



CITY OF MANSFIELD

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

Meeting Agenda

City Council

Monday, November 11, 2019

5:00 PM

Council Chambers

REGULAR MEETING

1. **5:00 P.M. - CALL MEETING TO ORDER**

2. **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**

A1. Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 348-270155-14

A2. Seek Advice of City Attorney Regarding Possible Amendment to the Ground Lease and Operating Agreement with STORE Master Funding VIII, LLC

A3. Seek Advice of City Attorney Regarding Zoning Changes by the City

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

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 Incentative 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**

D1. Economic Development Project #19-02

3. **6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION**

4. **7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION**

5. INVOCATION**6. PLEDGE OF ALLEGIANCE****7. TEXAS PLEDGE**

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

8. PROCLAMATION

[19-3357](#) Small Business Saturday

Attachments: [Small Business Saturday 2019](#)

9. PRESENTATION

Citizen's Meritorious Act Award to Gabriel Vivoni

10. 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 Assistant City Secretary's seating place. Please present the card to the Assistant City Secretary prior to the start of the meeting.

11. COUNCIL ANNOUNCEMENTS**12. 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

13. SUB-COMMITTEE REPORTS

[19-3344](#) Minutes - Approval of the October 30, 2019 Public Memorial Sub-Committee Meeting (vote will be only by the members of the

sub-committee)

Presenters: Shelly Lanners and Susana Marin

Attachments: [10-30-19 Public Memorials Sub-Committee Minutes](#)

14. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

15. 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

[19-3298](#)

Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning From SF-7.5/12 Single-Family Residential District and OP, Office Park District to PD, Planned Development District for Medical Office Uses on Approximately 0.516 Acres Known as a Portion of Lot 1, Block 16, Original Town of Mansfield, Generally Located at 501 E. Broad Street and 104 N. Waxahachie Street; Chris Jackson of Mansfield, Texas MOB, LP (ZC#19-015)

Presenters: Joe Smolinski, Matt Jones and Andrew Bogda

Attachments: [Ordinance](#)

[Exhibit A](#)

[Exhibits B - D](#)

[Maps and Supporting Information](#)

[19-3325](#)

Ordinance - Second Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 52, Stormwater Quality Protection, of the Code of Ordinances, Mansfield, Texas; Amending the Regulations Related to the Performance Standards to Control Stormwater Quality; Providing That This Ordinance Shall Be Cumulative of All Ordinances; Providing a Penalty Clause for Violations; Providing a Severability Clause; Providing a Savings Clause; Providing for Publication; and Providing an Effective Date

Presenters: Joe Smolinski and Howard Redfearn

Attachments: [Ordinance](#)

[Chapter 52 Update Summary](#)

[19-3329](#)

Ordinance - Second Reading of an Ordinance Approving the Conveyance of Certain Real Property in Fee Simple as a Metering Station Site and the Assignment of a Certain Utility Easement and Access Easement to the Trinity River Authority for the Maintenance and Operation of Regional Wastewater Facilities

Presenters: Joe Smolinski and Jeff Price

Attachments: [Ordinance](#)

[Exhibit A - 0.057 ac Meter Station](#)

[Exhibit B - 0.613 ac Utility Easement](#)

[Exhibit C - 1.154 ac Access Easement](#)

[19-3348](#)

Resolution - A Resolution to Consider Naming the New Off-Leash Dog Park at 610 W. Broad Street as "Mans Best Field"

Presenters: Shelly Lanners and Matt Young

Attachments: [Resolution](#)

[19-3349](#)

Resolution - A Resolution by the City of Mansfield, Texas Affirming the Casting of Votes in the 2020-2021 Election of the Board of Directors for the Central Appraisal District of Tarrant County

Presenters: Peter Phillis

Attachments: [Resolution](#)

[Tarrant County Ballot - TAD Board of Directors](#)

[19-3351](#)

Resolution - A Resolution Awarding A Contract For Street Sweeping Services For FY 20 to Sweeping Services of Texas - Operating L.P. for an Amount Not To Exceed \$137,500 (Drainage Utility Fund)

Presenters: Joe Smolinski, Bart VanAmburgh and Howard Redfearn

Attachments: [Resolution](#)

[Street Sweeping Bid Tab 2020](#)

[19-3352](#)

Resolution - A Resolution by the City of Mansfield, Texas Affirming the Casting of Votes in the 2020-2021 Election of the Board of Directors for the Central Appraisal District of Johnson County

Presenters: Peter Phillis

Attachments: [Resolution](#)

[Johnson County Appraisal District Ballot](#)

[19-3353](#)

Resolution - A Resolution by the City of Mansfield, Texas Affirming the Casting of Votes in the 2020-2021 Election of the Board of Directors for the Central Appraisal District of Ellis County

Presenters: Peter Phillis

Attachments: [Resolution](#)

[Ellis County 2020-2021 Letter to Presiding Officer](#)

[Ellis County 2020-2021 Candidate Information](#)

[2020-2021 EAD BOD Ballot - City of Mansfield](#)

[19-3354](#)

Resolution - A Resolution Awarding a Contract for Construction of Magnolia Street Improvements (East Broad St. to Wisteria St.) to Texas Materials Group, Inc. and Authorizing Funding for an Amount Not to Exceed \$1,603,506.00 (Street Bond Fund and Utility Bond Fund)

Presenters: Joe Smolinski and Bart VanAmburgh

Attachments: [Resolution](#)
[Magnolia Improvements](#)
[Magnolia-Bid Tabulation](#)

[19-3356](#) Resolution - A Resolution Approving a Preservation Agreement between the City of Mansfield and Manuel and Elva Hernandez, owners of 301 W. Broad St., for a Historic Mansfield Preservation Grant Not to Exceed \$4,400.00 (HLC#19-009)

Presenters: Joe Smolinski, Matt Jones and Art Wright

Attachments: [Resolution with Exhibit A](#)
[Maps and supporting information](#)
[Window est](#)

[19-3338](#) Minutes - Approval of the October 28, 2019 Regular City Council Meeting Minutes

Presenters: Shelly Lanners and Susana Marin

Attachments: [10-28-19 DRAFT Meeting Minutes](#)

END OF CONSENT AGENDA

16. OLD BUSINESS

[19-3323](#) Ordinance - Second Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 50, Solid Waste Management, of the Code of Ordinances, Mansfield, Texas; Amending the Regulations Related to the Collection of Garbage, Trash and Recyclable Materials in Certain Circumstances; Providing That This Ordinance Shall Be Cumulative of All Ordinances; Providing a Penalty Clause for Violations; Providing a Severability Clause; Providing a Savings Clause; Providing for Publication; and Providing an Effective Date

Presenters: Joe Smolinski and Howard Redfearn

Attachments: [Ordinance](#)
[Chapter 50 Ordinance Update Summary](#)

17. PUBLIC HEARING AND RESOLUTION

[19-3347](#) Resolution - A Resolution to Consider Support for a Grant Application to the Texas Parks and Wildlife Department for Matching Fund Assistance for Development Gertie Barrett Park

Presenters: Shelly Lanners and Matt Young

Attachments: [Resolution](#)
[TPWD Resolution - Gertie Barrett Park Grant Application](#)

18. PUBLIC HEARING AND FIRST READING

[19-3343](#) Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from PD Planned Development District to PD Planned Development District for Single-Family Residential Uses on Approximately 30.001 Acres Out of the S. Mitchell Survey, Abstract No. 1024, Tarrant County, TX, and Abstract No. 593, Johnson County, TX, Located at 890 & 932 S. Mitchell Rd.; John Arnold of Skorburg Company on Behalf of Bobby F. & Mary A. Havens (ZC#19-012)

Presenters: Joe Smolinski, Matt Jones and Andrew Bogda

Attachments: [Ordinance](#)

[Exhibit A](#)

[Exhibits B - D](#)

[Maps and Supporting Information](#)

[Request to Table to 11-25-19](#)

[19-3350](#) Ordinance - Public Hearing and First Reading of an Ordinance Changing the Speed Limits and the School Zone on Main Street from North of Pleasant Ridge Drive to Heritage Parkway (FM 917)

Presenters: Joe Smolinski and Bart VanAmburgh

Attachments: [Ordinance](#)

[Exhibit A](#)

[Main Street Speed Limit Change Map](#)

19. PUBLIC HEARING CONTINUATION AND SECOND READING

[19-3328](#) Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Change of Zoning from 2F, Two-Family Residential District and SF-7.5/12, Single-Family Residential District to PD Planned Development District for Two-Family Residential Uses on Approximately 0.25 Acres Being a Portion of Block 26, Original Town of Mansfield, Located at 203 W. Kimball Street; Sheri Bumgardner of SSB Designs on behalf of David Cook of Altar Holdings, LLC (ZC#19-016)

Presenters: Joe Smolinski, Matt Jones and Andrew Bogda

Attachments: [Ordinance](#)

[Exhibit A](#)

[Exhibits B - C](#)

[Maps and Supporting Information](#)

20. NEW BUSINESS

[19-3342](#) Discussion Regarding Establishment of a Corridor Within the City of Mansfield Where Electric Delivery Lines are Required to be Buried by the Developer if Oncor Electric Delivery Will Not

Presenters: Brent Newsom, Julie Short, Casey Lewis, Mike Leyman, Larry Broseh and Terry Moore

[19-3345](#)

Consideration and Possible Action to Suspend the Procedural Rules of Council and Reschedule the Regular Scheduled City Council Meeting of December 23, 2019 to December 9, 2019

Presenters: Shelly Lanners and Susana Marin

Attachments: [Procedural Rules of Council](#)

[19-3360](#)

Discussion and Possible Action Regarding a Minor Modification of the South Pointe Planned Development

Presenters: Joe Smolinski

Attachments: [Site Plan](#)

21. **ADJOURN**

CERTIFICATION

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the NOVEMBER 11, 2019 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 NOVEMBER 7, 2019 prior to 5:00 p.m., in compliance with Chapter 551, Texas Government Code.

Susana Marin, City Secretary

Approved as to form:

City Attorney

DATE OF POSTING: _____ TIME: _____ am/pm

DATE TAKEN DOWN: _____ TIME: _____ am/pm

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 ALL PAGERS, CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.



CITY OF MANSFIELD

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STAFF REPORT

File Number: 19-3357

Agenda Date: 11/11/2019

Version: 1

Status: To Be Presented

In Control: City Council

File Type: Proclamation

Agenda Number:

Title

Small Business Saturday

Requested Action

n/a

Recommendation

n/a

Description/History

n/a

Justification

n/a

Funding Source

n/a

Prepared By

Belinda Willis, Director of Communications & Marketing

WHEREAS, the more than 30.2 million small businesses in the U.S., representing more than 99 percent of all U.S. businesses with employees, generated more than 1.9 million new jobs in 2017 and employ 57 million nationwide; and

WHEREAS, small businesses generate an estimated 44 percent of the U.S. private gross domestic product, and the successes of these entrepreneurs and businesses is critical to the country's overall economic health; and

WHEREAS, Small Business Saturday is a national holiday held the Saturday after Thanksgiving and begun in 2010 by American Express to encourage consumers to support the small businesses in their communities; and

WHEREAS, during 2018's Small Business Saturday, Americans spent an estimated \$17.8 million at independent retailers and restaurants on Small Business Saturday, with 96 percent of consumers saying the event makes them want to shop at small businesses all year long and not just during the holidays; and

WHEREAS, Mansfield celebrates our small businesses for their unique contributions they make to our city and the impact they have on the success of our local economy;

NOW, THEREFORE, I, David Cook, Mayor of the City of Mansfield, Texas, join with the members of the City Council, to hereby proclaim Nov. 30, 2019, as

SMALL BUSINESS SATURDAY

in Mansfield and ask all residents to support the small businesses in our city, not only on this day but throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the official seal of the City of Mansfield, Texas, to be affixed this 11th day of November, 2019.

A handwritten signature in black ink, appearing to read "David Cook", is written in a cursive style.



CITY OF MANSFIELD

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STAFF REPORT

File Number: 19-3344

Agenda Date: 11/11/2019

Version: 1

Status: Approval of Minutes

In Control: City Council

File Type: Meeting Minutes

Agenda Number:

Title

Minutes - Approval of the October 30, 2019 Public Memorial Sub-Committee Meeting. (Vote will be only by members of the sub-committee.)

Requested Action

Action to be taken by Sub-Committee to approve the minutes

Recommendation

Approval of minutes by the Sub-Committee

Description/History

The minutes of the October 30, 2019 Public Memorial Sub-Committee are in DRAFT form and will not become effective until approved by the Sub-Committee at this meeting

Justification

Permanent Record

Funding Source

N/A

Prepared By

Holly Owens, Asst. City Secretary
817-276-4204
holly.owens@mansfieldtexas.gov



CITY OF MANSFIELD

1200 E. Broad St.
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Meeting Minutes - Draft

City Council - Public Memorials Sub-Committee

Wednesday, October 30, 2019

6:45 PM

MULTI-PURPOSE ROOM

JOINT MEETING WITH MANSFIELD PARK FACILITIES DEVELOPMENT CORPORATION

1. CALL TO ORDER

Chairman Terry Moore called the meeting to order at 6:45 PM.

2. WORK SESSION

Director of Parks and Recreation, Matt Young introduced the students from UTA. Peter Wagner, Elena Noccari, Michael Shuey and Nicki Simonni.

The students explained the process of coming up with the designs being presented. This included soil assessments, hydrology, repair to existing area, areas that can be highlighted, existing plants and wildlife, climate analysis, current zoning and demographics. The designed projects were introduced showing walking trails, water features, memorials representing the different branches of service, parking areas, and gathering spaces.

Member, Mike Leyman suggested that the site be ADA accessible. Chairman Terry Moore suggested combining different aspects of all three designs.

Update on Veterans Memorial Project

Chairman Terry Moore provided notes from the last meeting summarizing the foundation establishment and a list of potential board members and fundraising volunteers. There was discussion regarding timelines, deadlines, the interview process and future meeting dates.

3. CITIZENS COMMENTS

No Citizen Comments.

4. ADJOURNMENT

Chairman Terry Moore adjourned the meeting at 8:23 P.M.

ATTEST: Terry Moore, Chairman

Susana Marin, City Secretary



CITY OF MANSFIELD

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STAFF REPORT

File Number: 19-3298

Agenda Date: 11/11/2019

Version: 3

Status: Third and Final Reading

In Control: City Council

File Type: Ordinance

Agenda Number:

Title

Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning From SF-7.5/12 Single-Family Residential District and OP, Office Park District to PD, Planned Development District for Medical Office Uses on Approximately 0.516 Acres Known as a Portion of Lot 1, Block 16, Original Town of Mansfield, Generally Located at 501 E. Broad Street and 104 N. Waxahachie Street; Chris Jackson of Mansfield, Texas MOB, LP (ZC#19-015)

Requested Action

To consider the subject zoning change request.

Recommendation

The Planning and Zoning Commission held a public hearing on September 16, 2019, and voted 7-0 to recommend approval with the condition that the applicant address staff comments, add additional landscaping in the landscape buffer along the east property line, and add one additional handicap-accessible parking space. The applicant has submitted revised plans that address all of the recommended conditions and outstanding staff review comments. In order to accommodate the additional handicap-accessible parking space and the additional access aisle, the applicant had to rearrange the parking which resulted in the loss of an additional tree.

Description/History

The subject property consists of 0.516 acres on the north side of E. Broad St. at Waxahachie St., west of Brown St. and east of Sycamore St. The property consists of two tracts; the northwestern tract (addressed as 104 N. Waxahachie St.) is a vacant lot that was previously occupied by a single-family home and the southeastern tract (addressed as 501 E. Broad St.) is currently improved with a 3,800 sq. ft. single-story medical office building with a 21-space parking lot. The applicant plans a small addition to the medical office building and will also expand the parking lot onto the vacant lot.

The applicant is requesting to re-zone the property from SF-7.5/12 Single-Family Residential and OP Office Park District to PD Planned Development District for medical office uses. The zoning request is to allow for expansion of the commercial parking lot onto the residentially-zoned property as well as to allow for some deviations to some of the typical zoning requirements brought about by the building addition as well as existing developed conditions that predated current zoning requirements.

Development Plan

The applicant plans to expand the current 3,800 sq. ft. single-story medical office building to a 4,948 sq. ft. building with additions to the east and south. The main entrance into the building will continue to be on the east side of the building. Staff notes that the 4' - 10' building addition to the south will encroach into the typically required 25' front yard. Since the current survey shows that the public right-of-way extends closer to the building than is typical, dimensions have been provided to indicate the distance of the building to the property line as well as to the

sidewalk along E. Broad St. (which is where the public right-of-way typically begins). At the shortest distance, the building (with the new additions) will be only 3'-10" from the front property line and 17'-8" from the sidewalk. At the longest distance, the building (with the new additions) will be 14'-6" from the front property line and 24'-1" from the sidewalk. Currently, as measured from the building to the sidewalk at the shortest distance, the building (without additions) does not encroach into the 25' required front yard.

To better accommodate existing demand as well as the building expansion, the parking lot will be reconfigured and expanded from 21 spaces to 33 spaces, which meets the parking requirements for the expanded building. The applicant will provide a 5' sidewalk on the north and east sides of the building adjacent to the parking lot; this sidewalk will connect to the sidewalk along E. Broad St. The existing row of 11 parking spaces on the east side of the property and two new parking spaces to be added to this row will retain the nonconforming 9' x 17' dimensions, while the new ADA parking spaces and 17 new standard spaces on the north end of the property will meet the typical 9' x 18' dimensions. The van ADA parking space will be 11' x 18'. Access to the property will continue to be from the existing access point on E. Broad St. at the southeast corner of the site. In addition, the parking lot will stub to the 15' public alley (officially designated as N. Waxahachie St.) to the west; this public right-of-way remains unimproved.

The applicant has provided notes that there will be no outside storage on the property, that the loading zone will be striped independent of the fire lane, and that all equipment will be screened in accordance with Section 7301.A of the Zoning Ordinance. The applicant has also indicated that any trash enclosure will be screened in accordance with Section 7301.B of the Zoning Ordinance, however the applicant has indicated to staff that they will be utilizing curbside trash pickup.

Elevations

The building will predominantly include a mix of red brick and white and beige stone with black metal window frames and accents. The building includes a series of wall plane recesses and projections and wall height variations, particularly on the more visible and prominent south and east facades of the building, which will be most visible to the public. The main entrance to the building will include the most prominent architectural features, including the stone elements, the highest wall heights, and a purple awning feature that matches the business' color scheme. The applicant has provided renderings for all elevations of the building as well as perspectives from the southeast and the east. The entire building as a whole will be 81% masonry, with the balance being metal or glass.

Landscaping and Screening

Due to the space constraints, the pre-existing conditions and improvements, and the need for parking, the development will deviate from the typical 20' buffer yard and 8' masonry screening wall requirements adjacent to residential property, the 20' street landscape setback requirement, and the parking lot perimeter landscaping requirements, all as noted in Section 7300 of the Zoning Ordinance. However, the applicant will retain four oak trees, two bald cypress trees, and one beech tree. Two elm trees, two yaupon trees, one tallow tree, and one bald cypress tree will be removed. In addition, the applicant will plant dense evergreen shrubs along the east property line and around the transformer, as well as shrubs on the east and south sides of the building. Along the north property line, the applicant will construct a 6' tall cedar wood stockade fence.

Signage

The applicant notes that they will adhere to Section 7100 of the Zoning Ordinance as it relates to signage and plans two wall signs (one on the south side of the building facing Broad St. and

one on the east side of the building at the main entrance) in lieu of a monument sign and wall sign.

Summary

The proposed development will allow for the modernization and expansion of the existing medical office building, additional parking to more adequately accommodate needs, and the preservation of existing trees. While there are deviations as it relates to parking, setbacks, and landscaping and screening requirements, the applicant has strived to provide an updated building that accommodates modern medical office needs that fits within the existing constraints of the property.

Second Reading

The City Council held a public hearing and first reading on October 14, 2019, and voted 7 - 0 to approve as presented. No changes have been made to the plans

Third Reading

The City Council held a public hearing and second reading on October 28, 2019, and voted 6 - 0 (Broseh absent) to approve as presented. No changes have been made to the plans..

Prepared By

Lisa Sudbury, AICP
Interim Director of Planning
817-276-4227

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 MEDICAL OFFICE 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 the Comprehensive Zoning Ordinance, 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 Comprehensive Zoning Ordinance and Map should be amended;

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

SECTION 1.

That the Comprehensive Zoning Ordinance of the 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; 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 plan shown on Exhibits "B – D" 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.

SECTION 4.

That the above described properties shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance 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 Comprehensive Zoning Ordinance as a whole.

SECTION 6.

Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive 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 7.

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

First reading approved on the _____ day of _____, 2019.

Second reading approved on the _____ day of _____, 2019.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this _____ day of _____, 2019.

David L. Cook, Mayor

ATTEST: _____
Susana Marin, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Allen Taylor, City Attorney

ZC#19-015

EXHIBIT "A"

LEGAL LAND DESCRIPTION:

BEING A PORTION OF LOT 1, BLOCK 16, ORIGINAL TOWN OF MANSFIELD, TARRANT COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 63, PAGE 53, DEED RECORDS OF TARRANT COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN INSTRUMENT NO. D205041277, DEED RECORDS, TARRANT COUNTY, TEXAS, AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A CAPPED IRON PIN SET IN THE NORTH LINE OF E. BROAD STREET AND THE EAST LINE OF A 15' ALLEY FOR THE SOUTHWEST CORNER OF A TRACT BEING DESCRIBED, SAID POINT BEING THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK 16, ORIGINAL TOWN OF MANSFIELD;

THENCE NORTH 150.24 FEET ALONG THE EAST LINE OF SAID 15' ALLEY TO A 3/8" IRON PIN FOUND FOR THE NORTHWEST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF A PORTION OF SAID LOT 1, BLOCK 16 ORIGINAL TOWN OF MANSFIELD, AS DESCRIBED IN DEED RECORDED IN VOLUME 11312, PAGE 1286, DEED RECORDS, TARRANT COUNTY, TEXAS;

THENCE NORTH 81 DEGREES 00 MINUTES 00 SECONDS EAST 68.00 FEET ALONG THE SOUTH LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 11312, PAGE 1286 TO A 1/2" IRON PIN FOUND FOR THE SOUTHEAST CORNER OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 11312, PAGE 1286;

THENCE NORTH 50.00 FEET ALONG THE EAST LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 11312, PAGE 1286 TO A 1/2" IRON PIN FOUND IN THE SOUTH LINE OF A PORTION OF SAID LOT 1, BLOCK 16, ORIGINAL TOWN OF MANSFIELD, AS DESCRIBED IN DEED RECORDED IN VOLUME 8038, PAGE 1151, PAGE 1151, DEED RECORDS, TARRANT COUNTY, TEXAS, FOR THE MOST NORTHERLY NORTHWEST CORNER OF TRACT BEING DESCRIBED AND THE NORTHEAST CORNER OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 11312, PAGE 1286;

THENCE NORTH 81 DEGREES 00 MINUTES 00 SECONDS EAST 57.40 FEET ALONG THE SOUTH LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 8038, PAGE 1151 TO A 1/2" IRON PIN FOUND IN THE WEST LINE OF A PORTION OF SAID

LOT 1, BLOCK 16, ORIGINAL TOWN OF MANSFIELD, AND BEING DESCRIBED IN DEED RECORDED IN VOLUME 9990, PAGE 1990, DEED RECORDS, TARRANT COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF TRACT BEING DESCRIBED AND THE SOUTHEAST CORNER OF SAID TRACT OF LAND AS DESCRIBED IN VOLUME 8038, PAGE 1151;

THENCE SOUTH 04 DEGREES 07 MINUTES 00 SECONDS EAST 198.50 FEET ALONG THE WEST LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 9990, PAGE 1990 TO A CAPPED IRON PIN SET IN THE IN THE NORTH R.O.W. LINE OF E. BROAD STREET FOR THE SOUTHEAST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING LOCATED IN A CURVE TO THE RIGHT WITH A RADIUS OF 856.50 FEET;

THENCE SOUTHWESTERLY ALONG SAID R.O.W. AND CURVE TO THE RIGHT 77.28 FEET TO A CAPPED IRON PIN SET FOR THE END OF SAID CURVE, WHOSE CHORD BEARS 77.25 FEET SOUTH 72 DEGREES 04 MINUTES 28 SECONDS WEST;

THENCE SOUTH 81 DEGREES 00 MINUTES 00 SECONDS WEST 64.54 FEET AND CONTINUING ALONG SAID R.O.W. TO THE POINT OF BEGINNING AND CONTAINING 0.516 ACRES OF LAND, MORE OR LESS

SITE PLAN NOTES

1. ALL SIGNAGE WILL COMPLY WITH THE REGULATIONS FOR C-2 ZONED PROPERTY AS OUTLINED IN SECTION 7100 OF THE ZONING ORDINANCE.

2. ALL EQUIPMENT SHALL BE DESIGNED AND SCREENED IN ACCORDANCE WITH THE REGULATIONS OUTLINED IN SECTION 7301.A OF THE ZONING ORDINANCE.

3. IF A TRASH ENCLOSURE IS REQUIRED, IT SHALL BE SCREENED IN ACCORDANCE WITH THE REGULATIONS OUTLINED IN SECTION 7301.B OF THE ZONING ORDINANCE.

4. THERE WILL BE NO OUTSIDE STORAGE ON THE PROPERTY.

5. LOADING ZONE SHALL BE MARKED IN STRIPING AND SHALL BE INDEPENDENT OF THE FIRE LANE.

6. TRASH IS CURRENTLY CURB SIDE SERVICE.

BUILDING ENTRANCES

1 PUBLIC ENTRANCE/EMERGENCY EXIT

2 MAINTENANCE

3 EMPLOYEE/EMERGENCY EXIT

MATERIAL LEGEND

CONCRETE

SHRUB BED

GRASS

PARKING PER USE

BUILDING	USE	PARKING SPACES REQ'D.
INTERIOR SPACE 4,948 SF	MEDICAL 1 SPACE PER 150 SF	33
TOTAL		33

PARKING TABULATION

SPACE TYPE	CNT
EXISTING - 9' x 17'	11
NEW - 9' x 17'	2
NEW - ACCESSIBLE - 9' x 18'	2
NEW - ACCESSIBLE - 11' x 18' VAN	1
NEW - STANDARD - 9' x 18'	17
TOTAL	33

ACCESSIBLE PARKING

NUMBER OF PARKING SPACES	TOTAL SPACES PROVIDED	ACCESSIBLE SPACES	PROVIDED	REQUIRED
	33		3	2

PER TABLE 208.2 (TAS 2013)

TABLE 208.2: PARKING SPACES

TOTAL NUMBER OF PARKING SPACES PROVIDED IN PARKING FACILITY	MINIMUM NUMBER OF REQUIRED ACCESSIBLE PARKING SPACES
1 TO 25	1
26 TO 50	2
51 TO 75	3
76 TO 100	4
101 TO 150	5
151 TO 200	6
201 TO 300	7
301 TO 400	8
401 TO 500	9
501 TO 1000	2% OF TOTAL
1001 AND OVER	20, PLUS 1 FOR EACH 100, OR FRACTION THEREOF, OVER 1000

208.2 MINIMUM NUMBER. PARKING SPACES COMPLYING WITH 502 SHALL BE PROVIDED IN ACCORDANCE WITH TABLE 208.2 EXCEPT AS REQUIRED BY 208.2.1, 208.2.2, AND 208.2.3. WHERE MORE THAN ONE PARKING FACILITY IS PROVIDED ON A SITE, THE NUMBER OF ACCESSIBLE SPACES PROVIDED ON THE SITE SHALL BE CALCULATED ACCORDING TO THE NUMBER OF SPACES REQUIRED FOR EACH PARKING FACILITY.

208.2.1 HOSPITAL OUTPATIENT FACILITIES. TEN PERCENT OF PATIENT AND VISITOR PARKING SPACES PROVIDED TO SERVE HOSPITAL OUTPATIENT FACILITIES SHALL COMPLY WITH 502.

208.2.2 REHABILITATION FACILITIES AND OUTPATIENT PHYSICAL THERAPY FACILITIES. TWENTY PERCENT OF PATIENT AND VISITOR PARKING SPACES PROVIDED TO SERVE REHABILITATION FACILITIES SPECIALIZING IN TREATING CONDITIONS THAT AFFECT MOBILITY AND OUTPATIENT PHYSICAL THERAPY FACILITIES SHALL COMPLY WITH 502.

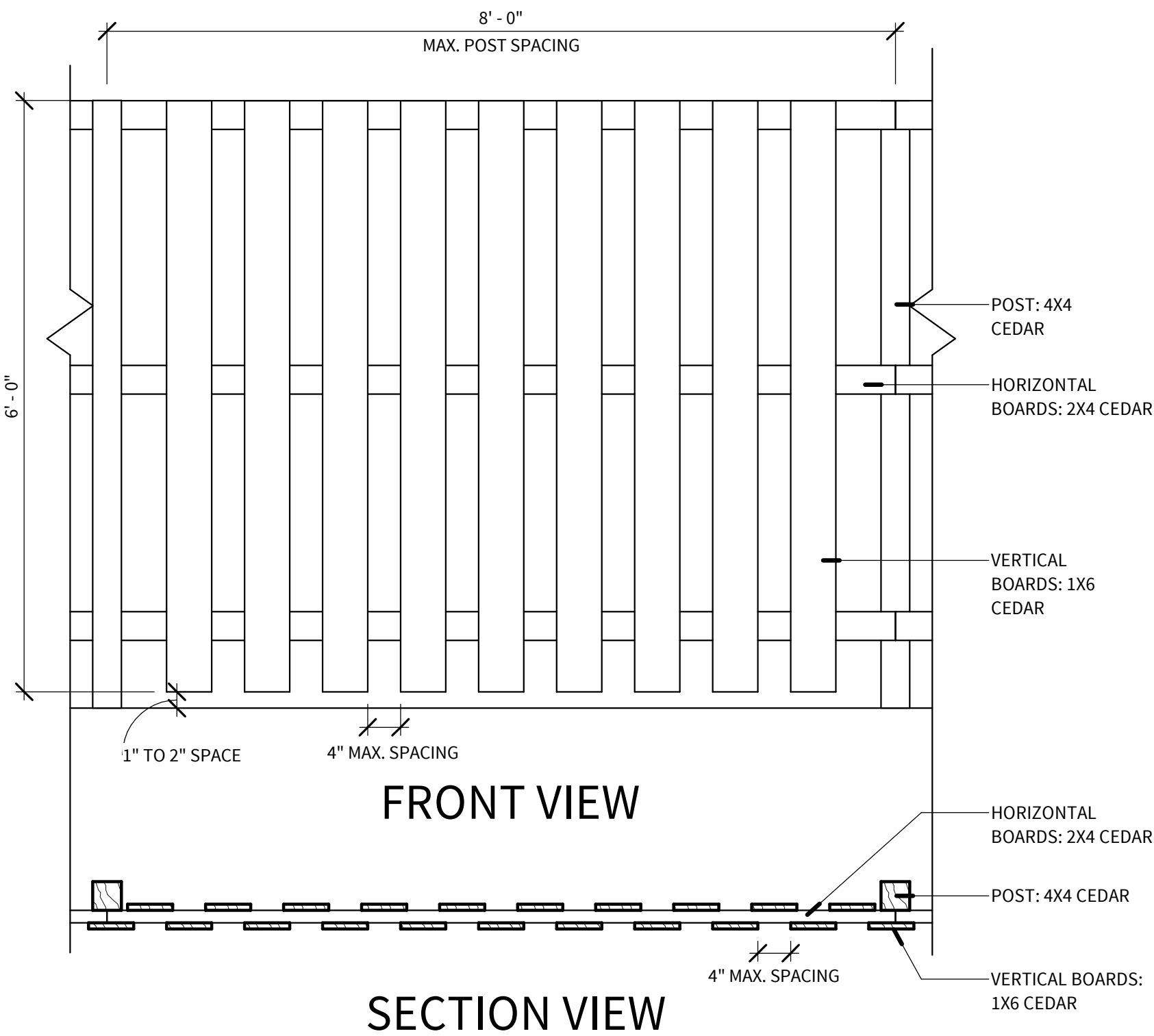
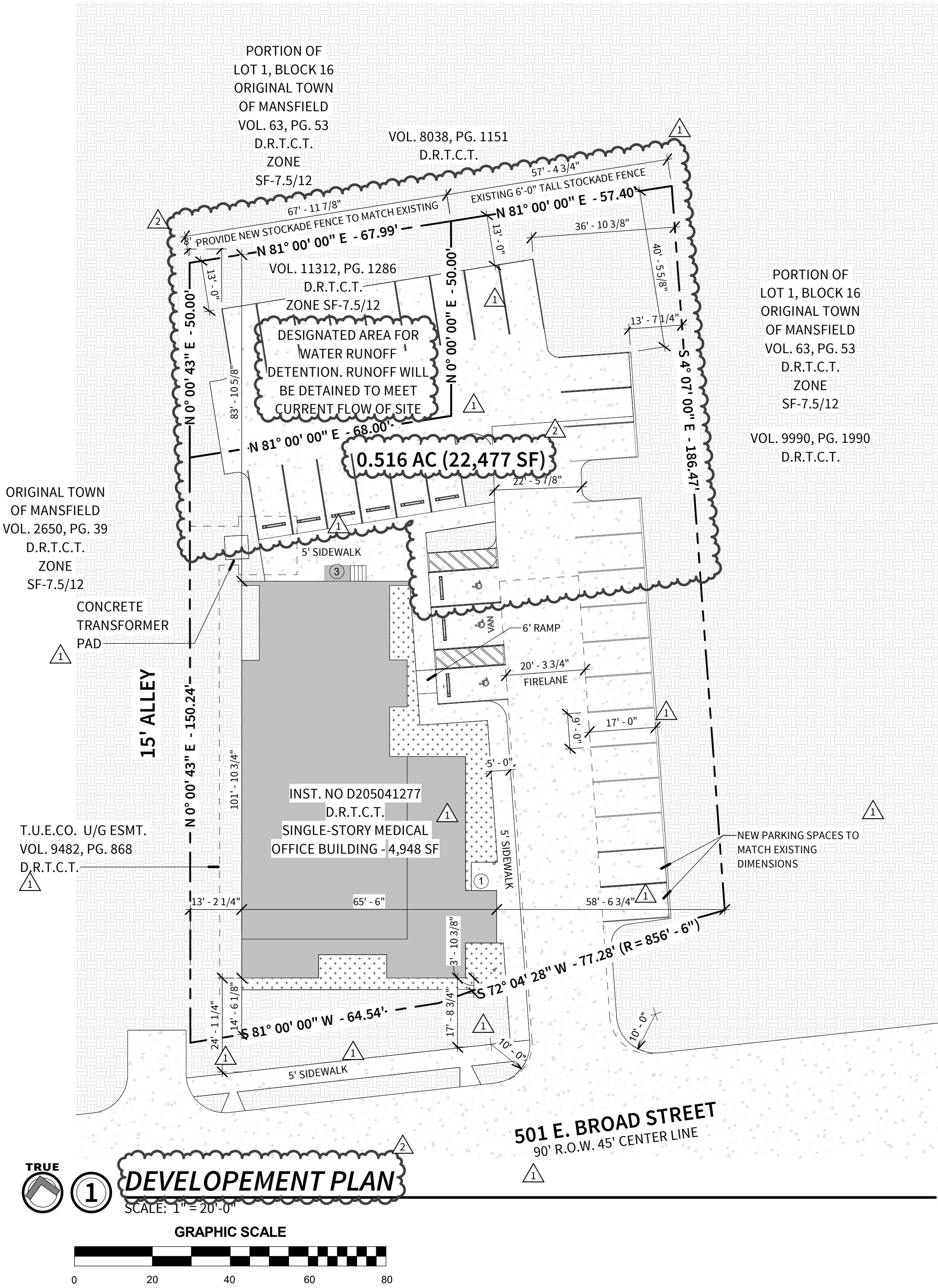
208.2.3 RESIDENTIAL FACILITIES. PARKING SPACES PROVIDED TO SERVE RESIDENTIAL FACILITIES SHALL COMPLY WITH 208.2.3.

208.2.3.1 PARKING FOR RESIDENTS. WHERE AT LEAST ONE PARKING SPACE IS PROVIDED FOR EACH RESIDENTIAL DWELLING UNIT, AT LEAST ONE PARKING SPACE COMPLYING WITH 502 SHALL BE PROVIDED FOR EACH RESIDENTIAL DWELLING UNIT REQUIRED TO PROVIDE MOBILITY FEATURES COMPLYING WITH 809.2 THROUGH 809.4.

208.2.3.2 ADDITIONAL PARKING SPACES FOR RESIDENTS. WHERE THE TOTAL NUMBER OF PARKING SPACES PROVIDED FOR EACH RESIDENTIAL DWELLING UNIT EXCEEDS ONE PARKING SPACE PER RESIDENTIAL DWELLING UNIT, 2 PERCENT, BUT NO FEWER THAN ONE SPACE, OF ALL THE PARKING SPACES NOT COVERED BY 208.2.3.1 SHALL COMPLY WITH 502.

208.2.3.3 PARKING FOR GUESTS, EMPLOYEES, AND OTHER NON-RESIDENTS. WHERE PARKING SPACES ARE PROVIDED FOR PERSONS OTHER THAN RESIDENTS, PARKING SHALL BE PROVIDED IN ACCORDANCE WITH TABLE 208.2.

208.2.4 VAN PARKING SPACES. FOR EVERY SIX OR FRACTION OF SIX PARKING SPACES REQUIRED BY 208.2 TO COMPLY WITH 502, AT LEAST ONE SHALL BE A VAN PARKING SPACE COMPLYING WITH 502.



2 STOCKADE FENCE ELEVATION

SCALE: 3/4" = 1'-0"

THE DEVELOPMENT PLAN WILL BE IN COMPLETE ACCORDANCE WITH THE PROVISIONS ESTABLISHED BY THE SITE PLAN RECORDED HEREUNDER SHALL BE BINDING UPON THE APPLICATION THEREOF, SUCCESSORS AND ASSIGNS, AND SHALL LIMIT AND CONTROL ALL BUILDING PERMITS.

SITE PLAN
CITY, COUNTY, STATE
CITY OF MANSFIELD, TARRANT COUNTY, TEXAS
ACREAGE AND NUMBER OF LOTS
0.516 ACRES (22,477 SF)
LOT 1 BLOCK 16

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ARCHITECT:
JUSTIN S. GILMORE
LEVEL 5 DESIGN GROUP

PROJECT INFORMATION:

HEALTHCAP

MANSFIELD MEDICAL CLINIC

501 E. BROAD STREET
MANSFIELD, TEXAS 76063

PROJECT NUMBER: 18-26

ISSUE DATE: MM/DD/YYYY

REVISIONS:
ADDENDUM A 09.06.2019
ADDENDUM B 09.23.2019

SHEET NAME:

EXHIBIT B

ZC#19-015

SHEET NUMBER:

01

PAGE 1 OF 4

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ELEVATION LEGEND	
	STONE
	MTL ROOF MATERIAL
	BRICK

MATERIAL CALCULATIONS	
NORTH FACADE: GLASS = 4% METAL = 0% MASONRY = 96%	SOUTH FACADE: GLASS = 3% METAL = 8% MASONRY = 89%
EAST FACADE: GLASS = 10% METAL = 14% MASONRY = 76%	WEST FACADE: GLASS = 27% METAL = 11% MASONRY = 62%
TOTAL BUILDING MATERIAL CALCULATION: GLASS = 10% METAL = 9% MASONRY = 81%	

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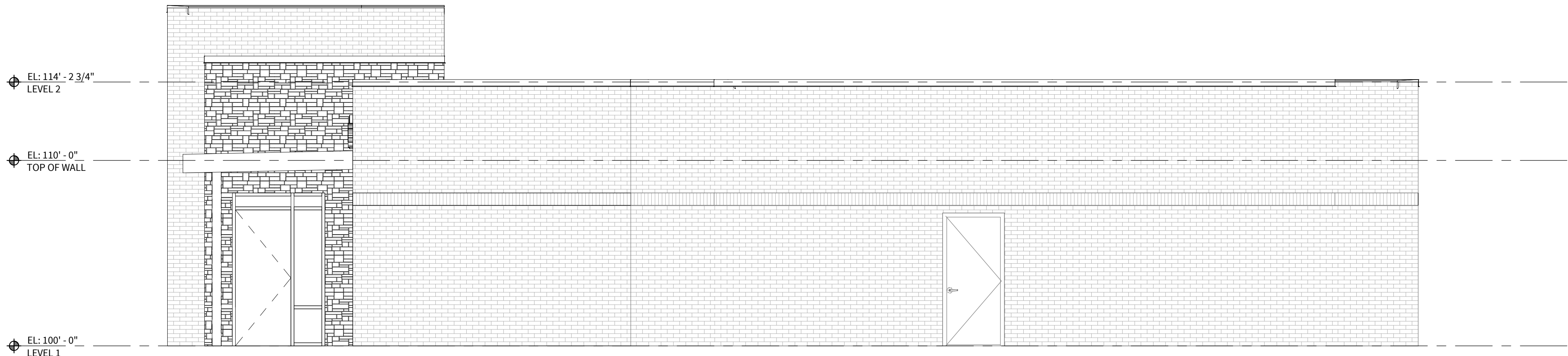
EXHIBIT C

ZC#19-015

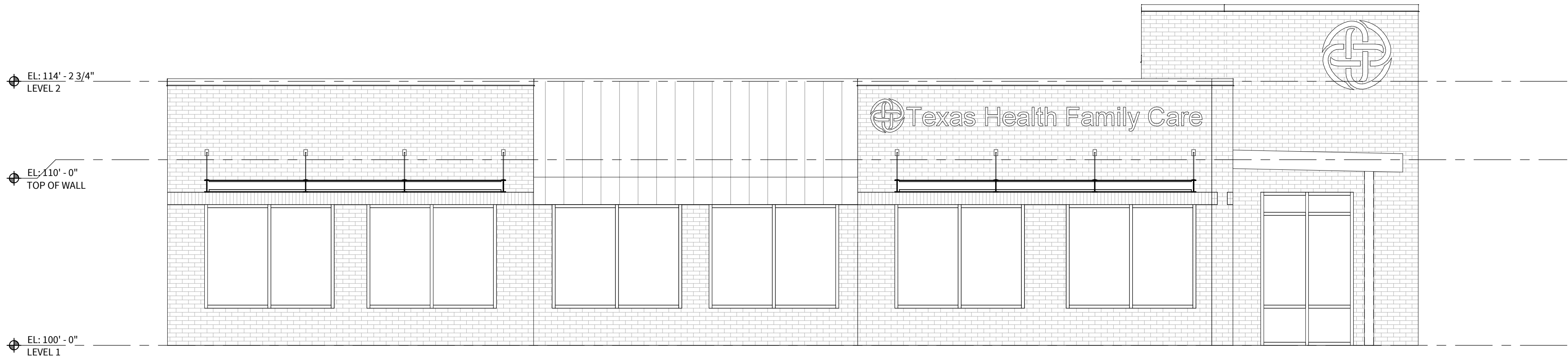
SHEET NUMBER:

02

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



2 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



ELEVATION LEGEND	
	STONE
	MTL ROOF MATERIAL
	BRICK

MATERIAL CALCULATIONS	
NORTH FACADE: GLASS = 4% METAL = 0% MASONRY = 96%	SOUTH FACADE: GLASS = 3% METAL = 8% MASONRY = 89%
EAST FACADE: GLASS = 10% METAL = 14% MASONRY = 76%	WEST FACADE: GLASS = 27% METAL = 11% MASONRY = 62%
TOTAL BUILDING MATERIAL CALCULATION: GLASS = 10% METAL = 9% MASONRY = 81%	



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ARCHITECT:
JUSTIN S. GILMORE
LEVEL 5 DESIGN GROUP

PROJECT INFORMATION:

HEALTHCAP

MANSFIELD
MEDICAL
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76063

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△ ADDENDUM B 09.23.2019

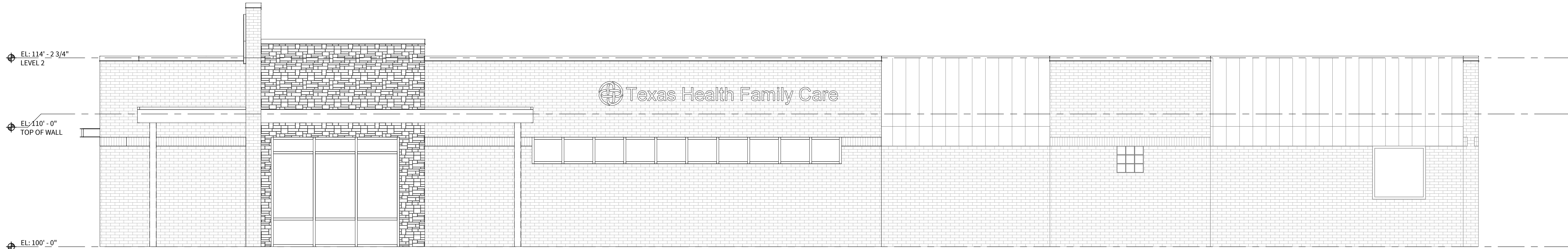
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EXHIBIT C

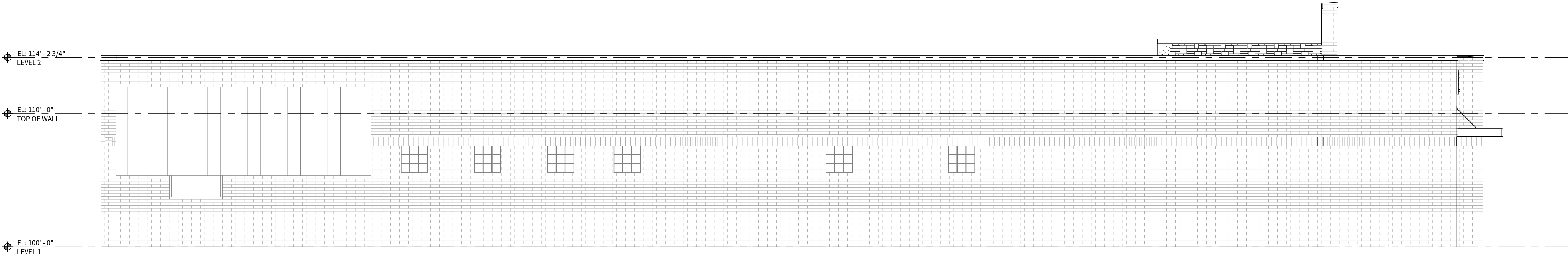
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SHEET NUMBER:

03



① EAST ELEVATION
SCALE: 1/4" = 1'-0"



② WEST ELEVATION
SCALE: 1/4" = 1'-0"

LOCATION OF BUFFERYARD / SETBACK	REQUIRED / PROVIDED	LENGTH	BUFFERYARD / SETBACK WIDTH / TYPE	CANOPY TREES	ORNAMENTAL TREES	SHRUBS	SCREENING WALL HEIGHT
SOUTH (E. BROAD ST)	REQUIRED	142'-0"	20'-0" BUFFERYARD	4	0	X	NONE
	PROVIDED		VARIES	1	0	392 SF	NONE
NORTH	REQUIRED	126'-0"	20'-0" BUFFERYARD	6	0	X	8' - 0"
	PROVIDED		13'-0" BUFFERYARD	1	0	X	6' - 0"
EAST	REQUIRED	187'-0"	20'-0" BUFFERYARD	8	0	X	8' - 0"
	PROVIDED		13'- 7 1/4" BUFFERYARD	2	0	590 SF	NONE
WEST	REQUIRED	200'-0"	20'-0" BUFFERYARD	8	0	X	8' - 0"
	PROVIDED		13'- 2 1/4" BUFFERYARD	3	0	X	NONE

MARK	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	REMARKS
1	QUERCUS GRISEA	GRAY OAK	8"	30'-50'	EXISTING TO REMAIN
2	QUERCUS VIRGINIANA	LIVE OAK	21"	25'-50'	EXISTING TO REMAIN
3	QUERCUS VIRGINIANA	LIVE OAK	24"	25'-50'	EXISTING TO REMAIN
4	TAXIODIUM MUCRONATUM	MONTEZUMA BALDCYPRESS	14"	40'-70'	EXISTING TO REMAIN
5	TAXIODIUM MUCRONATUM	MONTEZUMA BALDCYPRESS	18"	40'-70'	EXISTING TO REMAIN
6	QUERCUS BUCKLEYI	TEXAS OAK	34"	20'-35'	EXISTING TO REMAIN
7	ULMUS CRASSIFOLIA	CEDAR ELM	10"	30'-75'	REMOVE
8	ULMUS CRASSIFOLIA	CEDAR ELM	11"	30'-75'	REMOVE
9	TRIPLICATA SEPIPERA	YEW WHITEF	6"	25'-50'	REMOVE
10	TAXIODIUM MUCRONATUM	MONTEZUMA BALDCYPRESS	12"	30'-70'	REMOVE
11	FAGUS GRANDIFOLIA	AMERICAN BEECH	19"	30'-100'	EXISTING TO REMAIN
12	ILEX VOMITORIA	YAUPON	5"	10'-25'	REMOVE
13	ILEX VOMITORIA	YAUPON	5"	10'-25'	REMOVE

# OF REQUIRED SURFACE PARKING SPACES	<u>1</u> 33
# OF PROVIDED PARKING SPACES	<u>2</u> 33
# OF TREE ISLANDS PROVIDED	2

DIAMETER (DBH) OF EXISTING TREE	CREDIT EACH	COUNT	TOTAL CREDITS
6" - 8"	2 TREES	1	2 TREES
9" - 15"	3 TREES	1	3 TREES
16" - 30"	4 TREES	4	16 TREES
31" - 46"	5 TREES	1	5 TREES
47" OR MORE	8 TREES	0	0 TREES
TOTAL CREDITS AGAINST TREE REQUIREMENT			26 TREES

STREET LANDSCAPE SETBACK; F. BROAD STREET
REQUIRED: 1 CANOPY TREE PER 40 L.F.
142 L.F. / 40 L.F. = 4 CANOPY TREES
PROVIDED: 1 CANOPY TREE

PARKING LOT PERIMETER LANDSCAPING
REQUIRED: MIN. 3' HT. PARKING SCREEN W/ NATIVE/ADAPTED, LOW WATER
USE EVERGREEN SHRUB OR ORNAMENTAL GRASS
PROVIDED: 3' HT. PARKING SCREEN ALONG STREET

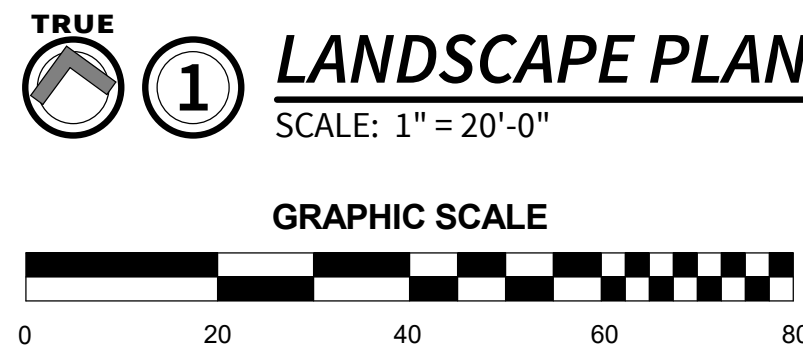
PARKING LOT INTERIOR LANDSCAPING
REQUIRED: 1 CANOPY TREE PER 10 PARKING SPACES
32 SPACES / 10 = 4 CANOPY TREES
PROVIDED: 4 CANOPY TREES

SIDE BUFFERYARD LANDSCAPING
NORTH PROPERTY LINE
REQUIRED: 1 CANOPY TREE PER 25 L.F.
126 L.F. / 25 L.F. = 6 CANOPY TREES
PROVIDED: 1 CANOPY TREE

EAST PROPERTY LINE
REQUIRED: 1 CANOPY TREE PER 25 L.F.
187 L.F. / 25 L.F. = 8 CANOPY TREES
PROVIDED: 2 CANOPY TREES

WEST PROPERTY LINE
REQUIRED: 1 CANOPY TREE PER 25 L.F.
200 L.F. / 25 L.F. = 8 CANOPY TREES
PROVIDED: 3 CANOPY TREES

1. ALL PROPERTY OWNER, TENANT OR AGENT, SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL REQUIRED LANDSCAPING IN A HEALTHY, NEAT, ORDERLY ANE LIVE-GROWING CONDITION AT ALL TIMES. THIS SHALL INCLUDE MOWING, EDGING, PRUNING, FERTILIZING, IRRIGATION, WEEDING, AND OTHER SUCH ACTIVITIES COMMON TO THE MAINTENANCE OF LANDSCAPING. LANDSCAPE AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS AND OTHER SUCH MATERIALS NOT A PART OF THE LANDSCAPING. PLANT MATERIALS THAT DIE SHALL BE REPLACED WITH PLANT MATERIALS OF SIMILAR VARIETY AND SIZE.
2. ALL AREAS DISTURBED BY CONSTRUCTION SHALL BE FINE GRADED AND RE-ESTABLISHED BY SOD. THESE AREAS SHALL BE IRRIGATED AND MAINTAINED UNTIL PERMANENT STAND OF GRASS IS ACQUIRED WITH A MINIMUM OF 70% COVERAGE. THIS IS TO INCLUDE ALL AREAS TO THE BACK OF CURB AROUND THE PROPERTY.
3. A PROSPECTIVE BARRIER BEGINNING AT THE OUTSIDE OF THE DRIPLINE OF THE TREE TO PROTECT THE ROOT ZONE SHALL BE ERRECTED AND MAINTAINED UNTIL CONSTRUCTION IS COMPLETED.



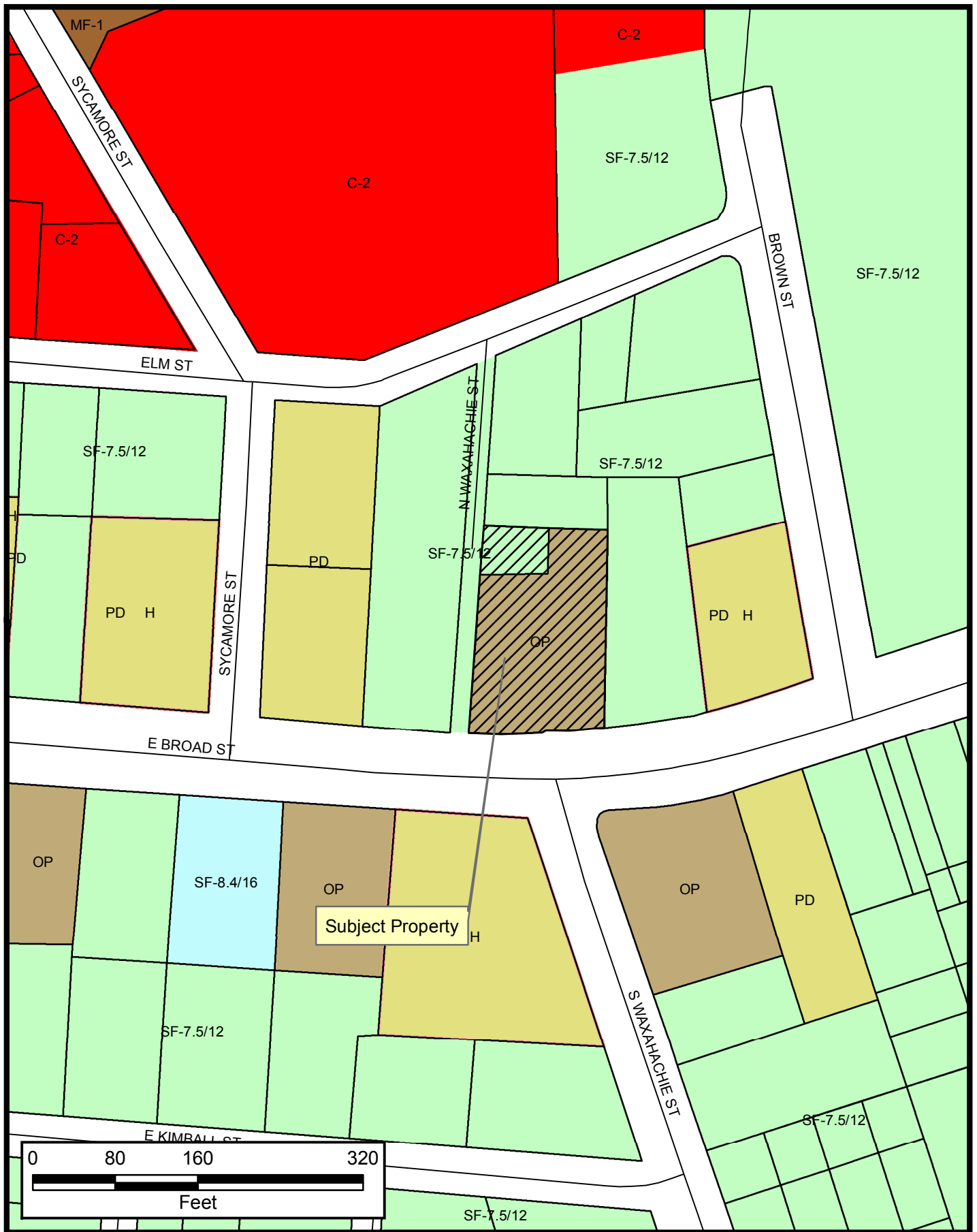
The diagram shows a rectangular garden layout divided into four sections. The top-left section is labeled 'CONCRETE' and contains a pattern of small circles and dots. The top-right section is labeled 'GRASS' and contains a pattern of horizontal and vertical lines. The bottom-left section is labeled 'SHRUB BED' and contains a pattern of small circles and dots. The bottom-right section is a large empty rectangle.

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PAGE 4 OF 4





ZC#19-015

Property Owner Notification for ZC#19-015

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
BLESSING ADDITION	BLK 1	JNL TEXAS HOLDINGS LLC	PO BOX 1587	HURST, TX	76053-1587
MANSFIELD, CITY OF	BLK 10	ERNST REALTY INVESTMENTS LLC	101 N MAIN ST STE A	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 15	KALUPA, DALE R & LESLIE D	405 E BROAD ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 15	ANCHORA PROPERTIES LLC	309 E BROAD ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 15	CENTRAL BAPT CH MANSFIELD	PO BOX 59	MANSFIELD, TX	76063-0059
MANSFIELD, CITY OF	BLK 16	CACCIOLA, ROBERT J & DHALMA	1903 TURF CLUB DR	ARLINGTON, TX	76017-4429
MANSFIELD, CITY OF	BLK 16	DANIELS, CAROL	500 ELM ST	MANSFIELD, TX	76063-1722
MANSFIELD, CITY OF	BLK 16	DANIELS, CAROL A	500 ELM ST	MANSFIELD, TX	76063-1722
MANSFIELD, CITY OF	BLK 16	DIFEE, SUE ANN	109 BROWN ST	MANSFIELD, TX	76063-1711
MANSFIELD, CITY OF	BLK 16	CACCIOLA, ROBERT J & DHALMA	1903 TURF CLUB DR	ARLINGTON, TX	76017-4429
MANSFIELD, CITY OF	BLK 16	DIFEE, SUE ANN	109 BROWN ST	MANSFIELD, TX	76063-1711
MANSFIELD, CITY OF	BLK 16	EVANS, JOHNNIE W & SHIRLEY	503 E BROAD ST	MANSFIELD, TX	76063-1709
MANSFIELD, CITY OF	BLK 16	EVANS, SHIRLEY & MELANIE MEEKS	503 E BROAD ST	MANSFIELD, TX	76063-1709
MANSFIELD, CITY OF	BLK 16	MANSFIELD TX MOB LP	4849 GREENVILLE AVE STE 1480	DALLAS, TX	75206
MANSFIELD, CITY OF	BLK 16	MANSFIELD TX MOB LP	5910 N CENTRAL EXPWY STE 1000	DALLAS, TX	75206
MANSFIELD, CITY OF	BLK 22	ELLIOTT, BUFORD E & BETTY R	506 E BROAD ST	MANSFIELD, TX	76063-1710
MANSFIELD, CITY OF	BLK 22	CROWE, VALERIE	502 E BROAD ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 22	TAG LENDING INC	500 E BROAD ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 9	PATTERSON INS AGENCY INC C/O FORD & DEBNEY FARRIS	321 LANDVIEW DR	BURLESON, TX	76028
MANSFIELD, CITY OF	BLK 9	MORALES, CHARLES	5880 NEWT PATTERSON RD	MANSFIELD, TX	76063-6152



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3325

Agenda Date: 11/11/2019

Version: 2

Status: Second Reading

In Control: City Council

File Type: Ordinance

Title

Ordinance - Second Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 52, Stormwater Quality Protection, of the Code of Ordinances, Mansfield, Texas; Amending the Regulations Related to the Performance Standards to Control Stormwater Quality; Providing That This Ordinance Shall Be Cumulative of All Ordinances; Providing a Penalty Clause for Violations; Providing a Severability Clause; Providing a Savings Clause; Providing for Publication; and Providing an Effective Date

Requested Action

Approval of the proposed ordinance updates.

Description/History

No changes were made from first reading.

Justification

N/A

Funding Source

N/A

Prepared By

Howard Redfearn
Environmental Manager
Environmental Services Department

..Sponsored By

Howard Redfearn
howard.redfearn@mansfield-tx.gov
817-276-4240

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 52, "STORMWATER QUALITY PROTECTION;" OF THE CODE OF MANSFIELD, TEXAS; AMENDING THE REGULATIONS RELATED TO THE PERFORMANCE STANDARDS TO CONTROL STORMWATER QUALITY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Texas released the Texas Pollutant Discharge Elimination System General Permit TXR 150000 regulating discharges from construction sites February 8, 2018 and TXR 040000 regulating discharges from municipal separate storm sewer systems January 24, 2019; and

WHEREAS, the City of Mansfield is a regulated entity that must comply with the permit regulations to continue to discharge storm water into Waters of the State and Waters of the United States; and

WHEREAS, the City of Mansfield, Texas deems it appropriate to adopt amendments to Chapter 52 of the Code of Ordinances to provide regulations for performance standards to control stormwater quality within the City;

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

SECTION 1.

That Title V, "Public Works," Chapter 52, "Stormwater Quality Protection," Section 52.18, Definitions," of the Code of Ordinances of the City of Mansfield, Texas is hereby amended to add the definition of "*Final Stabilization*":

"Section 52.18 Definitions.

...

FINAL STABILIZATION. A construction site status where any of the following conditions are met:

(A) All soil disturbing activities at the site have been completed and a uniform (that is, evenly distributed, without large bare areas) perennial vegetative cover with a density of at least 70% of the native background cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent measures (such as use of riprap, gabions, or other measures) have been employed.

(B) For individual lots in a residential construction site by either:

(1) the homebuilder completing final stabilization as specified in condition (A) above; or

(2) only after prior approval from the Public Works Director, or the Public Works Director's authorized representative, the homebuilder establishing temporary stabilization for an individual lot prior to the time of transfer of the ownership of the home to the buyer and after informing the homeowner of the need for, and benefits of, final stabilization.

(C) For construction activities on land used for agricultural purposes, final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to surface water and areas that are not being returned to their preconstruction agricultural use must meet the final stabilization conditions of condition (A) above.

..."

SECTION 2.

That Title V, "Public Works," Chapter 52, "Stormwater Quality Protection," Section 52.38, "Submission of Notice of Intent, Construction Site Notice, and Notice of Termination to the City," of the Code of Ordinances of the City of Mansfield, Texas is hereby amended to read as follows:

"Section 52.38 Submission of Notice of Intent, Construction Site Notice, and Notice of Termination to the City

...

(B) These documents may be delivered to the Public Works Director either in person or by mailing to:

Public Works, Stormwater

City of Mansfield

1200 E. Broad St

Mansfield, TX 76063

Or email:

stormwater@mansfieldtexas.gov

..."

SECTION 3.

That Title V, “Public Works,” Chapter 52, “Stormwater Quality Protection,” Section 52.40, “Discharges Associated with Construction Activity,” of the Code of Ordinances of the City of Mansfield, Texas is hereby amended to read as follows:

“Section 52.40 Discharges Associated with Construction Activity

...

- (1) To the extent possible and where feasible preserve existing vegetation. Stabilization measures for all disturbed areas associated with the construction project, regardless of physical location within or without the site, shall be implemented in compliance with the Stormwater Pollution Prevention Plan prepared for the construction site and in accordance with any additional requirements contained within the effective Texas Commission on Environmental Quality Construction General Permit TXR 150000.

...

- (5) Prevention of the discharge of building materials, including cement, lime, concrete and stucco operations, mortar, sand, or similar materials used in such activities, to the MS4;

...

- (10) Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, must be treated to the extent practicable and so that sediments are filtered or settled prior to ultimate discharge from site or into an underground storm sewer system.

...”

SECTION 4.

That Title V, “Public Works,” Chapter 52, “Stormwater Quality Protection,” Section 52.42, “Privately Owned Stormwater Facility Requirements,” of the Code of Ordinances of the City of Mansfield, Texas is hereby amended to read as follows:

“Section 52.42 Privately Owned Stormwater Facility Requirements

- (A) Owners, operators, or other benefitted users of property with a privately-owned stormwater facility, control device, measure, structure, or other component, regardless whether inside a public drainage easement or not, shall be responsible for maintenance in accordance with the maintenance plan or recommendations as described by the manufacturer, design engineer, or other party responsible for determining maintenance

needs. Maintenance records or other evidence of maintenance activities that have taken place shall be retained by the owners, operators, or other benefitted users and shall be made available to the Public Works Director, or the Public Works Director's authorized representative, as needed to provide proof of maintenance and/or inspections.

- (B) Owners, operators, or other benefitted users of newly developed, or redeveloped properties with a privately owned stormwater facility after the effective date of this section shall have a maintenance plan or recommendations for the facility, control device, measure, structure or other component, regardless of whether inside a public drainage easement or not, filed with the real property records of the county in which the property is located. The Public Works Director, or the Public Works Director's authorized representative, may request a copy(ies) of the maintenance plan or recommendations prior to submission to the county of record.
- (C) Owners, operators, or other benefitted users of a property with a stormwater facility, control device, measure, structure, or other component, regardless of whether inside a public drainage easement or not, commits an offense if maintenance is not conducted in accordance with the maintenance plan or recommendations causing failure of the stormwater facility, control device, measure, structure, or other component to function as intended/designed.
- (D) Owners, operators, or other benefitted users of a property with a stormwater facility, control device, measure, structure, or other component, regardless of whether inside a public drainage easement or not, commits an offense if the stormwater facility, control device, measure, structure, or other component is disabled, removed, or otherwise intentionally caused to fail without the prior approval of the Public Works Director, or the Public Works Director's authorized representative.

SECTION 5.

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 6.

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 of provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION 7.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be subject to the penalties and provisions in Section 10.99 of the Code of Ordinances, City of Mansfield, Texas.

SECTION 8.

That all rights or remedies of the City of Mansfield, Texas, are expressly saved as to any and all violations of the City Code or any amendments thereto regarding the subject matter herein 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 or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 9.

The City Secretary of the City of Mansfield is hereby directed to publish the caption and penalty clauses of this ordinance at least once in the official newspaper of the City of Mansfield.

SECTION 10.

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

First reading approved on the 28th day of October, 2019

Second reading approved on the _____ day of _____, 2019

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this the _____ day of _____, 2019

David Cook, Mayor

ATTEST:

Susana Marin, City Secretary

Chapter 52 Ordinance Update Summary

Proposed Definitions:

FINAL STABILIZATION. A construction site status where any of the following conditions are met:

(A) All soil disturbing activities at the site have been completed and a uniform (that is, evenly distributed, without large bare areas) perennial vegetative cover with a density of At least 70% of the native background cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent measures (such as use of riprap, gabions, or other measures) have been employed.

(B) For individual lots in a residential construction site by either:

(1) the homebuilder completing final stabilization as specified in condition (A) above; or

(2) only after prior approval from the Public Works Director, or their authorized representative, the homebuilder establishing temporary stabilization for an individual lot prior to the time of transfer of the ownership of the home to the buyer and after informing the homeowner of the need for, and benefits of, final stabilization.

(C) For construction activities on land used for agricultural purposes, final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to surface water and areas that are not being returned to their preconstruction agricultural use must meet the final stabilization conditions of condition (A) above.

Section 52.38 Updates

(B) These documents may be delivered to the Public Works Director either in person or by mailing it to:

Public Works, Stormwater ~~Manager~~

City of Mansfield

1200 E. Broad St.

Mansfield, Texas 76063

Or email:

stormwater@mansfieldtexas.gov

Section 52.40 Updates:

~~(1) Ensuring that existing vegetation is preserved where feasible and that disturbed portions of the site are stabilized as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased. Stabilization measures may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures;~~

(1) To the extent possible and where feasible preserve existing vegetation. Stabilization measures for all disturbed areas associated with the construction project, regardless of physical location within or without the site, shall be implemented in compliance with the Stormwater Pollution Prevention Plan prepared for the construction site and in accordance with any additional requirements contained within the effective Texas Commission on Environmental quality Construction General Permit TXR 150000.

(5) Prevention of the discharge of building materials, including cement, lime, concrete and stucco operations, and mortar, to the MS4;

~~(10) Timely maintenance of vegetation, erosion and sediment control measures, and other best management practices, in good and effective operating condition. This includes applying effective stabilization measures for disturbed areas within 14 days when construction activities have temporarily or permanently ceased. Areas where construction activities will begin again within 21 days are not required to install stabilization measures~~

(10) Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, must be treated to the extent practicable and so that sediments are filtered or settled prior to ultimate discharge from site or into an underground storm sewer system.

Section 52.42 Updates:

Section 52.42 Privately Owned Stormwater Facility Requirements

(A) Owners, operators, or other benefitted users of property with a privately owned stormwater facility, control device, measure, structure, or other component shall be responsible for maintenance in accordance with the maintenance plan or recommendations as described by the manufacturer, design engineer, or other party responsible for determining maintenance needs. Maintenance records or other evidence of maintenance activities that have taken place shall be retained by the owners, operators, or other benefitted users and shall be made available to the Public

Works Director, or their authorized representative, as needed to provide proof of maintenance and/or inspections.

- (B) Owners, operators, or other benefitted users of newly developed, or redeveloped properties with a privately owned stormwater facility after the effective date of this section shall have a maintenance plan or recommendations for the facility, control device, measure, structure or other component filed with the real property records of the county in which the property is located. The Public Works Director, or their authorized representative, may request a copy(ies) of the maintenance plan or recommendations prior to submission to the county of record.
- (C) Owners, operators, or other benefitted users of a property with a stormwater facility, control device, measure, structure, or other component commits an offense if maintenance is not conducted in accordance with the maintenance plan or recommendations causing failure of the stormwater facility, control device, measure, structure, or other component to function as intended/designed.
- (D) Owners, operators, or other benefitted users of a property with a stormwater facility, control device, measure, structure, or other component commits an offense if the stormwater facility, control device, measure, structure, or other component is disabled, removed, or otherwise intentionally caused to fail without the prior approval of the Public Works Director, or their authorized representative."



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3329

Agenda Date: 11/11/2019

Version: 2

Status: Second Reading

In Control: City Council

File Type: Ordinance

Agenda Number:

Title

Ordinance - Second Reading of an Ordinance Approving the Conveyance of Certain Real Property in Fee Simple as a Metering Station Site and the Assignment of a Certain Utility Easement and Access Easement to the Trinity River Authority for the Maintenance and Operation of Regional Wastewater Facilities

Requested Action

Consider the Ordinance authorizing the conveyance of the metering station and easements to the Trinity River Authority for operation and Maintenance.

Recommendation

Utility Staff recommends approval of the Ordinance.

Description/History

The City acquired land and easements necessary to build and serve the wastewater metering station for the Mountain Creek drainage basin. The metering station is in the Mountain Creek basin and will provide continued wastewater service for the areas and developments in the southwest corridor of the City's incorporated limits and ETJ. The City contracted with the Trinity River Authority (TRA) in the Mountain Creek Regional Wastewater System (MCRWS) for the discharge and treatment of wastewater flows generated from Mansfield in this basin. The Somerset Development was the first development to spur the necessity to provide sewer service within this basin.

Justification

In August of 2015, the City Council approved a contract with the TRA becoming an additional contracting party with the TRA MCRWS. According to Section 6 - Metering of Wastewater, in the agreement, the City is required to purchase all necessary easements and land to construct a metering station for the point of entry into the MCRWS. Upon completion of construction, the City is then required to assign all associated easements and land to the TRA for maintenance and operation.

Funding Source

N/A

Prepared By

Jeff Price, Director of Utilities
817-728-3602

ORDINANCE NO _____

AN ORDINANCE APPROVING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN FEE SIMPLE AS A METERING STATION SITE AND THE ASSIGNMENT OF A CERTAIN UTILITY EASEMENT AND ACCESS EASEMENT TO TRINITY RIVER AUTHORITY FOR THE MAINTENANCE AND OPERATION OF REGIONAL WASTEWATER FACILITIES.

WHEREAS, the City of Mansfield ("City") is the owner of certain real property interests, including fee simple title to a 0.057 acre meter station site described in Exhibit A, a 0.613 acre utility easement described in Exhibit B, and a 1.154 acre access easement described in Exhibit C (collectively, the "Property"); and

WHEREAS, the City acquired the Property for construction of regional wastewater facilities; and

WHEREAS, the Trinity River Authority has agreed to maintain and operate these regional wastewater facilities; and

WHEREAS, the City Council desires to convey and assign the Property to the Trinity River Authority for the use of the Property for the maintenance and operation of the regional wastewater facilities.

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

SECTION 1.

The City, pursuant to Section 3.13 of the City's Charter, authorizes the conveyance of fee simple title to the meter station site described in Exhibit A and the assignment of the utility easement described in Exhibit B and the access easement described in Exhibit C to Trinity River Authority.

SECTION 2.

The City Manager of the City of Mansfield, Texas, is hereby authorized and empowered to execute all documents necessary to complete the conveyance and assignment of the Property.

SECTION 3.

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

First reading approved on the _____ day of _____, 2019.

Second reading approved on the _____ day of _____, 2019.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this _____ day of _____, 2019.

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary

APPROVED AS TO FORM AND LEGALITY

Allen Taylor, City Attorney

EXHIBIT "A"
METER STATION
0.057 ACRES
PAGE 1 OF 2

LEGAL DESCRIPTION

BEING a tract of land situated in Ellis County, Texas, a part of the William Gardner Survey, Abstract No. 403, being a part of that called 71.28 acre tract of land described in Deed to Robert C. Kilchenstein and Julia M. Kilchenstein recorded in Volume 710, Page 623, Deed Records Ellis County, Texas and being more particularly described as follows:

COMMENCING at a one-half inch iron rod found at the west corner of said 71.28 acre tract of land, said point being in the south line of that called 31.134 acre tract of land described in Deed to Knox Street Partners No. 10, LTD recorded in Volume 2826, Page 915, Deed Records Ellis County, Texas and said point being in the approximate center line of St. Paul Road (County Road No. 511, an unrecorded Right-of-Way);

THENCE South 89 degrees 54 minutes 15 seconds East, 162.19 feet along the northwesterly line of said 71.28 acre tract of land, along the southeasterly line of said 31.134 acre tract of land, and along the approximate center line of St. Paul Road to a point for corner;

THENCE South 00 degrees 25 minutes 28 seconds East, 570.05 feet to a point for corner;

THENCE North 89 degrees 34 minutes 32 seconds East, 247.81 feet to a point for corner;

THENCE South 00 degrees 25 minutes 28 seconds East, 436.07 feet to a point for corner;

THENCE North 89 degrees 34 minutes 47 seconds East, 122.81 feet to a point for corner;

THENCE South 00 degrees 25 minutes 14 seconds East, 10.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for the POINT OF BEGINNING of this tract of land;

THENCE North 00 degrees 25 minutes 14 seconds West, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 89 degrees 34 minutes 47 seconds East, 50.00 to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 00 degrees 25 minutes 14 seconds East, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 89 degrees 34 minutes 47 seconds West, 50.00 feet to the POINT OF BEGINNING and containing 2,500 square feet or 0.0575 acres of land.

Basis of Bearing is derived from the Texas WDS RTK Cooperative Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

EXHIBIT "A"

METER STATION

0.057 ACRES

PAGE 2 OF 2

LEGEND

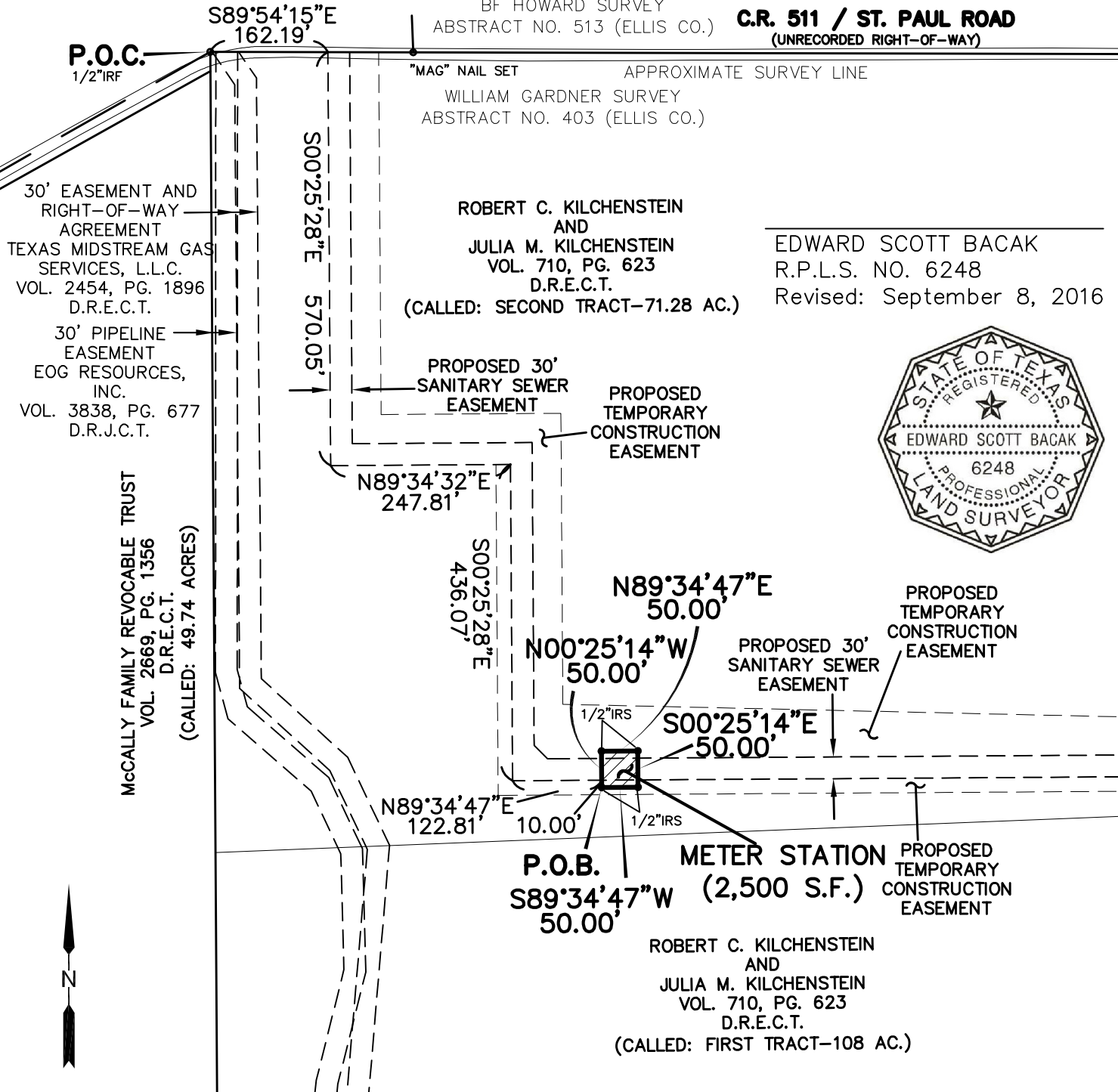
- IRS ONE-HALF INCH IRON ROD SET WITH YELLOW CAP STAMPED "JBI"
- IRF IRON ROD FOUND
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING

KNOX STREET PARTNERS NO. 10,
LTD.
VOL. 2826, PG. 915
D.R.E.C.T.
DOC. NO. 2015-6605
D.R.J.C.T.
(CALLED: 31.134 AC.)

ROBERT C. KILCHENSTEIN ETAL
VOL. 1219, PG. 692
D.R.E.C.T.
VOL. 1940, PG. 560
D.R.J.C.T.
(CALLED: 107.91 AC.)

BF HOWARD SURVEY
ABSTRACT NO. 513 (ELLIS CO.)

C.R. 511 / ST. PAUL ROAD
(UNRECORDED RIGHT-OF-WAY)



SCALE: 1"=200'	DATE 6-24-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B ADDISON, TEXAS 75001 TBPE No. F-438 TBPLS No. 10076000	
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EXHIBIT "B"
UTILITY EASEMENT
0.613 ACRES
PAGE 1 OF 3

LEGAL DESCRIPTION

BEING a tract of land situated in Ellis County, Texas, a part of the William Gardner Survey, Abstract No. 403, being a part of that called 71.28 acre tract of land described in Deed to Robert C. Kilchenstein and Julia M. Kilchenstein recorded in Volume 710, Page 623, Deed Records Ellis County, Texas and being more particularly described as follows:

COMMENCING at a one-half inch iron rod found at the west corner of said 71.28 acre tract of land, said point being in the south line of that called 31.134 acre tract of land described in Deed to Knox Street Partners No. 10, LTD recorded in Volume 2826, Page 915, Deed Records Ellis County, Texas and said point being in the approximate center line of St. Paul Road (County Road No. 511, an unrecorded Right-of-Way), to which a one-half inch iron rod found at the northeast corner of said 71.28 acre tract of land bears South 89 degrees 54 minutes 15 seconds East, at 2,742.94 feet;

THENCE South 89 degrees 54 minutes 15 seconds East, 192.20 feet along the northwesterly line of said 71.28 acre tract of land, along the southeasterly line of said 31.134 acre tract of land, and along the approximate center line of St. Paul Road to the POINT OF BEGINNING of this easement;

THENCE South 89 degrees 54 minutes 15 seconds East, 20.00 feet along the northwesterly line of said 71.28 acre tract of land, along the southeasterly line of said 31.134 acre tract of land, and along the approximate center line of St. Paul Road to a point for corner;

THENCE South 00 degrees 25 minutes 28 seconds East, 519.59 feet to a point for corner;

THENCE North 89 degrees 34 minutes 32 seconds East, 247.81 feet to a point for corner;

THENCE South 00 degrees 25 minutes 28 seconds East, 426.08 feet to a point for corner;

THENCE North 89 degrees 34 minutes 47 seconds East, 122.82 feet to a point for corner;

THENCE South 00 degrees 25 minutes 14 seconds East, 20.00 feet to a point for corner;

THENCE South 89 degrees 34 minutes 47 seconds West, 134.40 feet to a point for corner;

SCALE:	DATE 6-27-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B		
				ADDISON, TEXAS 75001		
				TBPE No. F-438	TBPLS No. 10076000	

EXHIBIT "B"
UTILITY EASEMENT
0.613 ACRES
PAGE 2 OF 3

THENCE North 45 degrees 25 minutes 30 seconds West, 11.90 feet to a point for corner;

THENCE North 00 degrees 25 minutes 28 seconds West, 417.66 feet to a point for corner;

THENCE South 89 degrees 34 minutes 32 seconds West, 247.81 feet to a point for corner;

THENCE North 00 degrees 25 minutes 28 seconds West, 539.78 feet to the POINT OF BEGINNING and containing 26,692 square feet or 0.613 acres of land.

Basis of Bearing is derived from the Texas WDS RTK Cooperative Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SCALE:	DATE 6-27-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B		
				ADDISON, TEXAS 75001		
				TBPE No. F-438	TBPLS No. 10076000	

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"B"

EXHIBIT "C"
ACCESS EASEMENT
1.154 ACRES
PAGE 1 OF 3

LEGAL DESCRIPTION

BEING a tract of land situated in Ellis County, Texas, a part of the William Gardner Survey, Abstract No. 403, being a part of that called 71.28 acre tract of land described in Deed to Robert C. Kilchenstein and Julia M. Kilchenstein recorded in Volume 710, Page 623, Deed Records Ellis County, Texas and being more particularly described as follows:

COMMENCING at a one-half inch iron rod found at the west corner of said 71.28 acre tract of land, said point being in the south line of that called 31.134 acre tract of land described in Deed to Knox Street Partners No. 10, LTD recorded in Volume 2826, Page 915, Deed Records Ellis County, Texas and said point being in the approximate center line of St. Paul Road (County Road No. 511, an unrecorded Right-of-Way), to which a one-half inch iron rod found at the northeast corner of said 71.28 acre tract of land bears South 89 degrees 54 minutes 15 seconds East, at 2,742.94 feet;

THENCE South 89 degrees 54 minutes 15 seconds East, 58.50 feet along the northwesterly line of said 71.28 acre tract of land, along the southeasterly line of said 31.134 acre tract of land, and along the approximate center line of St. Paul Road to the POINT OF BEGINNING of this easement;

THENCE South 89 degrees 54 minutes 15 seconds East, 120.94 feet along the northwesterly line of said 71.28 acre tract of land, along the southeasterly line of said 31.134 acre tract of land, and along the approximate center line of St. Paul Road to a point for corner;

THENCE South 05 degrees 18 minutes 15 seconds West, 19.77 feet to a point for corner;

THENCE South 39 degrees 46 minutes 19 seconds West, 76.14 feet to a point for corner;

THENCE South 19 degrees 56 minutes 50 seconds West, 113.93 feet to a point for corner;

THENCE South 00 degrees 30 minutes 34 seconds East, 335.25 feet to a point for corner;

THENCE South 45 degrees 28 minutes 01 seconds East, 28.31 feet to a point for corner;

THENCE North 89 degrees 34 minutes 32 seconds East, 330.82 feet to a point for corner;

THENCE South 00 degrees 25 minutes 28 seconds East, 417.66 feet to a point for corner;

THENCE South 45 degrees 25 minutes 30 seconds East, 11.90 feet to a point for corner;

THENCE North 89 degrees 34 minutes 47 seconds East, 84.40 feet to a one-half inch iron rod with yellow cap stamped "JBI" set corner;

SCALE:	DATE 6-27-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B		
				ADDISON, TEXAS 75001		
				TBPE No. F-438	TBPLS No. 10076000	

EXHIBIT "C"
ACCESS EASEMENT
1.154 ACRES
PAGE 2 OF 3

THENCE South 00 degrees 25 minutes 14 seconds East, 50.00 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 89 degrees 34 minutes 32 seconds West, 122.81 feet to a point for corner;

THENCE North 00 degrees 25 minutes 28 seconds West, 426.08 feet to a point for corner;

THENCE North 45 degrees 25 minutes 28 seconds West, 28.28 feet to a point for corner;

THENCE South 89 degrees 34 minutes 32 seconds West, 330.77 feet to a point for corner;

THENCE North 00 degrees 30 minutes 34 seconds West, 390.62 feet to a point for corner;

THENCE North 19 degrees 56 minutes 50 seconds East, 99.42 feet to a point for corner;

THENCE North 14 degrees 29 minutes 51 seconds West, 63.47 feet to a point for corner;

THENCE North 37 degrees 28 minutes 14 seconds West, 32.08 feet to the POINT OF BEGINNING and containing 50,255 square feet or 1.154 acres of land.

Basis of Bearing is derived from the Texas WDS RTK Cooperative Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SCALE:	DATE 6-27-16	DRAWN ESB	PROJECT HPC098	16301 QUORUM DRIVE, SUITE 200B		
				ADDISON, TEXAS 75001		
				TBPE No. F-438	TBPLS No. 10076000	

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"C"



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3348

Agenda Date: 11/11/2019

Version: 1

Status: Consent

In Control: City Council

File Type: Resolution

Title

Resolution - A Resolution to Consider Naming the New Off-Leash Dog Park at 610 W. Broad Street as "Mans Best Field"

Requested Action

Consider the MPFDC's Naming Recommendation for New Off-Leash Dog Park

Recommendation

Approve Resolution

Description/History

In 2013, the Mansfield Park Facilities Development Corporation (MPFDC) purchased approximately 12 acres of the 16-acre tract of land at 604 W. Broad Street for future park development purposes. The site was formerly owned by one of Mansfield's co-founders Ralph Man.

On August 13, 2018, City Council directed staff to move forward with design of the City's first off-leash dog park at this location. On May 28, 2019, the City Council awarded a construction contract to Ratliff Construction to build the first phase of the dog park. The new off-leash dog park is under construction with a public opening expected in early 2020.

During the master planning phase for the dog park, a citizen emailed the Parks and Recreation Department with a recommendation to name the park "Mans Best Field." She felt like the name would memorialize Mr. Ralph Man as one of the city's co-founders and former owner of the property, remind everyone that dogs are man's best friend, and capitalize on Mansfield being in the name. During a special meeting on October 30, 2019, the MPFDC voted 6-0 in favor of the naming recommendation.

Justification

Following the guidelines outlined in the Park Naming Policy, the MPFDC approved the name "Mans Best Field" and forwarded their recommendation to City Council for final consideration and action.

Funding Source

N/A

Prepared By

Matt Young, Director of Parks and Recreation

Matt.Young@mansfieldtexas.gov

817-728-3397

RESOLUTION NO. _____

A RESOLUTION TO NAME THE NEW OFF-LEASH DOG PARK LOCATED AT 610 W. BROAD STREET, “MANS BEST FIELD”

WHEREAS, the Mansfield Park Facilities Development Corporation (MPFDC) is currently constructing Phase I of the new off-leash dog park on West Broad Street; and

WHEREAS, the new off-leash dog park will be open in early 2020; and

WHEREAS, the MPFDC voted 6-0 at their October 30th meeting to accept the naming recommendation.

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

Section 1.

That the City Council accepts the recommendation of the MPFDC to name the new off-leash dog park located at 610 W. Broad Street, “Mans Best Field.”

RESOLVED AND PASSED this 11th day of November, 2019.

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3349

Agenda Date: 11/11/2019

Version: 1

Status: Consent

In Control: City Council

File Type: Resolution

Agenda Number:

Title

Resolution - A Resolution by the City of Mansfield, Texas Affirming the Casting of Votes in the 2020-2021 Election of the Board of Directors for the Central Appraisal District of Tarrant County

Requested Action

Council to approve the resolution casting votes for a candidate to serve as a board member of Tarrant County Appraisal District's Board of Directors for calendar years 2020 and 2021.

Recommendation

Staff is recommending that the City of Mansfield, Texas cast its votes for Mike Leyman who is seeking appointment to the board of directors of Tarrant County Appraisal District for the next period of calendar years 2020 and 2021.

Description/History

Taxing entities within Tarrant Appraisal District of Tarrant County, Texas are entitled to nominate and elect candidates to the County's Appraisal Board. The process allows taxing authorities to oversee the administrative process of the County's appraisal districts. The City of Mansfield, Texas has fifty-four (54) votes out of 5,000 votes.

Justification

Texas law provides for the appointment of an Appraisal Board to oversee the administration and operation of an Appraisal District in Texas. The nomination and appointment of these Boards is derived from the taxing authorities within the Appraisal District.

Funding Source

N/A

Prepared By

Peter Phillis, Deputy City Manager
817-276-4261

RESOLUTION NO. _____**RESOLUTION BY THE CITY OF MANSFIELD, TEXAS, AFFIRMING THE CASTING OF VOTES IN THE 2020-2021 ELECTION OF THE BOARD OF DIRECTORS FOR THE CENTRAL APPRAISAL DISTRICT OF TARRANT COUNTY, TEXAS**

This is to affirm that the City Council of the City of Mansfield, did on this the 11th day of November, 2019, cast votes as indicated below for the candidate(s) in the election for the 2020-2021 Board of Directors of the Central Appraisal District of Tarrant County, Texas, in a regular meeting of the City Council.

Number of Votes

Candidate

54Mike Leyman

PASSED AND APPROVED THIS THE 11th DAY OF NOVEMBER, 2019.

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary



Jeff Law
Executive Director
Chief Appraiser

October 25, 2019

Mr. David L. Cook
Mayor
City of Mansfield
1200 E. Broad
Mansfield, Texas 76063

Dear Mr. Cook:

Tarrant Appraisal District's Board of Directors begins a new two-year term on January 1, 2020. The candidates for appointment to the five voting positions on the Board, listed alphabetically with the taxing unit(s) that timely submitted the nominations for each, are listed on the attached ballot.

Members of the Board are appointed by vote of the governing bodies of the taxing units. The attached list provides the number of votes for each taxing unit. The Property Tax Code requires TAD to prepare the ballot and provides that the governing body may cast all of its votes for one candidate or distribute its votes among any number of candidates listed on the ballot. The Code makes **no** provision for write-in candidates. So votes cast for someone other than the candidates listed on the ballot cannot be counted.

The Property Tax Code requires the governing body of the taxing unit to determine its votes by resolution and to submit the resolution to TAD **before December 15, 2019** by mailing to Jeff Law, Chief Appraiser, Tarrant Appraisal District, **P. O. Box 185579, Fort Worth, Texas, 76181-0579**, or by fax to (817)595-6198 or by email to cthorne@tad.org. At your request, we can provide a sample resolution; please contact us for a copy. The five (5) candidates receiving the most votes are elected to a two (2) year term beginning January 1, 2020.

All tax units and candidates will be notified of the results of the election before December 31, 2019.

Sincerely,



Jeff Law
Executive Director
Chief Appraiser

JL:ct
Enclosures
Mr. Clayton Chandler



OFFICIAL BALLOT

ELECTION OF MEMBERS TO THE BOARD OF DIRECTORS TARRANT APPRAISAL DISTRICT

Following are the candidates for appointment to the five (5) voting positions on the Board, listed alphabetically with the taxing unit(s) that timely submitted the nominations for each.

Please indicate your taxing unit's vote(s) by entering the number of votes to the left of your candidate(s) of choice.

VOTES FOR	Nominees	Nominating Entity
	Mr. Daniel J. Bennett	City of Haslet
	Mr. Richard DeOtte	City of Colleyville City of Southlake
	Mr. John Fegan	Birdville ISD White Settlement ISD
	Mr. Michael Glaspie	Tarrant County
	Mr. Mike Leyman	White Settlement ISD
	Mr. Gary Losada	City of Colleyville
	Mr. John Molyneaux	Fort Worth ISD White Settlement ISD
	Mr. Mike O'Donnell	Arlington ISD White Settlement ISD
	Mr. Joe Potthoff	White Settlement ISD
	Ms. Kathryn Wilemon	Tarrant County

IMPORTANT: This ballot must be returned **before December 15, 2019** to Jeff Law, Chief Appraiser, Tarrant Appraisal District, **P. O. Box 185579, Fort Worth, Texas, 76181-0579**, by mail or by fax to (817) 595-6198 or by email to cth Thornton@tad.org.

Please attach this ballot to the resolution passed by your taxing unit authorizing this vote.

TARRANT APPRAISAL DISTRICT
2019 Calculation of Taxing Entity Votes for Board of Directors
Per Section 6.03(d) of Texas Property Tax Code

	2018 TAXES IMPOSED	% OF TOTAL	2019 VOTES
School Districts:			
Aledo ISD	\$ 4,422,386	0.10270%	5
Arlington ISD	\$ 387,742,841	9.00408%	450
Azle ISD	\$ 21,552,124	0.50048%	25
Birdville ISD	\$ 145,780,948	3.38529%	169
Burleson ISD	\$ 26,484,960	0.61503%	31
Carroll ISD	\$ 121,637,201	2.82463%	141
Castleberry ISD	\$ 10,263,752	0.23834%	12
Crowley ISD	\$ 107,398,244	2.49398%	125
Eagle Mountain/Saginaw ISD	\$ 145,123,350	3.37002%	168
Everman ISD	\$ 20,636,822	0.47922%	24
Fort Worth ISD	\$ 497,308,653	11.54840%	577
Godley ISD	\$ 1,195,386	0.02776%	1
Grapevine/Colleyville ISD	\$ 209,100,626	4.85569%	243
Hurst/Euless/Bedford ISD	\$ 173,039,168	4.01828%	201
Keller ISD	\$ 273,591,344	6.35328%	318
Kennedale ISD	\$ 20,590,320	0.47814%	24
Lake Worth ISD	\$ 16,835,674	0.39095%	20
Lewisville ISD	\$ 3,016,101	0.07004%	3
Mansfield ISD	\$ 202,021,083	4.69129%	235
Northwest ISD	\$ 123,007,336	2.85645%	143
White Settlement ISD	\$ 30,827,960	0.71588%	36
Total Schools	\$ 2,541,576,278	59.01994%	2951

Cities:

City of Arlington	\$ 163,132,652	3.78823%	189
City of Azle	\$ 4,938,908	0.11469%	6
City of Bedford	\$ 22,708,215	0.52733%	26
City of Benbrook	\$ 13,094,468	0.30408%	15
City of Blue Mound	\$ 829,947	0.01927%	1
City of Burleson	\$ 5,670,408	0.13168%	7
City of Colleyville	\$ 17,106,631	0.39725%	20
City of Crowley	\$ 6,843,564	0.15892%	8
City of Dalworthington Garde	\$ 1,936,069	0.04496%	2
Edgecliff Village	\$ 624,228	0.01450%	1
City of Euless	\$ 20,400,613	0.47374%	24
City of Everman	\$ 2,087,446	0.04847%	2
City of Flower Mound	\$ 936,916	0.02176%	1

City of Forest Hill	\$ 5,232,817	0.12152%	6
City of Fort Worth	\$ 514,293,901	11.94282%	597
City of Grand Prairie	\$ 50,973,677	1.18370%	59
City of Grapevine	\$ 25,861,193	0.60054%	30
City of Haltom City	\$ 14,806,074	0.34382%	17
City of Haslet	\$ 2,612,161	0.06066%	3
City of Hurst	\$ 17,581,020	0.40826%	20
City of Keller	\$ 24,207,504	0.56214%	28
City of Kennedale	\$ 5,254,379	0.12202%	6
Town of Lakeside	\$ 541,834	0.01258%	1
City of Lake Worth	\$ 2,156,720	0.05008%	3
City of Mansfield	\$ 46,256,559	1.07416%	54
City of N. Richland Hills	\$ 32,146,266	0.74649%	37
Town of Pantego	\$ 1,383,058	0.03212%	2
City of Pelican Bay	\$ 337,581	0.00784%	0
City of Reno	\$ 36,659	0.00085%	0
City of Richland Hills	\$ 4,262,582	0.09898%	5
City of River Oaks	\$ 2,296,423	0.05333%	3
City of Roanoke	\$ 550,388	0.01278%	1
City of Saginaw	\$ 8,905,965	0.20681%	10
City of Sansom Park	\$ 1,211,714	0.02814%	1
City of Southlake	\$ 34,641,771	0.80444%	40
Town of Trophy Club	\$ 581,025	0.01349%	1
City of Watauga	\$ 8,140,475	0.18904%	9
Town of Westlake	\$ 1,987,753	0.04616%	2
City of Westover Hills	\$ 2,200,112	0.05109%	3
Westworth Village	\$ 1,315,628	0.03055%	2
City of White Settlement	\$ 6,463,879	0.15010%	8
Total Cities	\$ 1,076,549,182	24.99939%	1250
Other:			
Tarrant County	\$ 434,780,216	10.09637%	505
Tarrant County College	\$ 253,395,306	5.88429%	294
Total Other	\$ 688,175,522	15.98066%	799
Total All	\$ 4,306,300,982	100%	5000



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3351

Agenda Date: 11/11/2019

Version: 1

Status: Consent

In Control: City Council

File Type: Resolution

Agenda Number:

Title

Resolution - A Resolution Awarding A Contract For Street Sweeping Services For FY 20 to Sweeping Services of Texas - Operating L.P. for an Amount Not To Exceed \$137,500 (Drainage Utility Fund)

Recommendation

The Environmental Staff recommends the approval of the contract award to Sweeping Services of Texas - Operating L.P. for street sweeping services and the authorization of funding.

Description/History

The project bid on October 27, 2019 and there was only one bid for the project. Staff is recommending award of this project and authorization of funding for the bid amount of \$137,500.

The only bidder was Sweeping Services of Texas - Operating L.P. The contract time for this project is twelve months. Bid tabulation is attached.

The sweeping contract is only for curbed, public streets. Streets with bar ditches are not included. Additionally, streets in private communities are excluded. All residential streets are to be swept twice per year: once after leaf drop, this generally comes just before Christmas, and again in the spring after tree flowers drop, this generally occurs around Easter. Major thoroughfares are swept monthly. Intersection turn islands are swept twice, in conjunction with the residential sweeping.

Sweeping Services of Texas - Operating L.P. was the only bidder for this project. Their bid for the requested services was for \$125,000. The requested funds included a 10% contingency over the bid to cover any sweeping needs due to icy road operations, or other special requests. The bid announcement included the option for up to 4 annual renewals with up to a 5% unit cost increase. As streets are added it is understood the contract cost may increase by more than 5%.

Justification

Sweeping Services of Texas - Operating L.P. has satisfactorily provided this service for Mansfield since 2014.

A Resolution is attached for Council's consideration.

Funding Source

The funding source will be the Drainage Utility Fund.

Prepared By

Howard Redfearn, Environmental Manager

howard.redfearn@mansfield-tx.gov

817-276-4240

RESOLUTION NO. _____

A RESOLUTION AWARDED A CONTRACT FOR STREET SWEEPING SERVICES FOR FY2020 TO SWEEPING SERVICES OF TEXAS – OPERATING L.P.; APPROPRIATING FUNDS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS.

WHEREAS, the City of Mansfield has publicly advertised and requested competitive bids for the mowing of the drainage areas and,

WHEREAS, all bids were received, opened and publicly read aloud on October 27, 2019 and;

WHEREAS, the expenditure of the funds stated herein will be secured from the Drainage Utility Account;

WHEREAS, it is recognized that it is in the best interest of the citizens of the City of Mansfield that the services provided for herein be started at the earliest possible date and;

WHEREAS, after review of all bids received, it is the recommendation and determination of Council that the "lowest and best" bid is that of Sweeping Services of Texas – Operating L.P.

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

Section 1.

The City Manager is hereby authorized and directed to execute contractual documents with Sweeping Services of Texas – Operating L.P. to provide street sweeping services for an amount not to exceed One Hundred Thirty-Seven Thousand Five Hundred Dollars (\$137,500).

PASSED AND APPROVED THIS THE 11th day of November, 2019.

David Cook, Mayor

ATTEST:

Susana Marin, City Secretary

Bid No.: 2019-41-04-01

Date: 10/24/19 @ 10:00 a.m.

[illegible]



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3352

Agenda Date: 11/11/2019

Version: 1

Status: Consent

In Control: City Council

File Type: Resolution

Agenda Number:

Title

Resolution - A Resolution by the City of Mansfield, Texas Affirming the Casting of Votes in the 2020-2021 Election of the Board of Directors for the Central Appraisal District of Johnson County

Requested Action

Council to approve the resolution casting votes for a candidate to serve as board member of Johnson County Appraisal District's Board of Directors for calendar years 2020 and 2021.

Recommendation

Staff is recommending that the City of Mansfield, Texas cast its votes for Byron Black who is seeking appointment to the board of directors of Johnson County Appraisal District for the next period of calendar years, 2020 and 2021.

Description/History

Taxing entities within Johnson County Appraisal District of Johnson County, Texas are entitled to nominate and elect candidates to the County's Appraisal Board. The process allows taxing authorities to oversee the administrative process of the County's appraisal districts. The City of Mansfield has fifty (50) votes out of 5,000 votes.

Justification

Texas law provides for the appointment of an Appraisal Board to oversee the administration and operation of an Appraisal District in Texas. The nomination and appointment of these Boards is derived from the taxing authorities within the Appraisal District.

Funding Source

N/A

Prepared By

Peter Phillis, Deputy City Manager
817-276-4261

RESOLUTION NO. _____**RESOLUTION BY THE CITY OF MANSFIELD, TEXAS, AFFIRMING THE CASTING OF VOTES IN THE 2020-2021 ELECTION OF THE BOARD OF DIRECTORS FOR THE CENTRAL APPRAISAL DISTRICT OF JOHNSON COUNTY, TEXAS**

This is to affirm that the City Council of the City of Mansfield, did on this the 11th day of November, 2019, cast votes as indicated below for the candidate(s) in the election for the 2020-2021 Board of Directors of the Central Appraisal District of Johnson County, Texas, in a regular meeting of the City Council.

Number of Votes

Candidate

50Byron Black

PASSED AND APPROVED THIS THE 11th DAY OF NOVEMBER, 2019.

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary

CENTRAL APPRAISAL DISTRICT
OF JOHNSON COUNTY

109 N MAIN ST
CLEBURNE, TX 76033
METRO (817) 648-3000
FAX (817) 645-3105
WWW.JOHNSONCAD.COM



BOARD OF DIRECTORS
BYRON BLACK – CHAIRMAN
TOBY FORD – VICE CHAIRMAN
DON BEESON – SECRETARY
LARRY WOOLLEY
ALBERT ARCHER, SR.
SCOTT PORTER – TAX ASSESSOR/COLLECTOR

EXECUTIVE DIRECTOR/CHIEF APPRAISER
JIM HUDSPETH, RPA, RTA, CTA, CSTA, CCA

October 29, 2019

The Honorable David Cook, Mayor
City of Mansfield
1200 E. Broad Street
Mansfield, Texas 76063

Dear Mayor Cook:

Enclosed is your OFFICIAL BALLOT for election of the Central Appraisal District Board of Directors for 2020-2021. The City of Mansfield is entitled to a total of 50 votes. You may cast all votes for one candidate or divide them up for two or more.

Your governing body should determine its vote by resolution. Please record the number of votes for the candidate(s) chosen on this OFFICIAL BALLOT, and return it to me along with a copy of your resolution before December 15, 2019.

Legislation prohibits ballots received after this date from being counted in the election. Please place the resolution on your agenda during November and ensure your ballot is in our office before December 15, 2019.

A copy of this letter is being sent to your city manager, along with a copy of the ballot; however, only you have the OFFICIAL BALLOT.

I cannot stress enough that the Property Tax Code requires timeliness in this matter. Please call me anytime I can be of help to you.

Respectfully,


Jim Hudspeth, RPA, RTA, CTA, CSTA, CCA
Executive Director/Chief Appraiser

JH/dp

Enclosures

cc: Mr. Clayton Chandler, City Manager

CENTRAL APPRAISAL DISTRICT OF JOHNSON COUNTY
109 N. MAIN
CLEBURNE, TEXAS 76033

ELECTION OF BOARD OF DIRECTORS FOR 2020-2021

OFFICIAL BALLOT

<u>VOTES</u>	<u>CANDIDATES</u>
_____	Albert Archer, Sr.
_____	Billy Baynes
_____	Don Beeson
_____	Byron Black
_____	Toby Ford
_____	Paul Jones
_____	Amy Lingo
_____	Shane McNeel
_____	Larry Woolley

RESOLUTION NO. _____

**RESOLUTION BY THE CITY OF _____, TEXAS, AFFIRMING
THE CASTING OF VOTES IN THE 2020-2021 ELECTION OF THE BOARD OF
DIRECTORS FOR THE CENTRAL APPRAISAL DISTRICT OF JOHNSON
COUNTY, TEXAS.**

This is to affirm that the City Council of the City of _____, did on
this the _____ day of _____, 2019, cast votes as indicated below for
the candidate(s) in the election for the 2020-2021 Board of Directors of the Central
Appraisal District of Johnson County, Texas, in a regular meeting of the City Council.

<u>Number of Votes</u>	<u>Candidate</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

RESOLVED AND ENTERED this the _____ day of _____, 2019.

MAYOR

ATTEST:

CITY SECRETARY



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3353

Agenda Date: 11/11/2019

Version: 1

Status: Consent

In Control: City Council

File Type: Resolution

Agenda Number:

Title

Resolution - A Resolution by the City of Mansfield, Texas Affirming the Casting of Votes in the 2020-2021 Election of the Board of Directors for the Central Appraisal District of Ellis County

Requested Action

Council to approve the resolution casting votes for a candidate to serve as board member of Ellis County Appraisal District's Board of Directors for calendar years 2020 and 2021.

Recommendation

Staff is recommending that the City of Mansfield, Texas cast its votes for Joe Pitts who is seeking appointment to the board of directors of Ellis County Appraisal District for the next period of calendar years, 2020 and 2021.

Description/History

Taxing entities within Ellis County Appraisal District of Ellis County, Texas are entitled to nominate and elect candidates to the County's Appraisal Board. The process allows taxing authorities to oversee the administrative process of the County's appraisal districts. The City of Mansfield has one (1) vote out of 5,000 votes.

Justification

Texas law provides for the appointment of an Appraisal Board to oversee the administration and operation of an Appraisal District in Texas. The nomination and appointment of these Boards is derived from the taxing authorities within the Appraisal District.

Funding Source

N/A

Prepared By

Peter Phillis, Deputy City Manager
817-276-4261

RESOLUTION NO. _____**RESOLUTION BY THE CITY OF MANSFIELD, TEXAS, AFFIRMING THE CASTING OF VOTES IN THE 2020-2021 ELECTION OF THE BOARD OF DIRECTORS FOR THE CENTRAL APPRAISAL DISTRICT OF ELLIS COUNTY, TEXAS**

This is to affirm that the City Council of the City of Mansfield, did on this the 11th day of November, 2019, cast votes as indicated below for the candidate(s) in the election for the 2020-2021 Board of Directors of the Central Appraisal District of Ellis County, Texas, in a regular meeting of the City Council.

Number of Votes

Candidate

1Joe Pitts

PASSED AND APPROVED THIS THE 11th DAY OF NOVEMBER, 2019.

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary



ELLIS APPRAISAL DISTRICT
400 Ferris Ave * PO Box 878
Waxahachie, Texas 75168
972-937-3552 * Toll Free 1-866-348-3552
ecad@elliscad.com

Board of Directors
Phillip Lynch, Chairman
Ken Marks, Vice Chairman
Charles T. Abram,
John Bridges, Member
Joe Pitts, Member
John Tabor, Member

Kathy Rodrigue, Chief Appraiser

October 21, 2019

Dear Presiding Officer for Ellis County and the Cities and ISDs in Ellis County:

Enclosed with this letter is the official ballot and sample resolution for casting your votes for Directors of the Ellis Appraisal District. There are nine candidates nominated for five positions.

You must cast your unit's votes by written resolution before December 15, 2019. You may cast all of your votes for one candidate or distribute your votes among any number of candidates. You may not cast votes for someone not listed on the official ballot. Please return your ballot and resolution as soon as possible.

I will notify you of the election results by December 31, 2019. In the event of a tie, flipping a coin will choose the winner.

Please feel free to contact me if you have any questions.

Sincerely,

Kathy A. Rodrigue, RPA
Chief Appraiser

2020-2021 Ellis Appraisal District Board of Directors' Candidate Information

Charles T. "Tom" Abram - Mr. Abram has served on the Ellis Appraisal District Board of Directors since 2014 as a member and as Secretary in 2019. He was the recipient of the Pride of Ennis 2015 Distinguished Service Award, volunteering for civic and non-profit organizations and working with industry leaders to promote economic growth. Mr. Abram was Mayor of Ennis from 1986-1990 and has been a resident of Ennis since 1977. Mr. Abram graduated from college and served as an officer in the U.S. Army. Upon moving to Ennis, he started his own manufacturing company and built it into a successful international multi-plant operation. He also served on the Board of Directors of the Ennis Regional Medical Center. Mr. Abram was nominated by Ennis ISD and the City of Midlothian.

Jan Davis - Ms. Davis has been in real estate for over 33 years and is an active Realtor with Ebby Halliday Realtors holding ABR, ASP, CRS, GRI and SRES designations. She has several recognitions and specialties to include D magazine "Best of the Best", Texas Monthly Magazine "Five Star Professional", Dallas Real Producers Top 500, Star Achiever 1989-2018, Diamond circle member 1986-2019 and is a Historic House and Relocation Specialist. She is a member of the National Association of Realtors, Texas Association of Realtors and the Greater Dallas Board of Realtors. She holds a Bachelor of Science in Education and a Master of Education in Administration/Supervision. Ms. Davis has volunteered in many ways serving as the Past-President of the Midlothian Economic & Community Development Board, the City of Midlothian Committee for hiring Park Planner and Midlothian ISD as a member of DEIC, the Bond Oversight for construction of Midlothian Heritage High School and Naming Committees for Midlothian ISD. Ms. Davis was nominated by Midlothian ISD and the City of Midlothian.

Sheila Domestead - Ms. Domestead was nominated by Red Oak ISD.

John Knight - Mr. Knight was nominated by Midlothian ISD.

Ken Marks - Mr. Marks has served on the since 2002 as a member, as Secretary from 2004-2005 and 2012-2013 and as Vice-Chairman 2014-2019. He is a State Certified Residential Real Estate Appraiser working for E.T. Jones & Associates. Mr. Marks has been a resident of Ellis County for 30 years. He and his children graduated from Midlothian ISD. Mr. Marks was nominated by Midlothian and Milford ISD and the Cities of Midlothian and Venus.

Jim Mentzel - Mr. Mentzel was nominated by Midlothian ISD.

Joe Pitts - Dr. Pitts has served as a member on the Ellis Appraisal District Board of Directors since 2006 as a member and as Secretary from 2014-2018. He began his 41 year career in education in 1955, teaching and ultimately in administration with Dallas ISD. He then became the Superintendent for Port Arthur ISD and retired in 1992 after 10 years of service. He then served for four years as a Board of Trustees Training Consultant for the Texas Education Agency. Dr. Pitts was active in the American Association of School Administrators and the Texas Association of School Administrators. In 2008 he served on the Bond Oversight Committee for Red Oak ISD. Dr. Pitts was nominated by Midlothian and Waxahachie ISD and the City of Midlothian.

John Tabor - Mr. Tabor has served on the Ellis Appraisal District Board of Directors since 2019. He is currently a Senior Advisor for Privateer Consulting Services and has been in the oil and gas industry since 1976. He graduated with honors in 1984 with a BA in Political Science and Government Affairs from the University of Texas at Dallas. Mr. Tabor served as a highly decorated combat Vietnam veteran in the United States Army from 1969-1971. He is a member of the Midlothian First Baptist Church, the Dallas Petroleum Club, Dallas Wildcat Assoc, Ft. Worth Wildcatters Assoc, Society of Petroleum Engineers, American Association of Drilling Engineers, Distinguished Flying Cross Association, homes for our Troops and also served with the Republican Party of Ellis County with 3 terms on the State Republican Executive Committee and 4 terms as the Ellis County Republican Party Chairman. Mr. Tabor was nominated by Ellis County and the City of Midlothian.

Robert Kyle Wilson - Mr. Wilson has 27 years within the real estate appraising industry having worked at the Ellis County Appraisal District, for Max Sanders and currently as a State Certified Residential Real Estate Appraiser for Kyle Wilson Real Estate Appraisal. He is a member of the North Texas Association of Realtors, was pinned as an Eagle Scout with the Boy Scouts of America in 1981, served in the United States Army from 1989-1991 and served as a member of the Ennis Chamber of Commerce Board of Directors 2013-2016. He is a current member of the Alma City Council and served as Mayor Pro Tem in 2018 and part of 2019 and as a former member 2013-2017. Mr. Wilson was nominated by the City of Ennis.

OFFICIAL BALLOT
TO ELECT
BOARD OF DIRECTORS
FOR THE
ELLIS APPRAISAL DISTRICT
FOR 2020-2021

Issued to: CITY OF MANSFIELD

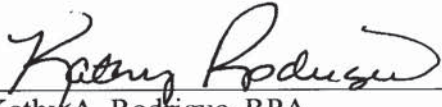
Number of Votes: 1

Directions: Please enter the number of votes cast on the blank space opposite the name of the candidate. You may cast all of your votes for one candidate or divide your votes among any number of the candidates.

NAME OF CANDIDATES
(listed alphabetically)

1. CHARLES T. "TOM" ABRAM _____
2. JAN DAVIS _____
3. SHEILA DOMSTEAD _____
4. JOHN KNIGHT _____
5. KEN MARKS _____
6. JIM MENTZEL _____
7. JOE PITTS _____
8. JOHN TABOR _____
9. ROBERT KYLE WILSON _____

Issued under my hand this 21th day of October, 2019.


Kathy A. Rodrigue, RPA
Chief Appraiser
Ellis Appraisal District

Texas Property Tax Code Sec. 6.03. Board of Directors.

(a) The appraisal district is governed by a board of directors. Five directors are appointed by the taxing units that participate in the district as provided by this section. If the county assessor-collector is not appointed to the board, the county assessor-collector serves as a nonvoting director.



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3354

Agenda Date: 11/11/2019

Version: 1

Status: Consent

In Control: City Council

File Type: Resolution

Agenda Number:

Title

Resolution - A Resolution Awarding a Contract for Construction of Magnolia Street Improvements (East Broad St. to Wisteria St.) to Texas Materials Group, Inc. and Authorizing Funding for an Amount Not to Exceed \$1,603,506.00 (Street Bond Fund and Utility Bond Fund)

Requested Action

Consider the Resolution awarding a contract for the construction of Magnolia Street Improvements to Texas Materials Group, Inc. for construction and authorizing funding for an amount not to exceed \$1,603,506.00.

Recommendation

The Engineering Staff recommends approval of the Resolution.

Description/History

The project was bid on October 23, 2019 and there were eight bidders for the project. The lowest qualified bidder was Texas Materials Group, Inc. Bids ranged from a low bid of \$1,326,165.29 to a high bid of \$1,841,882.87.

The contract time for this project is one hundred fifty (150) working days or approximately 8 months.

This project includes reconstructing Magnolia St. to a 39 foot street with storm drain and sidewalk on the east side. The project also includes minor water and sewer improvements.

The requested funds are for a construction contract in the amount of \$1,326,165.29, a 5% construction contingency, survey, materials testing and other miscellaneous services needed to complete the construction of the project within a budget not to exceed \$1,603,506.00

Justification

Texas Materials Group, Inc. has previously completed capital improvement projects in the City of Mansfield. The Engineering Department feels that Texas Materials Group, Inc. has the necessary staff and equipment to complete a job of this size and scope within the allowed contract time.

The Director of Public Works will be in attendance at the meeting to answer Council's questions regarding the proposed contract and funding. A resolution is attached for Council's

consideration.

Funding Source

The funding source will be from the Street Bond Fund and Utility Bond Fund.

Prepared By

Gus Chavarria, CIP Project Manager, Engineering Department

RESOLUTION NO. _____

A RESOLUTION AWARDING A CONTRACT FOR CONSTRUCTION OF MAGNOLIA STREET IMPROVEMENTS (EAST BROAD ST. TO WISTERIA ST.) TO TEXAS MATERIALS GROUP, INC. APPROPRIATING FUNDS; AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS.

WHEREAS, the City of Mansfield has publicly advertised and requested competitive bids for the construction of Magnolia Street Improvements (East Broad St. to Wisteria St.) ;and,

WHEREAS, all bids were received, opened and publicly read aloud on October 23, 2019; and,

WHEREAS, the expenditure of the funds stated herein will be secured from the Street Bond Fund, and Utility Bond Fund approved funds;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;and

WHEREAS, after review of all bids received, it is the recommendation and determination of Council that the "lowest and best" bid is that of Texas Materials Group, Inc..

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 contractual documents with Texas Materials Group, Inc., for construction for an amount not to exceed One Million Three Hundred Ninety Two Thousand Four Hundred Seventy Three and 55/100 Dollars \$1,392,473.55.

Section 2.

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

Section 3.

Funding is hereby authorized in the amount of One Million Six Hundred Three Thousand Five Hundred Six and 00/100 Dollars \$1,603,506.00 to complete the construction of this project.

PASSED AND APPROVED THIS THE 11TH DAY OF NOVEMBER, 2019.

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary

US 287 FRONTAGE RD

E. BROAD STREET

MAGNOLIA
PROJECT

MAGNOLIA ST

N. WISTERIA ST

JUNIPER ST

CEDAR ST

WILLOW ST

MAGNOLIA ST

E. BROAD STREET

S. WISTERIA ST





MAGNOLIA STREET IMPROVEMENTS - BID TABULATION

Date: 10/30/2019

Project Item Information					Texas Bit 420 Decker Dr., Suite 200 Irving, TX 75062		Reliable Paving, Inc. 1903 Peyco Dr., N. Arlington, TX 76001		Stable & Winn, Inc. P.O. Box 79380 Saginaw, TX 76179		McClendon Const. Co., Inc. P.O. Box 999 Burleson, TX 76097		PaveCon Public Works P.O. Box 535457 Grand Prairie, TX 75053		XIT Paving & Construction 3934 S Hwy 287 Waxahachie, TX 75165		Tiseo Paving Co. P.O. Box 270040 Dallas, TX 75227		Joe Funk Construction, Inc. 11226 Indian Trail Dallas, TX 75229	
Bidlist Item No.	Description	Unit of Measure	Quantity	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	
PAVING																				
A-1	Mobilization	LS	1	\$ 72,310.00	\$ 72,310.00	\$ 45,000.00	\$ 45,000.00	\$ 20,000.00	\$ 20,000.00	\$ 35,000.00	\$ 35,000.00	\$ 86,600.00	\$ 86,600.00	\$ 15,000.00	\$ 15,000.00	\$ 56,000.00	\$ 56,000.00	\$ 89,700.00	\$ 89,700.00	
A-2	Right-of-Way Preparation	LS	1	\$ 46,605.00	\$ 46,605.00	\$ 27,000.00	\$ 27,000.00	\$ 114,000.00	\$ 114,000.00	\$ 70,000.00	\$ 70,000.00	\$ 44,700.15	\$ 44,700.15	\$ 44,707.25	\$ 44,707.25	\$ 95,400.00	\$ 95,400.00	\$ 26,000.00	\$ 26,000.00	
A-3	Unclassified Street Excavation	CY	510	\$ 16.00	\$ 8,160.00	\$ 15.00	\$ 7,650.00	\$ 20.00	\$ 10,200.00	\$ 30.00	\$ 15,300.00	\$ 29.95	\$ 15,274.50	\$ 20.00	\$ 10,200.00	\$ 6.00	\$ 3,060.00	\$ 31.40	\$ 16,014.00	
A-4a	Embankment	CY	510	\$ 2.80	\$ 1,428.00	\$ 12.00	\$ 6,120.00	\$ 3.50	\$ 1,785.00	\$ 20.00	\$ 10,200.00	\$ 25.10	\$ 12,801.00	\$ 20.00	\$ 10,200.00	\$ 6.00	\$ 3,060.00	\$ 45.50	\$ 23,205.00	
A-4b	Borrow	CY	2180	\$ 19.75	\$ 43,055.00	\$ 31.00	\$ 67,580.00	\$ 20.00	\$ 43,600.00	\$ 40.00	\$ 87,200.00	\$ 52.98	\$ 115,496.40	\$ 20.00	\$ 43,600.00	\$ 24.00	\$ 52,320.00	\$ 32.50	\$ 70,850.00	
A-5	Remove Existing Concrete (Drive/Walk)	SY	675	\$ 10.85	\$ 7,323.75	\$ 25.00	\$ 16,875.00	\$ 9.00	\$ 6,075.00	\$ 7.00	\$ 4,725.00	\$ 10.93	\$ 7,377.75	\$ 10.00	\$ 6,750.00	\$ 5.25	\$ 3,543.75	\$ 28.80	\$ 19,440.00	
A-6	Remove Existing Asphalt/Brick Drive	SY	4928	\$ 7.50	\$ 36,960.00	\$ 20.00	\$ 98,560.00	\$ 5.00	\$ 24,640.00	\$ 5.00	\$ 24,640.00	\$ 5.72	\$ 28,188.16	\$ 10.00	\$ 49,280.00	\$ 10.00	\$ 49,280.00	\$ 23.60	\$ 116,300.80	
A-7	Remove Existing Concrete (Curb & Gutter)	LF	546	\$ 4.10	\$ 2,238.60	\$ 8.00	\$ 4,368.00	\$ 5.00	\$ 2,730.00	\$ 4.00	\$ 2,184.00	\$ 7.91	\$ 4,318.86	\$ 10.00	\$ 5,460.00	\$ 3.00	\$ 1,638.00	\$ 11.90	\$ 6,497.40	
A-8	7" Reinforced Concrete Pavement	SY	5954	\$ 56.37	\$ 335,626.98	\$ 52.00	\$ 309,608.00	\$ 65.00	\$ 387,010.00	\$ 65.00	\$ 387,010.00	\$ 68.59	\$ 408,384.86	\$ 80.00	\$ 476,320.00	\$ 63.10	\$ 375,697.40	\$ 78.00	\$ 464,412.00	
A-9	12" Lime Stabilized Subgrade	SY	6266	\$ 5.40	\$ 33,836.40	\$ 7.00	\$ 43,862.00	\$ 4.00	\$ 25,064.00	\$ 6.00	\$ 37,596.00	\$ 12.59	\$ 78,888.94	\$ 10.00	\$ 62,660.00	\$ 3.85	\$ 24,124.10	\$ 15.60	\$ 97,749.60	
A-10	Hydrated Lime (54 lbs/cy)	TN	131.59	\$ 169.60	\$ 22,317.66	\$ 180.00	\$ 23,686.20	\$ 195.00	\$ 25,660.05	\$ 180.00	\$ 23,686.20	\$ 174.46	\$ 22,957.19	\$ 200.00	\$ 26,318.00	\$ 194.00	\$ 25,528.46	\$ 208.00	\$ 27,370.72	
A-11	6" Concrete Residential Driveway Approach and Transition Pavement	SY	45	\$ 76.60	\$ 3,447.00	\$ 76.00	\$ 3,420.00	\$ 76.50	\$ 3,442.50	\$ 83.00	\$ 3,735.00	\$ 101.18	\$ 4,553.10	\$ 90.00	\$ 4,050.00	\$ 79.00	\$ 3,555.00	\$ 71.50	\$ 3,217.50	
A-12	7" Concrete Commercial Driveway Approach and Transition Pavement	SY	412	\$ 60.40	\$ 24,884.80	\$ 80.00	\$ 32,960.00	\$ 81.00	\$ 33,372.00	\$ 95.00	\$ 39,140.00	\$ 100.84	\$ 41,546.08	\$ 95.00	\$ 39,140.00	\$ 87.00	\$ 35,844.00	\$ 78.00	\$ 32,136.00	
A-13	Concrete Sidewalk	SF	5471	\$ 6.85	\$ 37,476.35	\$ 8.00	\$ 43,768.00	\$ 7.00	\$ 38,297.00	\$ 9.00	\$ 49,239.00	\$ 6.68	\$ 36,546.28	\$ 10.00	\$ 54,710.00	\$ 12.75	\$ 69,755.25	\$ 6.93	\$ 37,914.03	
A-14	Concrete Street Header	LF	23	\$ 9.55	\$ 219.65	\$ 20.00	\$ 460.00	\$ 16.00	\$ 368.00	\$ 25.00	\$ 575.00	\$ 22.68	\$ 521.64	\$ 10.00	\$ 230.00	\$ 25.00	\$ 575.00	\$ 39.00	\$ 897.00	
A-15	6" HMAC Transition Pavement	SY	88	\$ 99.40	\$ 8,747.20	\$ 70.00	\$ 6,160.00	\$ 90.00	\$ 7,920.00	\$ 70.00	\$ 6,160.00	\$ 149.53	\$ 13,158.64	\$ 110.00	\$ 9,680.00	\$ 100.00	\$ 8,800.00	\$ 49.40	\$ 4,347.20	
A-16	Asphalt Driveway Transition	SY	60	\$ 106.40	\$ 6,384.00	\$ 60.00	\$ 3,600.00	\$ 95.00	\$ 5,700.00	\$ 95.00	\$ 5,700.00	\$ 149.53	\$ 8,971.80	\$ 120.00	\$ 7,200.00	\$ 150.00	\$ 9,000.00	\$ 49.40	\$ 2,964.00	
A-17	Metal Beam Guard Fence	LF	25	\$ 22.00	\$ 550.00	\$ 100.00	\$ 2,500.00	\$ 130.00	\$ 3,250.00	\$ 120.00	\$ 3,000.00	\$ 132.00	\$ 3,300.00	\$ 125.00	\$ 3,125.00	\$ 132.00	\$ 3,300.00	\$ 162.50	\$ 4,062.50	
A-18	Downstream Anchor Terminal Section	EA	2	\$ 1,505.20	\$ 3,010.40	\$ 1,500.00	\$ 3,000.00	\$ 1,800.00	\$ 3,600.00	\$ 1,720.00	\$ 3,440.00	\$ 1,887.60	\$ 3,775.20	\$ 1,800.00	\$ 3,600.00	\$ 1,900.00	\$ 3,800.00	\$ 1,040.00	\$ 2,080.00	
A-19	Road Systems Inc Crash Cushion	EA	2	\$ 4,028.00	\$ 8,056.00	\$ 4,000.00	\$ 8,000.00	\$ 12,000.00	\$ 24,000.00	\$ 11,220.00	\$ 22,440.00	\$ 12,342.00	\$ 24,684.00	\$ 12,000.00	\$ 24,000.00	\$ 12,400.00	\$ 24,800.00	\$ 1,300.00	\$ 2,600.00	
A-20	4" Topsoil Import	SY	2809	\$ 2.45	\$ 6,882.05	\$ 8.00	\$ 22,472.00	\$ 5.00	\$ 14,045.00	\$ 3.00	\$ 8,427.00	\$ 6.49	\$ 18,230.41	\$ 6.50	\$ 18,258.50	\$ 5.50	\$ 15,449.50	\$ 7.67	\$ 21,545.03	
A-21	Hydromulch Seeding	SY	964	\$ 2.35	\$ 2,265.40	\$ 3.00	\$ 2,892.00	\$ 2.30	\$ 2,217.20	\$ 2.50	\$ 2,410.00	\$ 4.40	\$ 4,241.60	\$ 2.50	\$ 2,410.00	\$ 9.50	\$ 9,158.00	\$ 3.19	\$ 3,075.16	
A-22	Solid Block Sodding	SY	1845	\$ 3.80	\$ 7,011.00	\$ 8.00	\$ 14,760.00	\$ 5.75	\$ 10,608.75	\$ 5.00	\$ 9,225.00	\$ 6.77	\$ 12,490.65	\$ 5.25	\$ 9,686.25	\$ 9.50	\$ 17,527.50	\$ 18.95	\$ 34,962.75	
A-23	Traffic Control	LS	1	\$ 13,912.50	\$ 13,912.50	\$ 11,000.00	\$ 11,000.00	\$ 15,000.00	\$ 15,000.00	\$ 17,000.00	\$ 17,000.00	\$ 17,429.50	\$ 17,429.50	\$ 25,000.00	\$ 25,000.00	\$ 102,150.00	\$ 102,150.00	\$ 10,400.00	\$ 10,400.00	
A-24	Pavement Markings	LS	1	\$ 8,564.80	\$ 8,564.80	\$ 1,500.00	\$ 1,500.00	\$ 11,000.00	\$ 11,000.00	\$ 10,700.00	\$ 10,700.00	\$ 10,566.88	\$ 10,566.88	\$ 20,000.00	\$ 20,000.00	\$ 6,500.00	\$ 6,500.00	\$ 9,880.00	\$ 9,880.00	
A-25	Temporary Erosion, Sedimentation, and Water Pollution Prevention and Control	LS	1	\$ 5,300.00	\$ 5,300.00	\$ 3,000.00	\$ 3,000.00	\$ 2,500.00	\$ 2,500.00	\$ 18,000.00	\$ 18,000.00	\$ 11,600.00	\$ 11,600.00	\$ 30,000.00	\$ 30,000.00	\$ 16,000.00	\$ 16,000.00	\$ 15,600.00	\$ 15,600.00	
A-26	Special Sidewalk (Adjacent to Wall)	SF	2233	\$ 10.60	\$ 23,669.80	\$ 10.00	\$ 22,330.00	\$ 8.50	\$ 18,980.50	\$ 11.00	\$ 24,563.00	\$ 6.68	\$ 14,916.44	\$ 20.00	\$ 44,660.00	\$ 9.00	\$ 20,097.00	\$ 7.80	\$ 17,417.40	
A-27	Retaining Wall	SF	390	\$ 42.40	\$ 16,536.00	\$ 40.00	\$ 15,600.00	\$ 30.00	\$ 11,700.00	\$ 65.00	\$ 25,350.00	\$ 50.00	\$ 19,500.00	\$ 85.00	\$ 33,150.00	\$ 52.00	\$ 20,280.00	\$ 58.50	\$ 22,815.00	
PAVING				\$	786,778.34	\$	846,851.20	\$	866,765.00	\$	946,645.20	\$	1,071,020.03	\$	1,079,395.00	\$	1,056,242.96	\$	1,183,453.09	
DRAINAGE																				
B-1	21" Reinforced Concrete Pipe (RCP) (6' to 10' in Depth)	LF	236	\$ 113.40	\$ 26,762.40	\$ 122.00	\$ 28,792.00	\$ 116.00	\$ 27,376.00	\$ 135.00	\$ 31,860.00	\$ 91.30	\$ 21,546.80	\$ 87.00	\$ 20,532.00	\$ 105.00	\$ 24,780.00	\$ 102.90	\$ 24,284.40	
B-2	24" Reinforced Concrete Pipe (RCP) (6' to 12' in Depth)	LF	780	\$ 134.60	\$ 104,988.00	\$ 124.00	\$ 96,720.00	\$ 138.00	\$ 107,640.00	\$ 155.00	\$ 120,900.00	\$ 112.20	\$ 87,516.00	\$ 97.50	\$ 76,050.00	\$ 121.00	\$ 94,380.00	\$ 115.90	\$ 90,402.00	
B-3	36" Reinforced Concrete Pipe (RCP) (6' to 12' in Depth)	LF	186	\$ 171.70	\$ 31,936.20	\$ 156.00	\$ 29,016.00	\$ 177.00	\$ 32,922.00	\$ 190.00	\$ 35,340.00	\$ 166.49	\$ 30,967.14	\$ 154.00	\$ 28,644.00	\$ 196.00	\$ 36,456.00	\$ 200.40	\$ 37,274.40	
B-4	10" Concrete Curb Inlet	EA	2	\$ 5,300.00	\$ 10,600.00	\$ 5,700.00	\$ 11,400.00	\$ 5,600.00	\$ 11,200.00	\$ 5,000.00	\$ 10,000.00	\$ 4,455.00	\$ 8,910.00	\$ 4,620.00	\$ 9,240.00	\$ 5,400.00	\$ 10,800.00	\$ 9,100.00	\$ 18,200.00	
B-5	15" Concrete Curb Inlet	EA	6	\$ 8,056.00	\$ 48,336.00	\$ 6,100.00	\$ 36,600.00	\$ 8,500.00	\$ 51,000.00	\$ 7,600.00	\$ 45,600.00	\$ 6,105.00	\$ 36,630.00	\$ 6,160.00	\$ 37,920.00	\$ 8,250.00	\$ 49,500.00	\$ 13,650.00	\$ 81,900.00	
B-6	4' by 4' Concrete Junction Box	EA	2	\$ 6,360.00	\$ 12,720.00	\$ 5,700.00	\$ 11,400.00	\$ 7,000.00	\$ 14,000.00	\$ 6,250.00	\$ 12,500.00	\$ 4,400.00	\$ 8,800.00	\$ 5,133.00	\$ 10,266.00	\$ 6,500.00	\$ 13,000.00	\$ 4,550.00	\$ 9,100.00	
B-7	5' by 5' Concrete Junction Box	EA	1	\$ 8,321.00	\$ 8,321.00	\$ 6,300.00	\$ 6,300.00	\$ 9,100.00	\$ 9,100.00	\$ 8,100.00	\$ 8,100.00	\$ 5,967.50	\$ 5,967.50	\$ 6,160.00	\$					



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3356

Agenda Date: 11/11/2019

Version: 1

Status: New Business

In Control: City Council

File Type: Resolution

Agenda Number:

Title

Resolution - A Resolution Approving a Preservation Agreement between the City of Mansfield and Manuel and Elva Hernandez, owners of 301 W. Broad St., for a Historic Mansfield Preservation Grant Not to Exceed \$4,400.00 (HLC#19-009)

Requested Action

To consider approval of the Preservation Grant.

Recommendation

Staff recommends approval of a Historic Mansfield Preservation Grant.

At their June 13, 2019, meeting, the Historic Landmark Commission recommended approval of the replacement of six non-compatible windows on the Gaulden-Baskin House using a grant from the 2018-2019 grant cycle and completing the project with funds from the 2019-2020 grant cycle by a vote of 6 to 0.

Description/History

The City Council authorized a \$10,000.00 preservation grant to replace the windows at the historic Gaulden-Baskin House at 301 W. Broad Street from the 2018-2019 grant cycle. Leeds Clark, Inc., the contractor, was able to replace five of the six non-compatible windows for \$9,873.80, much less than the initial estimate.

The property owners are seeking a preservation grant not to exceed \$4,400.00 for the replacement of the remaining non-compatible arched window and associated work on the facade facing South 2nd Avenue. This window is situated in a box attached to the side of the house. The box will need to be reconstructed to accommodate the new window. The owners have agreed to replace the existing window with a historically appropriate wood window to match the two large windows on the left side of the house.

As required by the terms of the preservation grant, the owners received a historic landmark designation on October 28, 2019.

Should the Council members have any questions regarding this item before the meeting, please contact Art Wright, Historic Preservation Officer, at 817-276-4226 or art.wright@mansfieldtexas.gov

Prepared By

Art Wright, Planner II/HPO/Gas Well Coordinator
817-276-4226

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, APPROVING A PRESERVATION AGREEMENT WITH MANUEL AND ELVA HERNANDEZ, OWNERS OF THE GAULDEN-BASKIN HOUSE AT 301 W. BROAD STREET FOR A HISTORIC MANSFIELD PRESERVATION GRANT NOT TO EXCEED \$4,400.00; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council authorized a Historic Mansfield Preservation Grant Program to assist in the preservation of the City's cultural heritage through the preservation, restoration and rehabilitation of Mansfield's historic homes; and

WHEREAS, the Mansfield Historic Landmark Commission has reviewed the request for a preservation grant for the Gaulden-Baskin House at 301 W. Broad Street and has determined that the house is worthy of preservation; and

WHEREAS, the property owners of 301 W. Broad Street have agreed to the terms of the agreement and have received a designation within the Historic Landmark Overlay District on October 28, 2019;

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

SECTION 1.

The Preservation Agreement, attached hereto as Exhibit "A", between the City of Mansfield, Texas, and Manuel and Elva Hernandez is hereby approved.

SECTION 2.

This Resolution shall become effective from and after its passage.

PASSED AND APPROVED THIS THE _____ DAY OF _____, 2019.

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary



HISTORIC MANSFIELD PRESERVATION GRANT PROGRAM PRESERVATION AGREEMENT

Whereas, this Preservation Agreement (Agreement) is entered into between the City of Mansfield, a Texas municipal corporation (City) and Manuel and Elva Hernandez (Owner); and

Whereas, the Owner will use funds made available through the Historic Mansfield Preservation Grant Program (Program) for exterior preservation, restoration, rehabilitation and/or reconstruction (Work) of the house, which is owned by the Owner; and

Whereas, the Owner has designated their property a City of Mansfield Historic Landmark; and

Whereas, the purpose of this Agreement is to set forth the responsibilities of the City and the Owner in the payment, construction and reporting of the Work; and

Whereas, the Owner has made application under the Program for financial assistance for Work to be done to the Gaulden-Baskin House, located at 301 W. Broad Street, a property eligible for designation as a Mansfield Historic Landmark in the City of Mansfield; and

Whereas, such application was recommended for up to \$4,400.00 by the Mansfield Historic Landmark Commission on November 9, 2019;

NOW THEREFORE, be it agreed by the City and the Owner as follows:

Term

The term of this Agreement shall commence on the latest date of execution shown hereon and shall terminate one (1) year following the date of completion of the Work.

Amount and Scope

The City shall engage and pay directly to the Contractor up to \$4,400.00 for the Work which shall consist of:

1. Replacement of the non-compatible window and associated work on the facade facing South 2nd Avenue on the historic house at 301 W. Broad Street.

The Owner consents to the City's selection of a qualified Contractor to install new windows meeting standard in Chapter 3.3 of the *Design Guidelines for Historic Residential Properties* and shall allow the Contractor access to the property, and Owner will execute any and all agreement with the Contractor as necessary to complete the Work.

Historic Designation

The Owner received a designation of their property as a City of Mansfield Historic Landmark on October 28, 2019, in accordance with Section 5400 of the City of Mansfield Zoning Ordinance.

Default and Repayment

The City may withhold future grant payments or the Owner shall promptly repay any and all amounts paid by the City, in the event that during the term of this agreement any of the following occur:

1. The residence is not maintained to City of Mansfield building codes;
2. Historic Landmark designation is removed;
3. Property changes from residential use to another use;
4. Owner performs or arranges for other work (not under this Agreement) materially detracting from the historic character or fabric of the exterior of the house; or
5. Owner breach any other term of this Agreement.

Grant recipients who receive grant funding based on owner-occupied residential use of the property must repay twenty five percent (25%) of the grant amount if the owner-occupied status of the property changes to rental.

Liability and Indemnification

The Owner acknowledges that he/she has read the guidelines for the grant program included with the application and agree to all of the terms and conditions contained in the guidelines. If required, any Contractor hired for this project will hold contractors licenses for the City of Mansfield.

The Owner agrees to indemnify and hold harmless the Mansfield Historic Landmark Commission and the City of Mansfield, its agents, servants, employees, and officers against losses, costs, damages, expenses and liabilities of any nature directly or indirectly resulting from or arising out of or relating to the City's acceptance, consideration, approval or disapproval of this agreement and the issuance or non-issuance of a grant, or any work performed in connection with this Agreement.

Notice

The Owner shall provide the City with at least two (2) weeks' notice of any intended transfer of title, any encumbrance on title or pending legal action which may result in foreclosure of property. Notice or correspondence shall be sent to:

City of Mansfield
Planning Department
1200 E. Broad Street
Mansfield, Texas 76063

Acknowledgement

The Owner shall, at City's expense, allow for installation of a durable sign visible to the passing

public that identifies the house and acknowledges that assistance has been provided through the City of Mansfield.

Assignment

The terms of this agreement shall be binding on the Owner's successors and assigns and shall run with the property for the term of the agreement.

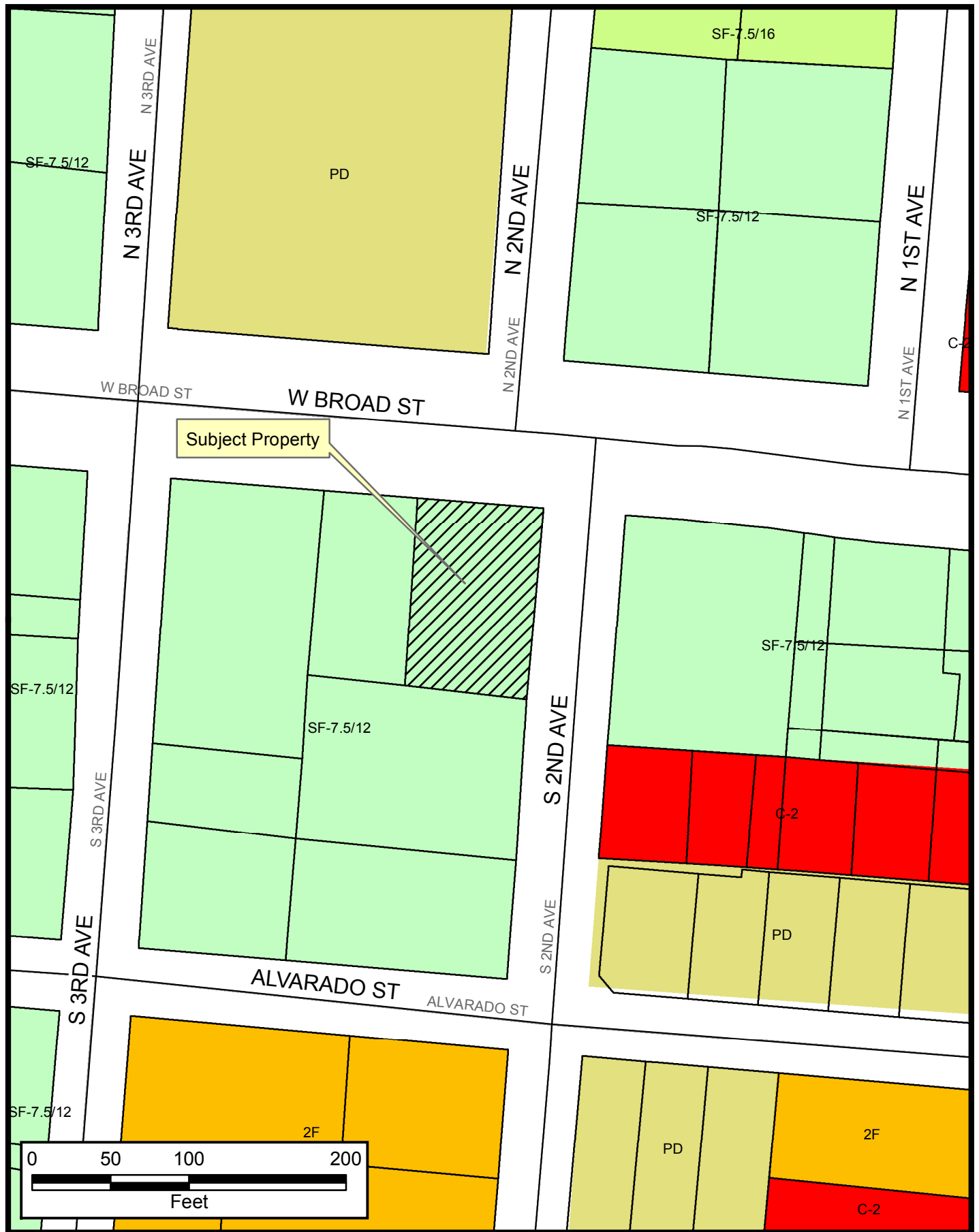
Executed this _____ day of _____, 20____.

Joe Smolinski, Deputy City Manager
City of Mansfield

Manuel Hernandez, Property Owner
301 W. Broad Street

Elva Hernandez, Property Owner
301 W. Broad Street





Photographs of Windows

Existing non-compatible window to be replaced with a 1/1 window to match the rest of the house.



Existing Window

Replacement Window

Leeds Clark, Inc.
Historic Preservation and Consulting

PROPOSAL

3010 Shady Grove Road
 Midlothian, TX 76065
 (972) 775-3843

PROPOSAL#: 15278
 DATE: 10/31/2019

TO:
 City of Mansfield
 1200 E. Broad St.
 Mansfield, TX 76063

JOBSITE:
 301 W. Broad St. (Hernandez House)
 Mansfield, TX 76063

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
	Replicate Jamb and 1/1 wood sashes for side of house.		\$ 909.80
	Demo of existing exterior face siding, large radius aluminum window, interior wall cover over studs, and 2x framing making up radius frame attachment for existing aluminum window.		\$ 2,878.60
	<ul style="list-style-type: none"> Framing of street facing wall for new rectangular window including bulkhead if necessary. 		
	<ul style="list-style-type: none"> Install wood window jamb and sash unit in new wall. 		
	<ul style="list-style-type: none"> Install new exterior siding on face wall exterior. Install batt insulation between studs in wall. Install new sheetrock on interior face wall. Tape & bed Install new dimensional wood trim for interior wall. 		
	Clean & remove all debris from site.		
		SUBTOTAL	\$ 3,788.40
		OH&P (16%)	\$ 606.14
		TOTAL	\$ 4,394.54



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3338

Agenda Date: 11/11/2019

Version: 1

Status: Approval of Minutes

In Control: City Council

File Type: Meeting Minutes

Title

Minutes - Approval of the October 28, 2019 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 October 28, 2019 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

City Council

Monday, October 28, 2019

4:00 PM

Council Chambers

REGULAR MEETING

4:00 P.M. - CALL MEETING TO ORDER

Mayor Cook called the meeting to order at 4:00 p.m.

Absent 1 - Larry Broseh

Present 6 - David Cook; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

WORKSESSION TO BE HELD IN THE MULTI-PURPOSE ROOM

City Manager Clayton Chandler introduced new Director of Planning Matt Jones.

Assignment of Silver Oaks Planned Development Agreement

Bluebonnet Capital Partners representative Clayton Snodgrass made brief comments and answered Council questions. He stated they were requesting the assignment of the Silver Oak Planned Development Agreement to Forestar. Mr. Snodgrass provided elevations of what's to be built by Forestar. Forestar representative Matt Johnson made brief comments and answered Council questions. Assistant Planning Director Lisa Sudbury answered Council questions. Mr. Chandler and City Attorney Allen Taylor made brief comments regarding the signing of the Development Agreement. Allen answered Council questions.

Park Master Plan Update

Director of Parks and Recreation Matt Young gave a brief update on the progress of the 2020-2030 Park Master Plan process. He turned the presentation over to Parks Communications and Marketing Manager Ann Beck. Ann discussed the Master Plan timeline and gave an overview of the community feedback received from the online survey as well as the public meetings and focus groups held. Staff answered Council questions.

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 5:51 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 6:01 p.m. Mayor Cook adjourned executive session at 7:19 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 Regarding Local Option Election

Seek Advice of City Attorney Regarding Personnel Policy Recruitment and Procedures

Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072**Personnel Matters Pursuant to Section 551.074**

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 #19-02

6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION**7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION**

Mayor Cook reconvened into regular business session at 7:30 p.m.

INVOCATION

Council Member Short gave the Invocation.

PLEDGE OF ALLEGIANCE

Council Member Moore 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.

PROCLAMATION

[19-3333](#)

Arbor Day

Mayor Cook proclaimed November 1, 2019 as Arbor Day and presented a proclamation to Landscape Administrator Stevon Smith.

PRESENTATION

Tree City USA Recognition

Stevon Smith introduced Texas A&M Forest Service Representative Courtney Blevins. Mr. Blevins presented the Tree City USA Flag to Stevon Smith.

CITIZEN COMMENTS

Sheri Bumgardner - 9745 CR 528, Burleson - Ms. Bumgardner spoke in support of agenda item 19-3335.

Amy Brothers - 8417 FM 2738 - Ms. Brothers spoke in support of agenda item 19-3335.

Denis Duchene - 420 Meadow Creek Drive - Ms. Duchene spoke in opposition of agenda item 19-3323.

Mayor Cook recognized the following non-speakers in support of agenda item 19-3335:

*Ann Smith - 106 N. Wisteria
Derek Hubanek - 117 N. Main Street
Dave Goodwin - 904 Dayton Road
Kathryn Orsak - 605 Arbor Glen Court
Uriel Carrillo - 104 S. Main Street*

COUNCIL ANNOUNCEMENTS

Council Member Leyman had no announcements.

Mayor Pro Tem Short stated it was National First Responders Day and thanked all First Responders for their service.

Council Member Lewis had no announcements.

Council Member Moore thanked all First Responders for their service.

Council Member Newsom had no announcements.

Council Member Broseh was absent.

Mayor Cook had no announcements.

SUB-COMMITTEE REPORTS[19-3332](#)

Minutes - Approval of the October 22, 2019 Revitalization of Historic Downtown Mansfield Sub-Committee

Sub-Committee Chairman Newsom made brief comments.

A motion was made by Council Member Newsom to approve the minutes of the October 22, 2019 Revitalization of Historic Downtown Mansfield Sub-Committee meeting. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 3 - David Cook; Brent Newsom and Casey Lewis

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Non-Voting: 3 - Terry Moore; Julie Short and Mike Leyman

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

Mr. Chandler thanked all First Responders for their service.

Business Services Department Report

[19-3330](#)

Presentation of Monthly Financial Report for the Period Ending August 31, 2019

There were no questions regarding the Monthly Financial.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action was taken by the Council.

CONSENT AGENDA

[19-3286](#)

Ordinance - Third and Final Reading of an Ordinance Approving an Historic Landmark Overlay District Classification for the Property Located at 301 W. Broad Street; Art Wright, City Historic Preservation Officer on Behalf of Manuel and Elva Hernandez, Property Owners (ZC#19-013)

City Secretary Susana Marin read the caption into the record.

A motion was made by Council Member Newsom to approve the following ordinance:

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO GRANT A HISTORIC LANDMARK OVERLAY DISTRICT CLASSIFICATION FOR 301 WEST BROAD STREET; 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

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

Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: OR-2152-19

[19-3287](#)

Ordinance - Third and Final Reading of an Ordinance Modifying the School Zone Limits for Lake Ridge High School on N. Day Miar Road and Changing the Speed Limits on N. Day Miar Road and East Seeton Road

Susana Marin read the caption into the record.

A motion was made by Council Member Newsom to approve the following ordinance:

AN ORDINANCE AMENDING CHAPTER 73, OF THE TRAFFIC CODE OF ORDINANCES, CITY OF MANSFIELD, TEXAS, PURSUANT TO SECTION 545.356 OF THE TEXAS TRANSPORTATION CODE CONCERNING THE AUTHORITY TO ALTER SPEED LIMITS ON SPECIFIC STREETS AND HIGHWAYS BEING AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF SECTION 545.356 OF THE TEXAS TRANSPORTATION CODE, REGULATING SPEED LIMITS ON HIGHWAYS AND ROADWAYS, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION WITHIN THE CORPORATE LIMITS OF THE CITY OF MANSFIELD AS SET OUT IN THE ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION OF AN EFFECTIVE DATE; AND PROVIDING A PENALTY

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

Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: OR-2153-19

[19-3327](#)

Resolution - A Resolution of the City of Mansfield, Texas, Authorizing the Fire Chief to Act as the City's Representative in all Matters Relating to the Mutual Aid Agreement with the Tarrant County Emergency Services District No. 1

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE FIRE CHIEF TO ACT AS THE CITY'S REPRESENTATIVE IN ALL MATTERS RELATING TO THE MUTUAL AID AGREEMENT WITH THE TARRANT COUNTY EMERGENCY SERVICES DISTRICT NO. 1

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

Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: RE-3601-19

[19-3316](#)

Request for Special Event Permit: 2019 M4M 5K Run

A motion was made by Council Member Newsom to approve the request for special event permit. Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

[19-3317](#)

Request for Special Event Permit: 2020 Mansfield Run With Heart

A motion was made by Council Member Newsom to approve the request for special event permit. Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

[19-3326](#)

Minutes - Approval of the October 14, 2019 Regular City Council Meeting Minutes

A motion was made by Council Member Newsom to approve the minutes of the October 14, 2019 Regular City Council Meeting as presented. Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

END OF CONSENT AGENDA

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

[19-3279](#)

Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from PD Planned Development District to PD Planned Development District for Age-Restricted Single-Family Residential Uses on Approximately 33.495 Acres out of the S. Mitchell Survey, City of Mansfield, Abstract No. 593, Johnson County, TX and Abstract No. 1024, Tarrant County, TX, Located at the Northeast Corner of Mitchell and Mathis Roads; John Delin of Integrity Group, LLC, on Behalf of James Cornelius of Sowell Reserve Associates, L.P. and Bill Bryant (ZC#19-006)

Council Member Lewis removed this item from the consent agenda. Susana Marin read the caption into the record. Senior Planner Art Wright and Planner Andrew Bogda answered Council questions.

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

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 AGE-RESTRICTED SINGLE-FAMILY 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

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

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

Aye: 6 - David Cook; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: OR-2151-19

PUBLIC HEARING AND FIRST READING

19-3328

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from 2F, Two-Family Residential District and SF-7.5/12, Single-Family Residential District to PD Planned Development District for Two-Family Residential Uses on Approximately 0.25 Acres Being a Portion of Block 26, Original Town of Mansfield, Located at 203 W. Kimball Street; Sheri Bumgardner of SSB Designs on behalf of David Cook of Altar Holdings, LLC (ZC#19-016)

Mayor Cook recused himself from this agenda item as he is the owner of Altar Holdings, LLC. He turned the agenda item over to Council Member Newsom. Susana Marin read the caption into the record. Andrew Bogda made a brief presentation. SSB Designs representative Sheri Bumgardner made a brief presentation and answered Council questions. Council Member Newsom opened the public hearing at 7:59 p.m. With no one wishing to speak, Council Member Newsom continued the public hearing through second reading at 8:04 p.m.

A motion was made by Council Member Lewis to approve the first reading of "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 TWO-FAMILY 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." Seconded by Council Member Moore. The motion CARRIED by the following vote:

Aye: 4 - Brent Newsom; Terry Moore; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 2 - David Cook and Julie Short

PUBLIC HEARING CONTINUATION AND SECOND READING

19-3298

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Change of Zoning From SF-7.5/12 Single-Family Residential District and OP, Office Park District to PD, Planned Development District for Medical Office Uses on Approximately 0.516 Acres Known as a

Portion of Lot 1, Block 16, Original Town of Mansfield, Generally Located at 501 E. Broad Street and 104 N. Waxahachie Street; Chris Jackson of Mansfield, Texas MOB, LP (ZC#19-015)

Andrew Bogda made brief comments. Mayor Cook continued the public hearing through second reading at 8:05 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 8:06 p.m.

A motion was made by Council Member Lewis to approve the second reading of "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 MEDICAL OFFICE 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." Seconded by Council Member Moore. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

NEW BUSINESS

[19-3324](#)

Resolution - A Resolution of the City of Mansfield, Texas Authorizing the City Manager to Enter Into an Interlocal Agreement with the City of Cedar Hill for the Use of the Mansfield Environmental Collection Center

Stormwater Manager Howard Redfearn made a brief presentation and answered Council questions.

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF CEDAR HILL FOR THE USE OF THE MANSFIELD ENVIRONMENTAL COLLECTION CENTER

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

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

Aye: 6 - David Cook; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: RE-3602-19

19-3331

Resolution - City's Notice of Intention to Issue City of Mansfield, Texas Combination Tax and Revenue Certificates of Obligation

Deputy City Manager Peter Phillis made brief comments and answered Council questions.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; APPROVING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT AND A NOTICE OF SALE; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF

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

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

Aye: 5 - David Cook; Brent Newsom; Terry Moore; Julie Short and Mike Leyman

Nay: 1 - Casey Lewis

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: RE-3603-19

19-3323

Ordinance - First Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 50, Solid Waste Management, of the Code of Ordinances, Mansfield, Texas; Amending the Regulations Related to the Collection of Garbage, Trash and Recyclable Materials in Certain Circumstances; Providing That This Ordinance Shall Be Cumulative of All Ordinances; Providing a Penalty Clause for Violations; Providing a Severability Clause; Providing a Savings Clause; Providing for Publication; and Providing an Effective Date

Susana Marin read the caption into the record. Howard Redfearn made a brief presentation and answered Council questions.

A motion was made by Mayor Pro Tem Short to approve the first reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 50, "SOLID WASTE MANAGEMENT;" OF THE CODE OF ORDINANCES, MANSFIELD, TEXAS; AMENDING THE REGULATIONS RELATED TO THE COLLECTION OF GARBAGE, TRASH AND RECYCLABLE MATERIALS IN CERTAIN CIRCUMSTANCES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE." Seconded by Council Member Leyman. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

[19-3325](#)

Ordinance - First Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 52, Stormwater Quality Protection, of the Code of Ordinances, Mansfield, Texas; Amending the Regulations Related to the Performance Standards to Control Stormwater Quality; Providing That This Ordinance Shall Be Cumulative of All Ordinances; Providing a Penalty Clause for Violations; Providing a Severability Clause; Providing a Savings Clause; Providing for Publication; and Providing an Effective Date

Susana Marin read the caption into the record. Howard Redfearn made a brief presentation.

A motion was made by Council Member Newsom to approve the first reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 52, "STORMWATER QUALITY PROTECTION;" OF THE CODE OF MANSFIELD, TEXAS; AMENDING THE REGULATIONS RELATED TO THE PERFORMANCE STANDARDS TO CONTROL STORMWATER QUALITY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE." Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

[19-3329](#)

An Ordinance Approving the Conveyance of Certain Real Property in Fee Simple as a Metering Station Site and the Assignment of a Certain Utility Easement and Access Easement to the Trinity River Authority for the Maintenance and Operation of Regional Wastewater Facilities.

Susana Marin read the caption into the record. Director of Utilities Jeff Price made brief comments.

A motion was made by Council Member Moore to approve the first reading of "AN ORDINANCE APPROVING THE CONVEYANCE OF CERTAIN REAL PROPERTY IN FEE SIMPLE AS A METERING STATION SITE AND THE ASSIGNMENT OF A CERTAIN UTILITY EASEMENT AND ACCESS EASEMENT TO TRINITY RIVER AUTHORITY FOR THE MAINTENANCE AND OPERATION OF REGIONAL WASTEWATER FACILITIES." Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

[19-3335](#)

Discussion Regarding Reducing the Speed Limit on Main Street from Van Worth Street to Hunt Street; Installing Brick Paver Crosswalks on Certain Downtown Intersections; Installing Mid-block Paved Crosswalk at The LOT; and Other Measures to Increase Walkability of Historic Downtown Mansfield

Council Member Lewis made brief comments regarding his request to place this item on the agenda. Director of Public Works Bart VanAmburgh made brief comments regarding crosswalks and speed limits and answered Council questions. There was consensus from the Council to add an item to the next agenda changing the speed limits along Main Street.

ADJOURN

A motion was made by Council Member Newsom to adjourn the meeting at 9:08 p.m. Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

ATTEST: David L. Cook, Mayor

Susana Marin, City Secretary



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3323

Agenda Date: 11/11/2019

Version: 2

Status: Second Reading

In Control: City Council

File Type: Ordinance

Agenda Number:

Title

Ordinance - Second Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 50, Solid Waste Management, of the Code of Ordinances, Mansfield, Texas; Amending the Regulations Related to the Collection of Garbage, Trash and Recyclable Materials in Certain Circumstances; Providing That This Ordinance Shall Be Cumulative of All Ordinances; Providing a Penalty Clause for Violations; Providing a Severability Clause; Providing a Savings Clause; Providing for Publication; and Providing an Effective Date

Requested Action

Approval of the ordinance.

Description/History

The volume reference for "disposable container" was removed.

No other changes from first reading have been made.

The resident who provided feedback at the previous meeting was contacted, and his concerns have been addressed.

Justification

N/A

Funding Source

N/A

Prepared By

Howard Redfearn, Environmental Manager, Environmental Services Department

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 50, "SOLID WASTE MANAGEMENT;" OF THE CODE OF ORDINANCES, MANSFIELD, TEXAS; AMENDING THE REGULATIONS RELATED TO THE COLLECTION OF GARBAGE, TRASH AND RECYCLABLE MATERIALS IN CERTAIN CIRCUMSTANCES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Texas Legislature has found that control of solid waste collection and disposal is the responsibility of local governments; and

WHEREAS, the State law mandates that each municipality shall assure that municipal solid waste collection and disposal services are provided to all persons within its jurisdiction either by the municipality or a private person; and

WHEREAS, the State law evidences a clear articulation of State policy to allow municipalities to regulate competition in the providing of municipal solid waste services in order to insure the most effective and efficient regulation, collection and disposal of solid waste and to protect the public health, safety and welfare; and

WHEREAS, the City of Mansfield, Texas deems it appropriate to adopt amendments to Chapter 50 of the Code of Ordinances to provide regulations for the collection of garbage, refuse and solid waste within the City to protect public health, safety and well being of all citizens by eliminating possible germ breeding materials and conditions which may contribute to the spreading of diseases and infections to humans and animals, and to provide a means for the controlled and safe handling, collection, transporting and disposal of municipal solid waste within the City;

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

SECTION 1.

That Title V, "Public Works," Chapter 50, "Solid Waste Management," Section 50.01, Definitions," of the Code of Ordinances of the City of Mansfield, Texas is hereby amended to delete the definitions of "*Garbage Container*" and "*Stacked Brush*" and to add or amend the following definitions to appear in alphabetical order:

“Section 50.01 Definitions.

...

COMMERCIAL CONSTRUCTION WASTE. Waste produced by a commercial customer resulting from the construction, renovation or remodeling project located in the City including; concrete, rocks, bricks, lumber, plaster, sand, gravel, or other waste construction materials, and where the contractor employs the use of a roll-off style waste dumpster. This term does not include construction sites that are engaged in legitimate recycling efforts where materials are source separated on site and transported to a recycling processing facility, or single family residential construction sites.

COMMERCIAL WASTE. Waste produced by a commercial customer that is contained within a Commercial Container including Garbage or Trash resulting from a commercial customer. Commercial Waste does not include Unacceptable Waste.

DISPOSABLE CONTAINERS. Any plastic bag or cardboard box capable of containing garbage or trash without leaking remitting odors, and which weighs when loaded, less than fifty (50) pounds.

GARBAGE. Refuse animal or vegetable matter (as from a kitchen or food processing facility), tin cans, bottles, sacks, clothes, extinguished ashes, paper (not including heavy accumulations of newspapers and magazines), and any other household waste which is damp or emitting noxious odors, excluding Unacceptable Waste.

HANDICAPPED/SENIOR CUSTOMER. A residential household in which all members of the household are physically handicapped, or over the age of 65 and are unable to place Residential Waste at curbside. The fact of such condition must be certified by the City Manager.

PERMANENT CONTAINERS. Any closed, waterproof, plastic, or metal container or can which is capable of containing garbage or trash without leaking or emitting odors, and which weighs, when loaded, less than fifty (50) pounds.

UNACCEPTABLE WASTE. Any and all waste that is either:

- (1) Waste which is now or in the future becomes prohibited from disposal at a sanitary landfill by state, federal, and/or local laws and/or regulations promulgated there under;
- (2) Hazardous waste;
- (3) Special waste, as defined herein;
- (4) Waste, including landfill prohibited waste materials, which is prohibited from disposal at the landfill by city's solid waste contractor including tires, concrete, and bulk petroleum or chemical products or by-products;

- (5) Liquid waste, as defined herein, and septic tank pumping and grease and grit trap wastes;
- (6) Sludge waste, including water supply treatment plant sludge and stabilized and/or unstabilized sludge from municipal or industrial wastewater treatment plants;
- (7) Dead animals and/or slaughterhouse waste, except for animal euthanized under authority and direction of city's solid waste contractor;
- (8) Any waste, including special waste as defined herein, which because of its quantity, concentration, frequency of disposal, required disposal procedures, regulatory status, or physical, chemical, infectious or other characteristics jeopardizes or may jeopardize the environmentally sound operation of the disposal site, as determined by city's solid waste contractor in its sole discretion;
- (9) Appliances containing CFC's that do not bear a certification tag that shows the CFC's have been properly recovered in accordance with federal law; or
- (10) Stable matter, as defined herein.

..."

SECTION 2.

That Title V, "Public Works," Chapter 50, "Solid Waste Management," Section 50.26, "Specifications for garbage containers; number," of the Code of Ordinances of the City of Mansfield, Texas is hereby amended to read as follows:

"Section 50.26 Specifications for Garbage Containers; Number

Each customer shall provide a disposable or permanent container for garbage and trash. The City's solid waste contractor shall not be expected to remove garbage, trash, debris or stacked brush from any residence that exceeds (one) 1 cubic yard per collection day regardless of the type of container."

SECTION 3.

That Title V, "Public Works," Chapter 50, "Solid Waste Management," Section 50.27, "Placing of garbage containers for collection" of the Code of Ordinances of the City of Mansfield, Texas is hereby amended to read as follows:

"Section 50.27 Placing of Garbage Containers for Collection.

(A) The pickup schedule for collection of garbage and trash within the city shall be twice a week during the hours of 7:00 a.m. and 7:00 p.m. for residential customers. To ensure collection of garbage and trash, a person occupying a residence shall place the disposable or permanent containers at the curb prior to 7:00 a.m. on the scheduled garbage and trash collection day, but not earlier than 1:00 p.m. the day before the scheduled collection day or alternative day if the

scheduled collection day falls on a holiday; provided that if the occupant of the residence is a disabled person, he or she may make arrangements to place the garbage and trash at the front doorstep or next to the garage door so as to be visible from the street. Garbage and trash containers shall be removed from the curb after collection by no later than 12 p.m. the day following collection.

(B) If the house, building, or premises from which the garbage or trash is to be collected and removed is adjacent to an alley, the owner, occupant, tenant or lessee of the premises shall be required to keep the garbage or trash container at the entrance from the alley in order that it may be easily accessible to the person collecting and removing the garbage or trash. In the event it is not practicable to collect and remove the garbage or trash from the alley, the owner, occupant, tenant or lessee of the premises shall place the disposable or permanent container at such point as the proper agent of the City shall find and designate to be the most accessible for collecting and removing.”

SECTION 4.

That Title V, “Public Works,” Chapter 50, “Solid Waste Management,” Section 50.50, “Commercial Construction Waste,” is hereby added to read as follows:

“Section 50.50 Commercial Construction Waste

Operators of commercial construction sites, except for those construction sites where single-family homes are being constructed, renovated, or remodeled, and those engaged in legitimate, source-separated recycling of construction waste materials, shall have any and all Commercial Construction Waste resulting from construction activities removed and disposed of at their own expense and in accordance with all applicable regulations. Any container used for the removal and disposal of Commercial Construction Waste must be provided by a vendor holding a current franchise agreement with the City for the removal of Commercial Construction Waste. Service frequency of any Commercial Construction Waste containers shall be at a frequency necessary to prevent unsightly or unsanitary conditions.”

SECTION 5.

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 6.

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 of provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION 7.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be subject to the penalties and provisions in Section 10.99 of the Code of Ordinances, City of Mansfield, Texas.

SECTION 8.

That all rights or remedies of the City of Mansfield, Texas, are expressly saved as to any and all violations of the City Code or any amendments thereto regarding the subject matter herein 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 or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 9.

The City Secretary of the City of Mansfield is hereby directed to publish the caption and penalty clauses of this ordinance at least once in the official newspaper of the City of Mansfield.

SECTION 10.

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

First reading approved on the _28th_ day of October, 2019

Second reading approved on the _11th_ day of November, 2019

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this the __25th__ day of __November_____, 2019

David Cook, Mayor

ATTEST:

Susana Marin, City Secretary

Chapter 50 Ordinance Update Summary

Definitions:

COMMERCIAL CONSTRUCTION WASTE. Waste produced by a commercial customer resulting from the construction, renovation or remodeling project located in the City including; concrete, rocks, bricks, lumber, plaster, sand, gravel, or other waste construction materials, and where the contractor employs the use of a roll-off style waste dumpster. This term does not include construction sites that are engaged in legitimate recycling efforts where materials are source separated on site and transported to a recycling processing facility, or single family residential construction sites.

COMMERCIAL WASTE. Waste produced by a commercial customer that is contained within a Commercial Container including Garbage or Trash resulting from a commercial customer. Commercial Waste does not include Unacceptable Waste.

DISPOSABLE CONTAINERS. Any plastic bag or cardboard box with a capacity or volume of thirty (30) gallons or less and which if capable of containing garbage or trash without leaking remitting odors, and which weighs when loaded, less than fifty (50) pounds.

~~**GARBAGE.** Solid waste that is putrescible animal and vegetable waste materials from the handling, preparation, cooking or consumption of food, including waste materials from markets, storage facilities and the handling and sale of produce and other food products.~~

~~Refuse animal or vegetable matter (as from a kitchen or food processing facility), tin cans, bottles, sacks, clothes, extinguished ashes, paper (not including heavy accumulations of newspapers and magazines), and any other household waste which is damp or emitting noxious odors, excluding Unacceptable Waste.~~

~~**GARBAGE CONTAINER.** A container for garbage and trash constructed of metal or substantial plastic with a tight fitting lid or cover and handles strong enough for workers to handle conveniently, or substantial plastic bags tied closed. Such container's opening shall have a greater or equal diameter to the base. When loaded, such container shall not exceed 50 pounds in weight.~~

HANDICAPPED/SENIOR CUSTOMER. A residential household in which all members of the household are physically handicapped, or over the age of 65 and are unable to place Residential Waste at curbside. The fact of such condition must be certified by the City Manager.

PERMANENT CONTAINERS. Any closed, waterproof, plastic, or metal container or can which is capable of containing garbage or trash without leaking or emitting odors, and which weighs, when loaded, less than fifty (50) pounds.

~~**STACKED BRUSH.** Brush cut to no more than five feet in length and stacked neatly at curbside.~~

UNACCEPTABLE WASTE. Any and all waste that is either:

~~—(9) Construction debris not generated by a residential customer;~~

Section 50.26 Updates

Each customer shall provide a disposable or permanent container for garbage and trash ~~constructed of metal or substantial plastic with a tight fitting lid or cover and handles strong enough for workers to handle conveniently, or substantial plastic bags tied closed. Such container's opening shall have a greater or equal diameter to the base. When loaded, such container shall not exceed 50 pounds in weight.~~ The city's solid waste contractor shall not be expected to remove garbage, trash, debris or stacked brush from any residence that exceeds one cubic yard per collection day regardless of the type of container.

Section 50.27 Updates

(A) The pickup schedule for collection of garbage and trash within the city shall be twice a week during the hours of 7:00 a.m. and 7:00 p.m. for residential customers. To ensure collection of garbage and trash, a person occupying a residence shall place the disposable or permanent garbage and trash containers at the curb prior to 7:00 a.m. on the scheduled garbage and trash collection day, but not earlier than 1:00 p.m. the day before the scheduled collection day or alternative day if the scheduled collection day falls on a holiday; provided that if the occupant of the residence is a disabled person, he or she may make arrangements to place the garbage and trash at the front doorstep or next to the garage door so as to be visible from the street. Garbage and trash containers shall be removed from the curb after collection by no later than 12:00 p.m. the day following collection.

(B) If the house, building, or premises from which the garbage or trash is to be collected and removed is adjacent to an alley, the owner, occupant, tenant or lessee of the premises shall be required to keep the disposable or permanent garbage or trash container at the entrance from the alley in order that it may be easily accessible to the person collecting and removing the garbage or trash. In the event it is not practicable to collect and remove the garbage or trash from the alley, the owner, occupant, tenant or lessee of the premises shall place the container at such point as the proper agent of the city shall find and designate to be the most accessible for collecting and removing.

Section 50.50 Updates

Operators of commercial construction sites, except for those construction sites where single-family homes are being constructed, renovated, or remodeled, and those engaged in legitimate, source-separated recycling of construction waste materials, shall have any and all Commercial Construction Waste resulting from construction activities removed and disposed of at their own expense and in accordance with all applicable regulations. Any container used for the removal and disposal of Commercial Construction Waste must be provided by a vendor holding a current franchise agreement with the City for the removal of Commercial Construction Waste. Service frequency of any Commercial Construction Waste containers shall be at a frequency necessary to prevent unsightly or unsanitary conditions.



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3347

Agenda Date: 11/11/2019

Version: 1

Status: Public Hearing

In Control: City Council

File Type: Resolution

Agenda Number:

Title

Resolution - A Resolution to Consider Support for a Grant Application to the Texas Parks and Wildlife Department for Matching Fund Assistance for Development Gertie Barrett Park

Requested Action

Consider Support for a Grant Application to the Texas Parks and Wildlife Department for Matching Fund Assistance for Development of Gertie Barrett Park

Recommendation

Support the Grant Application

Description/History

In concert with the 2010 Parks, Recreation, Open Space and Trails Master Plan, staff proposes to submit a grant application to the Texas Parks and Wildlife Department (TPWD) in the amount of \$750,000 for development of a neighborhood park on Gertie Barrett Road in northwest Mansfield.

The Local Parks Non-Urban Outdoor Recreation grant program provides 50% matching funds to municipalities, counties, MUDs and other local units of government with a population less than 500,000 to acquire and develop parkland or to renovate existing public recreation areas up to \$750,000. The application will request assistance for the construction of typical neighborhood park amenities such as a playground, looped trail, playing fields, picnic facilities, a shelter, and small parking lot. The City will provide a match of \$750,000 from park development fees and/or the MPFDC operating budget.

Grant application guidelines require the sponsoring agency, in this case the City of Mansfield, to adopt a resolution addressing the following provisions prior to the submission deadline of December 4, 2019.

1. Assurance of the City's eligibility to apply for and receive a grant.
2. Assurance that the City's matching share is available.
3. Designation of an authorized representative (the City Parks and Recreation Director) to act on behalf of the City in all contractual matters with the Texas Parks and Wildlife Department concerning the project.
4. Dedication of the land for the purpose of public outdoor recreation in perpetuity.

A public hearing will be scheduled on November 11, 2019 in conjunction with the City Council's consideration of the resolution authorizing application to the Texas Parks and Wildlife Department. At a special meeting on October 30, 2019, the Mansfield Park Facilities

Development Corporation voted 6-0 in support of submitting the grant application to TPWD.

Justification

Neighborhood parks were identified as a high priority by Mansfield residents in the 2010 adopted Parks, Recreation, Open Space and Trails Master Plan. Development of the proposed park on Gertie Barrett Road will provide access to thousands of current residents, as well as thousands more in the future with three proposed residential developments in this immediate area.

Funding Source

Park Land Dedication Fees
MPFDC ½ cent sales tax

Prepared By

Matt Young, Director of Parks and Recreation
Matt.Young@mansfieldtexas.gov
817-728-3397

RESOLUTION NO. _____

A RESOLUTION TO CONSIDER SUPPORT FOR A GRANT APPLICATION TO THE TEXAS PARKS & WILDLIFE DEPARTMENT FOR MATCHING FUND ASSISTANCE FOR DEVELOPMENT OF GERTIE BARRETT PARK

WHEREAS, Texas Parks & Wildlife is accepting applications from municipalities with populations less than 500,000 for 50% matching grant funds to acquire and develop parkland or to renovate existing public recreation areas up to \$750,000; and

WHEREAS, the 2010 Parks, Recreation, Open Spaces & Trails Master Plan included the need for neighborhood parks in the northwest quadrant of the City where Gertie Barrett Park is located; and

WHEREAS, the MPFDC has determined that developing Gertie Barrett Park is in the best interest of the citizens of Mansfield; and

WHEREAS, the MPFDC approved support of the grant application to the Texas Parks & Wildlife Department at their October 30, 2019, meeting; and

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

SECTION 1.

That the City Council of the City of Mansfield supports the grant application to the Texas Parks & Wildlife Department for development of Gertie Barrett Park.

RESOLVED AND PASSED this 11th day of November, 2019.

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary



Local Park Grant Program Resolution Authorizing Application

A resolution of the City of Mansfield as hereinafter referred to as "Applicant," designating certain officials as being responsible for, acting for, and on behalf of the Applicant in dealing with the Texas Parks & Wildlife Department, hereinafter referred to as "Department," for the purpose of participating in the Local Park Grant Program, hereinafter referred to as the "Program"; certifying that the Applicant is eligible to receive program assistance; certifying that the Applicant matching share is readily available; and dedicating the proposed site for permanent (or for the term of the lease for leased property) public park and recreational uses.

WHEREAS, the Applicant is fully eligible to receive assistance under the Program; and

WHEREAS, the Applicant is desirous of authorizing an official to represent and act for the Applicant in dealing with the Department concerning the Program;

BE IT RESOLVED BY THE APPLICANT:

SECTION 1: That the Applicant hereby certifies that they are eligible to receive assistance under the Program, and that notice of the application has been posted according to local public hearing requirements.

SECTION 2: That the Applicant hereby certifies that the matching share for this application is readily available at this time.

SECTION 3: That the Applicant hereby authorizes and directs the Director of Parks and Recreation to act for the Applicant in dealing with the Department for the purposes of the Program, and that Matt Young is hereby officially designated as the representative in this regard.

SECTION 4: The Applicant hereby specifically authorizes the official to make application to the Department concerning the site to be known as Gertie Barrett Park in the City of Mansfield or use as a park site and is hereby dedicated (or will be dedicated upon completion of the proposed acquisition) for public park and recreation purposes in perpetuity (or for the lease term, if legal control is through a lease). Projects with federal monies may have differing requirements.

Introduced, read and passed by an affirmative vote of the "Applicant" on this 11th day of November, 2019.

Signature of Local Government Official

David L. Cook, Mayor

Typed Name and Title

ATTEST:

Signature

Susana Marin, City Secretary

Typed Name and Title



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3343

Agenda Date: 11/11/2019

Version: 1

Status: First Reading

In Control: City Council

File Type: Ordinance

Agenda Number:

Title

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from PD Planned Development District to PD Planned Development District for Single-Family Residential Uses on Approximately 30.001 Acres Out of the S. Mitchell Survey, Abstract No. 1024, Tarrant County, TX, and Abstract No. 593, Johnson County, TX, Located at 890 & 932 S. Mitchell Rd.; John Arnold of Skorburg Company on Behalf of Bobby F. & Mary A. Havens (ZC#19-012)

Requested Action

To consider the subject zoning change request.

Recommendation

The Planning and Zoning Commission held a public hearing on October 21, 2019, and voted 5-1 (Weydeck voting no; Smithee absent) to recommend approval with the following conditions:

- Outstanding staff comments be addressed, as noted in the staff report to the Planning & Zoning Commission
- Lot 1 of Block 5 be made open space (due to proximity to the gas well site)
- The wood fence along the northern perimeter of the development be increased from 6' to 8' (due to adjacency to the gas well site & access road)
- The masonry wall along Mitchell Road be continued west along River Birch to the enhanced entryway

One of the commissioners also requested that the applicant increase the percentage of J-swing lots and another commissioner requested that more representative photos of the 50' product be included in the applicant's presentation. There was also discussion about the open space areas and some concern about the impact of the development on the school district.

The applicant is requesting to table first reading to November 25, 2019 to allow them more time to make changes to their plans and address outstanding staff comments, particularly the required alignment study for the surrounding roadways and acknowledgement and agreement from the surrounding property owners.

Description/History

The subject property consists of 30.001 acres on the west side of S. Mitchell Road and on the north side of the future extension of River Birch Drive, approximately a quarter-mile north of Mathis Road. The property is currently vacant, aside from an old storage barn. The applicant is requesting to re-zone the property from PD Planned Development District to PD Planned Development District for single-family residential uses.

Development Plan and Standards

The applicant plans to develop a 111-lot single-family residential neighborhood called Mitchell Farms. 27 lots will have a minimum lot area of 5,500 sq. ft. and a minimum lot width of 50'. 84 lots will have a minimum lot area of 7,280 sq. ft. and a minimum lot width of 65'. The applicant is generally using SF-7.5/18 as their base zoning and is proposing the following bulk area

115

standards:

Min. Floor Area (sq. ft.): 1,800
Min. Lot Area (sq. ft.): 5,500 (50' lots); 7,280 (65' lots)
Min. Lot Width: 50' (50' lots); 65' (65' lots)
Min. Lot Depth: 110'
Min. Front Setback: 20'
Min. Rear Setback: 10' (50' lots); 15' (65' lots)
Min. Interior Side Yard: 5' (50' lots); 5' & 10' (total: 15') (65' lots)
Min. Exterior Side Yard (adjacent to street): 20'
Max. Lot Coverage: 55%
Max. Height: 35'
Min. Street Frontage on Knuckles/Cul-de-Sacs: 50'
Min. Front Setback on Knuckles/Cul-de-Sacs: 15'
Min. Masonry Percentage: 80%

Note: All corner lots shall be at least 15' wider than the minimum lot width

Note: A deviation is requested for Lots 13, 14, 15, and 16, Block 2, for a reduced front building setback of 15'

Note: A deviation is requested for Lot 14, Block 2, for a reduced minimum lot depth of 105.14' (as measured at the center of lot)

Staff notes that all of the lots deviate from the typical standards for SF-7.5/18 as it relates to minimum lot area, minimum front yard, and maximum lot coverage. Furthermore, the 50' lots also deviate from the typical standards for SF-7.5/18 as it relates to minimum rear yard and minimum interior side yard. However, it should be noted that 22 of the lots have a minimum lot area greater than 7,500 sq. ft. and an additional 48 lots have a minimum lot area of between 7,400 and 7,500 sq. ft. Furthermore, it should be noted that the South Pointe Expansion Sub-District of The Reserve (which this property is currently part of) calls for a product that includes a minimum lot area of 6,300 sq. ft., minimum lot width of 55', minimum lot depth of 115', minimum front yard of 20', minimum rear yard of 10', and minimum floor area of 1,800 sq. ft., and the standards for this development propose a combination of two lot types that closely adhere to the existing zoning.

The development will comply with the community design standards noted in Section 4600 of the Zoning Ordinance, with the exception that only 10% of the lots will have J-swing garages. The applicant has also specified that the minimum masonry percentage will be 80%.

The development will have a gross density of 3.69 residential lots per acre and will be completed in one phase.

Access and Enhanced Entryway Plan

The Evert Street access point off the future extension of River Birch Drive on the southern end of the development will serve as the development's primary entrance and will include the enhanced entryway features. As indicated in the Enhanced Entryway Plan, the developer will be providing five enhanced entry features as required by the Zoning Ordinance. The five proposed elements are a boulevard section with median, enhanced pavers or stained concrete, decorative street lighting, enhanced architectural features (enhanced screening wall with signage and 9'-3" decorative stone columns with cap), and enhanced landscaping features (planter beds, shrubs, and ornamental trees). The elements match on both sides of the entryway.

A secondary enhanced entryway will be provided at the Sam Street access point off of Mitchell

Road, which will include smaller entryway signs with planter beds/shrubs.

There will be a third access point where Sam Street intersects a future roadway along the western perimeter of the development when that road is built in the future. This access point is not planned to have any entry features.

Landscaping and Screening

The applicant has provided an overall Landscape and Screening Plan for the entire development. All residential landscaping will comply with the typical requirements of Section 7300 of the Zoning Ordinance as it relates to tree plantings per lot. In addition, a minimum 6' masonry screening wall with masonry columns (spaced every 60' O.C. or to match lot lines) will be provided along Mitchell Road adjacent to the residential lots. Along the rear of the residential lots backing to the future extension of River Birch Drive (along the southern perimeter of the development) and the future collector road along the western perimeter of the development, the developer will construct a 6' wood fence with masonry columns (spaced every 60' O.C. or to match lot lines). Along the northern perimeter of the development and the exterior side of Lot 1, Block 5, the developer will construct a 6' wood fence without masonry columns. Along the rear of the lots on the north side of Sam Street, the developer will construct a 6' decorative metal fence to buffer the lots from the open space/drainage area. 6' wood fences will also buffer the exterior sides of lots adjacent to open space areas to be provided along Virginia Street.

In addition, there will be 15' wide open space lots between the surrounding collector roads on the western, southern, and eastern perimeter of the development that will include a row of shade trees with a few ornamental trees interspersed. In addition, the open space lots near the entrances to the development and along Virginia Street will all include clusters of shade trees and ornamental trees. A decomposed granite walking trail and bench and trash receptacle will also be included in one of the larger open space lots. The developer will also enhance street lights and street signs throughout the development with decorative bases, poles, and mounts. The applicant notes that 11.5% of the development will be open space.

Summary and Recommendation

Mitchell Farms is providing for a single-family residential development with two lot categories. While 27 of the lots are smaller lots than typically allowed by City (either in the South Pointe Expansion sub-district of The Reserve or in the SF-7.5/18 zoning classification), the majority of the lots are at 7,280 sq. ft. or greater (with a handful of lots exceeding 8,000 sq. ft. in size), which more closely aligns with the South Pointe Expansion standards and the SF-7.5/18 standards. Furthermore, the proposed front yard setbacks, rear yard setbacks, minimum residential floor areas, and maximum lot coverage also align with the South Pointe Expansion standards. And with an average lot size exceeding 7,000 sq. ft., most of the lot areas are on par with the South Pointe Expansion standards. The minimum interior side yards roughly mirror either the SF-7.5/18 standards (for the larger lots) or the standards of similarly-sized lots in larger planned developments (like Somerset and Birdsong), while the minimum exterior side yards are on par with the SF-7.5/18 standards. With a gross density of 3.69 lots per acre, the density generally follows the density standards for newer single-family developments throughout the City, which generally falls between 2.5 - 4 dwelling units per acre. In addition, the applicant is endeavoring to provide a high quality development by following Section 4600 of the Zoning Ordinance (aside from a deviation to the J-swing requirement with only 10% of the lots having J-swings) and also providing enhanced elements throughout the development, including an enhanced entryway with all required features, a secondary enhanced entryway (with some features), several open space lots, abundant landscaping and perimeter screening, and additional enhancements including decorative street lights and street signs.

Staff recommends that City Council table consideration of this case to November 25, 2019 as

requested by the applicant to allow them more time to make changes to their plans to address the recommendations made by the Planning & Zoning Commission as well as the outstanding staff comments, particularly the required alignment study for the surrounding roadways and acknowledgement and agreement from the surrounding property owners.

Prepared By

Lisa Sudbury, AICP
Assistant Director of Planning
817-276-4227

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 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 the Comprehensive Zoning Ordinance, 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 Comprehensive Zoning Ordinance and Map should be amended;

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

SECTION 1.

That the Comprehensive Zoning Ordinance of the 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; 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 plan shown on Exhibits "B – D" 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.

SECTION 4.

That the above described properties shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance 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 Comprehensive Zoning Ordinance as a whole.

SECTION 6.

Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive 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 7.

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

First reading approved on the _____ day of _____, 2019.

Second reading approved on the _____ day of _____, 2019.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this _____ day of _____, 2019.

David L. Cook, Mayor

ATTEST: _____
Susana Marin, City Secretary

APPROVED AS TO FORM AND LEGALITY

Allen Taylor, City Attorney

EXHIBIT A ZC# 19-012

LEGAL LAND DESCRIPTION

BEING a portion of that certain tract of land in the Samuel Mitchell Survey, Abstract No. 1024, City of Mansfield, Tarrant County, Texas and in the Samuel Mitchell Survey, Abstract No. 593, City of Mansfield, Johnson County, Texas, described in a Warranty Deed to Bobby Floyd Havens and wife, Mary Ann Havens (hereinafter referred to as Havens tract), as recorded in Volume 458, Page 127, Deed Records, Johnson County, Texas (D.R.J.C.T.), and being more particularly described, by metes and bounds, as follows:

BEGINNING at a three inch pipe found for the Northerly corner of said Havens tract, same being the Southeasterly line of that certain tract of land described as Tract 4 in a Special Warranty Deed to Living Church (hereinafter referred to as Living Church tract), as recorded in Instrument Number D218159009, Official Public Records, Tarrant County, Texas (O.P.R.T.C.T.), same also being the existing Southwesterly right-of-way line of South Mitchell Road, also known as County Road 2004 (variable width right-of-way);

THENCE South 30 degrees 35 minutes 21 seconds East, departing the Southeasterly line of said Living Church tract and with the common line between said Havens tract and the existing Southwesterly right-of-way line of said South Mitchell Road, a distance of 903.87 feet to the easterly corner of said Havens tract;

THENCE South 59 degrees 39 minutes 36 seconds West, continue with the common line between said Havens tract and the existing Southwesterly right-of-way line of said South Mitchell Road, pass at a distance of 3.76 feet, the Northerly corner of that certain tract of land described as Lot 1, Block 1, The Ranch (hereinafter referred to as Lot 1), an addition to the City of Mansfield, Johnson County, Texas, according to the plat recorded in Volume 8, Page 208, Plat Records, Johnson County, Texas, and continue with said course and departing the existing Southwesterly right-of-way line of said South Mitchell Road, and the common line between said Havens tract and said Lot 1, pass at a distance of 385.41 feet to the Westerly corner of said Lot 1, same being the most Northerly corner of that certain tract of land described in a Special Warranty Deed to L.R. Ray, Trustee of the L.R. Ray and Tommy A. Ray Trust, Dated January 18, 1994 (hereinafter referred to as L.R. Ray tract), as recorded in Instrument Number 201300007246, Official Public Records, Johnson County, Texas, and continue with said course and the common line between said Havens tract and said L.R. Ray tract, pass at a distance of 685.13 feet, the Northerly Northwest corner of said L.R. Ray tract, same being the Northerly corner of that certain tract of land described as Lot E, Block 1, A. Moore U.S. 287 South Addition (hereinafter referred to as Lot E), an addition to the City of Mansfield, Johnson County and Tarrant County, Texas, according to the plat recorded in Instrument Number D183342088, O.P.R.T.C.T., and continue with said course and the common line between said Havens tract and said Lot E for a total distance of 1433.99 feet to a one-half inch iron rod found in concrete for the Southerly corner of said Havens tract, same being the Easterly corner of that certain tract of land described as Lot C, Block 1, A. Moore U.S. 287 South Addition (hereinafter referred to as Lot C), an addition to the City of Mansfield, Johnson County and Tarrant County, Texas, according to the plat recorded in Instrument Number D183342088, O.P.R.T.C.T.;

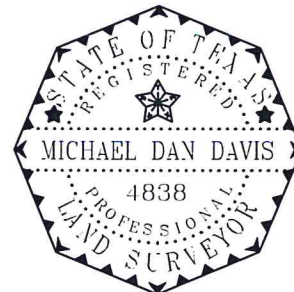
THENCE North 30 degrees 17 minutes 41 seconds West, departing the Northwesterly line of said Lot E and with the common line between said Havens tract and said Lot C, pass at a distance of 502.35 feet, the Northerly corner of said Lot C, same being the Southeasterly corner of that certain tract of land described as Lot B, Block 1, A. Moore U.S. 287 South Addition (hereinafter referred to as Lot B), an addition to the City of Mansfield, Johnson County and Tarrant County, Texas, according to the plat recorded in Instrument Number D183342088, O.P.R.T.C.T., and continue with said course and the common line between said Havens tract and said Lot B, pass at a distance of 703.95 feet, the Northeasterly corner of said Lot B, same being the Southeasterly corner of that certain tract of land described as Lot A, Block 1, A. Moore U.S. 287 South Addition (hereinafter referred to as Lot A), an addition to the City of Mansfield, Johnson County and Tarrant County, Texas, according to the plat recorded in Instrument Number D183342088, O.P.R.T.C.T. and continue with said course and the common line between said Havens tract and said Lot A for a total distance of 911.48 feet to the Westerly corner of said Havens tract, same being the Northeasterly corner of said Lot A, same also being the Southeasterly line of the aforesaid Living Church tract, from which a one-half inch iron rod found in concrete bears North 30 degrees 17 minutes 41 seconds West, a distance of 3.73 feet;

THENCE North 59 degrees 57 minutes 54 seconds East with the common line between said Havens tract and said Living Church tract, a distance of 1429.36 feet to the **PLACE OF BEGINNING**, and containing a calculated area of 29.832 acres or (1,299,475 square feet) of land.

Michael Dan Davis

DATE:

Registered Professional Land Surveyor No. 4838
BANNISTER ENGINEERING, LLC
REGISTRATION NO. 10193823

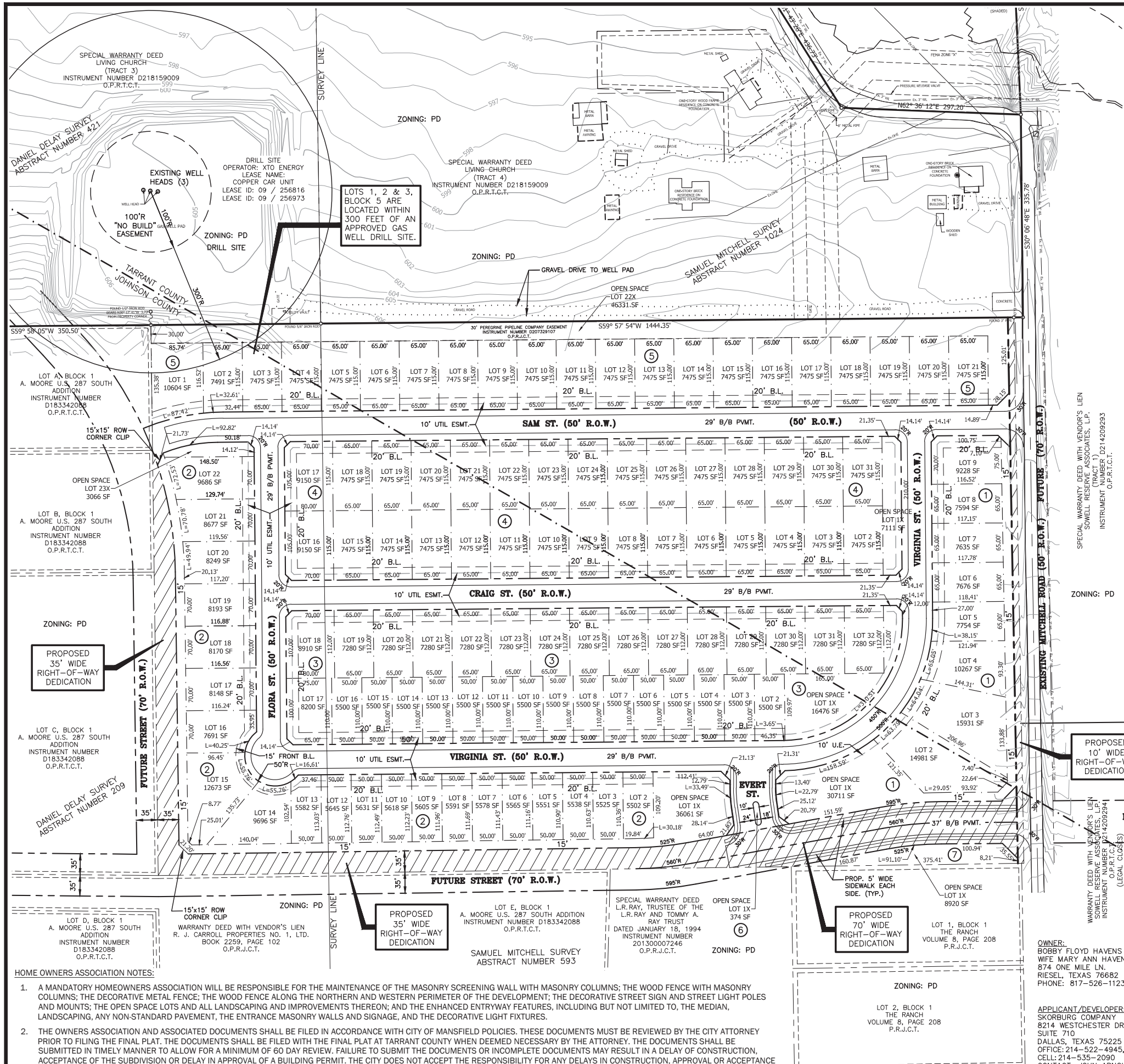


Project No. 090-19-012 | Date: 7/31/2019 | Page 1 of 1 | Drawn by: SA | Checked by: MD2

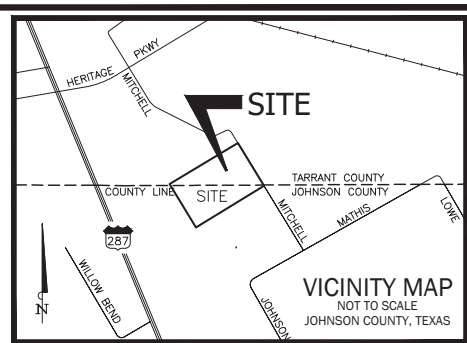
ZONING LIMITS EXHIBIT

ALL OF BOBBY FLOYD HAVENS AND MARY ANN HAVENS
OUT OF SAMUEL MITCHELL SURVEY, ABSTRACT NO. 1024
CITY OF MANSFIELD, TARRANT COUNTY, TEXAS
& SAMUEL MITCHELL SURVEY, ABSTRACT NO. 593
CITY OF MANSFIELD, JOHNSON COUNTY, TEXAS

BANNISTER
ENGINEERING
240 North Mitchell Road | Mansfield, TX 76063 | 817.842.2094 | 817.842.2095 fax
TBPLS REGISTRATION NO. 10193823



- PLANNED DEVELOPMENT REGULATIONS:
1. THE BASE ZONING DISTRICT FOR THE PLANNED DEVELOPMENT SHALL BE SF 7.5/18 AND SHALL BE SUBJECT TO SECTION 4600 - COMMUNITY DESIGN STANDARDS AS OUTLINED IN THE CITY OF MANSFIELD ZONING ORDINANCE.
 2. 10% OF THE LOTS IN THIS DEVELOPMENT SHALL HAVE J-SWING GARAGES.
 3. STREET LIGHTS SHALL BE ENHANCED WITH DECORATIVE BASE, POLE AND LIGHT STANDARDS. REFER TO EXHIBIT "D".
 4. STREET SIGNS SHALL BE ENHANCED WITH DECORATIVE POLE AND MOUNTS WITH STANDARD STREET SIGNS ATTACHABLE AND SHALL BE MAINTAINED BY THE H.O.A.
 5. A HOME OWNERS ASSOCIATION (HOA) SHALL BE ESTABLISHED TO OVERSEE THE CODES AND COVENANTS OUTLINE WITHIN THIS PLANNED DEVELOPMENT. REFER TO SEPARATE NOTES THIS SHEET.
 6. THIS PROPOSED PLANNED DEVELOPMENT WILL BE IN COMPLETE ACCORDANCE WITH PROVISIONS OF THE APPROVED DEVELOPMENT DISTRICT AND THAT ALL DEVELOPMENT PLANS RECORDED HEREUNDER SHALL BE BINDING UPON APPLICANT THEREOF, HIS SUCCESSORS AND ASSIGNS, AND SHALL LIMIT AND CONTROL ALL BUILDING PERMITS.
 7. A DEVIATION IS REQUESTED FOR LOTS 13, 14, 15 & 16, BLOCK 2 FOR A REDUCED FRONT BUILDING SETBACK OF 15'. REFER TO SITE DATA SUMMARY CHART FOR SETBACKS ON KNUCKLES.
 8. A DEVIATION IS REQUESTED FOR THE FOLLOWING LOTS IN REGARDS TO THE MINIMUM LOT DEPTH OF 110 FEET:
LOT 14, BLOCK 2 = 105.14 LOT DEPTH @ CENTER OF LOT
 9. THE MASONRY SCREENING WALL WITH MASONRY COLUMNS, WOOD FENCES WITH MASONRY COLUMNS, DECORATIVE METAL FENCE (D.M.F.), WOOD FENCES ALONG THE NORTHERN AND WESTERN PERIMETER OF THE DEVELOPMENT, OPEN SPACE LANDSCAPING AND OTHER IMPROVEMENTS INDICATED ON THE PLANS, DECORATIVE STREET LIGHTS AND STREET SIGNS, AND ENHANCED ENTRYWAY FEATURES (INCLUDING BUT NOT LIMITED TO THE MEDIAN, LANDSCAPING, ANY NON-STANDARD PAVEMENT, THE ENTRANCE MASONRY WALLS AND SIGNAGE, AND THE DECORATIVE LIGHT FIXTURES) SHALL BE INSTALLED BY THE DEVELOPER AND MAINTAINED BY THE HOA.
 10. ALL INTERNAL REAR AND SIDE YARD WOOD FENCES SHALL BE INSTALLED BY THE BUILDER AND MAINTAINED BY THE HOME OWNER.
 11. WOOD FENCES SHALL BE 6-FOOT HIGH PRIVACY FENCES, STOCKADE-TYPE, ON METAL POLES, AND STAINED WITH NATURAL WOOD FENCING/DECKING STAIN.
 12. THE DEVELOPMENT WILL BE CONSTRUCTED IN ONE PHASE.



SITE DATA SUMMARY:	
BASE ZONING:	SF - 7.5/18
MAXIMUM HEIGHT:	35'
MAXIMUM LOT COVERAGE:	55%
GROSS DENSITY:	3.69 UNITS PER ACRE
TOTAL OPEN SPACE AREA:	149,328 S.F. (11.5%)
MINIMUM LOT WIDTH FOR CORNER LOTS:	ALL CORNER LOTS SHALL BE AT LEAST 15' WIDER THAN THE MIN. LOT WIDTH.
MINIMUM STREET FRONTAGE ON KNUCKLES AND CUL-DE-SACS:	50'
STREETS:	50' R.O.W.
PAVEMENT:	29' BACK TO BACK
MIN. MASONRY PERCENTAGE:	80%
MINIMUM FRONT SETBACK ON ALL KNUCKLES AND CUL-DE-SACS:	15'

LOT SIZE TYPE:	50' WIDE LOTS	65' WIDE LOTS
MINIMUM FLOOR AREA:	1800 S.F.	1800 S.F.
MINIMUM LOT AREA:	5,500 S.F.	7,280 S.F.
MINIMUM LOT WIDTH:	50'	65'
MINIMUM LOT DEPTH:	110'	110'
MINIMUM FRONT SETBACK:	20'	20'
MINIMUM REAR SETBACK:	10'	15'
MINIMUM INTERIOR SIDE YARD:	5'	5' & 10' TOTAL=15'
MINIMUM EXTERIOR SIDE YARD ADJACENT TO STREET:	20'	20'

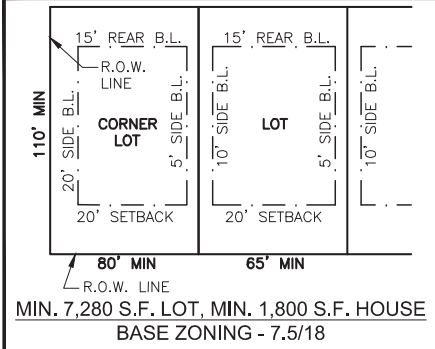
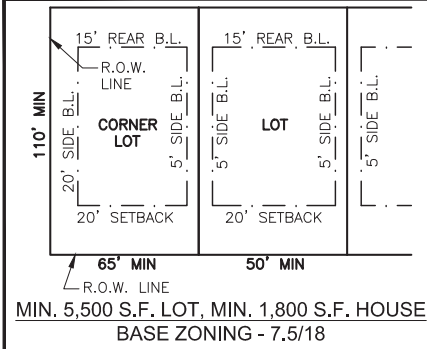


EXHIBIT "B"
DEVELOPMENT PLAN
MITCHELL FARMS
Being approximately 30.001 Acres of land situated in the Samuel Mitchell Survey, Abstract No. 1024 and Samuel Mitchell Survey Abstract No. 593, City of Mansfield, Tarrant and Johnson County, Texas

111 Single Family Lots - 8 Open Space Lots
ZC#19-012

BANNISTER ENGINEERING
240 North Mitchell Road | Mansfield, TX 76063 | 817.842.2094 | 817.842.2095 fax
REGISTRATION # F-10599 (TEXAS)
CONTACT: MICHAEL MARTIN, RLA

Date Prepared: 07/02/2019
Date Revised: 10/15/2019

- HOME OWNERS ASSOCIATION NOTES:
1. A MANDATORY HOMEOWNERS ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE OF THE MASONRY SCREENING WALL WITH MASONRY COLUMNS; THE WOOD FENCE WITH MASONRY COLUMNS; THE DECORATIVE METAL FENCE; THE WOOD FENCE ALONG THE NORTHERN AND WESTERN PERIMETER OF THE DEVELOPMENT; THE DECORATIVE STREET SIGN AND STREET LIGHT POLES AND MOUNTS; THE OPEN SPACE LOTS AND ALL LANDSCAPING AND IMPROVEMENTS THEREON; AND THE ENHANCED ENTRYWAY FEATURES, INCLUDING BUT NOT LIMITED TO, THE MEDIAN, LANDSCAPING, ANY NON-STANDARD PAVEMENT, THE ENTRANCE MASONRY WALLS AND SIGNAGE, AND THE DECORATIVE LIGHT FIXTURES.
 2. THE OWNERS ASSOCIATION AND ASSOCIATED DOCUMENTS SHALL BE FILED IN ACCORDANCE WITH CITY OF MANSFIELD POLICIES. THESE DOCUMENTS MUST BE REVIEWED BY THE CITY ATTORNEY PRIOR TO FILING THE FINAL PLAT. THE DOCUMENTS SHALL BE FILED WITH THE FINAL PLAT AT TARRANT COUNTY WHEN DEEMED NECESSARY BY THE ATTORNEY. THE DOCUMENTS SHALL BE SUBMITTED IN TIMELY MANNER TO ALLOW FOR A MINIMUM OF 60 DAY REVIEW. FAILURE TO SUBMIT THE DOCUMENTS OR INCOMPLETE DOCUMENTS MAY RESULT IN A DELAY OF CONSTRUCTION, ACCEPTANCE OF THE SUBDIVISION OR DELAY IN APPROVAL OF A BUILDING PERMIT. THE CITY DOES NOT ACCEPT THE RESPONSIBILITY FOR ANY DELAYS IN CONSTRUCTION, APPROVAL OR ACCEPTANCE OF THE SUBDIVISION CAUSED BY FAILURE TO SUBMIT THE ASSOCIATION DOCUMENTS OR INACCURACY OF THE DOCUMENTS.

OWNER:
BOBBY FLOYD HAVENS AND WIFE MARY ANN HAVENS
874 ONE MILE LN.
RIESEL, TEXAS 76682
PHONE: 817-526-1123

SURVEYOR:
BANNISTER ENGINEERING, LLC
240 NORTH MITCHELL ROAD
MANSFIELD, TEXAS 76063
(817) 842-2094
CONTACT: MICHAEL DAVIS

APPLICANT/DEVELOPER:
SKORBURG COMPANY
8214 WESTCHESTER DRIVE,
SUITE 710
DALLAS, TEXAS 75225
OFFICE: 214-522-4945, x152
CELL: 214-535-2090
CONTACT: JOHN ARNOLD

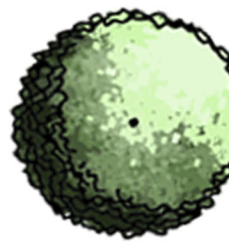
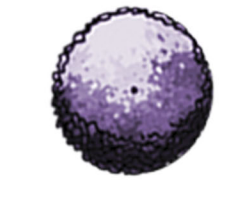
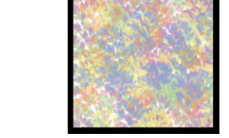
ENGINEER:
BANNISTER ENGINEERING, LLC
240 NORTH MITCHELL ROAD
MANSFIELD, TEXAS 76063
(817) 842-2094
CONTACT: REMINGTON WHEAT, P.E.
CONTACT: MICHAEL MARTIN, RLA
EMAIL: MMARTIN@BANNISTERENG.COM



PRIMARY ENTRY ELEVATION



SECONDARY ENTRY ELEVATION

-  SHADE TREE
-  ORNAMENTAL TREE
-  PLANTER BEDS/SHRUB AREA

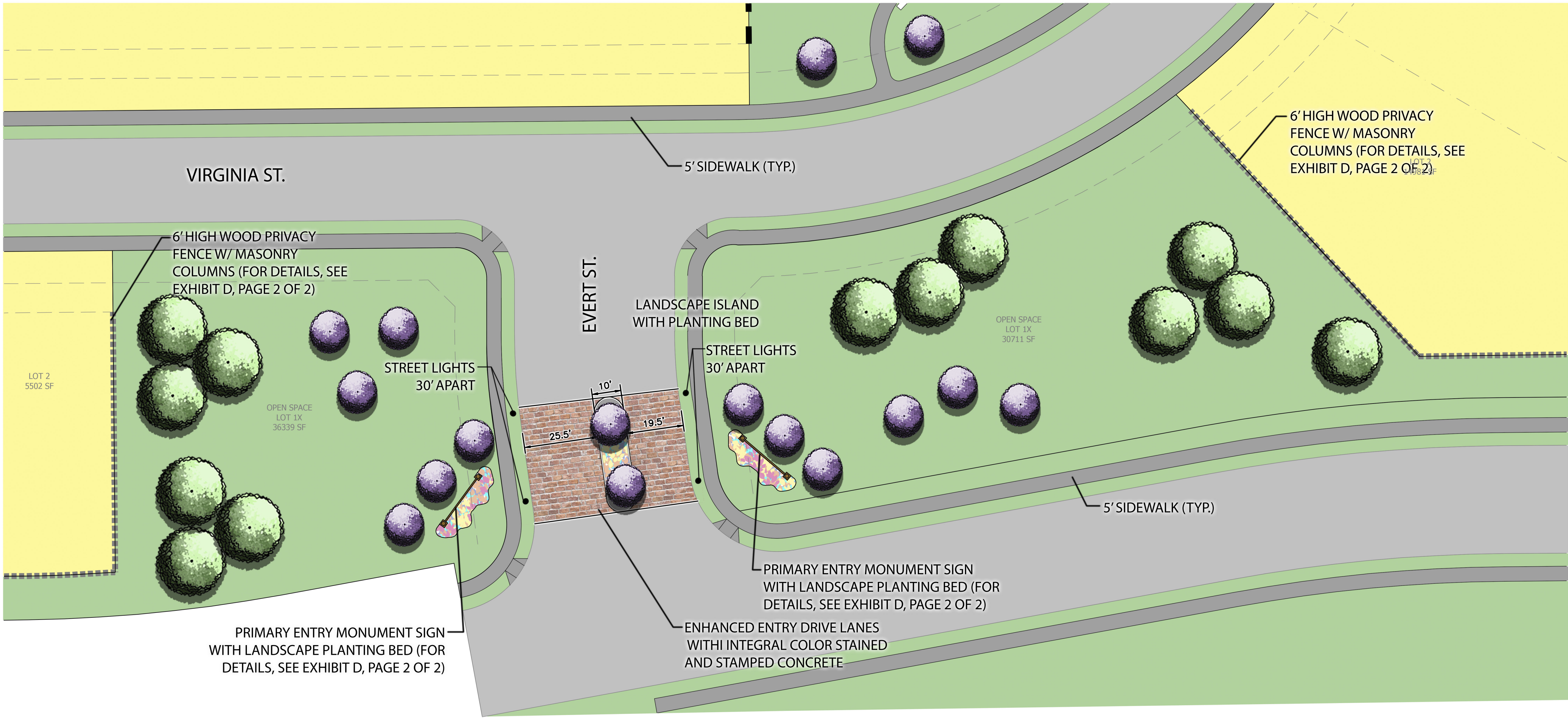
TYPICAL PLANT LIST:
SHADE TREES: LIVE OAK, RED OAK, BUR OAK AND CEDAR ELM
ORNAMENTAL TREES: CRAPE MYRTLE, CHITALPA, MEXICAN PLUM, CHINESE PISTACHE, WAX MYRTLE, VITEX
SHRUBS: DWARF WAX MYRTLE, INDIAN HAWTHORNE, RED YUCCAS, TEXAS SAGE, MEXICAN FEATHER GRASS, RED OR GULF MUHLY GRASS, FIRE POWER NANDINA, DWARF BURFORD HOLLY, NELLY R STEVENS, AMERICAN BEAUTY BERRY, FLAME LEAF SUMAC, ANNUAL COLOR BEDS
GROUND COVER: BUFFALO GRASS 609 OR COMMON BERMUDA



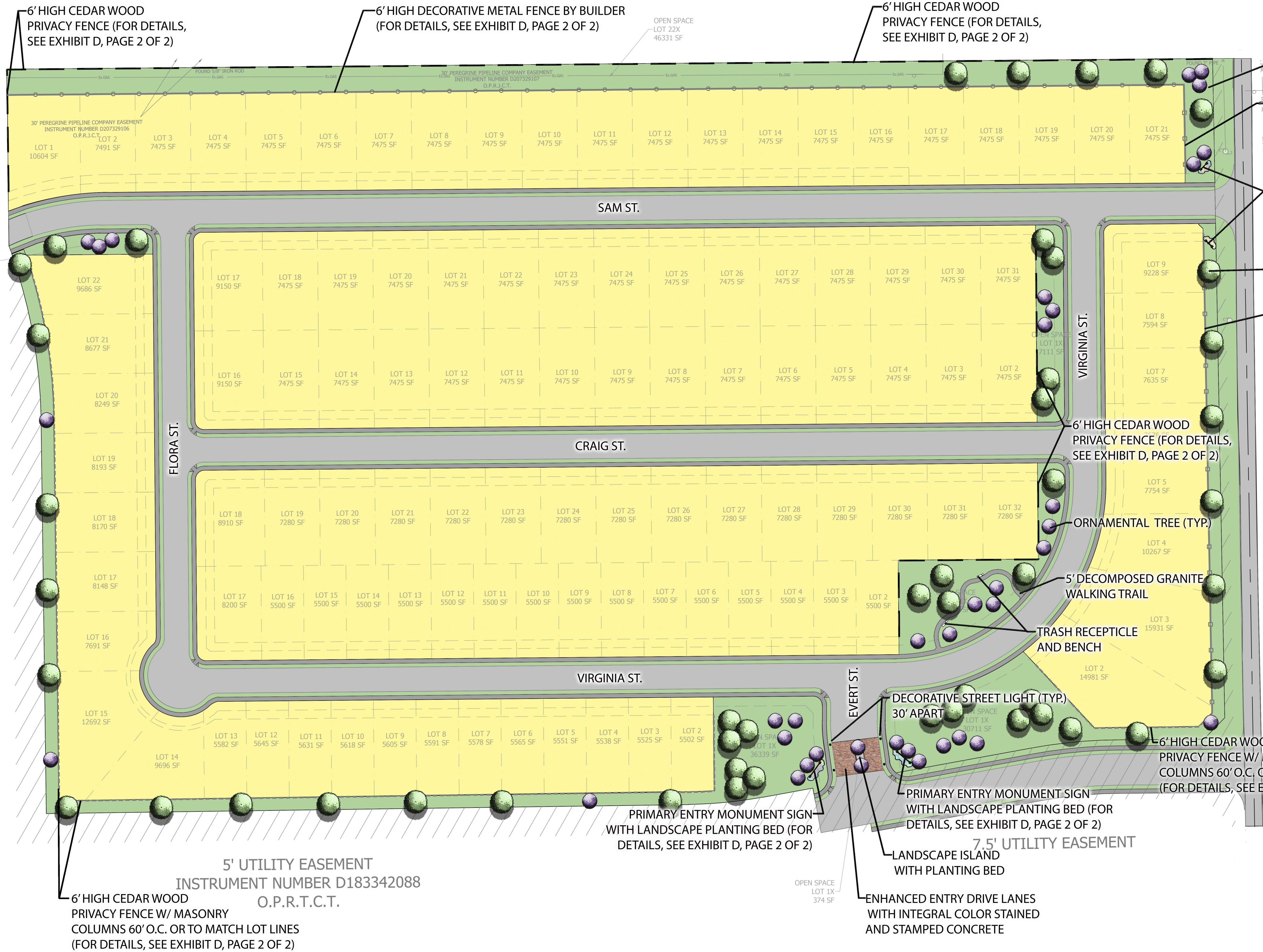
STREET LIGHT SAMPLE
 Street lights will conform to City and Oncor standards.



STREET SIGN SAMPLE



ZC# 19-012
 EXHIBIT 'C'
 Page 1 of 1



- BERMUDA GRASS (TYP.)
- 6' HIGH MASONRY SCREENWALL WITH MASONRY COLUMNS 60' O.C. OR TO MATCH LOT LINES (FOR DETAILS, SEE EXHIBIT D, PAGE 2 OF 2)
- SECONDARY ENTRY MONUMENT SIGN WITH LANDSCAPE PLANTING BED (FOR DETAILS, SEE EXHIBIT D, PAGE 2 OF 2)
- SHADE TREE (TYP.)
- 6' HIGH MASONRY SCREENWALL WITH MASONRY COLUMNS 60' O.C. OR TO MATCH LOT LINES (FOR DETAILS, SEE EXHIBIT D, PAGE 2 OF 2)

OPEN SPACE (HOA) PLANTING SCHEUDLE						
TREES	QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL	SIZE	NOTES
	48	SHADE TREES	45 GAL.	3"	10'-12'	Full, Matching, Symmetrical
	37	ORNAMENTAL TREES	30 GAL.	3"	6'-8'	Full, Matching, Symmetrical
SHRUB AREAS	QTY	BOTANICAL NAME / COMMON NAME	CONT	HEIGHT	SPACING	NOTES
	PER PLAN	SHRUBS	5 GAL	24" HT	36" O.C.	Full, Matching, Symmetrical
GROUND COVERS	QTY	BOTANICAL NAME / COMMON NAME	NOTES			
	PER PLAN	Cynodon dactylon 'Tif 419' / Bermuda sod				

TYPICAL PLANT LIST:
SHADE TREES: LIVE OAK, RED OAK, BUR OAK AND CEDAR ELM
ORNAMENTAL TREES: CRAPE MYRTLE, CHITALPA, MEXICAN PLUM, CHINESE PISTACHE, WAX MYRTLE, VITEX
SHRUBS: DWARF WAX MYRTLE, INDIAN HAWTHORNE, RED YUCCAS, TEXAS SAGE, MEXICAN FEATHER GRASS, RED OR GULF MUHLY GRASS, FIRE POWER NANDINA, DWARF BURFORD HOLLY, NELLY R STEVENS, AMERICAN BEAUTY BERRY, FLAME LEAF SUMAC, ANNUAL COLOR BEDS
GROUND COVER: BUFFALO GRASS 609 OR COMMON BERMUDA

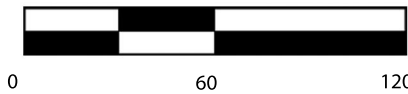
TYPICAL RESIDENTIAL LANDSCAPE REQUIREMENTS:
FOR LOTS CONTAINING 9,600 SQ FT OR LESS, PROVIDE THREE (3) CANOPY TREES, AT LEAST TWO (2) TREES SHALL BE PLACED IN THE REAR YARD AND ONE (1) TREE IN FRONT YARD.

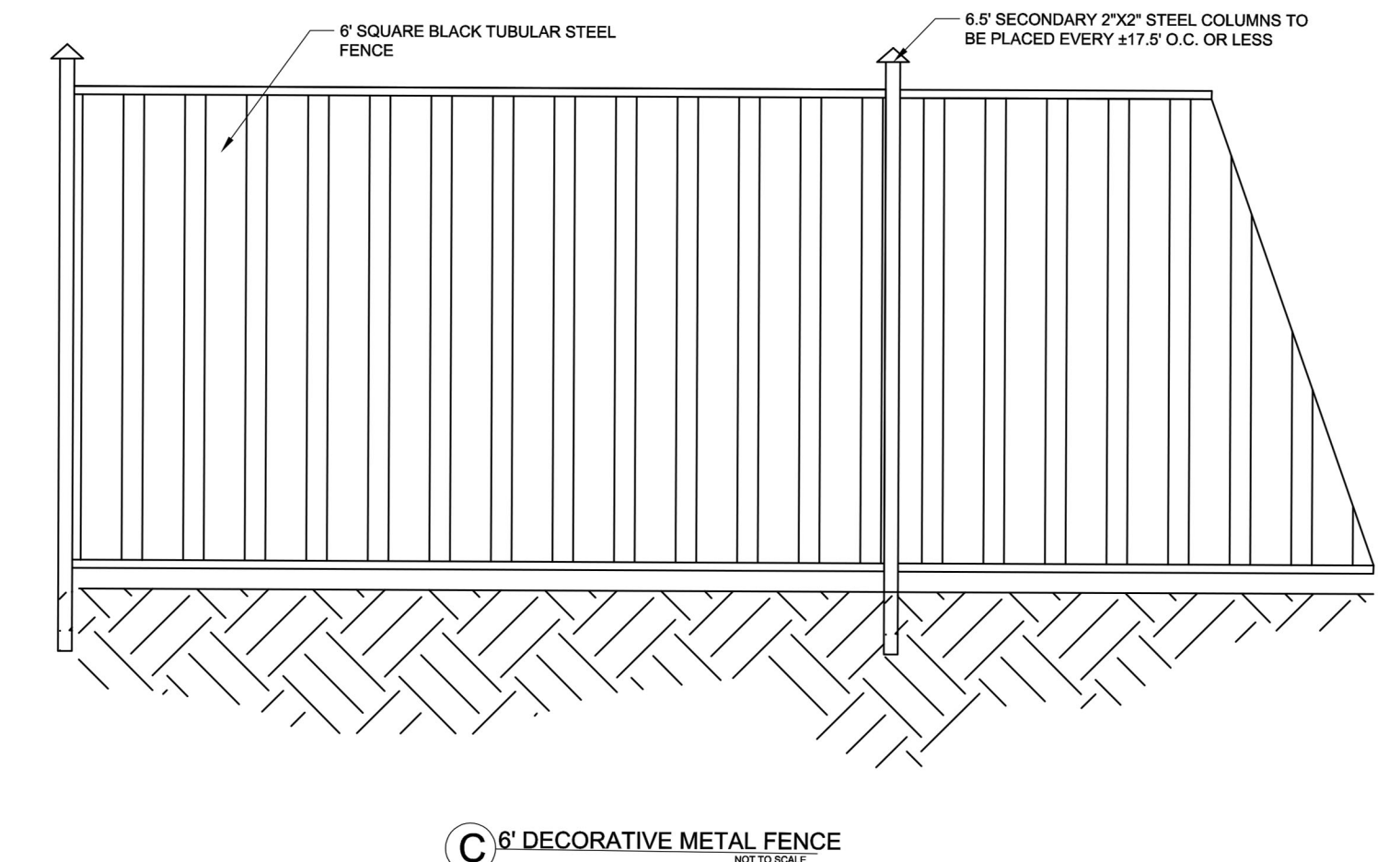
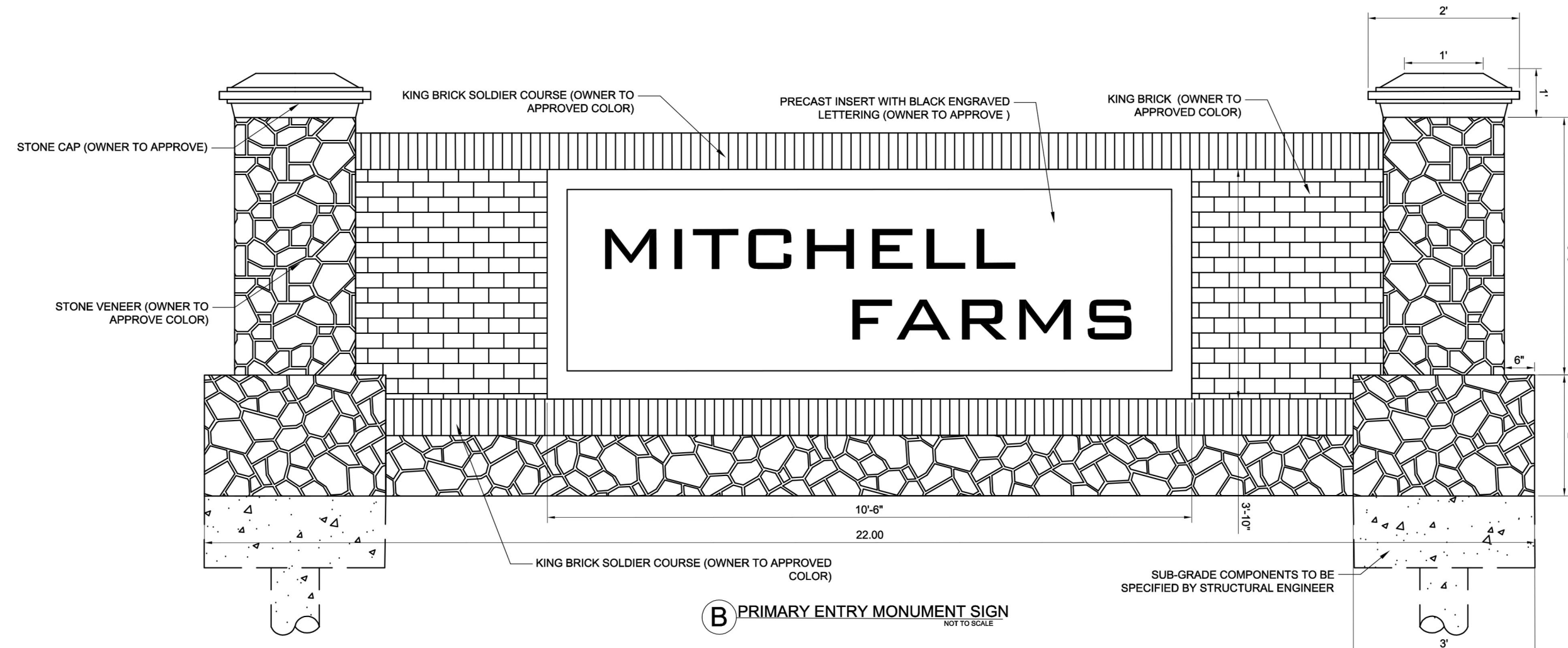
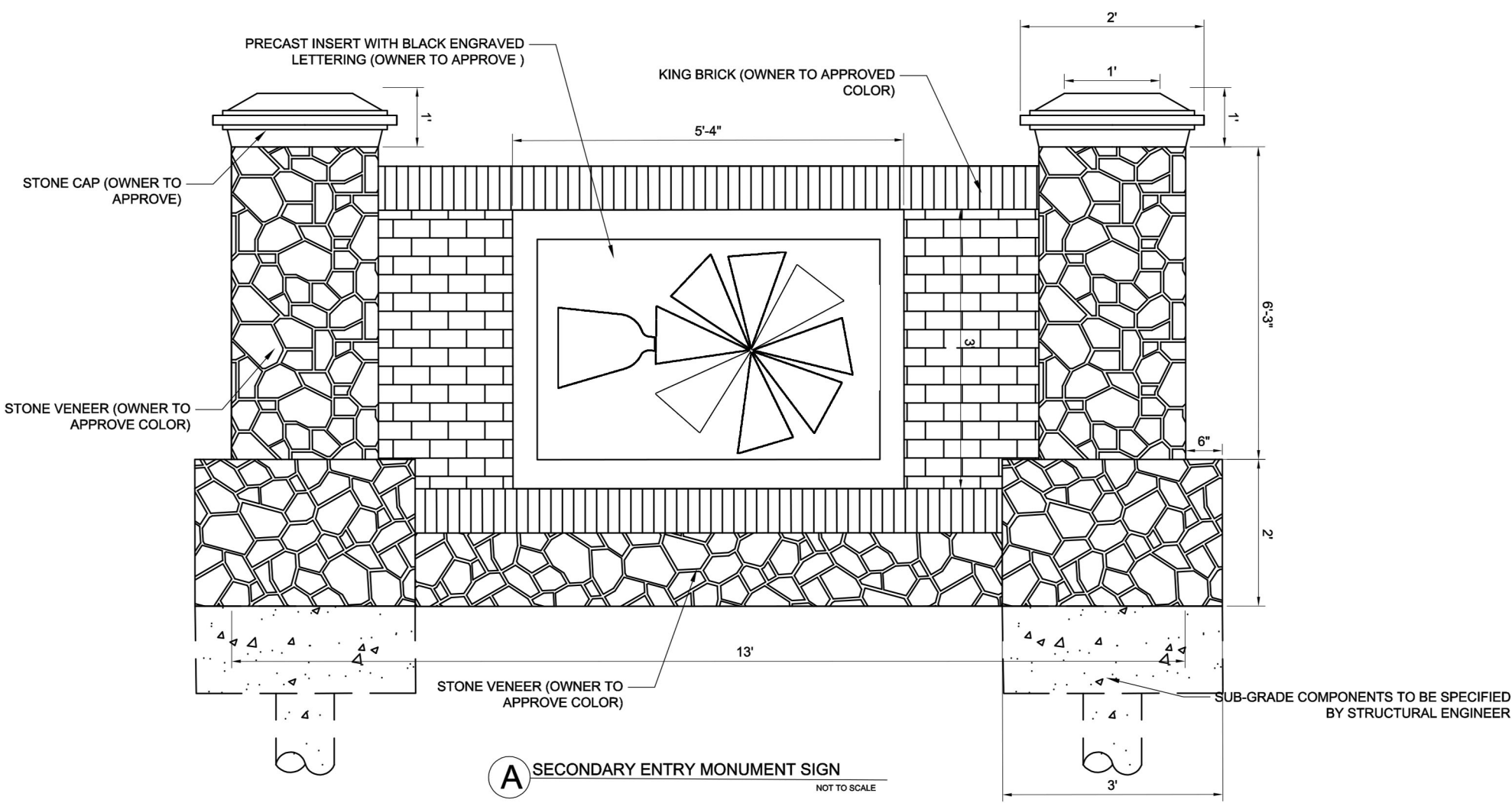
FOR LOTS CONTAINING 9,601 SQ FT OR GREATER, PROVIDE FOUR (4) CANOPY TREES. AT LEAST TWO (2) TREES SHALL BE PLACED IN THE FRONT YARD AND TWO (2) IN REAR YARD.

FRONT YARD: ONE (1) ORNAMENTAL 15 GALLON ACCENT, FOURTEEN (14) 5 GALLON SHRUBS, TWO (2) SEASONAL FLOWER FLATS, MULCH, BERMUDA SOD: FRONT, SIDES AND REAR YARDS.

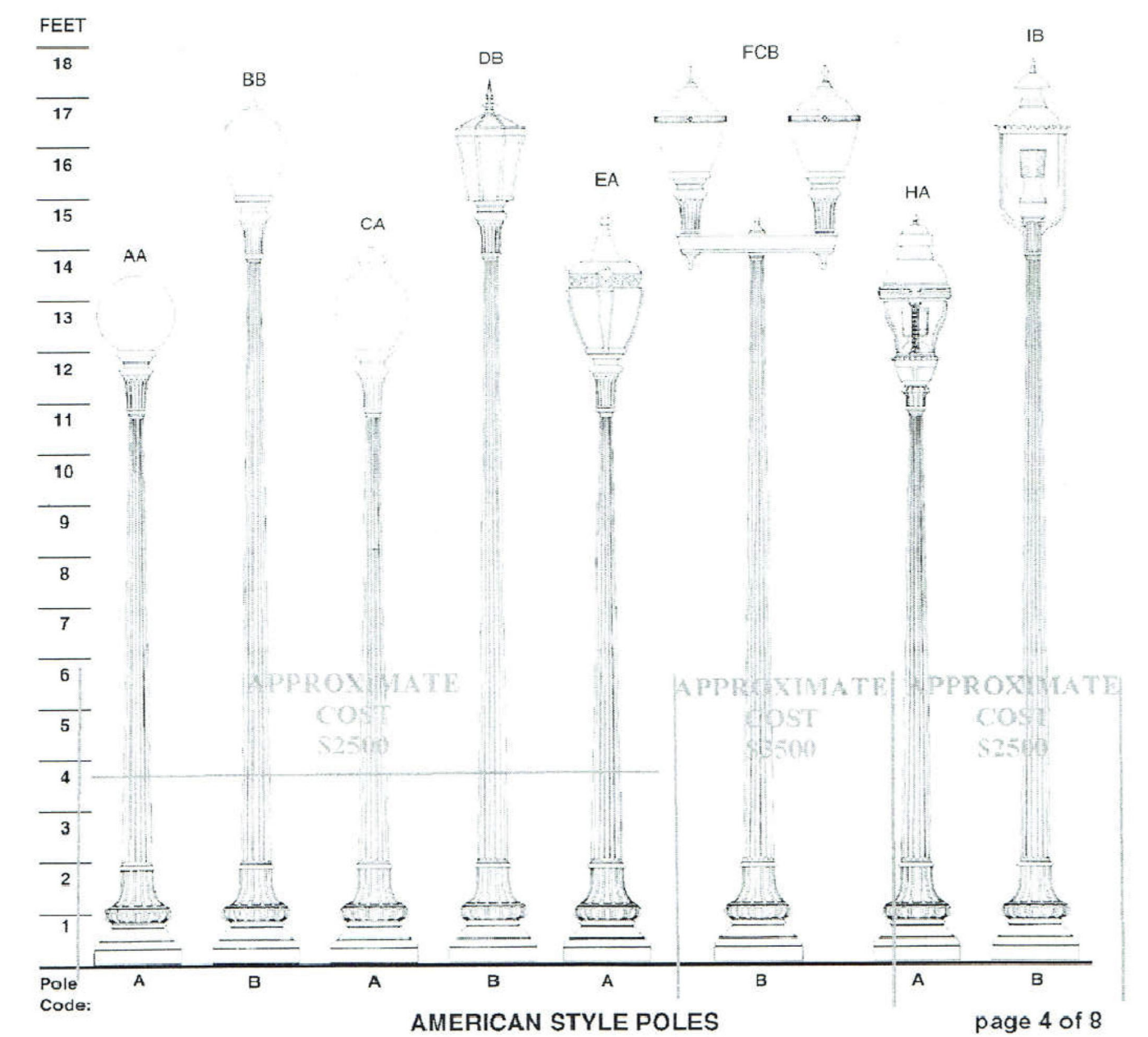
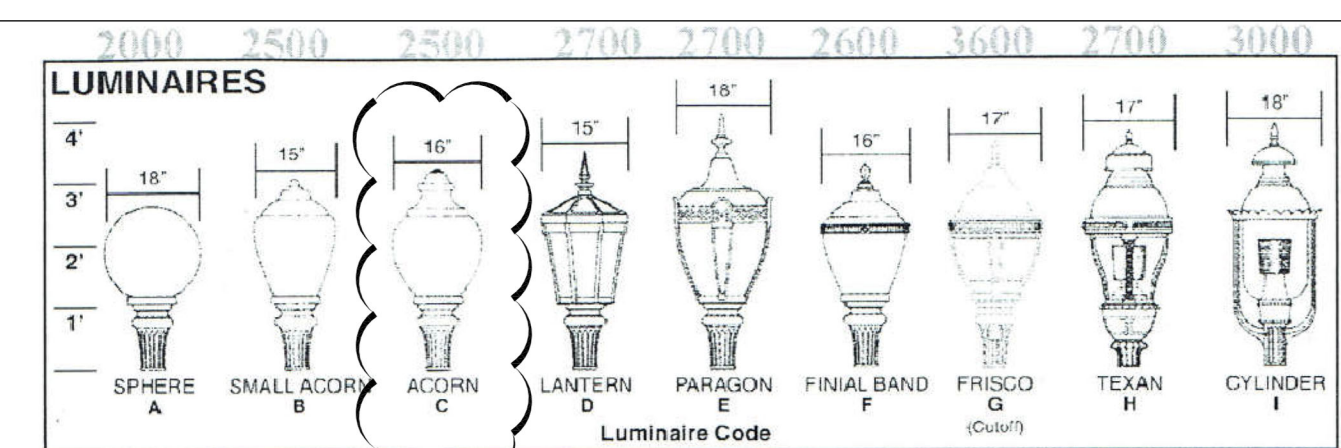
NOTE:
A MANDATORY HOMEOWNERS ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE OF THE MASONRY SCREENING WALL WITH MASONRY COLUMNS; THE WOOD FENCE WITH MASONRY COLUMNS; THE DECORATIVE METAL FENCE; THE WOOD FENCE ALONG THE NORTHERN AND WESTERN PERIMETER OF THE DEVELOPMENT; THE DECORATIVE STREET SIGN AND STREET LIGHT POLES AND MOUNTS; THE OPEN SPACE LOTS AND ALL LANDSCAPE IMPROVEMENTS THEREON; AND THE ENHANCED ENTRYWAY FEATURES, INCLUDING BUT NOT LIMITED TO, THE MEDIAN, LANDSCAPING, ANY NON-STANDARD PAVEMENT, THE ENTRANCE MASONRY WALLS AND SIGNAGE, AND THE DECORATIVE LIGHT FIXTURES.

ZC# 19-012
EXHIBIT 'D'
Page 1 of 2



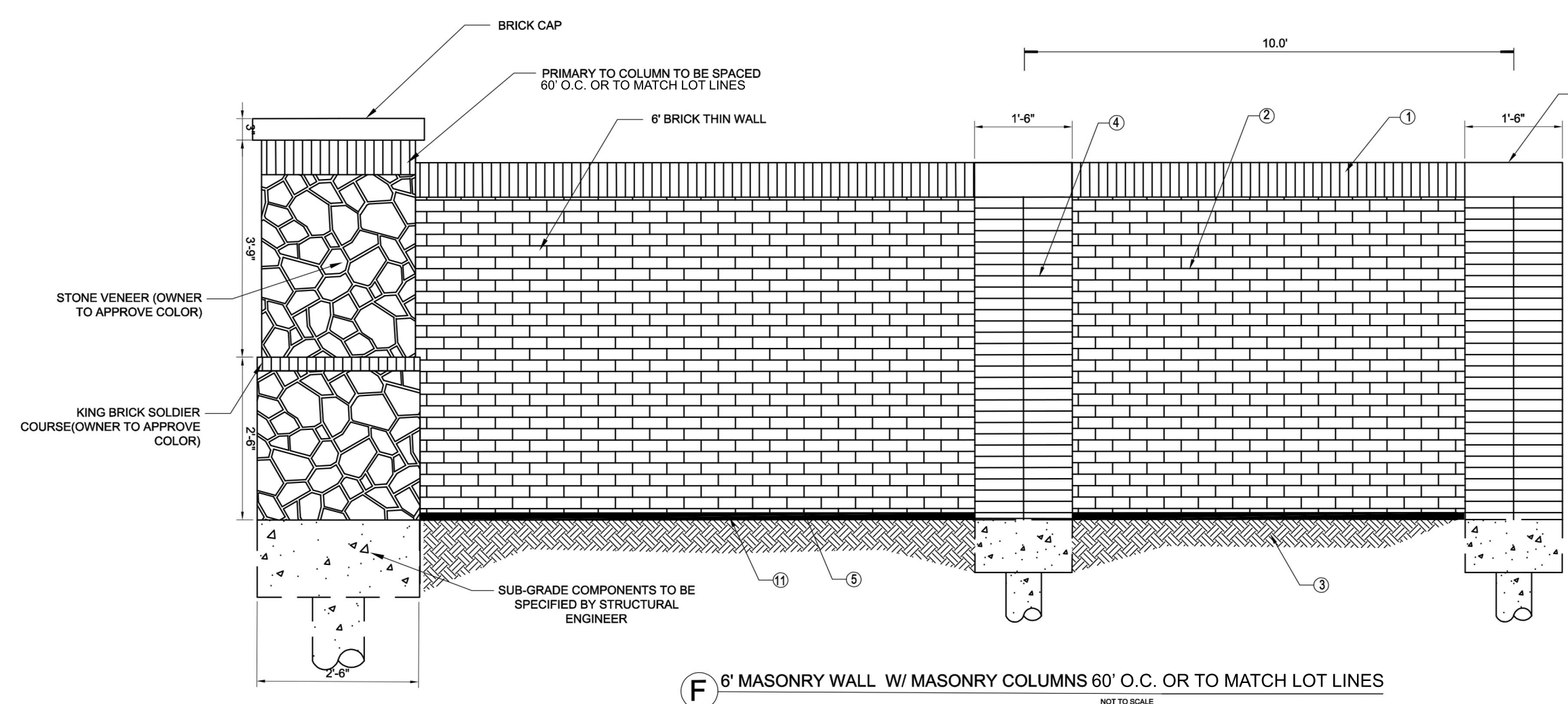
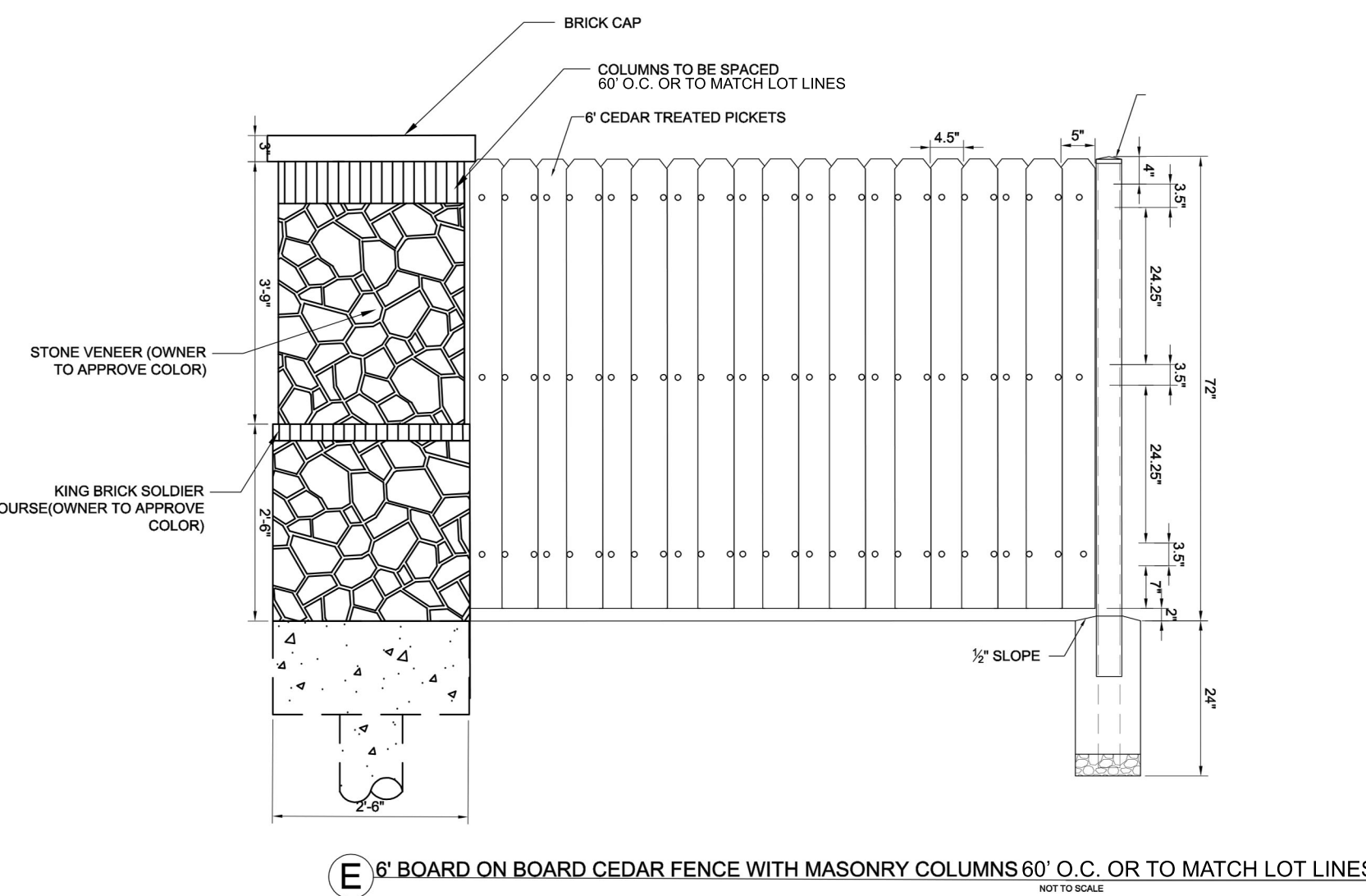
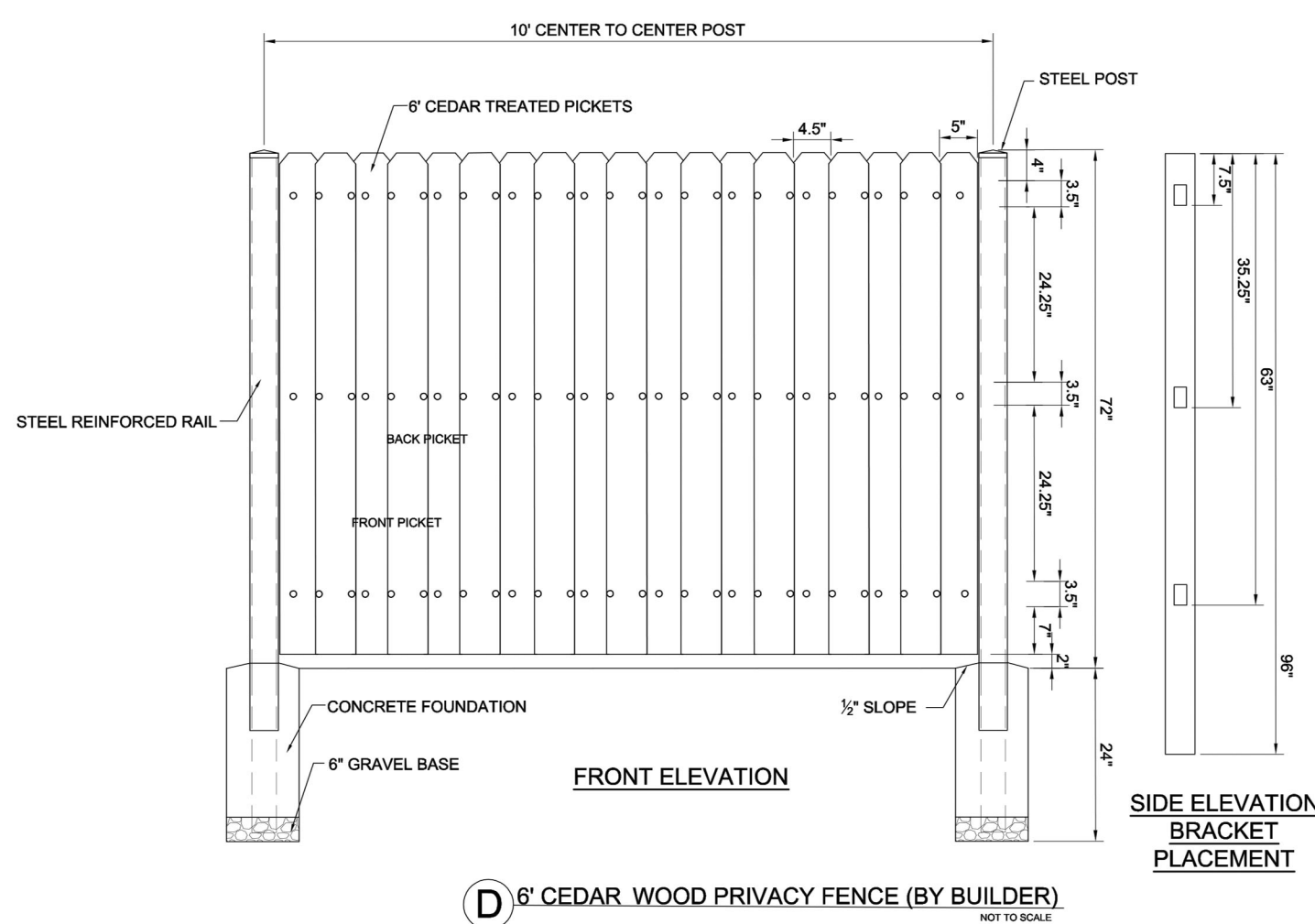


NOTE:
THE "ACORN" (C) LUMINAIRE ON A FIFTEEN FOOT (15') "AMERICAN STYLE POLE" AS SHOWN BELOW WILL BE
INSTALLED AT EACH STREETLIGHT LOCATION.

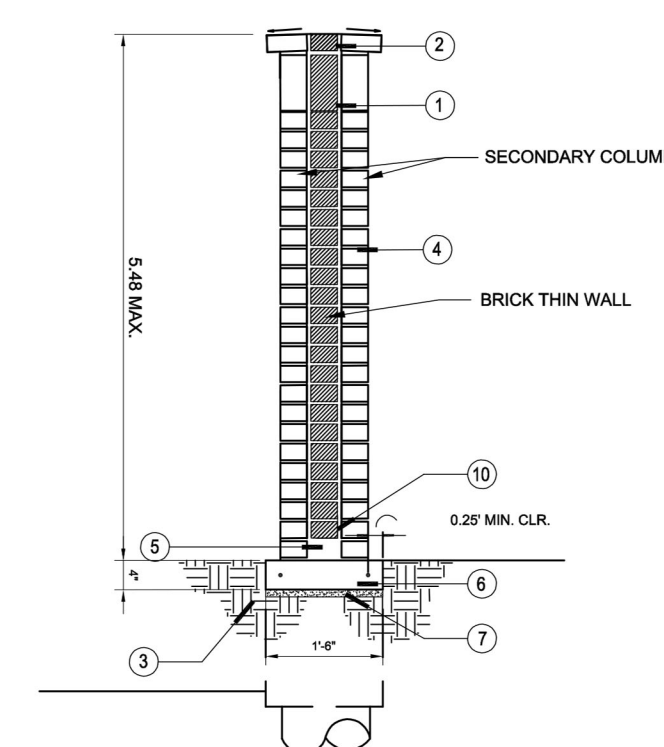


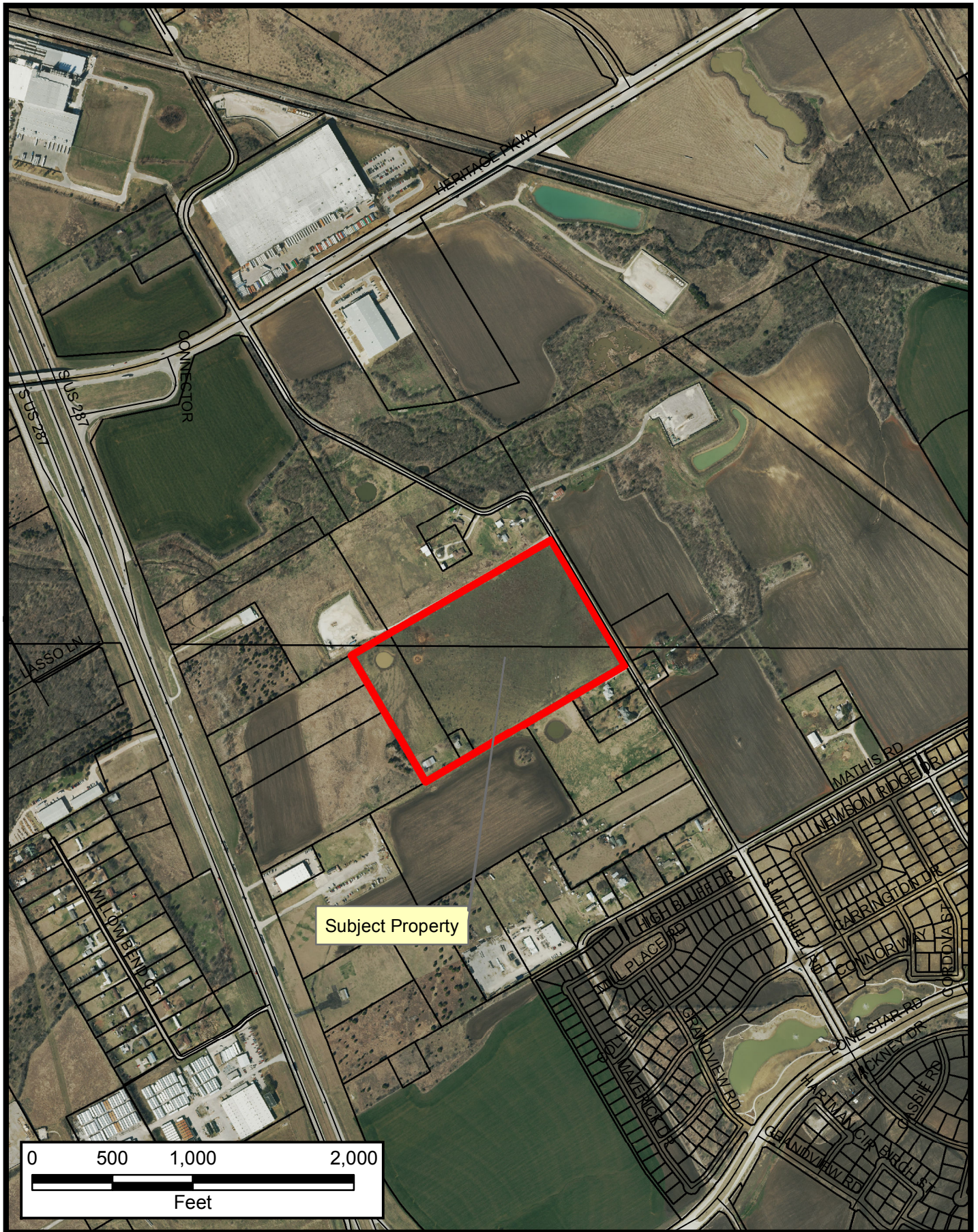
Onco Electric Delivery's decorative poles are made of cast aluminum and are powder coat painted at the factory.
Onco's only standard color offering for decorative poles and luminaires is black.

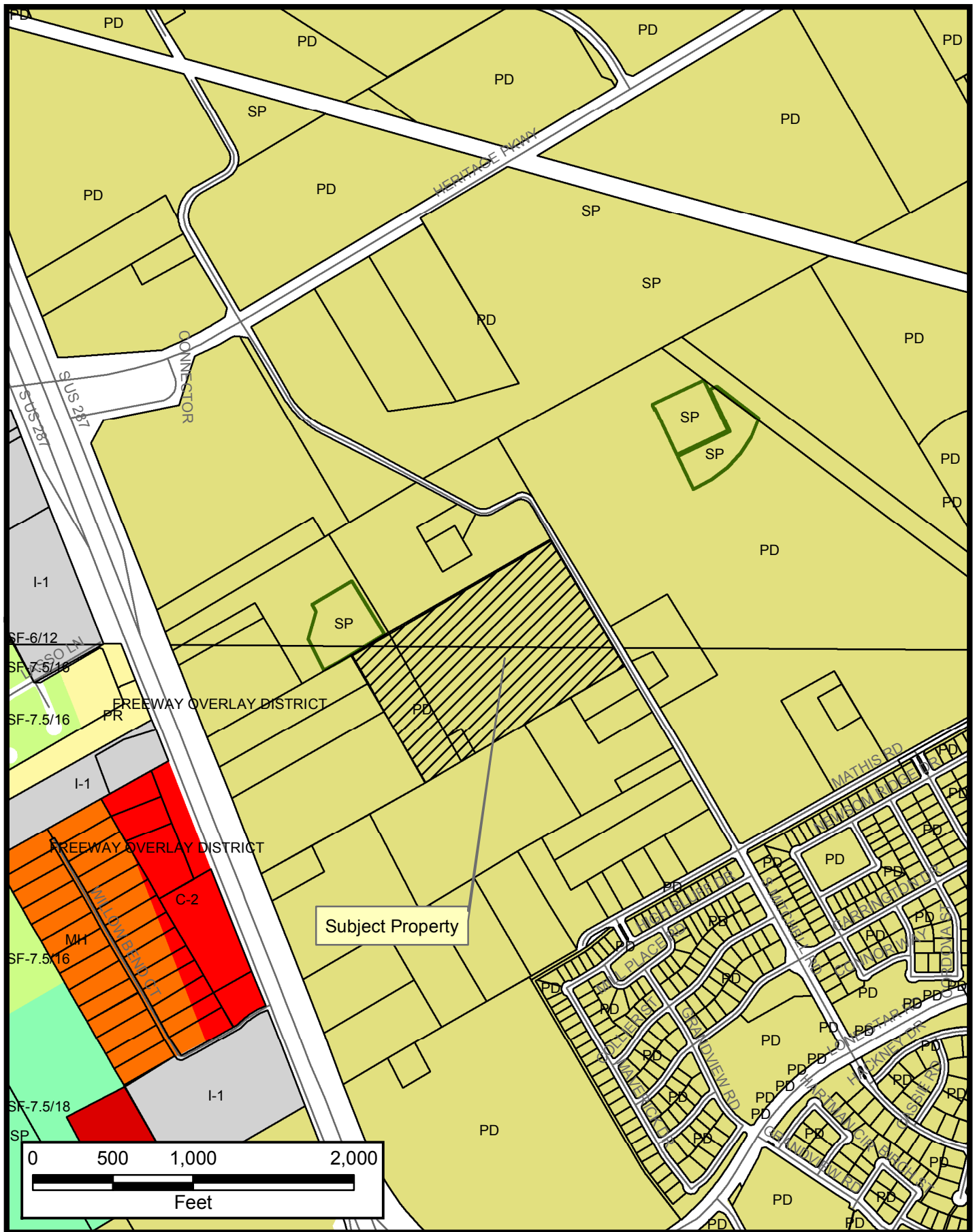
page 4 of 8



1. SOLDIER COURSE @ TOP OF WALL (SEE ELEVATION)
2. STANDARD RUNNING BOND BRICK FACING W/ STANDARD MASONRY H-REINFORCING. BRICK SELECTION BY OWNER. REINFORCED W/ 1-NO. 9 GAUGE WIRE HORIZONTAL AT EACH COURSE. PROVIDE SLIGHT SLOPE @ TOP AS SHOWN TO FACILITATE DRAINAGE.
3. COMPACTED SUBGRADE TO 95% OF AASHTO T-99 DENSITY.
4. STANDARD 16" WIDE BRICK SUPPORT @ 12' OR 10' O.C.
5. BOTTOM COURSE WITH WEAP OPENINGS
6. CONCRETE MOW-STRIP W/ (2) #4 BARS CONTINUOUS, 8" O.C. MIN.
7. 1" SAND SETTING BED.
8. 12" PIER x DEPTH TO 8" MIN. BELOW EXISTING GRADE @ 12' O.C. MAX. (O.C. TO MATCH COLUMNS & BRICK SUPPORTS)
9. COLUMN CAP
10. 3"x3"x1/2" GALVANIZED ANGLE IRON
11. 4" OPENING







Property Owner Notification for ZC#19-012

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
A MOORE ADDITION	BLK 1	SMITHEY REBECCA GAIL	4828 BRYCE AVE	FORT WORTH, TX	76107-4145
A MOORE ADDITION	BLK 1	SMITHEY REBECCA GAIL	4828 BRYCE AVE	FORT WORTH, TX	76107-4145
A MOORE ADDITION	BLK 1	SMITHEY REBECCA GAIL	4828 BRYCE AVE	FORT WORTH, TX	76107-4145
A MOORE ADDITION	BLK 1	R J CARROLL PROPERTIES NO 1 LT	1341 U S HWY 287 SOUTH	MANSFIELD, TX	76063
D DELAY	TR 8	LIVING CHURCH	2271 MATLOCK RD	MANSFIELD, TX	76063
D DELAY	TR 9	HAVENS BOBBY F ETUX MARY A	874 ONE MILE LN	RIESEL, TX	76682-2725
DELAY, DANIEL SURVEY	A 421	LIVING CHURCH	2271 MATLOCK RD	MANSFIELD, TX	76063-3856
DELAY, DANIEL SURVEY	A 421	HAVENS, BOBBY FLOYD	874 ONE MILE LN	RIESEL, TX	76682
MITCHELL, SAMUEL SURVEY	A 1024	SOWELL RESERVE ASSOC LP	1601 ELM ST STE 3500	DALLAS, TX	75201
MITCHELL, SAMUEL SURVEY	A 1024	LIVING CHURCH	2271 MATLOCK RD	MANSFIELD, TX	76063-3856
MITCHELL, SAMUEL SURVEY	A 1024	LIVING CHURCH	2271 MATLOCK RD	MANSFIELD, TX	76063-3856
MITCHELL, SAMUEL SURVEY	A 1024	HAVENS, BOBBY FLOYD	874 ONE MILE LN	RIESEL, TX	76682
MITCHELL, SAMUEL SURVEY	A 1024	LIVING CHURCH	2271 MATLOCK RD	MANSFIELD, TX	76063-3856
MITCHELL, SAMUEL SURVEY	A 1024	SOWELL RESERVE ASSOC LP	1601 ELM ST STE 3500	DALLAS, TX	75201
S MITCHELL	TR 1	HAVENS BOBBY F ETUX MARY A	874 ONE MILE LN	RIESEL, TX	76682-2725
S MITCHELL	TR 1 PT	HAVENS BOBBY F ETUX MARY A	874 ONE MILE LN	RIESEL, TX	76682-2725
S MITCHELL	TR 13 PT	SOWELL RESERVE ASSOCIATES LP	1601 ELM ST STE 3500	DALLAS, TX	75201-4703
S MITCHELL	TR 13B	SOWELL RESERVE ASSOCIATES LP	1601 ELM ST STE 3500	DALLAS, TX	75201-4703
S MITCHELL	TR 4, 4A	RAY L R & TOMMIE A RAY TRUST	214 CEDAR ST	MANSFIELD, TX	76063
THE RANCH	BLK 1	RODRIGUEZ MARIO O ETUX MARIA G	940 S MITCHELL	MANSFIELD, TX	76063
THE RANCH	BLK 1	SCHNEBERGER PAUL O	960 S MITCHELL RD	MANSFIELD, TX	76063



Skorburg Company
8214 Westchester, Ste 710
Dallas, TX 75224
Phone: 214/522-4945
Fax: 214/522-7244

SENT VIA ELECTRONIC MAIL

November 4, 2019

City of Mansfield
1200 E. Broad St.
Mansfield, TX 76063

Dear City of Mansfield,

Please accept this letter as a written request to table the 1st Reading of the Mitchell Farms zoning case (ZC#19-012) to 11/25. This will allow us more time to make changes to address the outstanding staff comments, particularly regarding the roadway alignment study.

Cordially,

Skorburg Retail Corporation
8214 Westchester, Ste 710
Dallas, TX 75225

By: 
John Arnold



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3350

Agenda Date: 11/11/2019

Version: 1

Status: First Reading

In Control: City Council

File Type: Ordinance

Agenda Number:

Title

Ordinance - Public Hearing and First Reading of an Ordinance Changing the Speed Limits and the School Zone on Main Street from North of Pleasant Ridge Drive to Heritage Parkway (FM 917)

Requested Action

Consider adoption of the Ordinance changing the speed limits on Main Street and removing the school zone.

Recommendation

The Public Works Staff recommends approval of the Ordinance

Description/History

At the request of Council the Public Works Department is bringing forward an Ordinance to reduce the existing speed limits on North and South Main Street. As part of this ordinance the existing school zone on North Main Street at Pleasant Ridge Drive will be removed.

The requested changes to Chapter 73 of the Traffic Code of Mansfield are as follows:

- Reduce the speed limit on North Main Street from 45 MPH to 35 MPH starting at a point 500 feet north of Pleasant Ridge Drive to a point 1,350 feet south of Pleasant Ridge Drive.
- Reduce the speed limit on North and South Main Street from 45 MPH and 35 MPH to 30 MPH starting at a point 1,350 feet south of Pleasant Ridge Drive to Hunt Street.
- Reduce the speed limit on South Main Street from 50 MPH to 45 MPH starting at Hunt Street to Heritage Parkway (FM 917).
- Remove the school zone on North Main Street from a point 470 feet south of its intersection with Pleasant Ridge Drive to a point 530 feet north of its intersection with Pleasant Ridge Drive.

The existing school zone on North Main Street is posted for 35 MPH, the proposed speed limit in that section of roadway is proposed to be 35 MPH. The new posted speed limit will eliminate the need for the school zone. After conversations with MISD Police; in lieu of the school zone they have requested a 35 MPH electronic warning sign be installed in the southbound direction to alert drivers of their speed and the posted speed. This electric sign will take the place of the school flasher.

Justification

The reduced speed limits are more appropriate for the improved roadway sections of North and South Main Street and are anticipated to help enhance pedestrian safety. The removal of the

130

school zone will not impact child safety due to the signalized pedestrian crossing at the intersection of South Main Street/Pleasant Ridge Drive and the proposed speed limit being equal to the current school zone speed.

The proposed change is supported by the MISD and Mansfield Police Departments.
The Public Works Director will be in attendance at the meeting to answer Council's questions.

Funding Source

N/A

Prepared By

David Boski, P.E.
Assistant Director of Public Works - Transportation
817-276-4208

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 73, OF THE TRAFFIC CODE OF ORDINANCES, CITY OF MANSFIELD, TEXAS, PURSUANT TO SECTION 545.356 OF THE TEXAS TRANSPORTATION CODE CONCERNING THE AUTHORITY TO ALTER SPEED LIMITS ON SPECIFIC STREETS AND HIGHWAYS BEING AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF SECTION 545.356 OF THE TEXAS TRANSPORTATION CODE, REGULATING SPEED LIMITS ON HIGHWAYS AND ROADWAYS, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION WITHIN THE CORPORATE LIMITS OF THE CITY OF MANSFIELD AS SET OUT IN THE ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION OF AN EFFECTIVE DATE; AND PROVIDING A PENALTY.

WHEREAS, Section 545.356, Texas Transportation Code, provide that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway, with the City taking into consideration the width and condition of the pavement and other circumstances on such portion of said street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway.

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

SECTION 1.

THAT, upon the basis of an engineering and traffic investigation having been made for the highway(s) referenced in Section 2 below as authorized by the provisions of section 545.356 of the Texas Transportation Code, the prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe.

SECTION 2.

THAT, Chapter 73 of the Code of Ordinances, City of Mansfield shall be amended as per the attached Exhibit "A" which is hereby included as part of this ordinance.

SECTION 3.

This ordinance shall and does amend and/or repeal every prior Ordinance or rule or

regulation or policy in conflict herewith, but as to all other Ordinances or rules or regulations or policies or sections of Ordinances or rules or regulations or policies not in conflict herewith, this Ordinance shall be and is hereby made cumulative.

SECTION 4.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared void, ineffective, or unconstitutional by the valid judgment or final decree of a court of competent jurisdiction, such voiding, ineffectiveness, or unconstitutionality shall not effect any of the remaining phrases, clauses, sentences, paragraphs and sections hereof, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5.

Any person, firm, or corporation violating any of the provisions of this ordinance or the Code of Ordinances, as amended hereby, shall be deemed guilty of a misdemeanor and, upon the conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Hundred Dollars (\$200.00) 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 be effective from and after its adoption and publication as required by law.

First reading approved on the ____ day of _____, 2019.

Second reading approved on the ____ day of _____, 2019.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this ____ day of _____, 2019.

ATTEST:

APPROVED:

Susana Marin, City Secretary

David Cook, Mayor

Exhibit "A"

Speed Limits

Street Prefix	Street	Location -Limits	Speed Limit (MPH)
	Airport Drive	South 2nd Avenue to South 6th Avenue	40
East	Broad Street	U.S. Hwy 287 to Main Street	40
East	Broad Street	U.S. Hwy 287 to East City Limits	45
West	Broad Street	Main Street to 400 feet west of N. 4th Ave.	35
West	Broad Street	400 feet west of N. 4th Ave to West City Limits	40
	Business U.S. 287 (Main Street)	MP 14.962 (North City Limits) south 2.638 miles to MP 17.600 (approx. 200' south of Turtle Hill Trail)	50
	Business U.S. 287 (Main Street)	MP 17.600 (approx. 200' south of Turtle Hill Trail) south to Main Street	45
	Business U.S. 287 (Main Street)	MP 0.000 (Johnson County Line) south 1.900 miles to MP 1.900 (US 287)	50
	Cannon Drive	In its entirety	40
	Cardinal Road	In its entirety	35
	Commerce Drive	In its entirety	35
	Country Club Drive	In its entirety	40
North	Day Miar Road	East Broad Street to Seeton Road	40
	Debbie Lane	In its entirety	45
	F.M. 1187	Mile post 28.292 (Mansfield West City Limits) east 0.181 miles to Mile post 28.473 (eastbound lane only in City Limits)	45
	F.M. 1187	Mile post 28.473 east 1.169 miles to Mile post 29.642 (Business 287)	45
	F.M. 157	MP 23.811 (North City Limits) south 0.812 miles to MP 24.623 (Approx. 550' south of Hogpen Branch)	50
	F.M. 157	MP 24.623 (Approx. 550' south of Hogpen Branch) south 1.718 miles to MP 26.341 (Business Hwy 287 intersection)	45

	F.M. 917	Business U.S. Hwy 287 (Main Street) south to Southern City Limits	55
	Heritage Parkway	Business U.S. Hwy 287 (Main Street) to SH 360	45
	Heritage Parkway South	SH 360 to National Parkway	45
	Gertie Barrett Road	F.M 1187 to Turner Warnell	35
	Grand Meadow Boulevard	N. Holland Road to N. Day Miar Road	35
North	Holland Road	SH 360 to Yellow Rose Trail	45
South	Holland Road	Yellow Rose Trail to National Parkway	45
South	Holland Road	National Parkway to Britton Road	40
	Hummingbird Lane	In its entirety	20
	Justice Lane	In its entirety	35
	Live Oak Drive	In its entirety	20
North	Main Street	Mouser Way (Business U.S. Hwy 287) to 500 feet north of its intersection with Pleasant Ridge Drive	45
North	Main Street	From a point 500 feet north of its intersection with Pleasant Ridge Drive to a point 1,350 feet south of Pleasant Ridge Drive	35
North & South	Main Street	From a point 1,350 feet south of Pleasant Ridge Drive to Hunt Street	30
South	Main Street	Hunt Street to Heritage Parkway (FM 917)	45
	Mansfield Webb Road	Matlock Road to East City Limits	40
	Matlock Road	In its entirety	45
	Meadowlark Drive	In its entirety	20
	Mockingbird Court	In its entirety	20
	Mockingbird Drive	In its entirety	20

	Mouser Way	House Road to U.S. Hwy 287 SB Frontage Road	40
	National Parkway	In its entirety	40
	Oriole Drive	In its entirety	20
	Ragland Road	Matlock Road to East City Limits	40
	Regency Parkway	East Broad Street to Heritage Parkway	40
East	Seeton Road	Seeton Road (Grand Prairie) to National Parkway	40
	Seeton Road	National Parkway to Ashbury Lane	45
	Seeton Road	Ashbury Lane to S. Holland Road	40
	SH 360 Frontage Roads	Mile Post 23.284 (North City Limit) south 2.894 miles to Mile Post 26.178 (County Line)	50
	SH 360 Frontage Roads	Mile Post 0.000 (County Line) south 1.819 miles to Mile Post 1.819 (US 287)	50
	Skylark Drive	In its entirety	20
	US Hwy 287	North City Limits to Johnson County Line	70
	US Hwy 287	Johnson County Line to South City Limits	65
	US Hwy 287 Frontage Roads	North City Limits to South City Limits	40
North	Walnut Creek Drive	East Broad Street to North City Limits	40
South	Walnut Creek Drive	East Broad Street to East Dallas Street	35
South	Wisteria Street	E. Dallas Street to Heritage Parkway	40
South	6th Avenue	W. Broad Street to Easy Drive	40

For all other streets within the corporate limits of the city, the lawful maximum prima facie reasonable and prudent speed limit on the streets shall be 30 mph

Exhibit "A"

School Zones

Street Prefix	Street	Location -Limits	Times	Speed Limit (MPH)
East	Broad Street	A point 152 feet west of its intersection with Hillcrest Street to a point 362 feet west of its intersection with Willow Street	When flashing	20
East	Broad Street	A point 904 feet east of its intersection with Miller Road to a point 2180 feet east of its intersection with Miller Road	When flashing	20
East	Broad Street	A point 90 feet east of its intersection with Miller Road to a point 850 feet east of its intersection with Miller Road	When flashing	20
East	Broad Street	A point 420 feet east of Volk Lane to a point 200 feet west of Day Miar Road	When flashing	20
	Business U.S. 287 (Main Street)	Mile Post 16.727 south 0.190 miles to mile post 16.917	When flashing	35
	Business U.S. 287 (Main Street)	Mile Post 0.437 south 0.400 miles to Mile Post 0.837	When flashing	35
	Cannon Drive	A point 55 feet west of its intersection with Walnut Bend Drive to a point 440 feet east of its intersection with Carlin Road	When flashing	20
	Cardinal Road	A point 150 feet south of Hidden Oaks Drive to a point 200 feet north of Hidden Oaks Drive	When flashing	20
	Cardinal Road	A point 300 feet south of Legacy Way to a point 175 feet north of Legacy Way	When flashing	20
	Clover Hill Road	A point 200 feet north of its intersection with Almond Drive to a point 740 feet north of its intersection with Almond Drive	8:00 a.m. - 9:00 a.m. and 3:45 p.m. - 4:30 p.m.	20
	Concord Drive	Intersection with County Club Drive to a point 750 feet north	7:15 a.m. - 8:15 a.m. and 3:00 p.m. - 4:00 p.m.	20
	Country Club Drive	A point 585 feet west of its intersection with Highland Drive to a point 165 feet east of its intersection with Hilton Drive	When flashing	20
	Cutting Horse Drive	A point 110 feet south of its intersection with Remington Ranch Road to point 130 north of Star Grass Drive	7:15 a.m. - 8:15 a.m. and 3:00 p.m. - 4:00 p.m.	20
North	Day Miar Road	A point 200 feet south of its intersection with E. Broad Street to a point 250 feet south of its intersection of Meseta Drive	When flashing	20
North	Day Miar Road (E. Seeton Road)	A point 460 feet north of the northern Lake Ridge High School driveway to a point 245 feet south of the southern Lake Ridge High School driveway	When flashing	20
East	Debbie Lane	A point 350 feet east of Walnut Creek Drive to a point 310 feet west of Walnut Creek Drive	When flashing	20
West	Debbie Lane	A point 250 feet west of the west Ben Barber drive approach to a point 540 feet east of the east Ben Barber drive approach	When flashing	35
	F.M. 1187	Mile Post 28.922 east 0.320 miles to MP 29.242	When flashing	35
	F.M. 1187	Mile Post 29.349 east 0.234 miles to MP 29.583	When flashing	35

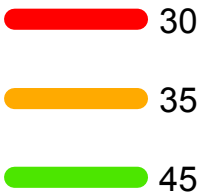
	Gertie Barrett Road	A point 50 feet south of its intersection with Nelson Wyatt Road to a point 1,150 north of its intersection with Nelson Wyatt Road	When flashing	20
	Highland Drive	Intersection with County Club Drive to a point 800 feet north	7:15 a.m. - 8:15 a.m. and 3:00 p.m. - 4:00 p.m.	20
	Hillcrest Street	A point 145 feet north of its intersection with East Dallas Street to its intersection with East Broad Street	6:45 a.m. - 7:15 a.m. and 2:30 p.m. - 3:00 p.m.	20
North	Holland Road	A point 100 feet north of Waterford Glen Drive to a point 800 feet south of Waterford Glen Drive	When flashing	20
South	Holland Road	A point 376 feet south of National Parkway to a point 258 feet south of Fox Meadows	When flashing	20
	Killian Drive	A point 150 feet east of Wood River Parkway to a point 150 feet north of Nelson Wyatt Road	When flashing	20
	Legacy Way	A point 68 feet east of Cardinal Road to a point 65 feet west of North Main Street (Business 287)	When flashing	20
	Magnolia Street	A point 123 feet east of its intersection with Laurel Street to a point 929 feet east of its intersection with Walnut Creek Drive	When flashing	20
North	Miller Road	A point 460 feet north of its intersection with East Broad Street to a point 1,015 feet north of its intersection with East Broad Street	When flashing	20
North	Miller Road	A point 86 feet south of its intersection with East Broad Street to a point 100 feet north of 100 north of Scenic Glen Drive	When flashing	20
	Pleasant Ridge Drive	A point 95 feet east of its intersection with US Business 287 (Main Street) to a point 200 feet east of its intersection with Nightingale Circle	When flashing	20
North	Walnut Creek Drive	A point 190 feet north of Rocky Creek Drive to a point 920 feet south of Rocky Creek Drive and from a point 190 feet north of Misty Mesa Trail to a point 920 feet south of Misty Mesa Trail	When flashing	20
North	Walnut Creek Drive	A point 105 feet south of its intersection with Aspen Lane to a point 660 feet south of its intersection with Debbie Lane	When flashing	20
	Waterford Glen Drive	Intersection with N. Holland Road to a point 200 feet east of its intersection with High Point Lane	7:15 a.m. - 8:15 a.m. and 3:00 p.m. - 4:00 p.m.	20
	Wood River Parkway	A point 350 feet south of Meriwether Street to a point 100 feet south of Killian Drive	When flashing	20

MAIN STREET SPEED LIMIT CHANGE

N

REMOVE
SCHOOL
ZONE

SPEED LIMITS



0 500 1,000 2,000 Feet



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3328

Agenda Date: 11/11/2019

Version: 2

Status: Second Reading

In Control: City Council

File Type: Ordinance

Agenda Number:

Title

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Change of Zoning from 2F, Two-Family Residential District and SF-7.5/12, Single-Family Residential District to PD Planned Development District for Two-Family Residential Uses on Approximately 0.25 Acres Being a Portion of Block 26, Original Town of Mansfield, Located at 203 W. Kimball Street; Sheri Bumgardner of SSB Designs on behalf of David Cook of Altar Holdings, LLC (ZC#19-016)

Requested Action

To consider the subject zoning change request.

Recommendation

The Planning and Zoning Commission held a public hearing on October 7, 2019, and voted 7 - 0 to recommend approval as presented. No changes have been made to the plans.

Description/History

The subject property consists of 0.25 acres located on the south side of Kimball Street, west of 1st Street and east of 2nd Street. The property is currently improved with a single-family home. The applicant is requesting to re-zone the property from 2F Two-Family Residential District and SF-7.5/12 Single-Family Residential District to PD Planned Development District for two-family residential uses.

Development Plan

The applicant plans to remove the existing single-family home and redevelop the property for two-family residential uses (a duplex). A duplex would ordinarily be permitted by the existing 2F zoning, but the applicant is making a PD application to allow deviations to some of the typical lot dimension and setback requirements. The two residences will be attached by a common wall and will be separately platted lots, with the lot line running along this common wall. The applicant plans the following minimum lot standards:

Minimum Lot Area: 3,750 sq. ft.

Minimum Floor Area: 2,000 sq. ft. per dwelling

Maximum Lot Coverage: 60%

Minimum Lot Width: 40'

Minimum Lot Depth: 105'

Minimum Front Setback: 20' to garage; 10' to covered porch

Minimum Rear Setback: 15'

Minimum Side Setback, Interior: 5' & 10'

Maximum Height: 35'

The development will provide for two off-street parking spaces in each garage, plus two spaces in the driveway of each dwelling unit.

Architecture

The applicant has provided architectural standards that propose façade cladding of at least 70% wood or cementitious fiber materials. The minimum roof pitch will be a mix of 4:12 and 8:12 as indicated on the provided roof plan; roof shingles must be three-dimensional architectural shingles. To enhance and provide interest to the front elevations, it is specified that they shall include porches with a minimum depth of 7', minimum area of 70 sq. ft., and 6" x 6" columns. In addition, since the garages will be front facing and situated side-by-side in the center of the structure, the doors will include windows, a metal shed roof, and brackets to provide further enhancement to the front elevation. In addition, the concrete driveways will include salt finishes. Furthermore, windows seen from the street are required to be wood, look like wood, or be wood with vinyl or aluminum cladding. The applicant has provided elevations that depict two-story residences with stone bases and the required design elements.

Landscaping

The applicant's landscaping standards specify two new or existing trees per lot with a minimum caliper size of 3.5". At least one tree must be in the front yard of each dwelling. The development plan and tree survey specify the preservation of two existing hackberry and two existing bois d' arc trees in the rear of the properties, one pecan tree in one of the side yards, and one pine tree in one of the front yards. An existing crepe myrtle tree will be removed and a new crepe myrtle tree will be planted in the other front yard. In addition, the standards specify that at least 50% of the foundation facing the street shall be planted with shrubs and flower beds.

Summary

The proposed development will provide for the development of two attached residences (a duplex) in downtown Mansfield. Staff notes that the proposed development is compatible with the existing 2F zoning that comprises the vast majority of the property (which has been in place since at least the 1980s) and also with the surrounding neighborhood, which includes a mix of detached and attached residences, as well as some higher densities. The Official Land Use Plan also encourages higher densities as infill projects with appropriate buffers from existing single-family homes. In addition, the proposed design standards are compatible with the existing architecture in the area, which includes predominantly non-masonry construction and the use of Craftsman-style products and architecture. The applicant has endeavored to provide for adequate setbacks and buffers from surrounding properties and enhancements to the front building elevations, including a 1' offset of the garages, front covered porches, wood or wood-like window frames, garage door design enhancements, three-dimensional shingles, salt driveway finishes, and front foundation plantings. The development will also preserve six existing trees and replace another.

Second Reading

The City Council held a public hearing and first reading on October 28, 2019 and voted 4-0-2 (Mayor Cook and Mayor Pro Tem Short abstaining; Broseh absent) to approve as presented. One of the councilmembers asked that the hackberry and bois d'arc trees be replaced with something more attractive and long lasting. The applicant has not made any changes to their plans and wishes to proceed with the preservation of these existing trees.

Prepared By

Lisa Sudbury, AICP
Interim Director of Planning
8917-276-4227

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 TWO-FAMILY 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 the Comprehensive Zoning Ordinance, 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 Comprehensive Zoning Ordinance and Map should be amended;

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

SECTION 1.

That the Comprehensive Zoning Ordinance of the 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; 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 plan shown on Exhibits "B – C" 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.

SECTION 4.

That the above described properties shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance 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 Comprehensive Zoning Ordinance as a whole.

SECTION 6.

Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive 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 7.

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

First reading approved on the _____ day of _____, 2019.

Second reading approved on the _____ day of _____, 2019.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this _____ day of _____, 2019.

David L. Cook, Mayor

ATTEST: _____
Susana Marin, City Secretary

APPROVED AS TO FORM AND LEGALITY

Allen Taylor, City Attorney

EXHIBIT A FOR ZC#19-016

Being a portion out of Block 26, of the Original Town of Mansfield, Tarrant County, Texas, according to the Plat thereof recorded in Volume 63, Page 53, Plat Records, Tarrant County, Texas, same being that tract of land conveyed to Shirley Gidley Supplemental Needs Trust, Nancy Cardinale, Trustee, by deed recorded in Instrument No. D215197256, Official Public Records, Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for corner, said corner being the Northwest corner of that tract of land conveyed to William E. Harris and spouse, Mary Ann Harris, by deed recorded in Instrument No. D201108581, Official Public Records, Tarrant County, Texas, and being along the South line of W. Kimball Street (50 foot right-of-way);

THENCE South 05 degrees 05 minutes 21 seconds West, along the West line of said Harris tract, passing at a distance of 60d nail found on-line for reference, continuing along a total distance of 88.00 feet to a 3/4 inch iron pipe found for corner, said corner being the Southwest corner of said Harris tract, and being along a North line of that tract of land conveyed to William Earl Harris and Mary Ann Harris, a married couple, by deed recorded in Instrument No. D219038177, Official Public Records, Tarrant County, Texas;

THENCE North 84 degrees 54 minutes 39 seconds West, along a North line of said Harris tract, a distance of 20.00 feet to a point for corner, said corner being an "ell" corner of said Harris tract, from which a fence post found for witness bears South 64 degrees 57 minutes 10 seconds West, a distance of 1.58 feet;

THENCE South 05 degrees 05 minutes 21 seconds West, along a West line of said Harris tract, a distance of 18.00 feet to a point for corner, from which a fence post found for witness bears South 66 degrees 15 minutes 13 seconds West, a distance of 1.68 feet;

THENCE North 84 degrees 54 minutes 39 seconds West, along a North line of said Harris tract, a distance of 52.00 feet to a point for corner, said corner being an "ell" corner of said Harris tract, from which a fence post found for witness bears South 00 degrees 41 minutes 06 seconds West, a distance of 1.89 feet;

THENCE South 05 degrees 05 minutes 21 seconds West, along a West line of said Harris tract, a distance of 47.01 feet to a point for corner, said corner being a Southwest corner of said Harris tract, and being along the North line of that tract of land conveyed to Ben Hartman, by deed recorded in Instrument No. D218115266, Official Public Records, Tarrant County, Texas;

THENCE North 86 degrees 45 minutes 19 seconds West, along the North line of said Hartman tract, a distance of 24.08 feet to a 1/2 inch iron rod found for corner, said corner being a Southeast corner of that tract of land conveyed to Jennifer Leigh Wilson, by deed recorded in Instrument No. D218277804, Official Public Records, Tarrant County, Texas;

THENCE North 04 degrees 44 minutes 24 seconds East, along the East line of said Wilson tract, a distance of 153.79 feet to a 1/2 inch iron rod set with a yellow cap stamped "CBG Surveying" for corner, said corner being the Northeast corner of said Wilson tract, and being along the South line of said W. Kimball Street;

THENCE South 84 degrees 54 minutes 39 seconds East, along said South line of said W. Kimball Street, a distance of 97.00 feet to the POINT OF BEGINNING and containing 11,035 square feet or 0.25 acres of land.



PLANNED DEVELOPMENT REGULATIONS

PERMITTED USE:

TWO (2) SINGLE FAMILY ATTACHED DWELLINGS

AREA AND HEIGHT REGULATIONS:

- MINIMUM LOT AREA - 3,750 S.F.
- MINIMUM FLOOR AREA - 2,000 S.F. PER DWELLING
- MAXIMUM LOT COVERAGE - 60%
- MINIMUM LOT WIDTH - 40'
- MINIMUM LOT DEPTH - 105 FT.
- MINIMUM FRONT SETBACK TO GARAGE - 20 FT. TO GARAGE; 10 FT. TO COVERED PORCH
- MINIMUM REAR SETBACK - 15 FT.
- MINIMUM SIDE SETBACK, INTERIOR - 5 FT., 10 FT.
- MAXIMUM HEIGHT - 35 FT.

OFF-STREET PARKING:

- 2 SPACES IN GARAGE PLUS 2 SPACES ON DRIVEWAY PER DWELLING

LANDSCAPE AND SCREENING:

- TWO NEW OR EXISTING TREES PER LOT WITH A MINIMUM CALIPER SIZE OF 3.5 INCHES. AT LEAST ONE -TREE MUST BE IN THE FRONT YARD OF EACH DWELLING
- AT LEAST 50% OF THE FOUNDATION FACING THE STREETS MUST BE PLANTED WITH SHRUBS AND FLOWER BEDS
- LAWNS AND LANDSCAPING MUST BE IRRIGATED WITH AN IRRIGATION SYSTEM

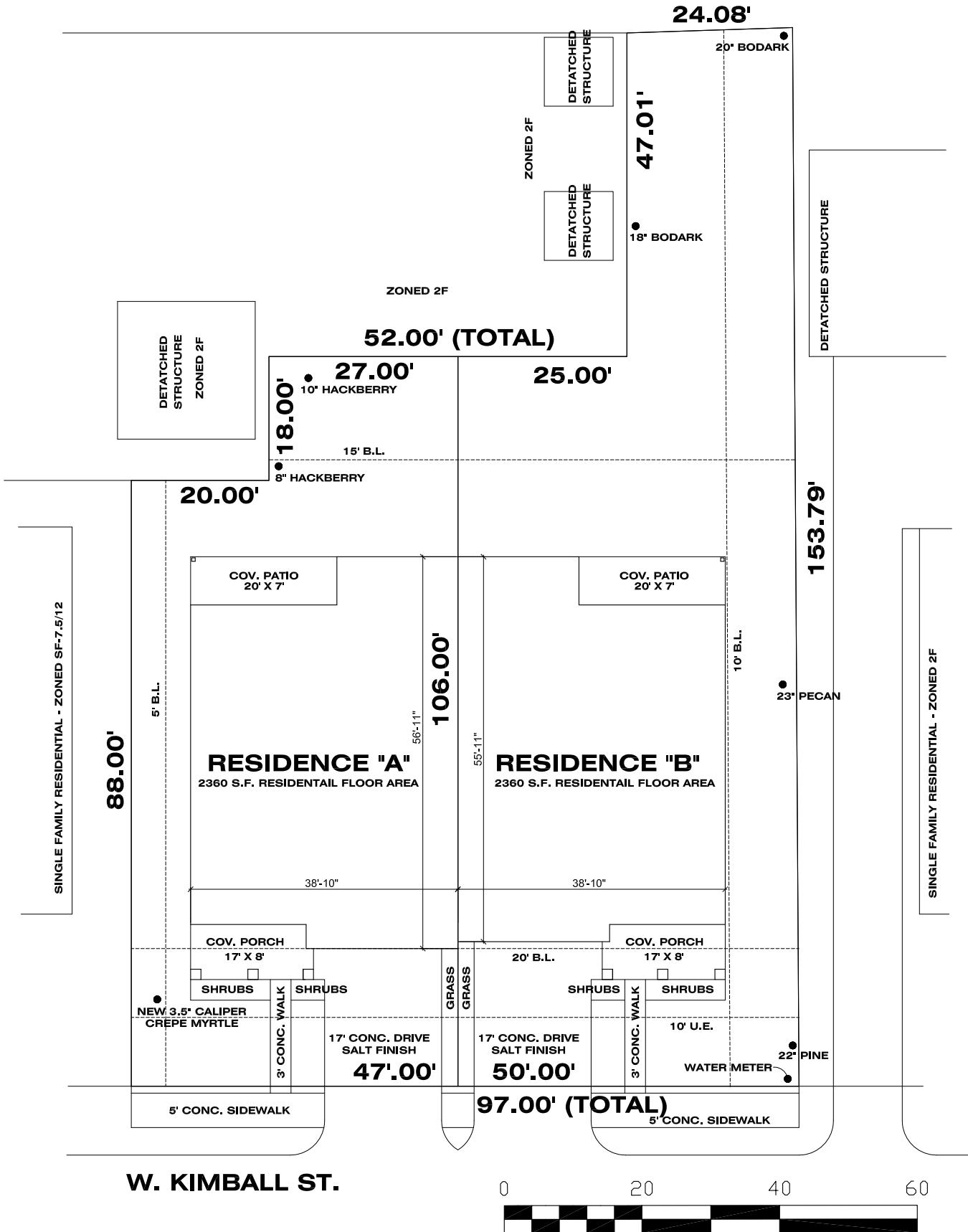
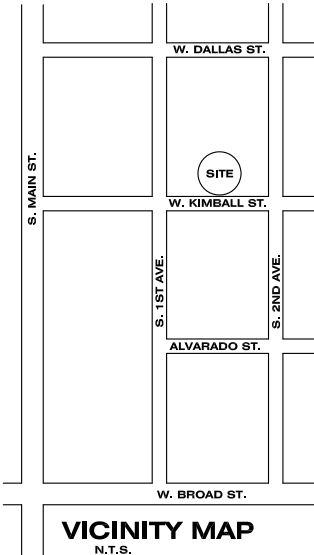
ARCHITECTURAL STANDARDS:

- FRONT BUILDING ELEVATION MUST INCLUDE A PORCH WITH A MINIMUM DIMENSIONS OF 7 FT. DEPTH, 70 S.F. AND 6'X6' COLUMNS
- WINDOWS SEEN FROM THE STREET ARE REQUIRED TO BE WOOD, LOOK LIKE WOOD, OR BE WOOD WITH VINYL OR ALUMINUM CLADDING
- ROOF SHINGLES MUST BE THREE DIMENSIONAL ARCHITECTURAL SHINGLES
- ROOF PITCH TO BE A MIXTURE OF 8:12 AND 4:12 AS SHOWN ON EXHIBIT 'C'
- FACADE CLADDING MUST BE AT LEAST 70% WOOD OR CEMENTITIOUS FIBER MATERIALS
- WINDOWS, METAL SHED ROOF AND BRACKETS WILL BE PROVIDED AS GARAGE DOOR DESIGN ELEMENTS
- A GRASSY MEDIAN AND SALT FINISH WILL PROVIDE DRIVEWAY DESIGN ELEMENTS

COMPLIANCE WITH PD REGULATIONS:

THE PROPOSED DEVELOPMENT WILL BE IN COMPLETE ACCORDANCE WITH THE PROVISIONS OF THE APPROVED PLANNED DEVELOPMENT DISTRICT AND THAT ALL DEVELOPMENT PLANS RECORDED HEREUNDER SHALL BE BINDING UPON THE APPLICANT THEREOF, HIS SUCCESSORS AND ASSIGNS, AND SHALL LIMIT AND CONTROL ALL BUILDING PERMITS.

BASED ZONING DISTRICT: 2F, TWO FAMILY RESIDENTIAL DISTRICT





DESIGNS, INC.

900 N. WALNUT CREEK DR.
SUITE 100-PMB 366
MANSFIELD, TX 76063
PH: (817)300-7052
FAX: (817)477-3397

DEVELOPMENT PLAN

PROJ: 203 W. KIMBALL ST.

DATE: 9-17-19

REVISIONS:

ZONING CASE NO.:

ZC#19-016

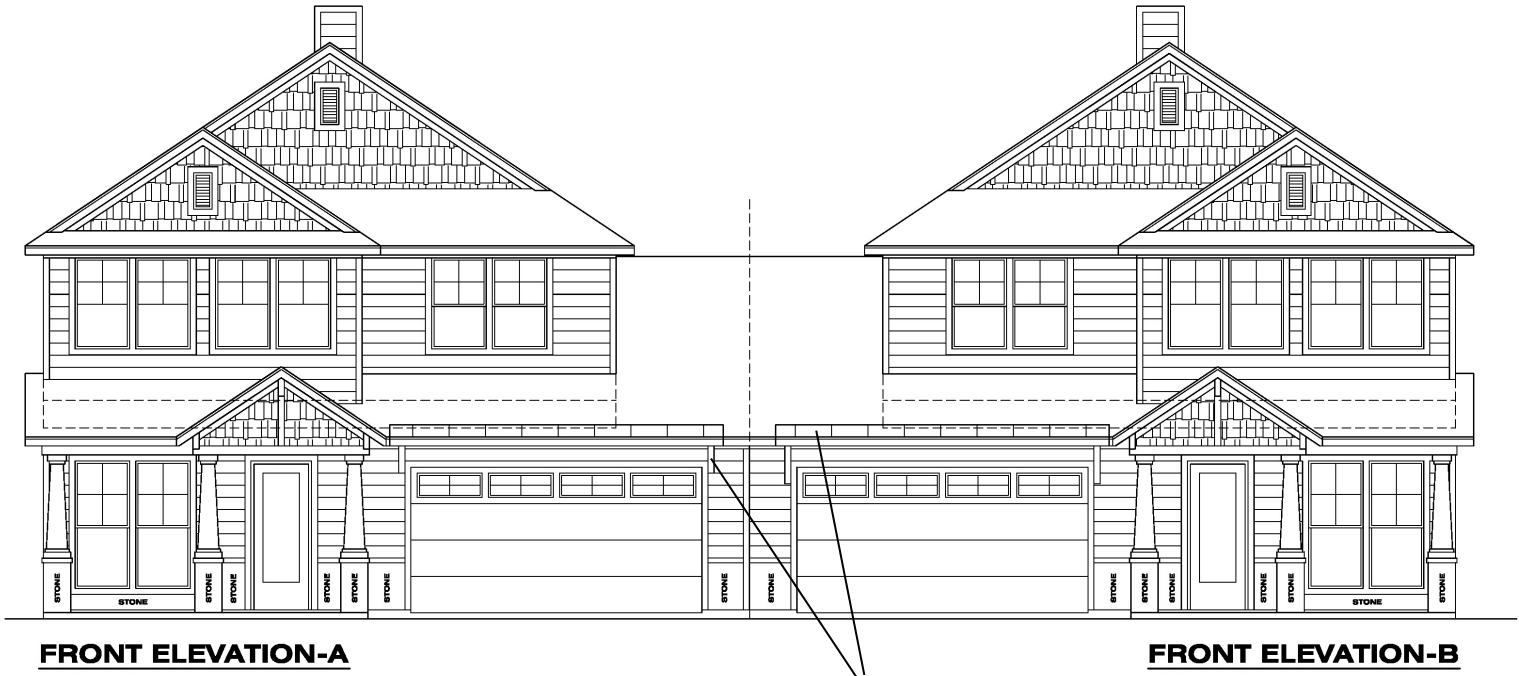
EXHIBIT B
PAGE 1 OF 1



SITE PLAN
SCALE: 1"=20'

203 W. KIMBALL ST.
ORIG. TOWN OF MANS.
MANSFIELD, TX.
.25 ACRES

OWNER:
ALTAR HOLDINGS, LLC
309 E. BROAD ST.
MANSFIELD, TX 76063
817-473-3333



FRONT ELEVATION-A

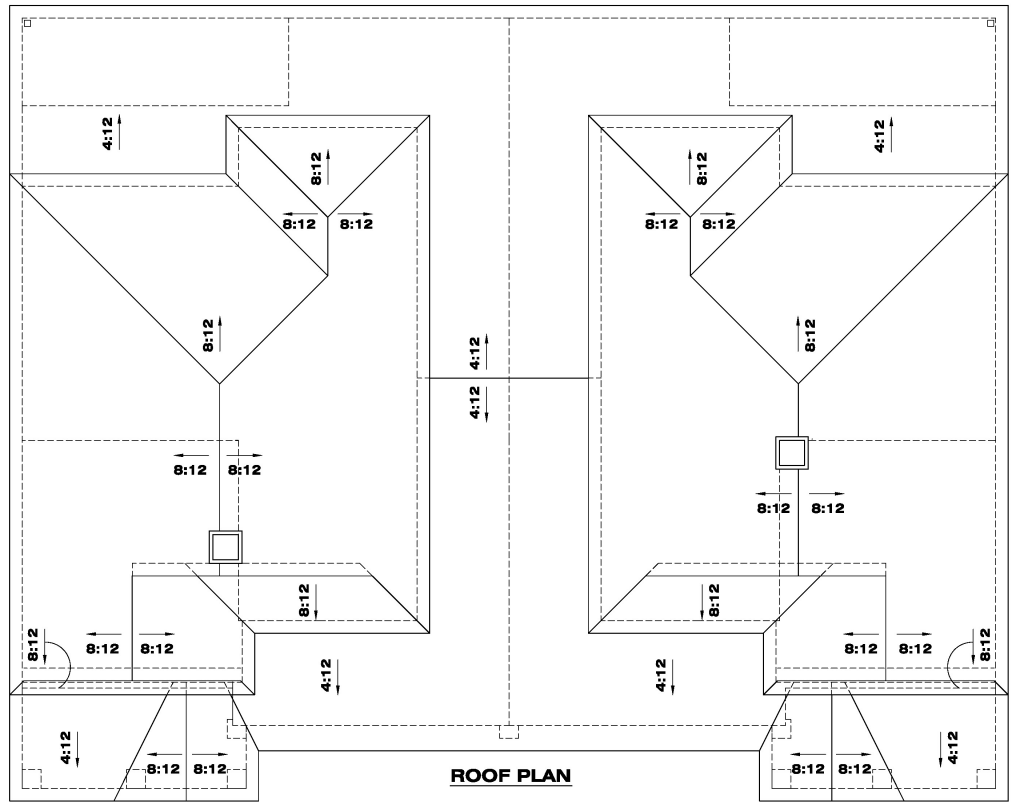
FRONT ELEVATION-B

Metal shed roof and brackets
over both garage doors

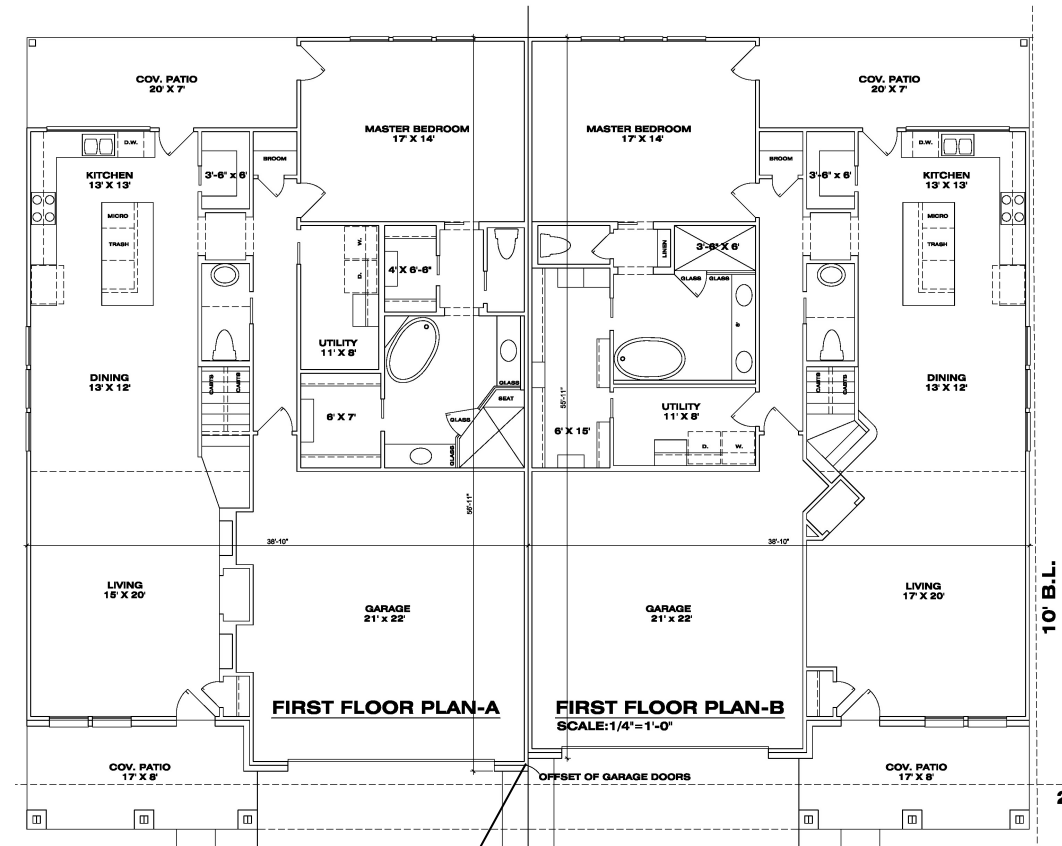


REAR ELEVATION-B

REAR ELEVATION-A



ROOF PLAN



FIRST FLOOR PLAN-A

FIRST FLOOR PLAN-B
SCALE: 1/4"=1'-0"

Offset of
garage doors

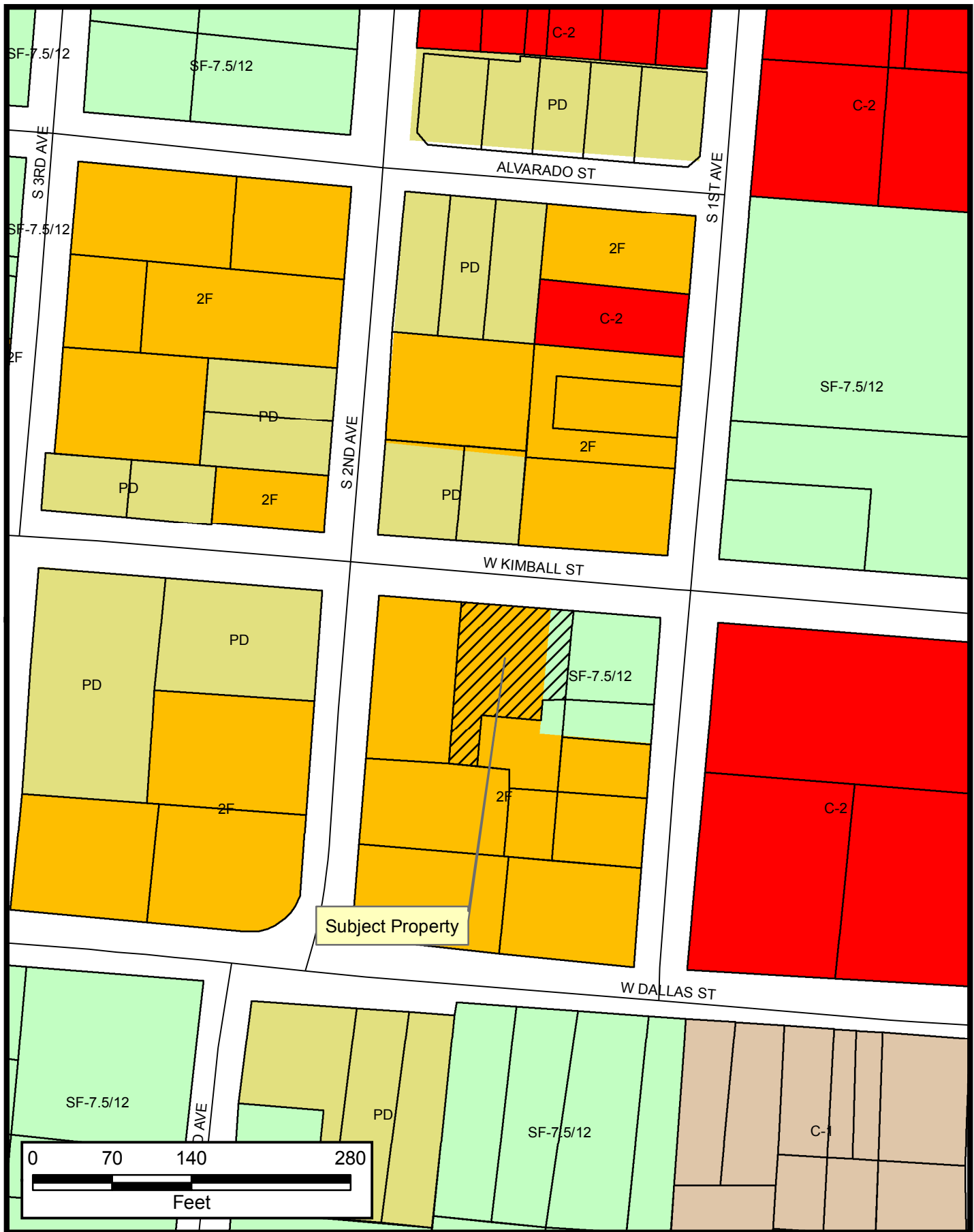


LEFT ELEVATION



RIGHT ELEVATION





Property Owner Notification for ZC#19-016

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
MANSFIELD, CITY OF	BLK 24	PARRISH, DONNA	3201 CRYSTAL LAKE DR	GRANBURY, TX	76049
MANSFIELD, CITY OF	BLK 24	ASHING, JOSEFINA	209 S 1ST AVE	MANSFIELD, TX	76063-1903
MANSFIELD, CITY OF	BLK 25	MAGNOLIA BUSINESS ENTERPRISES	914 AMANDA DR	MANSFIELD, TX	76063-3407
MANSFIELD, CITY OF	BLK 25	MAGNOLIA BUSINESS ENTERPRISES	914 AMANDA DR	MANSFIELD, TX	76063-3407
MANSFIELD, CITY OF	BLK 26	WILSON, JENNIFER L	205 W KIMBALL ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 26	GIDLEY SHIRLEY SUPPLEMENTAL NEEDS TRUST	5 VELVET CT	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 26	HARRIS, WILLIAM E & MARY A	201 W KIMBALL ST	MANSFIELD, TX	76063-1953
MANSFIELD, CITY OF	BLK 26	HARRIS, WILLIAM E & MARY A	201 W KIMBALL ST	MANSFIELD, TX	76063-1953
MANSFIELD, CITY OF	BLK 26	HARTMAN, BEN	500 ALVARADO ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 26	OWENS, JAMES C & CINDA	24 LAKEVIEW TERR	WEATHERFORD, TX	76087-7748
MANSFIELD, CITY OF	BLK 26	RAMIREZ, BENITO	210 W DALLAS ST	MANSFIELD, TX	76063-1942
MANSFIELD, CITY OF	BLK 26	COBLE, PAUL S & JILL E	4790 FIREWOOD DR	BURLESON, TX	76028-3642
MANSFIELD, CITY OF	BLK 26	HARRIS, WILLIAM E & MARY A	201 W KIMBALL ST	MANSFIELD, TX	76063-1953
MANSFIELD, CITY OF	BLK 26	HARRIS, WILLIAM E & MARY A	201 W KIMBALL ST	MANSFIELD, TX	76063-1953
MANSFIELD, CITY OF	BLK 26	OWENS, JAMES C & CINDA	24 LAKEVIEW TERR	WEATHERFORD, TX	76087-7748
MANSFIELD, CITY OF	BLK 27	SOTO, ROSA & ANASTACIO	205 S 2ND AVE	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 27	PINYAN, DANNY	204 S 1ST AVE	MANSFIELD, TX	76063-1904
MANSFIELD, CITY OF	BLK 27	PHILLIPS, EDDIE & MCKAY-SWANSON, MARY E	200 W KIMBALL ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 27	PINYAN, DANNY	204 S 1ST AVE	MANSFIELD, TX	76063-1904

Property Owner Notification for ZC#19-016

LEGAL DESC 1	LEGAL DESC 2	OWNER NAME	OWNER ADDRESS	CITY	ZIP
MANSFIELD, CITY OF	BLK 27	DALLEY, LINDSEY & HAYDEN JOSEPH	204 W KIMBALL ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 27	MUELLER, GARY L & CINDY A	206 W KIMBALL ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 30	HARRIS COOK PROPERTIES	309 E BROAD	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 30	FARRINGTON, JASON & ALEXIS S	206 S 2ND AVE	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 30	ANCHORA PROPERTIES LLC	309 E BROAD ST	MANSFIELD, TX	76063
MANSFIELD, CITY OF	BLK 31	AVANTE PROCUREMENT LLC	3792 JOE WILSON RD	MIDLOTHIAN, TX	76065
MANSFIELD, CITY OF	BLK 31	JOHNSON, CHRISTOPHER	11713 COUNTY ROAD 528	MANSFIELD, TX	76063-7050
MANSFIELD, CITY OF	BLK 31	ANCHORA PROPERTIES LLC	309 E BROAD ST	MANSFIELD, TX	76063



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3342

Agenda Date: 11/11/2019

Version: 1

Status: New Business

In Control: City Council

File Type: Consideration Item

Title

Discussion Regarding Establishment of a Corridor Within the City of Mansfield Where Electric Delivery Lines are Required to be Buried by the Developer if Oncor Electric Delivery Will Not

Requested Action

Council discussion.

Recommendation

Defer to Council.

Description/History

Council Member Newsom requested this item be placed on the agenda for discussion.

Support was received from Mayor Pro Tem Julie Short and Council Members Casey Lewis, Mike Leyman, Larry Broseh, and Terry Moore.

Justification

N/A

Funding Source

N/A

Prepared By

Susana Marin, TRMC, City Secretary



CITY OF MANSFIELD

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

STAFF REPORT

File Number: 19-3345

Agenda Date: 11/11/2019

Version: 1

Status: New Business

In Control: City Council

File Type: Discussion Item

Agenda Number:

Title

Consideration and Possible Action to Suspend the Procedural Rules of Council and Reschedule the Regular Scheduled City Council Meeting of December 23, 2019 to December 9, 2019

Requested Action

Consider the suspension of the Procedural Rules of Council as set out in Section 1.02 "General Rules", J "Suspension of Rules" and reschedule the regular scheduled Council meeting of December 23, 2019 to December 9, 2019.

Recommendation

Suspend the Procedural Rules of Council and reschedule the December 23, 2019 regular scheduled meeting to December 9, 2019.

Description/History

The second regular meeting in December 2019 will during the holiday season.

Justification

The December 24, 2018 Regular City Council meeting will fall on a holiday.

Traditionally, the Council has voted to combine its two December meetings into one meeting in order to accommodate the holiday schedules and vacation of Council and staff.

Funding Source

N/A

Prepared By

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

- G. City Attorney: The City Attorney shall attend all meetings of the Council unless excused, by the City Manager and shall advise the Council on questions of law and procedures. The City Manager is required to ensure an attorney is present at all Council meetings.
- H. City Secretary: The City Secretary (or in City Secretary's absence the Assistant City Secretary) shall attend all meetings of the Council unless excused, by the City Manager who will ensure a person is appointed to take minutes and administer the role of the City Secretary) and shall keep the official minutes.
- I. Rules of Order: Unless in conflict with these rules, the latest version, Robert's Rules of Order Revised shall govern the proceedings of the Council in all cases.
- J. Suspension of Rules: Any provision of these rules not governed by the City Charter or State law may be temporarily suspended by a majority vote (four) of all members of the Council. The vote on any such suspension shall be taken and entered upon the records. If there is an objection to suspending the rules, a vote is required to proceed.
- K. Amendments to Rules: These rules may be permanently amended, or new rules may be adopted by a majority vote (four) of all members of the Council. Any such amendments shall be adopted and recorded by resolution.

Section 1.03 Meetings

- A. Regular Meetings: The Council shall meet regularly on the second and fourth Monday of each month. The regular meetings of the Council shall be held in the Council Chambers of the City Hall unless otherwise established by Council. (*Amended 06-09-08*)
- B. Special Meetings: Special meetings may be held on the call of the Mayor or four (4) Council Members with no less than seventy-two (72) hours notice to each Council Member. Emergency meetings may be called by the Mayor or Mayor Pro Tem in the Mayor's absence, or four (4) members, after notice has been posted two (2) hours. All meetings shall be open to the public and public notice shall be given in compliance with Chapter 551, Texas Government Code.
- C. Recessed Meetings: Any meeting of the Council may be recessed to a later time, provided that no recess shall be for a longer period than until the next regular scheduled meeting.
- D. Work Sessions: Work sessions may be held on the call of the Mayor or four (4) Council Members with no less than seventy-two (72) hours notice to each Council Member. The purpose is to research, analyze, and review any matter which requires special information and study. Such meetings shall be open to the public and notice thereof shall be given in compliance with Chapter 551, Texas Government Code.
- E. Executive Sessions: Participants to open and close executive sessions are limited strictly to Council Members, the City Manager, Assistant City Managers, Director of Business Services, and the City Attorneys. No other staff members, attorneys, board/committee members or individuals are allowed. At the request of Council, City Manager or City Attorney, individual(s) may be requested to attend to address or receive instruction for a specific executive session agenda item. That individual(s) is dismissed from executive session prior to addressing the next agenda item.



CITY OF MANSFIELD

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mansfieldtexas.gov

STAFF REPORT

File Number: 19-3360

Agenda Date: 11/11/2019

Version: 1

Status: New Business

In Control: City Council

File Type: Discussion Item

Agenda Number:

Title

Discussion and Possible Action Regarding a Minor Modification of the South Pointe Planned Development

Requested Action

Defer to City Council.

Recommendation

Defer to City Council.

Description/History

The Developer is requesting a minor modification to the South Pointe PD regarding 1100 Knoll Crest Dr, Lot 5, Block 1, Phase One B, gated section.

Justification

Funding Source

N/A

Prepared By

Joe Smolinski, Deputy City Manager
817-728-3601

North

1100 KNOLL CREST DRIVE

Block 1 Lot 5

Mansfield, Texas 76063

DATE

OCTOBER 2019

SHEET TITLE

SITE PLAN

Scale

INDICATES

Sheet No.

1

of 8

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION/DESIGN INFORMATION NECESSARY TO COMPLETE THIS STRUCTURE. ALL PORTIONS OF THE WORK, INCLUDING PLUMBING, MECHANICAL AND ELECTRICAL SHALL BE PERFORMED IN FULL COMPLIANCE WITH ALL APPLICABLE CITY, COUNTY, STATE AND NATIONAL CODES. BUILDER RESERVES THE RIGHT TO MODIFY THESE PLANS AS REQUIRED. LOCAL CODES, ORDINANCES AND RESTRICTIONS WILL APPLY SHOULD A DISCREPANCY OCCUR BETWEEN THE PLANS AND LOCAL REQUIREMENTS. METHODS OF CONSTRUCTION AND ELECTION OF MATERIALS AND ASSEMBLIES SHALL BE THE CONTRACTOR'S RESPONSIBILITY.

SITE PLAN

SCALE: 1" = 10'-0"

GENERAL NOTES

1. ALL WORK MUST BE DONE ACCORDING TO MANUFACTURER'S SPECIFICATIONS & INSTRUCTIONS.
2. ALL WORK MUST BE DONE ACCORDING TO ALL CONCERNED CODE & REGULATIONS.
3. A STRUCTURAL ENGINEER MUST BE CONSULTED FOR ALL CONSTRUCTION DETAILS.
4. CONTRACTOR TO PROVIDE VENT BUILDING EXHAUSTION AND DRAINING DETAILS.
5. VENT CLEARANCES ARE REQUIRED FOR ALL EQUIPMENT.
6. BEFORE PROCEEDING WITH ANY WORK, OR ORDERING ANY MATERIALS, THE CONTRACTOR MUST OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND LOCAL AUTHORITIES TO AVOID DISCREPANCIES BETWEEN THE PLANS AND THE BUILDING SITE.

LANDSCAPE LEGEND

Symbol	Item	Quantity
○	Tree	1
●	Shrub	2
○	Grass	1
○	Grass	1

SITE PLAN INFORMATION

Item	Value
LOT SIZE	27,644 S.F.
BUILDING AREA	4,979 S.F.
PERCENT LOT COVERED	18.0%

WALKWAY DETAIL

5'-0" WALKWAY
REBAR
CONCRETE
CUSHION SAND