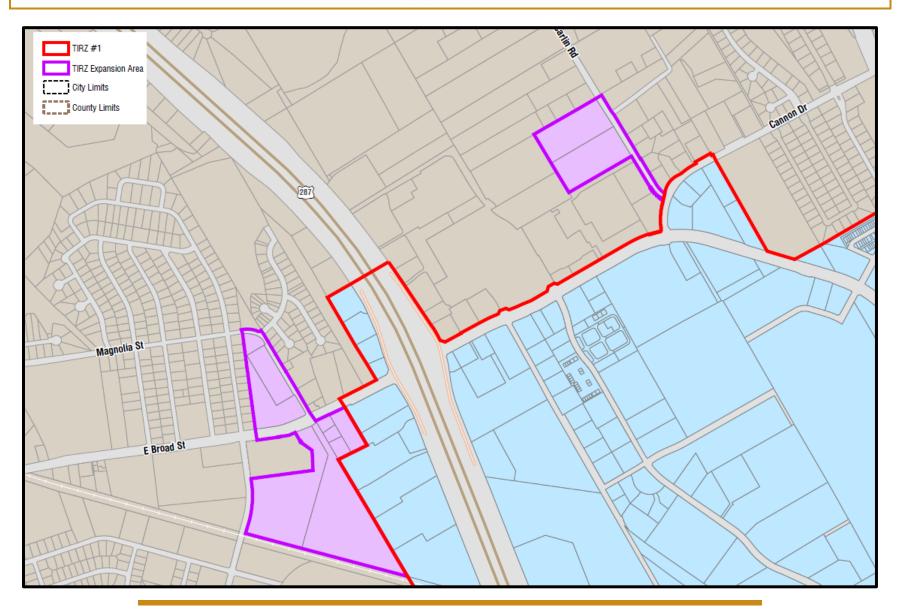


EXHIBIT I – PARCEL IDENTIFICATION

| Parcel ID |
|-----------|-----------|-----------|-----------|-----------|-----------|
| 3747387 | 4982444 | 7166397 | 7166834 | 7313276 | 7313756 |
| 3747395 | 4983696 | 7166400 | 7166842 | 7313284 | 7313764 |
| 3747409 | 5308615 | 7166419 | 7166850 | 7313292 | 7313772 |
| 3747417 | 5308623 | 7166427 | 7166869 | 7313314 | 7313799 |
| 3747425 | 6077021 | 7166435 | 7166877 | 7313322 | 7313802 |
| 3750345 | 6139795 | 7166443 | 7166885 | 7313330 | 7313829 |
| 3767027 | 6251366 | 7166451 | 7166893 | 7313349 | 7313837 |
| 3767094 | 6251382 | 7166478 | 7166907 | 7313357 | 7313853 |
| 3767108 | 6351409 | 7166486 | 7166915 | 7313365 | 7313861 |
| 3851133 | 6514162 | 7166494 | 7166923 | 7313373 | 7313888 |
| 3851141 | 6559018 | 7166508 | 7166931 | 7313381 | 7313918 |
| 3891321 | 6696058 | 7166516 | 7166958 | 7313403 | 7313926 |
| 3891348 | 6721125 | 7166524 | 7166966 | 7313411 | 7313934 |
| 3891356 | 6721133 | 7166532 | 7169493 | 7313438 | 7313950 |
| 3892719 | 6728375 | 7166540 | 7280726 | 7313446 | 7313969 |
| 4022750 | 6768679 | 7166559 | 7312911 | 7313454 | 7313977 |
| 4022769 | 6895565 | 7166567 | 7312938 | 7313462 | 7313993 |
| 4022777 | 6896340 | 7166575 | 7312946 | 7313470 | 7314000 |
| 4022807 | 7035098 | 7166583 | 7312954 | 7313489 | 7314019 |
| 4025342 | 7052871 | 7166591 | 7312962 | 7313497 | 7314043 |
| 4025350 | 7064357 | 7166605 | 7312970 | 7313500 | 7314051 |
| 4025369 | 7074425 | 7166613 | 7312989 | 7313519 | 7314086 |
| 4025385 | 7128177 | 7166621 | 7312997 | 7313527 | 7314094 |
| 4025415 | 7160224 | 7166648 | 7313004 | 7313535 | 7314108 |
| 4025423 | 7166214 | 7166656 | 7313012 | 7313543 | 7314124 |
| 4070933 | 7166222 | 7166664 | 7313020 | 7313551 | 7314132 |
| 4070941 | 7166230 | 7166672 | 7313039 | 7313578 | 7314140 |
| 4131371 | 7166249 | 7166680 | 7313098 | 7313586 | 7314159 |
| 4131398 | 7166257 | 7166699 | 7313128 | 7313594 | 7314167 |
| 4131428 | 7166265 | 7166702 | 7313136 | 7313608 | 7314183 |
| 4131509 | 7166273 | 7166710 | 7313144 | 7313616 | 7314191 |
| 4132106 | 7166281 | 7166729 | 7313152 | 7313624 | 7314248 |
| 4322568 | 7166303 | 7166737 | 7313160 | 7313632 | 7314256 |
| 4493427 | 7166311 | 7166745 | 7313179 | 7313640 | 7314272 |
| 4493435 | 7166338 | 7166753 | 7313187 | 7313659 | 7314280 |
| 4493443 | 7166346 | 7166761 | 7313209 | 7313667 | 7314299 |
| 4509994 | 7166354 | 7166788 | 7313217 | 7313675 | 7314310 |
| 4513045 | 7166362 | 7166796 | 7313225 | 7313683 | 7314329 |
| 4513096 | 7166370 | 7166818 | 7313233 | 7313705 | 7314345 |
| 4895517 | 7166389 | 7166826 | 7313268 | 7313721 | 7541279 |

| Parcel ID |
|-----------|-----------|-----------|-----------|-----------|-----------|
| 7740298 | 40935639 | 41299485 | 41510569 | 42001283 | 42450622 |
| 7877234 | 40935647 | 41326733 | 41510577 | 42001291 | 42454504 |
| 7877242 | 40935655 | 41326741 | 41510585 | 42001305 | 42454512 |
| 7915918 | 40935663 | 41330684 | 41510593 | 42001313 | 42454521 |
| 40207943 | 40935671 | 41342836 | 41517423 | 42007427 | 42454539 |
| 40207978 | 40935698 | 41342844 | 41517431 | 42029510 | 42500271 |
| 40207994 | 40935701 | 41346270 | 41517458 | 42064676 | 42533412 |
| 40390160 | 40935728 | 41381610 | 41518098 | 42080078 | 42533421 |
| 40390209 | 40935736 | 41390903 | 41518101 | 42080086 | 42557338 |
| 40390217 | 40978281 | 41398467 | 41524780 | 42084952 | 42566931 |
| 40390225 | 40978303 | 41398602 | 41524918 | 42149698 | 42569671 |
| 40390233 | 41008294 | 41398610 | 41524926 | 42149701 | 42592851 |
| 40390314 | 41009142 | 41398718 | 41529642 | 42163780 | 42597232 |
| 40390322 | 41021509 | 41398726 | 41533054 | 42163798 | 42642408 |
| 40390330 | 41021649 | 41398734 | 41533062 | 42163801 | 42642416 |
| 40390349 | 41032470 | 41398750 | 41533070 | 42173823 | 42662484 |
| 40390357 | 41032489 | 41398777 | 41533089 | 42173831 | 42676671 |
| 40390365 | 41032497 | 41398793 | 41533097 | 42173840 | 42678381 |
| 40445984 | 41032500 | 41398807 | 41533100 | 42196114 | 42678399 |
| 40605124 | 41040384 | 41398815 | 41534697 | 42226889 | 42678402 |
| 40606155 | 41040392 | 41398823 | 41565614 | 42229454 | 42678411 |
| 40606163 | 41092317 | 41399420 | 41565622 | 42236191 | 42678429 |
| 40617610 | 41114353 | 41410467 | 41568494 | 42240423 | 42678453 |
| 40617629 | 41196341 | 41416244 | 41580079 | 42241641 | 42678461 |
| 40738264 | 41199669 | 41416252 | 41580087 | 42268727 | 42678470 |
| 40779734 | 41199677 | 41416260 | 41580095 | 42268743 | 42690992 |
| 40935477 | 41199685 | 41416279 | 41580109 | 42275685 | 42691018 |
| 40935485 | 41199707 | 41423917 | 41589181 | 42275693 | 42691026 |
| 40935493 | 41199715 | 41448502 | 41589912 | 42282789 | 42719729 |
| 40935507 | 41199723 | 41454405 | 41589920 | 42298201 | 42729597 |
| 40935515 | 41200942 | 41472667 | 41618890 | 42298219 | 42732741 |
| 40935531 | 41216687 | 41472713 | 41653327 | 42298243 | 42732750 |
| 40935558 | 41216695 | 41473523 | 41654803 | 42298251 | 42732873 |
| 40935566 | 41222989 | 41478738 | 41654811 | 42301147 | 42736402 |
| 40935574 | 41226860 | 41491246 | 41654838 | 42324864 | 42736411 |
| 40935582 | 41226879 | 41491254 | 41654846 | 42418567 | 42736429 |
| 40935590 | 41233913 | 41497082 | 41654854 | 42418575 | 42736437 |
| 40935604 | 41233921 | 41505107 | 41688716 | 42447184 | 42736445 |
| 40935612 | 41233972 | 41507002 | 41700694 | 42450606 | 42736453 |
| 40935620 | 41248643 | 41507010 | 41717376 | 42450614 | 42736461 |

| Parcel ID |
|-----------|-----------|-----------|-----------|-----------|
| 42736470 | 42736879 | 42780185 | 42780592 | 42781009 |
| 42736488 | 42736887 | 42780193 | 42780606 | 42785471 |
| 42736496 | 42736895 | 42780207 | 42780614 | 42808136 |
| 42736500 | 42736909 | 42780215 | 42780622 | 42808144 |
| 42736518 | 42736917 | 42780223 | 42780631 | 42820403 |
| 42736526 | 42736925 | 42780231 | 42780649 | 42820411 |
| 42736534 | 42736933 | 42780240 | 42780657 | 42821400 |
| 42736542 | 42736941 | 42780258 | 42780665 | 42849053 |
| 42736551 | 42736950 | 42780266 | 42780673 | 42849185 |
| 42736569 | 42736968 | 42780274 | 42780681 | 42849193 |
| 42736577 | 42736976 | 42780282 | 42780690 | 42849207 |
| 42736585 | 42738359 | 42780291 | 42780703 | 42849215 |
| 42736593 | 42738367 | 42780304 | 42780711 | 42849223 |
| 42736607 | 42745606 | 42780312 | 42780720 | 42849231 |
| 42736615 | 42765488 | 42780321 | 42780738 | 42849240 |
| 42736623 | 42765861 | 42780339 | 42780746 | 42849258 |
| 42736631 | 42765879 | 42780347 | 42780754 | 42849266 |
| 42736640 | 42779951 | 42780355 | 42780762 | 42849274 |
| 42736658 | 42779969 | 42780363 | 42780771 | 42849282 |
| 42736666 | 42779977 | 42780371 | 42780789 | 42849291 |
| 42736674 | 42779985 | 42780380 | 42780797 | 42849304 |
| 42736682 | 42779993 | 42780401 | 42780801 | 42849312 |
| 42736691 | 42780002 | 42780410 | 42780819 | 42849321 |
| 42736704 | 42780011 | 42780428 | 42780827 | 42849339 |
| 42736712 | 42780029 | 42780436 | 42780835 | 42856815 |
| 42736721 | 42780037 | 42780444 | 42780843 | 42856823 |
| 42736739 | 42780045 | 42780452 | 42780851 | 42856831 |
| 42736747 | 42780053 | 42780461 | 42780860 | 42856840 |
| 42736755 | 42780061 | 42780479 | 42780878 | 42859105 |
| 42736763 | 42780070 | 42780487 | 42780886 | 42860405 |
| 42736771 | 42780088 | 42780495 | 42780894 | |
| 42736780 | 42780096 | 42780509 | 42780908 | |
| 42736798 | 42780100 | 42780517 | 42780924 | |
| 42736801 | 42780118 | 42780525 | 42780932 | |
| 42736810 | 42780126 | 42780533 | 42780941 | |
| 42736828 | 42780134 | 42780541 | 42780959 | |
| 42736836 | 42780142 | 42780550 | 42780967 | |
| 42736844 | 42780151 | 42780568 | 42780975 | |
| 42736852 | 42780169 | 42780576 | 42780983 | |
| 42736861 | 42780177 | 42780584 | 42780991 | |



CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

STAFF REPORT

File Number: 23-5270

Agenda Date: 4/10/2023 Version: 1 Status: Public Hearing

In Control: City Council File Type: Ordinance

Agenda Number:

Title

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Change of zoning from C-2, Community Business District to S, South Mansfield Form Based Development District on Approximately 12.899 Acres in the Joseph Lawrence Survey, Abstract No. 616, City of Mansfield, Ellis County, Texas on Property Located at 3400 Harmon Road; M.R. Development, Developer (ZC#23-004)

Requested Action

To consider the subject zoning change request

Recommendation

The Planning and Zoning Commission held a public hearing on March 22, 2023, and voted 5 to 0 to recommend approval of the zoning change request.

Vote:

Ayes: 5 - Axen, Mainer, Bennett, Groll, and Shaw

Nays: 0

Absent: 2 - Goodwin and Thompson

The Department of Planning and Development Services recommends approval.

Description/History

Existing Use: Vacant

Existing Zoning: C-2, Community Business District

Land Use Plan: Sub-Area 7

Surrounding Land Use & Zoning:

North - Multi-family residential, PD, Planned Development District South - Single-family residential, PD, Planned Development District

East - Vacant, C-2, Community Business District and PR, Pre-Development District

West - Single-family residential, PD, Planned Development District

Thoroughfare Plan Specification:

State Highway 360 - Frontage Road and Freeway

Harmon Road - 2-lane residential street

Synopsis

The applicant is requesting to rezone the property from the C-2, Community Business District, to the S, South Mansfield Form-based Development District, on approximately 12.899 acres to accommodate mixed-use development. The policy recommendations for Sub-Area 7 in the Official Land Use Plan support development projects that are compatible with the goals of The Reserve Planned Development.

Staff Analysis

The primary intent of the recently adopted S, South Mansfield Form-based Development District, is to enable and to encourage a development pattern that is compact, mixed-use, walkable, and sustainable. To that end, the S, South Mansfield Form-based Development District is structured using the principles and practices of the rural-to-urban transect that, as used in this zoning district, create predictable urbanism by regulating building form and design.

The subject property consists of 12.899 acres. As proposed, the property will be developed for multi-family residential, rowhouse, neighborhood-oriented commercial and civic space. It is expected that the design of the site and the arrangement of buildings will create a mixed-use destination that is focused on distinct architecture and complementary amenities.

Because the property is greater than two (2) acres in area, a special land assemblage plan and a development agreement will be required. The special land assemblage plan ensures that the property is appropriately master-planned to produce a development that is pedestrian-oriented, mixed-use, and attractive and is approved administratively by the Department of Planning and Development Services. The development agreement must be approved by the City Council, and it will reinforce a pattern of development that is mixed-use and will achieve the community's vision for sustainable growth.

The S, South Mansfield Form-based Development District relies extensively on transect zones and special districts to establish the allowable uses and building design standards. The transect zone that directs this proposed development must be shown on the required special land assemblage plan.

New development on the property (and any future renovation or redevelopment) must comply with the urban design and landscaping standards of the S, South Mansfield Form-based Development District. These urban design and landscaping standards will inform the required submittal of a special land assemblage plan as well as site plans and building plans.

A site plan and building plan is required prior to plat approval or the issuance of a building permit, as provided for in Section 155.111 of the Mansfield Code of Ordinances.

Summary

The S, South Mansfield Form-based Development District provides a specific set of form-based development standards that enables and encourages a creative development that is mixed-use, connected, walkable and visually harmonious. The possible introduction of a range of residential options, neighborhood-oriented commercial and other related

civic activities have the potential to create a dynamic locus of activity along State Highway 360. As such, the presence of civic and passive spaces with public art and other amenities are highly encouraged.

Prepared By

Art Wright, AICP, Principal Planner 817-276-4226

ORDINANCE	NO	
UNDINANCE	NO.	

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTY TO A S, SOUTH MANSFIELD FORMBASED DEVELOPMENT DISTRICT; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing opportunity to all property owners generally and to owners of the affected properties, the governing body of the City is of the opinion and finds that the Chapter 155 "Zoning" of the Code of Ordinances and Map should be amended.

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

SECTION 1.

That Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Mansfield, to give the hereinafter described property a new zoning district classification of S, South Mansfield Form-Based Development District; said property being described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2.

That the locations of all Transect zones on the property shall be established on the special land assemblage plan required under Section 155.073 of the Code of Ordinances, City of Mansfield, Texas.

SECTION 3.

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

Ordinance No 23-5270
Page 2 of 2
SECTION 4.
That the above-described property shall be used only in the manner and for the purposes provided for in the Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas of the City, as amended herein by the granting of this zoning classification.
SECTION 5.
Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas as a whole.
SECTION 6.
Any person, firm or corporation violating any of the provisions of this ordinance or the Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.
SECTION 7.
This Ordinance shall take effect immediately upon its passage in accordance with the Charter of the City, as provided by law.
FIRST READING APPROVED ON THE 10^{TH} DAY OF APRIL, 2023.
DULY PASSED ON THE SECOND AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS $24^{\rm TH}$ DAY OF APRIL, 2023.
Michael Evans, Mayor

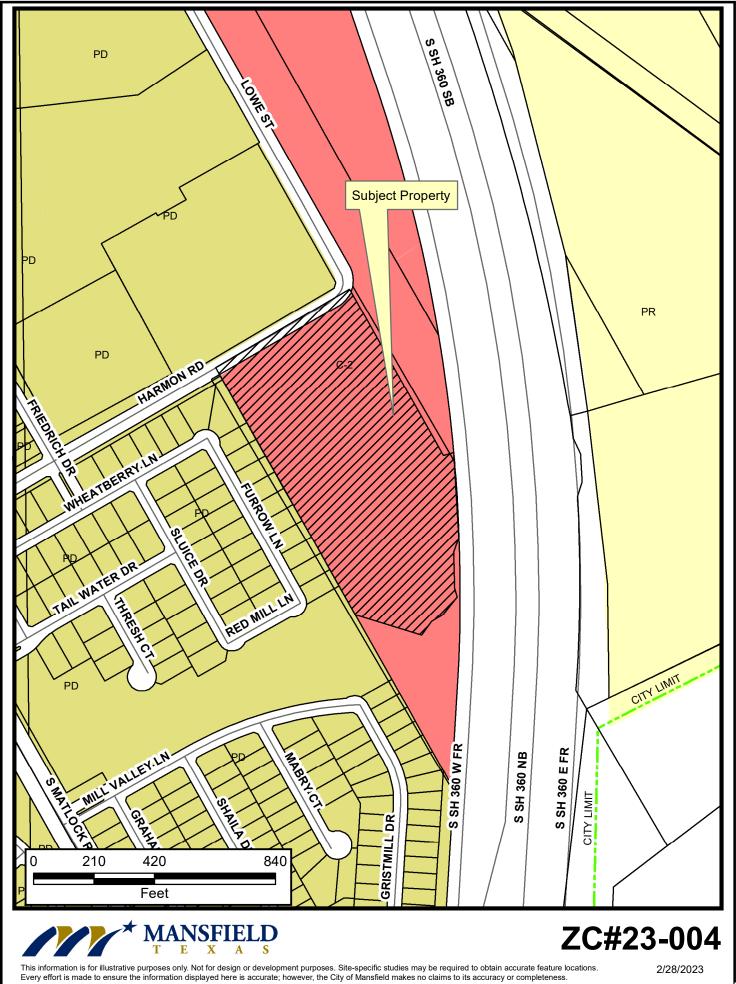
97



MANSFIELD T E X A S ZC#23-004

This information is for illustrative purposes only. Not for design or development purposes. Site-specific studies may be required to obtain accurate feature locations. Every effort is made to ensure the information displayed here is accurate; however, the City of Mansfield makes no claims to its accuracy or completeness.

2/28/2023



Property Owner Notification for ZC#23-004

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
385 M GREGG & 616 J LAWRENCE 4.837 ACRES		THREE SIXTY REALTY INC c\0 MR ROSWELL M CURTIS III	790 ANDREWS AV APT A301	DELRAY BEACH, FL	334837257
385 M GREGG & 616 J LAWRENCE 8.598 ACRES		KNAPP SISTERS INV LTD	PO BOX 2243	MANSFIELD, TX	760630047
616 J LAWRENCE 14.4 ACRES		SUNBELT LAND INVESTMENT 360 LT	3015 NEW YORK AVE	GRAND PRAIRIE, TX	75052
935 L RUSSELL 4.33 ACRES		RUBY 07 SPMTGE LLC	6723 WEAVER RD STE 108	ROCKFORD, IL	611148021
LOT 10R BLK 1 MILL VALLEY 0.18 AC		CARTER STEVEN A & BRANDI L	1605 FURROW LN	MANSFIELD, TX	76063
LOT 11R BLK 1 MILL VALLEY 0.18 AC		MOODY EVONDALE L & MARCIA ELIZ	1607 FURROW LN	MANSFIELD, TX	76063
LOT 12R BLK 1 MILL VALLEY 0.18 AC		HA HIEP & NGUYEN TRAM	1609 FURROW LN	MANSFIELD, TX	76063
LOT 13R BLK 1 MILL VALLEY .18 AC		CHANTHARAJ PETER	1701 FURROW LN	MANSFIELD, TX	76063
LOT 14R BLK 1 MILL VALLEY 0.18 AC		AVELINO ANDREW & KARA	1703 FURROW LN	MANSFIELD, TX	76063
LOT 15R BLK 1 MILL VALLEY 0.18 AC		ALEXANDER SYLVESTER & EVE L	1705 FURROW LN	MANSFIELD, TX	76063
LOT 16R BLK 1 MILL VALLEY 0.18 AC		VAZQUEZ OLGA & FRANCISCO LEYVA	1707 FURROW LN	MANSFIELD, TX	76063
LOT 17R BLK 1 MILL VALLEY .18 AC		NGO QUANG	1709 FURROW LN	MANSFIELD, TX	76063
LOT 18R BLK 1 MILL VALLEY .18 AC		CARTER MICHAEL W & RONDA	1711 FURROW LN	MANSFIELD, TX	76063
LOT 1R BLK 2 MILL VALLEY 0.21 AC		HOOD TYLER C & CHAVEZ ALYSSA M	1600 FURROW LN	MANSFIELD, TX	76063
LOT 2 BLK 1 THE JULIAN AT SOUTHPOINTE PH 2 8.197 AC		SOUTH POINTE PARTNERS II LP	4201 SPRING VALLEY RD STE 800	DALLAS, TX	75244
LOT 2R BLK 2 MILL VALLEY 0.18 AC		ADEYEMO ADESOJI J & BOLANIE	1602 FURROW LN	MANSFIELD, TX	76063
LOT 34R BLK 1 MILL VALLEY .15 AC		ST JULIAN ANDREW P & PAIGE T	1801 GRISTMILL DR	MANSFIELD, TX	76063
LOT 3R BLK 2 MILL VALLEY 0.18 AC		BAKARI RAMANOU & ADEKUNLE SILIFAT	1604 FURROW LN	MANSFIELD, TX	76063
LOT 4R BLK 2 MILL VALLEY 0.18 AC		SHARICK CONNIE K & JAMES	1606 FURROW LN	MANSFIELD, TX	76063

Tuesday, February 28, 2023

Property Owner Notification for ZC#23-004

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
LOT 50XR BLK 1 MILL VALLEY 0.21 AC		MILL VALLEY COMMUNITY ASSOCIAT	8668 JOHN HICKMAN PKWY STE 801	FRISCO, TX	75034
LOT 51XR BLK 1 MILL VALLEY 8.5606 AC		CITY OF MANSFIELD TEXAS	1200 E BROAD ST	MANSFIELD, TX	76063
LOT 5R BLK 2 MILL VALLEY 0.18 AC		KEESE APRIL ETAL	1700 FURROW LN	MANSFIELD, TX	76063
LOT 6R BLK 1 MILL VALLEY .18 AC		TRAN ARNOLD C ETAL	3311 WHEATBERRY LN	MANSFIELD, TX	76063
LOT 6R BLK 2 MILL VALLEY 0.18 AC		DARKOMA SAM S & WALKER DIAMOND	1702 FURROW LN	MANSFIELD, TX	76063
LOT 7R BLK 1 MILL VALLEY .29 AC		STOUT CYNTHIA L	3313 WHEATBERRY LN	MANSFIELD, TX	76063
LOT 7R BLK 2 MILL VALLEY 0.18 AC		OWENS COREY P	1704 FURROW LN	MANSFIELD, TX	76063
LOT 8R BLK 1 MILL VALLEY 0.34 AC		STEVENSON MICHAEL & ADRIANNE	1601 FURROW LN	MANSFIELD, TX	76063
LOT 8R BLK 2 MILL VALLEY 0.18 AC		EJUWA ENAJITE & GODDEY	1706 FURROW LN	MANSFIELD, TX	76063
LOT 8X BLK 4 (OPEN SPACE) SOUTHPOINTE PH 6A .4785 AC		RUBY 07 SPMTGE LLC	6723 WEAVER RD STE 108	ROCKFORD, IL	61114
LOT 9R BLK 1 MILL VALLEY .18 AC		SMITH LORRA & WILLIAM J	1603 FURROW LN	MANSFIELD, TX	76063
LOT 9R BLK 2 MILL VALLEY .21 AC		ODOM QUINCY L & NICHOLE	1708 FURROW LN	MANSFIELD, TX	76063

Tuesday, February 28, 2023



CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

STAFF REPORT

File Number: 23-5271

Agenda Date: 4/10/2023 Version: 1 Status: Public Hearing

In Control: City Council File Type: Ordinance

Agenda Number:

Title

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from C-2, Community Business District to PD, Planned Development District with C-2, Community Business District Uses and Eating Places with Drive-Through Service (Two Quick Service Restaurants) on Approximately 2.08 Acres Located at 1734 N. US 287; DEB 287, LLC, Owner; First Hartford Realty Corporation, Developer; and Bohler Engineering, Engineer (ZC#23-002)

Requested Action

To consider the subject zoning change request

Recommendation

The Planning and Zoning Commission held a public hearing on March 22, 2023 and voted 5 to 0 to recommend denial of the zoning change request.

Vote:

Ayes: 5 - Axen, Mainer, Bennett, Groll, and Shaw

Nays: 0

Absent: 2 - Goodwin and Thompson

The Department of Planning and Development Services recommends denial.

Description/History

Existing Use: Vacant

Existing Zoning: C-2, Community Business District, within the FR, Freeway Overlay

District

Land Use Plan: Sub-Area 5

Surrounding Land Use & Zoning:

North - Vacant, C-2 Community Business District

South - Gas station and convenience store, C-2 Community Business District

East - Vacant, C-2 Community Business DistrictWest - Public Right-of-way for U.S. Highway 287

Thoroughfare Plan Specification:

U.S. Highway 287 - Freeway

Synopsis

The applicant is requesting a zoning change from C-2, Community Business District to PD, Planned Development District with C-2, Community Business uses and Eating Places with Drive-Through Service on 2.08 acres on the U.S. Highway 287 Frontage Road. The rezoning request is to provide standards for two development-ready lots for Eating Places with Drive-Through Service (i.e., quick service restaurants). There are no proposed users for this property presently.

Staff Analysis

The subject property consists of approximately 2.08 acres of vacant land that is located on a commercial corridor along U.S. Highway 287. The proposed uses within the PD, Planned Development District are two quick service restaurants. Although there are no actual users at present, the applicant is requesting the zoning change to establish zoning entitlement on the property for quick service restaurants. The property is generally located at a commercial node behind the RaceTrac gas station at U.S. Highway 287 and East Debbie Lane.

Planned Development District Standards

The proposed PD, Planned Development District standards provides regulations for quick service restaurants, including specific definitions and regulations for the following:

- A definition of Quick Service Restaurant
- Screening and fencing
- Landscape, buffering and passive space
- Parking and escape lanes
- Sign standards
- · Architectural standards
- Use regulations
- Site plan requirements

Site Plan

The applicant's site plan (Exhibit B1) shows the layout for two conceptual restaurants. Without an intended user, the layouts do not represent the exact placement of buildings, parking lots, service lanes or landscaping --- and will be subject to change. Because the proposed lots are undersized, they cannot meet all the requirements for drive-through restaurants in Chapter 155 of the Mansfield Code of Ordinances (the "Code") and several deviations will be necessary. These deviations include:

- Section 155.091 of the Code requires one parking space for every 75 square feet of restaurant use. The proposed development standards provide for parking at one parking space for every 100 square feet of restaurant use.
- Section 155.099(B)(36)(i) of the Code requires a bypass/exit lane to allow vehicles to leave a stacking lane next to a curb, landscaping or a property line. Tract 1 does not have a bypass/exit lane.

• Section 155.099(B)(36)(o) of the Code requires a landscape buffer with a minimum width of 20 feet along the side property lines of each lot. The proposed development standards provide for a buffer with a minimum width of 10 feet.

For access, the applicant proposes a driveway on the U.S. Highway 287 Frontage Road, with a further connection north to the existing driveway serving the Saltgrass restaurant via a common access easement. The new driveway must be approved by the Texas Department of Transportation (TxDOT). Access is further provided from East Debbie Lane using an existing driveway on the developer's property.

Building Elevations

Typically, building elevations are shown as Exhibit C. This PD, Planned Development District does not provide any elevations, as no specific users have been identified for the property. Section G of the proposed PD, Planned Development District standards states that any restaurants on the property follow the standard architectural requirements for the C-2, Community Business District in Section 155.056, "Community Design Standards," of the Code.

Additionally, Section I of the PD, Planned Development District standards requires that a site plan for each restaurant be approved by the Director of Planning, with appeals of the Director's decision to the Planning and Zoning Commission and City Council.

Landscape Plan

The Landscape Plan is shown in Exhibit D. Section D of the proposed PD, Planned Development District standards does not specify landscaping regulations except for the reduction of the width of the side property lines to 10 feet as noted above, and a minimum of 15 percent passive space for new development. The other landscaping requirements are noted on the Landscape Plan. Additionally, the text of Section (D)(v) specifies that the passive space must include benches and three (3) other program elements. The Landscape Plan only shows outdoor dining serving as passive space.

Compliance with PD, Planned Development District standards and Exhibit D, and the reconciliation between the PD standards and the exhibits, will need to be reviewed with the site plan required by Section (I) of the PD, Planned Development District standards.

Signage

The proposed PD, Planned Development District standards defer the signage regulations to the C-2, Community Business District regulations in Section 155.090 of the Code.

Commercial uses are appropriate at this location, including automobile-oriented activities; however, a request for PD, Planned Development District as presently proposed to establish zoning entitlement for prospective future users without adequate design criteria does not meet the intent of this type of zoning designation, particularly in light of similar developments with elevated standards.

Additionally, the proposed site design and layout impairs future opportunities for infill and

redevelopment. There has been a shift in site design to ensure that sites and buildings are designed and constructed in a manner that supports adaptive reuse and improves land use efficiency and the economic potency of land use.

Summary

A PD, Planned Development District "is intended to accommodate unified design of uses and facilities, and to permit flexibility and encourage a more creative, efficient and aesthetically desirable design and placement of buildings, open spaces, circulation patterns and parking facilities to best utilize special site features of topography, size or shape" as set forth in Section 155.066 of the Code. A PD, Planned Development District is not intended to be crafted in order to relax base standards for development.

The proposed PD, Planned Development District seeks zoning entitlement for two quick service restaurants using the standard C-2, Community Business District regulations or requested deviations from these regulations. While they create uniform design standards for commercial buildings, the proposed regulations do not enable nor encourage a more creative, desirable design, one of the key purposes of PD, Planned Development District.

Standard design is reinforced in Section (I)(3) of the proposed PD, Planned Development District standards, which requires a site plan to be approved by the Director of Planning if the site plan meets the minimum requirements of the C-2, Community Business District. Under a PD, Planned Development District, it is anticipated that a development proposal will yield elevated and iconic approaches to architectural and landscaping considerations (e.g., the 7-Eleven convenience store on East Broad Street and the new Chick-Fil-A on East Debbie Lane).

Prepared By

Art Wright, AICP, Principal Planner 817-276-4226

ORDINANCE NO.	
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AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR C-2, COMMUNITY BUSINESS DISTRICT USES AND EATING **PLACES** WITH **DRIVE-THROUGH SERVICE** (TWO **QUICK SERVICE** RESTAURANTS); PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing opportunity to all property owners generally and to owners of the affected properties, the governing body of the City is of the opinion and finds that the Chapter 155 "Zoning" of the Code of Ordinances and Map should be amended.

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

SECTION 1.

That Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Mansfield, to give the hereinafter described property a new zoning district classification of PD, Planned Development District for C-2, Community Business District uses and Eating Places with Drive-Through Service (Two Quick Service Restaurants); said property being described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2.

That the use and development of the hereinabove described property shall be in accordance with the development standards shown in Exhibit "B", attached hereto and made a part hereof for all purposes.

SECTION 3.

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

Ordinance No Page 2 of 3		
SECTION 4.		
That the above-described properties shall be used only in the manner and for the purposes provided for in the Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas of the City, as amended herein by the granting of this zoning classification.		
SECTION 5.		
Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas as a whole.		
SECTION 6.		
Any person, firm or corporation violating any of the provisions of this ordinance or the Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.		
SECTION 7.		
This ordinance shall take effect immediately from and after its passage on second and final reading and the publication of the caption, as the law and charter in such cases provide.		
FIRST READING APPROVED ON THE 10^{TH} DAY OF APRIL 2023.		
DULY PASSED ON THE SECOND AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS 24 TH DAY OF APRIL 2023.		
Michael Evans, Mayor		

ATTEST:

Susana Marin, City Secretary

Ordinance NoPage 3 of 3	23-5271
APPROVED AS TO FORM AND LEGALITY	
Bradley Anderle, City Attorney	

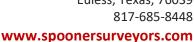




EXHIBIT A ZONING CASE NUMBER: ZC#23-002

ZONING DESCRIPTION

TRACT 1 ~ 1.0377 ACRES

BEING a 1.0377 acre tract of land located in the Sidney S. Callender Survey, Abstract No. 359, City of Mansfield, Tarrant County, Texas, said 1.0377 acre tract of land being a portion of **LOT 13R2, BLOCK 2, GOLDEN ACRES ADDITION**, being an Addition to the said City and State, according to the plat thereof filed for record in Tarrant County Clerk's Instrument No. D212120221, Official Public Records, Tarrant County, Texas (O.P.R.T.C.T.) said 1.0377 acre tract of land also being a portion of a called 4.261 acre tract of land conveyed to **DEB 287, LLC**, by deed thereof filed for record in Tarrant County Clerk's Instrument No. D217247690, O.P.R.T.C.T., said 1.0377 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at an "X" cut in concrete found at the most westerly southwest lot corner of said Lot 13R2, same being the west lot corner of Lot 13R1, of said Block 2, Golden Acres Addition, and being on the northeast right-of-way line of U.S. Highway No. 287 (being a variable width public right-of-way), said beginning point also having a NAD83 Texas North Central Zone (4202) grid coordinate of N: 6,902,601.93 and E: 2,386,498.76;

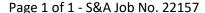
THENCE North 35°38′28″ West, along the most westerly lot line of said Lot 13R2 and along the said northeast right-of-way line, at a distance of 126.90 feet passing a broken Texas Department of Transportation concrete monument found at the most westerly lot corner of said Lot 13R2, and continuing along the said right-of-way line and along a southwest property line of the said 4.261 acre tract, in all a total distance of 152.17 feet;

THENCE North 54°21′24″ East, departing the said property line and the said right-of-way line, over and across the said 4.261 acre tract, a distance of 272.89 feet to the most northerly corner of the herein described tract;

THENCE South 35°38′28″ East, continuing over and across the said 4.261 acre tract, at a distance of 50.97 feet passing the north lot line of the aforesaid Lot 13R2, and continuing over and across said Lot 13R2, in all a total distance of 179.10 feet to a point for corner on the common lot line of said Lots 13R2 and 13R1;

THENCE South 59°59'36" West, along the said common lot line, a distance of 274.22 feet to the **POINT OF BEGINNING**.

The hereinabove described tract of land contains a computed area of **1.0377 acres (45,201 square feet)** of land, more or less.



Spooner and Associates, Inc., 309 Byers Street, #100, Euless, Texas 76039 - Ph. 817-685-8448





EXHIBIT A ZONING CASE NUMBER: ZC#23-002

ZONING DESCRIPTION

TRACT 2 ~ 1.0430 ACRES

BEING a 1.0430 acre tract of land located in the Sidney S. Callender Survey, Abstract No. 359, City of Mansfield, Tarrant County, Texas, said 1.0377 acre tract of land also being a portion of a called 4.261 acre tract of land conveyed to **DEB 287, LLC**, by deed thereof filed for record in Tarrant County Clerk's Instrument No. D217247690, Official Public Records, Tarrant County, Texas (O.P.R.T.C.T.), said 1.0430 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point on the southwest property line of the said 4.261 acre tract, same being on the northeast right-of-way line of U.S. Highway No. 287 (being a variable width public right-of-way), said beginning point benign North 35°38′28″ West, a distance of 25.27 feet from a broken Texas Department of Transportation concrete monument found at the most westerly lot corner of Lot 13R2, Block 2, Golden Acres Addition, being an Addition to the said City and State, according to the plat thereof filed for record in Tarrant County Clerk's Instrument No. D212120221, O.P.R.T.C.T., said beginning point also having a Texas North Central Zone (4202) grid coordinate of N: 6,902,725.60 and E: 2,386,410.09;

THENCE North 35°38'28" West, along the said property line and the said right-of-way line, a distance of 166.48 feet;

THENCE departing the said property line and the said right-of-way line, over and across the said 4.261 acre tract the following courses and distances:

North 54°21'32" East, a distance of 272.90 feet to the most northerly corner of the herein described tract;

South 35°38'28" East, a distance of 166.47 feet;

South 54°21'24" West, a distance of 272.90 feet to the **POINT OF BEGINNING**.

The hereinabove described tract of land contains a computed area of **1.0430** acres **(45,431 square feet)** of land, more or less.



Page 1 of 1 S&A Job No. 22157

Spooner and Associates, Inc., 309 Byers Street, #100, Euless, Texas 76039 - Ph. 817-685-8448



Exhibit B

ZC#23-002 Planned Development Standards

A. BASE ZONING DISTRICT:

1. The portion of the Property shown as Tracts 1 and 2 shall be developed in accordance with the "C-2" commercial district regulations except as provided herein.

B. DEFINITION:

- 1. Quick Service Restaurant ("QSR") means an establishment whose principal business is the sale of food and/or beverages in a ready-to-consume state:
 - i. For consumption within the establishment;
 - ii. For consumption in an outdoor dining area;
 - iii. For consumption within a motor vehicle parked on the premises where the customer does not exit the vehicle; or
 - iv. Through direct window service allowing customers in motor vehicles to purchase food and/or beverages for off-premises consumption.

C. SCREENING/FENCING:

1. The portion of the Property shown as Tracts 1 and 2 shall be developed in accordance with the "C-2" commercial district screening and fencing regulations.

D. LANDSCAPING & BUFFERS & OPEN SPACE:

- 1. All landscape buffers within the development shall have the following requirements:
 - i. A minimum 10-foot side lot line landscape buffer shall be provided for QSR's.
- All new development shall dedicate a minimum of fifteen (15) percent of the total building floor area to passive space. Passive space shall be entered directly from a thoroughfare, a walkway or other pedestrian path, or a civic or open space.
 - i. Passive space may be enclosed with a fence, hedge, or wall.
 - ii. Passive space shall be paved in brick, concrete, gravel, or grass.
 - iii. Passive space shall be maintained by the property owner, the authorized representative of the property owner, or the tenant(s).



- iv. Passive space design shall be included with the Development Plan submittal outlined below in Section H "City Process". Exact mix or placement of passive space features shall be determined during the Development Plan process.
- v. Passive space shall have benches and three or more of the following program elements:
 - a) Concert space.
 - b) Dog park.
 - c) Festival.
 - d) Fountain.
 - e) Furniture games.
 - f) Multi-activity area.
 - g) Outdoor dining.
 - h) Performance space.
 - i) Public art.
 - j) Water feature.
 - k) Other similar activities and architectural features including, but not limited to murals, seating benches, landscape knee walls, outdoor fire pits, pedestrian sidewalks and enhanced landscape requirements subject to the review and approval of the Director of Planning or designee.

E. LOT REGULATIONS:

- One parking space is required for every 100 square feet of building floor area for a QSR use.
- 2. Escape lanes are not required for a QSR use.

F. SIGNAGE REGULATIONS:

 The portion of the Property shown as Tracts 1 and 2 shall be developed in accordance with the "C-2" commercial district signage regulations.



G. ARCHITECTURAL REGULATIONS:

- 1. The portion of the Property shown as Tracts 1 and 2 shall be developed in accordance with the "C-2" commercial district architectural regulations.
- 2. Rooftop equipment such as HVAC units and vents must be at least 1 foot lower than the top of the parapet.

H. USE REGULATIONS:

1. The portion of the Property shown as Tracts 1 and 2 shall be developed in accordance with the "C-2" commercial district land use regulations.

I. CITY PROCESS:

- The development will be in complete accordance with the provisions of the approved Planned Development District. All Development Plans recorded hereunder, or as otherwise amended in accordance with Section I.3. of this ordinance, shall be binding upon the applicant thereof, his successors and assigns, and shall limit and control all building permits.
- If there are any discrepancies between these PD Standards and the PD Exhibits, the PD Standards shall take precedence.
- 3. Prior to issuance of a permit for development of any portion of the Property, a Development Plan that conforms to Section 155.066, as modified by the Planned Development Standards, must be submitted to and approved by the Director. The Director shall approve the Development Plan if it conforms to the requirements of Section 155.066 and "C-2", Commercial District, as modified by the Planned Development Standards. An Applicant may (i) appeal the decision of the Director to the Planning and Zoning Commission, and (ii) appeal the decision of the Planning and Zoning Commission to the City Council.



Mansfield PD

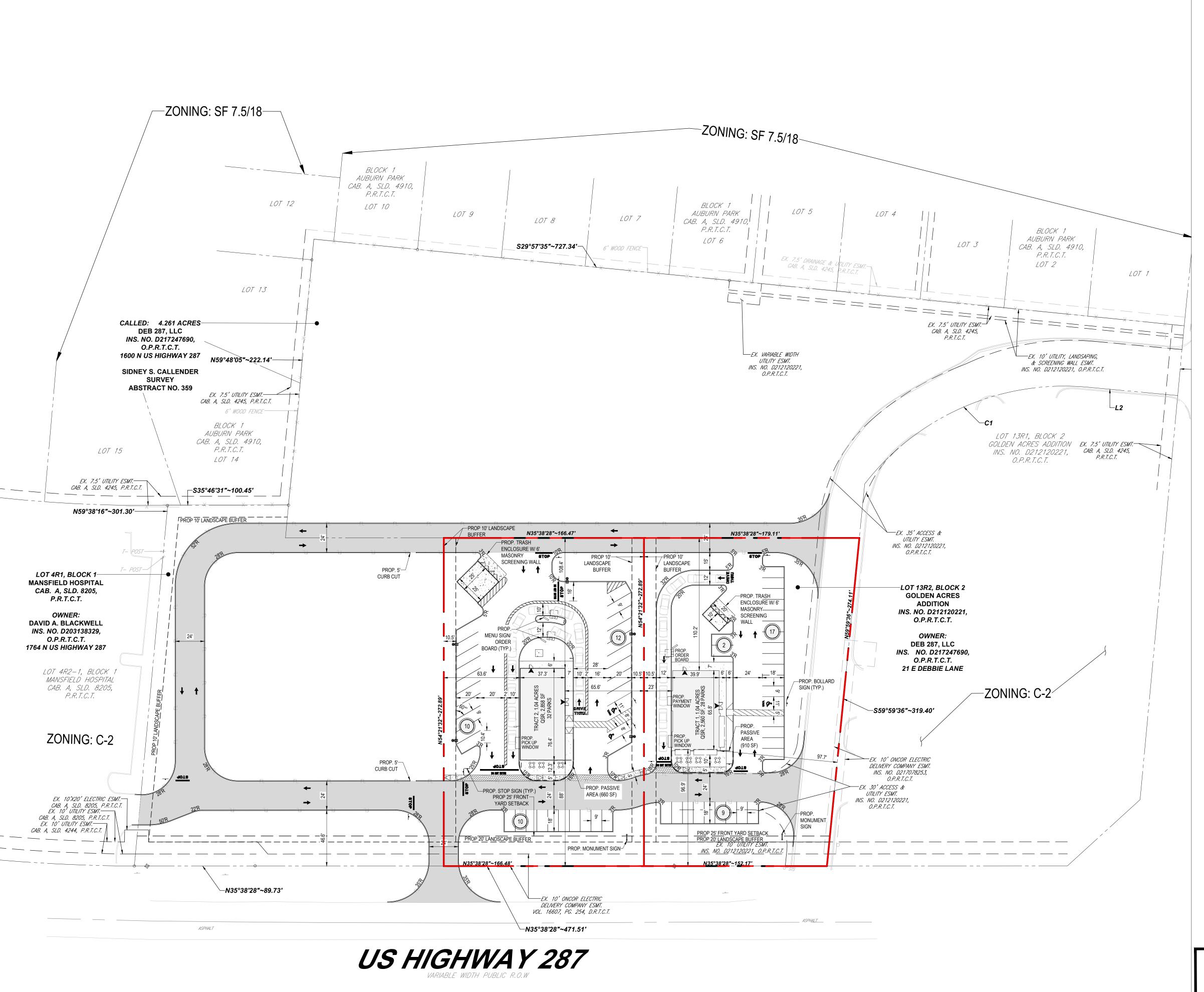
Development Schedule ZONING CASE NUMBER: ZC#23-002

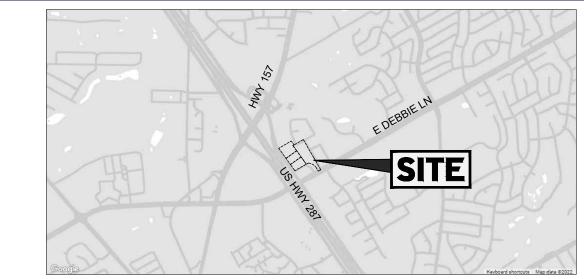
Zoning Approval Spring 2023

Building Permits Issued Summer 2023

Start of Construction Fall 2023

End of Construction Fall 2024





LOCATION MAP NOT TO SCALE

LEGEND

	HEAVY DUTY CONCRETE (TRASH)
FL FL FL	CONCRETE COMMON ACCESS AND UTILITY EASEMENT
	NORMAL DUTY CONCRETE
	CONCRETE SIDEWALK
	STAMPED CONCRETE CROSSWALK
	PD BOUNDARY

SITE INFORMATION				
EXISTING ZONING C-2/ VACANT				
PROPOSED ZONING	PD			
TRACT 1: 1.04 AC TRACT 2: 1.04 AC				
EASEMENTS, SETBACKS & BUFFERS				

	10' LANDSCAPE BUFFER ADJACENT TO A
	C-2 ZONED PROPERTY
	20' LANDSCAPE BUFFER ADJACENT TO
	PUBLIC STREET
SETBACKS & BUFFERS	10' SIDE LOT LINE LANDSCAPE BUFFER
	FOR QSR'S
	10' LANDSCAPE BUFFER ADJACENT TO A
	RESIDENTIAL ZONED PROPERTY
	25' FRONT YARD SETBACK

USE AREA AND BUILDING QUANTITIES TOTAL BUILDINGS = 2
TRACT 1: QSR BUILDING = 2,560 SF (1-STORY) & OUTDOOR DINING AREA = 240 SF TRACT 2: QSR BUILDING = 2,858 SF (1-STORY) & OUTDOOR DINING AREA = 342 SF

TRACT 1: TOTAL USE AREA = 2,800 SF

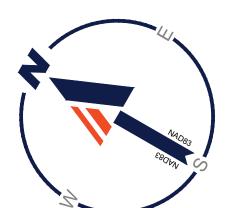
TRACT 2: TOTAL USE AREA = 3,200 SF

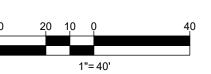
PASSIVE SPACE REQUIRED: 10% OF BUILDING AREA PROPOSED PASSIVE SPACE: TRACT 1 - 1,165 SF TRACT 1 (2560 SF) = 256 SF TRACT 2 (2858 SF) = 286 SF TRACT 2 - 660 SF

PARKING REQUIRED PARKING: PROPOSED PARKING: (QSR - 1 SPACE / 100 SF) TRACT 1 - 28 SPACES TRACT 1 (2,800 SF) = 28 SPACES TRACT 2 - 32 SPACES TRACT 2 (3,200 SF) = 32 SPACES

GENERAL NOTE

- 1. THE PROPOSED DRIVEWAY TO US-287 WILL REQUIRE TXDOT APPROVAL. WHEN THE PROPERTY DEVELOPS EITHER THE ADDITIONAL ACCESS POINT TO US 287 WILL BE CONSTRUCTED OR ACCESS TO LOT 4R2 WILL BE CONSTRUCTED.
- 3. WE ARE REQUESTING A WAIVER FOR THE REQUIREMENT OF AN ESCAPE LANE ON TRACT 1.





DEVELOPMENT PLAN MANSFIELD QSR 2.08 ACRES OUT OF THE S.S. CALLENDER SURVEY, ABSTRACT NO. 359 CITY OF MANSFIELD, TARRANT COUNTY, TEXAS FEBRUARY 23, 2023 2 LOTS

SURVEYOR: MODERN GEOSCIENCES 5100 THOMPSON TERRACE, COLLEYVILLE TEXAS 76034 PHONE: 682.223.1322 CONTACT: KYLE KNIGHT, PG

DEVELOPER: FIRST HARTFORD REALTY CORPORATION 2529 6TH AVE FORT WORTH, TX 76110 CONTACT: JOSH GARDNER

ENGINEER: BOHLER 2600 NETWORK BLVD, SUITE 310 FRISCO, TX 75034 PHONE: (469) 458-7300 CONTACT: MATHIAS HAUBERT

	REVISIONS							
V	DATE	COMMENT	DRAWN BY					



It's fast. It's free. It's the law.

FOR EXHIBIT **PURPOSES ONLY**

REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUC <u>DOCUMENT</u> UNLESS INDICATED OTHERWISE. PROJECT No.: DRAWN BY: CHECKED BY: DATE: CAD I.D.: 02/23/2023

PROJECT:

MANSFIELD QSR

FIRST HARTFORD
REALTY CORPORATION

PROPOSED DEVELOPMENT

ZONING CASE NUMBER: ZC#23-002

1764 US 287 FRONTAGE TARRANT COUNTY MANSFIELD, TX 76063

2600 NETWORK BLVD, SUITE 310 FRISCO, TX 75034 Phone: (469) 458-7300 TX@BohlerEng.com TBPE No. 18065 | TBPLS No. 10194413



DEVELOPMENT PLAN (EXHIBIT B1)

SHEET NUMBER:

ORG. DATE - 02/23/2023

REVISIONS

Call before you dig.

ALWAYS CALL 811

It's fast. It's free. It's the law.

FOR EXHIBIT

PURPOSES ONLY

REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUC <u>DOCUMENT</u> UNLESS INDICATED OTHERWISE.

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FIRST HARTFORD
REALTY CORPORATION

PROPOSED

DEVELOPMENT

1764 US 287 FRONTAGE

TARRANT COUNTY

MANSFIELD, TX 76063

PROJECT No.: DRAWN BY:

CHECKED BY:

CAD I.D.:

PROJECT:

COMMENT

REV DATE

SITE INFORMATION

EXISTING ZONING C-2/ VACANT PROPOSED ZONING PD

TRACT AREAS TRACT 1: 1.04 AC TRACT 2: 1.04 AC

LANDSCAPE REQUIREMENTS

PASSIVE SPACE (OUTDOOR DINING)

REQUIRED: 10% OF BUILDING AREA

TRACT 1 (2560 SF) = 256 SF REQ'D 1,165 SF PROVIDED TRACT 2 (2858 SF) = 286 SF REQ'D 660 SF PROVIDED

LANDSCAPE AREA

REQUIRED: 10% OF TOTAL LOT AREA (EX. PKG REQ'S)

TRACT 1: 45,202.5 SF = 4,520 SF REQ'D 11,043 SF PROVIDED TRACT 2: 45,430.4 SF = 4,543 SF REQ'D 8,142 SF PROVIDED

BUFFER YARDS AND SCREENING

1 TREE / 25 LF (REDUCED 50% FOR SAME ZONING USE TO 1 TREE / 50 LF) 10' LANDSCAPE BUFFER ADJACENT TO A C-2 ZONED PROPERTY

TRACT 1: NONE REQ'D

TRACT 2: 273 LF = 11 TREES REQ'D 11 TREES PROVIDED

10' SIDE LOT LINE LANDSCAPE BUFFER FOR QSR'S (273 LF)

TRACT 1: 273 LF = 5.5 TREES REQ'D 5 TREES PROVIDED TRACT 2: 273 LF = 5.5 TREES REQ'D 6 TREES PROVIDED

STREET LANDSCAPE SETBACK

1 TREE PER 40 LF

20' LANDSCAPE BUFFER ADJACENT TO PUBLIC STREET (318 LF) 8 TREES REQ'D 8 TREES PROVIDED

PARKING LOT PERIMETER LANDSCAPE

TRACT 1 - 26 SPACES

TRACT 2 - 32 SPACES ALL SURFACE PARKING LOT, VEHICULAR USE AND MANEUVERING AREAS

TO BE SCREENED WITH 3' HT CONTINUOUS PLANTINGS

3' HT CONTINUOUS HEDGE

PROVIDED AS REQUIRED

PROVIDED AS REQUIRED 3' HT CONTINUOUS HEDGE

PARKING LOT INTERNAL LANDSCAPE

1 TREE / 10 PARKING SPACES

TRACT 1

3 TREE REQUIRED: 3 TREES PROVIDED

TRACT 2

4 TREE REQUIRED: 4 TREES PROVIDED

DRIVE AISLES INTO NON-RESIDENTIAL PROJECTS

1 TREE PER 40 LF

EAST DRIVE AISLE (169 LF)

5 TREES REQ'D

SOUTH DRIVE AISLE (226 LF) 6 TREES REQ'D

6 TREES PROVIDED

FOUNDATION AREA & GROUND EQUIPMENT LANDSCAPING

CITY OF MANSFIELD LANDSCAPING MAINTENANCE NOTE:

THE PROPERTY OWNER, TENANT OR AGENT, SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL

THIS SHALL INCLUDE MOWING, EDGING, PRUNING, FERTILIZING, IRRIGATION, WEEDING, AND OTHER

SUCH ACTIVITIES COMMON TO THE MAINTENANCE OF LANDSCAPING. LANDSCAPED AREAS SHALL BE

PLANT MATERIALS THAT DIE SHALL BE REPLACED WITH PLANT MATERIALS OF SIMILAR VARIETY AND

REQUIRED LANDSCAPING IN A HEALTHY, NEAT, ORDERLY AND LIVE-GROWING CONDITION AT ALL TIMES.

KEPT FREE OF TRASH, LITTER, WEEDS AND OTHER SUCH MATERIALS NOT A PART OF THE LANDSCAPING.

4' WIDE LANDSCAPE AREA ADJACENT TO OR WITHIN 10 FEET OF ALL BUILDING FACADES PLANTINGS SHALL BE SITUATED AROUND, ALONG OR ADJACENT TO SCREEN WALLS

TRACT 1: TRACT 2

PLANTINGS TO BE FROM THE FOLLOWING LIST:

CANOPY TREES (3" CAL. MIN):

OAK, BIGELOW

AMERICAN ELM OAK, BLACK **AUSTRIAN PINE** OAK, BLACKJACK BALD CYPRESS OAK, BUR BALD CYPRESS OAK, CHINQUAPIN **BLACK HICKORY** OAK, LACY **BLACK WALNUT** OAK, LIVE ELM, CEDAR OAK, MEXICAN WHITE CHINESE PISTACHE OAK, POST EASTERN RED CEDAR OAK, SAWTOOTH GINGKO OAK, SHUMARD **GREEN ASH** OAK, TEXAS RED **GUM BUMELIA** PECAN MAGNOLIA, DD BLANCHARD RUSTY BLACKHAW VIBURNUM MAGNOLIA, SOUTHERN SWEET GUM MAGNOLIA TEXAS ASH MAPLE, BIG TOOTH TEXAS WALNUT

DWARF CRAPE MYRTLE DWARF WAX MYRTLE DWARF YAUPON ELEAGNUS FLOWERING QUINCE FORSYTHIA FOSTER HOLLY GLOSSY ABELIA JAPANESE BARBERRY NANDINA **NELLIE R. STEVENS HOLLY** PAMPAS GRASS PHOTINIA **RED BARBERRY** RED YUCCA SEA GREEN JUNIPER SPIRAEA TAM JUNIPER

TEXAS SAGE

VARIEGATED PRIVET

SHRUBS (3' HT MIN):

DWARF BURFORD HOLLY

DWARF CHINESE HOLLY

GENERAL GRADING AND PLANTING NOTES

US HWY 287 APPROX. LOCATION OF—

- BY SUBMITTING A PROPOSAL FOR THE LANDSCAPE PLANTING SCOPE OF WORK, THE CONTRACTOR CONFIRMS THAT HE HAS READ, AND WILL COMPLY WITH, THE ASSOCIATED NOTES, SPECIFICATIONS, AND DETAILS WITH THIS PROJECT.
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL EXISTING VEGETATION (EXCEPT WHERE NOTED TO REMAIN). IN THE CONTEXT OF THESE PLANS, NOTES, AND SPECIFICATIONS, "FINISH GRADE" REFERS TO THE FINAL ELEVATION OF THE SOIL SURFACE (NOT TOP OF MULCH) AS INDICATED ON THE
- a. BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE ROUGH GRADES OF ALL LANDSCAPE AREAS ARE WITHIN +/-0.1' OF FINISH GRADE. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
- LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT AND ON THE GRADING PLANS, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE PONDING POTENTIAL. C. THE LANDSCAPE CONTRACTOR SHALL DETERMINE WHETHER OR NOT THE EXPORT OF ANY SOIL WILL BE NEEDED, TAKING INTO ACCOUNT THE ROUGH GRADE PROVIDED, THE AMOUNT OF SOIL AMENDMENTS TO BE ADDED (BASED ON A SOIL TEST, PER SPECIFICATIONS), AND THE FINISH GRADES TO BE ESTABLISHED.
 ENSURE THAT THE FINISH GRADE IN SHRUB AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 3" BELOW THE

b. CONSTRUCT AND MAINTAIN FINISH GRADES AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL

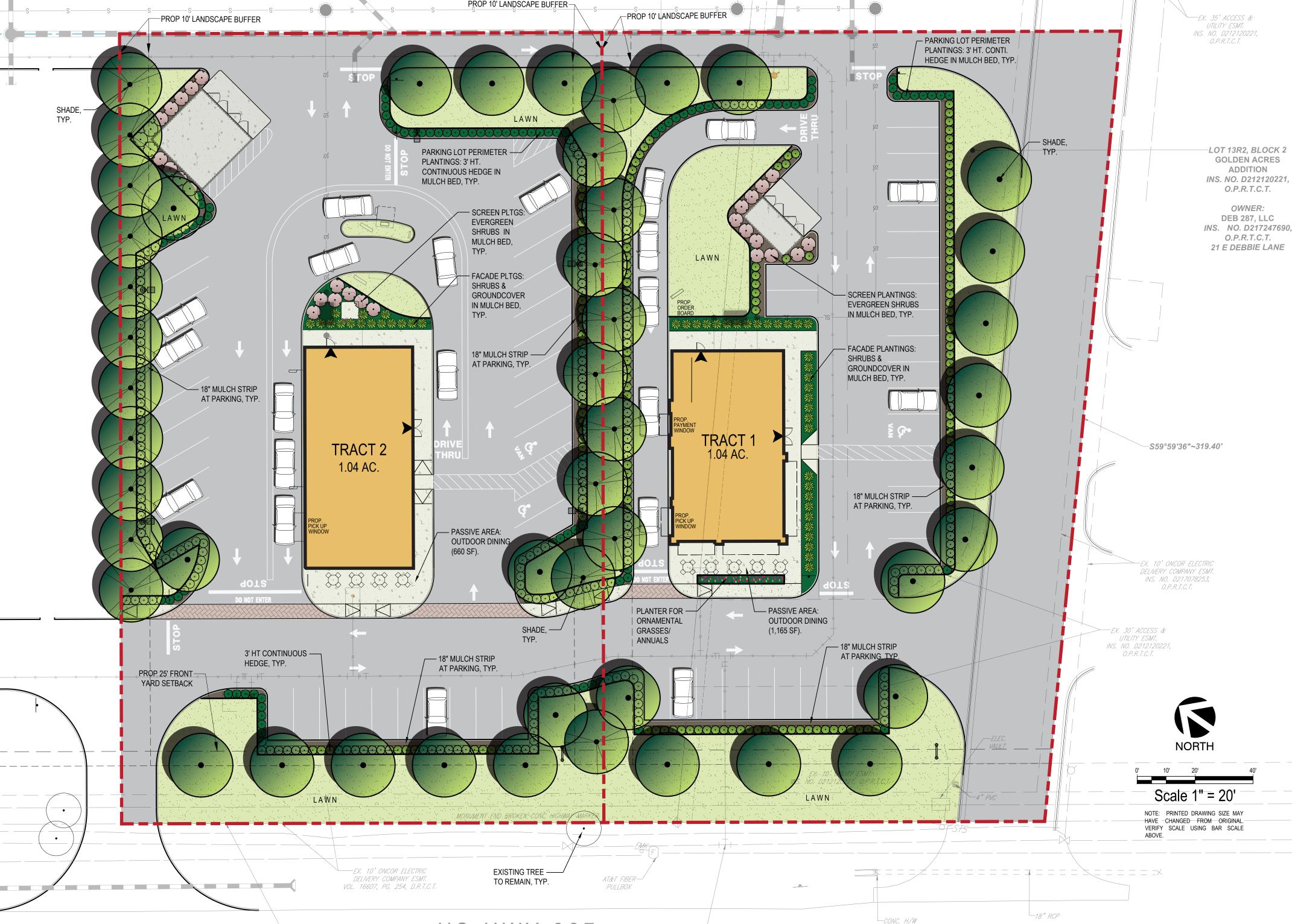
- ADJACENT FINISH SURFACE, IN ORDER TO ALLOW FOR PROPER MULCH DEPTH. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS. e. ENSURE THAT THE FINISH GRADE IN TURF AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 1" BELOW THE FINISH SURFACE OF THE WALKS. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS. SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES AND PLANS, AND ACTUAL CONDITIONS, THE
- CONTRACTOR SHALL IMMEDIATELY BRING SUCH ITEMS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT, GENERAL CONTRACTOR, AND OWNER. 4. ALL PLANT LOCATIONS ARE DIAGRAMMATIC. ACTUAL LOCATIONS SHALL BE VERIFIED WITH THE LANDSCAPE ARCHITECT OR DESIGNER PRIOR TO PLANTING. THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT ALL REQUIREMENTS OF THE PERMITTING AUTHORITY ARE MET (I.E., MINIMUM PLANT QUANTITIES, PLANTING METHODS, TREE PROTECTION METHODS, ETC.). a. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR DETERMINING PLANT QUANTITIES; PLANT QUANTITIES SHOWN ON LEGENDS AND CALLOUTS ARE FOR GENERAL INFORMATION ONLY. IN THE EVENT OF A DISCREPANCY BETWEEN THE PLAN AND THE PLANT LEGEND, THE PLANT QUANTITY AS SHOWN ON THE PLAN (FOR INDIVIDUAL SYMBOLS) OR CALLOUT (FOR
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- THE CONTRACTOR SHALL MAINTAIN THE LANDSCAPE IN A HEALTHY CONDITION FOR 90 DAYS AFTER ACCEPTANCE BY THE OWNER. REFER TO SPECIFICATIONS FOR CONDITIONS OF ACCEPTANCE FOR THE START OF THE MAINTENANCE PERIOD, AND FOR FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD. 6. SEE SPECIFICATIONS AND DETAILS FOR FURTHER REQUIREMENTS.

ROOT BARRIERS

THE CONTRACTOR SHALL INSTALL ROOT BARRIERS NEAR ALL NEWLY-PLANTED TREES THAT ARE LOCATED WITHIN FIVE (5) FEET OF PAVING OR CURBS. ROOT BARRIERS SHALL BE "CENTURY" OR "DEEP-ROOT" 24" DEEP PANELS (OR EQUAL). BARRIERS SHALL BE LOCATED IMMEDIATELY ADJACENT TO HARDSCAPE. INSTALL PANELS PER MANUFACTURER'S RECOMMENDATIONS. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR USE ROOT BARRIERS OF A TYPE THAT COMPLETELY ENCIRCLE THE ROOTBALL.

MULCHES

AFTER ALL PLANTING IS COMPLETE, CONTRACTOR SHALL INSTALL 3" THICK LAYER OF 1-1/2" SHREDDED WOOD MULCH, NATURAL (UNDYED), OVER LANDSCAPE FABRIC IN ALL PLANTING AREAS (EXCEPT FOR TURF AND SEEDED AREAS). CONTRACTOR SHALL SUBMIT SAMPLES OF ALL MULCHES TO LANDSCAPE ARCHITECT AND OWNER FOR APPROVAL PRIOR TO CONSTRUCTION. ABSOLUTELY NO EXPOSED GROUND SHALL BE LEFT SHOWING ANYWHERE ON THE PROJECT AFTER MULCH HAS BEEN INSTALLED (SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THE "GENERAL GRADING AND PLANTING NOTES" AND SPECIFICATIONS).



5 TREES PROVIDED _ _ _ _ _ _ _ _ _ PROVIDED AS REQUIRED PROVIDED AS REQUIRED

FRISCO, TX 75034

Phone: (469) 458-7300 TX@BohlerEng.com TBPE No. 18065 | TBPLS No. 10194413

BOHLER

2600 NETWORK BLVD, SUITE 310

PRELIMINARY Not for Regulatory Approval, Permit, or Construction. Sharon Stachecki, LA TX Registration #3682

SHEET TITLE:

LANDSCAPE CONCEPT PLAN TRACTS 1 AND 2

EXHIBIT D



TRACT AREAS TRACT 1: 1.04 AC TRACT 2: 1.04 AC

LANDSCAPE REQUIREMENTS

PASSIVE SPACE (OUTDOOR DINING)

REQUIRED: 10% OF BUILDING AREA TRACT 1 (2560 SF) = 256 SF REQ'D 1,165 SF PROVIDED

LANDSCAPE AREA

TRACT 2 (2858 SF) = 286 SF REQ'D

REQUIRED: 10% OF TOTAL LOT AREA (EX. PKG REQ'S)

TRACT 1: 45,202.5 SF = 4,520 SF REQ'D 11,043 SF PROVIDED TRACT 2: 45,430.4 SF = 4,543 SF REQ'D 8,142 SF PROVIDED

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1 TREE / 25 LF (REDUCED 50% FOR SAME ZONING USE TO 1 TREE / 50 LF) 10' LANDSCAPE BUFFER ADJACENT TO A C-2 ZONED PROPERTY

TRACT 1: NONE REQ'D TRACT 2: 273 LF = 11 TREES REQ'D

11 TREES PROVIDED

PROVIDED AS REQUIRED

5 TREES PROVIDED

PROVIDED AS REQUIRED

660 SF PROVIDED

10' SIDE LOT LINE LANDSCAPE BUFFER FOR QSR'S (273 LF)

TRACT 1: 273 LF = 5.5 TREES REQ'D 5 TREES PROVIDED TRACT 2: 273 LF = 5.5 TREES REQ'D 6 TREES PROVIDED

STREET LANDSCAPE SETBACK

1 TREE PER 40 LF

20' LANDSCAPE BUFFER ADJACENT TO PUBLIC STREET (318 LF) 8 TREES PROVIDED 8 TREES REQ'D

PARKING LOT PERIMETER LANDSCAPE

TRACT 1 - 26 SPACES

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3' HT CONTINUOUS HEDGE

PROVIDED AS REQUIRED 3' HT CONTINUOUS HEDGE

PARKING LOT INTERNAL LANDSCAPE

1 TREE / 10 PARKING SPACES

TRACT 1

3 TREE REQUIRED: 3 TREES PROVIDED

TRACT 2 4 TREE REQUIRED: 4 TREES PROVIDED

DRIVE AISLES INTO NON-RESIDENTIAL PROJECTS

1 TREE PER 40 LF

6 TREES REQ'D

TRACT 2

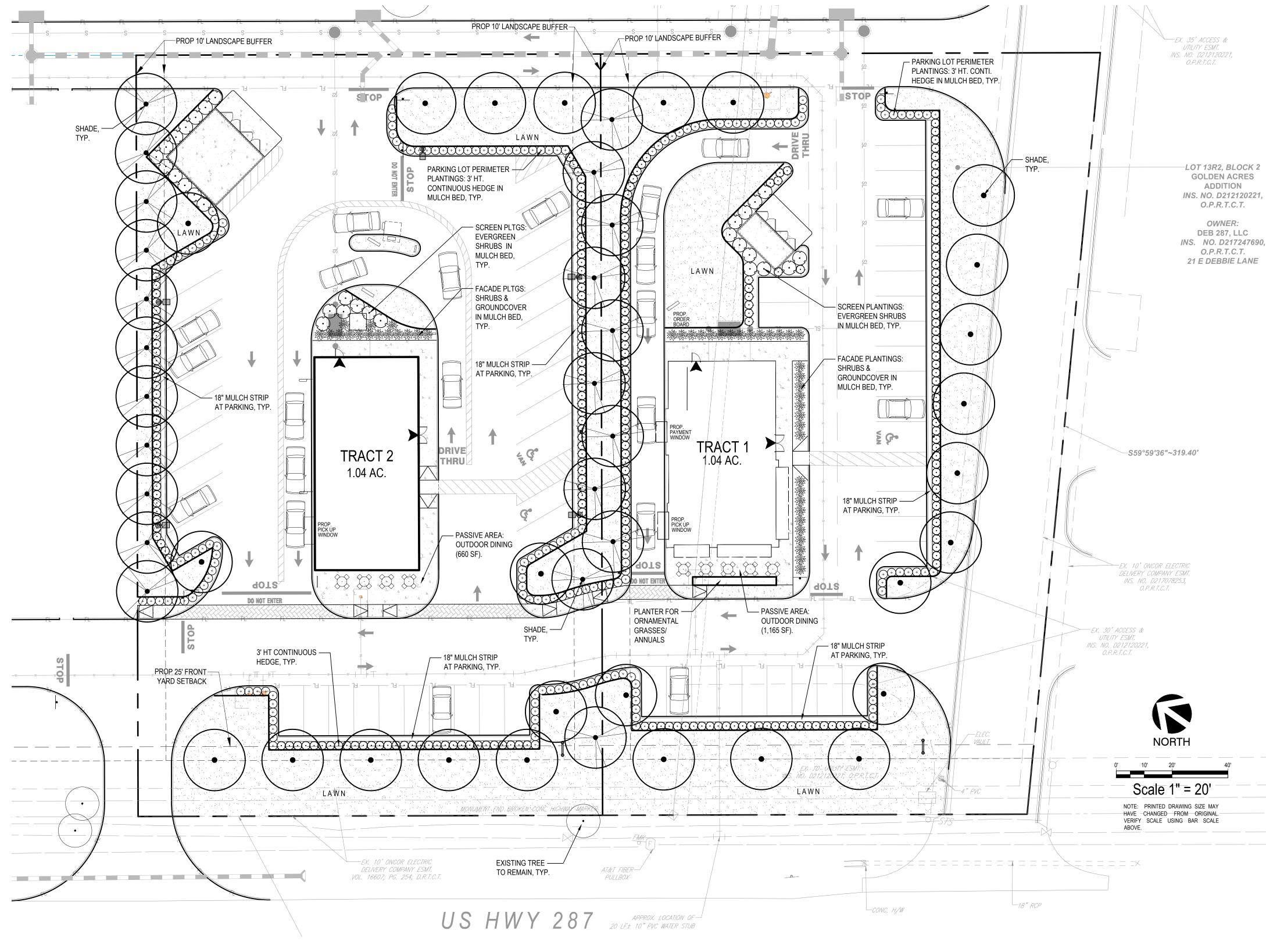
EAST DRIVE AISLE (169 LF) 5 TREES REQ'D

SOUTH DRIVE AISLE (226 LF)

6 TREES PROVIDED

FOUNDATION AREA & GROUND EQUIPMENT LANDSCAPING

4' WIDE LANDSCAPE AREA ADJACENT TO OR WITHIN 10 FEET OF ALL BUILDING FACADES PLANTINGS SHALL BE SITUATED AROUND, ALONG OR ADJACENT TO SCREEN WALLS TRACT 1: PROVIDED AS REQUIRED



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GENERAL GRADING AND PLANTING NOTES

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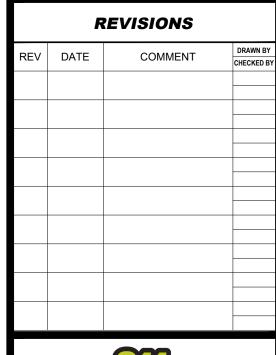
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MULCHES

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FOR EXHIBIT **PURPOSES ONLY**

EVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUC <u>DOCUMENT</u> UNLESS INDICATED OTHERWISE. PROJECT No.: DRAWN BY:

CAD I.D.: PROJECT:

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MANSFIELD QSR

FIRST HARTFORD
REALTY CORPORATION

PROPOSED

DEVELOPMENT 1764 US 287 FRONTAGE TARRANT COUNTY

MANSFIELD, TX 76063

BOHLER

2600 NETWORK BLVD, SUITE 310 FRISCO, TX 75034 Phone: (469) 458-7300 TX@BohlerEng.com TBPE No. 18065 | TBPLS No. 10194413



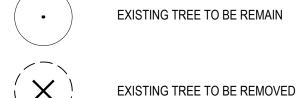
SHEET TITLE:

LANDSCAPE CONCEPT PLAN TRACTS 1 AND 2

EXHIBIT D



- (A) PRIOR TO THE LAND CLEARING STAGE OF DEVELOPMENT, THE CONTRACTOR SHALL CLEARLY MARK ALL PROTECTED TREES FOR WHICH A TREE REMOVAL PERMIT HAS NOT BEEN ISSUED AND SHALL ERECT BARRIERS FOR THE PROTECTION OF THE TREES ACCORDING TO THE FOLLOWING: (1) AROUND AN AREA AT OR GREATER THAN A SIX-FOOT RADIUS OF ALL SPECIES OF MANGROVES AND PROTECTED CABBAGE PALMS;
- (2) AROUND AN AREA AT OR GREATER THAN THE FULL DRIPLINE OF ALL PROTECTED NATIVE PINES;
- (B) NO PERSON SHALL ATTACH ANY SIGN, NOTICE OR OTHER OBJECT TO ANY PROTECTED TREE OR FASTEN ANY WIRES, CABLES, NAILS OR SCREWS TO ANY PROTECTED TREE IN ANY MANNER THAT COULD PROVE HARMFUL INTEREST.
- (C) DURING THE CONSTRUCTION STAGE OF DEVELOPMENT, THE CONTRACTOR SHALL NOT CAUSE OR PERMIT THE CAUSE OR PERMIT STORAGE OF BUILDING MATERIAL AND/OR EQUIPMENT, OR DISPOSAL OF WASTE MATERIAL SUCH AS PAINTS, OIL, SOLVENTS, ASPHALT, CONCRETE, MORTAR OR ANY OTHER MATERIAL HARMFUL TO THE
- (D) NO PERSON SHALL PERMIT ANY UNNECESSARY FIRE OR BURNING WITHIN 30 FEET OF THE DRIPLINE OF A
- (E) $\,$ ANY LANDSCAPING ACTIVITIES WITHIN THE BARRIER AREA SHALL BE ACCOMPLISHED WITH HAND LABOR. F) PRIOR TO ISSUING A CERTIFICATE OF OCCUPANCY OR COMPLIANCE FOR ANY DEVELOPMENT, BUILDING OR CALIPER AND OF THE SAME SPECIES AS SPECIFIED BY THE LANDSCAPE ADMINISTRATOR, BEFORE
- OCCUPANCY OR USE, UNLESS APPROVAL FOR THEIR REMOVAL HAS BEEN GRANTED UNDER PERMIT. (G) THE LANDSCAPE ADMINISTRATOR MAY CONDUCT PERIODIC INSPECTIONS OF THE SITE DURING LAND CLEARANCE AND CONSTRUCTION.
- (H) IF, IN THE OPINION OF THE LANDSCAPE ADMINISTRATOR, DEVELOPMENT ACTIVITIES WILL SO SEVERELY STRESS SLASH PINES OR ANY OTHER PROTECTED TREE SUCH THAT THEY ARE MADE SUSCEPTIBLE TO INSECT ATTACK, PREVENTATIVE SPRAYING OF THESE TREES BY THE CONTRACTOR MAY BE REQUIRED.



——TP——TP——TP——TREE PROTECTION FENCING

NOTE: TREE PROTECTION FOR ANY PRESERVED OR

RELOCATED TREES MUST BE PROVIDED PER DETAILS AND SPECIFICATIONS ON SHEET TD-2. THESE MUST BE UP PRIOR TO THE COMMENCEMENT OF ANY WORK AND MAINTAINED THROUGHOUT CONSTRUCTION.

NOTE: ALL TREE TRIMMING MUST BE APPROVED BY THE OWNER AND LOCAL JURISDICTION PRIOR TO COMMENCEMENT OF WORK. ALL TREE TRIMMING MUST BE DONE BY AN ISA CERTIFIED ARBORIST IN ACCORDANCE WITH LOCAL TREE PRESERVATION ORDINANCE.

TREE DISPOSITION CHART

TRACT 1								
TAG # DESCRIPTION DIA DISPOSITION REM CREE								
1541	8" ELM	8	REMOVE	8	0			
1542	6" ELM	6	REMOVE	6	0			
1561	16" OAK	16	REMOVE	16	0			
40089	6" CEDAR	6	REMOVE	6	0			
40094	16" CEDAR	16	REMOVE	16	0			
40095	16" CEDAR	16	REMOVE	16	0			
40155	10" MT CEDAR	10	REMOVE	10	0			
40159	16" CEDAR	16	REMOVE	16	0			
40163	14" CEDAR	14	REMOVE	14	0			
40165	12" CEDAR	12	REMOVE	12	0			
			TOTAL	120	0			

			IUIAL	120	U
	-	TRACT :	2		
TAG#	DESCRIPTION	DIA	DISPOSITION	REM	CREE
1509	8" MT MESQUITE	8	REMOVE	8	0
1510	6" ELM	6	REMOVE	6	0
1511	10" MT MESQUITE	10	REMOVE	10	0
1512	6" MESQUITE	6	REMOVE	6	0
1513	12" MT MESQUITE	12	REMOVE	12	0
1514	12" MT MESQUITE	12	REMOVE	12	0
1515	6" HACKBERRY	6	REMOVE	6	0
1516	8" MT MESQUITE	8	REMOVE	8	0
1517	6" ELM	6	REMOVE	6	0
1518	8" MT ELM	8	REMOVE	8	0
1519	14" MT MESQUITE	14	REMOVE	14	0
1520	6" ELM	6	REMOVE	6	0
1521	14" OAK	14	REMOVE	14	0
1522	6" ELM	6	REMOVE	6	0
1524	10" MT MESQUITE	10	REMOVE	10	0
1536	6" OAK	6	REMOVE	6	0
1537	8" DT HACKBERRY	8	REMOVE	8	0
1538	16" MESQUITE	16	REMOVE	16	0
1539	8" DT MESQUITE	8	REMOVE	8	0
1540	10" MESQUITE	10	REMOVE	10	0
1543	12" MT ELM	12	REMOVE	12	0
1544	10" MT MESQUITE	10	REMOVE	10	0
1545	10" MT MESQUITE	10	REMOVE	10	0
1546	6" ELM	6	REMOVE	6	0
1547	6" ELM	6	REMOVE	6	0
1548	6" ELM	6	REMOVE	6	0
1549	12" ELM	12	REMOVE	12	0
1557	12" OAK	12	REMOVE	12	0
1558	16" OAK	16	REMOVE	16	0
1559	12" ELM	12	REMOVE	12	0
40099	14" MT CEDAR	14	REMOVE	14	0
40103	12" CEDAR	12	REMOVE	12	0
40104	12" CEDAR	12	REMOVE	12	0
40105	12" CEDAR	12	REMOVE	12	0
40142	10" CEDAR	10	REMOVE	10	0
40146	8" MT CEDAR	8	REMOVE	8	0
40147	8" MT CEDAR	8	REMOVE	8	0
40154	14" CEDAR	14	REMOVE	14	0
40247	8" CEDAR	8	REMOVE	8	0
			TOTAL	380	0

40247	8" CEDAR	8	REMOVE	8	0
			TOTAL	380	0
		ED A CT			
		ract:			
TAG #	DESCRIPTION	DIA	DISPOSITION	REM	CREDIT
100	14" OAK 14" OAK	14	REMAIN REMOVE	0 14	14
102	10" OAK	10	REMAIN	0	10
103	10" DT OAK	10	REMOVE	10	0
104	8" OAK	8	REMOVE	8	0
1523	6" OAK	6	REMOVE	6	0
1529	12" MT ELM	12	REMAIN	0	12
1530	16" OAK	16	REMAIN	0	16
1531	14" MESQUITE	14	REMAIN	0	14
1532	14" MT ELM	14	REMOVE	14	0
1533	14" MESQUITE	14	REMOVE	14	0
1534	6" ELM	6	REMOVE	6	0
1535	14" ELM	14	REMOVE	14	0
1550	12" ELM	12	REMOVE	12	0
1551	6" ASH	6	REMOVE	6	0
1552	12" OAK	12	REMOVE	12	0
1553 1554	22" OAK	22	REMOVE	22	0
1554	6" OAK 14" MT MESQUITE	6 14	REMOVE REMOVE	6 14	0
1556	6" OAK	6	REMOVE	6	0
1560	12" ELM	12	REMOVE	12	0
1568	12" OAK	12	REMOVE	12	0
1569	16" OAK	16	REMOVE	16	0
1570	12" OAK	12	REMOVE	12	0
1572	14" OAK	14	REMOVE	14	0
1573	8" MT OAK	8	REMOVE	8	0
1574	36" OAK	36	REMOVE	36	0
1575	10" OAK	10	REMOVE	10	0
1576	12" OAK	12	REMOVE	12	0
1577	8" OAK	8	REMOVE	8	0
1578	8" OAK	8	REMOVE	8	0
1579	10" OAK	10	REMOVE	10	0
1580	14" OAK	14	REMOVE	14	0
1581	8" MESQUITE	8	REMOVE	8	0
1582	12" OAK	12	REMOVE	12	0
1583 1584	12" OAK 12" DT OAK	12	REMOVE	12 12	0
1584	16" OAK	12 16	REMOVE REMOVE	16	0
1586	8" OAK	8	REMOVE	8	0
1587	12" OAK	12	REMOVE	12	0
1588	12" OAK	12	REMOVE	12	0
1589	12" OAK	12	REMOVE	12	0
1590	6" DT OAK	6	REMOVE	6	0
1591	6" ELM	6	REMOVE	6	0
1592	12" OAK	12	REMOVE	12	0
1593	14" MT OAK	14	REMOVE	14	0
1594	14" OAK	14	REMOVE	14	0
1595	6" ELM	6	REMOVE	6	0
1596	14" OAK	14	REMOVE	14	0
1597	14" OAK	14	REMOVE	14	0
1598	14" OAK	14	REMOVE	14	0
1599	10" ELM	10	REMOVE	10	0
1600 1689	12" DT OAK 10" ELM	12	REMOVE REMOVE	12 10	0
1690	6" ELM	6	REMOVE	6	0
1691	10" ASH	10	REMOVE	10	0
1692	10" ASH	12	REMOVE	12	0
1693	12" ASH	12	REMOVE	12	0
1694	10" ELM	10	REMOVE	10	0
1695	16" OAK	16	REMOVE	16	0
1696	16" OAK	16	REMOVE	16	0
1697	16" ASH	16	REMOVE	16	0
1698	12" ASH	12	REMOVE	12	0
1699	12" DT ASH	12	REMOVE	12	0
40134	6" CEDAR	6	REMOVE	6	0
40377	12" CEDAR	12	REMOVE	12	0
40396	8" MT CEDAR	8	REMOVE	8	0
40448	12" CEDAR	12	REMOVE	12	0
40460	12" CEDAR	12	REMOVE	12	0
40461	6" CEDAR	6	REMOVE	6	0
40484	12" CEDAR	12	REMOVE	12	0
40506	10" CEDAR	10	REMOVE	10	12
40541 40545	12" CEDAR 12" CEDAR	12	REMAIN	12	12
40545	12" CEDAR 14" CEDAR	12 14	REMOVE REMAIN	12 0	0 14
40548	14 CEDAR 16" CEDAR	16	REMOVE	16	0
	10 CLDAN		TOTAL	800	92
	<u> </u>	L.	IOIAL	550	<i></i>

108	16" DT OAK	16	REMAIN	0	16
109	6" OAK	6	REMAIN	0	6
110	8" OAK	8	REMAIN	0	8
111	14" OAK	14	REMAIN	0	14
112	10" OAK	10	REMAIN	0	10
113	6" DT OAK	6	REMAIN	0	6
114	6" ELM	6	REMAIN	0	6
115	14" ELM	14	REMAIN	0	14
116	6" DT OAK	6	REMAIN	0	6
117	6" OAK	6	REMAIN	0	6
118	10" OAK	10	REMAIN	0	10
118	10 OAK	10	REMAIN	0	10
119	10" DT OAK	10	REMAIN	0	10
121	10" OAK	10	REMAIN	0	10
122	10" OAK	10	REMAIN	0	10
123	8" DT OAK	8	REMAIN	0	8
124	6" DT ELM	6	REMAIN	0	6
125	6" ELM	6	REMAIN	0	6
126	12" OAK	12	REMAIN	0	12
127	12" DT OAK	12	REMAIN	0	12
128	16" OAK	16	REMAIN	0	16
129	14" DT ASH	14	REMAIN	0	14
130	14" OAK	14	REMAIN	0	14
131	6" ASH	6	REMAIN	0	6
132	14" DT OAK	14	REMAIN	0	14
301	16" ASH	16	REMAIN	0	16
302	14" DT ASH	14	REMAIN	0	14
302	12" OAK		REMAIN		12
		12		0	
305	12" ASH	12	REMAIN	0	12
306	10" DT ASH	10	REMAIN	0	10
307	14" ASH	14	REMAIN	0	14
308	18" ASH	18	REMAIN	0	18
309	10" ASH	10	REMAIN	0	10
310	16" OAK	16	REMAIN	0	16
311	14" ASH	14	REMAIN	0	14
312	10" OAK	10	REMAIN	0	10
313	12" ASH	12	REMAIN	0	12
314	8" ASH	8	REMAIN	0	8
315	6" ASH	6	REMAIN	0	6
316	6" ASH	6	REMAIN	0	6
317	6" ASH	6	REMAIN	0	6
318	16" ASH	16	REMAIN	0	16
319	10" OAK	10	REMAIN	0	10
320	10 OAK 10" OAK	10	REMAIN	0	10
321	20" COTTONWOOD	20	REMAIN	0	20
321	16" DT OAK	16	REMAIN	0	16
323	16" OAK				
		16	REMAIN	0	16
324	10" OAK	10	REMAIN	0	10
325	6" ELM	6	REMAIN	0	6
326	8" ELM	8	REMAIN	0	8
327	12" OAK	12	REMAIN	0	12
328	6" OAK	6	REMAIN	0	6
329	10" OAK	10	REMAIN	0	10
330	10" OAK	10	REMAIN	0	10
331	12" OAK	12	REMAIN	0	12
332	8" OAK	8	REMAIN	0	8
333	12" ASH	12	REMAIN	0	12
334	12" ASH	12	REMAIN	0	12
335	16" ELM	16	REMAIN	0	16
336	16" COTTONWOOD	16	REMAIN	0	16
338	12" COTTONWOOD	12	REMAIN	0	12
339	10" DT COTTONWOOD	10	REMAIN	0	10
340	6" COTTONWOOD	6	REMAIN	0	6
341	12" HACKBERRY	12	REMAIN	0	12
342	14" COTTONWOOD	14	REMAIN	0	14
342	16" COTTONWOOD	16	REMAIN		16
	.			0	
344	10" COTTONWOOD 14" MESQUITE	10	REMAIN	0	10
1562		14	REMAIN	0	14
1563	14" OAK	14	REMAIN	0	14
1564	12" OAK	12	REMAIN	0	12
1565	14" OAK	14	REMAIN	0	14
1566	14" OAK	14	REMAIN	0	14
1567	16" OAK	16	REMAIN	0	16
1571	14" OAK	14	REMOVE	14	0
40151	8" CEDAR	8	REMOVE	8	0
40152	8" CEDAR	8	REMOVE	8	0
40168	12" CEDAR	12	REMAIN	0	12
40170	14" CEDAR	14	REMAIN	0	14
40171	10" CEDAR	10	REMAIN	0	10
40172	10" CEDAR	10	REMAIN	0	10
40175	12" MT CEDAR	12	REMAIN	0	12
40177	14" CEDAR	14	REMAIN	0	14
40179	14" CEDAR	14	REMAIN	0	14
40206	10" CEDAR	10	REMAIN	0	10
40207	10" CEDAR	10	REMAIN	0	10
40208	14" CEDAR	14	REMAIN	0	14
40211	12" CEDAR	12	REMAIN	0	12
40214	14" CEDAR	14	REMAIN	0	14
40215	10" CEDAR	10	REMAIN	0	10
40218	10" CEDAR	10	REMAIN	0	10
40218	10" CEDAR	10	REMAIN	0	10
40220	10" CEDAR	10	REMAIN	0	10
40220	10" MT CEDAR	10	REMAIN	0	10
40224	10" MT CEDAR	10	REMAIN	0	10
40225	10" MT CEDAR	10	REMOVE	10	0
40229	10" MT CEDAR	10	REMAIN	0	10
40230	10" MT CEDAR	10	REMAIN	0	10
40240			REMAIN	0	14
	14" CEDAR	14	KLIVIAIIN		
40241		14 14	REMAIN	0	14
40241 40242	14" CEDAR				14 6
	14" CEDAR 14" CEDAR	14	REMAIN	0	
40242	14" CEDAR 14" CEDAR 6" MT CEDAR	14 6	REMAIN REMAIN	0	6
40242 40549	14" CEDAR 14" CEDAR 6" MT CEDAR 8" DT CEDAR	14 6 8	REMAIN REMAIN REMOVE	0 0 8	6
40242 40549 40557	14" CEDAR 14" CEDAR 6" MT CEDAR 8" DT CEDAR 10" CEDAR	14 6 8 10	REMAIN REMAIN REMOVE REMAIN	0 0 8 0	6 0 10

REMAIN REMAIN

307 14" ASH 14 REMAIN 0 18 308 18" ASH 18 REMAIN 0 10 309 10" ASH 10 REMAIN 0 16 16 311 14" ASH 14 REMAIN 0 16 16 311 14" ASH 14 REMAIN 0 14 312 10" COAK 10 REMAIN 0 10 12 313 12" ASH 14 REMAIN 0 12 21 313 12" ASH 12 REMAIN 0 12 23 314 8" ASH 8 REMAIN 0 16 317 6" ASH 6 REMAIN 0 6 6 317 6" ASH 6 REMAIN 0 16 6 318 16" ASH 10 REMAIN 0 10 6 318 16" ASH 10 REMAIN 0 10 10 320 2" COTTONNOOD 20 REMAIN 0 10 322 2" COTTONNOOD 20 REMAIN 0 16 323 2" COTTONNOOD 20 REMAIN 0 16 323 3" ASH 2" COAK 10 REMAIN 0 16 325 3" ASH 2" COAK 10 REMAIN 0 16 325 3" ASH 2" COAK 10 REMAIN 0 16 325 3" ASH 2" COAK 10 REMAIN 0 10 330 2" COAK 10 REMAIN 0 10 333 2" COAK 10 REMAIN 0 10 333 2" COAK 10 REMAIN 0 6 6 337 3" ASH 2" COAK 10 REMAIN 0 10 333 2" COAK 10 REMAIN 0 10 333 2" COAK 10 REMAIN 0 12 332 3" COAK 10 REMAIN 0 12 333 3" COAK 10 REMAIN 0 10 333 2" COAK 10 REMAIN 0 10 333 2" COAK 10 REMAIN 0 10 2 333 3" COAK 10 REMAIN 0 10 2 333 3" COAK 10 REMAIN 0 10 3 333 12" COAK 10 REMAIN 0 10 10 333 10" COAK 10 REMAIN 0 10 10 333 10" COAK 10 REMAIN 0 10 10 10 10 10 10 10	306	10" DT ASH	10	REMAIN	0	10
10" ASH		14" ASH				
150	308		18	REMAIN	0	18
311	309	10" ASH	10	REMAIN	0	10
312	310	16" OAK	16	REMAIN	0	16
313	311	14" ASH	14	REMAIN	0	14
311	312	10" OAK	10	REMAIN	0	10
315 6"ASH 6 REMAIN 0 6 316 6"ASH 6 REMAIN 0 6 317 6"ASH 6 REMAIN 0 6 318 16"ASH 16 REMAIN 0 16 318 16"ASH 16 REMAIN 0 10 320 10"OAK 10 REMAIN 0 10 320 10"OAK 10 REMAIN 0 10 321 20"COTTONWOOD 20 REMAIN 0 20 322 16"DTOAK 16 REMAIN 0 16 323 16"OAK 16 REMAIN 0 16 324 10"OAK 16 REMAIN 0 16 324 10"OAK 16 REMAIN 0 16 324 10"OAK 16 REMAIN 0 16 325 6"ELM 6 REMAIN 0 16 326 B"ELM 18 REMAIN 0 16 327 12"OAK 16 REMAIN 0 16 328 10"OAK 10 REMAIN 0 16 329 10"OAK 10 REMAIN 0 16 329 10"OAK 10 REMAIN 0 10 321 20"CON 10 REMAIN 0 12 329 10"OAK 12 REMAIN 0 12 331 12"OAK 12 REMAIN 0 12 332 16"OAK 10 REMAIN 0 10 331 12"OAK 12 REMAIN 0 12 332 B"OAK 12 REMAIN 0 12 333 12"ASH 12 REMAIN 0 12 332 B"OAK 12 REMAIN 0 12 333 12"ASH 12 REMAIN 0 12 333 12"ASH 12 REMAIN 0 12 333 12"ASH 12 REMAIN 0 12 333 16"COTTONWOOD 16 REMAIN 0 16 333 16"COTTONWOOD 15 REMAIN 0 16 334 12"HACKBERRY 12 REMAIN 0 12 339 10"DT COTTONWOOD 16 REMAIN 0 10 341 12"HACKBERRY 12 REMAIN 0 12 342 14"COTTONWOOD 16 REMAIN 0 10 343 16"COTTONWOOD 16 REMAIN 0 14 344 10"COTTONWOOD 16 REMAIN 0 14 355 14"OAK 14 REMAIN 0 14 356 14"OAK 14 REMAIN 0 14 356 14"OAK 14 REMAIN 0 14 357 14"ACKBERRY 12 REMAIN 0 14 358 16"COTTONWOOD 16 REMAIN 0 14 359 10"DT COTTONWOOD 16 REMAIN 0 14 368 10"COTTONWOOD 16 REMAIN 0 14 368 10"COTTONWOOD 16 REMAIN 0 14 369 10"CEDAR 14 REMAIN 0 14 368 10"COTTONWOOD 16 REMAIN 0 14 368 10"COTTONWOOD 16 REMAIN 0 14 369 10"CEDAR 14 REMAIN 0 14 360 10"CEDAR 10 REMAIN 0 14 3615 14"CEDAR 14 REMAIN 0 14 3615 14"CEDAR 14 REMAIN 0 10 3615 14"CEDAR 14 REMAIN 0 10 36152 14"MESQUITE 14 REMAIN 0 10 36152 14"MESQUITE 14 REMAIN 0 10 36152 14"CEDAR 10 REMAIN 0 10 36152 14"CEDAR 10 REMAIN 0 10 36152 14"CEDAR 10 REMAIN 0 10 36153 10"CEDAR 10 REMAIN 0 10 36153 10"CEDAR 10 REMAIN 0 10 36153 10"CEDAR	313	12" ASH	12	REMAIN	0	12
316	314	8" ASH	8	REMAIN	0	8
318 16" ASH 16 REMAIN 0 16 319 10" OAK 10 REMAIN 0 10 320 10" OAK 10 REMAIN 0 10 321 20" COTTONWOOD 20 REMAIN 0 20 322 16" DTOAK 16 REMAIN 0 16 323 16" OAK 16 REMAIN 0 16 323 16" OAK 16 REMAIN 0 16 324 10" OAK 16 REMAIN 0 16 324 10" OAK 16 REMAIN 0 16 325 6" ELM 6 REMAIN 0 10 326 REMAIN 0 10 327 12" OAK 16 REMAIN 0 10 327 12" OAK 10 REMAIN 0 10 328 6" ELM 8 REMAIN 0 10 329 10" OAK 10 REMAIN 0 10 331 12" OAK 12 REMAIN 0 10 331 12" OAK 12 REMAIN 0 10 332 8" OAK 8 REMAIN 0 12 332 8" OAK 8 REMAIN 0 12 333 12" ASH 12 REMAIN 0 12 333 12" ASH 12 REMAIN 0 12 333 12" ASH 12 REMAIN 0 12 333 16" ELM 16 REMAIN 0 12 333 16" ELM 16 REMAIN 0 12 333 16" COTTONWOOD 16 REMAIN 0 16 338 12" COTTONWOOD 16 REMAIN 0 16 338 12" COTTONWOOD 16 REMAIN 0 16 338 12" COTTONWOOD 17 REMAIN 0 12 341 12" HACKBERRY 12 REMAIN 0 12 342 14" COTTONWOOD 14 REMAIN 0 12 343 16" COTTONWOOD 16 REMAIN 0 16 344 10" COTTONWOOD 16 REMAIN 0 14 354 16" COTTONWOOD 16 REMAIN 0 15 354 16" ELM 16" REMAIN 0 12 355 16" ELM 16" REMAIN 0 12 356 16" COTTONWOOD 16 REMAIN 0 15 357 14" OAK 12 REMAIN 0 12 358 15" COTTONWOOD 16 REMAIN 0 15 359 14" OAK 14 REMAIN 0 12 350 14" MESQUITE 14 REMAIN 0 12 351 16" ELM 16" REMAIN 0 14 352 14" ELE COTTONWOOD 16 REMAIN 0 16 356 14" OAK 14 REMAIN 0 14 357 14" COTTONWOOD 16 REMAIN 0 16 358 12" COTTONWOOD 17 REMAIN 0 10 359 14" COTTONWOOD 18 REMAIN 0 16 360 14" CEDAR 14 REMAIN 0 14 360 16" COTTONWOOD 16 REMAIN 0 10 370 16" COTTONWOOD 16 REMAIN 0 10 371 16" OAK 14 REMAIN 0 10 371 16" OAK 14 REMAIN 0 11 371 14" CEDAR 14 REMAIN 0 10 371 16" OAK 14 REMAIN 0 11 372 16" COTTONWOOD 10 REMAIN 0 10 373 16" COTTONWOOD 10 REMAIN 0 10 374 16" COTTONWOOD 10 REMAIN 0 10 375 16" COTTONWOOD 10 REMAIN 0 10 370 16" COTTONWOOD 10 REMAIN 0 10 371 16" OAK 14 REMAIN 0 11 371 16" OAK 14 REMAIN 0 11 371 16" OAK 14 REMAIN 0 11 371 16" OAK 16 REMAIN 0 10 371 16" COTTONWOOD 10 REMAIN 0 10 371 16" COTTONWOO	315	6" ASH	6	REMAIN	0	6
318	316	6" ASH	6	REMAIN	0	6
329	317	6" ASH	6	REMAIN	0	6
320	318	16" ASH	16	REMAIN	0	16
320	319		10	REMAIN	0	10
322 16" DT OAK 16 REMAIN 0 16 16 16 16 16 16 16					+	
322 16" DT OAK					+	
323						
325					+	
325					+	
326					+	
327 12"OAK 12 REMAIN 0 12 328 6"OAK 6 REMAIN 0 6 6 329 10"OAK 10 REMAIN 0 10 330 10"OAK 11 REMAIN 0 10 331 12"OAK 12 REMAIN 0 12 332 8"OAK 8 REMAIN 0 12 332 18"OAK 8 REMAIN 0 12 332 18"OAK 8 REMAIN 0 12 333 12"ASH 12 REMAIN 0 12 333 12"ASH 12 REMAIN 0 12 333 12"ASH 12 REMAIN 0 12 333 10"TOTOINOOD 16 REMAIN 0 16 338 12"COTTONWOOD 16 REMAIN 0 16 338 12"COTTONWOOD 16 REMAIN 0 16 338 10" TOTOITONWOOD 12 REMAIN 0 10 340 6"COTTONWOOD 12 REMAIN 0 12 341 12"HACKBERRY 12 REMAIN 0 12 342 14"COTTONWOOD 14 REMAIN 0 16 343 16"COTTONWOOD 16 REMAIN 0 16 341 12"HACKBERRY 12 REMAIN 0 12 342 14"COTTONWOOD 16 REMAIN 0 16 343 16"COTTONWOOD 16 REMAIN 0 14 1552 14"MESQUITE 14 REMAIN 0 14 1563 14"OAK 14 REMAIN 0 14 1563 14"OAK 14 REMAIN 0 14 1565 14"OAK 14 REMAIN 0 12 1565 14"OAK 14 REMAIN 0 14 1566 12"OAK 14 REMAIN 0 14 1567 16"OAK 16 REMAIN 0 14 1571 14"OAK 14 REMAIN 0 14 1567 16"OAK 16 REMAIN 0 10 16 1571 14"OAK 14 REMAIN 0 14 1567 16"OAK 16 REMAIN 0 14 1569 12"CEDAR 12 REMAIN 0 14 160151 8"CEDAR 12 REMAIN 0 14 16171 10"CEDAR 10 REMAIN 0 10 160172 10"CEDAR 10 REMAIN 0 10 170 14"CEDAR 10 REMAIN 0 10 180172 10"CEDAR 10 REMAIN 0 10 180173 12"CEDAR 10 REMAIN 0 10 180174 12"CEDAR 10 REMAIN 0 10 180175 12"CEDAR 10 REMAIN 0 10 180175 12"CEDAR 10 REMAIN 0 10 180177 12"CEDAR 10 REMAIN 0 10 180177 12"CEDAR 10 REMAIN 0 10 18					+	
328 6" OAK 6 REMAIN 0 6		ļ			+	
329						
330 10"OAK 10 REMAIN 0 10 331 12"OAK 12 REMAIN 0 12 332 8"OAK 8 REMAIN 0 12 333 12"ASH 12 REMAIN 0 12 334 12"ASH 12 REMAIN 0 12 335 16"ELM 16 REMAIN 0 16 336 16"COTTONWOOD 16 REMAIN 0 16 337 12"COTTONWOOD 10 REMAIN 0 10 339 10"DT COTTONWOOD 10 REMAIN 0 10 330 16"COTTONWOOD 11 REMAIN 0 10 331 12"HACKBERRY 12 REMAIN 0 10 332 14"COTTONWOOD 14 REMAIN 0 16 334 16"COTTONWOOD 15 REMAIN 0 16 334 16"COTTONWOOD 10 REMAIN 0 16 335 14"OAK 14 REMAIN 0 14 1562 14"MESQUITE 14 REMAIN 0 14 1563 14"OAK 14 REMAIN 0 14 1564 12"OAK 12 REMAIN 0 14 1565 14"OAK 14 REMAIN 0 14 1566 14"OAK 14 REMAIN 0 14 1566 14"OAK 14 REMAIN 0 14 1567 16"OAK 16 REMAIN 0 14 1567 16"OAK 16 REMAIN 0 16 1571 14"OAK 14 REMAIN 0 16 1571 14"OAK 15 REMAIN 0 16 1571 14"OAK 16 REMAIN 0 16 1571 14"OAK 17 REMAIN 0 16 1571 14"OAK 17 REMAIN 0 16 1571 14"OAK 17 REMAIN 0 16 1571 14"OAK 18 REMAIN 0 16 1571 14"OAK 18 REMAIN 0 16 1571 14"CEDAR 18 REMOVE 8 0 10152 8"CEDAR 8 REMOVE 8 0 10152 8"CEDAR 14 REMAIN 0 10 10173 12"MT CEDAR 10 REMAIN 0 10 10174 10"CEDAR 10 REMAIN 0 10 1040175 12"MT CEDAR 11 REMAIN 0 14 10177 14"CEDAR 11 REMAIN 0 14 10171 10"CEDAR 10 REMAIN 0 10 1040175 12"MT CEDAR 10 REMAIN 0 10 1040175 12"MT CEDAR 10 REMAIN 0 10 1040175 12"MT CEDAR 10 REMAIN 0 10 1040208 14"CEDAR 11 REMAIN 0 14 10077 14"CEDAR 10 REMAIN 0 10 1040208 14"CEDAR 10 REMAIN 0 10 1040209 10"CEDAR 10 REMAIN 0 10 1040215 10"CEDAR 10 REMAIN 0 10 1040225 10"MT CEDAR 10 REMAIN 0 10 1040208 14"CEDAR 10 REMAIN 0 10 1040208 14"CEDAR 10 REMAIN 0 10 1040209 10"CEDAR 10 REMAIN 0 10 1040209 10"CEDAR 10 REMAIN 0 10 1040215 10"CEDAR 10 REMAIN 0 10 1040229 10"MT CEDAR 10 REMAIN 0 10 1040229 10"MT CEDAR 10 REMAIN 0 10 1040231 10"CEDAR 10 REMAIN 0 10					+	
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10			10	REMAIN	0	10
40224	40220		10	REMAIN	0	10
10		10" MT CEDAR	10	REMAIN	0	10
10" MT CEDAR	40224	10" MT CEDAR	10	REMAIN	0	10
10" MT CEDAR	40225	10" MT CEDAR	10	REMOVE	10	0
14	40229		10	REMAIN	0	10
14	40230	10" MT CEDAR	10	REMAIN	0	10
14					+	
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REV	DATE	COMMENT	DRAWN BY CHECKED BY		



FOR EXHIBIT PURPOSES ONLY

DRAWN BY: DATE: CAD I.D.:

PROJECT:

MANSFIELD QSR



PROPOSED

DEVELOPMENT 1764 US 287 FRONTAGE TARRANT COUNTY MANSFIELD, TX 76063

BOHLER

2600 NETWORK BLVD, SUITE 310 FRISCO, TX 75034 Phone: (469) 458-7300 TX@BohlerEng.com TBPE No. 18065 | TBPLS No. 10194413



SHEET TITLE:

OVERALL TREE DISPOSITION PLAN

EXHIBIT E-0



TREE DISPOSITION CHART

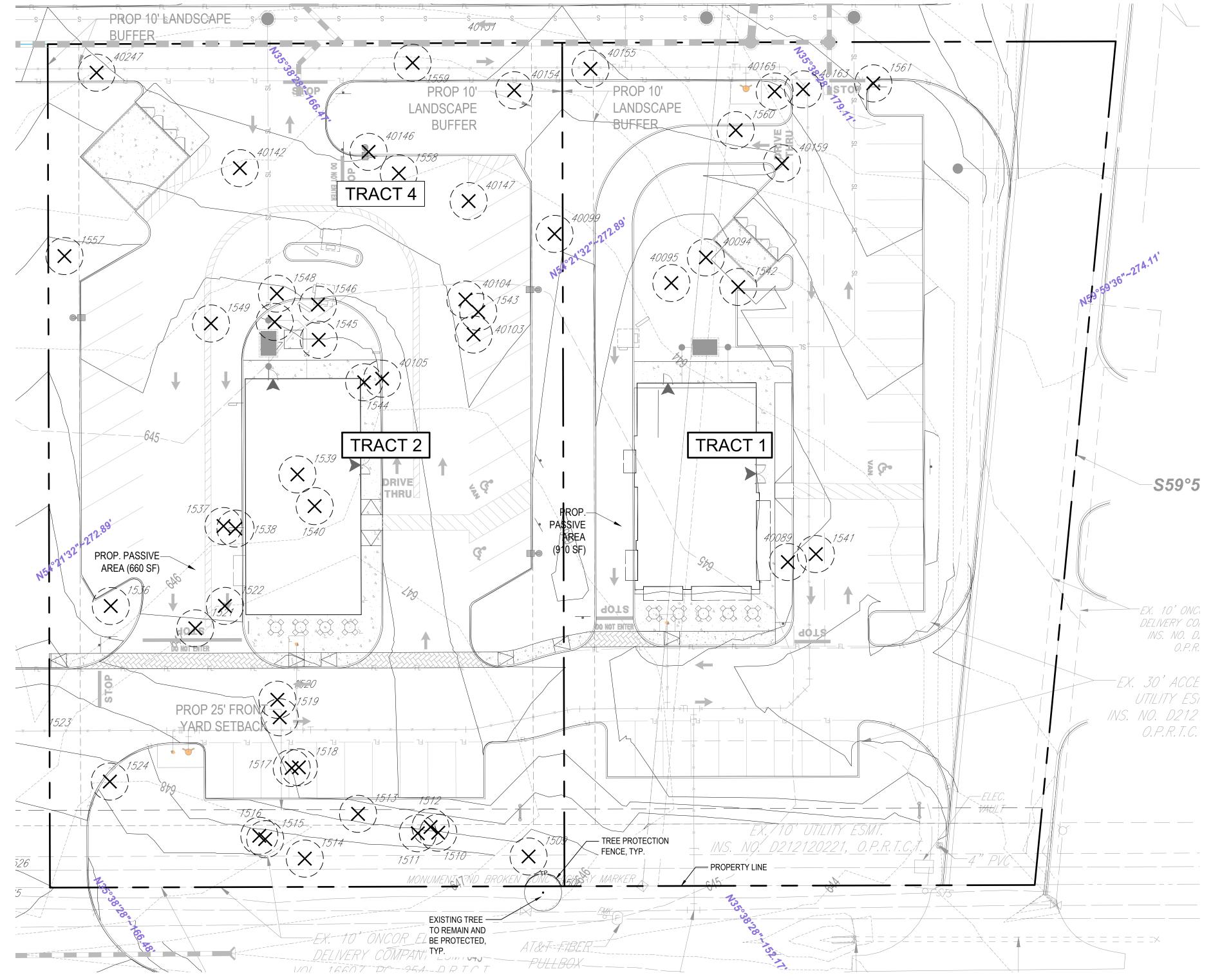
	TRACT 1							
TAG#	DESCRIPTION	DIA	DISPOSITION	REM	CREDIT			
1541	8" ELM	8	REMOVE	8	0			
1542	6" ELM	6	REMOVE	6	0			
1561	16" OAK	16	REMOVE	16	0			
40089	6" CEDAR	6	REMOVE	6	0			
40094	16" CEDAR	16	REMOVE	16	0			
40095	16" CEDAR	16	REMOVE	16	0			
40155	10" MT CEDAR	10	REMOVE	10	0			
40159	16" CEDAR	16	REMOVE	16	0			
40163	14" CEDAR	14	REMOVE	14	0			
40165	12" CEDAR	12	REMOVE	12	0			
			TOTAL	120	0			

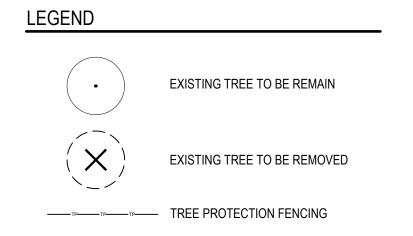
	-	DACT	2		
		RACT			
TAG#	DESCRIPTION	DIA	DISPOSITION	REM	CREDIT
1509	8" MT MESQUITE	8	REMOVE	8	0
1510	6" ELM	6	REMOVE	6	0
1511	10" MT MESQUITE	10	REMOVE	10	0
1512	6" MESQUITE	6	REMOVE	6	0
1513	12" MT MESQUITE	12	REMOVE	12	0
1514	12" MT MESQUITE	12	REMOVE	12	0
1515	6" HACKBERRY	6	REMOVE	6	0
1516	8" MT MESQUITE	8	REMOVE	8	0
1517	6" ELM	6	REMOVE	6	0
1518	8" MT ELM	8	REMOVE	8	0
1519	14" MT MESQUITE	14	REMOVE	14	0
1520	6" ELM	6	REMOVE	6	0
1521	14" OAK	14	REMOVE	14	0
1522	6" ELM	6	REMOVE	6	0
1524	10" MT MESQUITE	10	REMOVE	10	0
1536	6" OAK	6	REMOVE	6	0
1537	8" DT HACKBERRY	8	REMOVE	8	0
1538	16" MESQUITE	16	REMOVE	16	0
1539	8" DT MESQUITE	8	REMOVE	8	0
1540	10" MESQUITE	10	REMOVE	10	0
1543	12" MT ELM	12	REMOVE	12	0
1544	10" MT MESQUITE	10	REMOVE	10	0
1545	10" MT MESQUITE	10	REMOVE	10	0
1546	6" ELM	6	REMOVE	6	0
1547	6" ELM	6	REMOVE	6	0
1548	6" ELM	6	REMOVE	6	0
1549	12" ELM	12	REMOVE	12	0
1557	12" OAK	12	REMOVE	12	0
1558	16" OAK	16	REMOVE	16	0
1559	12" ELM	12	REMOVE	12	0
40099	14" MT CEDAR	14	REMOVE	14	0
40103	12" CEDAR	12	REMOVE	12	0
40104	12" CEDAR	12	REMOVE	12	0
40105	12" CEDAR	12	REMOVE	12	0
40142	10" CEDAR	10	REMOVE	10	0
40146	8" MT CEDAR	8	REMOVE	8	0
40147	8" MT CEDAR	8	REMOVE	8	0
40154	14" CEDAR	14	REMOVE	14	0
40247	8" CEDAR	8	REMOVE	8	0
			TOTAL	380	0

TREE PROTECTION GENERAL NOTES

- (A) PRIOR TO THE LAND CLEARING STAGE OF DEVELOPMENT, THE CONTRACTOR SHALL CLEARLY MARK ALL PROTECTED TREES FOR WHICH A TREE REMOVAL PERMIT HAS NOT BEEN ISSUED AND SHALL ERECT BARRIERS FOR THE PROTECTION OF THE TREES ACCORDING TO THE FOLLOWING:

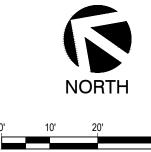
 (1) AROUND AN AREA AT OR GREATER THAN A SIX-FOOT RADIUS OF ALL SPECIES OF MANGROVES AND PROTECTED CABBAGE PALMS;
- (2) AROUND AN AREA AT OR GREATER THAN THE FULL DRIPLINE OF ALL PROTECTED NATIVE PINES;
 (3) AROUND AN AREA AT OR GREATER THAN TWO-THIRDS OF THE DRIPLINE OF ALL OTHER PROTECTED SPECIES.
- (B) NO PERSON SHALL ATTACH ANY SIGN, NOTICE OR OTHER OBJECT TO ANY PROTECTED TREE OR FASTEN ANY WIRES, CABLES, NAILS OR SCREWS TO ANY PROTECTED TREE IN ANY MANNER THAT COULD PROVE HARMFUL TO THE PROTECTED TREE, EXCEPT AS NECESSARY IN CONJUNCTION WITH ACTIVITIES IN THE PUBLIC INTEREST.
- (C) DURING THE CONSTRUCTION STAGE OF DEVELOPMENT, THE CONTRACTOR SHALL NOT CAUSE OR PERMIT THE CLEANING OF EQUIPMENT OR MATERIAL WITHIN THE OUTSIDE PERIMETER OF THE CROWN (DRIPLINE) OR ON THE NEARBY GROUND OF ANY TREE OR GROUP OF TREES WHICH IS TO BE PRESERVED. WITHIN THE OUTSIDE PERIMETER OF THE CROWN (DRIPLINE) OF ANY TREE OR ON NEARBY GROUND, THE CONTRACTOR SHALL NOT CAUSE OR PERMIT STORAGE OF BUILDING MATERIAL AND/OR EQUIPMENT, OR DISPOSAL OF WASTE MATERIAL SUCH AS PAINTS, OIL, SOLVENTS, ASPHALT, CONCRETE, MORTAR OR ANY OTHER MATERIAL HARMFUL TO THE LIFE OF THE TREE.
- (D) NO PERSON SHALL PERMIT ANY UNNECESSARY FIRE OR BURNING WITHIN 30 FEET OF THE DRIPLINE OF A
- (E) ANY LANDSCAPING ACTIVITIES WITHIN THE BARRIER AREA SHALL BE ACCOMPLISHED WITH HAND LABOR.
 (F) PRIOR TO ISSUING A CERTIFICATE OF OCCUPANCY OR COMPLIANCE FOR ANY DEVELOPMENT, BUILDING OR STRUCTURE, ALL TREES DESIGNATED TO BE PRESERVED THAT WERE DESTROYED DURING CONSTRUCTION SHALL BE REPLACED BY THE CONTRACTOR WITH TREES OF EQUIVALENT DIAMETER AT BREAST HEIGHT TREE CALIPER AND OF THE SAME SPECIES AS SPECIFIED BY THE LANDSCAPE ADMINISTRATOR, BEFORE OCCUPANCY OR USE, UNLESS APPROVAL FOR THEIR REMOVAL HAS BEEN GRANTED UNDER PERMIT.
- (G) THE LANDSCAPE ADMINISTRATOR MAY CONDUCT PERIODIC INSPECTIONS OF THE SITE DURING LAND CLEARANCE AND CONSTRUCTION.
- (H) IF, IN THE OPINION OF THE LANDSCAPE ADMINISTRATOR, DEVELOPMENT ACTIVITIES WILL SO SEVERELY STRESS SLASH PINES OR ANY OTHER PROTECTED TREE SUCH THAT THEY ARE MADE SUSCEPTIBLE TO INSECT ATTACK, PREVENTATIVE SPRAYING OF THESE TREES BY THE CONTRACTOR MAY BE REQUIRED.





NOTE: TREE PROTECTION FOR ANY PRESERVED OR RELOCATED TREES MUST BE PROVIDED PER DETAILS AND SPECIFICATIONS ON SHEET TD-2. THESE MUST BE UP PRIOR TO THE COMMENCEMENT OF ANY WORK AND MAINTAINED THROUGHOUT CONSTRUCTION.

NOTE: ALL TREE TRIMMING MUST BE APPROVED BY THE OWNER AND LOCAL JURISDICTION PRIOR TO COMMENCEMENT OF WORK. ALL TREE TRIMMING MUST BE DONE BY AN ISA CERTIFIED ARBORIST IN ACCORDANCE WITH LOCAL TREE PRESERVATION ORDINANCE.



Scale 1" = 20'

NOTE: PRINTED DRAWING SIZE MAY
HAVE CHANGED FROM ORIGINAL.
VERIFY SCALE USING BAR SCALE

SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES
TRANSPORTATION SERVICES

REVISIONS

REV DATE COMMENT CHECKED BY



FOR EXHIBIT

PURPOSES ONLY

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AC REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTITUTION OF THE PROJECT NO.:

PROJECT No.:

TXA220

DRAWN BY:

PROJECT:

DATE: CAD I.D.:

MANSFIELD QSR

FOR —



PROPOSED DEVELOPMENT

1764 US 287 FRONTAGE TARRANT COUNTY MANSFIELD, TX 76063

BOHLER/

2600 NETWORK BLVD, SUITE 310 FRISCO, TX 75034 Phone: (469) 458-7300 **TX@BohlerEng.com** TBPE No. 18065 | TBPLS No. 10194413



SHEET TITLE:

TREE DISPOSITION
PLAN
TRACTS 1 AND 2

SHEET NUMBER:

EXHIBIT E-1



TREE PROTECTION SPECIFICATIONS

MATERIALS

- FABRIC: 4 FOOT HIGH ORANGE PLASTIC FENCING AS SHOWN ON THE PLANS AND SHALL BE WOVEN WITH 2 INCH MESH OPENINGS SUCH THAT IN A VERTICAL DIMENSION OF 23 INCHES ALONG THE DIAGONALS OF THE OPENINGS THERE SHALL BE AT LEAST 7 MESHES.
- 2. POSTS: POSTS SHALL BE A MINIMUM OF 72 INCHES LONG AND STEEL 'T' SHAPED WITH A MINIMUM WEIGHT OF 1.3 POUNDS PER LINEAR FOOT.
- 3. TIE WIRE: WIRE FOR ATTACHING THE FABRIC TO THE T-POSTS SHALL BE NOT LESS THAN NO. 12 GAUGE GALVANIZED WIRE.
- 4. USED MATERIALS: PREVIOUSLY-USED MATERIALS, MEETING THE ABOVE REQUIREMENTS AND WHEN APPROVED BY THE OWNER, MAY BE USED.

CONSTRUCTION METHODS

- ALL TREES AND SHRUBS SHOWN TO REMAIN WITHIN THE PROXIMITY OF THE CONSTRUCTION SITE SHALL BE PROTECTED PRIOR TO BEGINNING ANY DEVELOPMENT ACTIVITY.
- 2. EMPLOY THE SERVICES OF AN ISA (INTERNATIONAL SOCIETY OF ARBORICULTURE) CERTIFIED ARBORIST AND OBTAIN ALL REQUIRED PERMITS TO PRUNE THE EXISTING TREES FOR CLEANING, RAISING AND THINNING, AS MAY BE REQUIRED.
- 3. PROTECTIVE FENCING SHALL BE ERECTED OUTSIDE THE CRITICAL ROOT ZONE (CRZ, EQUAL TO 1' FROM THE TRUNK FOR EVERY 1" OF DBH) AT LOCATIONS SHOWN IN THE PLANS OR AS DIRECTED BY THE LANDSCAPE CONSULTANT AND/OR CITY ARBORIST, AND IN ACCORDANCE WITH THE DETAILS SHOWN ON THE PLANS. FENCING SHALL BE MAINTAINED AND REPAIRED BY THE CONTRACTOR DURING SITE CONSTRUCTION. TREES IN CLOSE PROXIMITY SHALL BE FENCED TOGETHER, RATHER THAN INDIVIDUALLY.
- 4. PROTECTIVE FENCE LOCATIONS IN CLOSE PROXIMITY TO STREET INTERSECTIONS OR DRIVES SHALL ADHERE TO THE APPLICABLE JURISDICTION'S SIGHT DISTANCE CRITERIA.
- 5. THE PROTECTIVE FENCING SHALL BE ERECTED BEFORE SITE WORK COMMENCES AND SHALL REMAIN IN PLACE DURING THE ENTIRE CONSTRUCTION PHASE.
- 6. THE INSTALLATION POSTS SHALL BE PLACED EVERY 6 FEET ON CENTER AND EMBEDDED TO 18 INCHES DEEP. MESH FABRIC SHALL BE ATTACHED TO THE INSTALLATION POSTS BY THE USE OF SUFFICIENT WIRE TIES TO SECURELY FASTEN THE FABRIC TO THE T-POSTS TO HOLD THE FABRIC IN A STABLE AND UPRIGHT POSITION.

7. WITHIN THE CRZ:

- a. DO NOT CLEAR, FILL OR GRADE IN THE CRZ OF ANY TREE.b. DO NOT STORE, STOCKPILE OR DUMP ANY JOB MATERIAL, SOIL OR
- RUBBISH UNDER THE SPREAD OF THE TREE BRANCHES.

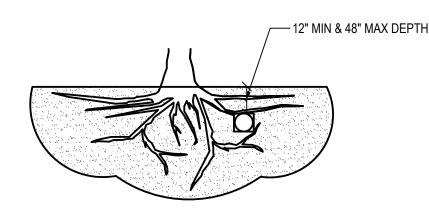
 c. DO NOT PARK OR STORE ANY EQUIPMENT OR SUPPLIES UNDER THE
- d. DO NOT SET UP ANY CONSTRUCTION OPERATIONS UNDER THE TREE CANOPY (SUCH AS PIPE CUTTING AND THREADING, MORTAR MIXING,
- PAINTING OR LUMBER CUTTING).
 e. DO NOT NAIL OR ATTACH TEMPORARY SIGNS METERS, SWITCHES,
- WIRES, BRACING OR ANY OTHER ITEM TO THE TREES.

 f. DO NOT PERMIT RUNOFF FROM WASTE MATERIALS INCLUDING SOLVENTS, CONCRETE WASHOUTS, ASPHALT TACK COATS (MC-30 OIL), ETC. TO ENTER THE CRZ. BARRIERS ARE TO BE PROVIDED TO PREVENT SUCH RUNOFF SUBSTANCES FROM ENTERING THE CRZ WHENEVER POSSIBLE, INCLUDING IN AN AREA WHERE RAIN OR SURFACE WATER COULD CARRY SUCH MATERIALS TO THE ROOT SYSTEM OF THE TREE.

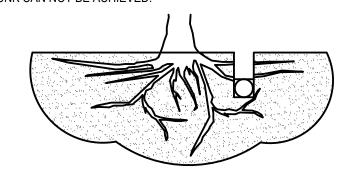
- 8. ROUTE UNDERGROUND UTILITIES TO AVOID THE CRZ. IF DIGGING IS UNAVOIDABLE, BORE UNDER THE ROOTS, OR HAND DIG TO AVOID SEVERING THEM.
- 9. WHERE EXCAVATION IN THE VICINITY OF TREES MUST OCCUR, SUCH AS FOR IRRIGATION INSTALLATION, PROCEED WITH CAUTION, AND USING HAND TOOLS ONLY.
- 10. THE CONTRACTOR SHALL NOT CUT ROOTS LARGER THAN ONE INCH IN DIAMETER WHEN EXCAVATION OCCURS NEAR EXISTING TREES. ALL ROOTS LARGER THAN ONE INCH IN DIAMETER ARE TO BE CUT CLEANLY. FOR OAKS ONLY, ALL WOUNDS SHALL BE PAINTED WITH WOUND SEALER WITHIN 30 MINUTES
- 11. REMOVE ALL TREES, SHRUBS OR BUSHES TO BE CLEARED FROM PROTECTED ROOT ZONE AREAS BY HAND.
- 12. TREES DAMAGED OR KILLED DUE TO CONTRACTOR'S NEGLIGENCE DURING CONSTRUCTION SHALL BE MITIGATED AT THE CONTRACTOR'S EXPENSE AND TO THE PROJECT OWNER'S AND LOCAL JURISDICTION'S SATISFACTION.
- 13. ANY TREE REMOVAL SHALL BE APPROVED BY THE OWNER AND LOCAL JURISDICTION PRIOR TO ITS REMOVAL, AND THE CONTRACTOR SHALL HAVE ALL REQUIRED PERMITS FOR SUCH
- 14. COVER EXPOSED ROOTS AT THE END OF EACH DAY WITH SOIL, MULCH OR WET BURLAP.
- 15. IN CRITICAL ROOT ZONE AREAS THAT CANNOT BE PROTECTED DUING CONSTRUCTION AND WHERE HEAVY TRAFFIC IS ANTICIPATED, COVER THE SOIL WITH EIGHT INCHES OF ORGANIC MULCH TO MINIMIZE SOIL COMPACTION. THIS EIGHT INCH DEPTH OF MULCH SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
- 16. WATER ALL TREES IMPACTED BY CONSTRUCTION ACTIVITIES, DEEPLY ONCE A WEEK DURING PERIODS OF HOT DRY WEATHER. SPRAY TREE CROWNS WITH WATER PERIODICALLY TO REDUCE DUST ACCUMULATION ON THE LEAVES.
- 17. WHEN INSTALLING CONCRETE ADJACENT TO THE ROOT ZONE OF A TREE, USE A PLASTIC VAPOR BARRIER BEHIND THE CONCRETE TO PROHIBIT LEACHING OF LIME INTO THE SOIL.
- 18. CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL TREE PROTECTION FENCING WHEN ALL THREATS TO THE EXISTING TREES FROM CONSTRUCTION-RELATED ACTIVITIES HAVE BEEN REMOVED.

TREES THAT ARE MARKED TO BE PRESERVED ON A SITE PLAN AND FOR WHICH UTILITIES MUST PASS TROUGH THEIR ROOT PROTECTION ZONES MAY REQUIRE TUNNELING AS OPPOSED TO OPEN TRENCHES. THE DECISION TO TUNNEL WILL BE DETERMINED ON A CASE BY CASE BASIS BY THE

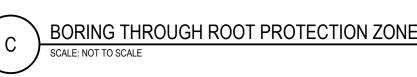
TUNNELS SHALL BE DUG THROUGH THE ROOT PROTECTION ZONE IN ORDER TO MINIMIZE ROOT



TUNNEL TO MINIMIZE ROOT DAMAGE (TOP) AS OPPOSED TO SURFACE-DUG TRENCHES IN ROOT PROTECTION ZONE WHEN THE 5' MINIMUM DISTANCE FROM TRUNK CAN NOT BE ACHIEVED.



OPEN TRENCHING MAY BE USED IF EXPOSED TREE ROOTS DO NOT EXCEED 3" OR ROOTS CAN BE BENT BACK.

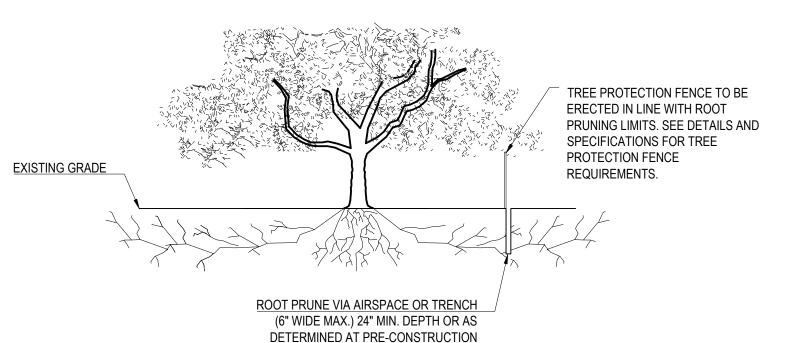


NOTES

- RETENTION AREAS WILL BE SET AS PART OF THE REVIEW PROCESS AND PRE-CONSTRUCTION
- BOUNDARIES OF RETENTION AREAS MUST BE STAKED AT THE PRE-CONSTRUCTION MEETING AND FLAGGED PRIOR TO ROOT PRUNING.
- 3. EXACT LOCATION OF ROOT PRUNING SHALL BE DETERMINED IN THE FIELD IN COORDINATION WITH THE FORESTRY INSPECTOR.
- 4. TRENCH SHOULD BE IMMEDIATELY BACKFILLED WITH EXCAVATED SOIL OR OTHER ORGANIC SOIL AS
- SPECIFIED PER PLAN OR BY THE FORESTRY INSPECTOR.

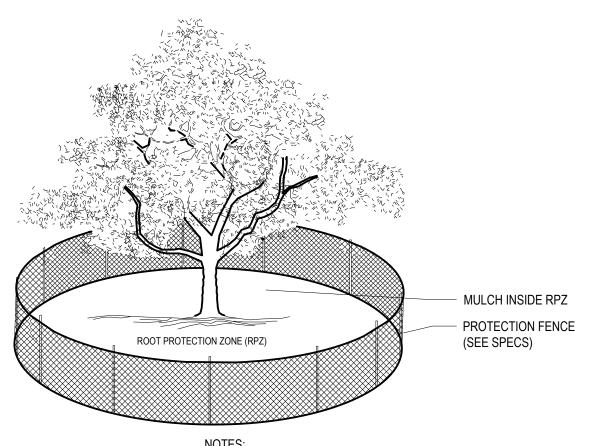
 5. ROOTS SHALL BE CLEANLY CUT USING VIBRATORY KNIFE OR OTHER ACCEPTABLE EQUIPMENT. ROT
- PRUNING METHODS AND MEANS MUST BE IN ACCORDANCE WITH ANSI STANDARD A3000.

 6. ALL PRUNING MUST BE EXECUTED AT LOD SHOWN ON PLANS OR AS AUTHORIZED IN WRITING BY THE
- SUPPLEMENTAL WATERING MAY BE REQUIRED FOR ROOT PRUNED TREES THROUGHOUT THE GROWING SEASON DURING CONSTRUCTION AND SUBSEQUENT WARRANTY AND MAINTENANCE



MEETING.

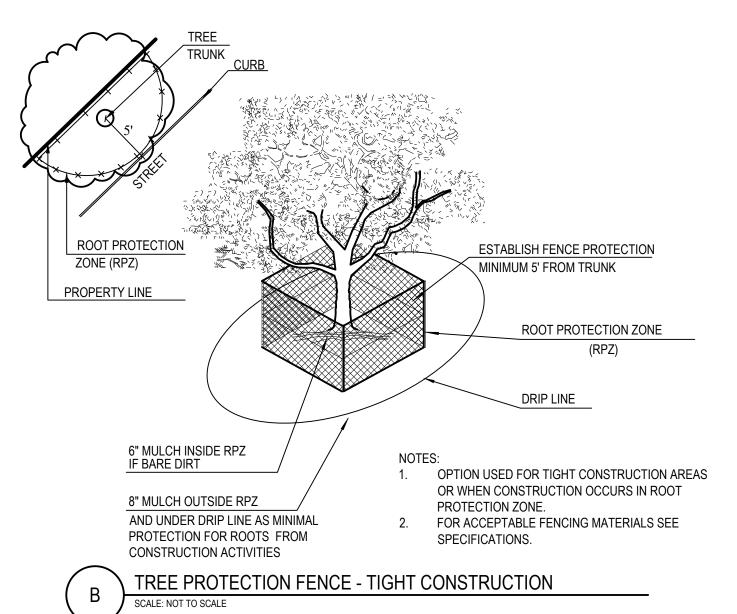
D ROOT PRUNING DETAIL
SCALE: NOT TO SCALE

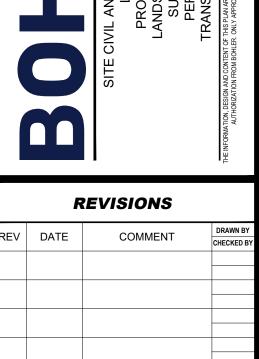


THE FENCING LOCATION SHOWN ABOVE IS DIAGRAMATIC ONLY AND WILL CONFORM TO THE DRIP LINE AND BE LIMITED TO PROJECT BOUNDARY. WHERE MULTIPLE ADJACENT TREES WILL BE ENCLOSED BY FENCING, THE FENCING SHALL BE CONTINUOUS AROUND ALL TREES.

FOR ACCEPTABLE FENCING MATERIALS SEE SPECIFICATIONS.









FOR EXHIBIT
PURPOSES ONLY

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENC REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUC DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.: TXA220137
DRAWN BY: CHECKED BY: M.
DATE: 11/21/2
CAD I.D.: E

PROJECT:

MANSFIELD QSR

·



PROPOSED

DEVELOPMENT

1764 US 287 FRONTAGE

TARRANT COUNTY

MANSFIELD, TX 76063

BOHLER/

2600 NETWORK BLVD, SUITE 310 FRISCO, TX 75034 Phone: (469) 458-7300 **TX@BohlerEng.com** TBPE No. 18065 | TBPLS No. 10194413



SHEET TITLE:

TREE PROTECTION
SPECIFICATIONS AND
DETAILS

SHEET NI IMBED:

EXHIBIT E-2



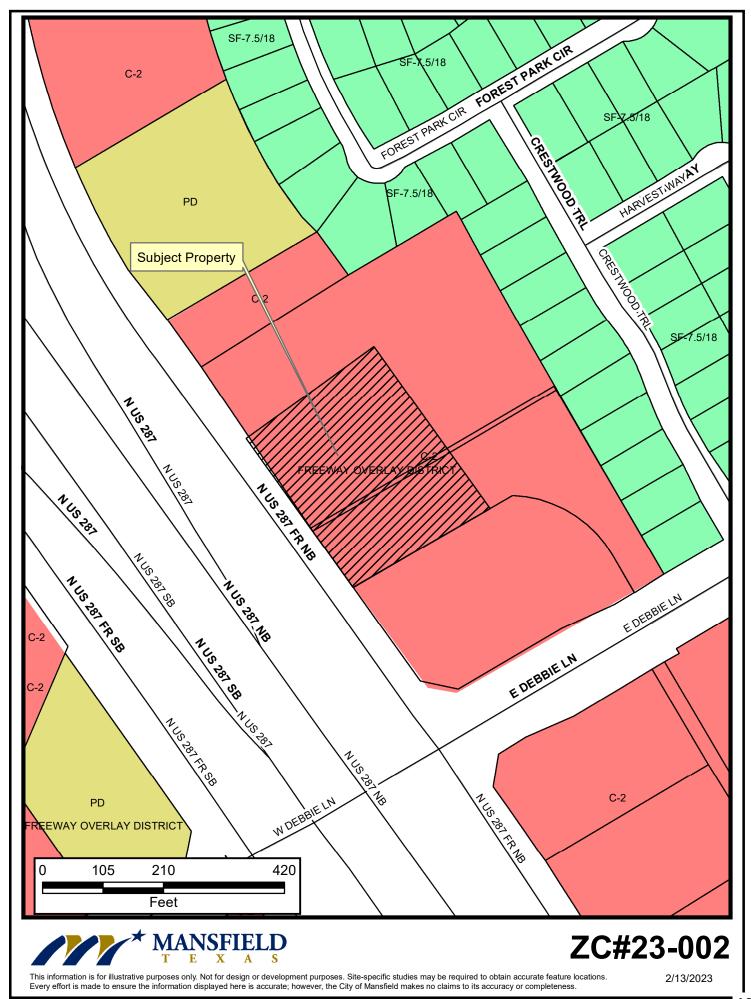




ZC#23-002

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2/13/2023



Property Owner Notification for ZC#23-002

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
AUBURN PARK ADDITION	BLK 1	BARKER, MICHAEL C	2418 FOREST PARK CIR	MANSFIELD, TX	76063-7639
AUBURN PARK ADDITION	BLK 1	MILLER, SHIRLENE	2416 FOREST PARK CIR	MANSFIELD, TX	76063-7639
CALLENDER, SIDNEY S SURVEY	A 359	DEB 287 LLC	1019 WALNUT FALLS CIR	MANSFIELD, TX	76063
GOLDEN ACRES ADDITION	BLK 2	RACETRAC INC	200 GALLERIA PKWY SE SUITE 900	ATLANTA, GA	30339
GOLDEN ACRES ADDITION	BLK 2	DEB 287 LLC	1019 WALNUT FALLS CIR	MANSFIELD, TX	76063
MANSFIELD HOSPITAL	BLK 1	BLACKWELL, DAVID A	121 N CREEKWOOD DR	MANSFIELD, TX	76063-5425

Monday, February 13, 2023



CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

STAFF REPORT

File Number: 23-5187

Agenda Date: 4/10/2023 Version: 2 Status: Public Hearing

In Control: City Council File Type: Ordinance

Agenda Number:

Title

Ordinance - Public Hearing Continuation and Second and Final Reading on an Ordinance Approving a Zoning Change from SF-7.5/12, Single-Family Residential District and PD, Planned Development District to D, Downtown District, D-1, Sub-Urban Zone on Approximately 1.460 Acres Located at 505 W. Kimball St., 506 W. Kimball St., and 509 Alvarado St.; Benjamin Hartman, owner

Requested Action

To consider the subject zoning change request

Recommendation

The Planning and Zoning Commission met on January 17, 2023, and voted 4 to 0 to recommend approval.

Ayes: 4 - Axen, Mainer, Gilmore and Thompson

Nays: 0

Absent: 3 - Groll, Goodwin and Shaw

Staff recommends approval.

First Reading

City Council met on February 13, 2023, and voted 6 to 0 to approve the zoning change at First Reading.

Second Reading

City Council met on February 27, 2023, and tabled the zoning change at Second Reading.

Description/History

Existing Use: Single-Family residential and vacant

Existing Zoning: SF-7.5/12, Single-Family Residential District and PD, Planned

Development District Land Use Plan: Sub-Area 3

Surrounding Land Use & Zoning:

North - SF-7.5/12, Single-Family Residential District, single-family residential

South - PD Planned Development District, and SF-7.5/12, Single-Family Residential District, single-family residential

- East D, Downtown District (D-1, Sub-Urban Zone) and 2F, Two Family Residential District, vacant and duplex
- West SF-7.5/12, Single-family Residential District and PD, Planned Development District, vacant and single-family residential

Synopsis

This is a request to rezone approximately 1.460 acres to the D, Downtown District (D-1, Sub-Urban Zone). The property is adjacent to property currently zoned as D, Downtown District. The proposed rezoning is consistent with recommendations in the Official Land Use Plan and is compatible with the surrounding land uses.

Staff Analysis

The property consists of three (3) lots totaling approximately 1.460 acres. The applicant currently lives in a recently constructed home that is located on the northernmost lot and is seeking flexible development provisions to construct dwellings on the remaining lots. The current zoning for the property is SF-7.5/12, Single-Family Residential District.

The applicant is requesting to rezone the property to the D, Downtown District (D-1 Sub-Urban Zone). The D-1, Sub-Urban Zone encourages and enables "residential areas with some commercial and mixed-use activity adjacent to higher intensity zones". Further, the character of the D-1, Sub-Urban Zone consists of "detached single-family buildings surrounded by lawns and landscaped yards with limited office".

The D-1 Sub-Urban Zone is compatible with the surrounding uses and its provisions allow for new development (i.e., infill) and the redevelopment of older structures. All new construction on either tract must comply with the architectural design and landscaping standards of the D, Downtown District.

A building plan --- reviewed and approved by Staff --- will be required prior to plat approval or issuance of a building permit.

The property falls within the Sub-Area 3 of the Official Land Use Plan. In this Sub-area, more opportunities exist for mixed uses in the downtown core / heart of the City. It also encourages continued and intentional efforts to preserve Historic Downtown Mansfield and residential properties in proximity.

This property is located next to single-family uses to the north and west; and the D-1 Sub-Urban zoning designation already present to the east and areas to the south. The property is also located near West Broad and South Main Street. This section of West Broad Street is under exploration for possible inclusion into the D, Downtown District to encourage a balanced mix of uses and to reinforce and sustain Historic Downtown Mansfield as the traditional center for business and culture.

Summary

The property is currently zoned SF-7.5/12, Single-Family Residential, and rezoning it to the D, Downtown District (D-1, Sub-Urban Zone), will not be a deviation from the Official Land Use Plan, especially with the properties along West Broad Street under exploration

for inclusion into the D, Downtown District. The property's proximity to existing D-1, Sub-Urban Zones in the surrounding area also supports the rezoning request.

Prepared By

Helina Sarkodie-Minkah, Planner 817-276-4287

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING CHAPTER 155, "ZONING", OF THE CODE OF ORDINANCES OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO A D, DOWNTOWN DISTRICT, D-1, SUB- URBAN ZONE, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing opportunity to all property owners generally and to owners of the affected properties, the governing body of the City is of the opinion and finds that the Chapter 155 "Zoning" of the Code of Ordinances and Map should be amended.

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

SECTION 1.

That Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Mansfield, to give the hereinafter described property a new zoning district classification of D, Downtown District, D-1, Sub-Urban Zone; said property being described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2.

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3.

That the above described properties shall be used only in the manner and for the purposes provided for in of Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas, as amended herein by the granting of this zoning classification.

SECTION 4.

Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be

Ordinance No 23-5187 Page 2 of 2	
invalid, illegal or unconstitutional, and shall not affect the validity of Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas, as a whole.	
SECTION 5.	
Any person, firm or corporation violating any of the provisions of this ordinance or of Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.	
SECTION 6.	
This ordinance shall take effect immediately from and after its passage on second and final reading and the publication of the caption, as the law and charter in such cases provide.	
FIRST READING APPROVED ON THE 13^{TH} DAY OF FEBRUARY, 2023.	
DULY PASSED ON THE SECOND AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS 10^{TH} DAY OF APRIL, 2023.	
Michael Evans, Mayor	
ATTEST:	
Susana Marin, City Secretary	
APPROVED AS TO FORM AND LEGALITY	
Bradley Anderle, City Attorney	

ZC22-XXX

Legal Descriptions

1. 505 W Kimball St

Lot 3R Block 37, Original Town of Mansfield an addition to the City of Mansfield, Tarrant County, Texas according to the plat recorded in Clerk's File No. D222137520 Official Public Records, Tarrant County, Texas.

2. 506 W Kimball St

Lot 5R Block 36, Original Town of Mansfield an addition to the City of Mansfield, Tarrant County, Texas according to the plat recorded in Clerk's File No. D219260496 Official Public Records, Tarrant County, Texas

3. 509 Alvarado St

Lot 4R Block 36, Original Town of Mansfield an addition to the City of Mansfield, Tarrant County, Texas according to the plat recorded in Clerk's File No. D219260496 Official Public Records, Tarrant County, Texas



OWNER'S CERTIFICATE:

STATE OF TEXAS: **COUNTY OF TARRANT:**

ALL THAT CERTAIN TRACT OR PARCEL CONTAINING 0.553 ACRE OF LAND IN THE THOMAS J. HANKS SURVEY, A-644, TARRANT COUNTY, TEXAS AND BEING ALL OF THE FOLLOWING TWO (2) TRACTS: (1) A TRACT WHICH WAS CALLED 0.535 ACRE, A PORTION OF BLOCK 37. ORIGINAL TOWN OF MANSFIELD, A SUBDIVISION OF RECORD IN VOLUME 63, PAGE 53, PLAT RECORDS TARRANT COUNTY TEXAS (P.R.T.C.T.), CONVEYED FROM ROBERT MITCHELL, ET UX TO BEN HARTMAN, BY AN INSTRUMENT OF RECORD IN D2019284856, OFFICIAL PUBLIC RECORD TARRANT COUNTY TEXAS (O.P.R.T.C.T.) AND (2) A TRACT WHICH WAS CALLED 741 SQUARE FEET (S.F.) CONVEYED FROM SHANESSA POWERS, ET AL TO BENJAMIN HARTMAN BY AN INSTRUMENT OF RECORD IN IN D220206665, O.P.R.T.Ć.T., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND FOR NORTHWEST CORNER, BEING THE NORTHWEST CORNER OF SAID 0.535 ACRE TRACT, NORTHEAST CORNER OF A TRACT WHICH WAS CALLED 0.7620 ACRE CONVEYED FROM BARBARA JARVIS TO AVANTE PROCUREMENT LLC, BY AN INSTRUMENT OF RECORD IN D216292894, O.P.R.E.C.T., LYING IN THE SOUTH RIGHT OF WAY (R-O-W) LINE OF KIMBALL

THENCE S85°18'32"E, 77.85 FEET ALONG THE COMMON LINE OF SAID 0.535 ACRE TRACT AND KIMBALL STREET TO A 1/2" IRON ROD FOUND FOR NORTHEAST CORNER, BEING THE NORTHEAST CORNER OF SAID 0.535 ACRE TRACT AND NORTHEAST CORNER OF A TRACT WHICH WAS CALLED LOT 1R, BLOCK 37, ORIGINAL TOWN OF MANSFIELD, A SUBDIVISION OF RECORD IN VOLUME 388-194, PAGE 86, P.R.T.C.T.;

THENCE DEPARTING KIMBALL STREET, S04°29'44"W, 310.10 FEET ALONG THE COMMON LINE OF SAID 0.535 ACRE TRACT, SAID LOT 1R AND SAID 741 S.F. TRACT TO A 5/8" IRON ROD SET FOR SOUTHEAST CORNER, BEING THE SOUTHEAST CORNER OF SAID 741 S.F. TRACT, LYING IN THE NORTH LINE OF LOT 1, BLOCK 2, MANCHESTER HEIGHTS, BY AN INSTRUMENT OF RECORD IN D216048037.

THENCE N84°45'33"W, 77.76 FEET ALONG THE COMMON LINE OF SAID 741 S.F. TRACT, SAID LOT 1 AND LOT 2, OF SAID SUBDIVISION TO A 5/8" IRON ROD SET FOR SOUTHWEST CORNER, BEING THE SOUTHWEST CORNER OF SAID 741 S.F. TRACT AND SOUTHEAST CORNER OF SAID 0.7620 ACRE TRACT;

THENCE N04°28'35"E, 309.35 FEET ALONG THE COMMON LINE OF SAID 741 S.F. TRACT, SAID 0.535 ACRE TRACT AND SAID 0.7620 ACRE TRACT TO THE PLACE OF BEGINNING, CONTAINING 0.553 ACRE OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, BEN HARTMAN, BEING THE SOLE OWNER OF THE ABOVE DESCRIBED PARCEL. DOES HEREBY ADOPT THE HEREIN ABOVE DESCRIBED PROPERTY AS LOT 3R, BLOCK 37, ORIGINAL TOWN OF MANSFIELD, AN ADDITION TO THE CITY OF MANSFIELD, TARRANT COUNTY, TEXAS AND DOES DEDICATE TO THE PUBLIC USE THE STREETS AND EASEMENTS AS SHOWN THEREON.

WITNESS, MY HAND, THIS THE 2614 DAY OF MAY, 2022. BY:

ACKNOWLEDGMENTS:

COUNTY OF ELLIS:

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED BEN HARTMAN, OWNER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ADD DAY OF MAN, 2022.

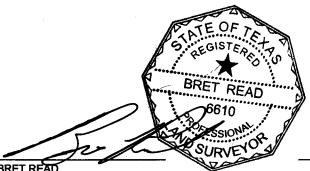
VOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

9-5-2023 MY COMMISSION EXPIRES ON:



SURVEYOR'S CERTIFICATE:

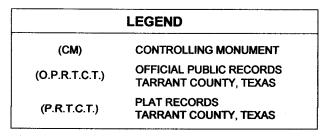
THIS IS TO CERTIFY THAT I, BRET READ, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, HAVING PLATTED THE ABOVE SUBDIVISION FROM AN ACTUAL SURVEY ON THE GROUND, AND THAT ALL LOT CORNERS, AND ANGLE POINTS, AND POINTS OF CURVE SHALL BE PROPERLY MARKED ON THE GROUND, AND THAT THIS PLAT CORRECTLY REPRESENTS THAT SURVEY MADE BY ME OR UNDER MY **DIRECTION AND SUPERVISION.**



DATE

TEXAS REGISTRATION NO. 6610

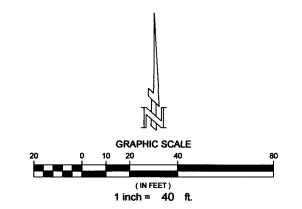
AFTER RECORDING, RETURN TO CITY OF MANSFIELD 1200 E. BROAD STREET, MANSFIELD, TX 76063

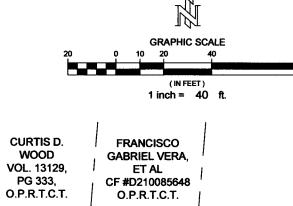


LOT 4R, 5R, 6R AND 7R, BLOCK 36

ORIGINAL TOWN OF MANSFIELD, CF #D216260496, P.R.T.C.T.

LOT 6R





LOT 1R, BLOCK 37

VOLUME 388-194, PAGE 86, P.R.T.C.T.

741 S.F.

BENJAMIN HARTMAN

5/8" IRON ROD SET N:6,889,708.63'

E:2,385,365.72'

LOT 1, BLOCK 2

1/2" IRON ROD

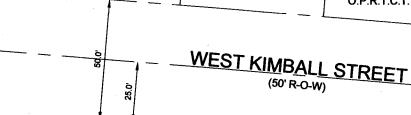
FOUND (CM)

CF #D220206665, O.P.R.T.C.T.

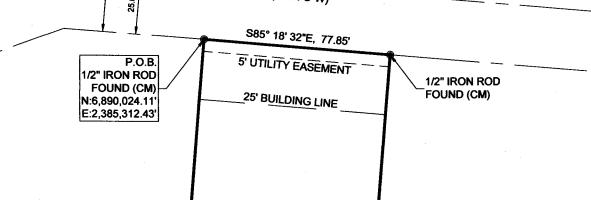
5/8" IRON ROD

FOUND (CM)

ORIGINAL TOWN OF MANSFIELD



LOT 5R



LOT 3R 0.553 ACRE 24,096.87 SQ. FT. 0.7620 ACRE AVANTE PROCUREMENT LLC

CF #D216292894, O.P.R.T.C.T. 0.535 ACRE **BEN HARTMAN**

CF #D2019284856, O.P.R.T.C.T.

1/2" IRON ROD FOUND (CM) ORIGINAL PROPERTY LINE 5/8" IRON ROD

N84° 45' 33"W, 77.76'

5/8" IRON ROD 5/8" IRON ROD FOUND (CM) MANCHESTER HEIGHTS, CF #D216048037, P.R.T.C.T.

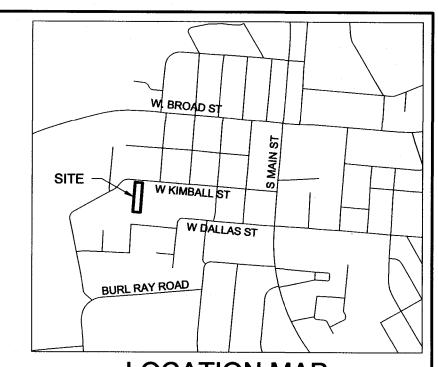
LOT 3, BLOCK 2 LOT 2, BLOCK 2

APPROVED BY THE DIRECTOR OF PLANNING ON MOV 77 ____, 2022

FOUND (CM)

OWNER: **BEN HARTMAN 500 ALVARADO STREET** MANSFIELD, TEXAS 76063

SURVEYOR: 360 SURVEYING 310 H.G. MOSLEY PKWY LONGVIEW, TX 75604 CONTACT: BRET READ TEL: (903) 387-2577 EMAIL: BRET@360SURV.COM



LOCATION MAP

NOTES:

- 1. BEARINGS ARE BASED UPON THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), NORTH CENTRAL ZONE.
- 2. THIS PLAT DOES NOT INCREASE THE NUMBER OF LOTS OR ALTER OR REMOVE EXISTING COVENANTS OR RESTRICTIONS, IF ANY, ON
- 3. SELLING A PORTION OF ANY LOT IN THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF STATE LAW AND CITY ORDINANCE AND IS SUBJECT TO PENALTIES IMPOSED BY LAW.

THE PURPOSE OF THIS AMENDING PLAT IS TO ALTER AN INTERIOR LOT LINE TO CLOSE A GAP IN OWNERSHIP.

AMENDING PLAT LOT 3R, BLOCK 37 **ORIGINAL TOWN OF MANSFIELD**

BEING A REVISION OF A PORTION OF BLOCK 37 ORIGINAL TOWN OF MANSFIELD

ACCORDING TO THE PLAT FILED IN VOLUME 63, PAGE 53, P.R.T.C.T. CITY OF MANSFIELD, TARRANT COUNTY, TEXAS

> 1 LOT 0.553 ACRE

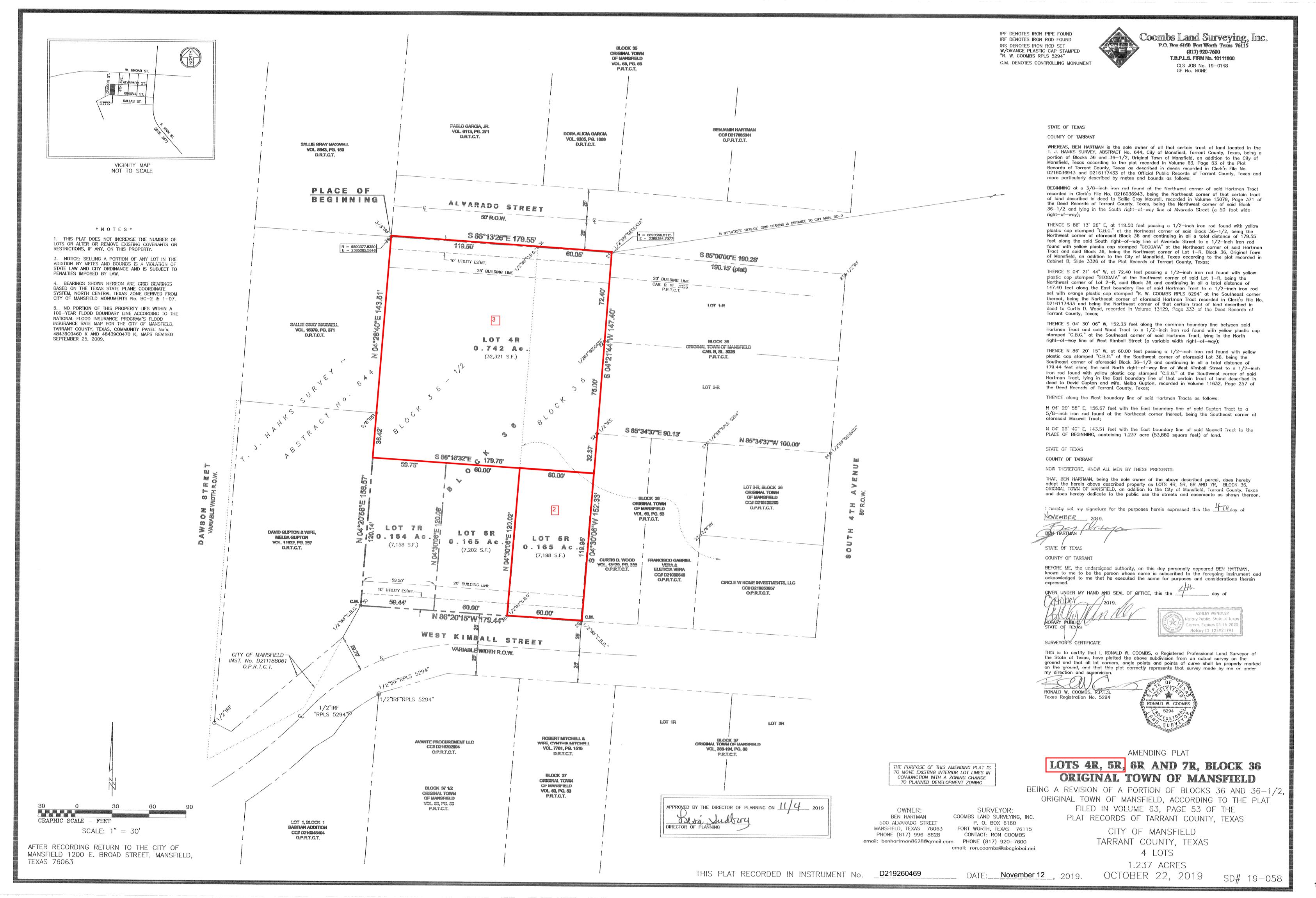
SD#22-022

360 SURVEYING

310 H.G. MOSLEY PKWY, LONGVIEW, TEXAS 75604 (903) 387-2577 WWW.360SURV.COM TBPELS 10194293

JOB #1936-003

131



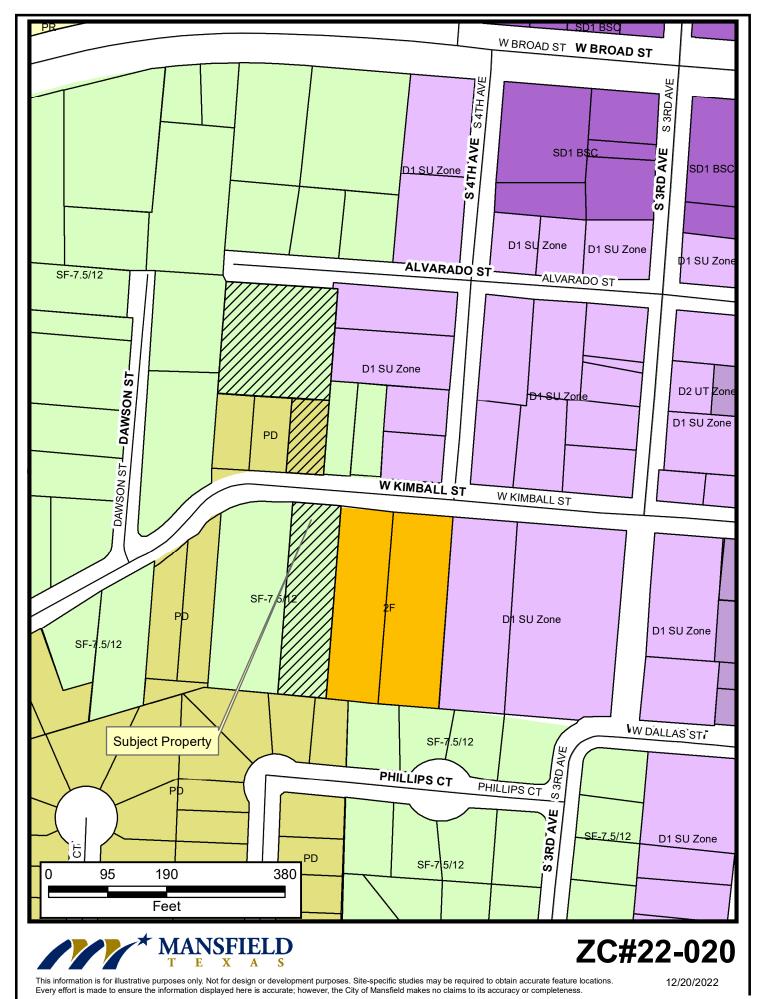




ZC#22-020

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12/20/2022



Property Owner Notification for ZC#22-020

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS *** NO ADDRESS ***	CITY *** NO CITY ***	ZIP * NO ZIP *
BASTIAN ADDITION	BLK 1	MORGA, HUGO	605 W KIMBALL ST	MANSFIELD, TX	76063
BASTIAN ADDITION	BLK 1	COEN, ADAM	607 W KIMBALL ST	MANSFIELD, TX	76063
HANKS, THOMAS J SURVEY	A 644	MAXWELL, SALLIE GRAY	600 ALVARADO ST	MANSFIELD, TX	76063-1939
HANKS, THOMAS J SURVEY	A 644	RENDON, NOEL	607 W BROAD ST	MANSFIELD, TX	76063
HANKS, THOMAS J SURVEY	A 644	MAXWELL, SALLIE GRAY	600 ALVARADO ST	MANSFIELD, TX	76063-1939
HANKS, THOMAS J SURVEY	A 644	GUPTON, DAVID	606 W KIMBALL ST	MANSFIELD, TX	76063-1962
HANKS, THOMAS J SURVEY	A 644	RUSSELL, ELIZABETH ANN	212 DAWSON ST	MANSFIELD, TX	76063-1944
HANKS, THOMAS J SURVEY	A 644	DOWNS, ROBERT T	214 DAWSON ST	MANSFIELD, TX	76063-1944
HANKS, THOMAS J SURVEY	A 644	CARTER, LAWRENCE ZA	202 DAWSON ST	MANSFIELD, TX	76063-1944
MANCHESTER HEIGHTS	BLK 1	MCGEE, MATTHEW EDWARD	501 PHILLIPS CT	MANSFIELD, TX	76063
MANCHESTER HEIGHTS	BLK 2	EVANS, JENNIFER D	101 EDDIE CT	MANSFIELD, TX	76063
MANCHESTER HEIGHTS	BLK 2	PINKERTON, JESSE M	410 PHILLIPS CT	MANSFIELD, TX	76063
MANCHESTER HEIGHTS	BLK 2	HUTTON, LLOYD	412 PHILLIPS CT	MANSFIELD, TX	76063
MANCHESTER HEIGHTS	BLK 2	ROBERTS, KEB	414 PHILLIPS CT	MANSFIELD, TX	76063
MANCHESTER HEIGHTS	BLK 2	LARICCHIA, ASHLEY	500 PHILLIPS CT	MANSFIELD, TX	76063
MANCHESTER HEIGHTS	BLK 2	FOSTER, ANITA	502 PHILLIPS CT	MANSFIELD, TX	76063
MANCHESTER HEIGHTS	BLK 2	YATES, KAREN	504 PHILLIPS CT	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 32	POHLMAN, P A	405 W KIMBALL ST	MANSFIELD, TX	76063-1957

Tuesday, December 20, 2022

Property Owner Notification for ZC#22-020

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
MANSFIELD, CITY OF	BLK 35	LANDEROS-HUERTA, LEONEL	503 W BROAD ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 35	HARTMAN, BENJAMIN	509 ALVARADO ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 35	HARTMAN, BENJAMIN	509 ALVARADO ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 35A	GEBHARDT, ELIZABETH	505 W BROAD ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 35A	GARCIA, PABLO EST	504 ALVARADO ST	MANSFIELD, TX	76063-1976
MANSFIELD, CITY OF	BLK 35A	GARCIA, DORA ALICIA	504 ALVARADO ST	MANSFIELD, TX	76063-1976
MANSFIELD, CITY OF	BLK 36	HARTMAN, BEN	509 ALVARADO ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 36	MUTTI, LYNN	513 N WALNUT CREEK DR	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 36	HARTMAN, BEN	509 ALVARADO ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 36	WOOD, CURTIS D	504 W KIMBALL ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 36	FEMCA PROPERTIES INC	155 SOUTHWOOD DR	BURLESON, TX	76028
MANSFIELD, CITY OF	BLK 36	LARA, LIDIA	204 S 4TH AVE	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 36	CIRCLE W HOME INVESTMENTS LLC	841 GREEN VALLEY CIR W	BURLESON, TX	76028-1365
MANSFIELD, CITY OF	BLK 36	NALL, JEFFREY	818 YELLOWSTONE DR	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 36	NALL, JEFFREY	818 YELLOWSTONE DR	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 36	OSMUS, MIKE	508 W KIMBALL ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 37	HARTMAN, BEN	509 ALVARADO ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 37	TAYLOR, CHARLES K	501 W KIMBALL ST APT A	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 37	TAYLOR, CHARLES K	501 W KIMBALL ST APT A	MANSFIELD, TX	76063-1996

Tuesday, December 20, 2022

Property Owner Notification for ZC#22-020

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
MANSFIELD, CITY OF	BLK 37	TAYLOR, CHARLES K	501 W KIMBALL ST APT A	MANSFIELD, TX	76063-1996
MANSFIELD, CITY OF	BLK 37A	AVANTE PROCUREMENT LLC	1223 E DEBBIE LN	MANSFIELD, TX	76063
PORTILLO-BROAD ADDITION	BLK 1	RENDON, NOEL	607 W BROAD ST	MANSFIELD, TX	76063
RUSSELL, ROY ADDITION	BLK 1	RUSSELL, ROY D	206 DAWSON ST	MANSFIELD, TX	76063-1944
WEBB ADDITION (MANSFIELD)	BLK 1	CHAWLA, KUMUD	2317 STARLIGHT CT	ARLINGTON, TX	76016-6425
WEBB ADDITION (MANSFIELD)	BLK 1	HANNUSH, NAN T	406 PHILLIPS CT	MANSFIELD, TX	76063-1969
WEBB ADDITION (MANSFIELD)	BLK 1	DESANTIAGO, EFREN	407 PHILLIPS CT	MANSFIELD, TX	76063-1990
WEBB ADDITION (MANSFIELD)	BLK 1	GUTIERREZ, EDUVIGES C	405 PHILLIPS CT	MANSFIELD, TX	76063-1990
ZANE ADDITION	BLK 1	CARTER, LAWRENCE ZA	202 DAWSON ST	MANSFIELD, TX	76063-1944

Tuesday, December 20, 2022



CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

STAFF REPORT

File Number: 23-5212

Agenda Date: 4/10/2023 Version: 3 Status: Second Reading

In Control: City Council File Type: Ordinance

Agenda Number:

Title

Ordinance - Public Hearing Continuation and Second and Final Reading on an Ordinance Approving a Zoning Change from PD, Planned Development District to PD, Planned Development District Multi-Family Residential Uses on Approximately 7.77 Acres out of the Henry Odell Survey, Abstract No. 1196, Tarrant County, Texas, on Property Located at 1725 E. Broad Street; Bridgeview Real Estate, owner/developer (ZC#22-019)

Requested Action

To consider the subject zoning change request

Recommendation

The Planning and Zoning Commission held a public hearing on February 6, 2023, and voted 6 to 1 to recommend approval with the following conditions:

- That retaining walls be limited to a maximum height of four (4) feet; and retaining walls shall be made of brick or brick veneer or local stone or local stone veneer and are capped;
- 2) That no more than 191 of the 388 total multi-family dwelling units to be constructed on Tract 2 shall be leased or occupied prior to the construction and final inspection of all the brownstones to be constructed on Tract 1 in accordance with the site plan subject to review and approval by the Director of Planning;
- 3) That a traffic control study be conducted to evaluate the impact of the project;
- 4) That drainage be reviewed by a third-party engineer;
- 5) That a buffer be provided at the northeast corner of the project; and
- 6) That the residents of the brownstones be given a membership to use the amenities in the apartment buildings.

Vote:

Ayes: 6 - Axen, Mainer, Goodwin, Groll, Shaw, and Thompson

Nays: 1 - Gilmore

Absent: 0

If the zoning change is approved by the City Council, the Department of Planning and

Development Services recommends that the following additional condition be added to the zoning change request:

 That the portion of the parking structure that is not masked by multi-family dwellings and exposed to pedestrian view shall be visually screened by: (i) evergreen vegetative installations and / or (ii) architectural screens that are integrated with the architecture of the multi-family residential building to the satisfaction of the Director of Planning.

First Reading

City Council met on February 27, 2023, and voted 6 to 0 to table the case.

On March 20, 2023, the City Council voted 4 to 2 to approve the revised zoning change request at First Reading, with Councilmembers Lewis and Tonore voting Nay. The Council approved the request with the following conditions:

- That retaining walls be limited to a maximum height of four (4) feet; and retaining walls
 must be made of brick or brick veneer or local stone or local stone veneer and be
 capped.
- 2) That a traffic control study shall be conducted to evaluate the impact of the project and be submitted prior to making any application for a construction permit.
- 3) That drainage shall be reviewed and evaluated by a third-party engineer and that a drainage plan be completed and submitted to the City Engineer prior to any grading.
- 4) That landscaping shall be provided at the northeast corner of the 12 acres adjacent to the project to visually screen the property to the east of Carlin Road from the construction and development of the project subject to review and approval by the Director of Planning.

Description/History

Existing Use: Vacant

Existing Zoning: PR, Pre-Development District, SF-12/22, Single-Family Residential

District and PD, Planned Development District

Land Use Plan: Sub-Area 5

Surrounding Land Use & Zoning:

North - Single-family residential and vacant, PR, Pre-Development District

South - Single-family residential and commercial, PR, Pre-Development District, SF-12/22 Single Family Residential District and PD, Planned Development District for the Shops at Broad Street

 East - Single-family residential and vacant, PR, Pre-Development District and SF-12/22 Single Family Residential District

West - Retail/commercial, PD, Planned Development District for the Shops at Broad Street

Thoroughfare Plan Specification:
US Highway 287 - Freeway
E. Broad Street - 6-lane divided principal arterial street
Carlin Road - 2-lane residential street

Synopsis

As presented, the applicant is requesting to rezone the property from PD, Planned Development District to PD, Planned Development District multi-family residential dwellings on approximately 7.77 acres of land. The applicant has revised the zoning change to remove the 2-acre Nelson tract with the brownstone component from the request.

The property currently has zoning entitlement for 330 multi-family dwelling units under the Shops at Broad Street, PD, Planned Development District. The applicant is requesting 58 additional multi-family dwelling units, for a total of 388 units.

Staff Analysis

The applicant revised the plan for the Homes at the Alexander to limit development to the 7.77-acre lot in the Shops at Broad Street for 388 multi-family dwelling units. The brownstone units on the Nelson tract are no longer part of the application.

This property currently derives its zoning standards from the Shops at Broad Street PD, Planned Development District and has entitlement for construction of up to 330 multi-family residential dwellings. The developer is requesting a PD, Planned Development District for this property to ensure that the development follows the principles, practices, and philosophies of transect-based urbanism. The proposed PD, Planned Development District standards for the multi-family dwelling units are designed to encourage a higher quality product than the current standards in the Shops at Broad Street PD, Planned Development District require.

Under the proposed zoning change, the applicant would be permitted to build a maximum of 388 multi-family dwelling units (58 additional units) in a four-story building with a five-story parking structure. The building design includes a mix of building materials, including, brick, metal panels, and fiber cement to create a variated façade with different textures. The building also features articulation to create multiple planes, balconies, and dooryards on the ground floor units facing the park trail. The proposed building elevations are shown in Exhibit C.

Facing the Shops at Broad Street, the front of the building will have a decorative plaza at the leasing office. Two (2) pool courtyards, one at each end of the building, will be available to the residents. Two (2) additional pocket parks are incorporated into the east façade of the building. Landscaping will be provided along the plaza and linear trail, and in the surface parking lot as shown on Exhibit D.

There are 528 parking spaces in the proposed parking structure for the residents. An additional 52 spaces in the structure have been designated for use by the Star Center. The surface parking between the apartment building and the Star Center will have seven spaces for the residents and 115 spaces for the Star Center. A portion of the fire lane on the east side of the building will be constructed with geoblock grass pavers. This will allow for a reconfiguration of a future driveway and parking lot connection to the City property to the east should it develop.

Summary

As proposed, the multi-family building creates visual interest using architectural elements such as dooryards or stoops and a wide palette of building materials. Additionally, the presence of new residential dwelling units in the Shops at Broad Street will encourage further commercial development on the adjacent lots.

Prepared By

Art Wright, AICP, Principal Planner 817-276-4226

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR SINGLE-FAMILY ATTACHED (BROWNSTONES) AND MULTIFAMILY RESIDENTIAL USES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing opportunity to all property owners generally and to owners of the affected properties, the governing body of the City is of the opinion and finds that the Chapter 155 "Zoning" of the Code of Ordinances and Map should be amended.

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

SECTION 1.

That Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas, be, and the same is hereby, amended by amending the Zoning Map of the City of Mansfield, to give the hereinafter described property a new zoning district classification of PD, Planned Development District Single-Family Attached (Brownstones) and Multi-Family Residential uses; said property being described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2.

That the use and development of the hereinabove described property shall be in accordance with the development standards shown in Exhibits "B" through "E", attached hereto and made a part hereof for all purposes.

SECTION 3.

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

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SECTION 4.
That the above-described properties shall be used only in the manner and for the purposes provided for in the Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas of the City, as amended herein by the granting of this zoning classification.
SECTION 5.
Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas as a whole.
SECTION 6.
Any person, firm or corporation violating any of the provisions of this ordinance or the Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, Texas, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.
SECTION 7.
This ordinance shall take effect immediately from and after its passage on second and final reading and the publication of the caption, as the law and charter in such cases provide.
FIRST READING APPROVED ON THE 20^{TH} DAY OF MARCH, 2023.
DULY PASSED ON THE SECOND AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS 10 TH DAY OF APRIL, 2023.

ATTEST:

Susana Marin, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Michael Evans, Mayor

EXHIBIT "A"

ZONING DESCRIPTION LOT 7R, BLOCK 1, THE SHOPS AT BROAD STREET MANSFIELD, TARRANT COUNTY, TEXAS

BEING a tract of land situated in the Henry Odell Survey, Abstract No. 1196, City of Mansfield, Tarrant County, Texas, being all of LOT 7R, BLOCK 1 of LOTS 1R, 2R, 3R1, 3R2, 4R1, 4R2, 4R3, 5R, 6R1, 6R2, 6R3, 6R4, 7R, 8R, 9R, 10R, 11R AND 12, BLOCK 1, THE SHOPS AT BROAD STREET, an addition to the City of Mansfield, Tarrant County, Texas, according to the plat thereof recorded under Clerk's File No. D218189472, Official Public Records, Tarrant County, Texas, and being more particularly described as follows:

BEGINNING at the southeast corner of said Lot 7R, Block 1 and the northeast corner of said Lot 8R, Block 1;

THENCE South 59°50'48" West along the common line of said Lot 7R and Lot 8R, Block 1, a distance of 714.19 feet to the southwest corner of said Lot 7R, Block 1 and being in a east line of Lot 6R1A, Block 1 of LOTS 6R1A, 13 AND 14, BLOCK 1, THE SHOPS AT BROAD STREET, an addition to the City of Mansfield, Tarrant County, Texas, according to the plat thereof recorded under Clerk's File No. D219213093, Official Public Records, Tarrant County, Texas;

THENCE along the common line of said Lot 6R1A and Lot 7R, Block 1, the following:

North 30°09'12" West, a distance of 35.70 feet to a point for corner;

North 53°29'16" West, a distance of 90.03 feet to a point for corner:

South 59°54'49" West, a distance of 19.78 feet to a point for corner;

North 30°09'12" West, a distance of 330.51 feet to a point for the northwest corner of said Lot 7R, Block 1 and in the southeast line of Lot 1, Block 1, NELSON ADDITION, an addition to the city of Mansfield, Tarrant County, Texas according to the plat thereof recorded in Cabinet A, Slide 234, Plat Records of Tarrant County, Texas;

THENCE North 59°54'26" East along the common line of said Lot 7R, Block 1 and said Lot 1, Block 1, a distance of 762.53 feet to a point for the northeast corner of said Lot 7R, Block 1;

THENCE South 31°03'37" East along the northeast line of said Lot 7R, Block 1, a distance of 448.14 feet to the **POINT OF BEGINNING** and containing a computed area of 7.77 acres of land more or less.

Notes:

This document was prepared under 22 TAC §138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Bearings and distances called for herein are based on the plat recorded under Clerk's File No. D218189472, Official Public Records, Tarrant County, Texas.







METES AND BOUNDS DESCRIPTION 1.999 ACRES

All that certain tract or parcel containing 1.999 acres of land in the **Henry Odele Survey, A-1196, Tarrant County, Texas**, being a portion of a tract which was called Lot 1, Block 1, Nelson Addition, a subdivision of record in Volume A, Page 234, Tarrant County Plat Record (TCPR), conveyed from Steven G. Nelson, et al to Steven G. Nelson, et al, Co-Trustees, by an instrument of record in Clerks File #D215017907, Tarrant County Official Public Record (TCOPR), said 1.999 acres being more particularly described as follows and shown on the plat prepared by 360 Surveying as Job Number 1758-004, (Bearing Basis: State Plane Coordinates, Texas North Central 4202, NAD83, GRID);

BEGINNING at a 1/2" iron rod found for northwest corner, being the northwest corner of said Lot 1 and southwest corner of a tract which was called 3.99 acre, Tract 2, conveyed from Danny Lynn Battles, et ux to Matlock East, LLC, by an instrument of record in Clerks File #D221087663, TCOPR, lying in the east line of a tract which was called Lot 6R1, Block 1, The Shops at Broad Street, a subdivision of record in Clerks File #D218189472, TCOPR;

THENCE N59°56'25"E, 445.05 feet along the common line of said Lot 1 and said 3.99 acre tract to a 5/8" iron rod set for northeast corner, from which a 1/2" iron rod found for northeast corner of said Lot 1 and southeast corner of said 3.99 acre tract bears: N59°56'25"E, 448.54 feet;

THENCE S30°03'35"E, 195.73 feet crossing said Lot 1 to a 5/8" iron rod set for southeast corner, lying in the common line of said Lot 1 and a tract which was called Lot 7R, Block 1, of said Shops at Broad Street, from which a 1/2" iron rod found for northeast corner of said Lot 7R bears: N59°54'28"E, 322.71 feet;

THENCE S59°54'28"W, along the common line of said Lot 1 and said Lot 7R, at 439.65 feet pass a 5/8" iron rod found for northwest corner of said Lot 7R and a northeast corner of said Lot 6R1 and continuing along the common line of said Lot 1 and said Lot 6R1 for a distance in all of 443.98 feet to a 5/8" iron rod found for southwest corner, being the southwest corner of said Lot 1 and an interior corner of said Lot 6R1,

THENCE N30°22'12"W, 195.99 feet along the common line of said Lot 1 and said Lot 6R1 to the PLACE OF BEGINNING, containing 1.999 acres of land, more or less.

BRET READ

6610

6610

SURVE Read, RPLS 6610

August 8, 2022

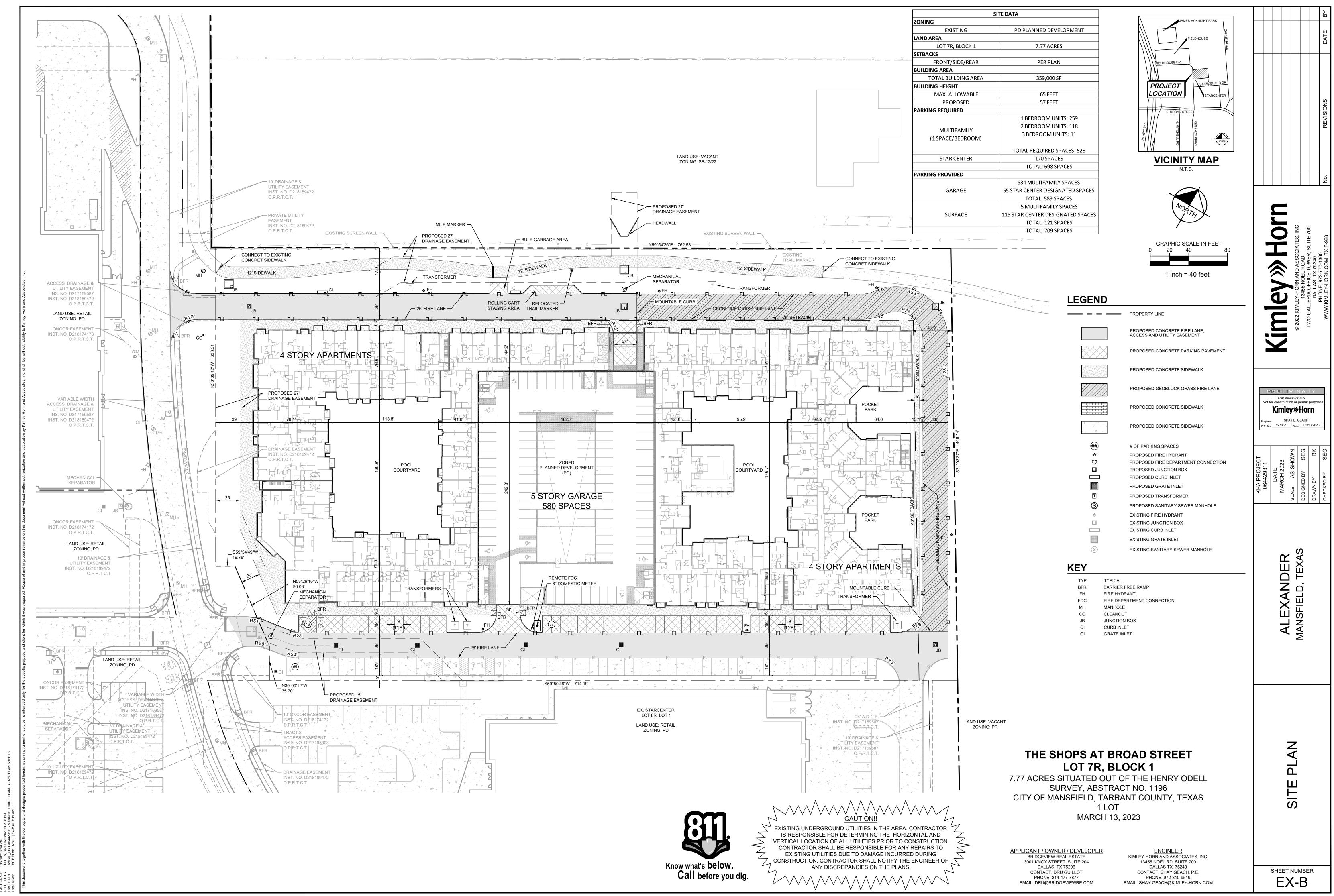


EXHIBIT B FOR ZC#-22-019

ALEXANDER PD. PLANNED DEVELOPMENT DISTRICT REGULATIONS

PURPOSE AND INTENT:

The purpose and the intent of this Alexander Planned Development District (this "PD, PLANNED DEVELOPMENT DISTRICT"), is to provide a distinct set of regulations that will deliver new housing for a variety of ages and incomes in close proximity to employment and retail opportunities on parcels of land in adjacency to the Shops at Broad. These regulations will also allow room for exploration and experimentation in architecture and urban design to create designs that positively contribute a harmonious whole.

APPLICABILITY:

- A. All proposed development shall be in accordance with the provisions of this PD, Planned Development District, and development plans recorded hereunder, if any, shall be binding upon the applicant thereof, his and all successors and assigns, and shall limit and control all applications for building permits.
- B. The provisions of Chapter 155 of the Mansfield Code of Ordinances (Zoning Ordinance) shall continue to be applicable to all issues not covered by the regulations found in this PD, Planned Development District.
- C. In the event of a conflict between these PD, Planned Development District standards and the Zoning Ordinance, as amended, the standards that are set forth herein shall prevail.

D. In the event of a conflict between these PD, Planned Development District standards and

the standards that are specified elsewhere in text and tables, the standards that are set

forth herein shall prevail.

E. In the event of a conflict between these PD, Planned Development District standards and

any other codes, ordinances, regulations, or standards as adopted by the City of

Mansfield, Texas, the standards that are set forth herein shall prevail.

DESCRIPTIONS OF DEVELOPMENT TRACT:

Development pursuant to the provisions of this PD, Planned Development District, is regulated

in accordance with the intensity of the residential uses permitted. The property is intended to be

developed for multi-family residential dwellings on approximately 7.7 acres of land.

DEVELOPMENT PLAN:

For the purpose of this PD, Planned Development District, a site plan and illustrative renderings

of the dwelling unit types are attached hereto, respectively, as "EXHIBIT B-1" (collectively the

"DEVELOPMENT PLAN") to achieve the following:

A. To establish all required setbacks and buffers for the property in the locations identified

on the Development Plan; and

B. To set forth a general plan of development for the property as identified under this PD,

Planned Development District.

DEFINITIONS:

EXHIBIT B FOR ZC#-22-019

The following provides definitions for terms used in this PD, Planned Development District, that are technical in nature or otherwise may not reflect a common usage of the term. Where terms are not defined in this PD, Planned Development District, and are defined in Section 155.012 of the Mansfield Code of Ordinances, such terms shall have the meanings ascribed to them as found in that Section. Where terms are not defined in this PD, Planned Development District or in Section 155.012 of the Mansfield Code of Ordinances, such terms shall have ordinarily accepted meanings such as the context applies.

ANCILLARY ROOF: A secondary structure attached to the principal structure, typically in the form of a one-story structure attached to a two-story structure.

ARCH: A curved symmetrical structure spanning an opening and typically supporting the weight of a bridge, roof, or wall above it.

ATTIC: The interior part of a building contained within a pitched roof structure.

AWNING: A fixed or movable shading structure, and cantilevered or otherwise entirely supported from a building, used to protect outdoor spaces from sun, rain, and other natural conditions.

BUILDING ELEVATION: An exterior wall of a building.

BUILDING FRONTAGE: The area between a building elevation and the public right-of-way, it is inclusive of its built and planted components.

BUILDING HEIGHT: The vertical extent of a building measured in stories.

DOORYARD FRONTAGE: A building frontage type with a shallow setback and a front garden or a patio, usually with a low wall or hedge at the lot line (VARIANT: LIGHTWELL, LIGHT COURT).

GLAZING: The portion of a building elevation that is comprised of transparent glass, and that is

usually set in doors and windows.

LOT: A parcel of land accommodating a building or buildings under single ownership.

LOT COVERAGE: The percentage of any lot that may be covered by buildings and other

roofed structures.

LOT LINE: The boundary that legally and geometrically demarcates a lot.

PIER: A solid support that is designed to sustain vertical pressure.

STOOP FRONTAGE: A building frontage wherein the building elevation is aligned close to

the front lot line with the first story elevated from the sidewalk for privacy, and with an

exterior stair and a landing at an entrance.

STORY: A habitable level within a building, excluding an attic or a raised basement.

GENERAL SITE AND BUILDING STANDARDS:

The site and building standards provided below shall be specific to all construction on the

property.

A. CONSIDERATIONS FOR UTILITIES.

> 1. Utilities shall be placed underground.

2. Utility services may require easements at the front, side, or rear lot lines for

meters, pedestals, and other equipment requirements.

CONSIDERATIONS FOR LANDSCAPING. В.

> 1. All landscaping plans shall require approval by the Director of Planning.

> > EXHIBIT B FOR ZC#-22-019

2. All topographic transitions between improvements and existing grades or between lots shall appear to be natural slopes or to be garden terraces. In the event natural slopes or garden terraces are not possible, retaining walls may be used, subject to review and approval by the Director of Planning. Retaining walls are limited to a maximum height of four (4) feet and shall be made of brick, brick veneer, local stone or local stone veneer and be capped. Subject to review and approval by the Director of Planning, wall height may be increased in the event natural slopes, garden terraces or four (4) foot walls are deemed not possible, provided that such retaining walls shall be made of brick, brick veneer, local stone or local stone

3. All removal of trees larger than six (6) inches caliper shall require approval by the Director of Planning.

<u>C.</u> <u>CONSIDERATIONS FOR LIGHTING.</u>

veneer and be capped.

1. Exterior light fixtures shall be compatible with the architectural style of the building to which they are attached.

SITE AND BUILDING STANDARDS SPECIFIC TO THE MULTI-FAMILY RESIDENTIAL BUILDING:

The site and building standards provided below shall apply to the multi-family residential building.

A. PERMITTED USES.

- 1. The uses permitted on the property shall be expressly limited to the following:
 - a. Multi-family residential building.
 - b. Parking structure (attached to the multi-family residential building).
 - c. All accessory uses which are permitted by-right within the MF-2, Multi-Family Residential District as depicted in the "PERMITTED USE TABLE" in Section 155.054 of the Mansfield Code of Ordinances.

B. ADDITIONAL USE RESTRICTIONS.

- 1. A minimum of one (1) bedroom shall be provided for no less than 65 percent of the total number of multi-family dwelling units to be constructed.
- 2. No more than five (5) percent of the total number of multi-family dwelling units to be constructed shall provide three (3) or more bedrooms.

C. DENSITY.

1. The total number of multi-family dwelling units that may be constructed is limited to 388.

<u>D.</u> <u>LOT SIZE AND LOT OCCUPATION.</u>

1. Lot size and lot occupation shall be as per the approved Development Plan.

<u>E.</u> <u>BUILDING SETBACKS</u>.

1. Building setbacks shall be as per the approved Development Plan.

<u>F.</u> <u>BUILDING HEIGHT</u>.

1. General:

 a. Building height is limited by stories, and is measured from highest adjacent sidewalk grade. Stories shall not exceed more than 14 feet in height.

- b. Building height shall be measured from finished floor to finished ceiling.
- c. Below grade stories do not count towards height calculations, provided they do not extend more than 4 feet above the sidewalk grade.
- d. Chimneys, cupulas, antennae, vents, elevator bulkheads, stair housing, and other uninhabited elements do not count towards building height.

2. <u>Principal buildings</u>:

- a. Principal buildings shall be limited to a maximum height of four (4) stories for principal buildings.
- b. Principal buildings shall have a minimum ceiling height of ten (10) feet at the first story.

3. <u>Parking Structure</u>:

a. A parking structure that is attached to the multi-family residential building is required. The height of the parking structure attached to the multi-family residential building shall not exceed five (5) stories.

4. <u>Accessory buildings:</u>

a. Accessory buildings shall be limited to a maximum height of one (1) story.

G. BUILDING FRONTAGES.

1. General:

a. Balconies, bay windows, and such are permitted to encroach into the front setback up to 100 percent of its depth.

- b. All ground floor multi-family dwelling units fronting the 12-foot wide park trail as depicted on the Development Plan shall have a dooryard frontage or a stoop frontage.
- c. The entrance (i.e., door) into a dooryard frontage or a stoop frontage must open directly into the living area of a ground-floor multi-family dwelling unit and not into a bedroom.

2. <u>Dooryard frontages:</u>

- a. Dooryards may be raised a minimum of two (2) feet from average sidewalk grade at the frontage.
- b. Fences or walls shall be provided as a part of the dooryard.
- c. All dooryards shall be no less than five (5) feet deep.
- d. All dooryard fences and walls shall be four (4) feet in height.
- e. All dooryards shall be bound by fences or walls on three (3) sides.
 - i. An evergreen hedge may replace a fence or wall.
- f. Dooryards may be paved in concrete, brick, cobble, or stone.

3. Stoop frontages:

- a. All stoops shall be no less than five (5) feet in depth.
- b. All stoops shall be between four (4) and six (6) feet in width.
- c. All stoops shall be covered by a pitched roof structure, awning, or canopy.
- d. Stoops may encroach into the setback up to 100 percent of its depth.

<u>H. PARKING REQUIREMENTS.</u>

1. Parking is required for each multi-family residential dwelling unit in the amount as specified below:

- a. One (1) bedroom a minimum of one (1) parking space.
- b. Two (2) bedrooms or more a minimum of two (2) parking spaces.
- 2. Excluding on-street parking spaces, multi-family residential parking provided shall not exceed 200 percent of the minimum parking requirement.
- 3. Carports and covered parking are permitted in off-street parking area and shall be located behind buildings relative to streets and civic spaces.

I. ARCHITECTURE.

1. General:

- a. All sides of the multi-family residential building shall exhibit continuity in design and contain exterior materials that exhibit quality and durability.
- b. All building elevations at finished grade shall be designed to provide a sense of human scale at grade and incorporate architectural features along streets and civic spaces that add visual interest. This may include, but is not limited to, the use of glazing patterns, distinguished entries, building signage, and lighting.

2. Exterior finish material:

- a. Building walls shall be finished in the materials specified in "EXHIBIT
 C".
 - i. All stucco shall be masonry.
 - ii. All stucco shall have a smooth sand finish.
 - iii. All exposed exterior wood shall be painted or stained.
 - iv. Exterior insulation and finish systems (E.I.F.S.) are prohibited.

- Arches and piers shall match the primary materials and the primary colors of the building walls.
 - i. All arches and piers shall be no less than 12 inches by 12 inches.
- c. Columns shall be made of concrete or stone.
 - i. All columns shall be no less than 12 inches by 12 inches.
- d. Posts shall be made of wood or a synthetic material that has the appearance of wood.
 - i. All posts shall be no less than six (6) inches by six (6) inches.
- e. All columns, piers, and posts shall be appropriately spaced in order to form square or vertically proportioned bays.

3. Roofs:

- a. Principal roofs, where sloped, shall be symmetrical gable or hip and angled no less than 6:12. Sloped roofs shall only be clad in asphalt shingle, slate, or terra cotta tile. Sloped roof cladding may include metal, provided that it complements an architectural style and that it minimizes glare.
- b. Principal roofs, where low-slope (i.e., flat), shall be surrounded on all sides by a horizontal parapet wall no less than three-and-a-half (3.5) feet in height where the roof deck meets the parapet wall.
- c. Ancillary roofs may be sheds angled no less than 3:12.

4. <u>Openings</u>:

a. All door and window openings shall be vertically proportioned and shall be rectangular in shape.

- All windows shall use vertically proportioned panes, excluding any transom windows above door openings visible from streets and civic spaces.
- b. Door and window openings shall reveal their thickness within the building wall, and where appropriate to the building material that is used. Doors and windows in building walls made of brick, stone, and stucco shall be recessed a minimum of three (3) inches in depth.
- c. Door and window header heights shall be consistent on building elevations that are set along a street or a civic space.
- d. Door and window openings in building elevations that are set along a street or a civic space shall be evenly spaced to create a harmonious composition.
- e. Tinted (greater than ten percent), mirrored, reflective, or colored glass shall not be used on any doors or windows.

5. <u>Attachments</u>:

- a. All flooring at stoops (e.g., the exterior stair and the landing) shall be made of brick, concrete, or stone to match the building wall finish.
- All flooring at balconies and at porches shall be made of brick, concrete, or stone.
- c. Any part of a balcony projecting beyond a building wall shall be structurally supported by concrete beams or profiled sills or wood beams or brackets of appropriate scale.

MISCELLANEOUS STANDARDS:

A. LOADING DOCKS AND SERVICE AREAS.

 Loading docks and service areas shall be located away from thoroughfares and shall be visually screened from adjoining properties to the satisfaction of the Director of Planning.

B. BUILDING MECHANICAL AND ROOFTOP MECHANICAL EQUIPMENT.

- Building mechanical equipment including, but not limited to, electric meters, gas
 meters, water meters, and transformers and refuse storage shall be visually
 screened.
- 2. Rooftop mechanical equipment shall be visually screened from all sides by parapet walls or opaque screening enclosures both of which shall be a minimum of twelve (12) inches greater in height than the equipment.

C. COLLECTION RECEPTACLES.

1. All collection receptacles shall be visually screened on all sides by a solid, opaque wall a minimum of six feet in height, and constructed of a material matching the nearest building wall to the satisfaction of the Director of Planning. All access doors into the collection receptacle shall be made of opaque metal matching the height of the solid walls.

D. TRAFFIC MITIGATION SOLUTION.

1. The Developer shall prepare, or shall have prepared on their behalf, a traffic calming plan to be submitted to the Director of Planning addressing a solution for eastbound traffic on the private road towards Carlin Road for review and

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approval. The Developer and the Development Review Committee (DRC) shall work with residents and property owners in the Carlin Road Neighborhood to provide and implement a reasonable solution.

E. THIRD-PARTY DRAINAGE STUDY.

1. The Developer shall provide a Third-Party review of the current drainage studies and provide a report to the residents and property owners in the Carlin Road Neighborhood and the DRC.

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ALEXANDER PD, PLANNED DEVELOPMENT DISTRICT REGULATIONS

PURPOSE AND INTENT:

The purpose and the intent of this Alexander Planned Development District (this "PD, PLANNED DEVELOPMENT DISTRICT"), is to provide a distinct set of regulations that will deliver produce a new community with housing for a variety of ages and incomes in close proximity to employment and retail opportunities on two (2) tracts parcels of land in adjacency to the Shops at Broad. These regulations will also allow room for exploration and experimentation in architecture and urban design to create individual designs that positively contribute a harmonious whole.

APPLICABILITY:

- A. All proposed development shall be in accordance with the provisions of this PD, Planned Development District, and development plans recorded hereunder, if any, shall be binding upon the applicant thereof, his and all successors and assigns, and shall limit and control all applications for building permits.
- B. The provisions of Chapter 155 of the Mansfield Code of Ordinances (Zoning Ordinance)
 shall continue to be applicable to all issues not covered by the regulations found in this
 PD, Planned Development District.
- C. In the event of a conflict between these PD, Planned Development District standards and the Zoning Ordinance, as amended, the standards that are set forth herein shall prevail.

- D. In the event of a conflict between these PD, Planned Development District standards and the standards that are specified elsewhere in text and tables, the standards that are set forth herein shall prevail.
- E. In the event of a conflict between these PD, Planned Development District standards and any other codes, ordinances, regulations, or standards as adopted by the City of Mansfield, Texas, the standards that are set forth herein shall prevail.

DESCRIPTIONS OF DEVELOPMENT TRACTS:

Development pursuant to the provisions of this PD, Planned Development District, is regulated in accordance with the intensity of the residential uses permitted. The property is intended to be developed for multi-family residential dwellings on approximately 7.7 acres of land., according to the following two (2) development tracts:

- A. DEVELOPMENT TRACT NO. 1 (TRACT 1) Tract 1 is intended to be developed for medium intensity attached housing on approximately 2.0 acres of land.
- B. DEVELOPMENT TRACT NO. 2 (TRACT 2) Tract 2 The property is intended to be developed for high intensity multi-family housing on approximately 7.7 acres of land.

DEVELOPMENT PLAN:

For the purpose of this PD, Planned Development District, a site plan and illustrative renderings of the dwelling unit types are attached hereto, respectively, as "EXHIBIT B-1" (collectively the "DEVELOPMENT PLAN") to achieve the following:

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A. To establish all required setbacks and buffers for the property in the locations identified

on the Development Plan; and

B. To identify and establish tracts of land; AND

C.B. To set forth a general plan of development in Tract 1 and in Tract 2 for the property as

identified under this PD, Planned Development District.

PHASING:

No more than 191 of the 388 total multi family dwelling units permitted to be constructed on

Tract 2 shall be leased or occupied prior to the construction and final inspection of all the

brownstones to be constructed on Tract 1 in accordance with the site plan subject to review and

approval by the Director of Planning. However, a certificate of occupancy may be issued for all

388 multi-family dwelling units in accordance with all building codes, ordinances, and

regulations of the City.

DEFINITIONS:

The following provides definitions for terms used in this PD, Planned Development District, that

are technical in nature or otherwise may not reflect a common usage of the term. Where terms

are not defined in this PD, Planned Development District, and are defined in Section 155.012 of

the Mansfield Code of Ordinances, such terms shall have the meanings ascribed to them as found

in that Section. Where terms are not defined in this PD, Planned Development District or in

Section 155.012 of the Mansfield Code of Ordinances, such terms shall have ordinarily accepted

meanings such as the context applies.

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ANCILLARY ROOF: A secondary structure attached to the principal structure, typically in the form of a one-story structure attached to a two-story structure.

ARCH: A curved symmetrical structure spanning an opening and typically supporting the weight of a bridge, roof, or wall above it.

ATTIC: The interior part of a building contained within a pitched roof structure.

AWNING: A fixed or movable shading structure, and cantilevered or otherwise entirely supported from a building, used to protect outdoor spaces from sun, rain, and other natural conditions.

BROWNSTONE: A single family dwelling that shares a party wall with another of the same type and it occupies the full width of the front lot line (SYNONYM: SINGLE FAMILY ATTACHED).

BUILDING ELEVATION: An exterior wall of a building.

BUILDING FRONTAGE: The area between a building elevation and the public right-of-way, it is inclusive of its built and planted components.

BUILDING HEIGHT: The vertical extent of a building measured in stories.

DRIVEWAY: A vehicular lane within a lot, often leading to a garage.

DOORYARD FRONTAGE: A building frontage type with a shallow setback and a front garden or a patio, usually with a low wall or hedge at the lot line (VARIANT: LIGHTWELL, LIGHT COURT).

GLAZING: The portion of a building elevation that is comprised of transparent glass, and that is usually set in doors and windows.

LOT: A parcel of land accommodating a building or buildings under single ownership.

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LOT COVERAGE: The percentage of any lot that may be covered by buildings and other roofed structures.

LOT LINE: The boundary that legally and geometrically demarcates a lot.

PIER: A solid support that is designed to sustain vertical pressure.

PORCH: An open air room appended to a building, with floor and roof, but no walls on at least two (2) sides.

PRINCIPAL ENTRANCE: The main point of access for pedestrians into a building.

REAR ALLEY: a private right of way, or access easement, designated to be a secondary means of vehicular access to the rear or to the side of lots; a rear alley may connect to a vehicular driveway located to the rear of lots providing access to accessory buildings, service areas, and parking, and may contain utility easements.

STOOP FRONTAGE: A building frontage wherein the building elevation is aligned close to the front lot line with the first story elevated from the sidewalk for privacy, and with an exterior stair and a landing at an entrance.

STORY: A habitable level within a building, excluding an attic or a raised basement.

GENERAL SITE AND BUILDING STANDARDS-FOR ALL TRACTS:

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The site and building standards provided below shall be specific to all construction on on Tract 1 and on Tract 2the property.

A. CONSIDERATIONS FOR UTILITIES.

1. Utilities shall be placed underground.

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 Utility services may require easements at the front, side, or rear lot lines for meters, pedestals, and other equipment requirements.

B. CONSIDERATIONS FOR LANDSCAPING.

- 1. All landscaping plans shall require approval by the Director of Planning.
- 2. All site designs in Tract 1 shall minimize grading.
- All topographic transitions between improvements and existing grades or between lots shall appear to be natural slopes or to be garden terraces. In the event natural slopes or garden terraces are not possible, retaining walls may be used, subject to review and approval by the Director of Planning. Retaining walls are limited to a maximum height of four (4) feet and shall be made of brick, brick veneer, local stone or local stone veneer and be capped. -Subject to review and approval by the Director of Planning, wall height may be increased in the event natural slopes, garden terraces or four (4) foot walls are deemed not possible, provided that such retaining walls shall be made of brick, brick veneer, local stone or local stone veneer and be capped.
- 4-3. All removal of trees larger than six (6) inches caliper shall require approval by the Director of Planning.

C. CONSIDERATIONS FOR LIGHTING.

- Exterior light fixtures shall be compatible with the architectural style of the building to which they are attached.
 - Uplighting, floodlighting, and wall washing lighting shall be prohibited on Tract 1.

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2. Garage doors opening onto a rear alley shall provide a light fixture with a photocell that lights from dusk to dawn.

SITE AND BUILDING STANDARDS SPECIFIC TO TRACT 1 (BROWNSTONES):

The site and building standards provided below shall be specific to construction on Tract 1. Tract

1 is intended to allow only for brownstones situated on individually platted lots.

A. PERMITTED USES.

- 1. The uses permitted for lots in Tract 1 shall be expressly limited to the following:
 - a. Brownstone.
 - b. All accessory uses which are permitted by right within the 2F, Two Family Residential District as depicted in the "PERMITTED USE TABLE" in Section 155.054 of the Mansfield Code of Ordinances.

B. LOT ORIENTATION.

- 1. All lots shall front on a street or a civic space.
- 2. All lots shall be accessed from a rear alley.

C. LOT SIZE AND LOT OCCUPATION.

- 1. The minimum lot size shall be a minimum of 1,200 square feet.
 - a. The minimum lot width shall be 22 feet.
 - b. The minimum lot depth shall be 55 feet.
 - c. The minimum lot frontage shall be 22 feet.
- 2. The maximum lot coverage for all principal buildings and their accessory buildings shall not exceed 70 percent.

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3. The minimum habitable area for a principal building shall be 1,500 square feet of enclosed space, not including garages, patios, and porches.

D. BUILDING SETBACKS.

- 1. General:
 - a. Only one (1) principal dwelling unit may be built on each lot in Tract 1.
- 2. Principal Buildings:
 - a. Minimum front yard 5 feet.
 - b. Minimum side yard 0 feet.
 - c. Minimum rear yard 5 feet.
- 3. Accessory buildings.
 - Applicable regulations and restrictions for accessory building setbacks per
 Section 155.099 of the Mansfield Code of Ordinances shall apply.

E. BUILDING HEIGHT.

- 1. General:
 - a. Building height is limited by stories, and is measured from highest adjacent sidewalk grade. Stories shall not exceed more than 14 feet in height.
 - b. Building height shall be measured from finished floor to finished ceiling.
 - e. Below grade stories do not count towards height calculations, provided they do not extend more than four (4) feet above the sidewalk grade.
 - d. Chimneys, cupulas, antennae, vents, elevator bulkheads, stair housing, and other uninhabited elements do not count towards building height.
- 2. Principal buildings:

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- a. Principal buildings shall have a minimum height of two (2) stories and be limited to a maximum height of three (3) stories.
- b. Principal buildings shall have a minimum ceiling height of ten (10) feet at the first story.

Accessory buildings:

a. Accessory buildings shall be limited to a maximum height of two (2) stories.

F. BUILDING FRONTAGES.

1. General:

- a. Lots fronting on two (2) or more streets or civic spaces shall have building frontages along each street or civic space.
- b. Balconies, bay windows, and such are permitted to encroach into the front setback up to 100 percent of its depth.
- e. In order to encourage diversity in design, building frontages shall vary from lot to lot.
- d. All brownstones shall provide a dooryard frontage or a stoop frontage.

2. Doorvard frontages:

- a. Dooryards may be raised a minimum of two (2) feet from average sidewalk grade at the frontage.
- b. Fences or walls shall be provided as a part of the dooryard.
- c. All dooryards shall be no less than five (5) feet deep.
- d. All dooryard fences and walls shall be four (4) feet in height.
- e. All dooryards shall be bound by fences or walls on three (3) sides.

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		f. Dooryards may be paved in brick, cobble, or stone.
	3.	Stoop frontages:
		a. All stoops shall be no less than five (5) feet in depth.
		b. All stoops shall be between four (4) and six (6) feet in width.
		c. All stoops shall be covered by a pitched roof structure.
		d. Stoops may encroach into the front setback up to 100 percent of its depth.
		e. Stoops may be recessed into the main volume of the brownstone where
		front setbacks are less than five (5) feet.
<u>G.</u>	PARK	KING REQUIREMENTS.
	1.	A minimum of two (2) parking spaces shall be provided for each principal
		dwelling unit and located within a garage.
	2.	Required parking shall be accessed from a rear alley and the required parking
		shall be oriented to the rear of the lot.
	3.	All garages shall be configured in one (1) of the following orientations, as
		generally described below:
		a. Rear entry, within the principal dwelling unit volume:
		i. The garage shall be set toward the rear of the principal dwelling
		unit volume.
<u>H.</u>	<u>ARCI</u>	HITECTURE.
	1.	General.

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- of each unit. This may include changes in color, material, height, entry portico, stoops, railings, et cetera.
- b. There shall be no more than five (5) principal dwelling units attached under the same roof.

2. Walls.

- a. No more than two (2) building wall materials shall be used on the exterior of a brownstone, excluding bay windows, patios, porches, exterior shutters, trim, and such.
- b. Building walls shall be finished in brick or stone. Cementitious fiber board, stucco, and wood can only be used as an accent material and where used on a single building, shall not exceed 20 percent of the total building wall area, with each building elevation being calculated independently.
 - i. All stuceo shall be masonry.
 - ii. All stucco shall have a smooth sand finish.
 - iii. All exposed exterior wood shall be painted or stained.
 - iv. Exterior insulation and finish systems (E.I.F.S.) are prohibited.
- c. The heavier of the building wall materials shall be located below the lighter (e.g., stone below brick; brick below stucco; and stucco below cementitious fiber board and wood). The material transition shall run horizontally across the entire length of the building elevation.
- d. Arches and piers shall match the primary materials and the primary colors of the building walls.

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i. All arches and piers shall be no less than 12 inches by 12 inches.

e. Columns shall be made of concrete or stone.

i. All columns shall be no less than 12 inches by 12 inches.

f. Posts shall be made of wood or a synthetic material that has the appearance of wood.

i. All posts shall be no less than six (6) inches by six (6) inches.

g. All columns, piers, and posts shall be appropriately spaced in order to form square or vertically proportioned bays.

Roofs.

a. Principal roofs, where sloped, shall be symmetrical gable or hip and angled no less than 6:12. Sloped roofs shall only be clad in asphalt shingle, slate, or terra cotta tile. Sloped roof cladding may include metal, provided that it complements an architectural style and that it minimizes glare.

b. Principal roofs, where low slope (i.e., flat), shall be surrounded on all sides by a horizontal parapet wall no less than three and a half (3.5) feet in height where the roof deck meets the parapet wall.

c. Ancillary roofs may be sheds angled no less than 3:12.

Openings.

a. Principal dwelling units shall have a limit for door and window openings in building elevations that are set along a street or a civic space. No less than 15 percent and no more than 40 percent of the total building wall area shall be used for door and window openings.

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- All windows openings shall be vertically proportioned, and shall be rectangular in shape where visible from streets and civic spaces.
- ii. All windows shall use vertically proportioned panes, excluding any transom windows above door openings visible from streets and eivic spaces.
- b. Door and window openings shall reveal their thickness within the building wall, and where appropriate to the building material that is used. Doors and windows in building walls made of brick, stone, and stucco shall be recessed a minimum of three (3) inches in depth.
- c. Door and window header heights shall be consistent on building elevations fronting a street or a civic space.
- d. Door and window openings in building elevations that are set along a street or a civic space shall be evenly spaced to create a harmonious composition.
- e. Garage doors shall be made of wood or composite wood and may have glass or framed panels.

5. Attachments.

- a. Chimneys, where visible, shall be clad in brick, stone, or stucco.
 - i. All chimneys shall extend to the ground and shall have a projecting cap on top.
- b. All flooring at stoops (e.g., the exterior stair and the landing) shall be made of brick, concrete, or stone to match the building wall finish.

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- All flooring at balconies and at porches shall be made of brick, concrete, or stone.
- d. Any part of a balcony projecting beyond a building wall shall be structurally supported by concrete beams or profiled sills or wood beams or brackets of appropriate scale.

I. STREETSCAPE STANDARDS.

- Private streets shall be paved in concrete, and they may be paved in other surface
 materials including asphalt, brick, cobble, or stone subject to review and approval
 by the Director of Planning.
- 2. Private streets shall have street trees planted on center, every 30 feet.
- 3. The minimum sidewalk width shall be five (5) feet.
- 4. The minimum parkway width shall be four (4) feet.
- 5. Rear Alleys:
 - a. The minimum width of the access easement for an alley shall be 20 feet and shall have a minimum pavement width of 14 feet.

J. SITE PLAN.

Tract 1 shall require a site plan subject to review and approval by the Director of Planning. Such site plan shall be reviewed and approved prior to platting and the issuance of any building permit. The site plan shall be prepared and submitted to demonstrate compliance with all the provisions for Tract 1 and all other applicable provisions of this PD, Planned Development District and the Mansfield Code of Ordinances.

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SITE AND BUILDING STANDARDS SPECIFIC TO THE TRACT 2 (MULTI-FAMILY

RESIDENTIAL BUILDING:

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The site and building standards provided below shall be specificapply to construction on Tract 2.

Tract 2 is intended to provide standards for ato the multi-family residential building.

A. PERMITTED USES.

- The uses permitted on the property for lots in Tract 2-shall be expressly limited to the following:
 - a. Multi-family residential building.
 - b. Parking structure (attached to the multi-family residential building).
 - c. All accessory uses which are permitted by-right within the MF-2, Multi-Family Residential District as depicted in the "PERMITTED USE TABLE" in Section 155.054 of the Mansfield Code of Ordinances.

B. ADDITIONAL USE RESTRICTIONS.

- A minimum of one (1) bedroom shall be provided for no less than 65 percent of the total number of multi-family dwelling units to be constructed.
- 2. No more than five (5) percent of the total number of multi-family dwelling units to be constructed shall provide three (3) or more bedrooms.

C. DENSITY.

 The total number of multi-family dwelling units that may be constructed is limited to 388.

<u>D.</u> <u>LOT SIZE AND LOT OCCUPATION</u>.

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1. Lot size and lot occupation shall be as per the approved Development Plan.

E. BUILDING SETBACKS.

1. Building setbacks shall be as per the approved Development Plan.

F. BUILDING HEIGHT.

1. General:

- Building height is limited by stories, and is measured from highest adjacent sidewalk grade. Stories shall not exceed more than 14 feet in height.
- b. Building height shall be measured from finished floor to finished ceiling.
- c. Below grade stories do not count towards height calculations, provided they do not extend more than 4 feet above the sidewalk grade.
- d. Chimneys, cupulas, antennae, vents, elevator bulkheads, stair housing, and other uninhabited elements do not count towards building height.

2. Principal buildings:

- a. Principal buildings shall be limited to a maximum height of four (4)
 stories for principal buildings.
- b. Principal buildings shall have a minimum ceiling height of ten (10) feet at the first story.

3. <u>Parking Structure</u>:

a. A parking structure that is attached to the multi-family residential building is required. The height of the parking structure attached to the multifamily residential building shall not exceed five (5) stories.

4. <u>Accessory buildings</u>:

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Accessory buildings shall be limited to a maximum height of one (1) story.

G. BUILDING FRONTAGES.

1. General:

- Balconies, bay windows, and such are permitted to encroach into the front setback up to 100 percent of its depth.
- b. All ground floor multi-family dwelling units fronting the 12-foot wide park trail as depicted on the Development Plan shall have a dooryard frontage or a stoop frontage.
- c. The entrance (i.e., door) into a dooryard frontage or a stoop frontage must open directly into the living area of a ground-floor multi-family dwelling unit and not into a bedroom.

2. <u>Dooryard frontages:</u>

- a. Dooryards may be raised a minimum of two (2) feet from average sidewalk grade at the frontage.
- b. Fences or walls shall be provided as a part of the dooryard.
- c. All dooryards shall be no less than five (5) feet deep.
- d. All dooryard fences and walls shall be four (4) feet in height.
- e. All dooryards shall be bound by fences or walls on three (3) sides.
 - i. An evergreen hedge may replace a fence or wall.
- f. Dooryards may be paved in concrete, brick, cobble, or stone.

3. <u>Stoop frontages</u>:

a. All stoops shall be no less than five (5) feet in depth.

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b. All stoops shall be between four (4) and six (6) feet in width.

c. All stoops shall be covered by a pitched roof structure, awning, or canopy.

d. Stoops may encroach into the setback up to 100 percent of its depth.

H. PARKING REQUIREMENTS.

1. Parking is required for each multi-family residential dwelling unit in the amount

as specified below:

a. One (1) bedroom – a minimum of one (1) parking space.

b. Two (2) bedrooms or more – a minimum of two (2) parking spaces.

2. Excluding on-street parking spaces, multi-family residential parking provided

shall not exceed 200 percent of the minimum parking requirement.

3. Carports and covered parking are permitted in off-street parking area and shall be

located behind buildings relative to streets and civic spaces.

<u>I.</u> <u>ARCHITECTURE</u>.

1. General:

a. All sides of the multi-family residential building shall exhibit continuity in

design and contain exterior materials that exhibit quality and durability.

b. All building elevations at finished grade shall be designed to provide a

sense of human scale at grade and incorporate architectural features along

streets and civic spaces that add visual interest. This may include, but is

not limited to, the use of glazing patterns, distinguished entries, building

signage, and lighting.

2. <u>Exterior finish material</u>:

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a. Building walls shall be finished in the materials specified in "EXHIBIT
 C".

- i. All stucco shall be masonry.
- ii. All stucco shall have a smooth sand finish.
- iii. All exposed exterior wood shall be painted or stained.
- iv. Exterior insulation and finish systems (E.I.F.S.) are prohibited.
- Arches and piers shall match the primary materials and the primary colors of the building walls.
 - i. All arches and piers shall be no less than 12 inches by 12 inches.
- c. Columns shall be made of concrete or stone.
 - i. All columns shall be no less than 12 inches by 12 inches.
- d. Posts shall be made of wood or a synthetic material that has the appearance of wood.
 - i. All posts shall be no less than six (6) inches by six (6) inches.
- e. All columns, piers, and posts shall be appropriately spaced in order to form square or vertically proportioned bays.

3. Roofs:

a. Principal roofs, where sloped, shall be symmetrical gable or hip and angled no less than 6:12. Sloped roofs shall only be clad in asphalt shingle, slate, or terra cotta tile. Sloped roof cladding may include metal, provided that it complements an architectural style and that it minimizes glare.

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b. Principal roofs, where low-slope (i.e., flat), shall be surrounded on all

sides by a horizontal parapet wall no less than three-and-a-half (3.5) feet

in height where the roof deck meets the parapet wall.

c. Ancillary roofs may be sheds angled no less than 3:12.

4. Openings:

a. All door and window openings shall be vertically proportioned and shall

be rectangular in shape.

i. All windows shall use vertically proportioned panes, excluding any

transom windows above door openings visible from streets and

civic spaces.

b. Door and window openings shall reveal their thickness within the building

wall, and where appropriate to the building material that is used. Doors

and windows in building walls made of brick, stone, and stucco shall be

recessed a minimum of three (3) inches in depth.

c. Door and window header heights shall be consistent on building elevations

that are set along a street or a civic space.

d. Door and window openings in building elevations that are set along a

street or a civic space shall be evenly spaced to create a harmonious

composition.

e. Tinted (greater than ten percent), mirrored, reflective, or colored glass

shall not be used on any doors or windows.

5. <u>Attachments</u>:

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a. All flooring at stoops (e.g., the exterior stair and the landing) shall be

made of brick, concrete, or stone to match the building wall finish.

b. All flooring at balconies and at porches shall be made of brick, concrete,

or stone.

c. Any part of a balcony projecting beyond a building wall shall be

structurally supported by concrete beams or profiled sills or wood beams

or brackets of appropriate scale.

MISCELLANEOUS STANDARDS:

A. LOADING DOCKS AND SERVICE AREAS.

1. Loading docks and service areas shall be located away from thoroughfares and

shall be visually screened from adjoining properties to the satisfaction of the

Director of Planning.

B. BUILDING MECHANICAL AND ROOFTOP MECHANICAL EQUIPMENT.

1. Building mechanical equipment including, but not limited to, electric meters, gas

meters, water meters, and transformers and refuse storage shall be visually

screened.

2. Rooftop mechanical equipment shall be visually screened from all sides by

parapet walls or opaque screening enclosures both of which shall be a minimum

of twelve (12) inches greater in height than the equipment.

C. COLLECTION RECEPTACLES.

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All collection receptacles shall be visually screened on all sides by a solid, opaque wall a minimum of six feet in height, and constructed of a material matching the nearest building wall to the satisfaction of the Director of Planning. All access doors into the collection receptacle shall be made of opaque metal matching the height of the solid walls.

D. TRAFFIC MITIGATION SOLUTION.

1. The Developer Owner of Tract 2 shall prepare, or shall have prepared on their behalf, submit-a traffic calming plan to be submitted to the Director of Planning addressing a solution for eastbound traffic on the private road towards Carlin Road for review and approval. Owner The Developer and the Development Review Committee (DRC) city staff shall work with residents and property owners in the Carlin Road Neighborhood to provide and implement a reasonable solution.

Comment [D1]: At one point in time, landscaping was noted as an acceptable screening for the trash staging area. Is that still an option? It would might look more "organic"

Comment [JA2]: Dru, I believe those details can be discussed and resolved when reviewing the landscaping plan. Some concern remains about landscaping as the principal screening.

E. <u>3RD-THIRD-PARTY DRAINAGE STUDY.</u>

1. The Developer Owner of Tracts 1 and 2 shall provide a 3rd-Third-party-Partyreview of the current drainage studies and provide a report to the residents and
property owners in the Carlin Road Neighborhood and the DRC, City Staff and
the Owner.

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F. MANDATORY PROPERTY OWNERS' ASSOCIATION.

1. <u>Tract 1</u>. A mandatory property owners' association shall be recorded in the public records of Tarrant County, Texas, and shall be binding upon all purchasers of land within Tract 1. The mandatory property owners' association shall be responsible for the maintenance of all on site parking, lighting, landscape, irrigation, fences,

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walls, gates (non-vehicular), access control systems, storm water quality and detention systems, private streets, and civic space and amenities.

a. <u>In the event Tract 1 does not provide onsite amenities, property Owners in</u>

Tract 1 will be given the opportunity to purchase memberships that allows

the use of the pool and fitness area in Tract 2.

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EXHIBIT B FOR ZC#-22-019
PAGE **23** OF **23**



Architecture/Urban Design A FIRM WITH A VIBRANT & **EXCITING CULTURE RECOGNIZED** FOR ELEVATED DESIGN

NOT FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION.

CARL M. MALCOLM

Registered Architect of the State of: Registration Number:

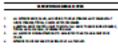
2022007.00 Project Number: NCrawford

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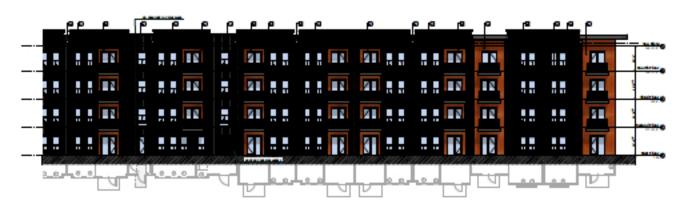
Delta Issue Name

| ENLARGED ELEVATIONS











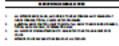






EXHIBIT C MULTIFAMILY BUILDING ELEVATIONS

B
Garage
D

ALL EXTERIOR BRICK, PANEL, AND SIDING TO WRAP CORNERS AND TERMINATE AT INSIDE CORNERS; TYPICAL, UNLESS NOTED OTHERWISE.

A VERTICAL BRICK CONTROL JOINT TO EXIST AT ALL BRICK TO BRICK INSIDE CORNERS, TYPICAL AND AS SHOWN, 30' SEPARATION MAX.

ALL MEP ROOF PIPE PENETRATIONS TO BE PAINTED TO MATCH ADJACENT ROOF COLOR.

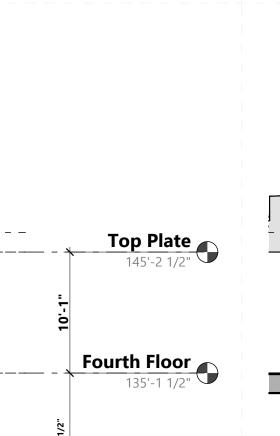
EXTERIOR COLOR PACKAGE TO BE ISSUED AT A LATER DATE.

28 Courtyard 4 North Elevation Scale: 1/8" = 1'-0"

ELEVATION GENERAL NOTES

MATERIAL LEGEND		
ID	MATERIAL	COLOR
01	BRICK	BRICK 1
02	BRICK	BRICK 2
03	BRICK	BRICK 3
04	BRICK	BRICK 4
05	FIBER CEMENT SIDING	COLOR 1
06	FIBER CEMENT SIDING	COLOR 2
07	FIBER CEMENT SIDING-WOOD FINISH	COLOR 3
08	FIBER CEMENT PANEL	COLOR 1
09	CORRUGATED METAL PANEL	DARK
10	METAL PANEL	COLOR 1
11	METAL PANEL OR FIBER CEMENT	COLOR 2
12	GARAGE SCREEN PANEL	COLOR 3

03 | Key Plan



Fourth Floor

135'-1 1/2"

Third Floor

123'-5"

Second Floor

111'-8 1/2"

First Floor

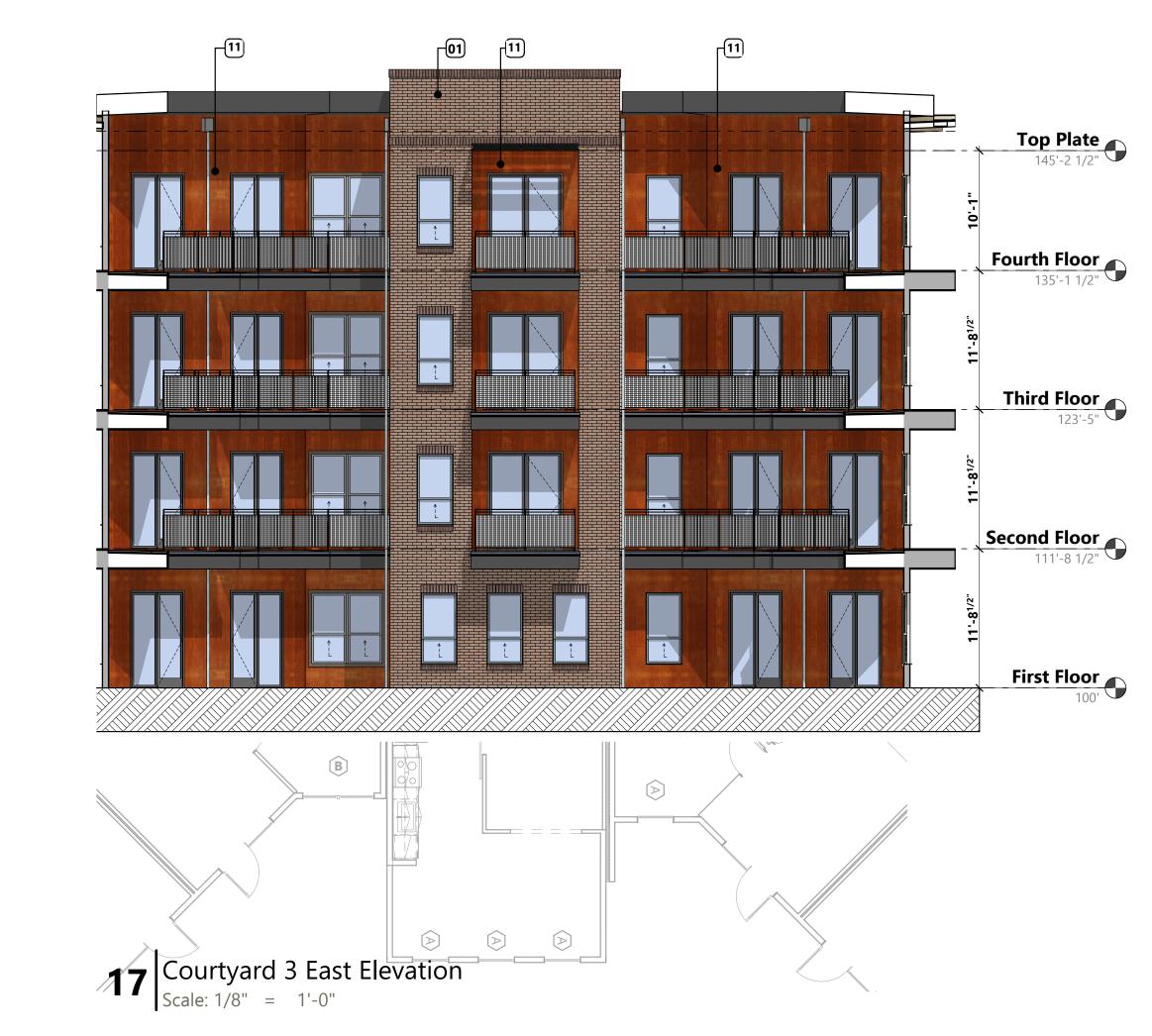
100'

13 East Elevation Area F
Scale: 1/8" = 1'-0"











JHP

Architecture / Urban Design
A FIRM WITH A VIBRANT &
EXCITING CULTURE RECOGNIZED
FOR ELEVATED DESIGN

NOT FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION.

CARL M. MALCOLM

Registered Architect of the State of

Registered Architect of the State of: TEXAS
Registration Number: 23379

B V BRIDGEVIEW

ALEXANDER
Manefield Toyas

Project Number: 2022007.00
Drawn By: NCrawford
Issue for:
DD 09.26.2022

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Delta Issue Name

A413

EXHIBIT C MULTIFAMILY BUILDING ELEVATIONS

Garage

ALL EXTERIOR BRICK, PANEL, AND SIDING TO WRAP CORNERS AND TERMINATE AT INSIDE CORNERS; TYPICAL, UNLESS NOTED OTHERWISE. A VERTICAL BRICK CONTROL JOINT TO EXIST AT ALL BRICK TO BRICK INSIDE CORNERS, TYPICAL AND AS SHOWN, 30' SEPARATION MAX. ALL MEP ROOF PIPE PENETRATIONS TO BE PAINTED TO MATCH ADJACENT ROOF

ELEVATION GENERAL NOTES

EXTERIOR COLOR PACKAGE TO BE ISSUED AT A LATER DATE.

Second Floor

First Floor

	MATERIAL L	EGEND
ID	MATERIAL	COLOR
01	BRICK	BRICK 1
02	BRICK	BRICK 2
03	BRICK	BRICK 3
04	BRICK	BRICK 4
05	FIBER CEMENT SIDING	COLOR 1
06	FIBER CEMENT SIDING	COLOR 2
07	FIBER CEMENT SIDING-WOOD FINISH	COLOR 3
08	FIBER CEMENT PANEL	COLOR 1
09	CORRUGATED METAL PANEL	DARK
10	METAL PANEL	COLOR 1
11	METAL PANEL OR FIBER CEMENT	COLOR 2
12	GARAGE SCREEN PANEL	COLOR 3

Architecture/Urban Design A FIRM WITH A VIBRANT & **EXCITING CULTURE RECOGNIZED** FOR ELEVATED DESIGN

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CONSTRUCTION.

CARL M. MALCOLM

Registered Architect of the State of: Registration Number:

B V BRIDGEVIEW

 	01	[1]	07 03 02 02	
				<u>.</u>
	Ŷ			Third Floor 123'-5"
				Second Floor 111'-8 1/2"
	METERS			First Floor

17 East Elevation Area E South Scale: 1/8" = 1'-0"

14 Courtyard 4 South Elevation
Scale: 1/8" = 1'-0"

03 | Key Plan

Fourth Floor Third Floor Copyright © JHP 2022
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A A A

KNOX BOX FOR FIRE ACCESS $\!\!/\!\!/$

South Elevation Area E
Scale: 1/8" = 1'-0"

Courtyard 4 East Elevation
Scale: 1/8" = 1'-0"

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Delta Issue Name

Project Number:

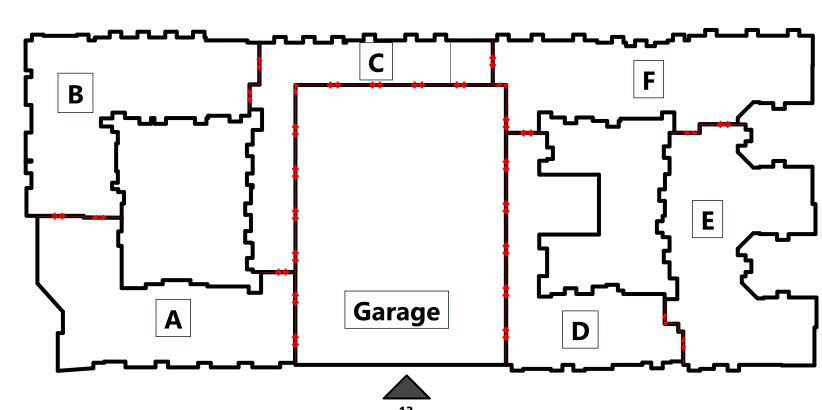
Drawn By: Issue for:

2022007.00

NCrawford

09.26.2022

EXHIBIT C MULTIFAMILY BUILDING ELEVATIONS



03 | Key Plan

ALL EXTERIOR BRICK, PANEL, AND SIDING TO WRAP CORNERS AND TERMINATE AT

ELEVATION GENERAL NOTES

INSIDE CORNERS; TYPICAL, UNLESS NOTED OTHERWISE. A VERTICAL BRICK CONTROL JOINT TO EXIST AT ALL BRICK TO BRICK INSIDE CORNERS, TYPICAL AND AS SHOWN, 30' SEPARATION MAX. ALL MEP ROOF PIPE PENETRATIONS TO BE PAINTED TO MATCH ADJACENT ROOF

4. EXTERIOR COLOR PACKAGE TO BE ISSUED AT A LATER DATE.

	MATERIAL LI	EGEND
ID	MATERIAL	COLOR
01	BRICK	BRICK 1
02	BRICK	BRICK 2
03	BRICK	BRICK 3
04	BRICK	BRICK 4
05	FIBER CEMENT SIDING	COLOR 1
06	FIBER CEMENT SIDING	COLOR 2
07	FIBER CEMENT SIDING-WOOD FINISH	COLOR 3
08	FIBER CEMENT PANEL	COLOR 1
09	CORRUGATED METAL PANEL	DARK
10	METAL PANEL	COLOR 1
11	METAL PANEL OR FIBER CEMENT	COLOR 2
12	GARAGE SCREEN PANEL	COLOR 3

Second Floor First Floor

Architecture/Urban Design A FIRM WITH A VIBRANT & **EXCITING CULTURE RECOGNIZED** FOR ELEVATED DESIGN

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CARL M. MALCOLM

Registered Architect of the State of: Registration Number: 23379

2022007.00 Project Number: Drawn By: NCrawford

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Delta Issue Name

| ENLARGED ELEVATIONS

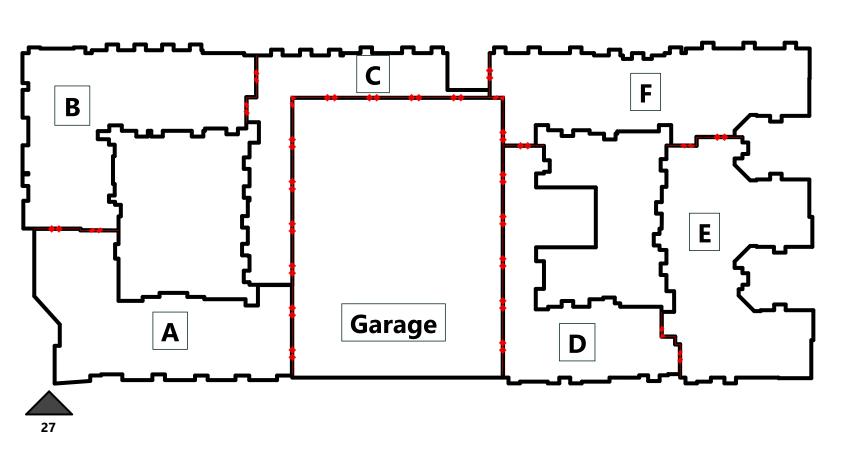




DECEMBER 21, 2022

BRIDGEVIEW
REAL ESTATE EXHIBIT D-2
MULTIFAMILY LANDSCAPE CONCEPT





01 | Key Plan

ILLUMINATED BUILDING SIGNAGE 2'-7" Second Floor

27 Illuminated Signage Diagram
Scale: 3/8" = 1'-0"

First Floor

A FIRM WITH A VIBRANT & **EXCITING CULTURE RECOGNIZED** FOR ELEVATED DESIGN **NOT FOR REGULATORY** APPROVAL, PERMIT, OR

CARL M. MALCOLM

CONSTRUCTION.

Registered Architect of the State of: TEXAS Registration Number: 23379

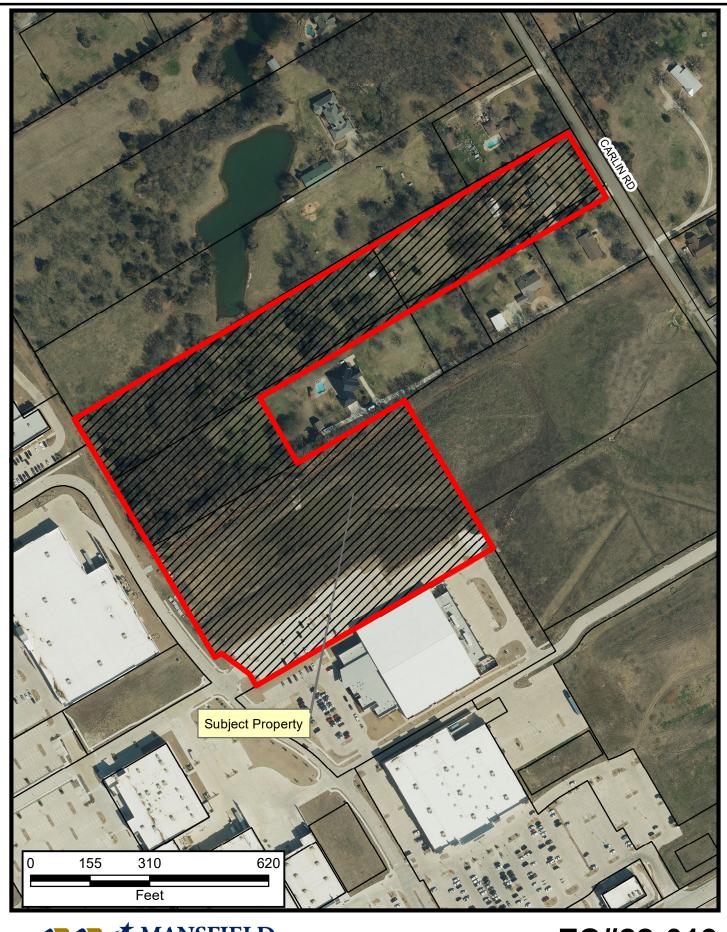
2022007.00 NCrawford

Project Number: Drawn By: Issue for:

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Delta Issue Name



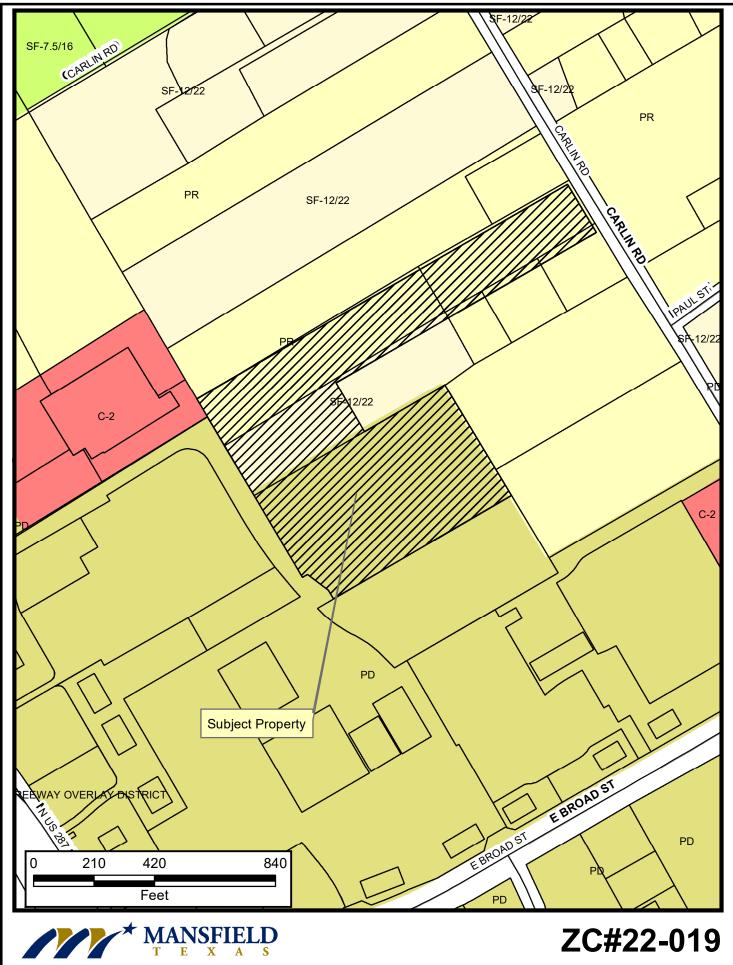




ZC#22-019

This information is for illustrative purposes only. Not for design or development purposes. Site-specific studies may be required to obtain accurate feature locations. Every effort is made to ensure the information displayed here is accurate; however, the City of Mansfield makes no claims to its accuracy or completeness.

12/13/2022



This information is for illustrative purposes only. Not for design or development purposes. Site-specific studies may be required to obtain accurate feature locations. Every effort is made to ensure the information displayed here is accurate; however, the City of Mansfield makes no claims to its accuracy or completeness.

12/13/2022

Property Owner Notification for ZC#22-019

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
BRATTON, THOMAS SURVEY	A 162	ROBB, G W LTD	315 CARLIN RD	MANSFIELD, TX	76063-3458
BRATTON, THOMAS SURVEY	A 162	GOOCH, BILL C	240 CARLIN RD	MANSFIELD, TX	76063-3455
BRATTON, THOMAS SURVEY	A 162	ROBB, G W LTD	315 CARLIN RD	MANSFIELD, TX	76063-3458
NELSON ADDITION-MANSFIELD	BLK 1	NELSON FAMILY REV TRUST	257 CARLIN RD	MANSFIELD, TX	76063
ODELE, HENRY SURVEY	A 1196	HUANTE, JOSE HECTOR	309 CARLIN RD	MANSFIELD, TX	76063-3458
ODELE, HENRY SURVEY	A 1196	HUANTE, JOSE HECTOR	309 CARLIN RD	MANSFIELD, TX	76063-3458
ODELE, HENRY SURVEY	A 1196	MATLOCK EAST LLC	800 MATLOCK RD	MANSFIELD, TX	76063
ODELE, HENRY SURVEY	A 1196	BANE, DARVIS	251 CARLIN RD	MANSFIELD, TX	76063-3459
ODELE, HENRY SURVEY	A 1196	DOTY, NATHAN P	253 CARLIN RD	MANSFIELD, TX	76063-3459
ODELE, HENRY SURVEY	A 1196	MATLOCK EAST LLC	800 MATLOCK RD	MANSFIELD, TX	76063
ODELE, HENRY SURVEY	A 1196	DOTY, NATHAN	253 CARLIN RD	MANSFIELD, TX	76063-3459
ODELE, HENRY SURVEY	A 1196	MANSFIELD, CITY OF	1200 E BROAD ST	MANSFIELD, TX	76063-1805
ODELE, HENRY SURVEY	A 1196	MANSFIELD, CITY OF	1200 E BROAD ST	MANSFIELD, TX	76063-1805
ODELE, HENRY SURVEY	A 1196	MANSFIELD, CITY OF	1200 E BROAD ST	MANSFIELD, TX	76063-1805
ODELE, HENRY SURVEY	A 1196	MANSFIELD, CITY OF	1200 E BROAD ST	MANSFIELD, TX	76063-1805
SHOPS AT BROAD ST, THE	BLK 1	MANSFIELD, CITY OF	1200 E BROAD ST	MANSFIELD, TX	76063-1805
SHOPS AT BROAD ST, THE	BLK 1	BV CAPITAL MULTIFAMILY FUND I	8390 LYNDON B JOHNSON FWY SUIT	DALLAS, TX	75243

Tuesday, December 13, 2022

Property Owner Notification for ZC#22-019

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
SHOPS AT BROAD ST, THE	BLK 1	SPIRIT REALTY LP	4400 VON KARMAN STE 100	NEWPORT BEACH, CA	A 92660
SHOPS AT BROAD ST, THE	BLK 1	SHOPS AT BROAD LLC	3060 PEACHTREE RD STE 1050	ATLANTA, GA	30305

Tuesday, December 13, 2022



CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

STAFF REPORT

File Number: 23-5273

Agenda Date: 4/10/2023 Version: 1 Status: New Business

In Control: City Council File Type: Resolution

Agenda Number:

Title

Discussion and Possible Action Considering the Approval of a Resolution Regarding the Nomination of A Candidate to Serve on the Board of Directors for the Tarrant Appraisal District for the Calendar Years 2022 and 2023

Requested Action

Defer to the City Council.

Recommendation

Defer to the City Council.

Description/History

The city received notice from the Tarrant Appraisal District regarding the outcome of the recall election. The number of votes cast in favor of recall exceeded the number of votes necessary to recall. Ms. Kathryn Wilemon is recalled and now ceases to be a member of the TAD Board.

This item is to provide the City Council with the opportunity to discuss whether there is an individual they would like to nominate to serve on the board. Section 6.033 (d) provides that each taxing unit may nominate one candidate by resolution adopted by its governing body. The governing body's presiding officer shall submit the name of the unit's nominee to the chief appraiser on or before the 30th day after the date the taxing unit receives the notification from the chief appraiser. That date is April 21, 2023.

A candidate that has been recommended is Mattie Compton.

Justification

N/A

Funding Source

N/A

Prepared By

Troy Lestina, Deputy City Manager/Chief Financial Officer, 817-276-4258

File Number: 23-5273

RESOLUTION NO.
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD TEXAS, AUTHORIZING THE CITY OF MANSFIELD, TEXAS, TO NOMINATE A CANDIDATE TO THE CHIEF APPRAISER FO THE CENTRAL APPRAISAL DISTRICT OF TARRANT COUNTY APPRAISAL DISTRICT'S BOARD
WHEREAS as defined in the Texas Property Tax Code that the Central Appraisal District of Tarrant County is governed by a Board of Directors that are nominated and appointed by taxing units within Tarrant County; and,
WHEREAS the City of Mansfield is nominating the following candidate to the Chief Appraiser for appointment to the Board of Directors of the Central Appraisal District of Tarrant County, Texas:
NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS:
SECTION 1.
The Central Appraisal District of Tarrant County has a Board of Directors that governs the Tarrant County's Central Appraisal District.
SECTION 2.
That all candidates be nominated to the Chief Appraiser of the Central Appraisal District of Tarrant County for the nomination of the appointment to serve as Directors of the Board of the Central Appraisal District of Tarrant County.
SECTION 3.
This Resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Mansfield, and it is accordingly so resolved.
PASSED AND APPROVED THIS THE 10^{TH} DAY OF APRIL, 2023.
Michael Evans, Mayor ATTEST:

Susana Marin, City Secretary



CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

STAFF REPORT

File Number: 23-5275

Agenda Date: 4/10/2023 Version: 1 Status: New Business

In Control: City Council File Type: Ordinance

Agenda Number:

Title

Ordinance - First and Final Reading on an Ordinance Approving a Development Agreement with BV Landco LP Regarding the Development of Approximately 26.801 Acres, Being Lot 2R2, Block 47, Hillcrest Addition, According to the Plat Filed in Cabinet A, Slide 9110, and Lot 3, Block 47, Hillcrest Addition, According to the Plat Filed in Volume 388-45, Page 29, Plat Records, Tarrant County, Texas, Located at 203 South Wisteria Street and 1304 East Broad Street; Approving a Concept Plan and Phasing Plan; Providing that this Ordinance Shall Be Cumulative of All Ordinances; Providing a Savings Clause; Providing for a Penalty Clause; Providing a Severability Clause; and Providing an Effective Date

Requested Action

Approve and execute the development agreement in accordance with the provisions of the S, South Mansfield Form-based Development District.

Recommendation

That the City Council approve the agreement as presented.

Description/History

On November 14, 2022, the City Council approved a change of zoning to the S, South Mansfield Form-Based Development District for the Wisteria Project on approximately 26.801 acres located at 203 South Wisteria Street and 1304 East Broad Street. The property will be developed for live-work units (i.e., shop houses), multi-family residential, office, retail, and civic uses.

Section 155.073(D) of the S, South Mansfield Form-based Development District requires that a developer or a property owner enter into a development agreement and that the provisions of such agreement be approved by the City Council. The required development agreement must include a concept plan depicting proposed layout, proposed transect zone boundaries, proposed civic space types, proposed development intensity, and proposed building types; a phasing plan for the development; and other relevant information.

The development agreement, as presented, is consistent with the provisions set forth in Section 155.73(D) of the S, South Mansfield Form-based Development District and it specifically includes: (i) limitations on the transect zones (e.g., T-4, Urban Transition and T-5, Urban Center Transect Zones); (ii) height restrictions limiting principal buildings to a maximum height of two (2) stories when abutting certain zoning districts that allow for

File Number: 23-5275

single-family residential development; and (iii) the phasing plan includes three (3) phases for construction. The development agreement does constitute a "permit" and the development a "project" as such terms are defined in Chapter 245 of the Texas Local Government Code.

Prepared By

Jason Alexander, AICP, CEcD, Executive Director of Planning and Development Services 817-276-4229

ORDINA	NCE NO	•

AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH BV LANDCO LV REGARDING PROPERTY BEING DESCRIBED AS APPROXIMATELY 26.801 ACRES, BEING LOT 2R2, BLOCK 47, HILLCREST ADDITION, ACCORDING TO THE PLAT FILED IN CABINET A, SLIDE 9110, AND LOT 3, BLOCK 47, HILLCREST ADDITION, ACCORDING TO THE PLAT FILED IN VOLUME 388-45, PAGE 29, PLAT RECORDS, TARRANT COUNTY, TEXAS, LOCATED AT 203 SOUTH WISTERIA STREET AND 1304 EAST BROAD STREET; APPROVING A CONCEPT PLAN AND PHASING PLAN; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Mansfield, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government; and,

WHEREAS, BV LANDCO, LP ("<u>Developer</u>") owns a certain 26.801-acre tract of real property (the "<u>Property</u>") more fully described in Exhibit A attached hereto and incorporated herein; and,

WHEREAS, Developer intends to develop the Property as mixed-use, with a complementary mixture of retail, residential, civic space, and other uses; and,

WHEREAS, the City Council considered and approved Developer's request to rezone the Property on the 14th day of November, 2022, to the S, South Mansfield Form-Based Development District ("<u>District</u>") as found and enumerated in the City's Zoning Ordinance; and,

WHEREAS, the City and Developer are desirous of creating a development agreement in accordance with the regulations for the District; and,

WHEREAS, the City Council of the City of Mansfield, Texas, does hereby deem it advisable and in the public interest to approve the development agreement, as described herein.

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

SECTION 1.

The development agreement, concept plan, and phasing plan, attached hereto as Exhibit A, are approved.

SECTION 2.

The use and development of the Property hereinabove described shall be subject to all the applicable regulations contained in Chapter 155 "Zoning" of the Code of Ordinances, City of Mansfield, the development agreement, the concept plan, and phasing plan attached hereto as Exhibit A, and all other applicable and pertinent ordinances of the City of Mansfield, Texas.

SECTION 3.

That all ordinances of the City of Mansfield in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City of Mansfield not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4.

All rights or remedies of the City of Mansfield, Texas, are expressly saved as to any and all violations of the Code of Ordinances, City of Mansfield, Texas, as amended, that have accrued at the time of the effective date of this ordinance and as to such accrued violations and all pending litigation, both civil and criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 5.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 6.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 7.

This ordinance shall be in full force and effect from and after its passage and publication as required by law and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS THE 10^{TH} DAY OF APRIL, 2023.

Ordinance No.		23-527
Page 3 of 3		
	Michael Evans, Mayor	
ATTEST:		
Susana Marin, City Secretary	_	
APPROVED AS TO FORM AND LEG	SALITY.	
ATTROVED AS TO FORM AND LEG	ALITI.	

Bradley Anderle, City Attorney

CITY OF MANSFIELD, TEXAS

S, SOUTH MANSFIELD FORM-BASED DEVELOPMENT DISTRICT DEVELOPMENT AGREEMENT NO. 2.

This Development Agreement (this "AGREEMENT") is made and entered into by and between BV LANDCO LP, a Texas limited partnership, its successors and assigns ("DEVELOPER"), and the CITY OF MANSFIELD, TEXAS, a home rule city and municipal corporation (the "CITY"). The City and Developer may also be referred to collectively as the "PARTIES", or individually as a "PARTY".

RECITALS

WHEREAS, Developer intends to develop in partnership with City a certain +/-26.8-acre tract of real property (the "**PROPERTY**") more fully described in EXHIBIT "A" that is attached hereto and incorporated herein; AND

WHEREAS, Developer intends to develop the Property as mixed-use, with a complementary mixture of retail, residential, civic space, and other uses with an emphasis on cultural arts; AND

WHEREAS, the City Council considered and approved Developer's request to rezone the Property on the 14TH day of NOVEMBER, 2022, to the "S, SOUTH MANSFIELD FORM-BASED DEVELOPMENT DISTRICT" as found and enumerated in the City's Zoning Ordinance; AND

WHEREAS, the regulations for the "S, SOUTH MANSFIELD FORM-BASED DEVELOPMENT DISTRICT" require the City and Developer to establish the terms and conditions for development of the Property and construction of the Project (as further defined in below) pursuant to a development agreement; AND

WHEREAS, the regulations for the "S, SOUTH MANSFIELD FORM-BASED DEVELOPMENT DISTRICT" describe the minimum terms and conditions of such development agreement; AND

WHEREAS, the City and Developer are desirous of creating a development agreement in accordance with the regulations for the "S, SOUTH MANSFIELD FORM-BASED DEVELOPMENT DISTRICT";

NOW, THEREFORE, in consideration of the mutual benefits and promises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Developer agree as follows:

ARTICLE I.

DEFINITIONS

In this Agreement, each of the following terms shall have the meanings indicated:

"EFFECTIVE DATE" shall mean the date that this Agreement is executed by the Parties.

"PROJECT" shall mean construction of a mixed-use community on the Property (as defined below) and includes, without limitation, the addition of commercial and multi-family uses,

pursuant to all the rules and regulations of the S, SOUTH MANSFIELD FORM-BASED DEVELOPMENT DISTRICT as set forth in the Zoning Ordinance of the City.

"PROPERTY" shall have the meaning set forth in the Recitals to this Agreement, and consists of the real property described on EXHIBIT "A".

ARTICLE II.

OBLIGATIONS OF DEVELOPER

- **A.** <u>CONCEPT PLAN</u>. Developer shall develop (or cause to be developed) the Property and construct (or cause to be constructed) the Project in substantial accordance with the Concept Plan shown on the attached EXHIBIT "B".
 - 1. <u>TRANSECT ZONES</u>. The transect zones for the Project shall be limited to the following:
 - i. T-4, urban transition transect zone.
 - ii. T-5, urban center transect zone.
 - 2. <u>BUILDING HEIGHT RESTRICTIONS.</u> Principal buildings shall be restricted to a maximum building height of two (2) stories when abutting any property currently zoned as:
 - i. PR, Pre-development district.
 - ii. A, agricultural district.
 - iii. SF, single-family residential district.
 - iv. 2F, two-family residential district.

v. PD, planned development district, provided that single-family residential structures are an allowable use of land.

3. <u>ADDITIONAL PROJECT ATTRIBUTES.</u>

- i. Exterior Finish. Primary exterior finish shall be limited to brick and stone. Secondary exterior finish shall be limited to cementitious fiber board, metal, and stucco. Where used on a single building, secondary exterior finish shall not exceed 25 percent of the total building wall area, with each building façade being calculated independently.
 - a. Exterior insulation and finish systems (E.I.F.S.) and vinyl shall be prohibited.
- ii. Architectural Character (Live-work Units). The architectural character for all live-work units to be constructed on the Property shall be derived from the stylistic materials and details for the live-work units that were designed and constructed for the Wheeler District in Oklahoma City, Oklahoma (see EXHIBIT "C").
- iii. Architectural Character (All Other Buildings). The architectural character of all other buildings to be constructed on the Property, with the exception of Wisteria Hall as described herein, shall have a combination of materials, shapes of openings, and designs that are most common to the industrial chic architectural style.
- **B. PHASING PLAN.** Development of the Property and the construction of the Project is anticipated to occur in accordance with the estimated schedule described in the attached EXHIBIT "C" and as further described below provided, however, that development of the

Property and the construction of the Project may be completed in a single phase at the sole discretion and option of Developer.

- 1. <u>PHASE 1</u>. The Development of the Property shall include a commercial building with a minimum of 5,000 square feet fronting East Broad Street; civic space; and live-work units.
- 2. PHASE 2. Development of the Property shall include the construction of multi-family residential buildings; civic space; and live-work units as shown on EXHIBIT "B".
- 3. WISTERIA HALL. For the purposes of this Agreement, "Wisteria Hall" is defined as the civic building to be located and constructed within the center of the Project that will have a minimum of 10,000 square feet dedicated to arts, culture, and education and conferences and meetings. Wisteria Hall may be constructed at any time during the first or second phase of the Project (i.e., Phase 1 or Phase 2), provided that Wisteria Hall shall be constructed and in operation prior to the issuance of any certificate of occupancy by the City for the last multi-family residential building constructed on the Property. It is acknowledged by the City and Developer that, an affiliate of the City and / or Developer shall construct (or shall cause to be constructed) Wisteria Hall subject to terms and conditions negotiated, contemplated, and agreed to in other agreements. However, nothing that is contained within this Agreement shall be construed or interpreted to mean that Wisteria Hall is not to be constructed as part of this Project and that such civic building is not in operation by the completion of the Project as set forth herein.
- C. <u>APPLICABLE ORDINANCES AND REGULATIONS</u>. Developer shall develop (or shall cause to be developed) the Property in accordance with all City ordinances and

regulations that apply to development within the City limits, and more specifically, City development ordinances and regulations that apply within the "S, SOUTH MANSFIELD FORM-BASED DEVELOPMENT DISTRICT" as found in the City's Zoning Ordinance, provided, however, that nothing contained herein shall prohibit Developer from requesting a warrant pursuant to provisions found in the "S, SOUTH MANSFIELD FORM-BASED DEVELOPMENT DISTRICT" or any variance or other special exception from the City's ordinances and regulations and only in accordance with the procedures that are appropriate to the requested variance or exception or as outlined and agreed to in this agreement.

D. <u>CHAPTER 245 PERMIT AND PROJECT</u>. The Parties agree and acknowledge that this Agreement shall constitute a "permit" and the Project shall constitute a "project" as those terms are defined in Chapter 245 of the Texas Local Government Code.

[signatures on following pages]

EXECUTED to be effective as of the 10^{TH} day of April , 2023.

CITY OF MA	ANSFIELD, TEXAS:
BY:	
	City Manager or Designee
APPROVED	AS TO FORM:
BY:	
	City Attorney
DEVELOPE	R:
BY:	BV LANDCO LP
	Benjamin Breunig, Manager

EXHIBIT "A" – Metes and Bounds of +/-26.8 – Acre Tract (Survey).

EXHIBIT "B" – Concept Plan.

EXHIBIT "C" – Phasing Plan.

EXHIBIT "D" – Architectural Character of Live-Work Units in the Wheeler District.

EXHIBIT "A"

Legal description of land

Tract 1: (203 S. Wisteria St.)

BEING a 12.031 acre tract of land situated in the William C. Price Survey, Abstract No. 1240, Tarrant County, Texas; said tract being all of Lot 2R2, Block 47 of Hillcrest Addition Replat, an addition to the City of Mansfield, Texas according to the plat recorded in Cabinet A, Slide 9110 of the Plat Records of Tarrant County, Texas, said Lot 2R2 being part of that tract of land described in Special Warranty Deed to Silgan Containers Manufacturing Corporation recorded in Volume 13035, Page 234 of the Deed Records of Tarrant County, Texas; said 12.037 acre tract being more particularly described as follows;

BEGINNING, at a 1/2-inch iron rod with "PACHECO KOCH" cap found for corner in the East right-of-way line of S. Wisteria Street (a 60-foot wide right-of-way); said point being the Northwest corner of said Lot 2R2 and the Southwest corner of Lot 2R1, Block 47 of said addition;

THENCE, North 82 degrees, 27 minutes, 27 seconds East, along the South line of Lot 2R1, a distance of 646.20 feet to a point for corner; said point being the Southeast corner of said Lot 2R;

THENCE in a Northerly direction, along the East line of said Lot 2R1, the following four (4) calls:

North 02 degrees, 32 minutes, 49 seconds West, a distance of 205.69 feet to a point for corner;

North 54 degrees, 08 minutes, 00 seconds West, a distance of 121.38 feet to a point at the beginning of a nontangent curve to the right;

Along said curve to the right having a central angle of 21 degrees, 54 minutes, 37 seconds, a radius of 126.00 feet, a chord bearing and distance of North 41 degrees, 09 minutes, 79 seconds West. 47.89 feet, an arc distance of 48.18 feet to a point at the end of said curve;

North 30 degrees, 12 minutes, 00 seconds West, a distance of 90.58 feet to a point for corner in the South right-of-way line of E. Broad Street (a variable width right-of-way); said point being the Northeast corner of said Lot 2R1 and the beginning of a non-tangent curve to the left;

THENCE, in a Northeasterly direction, along the said South line of E. Broad Street and said curve to the left, having a central angle of 02 degrees, 31 minutes, 23 seconds, a radius of 1,043.50 feet, a chord bearing and distance of North 69 degrees, 23 minutes, 50 seconds East 45.95 feet an arc distance of 45.95 feet to a point at the end of said curve;

THENCE, North 68 degrees, 08 minutes, 09 seconds East continuing along the said South line of E. Broad Street, a distance of 133.25 feet to a point for corner in the West line of Lot 3A, Block 47 Hillcrest Addition, an addition to the City of Mansfield, Texas according to the plat recorded in Volume 388-45, Page 29 of said Deed Records;

THENCE, South 30 degrees, 12 minutes, 00 seconds East departing the said South line of E. Broad Street and along the West line of said Lot 3A, a distance of 343.00 feet to a 1/2-inch iron rod with ?T VOGT 1928? cap found for angle point;

THENCE, South 15 degrees, 52 minutes, 00 seconds West, continuing along the said West line of Lot 3A, a distance of 1,012.24 feet to a point for corner in the Northeasterly right-of-way line of the H.T.C. Railroad Co. Right-of-Way (a 100-foot wide right-of-way);

THENCE, North 74 degrees, 38 minutes, 00 seconds West, along said Northeasterly line of H.T.C. Railroad Co. Right-of-Way a distance of 600.00 feet to a point for corner in the said East line of S. Wisteria Street;

THENCE, in a Northerly direction, along the said East line of S. Wisteria Street, the following three (3) calls:

North 15 degrees, 52 minutes, 00 seconds East a distance of 132.77 feet to a 3/8-inch iron rod found at the beginning of a curve to the left;

Along said curve to the left, having a central angle of 23 degrees, 24 minutes, 00 seconds, a radius of 965.76 feet, a chord bearing and distance of North 04 degrees, 10 minutes, 00 seconds East, 391.69 feet an arc distance of 394.42 feet to a 3/8-inch iron rod found at the end of said curve;

North 07 degrees, 32 minutes, 00 seconds West, a distance of 46.56 feet to the POINT OF BEGINNING;

CONTAINING: 524,076 square feet or 12.031 acres of land, more or less.

Tract 2: (1304 E. Broad St.)

Lot 3, in Block 47, of Hillcrest Addition, an addition to the City of Mansfield, Tarrant County,

Texas, according to the Plat thereof recorded in/under Volume 388-45, Page 29, Map Records,

Tarrant County, Texas.

EXHIBIT "B"

CONCEPT PLAN

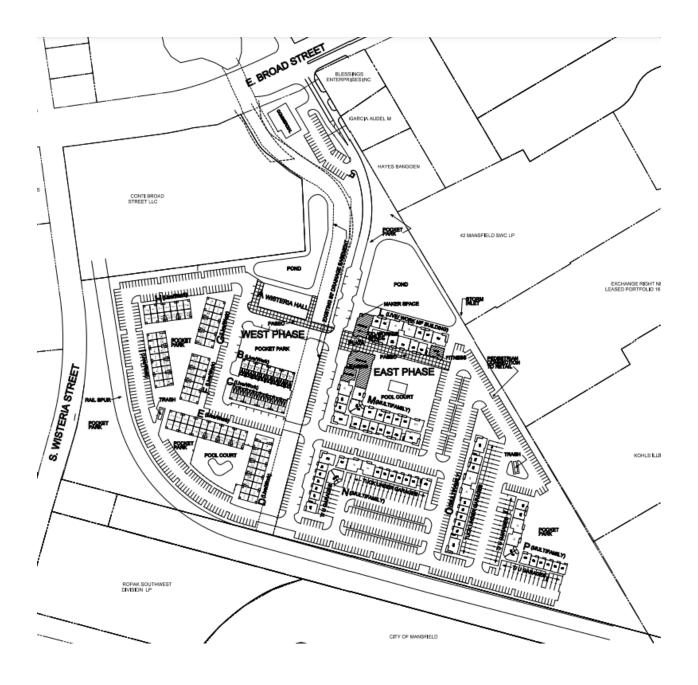


EXHIBIT "C"

PHASING PLAN

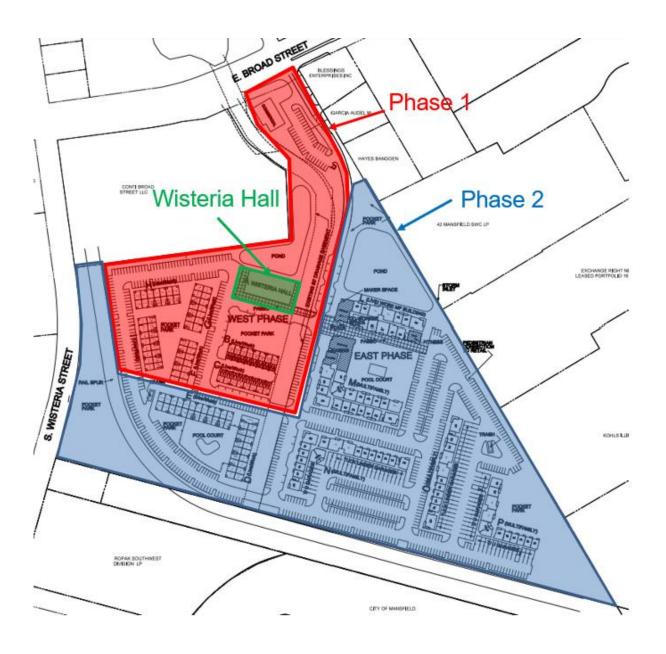


EXHIBIT "D"ARCHITECTURAL CHARACTER OF LIVE-WORK UNITS IN THE WHEELER DISTRICT



