**CITY OF GRAND PRAIRIE**
# CITY COUNCIL MEETING
**CITY HALL - COUNCIL CHAMBERS, 300 W. MAIN STREET**
**TUESDAY, FEBRUARY 02, 2021 AT 4:30 PM**

# AGENDA

*The meeting will be held at City Hall Council Chambers, 300 W. Main St, Grand Prairie, Texas. Some or all of the council members may participate via video conference.*

## CALL TO ORDER

## STAFF PRESENTATIONS

1. COVID-19 Update – Presented by Deputy City Manager Steve Dye

2. General Obligation Bond Election Presentation – Presented by Deputy City Manager Cheryl DeLeon

## AGENDA REVIEW

## EXECUTIVE SESSION

*The City Council may conduct a closed session pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., to discuss any of the following:*

*(1) Section 551.071 "Consultation with Attorney"*
*(2) Section 551.072 "Deliberation Regarding Real Property"*
*(3) Section 551.074 "Personnel Matters" - City Manager's Contract*
*(4) Section 551.087 "Deliberations Regarding Economic Development Negotiations."*

## RECESS MEETING

## RECONVENE MEETING – 6:30 PM

**Invocation: Walter Shumac, Transportation Department Director**

**Pledge of Allegiance to the US Flag and to the Texas Flag led by Council Member Jeff Copeland**

## PRESENTATIONS

3. Certificate of Appreciation to Mayor Ron Jensen and City Council in Celebration of the Community and of Catholic Schools Week – Presented by Immaculate Conception School

4. Grand Prairie ISD Career and Technical Education Month Proclamation – Presented by Mayor Ron Jensen

5. Recognition of Teresa Coomes, Police Department Administrative Services Division Manager, for 40 years of Service – Presented by Deputy City Manager Steve Dye and Police Chief Daniel Scesney

**CONSENT AGENDA**

*The full agenda has been posted on the city's website, www.gptx.org, for those who may want to view this agenda in more detail. Citizens may speak for five minutes on any item on the agenda by completing and submitting a speaker card.*

6. Minutes of the January 5, 2021, and January 19, 2021, City Council Meetings

7. Purchase of one (1) rescue hazmat truck from Siddons-Martin of Denton, using the Buy Board price agreement at a total cost of $1,199,742.11 after discounts from chassis prepayment discount, 100% prepayment discount, contract discount totaling $44,911.00

8. COVID-19 Vaccination Hub Site Agreements (effective date on January 26, 2021): Interlocal Agreement with the City of Irving for Vaccination Administration; Theater at Grand Prairie Use Agreement; Equipment Loan Agreement with University of Texas at Dallas

9. Ratification of Agreement with Grand Prairie United Charities for Texas Emergency Rental Assistance Program Grant Funding in the Amount of $363,210.74 for rental assistance to eligible applicants in Grand Prairie

10. Identify the properties located at 734 Ft. Worth, 103 SW 5th, and 151 W. 5th as suitable sites for the location, relocation or expansion of a business within the City

11. Price Agreement for 150 12-gauge less lethal shotguns from Kiesler Police Supply, in the amount of $60,162.00

12. Lease Amendment with CNP 6 Real Estate, LLC to incorporate new exhibits

13. Lease Amendment with MS GP, LLC to incorporate new exhibits and revise Section 3.2

14. Ratification of Lease Amendment with Loop 9 BBQ, LLC to incorporate new exhibits and change certain deadlines

15. Price Agreement for Audio, Visual, and Lighting (AVL) services from Mike Milligan (up to $50,000.00 annually). This agreement will be for one year with the option to renew for nine (9) additional one year periods totaling $500,000.00 if all extensions are exercised. Award a secondary to Tye Cunningham (up to $50,000.00 annually) to be used only if the primary is unable to fulfill the needs of the department. Authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to $50,000 or 25% of the original maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms

16. Change Order/Amendment No. 6 with Hill & Wilkinson General Contractors for City Hall Municipal Campus Phase Two construction work in the amount of $95,129.45 for masonic stone installation, added paint work, millwork relocation, mailroom relocation, glazing

treatment, electrical upgrades required by code, punch list work resolution, security room enhancements and project closeout scope of work required to finalize phase 2 work

17. Ordinance Amending Chapter 17, "Offenses and Miscellaneous Provision" of the Grand Prairie Code of Ordinances with the addition of Article VI " Grand Prairie Filming Guidelines"

18. Ordinance Calling the May 1, 2021, General Election

19. Ordinance of the City of Grand Prairie, Texas, amending Ordinance 10741-2019 to define the number of authorized positions within the Fire Department in each classification beginning February 15, 2021

20. Resolution authorizing the City Manager to execute a master inter-local purchasing agreement between the City of Grand Prairie and the Town of Trophy Club Texas

21. Resolution to Rename the Parks, Arts, & Recreation Administration Building to “Rick Herold Administration Building”

22. Resolution to Name the Prairie Lakes Tournament Pavilion, “Jerry V Debo III Pavilion at Prairie Lakes”

23. Resolution authorizing the City Manager to apply for a STEP Commercial Vehicle Enforcement grant from the TxDOT, Texas Department of Transportation, to conduct commercial motor vehicle enforcement in the amount of $58,717.19

24. Resolution for the City Manager to submit an application for FY 2021 Emergency Management Performance Grant (EMPG) and accept grant award from the Texas Department of Public Safety/Texas Division of Emergency Management, in an anticipated amount of $50,000

25. Resolution authorizing the City Manager to accept a Selective Traffic Enforcement (STEP) grant from the Texas Department of Transportation (TxDOT) for the enforcement of safety belt, child safety seat, speed, intersection traffic control, distracted driving and DWI laws in the amount of $309,849.57

26. Resolution of support of Parkside on Carrier Tax Credit Senior Housing Development

**PLANNING AND ZONING ITEMS TO BE TABLED**

27. Z201202/CP201201 - Zoning Change/Concept Plan - The Lofts at Grand Prairie (City Council District 4). Zoning Change and Concept Plan to rezone 26.3 acres from A to a Planned Development District for Multi-Family Use. Tract 6A A 43 TRS 6A & 6A01 & 6B, James C. Armstrong Survey, Abstract No. 43, City of Grand Prairie, Tarrant County, Texas, zoned A, and addressed as 931 N Day Miar Rd. (On January 11, 2021, the Planning and Zoning Commission recommended denial of this request by a vote of 7-1. The applicant has filed an appeal requesting that this item be forwarded to City Council for consideration on February 16, 2021.)

28. SU150803C - Specific Use Permit Review - Three Bears Tire Commercial Truck Parking at 3223 E. Main St. (City Council District 5). Review of a Specific Use Permit for Continuance or Revocation (SUP-972A) for a Commercial Truck Parking Lot. Lot 7, Block 1, Allbritton

Associates Addition, City of Grand Prairie, Dallas County, Texas, zoned LI, within Central Business District No. 4, and addressed as 3223 E Main St

**PLANNING AND ZONING FOR INDIVIDUAL CONSIDERATION**

29. S210101 - Site Plan - Lake Ridge Townhomes (City Council District 4). Site Plan for a single family townhome development with 92 units on 13.5 acres. Tracts 1 and 1A, William Linn Survey, Abstract No. 926, City of Grand Prairie, Dallas County and Tarrant County, Texas, zoned PD-384A, within the Lake Ridge Corridor Overlay District, and generally located west of Lake Ridge Pkwy and south of Hanger Lowe Rd

**PUBLIC HEARING ZONING APPLICATIONS**

30. MTP201201 – Master Thoroughfare Plan Amendment – Westchester Pkwy and Westcliff Rd (Council District 6). Amendments to the Master Thoroughfare Plan to reclassify the segment of Westchester Pkwy extending east from Dechman to the City Limits from a P4D to a M4U and to reclassify the segment of Westcliff Rd extending from the I-20 EB Frontage Road to E Bardin Rd from a M3U to a M4U

31. Z210102/CP210102 - Zoning Change/Concept Plan – The Royalton at Grand Prairie Phase 2 (City Council District 2). Zoning Change and Concept Plan for a 204-unit multi-family development on 9.2 acres. Tract 2.1, Frederick Dohme Survey, Abstract No. 395, City of Grand Prairie, Dallas County, Texas, zoned PD-294, within the SH-161 and IH-20 Corridor Overlay Districts, located at the southwest corner of SH 161 and Forum Dr, and addressed as 1705 S Forum Drive

**ITEMS FOR INDIVIDUAL CONSIDERATION**

32. Ordinance Calling a Bond Election for $75,000,000 the Purpose of Providing Funds for Economic Development Throughout the City

**CITIZEN COMMENTS**

*Citizens may speak during Citizen Comments for up to five minutes on any item not on the agenda by completing and submitting a speaker card.*

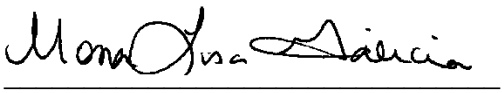
**ADJOURNMENT**

**LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE**

It is the custom and tradition of the members of the City Council to have an invocation followed by recitals of the United States of America and State of Texas pledges of allegiance prior to the beginning of its meetings. The invocation and pledges are directed to and offered solely for the benefit of the members of the Council, though members of the audience are welcome to participate. However, members of the audience are not required to participate. The decision to participate is strictly a matter of personal choice and will have no bearing on any matter considered or decision made by the Council during the meeting.

*Certification*

*In accordance with Chapter 551, Subchapter C of the Government Code, V.T.C.A, the City Council agenda was prepared and posted January 29, 2021.*



*Mona Lisa Galicia, City Secretary*

*The Grand Prairie City Hall is accessible to people with disabilities. If you need assistance in participating in this meeting due to a disability as defined under the ADA, please call 972 237 8018 or email Mona Lisa Galicia (mgalicia@gptx.org) at least three (3) business days prior to the scheduled meeting to request an accommodation.*

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 02/02/2021

**REQUESTER:** Mona Lisa Galicia

**PRESENTER:** Steve Dye, Deputy City Manager

**TITLE:** COVID-19 Update – Presented by Deputy City Manager Steve Dye

**RECOMMENDED ACTION:** None

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 01/19/2021

**REQUESTER:** Becky Brooks, CFO

**PRESENTER:** Cheryl DeLeon, Deputy City Manager

**TITLE:** General Obligation Bond Election Presentation – Presented by Deputy City Manager Cheryl DeLeon

**RECOMMENDED ACTION:**

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 02/27/2021

**REQUESTER:** Mona Lisa Galicia, City Secretary

**PRESENTER:**

**TITLE:** Certificate of Appreciation to Mayor Ron Jensen and City Council in Celebration of the Community and of Catholic Schools Week – Presented by Immaculate Conception School

**RECOMMENDED ACTION:**

**ANALYSIS:**

**FINANCIAL CONSIDERATION:**

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 02/02/2021

**REQUESTER:**

**PRESENTER:**

**TITLE:** Grand Prairie ISD Career and Technical Education Month Proclamation – Presented by Mayor Ron Jensen

**RECOMMENDED ACTION:**

**ANALYSIS:**

**FINANCIAL CONSIDERATION:**

***WHEREAS:*** ***February 1-28, 2021, has been designated Career and Technical Education Month® by the Association for Career and Technical Education; and***

***WHEREAS:*** ***career and technical education offers students the opportunity to gain the academic, technical and employability skills necessary for true career readiness***

***WHEREAS: career and technical education provides students with career exploration opportunities earlier in their educational experience, which enables them to make informed and beneficial decisions about their academic coursework and pursue established programs of study and career pathways; and***

***WHEREAS:*** ***career and technical education prepares students for these and other fulfilling careers by offering integrated programs of study that link secondary and postsecondary education and lead to the attainment of industry-recognized credentials; and***

***WHEREAS:*** ***ensuring that employers have access to a qualified workforce is a crucial step in ensuring productivity among the business and industry communities as well as continued American economic growth and global competitiveness; and***

***WHEREAS: The Smith-Hughes Act, the first act of Congress to provide funding for career and technical education, was signed into law 101 years ago and allows us to celebrate how far CTE has come to become a powerhouse of America's economy;***

***NOW THEREFORE, I Ron Jensen, Mayor of the City of Grand Prairie, on behalf of the City Council, do hereby proclaim February 2021 as***

## *Career and Technical Education Month*

***in the City of Grand Prairie and urge all citizens to become familiar with the services and benefits offered by the career and technical education programs in this community and to support and participate in these programs to enhance their individual skills and productivity.***

***WITNESS MY HAND AND THE SEAL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 2nd DAY OF FEBRUARY, 2021.***

***Ron Jensen***
***Mayor***

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 02/02/2021

**REQUESTER:** Steve Dye, Deputy City Manager

**PRESENTER:** Deputy City Manager Steve Dye and Police Chief Daniel Scesney

**TITLE:** Recognition of Teresa Coomes, Police Department Administrative Services Division Manager, for 40 years of Service – Presented by Deputy City Manager Steve Dye and Police Chief Daniel Scesney

**RECOMMENDED ACTION:**

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 01/19/2021

**REQUESTER:** Mona Lisa Galicia

**PRESENTER:** Mona Lisa Galicia, City Secretary

**TITLE:** Minutes of the January 5, 2021, and January 19, 2021, City Council Meetings

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**

**FINANCIAL CONSIDERATION:**

# City of Grand Prairie

City Hall
300 W. Main Street
Grand Prairie, Texas

## Minutes - Final

## City Council

**Tuesday, January 5, 2021** | **4:30 PM** | **City Hall - Council Chambers, 300 W. Main Street**

### Call to Order

*Mayor Jensen called the meeting to order at 4:47 p.m.*

**Present** 8 - Mayor Ron Jensen
Mayor Pro Tem Jorja Clemson
Deputy Mayor Pro Tem Jim Swafford
Council Member Mike Del Bosque
Council Member Greg Giessner
Council Member Cole Humphreys
Council Member John Lopez
Council Member Jeff Wooldridge

**Absent** 1 - Council Member Jeff Copeland

### Staff Presentations

**1** COVID Update - Presented by Steve Dye, Deputy City Manager/Chief Operating Officer

*Deputy City Manager Steve Dye reviewed the surge in COVID-19 numbers at the local, state and national level, hospitalization rates and information on vaccine distribution. Mr. Dye discussed the City of Grand Prairie employee vaccination process which is currently in the 1B stage. Council Member Humphreys asked whether the city is aware of availability of other type of vaccines. Mr. Dye advised he did yet have information about the Johnson and Johnson or other brands of vaccines. Mr. Dye provided an update on the emergency assistance program funding including the Texas Department of Housing and Community Affairs program.*

**Presented**

**2** Short Term Rentals - Presented by Steve Collins, Code Compliance Manager, and Mark Dempsey, Deputy City Attorney

**Postpone**

**3** Implementation of the "Text to 9-1-1" initiative (Next Generation 9-1-1 (NG911) digital technologies) - Presented by Aubry Insco

*Police Department Emergency Communications Manager Aubrey Insco presented information regarding the program which was implemented on November 3, 2020, and noted that it services the entire city. Ms. Insco advised voice calls to 9-1-1 are still preferred, but this tool is available for those who cannot communicate by voice. She informed Council that Rtt or Tdd communication requires certain equipment to be*

*established within the home, whereas Text to 9-1-1 gives another option. Ms. Insco said the option has been advertised on social media and will be sent out via public service announcement to the community. She also noted that Text 9-1-1 cannot receive emoji, video chat nor photos and that Google translation services would be utilized with the system. Ms. Insco added that technology and training was funded 100% through the Tarrant County 9-1-1 District. Ms. Insco reviewed 2019 Emergency Communications 9-1-1 Call Statistics.*

**Presented**

## Agenda Review

*Mayor Pro Tem Clemson noted items 6 through 29 are on Consent agenda and advised item 30 would be tabled to accept the applicant's request for withdrawal.*

*Mayor Jensen noted items 36 and 37 would be discussed and that he would be asking Mayor Pro Tem Clemson to nominate Council Member Del Bosque for Deputy Mayor Pro Tem and Council Member Wooldridge to the board of the Sports Facilities Development Corporation.*

## Executive Session

*Mayor Jensen convened a closed session at 5:26 p.m. pursuant to Section 551.071 "Consultation with Attorney" Cottages at Dechman, Section 551.072 "Deliberation Regarding Real Property" and Section 551.087 "Deliberations Regarding Economic Development Negotiations." Mayor Jensen adjourned the closed session at 6:20 p.m and recessed the meeting.*

## Recess Meeting

**Mayor Jensen reconvened the meeting at 6:31 p.m.**

## Invocation was given by Andrew Fortune, Assistant to the City Manager and the pledge of Allegiance to the US Flag and to the Texas Flag was led by Mayor Pro Tem Jorja Clemson.

## Presentations

**4** Proclamation in memory of Deputy Mayor Pro Tem Jim Swafford

*Mayor Jensen presented the Proclamation to Mr. Swafford's family, Ms. Renea Reckner and Mr. Robert Swafford.*

**Presented**

**5** Mayor's Comments in Memory of Janice England, former City First Lady

*Mayor Jensen shared comments while various photos of Janice England were shared with the public.*

**Presented**

# Consent Agenda

*Mayor Pro Tem Clemson moved to approve, seconded by Council Member Lopez, items six through twenty-nine on the consent agenda. The motion carried unanimously.*

**6** Minutes of the December 15, 2020, City Council meeting

**Approved on the Consent Agenda**

**7** Ratify a contract for vaccination services with TopCare Medical as an exigency purchase for a cost not to exceed $164,800

*Harold Willis at 538 Lindly asked for additional information about this item. Mr. Dye clarified it is a contract for city employees to receive COVID-19 vaccines. Mr. Willis expressed his concern for the lack of vaccines available to the public.*

**Approved on the Consent Agenda**

**8** Ratify Application for Texas Emergency Rental Assistance Program grant funding in the amount of $363,210.74 for the purpose of administering rental assistance to eligible applicants in Grand Prairie through a third party administrator; Authorize City Manager to accept grant if awarded

**Approved on the Consent Agenda**

**9** Price agreement for handicap ramp repairs, residential and school sidewalk repairs from New Star Grading at an annual cost of $1,893,300, with a secondary for HUB member, Axis Contracting, at an annual cost of $1,915,250, and a tertiary with Parking Lot Pros with an annual amount of $1,848,375. All agreements will be for one year with the option to renew for four additional one-year periods totaling $9,466,500 for New Star Grading, $9,576,250, with Axis Contracting and $9,241,875 with Parking Lot Pros, if all extensions are exercised; and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to $50,000 or 25% of the original maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal term(s).

**Approved on the Consent Agenda**

**10** Price Agreement for yard waste grinding from Thelin Recycling of Fort Worth, TX (up to $147,000 annually) for one year with the option to renew for four additional one-year periods totaling $735,000 if all extensions are exercised and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to $50,000 or 25% of the original maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City’s obligation during the renewal terms

**Approved on the Consent Agenda**

**11** Price agreement for tree and brush services from Shawnee Mission Tree Services, dba Arbor Masters (up to $150,000 annually) for one year with the option to renew for four additional one year periods totaling $750,000 if all extensions are exercised and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to $50,000 or 25% of the original maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms

**Approved on the Consent Agenda**

**12** Purchase of one (1) new Ram 5500 regular cab pickup with utility body from Grapevine Dodge Chrysler Jeep for a total of $76,550 through a national interlocal agreement with BuyBoard

**Approved on the Consent Agenda**

**13** Purchase of one (1) new E35 R-Series Bobcat Compact Excavator from Bobcat of North Texas for a total of $63,637.98 through a national interlocal agreement with BuyBoard

**Approved on the Consent Agenda**

**14** Contract with Arbor Masters Tree Service for tree services for one year in the amount of $75,000 in Westchester PID (Council District 6)

**Approved on the Consent Agenda**

**15** Contract with BrightView Landscapes, LLC for Landscape Maintenance for $215,295.30 in High Hawk PID (City Council District 6) for a one-year term

**Approved on the Consent Agenda**

**16** Contract with Bob Owens Electric Co. to add new electric service pedestals in the amount of $53,110 in Oak Hollow/Sheffield Village PID (Council Districts 4 and 6)

**Approved on the Consent Agenda**

**17** Contract with Lake Management Services, L.P. for Pond Management Services for one year in the amount of $142,400 in Peninsula PID (Council Districts 4 and 6)

**Approved on the Consent Agenda**

**18** Contract with LandWorks for Landscape Maintenance for $162,647 in Forum Estates PID (Council District 4)

**Approved on the Consent Agenda**

**19** Contract with LandCare for Landscape Maintenance for one year in the amount of $735,000 in Peninsula PID (Council Districts 4 and 6)

**Approved on the Consent Agenda**

**20** Contract with Brick & Stone Master for Brick Wall Construction in the Amount of $201,594 - High Hawk PID (Council District 6)

**Approved on the Consent Agenda**

**21** Westchester PID Contract with Site Landscape Development for landscape maintenance in the amount of $456,005 for a one year term (Council District 6)

**Approved on the Consent Agenda**

**22** Access agreement to Oncor Electric Delivery Company, LLC, (Oncor) for access across City-owned property located at 2001 Dogwood Court and 1901 Egyptian Way (Arbor Creek) for change out of electric poles located along SH 161 and Egyptian Way

**Approved on the Consent Agenda**

**23** Award bid for the completion of one residential reconstruction project as part of the HOME Reconstruct Program to Symone Construction Services, LLC in the amount of $129,928.68

**Approved on the Consent Agenda**

**24** Change Order/Amendment No.1 for Vision Communities Management for Westchester PID management services and miscellaneous repairs in the total amount of $50,000 (Council District 6)

**Approved on the Consent Agenda**

**25** Professional Services Agreement with Arnold & Associates Inc. for forensic building and mechanical systems investigation at Epic and Epic Waters in the amount not to exceed $116,140

*Harold Willis at 538 Lindly asked for additional information about this item. Deputy City Manager Cheryl DeLeon clarified this contract entails maintenance of mechanical systems and soil stabilization at the Epic and Epic Waters and advised it would be funded from the city's Risk Fund.*

**Approved on the Consent Agenda**

**26** Annual Agreement for Laserfiche Avante Records Management System maintenance services from MCCi, LLC through a national inter-local agreement with Buyboard at an estimated annual cost of $23,613.80 for one year with the option to renew for ----two additional one year periods totaling $70,841.40 if all extensions are exercised and authorize the City Manager to execute the renewal options so long as sufficient funding is appropriated by the City Council to satisfy

the City's obligation during the renewal terms

**Approved on the Consent Agenda**

**27** Ordinance ordering the special election to fill a vacancy in the office of Council Member District 2

**Adopted**

Enactment No: ORD 10952-2020

**28** Resolution declaring expectation to reimburse expenditures with proceeds of future debt in the amount of $48,500 for Professional Engineering Services contract with Criado and Associates for Dechman Drive from Westchester Parkway to Bardin Road; Authorize City Manager to enter into Professional Engineering Services Contract with Criado and Associates

**Adopted**

Enactment No: RES 5143-2020

**29** Resolution declaring expectation to reimburse expenditures with proceeds of future debt in the amount of $36,000 for Professional Engineering Services contract with Innovative Transportation Solutions, Inc. (up to $36,000 annually) for one year with the option to renew for four additional one-year periods, totaling $180,000 if all extensions are exercised; and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to $50,000 or 25% of the original maximum price so long as sufficient funds is appropriated by the City Council to satisfy the City's obligation during the renewal terms

**Adopted**

Enactment No: RES 5145-2020

## Planning and Zoning Items to be Tabled

**30** Z201201 - Zoning Change - Zoning Change at 1620 Vicky Lane (City Council District 6). A request to change the base zoning from Single Family-One Residential District (SF-1) to Commercial District (C) to allow for future commercial development at this location. Located at 1620 Vicky Lane, legally described as 1.49 acres out of Tract 36.1, W. H. Beeman Survey, Abstract 126, Page 11, City of Grand Prairie, Dallas County, Texas, zoned Single-Family One Residential District. This property is generally located south of Interstate 20 and west of Lake Ridge Parkway, within the Interstate 20 Corridor Overlay District. (On December 14, 2020, the Planning and Zoning Commission tabled this case by a vote of 8-0)

*Mayor Pro Tem Clemson moved, seconded by Mr. Wooldridge, to accept the*

*applicant's withdrawal and table this item. The motion carried unanimously.*

**Tabled**

## Public Hearing on Zoning Applications

**31** CP200801 - Concept Plan - Cottages at Dechman (City Council District 2). **Rescind prior action and reconsider Concept Plan for the Cottages at Dechman**, a multi-family development with a mixture of attached and detached units on 15.91 acres. Tract 2 of Leonidas O'Gwinn Survey, Abstract No. 1105, City of Grand Prairie, Dallas County, Texas, zoned PD-20, within the IH-20 Corridor Overlay District, and generally located at the northwest corner of Dechman Dr and the IH-20 frontage road. (On December 15, 2020, City Council's motion to approve failed by a vote of 4-4. On November 23, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 7-1).

*Planning Director Rashad Jackson presented revisions to the prior concept plan. Council Member Humphreys inquired about development of the space near the frontage road. Mr. Jackson advised it is public right of way and not developable. Applicant Phillip Thompson advised they have complied with recommendations of staff except for the garages. Mayor Jensen and Council Member Wooldridge thanked Mr. Thompson for working with staff on the changes. Council Member Lopez asked Mr. Thompson to keep in mind the safety of school children walking or waiting for school buses since there is a Harmony School nearby. Mr. Thompson agreed. Council Member Wooldridge moved to rescind his vote and prior action and moved, seconded by Council Member Del Bosque, to reconsider and accept the Concept Plan as presented this evening. The motion carried unanimously.*

**Approved**

**32** SU180504C - Specific Use Permit Renewal - 3025 Hardrock Rd (City Council District 1). Renewal of a Specific Use Permit for a Trucking and Storage Terminal Facility located at 3025 Hardrock Rd. Lot 3, Block A, Matt M. Lavail Addition, City of Grand Prairie, Dallas County, Texas, zoned LI, within the SH-161 Corridor Overlay District, and generally located north of W Oakdale Rd and east of Hardrock Rd. (On December 14, 2020, the Planning and Zoning Commission recommended approval to renew this SUP by a vote of 8-0).

*Chief Planner Savannah Ware presented the renewal of a Specific Use Permit for a trucking and storage terminal facility located at 3025 Hardrock Rd. Mayor Pro Tem Clemson thanked the applicant and moved, seconded by Council Member Lopez, to close the public hearing and approve this item as presented. The motion carried unanimously.*

**Adopted**

Enactment No: ORD 10953-2020

**33** SU191101A - Specific Use Permit Renewal - Kia Auto Sales (City Council

District 5). Renew a Specific Use Permit (SUP) for Internet Auto Sales and amend the SUP to add Major Auto Repair. Lot 446R of Burbank Gardens Unit 2, zoned Commercial (C), within the Central Business District No. 4, and addressed as 3118 E Main St. (On December 14, 2020, the Planning and Zoning Commission recommended approval to renew this SUP by a vote of 8-0).

*Chief Planner Savannah Ware presented Kia Auto Sales request to renew a Specific Use Permit (SUP) for Internet Auto Sales and to amend the Specific Use Permit to add major auto repair. Council Member Humphreys asked if all major auto repair must take place within the designated 1600 square foot space. Ms. Ware confirmed that it does. Council Member Humphreys asked where cars would be parked. Ms. Ware indicated on the map presented; Council Member Lopez asked if an inoperable vehicle could be stored there. Ms. Ware advised they cannot store inoperable vehicles. Mr. Humphreys moved, seconded by Council Member Del Bosque, to close the public hearing and approve the special use permit and amendments as presented. The motion carried unanimously.*

**Adopted**

Enactment No: ORD 10954-2020

## Planning and Zoning Items for Individual Consideration

**34** S201201 - Site Plan - Warehouse at 2700 Avenue K East (City Council District 1). Site Plan for a 198K SF industrial warehouse building on one lot on 26.46 acres. Tract 4 of M. K. Selvidge Survey, Abstract No. 1423 and Lot 1, Block 6, Safety Net Addition, City of Grand Prairie, Tarrant County, Texas, zoned Light Industrial (LI), generally located northwest of Avenue K and future extension of N. Great Southwest Parkway Road, and specifically addressed at 2700 E. Avenue K. (On December 14, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

*Ms. Ware presented this site plan. She advised there were concerns expressed to staff and to Mayor Pro Tem Clemson from citizens regarding truck traffic, noise, storage of hazardous materials, the relocation of a gas line and the Great Southwest Parkway extension, design and timing. Council Member Wooldridge asked what could be done about the relocation of the gas line so that it would not have to be moved a second time later. Ms. Ware said the applicant and engineers are addressing and coordinating efforts. Transportation Director Walter Shumac confirmed they are reviewing that information. Council Member Lopez asked if truck travel is being addressed in that area. Mr. Shumac confirmed and advised there are signs there now. Mr. Dye advised police officers also work with the trucking managers and companies to educate them about travel and restrictions in that area. Mayor Pro Tem Clemson noted this area is zoned light industrial and this item met the requirements. Mayor Pro Tem Clemson moved, seconded by Council Member Lopez, to approve this item as presented. The motion carried unanimously.*

**Approved**

**35** S201202 - Site Plan - Prairie Modern Apartments (City Council District 1). Site Plan for Prairie Modern Apartments, which includes 272 multi-family units in one building with a five-story parking garage on 5.355 acres. Legally described as Tract 6, Elizabeth Gray Survey, Abstract No. 517, Page 215, City of Grand Prairie, Dallas County, Texas, and zoned PD-388. Generally located east of State Highway 161 and north of Dickey Road and within the SH-161 Corridor Overlay District. (On December 14, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

*Ms. Ware presented this site plan and discussed variances requested by the applicant, including parking, fencing and dumpster location. The Mayor commented on the great look of the 4 to 5 story buildings. Council Member Humphreys inquired what was previously presented regarding density. Ms. Ware advised density is much higher than other multifamily development. Council Member Wooldridge asked if there was a traffic impact analysis. Ms. Ware advised there was a traffic impact analysis. Mr. Shumac clarified traffic signal timing would be adjusted. Mayor Jensen discussed current Dickey Road traffic flow. Council Member Wooldridge inquired about the internal access drives. Ms. Ware advised the applicant is responsible for them. Council Member Lopez inquired about guest parking. Ms. Ware reviewed parking options. Ms. Clemson asked about rental rates would be. Ms. Ware said she would inquire. Mayor Pro Tem Clemson asked if the developer was provided information about the police officer program. The developer was present and advised they have submitted information regarding the police officer program.*

*Mayor Pro Tem Clemson moved to approve, seconded by Council Member Humphreys, this item with recommendations as presented by staff and as approved by the Planning and Zoning Commission. The motion carried unanimously.*

**Approved**

## Items for Individual Consideration

**36** Appointment of Deputy Mayor Pro Tem

*Mayor Pro Tem Clemson moved to approve, seconded by Council Member Wooldridge, the appointment. The motion carried unanimously.*

**Approved**

**37** Appointment to fill a vacancy on the Sports Corporation

*Mayor Pro Tem Clemson moved to approve, seconded by Council Member Giessner, the appointment. The motion carried unanimously.*

**Approved**

## Citizen Comments

*Robert Johnson, 1350 Skyline Road, spoke about a young man who was injured and did not receive proper aid and also spoke about a traffic stop involving a police officer.*

*Carol Harrison Lafayette, 1350 Skyline Road, spoke about her son Clayton Harrison to clarify he was not attempting to commit suicide and advised she called police, city staff and City Council for assistance.*

*Trina Hall, 530 Forest Hill Lane, spoke about Council Member Swafford and also asked for improvement and growth and action.*

*Harold Willis (address noted above) spoke about several people effected by COVID-19.*

## Adjournment

# City of Grand Prairie

City Hall
300 W. Main Street
Grand Prairie, Texas

## Minutes - Final

## City Council

**Tuesday, January 19, 2021** | **5:30 PM** | **Video Conference**

### Call to Order

**Mayor Jensen called the meeting to order at 5:32 p.m.**

**Present** 7 - Mayor Ron Jensen
Mayor Pro Tem Jorja Clemson
Council Member Mike Del Bosque
Council Member Greg Giessner
Council Member Cole Humphreys
Council Member John Lopez
Council Member Jeff Wooldridge

**Absent** 1 - Council Member Jeff Copeland

### Staff Presentations

**1** COVID Update - Presented by Steve Dye, Deputy City Manager/Chief Operating Officer

*Mr. Dye presented a vaccination site update, advising two-hundred eighty-three city employees have currently tested positive for COVID-19; Emergency Management Coordinator Chase Wheeler provided information on vaccination distribution across the United States; Chief Robert Fite discussed the Dallas/Fort Worth Vaccination Hub Operations both in Dallas County and Tarrant County. He advised Dallas County has three large vaccination sites - Fair Park, Ellis Davis and Eastfield College - and Tarrant County has two vaccination hubs - Arlington and HEB. Chief Fite said he is hopeful there will be more vaccines available soon and advised the City of Grand Prairie and the City of Irving have entered into a partnership to establish a joint vaccination site at the Theater at Grand Prairie with plans to operate Monday through Friday, 8am to 4pm, dependent on vaccine allotment. The site will run initially by reservation only with a goal to vaccinate five-hundred per day by walk-in, then transitioning to one-thousand people per day with a drive-thru starting February 1st if the allotment is provided by then. Chief Fite also said they would submit a FEMA reimbursement request application. Mr. Giessner asked who would staff the facility. Chief Fite said both cities would place an equal amount of city employees and paramedics on site to staff the facility. He added that twenty-five percent of the cost would be the city's cost and that Grand Prairie would try to split that amount with Irving. Mayor Pro Tem Clemson asked if the facility would be compensated for its use. Chief Fite advised there would be a use agreement at a minimal cost. He added that those who have reservations but cannot travel to the site would be accommodated through community outreach efforts to provide them with the vaccine. Mr. Lopez asked if all should still be encourage to register with both Dallas and Tarrant County and also noted that some Spanish speakers who called to register received calls back in English. Mr. Dye said yes, he suggested registration continue with both counties as it is on a first come, first serve basis, depending on the*

*tier in which they fall. Chief Fite said all 1A & 1B citizens should register now.*

**Presented**

**2** Development Guide Briefing - Presented by Deputy City Manager Bill Hills

*Deputy City Manager Bill Hills presented the Development Process Guide which assists in notifying the community of the application process. Mr. Hills advised it was compiled through a combined effort with Transportation Director Walter Shumac, Public Works Director Gabe Johnson and Planning Director Rashad Jackson. He said it contains thirty pages with illustrations of the step-by-step process from the pre-application meeting to final acceptance and issuance of a certificate of occupancy. He described a flowchart which includes various steps through the application process, engineering civil plans, contacts for each area in the process as well as transportation studies and building permits. Mr. Hills added there is a one-page guide with the general order of the overall development review process and advised the guide would be available February 1st. Council Member Lopez asked Mr. Hills to provide updates as they become available.*

**Presented**

## Agenda Review

*Mayor Pro Tem Jorja Clemson reviewed the agenda and asked if there were any questions on Consent Agenda items three through ten, and she advised that she would move to take no action on item three at this time. There were no questions.*

**Mayor Jensen recognized Mayor Pro Tem Jorja Clemson who asked if there were any questions regarding Consent items 3-10 on the agenda. There were none.**

## Executive Session

**There was no executive session.**

## Recess Meeting

*Mayor Jensen recessed the meeting at 6:08 p.m.*

## Mayor Jensen called the regular meeting to order at 6:30 p.m.

*Mayor Jensen performed a roll call and noted that Council Member Jeff Copeland was absent due to illness.*

## Invocation was given by Deputy Mayor Pro Tem Jorja Clemson, and the pledge of allegiance to the US flag and to the Texas flag was led by Council Member Jeff Wooldridge.

*Mayor Pro Tem Clemson advised that she, the Mayor, Council Members Giessner and Lopez attended the Martin Luther King Jr. Day Celebration and thanked the Parks, Arts and Recreation team for their great efforts.*

# Consent Agenda

*Mayor Pro Tem Clemson moved, seconded by Deputy Mayor Pro Tem Del Bosque, to take no action on item three of the agenda and to approve items four through ten. The motion carried unanimously.*

**3** Minutes of the December 15, 2020, City Council Meeting

*No action was taken on this item.*

**4** PID Contract with SPSD, Inc. for Landscape Maintenance for $117,039.33 in Oak Hollow/Sheffield Village PID (Council Districts 4 and 6)

**Approved**

**5** Professional Engineering Services contract with Halff Associates, Inc. for the FY21 Capital Improvement Process Community Rating System Program Support in the total amount of $96,000.

**Approved**

**6** Authorize contingency transfer of $102,911 for Sales Tax Auditing Services Contract with TexasCityServices for a fee of 24% of realized recoveries; authorize any future contingency transfers as needed to fund the contract, up to $150,000 annually

**Approved**

**7** Renewal of Professional Services agreement for actuarial analysis with Rudd and Wisdom, Inc. in the annual amount of $13,000 for a two-year term with up to four two-year renewal terms totaling $69,020 if all renewal periods are exercised and authorize the City Manager to execute any additional renewals with aggregate price fluctuations of up to $50,000 so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal term(s).

**Approved on the Consent Agenda**

**8** Discussion and consideration of all matters incident and related to the issuance and sale of "City of Grand Prairie, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2021", including the adoption of an ordinance authorizing the issuance of such certificates of obligation and delegating certain matters to an authorized official of the City.

**Adopted**

Enactment No: ORD 10955-2020

**9** Ordinance to convey required utility easement and right of way to Oncor Electric Delivery Company LLC for 2940, 2960 and 2980 Esplanade in the EPIC Central Phase III Addition

**Adopted**

Enactment No: ORD 10956-2020

**10** Resolution amending and replacing Resolution 5143-2020 for the ratification of the application of the FY2020 Urban Area Security Initiative (UASI) Grant of approximately $164,243; authorize the City Manager to accept the grant by signing the Sub-Recipient Agreement and other grant related documents from the Office of the Governor-Homeland Security Grants Division

**Adopted**

Enactment No: RES 5146-2020

## Citizen Comments

*There were no citizen comments.*

## Adjournment

*Mayor Jensen adjourned the meeting at 6:36 p.m.*

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 02/02/2021

**REQUESTER:** Mike Joy

**PRESENTER:** Robert Fite, Fire Chief

**TITLE:** Purchase of one (1) rescue hazmat truck from Siddons-Martin of Denton, using the Buy Board price agreement at a total cost of $1,199,742.11 after discounts from chassis prepayment discount, 100% prepayment discount, contract discount totaling $44,911.00

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**

Since the formation of the Grand Prairie Fire Hazardous Materials (HazMat) team, we have been at the forefront of local and regional responses.

Grand Prairie has 4 major highways through our city, with many hazardous materials involved in a wreck. From a minor hazard to a major event, our HazMat team handles it from start to finish. This involves equipment used to mitigating, containing, to physically packing materials using specialized containers for disposal. We carry a large amount of equipment and instruments for this purpose. Our team is also first backup for all south Dallas and Ft Worth, meaning if their team is unavailable, our HazMat responds. Currently, HazMat utilizes a large trailer pulled by a pickup for transporting equipment. While it served us well in the beginning, our call volume and ability to respond requires us to have a vehicle dedicated to this purpose. It will also have a Command center inside for prolonged events, whether hazmat or fire related. Our team charges the company at fault or their insurance, which pays for much of the equipment used.

**FINANCIAL CONSIDERATION:**
Funding for the purchase and prepayment of one (1) rescue hazmat truck is available in the Fire Capital Projects Fund (400591), WO #02100303 (Fire Station Storage and Hazardous Materials Response).

# CITY OF GRAND PRAIRIE
# CAPITAL PROJECTS BUDGET SUMMARY

Fund/Activity Account: 400591/02100303
Project Title: Fire Station Storage and Hazardous Materials Response
Current Request: $0.00

| ACCOUNT DESCRIPTION | 1 CURRENT BUDGET | 2 AVAILABLE BALANCE | 3 CURRENT REQUEST | 2+3 REVISED BALANCE | 1+3 AMENDED BUDGET |
|---|---|---|---|---|---|
| Autos and Trucks (68320) | $1,200,000 | $1,200,000 | | $1,200,000 | $1,200,000 |
| Construction (68540) | $300,000 | $300,000 | | $300,000 | $300,000 |
| | | | | $0 | $0 |
| | | | | $0 | $0 |
| | | | | $0 | $0 |
| | | | | $0 | $0 |
| | | | | $0 | $0 |
| **TOTAL** | **$1,500,000** | **$1,500,000** | **$0** | **$1,500,000** | **$1,500,000** |

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 02/02/2021

**REQUESTER:** Andrew Fortune

**PRESENTER:** Andrew Fortune, Manager of Legislative Affairs

**TITLE:** Ratification of Agreement with Grand Prairie United Charities for Texas Emergency Rental Assistance Program Grant Funding in the Amount of $363,210.74 for rental assistance to eligible applicants in Grand Prairie.

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**

Ratification of an agreement authorizing Grand Prairie United Charities as a third party administrator for Texas Emergency Rental Assistance grant funding in the amount of $363,210.74 for the purpose of administering rental assistance to eligible applicants in Grand Prairie. Grand Prairie United Charities will adhere to the guidelines and reporting requirements put forward by the Texas Department of Housing and Community Affairs.

**FINANCIAL CONSIDERATION:**

Funding in the amount of $363,210.74 will be allocated to account 161010-45165-CARESRENT.

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 2-2-21

**REQUESTER:** Megan Mahan

**PRESENTER:** Megan Mahan, City Attorney

**TITLE:** Identify the properties located at 734 Ft. Worth, 103 SW 5th, and 151 W. 5th as suitable sites for the location, relocation or expansion of a business within the City

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**

To assist in governmental functions relating and to promoting economic development within the City, the Grand Prairie Local Government Corporation ("GPLGC") to established a program, in coordination with City's economic development programs, to purchase and consolidate ownership or real property within the City identified as suitable for the location, relocation, and/or expansion of businesses within the City. The City entered into a Chapter 380 Economic Development Agreement with GPLGC for this purpose. The agreement requires City to identify suitable sites for the location, relocation, or expansion of a business within the City. The City has identified that the properties located at 734 Ft. Worth, 103 SW 5th, and 151 W. 5th as suitable sites for the location, relocation or expansion of a business within the City.

**FINANCIAL CONSIDERATION:**

none

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 02/01/2021

**REQUESTER:** Fred Bates, Jr.

**PRESENTER:** Daniel Scesney, Chief of Police

**TITLE:** Price Agreement for 150 12-gauge less lethal shotguns from Kiesler Police Supply, in the amount of $60,162.00.

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**
The Grand Prairie Police Department serves a City that is situated within an exponentially growing Dallas - Fort Worth region. The combination of urban, suburban, commercial, and industrial growth in this region necessitates a vibrant, progressive, and well-trained police department that understands and respects the need to continually enhance its effectiveness in providing a safe environment for its citizens, visitors, and officers in a mutual partnership.

The Grand Prairie Police Department functions under the guiding principle of the "sanctity of life" and based on current research in the area of use of force incidents, it is vital that police officers be equipped with technology that affords them the ability to respond to dangerous encounters with viable options. One such viable response option is when the line-level patrol officer is equipped with the less-lethal shotgun. A less-lethal shotgun affords officers the ability to respond safely to dangerous situations while also protecting the lives of individuals who may pose a danger to themselves or others. Staff therefore recommends that less-lethal patrol shotguns be purchased to equip each line-level patrol officer.

Notice of bid #21004 was advertised in the Fort Worth Star Telegram and Public Purchase; it was distributed to twenty-seven vendors. There was one Grand Prairie vendor available for this commodity. Four bids were received as shown on attachment A.

The award was based on best value criteria set up in the specification, including material markup, reputation, quality of service, price, past relationship with the city and other municipalities, if they were local, and other relevant criteria as listed in the specification.

Kiesler Police Supply meets specifications and is recommended for award.

**FINANCIAL CONSIDERATION:**
Funds are available in the Police Department State Asset Forfeiture Fund.

**Evaluation Score Card**
Less-Lethal Shotguns
RFB # 21004

| | | BID OPTION #2 | | | BID OPTION #1 |
|---|---|---|---|---|---|
| | | Kiesler Police Supply | Barney's Inc | Proforce Law Enforcement | Kiesler Police Supply |
| | | Jeffersonville, IN | Lafayette, LA | Prescott, AZ | Jeffersonville, IN |
| **Evaluation Criteria** | **Maximum Score** | **Score** | **Score** | **Score** | **Score** |
| Price | 60.00 | 60.00 | 52.27 | | |
| Lead Time | 25.00 | 25.00 | 21.88 | | |
| Past experience with the City of Grand Prairie or another municipality | 10.00 | 9.60 | 10.00 | | |
| Local Business Presence | 5.00 | 0.00 | 0.00 | | |
| **Total** | **100.00** | **94.60** | **84.14** | **Rejected** | **Rejected** |
| **Complete and accurate bid** | | ✓ | ✓ | | |
| **Notes** | | Bid Option #2 | | Did not bid the orange stock and forend grips for the Mossberg model, which are necessary to designate these as "less-lethal" weapons | Bid Option #1 - Only bid the orange stock and forend grips for the Remington model; no bids received for the Remington model shotgun |

Bid Tabulator: Anda Upchurch
Bid Open Date: Monday, November 16, 2020

Bids were publically opened and read at the City of Grand Prairie Office of the Purchasing Division at the time indicated above. The bid tabulation has been verified, by tabulator, as accurate based on the Unit Cost presented by each bidder.

BID OPTION #2

**REJECT** - Did not bid the orange stock and forend grips, which are required for these less-lethal shotguns

**BID OPTION #1**
**REJECT** - Unable to obtain the Remington model for these accessories.

**Bid Tabulation**
Less-Lethal Shotguns
RFB # 21004

**Base Bid:**

| Item | Description | QTY | UOM | Kiesler Police Supply, Lafayette, LA | | Barney's Inc, Lafayette, LA | | Proforce Law Enforcement, Prescott, AZ | | Kiesler Police Supply, Jeffersonville, IN | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | Unit Price | Extended Price | Unit Price | Extended Price | Unit Price | Extended Price | Unit Price | Extended Price |
| ***Brand/Model:*** | | | | Mossberg #50778 | | Mossberg #50778 | | Mossberg #50778 | | Remington (accessories only) | |
| 1 | 12ga shotgun | 150.00 | EA | 316.37 | 47,455.50 | 369.59 | 55,438.50 | 334.47 | 50,170.50 | No Bid | |
| 2 | Hogue less-lethal orange stock and forend grip | 150.00 | EA | 55.61 | 8,341.50 | 51.96 | 7,794.00 | No Bid | | 55.61 | 8,341.50 |
| 3 | Tac-Star Slimline side saddle shotgun shell holder | 150.00 | EA | 29.10 | 4,365.00 | 28.00 | 4,200.00 | 23.40 | 3,510.00 | 29.10 | 4,365.00 |
| | **Total Base-Bid:** | | | | **$ 60,162.00** | | **$ 67,432.50** | | **$ 53,680.50** | | **$ 12,706.50** |
| **Add Alternate:** | | | | | | | | | | | |
| **Item** | **Description** | **QTY** | **UOM** | **Unit Price** | **Extended Price** | **Unit Price** | **Extended Price** | **Unit Price** | **Extended Price** | **Unit Price** | **Extended Price** |
| 4 | Pre-assemble the stock, forend grip, and shell holder onto the gun | 150.00 | EA | No Bid | | No Bid | | No Bid | | No Bid | |
| ***Brand/Model:*** | | | | Mossberg #50778 | | Mossberg #50778 | | Mossberg #50778 | | Remington (accessories only) | |
| 5 | 12ga shotgun | 50.00 | EA | 319.32 | 15,966.00 | 369.59 | 18,479.50 | 334.47 | 16,723.50 | No Bid | |
| 6 | Hogue less-lethal orange stock and forend grip | 50.00 | EA | 56.65 | 2,832.50 | 51.96 | 2,598.00 | No Bid | | 55.61 | 2,780.50 |
| 7 | Tac-Star Slimline side saddle shotgun shell holder | 50.00 | EA | 29.63 | 1,481.50 | 28.00 | 1,400.00 | 24.10 | 1,205.00 | 29.10 | 1,455.00 |
| 8 | Pre-assemble the stock, forend grip, and shell holder onto the gun | 50.00 | EA | No Bid | | No Bid | | No Bid | | No Bid | |
| | **Total Add-Alternate:** | | | | **$ 20,280.00** | | **$ 22,477.50** | | **$ 17,928.50** | | **$ 4,235.50** |
| | **Grand Total:** | | | | **$ 80,442.00** | | **$ 89,910.00** | | **$ 71,609.00** | | **$ 16,942.00** |
| **Total of items for Scoring (does not include the stock and forend grip)** | | | | | **$ 69,268.00** | | **$ 79,518.00** | | **$ 71,609.00** | | **NA** |

**Price Evaluation**
Less-Lethal Shotguns
RFB # 21004

| | BID OPTION #2 | | REJECT - Did not bid the orange stock and forend grips, which are required for these less-lethal shotguns | BID OPTION #1 REJECT - Unable to obtain the Remington model for these accessories. |
|---|---|---|---|---|
| **Vendor** | **Kiesler Police Supply** | **Barney's Inc** | **Proforce Law Enforcement** | **Kiesler Police Supply** |
| **Total Bid** | **$69,268.00** | **$79,518.00** | **NA** | **NA** |
| **Score** | **60.00** | **52.27** | | |

| | |
|---|---|
| **Low bid** | **$69,268.00** |
| **Max Score** | **60.00** |

**Price FORMULA:** The bidder with the lowest price receives the maximum score. The bidder with the next lowest price receives points based on dividing its price into the lowest price and multiplying that percentage by the available points.

For example: Assume 50 points is the max score. Next, assume that $50,000 is the low offer. That bidder would receive 50 points for price ($50,000/$50,000 = 1.00 x 50 = 50). Assume $55,000 is the next low offer, then that bidder would receive 45.455 points ($50,000/$55,000 = 0.9091 x 50 = 45.455), etc.

CITY OF GRAND PRAIRIE
# COMMUNICATION

**MEETING DATE:** 2-2-21

**REQUESTER:** Megan Mahan

**PRESENTER:** Megan Mahan, City Attorney

**TITLE:** Lease Amendment with CNP 6 Real Estate, LLC to incorporate new exhibits

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**

The City entered into a lease agreement with CNP 6 Real Estate, LLC. The metes and bounds were not established at the time of execution. This amendment will incorporate the site plan, the metes and bounds, and make a minor change to the insurance exhibit.

**FINANCIAL CONSIDERATION:**

none

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 2-2-21

**REQUESTER:** Megan Mahan

**PRESENTER:** Megan Mahan, City Attorney

**TITLE:** Lease Amendment with MS GP, LLC to incorporate new exhibits and revise Section 3.2

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**

The City entered into a lease agreement with CNP 6 Real Estate, LLC. The metes and bounds were not established at the time of execution. This amendment will incorporate the site plan, the metes and bounds, and make a minor wording change to Section 3.2.

**FINANCIAL CONSIDERATION:**

none

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 2-2-21

**REQUESTER:** Megan Mahan

**PRESENTER:** Megan Mahan, City Attorney

**TITLE:** Ratification of Lease Amendment with Loop 9 BBQ, LLC to incorporate new exhibits and change certain deadlines

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**

The City entered into a lease agreement with Loop 9 BBQ. The metes and bounds were not established at the time of execution. This amendment will incorporate the site plan, the metes and bounds, and change certain deadlines that had to be extended due to COVID-19 delays.

**FINANCIAL CONSIDERATION:**

none

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 02/02/2021

**REQUESTER:** Gary Yakesch, Assistant Director of Parks Finance

**PRESENTER:** Duane Strawn, Director of Parks, Arts and Recreation

**TITLE:** Price Agreement for Audio, Visual, and Lighting (AVL) services from Mike Milligan (up to $50,000.00 annually). This agreement will be for one year with the option to renew for nine (9) additional one year periods totaling $500,000.00 if all extensions are exercised. Award a secondary to Tye Cunningham (up to $50,000.00 annually) to be used only if the primary is unable to fulfill the needs of the department. Authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to $50,000 or 25% of the original maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms.

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**

This agreement will be utilized by multiple City facilities, including: Uptown Theater, The Epic, The Summit, Ruthe Jackson Center, and other special event locations as needed. Audio, visual and lighting services shall include software and equipment maintenance, installation, diagnostic, repair/replacement, and technical lighting and sound engineer services.

Notice of bid #21023 was advertised in the Fort Worth Star Telegram, the State's Electronic Business Daily, and Public Purchase; it was distributed to 41 vendors. There were 3 Grand Prairie vendors available for this service type. 3 bids were received as shown on attachment A.

The award was based on best value criteria set up in the specification, including cost, technical merit, past experience, local business presence, and other relevant criteria as listed in the specification.

Mike Milligan and Tye Cunningham meet specifications and are recommended for award.

This item was presented to the Finance and Government Committee on February 2, 2021 for review and approval.

**FINANCIAL CONSIDERATION:**

Funds are available in various department operating budgets and will be charged accordingly on orders through the end of the fiscal year. Funding for future fiscal years will be paid from that year's approved budgets.

# BID NAME

# RFB #21023

# TABULATION

| | | | | Non Responsive | | Non Responsive | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| GRand PRairie TEXAS Dream Big Play Hard | | Bid Tabulation Audio Visual & Event Production Srv RFB # 21023 | | Communication Concepts Ft Worth | | Epic Center Bedford | | Ford Audio Irving | | Mike Milligan Dallas | | Tye Cunningham Denton | |
| | PREVENTATIVE MAINTENAN( | QTY | UOM | UNIT PRICE | EXTENDED | UNIT PRIC( | EXTENDED | UNIT PRICE | EXTENDED | UNIT PRIC( | EXTENDED | UNIT PRIC( | EXTENDED |
| 1 | Uptown Theater | | | | $ - | | $ - | $ 4,920.00 | $ 4,920.00 | $ 300.00 | $ 1,200.00 | $ 300.00 | $ 1,200.00 |
| 2 | The Epic | | | | $ - | | $ - | $ 5,880.00 | $ 5,880.00 | $ 300.00 | $ 1,200.00 | $ 300.00 | $ 1,200.00 |
| 3 | The Summit | | | | $ - | | $ - | $ 2,960.00 | $ 2,960.00 | $ 300.00 | $ 600.00 | $ 300.00 | $ 1,200.00 |
| 4 | Ruthe Jackson Center | | | | $ - | | $ - | $ 1,960.00 | $ 1,960.00 | $ 300.00 | $ 600.00 | $ 300.00 | $ 1,200.00 |
| | **Total Maintenance** | | | | $ - | | $ - | | $ 15,720.00 | | $ 3,600.00 | | $ 4,800.00 |
| Vendor warrants that a full inspection and inventory has | | | | | | | | | | | | | |
| Inventory list MUST be provided | | | | | | | | | | | | | |
| | SERVICE CALLS - ROUTINE | QTY | UOM | UNIT PRICE | | UNIT PRICE | | UNIT PRICE | | UNIT PRICE | | UNIT PRICE | |
| 5 | Repair/Replacement | 1 | HR | | | | | $165 1st hour; $120 subsequently | | $75.00 | | $37.50 | |
| 6 | New Installations | 1 | HR | | | | | $165 1st hour; $120 subsequently | | $75.00 | | $37.50 | |
| 7 | End User Training | 1 | HR | | | | | $150 | | $75.00 | | $37.50 | |
| 8 | Other not listed | 1 | HR | | | | | | | $75.00 | | $37.50 | |
| | ERVICE CALLS - EVENT PRODU( | QTY | UOM | UNIT PRICE | | UNIT PRICE | | UNIT PRICE | | UNIT PRICE | | UNIT PRICE | |
| 9 | Sound & Lighting Engineering | 1 | HR | | | | | $150.00 | | $300 per day | | 37.50 per hour | |

# SCORECARD

| | | Non Responsive | Non Responsive | | | |
|---|---|---|---|---|---|---|
| GRand PRairie TEXAS Dream Big Play Hard | Score Card Audio Visual & Event Production Srv RFB # 21023 | Communication Concepts | Epic Center | Ford Audio | Mike Milligan | Tye Cunningham |
| | | Ft Worth | Bedford | Irving | Dallas | Denton |
| **Evaluation Criteria** | **Maximum Score** | **Score** | **Score** | **Score** | **Score** | **Score** |
| Price | 40 | 0.00 | 0.00 | 9.16 | 40.00 | 30.00 |
| Technical Merit & Ability to Meet City's needs | 40 | 0.00 | 0.00 | 40.00 | 38.00 | 32.00 |
| Past experience with the City of Grand Prairie or another municipality | 15 | 0.00 | 0.00 | 15.00 | 15.00 | 7.50 |
| Local Business Presence | 5 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| **Total** | **100** | **0.00** | **0.00** | **64.16** | **93.00** | **69.50** |

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 02/02/2021

**REQUESTER:** Maxine Snow

**PRESENTER:** Andy Henning, Senior Building and Construction Projects Manager

**TITLE:** Change Order/Amendment No. 6 with Hill & Wilkinson General Contractors for City Hall Municipal Campus Phase Two construction work in the amount of $95,129.45 for masonic stone installation, added paint work, millwork relocation, mailroom relocation, glazing treatment, electrical upgrades required by code, punch list work resolution, security room enhancements and project closeout scope of work required to finalize phase 2 work

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**

**On June 4, 2019 the City Council awarded the Construction Manager at Risk (CMAR) contract to Hill & Wilkinson General Contractors (19 9024) for pre construction services in the amount of zero dollars ($0). This award provided for CMAR services including development of project estimates, preliminary construction schedules, value engineering proposals and constructability review during the Design Phase.**

**Current Change Order/Amendment No. 6 in the amount of $95,129.45 is divided as follows:**

**$3,820.30 for installation of a masonic stone for the City Hall Complex**

**$37,867.85 for repainting level 1 of City Hall Central + miscellaneous HR/Finance additions**

**$7,473.38 for millwork relocation work associated with the City Hall East cash vault**

**$15,033.19 for relocation of the mailroom from City Hall West to City Hall East**

**$322.46 for application of translucent film on an exterior window facing into the loading dock**

**$4,539.54 for electrical circuit breaker upgrades to achieve new code requirements**

**$3,010.18 for additional scope of work brought about during the punch list process**

**$7,358.45 for added large screen security monitors in the main lobby security check point**

**$15,704.10 for added scope of work associated with final project closeout**

**Change Order/Amendment No. 1 in the amount of $6,215,173 was approved by City Council on December 17, 2019 (19 9613) and represented the Guaranteed Maximum Price (GMP) for the scope of work defined in the Rouch Architects Construction Documents package as competitively bid by Subcontractors to Hill & Wilkinson General Contractors. Costs above and beyond the Hill & Wilkinson portion of the project addressed in Change Order/Amendment No. 1 included previously approved Construction Manager pre construction fees ($0) and an asbestos remediation allowance ($30,000); 5% contingency ($310,759); allowance for FF&E ($1,200,000); allowance for IT/data design and installation ($95,000); allowance for A/V equipment ($200,000); allowance for door access and security systems ($95,000); allowance for Oncor Electric power line relocation ($125,000); plus an allowance for construction testing ($25,000), all of which total the overall project budget of $8,295,932.**

**Change Order/Amendment No. 2 in the amount of $109,179.10 was approved by City Council on June 2, 2020 (20 10026) and was comprised of the following:**

**$7,980.98 for electrical panel LA 4 coordination with existing conditions**

**$94,410.97 for electrical upgrades of existing equipment in order to meet all code requirements**

**$528.84 for minor adjustments to landscape and civil engineering designs to coordinate both scopes**

**$2,706.35 for change in length of HVAC slot diffusers required to allow proper air flow**

**$3,551.96 for replacement of existing fire alarm strobes in City Hall West in order to allow new overall fire alarm system for all three (3) connected City Hall buildings to communicate seamlessly and report appropriately to the Grand Prairie Fire Department**

**Change Order/Amendment No. 3 in the amount of $75,637.77 was approved by City Council on August 4, 2020 (20 10204) and was comprised of the following:**

**$70,495.30 for additional structural steel supports, masonry supports and exterior stone material**

**$2,083.41 for additional door, frame and hardware required**

**$19,667.82 for a trench drain along the west side of the building due to moisture concerns**

**$5,094.41 for added moisture barrier at exterior walls**

**$14,950.65 for additional structure steel support due to existing conditions discovered**

**$4,085.16 for further electrical code compliance upgrades of existing equipment**

**$1,813.29 for raising of an existing rooftop mechanical unit to coordinate with new roof installation**

**$3,915.56 for wood panel material and stain revisions above the public lobby transaction windows**

**$1,894.96 for added metal stud framing and drywall to create a required soffit condition**

**$48,069.22 credit for elimination of the potassium injection treatment**

**$1,863.56 for added wood paneling framing support above the public lobby transaction windows**

**$2,737.76 for ten revised hollow metal door frames to coordinate with the ceiling height reduction**

**$4,894.89 credit for reimbursement for new furniture ordered due to water infiltration damage**

**Change Order/Amendment No. 4 in the amount of $103,689.52 was approved by City Council on October 13, 2020 (20 10432) and was comprised of the following:**

**$9,603.60 for millwork changes to lobby drawing review counter including added structural steel**

**$7,361.04 for repair of an existing concrete grade beam that was discovered to be damaged**

**$8,922.02 for concrete ramp work due to uncovered floor elevation conflict at southwest connector**

**$4,545.99 for protective wall covering in conference rooms to prevent wall damage from chairs**

**$1,917.99 for a curb drain to coordinate with existing grades and new concrete ramp construction**

**$7,537.97 for added structural steel at east façade to address existing conditions lacking support**

**$3,297.86 for concrete masonry block infill at hidden opening condition uncovered**

**$70,837.11 for reinstatement of interior finish materials previously removed from lobby design**

**$2,089.70 for additional manually operated roller shades at south facing lobby huddle rooms**

**$2,406.92 credit for deletion of specialty breakroom equipment not required**

**$10,016.84 credit for painting of the existing exterior masonry in lieu of stain due to existing condition of mortar material at the northeast wall area and all north wall square footage**

**Change Order/Amendment No. 5 in the amount of $98,214.32 was approved by City Council on November 3, 2020 (20 10476) and was comprised of the following:**

**$6,755.90 for plumbing work associated with relocation of the Atmos gas meter**

**$28,244.65 for expanded landscaping within the area just to the east of City Hall West**

**$29,359.81 for COVID 19 costs associated with monitoring construction workers daily for 3 months**

**$3,618.76 for painting revisions associated with the exposed ceiling in the entry lobby of City Hall East**

**$1,960.85 for painting of screening supports along the west wall of City Hall East**

**$16,927.57 for expanded landscaping to finish the area just south of phase 2 work now versus in phase 3**

**$4,084.40 for existing door repairs and refinishing at the Transportation Management Center**

**$8,127.18 for Fire Plan Review storage room revisions and additions**

**$4,187.75 for additional floor preparation and leveling prior to tile installation due to existing conditions**

**$34,891.37 for removal/reinstatement of the temporary construction yard on the Boze GPISD property**

**$4,121.81 for electrical work required to meet code requirements per city inspector review**

**$44,065.73 credit for signage costs not required by code**

**Items applicable to performance by the Construction Manager at Risk (CMAR) will be incorporated into the current Hill & Wilkinson General Contractors contract for a revised total contract in the amount of $6,697,023.16.**

**This item was taken to the Finance and Government Committee on February 2, 2021 for their review and recommendation for approval.**

**FINANCIAL CONSIDERATION:**

**Funding for Change Order/Amendment No. 6, in the amount of $95,129.45, is available in Municipal Facilities Capital Projects Fund (405090) WO #02002603 (Municipal Complex Ph II)**

**CITY OF GRAND PRAIRIE**

# ORDINANCE

**MEETING DATE:** 02/02/2021

**REQUESTER:** Economic Development

**PRESENTER:** Marty Wieder – Director of Economic Development

**TITLE:** Ordinance Amending Chapter 17, "Offenses and Miscellaneous Provision" of the Grand Prairie Code of Ordinances with the addition of Article VI " Grand Prairie Filming Guidelines "

**RECOMMENDED ACTION:** Staff recommends adoption of the following guidelines, as reviewed and approved by the Council Development Committee on January 12, 2021

## ANALYSIS:

City staff believes it would be good corporate policy and an enhancement to the City of Grand Prairie, Texas to seek and receive an honored designation as a “Film Friendly City” by the Texas Film Commission. There are three steps to complete for consideration of the distinguished designation, beginning with establishing attending a Film Friendly Texas training workshop and received ongoing training and guidance from the Texas Film Commission. Subsequent, the City must pass administratively enforceable filming guidelines that promote media production in a way that benefit residents and industry professionals alike. Lastly, Grand Prairie must submit photos of filming locations in the community for inclusion in the Texas Film Commission location database.

## FINANCIAL CONSIDERATION:

None.

**AN ORDINANCE AMENDING CHAPTER 17, "OFFENSES AND MISCELLANEOUS PROVISIONS," BY ADDING ARTICLE VI "GRAND PRAIRIE FILMING GUIDELINES," TO THE CODE OF THE CITY OF GRAND PRAIRIE, TEXAS, AS AMENDED; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL PROVIDING A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER OF THE CITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, to become recognized as a "filming-friendly" city it is important for a city to adopt guidelines on filming that provide production companies and other entities with clear regulations to follow and that remove unexpected barriers to filming; and

**WHEREAS**, the City Council has determined that it would be advantageous to the image of Grand Prairie to become a filming friendly city; and

**WHEREAS**, Grand Prairie adopts certain Filming Guidelines by this Ordinance in order to strive to become recognized as a filming friendly city.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS**:

**SECTION 1**. That the foregoing recitals are adopted and made findings by incorporation herein.

**SECTION 2**. "Article VI: Grand Prairie Filming Guidelines" is hereby added to Chapter 17, "Offenses and Miscellaneous Provisions" of the Grand Prairie Code of Ordinances to read as follows:

**Sec. 17-84. PURPOSE.**

The Guidelines contained in this policy are intended to create a program for promoting economic development activity within the City of Grand Prairie and the vicinity of the City. The following Guidelines are also intended to protect the personal and property rights of the City of Grand Prairie, residents and businesses, and to promote the public health, safety and welfare. The City Manager reserves the right to impose additional regulations in the interest of public health, safety and welfare, or if otherwise deemed appropriate by the City Manager.

These Guidelines cover requests for commercial use of City-owned property (including but not limited to streets, rights-of-way, parks, and/or public buildings), commercial use of private property which may affect adjacent public or private property, and the use of City equipment and personnel in all types of motion picture production, including, but not limited to, feature films, television programs, commercials, music videos and corporate films.

**Sec. 17-85. CITY CONTROL/CITY MANAGER AUTHORITY.**

The City Manager may authorize the use of any street, right-of-way, park, or public building, equipment or personnel for commercial uses in the filming or taping of movies, television programs, commercials, or training films and related activities. In conjunction with these uses, the City Manager may require that any or all of the conditions and/or remuneration herein and as specified on the application be met as a

prerequisite to that use.

The Applicant agrees that the City shall have exclusive authority to grant the Applicant the use of public streets, rights-of-way, parks and public buildings of the City, as well as authority to regulate the hours of production and the general location of the production. The City reserves the full and absolute right to prohibit all filming or to order cessation of filming in order to promote the public health, safety or welfare.

The Applicant shall allow City departments (e.g., Police, Fire, Building) to inspect all structures, property, devices and equipment to be used in connection with the filming and taping, as deemed appropriate by the City Manager.

**Sec. 17-86. PERMIT REQUIREMENTS.**

Before filing an application, on such form as promulgated by the Office of the City Manager, for filming in the City, the Office of the City Manager must be contacted to discuss the production's specific filming requirements and the feasibility of filming in the City.

Any commercial producer who desires to undertake a commercial production in the City is required to complete and return the attached application for filming to the Office of the City Manager, within the time frames below:

- **Commercials or episodic television:** a minimum of two (2) business days prior to the commencement of filming or any substantial activity related to the project.
- **Feature films:** a minimum of five (5) business days prior to the commencement of filming or any substantial activity related to the project.

**Sec. 17-87. APPLICATON FEE.**

An application processing fee of $25.00 should accompany each application for filming in the City.

The City Manager may waive this fee upon proof of an organization’s non-profit status or for any other reason deemed appropriate by the City Manager.

**Sec. 17-88. USE OF CITY EQUIPMENT AND PERSONNEL.**

The Applicant shall pay for all costs of any Police, Fire, Public Works, or other City personnel assigned to the project (whether or not specifically requested by the production). Remuneration rates for the use of any City equipment, including police cars and fire equipment, will be established on a case-by-case basis as determined by the City Manager. The Applicant shall pay all costs in full within ten (10) days after receipt of an invoice for said costs. The City Manager may, at his/her discretion, require an advance deposit for all costs related City personnel and/or the use of City equipment.

The City Manager, in consultation with the Chief of Police and/or Fire Chief, shall have the authority to stipulate additional fire or police requirements and level of staffing for same, at any time during a film project if it is determined to be in the best interest of public health, safety and welfare, which cost shall be borne entirely by the Applicant.

Off-duty police officers and firefighters shall be paid by the production company at a rate no less than one and one-half times their hourly rate.

**Sec. 17-89. USE OF CITY-OWNED REAL ESTATE.**

The City Manager may authorize the use of any street, right-of-way, park or public building, use of the City name, trademark or logo and/or use of City equipment and/or personnel for commercial uses in motion picture production. In conjunction with these uses, the City Manager may require that any or all of the conditions and/or remuneration as specified herein and on the application be met as a prerequisite to that use. A security or damage deposit may be required within the discretion of the City Manager.

The Applicant shall reimburse the City for inconveniences when using public property. Following is the rate schedule:

| Activity | Cost per calendar day maximum of 3 hours/day (unless approved for additional) |
|---|---|
| Total or disruptive use (regular operating hours) of a public building, park, right-of-way, or public area | $500 per day |
| Partial, non-disruptive use of a public building, park, right-of-way, or public area | $250 per day |
| Total closure or obstruction of public street or right-of-way, including parking lots and on-street parking | $50 per block, per day |
| Partial closure or obstruction of public street or right-of-way, including parking lots and on-street parking | $25 per block, per day |
| Use of City parking lots, parking areas, and City streets (for the purpose of parking film trailers, buses, catering trucks, and other large vehicles) | $50 per block or lot, per day |

The Applicant acknowledges and agrees that the City possesses and retains exclusive authority to grant the Applicant a revocable license for the use of its name, trademark, and logo, public streets, rights-of-way, parks and buildings of the City as well as control over the hours of production and the general location of the production. The City reserves the full and absolute right to prohibit all filming or to order cessation of filming activity in order to promote the public health, safety and/or welfare.

**Sec. 17-90. VEHICLES AND EQUIPMENT.**

The Applicant shall provide a report listing the number of vehicles and types of equipment to be used during the filming, including proposed hours of use and proposed parking locations. Such locations will need to be specifically approved by the City Manager. On-street parking or use of public parking lots is subject to City approval.

The use of exterior lighting, power generators, or any other noise or light producing equipment requires on-site approval of the City Manager.

**Sec. 17-91. HOURS OF FILMING.**

Unless express written permission has been obtained from the City Manager in advance, and affected property owners, tenants and residents have been notified, filming will be limited to the following hours:

| | |
|---|---|
| Monday through Friday: | 7:00 a.m. to 9:00 p.m. |
| Saturday, Sunday and holidays: | 8:00 a.m. to 8:00 p.m. |

**Sec. 17-92. NOTIFICATION OF NEIGHBORS.**

The Applicant shall provide a short, written description, approved by the City Manager, of the schedule for the proposed production to the owners, tenants and residents of each property in the affected neighborhood(s). The Applicant, or his or her designee, shall make a good faith effort to notify each owner, tenant and resident of all such property, and shall submit, as part of this application, a report noting owners, tenants and/or residents' comments, along with their signatures, addresses and phone numbers. Based upon this community feedback, and other appropriate factors considered by the City Manager, the City Manager may grant or deny the filming application.

**Sec. 17-93. CERTIFICATE OF INSURANCE.**

The Applicant shall attach a valid certificate of insurance, issued by a company authorized to conduct business in the state of Texas, naming the City of Grand Prairie and its agents, officers, elected officials, employees and assigns, as additional insured, in an amount not less than $1,000,000 general liability, including bodily injury and property damage with a $5,000,000 umbrella; and automobile liability (if applicable) in an amount not less than $1,000,000 including bodily injury and property damage. The City of Grand Prairie must be addressed as certificate holder. Applicant's insurance should be primary and include waiver of subrogation in favor of the City.

**Sec. 17-94. DAMAGE TO PUBLIC OR PRIVATE PROPERTY.**

The Applicant shall pay in full, within ten (10) days of receipt of an invoice, the costs of repair for any and all damage to public or private property, resulting from or in connection with, the production, and restore the property to its original condition prior to the production, or to better than original condition.

**Sec. 17-95. HOLD HARMLESS AGREEMENT.**

The Applicant shall sign the following Hold Harmless Agreement holding the City harmless from any claim that may arise from their use of designated public property, right-of-way, or equipment in conjunction with the permitted use:

"I certify that I represent the firm which will be performing the filming/taping at the locations specified on the attached permit application. I further certify that I and my firm will perform in accordance with the directions and specifications of the City of Grand Prairie, Texas. **I AND MY FIRM WILL INDEMNIFY AND HOLD HARMLESS THE CITY OF GRAND PRAIRIE, AND ITS ELECTED OFFICIALS, OFFICERS, SERVANTS, EMPLOYEES, SUCCESSORS, AGENTS, DEPARTMENTS AND ASSIGNS FROM ANY AND ALL LOSSES, DAMAGES, EXPENSES, COSTS AND/OR CLAIMS**

**OF EVERY NATURE AND KIND ARISING OUT OF OR IN CONNECTION WITH THE FILMING/TAPING AND OTHER RELATED ACTIVITIES ENGAGED IN PURSUANT TO THIS APPLICATION**.

I further certify that the information provided on this Application is true and correct to the best of my knowledge, and that I possess the authority to sign this and other contracts and agreements with the City of Grand Prairie on behalf of the firm.

Signed: _____

Title: _____

Date: _____

**Sec. 17-96. Violations; Penalty.**

(a) A person who violates a provision of this article, or who fails to perform an act required of the person by this article, commits an offense. A person commits a separate offense for each and every violation, and for each day during which a violation is committed, permitted, or continued.

(b) An offense under this chapter is punishable by a fine of not more than $500.

(c) A culpable mental state is not required for the commission of an offense under this article and need not be proved.

(d) The penalties provided for in Subsection (b) are in addition to any other remedies that the city may have under city ordinances and state law.

**SECTION 3**. The phrase "City Property" used in the Filming Guidelines includes all streets and rights-of-way, whether or not owned in fee by the City.

**SECTION 4**. The City Manager may make changes to the application form or other documents as the City Manager deems necessary, but the Filming Guidelines may only be amended by the City Council.

**SECTION 5**. That a violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Section 1-8 of the Code of Ordinances of the City of Grand Prairie, Texas.

**SECTION 6**. That the terms and provisions of this Ordinance are severable and are governed by Section 1-4 of the Code of Ordinances of the City of Grand Prairie, Texas.

**SECTION 7**. All ordinances or portions thereof to the extent they are in conflict with this Ordinance regarding the subject matter of this Ordinance are repealed.

**SECTION 8**. This ordinance shall become effective upon passage and publication of its caption. The City Secretary is directed to publish the caption of this Ordinance in the Official Newspaper of the City.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, 2ND DAY OF FEBRUARY 2021.**

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 02/02/2021

**REQUESTER:** Mona Lisa Galicia

**PRESENTER:** Mona Lisa Galicia, City Secretary

**TITLE:** Ordinance Calling the May 1, 2021, General Election

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**

A joint general election will be held to elect members of the City Council for District 5, District 6 and District 8 at Large.

**FINANCIAL CONSIDERATION:**

Funding is budgeted in the elections expense account 111210-61365.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, CALLING A GENERAL ELECTION TO ELECT CITY COUNCIL MEMBER DISTRICT 5, CITY COUNCIL MEMBER DISTRICT 6 AND CITY COUNCIL MEMBER DISTRICT 8 AT LARGE**

**WHEREAS**, the City of Grand Prairie, Texas, is a home-rule city having its own Charter under the laws and Constitution of the State of Texas; and

**WHEREAS,** the Uniform Election Date for the City of Grand Prairie's General Election has been set as May 1, 2021; and

**WHEREAS,** the City Council of the City of Grand Prairie hereby finds it is in the best interests of the City to order such elections for May 1, 2021, and to contract with Dallas County, Texas, Tarrant County, Texas, and Ellis County, Texas, for conducting such elections;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:**

**SECTION 1.** That a General Election shall be held in the City of Grand Prairie, Texas, on May 1, 2021, between the hours of 7:00 a.m. and 7:00 p.m. at which the following offices will be on the ballot:

**Council Member, District 5**
**Council Member, District 6**
**Council Member, Place 8 at Large**

**SECTION 2.** That pursuant to contracts between the City of Grand Prairie and the Dallas County Elections Department, the Tarrant County Elections Department and the Ellis County Elections Department, the election shall be conducted by the Dallas, Tarrant and Ellis County Elections Departments in precincts of the respective agreements.

**SECTION 3.** That early voting by personal appearance shall be conducted by the Dallas County Elections Department, the Tarrant County Elections Department and the Ellis County Elections Department in accordance with provisions of the respective county agreements.

Main Early Voting Locations:

Dallas County Elections Department (Dallas County voters only)
1520 Round Table Drive
Dallas, Texas 75247

Tarrant County Election Center (Tarrant County voters only)
2700 Premier Street
Fort Worth, Texas 76111

Ellis County Elections (Ellis County voters only)
204 E. Jefferson Street
Waxahachie, Texas, 75165

Early voting will be conducted for Dallas County, Tarrant County and Ellis County voters as follows:

DALLAS COUNTY EARLY VOTING DATES AND TIMES

| | | |
|---|---|---|
| April 19 – 23 | Monday – Friday | 8:00 a.m. - 5:00 p.m. |
| April 24 | Saturday | 8:00 a.m. - 5:00 p.m. |
| April 25 | Sunday | 1:00 p.m. - 6:00 p.m. |
| April 26 – 27 | Monday – Tuesday | 7:00 a.m. - 7:00 p.m. |

TARRANT COUNTY EARLY VOTING DATES AND TIMES

| | | |
|---|---|---|
| April 19 – 23 | Monday – Friday | 8:00 a.m. - 5:00 p.m. |
| April 24 | Saturday | 7:00 a.m. - 7:00 p.m. |
| April 25 | Sunday | 11:00 a.m. - 4:00 p.m. |
| April 26 – 27 | Monday – Tuesday | 7:00 a.m. - 7:00 p.m. |

ELLIS COUNTY EARLY VOTING DATES AND TIMES

| | | |
|---|---|---|
| April 19 – 23 | Monday – Friday | 8:00 a.m. - 5:00 p.m. |
| April 24 | Saturday | 8:00 a.m. - 4:00 p.m. |
| April 26 – 27 | Monday – Tuesday | 7:00 a.m. - 7:00 p.m. |

**SECTION 4.** Application for early voting mail ballots by voters qualified to vote by mail shall be made to the Early Voting Clerk as follows:

- Dallas County voters may make application for mail ballots directly to the Dallas County Elections Administrator, 1520 Round Table Drive, Dallas, Texas, 75247.

- Tarrant County voters may make application for mail ballots directly to the Tarrant County Elections Administrator, 2700 Premier Street, Fort Worth, Texas, 76111.

- Ellis County voters may make application for mail ballots directly to the Ellis County Elections Administrator, 204 E. Jefferson Street, Waxahachie, Texas, 75165.

Applications for ballots by mail must be received no later than the close of business on April 20, 2021.

**SECTION 5.** That a voting system or systems meeting the standards and requirements of the Texas Election Code, as amended, is hereby adopted and approved for early voting by personal appearance and by mail and for election day voting.

**SECTION 6**. That the deadline for candidates to file applications for a place on the ballot in the General Election shall be February 12, 2021, at 5:00 p.m.; and

**SECTION 7.** That the manner of holding said election shall be governed by State Statutes of the State of Texas and the Charter and ordinances of the City of Grand Prairie; and

**SECTION 8.** That the notice of the election shall be given in accordance with the provisions of the Texas Election Code, as amended; and

**SECTION 9.** That this ordinance shall be in force and in effect from and after its final passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 2ND DAY OF FEBRUARY 2021.**

**APPROVED:**

_____
Ron Jensen, Mayor

**ATTEST:**

_____
City Secretary

**APPROVED AS TO FORM:**

_____
City Attorney

**CITY OF GRAND PRAIRIE**
# ORDINANCE

**MEETING DATE:** 02/02/2021

**REQUESTER:** Robert Fite

**PRESENTER:** Robert Fite, Fire Chief

**TITLE:** Ordinance of the City of Grand Prairie, Texas, amending Ordinance 10741-2019 to define the number of authorized positions within the Fire Department in each classification beginning February 15, 2021

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**

The fire department is temporarily modifying the over hires of the firefighter rank from 4 to 10. This will allow us to hire 6 new firefighters and get them through fire school, if applicable, and assist with the staffing shortage soon to be created by numerous retirements. In addition to the staffing shortage, this group will assist in a short-term assignment with the vaccine center the fire department is soon to commence. Secondly, this ordinance reclassifies three Firefighters to the rank of Driver-Engineer in order to implement the new highway blocker program.

**FINANCIAL CONSIDERATION:**

The fire department will absorb the extra cost into their main salary line as vacancies occur and since this group will assist with the vaccine center, we will apply for the 75% reimbursement from FEMA for their salary and benefit cost. As our retirees begin to leave during the spring of 2021 through 2022, we will lower the over hire number through attrition back to the budgeted number. The reclassification of the three Firefighters to Driver-Engineers was an approved budget item for 2020-2021.

**BODY**

**AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING ORDINANCE 10741-2019 TO DEFINE THE NUMBER OF AUTHORIZED POSITIONS WITHIN THE FIRE DEPARTMENT IN EACH CLASSIFICATION BEGINNING FEBRUARY 15, 2021.**

**WHEREAS,** the City of Grand Prairie has established a fire department to provide the citizens a first class
public safety response to fire, rescue, and emergency medical calls; and
**WHEREAS,** the department has 235 authorized positions consisting of 138 Firefighters, 39 Driver Engineers, 32 Lieutenants, 16 Captains, 7 Battalion Chiefs, 2 Assistant Chiefs, 1 Fire Chief;
and
**WHEREAS,** the continuation of this ordinance will be in effect until modified by a new ordinance reflecting changes in the authorized positions; and
**WHEREAS,** effective February 15, 2021, the authorized positions will be 235 and the revised ranks positions will be 135 Firefighters, 42 Driver Engineers, 32 Lieutenants, 16 Captains, 7 Battalion Chiefs, 2 Assistant Chiefs, 1 Fire Chief; and
**WHEREAS,** this ordinance supersedes all other city ordinances related to the authorized fire department staffing under Chapter 143 of the Texas Local Government Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:**

**SECTION 1.** THAT the total authorized fire department civil service positions effective February 15, 2021 is 235 plus 10 over hires at the Firefighter rank.
**SECTION 2.** THAT this ordinance shall be in full force and effect from and after its passage and approval
and it is accordingly ordained.
**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, FEBRUARY 2, 2021.**

**CITY OF GRAND PRAIRIE**
# RESOLUTION

**MEETING DATE:** 02/02/2021

**REQUESTER:** Angi Mize

**PRESENTER:** Angi Mize, Interim Purchasing Manager

**TITLE:** Resolution authorizing the City Manager to execute a master inter-local purchasing agreement between the City of Grand Prairie and the Town of Trophy Club Texas

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**

Chapter 791 of the Texas Government Code, also known as the Inter-local Cooperation Contracts Act, authorizes all local governments to contract with each other to perform governmental functions or services including administrative functions normally associated with the operation of government such as purchasing of necessary equipment, supplies and services.

The Town of Trophy Club Texas and the City of Grand Prairie would like to enter into a master inter-local agreement that would authorize each to utilize current active and future contracts awarded by the other entity.

The supplier for each contract shall bill the entity using the contract directly for all goods and services purchased and each entity shall be responsible for payments and ensuring the supplier's compliance with all conditions of the agreement.

**FINANCIAL CONSIDERATION:**

Purchases made through this inter-local agreement will be paid from various Capital or Operating budgets.

**BODY**

**A RESOLUTION OF THE CITY OF GRAND PRAIRIE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A MASTER INTERLOCAL AGREEMENT WITH THE TOWN OF TROPHY CLUB TEXAS**

**WHEREAS,** the City Council of the City of Grand Prairie, Texas, approves the terms and conditions of the Interlocal Purchasing Agreement between the Town of Trophy Club, Texas providing for a

cooperative purchasing program for goods and services; designating the Purchasing Manager or his designee, as the official representative for the City of Grand Prairie; and

**WHEREAS,** the City of Grand Prairie, Texas, pursuant to the authority granted under Section 271.101 to 271.102 of the Local Government Code, desires to participate in the described purchasing program, and is of the opinion that participation in this program will be highly beneficial to the taxpayers through anticipated savings to be realized;

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

**SECTION 1.** THAT the Cooperative Purchasing Agreement with the Town of Trophy Club, Texas is found to be acceptable and in the best interest of the City of Grand Prairie and its citizens and is hereby approved.

**SECTION 2.** THAT the City Manager is authorized to execute the agreement hereby approved on behalf of the City and that the Purchasing Manager or his designee is hereby designated to act for the City of Grand Prairie in all matters relating to Cooperative Purchasing Agreement including the designation of specific contracts in which the City of Grand Prairie desires to participate.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, FEBRUARY 2, 2021.**

**CITY OF GRAND PRAIRIE**

# RESOLUTION

**MEETING DATE:** 02/02/2021

**REQUESTER:** Duane Strawn, Director of Parks, Arts & Recreation

**PRESENTER:** Duane Strawn, Director of Parks, Arts & Recreation

**TITLE:** Resolution to Rename the Parks, Arts, & Recreation Administration Building to "Rick Herold Administration Building"

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**

The Park Board established a naming committee for Parks, Arts, & Recreation Administration Building at their December 2, 2020 meeting. Accordingly, the naming committee scheduled subsequent meetings to consider various naming options for the renaming of Parks, Arts & Recreation Administration Building. During the January 27, 2021 Park Board meeting the naming committee presented their recommendation to the Park Board, the Park Board approved the recommendation to rename Parks, Arts, & Recreation to "Rick Herold Administration Building".

**FINANCIAL CONSIDERATION:**

The cost for signage to rename Parks, Arts & Recreation Administration Building to "Rick Herold Administration Building" is under review and will be funded through existing appropriations.

**BODY**

**A RESOLUTION OF THE CITY OF GRAND PRAIRIE, TEXAS, RENAMING THE PARKS ARTS & RECREATION ADMINSITRATION BUILDING TO "RICK HEROLD ADMINISTRATION BUILDING"**

**WHEREAS,** Rick Herold was the Parks, Arts & Recreation Director from 2002 to 2019;

**WHEREAS,** Rick Herold was instrumental in bringing the Parks, Arts & Recreation Department many accolades included CAPRA Accreditation and a Gold Medal Award during two different years;

**WHEREAS,** Rick Herold helped bring the vision of The Summit, Epic Waters, The Epic, and EpicCentral to life;

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

The City Council officially renames the Parks Arts & Recreation Administration Building to “Rick Herold Administration Building".

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, February 2, 2021.**

**CITY OF GRAND PRAIRIE**

# RESOLUTION

**MEETING DATE:** 02/02/2021

**REQUESTER:** Duane Strawn, Director of Parks, Arts & Recreation

**PRESENTER:** Duane Strawn, Director of Parks, Arts & Recreation

**TITLE:** Resolution to Name the Prairie Lakes Tournament Pavilion, "Jerry V Debo III Pavilion at Prairie Lakes"

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**

The Park Board established a naming committee for Prairie Lakes Tournament Pavilion at their December 2, 2020 meeting. Accordingly, the naming committee scheduled subsequent meetings to consider various naming options for the naming of the Prairie Lakes Tournament Pavilion. During the January 27, 2021 Park Board meeting the naming committee presented their recommendation to the Park Board, the Park Board approved the recommendation to name the Prairie Lakes Tournament Pavilion the Jerry V Debo III Pavilion at Prairie Lakes.

**FINANCIAL CONSIDERATION:**

The cost for signage to name the Prairie Lakes Tournament Pavilion to "Jerry V Debo III Pavilion at Prairie Lakes" is under review and will be funded through existing appropriations.

**BODY**

**A RESOLUTION OF THE CITY OF GRAND PRAIRIE, TEXAS, NAMING THE PRAIRIE LAKES TOURNAMENT PAVILION JERRY V DEBO III PAVILION AT PRAIRIE LAKES**

**WHEREAS,** Jerry V. Debo III was the Mayor of Grand Prairie, TX from 1984 to 1990;

**WHEREAS,** Jerry V Debo III was an integral part of major developments in the city of Grand Prairie during his tenure;

**WHEREAS,** Jerry V Debo III helped develop Friendship Park in 1986;

**WHEREAS,** Westchester Shopping center was built in 1987-1988 during Jerry V Debo III's time in office;

**WHEREAS,** During Jerry V Debo's time as Mayor Joe Pool lake was opened in 1989 and Lynn Creek Marina opened in 1990;

**WHEREAS,** Jerry V Debo III opened Ripley's Believe It or Not! in 1989;

**WHEREAS, During** Jerry V Debo III's time in office voters approved single districts;

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

The City Council officially names the Prairie Lakes Tournament Pavilion the "Jerry V Debo III Pavilion at Prairie Lakes

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, February 2, 2021.**

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 02/02/2021

**REQUESTER:** Fred Bates, Jr.

**PRESENTER:** Daniel Scesney, Chief of Police

**TITLE:** Resolution authorizing the City Manager to apply for a STEP Commercial Vehicle Enforcement grant from the TxDOT, Texas Department of Transportation, to conduct commercial motor vehicle enforcement in the amount of $58,717.19.

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**
The City of Grand Prairie covers 81.4 square miles, is the 5th largest city in the Metroplex in land mass, and is situated in three counties (Dallas, Tarrant, and Ellis). The City has a growing population of over 180,000 residents and provides emergency response service for two major Interstate Highways (I-20 and I-30), three State Highways (SH 360, SH 180, and SH 161), US Hwy 287, and Spur Hwy 303. Grand Prairie is a central and connecting City facilitating millions of large commercial vehicles each year. The City's industrial districts house some of the largest distributors in the country. Approximately 30 percent of the City's property tax value is industrial and commercial.

The mission of the Grand Prairie Police Department's Traffic Unit in relationship to commercial motor vehicle's is to enforce the laws of the State of Texas and the Federal Motor Carrier Safety Regulations to help ensure the safe and efficient movement of commercial traffic traveling the highways and local streets within the City. Through effective enforcement and interaction with the trucking industry and citizens, the police department's goal is to reduce commercial vehicle crashes and the number of unsafe vehicles operating on the roadways.

The GPPD's Traffic Unit's goal is to also promote detection and correction of commercial motor vehicle safety defects, commercial vehicle driver deficiencies, and unsafe motor carrier practices before they become contributing factors to crashes and hazardous materials incidents. This should thereby contribute to the reduction of commercial vehicle crashes in the City. Due to the large volume of warehouse, industrial, and commercial space in the City, the unit plans to address the growing Metroplex problem of Commercial Motor Vehicle thefts and cargo thefts. The unit, in anticipation of proactively addressing cargo thefts, is applying for additional funds in this grant for that purpose.

The Public Safety, Health, and Environmental Committee reviewed this item on February 1, 2021 and recommended that it be forwarded to the City Council for approval.

**FINANCIAL CONSIDERATION:**
The grant period begins October 1, 2021 and ends September 30, 2022. It is anticipated the total cost for the City during this period will amount to a cash match of $11,825.60. Funding will be allocated in the FY 2021 General Fund budget. The Texas Department of Transportation will fund $46,891.89 to pay the City for overtime salaries and benefits for enforcement efforts. Project cost will total $58,717.49.

**A RESOLUTION OF THE CITY OF GRAND PRAIRIE, TEXAS, IN SUPPORT OF A TxDOT GRANT GRAND PRAIRIE POLICE DEPARTMENT'S TRAFFIC UNIT TO CONDUCT COMMERCIAL MOTOR VEHICLE INSPECTIONS, CONDUCT PUBLIC AWARENESS CAMPAIGNS IN THE AMOUNT OF $58,717.49.**

**WHEREAS,** the Grand Prairie Police Department wishes to apply for funding this opportunity to promote detection and correction of commercial motor vehicle safety defects, commercial vehicle driver deficiencies, and unsafe motor carrier practices before they become contributing factors to crashes and hazardous materials incidents;

**WHEREAS,** the City will provide a cash match of $11,825.60 to the Texas Department of Transportation;

**WHEREAS,** in the event of loss or misuse of TxDot funds, the City of Grand Prairie assures that the funds will be returned;

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

**SECTION 1.** the City Council of the City of Grand Prairie, Texas, does hereby authorize the City Manager to apply for, and accept if awarded, a grant in the amount $58,717.49 to promote detection and correction of commercial motor vehicle safety defects, commercial vehicle driver deficiencies, and unsafe motor carrier practices before they become contributing factors to crashes and hazardous materials incidents.

**SECTION 2.** this Resolution shall be in full force and effect from and after its passage and approval in accordance with the Charter of the City of Grand Prairie and it is accordingly so resolved.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 2nd DAY OF FEBRUARY 2021.**

# Texas Traffic Safety eGrants

# Fiscal Year 2022

**Organization Name:** City of Grand Prairie Police Department

**Legal Name:** City of Grand Prairie

**Payee Identification Number:** 17560005435024

**Project Title:** STEP CMV

**ID:** 2022-GrandPra-S-CMV-00036

**Period:** 10/01/2021 to 09/30/2022

## GENERAL INFORMATION

**Project Title:** STEP CMV

**Program Elements**
When performing enforcement activities under this grant, officers should make the enforcement of the STEP elements listed below their top priority, although any traffic-related probable cause can be used to initiate a vehicle stop

1. DWI: Driving While Intoxicated

2. Speed: Speed Enforcement

3. OP: Occupant Protection (Safety Belt)

4. HMV: Hazardous Moving Violations

5 .DD: Distracted Driving

XAgency agrees to enforce the above Program Elements as part of the Selective Traffic Enforcement Program.

## GRANT AGREEMENT GENERAL TERMS AND CONDITIONS *(Revised:07/18/2019)*

Definitions: For purposes of these Terms and Conditions, the "Department" is also known as the "State" and the "prospective primary participant" and the "Subgrantee" is also known as the "Subrecipient" and "prospective lower tier participant"

### ARTICLE 1. COMPLIANCE WITH LAWS

The Subgrantee shall comply with all federal, state, and local laws, statutes, codes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any matter affecting the performance of this agreement, including, without limitation, workers' compensation laws, minimum and maximum salary and wage statutes and regulations, nondiscrimination laws and regulations, and licensing laws and regulations. When required, the Subgrantee shall furnish the Department with satisfactory proof of compliance.

### ARTICLE 2. STANDARD ASSURANCES

The Subgrantee assures and certifies that it will comply with the regulations, policies, guidelines, and requirements, including 2 CFR, Part 200; and the Department's Traffic Safety Program Manual, as they relate to the application, acceptance, and use of federal or state funds for this project. Also, the Subgrantee assures and certifies that:

A. It possesses legal authority to apply for the grant; and that a resolution, motion, or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained in the application, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide any additional information that may be required.

B. It and its subcontractors will comply with Title VI of the Civil Rights Act of 1964 (Public Law 88-352), as amended, and in accordance with that Act, no person shall discriminate, on the grounds of race, color, sex, national origin, age, religion, or disability.

C. It will comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970, as amended; 42 USC (United States Code) §§4601 et seq.; and United States Department of Transportation (USDOT) regulations, "Uniform Relocation and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR, Part 24, which provide for fair and equitable treatment of persons displaced as a result of federal and federally assisted programs.

D. Political activity (Hatch Act) (applies to subrecipients as well as States). The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508) which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

E. It will comply with the federal Fair Labor Standards Act's minimum wage and overtime requirements for employees performing project work.

F. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

G. It will give the Department the access to and the right to examine all records, books, papers, or documents related to this Grant Agreement.

H. It will comply with all requirements imposed by the Department concerning special requirements of law, program requirements, and other administrative requirements.

I. It recognizes that many federal and state laws imposing environmental and resource conservation requirements may apply to this Grant Agreement. Some, but not all, of the major federal laws that may affect the project include: the National Environmental Policy Act of 1969, as amended, 42 USC §§4321 et seq.; the Clean Air Act, as amended, 42 USC §§7401 et seq. and sections of 29 USC; the Federal Water Pollution Control Act, as amended, 33 USC §§1251 et seq.; the Resource Conservation and Recovery Act, as amended, 42 USC §§6901 et seq.; and the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 USC §§9601 et seq. The Subgrantee also recognizes that the U.S. Environmental Protection Agency, USDOT, and other federal agencies have issued, and in the future are expected to issue, regulations, guidelines, standards, orders, directives, or other requirements that may affect this Project. Thus, it agrees to comply, and assures the compliance of each contractor and each subcontractor, with any federal requirements that the federal government may now or in the future promulgate.

J. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, 42 USC §4012a(a). Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where that insurance is available as a condition for the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any form of direct or indirect federal assistance.

K. It will assist the Department in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 USC 470 et seq.), Executive Order 11593, and the Antiquities Code of Texas (National Resources Code, Chapter 191).

L. It will comply with Chapter 573 of the Texas Government Code by ensuring that no officer, employee, or member of the Subgrantee's governing board or the Subgrantee's subcontractors shall vote or confirm the employment of any person related within the second degree of affinity or third degree by consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise that person. This prohibition shall not apply to the employment of a person described in Section 573.062 of the Texas Government Code.

M. It will ensure that all information collected, assembled, or maintained by the applicant relative to this project shall be available to the public during normal business hours in compliance with Chapter 552 of the Texas Government Code, unless otherwise expressly provided by law.

N. If applicable, it will comply with Chapter 551 of the Texas Government Code, which requires all regular, special, or called meetings of governmental bodies to be open to the public, except as otherwise provided by law or specifically permitted in the Texas Constitution.

**ARTICLE 3. COMPENSATION**

A. The method of payment for this agreement will be based on actual costs incurred up to and not to exceed the limits specified in the Project Budget. The amount included in a Project Budget category will be deemed to be an estimate only and a higher amount can be reimbursed, subject to the conditions specified in paragraph B of this Article. If the Project Budget specifies that costs are based on a specific rate, per-unit cost, or other method of payment, reimbursement will be based on the specified method.

B. All payments will be made in accordance with the Project Budget.
1. The Subgrantee's expenditures may overrun a budget category (I, II, or III) in the approved Project Budget without a grant (budget) amendment, as long as the overrun does not exceed a total of five (5) percent of the maximum amount eligible for reimbursement (TxDOT) in the attached Project Budget for the current fiscal year. This overrun must be off-set by an equivalent underrun elsewhere in the Project Budget.

2. If the overrun is five (5) percent or less, the Subgrantee must provide written notification to the Department, through the TxDOT Electronic Grants Management System (eGrants), prior to the Request for Reimbursement being approved. The notification must indicate the amount, the percent over, and the specific reason(s) for the overrun.

3. Any overrun of more than five (5) percent of the amount eligible for reimbursement (TxDOT) in the attached Project Budget requires an amendment of this Grant Agreement.

4. The maximum amount eligible for reimbursement shall not be increased above the Grand Total TxDOT Amount in the approved Project Budget, unless this Grant Agreement is amended, as described in Article 5 of this agreement.

5. For Selective Traffic Enforcement Program (STEP) grants only: In the Project Budget, Subgrantees are not allowed to use underrun funds from the TxDOT amount of (100) Salaries, Subcategories A, "Enforcement," or B, "PI&E Activities," to exceed the TxDOT amount listed in Subcategory C, "Other." Also, Subgrantees are not allowed to use underrun funds from the TxDOT amount of (100) Salaries, Subcategories A, "Enforcement," or C, "Other," to exceed the TxDOT amount listed in Subcategory B, "PI&E Activities." The TxDOT amount for Subcategory B, "PI&E Activities," or C, "Other," can only be exceeded within the five (5) percent flexibility, with underrun funds from Budget Categories II or III.

C. To be eligible for reimbursement under this agreement, a cost must be incurred in accordance with the Project Budget, within the time frame specified in the Grant Period of this Grant Agreement, attributable to work covered by this agreement, and which has been completed in a manner satisfactory and acceptable to the Department.

D. Federal or TxDOT funds cannot supplant (replace) funds from any other sources. The term "supplanting," refers to the use of federal or TxDOT funds to support personnel or an activity already supported by local or state funds.

E. Payment of costs incurred under this agreement is further governed by the cost principles outlined in 2 CFR Part 200.

F. The Subgrantee agrees to submit monthly Requests for Reimbursement, as designated in this Grant Agreement, within thirty (30) days after the end of the billing period. The Request for Reimbursement and appropriate supporting documentation must be submitted through eGrants.

G. The Subgrantee agrees to submit the final Request for Reimbursement under this agreement within forty-five (45) days of the end of the grant period.

H. Payments are contingent upon the availability of appropriated funds.

I. Project agreements supported with federal or TxDOT funds are limited to the length of this Grant Period specified in this Grant Agreement. If the Department determines that the project has demonstrated merit or has potential long-range benefits, the Subgrantee may apply for funding assistance beyond the initial agreement period.

Preference for funding will be given to projects based on (1) proposed cost sharing and (2) demonstrated performance history.

**ARTICLE 4. LIMITATION OF LIABILITY**

Payment of costs incurred under this agreement is contingent upon the availability of funds. If at any time during this Grant Period, the Department determines that there is insufficient funding to continue the project, the Department shall notify the Subgrantee, giving notice of intent to terminate this agreement, as specified in Article 11 of this agreement. If at the end of a federal fiscal year, the Department determines that there is sufficient funding and performance to continue the project, the Department may notify the Subgrantee to continue this agreement.

**ARTICLE 5. AMENDMENTS**

This agreement may be amended prior to its expiration by mutual written consent of both parties, utilizing the Grant Agreement Amendment in eGrants. Any amendment must be executed by the parties within the Grant Period, as specified in this Grant Agreement.

**ARTICLE 6. ADDITIONAL WORK AND CHANGES IN WORK**

A. If the Subgrantee is of the opinion that any assigned work is beyond the scope of this agreement and constitutes additional work, the Subgrantee shall promptly notify the Department in writing through eGrants. If the Department finds that such work does constitute additional work, the Department shall advise the Subgrantee and a written amendment to this agreement will be executed according to Article 5, Amendments, to provide compensation for doing this work on the same basis as the original work. If performance of the additional work will cause the maximum amount payable to be exceeded, the work will not be performed before a written grant amendment is executed.

B. If the Subgrantee has submitted work in accordance with the terms of this agreement but the Department requests changes to the completed work or parts of the work which involve changes to the original scope of services or character of work under this agreement, the Subgrantee shall make those revisions as requested and directed by the Department. This will be considered as additional work and will be paid for as specified in this Article.

C. If the Subgrantee submits work that does not comply with the terms of this agreement, the Department shall instruct the Subgrantee to make any revisions that are necessary to bring the work into compliance with this agreement. No additional compensation shall be paid for this work.

D. The Subgrantee shall make revisions to the work authorized in this agreement that are necessary to correct errors or omissions, when required to do so by the Department. No additional compensation shall be paid for this work.

E. The Department shall not be responsible for actions by the Subgrantee or any costs incurred by the Subgrantee relating to additional work not directly associated with or prior to the execution of an amendment.

**ARTICLE 7. REPORTING AND MONITORING**

A. Not later than thirty (30) days after the end of each reporting period, the Subgrantee shall submit a performance report through eGrants. Reporting periods vary by project duration and are defined as follows:

1. For short term projects, the reporting period is the duration of the project. Subgrantee shall submit a performance report within 30 days of project completion.

2. For longer projects, the reporting period is monthly. Subgrantee shall submit a performance report within 30 days of the completion of each project month and within 30 days of project completion.

3. For Selective Traffic Enforcement Program (STEP) Wave projects, the reporting period is each billing cycle. Subgrantee shall submit a performance report within 30 days of the completion of each billing cycle.

B. The performance report will include, as a minimum: (1) a comparison of actual accomplishments to the objectives established for the period, (2) reasons why established objectives and performance measures were not met, if appropriate, and (3) other pertinent information, including, when appropriate, an analysis and explanation of cost underruns, overruns, or high unit costs.

C. The Subgrantee shall promptly advise the Department in writing, through eGrants, of events that will have a significant impact upon this agreement, including:

1. Problems, delays, or adverse conditions, including a change of project director or other changes in Subgrantee personnel, that will materially affect the ability to attain objectives and performance measures, prevent the meeting of time schedules and objectives, or preclude the attainment of project objectives or performance measures by the established time periods. This disclosure shall be accompanied by a statement of the action taken or contemplated and any Department or federal assistance needed to resolve the situation.

2. Favorable developments or events that enable meeting time schedules and objectives sooner than anticipated or achieving greater performance measure output than originally projected.

D. The Subgrantee shall submit the Final Performance Report through eGrants within thirty (30) days after completion of the grant.

**ARTICLE 8. RECORDS**

The Subgrantee agrees to maintain all reports, documents, papers, accounting records, books, and other evidence pertaining to costs incurred and work performed under this agreement (called the "Records"), and shall make the Records available at its office for the time period authorized within the Grant Period, as specified in this Grant Agreement. The Subgrantee further agrees to retain the Records for four (4) years from the date of final payment under this agreement, until completion of all audits, or until pending litigation has been completely and fully resolved, whichever occurs last.

Duly authorized representatives of the Department, the USDOT, the Office of the Inspector General, Texas State Auditor, and the Comptroller General shall have access to the Records. This right of access is not limited to the four (4) year period but shall last as long as the Records are retained.

**ARTICLE 9. INDEMNIFICATION**

A. To the extent permitted by law, the Subgrantee, if other than a government entity, shall indemnify, hold, and save harmless the Department and its officers and employees from all claims and liability due to the acts or omissions of the Subgrantee, its agents, or employees. The Subgrantee also agrees, to the extent permitted by law, to indemnify, hold, and save harmless the Department from any and all expenses, including but not limited to attorney fees, all court costs and awards for damages incurred by the Department in litigation or otherwise resisting claims or liabilities as a result of any activities of the Subgrantee, its agents, or employees.

B. To the extent permitted by law, the Subgrantee, if other than a government entity, agrees to protect, indemnify, and save harmless the Department from and against all claims, demands, and causes of action of every kind and character brought by any employee of the Subgrantee against the Department due to personal injuries to or death of any employee resulting from any alleged negligent act, by either commission or omission on the part of the Subgrantee.

C. If the Subgrantee is a government entity, both parties to this agreement agree that no party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds, as well as the acts and deeds of its contractors, employees, representatives, and agents.

**ARTICLE 10. DISPUTES AND REMEDIES**

This agreement supersedes any prior oral or written agreements. If a conflict arises between this agreement and the Traffic Safety Program Manual, this agreement shall govern. The Subgrantee shall be responsible for the settlement of all contractual and administrative issues arising out of procurement made by the Subgrantee in support of work under this agreement. Disputes concerning performance or payment shall be submitted to the Department for settlement, with the Executive Director or his or her designee acting as final referee.

**ARTICLE 11. TERMINATION**

A. This agreement shall remain in effect until the Subgrantee has satisfactorily completed all services and obligations described in this agreement and these have been accepted by the Department, unless:

1. This agreement is terminated in writing with the mutual consent of both parties; or

2. There is a written thirty (30) day notice by either party; or

3. The Department determines that the performance of the project is not in the best interest of the Department and informs the Subgrantee that the project is terminated immediately.

B. The Department shall compensate the Subgrantee for only those eligible expenses incurred during the Grant Period specified in this Grant Agreement that are directly attributable to the completed portion of the work covered by this agreement, provided that the work has been completed in a manner satisfactory and acceptable to the Department. The Subgrantee shall not incur nor be reimbursed for any new obligations after the effective date of termination.

**ARTICLE 12. INSPECTION OF WORK**

A. The Department and, when federal funds are involved, the USDOT, or any of their authorized representatives, have the right at all reasonable times to inspect or otherwise evaluate the work performed or being performed under this agreement and the premises in which it is being performed.

B. If any inspection or evaluation is made on the premises of the Subgrantee or its subcontractor, the Subgrantee shall provide and require its subcontractor to provide all reasonable facilities and assistance for the safety and convenience of the inspectors in the performance of their duties. All inspections and evaluations shall be performed in a manner that will not unduly delay the work.

**ARTICLE 13. AUDIT**

The state auditor may conduct an audit or investigation of any entity receiving funds from the state directly under this agreement or indirectly through a subcontract under this agreement. Acceptance of funds directly under this agreement or indirectly through a subcontract under this agreement acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

**ARTICLE 14. SUBCONTRACTS**

A subcontract in excess of $25,000 may not be executed by the Subgrantee without prior written concurrence by the Department. Subcontracts in excess of $25,000 shall contain all applicable terms and conditions of this agreement. No subcontract will relieve the Subgrantee of its responsibility under this agreement.

**ARTICLE 15. GRATUITIES**

A. Texas Transportation Commission policy mandates that employees of the Department shall not accept any benefit, gift, or favor from any person doing business with or who, reasonably speaking, may do business with the Department under this agreement. The only exceptions allowed are ordinary business lunches and items that have received the advanced written approval of the Department's Executive Director.

B. Any person doing business with or who reasonably speaking may do business with the Department under this agreement may not make any offer of benefits, gifts, or favors to Department employees, except as mentioned here above. Failure on the part of the Subgrantee to adhere to this policy may result in termination of this agreement.

**ARTICLE 16. NONCOLLUSION**

The Subgrantee warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the Subgrantee, to solicit or secure this agreement, and that it has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration contingent upon or resulting from the award or making of this agreement. If the Subgrantee breaches or violates this warranty, the Department shall have the right to annul this agreement without liability or, in its discretion, to deduct from the agreement price or consideration, or otherwise recover the full amount of such fee, commission, brokerage fee, contingent fee, or gift.

**ARTICLE 17. CONFLICT OF INTEREST**

The Subgrantee represents that it or its employees have no conflict of interest that would in any way interfere with its or its employees' performance or which in any way conflicts with the interests of the Department. The Subgrantee shall exercise reasonable care and diligence to prevent any actions or conditions that could result in a conflict with the Department's interests.

**ARTICLE 18. SUBGRANTEE'S RESOURCES**

A. The Subgrantee certifies that it presently has adequate qualified personnel in its employment to perform the work required under this agreement, or will be able to obtain such personnel from sources other than the Department.

B. All employees of the Subgrantee shall have the knowledge and experience that will enable them to perform the duties assigned to them. Any employee of the Subgrantee who, in the opinion of the Department, is incompetent or whose conduct becomes detrimental to the work, shall immediately be removed from association with the project.

C. Unless otherwise specified, the Subgrantee shall furnish all equipment, materials, supplies, and other resources required to perform the work.

**ARTICLE 19. PROCUREMENT AND PROPERTY MANAGEMENT**

The Subgrantee shall establish and administer a system to procure, control, protect, preserve, use, maintain, and dispose of any property furnished to it by the Department or purchased pursuant to this agreement in accordance with its own procurement and property management procedures, provided that the procedures are not in conflict with (1) the Department's procurement and property management standards and (2) the federal procurement and property management standards provided by 2 CFR §§ 200.310-.316, 200.318-.324.

**ARTICLE 20. OWNERSHIP OF DOCUMENTS AND INTELLECTUAL PROPERTY**

Upon completion or termination of this Grant Agreement, whether for cause or at the convenience of the parties, all finished or unfinished documents, data, studies, surveys, reports, maps, drawings, models, photographs, etc. prepared by the Subgrantee, and equipment and supplies purchased with grant funds shall, at the option of the Department, become the property of the Department. All sketches, photographs, calculations, and other data prepared under this agreement shall be made available, upon request, to the Department without restriction or limitation of their further use.

A. Intellectual property consists of copyrights, patents, and any other form of intellectual property rights covering any databases, software, inventions, training manuals, systems design, or other proprietary information in any form or medium.

B. All rights to Department. The Department shall own all of the rights (including copyrights, copyright applications, copyright renewals, and copyright extensions), title and interests in and to all data, and other information developed under this contract and versions thereof unless otherwise agreed to in writing that there will be joint ownership.

C. All rights to Subgrantee. Classes and materials initially developed by the Subgrantee without any type of funding or resource assistance from the Department remain the Subgrantee's intellectual property. For these classes and materials, the Department payment is limited to payment for attendance at classes.

**ARTICLE 21. SUCCESSORS AND ASSIGNS**

The Department and the Subgrantee each binds itself, its successors, executors, assigns, and administrators to the other party to this agreement and to the successors, executors, assigns, and administrators of the other party in respect to all covenants of this agreement. The Subgrantee shall not assign, sublet, or transfer interest and obligations in this agreement without written consent of the Department through eGrants.

**ARTICLE 22. CIVIL RIGHTS COMPLIANCE**

A. Compliance with regulations: The Subgrantee shall comply with the regulations relative to nondiscrimination in federally-assisted programs of the United States Department of Transportation

(USDOT): 49 CFR, Part 21; 23 CFR, Part 200; and 41 CFR, Parts 60-74, as they may be amended periodically (called the "Regulations"). The Subgrantee agrees to comply with Executive Order 11246, entitled "Equal Employment Opportunity," as amended by Executive Order 11375 and as supplemented by the U.S. Department of Labor regulations (41 CFR, Part 60).

B. Nondiscrimination: (applies to subrecipients as well as States) The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination ("Federal Nondiscrimination Authorities"). These include but are not limited to:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970** , (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- **Federal-Aid Highway Act of 1973** , (23 U.S.C. 324 et seq.), and **Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- **Section 504 of the Rehabilitation Act of 1973** , (29 U.S.C. 794 et seq.), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- **The Age Discrimination Act of 1975** , as amended, (42 U.S.C. 6101 et seq.), (prohibits discrimination on the basis of age);
- **The Civil Rights Restoration Act of 1987** , (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- **Titles II and III of the Americans with Disabilities Act** (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
- **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100).

The State highway safety agency-

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted;
- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance:

- Agrees to comply (and require its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Agrees to insert in all contracts and funding agreements with other State or private entities the following clause:

"During the performance of this contract/funding agreement, the contractor/funding recipient agrees-

a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;

b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49 CFR part 21 and herein;

c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;

d. That, in event a contractor/finding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and

e. To insert this clause, including paragraphs (a) through (e), in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

C. Solicitations for subcontracts, including procurement of materials and equipment: In all solicitations either by competitive bidding or negotiation made by the Subgrantee for work to be performed under a subcontract, including procurements of materials and leases of equipment, each potential subcontractor or supplier shall be notified by the Subgrantee of the Subgrantee's obligations under this agreement and the regulations relative to nondiscrimination on the grounds of race, color, sex, national origin, age, religion, or disability.

D. Information and reports: The Subgrantee shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Department or the USDOT to be pertinent to ascertain compliance with the Regulations or directives. Where any information required of the Subgrantee is in the exclusive possession of another who fails or refuses to furnish this information, the Subgrantee shall certify that to the Department or the USDOT, whichever is appropriate, and shall set forth what efforts the Subgrantee has made to obtain the requested information.

E. Sanctions for noncompliance: In the event of the Subgrantee's noncompliance with the nondiscrimination provision of this agreement, the Department shall impose such sanctions as it or the USDOT may determine to be appropriate.

F. Incorporation of provisions: The Subgrantee shall include the provisions of paragraphs A. through

E. in every subcontract, including procurements of materials and leases of equipment, unless exempt by the regulations or directives. The Subgrantee shall take any action with respect to any subcontract or procurement that the Department may direct as a means of enforcing those provisions, including sanctions for noncompliance. However, in the event a Subgrantee becomes involved in, or is threatened with litigation with a subcontractor or supplier as a result of such direction, the Subgrantee may request the Department to enter into litigation to protect the interests of the state; and in addition, the Subgrantee may request the United States to enter into such litigation to protect the interests of the United States.

**ARTICLE 23. DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM**

A. The parties shall comply with the DBE Program requirements established in 49 CFR Part 26.

B. The Subgrantee shall adopt, in its totality, the Department's federally approved DBE program.

C. The Subgrantee shall set an appropriate DBE goal consistent with the Department's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Subgrantee shall have final decision- making authority regarding the DBE goal and shall be responsible for documenting its actions.

D. The Subgrantee shall follow all other parts of the Department's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally-Approved Disadvantaged Business Enterprise by Entity and attachments found at web address http://www.txdot.gov/business/partnerships/dbe.html

E. The Subgrantee shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Subgrantee shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of USDOT-assisted contracts. The Department's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Subgrantee of its failure to carry out its approved program, the Department may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and the Program Fraud Civil Remedies Act of 1986 (31 USC 3801 et seq.).

F. Each contract the Subgrantee signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of USDOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate.

**ARTICLE 24. CERTIFICATION REGARDING DEBARMENT AND SUSPENSION** (applies to subrecipients as well as States)

Instructions for Primary Tier Participant Certification (States)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification , in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (https://www.sam.gov/).

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or

voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

*Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Tier Covered Transactions*

(1) The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Participant Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered

transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (https://www.sam.gov/).

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

*Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions:*

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**ARTICLE 25. CERTIFICATION REGARDING FEDERAL LOBBYING** (applies to subrecipients as well as States)

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:
1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation,

renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

**ARTICLE 26. CHILD SUPPORT CERTIFICATION**

Under Section 231.006, Texas Family Code, the Subgrantee certifies that the individual or business entity named in this agreement is not ineligible to receive the specified grant, loan, or payment and acknowledges that this agreement may be terminated and payment may be withheld if this certification is inaccurate. If the above certification is shown to be false, the Subgrantee is liable to the state for attorney's fees and any other damages provided by law or the agreement. A child support obligor or business entity ineligible to receive payments because of a payment delinquency of more than thirty (30) days remains ineligible until: all arrearages have been paid; the obligor is in compliance with a written repayment agreement or court order as to any existing delinquency; or the court of continuing jurisdiction over the child support order has granted the obligor an exemption from Subsection (a) of Section 231.006, Texas Family Code, as part of a court-supervised effort to improve earnings and child support payments.

**ARTICLE 27. FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT REQUIREMENTS**

A. Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms:
http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf and
http://edocket.access.gpo.gov/2010/pdf/2010-22706.pdf .

B. The Subgrantee agrees that it shall:

1. Obtain and provide to the State a System for Award Management (SAM) number (48 CFR subpt. 4.11) if this award provides for more than $25,000 in Federal funding. The SAM number may be obtained by visiting the SAM web-site at: https://www.sam.gov

2. Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows the Federal government to track the distribution of federal money. The DUNS number may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website http://fedgov.dnb.com/webform;

and

3. Report the total compensation and names of its top five (5) executives to the State if:

i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than $25,000,000; and

ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

**ARTICLE 28. SINGLE AUDIT REPORT**

A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in 2 CFR Part 200.

B. If threshold expenditures of $750,000 or more are met during the Subgrantee's fiscal year, the Subgrantee must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 East 11th Street, Austin, TX 78701 or contact TxDOT's Audit Office at singleaudits@txdot.gov

C. If expenditures are less than $750,000 during the Subgrantee's fiscal year, the Subgrantee must submit a statement to TxDOT's Audit Office as follows: "We did not meet the $750,000 expenditure threshold and therefore, are not required to have a single audit performed for FY_____."

D. For each year the project remains open for federal funding expenditures, the Subgrantee will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or the project has been formally closed out and no charges have been incurred within the current fiscal year.

**ARTICLE 29. BUY AMERICA ACT** (applies to subrecipients as well as States)

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

**ARTICLE 30. RESTRICTION ON STATE LOBBYING** (applies to subrecipients as well as States)

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

**ARTICLE 31. NONGOVERNMENTAL ENTITY'S PUBLIC INFORMATION**
(*This article applies only to non-profit entities.)*

The Subgrantee is required to make any information created or exchanged with the Department pursuant to this Grant Agreement and not otherwise excepted from disclosure under the Texas Public Information Act, available in a format that is accessible by the public at no additional charge to the Department. [SB-1368, 83rd Texas Legislature, Regular Session, Effective 9/1/13]

**ARTICLE 32. PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE**
(applies to subrecipients as well as States)

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

**ARTICLE 33. INTERNAL ETHICS AND COMPLIANCE PROGRAM**

Subgrantee shall comply with Title 43 Texas Administrative Code §25.906(b). Subgrantee certifies it has adopted an internal ethics and compliance program that satisfies the requirements of Title 43 Texas Administrative Code §10.51 (relating to Internal Ethics and Compliance Program). Subgrantee shall enforce compliance with that program.

**Data Universal Numbering System:** The Data Universal Numbering System (DUNS) is a unique nine-digit number recognized as the universal standard for identifying and tracking businesses worldwide. The Federal Spending Transparency Directive and the previous Federal Funding Accountability and Transparency Act (FFATA) requires grantees and sub-grantees to have a DUNS number. Most agencies and organizations have DUNS numbers established, please check with your accounting staff. To obtain a DUNS number, applicants should go to the Dun and Bradstreet website at: http://fedgov.dnb.com/webform

Data Universal Numbering System (D-U-N-S) 010597169

2 C.F.R. Part 200 Compliance

Enter the Begin Date and End Date of your Agency's Fiscal Year 2022

Begin Date : 10/1/2021 End Date : 9/30/2022

Your entity is required to comply with federal (OMB A-133) and/or state (State of Texas Single Audit Circular) requirements.

If threshold expenditures of $750,000 or more are met during your agency's fiscal year, please submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 East Eleventh Street, Austin, TX 78701 or contact TxDOT's Audit Office at singleaudits@txdot.gov

If expenditures are less than $750,000 during your agency's fiscal year, please submit a statement to TxDOT's Audit Office as follows:
"We did not meet the $750,000 expenditure threshold and therefore we are not required to have a single audit performed for FY ."

X I agree

STEP Operating Policies and Procedures

All STEP agencies must either have established written STEP operating policies and procedures, or will develop written policies and procedures before STEP grants can be executed. Please click here for STEP Policies and Procedures requirements.

If your agency has approved STEP Operating Policies and Procedures, please upload here : https://www.dot.state.tx.us/apps/egrants/_Upload/1022884_337697-Policy5.18SelectiveTrafficEnforcementProgram.doc

If your agency does not have approved STEP Operating Policies and Procedures, please certify the following:

I certify that our agency will develop STEP Operating Policies and Procedures before executing the grant.

## PROPOSING AGENCY AUTHENTICATION

X The following person has authorized the submittal of this proposal.

| | |
|---|---|
| Name | :Eric Hansen |
| Title | :Traffic Sergeant |
| Address | :1525 Arkansas Ln |
| City | :Grand Prairie |
| State | :Texas |
| Zip Code | :75052 |
| Phone Number | :9722378906 |
| Fax Number | :9722378915 |
| E-mail address | :ehansen@gptx.org |

**COUNTY SERVED**

Dallas County - Dallas District
Ellis County - Dallas District
Tarrant County - Fort Worth District

## POLITICAL DISTRICT SERVED

**U.S. Congress*** Congressional District 6
Congressional District 30
Congressional District 33

**Texas Senate*** Texas Senate District 9
Texas Senate District 10
Texas Senate District 22
Texas Senate District 23

**Texas House*** Texas House of Representatives District 10
Texas House of Representatives District 92
Texas House of Representatives District 101
Texas House of Representatives District 104
Texas House of Representatives District 105
Texas House of Representatives District 111

## GOALS AND STRATEGIES

**Goal:** To reduce commercial motor vehicle crashes, injuries, and fatalities involving vehicles with a vehicle body type of "Semi-Trailer" or "Truck-Tractor"

**Strategies:**

Increase public information and education on sharing the road with commercial motor vehicles (CMV).

Increase public education and information campaigns regarding enforcement activities.

Increase and sustain high visibility enforcement of traffic safety-related laws.

X Agency agrees to the above goals and strategies.

## BASELINE INFORMATION

**Baseline Definition:** A number serving as a foundation for subgrantees to measure pre-grant traffic enforcement activity. Baseline information must be provided by the subgrantee in order to identify local traffic enforcement related activity. This information should exclude any activity generated with STEP grant dollars. Once the baseline is established, these figures will be used to compare subsequent year's local and grant traffic enforcement activity.

**Note:** Baseline data used must be no older than 2016.

**Baseline Year (12 months)** **From** 10/1/2019 **to** 9/30/2020

| Baseline Measure | Arrests/Citations | Written Warnings | KA Crashes |
|---|---|---|---|
| Commercial Motor Vehicle (non STEP) | 363 | 0 | 3 |
| Other Elements (non STEP) | 31116 | 0 | |

If you have additional attachments, provide them on the "Attachments" page

## LAW ENFORCEMENT OBJECTIVE/PERFORMANCE MEASURE

| Objective/Performance Measure | Target Number |
|---|---|
| Reduce the number of crashes that involve a CMV to | 2 |

**Note: Nothing in this agreement shall be interpreted as a requirement, formal or informal, that a peace officer issue a specified or predetermined number of citations in pursuance of the Subgrantee's obligations hereunder. Department and Subgrantee acknowledge that Texas Transportation Code Section 720.002 prohibits using traffic-offense quotas and agree that nothing in this Agreement is establishing an illegal quota.**

**In addition to the STEP enforcement activities, the subgrantee must maintain baseline non-STEP funded citation and arrest activity due to the prohibition of supplanting.**

## PI&E OBJECTIVE/PERFORMANCE MEASURE

XI agree to the below efforts with a public information and education (PI&E) program.

a. Conduct a minimum of one (1) presentations
b. Conduct a minimum of two (2) media exposures (e.g. news conferences, news releases, and interviews)

c. Conduct a minimum of one (1) community events (e.g. health fairs, booths)

## OPERATIONAL PLAN

| | |
|---|---|
| **Zone Name :** | Zone 1 |
| **Zone Location :** | SH 360/Green Oaks-Carrier east to Lower Tarrant Rd, east to SH 161, south to Carrier, south to Dalworth St, west to Duncan Perry Rd, north to Ave K, west to SH 360, back to point of beginning. |
| **Zone Hours :** | 24/7 Enforcement |
| **Zone Heat Map :** (attach) | https://www.dot.state.tx.us/apps/egrants/_Upload/1022895_337651-CMVZone1.docx |

## OPERATIONAL PLAN

| | |
|---|---|
| **Zone Name :** | Zone 2 |
| **Zone Location :** | IH-20 within city limits |
| **Zone Hours :** | 24/7 Enforcement |
| **Zone Heat Map :** (attach) | https://www.dot.state.tx.us/apps/egrants/_Upload/1025787_337651-CMVZone2.docx |

## SALARIES AND FRINGE BENEFITS

| Law Enforcement Hours: 680 | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| X Overtime Regular Time | | | | | | | | |
| | TxDOT Hours | Match Hours | Wage Rate | TxDOT Salaries | Match Salaries | Total Salaries | Fringe % | Total Fringe: |
| A. Enforcement | | | | | | | | |
| Officers/Deputies: | 489 | 123 | $62.000 | $30,318.00 | $7,626.00 | $37,944.00 | 24.7% | $9,372.17 |
| Sergeants: | 54 | 14 | $74.500 | $4,023.00 | $1,043.00 | $5,066.00 | 24.7% | $1,251.30 |
| Lieutenants/Other: | 0 | 0 | $85.000 | | | | 24.7% | $0 |
| B. PI&E Activities | | | | | | | | |
| PI&E Activities: | | | $0 | | $0 | | % | $0 |
| C. Administrative Duties | | | | | | | | |
| Admin | 43 | 11 | $75.500 | $3,246.50 | $830.50 | $4,077.00 | 24.7% | $1,007.02 |
| | | | $0 | | | | % | $0 |
| | | | $0 | | | | % | $0 |
| | | | $0 | | | | % | $0 |
| | | | $0 | | | | % | $0 |
| | | | $0 | | | | % | $0 |
| Total: | | | | $37,587.50 | $9,499.50 | $47,087.00 | | $11,630.49 |

| Category | | TxDOT | % | | Match | | % | Total |
|---|---|---|---|---|---|---|---|---|
| Salaries: | | $37,587.50 | 79.83% | | $9,499.50 | | 20.17% | $47,087.00 |
| Fringe Benefits: | | $9,304.39 | 80.00% | | $2,326.10 | | 20.00% | $11,630.49 |
| Breakdown of Fringe Percentages: | Details of regular time, if included in any of the above hours : | | | | | | | |

## BUDGET SUMMARY

| Budget Category | | TxDOT | Match | Total |
|---|---|---|---|---|
| **Category I - Labor Costs** | | | | |
| (100) | Salaries: | $37,587.50 | $9,499.50 | $47,087.00 |
| (200) | Fringe Benefits: | $9,304.39 | $2,326.10 | $11,630.49 |
| | Sub-Total: | $46,891.89 | $11,825.60 | $58,717.49 |
| **Category II - Other Direct Costs** | | | | |
| (300) | Travel: | $0 | $0 | $0 |
| (400) | Equipment: | $0 | $0 | $0 |
| (500) | Supplies: | $0 | $0 | $0 |
| (600) | Contractual Services: | $0 | $0 | $0 |
| (700) | Other Miscellaneous: | $0 | $0 | $0 |
| | Sub-Total: | $0 | $0 | $0 |
| **Total Direct Costs:** | | $46,891.89 | $11,825.60 | $58,717.49 |
| **Category III - Indirect Costs** | | | | |
| (800) | Indirect Cost Rate: | $0 | $0 | $0 |
| **Summary** | | | | |
| | Total Labor Costs: | $46,891.89 | $11,825.60 | $58,717.49 |
| | Total Direct Costs: | $0 | $0 | $0 |
| | Total Indirect Costs: | $0 | $0 | $0 |
| **Grand Total** | | $46,891.89 | $11,825.60 | $58,717.49 |
| | Fund Sources (Percent Share): | 79.86% | 20.14% | |

Salary and cost rates will be based on the rates submitted by the Subgrantee in its grant application in Egrants.

**CITY OF GRAND PRAIRIE**

# RESOLUTION

**MEETING DATE:** 02/02/2021

**REQUESTER:** Chase Wheeler

**PRESENTER:** Chase Wheeler, EMC

**TITLE:** Resolution for the City Manager to submit an application for FY 2021 Emergency Management Performance Grant (EMPG) and accept grant award from the Texas Department of Public Safety/Texas Division of Emergency Management, in an anticipated amount of $50,000.

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**

The grant award amount for FY 2021 has not yet been calculated by the State and Federal Government; however an estimate of $50,000 is anticipated. The City of Grand Prairie is at the advanced level of preparedness and is considered an eligible jurisdiction for the FY 2021 Emergency Management Performance Grant.

The City of Grand Prairie Office of Emergency Management (GP OEM) plans to apply for and receive a grant award for approximately $50,000 for grant period October 1, 2020 to September 30, 2021 from the State of Texas Department of Public Safety/Division of Emergency Management for GP OEM to receive reimbursement for emergency management program-related expenses. The City of Grand Prairie Office of Emergency Management has received EMPG grant awards for the last several years by completing the necessary requirements.

The purpose of the EMPG grant program is to make grants to states to assist local governments in preparing for all hazards, as authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Title VI of the Stafford Act authorizes FEMA to make grants for the purpose of providing a system of emergency preparedness for the protection of life and property in the United States from hazards and to vest the responsibility for emergency preparedness jointly in the federal government and the states and their political subdivisions.

Associated reporting requirements are included in this grant to determine how effective the City of Grand Prairie (grantee) is utilizing the EMPG program funding to prepare for all hazards and advance a whole community approach. With these measures, the City of Grand Prairie Office of Emergency Management must evaluate the progress towards achieving specified objectives in quarterly EMPG program reports and in compliance with the below reporting requirements:

- Maintain an approved Emergency Management Plan and Annexes
- Develop and Maintain a Multi-Year Training and Exercise Plan to include conducting of exercises.
- Verify Capability of Personnel through the completion of National Incident Management System (NIMS) related training and other required emergency management-related training.
- Completion of Work Plans, Progress Reports #1 & #2, and Quarterly Financial Reports must be submitted.

The federal government, through the EMPG program, provides necessary direction, coordination, and guidance, and provides necessary assistance, as authorized so that a comprehensive emergency preparedness system exists for all hazards.

**FINANCIAL CONSIDERATION:**

As part of the FY 2020/2021 budget, the City Council approved $415,153 in total expenditures for the Office of Emergency Management (OEM). Since the City has consistently received EMPG grant funding for many years now, an estimate of $50,000 in EMPG grant revenue was also included in the FY 2020/2021 budget in anticipation of receiving the award again. If the City is awarded this grant, no other financial consideration is necessary. However, if the City does not receive the grant award in FY 2020/2021, OEM budget expenditures and/or revenue adjustments will be necessary.

**BODY**

**A RESOLUTION OF THE CITY OF GRAND PRAIRIE, TEXAS,**
*(add the function of the resolution in this caption; i.e. what action is being taken by adoption of this resolution - uppercase)*

**WHEREAS,** the Grand Prairie Office of Emergency Management wishes to apply for funding to maintain the emergency management program and to prevent, prepare for, respond to and recover from hazards that face the City of Grand Prairie;

**WHEREAS,** the City will accept FY 2021 Emergency Management Performance Grant reimbursements from the Texas Division of Emergency Management for emergency management program-related expenses;

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

**SECTION 1.** the City Council of the City of Grand Prairie, Texas, does hereby authorize the City Manager to apply for and accept if awarded the FY 2021 Emergency Management Performance Grant and receive grant reimbursements to promote emergency preparedness, maintain the emergency management program and to prevent, prepare for, respond to and recover from emergencies and disasters that we may face in the City of Grand Prairie.

**SECTION 2.** this resolution shall be in full force and effect from and after its passage and approval in accordance with the Charter of the City of Grand Prairie and it is accordingly so resolved.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 2ND DAY OF February, 2021.**

CITY OF GRAND PRAIRIE
# COMMUNICATION

**MEETING DATE:** 02/02/2021

**REQUESTER:** Fred Bates, Jr.

**PRESENTER:** Daniel Scesney, Chief of Police

**TITLE:** Resolution authorizing the City Manager to accept a Selective Traffic Enforcement (STEP) grant from the Texas Department of Transportation (TxDOT) for the enforcement of safety belt, child safety seat, speed, intersection traffic control, distracted driving and DWI laws in the amount of $309,849.57.

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**
The results of special statewide traffic enforcement efforts in Texas and other states confirm that coordinated programs, such as the Selective Traffic Enforcement Program (STEP), are highly effective in reducing traffic-related fatalities, injuries and costs.

The Grand Prairie Police Department has participated in the Selective Traffic Enforcement Program for 30 years. The total grant money addresses primarily seatbelt, child safety seat, speeding, intersection traffic control, and DWI laws.

From October 2019 through August 2020, the TxDOT STEP Grant has resulted in the following grant-related citation totals: speeding violations 9071; seatbelt use violations 338; unrestrained child violations 241; intersection control devices violations 1964. The total number of citations issued as part of the grant program from October 2019 through September 2020 was 19334, which includes the above totals and non-hazardous violations.

The Selective Traffic Enforcement Program benefits the citizens of Grand Prairie by increasing safety belt compliance and reducing the number of crashes caused by excessive speed, disregarding traffic control devices, and alcohol consumption.

The Public Safety, Health and Environmental Committee reviewed this item on February 1, 2021 and recommended that it be forwarded to the City Council for approval.

**FINANCIAL CONSIDERATION:**

The grant period begins October 1, 2021 and ends September 30, 2022. It is anticipated the total cost for the City during this period will amount to a cash match of $186,058.14. Funding will be allocated in the FY 2021 General Fund budget. The Texas Department of Transportation will fund $123,791.43 to pay the City for overtime salaries and benefits for enforcement efforts. Project cost will total $309,849.57.

**A RESOLUTION OF THE CITY OF GRAND PRAIRIE, TEXAS, IN SUPPORT OF A TEXAS DEPARTMENT OF TRANSPORTATION GRANT FOR SAFETY BELT, CHILD SAFETY SEAT, SPEED, INTERSECTION TRAFFIC CONTROL, AND DWI ENFORCEMENT IN THE AMOUNT OF 309,849.57 TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.**

**WHEREAS,** the Grand Prairie Police Department wishes to participate in an intensified enforcement of safety belt, child safety seat, speed, intersection traffic control and DWI laws;

**WHEREAS,** the City will provide a cash match of $186,058.14 to the Texas Department of Transportation;

**WHEREAS,** in the event of loss or misuse of Texas Department of Transportation funds, the City of Grand Prairie assures that the funds will be returned to the Texas Department of Transportation in full;

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

**SECTION 1.** the City Manager of the City of Grand Prairie is empowered to accept, reject, alter or terminate this grant on behalf of the City Council;

**SECTION 2.** this resolution shall be in full force and effect from and after its passage and approval in accordance with the Charter of the City of Grand Prairie and it is accordingly so resolved.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 2ND DAY OF FEBRUARY, 2021.**

# Texas Traffic Safety eGrants

# Fiscal Year 2022

**Organization Name:** City of Grand Prairie Police Department

**Legal Name:** City of Grand Prairie

**Payee Identification Number:** 17560005435024

**Project Title:** STEP Comprehensive

**ID:** 2022-GrandPra-S-1YG-00068

**Period:** 10/01/2021 to 09/30/2022

## GENERAL INFORMATION

**Project Title:** STEP Comprehensive
**Project Description:**

**Program Elements**
When performing enforcement activities under this grant, officers should make the enforcement of the STEP elements listed below their top priority, although any traffic-related probable cause can be used to initiate a vehicle stop

1. DWI : Driving While Intoxicated

2. Speed: Speed Enforcement

3. OP: Occupant Protection (Safety Belt and Child Safety Seat)

4. ITC: Intersection Traffic Control

5. DD: Distracted Driving

**Holiday Periods**
Enforcement activities under this grant may be conducted on any day at any time of day the agency deems appropriate. However, subgrantee should make it a priority to conduct enforcement activities during state and federally determined holiday periods, which are:

1. Christmas/New Year's

2. Spring Break

3. Memorial Day

4. Independence Day

5. Labor Day

STEP Mobilization Calendar is available on eGrantsHelp page

X Agency agrees to enforce the above Program Elements and Holiday Periods as part of the Selective Traffic Enforcement Program

## GRANT AGREEMENT GENERAL TERMS AND CONDITIONS *(Revised:07/18/2019)*

Definitions: For purposes of these Terms and Conditions, the "Department" is also known as the "State" and the "prospective primary participant" and the "Subgrantee" is also known as the "Subrecipient" and "prospective lower tier participant"

### ARTICLE 1. COMPLIANCE WITH LAWS

The Subgrantee shall comply with all federal, state, and local laws, statutes, codes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any matter affecting the performance of this agreement, including, without limitation, workers' compensation laws, minimum and maximum salary and wage statutes and regulations, nondiscrimination laws and regulations, and licensing laws and regulations. When required, the Subgrantee shall furnish the Department with satisfactory proof of compliance.

### ARTICLE 2. STANDARD ASSURANCES

The Subgrantee assures and certifies that it will comply with the regulations, policies, guidelines, and requirements, including 2 CFR, Part 200; and the Department's Traffic Safety Program Manual, as they relate to the application, acceptance, and use of federal or state funds for this project. Also, the Subgrantee assures and certifies that:

A. It possesses legal authority to apply for the grant; and that a resolution, motion, or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained in the application, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide any additional information that may be required.

B. It and its subcontractors will comply with Title VI of the Civil Rights Act of 1964 (Public Law 88-352), as amended, and in accordance with that Act, no person shall discriminate, on the grounds of race, color, sex, national origin, age, religion, or disability.

C. It will comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970, as amended; 42 USC (United States Code) §§4601 et seq.; and United States Department of Transportation (USDOT) regulations, "Uniform Relocation and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR, Part 24, which provide for fair and equitable treatment of persons displaced as a result of federal and federally assisted programs.

D. Political activity (Hatch Act) (applies to subrecipients as well as States). The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508) which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

E. It will comply with the federal Fair Labor Standards Act's minimum wage and overtime requirements for employees performing project work.

F. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

G. It will give the Department the access to and the right to examine all records, books, papers, or documents related to this Grant Agreement.

H. It will comply with all requirements imposed by the Department concerning special requirements of law, program requirements, and other administrative requirements.

I. It recognizes that many federal and state laws imposing environmental and resource conservation requirements may apply to this Grant Agreement. Some, but not all, of the major federal laws that may affect the project include: the National Environmental Policy Act of 1969, as amended, 42 USC §§4321 et seq.; the Clean Air Act, as amended, 42 USC §§7401 et seq. and sections of 29 USC; the Federal Water Pollution Control Act, as amended, 33 USC §§1251 et seq.; the Resource Conservation and Recovery Act, as amended, 42 USC §§6901 et seq.; and the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 USC §§9601 et seq. The Subgrantee also recognizes that the U.S. Environmental Protection Agency, USDOT, and other federal agencies have issued, and in the future are expected to issue, regulations, guidelines, standards, orders, directives, or other requirements that may affect this Project. Thus, it agrees to comply, and assures the compliance of each contractor and each subcontractor, with any federal requirements that the federal government may now or in the future promulgate.

J. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, 42 USC §4012a(a). Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where that insurance is available as a condition for the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any form of direct or indirect federal assistance.

K. It will assist the Department in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 USC 470 et seq.), Executive Order 11593, and the Antiquities Code of Texas (National Resources Code, Chapter 191).

L. It will comply with Chapter 573 of the Texas Government Code by ensuring that no officer, employee, or member of the Subgrantee's governing board or the Subgrantee's subcontractors shall vote or confirm the employment of any person related within the second degree of affinity or third degree by consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise that person. This prohibition shall not apply to the employment of a person described in Section 573.062 of the Texas Government Code.

M. It will ensure that all information collected, assembled, or maintained by the applicant relative to this project shall be available to the public during normal business hours in compliance with Chapter 552 of the Texas Government Code, unless otherwise expressly provided by law.

N. If applicable, it will comply with Chapter 551 of the Texas Government Code, which requires all regular, special, or called meetings of governmental bodies to be open to the public, except as otherwise provided by law or specifically permitted in the Texas Constitution.

**ARTICLE 3. COMPENSATION**

A. The method of payment for this agreement will be based on actual costs incurred up to and not to exceed the limits specified in the Project Budget. The amount included in a Project Budget category will be deemed to be an estimate only and a higher amount can be reimbursed, subject to the conditions specified in paragraph B of this Article. If the Project Budget specifies that costs are based on a specific rate, per-unit cost, or other method of payment, reimbursement will be based on the specified method.

B. All payments will be made in accordance with the Project Budget.
1. The Subgrantee's expenditures may overrun a budget category (I, II, or III) in the approved Project Budget without a grant (budget) amendment, as long as the overrun does not exceed a total of five (5) percent of the maximum amount eligible for reimbursement (TxDOT) in the attached Project Budget for the current fiscal year. This overrun must be off-set by an equivalent underrun elsewhere in the Project Budget.

2. If the overrun is five (5) percent or less, the Subgrantee must provide written notification to the Department, through the TxDOT Electronic Grants Management System (eGrants), prior to the Request for Reimbursement being approved. The notification must indicate the amount, the percent over, and the specific reason(s) for the overrun.

3. Any overrun of more than five (5) percent of the amount eligible for reimbursement (TxDOT) in the attached Project Budget requires an amendment of this Grant Agreement.

4. The maximum amount eligible for reimbursement shall not be increased above the Grand Total TxDOT Amount in the approved Project Budget, unless this Grant Agreement is amended, as described in Article 5 of this agreement.

5. For Selective Traffic Enforcement Program (STEP) grants only: In the Project Budget, Subgrantees are not allowed to use underrun funds from the TxDOT amount of (100) Salaries, Subcategories A, "Enforcement," or B, "PI&E Activities," to exceed the TxDOT amount listed in Subcategory C, "Other." Also, Subgrantees are not allowed to use underrun funds from the TxDOT amount of (100) Salaries, Subcategories A, "Enforcement," or C, "Other," to exceed the TxDOT amount listed in Subcategory B, "PI&E Activities." The TxDOT amount for Subcategory B, "PI&E Activities," or C, "Other," can only be exceeded within the five (5) percent flexibility, with underrun funds from Budget Categories II or III.

C. To be eligible for reimbursement under this agreement, a cost must be incurred in accordance with the Project Budget, within the time frame specified in the Grant Period of this Grant Agreement, attributable to work covered by this agreement, and which has been completed in a manner satisfactory and acceptable to the Department.

D. Federal or TxDOT funds cannot supplant (replace) funds from any other sources. The term "supplanting," refers to the use of federal or TxDOT funds to support personnel or an activity already supported by local or state funds.

E. Payment of costs incurred under this agreement is further governed by the cost principles outlined in 2 CFR Part 200.

F. The Subgrantee agrees to submit monthly Requests for Reimbursement, as designated in this Grant Agreement, within thirty (30) days after the end of the billing period. The Request for Reimbursement and appropriate supporting documentation must be submitted through eGrants.

G. The Subgrantee agrees to submit the final Request for Reimbursement under this agreement within forty-five (45) days of the end of the grant period.

H. Payments are contingent upon the availability of appropriated funds.

I. Project agreements supported with federal or TxDOT funds are limited to the length of this Grant Period specified in this Grant Agreement. If the Department determines that the project has demonstrated merit or has potential long-range benefits, the Subgrantee may apply for funding assistance beyond the initial agreement period.

Preference for funding will be given to projects based on (1) proposed cost sharing and (2) demonstrated performance history.

**ARTICLE 4. LIMITATION OF LIABILITY**

Payment of costs incurred under this agreement is contingent upon the availability of funds. If at any time during this Grant Period, the Department determines that there is insufficient funding to continue the project, the Department shall notify the Subgrantee, giving notice of intent to terminate this agreement, as specified in Article 11 of this agreement. If at the end of a federal fiscal year, the Department determines that there is sufficient funding and performance to continue the project, the Department may notify the Subgrantee to continue this agreement.

**ARTICLE 5. AMENDMENTS**

This agreement may be amended prior to its expiration by mutual written consent of both parties, utilizing the Grant Agreement Amendment in eGrants. Any amendment must be executed by the parties within the Grant Period, as specified in this Grant Agreement.

**ARTICLE 6. ADDITIONAL WORK AND CHANGES IN WORK**

A. If the Subgrantee is of the opinion that any assigned work is beyond the scope of this agreement and constitutes additional work, the Subgrantee shall promptly notify the Department in writing through eGrants. If the Department finds that such work does constitute additional work, the Department shall advise the Subgrantee and a written amendment to this agreement will be executed according to Article 5, Amendments, to provide compensation for doing this work on the same basis as the original work. If performance of the additional work will cause the maximum amount payable to be exceeded, the work will not be performed before a written grant amendment is executed.

B. If the Subgrantee has submitted work in accordance with the terms of this agreement but the Department requests changes to the completed work or parts of the work which involve changes to the original scope of services or character of work under this agreement, the Subgrantee shall make those revisions as requested and directed by the Department. This will be considered as additional work and will be paid for as specified in this Article.

C. If the Subgrantee submits work that does not comply with the terms of this agreement, the Department shall instruct the Subgrantee to make any revisions that are necessary to bring the work into compliance with this agreement. No additional compensation shall be paid for this work.

D. The Subgrantee shall make revisions to the work authorized in this agreement that are necessary to correct errors or omissions, when required to do so by the Department. No additional compensation shall be paid for this work.

E. The Department shall not be responsible for actions by the Subgrantee or any costs incurred by the Subgrantee relating to additional work not directly associated with or prior to the execution of an amendment.

**ARTICLE 7. REPORTING AND MONITORING**

A. Not later than thirty (30) days after the end of each reporting period, the Subgrantee shall submit a performance report through eGrants. Reporting periods vary by project duration and are defined as follows:

1. For short term projects, the reporting period is the duration of the project. Subgrantee shall submit a performance report within 30 days of project completion.

2. For longer projects, the reporting period is monthly. Subgrantee shall submit a performance report within 30 days of the completion of each project month and within 30 days of project completion.

3. For Selective Traffic Enforcement Program (STEP) Wave projects, the reporting period is each billing cycle. Subgrantee shall submit a performance report within 30 days of the completion of each billing cycle.

B. The performance report will include, as a minimum: (1) a comparison of actual accomplishments to the objectives established for the period, (2) reasons why established objectives and performance measures were not met, if appropriate, and (3) other pertinent information, including, when appropriate, an analysis and explanation of cost underruns, overruns, or high unit costs.

C. The Subgrantee shall promptly advise the Department in writing, through eGrants, of events that will have a significant impact upon this agreement, including:

1. Problems, delays, or adverse conditions, including a change of project director or other changes in Subgrantee personnel, that will materially affect the ability to attain objectives and performance measures, prevent the meeting of time schedules and objectives, or preclude the attainment of project objectives or performance measures by the established time periods. This disclosure shall be accompanied by a statement of the action taken or contemplated and any Department or federal assistance needed to resolve the situation.

2. Favorable developments or events that enable meeting time schedules and objectives sooner than anticipated or achieving greater performance measure output than originally projected.

D. The Subgrantee shall submit the Final Performance Report through eGrants within thirty (30) days after completion of the grant.

**ARTICLE 8. RECORDS**

The Subgrantee agrees to maintain all reports, documents, papers, accounting records, books, and other evidence pertaining to costs incurred and work performed under this agreement (called the "Records"), and shall make the Records available at its office for the time period authorized within the Grant Period, as specified in this Grant Agreement. The Subgrantee further agrees to retain the Records for four (4) years from the date of final payment under this agreement, until completion of all audits, or until pending litigation has been completely and fully resolved, whichever occurs last.

Duly authorized representatives of the Department, the USDOT, the Office of the Inspector General, Texas State Auditor, and the Comptroller General shall have access to the Records. This right of access is not limited to the four (4) year period but shall last as long as the Records are retained.

**ARTICLE 9. INDEMNIFICATION**

A. To the extent permitted by law, the Subgrantee, if other than a government entity, shall indemnify, hold, and save harmless the Department and its officers and employees from all claims and liability due to the acts or omissions of the Subgrantee, its agents, or employees. The Subgrantee also agrees, to the extent permitted by law, to indemnify, hold, and save harmless the Department from any and all expenses, including but not limited to attorney fees, all court costs and awards for damages incurred by the Department in litigation or otherwise resisting claims or liabilities as a result of any activities of the Subgrantee, its agents, or employees.

B. To the extent permitted by law, the Subgrantee, if other than a government entity, agrees to protect, indemnify, and save harmless the Department from and against all claims, demands, and causes of action of every kind and character brought by any employee of the Subgrantee against the Department due to personal injuries to or death of any employee resulting from any alleged negligent act, by either commission or omission on the part of the Subgrantee.

C. If the Subgrantee is a government entity, both parties to this agreement agree that no party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds, as well as the acts and deeds of its contractors, employees, representatives, and agents.

**ARTICLE 10. DISPUTES AND REMEDIES**

This agreement supersedes any prior oral or written agreements. If a conflict arises between this agreement and the Traffic Safety Program Manual, this agreement shall govern. The Subgrantee shall be responsible for the settlement of all contractual and administrative issues arising out of procurement made by the Subgrantee in support of work under this agreement. Disputes concerning performance or payment shall be submitted to the Department for settlement, with the Executive Director or his or her designee acting as final referee.

**ARTICLE 11. TERMINATION**

A. This agreement shall remain in effect until the Subgrantee has satisfactorily completed all services and obligations described in this agreement and these have been accepted by the Department, unless:

1. This agreement is terminated in writing with the mutual consent of both parties; or

2. There is a written thirty (30) day notice by either party; or

3. The Department determines that the performance of the project is not in the best interest of the Department and informs the Subgrantee that the project is terminated immediately.

B. The Department shall compensate the Subgrantee for only those eligible expenses incurred during the Grant Period specified in this Grant Agreement that are directly attributable to the completed portion of the work covered by this agreement, provided that the work has been completed in a manner satisfactory and acceptable to the Department. The Subgrantee shall not incur nor be reimbursed for any new obligations after the effective date of termination.

**ARTICLE 12. INSPECTION OF WORK**

A. The Department and, when federal funds are involved, the USDOT, or any of their authorized representatives, have the right at all reasonable times to inspect or otherwise evaluate the work performed or being performed under this agreement and the premises in which it is being performed.

B. If any inspection or evaluation is made on the premises of the Subgrantee or its subcontractor, the Subgrantee shall provide and require its subcontractor to provide all reasonable facilities and assistance for the safety and convenience of the inspectors in the performance of their duties. All inspections and evaluations shall be performed in a manner that will not unduly delay the work.

**ARTICLE 13. AUDIT**

The state auditor may conduct an audit or investigation of any entity receiving funds from the state directly under this agreement or indirectly through a subcontract under this agreement. Acceptance of funds directly under this agreement or indirectly through a subcontract under this agreement acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

**ARTICLE 14. SUBCONTRACTS**

A subcontract in excess of $25,000 may not be executed by the Subgrantee without prior written concurrence by the Department. Subcontracts in excess of $25,000 shall contain all applicable terms and conditions of this agreement. No subcontract will relieve the Subgrantee of its responsibility under this agreement.

**ARTICLE 15. GRATUITIES**

A. Texas Transportation Commission policy mandates that employees of the Department shall not accept any benefit, gift, or favor from any person doing business with or who, reasonably speaking, may do business with the Department under this agreement. The only exceptions allowed are ordinary business lunches and items that have received the advanced written approval of the Department's Executive Director.

B. Any person doing business with or who reasonably speaking may do business with the Department under this agreement may not make any offer of benefits, gifts, or favors to Department employees, except as mentioned here above. Failure on the part of the Subgrantee to adhere to this policy may result in termination of this agreement.

**ARTICLE 16. NONCOLLUSION**

The Subgrantee warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the Subgrantee, to solicit or secure this agreement, and that it has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration contingent upon or resulting from the award or making of this agreement. If the Subgrantee breaches or violates this warranty, the Department shall have the right to annul this agreement without liability or, in its discretion, to deduct from the agreement price or consideration, or otherwise recover the full amount of such fee, commission, brokerage fee, contingent fee, or gift.

**ARTICLE 17. CONFLICT OF INTEREST**

The Subgrantee represents that it or its employees have no conflict of interest that would in any way interfere with its or its employees' performance or which in any way conflicts with the interests of the Department. The Subgrantee shall exercise reasonable care and diligence to prevent any actions or conditions that could result in a conflict with the Department's interests.

**ARTICLE 18. SUBGRANTEE'S RESOURCES**

A. The Subgrantee certifies that it presently has adequate qualified personnel in its employment to perform the work required under this agreement, or will be able to obtain such personnel from sources other than the Department.

B. All employees of the Subgrantee shall have the knowledge and experience that will enable them to perform the duties assigned to them. Any employee of the Subgrantee who, in the opinion of the Department, is incompetent or whose conduct becomes detrimental to the work, shall immediately be removed from association with the project.

C. Unless otherwise specified, the Subgrantee shall furnish all equipment, materials, supplies, and other resources required to perform the work.

**ARTICLE 19. PROCUREMENT AND PROPERTY MANAGEMENT**

The Subgrantee shall establish and administer a system to procure, control, protect, preserve, use, maintain, and dispose of any property furnished to it by the Department or purchased pursuant to this agreement in accordance with its own procurement and property management procedures, provided that the procedures are not in conflict with (1) the Department's procurement and property management standards and (2) the federal procurement and property management standards provided by 2 CFR §§ 200.310-.316, 200.318-.324.

**ARTICLE 20. OWNERSHIP OF DOCUMENTS AND INTELLECTUAL PROPERTY**

Upon completion or termination of this Grant Agreement, whether for cause or at the convenience of the parties, all finished or unfinished documents, data, studies, surveys, reports, maps, drawings, models, photographs, etc. prepared by the Subgrantee, and equipment and supplies purchased with grant funds shall, at the option of the Department, become the property of the Department. All sketches, photographs, calculations, and other data prepared under this agreement shall be made available, upon request, to the Department without restriction or limitation of their further use.

A. Intellectual property consists of copyrights, patents, and any other form of intellectual property rights covering any databases, software, inventions, training manuals, systems design, or other proprietary information in any form or medium.

B. All rights to Department. The Department shall own all of the rights (including copyrights, copyright applications, copyright renewals, and copyright extensions), title and interests in and to all data, and other information developed under this contract and versions thereof unless otherwise agreed to in writing that there will be joint ownership.

C. All rights to Subgrantee. Classes and materials initially developed by the Subgrantee without any type of funding or resource assistance from the Department remain the Subgrantee's intellectual property. For these classes and materials, the Department payment is limited to payment for attendance at classes.

**ARTICLE 21. SUCCESSORS AND ASSIGNS**

The Department and the Subgrantee each binds itself, its successors, executors, assigns, and administrators to the other party to this agreement and to the successors, executors, assigns, and administrators of the other party in respect to all covenants of this agreement. The Subgrantee shall not assign, sublet, or transfer interest and obligations in this agreement without written consent of the Department through eGrants.

**ARTICLE 22. CIVIL RIGHTS COMPLIANCE**

A. Compliance with regulations: The Subgrantee shall comply with the regulations relative to nondiscrimination in federally-assisted programs of the United States Department of Transportation

(USDOT): 49 CFR, Part 21; 23 CFR, Part 200; and 41 CFR, Parts 60-74, as they may be amended periodically (called the "Regulations"). The Subgrantee agrees to comply with Executive Order 11246, entitled "Equal Employment Opportunity," as amended by Executive Order 11375 and as supplemented by the U.S. Department of Labor regulations (41 CFR, Part 60).

B. Nondiscrimination: (applies to subrecipients as well as States) The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination ("Federal Nondiscrimination Authorities"). These include but are not limited to:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970** , (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- **Federal-Aid Highway Act of 1973** , (23 U.S.C. 324 et seq.), and **Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- **Section 504 of the Rehabilitation Act of 1973** , (29 U.S.C. 794 et seq.), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- **The Age Discrimination Act of 1975** , as amended, (42 U.S.C. 6101 et seq.), (prohibits discrimination on the basis of age);
- **The Civil Rights Restoration Act of 1987** , (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- **Titles II and III of the Americans with Disabilities Act** (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
- **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100).

The State highway safety agency-

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted;
- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance:

- Agrees to comply (and require its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Agrees to insert in all contracts and funding agreements with other State or private entities the following clause:

"During the performance of this contract/funding agreement, the contractor/funding recipient agrees-

a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;

b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49 CFR part 21 and herein;

c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;

d. That, in event a contractor/finding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and

e. To insert this clause, including paragraphs (a) through (e), in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

C. Solicitations for subcontracts, including procurement of materials and equipment: In all solicitations either by competitive bidding or negotiation made by the Subgrantee for work to be performed under a subcontract, including procurements of materials and leases of equipment, each potential subcontractor or supplier shall be notified by the Subgrantee of the Subgrantee's obligations under this agreement and the regulations relative to nondiscrimination on the grounds of race, color, sex, national origin, age, religion, or disability.

D. Information and reports: The Subgrantee shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Department or the USDOT to be pertinent to ascertain compliance with the Regulations or directives. Where any information required of the Subgrantee is in the exclusive possession of another who fails or refuses to furnish this information, the Subgrantee shall certify that to the Department or the USDOT, whichever is appropriate, and shall set forth what efforts the Subgrantee has made to obtain the requested information.

E. Sanctions for noncompliance: In the event of the Subgrantee's noncompliance with the nondiscrimination provision of this agreement, the Department shall impose such sanctions as it or the USDOT may determine to be appropriate.

F. Incorporation of provisions: The Subgrantee shall include the provisions of paragraphs A. through

E. in every subcontract, including procurements of materials and leases of equipment, unless exempt by the regulations or directives. The Subgrantee shall take any action with respect to any subcontract or procurement that the Department may direct as a means of enforcing those provisions, including sanctions for noncompliance. However, in the event a Subgrantee becomes involved in, or is threatened with litigation with a subcontractor or supplier as a result of such direction, the Subgrantee may request the Department to enter into litigation to protect the interests of the state; and in addition, the Subgrantee may request the United States to enter into such litigation to protect the interests of the United States.

**ARTICLE 23. DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM**

A. The parties shall comply with the DBE Program requirements established in 49 CFR Part 26.

B. The Subgrantee shall adopt, in its totality, the Department's federally approved DBE program.

C. The Subgrantee shall set an appropriate DBE goal consistent with the Department's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Subgrantee shall have final decision- making authority regarding the DBE goal and shall be responsible for documenting its actions.

D. The Subgrantee shall follow all other parts of the Department's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally-Approved Disadvantaged Business Enterprise by Entity and attachments found at web address http://www.txdot.gov/business/partnerships/dbe.html

E. The Subgrantee shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Subgrantee shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of USDOT-assisted contracts. The Department's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Subgrantee of its failure to carry out its approved program, the Department may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and the Program Fraud Civil Remedies Act of 1986 (31 USC 3801 et seq.).

F. Each contract the Subgrantee signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of USDOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate.

**ARTICLE 24. CERTIFICATION REGARDING DEBARMENT AND SUSPENSION** (applies to subrecipients as well as States)

Instructions for Primary Tier Participant Certification (States)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification , in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (https://www.sam.gov/).

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or

voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

*Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Tier Covered Transactions*

(1) The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Participant Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered

transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (https://www.sam.gov/).

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

*Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions:*

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**ARTICLE 25. CERTIFICATION REGARDING FEDERAL LOBBYING** (applies to subrecipients as well as States)

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:
1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation,

renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

**ARTICLE 26. CHILD SUPPORT CERTIFICATION**

Under Section 231.006, Texas Family Code, the Subgrantee certifies that the individual or business entity named in this agreement is not ineligible to receive the specified grant, loan, or payment and acknowledges that this agreement may be terminated and payment may be withheld if this certification is inaccurate. If the above certification is shown to be false, the Subgrantee is liable to the state for attorney's fees and any other damages provided by law or the agreement. A child support obligor or business entity ineligible to receive payments because of a payment delinquency of more than thirty (30) days remains ineligible until: all arrearages have been paid; the obligor is in compliance with a written repayment agreement or court order as to any existing delinquency; or the court of continuing jurisdiction over the child support order has granted the obligor an exemption from Subsection (a) of Section 231.006, Texas Family Code, as part of a court-supervised effort to improve earnings and child support payments.

**ARTICLE 27. FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT REQUIREMENTS**

A. Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms:
http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf and
http://edocket.access.gpo.gov/2010/pdf/2010-22706.pdf .

B. The Subgrantee agrees that it shall:

1. Obtain and provide to the State a System for Award Management (SAM) number (48 CFR subpt. 4.11) if this award provides for more than $25,000 in Federal funding. The SAM number may be obtained by visiting the SAM web-site at: https://www.sam.gov

2. Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows the Federal government to track the distribution of federal money. The DUNS number may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website http://fedgov.dnb.com/webform;

and

3. Report the total compensation and names of its top five (5) executives to the State if:

i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than $25,000,000; and

ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

**ARTICLE 28. SINGLE AUDIT REPORT**

A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in 2 CFR Part 200.

B. If threshold expenditures of $750,000 or more are met during the Subgrantee's fiscal year, the Subgrantee must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 East 11th Street, Austin, TX 78701 or contact TxDOT's Audit Office at singleaudits@txdot.gov

C. If expenditures are less than $750,000 during the Subgrantee's fiscal year, the Subgrantee must submit a statement to TxDOT's Audit Office as follows: "We did not meet the $750,000 expenditure threshold and therefore, are not required to have a single audit performed for FY_____."

D. For each year the project remains open for federal funding expenditures, the Subgrantee will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or the project has been formally closed out and no charges have been incurred within the current fiscal year.

**ARTICLE 29. BUY AMERICA ACT** (applies to subrecipients as well as States)

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

**ARTICLE 30. RESTRICTION ON STATE LOBBYING** (applies to subrecipients as well as States)

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

**ARTICLE 31. NONGOVERNMENTAL ENTITY'S PUBLIC INFORMATION**
(*This article applies only to non-profit entities.)*

The Subgrantee is required to make any information created or exchanged with the Department pursuant to this Grant Agreement and not otherwise excepted from disclosure under the Texas Public Information Act, available in a format that is accessible by the public at no additional charge to the Department. [SB-1368, 83rd Texas Legislature, Regular Session, Effective 9/1/13]

**ARTICLE 32. PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE**
(applies to subrecipients as well as States)

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

**ARTICLE 33. INTERNAL ETHICS AND COMPLIANCE PROGRAM**

Subgrantee shall comply with Title 43 Texas Administrative Code §25.906(b). Subgrantee certifies it has adopted an internal ethics and compliance program that satisfies the requirements of Title 43 Texas Administrative Code §10.51 (relating to Internal Ethics and Compliance Program). Subgrantee shall enforce compliance with that program.

**Data Universal Numbering System:** The Data Universal Numbering System (DUNS) is a unique nine-digit number recognized as the universal standard for identifying and tracking businesses worldwide. The Federal Spending Transparency Directive and the previous Federal Funding Accountability and Transparency Act (FFATA) requires grantees and sub-grantees to have a DUNS number. Most agencies and organizations have DUNS numbers established, please check with your accounting staff. To obtain a DUNS number, applicants should go to the Dun and Bradstreet website at: http://fedgov.dnb.com/webform

Data Universal Numbering System (D-U-N-S) 010597169

2 C.F.R. Part 200 Compliance

Enter the Begin Date and End Date of your Agency's Fiscal Year 2022

Begin Date : 10/1/2021 End Date : 9/30/2022

Your entity is required to comply with federal (OMB A-133) and/or state (State of Texas Single Audit Circular) requirements.

If threshold expenditures of $750,000 or more are met during your agency's fiscal year, please submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 East Eleventh Street, Austin, TX 78701 or contact TxDOT's Audit Office at singleaudits@txdot.gov

If expenditures are less than $750,000 during your agency's fiscal year, please submit a statement to TxDOT's Audit Office as follows:
"We did not meet the $750,000 expenditure threshold and therefore we are not required to have a single audit performed for FY ."

X I agree

STEP Operating Policies and Procedures

All STEP agencies must either have established written STEP operating policies and procedures, or will develop written policies and procedures before STEP grants can be executed. Please click here for STEP Policies and Procedures requirements.

If your agency has approved STEP Operating Policies and Procedures, please upload here :

If your agency does not have approved STEP Operating Policies and Procedures, please certify the following:

XI certify that our agency will develop STEP Operating Policies and Procedures before executing the grant.

## PROPOSING AGENCY AUTHENTICATION

X The following person has authorized the submittal of this proposal.

| | |
|---|---|
| Name | :Eric Hansen |
| Title | :Traffic Sergeant |
| Address | :1525 Arkansas Ln |
| City | :Grand Prairie |
| State | :Texas |
| Zip Code | :75052 |
| Phone Number | :972-237-8906 |
| Fax Number | :972-237-8915 |
| E-mail address | :ehansen@gptx.org |

## COUNTY SERVED

Dallas County - Dallas District
Ellis County - Dallas District
Tarrant County - Fort Worth District

## POLITICAL DISTRICT SERVED

**U.S. Congress*** Congressional District 6
Congressional District 30
Congressional District 33

**Texas Senate*** Texas Senate District 9
Texas Senate District 10
Texas Senate District 22
Texas Senate District 23

**Texas House*** Texas House of Representatives District 10
Texas House of Representatives District 92
Texas House of Representatives District 93
Texas House of Representatives District 101
Texas House of Representatives District 104
Texas House of Representatives District 105
Texas House of Representatives District 111

## GOALS AND STRATEGIES

| | |
|---|---|
| **Goal:** | To increase effective enforcement and adjudication of traffic safety-related laws to reduce crashes, fatalities, and injuries. |
| **Strategies:** | Increase and sustain high visibility enforcement of traffic safety-related laws. |
| | Increase public education and information campaigns regarding enforcement activities. |
| **Goal:** | To reduce the number of alcohol impaired and driving under the influence of alcohol and other drug-related crashes, injuries, and fatalities. |
| **Strategy:** | Increase and sustain high visibility enforcement of DWI laws. |
| **Goal:** | To increase occupant restraint use in all passenger vehicles and trucks. |
| **Strategy:** | Increase and sustain high visibility enforcement of occupant protection laws. |
| **Goal:** | To reduce the number of speed-related crashes, injuries, and fatalities. |
| **Strategy:** | Increase and sustain high visibility enforcement of speed-related laws. |
| **Goal:** | To reduce intersection-related motor vehicle crashes, injuries, and fatalities. |
| **Strategy:** | Increase and sustain high visibility enforcement of Intersection Traffic Control (ITC) laws. |
| **Goal:** | To reduce Distracted Driving motor vehicle crashes, injuries, and fatalities. |
| **Strategies:** | Increase and sustain high visibility enforcement of state and local ordinances on celluar and texting devices. |
| | Increase public information and education on Distracted Driving related traffic issues. |

[X] I agree to the above goals and strategies.

## BASELINE INFORMATION

**Baseline Definition:** A number serving as a foundation for subgrantees to measure pre-grant traffic enforcement activity. Baseline information must be provided by the subgrantee in order to identify local traffic enforcement related activity. This information should exclude any activity generated with STEP grant dollars. Once the baseline is established, these figures will be used to compare subsequent year's local and grant traffic enforcement activity.

**Note:** Baseline data used must be no older than 2017.

Baseline Year (12 months) **From** 10/1/2019 **To** 9/30/2020

| Baseline Measure | Arrests/Citations | Written Warnings | KA Crashes |
|---|---|---|---|
| Driving Under Influence (DUI) | 494 | 0 | 15 |
| Speed | 9071 | 0 | 16 |
| Safety Belt | 338 | 0 | 11 |
| Child Safety Seat | 241 | 0 | |
| Intersection Traffic Control (ITC) | 1964 | 0 | 29 |
| Distracted Driving Citations | 37 | 0 | |
| Other Elements | 19334 | 0 | |

If you have additional attachments, provide them on the "Attachments" page.

## LAW ENFORCEMENT OBJECTIVE/PERFORMANCE MEASURE

| Objective/Performance Measure | Target Number | Not Applicable |
|---|---|---|
| Reduce the number of Alcohol-Involved (DWI/DUI) KA crashes toto | 14 | |
| Reduce the number of All OP-related (Seatbelt and Child Passenger Safety) KA crashes to | 10 | |
| Reduce the number of Speed-related crashes to | 15 | |
| Reduce the number of ITC-related crashes to | 28 | |

**Note: Nothing in this agreement shall be interpreted as a requirement, formal or informal, that a peace officer issue a specified or predetermined number of citations in pursuance of the Subgrantee's obligations hereunder. Department and Subgrantee acknowledge that Texas Transportation Code Section 720.002 prohibits using traffic-offense quotas and agree that nothing in this Agreement is establishing an illegal quota.**

**In addition to the STEP enforcement activities, the subgrantee must maintain baseline non-STEP funded citation and arrest activity due to the prohibition of supplanting.**

## PI&E OBJECTIVE/PERFORMANCE MEASURE

XI agree to the below efforts with a public information and education (PI&E) program.

a. Conduct a minimum of one (1) presentations
b. Conduct a minimum of two (2) media exposures (e.g. news conferences, news releases, and interviews)

c. Conduct a minimum of one (1) community events (e.g. health fairs, booths)

## OPERATIONAL PLAN

| | |
|---|---|
| **Zone Name :** | Zone 1 |
| **Zone Location :** | SH 360 from Ave K/Brown Blvd to Fort Worth City Limits, including service roads (includes NBFR from Ave H to Riverside) |
| **Zone Hours :** | 24/7 Enforcement |
| **Zone Heat Map :** (attach) | https://www.dot.state.tx.us/apps/egrants/_Upload/1022541_337651_1-Zone1_NSH360.docx |

## OPERATIONAL PLAN

| | |
|---|---|
| **Zone Name :** | Zone 2 |
| **Zone Location :** | SH 360 from Kingswood Blvd south to Ragland Rd,including service roads. |
| **Zone Hours :** | 24/7 Enforcement |
| **Zone Heat Map :** (attach) | https://www.dot.state.tx.us/apps/egrants/_Upload/1022542_337651_1-Zone2_SSH360.docx |

## OPERATIONAL PLAN

| | |
|---|---|
| **Zone Name :** | Zone 3 |
| **Zone Location :** | President George Bush Turnpike and SH 161 service roads from Dickey Rd to the Trinity River bridge |
| **Zone Hours :** | 24/7 Enforcement |
| **Zone Heat Map :** (attach) | https://www.dot.state.tx.us/apps/egrants/_Upload/1022546_337651_1-Zone3_N.PGBT_SH161.docx |

## OPERATIONAL PLAN

| | |
|---|---|
| **Zone Name :** | Zone 4 |
| **Zone Location :** | SP 303 (Pioneer Pkwy) from Arlington City Limit to Dallas City Limit |
| **Zone Hours :** | 24/7 Enforcement |
| **Zone Heat Map :** (attach) | https://www.dot.state.tx.us/apps/egrants/_Upload/1022547_337651-Zone4SP303-PioneerPkwy.docx |

## OPERATIONAL PLAN

| | |
|---|---|
| **Zone Name :** | Zone 5 |
| **Zone Location :** | Belt Line Rd (FM 1382) from Skyline Rd to Fish Creek Rd |
| **Zone Hours :** | 24/7 Enforcement |
| **Zone Heat Map :** (attach) | https://www.dot.state.tx.us/apps/egrants/_Upload/1022548_337651-Zone5_BeltLineRd.docx |

## OPERATIONAL PLAN

| | |
|---|---|
| **Zone Name :** | Zone 6 |
| **Zone Location :** | President George Bush Turnpike and SH 161 service roads from Dickey Rd to IH-20 |
| **Zone Hours :** | 24/7 Enforcement |
| **Zone Heat Map :** (attach) | https://www.dot.state.tx.us/apps/egrants/_Upload/1022549_337651-Zone6_SPGBTSH161.docx |

## OPERATIONAL PLAN

| | |
|---|---|
| **Zone Name :** | Zone 7 |
| **Zone Location :** | IH-20 from Arlington City Limit to Dallas City Limit, including service roads. |
| **Zone Hours :** | 24/7 Enforcement |
| **Zone Heat Map :** (attach) | https://www.dot.state.tx.us/apps/egrants/_Upload/1022550_337651-Zone7_IH20.docx |

## OPERATIONAL PLAN

| | |
|---|---|
| **Zone Name :** | Zone 8 |
| **Zone Location :** | IH-30 from Belt Line Rd east to MacArthur Blvd, south to Main St (SH 180), west to SE 14th St, south to Skyline Rd, west to Belt Line Rd and north to IH-30, including service roads. |
| **Zone Hours :** | 24/7 Enforcement |
| **Zone Heat Map :** (attach) | https://www.dot.state.tx.us/apps/egrants/_Upload/1022551_337651-Zone8_IH30_E.Main.docx |

## SALARIES AND FRINGE BENEFITS

| Law Enforcement Hours: 3647 | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| X Overtime Regular Time | | | | | | | | |
| | TxDOT Hours | Match Hours | Wage Rate | TxDOT Salaries | Match Salaries | Total Salaries | Fringe % | Total Fringe: |
| A. Enforcement | | | | | | | | |
| Officers/Deputies: | 1342 | 2014 | $62.000 | $83,204.00 | $124,868.00 | $208,072.00 | 24.7% | $51,393.78 |
| Sergeants: | 101 | 154 | $74.500 | $7,524.50 | $11,473.00 | $18,997.50 | 24.7% | $4,692.38 |
| Lieutenants/Other: | 14 | 22 | $85.000 | $1,190.00 | $1,870.00 | $3,060.00 | 24.7% | $755.82 |
| B. PI&E Activities | | | | | | | | |
| PI&E Activities: | 0 | 0 | $0 | | $0 | | 0% | $0 |
| C. Administrative Duties | | | | | | | | |
| Traffic Sergeants / STEP Coordinators | 97 | 146 | $75.500 | $7,323.50 | $11,023.00 | $18,346.50 | 24.7% | $4,531.59 |
| | | | $0 | | | | % | $0 |
| | | | $0 | | | | % | $0 |
| | | | $0 | | | | % | $0 |
| | | | $0 | | | | % | $0 |
| | | | $0 | | | | % | $0 |
| Total: | | | | $99,242.00 | $149,234.00 | $248,476.00 | | $61,373.57 |

| Category | | TxDOT | % | | Match | % | Total |
|---|---|---|---|---|---|---|---|
| Salaries: | | $99,242.00 | 39.94% | | $149,234.00 | 60.06% | $248,476.00 |
| Fringe Benefits: | | $24,549.43 | 40.00% | | $36,824.14 | 60.00% | $61,373.57 |
| Breakdown of Fringe Percentages: | Details of regular time, if included in any of the above hours : | | | | | | |

## BUDGET SUMMARY

| Budget Category | | TxDOT | Match | Total |
|---|---|---|---|---|
| **Category I - Labor Costs** | | | | |
| (100) | Salaries: | $99,242.00 | $149,234.00 | $248,476.00 |
| (200) | Fringe Benefits: | $24,549.43 | $36,824.14 | $61,373.57 |
| | Sub-Total: | $123,791.43 | $186,058.14 | $309,849.57 |
| **Category II - Other Direct Costs** | | | | |
| (300) | Travel: | $0 | $0 | $0 |
| (400) | Equipment: | $0 | $0 | $0 |
| (500) | Supplies: | $0 | $0 | $0 |
| (600) | Contractual Services: | $0 | $0 | $0 |
| (700) | Other Miscellaneous: | $0 | $0 | $0 |
| | Sub-Total: | $0 | $0 | $0 |
| **Total Direct Costs:** | | $123,791.43 | $186,058.14 | $309,849.57 |
| **Category III - Indirect Costs** | | | | |
| (800) | Indirect Cost Rate: | $0 | $0 | $0 |
| **Summary** | | | | |
| | Total Labor Costs: | $123,791.43 | $186,058.14 | $309,849.57 |
| | Total Direct Costs: | $0 | $0 | $0 |
| | Total Indirect Costs: | $0 | $0 | $0 |
| **Grand Total** | | $123,791.43 | $186,058.14 | $309,849.57 |
| | Fund Sources (Percent Share): | 39.95% | 60.05% | |

Salary and cost rates will be based on the rates submitted by the Subgrantee in its grant application in Egrants.

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 02/02/2021

**REQUESTER:** Monica Espinoza, Executive Assistant

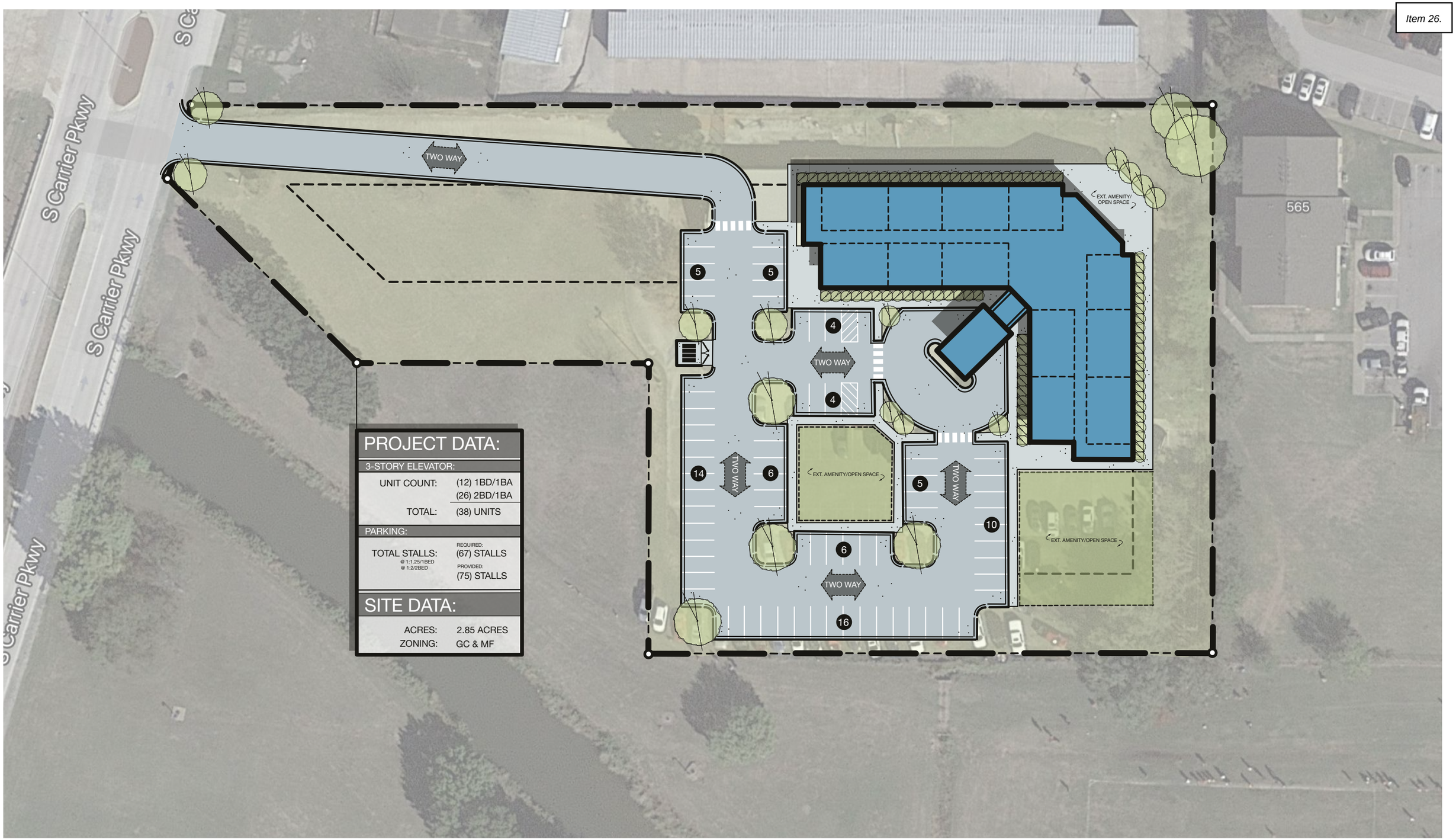
**PRESENTER:** Rashad Jackson, AICP, Planning and Development Director

**TITLE:** Resolution of support of Parkside on Carrier Tax Credit Senior Housing Development.

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**

A developer has requested a resolution of support for a senior housing tax credit development. The resolution is part of the federal submittal process for such a development. The development was reviewed by the CCDC on January 12, 2021. The CCDC recommended support.




## PROJECT DATA:

**3-STORY ELEVATOR:**

| | |
|---|---|
| UNIT COUNT: | (12) 1BD/1BA |
| | (26) 2BD/1BA |
| TOTAL: | (38) UNITS |

**PARKING:**

| | |
|---|---|
| TOTAL STALLS: @ 1:1.25/1BED @ 1:2/2BED | REQUIRED: (67) STALLS |
| | PROVIDED: (75) STALLS |

## SITE DATA:

| | |
|---|---|
| ACRES: | 2.85 ACRES |
| ZONING: | GC & MF |

# GRAND PRAIRIE SENIOR LIVING

Grand Prairie, TX

# CONCEPTUAL SITE PLAN

December 30, 2020

0' 10' 25' 50'

*SCALE: 1"=50'

*PRINTED ON 11x17 FORMAT

NORTH

rosemann & ASSOCIATES P.C.

*EXAMPLE OF COMPLETED PROJECT FROM THIS DEVELOPER

GRAND PRAIRIE SENIOR LIVING | *EXAMPLE PHOTO - ELEVATION | A1

Grand Prairie, TX | December 30, 2020



rosemann & ASSOCIATES P.C.

COMMUNITY ROOM

COMPUTER ROOM

BILLIARDS ROOM

UNIT KITCHEN

# JES HOLDINGS, LLC

JES Holdings is a privately-held family of companies with more than 800 employees. Since our beginning in 1984, our expertise has grown from affordable multi-family and senior housing communities to include skilled nursing care centers, market-rate apartment and loft communities, historic renovations and market rate independent senior living communities. Our growth is the result of our commitment to creating partnerships through which we strive to serve each client's specific need with integrity, timeliness and unmatched professionalism.

**FULLY INTEGRATED FROM SITE SELECTION TO DIRECT DELIVERY OF INVESTOR BENEFITS**

## JES DEV CO, INC.

**FOUNDED: 1994**

- Developed more than 135 single and multi-family housing properties with a special niche in the Section 42 Low Income Housing Tax Credit (LIHTC) development program
- New construction and historic rehabilitation of LIHTC housing, as well as conventional development, all totaling over $1 billion

## FAIRWAY CONSTRUCTION

**FOUNDED: 1984**

- Design and construct single, multi-family and senior housing for conventional and affordable housing markets
- More than 200 projects completed over a seven-state area
- Construct third-party developed properties
- Expertise in historic and new construction

## FAIRWAY MANAGEMENT

**FOUNDED: 1994**

- Specializes in the property management of Section 42 Low Income Housing Tax Credit (LIHTC) housing
- Property managers are trained and certified yearly in compliance for Section 42 LIHTC by property compliance experts in the industry
- More than 190 properties and approximately 9,000 units under management in New Mexico, Iowa, Missouri, Georgia, Texas, Nebraska and South Carolina

## AFFORDABLE EQUITY PARTNERS

**FOUNDED: 1997**

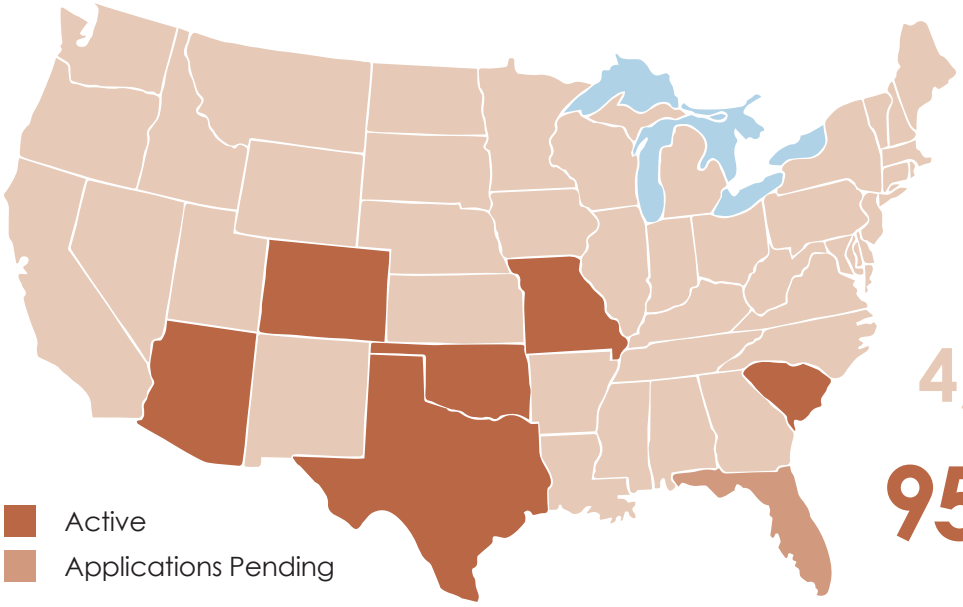
- AEP is a financial resources company providing a full range of services for developers and investors in the Section 42 LIHTC Program
- AEP has more than 400 tax credit developments and has never had a foreclosure or credit recapture
- Reputation for target delivery and, in many cases, over-delivery of tax credits and projected rates of return
- Full integration with development, construction and management companies allows AEP to draw from this expertise and offer unmatched reliability for delivery of projected tax credits
- Active in several states, but predominantly in Missouri and Georgia
- Syndicated over $3 billion in Federal and State Tax Credits



© 2018 JES Dev Co, Inc.

# JES DEV CO, INC

JES Dev Co, Inc., originally founded in 1994 through its predecessor companies, is an acknowledged leader in the development of affordable multi-family housing properties. JES Dev Co, Inc. (JES) specializes in building relationships and gaining local support by surveying community leaders and government officials and working together to bring a quality development to that community. Through careful site selection and market analysis JES identifies locations that will lead to the best living outcome for prospective residents. Over the years, JES has successfully developed affordable housing in multiple states throughout the country. JES has over 200 affordable housing communities with approximately 4,300 units and maintains an average occupancy of over 95%.




**200**
**communities**

**4,300 UNITS**

**95%** Average Occupancy

Our experienced team of developers and underwriters work seamlessly thorough the state agency application and closing process. Working with our affiliated Construction, Syndication and Management Companies we remain engaged through issuance of 8609's and beyond. JES developers and underwriters attend agency workshops and continuing education courses on a minimum of a yearly basis.

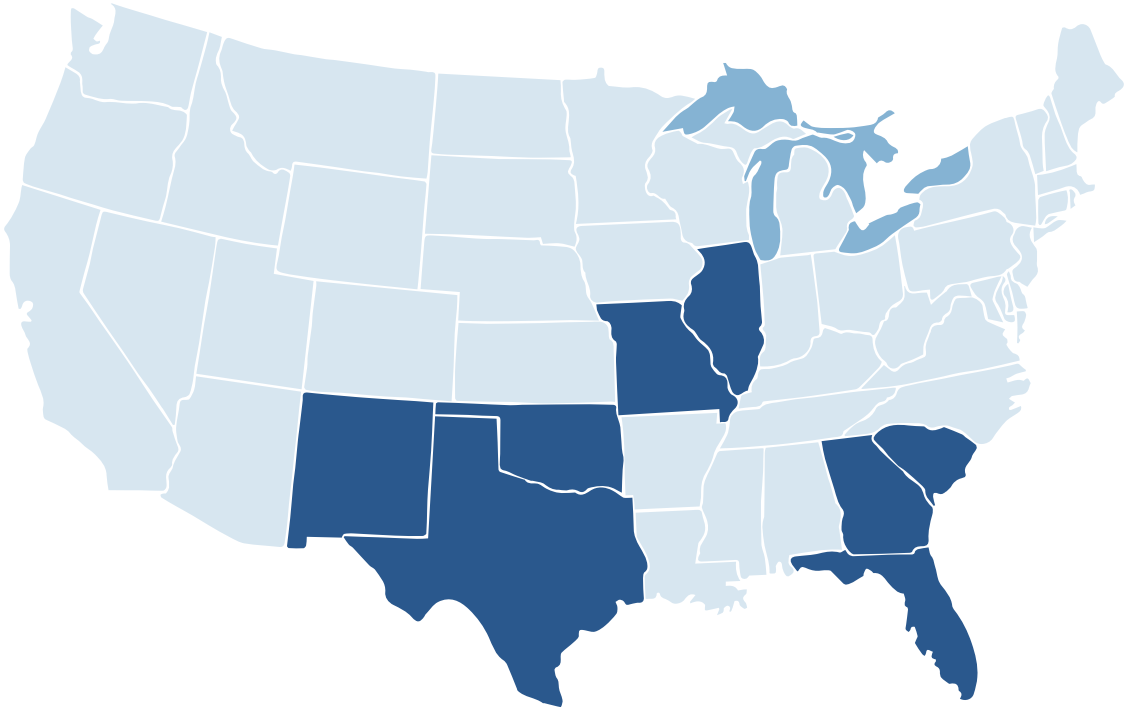
JES Dev Co, Inc. develops properties that offer many indoor and outdoor community amenities aimed at enhancing our residents daily living. Some of these indoor areas include community kitchen and dining areas, furnished fitness centers, business centers, theaters and multi-purpose areas. Exterior amenities include patio areas, walking trails, water features, raised planting beds, picnic areas and playgrounds that meet the needs of the particular development. JES develops properties that include supportive service coordination for seniors and families. Senior-aged residents in JES developed communities benefit from services such as health lectures and screenings, transportation services, financial literacy services and wellness programs. Family communities benefit from coordination with local resources to assist with financial planning, home ownership and family social services. JES firmly believes in its mission statement which is that we develop, build, manage and invest in quality housing where our families would be proud to live.



© 2018 JES Dev Co, Inc.

# FAIRWAY CONSTRUCTION CO, INC

Fairway Construction Co., Inc. was founded in 1984 to provide construction services for JES Holdings, LLC. Throughout the years, Fairway Construction's expertise has grown from building affordable multi-family housing communities to include the construction of skilled nursing care centers, market-rate apartment communities, residential lofts, the rehabilitation of historic properties and conventional senior memory care facilities. Due to our reputation for consistently completing quality developments on time and within budget, FWC has expanded to add third-party construction developments and provides project management and consulting services for numerous developers. FWC offers a wide range of services to assist our clients from pre-construction through completion.



Since 1984, Fairway Construction Co., Inc. has emerged as a leading contractor in the affordable housing industry. The quality of our product reflects our commitment to excellence and efficiency.

Our experienced management team is focused on developing budgets, valued engineering and development schedules to provide coordination and supervision to assure maximum value to our customers. FWC also prequalifies subcontractors, analyzes, estimates and establishes cash flow projections. We continue to utilize industry leading products and concepts that are economical and efficient to construct quality communities.

FWC has constructed over 130 projects across a seven-state portfolio, aggregating over 4,500 living units with a completed value in excess of $2 billion. Fairway Construction's success is evident in the exemplary work that has been completed.



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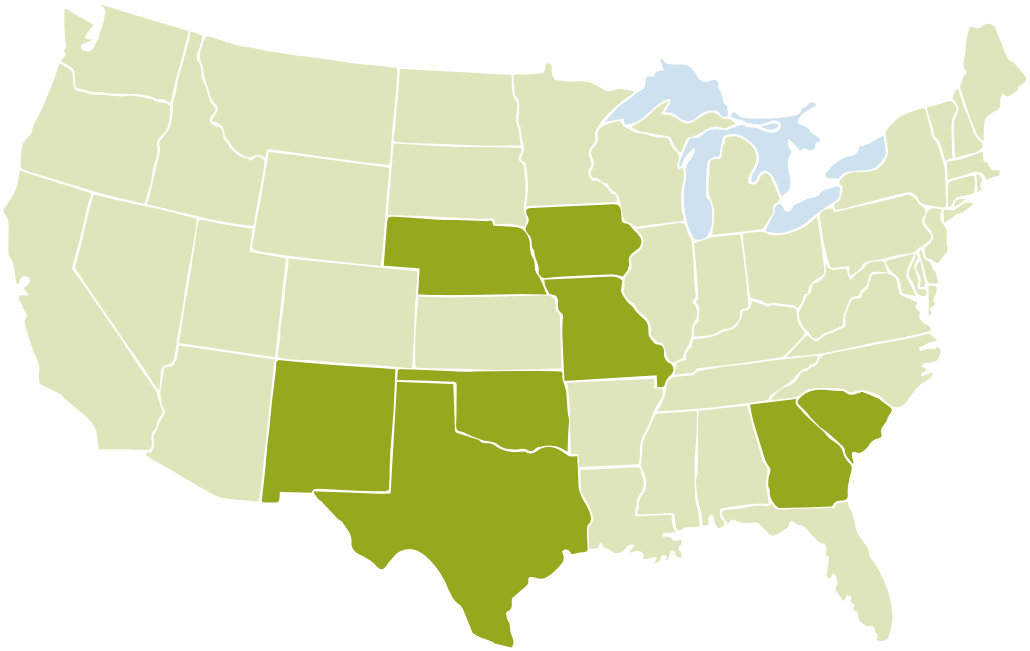
# FAIRWAY MANAGEMENT, INC.

Fairway Management, Inc. (FWM) provides management and compliance services for a portfolio of 190 properties with approximately 8,500 units including Section 42, Section 8, Section 236, rural development and market rate communities.

FWM has more than 20 years of experience in affordable housing and provides valuable tax credit management consulting services offering an experienced team of management, accounting and compliance professionals.



**SERVICES**

Fairway Management offers a comprehensive array of property management services for single family residences, apartment complexes and senior living communities including:

- A/R preparation
- Fee and assessment collection
- Accounts payable processing
- Monthly and YTD financial statements
- Full-time leasing team
- Maintaining compliance according to regulatory requirements
- Routine on-site inspection
- On-site property management and maintenance
- Property management and compliance training
- Marketing literature design and production
  - Brochures and flyers
  - Amenity sheets
  - Direct mail and postcards
  - Property website



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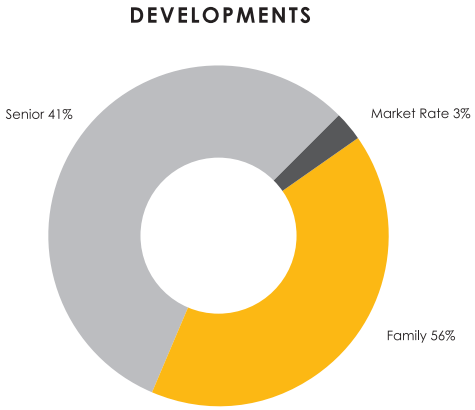
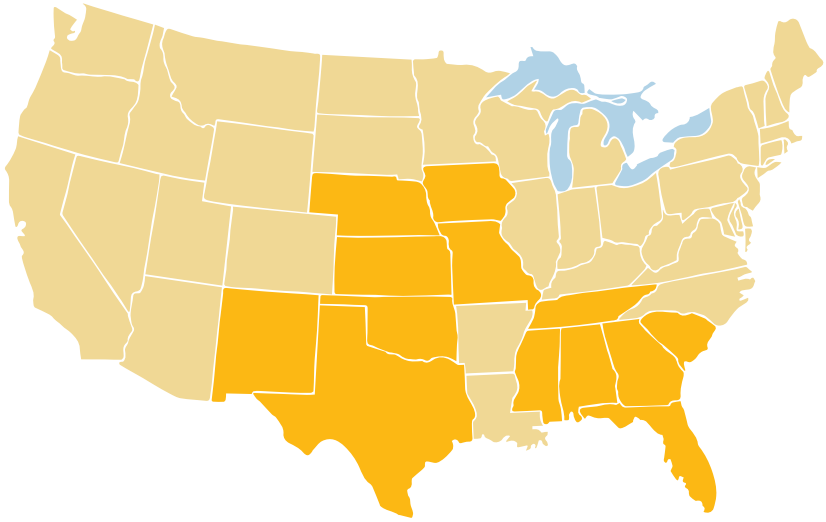
# AFFORDABLE EQUITY PARTNERS, INC.

Affordable Equity Partners, Inc. (AEP) provides a full range of investment banking services for those seeking to finance, build, purchase or rehabilitate multi-family housing. For over 30 years, AEP has invested in nearly 21,000 homes in 500 communities. We serve the growing need for affordable housing across 13 states in 215 cities. We have successfully syndicated over $3 billion in tax credits to build or preserve homes for working class families and seniors.



Affordable Equity Partners has the ability to offer experience from acquisition to tax credit delivery enables partners to invest with confidence. In order to safeguard investment, AEP's asset management team plays an important role during the life of each asset within the AEP portfolio. Asset management is responsible for monitoring each asset from the time of closing at the property level through its disposition following the expiration of the tax credit compliance period.

AEP minimizes risk and improves investor returns by facilitating aggressive lease-up efforts that begin up to 120 days prior to construction completion. The lease-up team acts as an auxiliary partner to the existing management company to secure residents for occupancy and ensure lease-up compliance. AEP's lease up effort protects investors by providing a faster tax credit delivery.

In addition to providing alternative revenue streams, AEP is able to differentiate itself from competitors by providing a full service platform for its developers to promote exclusivity and solidify long term relationships. In addition, when AEP's affiliates are involved in a transaction, more flexibility is allowed in negotiating deal terms and serves as an added risk control measure for transactions.



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# BLUFF VIEW SENIOR VILLAGE

Crandall, Texas

© 2018 JES Dev Co, Inc.

# HIDDEN GLEN

Salado, Texas

© 2018 JES Dev Co, Inc.

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS IN SUPPORT OF THE SUBMISSION OF AN APPLICATION TO THE 2021 COMPETITIVE HOUSING TAX CREDIT (HTC) PROGRAM THROUGH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) BY JES DEV CO. INC., FOR THE NEW CONSTRUCTION OF AFFORDABLE SENIOR HOUSING; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS,** Jes Dev Co. Inc. ("Applicant") has requested support from the City of Grand Prairie for the new construction of 45 affordable senior housing units named Parkside on Carrier located at 1217 South Carrier Parkway, Grand Prairie, Dallas County, Texas (the "Development"); and

**WHEREAS,** the Applicant intends to submit an application to the Texas Department of Housing and Community Affairs ("TDHCA") for an allocation of 2021 Competitive 9% Housing Tax Credits ("HTC") for the rehabilitation of Parkside on Carrier; and

**WHEREAS,** pursuant to the rules that govern the allocation of HTCs by TDHCA, an applicant who provides a resolution of support from the governing body of a local political subdivision to the Development will improve the overall success of its application; and

**WHEREAS,** pursuant to the rules that govern the allocation of HTCs by TDHCA, an applicant who provides a resolution from the governing body of a local political subdivision agreeing to commit a minimum of $500.00 of funding assistance to the Development will improve the overall success of its application; and

**WHEREAS,** the Applicant has requested a commitment of required funding assistance for $500.00 for its application in the form of a reduced fees for the benefit of the Development from the City of Grand Prairie for its application to TDHCA for the new development of affordable senior housing; and

**NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, THAT:**

**SECTION 1.** The City of Grand Prairie, acting through its governing body, hereby confirms that it supports, approves the tax credit application for the proposed new construction of Parkside on Carrier by Jes Dev Co. Inc. Limited Partnership located at 1217 South Carrier Parkway, and that this formal action has been taken to put on record the opinion expressed by the City of Grand Prairie in Dallas County on February 2, 2021, and

**SECTION 2.** The City of Grand Prairie, will commit a funding amount to the Development of waiving or reducing the Building Permit Fee in a minimum amount of $500.00 should the project be selected for funding; and

**SECTION 3**. Notwithstanding anything herein to the contrary, the funding commitment by the City of Grand Prairie, shall be contingent on the Applicant's receipt of commitment of HTCs for the Development from TDHCA; and

**SECTION 4**. The City of Grand Prairie, Dallas County, Texas hereby supports the proposed new development of Parkside on Carrier, and confirms that its governing body has voted specifically to approve the construction and/or rehabilitation of the Development and to authorize an allocation of Housing Tax Credits for the Development pursuant to Texas Government Code §2306.6703(a)(4), and

**SECTION 5.** For and on behalf of the Governing Body, Ron Jensen, Mayor is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs; and

**SECTION 6.** The City of Grand Prairie is not a related party to the Applicant, and any funding assistance committed by the City to the new development of Parkside on Carrier pursuant to this resolution will not have been first provided to the City by the Applicant or any related party to the Applicant.

**SECTION 7.** This Resolution shall be and become effective immediately upon and after its adoption and approval.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 2nd DAY OF FEBRUARY 2021.**

**APPROVED:**

**Ron Jensen, Mayor**

**ATTEST:**

**City Secretary**

**APPROVED AS TO FORM:**

**City Attorney**

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 01/11/2021

**REQUESTER:** Monica Espinoza, Executive Assistant

**PRESENTER:** Savannah Ware, AICP, Chief City Planner

**TITLE:** Z201202/CP201201 - Zoning Change/Concept Plan - The Lofts at Grand Prairie (City Council District 4). Zoning Change and Concept Plan to rezone 26.3 acres from A to a Planned Development District for Multi-Family Use. Tract 6A A 43 TRS 6A & 6A01 & 6B, James C. Armstrong Survey, Abstract No. 43, City of Grand Prairie, Tarrant County, Texas, zoned A, and addressed as 931 N Day Miar Rd.

**RECOMMENDED ACTION:** Staff is unable to recommend approval of this request.

## SUMMARY:

Zoning Change and Concept Plan to rezone 26.3 acres from A to a Planned Development District for Multi-Family Use. Tract 6A A 43 TRS 6A & 6A01 & 6B, James C. Armstrong Survey, Abstract No. 43, City of Grand Prairie, Tarrant County, Texas, zoned A, and addressed as 931 N Day Miar Rd.

## PURPOSE OF REQUEST:

The purpose of the request is to rezone the property from Agriculture to a Planned Development District for Multi-Family Use.

## ADJACENT LAND USES:

The following table summarizes the zoning designation and existing use for the surrounding properties.

**Table 1. Adjacent Zoning and Land Uses**

| Direction | Zoning | Existing Use |
|---|---|---|
| North | Agriculture, PD-352 | Single Family Residential, Undeveloped, Multi-Family Residential, Park |
| South | Agriculture | Park |
| West | Agriculture | Single Family Residential, Undeveloped |
| East | Agriculture | Park |

**PROPOSED USE CHARACTERISTICS AND FUNCTION:**

The applicant is proposing multi-family use. The Concept Plan depicts 676 units in two buildings. The site is accessible from two points on Day Miar Rd. An active gas well is located at the center of the 26.3-acre property and will remain in production. The access point and drive for the gas well will be separate from the multi-family development so that traffic generated by the two uses will not mix.

Day Miar Rd is an unimproved, one-lane road and is classified as a local street. Day Miar Rd dead-ends southeast of the subject property and is the only roadway connection to the property. The applicant will be required to improve and widen the segment of the street along the subject property.

As part of this request, the applicant conducted a Traffic Impact Analysis (TIA) to identify traffic generation characteristics and potential impacts on the local street system. The TIA states that the proposed development can be successfully incorporated into the surrounding roadway network without substantial negative impacts to any adjacent intersection or roadway.

The Concept Plan includes a clubhouse, landscaped courtyard, and pool for each building. Other amenities include a dog park, pickle ball courts, a gazebo, and basketball court.

**CONFORMANCE WITH THE COMPREHENSIVE PLAN:**

*Future Land Use Map*

The Future Land Use Map (FLUM) is designed to facilitate the efficient, sustainable, and fiscally sound development and redevelopment of Grand Prairie. The purpose of the FLUM is to serve as an outlook for the future use of land and the character of development in the community. The FLUM, along with other community objectives, is used to guide land use decisions.

The 2018 Comprehensive Plan's Future Land Use Map (FLUM) designates this location as Mixed Use. Mixed Use areas are intended for an appropriately planned mixture of non-residential and residential uses. They are referred to as mixed-use because it is envisioned that these areas would be integrated developments of retail, public, office, and entertainment, with a residential component appropriately blended into larger scale buildings that would otherwise be used to support those uses independently.

Mixed-use areas are intended to provide flexibility for the City and the development community in order to encourage innovative, unique, and sustainable developments. A well thought-out, master planned approach is needed to make certain these development types are coordinated with surrounding developments.

The proposal is inconsistent with the FLUM's designation of Mixed Use. Approval of this request will require an amendment to the FLUM.

*City Council Development Policy*

City Council's adopted a policy states that multi-family projects should be built on properties already zoned for multi-family development. The subject property is not currently zoned for multi-family development. The proposal is not consistent with City Council's adopted policy.

**ZONING REQUIREMENTS:**

The applicant is proposing a base zoning district of Multi-Family Three (MF-3) with a number of variances. The table below compares MF-3 standards in Appendix W with what is being proposed.

**Table 2. Zoning Comparison**

| Standard | Appendix W | Proposed | Meets |
|---|---|---|---|
| Designation | MF-3 | PD for MF-3 | - |
| Maximum Density | 26 DUA | 26 DUA | Yes |
| Minimum Living Area (sq. ft.) | 600 | 600 | Yes |
| Maximum One-Bed Units (%) | 60 | 68 | No |
| Front Setback (ft.) | 30 | 30 | Yes |
| Rear Setback (ft.) | 70 | 45 | No |
| Interior Side Setback (ft.) | 70 | 30 | No |
| Setback for Garages/Carports | 3 | 0 | No |
| Garage Parking Spaces (%) | 30 | 15 | No |
| Carport Parking Spaces (%) | 20 | 10 | No |
| Carport Supports | Encased in Masonry | No Masonry | No |

## VARIANCES:

The applicant is requesting the following variances:

1. Maximum Percentage of One-Bedroom Units – Appendix W allows one-bedroom units to account for up to 60% of the total units. The applicant is proposing that one-bedroom units account for 68% of the total units.
2. Rear Setback – Appendix W requires that the rear setback be at least 45 ft. plus 1 ft. for every ft. of building height over 35 ft. For a building that is 60 ft. in height, the UDC requires a rear setback of 70 ft. The applicant is proposing a rear setback of 45 ft.
3. Side Setbacks – Appendix W requires that interior side setbacks be at least 45 ft. plus 1 ft. for every ft. of building height over 35 ft. For a building that is 60 ft. in height, the UDC requires a side setback of 70 ft. The applicant is proposing side setbacks of 30 ft.
4. Setback for Garages/Carports – The UDC requires a 3 ft. setback for accessory structures. The applicant is proposing a setback of zero ft. for the garages and carports.
5. Garage Parking Spaces – Appendix W requires that garage parking spaces account for 30% of the total required parking spaces. The applicant is proposing that garages account for 15% of the total required parking spaces.
6. Carport Parking Spaces – Appendix W requires that carport parking spaces account for 20% of the total required parking spaces. The applicant is proposing that garages account for 10% of the total required parking spaces.
7. Carport Supports – Appendix W requires that carport supports be encased in masonry. The applicant is proposing carport supports without the masonry encasement.

## RECOMMENDATION:

Staff is unable to recommend approval of the request because it conflicts with the FLUM and includes a significant number of variances.

# Metes and Bounds Description

BEING a 26.46 acre tract of land in the JC Armstrong Survey, Abstract 43, Tarrant County, Texas, being all of a called 13.03 acre tract of land and a called 13.31 acre tract of land recorded in Tarrant County Clerk's File No. D217224070 and being all of a of a called 22.5 ace tract and a called 3.8 acre tract of land as recorded in Volume 2547 Page 547 of the Deed Records of Tarrant County Texas, said 26.46 acre tract being more particularly described as follows;

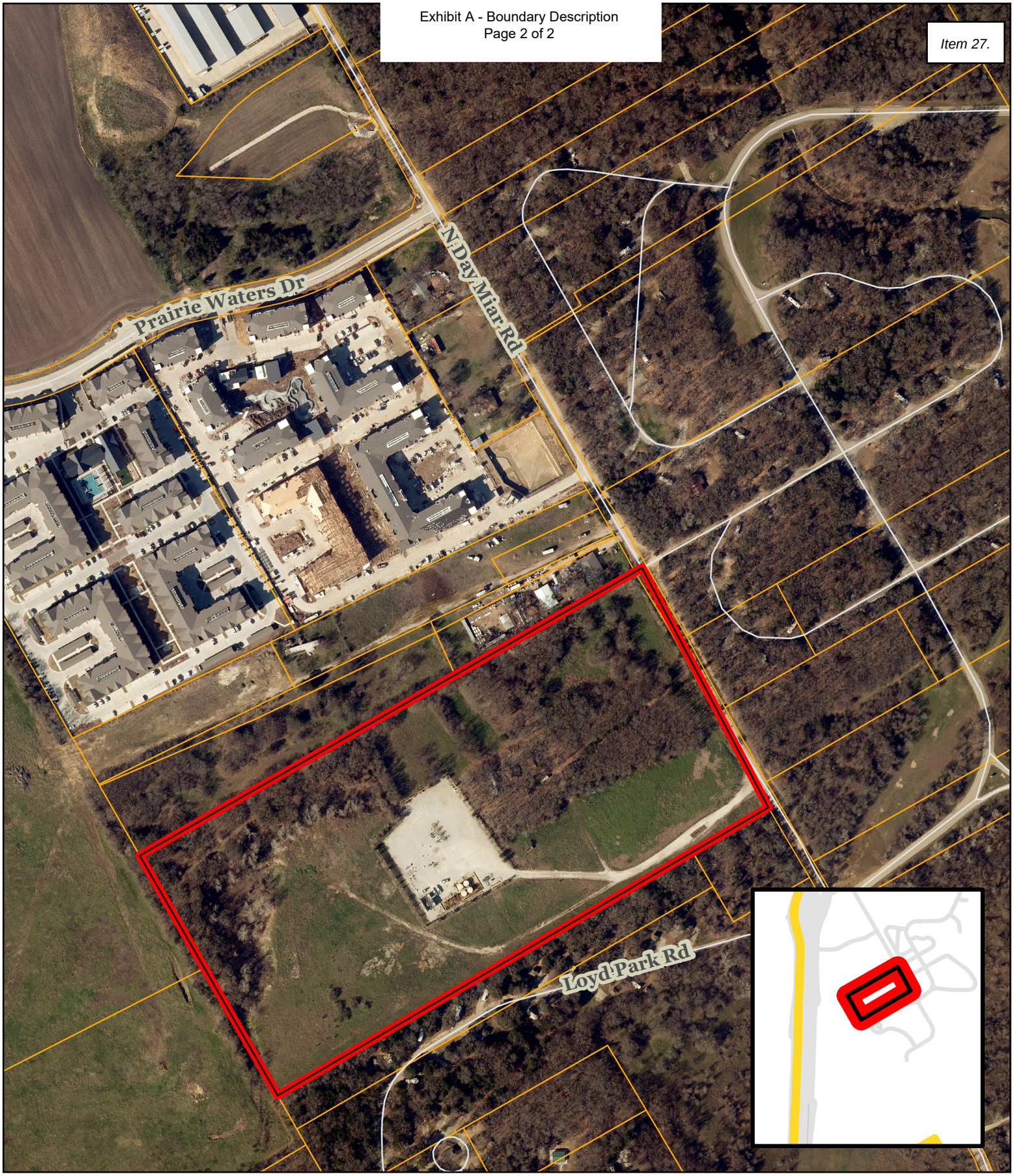
**BEGINNING** at United States Forest Service Monument (USFS) in the westerly Right of Way of North Day Miar Road (ROW varies) in the northerly line of USFS's Joe Pool Park as recorded in Volume 689 Page 1445 of the Deed Records of Tarrant County, Texas also being the southeasterly corner of the said 3.8 acre tract and being the southeasterly corner of the herein described tract; with all bearing referenced to NAD 83 Texas North Central Zone

THENCE S 59 deg. 31' 14" W along the northerly line of Joe Pool Park, a distance of 1538.10 feet to USFS Monument in the easterly line of a called 36.619 acre tract of land also being the northwesterly corner of a USFS tract of land as recorded in Volume 6923 Page 116 of the Deed Records of Tarrant County, and being the southwest corner of the herein described tract;

THENCE N 30 deg. 35' 05" W along the easterly line of the said 36.619 acre tract, a distance of 745.52 feet to a Fence Corner found for the southwesterly corner of a called 7.371 acre tract of land as recorded in Tarrant County Clerk's File No. 216105046 and being the northwesterly corner herein described tract;

THENCE N 59 deg. 32' 58" E, along the southerly line of the said 7.371 acre tract, a distance of 1555.23' to a 1" iron rod found in the westerly line of North Day Miar Road, also being the southeasterly corner of a called 1.584 acre tract of land as recorded in Tarrant County Clerk's File No. 215164485 and being the northeasterly corner of the herein described tract;

THENCE S 29 deg. 16' 03" E, along the westerly line North Day Miar Road, a distance of 744.90 feet to the **POINT OF BEGINNING**, and containing 26.46 acres of land, more or less



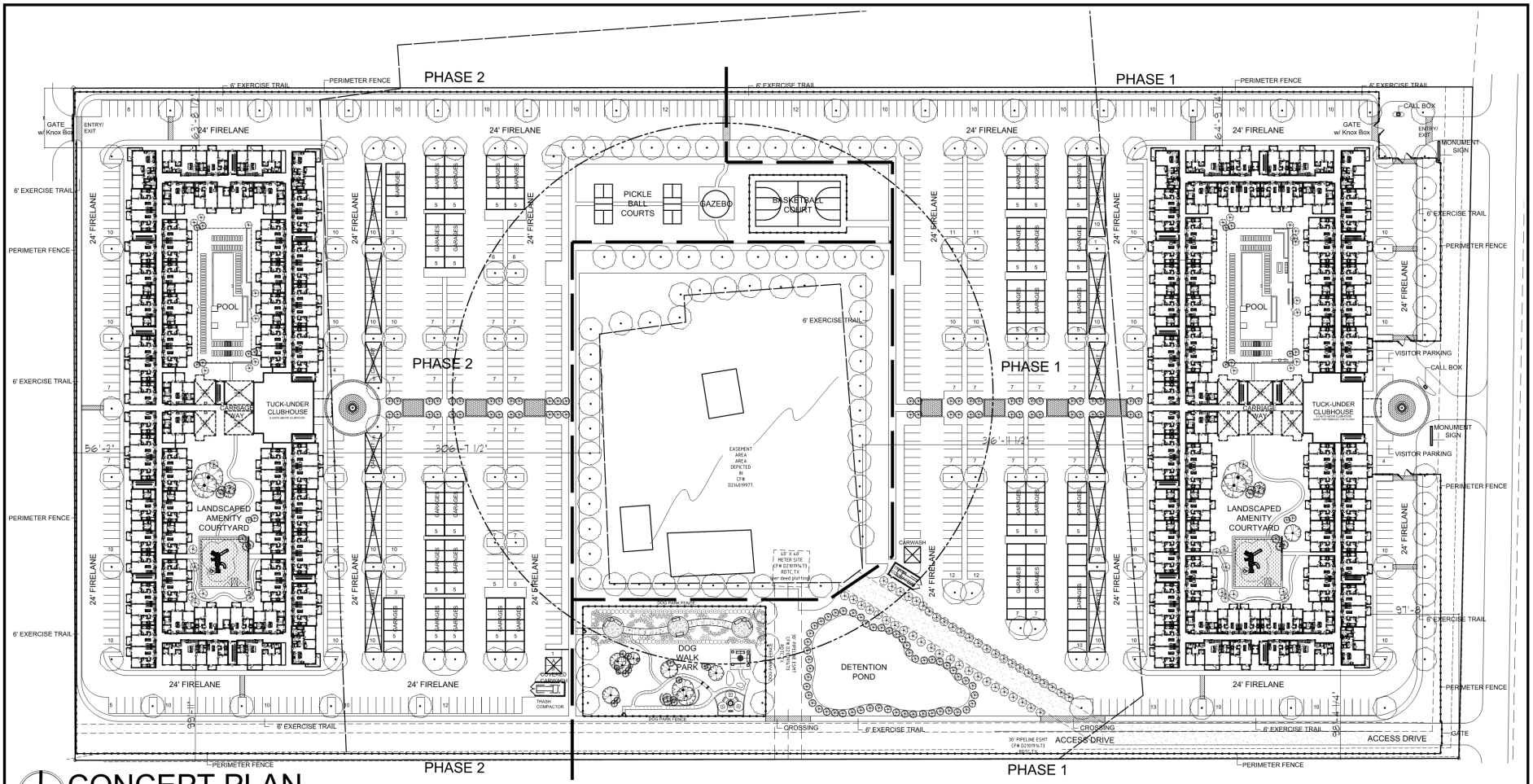

GRand Prairie TEXAS PLANNING

**CASE LOCATION MAP**

**Z201202/CP201201 - Zoning Change/Concept Plan**
**The Lofts at Grand Prairie**

N

City of Grand Prairie
Development Services
(972) 237-8255
www.gptx.org




# CONCEPT PLAN

SCALE 0' 30' 80' 180'

*The subject property is not located within the 1% annual chance (100-year floodplain) Per FEMA FIRM map # 48439C0480K in Tarrant County, dated 9/25/2009

## Green Space Calculation

TOTAL GREEN SPACE

APPROX. 209,052 SQ. FT.

| SITE DATA SUMMARY: | GOVERNING CODES |
|---|---|
| SITE ACREAGE: 26.46 ACRES<br>25.5 Units PER ACRE | BUILDING STANDARDS APPENDIX W |
| EXISTING ZONING: Agricultural | GREEN SPACE REQUIREMENTS ARTICLE 17 |
| PROPOSED ZONING: PD | PARKING REQUIREMENTS ARTICLE 10 |
| TOTAL # OF UNITS: 676<br>TOTAL # OF (1) BEDROOMS: 452<br>TOTAL # OF (2) BEDROOMS: 224 | ENTRANCES/ CURB CUTS ARTICLE 23 |
| LIST OF UNIT S.F.:<br>1 BEDROOM - MIN. 600 S.F.<br>2 BEDROOM - MIN. 825 S.F. | WELLHEAD SETBACK ARTICLE XIX SEC. 13-506 (C) |
| BUILDING HEIGHT: 60' Max. | |

| PROJECT DATA: | |
|---|---|
| PHASE 2 - 324 UNITS<br>TOTAL "A" UNITS 220<br>TOTAL "B' UNITS 104 | PHASE 1 - 352 UNITS<br>TOTAL "A" UNITS 232<br>TOTAL "B" UNITS 120 |
| 483 SPACES REQ.<br>Carports (10%) -<br>Approx. 50 carports provided | 530 SPACES REQ.<br>Carports (10%) -<br>Approx. 54 carports provided |
| Garages (Apporx.15%) -<br>Approx. 80 garages provided | Garages (Approx. 15%) -<br>Approx. 84 garages provided |
| TOTAL REQUIRED PARKING:<br>TOTAL PARKING PROVIDED: | 1013 SPACES<br>1088 Spaces<br>(8 Visitor Spaces) |

## Survey Description

BEING a 26.46 acre tract of land in the JC Armstrong Survey, Abstract 43, Tarrant County, Texas, being all of a called 13.03 acre tract of land and a called 13.31 acre tract of land recorded in Tarrant County Clerk's File No. D217224070 and being all of a of a called 22.5 acre tract and a called 3.8 acre tract of land as recorded in Volume 2547 Page 547 of the Deed Records of Tarrant County Texas, said 26.46 acre tract being more particularly described as follows;

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**Case Number: Z201202/CP201201**

# WB GRAND PRAIRIE MULTI-FAMILY

Grand Prairie, Texas

ARRIVE ARCHITECTURE GROUP
Architecture
Planning
Project Management
2344 Highway 121 - Suite 100 - Bedford, Texas 76021 - www.ArriveAG.com
Ph 817.514.0584 - Fx 817.514.0694

SEAL

REVISION

SHEET NAME

| DRAWN BY: AAG | CHECKED BY: JMT |
|---|---|
| ORIG. DATE: 2020 | REV. DATE: |
| ISSUED FOR: CONCEPT | SHEET NO. |
| SCALE: AS NOTED | |

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Conceptual elevation

For Illustrative purposes only

WB GRAND PRAIRIE MULTI-FAMILY

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| CONCEPT | |
| SCALE: | |
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01 CONCEPTUAL ELEVATIONS
SCALE 3/32"=1'-0"

**WB GRAND PRAIRIE MULTI-FAMILY**
Grand Prairie, Texas

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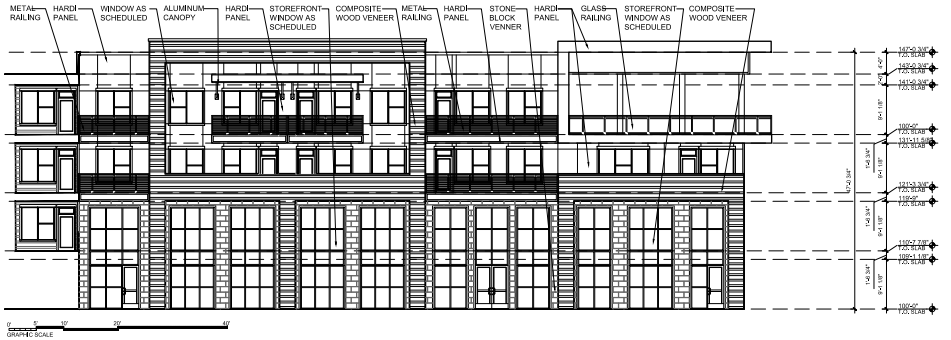


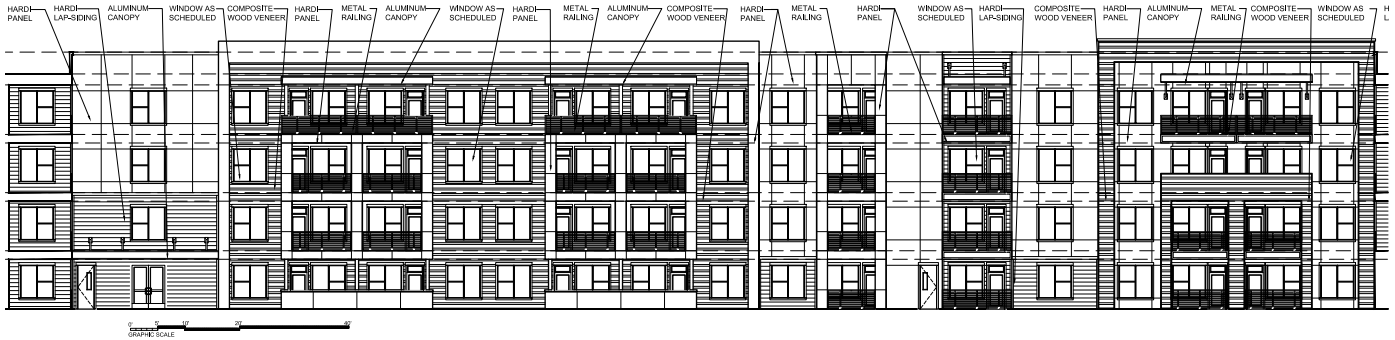


01 CONCEPTUAL ELEVATIONS
SCALE 3/32"=1'-0"

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SEAL

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***December 18, 2020***

**Section 2.**
**Purpose and Intent**

That, the purpose of this planned development is to create a fully amenitized, best in class multi-family residential development and to establish appropriate restrictions and development controls necessary to ensure predictable land development, safe and efficient vehicular and pedestrian circulation, as well as compatible uses of land and compliance with appropriate design standards.

**Section 3.**
**Development Standards**

**I. Applicability**

That, all development on land, **Exhibit A,** located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in this ordinance. The locations of buildings, driveways, parking areas, amenity areas, trails, fencing, and other common areas shall substantially conform to the locations shown on the approved Concept Plan - **Exhibit C.**

**II. Base Zoning**

1. That, any zoning, land use requirement or restriction not contained within this zoning ordinance shall conform to those requirements and/or standards prescribed in the Development Regulations attached herein as **Exhibit B** and, where regulations are not specified in Exhibit B or in this ordinance, the regulations of the Multi-Family Three (MF-3) district and Appendix W of the *Unified Development Code* shall apply to this development.
2. That, a minimum building setback of 30 feet shall be provided along all property boundaries
3. That, a minimum 6-foot high wrought iron or aluminum fence along North Day Miar Rd and a minimum of 6 foot high wood, wrought iron or aluminum fence, owner may select materials from those three choices, along all other boundaries. There will be no vegetative screening on this fence except located along North Day Miar Rd.
4. That, final building elevations shall conform to the character of the schematic elevation attached as **Exhibit D.**
5. That, final carport and detached garage elevations shall conform to the character of the schematic elevation attached as **Exhibit F.**
6. That, amenities shall be constructed as described in the Development Regulations (**Exhibit B)** and the schedule of amenities **(Exhibit E)** and as shown on the approved Concept Plan **(Exhibit C)** including:
    a. Crushed Granite Walking Trail – ½ Completed with Phase I, ½ Completed with Phase II
    b. Rooftop Terrace – Completed with Phase I
    c. Fencing – ½ Completed with Phase I and ½ competed with Phase II
    d. Large dog park (1) – Completed with Phase I
    e. Outdoor pickleball courts (2) – Completed with Phase II
    f. Outdoor basketball court (1) – Completed with Phase II
    g. Landscaped courtyards – Completed with their respective Phases.

See Phasing Plan **Exhibit G**

The final schedule of amenities shall include the items listed under “Community Amenities” and “Unit Finishes” shown in **Exhibit E**.

| | |
|---|---|
| MAXIUM DENSITY | 26 Units Per Acre<br>*per MF-3 ordinance |
| MINIMUM LIVING AREA | 600 sq ft (1 BEDROOM)<br>850 sq ft (2 BEDROOM)<br>*per MF-3 ordinance |
| MAXIMUM PERCENTAGE OF ONE-BEDROOM UNITS | 68% |
| MAXIUM HEIGHT | 60ft<br>*per MF-3 ordinance |
| MINIMUM YARD SETBACKS | |
| FRONT YARD | 30ft<br>*per MF-3 ordinance |
| REAR YARD | 45ft building setback. The 1ft incremental of additional setback for every foot over 35ft in building height does not apply. |
| SIDE YARD | 30ft<br>*per MF-3 ordinance |
| DETACHED GARAGE/CARPORTS | No side yard setback for all detached garages and carports. [redacted] |
| COVERED PARKING | Encasing of carport support poles is not required. |
| BETWEEN BUILDINGS | 15 Feet Between Buildings<br>*excluding detached garages<br>*per MF-3 ordinance |
| MAXIMUM LOT COVERAGE | 50%<br>*per MF-3 ordinance |
| MASONRY CONTENT | 100% cementitious panel with accents |
| MINIMUM ROOF PITCH | 4:12 with flat roof accents |
| LANDSCAPE BUFFER FROM ROW | 10ft (inside of building setback)<br>*only applicable on North Day Miar Rd |
| PARKING REQUIREMENTS | |
| 1 BEDROOM UNIT | 1.25 spaces per unit<br>*per MF-3 ordinance |
| 2 BEDROOM UNIT | 2 spaces per unit<br>*per MF-3 ordinance |
| PERCENTAGE OF SPACES IN CARPORTS | Minimum of 10 percent of total parking required |
| PERCENTAGE OF SPACES IN GARAGES | Minimum of 15 percent of total parking required |

**DEVELOPMENT REGULATIONS AND PROVISIONS**



- Building placement shall be as shown on the concept plan **Exhibit C**

- Amenities for the site shall include a Pool, BBQ Grills, Running Path, Rooftop Terrace, Pickle Ball Courts, Basketball Court, Game Pavilion, Dog Park, and Centralized Green Space with walking paths as shown on the Concept Plan **Exhibit C** and **Exhibit E**
- Phasing Plan shall be as shown in **Exhibit G**
- A minimum 6-foot high wrought iron or aluminum fence is required along North Day Miar Rd.
- A minimum of 6-foot wood, wrought iron or aluminum fence, owner may select materials from those three choices, along all other boundaries where vegetative screening is not required along northern western and southern fence boundaries.
- Detached garages and carports are permitted and shall generally conform to the attached Concept Plan **Exhibit C** and **Exhibit F.** The roofs of carports shall be a pitched.
- The building architecture, including garages and carports, shall generally conform to the character of the attached schematic elevation and shall be designed in accordance with the following and generally resemble elevations in **Exhibit D** and **Exhibit F**:
    a. Variation of roof elevations and exterior wall materials and colors shall be incorporated to provide architectural variety. Allowable materials will include cementitious board, brick, synthetic stone, as defined in the Unified Development Code of the City of Grand Prairie.
    b. No EIFS will be used
- All other development regulations of the Multi-Family-Three zoning district shall apply.
- Landscaping and signage shall conform to the attached Concept Plan.
- Units facing interior courtyards are exempt from window and balcony orientation prohibitions of Appendix W, Section 3.1
- A minimum of two monument signs are permitted on-site per **Exhibit C**. The monument signs may be backlit with halo lighting or reverse channel style letters. The signs may be externally illuminated. Face-lit signs, raceway letters, and signs with other internal lighting are prohibited.

**REGULAR PLANNING AND ZONING COMMISSION**
**MEETING MINUTES**
**JANUARY 11, 2021**

COMMISSIONERS PRESENT: Vice-Chairperson Bill Moser, Secretary Cheryl Smith, and Commissioners, Julia Perez, Max Coleman, Josh Spare, John Fedorko.

COMMISSIONERS ABSENT: Chairperson Shawn Connor, Eric Hedin, Warren Landrum

CITY STAFF PRESENT: Deputy City Manager Bill Hills, Rashad Jackson, Planning and Development Director, Savannah Ware, Chief City Planner, Charles Lee, Senior Planner, Dana Woods, Senior Planner, Jonathan Tooley, Planner, Tiffany Bull, Legal Services, Brett Huntsman, Transportation Planner, Monica Espinoza, Executive Assistant, Enviormental Services Manager, Cindy Mendez.

Assistant Attorney Tiffany Bull called the briefing to order by Video Conference at 5:34 p.m.

**AGENDA REVIEW #1** S210101 - Site Plan - Lake Ridge Townhomes (City Council District 4). Planner Jonathan Tooley presented the case report and gave a Power Point presentation for a Site Plan for a single family townhome development with 92 units on 13.5 acres. Tracts 1 and 1A, William Linn Survey, Abstract No. 926, City of Grand Prairie, Dallas County and Tarrant County, Texas, zoned PD-384A, within the Lake Ridge Corridor Overlay District, and generally located west of Lake Ridge Pkwy and south of Hanger Lowe Rd.

Commissioner Spare asked at 3,300 square feet, does it mean these units don't have backyards? Mr. Tooley stated they do have small backyards. Mr. Spare asked what is the square footage of the units that are not meeting the 3,300 sq. ft requirement. Mr. Tooley stated it's between 2,000-3,000 sq. ft. Mr. Spare stated they are far from the 3,300 sq. ft requirement and asked if the city is just bending to their will. Mr. Tooley stated this was proposed the same way during the Concept Plan. Mr. Spare asked why staff is not worried about the size of the lots. Chief City Planner, Savannah Ware stated the concept plan approved back in 2018 showed these lot size and it was confirmed that the depth and lot width were met but they did not have the tabulations on this and the way planned development and concept plan was approved it is consistent with the site plan. Planning and Development Director, Rashad Jackson stated the concept plan is noted the minimal lot size can be 2,100 sq. ft and the planned development also states Appendix W should be followed. Mr. Tooley stated the smallest lot is 2,200 sq. ft. 15 lots 2,200 sq. ft, 12 lots 2,754 sq. ft, 41 lots 3,000 sq. ft and 24 lost 3,060 sq. ft.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

**At 5:43 p.m. Commissioner Landrum was present at the meeting.**

**ITEM #2-** SU150803C - Specific Use Permit Renewal - Three Bears Tire Commercial Truck Parking at 3223 E. Main St. (City Council District 5). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a Renewal/Revocation of a Specific Use Permit (SUP-972A) for a Commercial Truck Parking Lot. Lot 7, Block 1, Allbritton Associates Addition, City of Grand Prairie, Dallas County, Texas, zoned LI, within Central Business District No. 4, and addressed as 3223 E Main St.

Vice Chairperson Moser asked if the property is owned or rented. Ms. Ware stated they own the property.

Commissioner Smith asked if the owner is being fined for not meeting the requirements of the SUP. Ms. Ware stated they are fined when they are issued citations. Ms. Smith asked what is plan b when the staff cannot get in connect with the owners. Ms. Ware stated Plan B is to hand deliver a letter because they have called all the phone numbers available in their files and emailed all the email addresses with no response.

Vice Chairperson Moser asked if citations have been paid. Environmental Services Manager, Cindy Mendez stated the owner has paid over $6,700 in citations and they have been plea deals or no contest. Most charges are between $324 and $756 for each and he has been paying the window fines.

Commissioner Perez asked if there have been citations since 2017 and the commission has been approving the SUP renewal even though violations have been going on. Ms. Ware stated the SUP was renewed in 2018 and was placed on the consent agenda and doesn't understand why if they weren't in compliance then but that is why they are here today, to get them in compliance or revoke their SUP.

Vice Chairperson Moser asked how often the SUP renewal comes up. Ms. Ware stated it depends if it is still in the early stages of the SUP a lot of the times, they have that one-year language. Once it has a CO or it has been constructed the staff will bring them back in a year to review and they will not come back unless there are issues and citations would trigger that review. Mr. Moser asked when did the owner get the original SUP. Ms. Ware stated it was in 2015 and in 2016 they still weren't operating so the renewal was granted. Mr. Moser asked if staff sent them notifications and if owners responded. Ms. Ware stated that is correct and she had a teams meeting with the applicant the morning of the P&Z hearing and walked him through the staff's recommendations, issues and also sent him the link for the public hearing.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

**ITEM #3 -** Z201202/CP201201 - Zoning Change/Concept Plan - The Lofts at Grand Prairie (City Council District 4). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan to rezone 26.3 acres from A to a Planned Development District for Multi-Family Use. Tract 6A A 43 TRS 6A & 6A01 & 6B, James C. Armstrong Survey, Abstract No. 43, City of Grand Prairie, Tarrant County, Texas, zoned A, and addressed as 931 N Day Miar Rd.

Commissioner Smith asked why put apartments in the middle of a gas well. Ms. Ware stated the applicant will be available to answer this question.

Vice Chairperson Moser asked if the people who sent the letter of opposition own their land. Ms. Ware stated that is correct. Mr. Moser asked what the zoning on this property is. Ms. Ware stated the property is zoned agricultural and the FLUM has it designated for Mixed Use. Mr. Moser asked if they could build a house on it and it be conforming under the agricultural zoning. Ms. Ware stated correct.

Commissioner Smith stated she agrees with Mr. Moser being a safety issue to build around the gas well.

**ITEM #4-** Z210102/CP210102 - Zoning Change/Concept Plan – The Royalton at Grand Prairie Phase 2 (City Council District 2). Planner Jonathan Tooley presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan for a 204-unit multi-family development on 9.2 acres. Tract 2.1, Frederick Dohme Survey, Abstract No. 395, City of Grand Prairie, Dallas County, Texas, zoned PD-294, within the SH-161 and IH-20 Corridor Overlay Districts, located at the southwest corner of SH 161 and Forum Dr, and addressed as 1705 S Forum Drive.

Commissioner Spare thanked the planning department for their recommendation and sticking to the guidelines.

**ITEM #5-** COVID Meeting Procedures

Planning and Development Director Rashad Jackson stated until further notice meetings will remain via zoom.

Vice Chairperson Moser had a question about a disclosure on the agenda and Assistant Attorney Tiffany Bull stated the item cannot be discussed.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

Commissioner Smith thanked the staff for continuing to protect the staff during COVID and believes zoom meetings are the best thing right now.

COMMISSIONERS PRESENT: Vice-Chairperson Bill Moser, Secretary Cheryl Smith, and Commissioners, Julia Perez, Max Coleman, Josh Spare, Warren Landrum, John Fedorko.

COMMISSIONERS ABSENT: Chairperson Shawn Connor, Eric Hedin

CITY STAFF PRESENT: Deputy City Manager Bill Hills, Rashad Jackson, Planning and Development Director, Savannah Ware, Chief City Planner, Charles Lee, Senior Planner, Dana Woods, Senior Planner, Jonathan Tooley, Planner, Tiffany Bull, Legal Services, Brett Huntsman, Transportation Planner, Monica Espinoza, Executive Assistant, Enviormental Services Manager, Cindy Mendez, Code Enforcement Officer, Philip Curtis.

Vice Chairperson Bill Moser called the meeting to order by Video Conference at 6:36 p.m. and Commissioner Moser gave the invocation, and Commissioner Landrum led the pledge of allegiance to the US Flag, and the Texas Flag.

Citizen Comments: None

AGENDA ITEM: #1 - APPROVAL OF MINUTES: To approve the minutes of the Planning and Zoning Commission meeting of December 14, 2020.

Item #2- APPROVAL OF AMENDED MINUTES: To approve the amended minutes of the Planning and Zoning Commission meeting of November 23, 2020.

CONSENT PUBLIC HEARING AGENDA Item #3- P210101 - Final Plat - Jai Addition, Lots 1-3, Block 1 (City Council District 4). Final Plat of Lots 1, 2, and 3, Block 1, Jai Addition, creating three non-residential lots on 3.915 acres. Tracts 2C05 and 2C05A, John W. Harwood Survey, Abstract No. 661, City of Grand Prairie, Tarrant County, Texas, zoned PD-130, located at the northwest corner of W Camp Wisdom Rd and Lynn Rd, and addressed as 2800 W Camp Wisdom Rd.

Item #4 – P210102 - Preliminary Plat - Landmark at the Grove Addition, Lot 1, Block 1 (City Council District 1). Preliminary Plat of Lot 1, Block 1, Landmark at the Grove Addition, creating one non-residential lot on 11.99 acres. Tracts 16 and 16.3, John Spoon Survey, Abstract No. 1326, City of Grand Prairie, Dallas County, Texas, zoned LI, within the SH-161 Corridor Overlay District, and addressed as 804 and 810 W Shady Grove Rd.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

Item #5- P210103 - Final Plat - Landmark at the Grove Addition, Lot 1, Block 1 (City Council District 1). Final Plat of Lot 1, Block 1, Landmark at the Grove Addition, creating one non-residential lot on 11.99 acres. Tracts 16 and 16.3, John Spoon Survey, Abstract No. 1326, City of Grand Prairie, Dallas County, Texas, zoned LI, within the SH-161 Corridor Overlay District, and addressed as 804 and 810 W Shady Grove Rd.

Item #6- P201201 - Preliminary Plat - MacArthur Grand Logistics Center (City Council District 1). Preliminary Plat for Lots 1-3, Block 1, MacArthur Grand Logistics Center, creating three lots on 187.141 acres. 187.141 acres situated in the I. Jennings Survey, Abstract No. 679, City of Grand Prairie, Dallas County, Texas, zoned PD-10 and LI, within the IH-30 Corridor Overlay District, and generally located southwest of Hunter Ferrell Road and MacArthur Boulevard.

Commissioner Smith moved to approve the minutes, amended minutes, cases P210101, P210102, P210103, and P201201.

Motion: Smith
Second: Coleman
Ayes: Moser, Smith, Spare, Coleman, Perez Landrum, Fedorko
Nays: none
**Vote: 7-0**
Motion: **carried.**

ITEM FOR INDIVIDUAL CONSIDREATION: Item # 7 S210101 - Site Plan - Lake Ridge Townhomes (City Council District 4). Planner Jonathan Tooley presented the case report and gave a Power Point presentation for a Site Plan for a single family townhome development with 92 units on 13.5 acres. Tracts 1 and 1A, William Linn Survey, Abstract No. 926, City of Grand Prairie, Dallas County and Tarrant County, Texas, zoned PD-384A, within the Lake Ridge Corridor Overlay District, and generally located west of Lake Ridge Pkwy and south of Hanger Lowe Rd.

Mr. Tooley stated the applicant intends to construct a single-family townhouse development of 92 units on 13.5 acres. Any townhome development or development in a planned development district or overlay district requires City Council approval of a Site Plan. Development at this location requires site plan approval by City Council because the property is for townhome use, zoned PD-384A, and within the Lake Ridge Corridor Overlay District. The 92-unit single family townhome development, north and south, will be accessible from the proposed extension of Grandway Drive, which is currently under construction. The Site Plan depicts a combination of

three, four, five and six-plex style townhomes, along with internal green spaces, walking trails, and centrally located mailboxes. The northern portion has two connections to Grandway Drive, while the southern portion will have one entrance with a dead-end hammerhead. All garages are rear entry and have access to 15 ft. alleyways. Parking will not be allowed on the street, but each unit will have tandem parking along with parking spaces on common lots.

The applicant is requesting the following variance:

1. Variance to the requirement of at least 70 percent of the lots comprising of a minimum area of 3,300 square feet: The base zoning of Single-Family Townhouse requires that 70 percent of the lots be at least 3,300 square feet in area. The applicant is providing approximately 26 percent, which is in substantial conformance to the concept plan approved during the zoning stage.

The Development Review Committee (DRC) recommends approval.

Steve Schermerhom, 8430 Fair Oaks Frisco TX. 75033 75240 stepped forward and represented the case.

**At 6:55 p.m. Chairperson Connor was present at the meeting.**

There being no further discussion on the case commissioner Smith moved to close the public hearing and approve case S210101 per staff recommendations.

The action and vote recorded as follows:

Motion: Smith
Second: Landrum
Ayes: Moser, Smith, Spare, Coleman, Perez Landrum, Fedorko, Connor
Nays: none
**Vote: 8-0**
Motion: **carried.**

PUBLIC HEARING AGENDA ITEM # 8- SU150803C - Specific Use Permit Renewal - Three Bears Tire Commercial Truck Parking at 3223 E. Main St. (City Council District 5). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

Renewal/Revocation of a Specific Use Permit (SUP-972A) for a Commercial Truck Parking Lot. Lot 7, Block 1, Allbritton Associates Addition, City of Grand Prairie, Dallas County, Texas, zoned LI, within Central Business District No. 4, and addressed as 3223 E Main St.

Ms. Ware stated the purpose of this request is to review the Commercial Truck Parking Lot located at 3223 E Main Street for compliance with Specific Use Permit conditions and all applicable ordinances, codes, and regulations. Specific Use Permits may be revoked for failing to comply with conditions of approval set by City Council. The purpose of the Specific Use Permit process is to identify those uses which might be appropriate within a zoning district, but due to either their location, functional or operational nature, could have a potentially negative impact upon surrounding properties; and to provide for a procedure where by such uses might be permitted by further restricting or conditioning them so as to eliminate such probable negative impacts. The City Council may, in the interest of the public welfare and to assure compliance with this ordinance, establish conditions of operation, location, arrangement and construction of any authorized special use. In approving any specific use, the City Council may impose such development standards and safeguards as conditions warrant for the welfare and protection of adjacent properties, and citizenry as a whole as it may be affected by this use. 76 Item8. Page 2 of 3 It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted. Given the established history of compliance issues, the number of citations issued, and the failure of the applicant to make the improvements to the property required by the original Specific Use Permit approved in 2015, staff recommends that the Specific Use Permit be revoked.

Commissioner Landrum stated based on the number of violations since 2018 he believes SUP needs to be revoked because it seems like they are willing to just pay fines and keep going on as they are.

Commissioner Perez asked how staff was trying to communicate with owner and if staff had the wrong phone number. Ms. Ware stated the email address in which the owner contacted her from was different from the ones we had on file and she did set up a Teams meeting with the owner this morning and walked him through the staff report and staff's recommendation.

Commissioner Moser stated he is not sure how Mr. Rodriguez didn't know about the hearing if he has been paying fines and wants to see what owner has to say.

Gerardo Rodriguez, 6607 Sheerwater Rd. Arlington TX. 76002, 75240 stepped forward and represented the case, he stated he never received any letters, but he did find out where some mail was delivered to the wrong address, which is why he never knew about the review.

Assistant Attorney Tiffany Bull stated if the commissioners believe owner didn't receive any notifications about the hearing and wish to give him more time to prepare for the hearing of January 25th, you can.

Chairperson Connor asked with all the contact the city has had with him about the violations, why hasn't any of the improvements been done because it seems like they are ignoring it. Mr. Rodriguez stated they aren't ignoring it. He goes down there once every week or so and keeps it clean. Mr. Connor listed a few of the violations the owner received and stated it seems like he just pays the fines and ignores following SUP's regulations/requirements. Mr. Rodriguez stated he is not trying to pay fines. Mr. Connor stated he hasn't answered his question as to why he hasn't made the improvements. Mr. Rodriguez stated he is not ignoring the citations and he takes them seriously.

Commissioner Fedorko stated he claims he didn't get notice of the hearing, but he has been paying the violations but asked if he knew the conditions of his SUP. Mr. Rodriguez stated yes. Mr. Fedorko asked by knowing the conditions of his SUP is it ok to agree that very few of those conditions have been met. Mr. Rodriguez stated yes, he agrees. Mr. Fedorko stated he wants to try to help him because they want Main St. to have viable operating businesses and asked why the conditions haven't been met. Mr. Rodriguez stated he has been going through some tough times this past year,with having a lot of injuries and it has hindered him from being able to be on top of things like he should be and also due to the stress of the pandemic.

Commissioner Moser stated his SUP was approved in 2015 before the pandemic and the requirements they are talking about are the requirements in the SUP in 2015 and went on to state some of those requirements. He agrees with commissioner Fedorko he loves small businesses to succeed but it seems like he is ignoring the requirements.

Commissioner Smith asked what his plan would be if they approved the SUP and to include a timeline. Mr. Rodriguez stated he would do the striping and fence within 30 days. Ms. Smith stated it would be up to the entire commission to decide.

Commissioner Perez stated not having a fire hydrate on the property is concerning because of safety concerns and has had 5 years to get it done. Mr. Rodriguez stated there is one across the street.

Commissioner Spare agrees with Commissioner Landrum. He went on to state he would want to pull the SUP until council and get from the owner contracts for the striping, fencing, etc. to prove to the council members he is taking it seriously.

Chairperson Connor stated looking at it, a lot of the violations are minor, and it seems like the owner doesn't care to fix it.

Commissioner Fedorko agrees with commissioner Connor.

Commissioner Moser stated if the applicant would like to have some extra time to prepare for a hearing or continue the hearing today. We can have a motion to table until the next Planning a Zoning Hearing and give him 2 weeks to formulate a plan.

Assistant Attorney Tiffany Bull stated she thinks the commission should take into consideration whether Mr. Rodriguez feels he had enough time to prepare for this hearing since he indicated he only received notice this weekend.

Commissioner Moser asked Mr. Rodriguez if he would like to table it and get an additional two weeks to formulate a plan. Mr. Rodriguez stated he would appreciate the two weeks.

Commissioner Spare stated in two weeks he would like to see a signed contract for relining, new fencing, and would like to see some cleaning done on the property and the plan. Mr. Rodriguez stated yes sir.

Commissioner Smith asked if we could get clarification about the file hydrate. Code Compliance Officer Philip Curtis stated that requirement was placed by the fire marshal's office and typically when a depth of a property is over 150 ft it is required to have a fire hydrate on property. Mr. Moser stated they will get clarification from fire marshal before the next meeting.

Chief City Planner Savannah Ware stated the next Planning and Zoning Meeting is on January 25th and the packet goes out January 22nd, which means if the commissioners would make a motion requiring the applicant to submit an operational action plan then we would need it by January 20th at noon. Mr. Rodriguez asked who he would submit his operational action plan to. Ms. Ware stated he can coordinate with her.

There being no further discussion on the case commissioner Spare moved to close the public hearing and revoke SUP on case SU150803C per staff recommendations.

The action and vote recorded as follows:

Motion: Spare
Second: Connor
Ayes: Spare, Connor, Landrum, Moser
Nays: Smith, Fedorko, Coleman, Perez
**Vote: 4-4**

Motion: **Failed**

There being no further discussion on the case commissioner Smith moved to close the public hearing and table case SU150803C to the next meeting January 25, 2021 with recommendation that the owner prepare an action plan to bring property into compliance and submit by noon on January 20, 2021.

Commissioner Spare amended the motion with the approval of Commissioners Smith and Perez to include the recommendation that the owner also provide signed contracts with a fencing company and a stripping company and show a receipt that he paid or did himself the cleaning of the oil stains.

The action and vote recorded as follows:

Motion: Smith
Second: Perez
Ayes: Spare, Connor, Moser, Fedorko, Smith, Coleman, Perez
Nays: none
Abstaining: Landrum
**Vote: 7-0-1**
Motion: **Carried**

PUBLIC HEARING AGENDA ITEM # 9- Z201202/CP201201 - Zoning Change/Concept Plan - The Lofts at Grand Prairie (City Council District 4). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan to rezone 26.3 acres from A to a Planned Development District for Multi-Family Use. Tract 6A A 43 TRS 6A & 6A01 & 6B, James C. Armstrong Survey, Abstract No. 43, City of Grand Prairie, Tarrant County, Texas, zoned A, and addressed as 931 N Day Miar Rd.

Ms. Ware stated the purpose of the request is to rezone the property from Agriculture to a Planned Development District for Multi-Family Use. The applicant is proposing multi-family use. The Concept Plan depicts 676 units in two buildings. The site is accessible from two points on Day Miar Rd. An active gas well is located at the center of the 26.3-acre property and will remain in production. The access point and drive for the gas well will be separate from the multi-family development so that traffic generated by the two uses will not mix. Day Miar Rd is an unimproved, one-lane road and is classified as a local street. Day Miar Rd dead-ends southeast of the subject

property and is the only roadway connection to the property. The applicant will be required to improve and widen the segment of the street along the subject property. As part of this request, the applicant conducted a Traffic Impact Analysis (TIA) to identify traffic generation characteristics and potential impacts on the local street system. The TIA states that the proposed development can be successfully incorporated into the surrounding roadway network without substantial negative impacts to any adjacent intersection or roadway. The Concept Plan includes a clubhouse, landscaped courtyard, and pool for each building. Other amenities include a dog park, pickle ball courts, a gazebo, and basketball court.

The applicant is requesting the following variances:

1. Maximum Percentage of One-Bedroom Units – Appendix W allows one-bedroom units to account for up to 60% of the total units. The applicant is proposing that one-bedroom units account for 68% of the total units.
2. Rear Setback – Appendix W requires that the rear setback be at least 45 ft. plus 1 ft. for every ft. of building height over 35 ft. For a building that is 60 ft. in height, the UDC requires a rear setback of 70 ft. The applicant is proposing a rear setback of 45 ft.
3. Side Setbacks – Appendix W requires that interior side setbacks be at least 45 ft. plus 1 ft. for every ft. of building height over 35 ft. For a building that is 60 ft. in height, the UDC requires a side setback of 70 ft. The applicant is proposing side setbacks of 30 ft.
4. Setback for Garages/Carports – The UDC requires a 3 ft. setback for accessory structures. The applicant is proposing a setback of zero ft. for the garages and carports.
5. Garage Parking Spaces – Appendix W requires that garage parking spaces account for 30% of the total required parking spaces. The applicant is proposing that garages account for 15% of the total required parking spaces.
6. Carport Parking Spaces – Appendix W requires that carport parking spaces account for 20% of the total required parking spaces. The applicant is proposing that garages account for 10% of the total required parking spaces.
7. Carport Supports – Appendix W requires that carport supports be encased in masonry. The applicant is proposing carport supports without the masonry encasement.

Staff is unable to recommend approval of the request because it conflicts with the FLUM and includes a significant number of variances.

Commissioners discussed the safety concerns about building apartments around a gas wall and asked what other uses a better fit on this parcel are.

Commissioner Coleman asked if gas well is active. Ms. Ware stated it is a producing gas well.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

**Break at 8:07 pm and reconvened at 8:15 pm**

Robert Weinstein, 495 Broadway 7th Floor New York NY 10002 stepped forward and represented the case and gave a Power Point presentation.

Commissioner Smith asked what the cost per unit for rent is. Mr. Weinstein stated one bedroom: $900-$1200, two bedrooms: $1,500-$1,800.

Commissioner Fedorko asked if they have had any discussions with fire dept about being so close to a gas well. Mr. Weinstein stated they had a DRC meeting and the fire dept was in attendance and made some changes with the comments they were given.

Commissioner Moser stated he understood you can't have commercial construction within 300 ft and residential within 600 ft and asked is that correct. Mr. Jackson stated per environmental comments given to them it is 300 ft for residential.

Maxwell Fisher, Master Plan Texas, 2201 Main St Suit 1280 Dallas TX 75201, stepped forward and represented the case, he stated mixed use wouldn't work on this parcel because of the lack of traffic. He gave examples of other developments that were built around well heads.

**A letter of opposition was submitted by the Longneckers.**

There being no further discussion on the case commissioner Spare moved to close the public hearing and deny case Z201202/CP201201 per staff recommendations.

The action and vote recorded as follows:

Motion: Spare
Second: Smith
Ayes: Moser, Smith, Spare, Perez Landrum, Fedorko, Connor
Nays: Coleman
**Vote: 7-1**
Motion: **carried**

PUBLIC HEARING AGENDA ITEM # 10- Z210102/CP210102 - Zoning Change/Concept Plan – The Royalton at Grand Prairie Phase 2 (City Council District 2). Planner Jonathan

Tooley presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan for a 204-unit multi-family development on 9.2 acres. Tract 2.1, Frederick Dohme Survey, Abstract No. 395, City of Grand Prairie, Dallas County, Texas, zoned PD-294, within the SH-161 and IH-20 Corridor Overlay Districts, located at the southwest corner of SH 161 and Forum Dr, and addressed as 1705 S Forum Drive.

Mr. Tooley stated the purpose of the request is to rezone the subject property to a Planned Development District to facilitate a multi-family development on 9.2 acres. The subject property is currently zoned PD-294 for General Retail uses. The Concept Plan depicts five, three-story apartment buildings with a large clubhouse and leasing office while providing internal walking trails buffered from the surrounding streets. All access points are located along Forum Rd and will not disturb existing turn lanes or transitions at SH 161. There is an existing access easement that runs along the Forum frontage, providing adequate access to the property. The proposed amenities include fully equipped fitness center, spin/yoga center, community gathering spaces, pool area, pergola with a seating area and grill. The applicant is not requesting any variances.

While the FLUM designates this area as High Density Residential, the 161 Focus Area Map, which delves deeper into the preferences for this area, shows the area as Commercial/Retail/Office. The focus area vision is to create a rich commercial district and recreation destination through high quality entertainment and commercial venues and retail services. Since the proposal is inconsistent with the area vision, staff is unable to support the request as presented.

Commissioner Fedorko stated the FLUM and the 161 Focus Area Map contradicts one another and asked why. Planning and Development Director Rashad Jackson stated when the FLUM was established and they built deeper into this focus area a portion of the FLUM should have been updated and at a minimum the applicant should propose a submittal that mixes the two but try to keep hard corner as commercial. Mr. Moser stated the 161 Focus Area Map came after the FLUM.

Commissioner Spare stated he has been trying to protect 161 for a long time and believes apartments will ruin our city.

Commissioner Connor stated he agrees with commissioner Spare and stated there are too many apartments based on the Multi-Family Development Map.

Commissioner Spare asked can an updated map be presented to the board each time cases for apartments comes before them. Ms. Ware stated yes.

Commissioner Smith stated she agrees with commissioners Spare and Fedorko about the updated map.

Mr. Jackson stated the staff was asked to make a total assessment and present it to the CCDC meeting and it is currently on the agenda for the meeting taking place January 12, 2021.

Commissioner Moser stated to bring up the concerns on their behalf to the board members.

Spencer Byington, 5600 South FM 148 Kaufman TX stepped forward and represented the case and gave a presentation.

Commissioner Connor stated he doesn't want to see another gas station or apartments and there are so many other viable options available for retail.

Commissioner Spare stated if retails don't come about, he would rather see a warehouse.

Commissioner Smith agreed with commissioners Connor and Spare.

There being no further discussion on the case commissioner Smith moved to close the public hearing and deny case Z210102/CP210102 per staff recommendations.

The action and vote recorded as follows:

Motion: Smith
Second: Spare
Ayes: Moser, Smith, Spare, Perez Landrum, Fedorko, Connor, Coleman
Nays: none
**Vote: 8-0**
Motion: **carried**

Commissioner Connor moved to adjourn the meeting. The meeting adjourned at 9:42 p.m.

_____
Shawn Connor, Chairperson

ATTEST:

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

_____
Cheryl Smith, Secretary

An audio recording of this meeting is available on request at 972-237-8255.

GRand Prairie TEXAS PLANNING

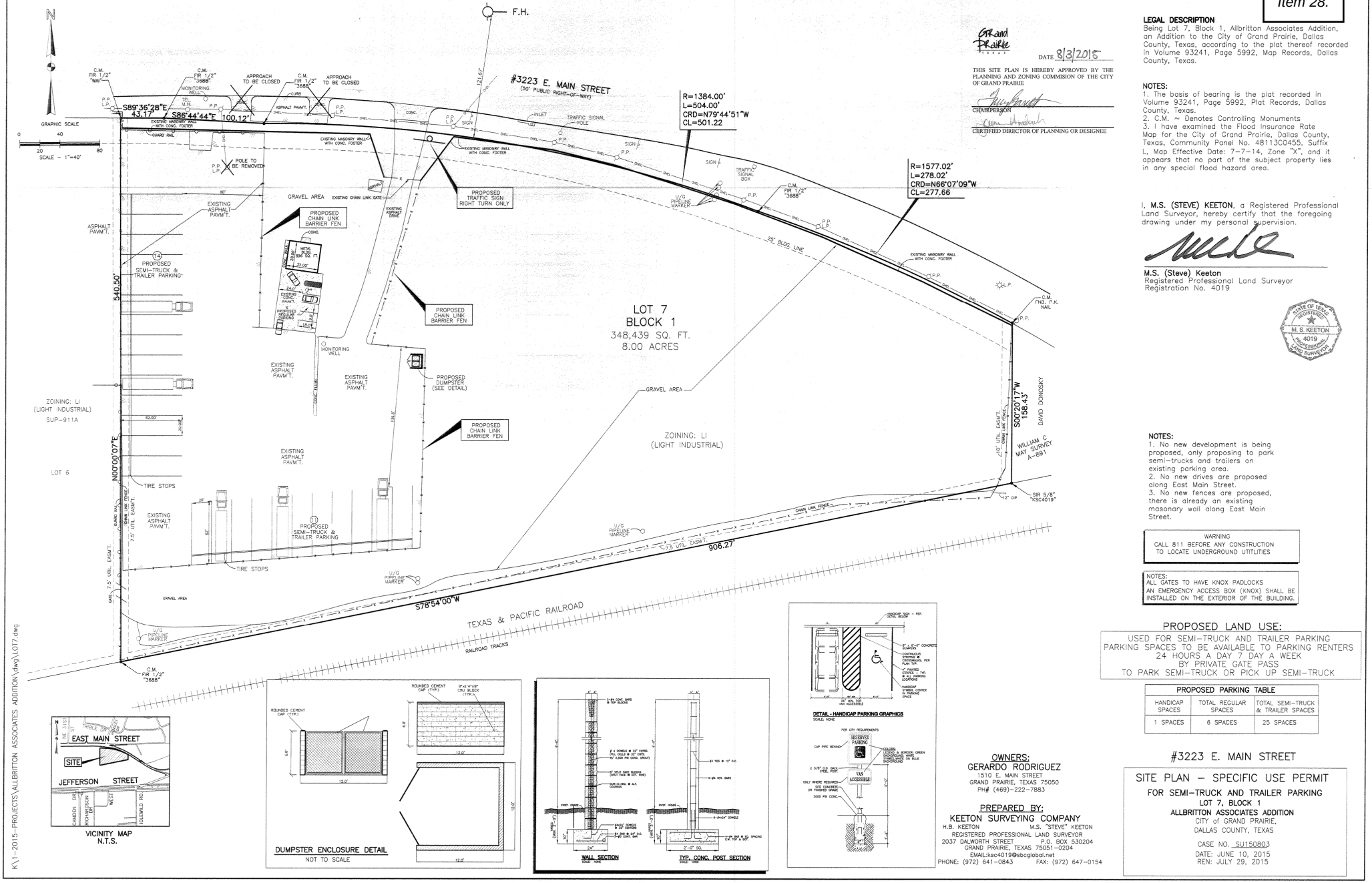
# CASE LOCATION MAP

Case Number SU150803C

**3223 E Main St**

N

City of Grand Prairie
Development Services
(972) 237-8255
www.gptx.org







VICINITY MAP
N.T.S.




DUMPSTER ENCLOSURE DETAIL
NOT TO SCALE







GRand Prairie TEXAS

DATE 8/3/2015

THIS SITE PLAN IS HEREBY APPROVED BY THE PLANNING AND ZONING COMMISION OF THE CITY OF GRAND PRAIRIE

CHAIRPERSON

CERTIFIED DIRECTOR OF PLANNING OR DESIGNEE

**LEGAL DESCRIPTION**
Being Lot 7, Block 1, Allbritton Associates Addition, an Addition to the City of Grand Prairie, Dallas County, Texas, according to the plat thereof recorded in Volume 93241, Page 5992, Map Records, Dallas County, Texas.

**NOTES:**
1. The basis of bearing is the plat recorded in Volume 93241, Page 5992, Plat Records, Dallas County, Texas.
2. C.M. ~ Denotes Controlling Monuments
3. I have examined the Flood Insurance Rate Map for the City of Grand Prairie, Dallas County, Texas, Community Panel No. 48113C0455, Suffix L, Map Effective Date: 7-7-14, Zone "X", and it appears that no part of the subject property lies in any special flood hazard area.

I, **M.S. (STEVE) KEETON**, a Registered Professional Land Surveyor, hereby certify that the foregoing drawing under my personal supervision.

**M.S. (Steve) Keeton**
Registered Professional Land Surveyor
Registration No. 4019

STATE OF TEXAS REGISTERED M.S. KEETON 4019 PROFESSIONAL LAND SURVEYOR

**NOTES:**
1. No new development is being proposed, only proposing to park semi-trucks and trailers on existing parking area.
2. No new drives are proposed along East Main Street.
3. No new fences are proposed, there is already an existing masonary wall along East Main Street.

WARNING
CALL 811 BEFORE ANY CONSTRUCTION TO LOCATE UNDERGROUND UTILITIES

NOTES:
ALL GATES TO HAVE KNOX PADLOCKS AN EMERGENCY ACCESS BOX (KNOX) SHALL BE INSTALLED ON THE EXTERIOR OF THE BUILDING.

**PROPOSED LAND USE:**
USED FOR SEMI-TRUCK AND TRAILER PARKING
PARKING SPACES TO BE AVAILABLE TO PARKING RENTERS
24 HOURS A DAY 7 DAY A WEEK
BY PRIVATE GATE PASS
TO PARK SEMI-TRUCK OR PICK UP SEMI-TRUCK

| PROPOSED PARKING TABLE | | |
|---|---|---|
| HANDICAP SPACES | TOTAL REGULAR SPACES | TOTAL SEMI-TRUCK & TRAILER SPACES |
| 1 SPACES | 6 SPACES | 25 SPACES |

**OWNERS:**
GERARDO RODRIGUEZ
1510 E. MAIN STREET
GRAND PRAIRIE, TEXAS 75050
PH# (469)-222-7883

**PREPARED BY:**
KEETON SURVEYING COMPANY
H.B. KEETON — M.S. "STEVE" KEETON
REGISTERED PROFESSIONAL LAND SURVEYOR
2037 DALWORTH STREET — P.O. BOX 530204
GRAND PRAIRIE, TEXAS 75051-0204
EMAIL:ksc4019@sbcglobal.net
PHONE: (972) 641-0843 FAX: (972) 647-0154

#3223 E. MAIN STREET

SITE PLAN – SPECIFIC USE PERMIT
FOR SEMI-TRUCK AND TRAILER PARKING
LOT 7, BLOCK 1
ALLBRITTON ASSOCIATES ADDITION
CITY of GRAND PRAIRIE,
DALLAS COUNTY, TEXAS

CASE NO. SU150803
DATE: JUNE 10, 2015
REN: JULY 29, 2015

K:\1-2015-PROJECTS\ALLBRITTON ASSOCIATES ADDITION\dwg\LOT7.dwg

# 3 BEARS SPECIAL USE PERMIT RENEWAL

## 3223 E MAIN STREET

DECEMBER 28, 2020

# BACKGROUND:

- On **August 18, 2015,** Special Use Permit (SUP) was approved by the City Council for 3 Bears Truck Parking facility  located at 3223 E Main Street with conditions.
- On **December 13, 2016**, the SUP was renewed.
- On **July 17, 2018,** the SUP was renewed.

# COMPLIANCE HISTORY

- 12/01/2020 : CIT issued for the following violations:

  1. The parking lot has not been marked as required in the conditions of the SUP Inoperable vehicle storage
  2. There were vehicles observed parking on non-approved surface and are a violation of the conditions of the SUP.
  3. The Parking lanes have not been marked (20X80) spaces and vehicles were parked on non approved surface gravel and is non-compliant with the conditions of the SUP.
  4. Lighting as a required condition of the SUP has not been installed.

- 07/30/2020: CIT issued for parking on non-paved surface, failure to comply with conditions of the SUP (no hydrant/fence installed and inoperable vehicle storage) and a large pile of salvage vehicle parts stored improperly.
- 07/30/2020: CIT issued for failure to clean up the spills and outside storage of tires without rims.
- 03/19/2020: CIT issued for non-approved use of the SUP ( holding inoperable vehicle) and improper storage of vehicle parts
- 09/23/2019: CIT issued for improper deposit of oils or greases to the ground and outside storage of tires without rims
- 09/04/2019: CIT issued for operating without certificate of occupancy and failure to comply with the conditions of the Specific Use Permit and prohibitions.

# COMPLIANCE HISTORY

- 06/18/2018: NOV issued for failure to clean spills immediately and no dumpster on property.
- 06/05/2018: CIT issued for failure to clean spills immediately and for outside storage of tires without rims.
- 04/02/2018: NOV issued for outside storage of tires without rims, failure to clean up spills immediately, and no dumpster on site.
- 02/16/2018: CIT issued for operating without a certificate of occupancy and failure to comply with the specific operating conditions of the Specific Use Permit and for adding structures without valid permit.
- 01/25/2018: CIT issued for failure to characterize and dispose of waste properly, failure to cleanup spills immediately, and outside storage of materials used in automotive repair.
- 01/25/2018 : CIT issued for no certificate of occupancy and failure to comply with the specific operating conditions of the Specific Use Permit.
- 12/15/2017: NOV issued for no certificate of occupancy and failing to operate within the specific operating conditions of the Specific Use Permit.

# SUP REQUIREMENT VS. CURRENT CONDITION

**SUP Expectation:**

A chain link fence shall be installed to prevent drivers from maneuvering their vehicles on the gravel.

## Condition observed during inspection:

# SUP REQUIREMENT VS. CURRENT CONDITION

## SUP Expectation:

All vehicles shall be parked on city approved surfaces, and completely within clearly marked parking spaces. as shown on the approved site plan.

## Condition observed during inspection:

# SUP REQUIREMENT VS. CURRENT CONDITION

## SUP Expectation:

Truck parking spaces shall measure 20ft by 62ft and standard passenger vehicle parking spaces shall measure 9ft by 18ft;

## Condition observed during inspection:

# SUP REQUIREMENT VS. CURRENT CONDITION

**SUP Expectation:** Adequate lighting shall be required. Lighting plans shall be approved by the chief planner.

## Condition observed during inspection:

- Lighting plan has not been submitted and there is no adequate lighting onsite.

# SUP REQUIREMENT VS. CURRENT CONDITION

**SUP Expectation:** Must install a fire hydrant for access to this site, as approved by the fire Marshall.

## Condition observed during inspection:

- Fire hydrant has not been installed.

# SUP REQUIREMENT VS. CURRENT CONDITION

## SUP Expectation:

Paving replacement, as determined by the building official or chief planner, shall conform to the current standards of the unified development code.

## Condition observed during inspection:

- Vehicles parked on gravel and grassy area.

# SUP REQUIREMENT VS. CURRENT CONDITION

## SUP Condition Expectation:

All paved surfaces shall be kept free and clear of gravel, dirt and debris.

## Condition observed during inspection:

# SUP REQUIREMENT VS. CURRENT CONDITION

## SUP Condition Expectation:

- This site shall be required to meet the property maintenance standards of the automotive related business regulations.

- There shall be no inoperable vehicles parked onsite; must practice all best management practices listed in its storm water pollution prevention plan.

## Condition observed during inspection:

# SUP REQUIREMENT VS. CURRENT CONDITION

## SUP Condition Expectation:

- Future changes to the parking or expansions to this facility will require the submittal of a revised site plan for review and approval to the Planning Department

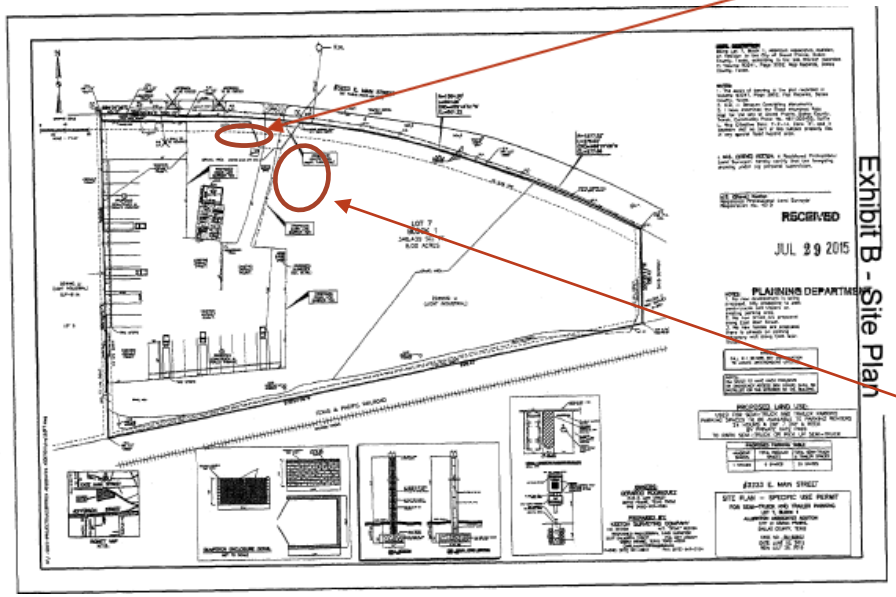



Exhibit B - Site Plan

## Condition observed during inspection:

# CONCLUSION:

- Environmental Quality does not recommend renewing the Special Use Permit for this business while an Automotive Related Business permit is issued. It has not met the conditions of SUP and the City's ordinance in the last four years.

**REGULAR PLANNING AND ZONING COMMISSION**
**MEETING MINUTES**
**JANUARY 11, 2021**

COMMISSIONERS PRESENT: Vice-Chairperson Bill Moser, Secretary Cheryl Smith, and Commissioners, Julia Perez, Max Coleman, Josh Spare, John Fedorko.

COMMISSIONERS ABSENT: Chairperson Shawn Connor, Eric Hedin, Warren Landrum

CITY STAFF PRESENT: Deputy City Manager Bill Hills, Rashad Jackson, Planning and Development Director, Savannah Ware, Chief City Planner, Charles Lee, Senior Planner, Dana Woods, Senior Planner, Jonathan Tooley, Planner, Tiffany Bull, Legal Services, Brett Huntsman, Transportation Planner, Monica Espinoza, Executive Assistant, Enviormental Services Manager, Cindy Mendez.

Assistant Attorney Tiffany Bull called the briefing to order by Video Conference at 5:34 p.m.

**AGENDA REVIEW #1** S210101 - Site Plan - Lake Ridge Townhomes (City Council District 4). Planner Jonathan Tooley presented the case report and gave a Power Point presentation for a Site Plan for a single family townhome development with 92 units on 13.5 acres. Tracts 1 and 1A, William Linn Survey, Abstract No. 926, City of Grand Prairie, Dallas County and Tarrant County, Texas, zoned PD-384A, within the Lake Ridge Corridor Overlay District, and generally located west of Lake Ridge Pkwy and south of Hanger Lowe Rd.

Commissioner Spare asked at 3,300 square feet, does it mean these units don't have backyards? Mr. Tooley stated they do have small backyards. Mr. Spare asked what is the square footage of the units that are not meeting the 3,300 sq. ft requirement. Mr. Tooley stated it's between 2,000-3,000 sq. ft. Mr. Spare stated they are far from the 3,300 sq. ft requirement and asked if the city is just bending to their will. Mr. Tooley stated this was proposed the same way during the Concept Plan. Mr. Spare asked why staff is not worried about the size of the lots. Chief City Planner, Savannah Ware stated the concept plan approved back in 2018 showed these lot size and it was confirmed that the depth and lot width were met but they did not have the tabulations on this and the way planned development and concept plan was approved it is consistent with the site plan. Planning and Development Director, Rashad Jackson stated the concept plan is noted the minimal lot size can be 2,100 sq. ft and the planned development also states Appendix W should be followed. Mr. Tooley stated the smallest lot is 2,200 sq. ft. 15 lots 2,200 sq. ft, 12 lots 2,754 sq. ft, 41 lots 3,000 sq. ft and 24 lost 3,060 sq. ft.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

**At 5:43 p.m. Commissioner Landrum was present at the meeting.**

**ITEM #2-** SU150803C - Specific Use Permit Renewal - Three Bears Tire Commercial Truck Parking at 3223 E. Main St. (City Council District 5). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a Renewal/Revocation of a Specific Use Permit (SUP-972A) for a Commercial Truck Parking Lot. Lot 7, Block 1, Allbritton Associates Addition, City of Grand Prairie, Dallas County, Texas, zoned LI, within Central Business District No. 4, and addressed as 3223 E Main St.

Vice Chairperson Moser asked if the property is owned or rented. Ms. Ware stated they own the property.

Commissioner Smith asked if the owner is being fined for not meeting the requirements of the SUP. Ms. Ware stated they are fined when they are issued citations. Ms. Smith asked what is plan b when the staff cannot get in connect with the owners. Ms. Ware stated Plan B is to hand deliver a letter because they have called all the phone numbers available in their files and emailed all the email addresses with no response.

Vice Chairperson Moser asked if citations have been paid. Environmental Services Manager, Cindy Mendez stated the owner has paid over $6,700 in citations and they have been plea deals or no contest. Most charges are between $324 and $756 for each and he has been paying the window fines.

Commissioner Perez asked if there have been citations since 2017 and the commission has been approving the SUP renewal even though violations have been going on. Ms. Ware stated the SUP was renewed in 2018 and was placed on the consent agenda and doesn't understand why if they weren't in compliance then but that is why they are here today, to get them in compliance or revoke their SUP.

Vice Chairperson Moser asked how often the SUP renewal comes up. Ms. Ware stated it depends if it is still in the early stages of the SUP a lot of the times, they have that one-year language. Once it has a CO or it has been constructed the staff will bring them back in a year to review and they will not come back unless there are issues and citations would trigger that review. Mr. Moser asked when did the owner get the original SUP. Ms. Ware stated it was in 2015 and in 2016 they still weren't operating so the renewal was granted. Mr. Moser asked if staff sent them notifications and if owners responded. Ms. Ware stated that is correct and she had a teams meeting with the applicant the morning of the P&Z hearing and walked him through the staff's recommendations, issues and also sent him the link for the public hearing.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

**ITEM #3 -** Z201202/CP201201 - Zoning Change/Concept Plan - The Lofts at Grand Prairie (City Council District 4). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan to rezone 26.3 acres from A to a Planned Development District for Multi-Family Use. Tract 6A A 43 TRS 6A & 6A01 & 6B, James C. Armstrong Survey, Abstract No. 43, City of Grand Prairie, Tarrant County, Texas, zoned A, and addressed as 931 N Day Miar Rd.

Commissioner Smith asked why put apartments in the middle of a gas well. Ms. Ware stated the applicant will be available to answer this question.

Vice Chairperson Moser asked if the people who sent the letter of opposition own their land. Ms. Ware stated that is correct. Mr. Moser asked what the zoning on this property is. Ms. Ware stated the property is zoned agricultural and the FLUM has it designated for Mixed Use. Mr. Moser asked if they could build a house on it and it be conforming under the agricultural zoning. Ms. Ware stated correct.

Commissioner Smith stated she agrees with Mr. Moser being a safety issue to build around the gas well.

**ITEM #4-** Z210102/CP210102 - Zoning Change/Concept Plan – The Royalton at Grand Prairie Phase 2 (City Council District 2). Planner Jonathan Tooley presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan for a 204-unit multi-family development on 9.2 acres. Tract 2.1, Frederick Dohme Survey, Abstract No. 395, City of Grand Prairie, Dallas County, Texas, zoned PD-294, within the SH-161 and IH-20 Corridor Overlay Districts, located at the southwest corner of SH 161 and Forum Dr, and addressed as 1705 S Forum Drive.

Commissioner Spare thanked the planning department for their recommendation and sticking to the guidelines.

**ITEM #5-** COVID Meeting Procedures

Planning and Development Director Rashad Jackson stated until further notice meetings will remain via zoom.

Vice Chairperson Moser had a question about a disclosure on the agenda and Assistant Attorney Tiffany Bull stated the item cannot be discussed.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

Commissioner Smith thanked the staff for continuing to protect the staff during COVID and believes zoom meetings are the best thing right now.

COMMISSIONERS PRESENT: Vice-Chairperson Bill Moser, Secretary Cheryl Smith, and Commissioners, Julia Perez, Max Coleman, Josh Spare, Warren Landrum, John Fedorko.

COMMISSIONERS ABSENT: Chairperson Shawn Connor, Eric Hedin

CITY STAFF PRESENT: Deputy City Manager Bill Hills, Rashad Jackson, Planning and Development Director, Savannah Ware, Chief City Planner, Charles Lee, Senior Planner, Dana Woods, Senior Planner, Jonathan Tooley, Planner, Tiffany Bull, Legal Services, Brett Huntsman, Transportation Planner, Monica Espinoza, Executive Assistant, Enviormental Services Manager, Cindy Mendez, Code Enforcement Officer, Philip Curtis.

Vice Chairperson Bill Moser called the meeting to order by Video Conference at 6:36 p.m. and Commissioner Moser gave the invocation, and Commissioner Landrum led the pledge of allegiance to the US Flag, and the Texas Flag.

Citizen Comments: None

AGENDA ITEM: #1 - APPROVAL OF MINUTES: To approve the minutes of the Planning and Zoning Commission meeting of December 14, 2020.

Item #2- APPROVAL OF AMENDED MINUTES: To approve the amended minutes of the Planning and Zoning Commission meeting of November 23, 2020.

CONSENT PUBLIC HEARING AGENDA Item #3- P210101 - Final Plat - Jai Addition, Lots 1-3, Block 1 (City Council District 4). Final Plat of Lots 1, 2, and 3, Block 1, Jai Addition, creating three non-residential lots on 3.915 acres. Tracts 2C05 and 2C05A, John W. Harwood Survey, Abstract No. 661, City of Grand Prairie, Tarrant County, Texas, zoned PD-130, located at the northwest corner of W Camp Wisdom Rd and Lynn Rd, and addressed as 2800 W Camp Wisdom Rd.

Item #4 – P210102 - Preliminary Plat - Landmark at the Grove Addition, Lot 1, Block 1 (City Council District 1). Preliminary Plat of Lot 1, Block 1, Landmark at the Grove Addition, creating one non-residential lot on 11.99 acres. Tracts 16 and 16.3, John Spoon Survey, Abstract No. 1326, City of Grand Prairie, Dallas County, Texas, zoned LI, within the SH-161 Corridor Overlay District, and addressed as 804 and 810 W Shady Grove Rd.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

Item #5- P210103 - Final Plat - Landmark at the Grove Addition, Lot 1, Block 1 (City Council District 1). Final Plat of Lot 1, Block 1, Landmark at the Grove Addition, creating one non-residential lot on 11.99 acres. Tracts 16 and 16.3, John Spoon Survey, Abstract No. 1326, City of Grand Prairie, Dallas County, Texas, zoned LI, within the SH-161 Corridor Overlay District, and addressed as 804 and 810 W Shady Grove Rd.

Item #6- P201201 - Preliminary Plat - MacArthur Grand Logistics Center (City Council District 1). Preliminary Plat for Lots 1-3, Block 1, MacArthur Grand Logistics Center, creating three lots on 187.141 acres. 187.141 acres situated in the I. Jennings Survey, Abstract No. 679, City of Grand Prairie, Dallas County, Texas, zoned PD-10 and LI, within the IH-30 Corridor Overlay District, and generally located southwest of Hunter Ferrell Road and MacArthur Boulevard.

Commissioner Smith moved to approve the minutes, amended minutes, cases P210101, P210102, P210103, and P201201.

Motion: Smith
Second: Coleman
Ayes: Moser, Smith, Spare, Coleman, Perez Landrum, Fedorko
Nays: none
**Vote: 7-0**
Motion: **carried.**

ITEM FOR INDIVIDUAL CONSIDREATION: Item # 7 S210101 - Site Plan - Lake Ridge Townhomes (City Council District 4). Planner Jonathan Tooley presented the case report and gave a Power Point presentation for a Site Plan for a single family townhome development with 92 units on 13.5 acres. Tracts 1 and 1A, William Linn Survey, Abstract No. 926, City of Grand Prairie, Dallas County and Tarrant County, Texas, zoned PD-384A, within the Lake Ridge Corridor Overlay District, and generally located west of Lake Ridge Pkwy and south of Hanger Lowe Rd.

Mr. Tooley stated the applicant intends to construct a single-family townhouse development of 92 units on 13.5 acres. Any townhome development or development in a planned development district or overlay district requires City Council approval of a Site Plan. Development at this location requires site plan approval by City Council because the property is for townhome use, zoned PD-384A, and within the Lake Ridge Corridor Overlay District. The 92-unit single family townhome development, north and south, will be accessible from the proposed extension of Grandway Drive, which is currently under construction. The Site Plan depicts a combination of

three, four, five and six-plex style townhomes, along with internal green spaces, walking trails, and centrally located mailboxes. The northern portion has two connections to Grandway Drive, while the southern portion will have one entrance with a dead-end hammerhead. All garages are rear entry and have access to 15 ft. alleyways. Parking will not be allowed on the street, but each unit will have tandem parking along with parking spaces on common lots.

The applicant is requesting the following variance:

1. Variance to the requirement of at least 70 percent of the lots comprising of a minimum area of 3,300 square feet: The base zoning of Single-Family Townhouse requires that 70 percent of the lots be at least 3,300 square feet in area. The applicant is providing approximately 26 percent, which is in substantial conformance to the concept plan approved during the zoning stage.

The Development Review Committee (DRC) recommends approval.

Steve Schermerhom, 8430 Fair Oaks Frisco TX. 75033 75240 stepped forward and represented the case.

**At 6:55 p.m. Chairperson Connor was present at the meeting.**

There being no further discussion on the case commissioner Smith moved to close the public hearing and approve case S210101 per staff recommendations.

The action and vote recorded as follows:

Motion: Smith
Second: Landrum
Ayes: Moser, Smith, Spare, Coleman, Perez Landrum, Fedorko, Connor
Nays: none
**Vote: 8-0**
Motion: **carried.**

PUBLIC HEARING AGENDA ITEM # 8- SU150803C - Specific Use Permit Renewal - Three Bears Tire Commercial Truck Parking at 3223 E. Main St. (City Council District 5). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

Renewal/Revocation of a Specific Use Permit (SUP-972A) for a Commercial Truck Parking Lot. Lot 7, Block 1, Allbritton Associates Addition, City of Grand Prairie, Dallas County, Texas, zoned LI, within Central Business District No. 4, and addressed as 3223 E Main St.

Ms. Ware stated the purpose of this request is to review the Commercial Truck Parking Lot located at 3223 E Main Street for compliance with Specific Use Permit conditions and all applicable ordinances, codes, and regulations. Specific Use Permits may be revoked for failing to comply with conditions of approval set by City Council. The purpose of the Specific Use Permit process is to identify those uses which might be appropriate within a zoning district, but due to either their location, functional or operational nature, could have a potentially negative impact upon surrounding properties; and to provide for a procedure where by such uses might be permitted by further restricting or conditioning them so as to eliminate such probable negative impacts. The City Council may, in the interest of the public welfare and to assure compliance with this ordinance, establish conditions of operation, location, arrangement and construction of any authorized special use. In approving any specific use, the City Council may impose such development standards and safeguards as conditions warrant for the welfare and protection of adjacent properties, and citizenry as a whole as it may be affected by this use. 76 Item8. Page 2 of 3 It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted. Given the established history of compliance issues, the number of citations issued, and the failure of the applicant to make the improvements to the property required by the original Specific Use Permit approved in 2015, staff recommends that the Specific Use Permit be revoked.

Commissioner Landrum stated based on the number of violations since 2018 he believes SUP needs to be revoked because it seems like they are willing to just pay fines and keep going on as they are.

Commissioner Perez asked how staff was trying to communicate with owner and if staff had the wrong phone number. Ms. Ware stated the email address in which the owner contacted her from was different from the ones we had on file and she did set up a Teams meeting with the owner this morning and walked him through the staff report and staff's recommendation.

Commissioner Moser stated he is not sure how Mr. Rodriguez didn't know about the hearing if he has been paying fines and wants to see what owner has to say.

Gerardo Rodriguez, 6607 Sheerwater Rd. Arlington TX. 76002, 75240 stepped forward and represented the case, he stated he never received any letters, but he did find out where some mail was delivered to the wrong address, which is why he never knew about the review.

Assistant Attorney Tiffany Bull stated if the commissioners believe owner didn't receive any notifications about the hearing and wish to give him more time to prepare for the hearing of January 25th, you can.

Chairperson Connor asked with all the contact the city has had with him about the violations, why hasn't any of the improvements been done because it seems like they are ignoring it. Mr. Rodriguez stated they aren't ignoring it. He goes down there once every week or so and keeps it clean. Mr. Connor listed a few of the violations the owner received and stated it seems like he just pays the fines and ignores following SUP's regulations/requirements. Mr. Rodriguez stated he is not trying to pay fines. Mr. Connor stated he hasn't answered his question as to why he hasn't made the improvements. Mr. Rodriguez stated he is not ignoring the citations and he takes them seriously.

Commissioner Fedorko stated he claims he didn't get notice of the hearing, but he has been paying the violations but asked if he knew the conditions of his SUP. Mr. Rodriguez stated yes. Mr. Fedorko asked by knowing the conditions of his SUP is it ok to agree that very few of those conditions have been met. Mr. Rodriguez stated yes, he agrees. Mr. Fedorko stated he wants to try to help him because they want Main St. to have viable operating businesses and asked why the conditions haven't been met. Mr. Rodriguez stated he has been going through some tough times this past year,with having a lot of injuries and it has hindered him from being able to be on top of things like he should be and also due to the stress of the pandemic.

Commissioner Moser stated his SUP was approved in 2015 before the pandemic and the requirements they are talking about are the requirements in the SUP in 2015 and went on to state some of those requirements. He agrees with commissioner Fedorko he loves small businesses to succeed but it seems like he is ignoring the requirements.

Commissioner Smith asked what his plan would be if they approved the SUP and to include a timeline. Mr. Rodriguez stated he would do the striping and fence within 30 days. Ms. Smith stated it would be up to the entire commission to decide.

Commissioner Perez stated not having a fire hydrate on the property is concerning because of safety concerns and has had 5 years to get it done. Mr. Rodriguez stated there is one across the street.

Commissioner Spare agrees with Commissioner Landrum. He went on to state he would want to pull the SUP until council and get from the owner contracts for the striping, fencing, etc. to prove to the council members he is taking it seriously.

Chairperson Connor stated looking at it, a lot of the violations are minor, and it seems like the owner doesn't care to fix it.

Commissioner Fedorko agrees with commissioner Connor.

Commissioner Moser stated if the applicant would like to have some extra time to prepare for a hearing or continue the hearing today. We can have a motion to table until the next Planning a Zoning Hearing and give him 2 weeks to formulate a plan.

Assistant Attorney Tiffany Bull stated she thinks the commission should take into consideration whether Mr. Rodriguez feels he had enough time to prepare for this hearing since he indicated he only received notice this weekend.

Commissioner Moser asked Mr. Rodriguez if he would like to table it and get an additional two weeks to formulate a plan. Mr. Rodriguez stated he would appreciate the two weeks.

Commissioner Spare stated in two weeks he would like to see a signed contract for relining, new fencing, and would like to see some cleaning done on the property and the plan. Mr. Rodriguez stated yes sir.

Commissioner Smith asked if we could get clarification about the file hydrate. Code Compliance Officer Philip Curtis stated that requirement was placed by the fire marshal's office and typically when a depth of a property is over 150 ft it is required to have a fire hydrate on property. Mr. Moser stated they will get clarification from fire marshal before the next meeting.

Chief City Planner Savannah Ware stated the next Planning and Zoning Meeting is on January 25th and the packet goes out January 22nd, which means if the commissioners would make a motion requiring the applicant to submit an operational action plan then we would need it by January 20th at noon. Mr. Rodriguez asked who he would submit his operational action plan to. Ms. Ware stated he can coordinate with her.

There being no further discussion on the case commissioner Spare moved to close the public hearing and revoke SUP on case SU150803C per staff recommendations.

The action and vote recorded as follows:

Motion: Spare
Second: Connor
Ayes: Spare, Connor, Landrum, Moser
Nays: Smith, Fedorko, Coleman, Perez
**Vote: 4-4**

Motion: **Failed**

There being no further discussion on the case commissioner Smith moved to close the public hearing and table case SU150803C to the next meeting January 25, 2021 with recommendation that the owner prepare an action plan to bring property into compliance and submit by noon on January 20, 2021.

Commissioner Spare amended the motion with the approval of Commissioners Smith and Perez to include the recommendation that the owner also provide signed contracts with a fencing company and a stripping company and show a receipt that he paid or did himself the cleaning of the oil stains.

The action and vote recorded as follows:

Motion: Smith
Second: Perez
Ayes: Spare, Connor, Moser, Fedorko, Smith, Coleman, Perez
Nays: none
Abstaining: Landrum
**Vote: 7-0-1**
Motion: **Carried**

PUBLIC HEARING AGENDA ITEM # 9- Z201202/CP201201 - Zoning Change/Concept Plan - The Lofts at Grand Prairie (City Council District 4). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan to rezone 26.3 acres from A to a Planned Development District for Multi-Family Use. Tract 6A A 43 TRS 6A & 6A01 & 6B, James C. Armstrong Survey, Abstract No. 43, City of Grand Prairie, Tarrant County, Texas, zoned A, and addressed as 931 N Day Miar Rd.

Ms. Ware stated the purpose of the request is to rezone the property from Agriculture to a Planned Development District for Multi-Family Use. The applicant is proposing multi-family use. The Concept Plan depicts 676 units in two buildings. The site is accessible from two points on Day Miar Rd. An active gas well is located at the center of the 26.3-acre property and will remain in production. The access point and drive for the gas well will be separate from the multi-family development so that traffic generated by the two uses will not mix. Day Miar Rd is an unimproved, one-lane road and is classified as a local street. Day Miar Rd dead-ends southeast of the subject

property and is the only roadway connection to the property. The applicant will be required to improve and widen the segment of the street along the subject property. As part of this request, the applicant conducted a Traffic Impact Analysis (TIA) to identify traffic generation characteristics and potential impacts on the local street system. The TIA states that the proposed development can be successfully incorporated into the surrounding roadway network without substantial negative impacts to any adjacent intersection or roadway. The Concept Plan includes a clubhouse, landscaped courtyard, and pool for each building. Other amenities include a dog park, pickle ball courts, a gazebo, and basketball court.

The applicant is requesting the following variances:

1. Maximum Percentage of One-Bedroom Units – Appendix W allows one-bedroom units to account for up to 60% of the total units. The applicant is proposing that one-bedroom units account for 68% of the total units.
2. Rear Setback – Appendix W requires that the rear setback be at least 45 ft. plus 1 ft. for every ft. of building height over 35 ft. For a building that is 60 ft. in height, the UDC requires a rear setback of 70 ft. The applicant is proposing a rear setback of 45 ft.
3. Side Setbacks – Appendix W requires that interior side setbacks be at least 45 ft. plus 1 ft. for every ft. of building height over 35 ft. For a building that is 60 ft. in height, the UDC requires a side setback of 70 ft. The applicant is proposing side setbacks of 30 ft.
4. Setback for Garages/Carports – The UDC requires a 3 ft. setback for accessory structures. The applicant is proposing a setback of zero ft. for the garages and carports.
5. Garage Parking Spaces – Appendix W requires that garage parking spaces account for 30% of the total required parking spaces. The applicant is proposing that garages account for 15% of the total required parking spaces.
6. Carport Parking Spaces – Appendix W requires that carport parking spaces account for 20% of the total required parking spaces. The applicant is proposing that garages account for 10% of the total required parking spaces.
7. Carport Supports – Appendix W requires that carport supports be encased in masonry. The applicant is proposing carport supports without the masonry encasement.

Staff is unable to recommend approval of the request because it conflicts with the FLUM and includes a significant number of variances.

Commissioners discussed the safety concerns about building apartments around a gas wall and asked what other uses a better fit on this parcel are.

Commissioner Coleman asked if gas well is active. Ms. Ware stated it is a producing gas well.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

**Break at 8:07 pm and reconvened at 8:15 pm**

Robert Weinstein, 495 Broadway 7th Floor New York NY 10002 stepped forward and represented the case and gave a Power Point presentation.

Commissioner Smith asked what the cost per unit for rent is. Mr. Weinstein stated one bedroom: $900-$1200, two bedrooms: $1,500-$1,800.

Commissioner Fedorko asked if they have had any discussions with fire dept about being so close to a gas well. Mr. Weinstein stated they had a DRC meeting and the fire dept was in attendance and made some changes with the comments they were given.

Commissioner Moser stated he understood you can't have commercial construction within 300 ft and residential within 600 ft and asked is that correct. Mr. Jackson stated per environmental comments given to them it is 300 ft for residential.

Maxwell Fisher, Master Plan Texas, 2201 Main St Suit 1280 Dallas TX 75201, stepped forward and represented the case, he stated mixed use wouldn't work on this parcel because of the lack of traffic. He gave examples of other developments that were built around well heads.

**A letter of opposition was submitted by the Longneckers.**

There being no further discussion on the case commissioner Spare moved to close the public hearing and deny case Z201202/CP201201 per staff recommendations.

The action and vote recorded as follows:

Motion: Spare
Second: Smith
Ayes: Moser, Smith, Spare, Perez Landrum, Fedorko, Connor
Nays: Coleman
**Vote: 7-1**
Motion: **carried**

PUBLIC HEARING AGENDA ITEM # 10- Z210102/CP210102 - Zoning Change/Concept Plan – The Royalton at Grand Prairie Phase 2 (City Council District 2). Planner Jonathan

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

Tooley presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan for a 204-unit multi-family development on 9.2 acres. Tract 2.1, Frederick Dohme Survey, Abstract No. 395, City of Grand Prairie, Dallas County, Texas, zoned PD-294, within the SH-161 and IH-20 Corridor Overlay Districts, located at the southwest corner of SH 161 and Forum Dr, and addressed as 1705 S Forum Drive.

Mr. Tooley stated the purpose of the request is to rezone the subject property to a Planned Development District to facilitate a multi-family development on 9.2 acres. The subject property is currently zoned PD-294 for General Retail uses. The Concept Plan depicts five, three-story apartment buildings with a large clubhouse and leasing office while providing internal walking trails buffered from the surrounding streets. All access points are located along Forum Rd and will not disturb existing turn lanes or transitions at SH 161. There is an existing access easement that runs along the Forum frontage, providing adequate access to the property. The proposed amenities include fully equipped fitness center, spin/yoga center, community gathering spaces, pool area, pergola with a seating area and grill. The applicant is not requesting any variances.

While the FLUM designates this area as High Density Residential, the 161 Focus Area Map, which delves deeper into the preferences for this area, shows the area as Commercial/Retail/Office. The focus area vision is to create a rich commercial district and recreation destination through high quality entertainment and commercial venues and retail services. Since the proposal is inconsistent with the area vision, staff is unable to support the request as presented.

Commissioner Fedorko stated the FLUM and the 161 Focus Area Map contradicts one another and asked why. Planning and Development Director Rashad Jackson stated when the FLUM was established and they built deeper into this focus area a portion of the FLUM should have been updated and at a minimum the applicant should propose a submittal that mixes the two but try to keep hard corner as commercial. Mr. Moser stated the 161 Focus Area Map came after the FLUM.

Commissioner Spare stated he has been trying to protect 161 for a long time and believes apartments will ruin our city.

Commissioner Connor stated he agrees with commissioner Spare and stated there are too many apartments based on the Multi-Family Development Map.

Commissioner Spare asked can an updated map be presented to the board each time cases for apartments comes before them. Ms. Ware stated yes.

Commissioner Smith stated she agrees with commissioners Spare and Fedorko about the updated map.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

Mr. Jackson stated the staff was asked to make a total assessment and present it to the CCDC meeting and it is currently on the agenda for the meeting taking place January 12, 2021.

Commissioner Moser stated to bring up the concerns on their behalf to the board members.

Spencer Byington, 5600 South FM 148 Kaufman TX stepped forward and represented the case and gave a presentation.

Commissioner Connor stated he doesn't want to see another gas station or apartments and there are so many other viable options available for retail.

Commissioner Spare stated if retails don't come about, he would rather see a warehouse.

Commissioner Smith agreed with commissioners Connor and Spare.

There being no further discussion on the case commissioner Smith moved to close the public hearing and deny case Z210102/CP210102 per staff recommendations.

The action and vote recorded as follows:

Motion: Smith
Second: Spare
Ayes: Moser, Smith, Spare, Perez Landrum, Fedorko, Connor, Coleman
Nays: none
**Vote: 8-0**
Motion: **carried**

Commissioner Connor moved to adjourn the meeting. The meeting adjourned at 9:42 p.m.

_____
Shawn Connor, Chairperson

ATTEST:

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

_____
Cheryl Smith, Secretary

An audio recording of this meeting is available on request at 972-237-8255.

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 01/11/2021

**REQUESTER:** Monica Espinoza, Executive Assistant

**PRESENTER:** Savannah Ware, AICP, Chief City Planner

**TITLE:** SU150803C - Specific Use Permit Review - Three Bears Tire Commercial Truck Parking at 3223 E. Main St. (City Council District 5). Review of a Specific Use Permit for Continuance or Revocation (SUP-972A) for a Commercial Truck Parking Lot. Lot 7, Block 1, Allbritton Associates Addition, City of Grand Prairie, Dallas County, Texas, zoned LI, within Central Business District No. 4, and addressed as 3223 E Main St.

**RECOMMENDED ACTION:** Revoke Specific Use Permit

**SUMMARY:**

Review of a Specific Use Permit (SUP-972A) for a Commercial Truck Parking Lot. Lot 7, Block 1, Allbritton Associates Addition, City of Grand Prairie, Dallas County, Texas, zoned LI, within Central Business District No. 4, and addressed as 3223 E Main St.

**PURPOSE OF REQUEST:**

The purpose of this request is to review the Commercial Truck Parking Lot located at 3223 E Main Street for compliance with Specific Use Permit conditions and all applicable ordinances, codes, and regulations. Specific Use Permits may be revoked for failing to comply with conditions of approval set by City Council.

The purpose of the Specific Use Permit process is to identify those uses which might be appropriate within a zoning district, but due to either their location, functional or operational nature, could have a potentially negative impact upon surrounding properties; and to provide for a procedure where by such uses might be permitted by further restricting or conditioning them so as to eliminate such probable negative impacts.

The City Council may, in the interest of the public welfare and to assure compliance with this ordinance, establish conditions of operation, location, arrangement and construction of any authorized special use. In approving any specific use, the City Council may impose such development standards and safeguards as conditions warrant for the welfare and protection of adjacent properties, and citizenry as a whole as it may be affected by this use.

It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted.

## ADJACENT LAND USES:

The following table summarizes the zoning designation and existing use for the surrounding properties.

**Table 1. Zoning and Land Use**

| Direction | Zoning | Existing Use |
|---|---|---|
| North | Commercial; Light Industrial | Auto Related Businesses, Commercial |
| South | Light Industrial | Auto Related Businesses |
| West | Light Industrial | Light Industrial, Outside Storage |
| East | Light Industrial | Auto Related Business, Undeveloped |

## HISTORY:

*Case/Review History*

- August 18, 2015: City Council approved a Specific Use Permit for Commercial Truck Parking at 3223 E Main St and established operational and development conditions.
- December 13, 2016: City Council approved a renewal of the Specific Use Permit.
- July 17, 2018: City Council approved a renewal of the Specific Use Permit.
- August 26, 2020: Staff sent a letter to the applicant noting that the property was not in compliance with the approved SUP and gave notice that the applicant had 90 days to bring the property into compliance.
- December 15, 2020: Staff sent a letter to the applicant noting that the property was not in compliance after 90 days and that the case would be reviewed by the Planning and Zoning Commission on January 11, 2021 and by City Council on February 2, 2021.
- January 7, 2021: Staff hand-delivered a letter to the applicant summarizing the previous letters and noting that the case would be reviewed by the Planning and Zoning Commission on January 11, 2021 and by City Council on February 2, 2021.

*Citation History*

- The property has a history of citations beginning on December 15, 2017. The history of citations is outlined in Exhibit C – Compliance Overview.
- December 1, 2020: The City issued citations for inoperable vehicle storage, failure to mark the parking lot as required by the SUP, vehicles parking on non-approved surface, and failure to install lighting as required by the SUP. Additional information about the violations and property conditions and pictures taken during the inspection are included in Exhibit C – Compliance Overview.

## EXISTING USE CHARACTERISTICS AND FUNCTION:

The subject property is being used as a Commercial Truck Parking Lot. The western portion of the lot is asphalt and the eastern portion of the lot is gravel. The Site Plan approved with the SUP in 2015 depicts 25 truck parking spaces on the asphalt. One of the conditions of the SUP is that the applicant install a chain link fence to prevent parking on the gravel.

Inspections of the site show that the applicant has not installed the chain link fence, that the parking lot spaces are not marked as required, and that vehicles are parked on unimproved surfaces.

The approved operational plan states that the site would be used only for semi-trucks and trailers. Inspections show that the site is being used to store inoperable vehicles.

The SUP requires that the site meet the standards in the Auto Related Business Regulations and employ best management practices in storm water pollution prevention. The City has issued citations for failure to clean up spills, improper storage of vehicle parts, and outside storage of tires without rims. These activities can potentially cause the discharge of pollutants to the storm drainage system.

**RECOMMENDATION:**

Given the established history of compliance issues, the number of citations issued, and the failure of the applicant to make the improvements to the property required by the original Specific Use Permit approved in 2015, staff recommends that the Specific Use Permit be revoked.

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 01/11/2021

**REQUESTER:** Monica Espinoza, Executive Assistant

**PRESENTER:** Savannah Ware, AICP, Chief City Planner

**TITLE:** S210101 - Site Plan - Lake Ridge Townhomes (City Council District 4). Site Plan for a single family townhome development with 92 units on 13.5 acres. Tracts 1 and 1A, William Linn Survey, Abstract No. 926, City of Grand Prairie, Dallas County and Tarrant County, Texas, zoned PD-384A, within the Lake Ridge Corridor Overlay District, and generally located west of Lake Ridge Pkwy and south of Hanger Lowe Rd.

**RECOMMENDED ACTION:** Approve

**SUMMARY:**

Site Plan for a single-family townhome development with 92 units on 13.5 acres. Tracts 1 and 1A, William Linn Survey, Abstract No. 926, City of Grand Prairie, Dallas County and Tarrant County, Texas, zoned PD-384A, within the Lake Ridge Corridor Overlay District, and generally located west of Lake Ridge Pkwy and south of Hanger Lowe Rd.

**PURPOSE OF REQUEST:**

The applicant intends to construct a single-family townhouse development of 92 units on 13.5 acres. Any townhome development or development in a planned development district or overlay district requires City Council approval of a Site Plan. Development at this location requires site plan approval by City Council because the property is for townhome use, zoned PD-384A, and within the Lake Ridge Corridor Overlay District.

**ADJACENT LAND USES:**

The following table summarizes the zoning designation and existing use for the surrounding properties.

**Table 1. Zoning and Land Use**

| Direction | Zoning | Existing Use |
|---|---|---|
| North | PD-384A | Undeveloped; Gas Well |
| South | PD-384A | Undeveloped; Gas Well |
| West | PD-384A | Undeveloped (single-family proposed) |
| East | PD-384A | Multi-Family Residential (multi-family and retail proposed) |

## HISTORY:

- November 20, 2018: City Council approved a zoning change/concept plan to allow for single family detached, single family townhouse, multi-family, and commercial uses on 92 acres (Case Number Z181101/CP181101).

- January 7, 2020: City Council approved a zoning change/concept plan amendment to PD-384 for single family detached, single family townhouse, multi-family, and commercial uses on 92 acres (Case Number Z181101A/CP181101A).

- October 13, 2020: City Council approved a site plan for Lake Ridge Commons Multi-Family/ Mixed use development, which consists of 255 multi-family units, 14 live/work units, and 3,000 sq. ft. of retail on 10.12 acres (Case Number S200906).

## PROPOSED USE CHARACTERISTICS AND FUNCTION:

The 92-unit single family townhome development, north and south, will be accessible from the proposed extension of Grandway Drive, which is currently under construction. The Site Plan depicts a combination of three, four, five and six-plex style townhomes, along with internal green spaces, walking trails, and centrally located mailboxes.

The northern portion has two connections to Grandway Drive, while the southern portion will have one entrance with a dead-end hammerhead. All garages are rear entry and have access to 15 ft. alleyways. Parking will not be allowed on the street, but each unit will have tandem parking along with parking spaces on common lots.

## ZONING REQUIREMENTS:

*Density and Dimensional Requirements*

The subject property is zoned PD-384A for single family townhouse uses; development is subject to the standards in PD-384A and Appendix W. The applicant is required to plat the property to show all easements that will be on site. The following table evaluates the density and dimensional standards of the proposed development. The applicant is not meeting the requirement of at least 3,300 square feet for 70 percent of the lots.

**Table 2. Density and Dimensional Requirements**

| Standard | PD-384A | Appendix W / UDC | Provided | Meets? |
|---|---|---|---|---|
| Max. Density (Units Per Acre) | ------ | 13.2 | 6.81 | Yes |
| Min. Living Area (SF) | ------ | 1,150 to 1,299 = 30%<br>1,300 = 70% | 1,300+ | Yes |
| Min. Area (SF) | ------ | 1,680 to 3,299 = 30%<br>3,300 = 70% | 2,244 to 3,060 = 74%<br>3,570 = 26% | No |
| Min. Width (Ft.) | ------ | 21 to 29 = 30%<br>30 = 70% | 22 to 27 = 29%<br>30 to 35 = 71% | Yes |
| Min. Depth (Ft.) | ------ | 80 to 99 = 30%<br>100 = 70% | 100 | Yes |
| Front Setback (Ft.) | ------ | 17 | 17 | Yes |
| Rear Alley Setback (Ft.) | ------ | 20 | 20 | Yes |
| Interior Side Setback (Ft.) | ------ | 5 (not attached)<br>0 (attached) | 5 (not attached)<br>0 (attached) | Yes |
| Garage Door Setback (Ft.) | ------ | 20 | 20 | Yes |
| Max. Height (Ft.) | ------ | 35 | 33 | Yes |

*Parking*

The table below evaluates the parking requirements. The proposal meets the required total parking spaces, covered parking spaces, and garage parking spaces.

**Table 3. Parking Requirements**

| Standard | Required | Provided | Meets |
|---|---|---|---|
| 2 Garage Parking Spaces/Two + Bedroom | 184 | 184 | Yes |
| Total Parking Spaces | ------ | 387 | ------ |
| Guest (1 per 5 units) | 19 | 19 | Yes |
| Tandem (% of Total) | 184 | ------ | ------ |

*Landscape and Screening*

The property is subject to landscape requirements in PD-384A, Appendix W, and Article 8 of the UDC. The proposal meets City requirements. The property provides walkable open space, ample tree coverage, and a natural buffer with the mixed-use development to the east. The table below summarizes these requirements.

**Table 4. Landscape Requirements**

| Standard | Required | Provided | Meets |
|---|---|---|---|
| Trees | 407 | 407 | Yes |
| Shrubs | Min. 30 gallons per lot | 30+ | Yes |
| Sodded Lots | Yes | Yes | Yes |

*Exterior Building Materials*

The exterior building materials include stone, brick, and fiber cement panels. The applicant has created a coloring scheme to be used by building type, not units. The building elevations generally meet the recommendations of Appendix W with one exception. Appendix W asks for developers to avoid using repeated color of brick, stone, siding or other materials with four consecutive residential units. The four, five and six plex models are not meeting this recommendation.

**VARIANCES:**

The applicant is requesting the following variance:

1. Variance to the requirement of at least 70 percent of the lots comprising of a minimum area of 3,300 square feet: The base zoning of Single-Family Townhouse requires that 70 percent of the lots be at least 3,300 square feet in area. The applicant is providing approximately 26 percent, which is in substantial conformance to the concept plan approved during the zoning stage.

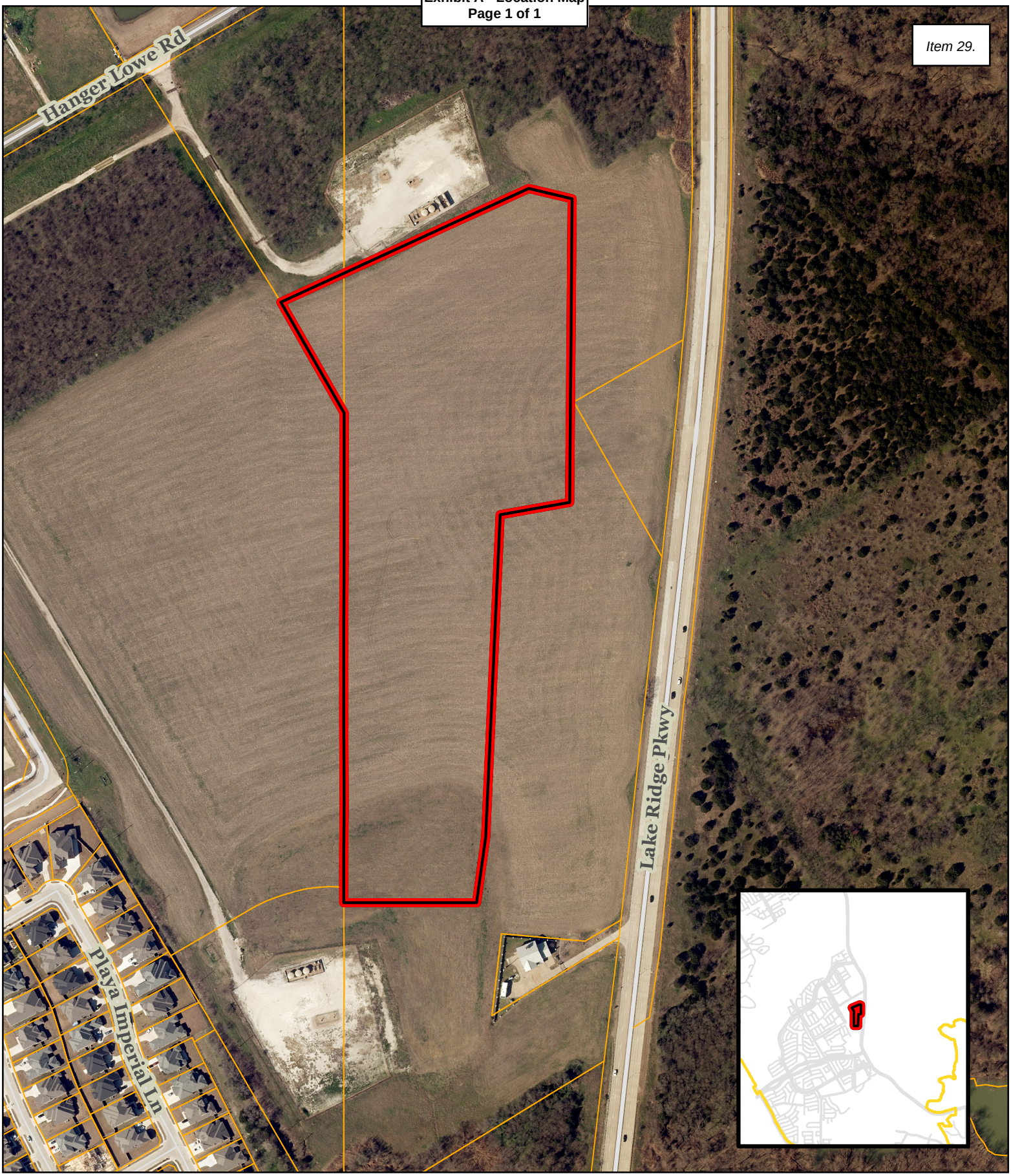
**ANALYSIS:**

Staff does not object to the requested variance. The overall design of the project – specifically elements like private streets, rear-entry garages, and building design – result in a proposal that meets the intent of Appendix W.

**RECOMMENDATION:**

The Planning and Zoning Commission recommends approval by a vote of 8-0.

The Development Review Committee (DRC) recommends approval.




GRand PRaiRie TEXAS PLANNING

**CASE LOCATION MAP**

**S210101**

**Lake Ridge Commons Townhomes**

N

City of Grand Prairie
Development Services
(972) 237-8255
www.gptx.org

# Exhibit A - Site Plan
Page 1 of 5

| LINE AND CURVE TABLE | | | |
|---|---|---|---|
| Line #/Curve # | Length | Direction/Delta | Radius |
| L1 | 7.490 | N33° 28' 58.35"W | |
| C1 | 116.918 | 33.4944 | 200.000 |
| L2 | 281.774 | N0° 00' 41.65"E | |
| C2 | 78.139 | 59.6939 | 75.000 |
| L3 | 195.911 | N59° 42' 19.72"E | |
| C3 | 94.488 | 120.3061 | 45.000 |
| L4 | 342.913 | S0° 00' 41.65"W | |
| C4 | 44.403 | 12.7206 | 200.000 |
| L5 | 22.046 | S12° 42' 32.42"E | |
| L6 | 12.661 | S33° 28' 58.35"E | |
| C7 | 39.844 | 11.2015 | 203.804 |

## PAVEMENT LEGEND

HEAVY TRUCK TRAFFIC (FIRE LANE)
(DRIVE AISLES & FIRE LANE AREAS)
6" 4,000 PSI PORTLAND CEMENT CONCRETE REINFORCED WITH NO. 4 DEFORMED BARS AT 24" CENTERS EACH WAY OVER 8" COMPACTED SUBGRADE PER CITY OF GRAND PRAIRIE STANDARD DETAILS.

LIGHT TRUCK TRAFFIC
(PARKING AREAS)
5" 3,000 PSI PORTLAND CEMENT CONCRETE OVER 5" RECOMPACTED SUBGRADE PER GEOTECHNICAL REPORT.

ALLEY WAY PAVEMENT
(ALLEY AREAS)
8" 4,000 PSI REINFORCED CONCRETE WITH #4 BARS AT 24" CENTERS (BOTH WAYS). IF HAND POURED 4,500 PSI. 6" MIN. FLEXIBLE BASE MATERIAL AND 8" MIN. STABILIZED SUBGRADE PER CITY OF GRAND PRAIRIE STANDARD DETAILS.

SIDEWALK PAVEMENT
(WALKING PATH & SIDEWALKS)
4" 4,000 PSI REINFORCED CONCRETE WITH #3 BARS AT 18" CENTERS (BOTH WAYS) PLACED OVER 2" THICK SAND CUSHION EMBEDMENT PER CITY OF GRAND PRAIRIE STANDARD DETAILS.

#4 BARS AT 24" CENTERS EACH WAY
6" 4,000 PSI CONC PAV (CONT REINF.)
8" MIN. RECOMPACTED SUBGRADE

HEAVY TRUCK TRAFFIC PAVEMENT SECTION
N.T.S.

#3 BARS AT 18" CENTERS
5" CONC PAV (CONT REINF.)
6" MIN. RECOMPACTED SUBGRADE

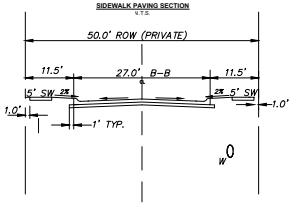
LIGHT TRUCK TRAFFIC PAVEMENT SECTION
N.T.S.

#4 BARS AT 24" CENTERS (BOTH WAYS)
8" 4,000 PSI CONC PAV (CONT REINF.)
6" MIN. CR-6 FLEXIBLE BASE MATERIAL
8" MIN. LIME-STABILIZED

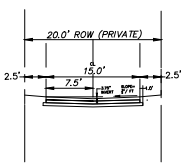
ALLEYWAY PAVEMENT SECTION
N.T.S.

#3 BARS AT 18" CENTERS (EACH WAY)
4" CONC PAV (CONT REINF.)
2" SAND CUSHION
COMPACTED TO 95% STD. PROCTOR DENSITY

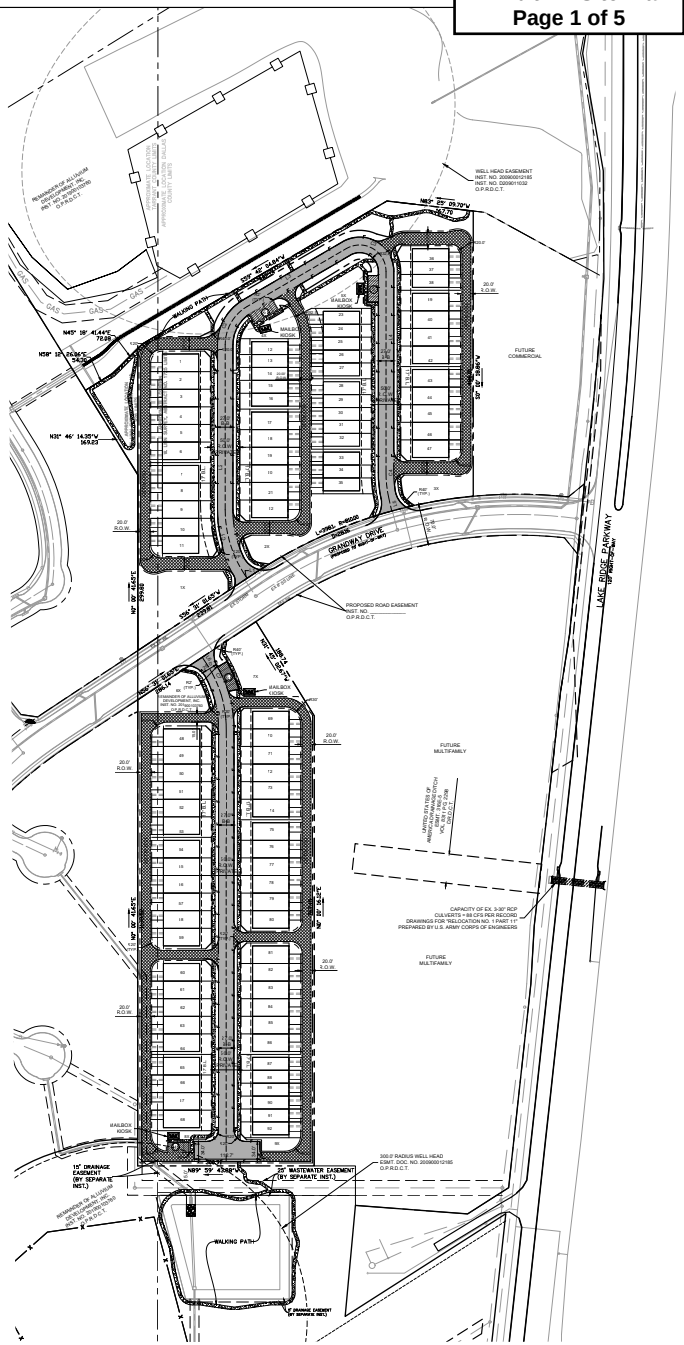
SIDEWALK PAVING SECTION
N.T.S.




TYPICAL STREET PRIVATE SECTION AND UTILITY LOCATION
(27.0' B-B AND 50.0' R.O.W.)




TYPICAL PRIVATE 15.0' ALLEY SECTION
(20.0' R.O.W.)




GEOTECHNICAL REPORT:
ALL PAVING AND EARTHWORK CONSTRUCTION ACTIVITIES SHALL CONFORM TO THE PROJECT GEOTECHNICAL REPORT PREPARED BY: HENLEY-JOHNSTON & ASSOCIATES, INC. DATED JANUARY 22, 2019. REPORT NO. 193750

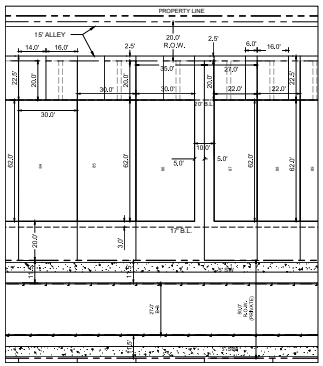
NO 100 YEAR FLOODPLAIN LIMITS PER MAP AREA 48113C0585K, DALLAS, COUNTY, FLOODZONE Z, MAP REVISED JULY 7, 2014.

AN HOA OR PID SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF COMMON ELEMENTS LISTED IN CITY OF GRAND PRAIRIE'S RESIDENTIAL DEVELOPMENT STANDARDS - APPENDIX W.

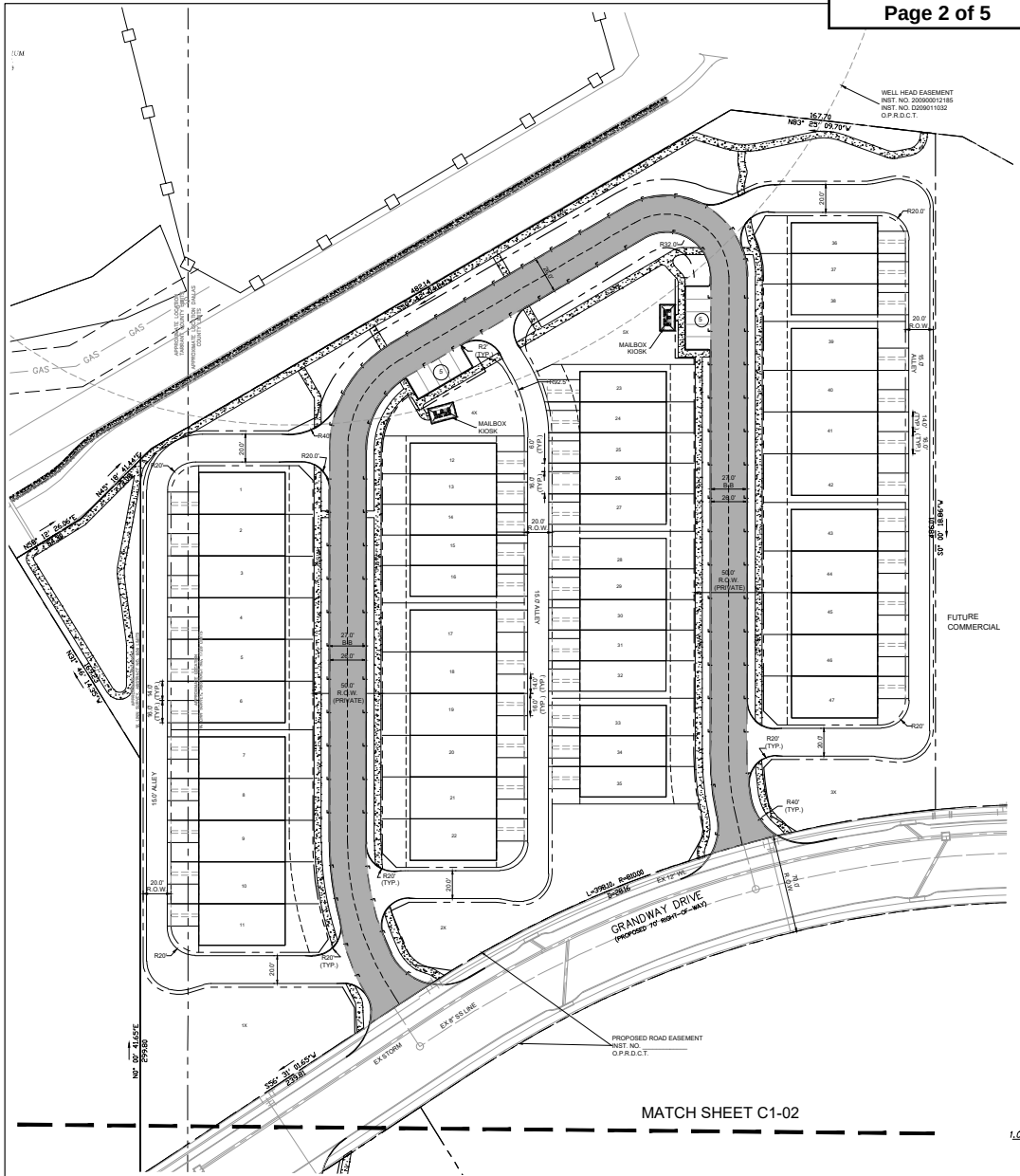
## LEGEND

- 100 YR FEMA FLOOD PLAIN
- PROPERTY R.O.W.
- R.O.W.
- EASEMENT LINE
- FIRE LANE

VICINITY MAP


PROPERTY LINE
15' ALLEY
20.0' R.O.W.
14.0'
16.0'
2.5'
35.0'
6.0'
22.5'
20.0'
30.0'
5.0'
100'
62.0'
40.0'
22.0'
1' B.C.
3.0'
10.0'
5.0'
5.0'
5

# Exhibit A - Site Plan
Page 2 of 5



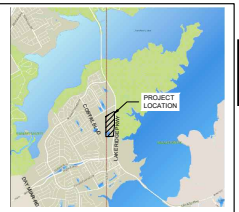

GEOTECHNICAL REPORT:
ALL PAVING AND EARTHWORK CONSTRUCTION ACTIVITIES SHALL CONFORM TO THE PROJECT GEOTECHNICAL REPORT PREPARED BY HENLEY-JOHNSTON & ASSOCIATES, INC. DATED JANUARY 22, 2019. REPORT NO. 19375G

NO 100 YEAR FLOODPLAIN LIMITS PER MAP AREA 48113C0585K, DALLAS, COUNTY, FLOODZONE Z, MAP REVISED JULY 7, 2014.

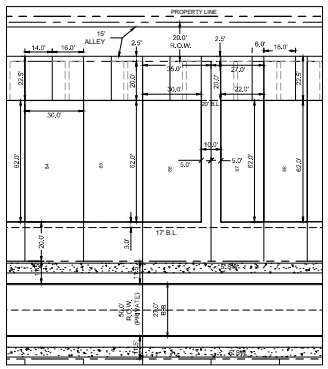
AN HOA OR PID SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF COMMON ELEMENTS LISTED IN CITY OF GRAND PRAIRIE'S RESIDENTIAL DEVELOPMENT STANDARDS - APPENDIX W.

## LEGEND

- 100 YR FEMA FLOOD PLAIN
- PROPERTY R.O.W.
- R.O.W.
- EASEMENT LINE
- PROPOSED FIRE LANE
- PROPOSED SIDEWALK




VICINITY MAP




RESIDENTIAL BUILDING LAYOUT
1"=30'

| DEVELOPMENT SUMMARY: LAKE RIDGE COMMONS TOWNHOMES | | |
|---|---|---|
| LOCATION OF ZONING DISTRICTS | GRAND PRAIRIE, TEXAS | |
| EXISTING ZONING | PD-384A | |
| PROPOSED USE | RESIDENTIAL TOWNHOMES | |
| SITE AREA | 13.5 ACRES = 588,060 SF | |
| NO. OF LOTS | 92 RESIDENTIAL UNITS | |
| | NORTH | SOUTH |
| | 47 | 45 |
| DENSITY (GROSS/NET) | 6.81 DU/AC | |
| BUILDING AREA | 157,740 SF = 26.8% RESIDENTIAL (FIRST FLOOR BUILDING ENVELOPE ONLY) | |
| MAXIMUM BUILDING HEIGHT | HEIGHT ALLOWED | HEIGHT PROVIDED |
| | 35' | 35' |
| SETBACK REQUIREMENTS | 17' FRONT YARD, 20' REAR YARD, 5' SIDE YARD | |
| ACRES WITHIN 100 YR FLOODPLAIN | 0.00 AC | |
| TOTAL IMPERVIOUS | 345,045 SF = 58.7% (BUILDINGS, STREETS, PARKING AREAS, SIDEWALKS, DRIVEWAYS) | |
| TOTAL LANDSCAPE | 77,110 SF = 13% | |
| MASONRY PERCENTAGE | 90% | |

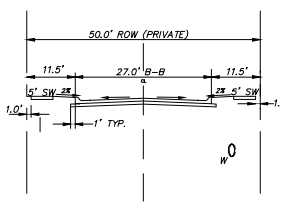
| PARKING DATA | | | | |
|---|---|---|---|---|
| REQUIREMENTS | TOTAL REQUIRED | | TOTAL PROVIDED | |
| TOWNHOMES (2 GARAGE SPACES/ UNIT) | 184 (GARAGE) | | 184 (GARAGE) +184 (TANDEM) = 368 | |
| TOTAL GUEST (1 STALL / 5 UNITS) / REQUIRED | NORTH 10 | SOUTH 9 | NORTH 10 | SOUTH 9 |
| TYPICAL STALL SIZES | | | | |
| PERPENDICULAR | 18' X9' | | | |

| TOWNHOUSE LOT SIZE SUMMARY | | | | |
|---|---|---|---|---|
| TYPE | LOT WIDTH (FT) | LOT DEPTH (FT) | LOT AREA (SF) | NO. OF LOTS |
| 1 | 22 | 102 | 2,244 | 15 |
| 2 | 27 | 102 | 2,754 | 12 |
| 3 | 30 | 102 | 3,060 | 41 |
| 4 | 35 | 102 | 3,570 | 24 |

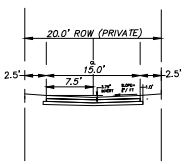
| TOWNHOUSE UNIT SIZE SUMMARY | | |
|---|---|---|
| UNIT WIDTH | NO. OF UNITS | % |
| 22' | 27 | 29% |
| 30' | 65 | 71% |

| APPENDIX W | | SF-TOWNHOUSE | SF-TOWNHOUSE PROVIDED | VARIANCE |
|---|---|---|---|---|
| DESIGNATION | | SF-T | SF-T | NO |
| MAXIMUM DENSITY (DWELLING UNITS PER ACRE) | | 13.2 | 6.81 | NO |
| MINIMUM LIVING AREA (SQ. FT.) | | 1,150 TO 1,299 = 30% 1,300=70% | 1,300 = 100% | NO |
| MINIMUM LOT SIZES & DIMENSIONS (FEET) | AREA (SQ. FT.) | 1,680 TO 1,299 = 30% 3,300 = 70% | 1,680 TO 3,299 = 74% 3,300 = 26% | YES (SEE TABLE) |
| | WIDTH | 21 TO 29 = 30% 30=70% | 21 TO 29 = 29% 30=71% | NO |
| | DEPTH | 80 TO 99 = 30% 100 = 70% | 100 = 100% | NO |
| MINIMUM YARD SETBACKS (FEET) | FRONT | 17 | 17 | NO |
| | REAR | 10 | 20 | NO |
| | REAR ALLEY | 10 | 20 | NO |
| | REAR ARTERIAL | 20 | N/A | NO |
| | INTERIOR SIDE | 5 (NOT ATTACHED) 0 (ATTACHED) | 5 (NOT ATTACHED) 0 (ATTACHED) | NO |
| | SIDE ON STREET | 15 | N/A (5' ON ALLEY) | NO |
| | GARAGE DOOR | 20 | 20 | NO |
| | BETWEEN BUILDINGS | 5 | 5 | NO |
| MAXIMUM HEIGHT (SEE ARTICLE 30 FOR DEFINITION) | | 35 (3 STORIES) | 35 (3 STORIES) | NO |
| MAXIMUM LOT COVERAGE (%) | | 60 | 60 | NO |

| | |
|---|---|
| OWNER | Alluvium Development Inc.<br>2415 Somerfield Drive<br>Midlothian, Texas 76065<br>817.995.9500 |
| DEVELOPER | CB Jeni Homes<br>2805 North Dallas Parkway, Suite 400<br>Plano, Texas 75093<br>469.573.6700 |
| ENGINEER | LandDesign, Inc.<br>5301 Alpha Road, Suite 24<br>Dallas, Texas 75240<br>214.785.6009 |




TYPICAL PRIVATE STREET SECTION AND UTILITY LOCATION
(27.0' B-B AND 50.0' R.O.W.)




TYPICAL PRIVATE 15.0' ALLEY SECTION
(20.0' R.O.W.)

## BENCHMARKS

GPS MONUMENT 66
N: 6909028.42
E: 2418710.66
EL= 558.379

GPS MONUMENT 26
N:6901808.42
E: 2416464.76
EL: 552.56

CASE NO. S210101


LandDesign.
Item 29.
TBPE FIRM REGISTRATION #: BR-1927
2805 NORTH DALLAS PARKWAY, SUITE 400
PLANO, TEXAS 75093
PHONE: 469.573.6700

OWNER:
ALLUVIUM DEVELOPMENT, INC.
TERRANCE JOBE, PRESIDENT
2415 SOMERFIELD DRIVE
MIDLOTHIAN, TEXAS 76065
PHONE: 817.995.9500


KEY MAP

**NOT FOR CONSTRUCTION**

SEAL

PROJECT

LAKE RIDGE COMMONS TOWNHOMES

GRAND PRAIRIE, TEXAS

LANDDESIGN PROJECT #
8520099

REVISION / ISSUANCE

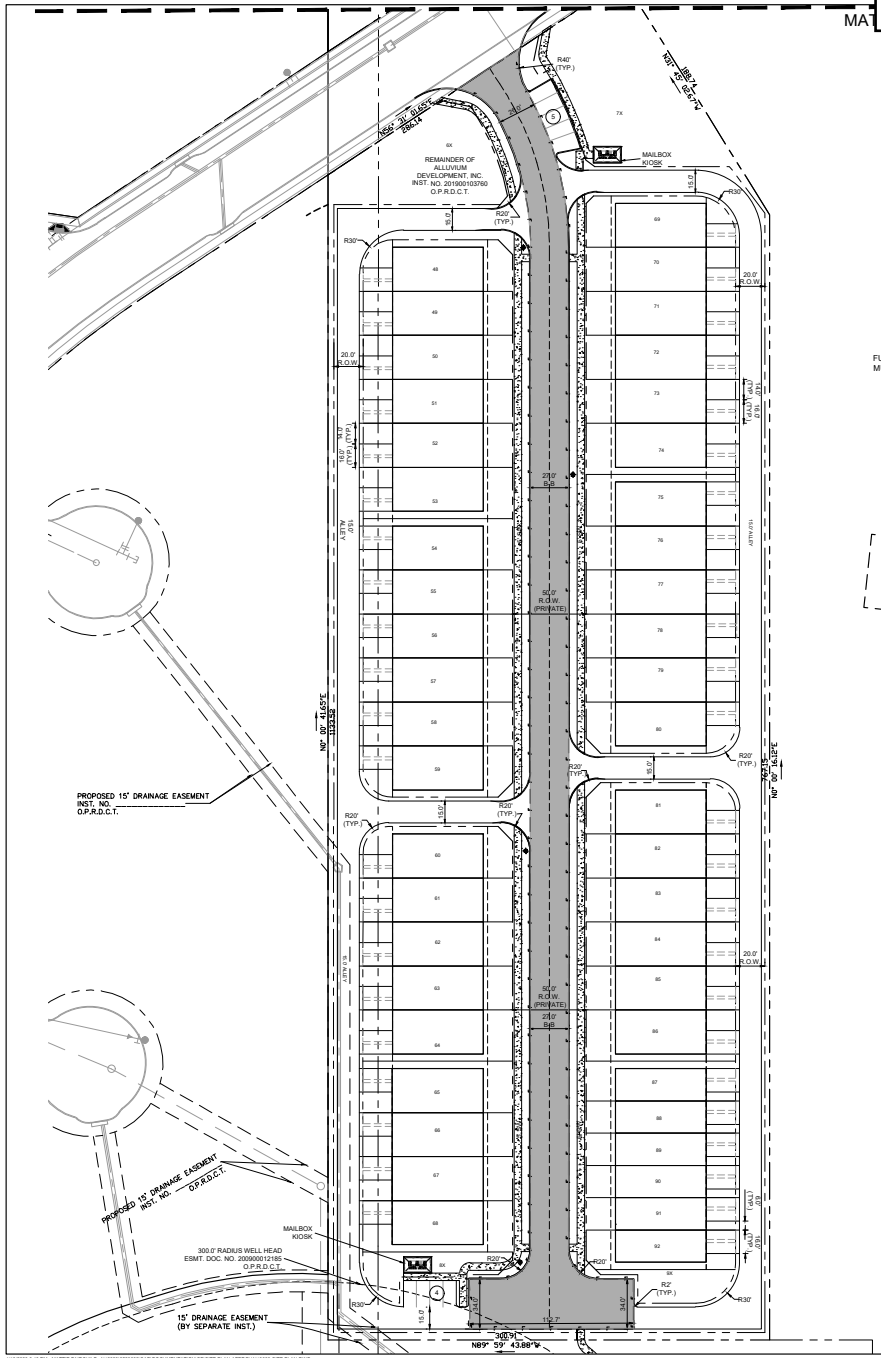
| NO. | DESCRIPTION | DATE |
|---|---|---|
| 1 | SITE PLAN SUBMITTAL | 12.01.2020 |
| 2 | SITE PLAN RESUBMITTAL | 12.18.2020 |
| 3 | SITE PLAN RESUBMITTAL | 01.05.2021 |

DESIGNED BY: LDI
DRAWN BY: LDI
CHECKED BY: LDI

SCALE
VERT: N/A
HORZ: 1" = 40'
0 20 40 80

SHEET TITLE
SITE PLAN (NORTH)

SHEET NUMBER
C1-01




GEOTECHNICAL REPORT:
ALL PAVING AND EARTHWORK CONSTRUCTION ACTIVITIES SHALL CONFORM TO THE PROJECT GEOTECHNICAL REPORT PREPARED BY HENLEY-JOHNSTON & ASSOCIATES, INC. DATED JANUARY 22, 2019. REPORT NO. 19375G

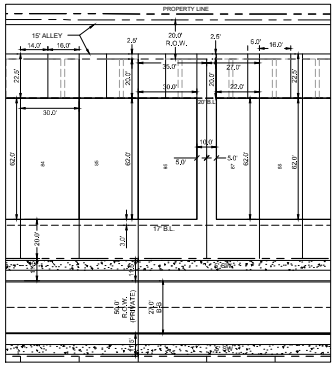
NO 100 YEAR FLOODPLAIN LIMITS PER MAP AREA 48113C0585K, DALLAS, COUNTY, FLOODZONE Z, MAP REVISED JULY 7, 2014.

AN HOA OR PID SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF COMMON ELEMENTS LISTED IN CITY OF GRAND PRAIRIE'S RESIDENTIAL DEVELOPMENT STANDARDS - APPENDIX W.

LEGEND

- 100 YR FEMA FLOOD PLAIN
- PROPERTY R.O.W.
- R.O.W.
- EASEMENT LINE
- PROPOSED FIRE LANE
- PROPOSED SIDEWALK

VICINITY MAP




RESIDENTIAL BUILDING LAYOUT
1"=30'

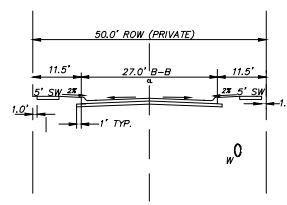
| DEVELOPMENT SUMMARY: LAKE RIDGE COMMONS TOWNHOMES | | | | |
|---|---|---|---|---|
| LOCATION OF ZONING DISTRICTS | GRAND PRAIRIE, TEXAS | | | |
| EXISTING ZONING | PD-384A | | | |
| PROPOSED USE | RESIDENTIAL TOWNHOMES | | | |
| SITE AREA | 13.5 ACRES = 588,060 SF | | | |
| NO. OF LOTS | 92 RESIDENTIAL UNITS | | | |
| | NORTH | SOUTH | | |
| | 47 | 45 | | |
| DENSITY (GROSS/NET) | 6.81 DU/AC | | | |
| BUILDING AREA | 157,740 SF = 26.8% RESIDENTIAL (FIRST FLOOR BUILDING ENVELOPE ONLY) | | | |
| MAXIMUM BUILDING HEIGHT | HEIGHT ALLOWED | HEIGHT PROVIDED | | |
| | 35' | 35' | | |
| SETBACK REQUIREMENTS | 17' FRONT YARD, 20' REAR YARD, 5' SIDE YARD | | | |
| ACRES WITHIN 100 YR FLOODPLAIN | 0.00 AC | | | |
| TOTAL IMPERVIOUS | 345,045 SF = 58.7% (BUILDINGS, STREETS, PARKING AREAS, SIDEWALKS, DRIVEWAYS) | | | |
| TOTAL LANDSCAPE | 77,110 SF = 13% | | | |
| MASONARY PERCENTAGE | 90% | | | |
| **PARKING DATA** | | | | |
| REQUIREMENTS | TOTAL REQUIRED | | TOTAL PROVIDED | |
| TOWNHOMES (2 GARAGE SPACES/ UNIT) | 184 (GARAGE) | | 184 (GARAGE) +184 (TANDEM) = 368 | |
| TOTAL GUEST (1 STALL / 5 UNITS) / REQUIRED | NORTH | SOUTH | NORTH | SOUTH |
| | 10 | 9 | 10 | 9 |
| **TYPICAL STALL SIZES** | | | | |
| PERPENDICULAR | 18' X9' | | | |

| TOWNHOUSE LOT SIZE SUMMARY | | | | |
|---|---|---|---|---|
| TYPE | LOT WIDTH (FT) | LOT DEPTH (FT) | LOT AREA (SF) | NO. OF LOTS |
| 1 | 22 | 102 | 2,244 | 15 |
| 2 | 27 | 102 | 2,754 | 12 |
| 3 | 30 | 102 | 3,060 | 41 |
| 4 | 35 | 102 | 3,570 | 24 |

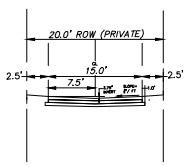
| TOWNHOUSE UNIT SIZE SUMMARY | | |
|---|---|---|
| UNIT WIDTH | NO. OF UNITS | % |
| 22' | 27 | 29% |
| 30' | 65 | 71% |

| APPENDIX W | | SF-TOWNHOUSE | SF-TOWNHOUSE PROVIDED | VARIANCE |
|---|---|---|---|---|
| DESIGNATION | | SF-T | SF-T | NO |
| MAXIMUM DENSITY (DWELLING UNITS PER ACRE) | | 13.2 | 6.81 | NO |
| MINIMUM LIVING AREA (SQ. FT.) | | 1,150 TO 1,299 = 30% 1,300+70% | 1,300 = 100% | NO |
| MINIMUM LOT SIZES & DIMENSIONS (FEET) | AREA (SQ. FT.) | 1,680 TO 3,299 = 30% 3,300 = 70% | 1,680 TO 3,299 = 74% 3,300 = 26% | YES (SEE TABLE) |
| | WIDTH | 21 TO 29 = 30% 30=70% | 21 TO 29 = 29% 30=71% | NO |
| | DEPTH | 80 TO 99 = 30% 100= 70% | 100 = 100% | NO |
| MINIMUM YARD SETBACKS (FEET) | FRONT | 17 | 17 | NO |
| | REAR | 10 | 20 | NO |
| | REAR ALLEY | 10 | 20 | NO |
| | REAR ARTERIAL | 20 | N/A | NO |
| | INTERIOR SIDE | 5 (NOT ATTACHED) 0 (ATTACHED) | 5 (NOT ATTACHED) 0 (ATTACHED) | NO |
| | SIDE ON STREET | 15 | N/A (5' ON ALLEY) | NO |
| | GARAGE DOOR | 20 | 20 | NO |
| | BETWEEN BUILDINGS | 5 | 5 | NO |
| MAXIMUM HEIGHT (SEE ARTICLE 30 FOR DEFINITION) | | 35 (3 STORIES) | 35 (3 STORIES) | NO |
| MAXIMUM LOT COVERAGE (%) | | 60 | 60 | NO |

| | |
|---|---|
| OWNER | Alluvium Development Inc.<br>2415 Somerfield Drive<br>Midlothian, Texas 76065<br>817.995.9500 |
| DEVELOPER | CB Jeni Homes<br>2805 North Dallas Parkway, Suite 400<br>Plano, Texas 75093<br>469.573.6700 |
| ENGINEER | LandDesign, Inc.<br>5301 Alpha Road, Suite 24<br>Dallas, Texas 75240<br>214.785.6009 |




TYPICAL PRIVATE STREET SECTION AND UTILITY LOCATION
(27.0' B-B AND 50.0' R.O.W.)




TYPICAL PRIVATE 15.0' ALLEY SECTION
(20.0' R.O.W.)

BENCHMARKS

GPS MONUMENT 66
N: 6909028.42
E: 2418710.66
EL= 558.379

GPS MONUMENT 26
N:6901808.42
E: 2416464.76
EL: 552.56

CASE NO. S210101

LandDesign.
2805 NORTH DALLAS PARKWAY, SUITE 400
PLANO, TEXAS 75093
PHONE: 469.573.6700

OWNER:
ALLUVIUM DEVELOPMENT, INC.
TERRANCE JOBE, PRESIDENT
2415 SOMERFIELD DRIVE
MIDLOTHIAN, TEXAS 76065
PHONE: 817.995.9500

KEY MAP

NOT FOR CONSTRUCTION

SEAL

PROJECT

LAKE RIDGE COMMONS TOWNHOMES

GRAND PRAIRIE, TEXAS

CASE/DESIGN PROJ.# 8520099

REVISION / ISSUANCE

| NO. | DESCRIPTION | DATE |
|---|---|---|
| 1 | SITE PLAN SUBMITTAL | 12.01.2020 |
| 2 | SITE PLAN RESUBMITTAL | 12.18.2020 |
| 3 | SITE PLAN RESUBMITTAL | 01.05.2021 |

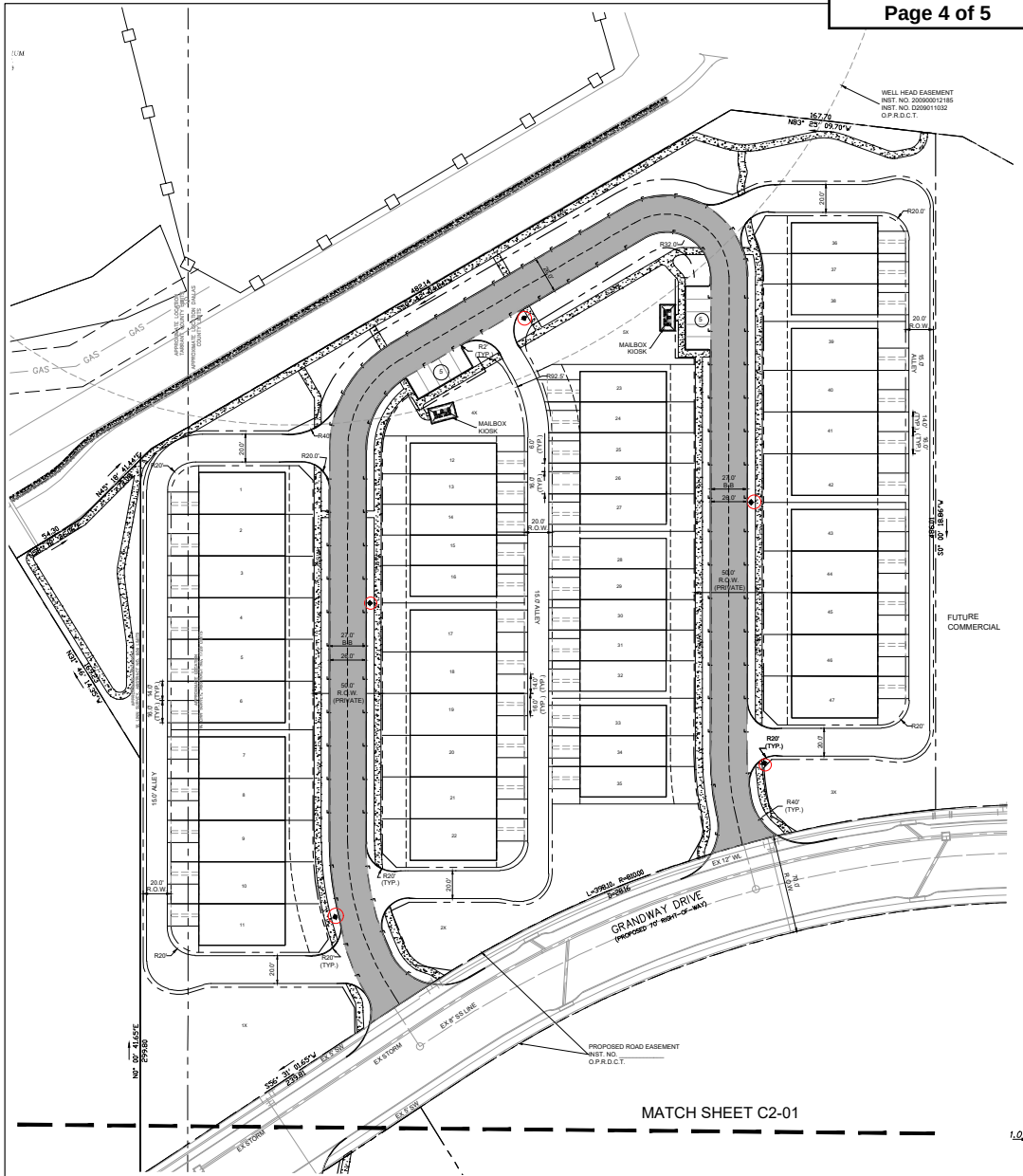
DESIGNED BY: LDI
DRAWN BY: LDI
CHECKED BY: LDI

SCALE
VERT: N/A
HORZ: 1"=40'
0 20 40 80

NORTH

SHEET TITLE
SITE PLAN (SOUTH)

SHEET NUMBER
C1-02



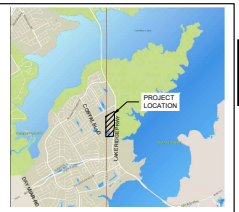

GEOTECHNICAL REPORT:
ALL PAVING AND EARTHWORK CONSTRUCTION ACTIVITIES SHALL CONFORM TO THE PROJECT GEOTECHNICAL REPORT PREPARED BY HENLEY-JOHNSTON & ASSOCIATES, INC. DATED JANUARY 22, 2019. REPORT NO. 19375G

NO 100 YEAR FLOODPLAIN LIMITS PER MAP AREA 48113C0580K, DALLAS, COUNTY, FLOOD ZONE Z, MAP REVISED JULY 7, 2014.

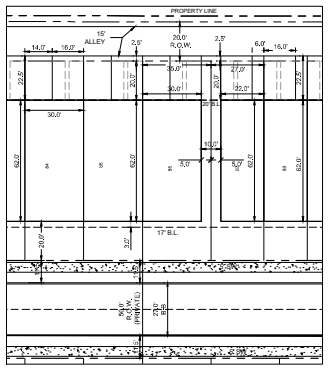
AN HOA OR PID SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF COMMON ELEMENTS LISTED IN CITY OF GRAND PRAIRIE'S RESIDENTIAL DEVELOPMENT STANDARDS - APPENDIX W.

LEGEND

- 100 YR FEMA FLOOD PLAIN
- PROPERTY R.O.W.
- R.O.W.
- EASEMENT LINE
- F FIRE LANE
- PROPOSED FIRE HYDRANT




VICINITY MAP




RESIDENTIAL BUILDING LAYOUT
1"=30'

| TOWNHOUSE LOT SIZE SUMMARY | | | | |
|---|---|---|---|---|
| TYPE | LOT WIDTH (FT) | LOT DEPTH (FT) | LOT AREA (SF) | NO. OF LOTS |
| 1 | 22 | 102 | 2,244 | 15 |
| 2 | 27 | 102 | 2,754 | 12 |
| 3 | 30 | 102 | 3,060 | 41 |
| 4 | 35 | 102 | 3,570 | 24 |

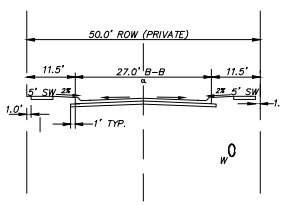
| TOWNHOUSE UNIT SIZE SUMMARY | | |
|---|---|---|
| UNIT WIDTH | NO. OF UNITS | % |
| 22' | 27 | 29% |
| 30' | 65 | 71% |

| DEVELOPMENT SUMMARY: LAKE RIDGE COMMONS TOWNHOMES | | |
|---|---|---|
| LOCATION OF ZONING DISTRICTS | GRAND PRAIRIE, TEXAS | |
| EXISTING ZONING | PD-384A | |
| PROPOSED USE | RESIDENTIAL TOWNHOMES | |
| SITE AREA | 13.5 ACRES = 588,060 SF | |
| NO. OF LOTS | 92 RESIDENTIAL UNITS | |
| | NORTH | SOUTH |
| | 47 | 45 |
| DENSITY (GROSS/NET) | 6.81 DU/AC | |
| BUILDING AREA | 157,740 SF = 26.8% RESIDENTIAL (FIRST FLOOR BUILDING ENVELOPE ONLY) | |
| MAXIMUM BUILDING HEIGHT | HEIGHT ALLOWED | HEIGHT PROVIDED |
| | 35' | 35' |
| SETBACK REQUIREMENTS | 17' FRONT YARD, 20' REAR YARD, 5' SIDE YARD | |
| ACRES WITHIN 100 YR FLOODPLAIN | 0.00 AC | |
| TOTAL IMPERVIOUS | 345,045 SF = 58.7% (BUILDINGS, STREETS, PARKING AREAS, SIDEWALKS, DRIVEWAYS) | |
| TOTAL LANDSCAPE | 77,110 SF = 13% | |
| MASONRY PERCENTAGE | 90% | |

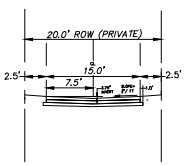
| PARKING DATA | | | | |
|---|---|---|---|---|
| REQUIREMENTS | TOTAL REQUIRED | | TOTAL PROVIDED | |
| TOWNHOMES (2 GARAGE SPACES/ UNIT) | 184 (GARAGE) | | 184 (GARAGE) +184 (TANDEM) = 368 | |
| TOTAL GUEST (1 STALL / 5 UNITS) / REQUIRED | NORTH | SOUTH | NORTH | SOUTH |
| | 10 | 9 | 10 | 9 |
| TYPICAL STALL SIZES | | | | |
| PERPENDICULAR | 18' X9' | | | |

| APPENDIX W | | SF-TOWNHOUSE | SF-TOWNHOUSE PROVIDED | VARIANCE |
|---|---|---|---|---|
| DESIGNATION | | SF-T | SF-T | NO |
| MAXIMUM DENSITY (DWELLING UNITS PER ACRE) | | 13.2 | 6.81 | NO |
| MINIMUM LIVING AREA (SQ. FT.) | | 1,150 TO 1,299 = 30% 1,300=70% | 1,300 = 100% | NO |
| MINIMUM LOT SIZES & DIMENSIONS (FEET) | AREA (SQ. FT.) | 1,680 TO 3,299 = 30% 3,300 = 70% | 1,680 TO 3,299 = 74% 3,300 = 26% | YES (SEE TABLE) |
| | WIDTH | 21 TO 29 = 30% 30=70% | 21 TO 29 = 29% 30=71% | NO |
| | DEPTH | 80 TO 99 = 30% 100= 70% | 100 = 100% | NO |
| MINIMUM YARD SETBACKS (FEET) | FRONT | 17 | 17 | NO |
| | REAR | 10 | 20 | NO |
| | REAR ALLEY | 10 | 20 | NO |
| | REAR ARTERIAL | 20 | N/A | NO |
| | INTERIOR SIDE | 5 (NOT ATTACHED) 0 (ATTACHED) | 5 (NOT ATTACHED) 0 (ATTACHED) | NO |
| | SIDE ON STREET | 15 | N/A (5' ON ALLEY) | NO |
| | GARAGE DOOR | 20 | 20 | NO |
| | BETWEEN BUILDINGS | 5 | 5 | NO |
| MAXIMUM HEIGHT (SEE ARTICLE 30 FOR DEFINITION) | | 35 (3 STORIES) | 35 (3 STORIES) | NO |
| MAXIMUM LOT COVERAGE (%) | | 60 | 60 | NO |

| | |
|---|---|
| OWNER | Alluvium Development Inc.<br>2415 Somerfield Drive<br>Midlothian, Texas 76065<br>817.995.9500 |
| DEVELOPER | CB Jeni Homes<br>2805 North Dallas Parkway, Suite 400<br>Plano, Texas 75093<br>469.573.6700 |
| ENGINEER | LandDesign, Inc.<br>5301 Alpha Road, Suite 24<br>Dallas, Texas 75240<br>214.785.6009 |




TYPICAL PRIVATE STREET SECTION AND UTILITY LOCATION
(27.0' B-B AND 50.0' R.O.W.)




TYPICAL PRIVATE 15.0' ALLEY SECTION
(20.0' R.O.W.)

## BENCHMARKS

GPS MONUMENT 66
N: 6909028.42
E: 2418710.66
EL= 558.379

GPS MONUMENT 26
N:6901808.42
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EL: 552.56

CASE NO. S210101

LandDesign.
Item 29.
2805 NORTH DALLAS PARKWAY, SUITE 400
PLANO, TEXAS 75093
PHONE: 469.573.6700

OWNER:
ALLUVIUM DEVELOPMENT, INC.
TERRANCE JOBE, PRESIDENT
2415 SOMERFIELD DRIVE
MIDLOTHIAN, TEXAS 76065
PHONE: 817.995.9500

KEY MAP

NOT FOR CONSTRUCTION

SEAL

PROJECT

LAKE RIDGE COMMONS TOWNHOMES

GRAND PRAIRIE, TEXAS

CASE/DESIGN FIELD # 8520099

REVISION / ISSUANCE

| NO. | DESCRIPTION | DATE |
|---|---|---|
| 1 | SITE PLAN SUBMITTAL | 12.01.2020 |
| 2 | SITE PLAN RESUBMITTAL | 12.18.2020 |
| 3 | SITE PLAN RESUBMITTAL | 01.05.2021 |

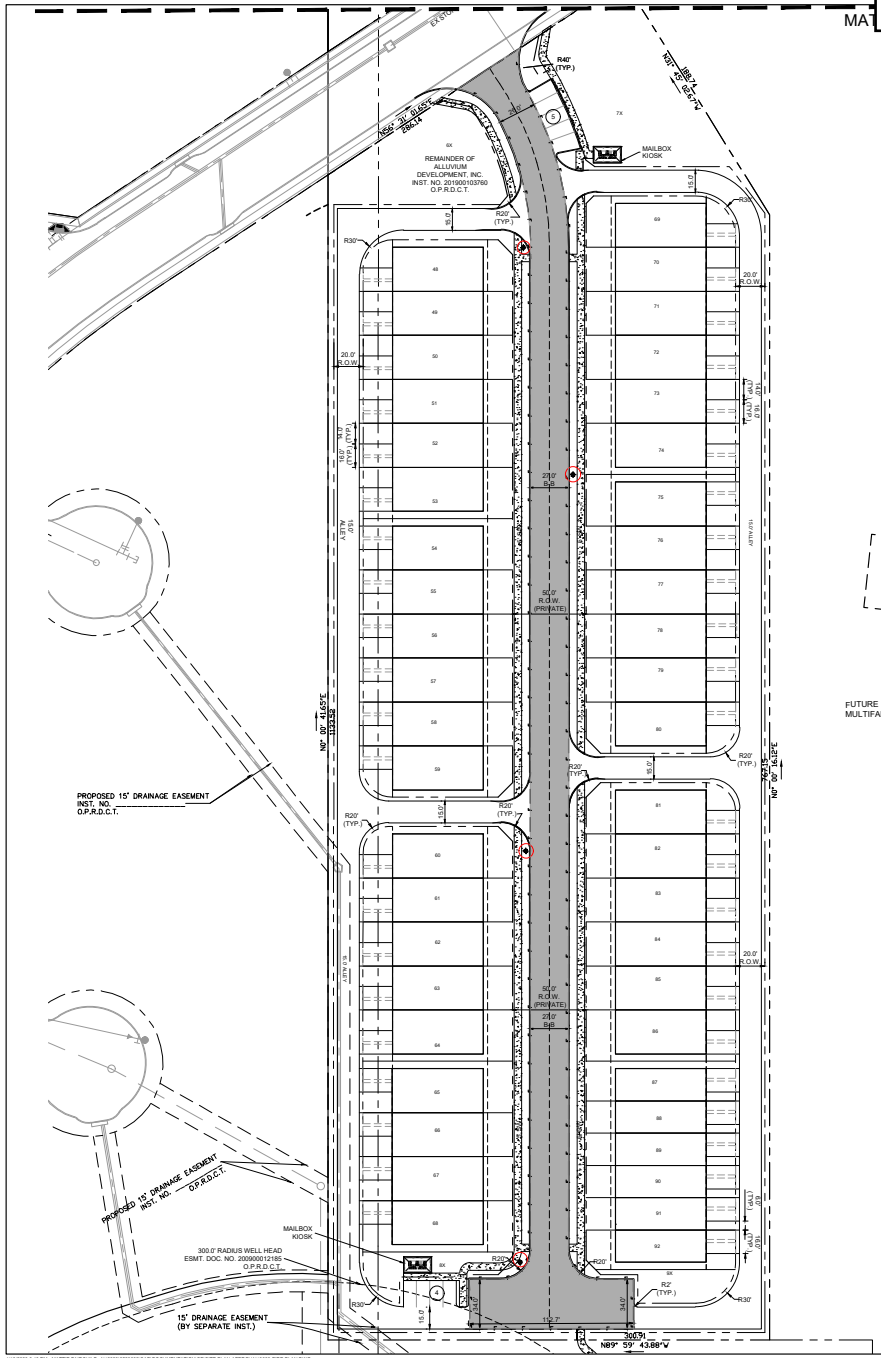
DESIGNED BY: LDI
DRAWN BY: LDI
CHECKED BY: LDI

SCALE NORTH

VERT: N/A
HORZ: 1" = 40'
0 20 40 80

SHEET TITLE
FIRE HYDRANT LOCATION PLAN

SHEET NUMBER
C2-00




FUTURE MULTIFAMILY

FUTURE MULTIFAMILY

GEOTECHNICAL REPORT:
ALL PAVING AND EARTHWORK CONSTRUCTION ACTIVITIES SHALL CONFORM TO THE PROJECT GEOTECHNICAL REPORT PREPARED BY HENLEY-JOHNSTON & ASSOCIATES, INC. DATED JANUARY 22, 2019. REPORT NO. 1937SG

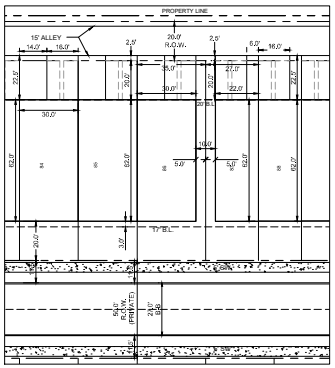
NO 100 YEAR FLOODPLAIN LIMITS PER MAP AREA 48113C0585K, DALLAS, COUNTY. FLOODZONE Z, MAP REVISED JULY 7, 2014.

AN HOA OR PID SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF COMMON ELEMENTS LISTED IN CITY OF GRAND PRAIRIE'S RESIDENTIAL DEVELOPMENT STANDARDS - APPENDIX W.

LEGEND

- 100 YR FEMA FLOOD PLAIN
- PROPERTY R.O.W.
- R.O.W.
- EASEMENT LINE
- F FIRE LANE
- PROPOSED FIRE HYDRANT

VICINITY MAP




RESIDENTIAL BUILDING LAYOUT
1"=30'

| DEVELOPMENT SUMMARY: LAKE RIDGE COMMONS TOWNHOMES | | | | |
|---|---|---|---|---|
| LOCATION OF ZONING DISTRICTS | GRAND PRAIRIE, TEXAS | | | |
| EXISTING ZONING | PD-384A | | | |
| PROPOSED USE | RESIDENTIAL TOWNHOMES | | | |
| SITE AREA | 13.5 ACRES = 588,060 SF | | | |
| NO. OF LOTS | 92 RESIDENTIAL UNITS | | | |
| | NORTH | SOUTH | | |
| | 47 | 45 | | |
| DENSITY (GROSS/NET) | 6.81 DU/AC | | | |
| BUILDING AREA | 157,740 SF = 26.8% RESIDENTIAL (FIRST FLOOR BUILDING ENVELOPE ONLY) | | | |
| MAXIMUM BUILDING HEIGHT | HEIGHT ALLOWED | HEIGHT PROVIDED | | |
| | 35' | 35' | | |
| SETBACK REQUIREMENTS | 17' FRONT YARD, 20' REAR YARD, 5' SIDE YARD | | | |
| ACRES WITHIN 100 YR FLOODPLAIN | 0.00 AC | | | |
| TOTAL IMPERVIOUS | 345,045 SF = 58.7% (BUILDINGS, STREETS, PARKING AREAS, SIDEWALKS, DRIVEWAYS) | | | |
| TOTAL LANDSCAPE | 77,110 SF = 13% | | | |
| MASONARY PERCENTAGE | 90% | | | |
| **PARKING DATA** | | | | |
| REQUIREMENTS | TOTAL REQUIRED | | TOTAL PROVIDED | |
| TOWNHOMES | 184 (GARAGE) | | 184 (GARAGE) +184 (TANDEM) = 368 | |
| (2 GARAGE SPACES/ UNIT) | | | | |
| TOTAL GUEST | NORTH | SOUTH | NORTH | SOUTH |
| (1 STALL / 5 UNITS) / REQUIRED | 10 | 9 | 10 | 9 |
| **TYPICAL STALL SIZES** | | | | |
| PERPENDICULAR | 18' X9' | | | |

| TOWNHOUSE LOT SIZE SUMMARY | | | | |
|---|---|---|---|---|
| TYPE | LOT WIDTH (FT) | LOT DEPTH (FT) | LOT AREA (SF) | NO. OF LOTS |
| 1 | 22 | 102 | 2,244 | 15 |
| 2 | 27 | 102 | 2,754 | 12 |
| 3 | 30 | 102 | 3,060 | 41 |
| 4 | 35 | 102 | 3,570 | 24 |

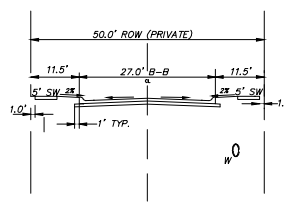
| TOWNHOUSE UNIT SIZE SUMMARY | | |
|---|---|---|
| UNIT WIDTH | NO. OF UNITS | % |
| 22' | 27 | 29% |
| 30' | 65 | 71% |

| APPENDIX W | | SF-TOWNHOUSE | SF-TOWNHOUSE PROVIDED | VARIANCE |
|---|---|---|---|---|
| DESIGNATION | | SF-T | SF-T | NO |
| MAXIMUM DENSITY (DWELLING UNITS PER ACRE) | | 13.2 | 6.81 | NO |
| MINIMUM LIVING AREA (SQ. FT.) | | 1,150 TO 1,299 = 30% 1,300=70% | 1,300 = 100% | NO |
| MINIMUM LOT SIZES & DIMENSIONS (FEET) | AREA (SQ. FT.) | 1,680 TO 3,299 = 30% 3,300 = 70% | 1,680 TO 3,299 = 74% 3,300 = 26% | YES (SEE TABLE) |
| | WIDTH | 21 TO 29 = 30% 30=70% | 21 TO 29 = 29% 30=71% | NO |
| | DEPTH | 80 TO 99 = 30% 100= 70% | 100 = 100% | NO |
| MINIMUM YARD/SETBACKS (FEET) | FRONT | 17 | 17 | NO |
| | REAR | 10 | 20 | NO |
| | REAR ALLEY | 10 | 20 | NO |
| | REAR ARTERIAL | 20 | N/A | NO |
| | INTERIOR SIDE | 5 (NOT ATTACHED) 0 (ATTACHED) | 5 (NOT ATTACHED) 0 (ATTACHED) | NO |
| | SIDE ON STREET | 15 | N/A (5' ON ALLEY) | NO |
| | GARAGE DOOR | 20 | 20 | NO |
| | BETWEEN BUILDINGS | 5 | 5 | NO |
| MAXIMUM HEIGHT (SEE ARTICLE 30 FOR DEFINITION) | | 35 (3 STORIES) | 35 (3 STORIES) | NO |
| MAXIMUM LOT COVERAGE (%) | | 60 | 60 | NO |

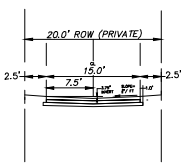
OWNER
Alluvium Development Inc.
2415 Somerfield Drive
Midlothian, Texas 76065
817.995.9500

DEVELOPER
CB Jeni Homes
2805 North Dallas Parkway, Suite 400
Plano, Texas 75093
469.573.6700

ENGINEER
LandDesign, Inc.
5301 Alpha Road, Suite 24
Dallas, Texas 75240
214.785.6009




TYPICAL PRIVATE STREET SECTION AND UTILITY LOCATION
(27.0' B-B AND 50.0' R.O.W.)




TYPICAL PRIVATE 15.0' ALLEY SECTION
(20.0' R.O.W.)

BENCHMARKS

GPS MONUMENT 66
N: 6909028.42
E: 2418710.66
EL= 558.379

GPS MONUMENT 26
N:6901808.42
E: 2416464.78
EL: 552.56

CASE NO. S210101

LandDesign.
5301 ALPHA ROAD, SUITE 24
DALLAS, TEXAS 75240
TBPE: BR-1927

2805 NORTH DALLAS PARKWAY, SUITE 400
PLANO, TEXAS 75093
PHONE: 469.573.6700

OWNER:
ALLUVIUM DEVELOPMENT, INC.
TERRANCE JOBE, PRESIDENT
2415 SOMERFIELD DRIVE
MIDLOTHIAN, TEXAS 76065
PHONE: 817.995.9500

Item 29.

KEY MAP

NOT FOR CONSTRUCTION

SEAL

PROJECT

LAKE RIDGE COMMONS TOWNHOMES

GRAND PRAIRIE, TEXAS

LANDDESIGN PROJ.# 8520099

REVISION / ISSUANCE

| NO. | DESCRIPTION | DATE |
|---|---|---|
| 1 | SITE PLAN SUBMITTAL | 12.01.2020 |
| 2 | SITE PLAN RESUBMITTAL | 12.18.2020 |
| 3 | SITE PLAN RESUBMITTAL | 01.05.2021 |

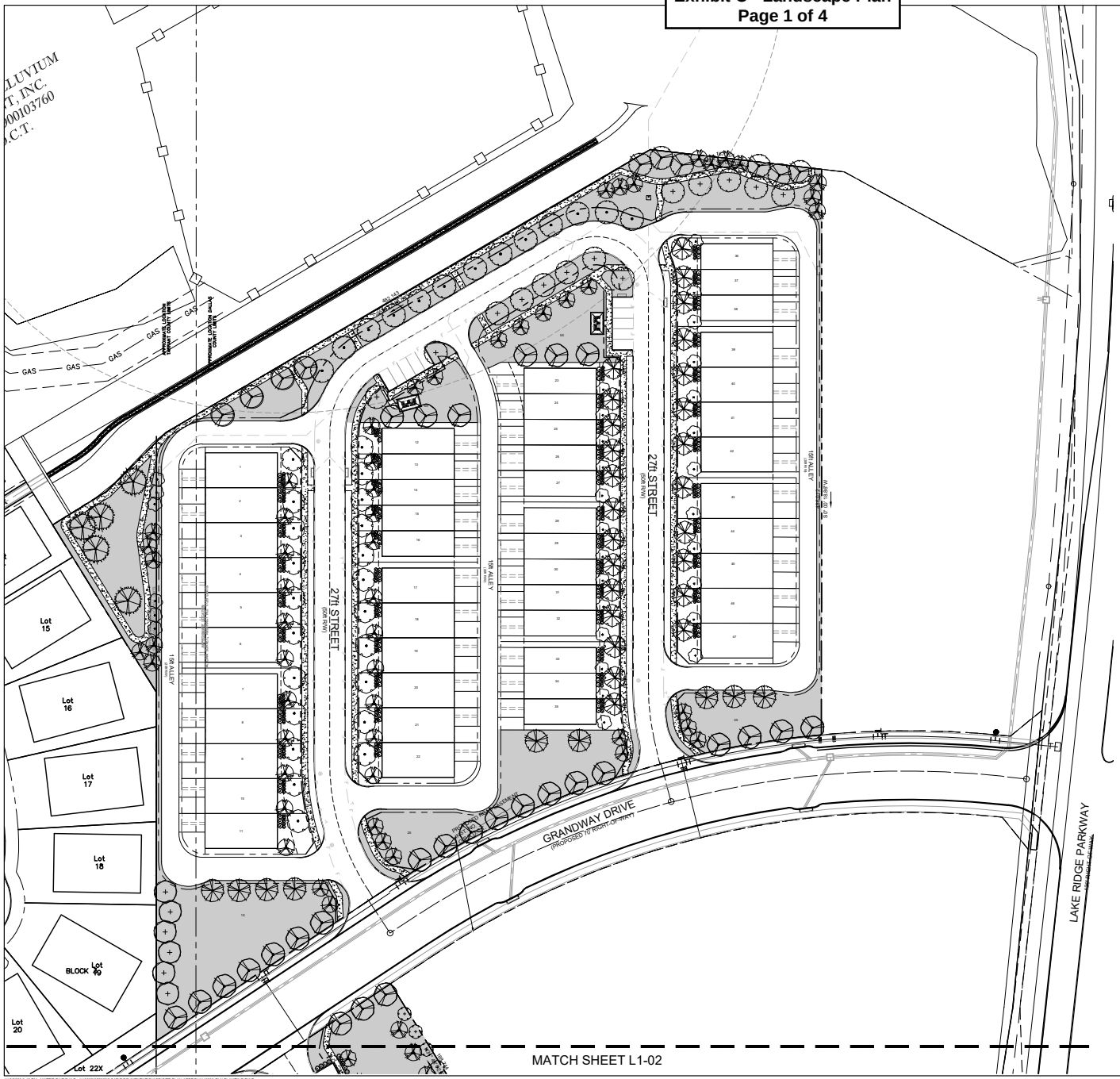
DESIGNED BY: LDI
DRAWN BY: LDI
CHECKED BY: LDI

SCALE
VERT: N/A
HORZ: 1"=40'
0 20 40 80

SHEET TITLE
FIRE HYDRANT LOCATION PLAN

SHEET NUMBER
C2-01

**Exhibit C - Landscape Plan**
**Page 1 of 4**




PLANT SCHEDULE

| TREES | CODE | BOTANICAL / COMMON NAME |
|---|---|---|
| | ACBA | Acer barbatum `Caddo` / Caddo Southern Sugar Maple<br>MATCH SPECIMEN, STRONG CENTRAL LEADER |
| | NYSL | Nyssa sylvatica / Black Gum<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER |
| | PITX | Pistacia texana / Texas Pistache<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER |
| | QUMA | Quercus macrocarpa / Burr Oak<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER |
| | QPMO | Quercus polymorpha `Monterey` / Monterey Oak<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER |
| | QUSH | Quercus shumardii / Shumard Red Oak<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER |
| | QUTE | Quercus texana / Texas Red Oak<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER |
| | TADI | Taxodium distichum / Bald Cypress<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER |
| | ULAL | Ulmus alata / Winged Elm<br>MACTHED SPECIMEN, STRONG CENTRAL LEADER |
| | ULCR | Ulmus crassifolia / Cedar Elm<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER |
| | ULPA | Ulmus parvifolia `Allee` / Allee Lacebark Elm<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER |
| **ORNAMENTAL TREES** | **CODE** | **BOTANICAL / COMMON NAME** |
| | CCME | Cercis canadensis var. mexicana / Mexican Redbud<br>MATCHED SPECIMEN, MULTI-STEM |
| | ILVO | Ilex vomitoria / Yaupon Holly<br>MATCHED SPECIMEN, MULTI-STEM, TREE FORM |
| | LANA | Lagerstroemia x `Natchez` / White Crape Myrtle Multi-Trunk<br>MATCHED SPECIMEN, MULTISTEM |
| | VIAG | Vitex agnus-castus / Chaste Tree<br>MATCHED SPECIMEN, MULTI-STEM |
| **SHRUBS** | **CODE** | **BOTANICAL / COMMON NAME** |
| | | 5-GALLON SHRUBS |
| | ABGR | Abelia x grandiflora `Edward Goucher` / Glossy Abelia `Edward Goucher` |
| | BMWG | Buxus microphylla `Winter Gem` / Globe Winter Gem Boxwood |
| | ICBN | Ilex cornuta `Burfordii Nana` / Dwarf Burford Holly |
| | ICCA | Ilex cornuta `Carissa` / Carissa Holly |
| | LEFR | Leucophyllum frutescens `Green` / Desperado Texas Sage |
| | | 3-GALLON SHRUBS |
| | ABRC | Abelia x `Rose Creek` / Rose Creek Abelia |
| | BTCP | Berberis thunbergii `Crimson Pygmy` / Crimson Pygmy Japanese Barberry |
| | IVSD | Ilex vomitoria `Stokes Dwarf` / Stokes Dwarf Yaupon Holly |
| | NDHD | Nandina domestica `Harbour Dwarf` / Dwarf Heavenly Bamboo |

CASE NO. S210101


LandDesign.

2805 NORTH DALLAS PARKWAY, SUITE 400
PLANO, TEXAS 75093
PHONE: 469.573.6700


Item 29.

**OWNER:**

**ALLUVIUM DEVELOPMENT, INC.**
TERRANCE JOBE, PRESIDENT
2415 SOMERFIELD DRIVE
MIDLOTHIAN, TEXAS 76065
PHONE: 817.995.9500

KEY MAP

**NOT FOR CONSTRUCTION**

SEAL

REGISTERED LANDSCAPE ARCHITECT
TERRENCE L. JOBE
7946
STATE OF TEXAS

PROJECT

LAKE RIDGE COMMONS TOWNHOMES

GRAND PRAIRIE, TEXAS

LANDDESIGN PROJECT 8520099

REVISION / ISSUANCE

| NO. | DESCRIPTION | DATE |
|---|---|---|
| 1 | SITE PLAN SUBMITTAL | 12.01.2020 |
| 2 | SITE PLAN RESUBMITTAL | 12.18.2020 |
| 3 | SITE PLAN RESUBMITTAL | 01.05.2021 |

DESIGNED BY: LDI
DRAWN BY: LDI
CHECKED BY: LDI

SCALE

NORTH

VERT: N/A
HORZ: 1" = 40'

0 20 40 80

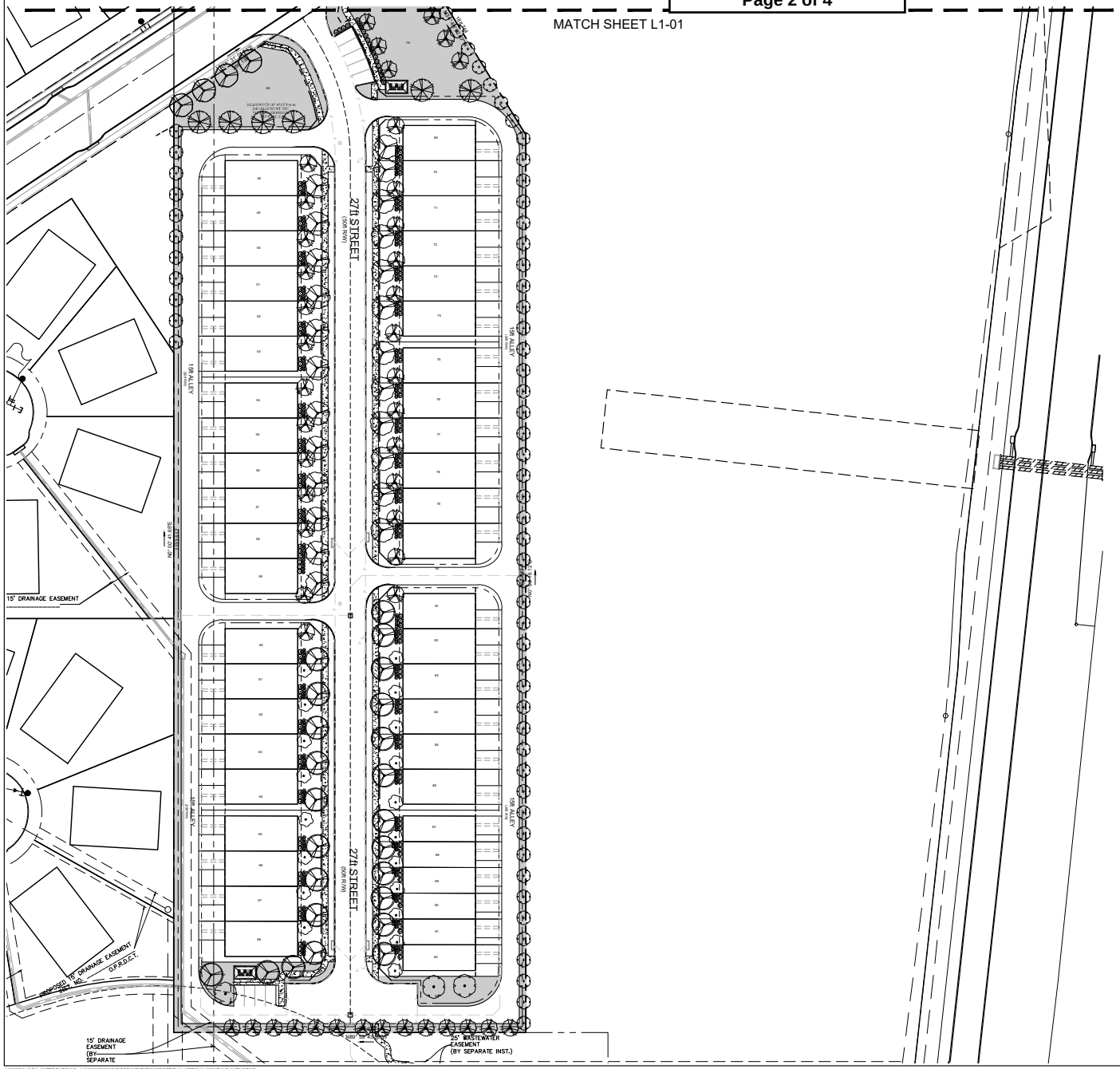
SHEET TITLE

PLANTING PLAN (NORTH)

SHEET NUMBER

L1-01

MATCH SHEET L1-01




PLANT SCHEDULE

| TREES | CODE | BOTANICAL / COMMON NAME |
|---|---|---|
| | ACBA | Acer barbatum `Caddo` / Caddo Southern Sugar Maple<br>MATCH SPECIMEN, STRONG CENTRAL LEADER |
| | NYSL | Nyssa sylvatica / Black Gum<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER |
| | PITX | Pistacia texana / Texas Pistache<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER |
| | QUMA | Quercus macrocarpa / Burr Oak<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER |
| | QPMO | Quercus polymorpha `Monterey` / Monterey Oak<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER |
| | QUSH | Quercus shumardii / Shumard Red Oak<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER |
| | QUTE | Quercus texana / Texas Red Oak<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER |
| | TADI | Taxodium distichum / Bald Cypress<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER |
| | ULAL | Ulmus alata / Winged Elm<br>MACTHED SPECIMEN, STRONG CENTRAL LEADER |
| | ULCR | Ulmus crassifolia / Cedar Elm<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER |
| | ULPA | Ulmus parvifolia `Allee` / Allee Lacebark Elm<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER |
| **ORNAMENTAL TREES** | **CODE** | **BOTANICAL / COMMON NAME** |
| | CCME | Cercis canadensis var. mexicana / Mexican Redbud<br>MATCHED SPECIMEN, MULTI-STEM |
| | ILVO | Ilex vomitoria / Yaupon Holly<br>MATCHED SPECIMEN, MULTI-STEM, TREE FORM |
| | LANA | Lagerstroemia x `Natchez` / White Crape Myrtle Multi-Trunk<br>MATCHED SPECIMEN, MULTISTEM |
| | VIAG | Vitex agnus-castus / Chaste Tree<br>MATCHED SPECIMEN, MULTI-STEM |
| **SHRUBS** | **CODE** | **BOTANICAL / COMMON NAME** |
| | | 5-GALLON SHRUBS |
| | ABGR | Abelia x grandiflora `Edward Goucher` / Glossy Abelia `Edward Goucher` |
| | BMWG | Buxus microphylla `Winter Gem` / Globe Winter Gem Boxwood |
| | ICBN | Ilex cornuta `Burfordii Nana` / Dwarf Burford Holly |
| | ICCA | Ilex cornuta `Carissa` / Carissa Holly |
| | LEFR | Leucophyllum frutescens `Green` / Desperado Texas Sage |
| | | 3-GALLON SHRUBS |
| | ABRC | Abelia x `Rose Creek` / Rose Creek Abelia |
| | BTCP | Berberis thunbergii `Crimson Pygmy` / Crimson Pygmy Japanese Barberry |
| | IVSD | Ilex vomitoria `Stokes Dwarf` / Stokes Dwarf Yaupon Holly |
| | NDHD | Nandina domestica `Harbour Dwarf` / Dwarf Heavenly Bamboo |

CASE NO. S210101

LandDesign.

2805 NORTH DALLAS PARKWAY,
SUITE 400
PLANO, TEXAS 75093
PHONE: 469.573.6700

Item 29.

**OWNER:**

**ALLUVIUM DEVELOPMENT, INC.**
TERRANCE JOBE, PRESIDENT
2415 SOMERFIELD DRIVE
MIDLOTHIAN, TEXAS 76065
PHONE: 817.995.9500

KEY MAP

**NOT FOR CONSTRUCTION**

SEAL

REGISTERED LANDSCAPE ARCHITECT
TERRENCE M. SWITHER
7946
STATE OF TEXAS

PROJECT

LAKE RIDGE COMMONS TOWNHOMES

GRAND PRAIRIE, TEXAS

CADD/DESIGN FIELD#

8520099

REVISION / ISSUANCE

| NO. | DESCRIPTION | DATE |
|---|---|---|
| 1 | SITE PLAN SUBMITTAL | 12.01.2020 |
| 2 | SITE PLAN RESUBMITTAL | 12.18.2020 |
| 3 | SITE PLAN RESUBMITTAL | 01.05.2021 |

DESIGNED BY: LDI
DRAWN BY: LDI
CHECKED BY: LDI

SCALE

NORTH

VERT: N/A
HORZ: 1" = 40'

0 20 40 80.0001

SHEET TITLE

PLANTING PLAN (SOUTH)

SHEET NUMBER

L1-02

PLANT SCHEDULE

| TREES | CODE | QTY | BOTANICAL / COMMON NAME | MIN. CONT. | MIN. CAL. | MIN. HT. |
|---|---|---|---|---|---|---|
| | ACBA | 28 | Acer barbatum `Caddo` / Caddo Southern Sugar Maple<br>MATCH SPECIMEN, STRONG CENTRAL LEADER | CONT. | 3" CAL. | 12'-14' HT. |
| | NYSL | 15 | Nyssa sylvatica / Black Gum<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER | CONT. | 3" CAL. | 12'-14' HT. |
| | PITX | 13 | Pistacia texana / Texas Pistache<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER | CONT. | 3" CAL. | 12'-14' HT. |
| | QUMA | 6 | Quercus macrocarpa / Burr Oak<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER | CONT. | 3" CAL. | 12'-14' HT. |
| | QPMO | 25 | Quercus polymorpha `Monterey` / Monterey Oak<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER | CONT. | 3" CAL. | 12'-14' HT. |
| | QUSH | 32 | Quercus shumardi / Shumard Red Oak<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER | CONT. | 3" CAL. | 12'-14' HT. |
| | QUTE | 25 | Quercus texana / Texas Red Oak<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER | CONT. | 3" CAL. | 12'-14' HT. |
| | TADI | 5 | Taxodium distichum / Bald Cypress<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER | CONT. | 3" CAL. | 12'-14' HT. |
| | ULAL | 13 | Ulmus alata / Winged Elm<br>MACTHED SPECIMEN, STRONG CENTRAL LEADER | CONT. | 3" CAL. | 12'-14' HT. |
| | ULCR | 6 | Ulmus crassifolia / Cedar Elm<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER | CONT. | 3" CAL. | 12'-14' HT. |
| | ULPA | 24 | Ulmus parvifolia `Allee` / Allee Lacebark Elm<br>MATCHED SPECIMEN, STRONG CENTRAL LEADER | CONT. | 3" CAL. | 12'-14' HT. |

| ORNAMENTAL TREES | CODE | QTY | BOTANICAL / COMMON NAME | MIN. CONT. | MIN. CAL. | MIN. HT. |
|---|---|---|---|---|---|---|
| | CCME | 50 | Cercis canadensis var. mexicana / Mexican Redbud<br>MATCHED SPECIMEN, MULTI-STEM | CONT. | 3" CAL. | 8`-10` HT. |
| | ILVO | 63 | Ilex vomitoria / Yaupon Holly<br>MATCHED SPECIMEN, MULTI-STEM, TREE FORM | CONT. | 3" CAL. | 10`-12` HT. |
| | LANA | 34 | Lagerstroemia x `Natchez` / White Crape Myrtle Multi-Trunk<br>MATCHED SPECIMEN, MULTISTEM | CONT. | 3" CAL. | 10`-12` HT. |
| | VIAG | 68 | Vitex agnus-castus / Chaste Tree<br>MATCHED SPECIMEN, MULTI-STEM | CONT. | 3" CAL. | 12`-14` HT. |

| SHRUBS | CODE | QTY | BOTANICAL / COMMON NAME |
|---|---|---|---|
| | | 296 | 5-GALLON SHRUBS |
| | ABGR | | Abelia x grandiflora `Edward Goucher` / Glossy Abelia `Edward Goucher` |
| | BMWG | | Buxus microphylla `Winter Gem` / Globe Winter Gem Boxwood |
| | ICBN | | Ilex cornuta `Burfordi Nana` / Dwarf Burford Holly |
| | ICCA | | Ilex cornuta `Carissa` / Carissa Holly |
| | LEFR | | Leucophyllum frutescens `Green` / Desperado Texas Sage |
| | | 460 | 3-GALLON SHRUBS |
| | ABRC | | Abelia x `Rose Creek` / Rose Creek Abelia |
| | BTCP | | Berberis thunbergii `Crimson Pygmy` / Crimson Pygmy Japanese Barberry |
| | IVSD | | Ilex vomitoria `Stokes Dwarf` / Stokes Dwarf Yaupon Holly |
| | NDHD | | Nandina domestica `Harbour Dwarf` / Dwarf Heavenly Bamboo |

## LANDSCAPE REQUIREMENT COMPLIANCE
## APPENDIX W: LANDSCAPE AND SCREENING
## CITY OF GRAND PRAIRIE, TEXAS

**DEVELOPABLE AREA**

NORTH PROPERTY (300,170.0 sf)

| STANDARD | AREA (SF) | REQUIRED | PROVIDED |
|---|---|---|---|
| 1 tree / 2,500 sf | 300,017 sf | 120 trees | 120 trees (3" cal.) |

SOUTH PROPERTY (257,684.7 sf)

| STANDARD | AREA (SF) | REQUIRED | PROVIDED |
|---|---|---|---|
| 1 tree / 2,500 sf | 257,684.7 | 103 trees | 103 trees (3" cal.) |

**RESIDENTIAL LOTS**

CANOPY TREES

| STANDARD | LOTS | REQUIRED | PROVIDED |
|---|---|---|---|
| 2 trees / lot (less than 5000sf) | North Property - 47 lots<br>South Property - 45 lots | 94 trees<br>90 trees | 94 trees (3" cal.)<br>90 trees (3" cal.) |
| | TOTAL | 184 trees | 184 trees (3" cal.) |

FRONT YARD SHRUBS

| STANDARD | LOTS | REQUIRED | PROVIDED |
|---|---|---|---|
| min. 30-gal. / lot | North Property - 47 lots<br>South Property - 45 lots | 30-gal. / lot<br>30-gal. / lot | 30-gal. / lot<br>30-gal. / lot |
| | TOTAL | 2,760 gallons for development | 2,760 gallons for development |

LANDSCAPE AREA

All landscape areas on residential lots to be fully sodded.

## PLANTING NOTES:

1. ALL QUANTITIES LISTED IN THE DRAWINGS ARE FOR INFORMATION ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL QUANTITIES AND TO PROVIDE ALL MATERIALS NECESSARY FOR FULL COVERAGE IN ALL PLANTING AREAS AS SPECIFIED ON THE DRAWINGS. ANY DISCREPANCY SHOULD BE REPORTED TO THE OWNER.
2. THIS PLAN IS FOR PLANTING LOCATIONS ONLY AND ALL PLANT MATERIAL SHALL BE SPACED AND LOCATED PER PLAN. HOWEVER, CONTRACTOR TO SLIGHTLY ADJUST PLANT LOCATIONS IN THE FIELD AS NECESSARY TO BE CLEAR OF DRAINAGE SWALES AND UTILITIES. IF FOUND CONDITIONS VARY FROM THIS PLAN, CONTRACTOR TO CONTACT OWNER OR LANDSCAPE ARCHITECT FOR RESOLUTION. FAILURE TO DO SO WILL RESULT IN CONTRACTOR'S LIABILITY TO REPLACE PLANT MATERIALS.
3. ALL PLANTS SHOULD BE IN ACCORDANCE WITH ANSI Z60.1 -2014, AMERICAN STANDARD FOR NURSERY STOCK PUBLICATION, APPROVED APRIL 14, 2014.
4. CALIPER SIZE OF CANOPY TREES ARE TO BE MEASURED PER CITY OF GRAND PRAIRIE, TEXAS LANDSCAPE ORDINANCE.
5. ALL PLANT MATERIAL SHALL CONFORM TO THE SIZE SPECIFICATIONS (CALIPER, HEIGHT AND SPREAD) GIVEN IN THE PLANT SCHEDULE AND SHALL BE NURSERY GROWN UNLESS SPECIFIED OTHERWISE. FAILURE TO MEET MINIMUM SIZE ON ANY PLANT WILL RESULT IN REJECTION OF THAT PLANT.
6. ANY PLANT SUBSTITUTION SHALL BE APPROVED BY LANDDESIGN PRIOR TO PURCHASE. SUBSTITUTIONS OF PLANT MATERIAL ARE TO BE REQUESTED IN WRITING TO THE LANDSCAPE ARCHITECT AND APPROVED IN WRITING BY THE OWNER PRIOR TO PURCHASE AND INSTALLATION. FAILURE TO OBTAIN SUBSTITUTION APPROVAL IN WRITING MAY RESULT IN LIABILITY TO THE CONTRACTOR.
7. SIZES LISTED ARE MIN. AND REFER TO HEIGHT, UNLESS OTHERWISE SPECIFIED.
8. LANDSCAPE CONTRACTOR SHALL STAKE OUT LOCATIONS OF ALL TREES TO BE PLANTED FOR REVIEW BY LANDDESIGN PRIOR TO INSTALLING. LANDDESIGN RESERVES THE RIGHT TO ADJUST TREE LOCATIONS IN THE FIELD AS NECESSARY.
9. SHRUB/GROUNDCOVER BEDS SHALL BE STAKED FOR REVIEW BY LANDDESIGN/OWNER'S REPRESENTATIVE PRIOR TO EXCAVATION AND OR BED PREPARATION.
10. LANDSCAPE CONTRACTOR SHALL INSTALL STEEL EDGING BETWEEN PLANTING BEDS AND LAWNS, OR AS SHOWN IN DETAILS.
11. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UNDERGROUND UTILITIES. PIPES, STRUCTURES, AND LINE RUNS IN THE FIELD PRIOR TO THE INSTALLATION OF ANY PLANT MATERIAL.
12. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ADVISE LANDDESIGN OF ANY CONDITION FOUND ON THE SITE WHICH PROHIBITS INSTALLATION AS SHOWN ON THE DRAWINGS.
13. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ALL COORDINATION WITH OTHER CONTRACTORS ON SITE AS REQUIRED TO ACCOMPLISH ALL PLANTING OPERATIONS.
14. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION AND MUST BE REPLACED WITH PLANT OF SAME VARIETY AND SIZE IF DAMAGED, DESTROYED, DEAD AND /OR REMOVED.
15. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR FINE GRADING AND REMOVAL OF DEBRIS PRIOR TO PLANTING IN ALL AREAS.
16. FINAL FINISHED GRADING SHALL BE REVIEWED BY LANDDESIGN. CONTRACTOR IS RESPONSIBLE FOR ANY ADDITIONAL TOPSOIL REQUIRED TO CREATE A SMOOTH CONDITION SUITABLE FOR PLANTING.
17. TREES OVERHANGING INTO THE PUBLIC R.O.W. SHALL HAVE A MINIMUM CLEAR TRUNK HEIGHT OF FOURTEEN(14) FEET OVER STREETS, DRIVE AISLES, ALLEYS AND FIRE LANES. TREES OVERHANGING PRIVATE STREETS, WALKS, AND /OR PARKING LOTS SHALL HAVE A MINIMUM CLEAR TRUNK HEIGHT OF SEVEN (7) FEET.
18. LANDSCAPE CONTRACTOR IS REQUIRED TO PERFORM A TREE PIT PERCOLATION TEST FOR EACH TREE PIT PRIOR TO INSTALLATION. IF TREE PIT DOES NOT DRAIN WITHIN A 24-HOUR PERIOD, THE CONTRACTOR WILL BE REQUIRED TO PROVIDE A GRAVEL SUMP, FILTER FABRIC AND STAND PIPE. ALL TREE PIT SUMPS SHALL BE INCLUDED IN IN THE CONTRACTOR'S BASE BID AS A UNIT PRICE AND PROVIDE AS A DEDUCT ALTERNATE PER TREE PIT SUMPS NOT REQUIRED TO BE INSTALLED.
19. LANDSCAPE CONTRACTOR IS RESPONSIBLE TO REVIEW SITE ENVIRONMENTAL CONDITIONS PRIOR TO AND DURING INSTALLATION OF PLANT MATERIAL. ANY DISCREPANCIES OR CONCERNS BETWEEN THE ENVIRONMENTAL SITE CONDITIONS (I.E., SOIL TYPE, WATER, CLIMATE, WIND, SUN EXPOSURE ETC.) AND THE PLANT MATERIAL SPECIFIED WITHIN THE DRAWING SHALL BE BROUGHT TO THE ATTENTION OF LANDDESIGN AND/OR OWNER, AND SHALL BE DONE SO IN WRITING. CONTRACTOR SHALL PROVIDE SUGGESTED SOLUTIONS FOR ALTERNATIVE PLANT MATERIAL PROPOSED FOR SUBSTITUTION. LANDDESIGN TO REVIEW CONDITIONS AND INFORMATION SUBMITTED BY CONTRACTOR AND WILL ISSUE DIRECTIVE. SHOULD PLANT MATERIAL DIE BECAUSE OF ENVIRONMENTAL CONDITIONS DESCRIBED ABOVE, THE LANDSCAPE CONTRACTOR ASSUMES ALL WARRANTY AND GUARANTEE OF THE PLANT MATERIAL INSTALLED.
20. ALL NEW PLANTING AREAS SHALL HAVE A SOIL COMPOSITION CONSISTENT WITH SANDY LOAM TO LOAM SOIL PROPERTIES AND ACIDITY RANGE OF PH 6.5 TO 7.0. CONTRACTOR TO PROVIDE A SOIL TEST OF THE EXISTING SOIL AND EITHER FULLY REPLACE OR AMEND THE EXISTING SOIL TO ACHIEVE THE SANDY LOAM TO LOAM SOIL PROPERTIES. CONTRACTOR TO SUBMIT SOIL TEST RESULTS TO LANDSCAPE ARCHITECT FOR REVIEW. CONTRACTOR SHALL PROVIDE A SOIL AMENDMENT PLAN TO ACHIEVE THE SOIL COMPOSITION DESCRIBED ABOVE.
21. SOIL AMENDMENTS SHALL BE SELECTED FROM THE SOIL AMENDMENTS PROVIDED IN THE PLANTING DETAILS.
22. AMENDED SOIL SHALL HAVE UNIFORM COMPOSITION THROUGHOUT, WITH A MIXTURE OF EXISTING SUBSOIL. IT SHALL BE FREE OF STONES, LUMPS, LIVE PLANTS AND THEIR ROOTS, STICKS, AND OTHER EXTRANEOUS MATTER. IT SHALL CONTAIN NO MAN-MADE MATERIALS UNLESS OTHERWISE SPECIFIED. AMENDED SOIL SHALL NOT BE USED WHILE IN A FROZEN OR MUDDY CONDITION.
23. ALL NEW PLANTING AREAS, AMENDED SOILS SHALL BE TO A DEPTH OF:
    - 23.1. 4"-6" FOR SOLID TURF AREAS
    - 23.2. 8"-12" FOR GROUNDCOVER AREAS
    - 23.3. 12"-18" FOR SHRUB AREAS
    - 23.4. 24"-36" FOR TREE PITS AND AREAS.
24. AFTER PLANTING SOIL MIXES ARE INSTALLED IN PLANTING BED AREAS AND JUST PRIOR TO THE INSTALLATION OF SHRUB OR GROUNDCOVER PLANTINGS, SPREAD 3-4 INCHES OF COMPOST OVER THE BEDS AND ROTO TILL INTO THE TOP 8 INCHES OF THE PLANTING SOIL. THIS WILL RAISE GRADES SLIGHTLY ABOVE THE FINISHED GRADES, IN ANTICIPATION GRADES WILL SETTLE WITHIN A FEW MONTHS AFTER INSTALLATION AS COMPOST BREAKS DOWN.
25. IN ALL EXISTING PLANTING AREAS DESIGNATED TO RECEIVE NEW PLANTINGS, SPREAD 3-4 INCHES OF COMPOST OVER THE BEDS AND ROTO TILL INTO THE TOP 8 INCHES OF THE PLANTING SOIL. THIS WILL RAISE THE GRADES SLIGHTLY ABOVE THE FINISHED GRADES, IN ANTICIPATION GRADES WILL SETTLE WITHIN A FEW MONTHS AFTER INSTALLATION AS COMPOST BREAKS DOWN. IN NO CASE WILL THIS BE PERFORMED WHERE IT MAY NEGATIVELY IMPACT THE HEALTH OF ADJACENT, EXISTING PLANT MATERIALS WHICH ARE DESIGNATED TO REMAIN.
26. LANDSCAPE CONTRACTOR TO WARRANTY ALL PLANT MATERIALS FOR A PERIOD OF ONE YEAR. THE CONTRACTOR AGREES TO REPLACE DEFECTIVE WORK AND DEFECTIVE PLANTS, AND THAT THE OWNER'S REPRESENTATIVE SHALL MAKE THE FINAL DETERMINATION IF PLANTS MEET THE REQUIRED SPECIFICATIONS OR THAT PLANTS ARE DEFECTIVE. PLANTS DETERMINED TO BE DEFECTIVE SHALL BE REMOVED IMMEDIATELY UPON NOTIFICATION BY THE OWNER'S REPRESENTATIVE AND REPLACED WITHOUT COST TO THE OWNER, AS SOON AS WEATHER CONDITIONS PERMIT AND WITHIN THE SPECIFIED PLANTING PERIOD. THE REPLACED MATERIALS SHALL ALSO RECEIVE A WARRANTY PERIOD OF ONE YEAR WHICH STARTS AT THE DATE OF INSTALLATION. BULBS, ANNUAL FLOWERS, AND SEASONAL COLOR PLANTS SHALL ONLY BE WARRANTED FOR THE PERIOD OF THE EXPECTED BLOOM OR PRIMARY DISPLAY.
27. TREE AND SHRUB LOCATIONS TO BE ADJUSTED TO COORDINATE WITH FINAL UNIT SIDEWALK AND DOOR LOCATIONS.

## IRRIGATION NOTES:

1. A FULLY AUTOMATED IRRIGATION SYSTEM PROVIDING 100% COVERAGE SHALL BE PROVIDED FOR ALL PLANTING AREAS, UNLESS NOTED OTHERWISE. SYSTEM SHALL BE IN OPERATION PRIOR TO INSTALLATION OF ANY PLANT MATERIAL OTHER THAN CANOPY TREES.
2. ALL PLANTING BEDS/ SHRUB AND GROUNDCOVER AREAS TO BE IRRIGATED WITH EITHER 12" SPRAY POP-UPS AND/OR A LANDSCAPE DRIP-LINE SYSTEM, UNLESS NOTED OTHERWISE.
3. ALL PLANTER POTS AND RAISED PLANTERS TO BE IRRIGATED WITH MICRO SPRAY SPRINKLER HEADS.
4. IRRIGATION SYSTEM IS DESIGN/BUILD. CONTRACTOR TO PROVIDE DRAWINGS AND CUT SHEETS OF ALL COMPONENTS.
5. PROVIDE AS-BUILT DRAWINGS OF IRRIGATION AFTER INSTALLATION.

CASE NO. S210101

LandDesign.
2805 NORTH DALLAS PARKWAY, SUITE 400
PLANO, TEXAS 75093
PHONE: 469.573.6700
TBPE: BR-1927

**OWNER:**
**ALLUVIUM DEVELOPMENT, INC.**
TERRANCE JOBE, PRESIDENT
2415 SOMERFIELD DRIVE
MIDLOTHIAN, TEXAS 76065
PHONE: 817.995.9500

Item 29.

KEY MAP

**NOT FOR CONSTRUCTION**

SEAL

REGISTERED LANDSCAPE ARCHITECT
7946
STATE OF TEXAS

PROJECT

LAKE RIDGE COMMONS TOWNHOMES

GRAND PRAIRIE, TEXAS

LANDDESIGN PROJ.# 8520099

REVISION / ISSUANCE

| NO. | DESCRIPTION | DATE |
|---|---|---|
| 1 | SITE PLAN SUBMITTAL | 12.01.2020 |
| 2 | SITE PLAN RESUBMITTAL | 12.18.2020 |
| 3 | SITE PLAN RESUBMITTAL | 01.05.2021 |

DESIGNED BY: LDI
DRAWN BY: LDI
CHECKED BY: LDI

SCALE NORTH

VERT: N/A
HORZ: ########

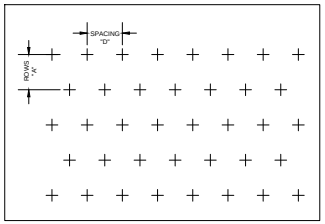
0 20 40 80

SHEET TITLE

PLANTING SCHEDULE & CALCULATIONS

SHEET NUMBER

L1-03

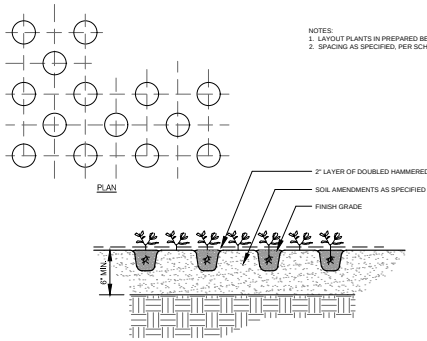



PLANT SPACING CHART

| SPACING "D" | ROW "A" | PLANTS / S.F. |
|---|---|---|
| 6" O.C. | 5 3/16" O.C. | 4.61 |
| 8" O.C. | 6 15/16" O.C. | 2.60 |
| 10" O.C. | 8 2/3" O.C. | 1.66 |
| 12" O.C. | 10 3/8" O.C. | 1.15 |
| 15" O.C. | 13" O.C. | 0.73 |
| 18" O.C. | 15 9/16" O.C. | 0.51 |
| 24" O.C. | 20 13/16" O.C. | 0.29 |

## 1 TRIANGULAR SPACING FOR SHRUBS & GROUND COVERS

L2-01 PLAN — NTS

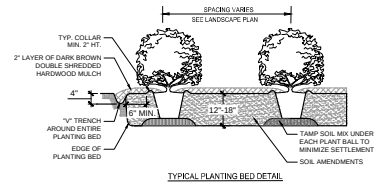



NOTES:
1. LAYOUT PLANTS IN PREPARED BED AS SHOWN.
2. SPACING AS SPECIFIED, PER SCHEDULE STAGGERED ROWS.

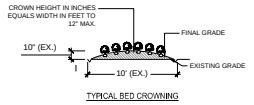
## 2 GROUND COVER PLANTING

L2-01 PLAN, SECTION — NTS

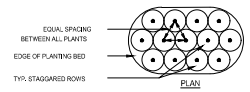
NOTES:
1. SCORIFY ROOT MASS OF CONTAINERIZED PLANT MATERIAL.
2. INSTALL CONTAINERIZED PLANTS AT FINISHED GRADE.
3. TAMP PLANTING MIX FIRMLY AS PIT IS FILLED AROUND EACH PLANT BALL.
4. OMIT COLLAR AROUND EACH SHRUB WHEN IRRIGATION SYSTEM IS PRESENT.
5. SOAK EACH PLANT BALL AND PIT IMMEDIATELY AFTER INSTALLATION.




TYPICAL PLANTING BED DETAIL

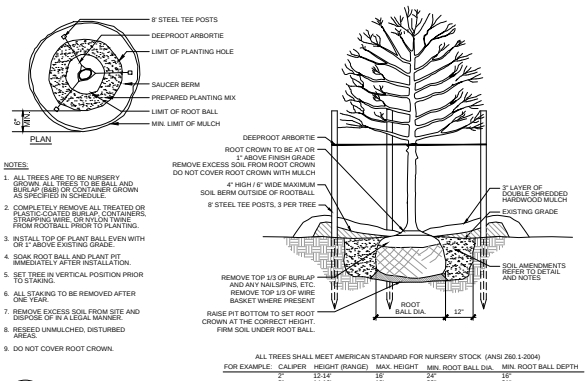



TYPICAL BED CROWNING




## 3 SHRUB PLANTING BED

L2-01 PLAN, SECTION — NTS



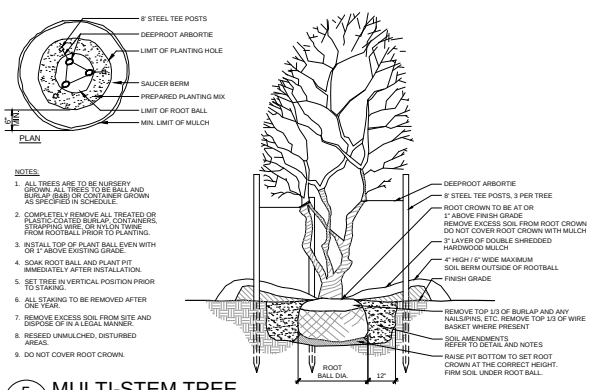

NOTES:
1. ALL TREES ARE TO BE NURSERY GROWN. ALL TREES TO BE BALL AND BURLAP (B&B) OR CONTAINER GROWN AS SPECIFIED IN SCHEDULE.
2. COMPLETELY REMOVE ALL TREATED OR PLASTIC-COATED BURLAP, CONTAINERS, STRAPPING WIRE, OR NYLON TWINE FROM ROOTBALL PRIOR TO PLANTING.
3. INSTALL TOP OF PLANT BALL EVEN WITH OR 1" ABOVE EXISTING GRADE.
4. SOAK ROOT BALL AND PLANT PIT IMMEDIATELY AFTER INSTALLATION.
5. SET TREE IN VERTICAL POSITION PRIOR TO STAKING.
6. ALL STAKING TO BE REMOVED AFTER ONE YEAR.
7. REMOVE EXCESS SOIL FROM SITE AND DISPOSE OF IN A LEGAL MANNER.
8. RESEED UNMULCHED, DISTURBED AREAS.
9. DO NOT COVER ROOT CROWN.

ALL TREES SHALL MEET AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2004)

| FOR EXAMPLE: | CALIPER | HEIGHT (RANGE) | MAX. HEIGHT | MIN. ROOT BALL DIA. | MIN. ROOT BALL DEPTH |
|---|---|---|---|---|---|
| | 2" | 12'-14' | 16' | 24" | 16" |
| | 3" | 14-16' | 18' | 32" | 21" |

## 4 TREE PLANTING

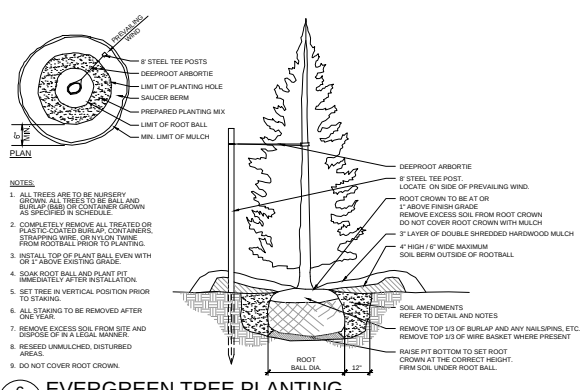
L2-01 PLAN, SECTION — NTS




NOTES:
1. ALL TREES ARE TO BE NURSERY GROWN. ALL TREES TO BE BALL AND BURLAP (B&B) OR CONTAINER GROWN AS SPECIFIED IN SCHEDULE.
2. COMPLETELY REMOVE ALL TREATED OR PLASTIC-COATED BURLAP, CONTAINERS, STRAPPING WIRE, OR NYLON TWINE FROM ROOTBALL PRIOR TO PLANTING.
3. INSTALL TOP OF PLANT BALL EVEN WITH OR 1" ABOVE EXISTING GRADE.
4. SOAK ROOT BALL AND PLANT PIT IMMEDIATELY AFTER INSTALLATION.
5. SET TREE IN VERTICAL POSITION PRIOR TO STAKING.
6. ALL STAKING TO BE REMOVED AFTER ONE YEAR.
7. REMOVE EXCESS SOIL FROM SITE AND DISPOSE OF IN A LEGAL MANNER.
8. RESEED UNMULCHED, DISTURBED AREAS.
9. DO NOT COVER ROOT CROWN.

## 5 MULTI-STEM TREE

L2-01 PLAN, SECTION — NTS




NOTES:
1. ALL TREES ARE TO BE NURSERY GROWN. ALL TREES TO BE BALL AND BURLAP (B&B) OR CONTAINER GROWN AS SPECIFIED IN SCHEDULE.
2. COMPLETELY REMOVE ALL TREATED OR PLASTIC-COATED BURLAP, CONTAINERS, STRAPPING WIRE, OR NYLON TWINE FROM ROOTBALL PRIOR TO PLANTING.
3. INSTALL TOP OF PLANT BALL EVEN WITH OR 1" ABOVE EXISTING GRADE.
4. SOAK ROOT BALL AND PLANT PIT IMMEDIATELY AFTER INSTALLATION.
5. SET TREE IN VERTICAL POSITION PRIOR TO STAKING.
6. ALL STAKING TO BE REMOVED AFTER ONE YEAR.
7. REMOVE EXCESS SOIL FROM SITE AND DISPOSE OF IN A LEGAL MANNER.
8. RESEED UNMULCHED, DISTURBED AREAS.
9. DO NOT COVER ROOT CROWN.

## 6 EVERGREEN TREE PLANTING

L2-01 PLAN, SECTION — NTS

MATERIALS

A. TOPSOIL
1. TOPSOIL SHALL HAVE A PH VALUE FROM 5.6 - 7.6 AND SHALL BE NATURAL FERTILE, (AGRICULTURAL SOIL, BROWN IN COLOR) UNIFORM FRIABLE LOAM WITHOUT ADMIXTURE OF SUBSOIL CONTAINING ORGANIC MATTER OF 5 PERCENT OR GREATER AND SHALL BE CAPABLE OF SUSTAINING VIGOROUS PLANT GROWTH.
2. ALL TOPSOIL SHALL PASS A 1 INCH SCREEN AND 40 PERCENT SHALL PASS THE 100 MESH SCREEN. IT SHALL BE FREE OF ANY ADD-MIXTURE OF SUBSOIL, AND CONTAIN NO STONES, LUMPS, CLODS OF HARD EARTH, SLAG, CINDERS, STICKS, PLANTS OR THEIR ROOTS, TRASH OR OTHER EXTRANEOUS MATERIALS.
3. TOPSOIL MUST ALSO BE FREE OF PLANT PARTS OF BERMUDA GRASS, QUACKGRASS, JOHNSONGRASS, NUTSEDGE, POISON IVY, CANADA THISTLE, OR ANY NOXIOUS WEEDS AND SHALL NOT BE CONTAMINATED WITH ANY SUBSTANCE KNOWN HARMFUL TO THE GROWTH OF PLANTS OR HUMANS.
4. TOPSOIL SHALL NOT BE USED FOR PLANTING OPERATIONS WHILE IN A FROZEN OR MUDDY CONDITION.
5. TOPSOIL SOURCES SHALL BE TESTED BY A RECOGNIZED LABORATORY AT THE EXPENSE OF THE CONTRACTOR FOR PH, SOIL TEXTURE AND SOLUBLE SALTS. SALINITY SHALL NOT EXCEED 3 MILS PER CENTIMETER AT 25 DEGREES C AS DETERMINED BY SATURATED SOIL PASTE METHOD AS DESCRIBED IN USDA CIRCULAR #982. TEST RESULTS MUST BE PRESENTED IN WRITING TO THE LANDSCAPE ARCHITECT OR OWNER PRIOR TO PLACEMENT OF TOPSOIL ON SITE.
6. CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR CONTROL OF NOXIOUS OR INVASIVE SPECIES INTRODUCED BY CONTAMINATED TOPSOIL.
7. TOPSOIL THAT HAS BEEN STOCKPILED FOR A LONG PERIODS SHALL BE INOCULATED TO REESTABLISH IT'S MICROBIAL ACTIVITY.

B. MULCH
SHALL BE FREE OF DEBRIS AND WOOD CHIPS. IT SHALL CONSIST OF AGED DOUBLE-SHREDDED HARDWOOD, FREE OF EXCESS TANNIC ACID OR OTHER MULCH AS SPECIFIED ON THE PLANS. A SAMPLE OF MULCH SHALL BE PROVIDED FOR THE GROUNDS SUPERINTENDENT'S APPROVAL PRIOR TO DELIVERING THE MULCH. THE OWNER RESERVES THE RIGHT TO REJECT ANY MULCH WHICH IS CONSIDERED TO BE UNSUITABLE. ALL MULCHES SHALL BE FREE OF ANY FOREIGN MATERIALS, PIECES LARGER THAN 3 INCHES, AND/OR GREEN WOOD.

C. DOLOMITE LIME
SHALL BE FINELY GROUND OR PULVERIZED RAW, COMMERCIAL GRADE LIMESTONE MEETING ASTM C51 AND CONTAINING NOT LESS THAN 85 PERCENT TOTAL OF CALCIUM MAGNESIUM CARBONATE, FREE OF IMPURITIES, ALL OF WHICH SHALL PASS THROUGH A NUMBER 10 SIEVE AND ATLEAST 50 PERCENT SHALL PASS THROUGH A NUMBER 100 SIEVE.

D. SAND
SHALL BE CLEAN, WASHED, COARSE, MASONRY SAND, RIVER SAND, OR NUMBER 2 BUILDERS SAND MEETING ASTM C 33. A QUART SAMPLE OF THE PROPOSED SAND SHALL BE SUBMITTED FOR THE OWNER'S APPROVAL

E. SULFUR
SULFUR SHALL BE A COMMERCIALLY PRODUCED, GRANULAR PRODUCT OF PURE SULFUR

F. GYPSUM
GYPSUM SHALL BE GROUND TO THE SIZE SPECIFIED ON THE PLANS

G. TRACE ELEMENTS
SHALL BE ADDED AS REQUIRED BY SOILS TEST .

H. LEAF MOLD SHALL BE COMPOSTED LEAF MATERIAL, FREE OF NOXIOUS WEEDS AND DETRIMENTAL INSECTS.

I. COMMERCIAL FERTILIZER
TO MEET FED. SPECIFICATION O-F-241 TYPE 1 GRADE NOTED, LEVEL B. THE FERTILIZER SHALL BE GRANULAR UNLESS PACKETS, TABLETS, OR STAKES TO BE USED WITH MINIMUM OF 50 PERCENT OF TOTAL NITROGEN IN ORGANIC FORM WITH NO CYANAMID COMPOUNDS OR HYDRATED LIME MIXES TO BE ADDED OR FOUND IN THE FERTILIZER.

J. OTHER ACCEPTABLE FERTILIZER FORMS:
1. FOR TREES
   ANUTRI-PAK
   JRP INTIN+L, INC.
   17 FOREST AVENUE
   FOND DU LAC, WISCONSIN 54935
2. AJOBES, PLANT SPIKES - FOR TREES AND SHRUBS.
3. ALAWN PRO OR SIMILAR APPROVED SLOW RELEASE FERTILIZER FOR LAWNS WITH THE FOLLOWING RATIO:
   3 NITROGEN
   1 PHOSPHORIC ACID
   2 POTASH
4. AHOLLY-TONE OR SIMILAR APPROVED WITH CHELATED IRON FOR EVERGREEN PLANTS.

K. PEAT
1. SHALL CONFORM TO FEDERAL SPECIFICATION Q-P-166C, PEAT MOSS; PEAT HUMUS; AND PEAT, REED-SEDGE.
2. SHALL BE LOW IN WOODY MATERIAL AND FREE OF MINERAL OR OTHER MATERIAL HARMFUL TO PLANT LIFE.
3. THE MIN. ORGANIC CONTENT TO BE APPROX. 90% WITH ACID REACTION FROM 4-5 PH, AND MOISTURE ABSORPTIVE CAPACITY NOT LESS THAN 450 PERCENT.
4. HUMUS TO BE SHREDDED, DRIED AND STERILIZED TO PASS 1/4 INCH SCREEN.
5. MOSS SHALL BE PULVERIZED AND HORTICULTURAL GRADE SPHAGNUM MOSS FREE OF EXTRANEOUS OR HARMFUL MATERIAL.
6. TO BE FINELY MILLED BLACK MICHIGAN PEAT OR OTHER SIMILAR APPROVED.

L. MANURE
1. SHALL BE WELL-ROTTED HORSE OR COW (OR COMBINATION THEREOF) MANURE. NOT TO CONTAIN OVER 25% STRAW OR LITTER. IT SHALL BE FREE OF FRESH MANURE, SAWDUST, WOOD CHIPS, LEATHER CHIPS, TAN BARK, LONG STRAW, SOFT HAY, STONES, FOREIGN INJURIOUS SUBSTANCES OR CHEMICALS USED TO HASTEN DECOMPOSITION.
2. TO BE TWO YEARS OLD MAXIMUM, NINE MONTHS MINIMUM WITH MINIMUM OF THREE TURNINGS WITHIN THIS TIME PERIOD.
3. NO BURNED OR FIRE-FANGED MANURE WILL BE ACCEPTABLE.

M. SOIL AMENDMENTS
DIATOMACEOUS EARTH SOIL AMENDMENT CONSISTING OF SILICA, ALUMINA, IRON OXIDE AND SHALL HAVE 0.1 TO 1 MICRON PORE SIZE, WITH A MINIMUM OF 113 PERCENT WATER ABSORPTION, MAXIMUM 19 PERCENT LOSS SULPHATE SOUNDNESS, 80 PERCENT TOTAL POROSITY. A TOTAL OF 54 PERCENT TO PASS 10 MESH SCREEN, 98 PERCENT TO PASS 80 MESH SCREEN.

## 7 SOIL AMENDMENTS

L2-01

CASE NO. S210101

LandDesign.
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TEXAS 75231
TBPE: BR-1927
LANDSCAPE ARCHITECT
2805 NORTH DALLAS PARKWAY, SUITE 400
PLANO, TEXAS 75093
PHONE: 469.573.6700

**OWNER:**
**ALLUVIUM DEVELOPMENT, INC.**
TERRANCE JOBE, PRESIDENT
2415 SOMERFIELD DRIVE
MIDLOTHIAN, TEXAS 76065
PHONE: 817.995.9500

Item 29.

KEY MAP

**NOT FOR CONSTRUCTION**

SEAL

REGISTERED LANDSCAPE ARCHITECT — TERRENCE W. JOBE — 2379 — STATE OF TEXAS

PROJECT

LAKE RIDGE COMMONS TOWNHOMES

GRAND PRAIRIE, TEXAS

NOVEMBER 12, 2020

CADD/DESIGN PROJECT
8520099

REVISION / ISSUANCE

| NO. | DESCRIPTION | DATE |
|---|---|---|
| 1 | SITE PLAN SUBMITTAL | 12.01.2020 |
| 2 | SITE PLAN RESUBMITTAL | 12.18.2020 |
| 3 | SITE PLAN RESUBMITTAL | 01.05.2021 |

DESIGNED BY: LDI
DRAWN BY: LDI
CHECKED BY: LDI

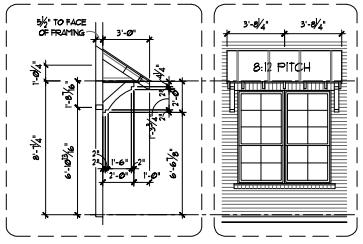
SCALE NORTH
VERT: N/A
HORZ: ########
0 20 40 80

SHEET TITLE
PLANTING DETAILS

SHEET NUMBER
L2-01

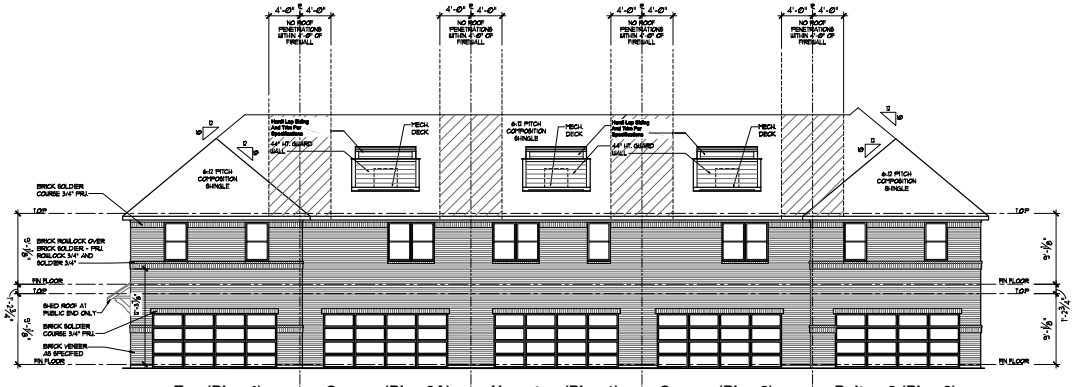
Project Case # S210101 Lake Ridge Townhomes

| Owner: | Developer/Architect |
|---|---|
| Alluvium Development | CB JENI Homes |
| 2415 Somerfield Drive | 2805 N. Dallas Pwy Ste 400 |
| Midlothian, TX 76065 | Plano, TX 75093 |

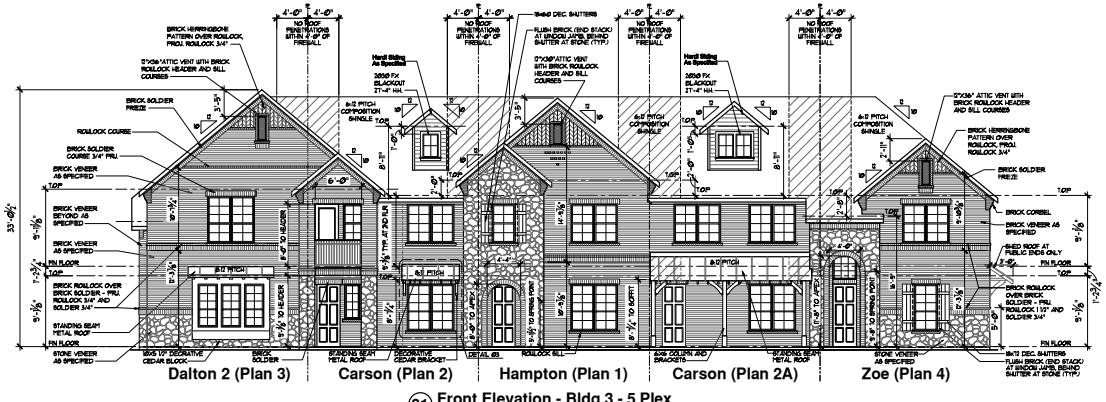



NOTE: SEE DETAIL Ø4/AD1Ø1

03 WINDOW ROOF DETAIL




02 Rear Elevation - Bldg 3 - 5 Plex




01 Front Elevation - Bldg 3 - 5 Plex

## EXTERIOR ELEVATION NOTES

1. GRADE CONDITIONS MAY VARY FROM INDIVIDUAL SITE FROM THAT SHOWN. BUILDER SHALL VERIFY AND COORDINATE AS NECESSARY FOR ACTUAL SITE CONDITIONS.
2. PROVIDE ROOF AND SOFFIT VENTS AS REGULATED BY CODE.
3. TYPICAL WINDOW HEIGHTS TO BE 8'-0". REFER UNIT PLANS.
4. PROJECT AND SLOPE ALL BRICK SILLS, ROWLOCKS, AND SOLDERS.

Item 29.

ISSUE DATE: 01/29/18

| REVISIONS | |
|---|---|
| 02/01/18 | 03/14/18 |
| 03/01/18 | 03/14/18 |
| 03/19/18 | 04/10/19 |
| 04/01/18 | 04/19/18 |
| 04/24/18 | |
| 05/01/18 | |
| 05/11/18 | |
| 05/21/18 | |

Lake Ridge Townhomes

CB JENI HOMES

CB JENI Lifestyle Homes

BUILDING 3 EXTERIOR ELEVATIONS

AB3.04

### EXTERIOR FINISH MATERIALS

SQUARE FOOTAGES

| ELEVATION | SIDING | BRICK | STONE |
|---|---|---|---|
| FRONT | 141 | 1929 | 603 |
| REAR | 571 | 1538 | 0 |
| LEFT PVT | 0 | 1021 | 50 |
| LEFT PUB | 0 | 849 | 223 |
| RIGHT PVT | 0 | 960 | 34 |
| RIGHT PUB | 0 | 745 | 249 |

TOTALS

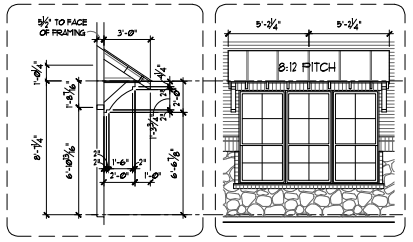
| BUILDING TYPE | FINISH MATERIALS SQUARE FOOTAGE | | |
|---|---|---|---|
| LEFT PUB RIGHT PVT | 712 | 5276 | 860 |
| LEFT PVT RIGHT PUB | 712 | 5233 | 902 |
| BOTH PUBLIC | 712 | 5061 | 1075 |
| BOTH PRIVATE | 712 | 5448 | 687 |

| | FINISH MATERIALS PERCENTAGES | |
|---|---|---|
| | SIDING | MASONRY |
| LEFT PUB RIGHT PVT | 10.40% | 89.60% |
| LEFT PVT RIGHT PUB | 10.40% | 89.60% |
| BOTH PUBLIC | 10.40% | 89.60% |
| BOTH PRIVATE | 10.40% | 89.60% |

Project Case # S210101 Lake Ridge Townhomes

Owner:
Alluvium Development
2415 Somerfield Drive
Midlothian, TX 76065

Developer/Architect
CB JENI Homes
2805 N. Dallas Pwy Ste 400
Plano, TX 75093




NOTE: SEE DETAIL Ø4/AD1Ø1

05 WINDOW ROOF DETAIL
FOR PUBLIC ENDS ONLY

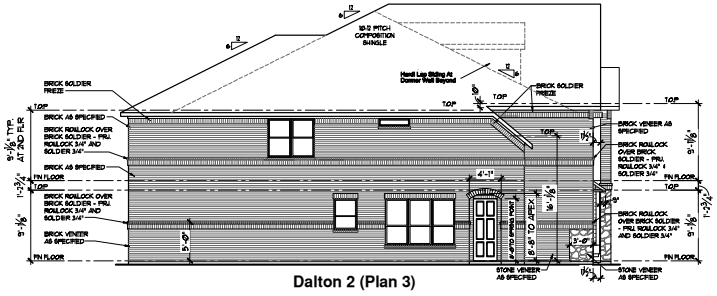
## EXTERIOR ELEVATION NOTES

1. GRADE CONDITIONS MAY VARY FOR INDIVIDUAL SITE FROM THAT SHOWN. BUILDER SHALL VERIFY AND COORDINATE FOR ACTUAL SITE CONDITIONS.
2. PROVIDE ROOF AND SOFFIT VENTS AS REGULATED BY CODE.
3. TYPICAL WINDOW HEIGHTS TO BE 5'-0". REFER UNIT PLANS.
4. PROJECT AND SLOPE ALL BRICK SILLS, ROWLOCKS, AND SOLDERS.

Item 29.

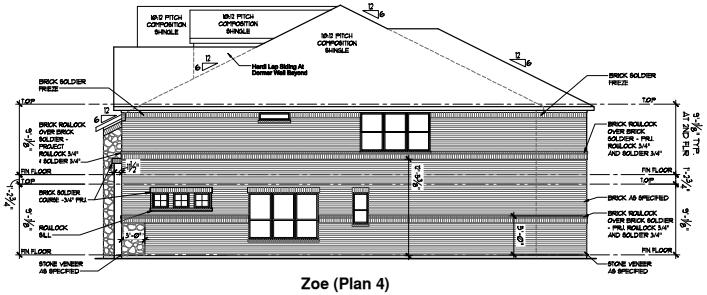
ISSUE DATE: 01/29/18

REVISIONS
07/01/18 12/07/18
09/03/18 02/04/19
09/18/18 04/10/19
10/16/18
04/24/18
05/01/18
05/21/18
06/21/18



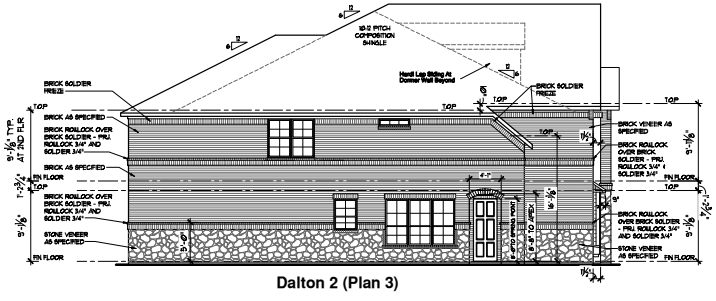

Dalton 2 (Plan 3)

Private End
04 Left Elevation - Bldg 3 - 5 Plex



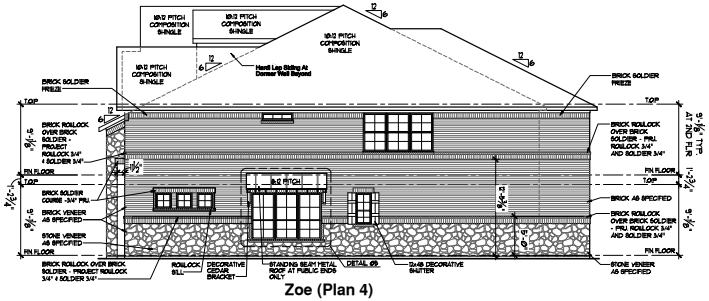

Zoe (Plan 4)

Private End
03 Right Elevation - Bldg 3 - 5 Plex




Dalton 2 (Plan 3)

Public End
02 Left Elevation - Bldg 3 - 5 Plex




Zoe (Plan 4)

Public End
01 Right Elevation - Bldg 3 - 5 Plex

**EXTERIOR FINISH MATERIALS**

SQUARE FOOTAGES

| ELEVATION | SIDING | BRICK | STONE |
|---|---|---|---|
| FRONT | 141 | 1929 | 603 |
| REAR | 571 | 1538 | 0 |
| LEFT PVT | 0 | 1021 | 50 |
| LEFT PUB | 0 | 849 | 223 |
| RIGHT PVT | 0 | 960 | 34 |
| RIGHT PUB | 0 | 745 | 249 |

TOTALS

| BUILDING TYPE | FINISH MATERIALS SQUARE FOOTAGE | | |
|---|---|---|---|
| LEFT PUB RIGHT PVT | 712 | 5276 | 860 |
| LEFT PVT RIGHT PUB | 712 | 5233 | 902 |
| BOTH PUBLIC | 712 | 5061 | 1075 |
| BOTH PRIVATE | 712 | 5448 | 687 |

| | FINISH MATERIALS PERCENTAGES | |
|---|---|---|
| | SIDING | MASONRY |
| LEFT PUB RIGHT PVT | 10.40% | 89.60% |
| LEFT PVT RIGHT PUB | 10.40% | 89.60% |
| BOTH PUBLIC | 10.40% | 89.60% |
| BOTH PRIVATE | 10.40% | 89.60% |

Lake Ridge Townhomes
CB JENI HOMES

CB JENI Lifestyle Homes

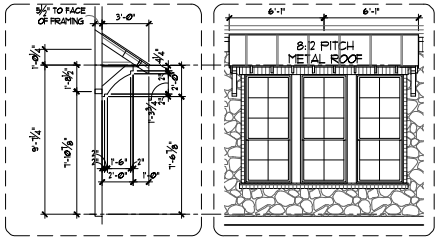
BUILDING 3 EXTERIOR ELEVATIONS

AB3.05

Project Case # S210101 Lake Ridge Townhomes

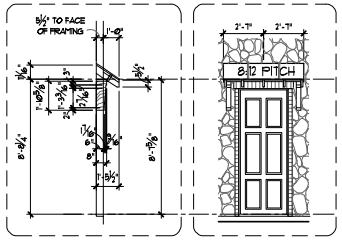
Owner:
Alluvium Development
2415 Somerfield Drive
Midlothian, TX 76065

Developer/Architect
CB JENI Homes
2805 N. Dallas Pwy Ste 400
Plano, TX 75093




NOTE: SEE DETAIL Ø4/AD1Ø1

03 WINDOW ROOF DETAIL




NOTE: SEE DETAIL Ø4/AD1Ø1

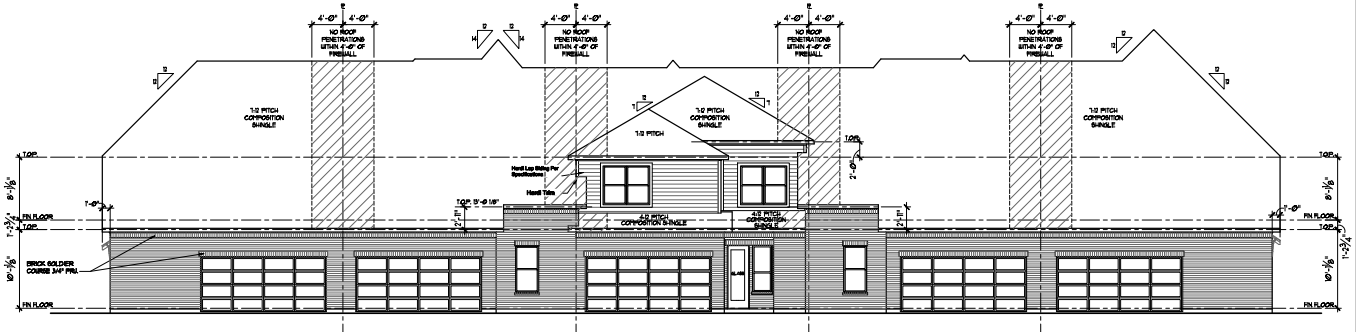
04 DOOR ROOF DETAIL

## EXTERIOR ELEVATION NOTES

1. GRADE CONDITIONS MAY VARY FOR INDIVIDUAL SITE FROM THAT SHOWN. BUILDER SHALL VERIFY AND COORDINATE FOR ACTUAL SITE CONDITIONS.
2. PROVIDE ROOF AND SOFFIT VENTS AS REGULATED BY CODE.
3. TYPICAL WINDOW HEIGHTS TO BE 8'-0". REFER UNIT PLANS.
4. PROJECT AND SLOPE ALL BRICK SILLS, ROWLOCKS, AND SOLDIERS.

ISSUE DATE: 01/29/18

REVISIONS
07/03/18 - 0314118
09/03/18 - 0204119
09/18/18 - 041/019
04/16/18
04/24/18
05/01/18
05/11/18
05/21/18




02 Rear Elevation - Bldg 7 - 5 Plex

**EXTERIOR FINISH MATERIALS**

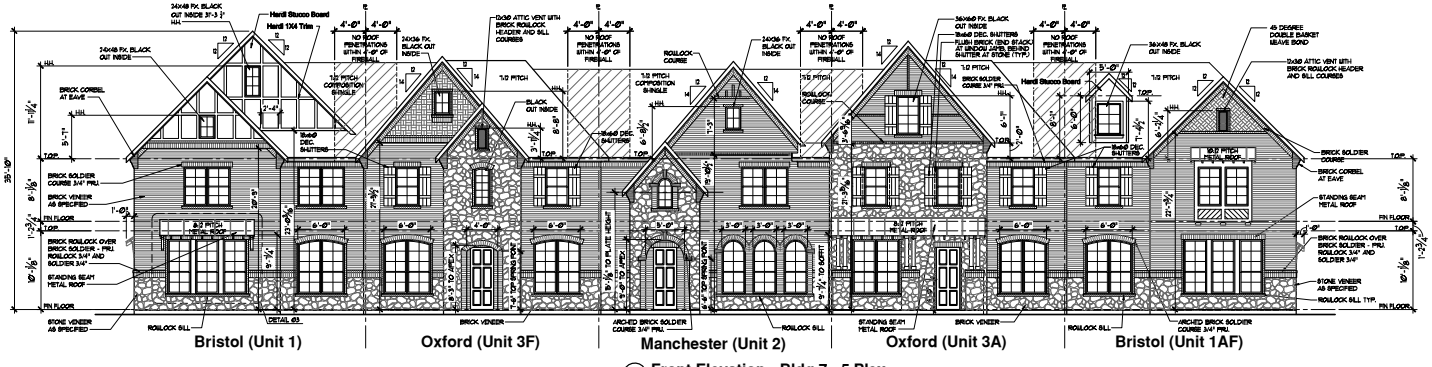
SQUARE FOOTAGES

| ELEVATION | SIDING | BRICK | STONE | STUCCO BD |
|---|---|---|---|---|
| FRONT | 47 | 2082 | 1400 | 79 |
| REAR | 173 | 1222 | 0 | 0 |
| LEFT PVT | 0 | 873 | 13 | 0 |
| LEFT PUB | 0 | 679 | 207 | 0 |
| RIGHT PVT | 0 | 873 | 13 | 0 |
| RIGHT PUB | 0 | 679 | 207 | 0 |

TOTALS

| BUILDING TYPE | FINISH MATERIALS SQUARE FOOTAGE | | | |
|---|---|---|---|---|
| LEFT PUB RIGHT PVT | 220 | 4856 | 1620 | 79 |
| LEFT PVT RIGHT PUB | 220 | 4856 | 1620 | 79 |
| BOTH PUBLIC | 220 | 4662 | 1814 | 79 |
| BOTH PRIVATE | 220 | 5050 | 1426 | 79 |

| | FINISH MATERIALS PERCENTAGES | | |
|---|---|---|---|
| | SIDING | MASONRY | STUCCO BD |
| LEFT PUB RIGHT PVT | 3.25% | 95.59% | 1.17% |
| LEFT PVT RIGHT PUB | 3.25% | 95.59% | 1.17% |
| BOTH PUBLIC | 3.25% | 95.59% | 1.17% |
| BOTH PRIVATE | 3.25% | 95.59% | 1.17% |




01 Front Elevation - Bldg 7 - 5 Plex

Lake Ridge Townhomes

CB JENI HOMES

CB JENI Lifestyle Homes

BUILDING 7 EXTERIOR ELEVATIONS

AB7.04

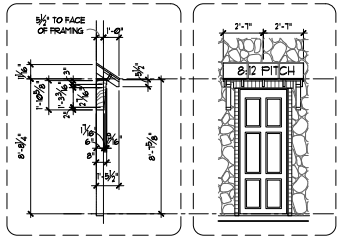
Project Case # S210101 Lake Ridge Townhomes

| Owner: | Developer/Architect |
|---|---|
| Alluvium Development | CB JENI Homes |
| 2415 Somerfield Drive | 2805 N. Dallas Pwy Ste 400 |
| Midlothian, TX 76065 | Plano, TX 75093 |



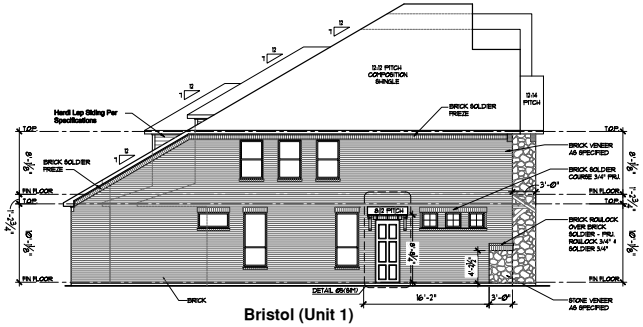
## EXTERIOR ELEVATION NOTES

1. GRADE CONDITIONS MAY VARY FOR INDIVIDUAL SITE FROM THAT SHOWN. BUILDER SHALL VERIFY AND COORDINATE PER ACTUAL SITE CONDITIONS.
2. PROVIDE ROOF AND SOFFIT VENTS AS REGULATED BY CODE.
3. TYPICAL WINDOW HEIGHTS TO BE 5'-0". REFER UNIT PLANS.
4. PROJECT AND SLOPE ALL BRICK SILLS, ROWLOCKS, AND SOLDERS.

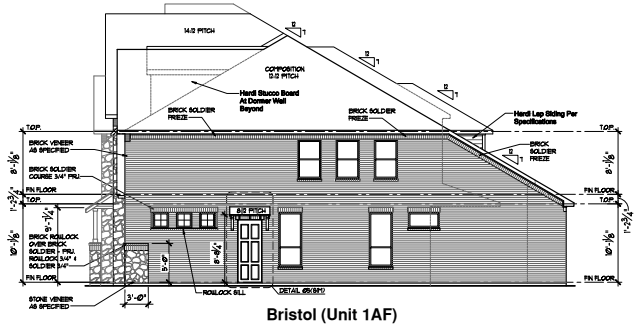



NOTE: SEE DETAIL Ø4/AD1Ø1

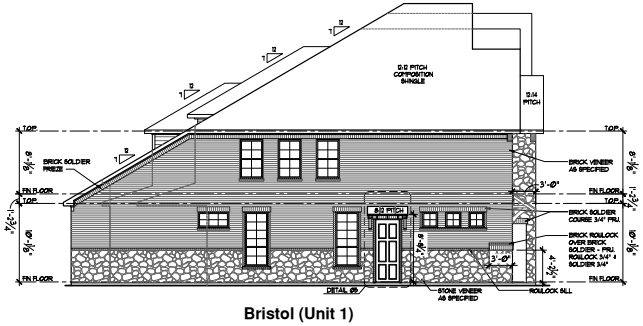
**05 ENTRY ROOF DETAIL**



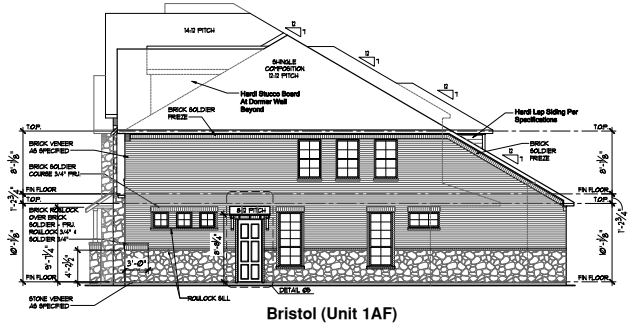

**Bristol (Unit 1)**
**Private End**
**04 Left Elevation - Bldg 7 - 5 Plex**




**Bristol (Unit 1AF)**
**Private End**
**03 Right Elevation - Bldg 7 - 5 Plex**




**Bristol (Unit 1)**
**Public End**
**02 Left Elevation - Bldg 7 - 5 Plex**




**Bristol (Unit 1AF)**
**Public End**
**01 Right Elevation - Bldg 7 - 5 Plex**

**EXTERIOR FINISH MATERIALS**

SQUARE FOOTAGES

| ELEVATION | SIDING | BRICK | STONE | STUCCO BD |
|---|---|---|---|---|
| FRONT | 47 | 2080 | 1400 | 79 |
| REAR | 173 | 1222 | 0 | 0 |
| LEFT PVT | 0 | 873 | 13 | 0 |
| LEFT PUB | 0 | 679 | 207 | 0 |
| RIGHT PVT | 0 | 873 | 13 | 0 |
| RIGHT PUB | 0 | 679 | 207 | 0 |

TOTALS

| BUILDING TYPE | FINISH MATERIALS SQUARE FOOTAGE | | | |
|---|---|---|---|---|
| LEFT PUB RIGHT PVT | 220 | 4854 | 1620 | 79 |
| LEFT PVT RIGHT PUB | 220 | 4854 | 1620 | 79 |
| BOTH PUBLIC | 220 | 4660 | 1814 | 79 |
| BOTH PRIVATE | 220 | 5048 | 1426 | 79 |

| | FINISH MATERIALS PERCENTAGES | | |
|---|---|---|---|
| | SIDING | MASONRY | STUCCO BD |
| LEFT PUB RIGHT PVT | 3.25% | 95.59% | 1.17% |
| LEFT PVT RIGHT PUB | 3.25% | 95.59% | 1.17% |
| BOTH PUBLIC | 3.25% | 95.59% | 1.17% |
| BOTH PRIVATE | 3.25% | 95.59% | 1.17% |

ISSUE DATE: 01/29/18

REVISIONS
07/16/18 10/01/18
02/05/18 02/04/19
02/19/18 04/10/19
04/04/18
04/24/18
05/01/18
06/01/18
06/14/18

# Lake Ridge Townhomes

## CB JENI HOMES

CB JENI Lifestyle Homes

BUILDING 7 EXTERIOR ELEVATIONS

**AB7.05**

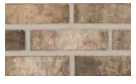
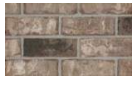
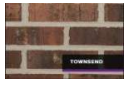
Project Case # S210101 Lake Ridge Townhomes

Owner:
Alluvium Development
2415 Somerfield Drive
Midlothian, TX 76065

Developer/Architect
CB JENI Homes
2805 N. Dallas Pwy Ste 400
Plano, TX 75093

**Exhibit D - Building Elevations**
**Page 7 of 8**

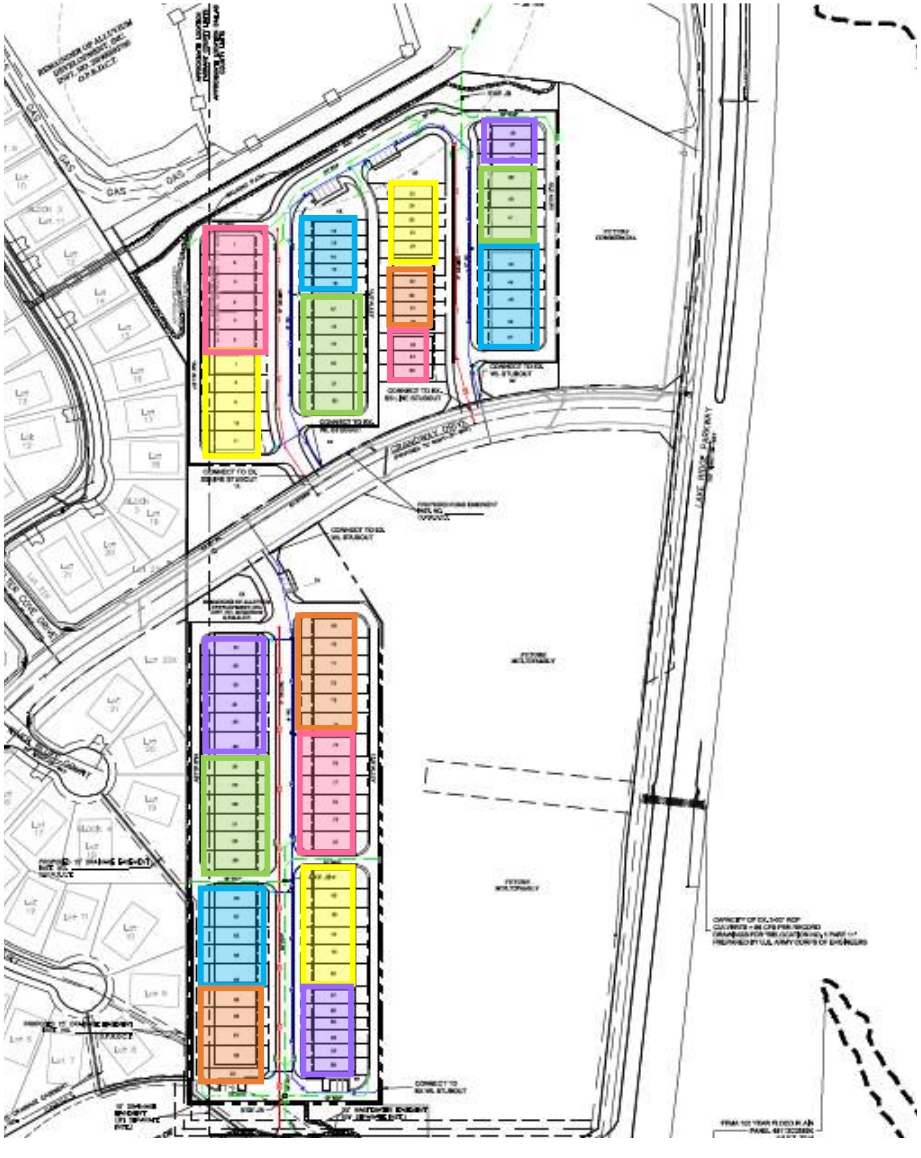


| | Scheme 1 | Scheme 2 | Scheme 3 | Scheme 4 | Scheme 5 | Scheme 6 |
|---|---|---|---|---|---|---|
| **Brick (Triangle)** | Knob Hill - Triangle | Smokey Mountain - Magnum | Cobblestone - Claymex |  Porter - Triangle |  Country Hill - Claymex |  Townsend - Triangle |
| **Stone (Alliance Materials)** | Granbury Rip Rap | Granbury Chopped | Lueders Chopped | Austin Chalk Chopped | Lueders Chopped | Milsap Chopped |
| **Siding / Stucco Board Paint Color (Sherwin Williams)** | SW 7029 Agreeable Gray Interior / Exterior SW 7029 Agreeable Gray | SW 7037 Balanced Beige Interior / Exterior SW 7037 Balanced Beige | SW 7045 Intellectual Gray Interior / Exterior SW 7045 Intellectual Gray | SW 7036 Accessible Beige Interior / Exterior SW 7036 Accessible Beige | SW 7029 Agreeable Gray Interior / Exterior SW 7029 Agreeable Gray | SW 7027 Well-Bred Brown Interior / Exterior SW 7027 Well Bred Brown |
| **Fascia, Trim, Batens, Columns Paint Color** | SW 7029 Agreeable Gray Interior / Exterior SW 7029 Agreeable Gray | SW 7743 Mountain Road Interior / Exterior SW 7743 Mountain Road | SW 7069 Iron Ore Interior / Exterior SW 7069 Iron Ore | SW 7036 Accessible Beige Interior / Exterior SW 7036 Accessible Beige | SW 7042 Shoji White Interior / Exterior SW 7042 Shoji White | SW 7514 Foothills Interior / Exterior SW 7514 Foothills |
| **Wood Solid Body Stain Color (Shutters, Vents, Corbels)** | SW 7074 Software Interior / Exterior SW 7074 Software | SW 7743 Mountain Road Interior / Exterior SW 7743 Mountain Road | SW 7069 Iron Ore Interior / Exterior SW 7069 Iron Ore | SW 7504 Keystone Gray Interior / Exterior SW 7504 Keystone Gray | SW 7042 Shoji White Interior / Exterior SW 7042 Shoji White | SW 7514 Foothills Interior / Exterior SW 7514 Foothills |
| **Mortar** | Buff | Buff | Buff | Buff | Buff | Buff |
| **Window Frame Color** | Clay | Clay | Clay | Clay | Clay | Clay |
| **Composition Shingles - Roof** | **Rustic Black** | **Weathered Wood** | **Rustic Black** | **Natural Timber** | **Rustic Black** | **Rustic Black** |
| **Metal Roof** | Charcoal | Medium Bronze | Charcoal | Dark Bronze | Matte Black | Medium Bronze |
| **Front Stain Color (Sherwin Williams)** | SW 7074 Software (Paint) | Minwax Gel Stain: Coffee | Minwax Gel Stain: Black | Minwax Gel Stain: Black | Minwax Gel Stain: Black | Minwax Gel Stain: Coffee |
| **Garage Door Paint Color (Sherwin Williams)** | SW 7074 Software Interior / Exterior SW 7074 Software | SW 7743 Mountain Road Interior / Exterior SW 7743 Mountain Road | SW 7069 Iron Ore Interior / Exterior SW 7069 Iron Ore | SW 7504 Keystone Gray Interior / Exterior SW 7504 Keystone Gray | SW 7029 Agreeable Gray Interior / Exterior SW 7029 Agreeable Gray | SW 7514 Foothills Interior / Exterior SW 7514 Foothills |

Project Case # S210101 Lake Ridge Townhomes

Owner:
Alluvium Development
2415 Somerfield Drive
Midlothian, TX 76065

Developer/Architect
CB JENI Homes
2805 N. Dallas Pwy Ste 400
Plano, TX 75093



**REGULAR PLANNING AND ZONING COMMISSION**
**MEETING MINUTES**
**JANUARY 11, 2021**

COMMISSIONERS PRESENT: Vice-Chairperson Bill Moser, Secretary Cheryl Smith, and Commissioners, Julia Perez, Max Coleman, Josh Spare, John Fedorko.

COMMISSIONERS ABSENT: Chairperson Shawn Connor, Eric Hedin, Warren Landrum

CITY STAFF PRESENT: Deputy City Manager Bill Hills, Rashad Jackson, Planning and Development Director, Savannah Ware, Chief City Planner, Charles Lee, Senior Planner, Dana Woods, Senior Planner, Jonathan Tooley, Planner, Tiffany Bull, Legal Services, Brett Huntsman, Transportation Planner, Monica Espinoza, Executive Assistant, Enviormental Services Manager, Cindy Mendez.

Assistant Attorney Tiffany Bull called the briefing to order by Video Conference at 5:34 p.m.

**AGENDA REVIEW #1** S210101 - Site Plan - Lake Ridge Townhomes (City Council District 4). Planner Jonathan Tooley presented the case report and gave a Power Point presentation for a Site Plan for a single family townhome development with 92 units on 13.5 acres. Tracts 1 and 1A, William Linn Survey, Abstract No. 926, City of Grand Prairie, Dallas County and Tarrant County, Texas, zoned PD-384A, within the Lake Ridge Corridor Overlay District, and generally located west of Lake Ridge Pkwy and south of Hanger Lowe Rd.

Commissioner Spare asked at 3,300 square feet, does it mean these units don't have backyards? Mr. Tooley stated they do have small backyards. Mr. Spare asked what is the square footage of the units that are not meeting the 3,300 sq. ft requirement. Mr. Tooley stated it's between 2,000-3,000 sq. ft. Mr. Spare stated they are far from the 3,300 sq. ft requirement and asked if the city is just bending to their will. Mr. Tooley stated this was proposed the same way during the Concept Plan. Mr. Spare asked why staff is not worried about the size of the lots. Chief City Planner, Savannah Ware stated the concept plan approved back in 2018 showed these lot size and it was confirmed that the depth and lot width were met but they did not have the tabulations on this and the way planned development and concept plan was approved it is consistent with the site plan. Planning and Development Director, Rashad Jackson stated the concept plan is noted the minimal lot size can be 2,100 sq. ft and the planned development also states Appendix W should be followed. Mr. Tooley stated the smallest lot is 2,200 sq. ft. 15 lots 2,200 sq. ft, 12 lots 2,754 sq. ft, 41 lots 3,000 sq. ft and 24 lost 3,060 sq. ft.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

**At 5:43 p.m. Commissioner Landrum was present at the meeting.**

**ITEM #2-** SU150803C - Specific Use Permit Renewal - Three Bears Tire Commercial Truck Parking at 3223 E. Main St. (City Council District 5). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a Renewal/Revocation of a Specific Use Permit (SUP-972A) for a Commercial Truck Parking Lot. Lot 7, Block 1, Allbritton Associates Addition, City of Grand Prairie, Dallas County, Texas, zoned LI, within Central Business District No. 4, and addressed as 3223 E Main St.

Vice Chairperson Moser asked if the property is owned or rented. Ms. Ware stated they own the property.

Commissioner Smith asked if the owner is being fined for not meeting the requirements of the SUP. Ms. Ware stated they are fined when they are issued citations. Ms. Smith asked what is plan b when the staff cannot get in connect with the owners. Ms. Ware stated Plan B is to hand deliver a letter because they have called all the phone numbers available in their files and emailed all the email addresses with no response.

Vice Chairperson Moser asked if citations have been paid. Environmental Services Manager, Cindy Mendez stated the owner has paid over $6,700 in citations and they have been plea deals or no contest. Most charges are between $324 and $756 for each and he has been paying the window fines.

Commissioner Perez asked if there have been citations since 2017 and the commission has been approving the SUP renewal even though violations have been going on. Ms. Ware stated the SUP was renewed in 2018 and was placed on the consent agenda and doesn't understand why if they weren't in compliance then but that is why they are here today, to get them in compliance or revoke their SUP.

Vice Chairperson Moser asked how often the SUP renewal comes up. Ms. Ware stated it depends if it is still in the early stages of the SUP a lot of the times, they have that one-year language. Once it has a CO or it has been constructed the staff will bring them back in a year to review and they will not come back unless there are issues and citations would trigger that review. Mr. Moser asked when did the owner get the original SUP. Ms. Ware stated it was in 2015 and in 2016 they still weren't operating so the renewal was granted. Mr. Moser asked if staff sent them notifications and if owners responded. Ms. Ware stated that is correct and she had a teams meeting with the applicant the morning of the P&Z hearing and walked him through the staff's recommendations, issues and also sent him the link for the public hearing.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

**ITEM #3 -** Z201202/CP201201 - Zoning Change/Concept Plan - The Lofts at Grand Prairie (City Council District 4). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan to rezone 26.3 acres from A to a Planned Development District for Multi-Family Use. Tract 6A A 43 TRS 6A & 6A01 & 6B, James C. Armstrong Survey, Abstract No. 43, City of Grand Prairie, Tarrant County, Texas, zoned A, and addressed as 931 N Day Miar Rd.

Commissioner Smith asked why put apartments in the middle of a gas well. Ms. Ware stated the applicant will be available to answer this question.

Vice Chairperson Moser asked if the people who sent the letter of opposition own their land. Ms. Ware stated that is correct. Mr. Moser asked what the zoning on this property is. Ms. Ware stated the property is zoned agricultural and the FLUM has it designated for Mixed Use. Mr. Moser asked if they could build a house on it and it be conforming under the agricultural zoning. Ms. Ware stated correct.

Commissioner Smith stated she agrees with Mr. Moser being a safety issue to build around the gas well.

**ITEM #4-** Z210102/CP210102 - Zoning Change/Concept Plan – The Royalton at Grand Prairie Phase 2 (City Council District 2). Planner Jonathan Tooley presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan for a 204-unit multi-family development on 9.2 acres. Tract 2.1, Frederick Dohme Survey, Abstract No. 395, City of Grand Prairie, Dallas County, Texas, zoned PD-294, within the SH-161 and IH-20 Corridor Overlay Districts, located at the southwest corner of SH 161 and Forum Dr, and addressed as 1705 S Forum Drive.

Commissioner Spare thanked the planning department for their recommendation and sticking to the guidelines.

**ITEM #5-** COVID Meeting Procedures

Planning and Development Director Rashad Jackson stated until further notice meetings will remain via zoom.

Vice Chairperson Moser had a question about a disclosure on the agenda and Assistant Attorney Tiffany Bull stated the item cannot be discussed.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

Commissioner Smith thanked the staff for continuing to protect the staff during COVID and believes zoom meetings are the best thing right now.

COMMISSIONERS PRESENT: Vice-Chairperson Bill Moser, Secretary Cheryl Smith, and Commissioners, Julia Perez, Max Coleman, Josh Spare, Warren Landrum, John Fedorko.

COMMISSIONERS ABSENT: Chairperson Shawn Connor, Eric Hedin

CITY STAFF PRESENT: Deputy City Manager Bill Hills, Rashad Jackson, Planning and Development Director, Savannah Ware, Chief City Planner, Charles Lee, Senior Planner, Dana Woods, Senior Planner, Jonathan Tooley, Planner, Tiffany Bull, Legal Services, Brett Huntsman, Transportation Planner, Monica Espinoza, Executive Assistant, Enviormental Services Manager, Cindy Mendez, Code Enforcement Officer, Philip Curtis.

Vice Chairperson Bill Moser called the meeting to order by Video Conference at 6:36 p.m. and Commissioner Moser gave the invocation, and Commissioner Landrum led the pledge of allegiance to the US Flag, and the Texas Flag.

Citizen Comments: None

AGENDA ITEM: #1 - APPROVAL OF MINUTES: To approve the minutes of the Planning and Zoning Commission meeting of December 14, 2020.

Item #2- APPROVAL OF AMENDED MINUTES: To approve the amended minutes of the Planning and Zoning Commission meeting of November 23, 2020.

CONSENT PUBLIC HEARING AGENDA Item #3- P210101 - Final Plat - Jai Addition, Lots 1-3, Block 1 (City Council District 4). Final Plat of Lots 1, 2, and 3, Block 1, Jai Addition, creating three non-residential lots on 3.915 acres. Tracts 2C05 and 2C05A, John W. Harwood Survey, Abstract No. 661, City of Grand Prairie, Tarrant County, Texas, zoned PD-130, located at the northwest corner of W Camp Wisdom Rd and Lynn Rd, and addressed as 2800 W Camp Wisdom Rd.

Item #4 – P210102 - Preliminary Plat - Landmark at the Grove Addition, Lot 1, Block 1 (City Council District 1). Preliminary Plat of Lot 1, Block 1, Landmark at the Grove Addition, creating one non-residential lot on 11.99 acres. Tracts 16 and 16.3, John Spoon Survey, Abstract No. 1326, City of Grand Prairie, Dallas County, Texas, zoned LI, within the SH-161 Corridor Overlay District, and addressed as 804 and 810 W Shady Grove Rd.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

Item #5- P210103 - Final Plat - Landmark at the Grove Addition, Lot 1, Block 1 (City Council District 1). Final Plat of Lot 1, Block 1, Landmark at the Grove Addition, creating one non-residential lot on 11.99 acres. Tracts 16 and 16.3, John Spoon Survey, Abstract No. 1326, City of Grand Prairie, Dallas County, Texas, zoned LI, within the SH-161 Corridor Overlay District, and addressed as 804 and 810 W Shady Grove Rd.

Item #6- P201201 - Preliminary Plat - MacArthur Grand Logistics Center (City Council District 1). Preliminary Plat for Lots 1-3, Block 1, MacArthur Grand Logistics Center, creating three lots on 187.141 acres. 187.141 acres situated in the I. Jennings Survey, Abstract No. 679, City of Grand Prairie, Dallas County, Texas, zoned PD-10 and LI, within the IH-30 Corridor Overlay District, and generally located southwest of Hunter Ferrell Road and MacArthur Boulevard.

Commissioner Smith moved to approve the minutes, amended minutes, cases P210101, P210102, P210103, and P201201.

Motion: Smith
Second: Coleman
Ayes: Moser, Smith, Spare, Coleman, Perez Landrum, Fedorko
Nays: none
**Vote: 7-0**
Motion: **carried.**

ITEM FOR INDIVIDUAL CONSIDREATION: Item # 7 S210101 - Site Plan - Lake Ridge Townhomes (City Council District 4). Planner Jonathan Tooley presented the case report and gave a Power Point presentation for a Site Plan for a single family townhome development with 92 units on 13.5 acres. Tracts 1 and 1A, William Linn Survey, Abstract No. 926, City of Grand Prairie, Dallas County and Tarrant County, Texas, zoned PD-384A, within the Lake Ridge Corridor Overlay District, and generally located west of Lake Ridge Pkwy and south of Hanger Lowe Rd.

Mr. Tooley stated the applicant intends to construct a single-family townhouse development of 92 units on 13.5 acres. Any townhome development or development in a planned development district or overlay district requires City Council approval of a Site Plan. Development at this location requires site plan approval by City Council because the property is for townhome use, zoned PD-384A, and within the Lake Ridge Corridor Overlay District. The 92-unit single family townhome development, north and south, will be accessible from the proposed extension of Grandway Drive, which is currently under construction. The Site Plan depicts a combination of

three, four, five and six-plex style townhomes, along with internal green spaces, walking trails, and centrally located mailboxes. The northern portion has two connections to Grandway Drive, while the southern portion will have one entrance with a dead-end hammerhead. All garages are rear entry and have access to 15 ft. alleyways. Parking will not be allowed on the street, but each unit will have tandem parking along with parking spaces on common lots.

The applicant is requesting the following variance:

1. Variance to the requirement of at least 70 percent of the lots comprising of a minimum area of 3,300 square feet: The base zoning of Single-Family Townhouse requires that 70 percent of the lots be at least 3,300 square feet in area. The applicant is providing approximately 26 percent, which is in substantial conformance to the concept plan approved during the zoning stage.

The Development Review Committee (DRC) recommends approval.

Steve Schermerhom, 8430 Fair Oaks Frisco TX. 75033 75240 stepped forward and represented the case.

**At 6:55 p.m. Chairperson Connor was present at the meeting.**

There being no further discussion on the case commissioner Smith moved to close the public hearing and approve case S210101 per staff recommendations.

The action and vote recorded as follows:

Motion: Smith
Second: Landrum
Ayes: Moser, Smith, Spare, Coleman, Perez Landrum, Fedorko, Connor
Nays: none
**Vote: 8-0**
Motion: **carried.**

PUBLIC HEARING AGENDA ITEM # 8- SU150803C - Specific Use Permit Renewal - Three Bears Tire Commercial Truck Parking at 3223 E. Main St. (City Council District 5). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

Renewal/Revocation of a Specific Use Permit (SUP-972A) for a Commercial Truck Parking Lot. Lot 7, Block 1, Allbritton Associates Addition, City of Grand Prairie, Dallas County, Texas, zoned LI, within Central Business District No. 4, and addressed as 3223 E Main St.

Ms. Ware stated the purpose of this request is to review the Commercial Truck Parking Lot located at 3223 E Main Street for compliance with Specific Use Permit conditions and all applicable ordinances, codes, and regulations. Specific Use Permits may be revoked for failing to comply with conditions of approval set by City Council. The purpose of the Specific Use Permit process is to identify those uses which might be appropriate within a zoning district, but due to either their location, functional or operational nature, could have a potentially negative impact upon surrounding properties; and to provide for a procedure where by such uses might be permitted by further restricting or conditioning them so as to eliminate such probable negative impacts. The City Council may, in the interest of the public welfare and to assure compliance with this ordinance, establish conditions of operation, location, arrangement and construction of any authorized special use. In approving any specific use, the City Council may impose such development standards and safeguards as conditions warrant for the welfare and protection of adjacent properties, and citizenry as a whole as it may be affected by this use. 76 Item8. Page 2 of 3 It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted. Given the established history of compliance issues, the number of citations issued, and the failure of the applicant to make the improvements to the property required by the original Specific Use Permit approved in 2015, staff recommends that the Specific Use Permit be revoked.

Commissioner Landrum stated based on the number of violations since 2018 he believes SUP needs to be revoked because it seems like they are willing to just pay fines and keep going on as they are.

Commissioner Perez asked how staff was trying to communicate with owner and if staff had the wrong phone number. Ms. Ware stated the email address in which the owner contacted her from was different from the ones we had on file and she did set up a Teams meeting with the owner this morning and walked him through the staff report and staff's recommendation.

Commissioner Moser stated he is not sure how Mr. Rodriguez didn't know about the hearing if he has been paying fines and wants to see what owner has to say.

Gerardo Rodriguez, 6607 Sheerwater Rd. Arlington TX. 76002, 75240 stepped forward and represented the case, he stated he never received any letters, but he did find out where some mail was delivered to the wrong address, which is why he never knew about the review.

Assistant Attorney Tiffany Bull stated if the commissioners believe owner didn't receive any notifications about the hearing and wish to give him more time to prepare for the hearing of January 25th, you can.

Chairperson Connor asked with all the contact the city has had with him about the violations, why hasn't any of the improvements been done because it seems like they are ignoring it. Mr. Rodriguez stated they aren't ignoring it. He goes down there once every week or so and keeps it clean. Mr. Connor listed a few of the violations the owner received and stated it seems like he just pays the fines and ignores following SUP's regulations/requirements. Mr. Rodriguez stated he is not trying to pay fines. Mr. Connor stated he hasn't answered his question as to why he hasn't made the improvements. Mr. Rodriguez stated he is not ignoring the citations and he takes them seriously.

Commissioner Fedorko stated he claims he didn't get notice of the hearing, but he has been paying the violations but asked if he knew the conditions of his SUP. Mr. Rodriguez stated yes. Mr. Fedorko asked by knowing the conditions of his SUP is it ok to agree that very few of those conditions have been met. Mr. Rodriguez stated yes, he agrees. Mr. Fedorko stated he wants to try to help him because they want Main St. to have viable operating businesses and asked why the conditions haven't been met. Mr. Rodriguez stated he has been going through some tough times this past year,with having a lot of injuries and it has hindered him from being able to be on top of things like he should be and also due to the stress of the pandemic.

Commissioner Moser stated his SUP was approved in 2015 before the pandemic and the requirements they are talking about are the requirements in the SUP in 2015 and went on to state some of those requirements. He agrees with commissioner Fedorko he loves small businesses to succeed but it seems like he is ignoring the requirements.

Commissioner Smith asked what his plan would be if they approved the SUP and to include a timeline. Mr. Rodriguez stated he would do the striping and fence within 30 days. Ms. Smith stated it would be up to the entire commission to decide.

Commissioner Perez stated not having a fire hydrate on the property is concerning because of safety concerns and has had 5 years to get it done. Mr. Rodriguez stated there is one across the street.

Commissioner Spare agrees with Commissioner Landrum. He went on to state he would want to pull the SUP until council and get from the owner contracts for the striping, fencing, etc. to prove to the council members he is taking it seriously.

Chairperson Connor stated looking at it, a lot of the violations are minor, and it seems like the owner doesn't care to fix it.

Commissioner Fedorko agrees with commissioner Connor.

Commissioner Moser stated if the applicant would like to have some extra time to prepare for a hearing or continue the hearing today. We can have a motion to table until the next Planning a Zoning Hearing and give him 2 weeks to formulate a plan.

Assistant Attorney Tiffany Bull stated she thinks the commission should take into consideration whether Mr. Rodriguez feels he had enough time to prepare for this hearing since he indicated he only received notice this weekend.

Commissioner Moser asked Mr. Rodriguez if he would like to table it and get an additional two weeks to formulate a plan. Mr. Rodriguez stated he would appreciate the two weeks.

Commissioner Spare stated in two weeks he would like to see a signed contract for relining, new fencing, and would like to see some cleaning done on the property and the plan. Mr. Rodriguez stated yes sir.

Commissioner Smith asked if we could get clarification about the file hydrate. Code Compliance Officer Philip Curtis stated that requirement was placed by the fire marshal's office and typically when a depth of a property is over 150 ft it is required to have a fire hydrate on property. Mr. Moser stated they will get clarification from fire marshal before the next meeting.

Chief City Planner Savannah Ware stated the next Planning and Zoning Meeting is on January 25th and the packet goes out January 22nd, which means if the commissioners would make a motion requiring the applicant to submit an operational action plan then we would need it by January 20th at noon. Mr. Rodriguez asked who he would submit his operational action plan to. Ms. Ware stated he can coordinate with her.

There being no further discussion on the case commissioner Spare moved to close the public hearing and revoke SUP on case SU150803C per staff recommendations.

The action and vote recorded as follows:

Motion: Spare
Second: Connor
Ayes: Spare, Connor, Landrum, Moser
Nays: Smith, Fedorko, Coleman, Perez
**Vote: 4-4**

Motion: **Failed**

There being no further discussion on the case commissioner Smith moved to close the public hearing and table case SU150803C to the next meeting January 25, 2021 with recommendation that the owner prepare an action plan to bring property into compliance and submit by noon on January 20, 2021.

Commissioner Spare amended the motion with the approval of Commissioners Smith and Perez to include the recommendation that the owner also provide signed contracts with a fencing company and a stripping company and show a receipt that he paid or did himself the cleaning of the oil stains.

The action and vote recorded as follows:

Motion: Smith
Second: Perez
Ayes: Spare, Connor, Moser, Fedorko, Smith, Coleman, Perez
Nays: none
Abstaining: Landrum
**Vote: 7-0-1**
Motion: **Carried**

PUBLIC HEARING AGENDA ITEM # 9- Z201202/CP201201 - Zoning Change/Concept Plan - The Lofts at Grand Prairie (City Council District 4). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan to rezone 26.3 acres from A to a Planned Development District for Multi-Family Use. Tract 6A A 43 TRS 6A & 6A01 & 6B, James C. Armstrong Survey, Abstract No. 43, City of Grand Prairie, Tarrant County, Texas, zoned A, and addressed as 931 N Day Miar Rd.

Ms. Ware stated the purpose of the request is to rezone the property from Agriculture to a Planned Development District for Multi-Family Use. The applicant is proposing multi-family use. The Concept Plan depicts 676 units in two buildings. The site is accessible from two points on Day Miar Rd. An active gas well is located at the center of the 26.3-acre property and will remain in production. The access point and drive for the gas well will be separate from the multi-family development so that traffic generated by the two uses will not mix. Day Miar Rd is an unimproved, one-lane road and is classified as a local street. Day Miar Rd dead-ends southeast of the subject

property and is the only roadway connection to the property. The applicant will be required to improve and widen the segment of the street along the subject property. As part of this request, the applicant conducted a Traffic Impact Analysis (TIA) to identify traffic generation characteristics and potential impacts on the local street system. The TIA states that the proposed development can be successfully incorporated into the surrounding roadway network without substantial negative impacts to any adjacent intersection or roadway. The Concept Plan includes a clubhouse, landscaped courtyard, and pool for each building. Other amenities include a dog park, pickle ball courts, a gazebo, and basketball court.

The applicant is requesting the following variances:

1. Maximum Percentage of One-Bedroom Units – Appendix W allows one-bedroom units to account for up to 60% of the total units. The applicant is proposing that one-bedroom units account for 68% of the total units.
2. Rear Setback – Appendix W requires that the rear setback be at least 45 ft. plus 1 ft. for every ft. of building height over 35 ft. For a building that is 60 ft. in height, the UDC requires a rear setback of 70 ft. The applicant is proposing a rear setback of 45 ft.
3. Side Setbacks – Appendix W requires that interior side setbacks be at least 45 ft. plus 1 ft. for every ft. of building height over 35 ft. For a building that is 60 ft. in height, the UDC requires a side setback of 70 ft. The applicant is proposing side setbacks of 30 ft.
4. Setback for Garages/Carports – The UDC requires a 3 ft. setback for accessory structures. The applicant is proposing a setback of zero ft. for the garages and carports.
5. Garage Parking Spaces – Appendix W requires that garage parking spaces account for 30% of the total required parking spaces. The applicant is proposing that garages account for 15% of the total required parking spaces.
6. Carport Parking Spaces – Appendix W requires that carport parking spaces account for 20% of the total required parking spaces. The applicant is proposing that garages account for 10% of the total required parking spaces.
7. Carport Supports – Appendix W requires that carport supports be encased in masonry. The applicant is proposing carport supports without the masonry encasement.

Staff is unable to recommend approval of the request because it conflicts with the FLUM and includes a significant number of variances.

Commissioners discussed the safety concerns about building apartments around a gas wall and asked what other uses a better fit on this parcel are.

Commissioner Coleman asked if gas well is active. Ms. Ware stated it is a producing gas well.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

**Break at 8:07 pm and reconvened at 8:15 pm**

Robert Weinstein, 495 Broadway 7th Floor New York NY 10002 stepped forward and represented the case and gave a Power Point presentation.

Commissioner Smith asked what the cost per unit for rent is. Mr. Weinstein stated one bedroom: $900-$1200, two bedrooms: $1,500-$1,800.

Commissioner Fedorko asked if they have had any discussions with fire dept about being so close to a gas well. Mr. Weinstein stated they had a DRC meeting and the fire dept was in attendance and made some changes with the comments they were given.

Commissioner Moser stated he understood you can't have commercial construction within 300 ft and residential within 600 ft and asked is that correct. Mr. Jackson stated per environmental comments given to them it is 300 ft for residential.

Maxwell Fisher, Master Plan Texas, 2201 Main St Suit 1280 Dallas TX 75201, stepped forward and represented the case, he stated mixed use wouldn't work on this parcel because of the lack of traffic. He gave examples of other developments that were built around well heads.

**A letter of opposition was submitted by the Longneckers.**

There being no further discussion on the case commissioner Spare moved to close the public hearing and deny case Z201202/CP201201 per staff recommendations.

The action and vote recorded as follows:

Motion: Spare
Second: Smith
Ayes: Moser, Smith, Spare, Perez Landrum, Fedorko, Connor
Nays: Coleman
**Vote: 7-1**
Motion: **carried**

PUBLIC HEARING AGENDA ITEM # 10- Z210102/CP210102 - Zoning Change/Concept Plan – The Royalton at Grand Prairie Phase 2 (City Council District 2). Planner Jonathan

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

Tooley presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan for a 204-unit multi-family development on 9.2 acres. Tract 2.1, Frederick Dohme Survey, Abstract No. 395, City of Grand Prairie, Dallas County, Texas, zoned PD-294, within the SH-161 and IH-20 Corridor Overlay Districts, located at the southwest corner of SH 161 and Forum Dr, and addressed as 1705 S Forum Drive.

Mr. Tooley stated the purpose of the request is to rezone the subject property to a Planned Development District to facilitate a multi-family development on 9.2 acres. The subject property is currently zoned PD-294 for General Retail uses. The Concept Plan depicts five, three-story apartment buildings with a large clubhouse and leasing office while providing internal walking trails buffered from the surrounding streets. All access points are located along Forum Rd and will not disturb existing turn lanes or transitions at SH 161. There is an existing access easement that runs along the Forum frontage, providing adequate access to the property. The proposed amenities include fully equipped fitness center, spin/yoga center, community gathering spaces, pool area, pergola with a seating area and grill. The applicant is not requesting any variances.

While the FLUM designates this area as High Density Residential, the 161 Focus Area Map, which delves deeper into the preferences for this area, shows the area as Commercial/Retail/Office. The focus area vision is to create a rich commercial district and recreation destination through high quality entertainment and commercial venues and retail services. Since the proposal is inconsistent with the area vision, staff is unable to support the request as presented.

Commissioner Fedorko stated the FLUM and the 161 Focus Area Map contradicts one another and asked why. Planning and Development Director Rashad Jackson stated when the FLUM was established and they built deeper into this focus area a portion of the FLUM should have been updated and at a minimum the applicant should propose a submittal that mixes the two but try to keep hard corner as commercial. Mr. Moser stated the 161 Focus Area Map came after the FLUM.

Commissioner Spare stated he has been trying to protect 161 for a long time and believes apartments will ruin our city.

Commissioner Connor stated he agrees with commissioner Spare and stated there are too many apartments based on the Multi-Family Development Map.

Commissioner Spare asked can an updated map be presented to the board each time cases for apartments comes before them. Ms. Ware stated yes.

Commissioner Smith stated she agrees with commissioners Spare and Fedorko about the updated map.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

Mr. Jackson stated the staff was asked to make a total assessment and present it to the CCDC meeting and it is currently on the agenda for the meeting taking place January 12, 2021.

Commissioner Moser stated to bring up the concerns on their behalf to the board members.

Spencer Byington, 5600 South FM 148 Kaufman TX stepped forward and represented the case and gave a presentation.

Commissioner Connor stated he doesn't want to see another gas station or apartments and there are so many other viable options available for retail.

Commissioner Spare stated if retails don't come about, he would rather see a warehouse.

Commissioner Smith agreed with commissioners Connor and Spare.

There being no further discussion on the case commissioner Smith moved to close the public hearing and deny case Z210102/CP210102 per staff recommendations.

The action and vote recorded as follows:

Motion: Smith
Second: Spare
Ayes: Moser, Smith, Spare, Perez Landrum, Fedorko, Connor, Coleman
Nays: none
**Vote: 8-0**
Motion: **carried**

Commissioner Connor moved to adjourn the meeting. The meeting adjourned at 9:42 p.m.

_____
Shawn Connor, Chairperson

ATTEST:

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

_____
Cheryl Smith, Secretary

An audio recording of this meeting is available on request at 972-237-8255.

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 01/25/2021

**REQUESTER:** Monica Espinoza. Executive Assistant

**PRESENTER:** Savannah Ware, AICP, Chief City Planner

**TITLE:** MTP201201 – Master Thoroughfare Plan Amendment – Westchester Pkwy and Westcliff Rd (Council District 6). Amendments to the Master Thoroughfare Plan to reclassify the segment of Westchester Pkwy extending east from Dechman to the City Limits from a P4D to a M4U and to reclassify the segment of Westcliff Rd extending from the I-20 EB Frontage Road to E Bardin Rd from a M3U to a M4U.

**RECOMMENDED ACTION:** Approve

**SUMMARY:**

Amendments to the Master Thoroughfare Plan to reclassify the segment of Westchester Pkwy extending east from Dechman to the City Limits from a P4D to a M4U and to reclassify the segment of Westcliff Rd extending from the I-20 EB Frontage Road to E Bardin Rd from a M3U to a M4U.

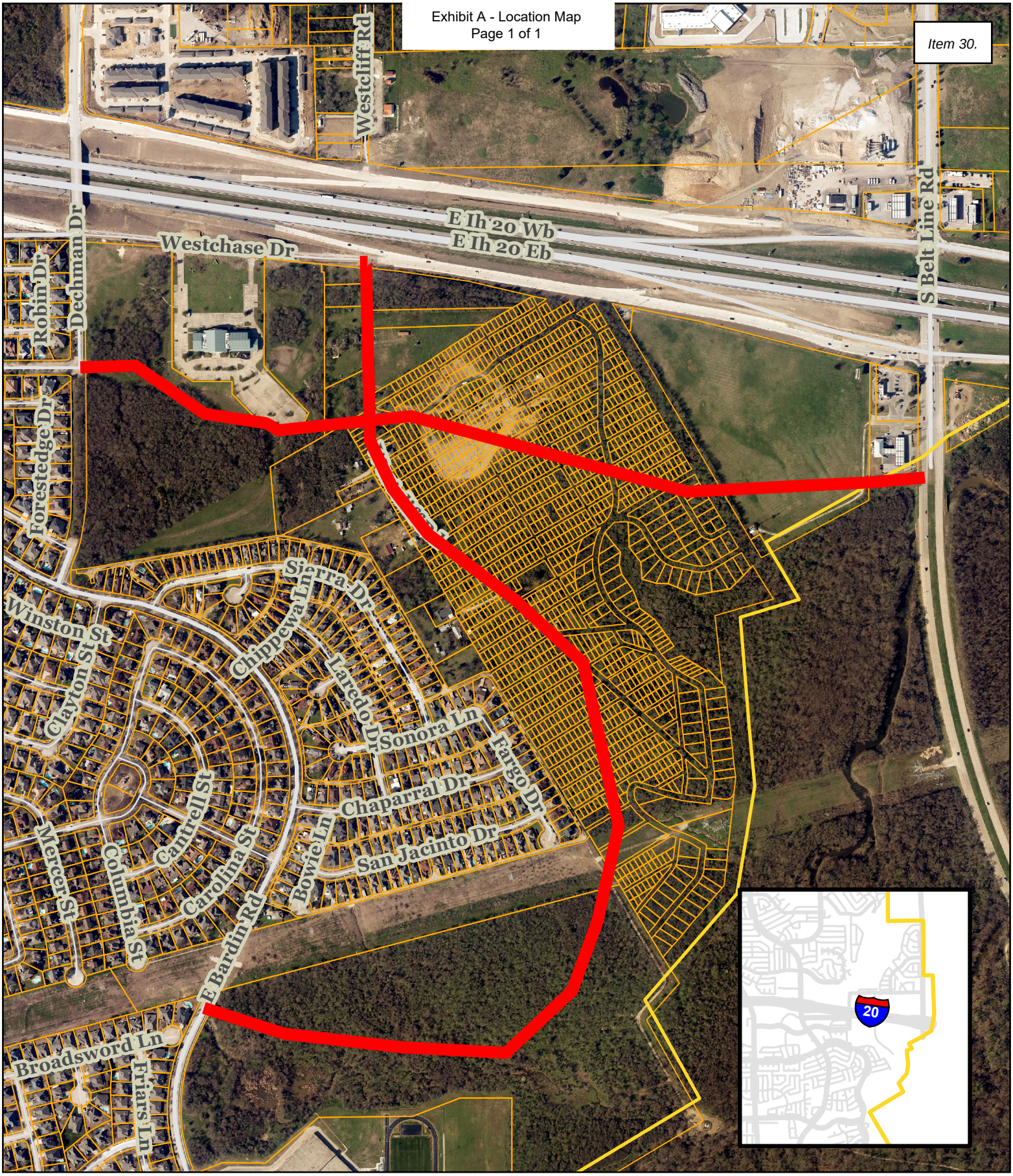
**ANALYSIS:**

The proposed change to Westchester Pkwy will reduce the roadway classification from a Principal Arterial, 4-lane, divided (P4D) to a Minor Arterial, 4-lane, undivided (M4U) from Dechman Dr to S Belt Line Rd. This allows for more flexibility in design and reduces impacts to existing developments by reducing right-of-way requirements from 100’ to 70’ and reducing horizontal radius (curve) from 1050’ to 775.’ There will be a slight reduction in capacity.

The proposed change to Westcliff Rd will increase the roadway classification from a Minor Arterial, 3-lane, undivided (M3U) to a Minor Arterial, 4-lane, undivided (M4U) from I-20 EB Frontage to E Bardin Rd. This will create additional north/south carrying capacity to offset change in Westchester and increases right-of-way requirement by 10’.

**RECOMMENDATION:**

The Development Review Committee (DRC) recommends approval. At its January 12, 2021 meeting, the City Council Development Committee (CCDC) recommended approval.




GRand PRairie TEXAS PLANNING

**CASE LOCATION MAP**

**MTP201201 - Master Throughfare Plan Amendment**

**Reclassify Westchester Pkwy. from Dechman Dr. to City Limits & Westcliff Dr. from I-20 EB Frontage Rd. to E. Bardin Rd.**

N

City of Grand Prairie
Development Services
(972) 237-8255
www.gptx.org

**AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS AMENDING ARTICLE 23: "MASTER TRANSPORTATION PLAN" OF THE UNIFIED DEVELOPMENT CODE ESTABLISHED BY ORDINANCE NUMBER 4779 AND PASSED ON NOVEMBER 20, 1990; TO RECLASSIFY THE SEGMENT OF WESTCHESTER PKWY EXTENDING EAST FROM DECHMAN TO THE CITY LIMITS FROM A P4D TO A M4U AND TO RECLASSIFY THE SEGMENT OF WESTCLIFF RD EXTENDING FROM THE I-20 EB FRONTAGE ROAD TO E BARDIN RD FROM A M3U TO A M4U; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.**

**WHEREAS,** Section 1.11.3.1 of the Unified Development Code of the City of Grand Prairie, Texas states: "Amendments to the text of the Unified Development Code shall be initiated only by action of the City Council or the City Council Development Committee directing the City Manager or designee to initiate such a request on behalf of the City or by the City Manager's own initiative;" and

**WHEREAS,** City staff presented the City Council Development Committee with the request to reclassify the segment of Westchester Pkwy extending east from Dechman to the City Limits from a P4D to a M4U and to reclassify the segment of Westcliff Rd extending from the I-20 EB Frontage Road to E Bardin Rd from a M3U to a M4U; and

**WHEREAS,** after consideration of the proposed amendment to the Master Transportation Plan, the City Council Development Committee directed the City Manager's Office to authorize the Planning and Development Department of the City of Grand Prairie, Texas to initiate an amendment of Article 23, "Master Transportation Plan," of the Unified Development Code to reclassify the segment of Westchester Pkwy extending east from Dechman to the City Limits from a P4D to a M4U and to reclassify the segment of Westcliff Rd extending from the I-20 EB Frontage Road to E Bardin Rd from a M3U to a M4U; and

**WHEREAS**, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on January 25, 2021, after written notice of such public hearing before the Planning and Zoning Commission on the proposed Master Transportation Plan amendment had been sent to owners of real property lying within 300 feet of the property on which the amendments are proposed, said Notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such Notice being served by depositing the same, properly addressed and postage paid, in the City Post Office; and

**WHEREAS,** after consideration of said application, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 8 to 0 to recommend to the City Council of Grand Prairie, Texas, that said amendment should be approved; and

**WHEREAS,** Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the City Hall Plaza Building at 6:30 o'clock P.M. on February 2, 2021 to consider the advisability of amending Article 23, "Master Transportation Plan", of the Unified

Development Code, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such Notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the, Fort Worth Star Telegram , Fort Worth, Texas, a newspaper of general circulation in such municipality.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS THAT:**

**SECTION 1.** Article 23, "Master Transportation Plan," of the Unified Development Code be amended to reclassify the segment of Westchester Pkwy extending east from Dechman to the City Limits from a P4D to a M4U and to reclassify the segment of Westcliff Rd extending from the I-20 EB Frontage Road to E Bardin Rd from a M3U to a M4U, as shown on Exhibit A – Location Map, which is incorporated herein by reference.

**SECTION 2.** It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this Ordinance.

**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are specifically repealed.

**SECTION 4.** This Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE 2ND OF FEBRUARY, 2021.**

**ATTEST:** **APPROVED:**

_____ _____

**City Secretary** **Mayor**

**APPROVED AS TO FORM:**

_____

**City Attorney**

**Ordinance No.**
**Case No. MTP201201**

CITY OF GRAND PRAIRIE
# COMMUNICATION

**MEETING DATE:** 01/25/2021

**REQUESTER:** Monica Espinoza, Executive Assistant

**PRESENTER:** Savannah Ware, AICP, Chief City Planner

**TITLE:** Z210102/CP210102 - Zoning Change/Concept Plan – The Royalton at Grand Prairie Phase 2 (City Council District 2). Zoning Change and Concept Plan for a 204-unit multi-family development on 9.2 acres. Tract 2.1, Frederick Dohme Survey, Abstract No. 395, City of Grand Prairie, Dallas County, Texas, zoned PD-294, within the SH-161 and IH-20 Corridor Overlay Districts, located at the southwest corner of SH 161 and Forum Dr, and addressed as 1705 S Forum Drive.

**RECOMMENDED ACTION:** Staff is unable to recommend approval of this request.

## SUMMARY:

Zoning Change and Concept Plan for a 204-unit multi-family development on 9.2 acres. Tract 2.1, Frederick Dohme Survey, Abstract No. 395, City of Grand Prairie, Dallas County, Texas, zoned PD-294, within the SH-161 and IH-20 Corridor Overlay Districts, located at the southwest corner of SH 161 and Forum Dr, and addressed as 1705 S Forum Drive.

## PURPOSE OF REQUEST:

The purpose of the request is to rezone the subject property to a Planned Development District to facilitate a multi-family development on 9.2 acres. The subject property is currently zoned PD-294 for General Retail uses.

## ADJACENT LAND USES:

The following table summarizes the zoning designation and existing use for the surrounding properties.

**Table 1. Adjacent Zoning and Land Uses**

| Direction | Zoning | Existing Use |
|---|---|---|
| North | PD-397 | Undeveloped |
| South | PD-23 | Undeveloped |
| West | PD-382 | Multi-Family Residential (under construction) |
| East | SH-161 | Highway |

**HISTORY:**

- October 7, 2003: City Council approved a zoning change for a Planned Development, which consists of Multi-Family Uses, General Retail Uses and Integrated Residential and Retail Uses (Case Number Z030701). While the original PD-294 allows multi-family use, the subject property is located within the area designated as Tract B-2, which is zoned for General Retail.

- October 16, 2018: City Council approved a zoning change creating a Planned Development for multi-family use on the property to the west (Case Number Z180701/CP180701). The subject property was originally included in this request but was removed after the Planning and Zoning Commission recommended that the zoning for the subject property remain in place.

**PROPOSED USE CHARACTERISTICS AND FUNCTION:**

The Concept Plan depicts five, three-story apartment buildings with a large clubhouse and leasing office while providing internal walking trails buffered from the surrounding streets. All access points are located along Forum Rd and will not disturb existing turn lanes or transitions at SH 161. There is an existing access easement that runs along the Forum frontage, providing adequate access to the property. The proposed amenities include fully equipped fitness center, spin/yoga center, community gathering spaces, pool area, pergola with a seating area and grill.

**CONFORMANCE WITH THE COMPREHENSIVE PLAN:**

*Future Land Use Map*

The Future Land Use Map (FLUM) is designed to facilitate the efficient, sustainable, and fiscally sound development and redevelopment of Grand Prairie. The purpose of the FLUM is to serve as an outlook for the future use of land and the character of development in the community. The FLUM, along with other community objectives, is used to guide land use decisions.

The 2018 Comprehensive Plan's Future Land Use Map (FLUM) designates this location as High Density Residential. High density residential is reflective of multi-family apartments. Garden style apartments have densities between 12 and 20 dwelling units per acre. Newer construction, particularly if a mixed-use configuration, have densities above 20 dwelling units per acre. The following are policies to guide high density residential areas:

- They are appropriate along major collector or arterial roadways.
- They serve as a buffer between commercial or retail uses and lower density residential areas.

The proposal is consistent with the FLUM's designation of High Density Residential. The subject property is along principal arterials. The proposal does not serve as a buffer between commercial or retail uses and lower density residential areas.

*SH 161 Focus Area*

The subject property is located within the SH 161 Focus Area identified in the 2018 Comprehensive Plan. Public input for this area identified opportunities and desires for recreational amenities and upscale retail/commercial including sit-down restaurants and entertainment venues.

The vision for this focus area is to create a rich commercial district and recreation destination through high quality entertainment and commercial venues and retail services. The character envisioned for this area is a retail and entertainment corridor. In response to the desires of the community, and based on existing planned developments, uses in the district should be restaurants, retail, commercial, personal services, and entertainment venues.

The Comprehensive Plan states that any new developments in the corridor will need to be reviewed for consistency with the established character to ensure they meet the area vision. The proposal is not consistent with the public input, area vision, and area character for the SH 161 Focus Area.

*City Council Development Policy*

City Council's adopted a policy states that multi-family projects should be built on properties already zoned for multi-family development. The subject property is not currently zoned for multi-family development. The proposal is not consistent with City Council's adopted policy.

## ZONING REQUIREMENTS:

The applicant is proposing a base zoning district of Multi-Family Three. The proposal meets the requirements of the UDC and Appendix W.

**Table 2. Development Characteristics and Standards Comparison**

| Standard | Appendix W/UDC | Proposed |
|---|---|---|
| Max. Density | 26 | 22.17 |
| Min. Living Area (Sq. Ft.) | 600 | 650 |
| Max. Number of Single Bed Units | 60% | 60% |
| Lot Area (Sq. Ft.) | 12,000 | 12,000+ |
| Lot Width (Ft.) | 100 | 100+ |
| Depth (Ft.) | 120 | 120+ |
| Garages (% of Total Spaces) | 30% | 30% |
| Carports (% of Total Spaces) | 20% | 20% |
| Guest Parking (% of Total Spaces) | 10% | 10% |
| Fence Along Street | Wrought Iron w/ Masonry Columns | Wrought Iron w/ Masonry Columns |
| Perimeter Fence Height (Ft.) | 6 | 6 |

## VARIANCES:

The applicant is not requesting any variances.

## RECOMMENDATION:

The Planning and Zoning Commission denied this request by a vote of 8-0

Staff: While the FLUM designates this area as High Density Residential, the 161 Focus Area Map, which delves deeper into the preferences for this area, shows the area as Commercial/Retail/Office. The focus area vision is to create a rich commercial district and recreation destination through high quality entertainment and commercial venues and retail services. Since the proposal is inconsistent with the area vision, staff is unable to support the request as presented.

**AN ORDINANCE AMENDING THE ZONING ORDINANCE AND MAP TO REZONE 9.180 ACRES OF LAND OUT OF THE FREDERICK DOHME SURVEY, ABSTRACT NO. 395, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, FROM PLANNED DEVELOPMENT-294 TO A PLANNED DEVELOPMENT DISTRICT FOR MULTI-FAMILY USE; SAID ZONING MAP AND ORDINANCE BEING ORDINANCE NUMBER 4779 AND PASSED ON NOVEMBER 20, 1990, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.**

**WHEREAS,** the owners of the property described herein below filed application with the City of Grand Prairie, Texas, petitioning an amendment of the Zoning Ordinance and map of said city so as to rezone and reclassify said property from its classification of Planned Development-294 to a Planned Development District for Multi-Family Use; and

**WHEREAS,** the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on January 11, 2021, after written notice of such public hearing before the Planning and Zoning Commission on the proposed rezoning had been sent to owners of real property lying within 300 feet of the property on which the change of classification is proposed, said Notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such Notice being served by depositing the same, properly addressed and postage paid, in the City Post Office; and

**WHEREAS,** after consideration of said application, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 8 to 0 to recommend denial to the City Council of Grand Prairie, Texas, of the request that the hereinafter described property be rezoned from its classification of Planned Development-294 to a Planned Development District for Multi-Family Use; and

**WHEREAS**, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the City Hall Plaza Building at 6:30 P.M. on February 2, 2021, to consider the advisability of amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such Notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Grand Prairie, Texas, a newspaper of general circulation in such municipality; and

**WHEREAS,** all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed rezoning and the City Council of the City of Grand Prairie, Texas, being informed as to the location and nature of the use proposed on said property, as well as, the nature and usability of surrounding property, have found and determined that the property in question, as well as, other property within the city limits of the City of Grand Prairie, Texas, has changed in character since the enactment of the original Zoning Ordinance from its classification of Planned Development-294; and, by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and

welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS THAT:**

**SECTION 1.** Ordinance Number 4779, being the Zoning Ordinance and Map of the City of Grand Prairie, Texas, showing the locations and boundaries of certain districts, and said Zoning Ordinance and Map having been made a part of an Ordinance entitled:

> "AN ORDINANCE AMENDING IN ITS ENTIRETY CHAPTER 28 OF THE CODE OF ORDINANCES KNOWN AS THE ZONING ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AS PASSED AND APPROVED BY THE CITY COUNCIL ON THE 20TH DAY OF NOVEMBER, 1990, TOGETHER WITH ALL AMENDMENTS THERETO AND ENACTING A REVISED ORDINANCE ESTABLISHING AND PROVIDING FOR ZONING REGULATIONS; CREATING USE DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN…"

and passed and approved November 20, 1990, as amended, is hereby further amended to rezone from its classification of Planned Development-294 to a Planned Development District for Multi-Family Use; as described and depicted in Exhibit A - Boundary Description.

**SECTION 2.** The purpose of this planned development is to establish appropriate restrictions and development controls necessary to ensure predictable land development, safe and efficient vehicular and pedestrian circulation, compatible uses of land and compliance with appropriate design standards.

**SECTION 3.** The following shall apply to development in the Planned Development District:

A. Development shall substantially comply with Exhibit B - Concept Plan.

B. Multi-Family Development:

1. Multi-family development shall comply with the use and development standards for Multi-Family Three (MF-3) District and Appendix W: Residential Development Standards in the Unified Development Code, as amended.

2. Landscaping shall follow Appendix W, and Article 8 of the Unified Development Code, as amended.

3. The entire perimeter fence shall be 6' wrought iron with masonry columns (type 2). The masonry columns shall be placed 24 feet on center.

4. Any additional variances shall be evaluated with the Site Plan when finalized

building elevations are reviewed as part of the development request.

5. Participation in the Crime Free Multi-Housing Program shall be mandatory.

**SECTION 4.** A Site Plan shall be reviewed and approved by the City Council prior to the issuance of any building permits.

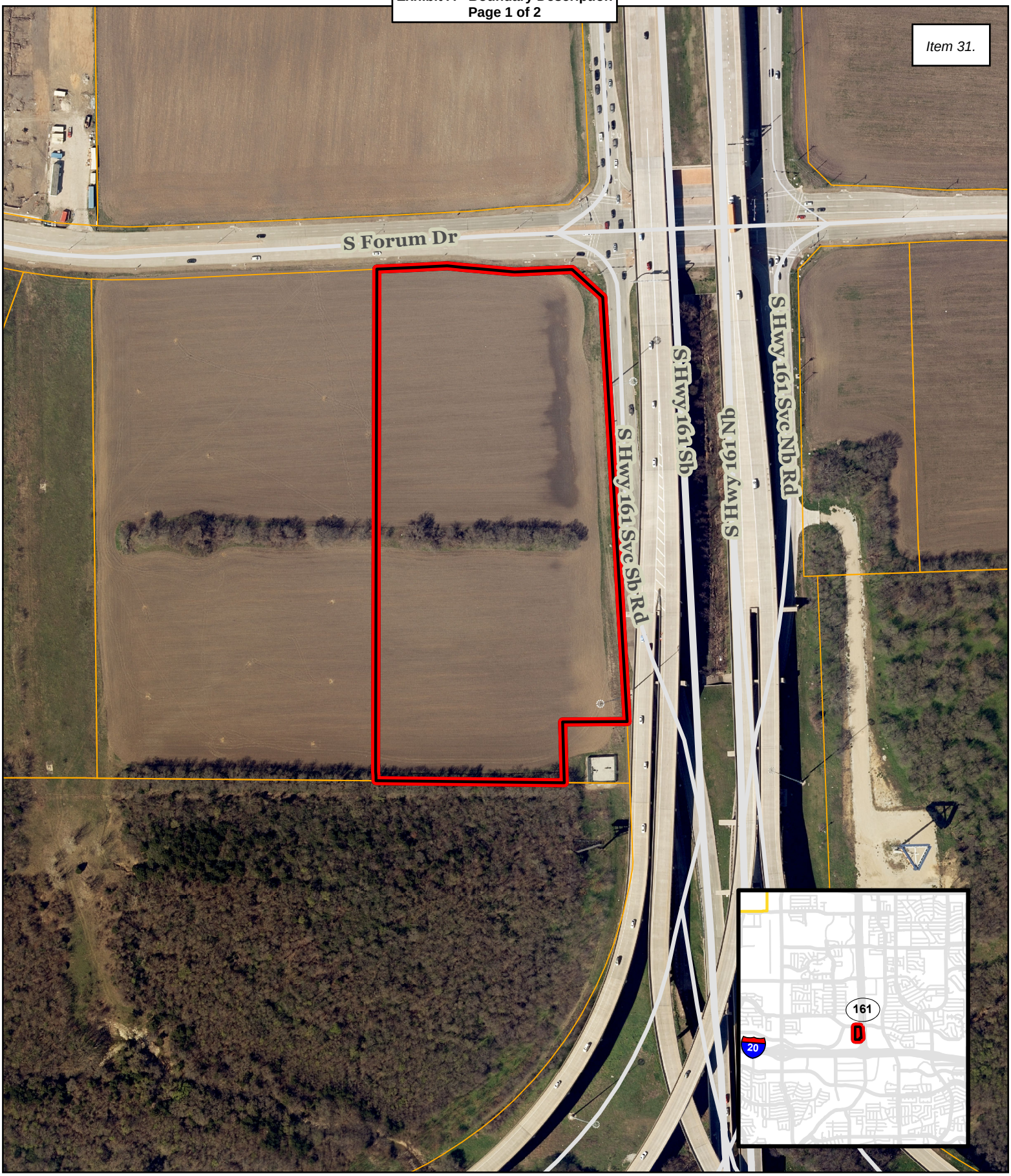
**SECTION 5.** It is further provided, that in case a section, clause, sentence, or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

**SECTION 6.** All ordinances or parts of ordinances in conflict herewith are specifically repealed.

**SECTION 7.** This Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE SECOND DAY OF FEBRUARY 2021.**

**Ordinance No. #-2020**
**Zoning Case No. Z210102/CP210102**
**Planned Development No. #**




GRand Prairie TEXAS PLANNING

**CASE LOCATION MAP**

**Z210102/CP210102**

**Royalton at Grand Prairie Phase 2**

N

City of Grand Prairie
Development Services
(972) 237-8255
www.gptx.org

*ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING SITUATED IN THE FREDERICK DOHME SURVEY, ABSTRACT NO. 395, TARRANT COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO WILLIAM E. CAMPBELL, JR. - BELT LINE LIMITED PARTNERSHIP, AS RECORDED IN VOLUME 70099, PAGE 990, DEED RECORDS, TARRANT COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:*

***BEGINNING** AT A 1/2" REBAR WITH ALUMINUM CAP STAMPED "MLA RPLS 4873" SET AT THE NORTHEAST CORNER OF LOT 1, BLOCK A, ROYALTON AT GRAND PRAIRIE, RECORDED IN INSTRUMENT NUMBER 201900269088, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF FORUM DRIVE AS DESCRIBED IN DEED TO THE CITY OF GRAND PRAIRIE, RECORDED IN INSTRUMENT NO. 201000194742, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS;*

***THENCE** ALONG SAID SOUTH RIGHT OF WAY LINE, THE FOLLOWING 6 COURSES:*

*1. NORTH 87 DEGREES 32 MINUTES 16 SECONDS EAST A DISTANCE OF 113.09 FEET TO AN X-CUT SET;*

*2. SOUTH 84 DEGREES 46 MINUTES 37 SECONDS EAST A DISTANCE OF 127.46 FEET TO A 5/8" REBAR FOUND;*

*3. NORTH 88 DEGREES 28 MINUTES 32 SECONDS EAST A DISTANCE OF 23.42 FEET TO A 5/8" REBAR FOUND AT THE BEGINNING OF A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 1078.29 FEET;*

*4. ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00 DEGREES 50 MINUTES 17 SECONDS, AN ARC LENGTH OF 15.77 FEET, BEING SUBTENDED BY A CHORD BEARING NORTH 88 DEGREES 03 MINUTES 24 SECONDS EAST A DISTANCE OF 15.77 FEET TO A 5/8" REBAR FOUND;*

*5. NORTH 87 DEGREES 38 MINUTES 15 SECONDS EAST A DISTANCE OF 69.48 FEET TO A 5/8" REBAR FOUND;*

*6. SOUTH 47 DEGREES 27 MINUTES 44 SECONDS EAST A DISTANCE OF 76.96 FEET TO A 5/8" REBAR WITH BLUE PLASTIC CAP STAMPED "GORRONDONA & ASSOC" FOUND ON THE WEST RIGHT OF WAY LINE OF STATE HIGHWAY NO. 161 AS DESCRIBED IN DEED TO THE STATE OF TEXAS, AS RECORDED IN VOLUME 2003039, PAGE 7373, DEED RECORDS, TARRANT COUNTY, TEXAS;*

***THENCE** ALONG SAID WEST RIGHT OF WAY LINE, SOUTH 02 DEGREES 31 MINUTES 33 SECONDS EAST A DISTANCE OF 830.00 FEET TO A 5/8" REBAR FOUND AT THE NORTHEAST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO TEXAS MIDSTREAM GAS SERVICES, LLC, AS RECORDED IN INSTRUMENT NO. 20080159110, DEED RECORDS, DALLAS COUNTY, TEXAS;*

***THENCE** ALONG THE NORTH LINE OF SAID TEXAS MIDSTREAM GAS SERVICES, LLC TRACT, NORTH 89 DEGREES 14 MINUTES 48 SECONDS WEST A DISTANCE OF 100.00 FEET TO A 5/8" REBAR FOUND AT THE NORTHWEST CORNER OF SAID TEXAS MIDSTREAM GAS SERVICES, LLC TRACT;*

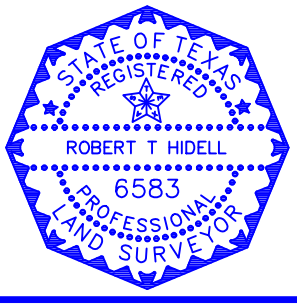
***THENCE** ALONG THE WEST LINE OF SAID TEXAS MIDSTREAM GAS SERVICES, LLC TRACT, SOUTH 02 DEGREES 31 MINUTES 33 SECONDS EAST A DISTANCE OF 100.17 FEET TO A 5/8" REBAR FOUND AT THE SOUTHWEST CORNER OF SAID TEXAS MIDSTREAM GAS SERVICES, LLC TRACT, SAID POINT BEING ON THE NORTHERLY LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO TOMMY JOE WINN & LELAND GJETLEY, AS RECORDED IN VOLUME 94053, PAGE 3064, DEED RECORDS, DALLAS COUNTY, TEXAS;*

***THENCE** ALONG SAID NORTHERLY LINE, NORTH 89 DEGREES 14 MINUTES 48 SECONDS WEST A DISTANCE OF 336.90 FEET TO A 1/2" REBAR WITH ALUMINUM CAP STAMPED "MLA RPLS 4873" SET AT THE SOUTHEAST CORNER OF SAID LOT 1;*

***THENCE** ALONG THE EAST LINE OF SAID LOT 1, NORTH 00 DEGREES 32 MINUTES 49 SECONDS A DISTANCE OF 978.31 FEET THE **POINT OF BEGINNING,** CONTAINING 399,897 SQUARE FEET OR 9.180 ACRES OF LAND, MORE OR LESS.*

## GENERAL NOTES

*1. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS COORDINATE SYSTEM NORTH CENTRAL ZONE (NAD 83) DERIVED FROM GPS OBSERVATIONS USING THE DALLAS/FORT WORTH AREA VIRTUAL REFERENCE NETWORK (VRN). THE VRN IS MAINTAINED BY ALLTERRA AND IS BASED ON TEXAS DEPARTMENT OF TRANSPORTATION REGIONAL REFERENCE POINTS (RRP).*




*ROBERT T HIDELL*
*REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6583*
*DATE: OCTOBER 30, 2020*

***DATE: 10/30/2020***
***JOB NO.: 18068B***
***DRAWN BY: RTH***
***SHEET 1 OF 1***

*9.180 ACRE +/- REMAINDER*
*OF*
*WILLIAM E. CAMPBELL, JR. -*
*BELT LINE LIMITED PARTNERSHIP TRACT*
*VOLUME 70099, PAGE 990,*
*D.R.D.C.T.*

***MARSHALL LANCASTER & ASSOCIATES, INC.***
***CONSULTING LAND SURVEYORS***
***land title surveys · topography · subdivision platting***
***retail, commercial and industrial construction surveying***
***1864 North Norwood Drive, Suite E, Hurst, TX 76054***
***metro (817) 268-8000 fax (817) 282-2231 www.mla-survey.com FIRM #100451***

# Exhibit B - Concept Plan
Page 1 of 1

ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING SITUATED IN THE FREDERICK DOHME SURVEY, ABSTRACT NO. 395, TARRANT COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO WILLIAM E. CAMPBELL, JR. - BELT LINE LIMITED PARTNERSHIP, AS RECORDED IN VOLUME 70099, PAGE 990, DEED RECORDS, TARRANT COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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**THENCE** ALONG SAID SOUTH RIGHT OF WAY LINE, THE FOLLOWING 6 COURSES:

1. NORTH 87 DEGREES 32 MINUTES 16 SECONDS EAST A DISTANCE OF 113.09 FEET TO AN X-CUT SET;
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**THENCE** ALONG THE NORTH LINE OF SAID TEXAS MIDSTREAM GAS SERVICES, LLC TRACT, NORTH 89 DEGREES 14 MINUTES 48 SECONDS WEST A DISTANCE OF 100.00 FEET TO A 5/8" REBAR FOUND AT THE NORTHWEST CORNER OF SAID TEXAS MIDSTREAM GAS SERVICES, LLC TRACT;

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**THENCE** ALONG SAID NORTHERLY LINE, NORTH 89 DEGREES 14 MINUTES 48 SECONDS WEST A DISTANCE OF 336.90 FEET TO A 1/2" REBAR WITH ALUMINUM CAP STAMPED "MLA RPLS 4973" SET AT THE SOUTHEAST CORNER OF SAID LOT 1;

**THENCE** ALONG THE EAST LINE OF SAID LOT 1, NORTH 00 DEGREES 32 MINUTES 49 SECONDS A DISTANCE OF 978.31 FEET THE **POINT OF BEGINNING**, CONTAINING 399,897 SQUARE FEET OR 9.180 ACRES OF LAND, MORE OR LESS.

## GENERAL NOTES

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SHEET 1 OF 1

9.180 ACRE +/- REMAINDER OF
WILLIAM E. CAMPBELL, JR. -
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VOLUME 70099, PAGE 990,
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## SITE DATA

NO FLOOD PLAIN
NO WETLANDS
CURRENT ZONING: PD - 294
PROPOSED ZONING: PD - PLANNED DEVELOPMENT

| PHASE 1 | PHASE 2 |
|---|---|
| 12.0000 ACRES | 9.2 ACRES |
| 300 UNITS | 204 UNITS |
| 25.00 UNITS/ACRE | 22.17 UNITS/ACRE |

3-STORY RESIDENTIAL BUILDINGS
1-STORY CLUBHOUSE

## SITE NOTES

1. PROPOSED SITE PAVING MATERIAL IS REINFORCED CONCRETE.
2. BUILDING EXTERIORS SHALL BE DESIGNED IN COMPLIANCE WITH UDC APPENDIX W, SECTION 3.I.
3. LANDSCAPING SHALL BE IN COMPLIANCE WITH APPENDIX W AND ARTICLE 8 OF THE UDC.
4. THE SUBJECT PROPERTY IS NOT LOCATED WITHIN THE 100 YEAR FLOODPLAIN PER F.I.R.M. PANEL #48113C0445K, DATED 7/7/2014.
5. PHASE 2 COMMERCIAL WILL NOT HAVE THE SAME OWNERSHIP OR MANAGEMENT TEAM.

## PARKING TABULATION

| | | |
|---|---|---|
| PARKING REQUIRED: | | |
| 1 BEDROOM UNITS | 122(60%) X 1.25 SP./UNIT | 153 |
| 2&3 BEDROOM UNITS | 82 (40%) X 2.00 SP./UNIT | 164 |
| TOTAL PARKING | | 316 |
| COVERED PARKING REQUIRED: | | |
| GARAGES | 30% OF REQ'D PARKING | 95 |
| CARPORTS | 20% OF REQ'D PARKING | 63 |
| DESIGNATED GUEST PARKING REQUIRED: | | |
| GUEST | 10% OF REQ'D PARKING | 31 |
| PARKING PROVIDED: | | |
| OPEN SPACES | | 99 |
| GARAGE | | 95 |
| TANDEM | | 93 |
| CARPORT | | 72 |
| GUEST | | 31 |
| TOTAL PARKING | | 390 |
| PARKING TO UNIT RATIO | | 1.91 SPACES/UNIT |
| CLUBHOUSE PARKING | | 10 |
| GRAND TOTAL PARKING PROVIDED | | 400 |

## BUILDING SETBACK NOTES

1. 45 FT. SIDE AND REAR SETBACKS INCREASE BY 1 FT FOR EVERY FT. OF BLDG. HT. GREATER THAN 35 FT.
2. 3 FT. ACCESSORY BLDG. SETBACK IS SUBJECT TO A MAX. BLDG. HT. OF 10 FT. ACCESSORY BLDGS. GREATER THAN 10' IN HT. ARE SUBJECT TO THE STANDARD SETBACKS.

## SITE AMENITIES

AMENITIES SHALL COMPLY WITH UDC APPENDIX W

CLUBHOUSE AMENITIES SHALL INCLUDE A FULLY EQUIPPED FITNESS CENTER, A SPIN/YOGA CENTER, AND COMMUNITY GATHERING SPACES.

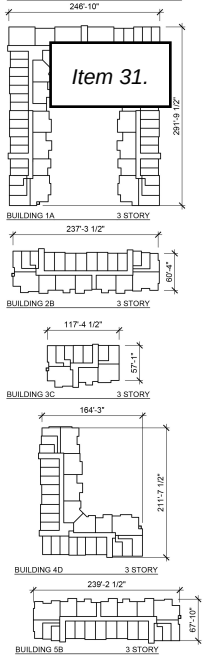
UNIT AMENITIES SHALL INCLUDE GRANITE COUNTERTOPS, STAINLESS STEEL APPLIANCES, AND A PRIVATE BALCONY/PATIO

SMALLEST UNIT IS MIN 650 S.F.

ONE BEDROOM UNITS WILL NOT EXCEED 60% OF TOTAL UNIT COUNT

## VICINITY MAP

## PROPOSED BUILDINGS




DEVELOPER:
SWBC REAL ESTATE, LLC
5949 SHERRY LN., SUITE 750
DALLAS, TX 75225
PH: 214.924.4156
CONTACT: SPENCER BYINGTON
EMAIL: SByington@swbc.com

OWNER:
CAMPBELL-BELTLINE, LP
5950 BERKSHIRE LN., SUITE 400
DALLAS, TX 75225
PH: 214.769.5766
CONTACT: RICK O'BRIEN
EMAIL: rickjobrien@msn.com


Cross architects
CROSS ARCHITECTS
879 JUNCTION DR
ALLEN, TEXAS 75013
PH: 972.398.6644
aeverett@crossarchitects.com


# THE ROYALTON AT GRAND PRAIRIE PH-II
# (TENTATIVE) 1705 S. FORUM RD
## GRAND PRAIRIE, TEXAS

WILLIAM E. CAMPBELL, JR. BELT LINE LIMITED PARTNERSHIP, FREDERICK DOHME SURVEY, ABSTRACT 395, GRAND PRAIRIE, DALLAS COUNTY, TX

| CROSS PROJECT NO | DATE | | CASE NO. |
|---|---|---|---|
| SCHEMATIC | 10/27/2020 | | Z210102/CP210102 |

**REGULAR PLANNING AND ZONING COMMISSION**
**MEETING MINUTES**
**JANUARY 11, 2021**

COMMISSIONERS PRESENT: Vice-Chairperson Bill Moser, Secretary Cheryl Smith, and Commissioners, Julia Perez, Max Coleman, Josh Spare, John Fedorko.

COMMISSIONERS ABSENT: Chairperson Shawn Connor, Eric Hedin, Warren Landrum

CITY STAFF PRESENT: Deputy City Manager Bill Hills, Rashad Jackson, Planning and Development Director, Savannah Ware, Chief City Planner, Charles Lee, Senior Planner, Dana Woods, Senior Planner, Jonathan Tooley, Planner, Tiffany Bull, Legal Services, Brett Huntsman, Transportation Planner, Monica Espinoza, Executive Assistant, Enviormental Services Manager, Cindy Mendez.

Assistant Attorney Tiffany Bull called the briefing to order by Video Conference at 5:34 p.m.

**AGENDA REVIEW #1** S210101 - Site Plan - Lake Ridge Townhomes (City Council District 4). Planner Jonathan Tooley presented the case report and gave a Power Point presentation for a Site Plan for a single family townhome development with 92 units on 13.5 acres. Tracts 1 and 1A, William Linn Survey, Abstract No. 926, City of Grand Prairie, Dallas County and Tarrant County, Texas, zoned PD-384A, within the Lake Ridge Corridor Overlay District, and generally located west of Lake Ridge Pkwy and south of Hanger Lowe Rd.

Commissioner Spare asked at 3,300 square feet, does it mean these units don't have backyards? Mr. Tooley stated they do have small backyards. Mr. Spare asked what is the square footage of the units that are not meeting the 3,300 sq. ft requirement. Mr. Tooley stated it's between 2,000-3,000 sq. ft. Mr. Spare stated they are far from the 3,300 sq. ft requirement and asked if the city is just bending to their will. Mr. Tooley stated this was proposed the same way during the Concept Plan. Mr. Spare asked why staff is not worried about the size of the lots. Chief City Planner, Savannah Ware stated the concept plan approved back in 2018 showed these lot size and it was confirmed that the depth and lot width were met but they did not have the tabulations on this and the way planned development and concept plan was approved it is consistent with the site plan. Planning and Development Director, Rashad Jackson stated the concept plan is noted the minimal lot size can be 2,100 sq. ft and the planned development also states Appendix W should be followed. Mr. Tooley stated the smallest lot is 2,200 sq. ft. 15 lots 2,200 sq. ft, 12 lots 2,754 sq. ft, 41 lots 3,000 sq. ft and 24 lost 3,060 sq. ft.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

**At 5:43 p.m. Commissioner Landrum was present at the meeting.**

**ITEM #2-** SU150803C - Specific Use Permit Renewal - Three Bears Tire Commercial Truck Parking at 3223 E. Main St. (City Council District 5). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a Renewal/Revocation of a Specific Use Permit (SUP-972A) for a Commercial Truck Parking Lot. Lot 7, Block 1, Allbritton Associates Addition, City of Grand Prairie, Dallas County, Texas, zoned LI, within Central Business District No. 4, and addressed as 3223 E Main St.

Vice Chairperson Moser asked if the property is owned or rented. Ms. Ware stated they own the property.

Commissioner Smith asked if the owner is being fined for not meeting the requirements of the SUP. Ms. Ware stated they are fined when they are issued citations. Ms. Smith asked what is plan b when the staff cannot get in connect with the owners. Ms. Ware stated Plan B is to hand deliver a letter because they have called all the phone numbers available in their files and emailed all the email addresses with no response.

Vice Chairperson Moser asked if citations have been paid. Environmental Services Manager, Cindy Mendez stated the owner has paid over $6,700 in citations and they have been plea deals or no contest. Most charges are between $324 and $756 for each and he has been paying the window fines.

Commissioner Perez asked if there have been citations since 2017 and the commission has been approving the SUP renewal even though violations have been going on. Ms. Ware stated the SUP was renewed in 2018 and was placed on the consent agenda and doesn't understand why if they weren't in compliance then but that is why they are here today, to get them in compliance or revoke their SUP.

Vice Chairperson Moser asked how often the SUP renewal comes up. Ms. Ware stated it depends if it is still in the early stages of the SUP a lot of the times, they have that one-year language. Once it has a CO or it has been constructed the staff will bring them back in a year to review and they will not come back unless there are issues and citations would trigger that review. Mr. Moser asked when did the owner get the original SUP. Ms. Ware stated it was in 2015 and in 2016 they still weren't operating so the renewal was granted. Mr. Moser asked if staff sent them notifications and if owners responded. Ms. Ware stated that is correct and she had a teams meeting with the applicant the morning of the P&Z hearing and walked him through the staff's recommendations, issues and also sent him the link for the public hearing.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

**ITEM #3 -** Z201202/CP201201 - Zoning Change/Concept Plan - The Lofts at Grand Prairie (City Council District 4). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan to rezone 26.3 acres from A to a Planned Development District for Multi-Family Use. Tract 6A A 43 TRS 6A & 6A01 & 6B, James C. Armstrong Survey, Abstract No. 43, City of Grand Prairie, Tarrant County, Texas, zoned A, and addressed as 931 N Day Miar Rd.

Commissioner Smith asked why put apartments in the middle of a gas well. Ms. Ware stated the applicant will be available to answer this question.

Vice Chairperson Moser asked if the people who sent the letter of opposition own their land. Ms. Ware stated that is correct. Mr. Moser asked what the zoning on this property is. Ms. Ware stated the property is zoned agricultural and the FLUM has it designated for Mixed Use. Mr. Moser asked if they could build a house on it and it be conforming under the agricultural zoning. Ms. Ware stated correct.

Commissioner Smith stated she agrees with Mr. Moser being a safety issue to build around the gas well.

**ITEM #4-** Z210102/CP210102 - Zoning Change/Concept Plan – The Royalton at Grand Prairie Phase 2 (City Council District 2). Planner Jonathan Tooley presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan for a 204-unit multi-family development on 9.2 acres. Tract 2.1, Frederick Dohme Survey, Abstract No. 395, City of Grand Prairie, Dallas County, Texas, zoned PD-294, within the SH-161 and IH-20 Corridor Overlay Districts, located at the southwest corner of SH 161 and Forum Dr, and addressed as 1705 S Forum Drive.

Commissioner Spare thanked the planning department for their recommendation and sticking to the guidelines.

**ITEM #5-** COVID Meeting Procedures

Planning and Development Director Rashad Jackson stated until further notice meetings will remain via zoom.

Vice Chairperson Moser had a question about a disclosure on the agenda and Assistant Attorney Tiffany Bull stated the item cannot be discussed.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

Commissioner Smith thanked the staff for continuing to protect the staff during COVID and believes zoom meetings are the best thing right now.

COMMISSIONERS PRESENT: Vice-Chairperson Bill Moser, Secretary Cheryl Smith, and Commissioners, Julia Perez, Max Coleman, Josh Spare, Warren Landrum, John Fedorko.

COMMISSIONERS ABSENT: Chairperson Shawn Connor, Eric Hedin

CITY STAFF PRESENT: Deputy City Manager Bill Hills, Rashad Jackson, Planning and Development Director, Savannah Ware, Chief City Planner, Charles Lee, Senior Planner, Dana Woods, Senior Planner, Jonathan Tooley, Planner, Tiffany Bull, Legal Services, Brett Huntsman, Transportation Planner, Monica Espinoza, Executive Assistant, Enviormental Services Manager, Cindy Mendez, Code Enforcement Officer, Philip Curtis.

Vice Chairperson Bill Moser called the meeting to order by Video Conference at 6:36 p.m. and Commissioner Moser gave the invocation, and Commissioner Landrum led the pledge of allegiance to the US Flag, and the Texas Flag.

Citizen Comments: None

AGENDA ITEM: #1 - APPROVAL OF MINUTES: To approve the minutes of the Planning and Zoning Commission meeting of December 14, 2020.

Item #2- APPROVAL OF AMENDED MINUTES: To approve the amended minutes of the Planning and Zoning Commission meeting of November 23, 2020.

CONSENT PUBLIC HEARING AGENDA Item #3- P210101 - Final Plat - Jai Addition, Lots 1-3, Block 1 (City Council District 4). Final Plat of Lots 1, 2, and 3, Block 1, Jai Addition, creating three non-residential lots on 3.915 acres. Tracts 2C05 and 2C05A, John W. Harwood Survey, Abstract No. 661, City of Grand Prairie, Tarrant County, Texas, zoned PD-130, located at the northwest corner of W Camp Wisdom Rd and Lynn Rd, and addressed as 2800 W Camp Wisdom Rd.

Item #4 – P210102 - Preliminary Plat - Landmark at the Grove Addition, Lot 1, Block 1 (City Council District 1). Preliminary Plat of Lot 1, Block 1, Landmark at the Grove Addition, creating one non-residential lot on 11.99 acres. Tracts 16 and 16.3, John Spoon Survey, Abstract No. 1326, City of Grand Prairie, Dallas County, Texas, zoned LI, within the SH-161 Corridor Overlay District, and addressed as 804 and 810 W Shady Grove Rd.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

Item #5- P210103 - Final Plat - Landmark at the Grove Addition, Lot 1, Block 1 (City Council District 1). Final Plat of Lot 1, Block 1, Landmark at the Grove Addition, creating one non-residential lot on 11.99 acres. Tracts 16 and 16.3, John Spoon Survey, Abstract No. 1326, City of Grand Prairie, Dallas County, Texas, zoned LI, within the SH-161 Corridor Overlay District, and addressed as 804 and 810 W Shady Grove Rd.

Item #6- P201201 - Preliminary Plat - MacArthur Grand Logistics Center (City Council District 1). Preliminary Plat for Lots 1-3, Block 1, MacArthur Grand Logistics Center, creating three lots on 187.141 acres. 187.141 acres situated in the I. Jennings Survey, Abstract No. 679, City of Grand Prairie, Dallas County, Texas, zoned PD-10 and LI, within the IH-30 Corridor Overlay District, and generally located southwest of Hunter Ferrell Road and MacArthur Boulevard.

Commissioner Smith moved to approve the minutes, amended minutes, cases P210101, P210102, P210103, and P201201.

Motion: Smith
Second: Coleman
Ayes: Moser, Smith, Spare, Coleman, Perez Landrum, Fedorko
Nays: none
**Vote: 7-0**
Motion: **carried.**

ITEM FOR INDIVIDUAL CONSIDREATION: Item # 7 S210101 - Site Plan - Lake Ridge Townhomes (City Council District 4). Planner Jonathan Tooley presented the case report and gave a Power Point presentation for a Site Plan for a single family townhome development with 92 units on 13.5 acres. Tracts 1 and 1A, William Linn Survey, Abstract No. 926, City of Grand Prairie, Dallas County and Tarrant County, Texas, zoned PD-384A, within the Lake Ridge Corridor Overlay District, and generally located west of Lake Ridge Pkwy and south of Hanger Lowe Rd.

Mr. Tooley stated the applicant intends to construct a single-family townhouse development of 92 units on 13.5 acres. Any townhome development or development in a planned development district or overlay district requires City Council approval of a Site Plan. Development at this location requires site plan approval by City Council because the property is for townhome use, zoned PD-384A, and within the Lake Ridge Corridor Overlay District. The 92-unit single family townhome development, north and south, will be accessible from the proposed extension of Grandway Drive, which is currently under construction. The Site Plan depicts a combination of

three, four, five and six-plex style townhomes, along with internal green spaces, walking trails, and centrally located mailboxes. The northern portion has two connections to Grandway Drive, while the southern portion will have one entrance with a dead-end hammerhead. All garages are rear entry and have access to 15 ft. alleyways. Parking will not be allowed on the street, but each unit will have tandem parking along with parking spaces on common lots.

The applicant is requesting the following variance:

1. Variance to the requirement of at least 70 percent of the lots comprising of a minimum area of 3,300 square feet: The base zoning of Single-Family Townhouse requires that 70 percent of the lots be at least 3,300 square feet in area. The applicant is providing approximately 26 percent, which is in substantial conformance to the concept plan approved during the zoning stage.

The Development Review Committee (DRC) recommends approval.

Steve Schermerhom, 8430 Fair Oaks Frisco TX. 75033 75240 stepped forward and represented the case.

**At 6:55 p.m. Chairperson Connor was present at the meeting.**

There being no further discussion on the case commissioner Smith moved to close the public hearing and approve case S210101 per staff recommendations.

The action and vote recorded as follows:

Motion: Smith
Second: Landrum
Ayes: Moser, Smith, Spare, Coleman, Perez Landrum, Fedorko, Connor
Nays: none
**Vote: 8-0**
Motion: **carried.**

PUBLIC HEARING AGENDA ITEM # 8- SU150803C - Specific Use Permit Renewal - Three Bears Tire Commercial Truck Parking at 3223 E. Main St. (City Council District 5). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

Renewal/Revocation of a Specific Use Permit (SUP-972A) for a Commercial Truck Parking Lot. Lot 7, Block 1, Allbritton Associates Addition, City of Grand Prairie, Dallas County, Texas, zoned LI, within Central Business District No. 4, and addressed as 3223 E Main St.

Ms. Ware stated the purpose of this request is to review the Commercial Truck Parking Lot located at 3223 E Main Street for compliance with Specific Use Permit conditions and all applicable ordinances, codes, and regulations. Specific Use Permits may be revoked for failing to comply with conditions of approval set by City Council. The purpose of the Specific Use Permit process is to identify those uses which might be appropriate within a zoning district, but due to either their location, functional or operational nature, could have a potentially negative impact upon surrounding properties; and to provide for a procedure where by such uses might be permitted by further restricting or conditioning them so as to eliminate such probable negative impacts. The City Council may, in the interest of the public welfare and to assure compliance with this ordinance, establish conditions of operation, location, arrangement and construction of any authorized special use. In approving any specific use, the City Council may impose such development standards and safeguards as conditions warrant for the welfare and protection of adjacent properties, and citizenry as a whole as it may be affected by this use. 76 Item8. Page 2 of 3 It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted. Given the established history of compliance issues, the number of citations issued, and the failure of the applicant to make the improvements to the property required by the original Specific Use Permit approved in 2015, staff recommends that the Specific Use Permit be revoked.

Commissioner Landrum stated based on the number of violations since 2018 he believes SUP needs to be revoked because it seems like they are willing to just pay fines and keep going on as they are.

Commissioner Perez asked how staff was trying to communicate with owner and if staff had the wrong phone number. Ms. Ware stated the email address in which the owner contacted her from was different from the ones we had on file and she did set up a Teams meeting with the owner this morning and walked him through the staff report and staff's recommendation.

Commissioner Moser stated he is not sure how Mr. Rodriguez didn't know about the hearing if he has been paying fines and wants to see what owner has to say.

Gerardo Rodriguez, 6607 Sheerwater Rd. Arlington TX. 76002, 75240 stepped forward and represented the case, he stated he never received any letters, but he did find out where some mail was delivered to the wrong address, which is why he never knew about the review.

Assistant Attorney Tiffany Bull stated if the commissioners believe owner didn't receive any notifications about the hearing and wish to give him more time to prepare for the hearing of January 25th, you can.

Chairperson Connor asked with all the contact the city has had with him about the violations, why hasn't any of the improvements been done because it seems like they are ignoring it. Mr. Rodriguez stated they aren't ignoring it. He goes down there once every week or so and keeps it clean. Mr. Connor listed a few of the violations the owner received and stated it seems like he just pays the fines and ignores following SUP's regulations/requirements. Mr. Rodriguez stated he is not trying to pay fines. Mr. Connor stated he hasn't answered his question as to why he hasn't made the improvements. Mr. Rodriguez stated he is not ignoring the citations and he takes them seriously.

Commissioner Fedorko stated he claims he didn't get notice of the hearing, but he has been paying the violations but asked if he knew the conditions of his SUP. Mr. Rodriguez stated yes. Mr. Fedorko asked by knowing the conditions of his SUP is it ok to agree that very few of those conditions have been met. Mr. Rodriguez stated yes, he agrees. Mr. Fedorko stated he wants to try to help him because they want Main St. to have viable operating businesses and asked why the conditions haven't been met. Mr. Rodriguez stated he has been going through some tough times this past year,with having a lot of injuries and it has hindered him from being able to be on top of things like he should be and also due to the stress of the pandemic.

Commissioner Moser stated his SUP was approved in 2015 before the pandemic and the requirements they are talking about are the requirements in the SUP in 2015 and went on to state some of those requirements. He agrees with commissioner Fedorko he loves small businesses to succeed but it seems like he is ignoring the requirements.

Commissioner Smith asked what his plan would be if they approved the SUP and to include a timeline. Mr. Rodriguez stated he would do the striping and fence within 30 days. Ms. Smith stated it would be up to the entire commission to decide.

Commissioner Perez stated not having a fire hydrate on the property is concerning because of safety concerns and has had 5 years to get it done. Mr. Rodriguez stated there is one across the street.

Commissioner Spare agrees with Commissioner Landrum. He went on to state he would want to pull the SUP until council and get from the owner contracts for the striping, fencing, etc. to prove to the council members he is taking it seriously.

Chairperson Connor stated looking at it, a lot of the violations are minor, and it seems like the owner doesn't care to fix it.

Commissioner Fedorko agrees with commissioner Connor.

Commissioner Moser stated if the applicant would like to have some extra time to prepare for a hearing or continue the hearing today. We can have a motion to table until the next Planning a Zoning Hearing and give him 2 weeks to formulate a plan.

Assistant Attorney Tiffany Bull stated she thinks the commission should take into consideration whether Mr. Rodriguez feels he had enough time to prepare for this hearing since he indicated he only received notice this weekend.

Commissioner Moser asked Mr. Rodriguez if he would like to table it and get an additional two weeks to formulate a plan. Mr. Rodriguez stated he would appreciate the two weeks.

Commissioner Spare stated in two weeks he would like to see a signed contract for relining, new fencing, and would like to see some cleaning done on the property and the plan. Mr. Rodriguez stated yes sir.

Commissioner Smith asked if we could get clarification about the file hydrate. Code Compliance Officer Philip Curtis stated that requirement was placed by the fire marshal's office and typically when a depth of a property is over 150 ft it is required to have a fire hydrate on property. Mr. Moser stated they will get clarification from fire marshal before the next meeting.

Chief City Planner Savannah Ware stated the next Planning and Zoning Meeting is on January 25th and the packet goes out January 22nd, which means if the commissioners would make a motion requiring the applicant to submit an operational action plan then we would need it by January 20th at noon. Mr. Rodriguez asked who he would submit his operational action plan to. Ms. Ware stated he can coordinate with her.

There being no further discussion on the case commissioner Spare moved to close the public hearing and revoke SUP on case SU150803C per staff recommendations.

The action and vote recorded as follows:

Motion: Spare
Second: Connor
Ayes: Spare, Connor, Landrum, Moser
Nays: Smith, Fedorko, Coleman, Perez
**Vote: 4-4**

Motion: **Failed**

There being no further discussion on the case commissioner Smith moved to close the public hearing and table case SU150803C to the next meeting January 25, 2021 with recommendation that the owner prepare an action plan to bring property into compliance and submit by noon on January 20, 2021.

Commissioner Spare amended the motion with the approval of Commissioners Smith and Perez to include the recommendation that the owner also provide signed contracts with a fencing company and a stripping company and show a receipt that he paid or did himself the cleaning of the oil stains.

The action and vote recorded as follows:

Motion: Smith
Second: Perez
Ayes: Spare, Connor, Moser, Fedorko, Smith, Coleman, Perez
Nays: none
Abstaining: Landrum
**Vote: 7-0-1**
Motion: **Carried**

PUBLIC HEARING AGENDA ITEM # 9- Z201202/CP201201 - Zoning Change/Concept Plan - The Lofts at Grand Prairie (City Council District 4). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan to rezone 26.3 acres from A to a Planned Development District for Multi-Family Use. Tract 6A A 43 TRS 6A & 6A01 & 6B, James C. Armstrong Survey, Abstract No. 43, City of Grand Prairie, Tarrant County, Texas, zoned A, and addressed as 931 N Day Miar Rd.

Ms. Ware stated the purpose of the request is to rezone the property from Agriculture to a Planned Development District for Multi-Family Use. The applicant is proposing multi-family use. The Concept Plan depicts 676 units in two buildings. The site is accessible from two points on Day Miar Rd. An active gas well is located at the center of the 26.3-acre property and will remain in production. The access point and drive for the gas well will be separate from the multi-family development so that traffic generated by the two uses will not mix. Day Miar Rd is an unimproved, one-lane road and is classified as a local street. Day Miar Rd dead-ends southeast of the subject

property and is the only roadway connection to the property. The applicant will be required to improve and widen the segment of the street along the subject property. As part of this request, the applicant conducted a Traffic Impact Analysis (TIA) to identify traffic generation characteristics and potential impacts on the local street system. The TIA states that the proposed development can be successfully incorporated into the surrounding roadway network without substantial negative impacts to any adjacent intersection or roadway. The Concept Plan includes a clubhouse, landscaped courtyard, and pool for each building. Other amenities include a dog park, pickle ball courts, a gazebo, and basketball court.

The applicant is requesting the following variances:

1. Maximum Percentage of One-Bedroom Units – Appendix W allows one-bedroom units to account for up to 60% of the total units. The applicant is proposing that one-bedroom units account for 68% of the total units.
2. Rear Setback – Appendix W requires that the rear setback be at least 45 ft. plus 1 ft. for every ft. of building height over 35 ft. For a building that is 60 ft. in height, the UDC requires a rear setback of 70 ft. The applicant is proposing a rear setback of 45 ft.
3. Side Setbacks – Appendix W requires that interior side setbacks be at least 45 ft. plus 1 ft. for every ft. of building height over 35 ft. For a building that is 60 ft. in height, the UDC requires a side setback of 70 ft. The applicant is proposing side setbacks of 30 ft.
4. Setback for Garages/Carports – The UDC requires a 3 ft. setback for accessory structures. The applicant is proposing a setback of zero ft. for the garages and carports.
5. Garage Parking Spaces – Appendix W requires that garage parking spaces account for 30% of the total required parking spaces. The applicant is proposing that garages account for 15% of the total required parking spaces.
6. Carport Parking Spaces – Appendix W requires that carport parking spaces account for 20% of the total required parking spaces. The applicant is proposing that garages account for 10% of the total required parking spaces.
7. Carport Supports – Appendix W requires that carport supports be encased in masonry. The applicant is proposing carport supports without the masonry encasement.

Staff is unable to recommend approval of the request because it conflicts with the FLUM and includes a significant number of variances.

Commissioners discussed the safety concerns about building apartments around a gas wall and asked what other uses a better fit on this parcel are.

Commissioner Coleman asked if gas well is active. Ms. Ware stated it is a producing gas well.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

**Break at 8:07 pm and reconvened at 8:15 pm**

Robert Weinstein, 495 Broadway 7th Floor New York NY 10002 stepped forward and represented the case and gave a Power Point presentation.

Commissioner Smith asked what the cost per unit for rent is. Mr. Weinstein stated one bedroom: $900-$1200, two bedrooms: $1,500-$1,800.

Commissioner Fedorko asked if they have had any discussions with fire dept about being so close to a gas well. Mr. Weinstein stated they had a DRC meeting and the fire dept was in attendance and made some changes with the comments they were given.

Commissioner Moser stated he understood you can't have commercial construction within 300 ft and residential within 600 ft and asked is that correct. Mr. Jackson stated per environmental comments given to them it is 300 ft for residential.

Maxwell Fisher, Master Plan Texas, 2201 Main St Suit 1280 Dallas TX 75201, stepped forward and represented the case, he stated mixed use wouldn't work on this parcel because of the lack of traffic. He gave examples of other developments that were built around well heads.

**A letter of opposition was submitted by the Longneckers.**

There being no further discussion on the case commissioner Spare moved to close the public hearing and deny case Z201202/CP201201 per staff recommendations.

The action and vote recorded as follows:

Motion: Spare
Second: Smith
Ayes: Moser, Smith, Spare, Perez Landrum, Fedorko, Connor
Nays: Coleman
**Vote: 7-1**
Motion: **carried**

PUBLIC HEARING AGENDA ITEM # 10- Z210102/CP210102 - Zoning Change/Concept Plan – The Royalton at Grand Prairie Phase 2 (City Council District 2). Planner Jonathan

Tooley presented the case report and gave a Power Point presentation for a Zoning Change and Concept Plan for a 204-unit multi-family development on 9.2 acres. Tract 2.1, Frederick Dohme Survey, Abstract No. 395, City of Grand Prairie, Dallas County, Texas, zoned PD-294, within the SH-161 and IH-20 Corridor Overlay Districts, located at the southwest corner of SH 161 and Forum Dr, and addressed as 1705 S Forum Drive.

Mr. Tooley stated the purpose of the request is to rezone the subject property to a Planned Development District to facilitate a multi-family development on 9.2 acres. The subject property is currently zoned PD-294 for General Retail uses. The Concept Plan depicts five, three-story apartment buildings with a large clubhouse and leasing office while providing internal walking trails buffered from the surrounding streets. All access points are located along Forum Rd and will not disturb existing turn lanes or transitions at SH 161. There is an existing access easement that runs along the Forum frontage, providing adequate access to the property. The proposed amenities include fully equipped fitness center, spin/yoga center, community gathering spaces, pool area, pergola with a seating area and grill. The applicant is not requesting any variances.

While the FLUM designates this area as High Density Residential, the 161 Focus Area Map, which delves deeper into the preferences for this area, shows the area as Commercial/Retail/Office. The focus area vision is to create a rich commercial district and recreation destination through high quality entertainment and commercial venues and retail services. Since the proposal is inconsistent with the area vision, staff is unable to support the request as presented.

Commissioner Fedorko stated the FLUM and the 161 Focus Area Map contradicts one another and asked why. Planning and Development Director Rashad Jackson stated when the FLUM was established and they built deeper into this focus area a portion of the FLUM should have been updated and at a minimum the applicant should propose a submittal that mixes the two but try to keep hard corner as commercial. Mr. Moser stated the 161 Focus Area Map came after the FLUM.

Commissioner Spare stated he has been trying to protect 161 for a long time and believes apartments will ruin our city.

Commissioner Connor stated he agrees with commissioner Spare and stated there are too many apartments based on the Multi-Family Development Map.

Commissioner Spare asked can an updated map be presented to the board each time cases for apartments comes before them. Ms. Ware stated yes.

Commissioner Smith stated she agrees with commissioners Spare and Fedorko about the updated map.

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

Mr. Jackson stated the staff was asked to make a total assessment and present it to the CCDC meeting and it is currently on the agenda for the meeting taking place January 12, 2021.

Commissioner Moser stated to bring up the concerns on their behalf to the board members.

Spencer Byington, 5600 South FM 148 Kaufman TX stepped forward and represented the case and gave a presentation.

Commissioner Connor stated he doesn't want to see another gas station or apartments and there are so many other viable options available for retail.

Commissioner Spare stated if retails don't come about, he would rather see a warehouse.

Commissioner Smith agreed with commissioners Connor and Spare.

There being no further discussion on the case commissioner Smith moved to close the public hearing and deny case Z210102/CP210102 per staff recommendations.

The action and vote recorded as follows:

Motion: Smith
Second: Spare
Ayes: Moser, Smith, Spare, Perez Landrum, Fedorko, Connor, Coleman
Nays: none
**Vote: 8-0**
Motion: **carried**

Commissioner Connor moved to adjourn the meeting. The meeting adjourned at 9:42 p.m.

_____
Shawn Connor, Chairperson

ATTEST:

**PLANNING AND ZONING COMMISSION MINUTES, JANUARY 11, 2021**

_____
Cheryl Smith, Secretary

An audio recording of this meeting is available on request at 972-237-8255.

**CITY OF GRAND PRAIRIE**
# COMMUNICATION

**MEETING DATE:** 02/02/2021

**REQUESTER:** Mona Lisa Galicia

**PRESENTER:** Becky Brooks, Chief Financial Officer; Cheryl De Leon, Deputy City Manager; Mona Lisa Galicia, City Secretary

**TITLE:** Ordinance Calling a Bond Election for $75,000,000 the Purpose of Providing Funds for Economic Development Throughout the City

**RECOMMENDED ACTION:** Approve

**ANALYSIS:**

An election will be held to authorize the City Council of the City of Grand Prairie to issue general obligation bonds to provide funds for promoting economic development throughout the City.

**FINANCIAL CONSIDERATION:**

Funding is available in the FY21 General Fund City Manager's budget (111210) Elections expense account (61365).

**AN ORDINANCE CALLING A BOND ELECTION TO BE HELD IN THE CITY OF GRAND PRAIRIE, TEXAS; MAKING PROVISION FOR THE CONDUCT OF AN ELECTION; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION**

* * * * * * * * * * * * * * * * * * * * * * *

WHEREAS, the City Council (the *Council*) of the CITY OF GRAND PRAIRIE, TEXAS (the *City*), located in Dallas County, Ellis County and Tarrant County, Texas hereby finds and determines that an election should be held on May 1, 2021, to determine whether the Council shall be authorized to issue general obligation bonds of the City in the amount and for the purposes hereinafter identified (the *Election*); and

WHEREAS, the City will enter into election services contracts with the Dallas County Elections Administrator, the Ellis County Elections Administrator and the Tarrant County Elections Administrator, in accordance with the provisions of Subchapter D of Chapter 31, as amended, Texas Election Code, or other applicable law, pursuant to which the Elections Administrators will assist with certain aspects of the Election on the City's behalf;

WHEREAS, the Council hereby finds and determines that the necessity to promote economic development within the City necessitates that it is in the public interest to call and hold the Election at the earliest possible date to authorize the issuance of general obligation bonds for the purposes hereinafter identified; and

WHEREAS, the Council hereby finds and determines that the holding of the Election is in the best interests of the residents of the City; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS THAT:

SECTION 1. The Election shall be held in the CITY OF GRAND PRAIRIE, TEXAS on the 1st day of May, 2021 (*Election Day*), which is a uniform election date under the Texas Election Code, as amended, and is not less than 78 days nor more than 90 days from the date of the adoption of this ordinance (the *Ordinance*), for the purpose of submitting the following proposition to the qualified voters of the City:

**CITY OF GRAND PRAIRIE, TEXAS PROPOSITION A**

"SHALL the City Council of the City of Grand Prairie, Texas be authorized to issue general obligation bonds of the City in the aggregate principal amount of $75,000,000 for the purpose of providing funds for promoting economic development throughout the City, through planning, designing, constructing, improving, extending and expanding public streets, utilities, and other infrastructure facilities, including the acquisition of land therefor, and through the City's programs for economic development and housing including the acquisition of improved and unimproved properties, the demolition of existing structures, making grants, loans and otherwise providing assistance with bond proceeds to promote economic development and to stimulate business and commercial activity in the City for private commercial, industrial, retail, residential and mixed-

use development, hospitality and entertainment projects and neighborhood revitalization projects; such bonds to mature serially over a period not to exceed forty (40) years from their date, to be issued in such installments and sold at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise) as shall be determined within the discretion of the City Council under laws in effect at the time of issuance and to provide for the payment of principal and interest on said bonds by levying a tax sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due.

SECTION 2. Pursuant to an agreement to be entered into with the Dallas County Elections Department, for that portion of the City located in Dallas County, the Ellis County Elections Department for that portion of the City located in Ellis County and the Tarrant County Elections Department for that portion of the City located in Tarrant County, the election shall be conducted by the Dallas County Elections Department, the Ellis County Elections Department and the Tarrant County Elections Department, respectively, in accordance with the provisions of the respective agreements for election services (the "Contracts").

The polling places for this election are shown in **Exhibit A**, which is attached hereto and incorporated herein by reference as a part of this Ordinance for all purposes. The election officers and maximum number of clerks for each polling place shall be determined and appointed in accordance with the Contracts.

On election day, the polls shall be open from 7:00 a.m. to 7:00 p.m.

SECTION 3. With respect to that portion of the City located in Dallas County, the locations, dates and times for early voting for this election shall be as shown in **Exhibit B**, which is attached hereto and incorporated herein by reference as a part hereof for all purposes. Michael J. Scarpello, Dallas County Elections Administrator, is hereby appointed early voting clerk and shall appoint and designate deputy clerks at such early voting polling place in accordance with the agreement with the Dallas County Elections Department.

With respect to that portion of the City located in Ellis County, the locations, dates and times for early voting for this election shall be as shown in **Exhibit B**, which is attached hereto and incorporated herein by reference as a part hereof for all purposes. Jana Onyon, Ellis County Elections Administrator, is hereby appointed as early voting clerk and shall appoint and designate deputy clerks for early voting in accordance with the agreement with the Ellis County Elections Department.

With respect to that portion of the City located in Tarrant County, the locations, dates and times for early voting for this election shall be as shown in **Exhibit B**, which is attached hereto and incorporated herein by reference as a part hereof for all purposes. Heider I. Garcia, Tarrant County Elections Administrator, is hereby appointed as early voting clerk and shall appoint and designate deputy clerks for early voting in accordance with the agreement with the Tarrant County Elections Department.

For purposes of processing ballots cast in early voting, the election officers for the early voting ballot board for this election shall be appointed and designated in accordance with the provisions of the Contracts.

SECTION 4: With respect to voters of the City residing in Dallas County, the Central Counting Station for the tabulation and counting of ballots for this election shall be located at the Office of the Elections Department, 1520 Round Table Drive, Dallas, Texas and the Manager, Tabulation Supervisor, Presiding Judge and Alternate Presiding Judge at such Central Counting Station shall be determined, appointed and designated in accordance with the agreement with the Dallas County Elections Department. The Manager and Presiding Judge of such Central Counting Station may appoint clerks to serve at such Station, as provided by Texas Election Code, Section 127.006, as amended.

With respect to voters of the City residing in Ellis County, the Central Counting Station for the tabulation and counting of ballots for this election shall be located at the Ellis County Election Department, 204 E. Jefferson Street, Waxahachie, Texas and the Manager, Tabulation Supervisor, Presiding Judge and Alternate Presiding Judge at such Central Counting Station shall be determined, appointed and designated in accordance with the agreement with the Ellis County Elections Department. The Manager and Presiding Judge of such Central Counting Station may appoint clerks to serve at such Station, as provided by Section 127.006 of the Election Code, as amended.

With respect to voters of the City residing in Tarrant County, the Central Counting Station for the tabulation and counting of ballots for this election shall be located at the Tarrant County Election Department, 2700 Premier Street, Fort Worth, Texas and the Manager, Tabulation Supervisor, Presiding Judge and Alternate Presiding Judge at such Central Counting Station shall be determined, appointed and designated in accordance with the agreement with the Tarrant County Elections Department. The Manager and Presiding Judge of such Central Counting Station may appoint clerks to serve at such Station, as provided by Section 127.006 of the Election Code, as amended.

SECTION 5. The official ballot shall be prepared in accordance with the Texas Election Code, as amended, so as to permit voters to vote "FOR" or "AGAINST" the aforesaid proposition which shall appear on the ballot substantially as follows:

**CITY OF GRAND PRAIRIE, TEXAS PROPOSITION A**

"THE ISSUANCE OF $75,000,000 GENERAL OBLIGATION BONDS FOR PROMOTING ECONOMIC DEVELOPMENT WITHIN THE CITY AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS"

SECTION 6. All resident qualified voters of the City shall be permitted to vote at the Election, and on Election Day, such voters shall vote at the designated polling places. The Election shall be held and conducted in accordance with the laws of the State of Texas, including the provisions of the Texas Election Code, as amended, the Texas Government Code, as amended, including Chapter 1251 and as may be required by any other law. To the extent required by law, all materials and proceedings relating to the Election shall be printed in both English, Spanish and Vietnamese.

SECTION 7. Notice of election, including a Spanish and Vietnamese translation thereof, shall be published on the same day in each of two successive weeks in a newspaper of general circulation in the City, the first of these publications to appear in such newspaper not more than 30 days, and not less than 14 days, prior to Election Day. Moreover, a substantial copy of this Ordinance and the voter information attached as **Exhibit C**, including a Spanish and Vietnamese translation thereof, shall be posted (i) at City Hall not less than 21 days prior to Election Day; (ii) at three additional public places within the City not less than 21 days prior to Election Day, (iii) in a prominent location at each polling place on Election Day and during early voting, and (iv) in a prominent location on the City's internet website not less than 21 days prior to Election Day. A sample ballot shall be posted on the City's internet website not less than 21 days prior to Election Day.

SECTION 8. As required by and in accordance with Section 3.009(b)(5) and (7) through (9) of the Texas Election Code, the City, as of the date of this Ordinance, had outstanding an aggregate principal amount of debt equal to $311,330,000; the aggregate amount of the interest owed on such City debt obligations, through respective maturity, totaled $93,600,000; and the City levied an ad valorem debt service tax rate for its outstanding debt obligations of $.20936 per $100 of taxable assessed valuation. The City estimates an ad valorem debt service tax rate of $.20936 per $100 of taxable assessed valuation if the bonds that are subject of the Election are approved and are issued (taking into account the outstanding City bonds and bonds that are the subject of this Election, but not future bond authorizations of the City). The bonds that are the subject of this Election shall mature serially or otherwise overall a specified number of years (not more than 40 years from their date), as prescribed by applicable Texas law, though the City estimates that, based on current bond market conditions, such bonds will amortize over a 30-year period from their respective date of issue. The foregoing estimated tax rate and amortization period are only estimates, provided for Texas statutory compliance, and do not serve as a cap on any City ad valorem tax rate or the amortization period for bonds that are the subject of this Election.

SECTION 9. The Council authorizes the Mayor, the City Manager, or their respective designee, to negotiate and enter into one or more election agreements and/or similar contracts or agreements with Dallas County, Ellis County and Tarrant County, acting by and through their respective Elections Administrators, as permitted and in accordance with the provisions of the Texas Election Code, as amended. In addition, the City authorizes the Mayor, the City Manager, or their respective designee of either of such parties to make such technical modifications to this Ordinance that are necessary for compliance with applicable Texas or federal law or to carry out the intent of the Council, as evidenced herein. To the extent that any duty or obligation of the City, in general, or any City official, in particular, is properly delegated to the Dallas County, Ellis County and Tarrant County pursuant to an election agreement with such County, then the County's carrying out those duties and obligations on the City's behalf pursuant to the terms of such election agreement shall be binding upon the City and are hereby determined by the Council to be evidence of the City's compliance with the provisions of applicable Texas law concerning the Election relative to the same.

SECTION 10. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

SECTION 11. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 12. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 13. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Texas Government Code, Chapter 551, as amended and as in effect on the date hereof.

SECTION 14. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and this Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 15. Pursuant to the provisions of Section 1201.028, as amended, Texas Government Code, this Ordinance shall be effective immediately upon adoption on the date shown below.

PASSED, APPROVED AND ADOPTED on the _____ day of _____, 2021.

CITY OF GRAND PRAIRIE, TEXAS

_____
Ron Jensen
Mayor

ATTEST:

_____
Mona Lisa Galicia
City Secretary

(CITY SEAL)

# Exhibit A

## ELECTION DAY POLLING PLACES

Election Day: Saturday, May 1, 2021
Election Day Polling Locations open from 7 a.m. to 7 p.m.
Presiding Judge(s) and Alternate(s): to be determined by the County Election Administrators

### Polling Locations

Dallas County, Ellis County and Tarrant County participate in the Countywide Polling Place program under Section 43.007, as amended, Texas Election Code. Registered voters will be able to cast their Election Day ballots at any of the Vote Centers in the County of their residence. Locations will be identified and published in the forthcoming election notice provided by each of Dallas County, Ellis County and Tarrant County.

## Exhibit B

## EARLY VOTING

Early voting begins April 19, 2021 and ends on April 27, 2021.

Dallas County Early Voting Clerk: Michael Scarpello, 1520 Round Table Drive, Dallas, Texas 75247.

Ellis County Early Voting Clerk: Jana Onyon, 204 E. Jefferson Street, Waxahachie, Texas 75165

Tarrant County Early Voting Clerk: Heider Garcia, 2700 Premier Street, Fort Worth, Texas 76111

Presiding Judges of the Early Voting Ballot Boards: to be determined by the Administrators.

Voters entitled to vote an early ballot by personal appearance may do so at any Early Voting site within the county of their residence.

### Main Early Voting Polling Place, Dates, and Times

| Polling Place | Dates | Times |
|---|---|---|
| **Dallas County** | April 19 – 23, Monday – Friday | 8:00 a.m. - 5:00 p.m. |
| 1520 Round Table Drive, Dallas, Texas 75247 | April 24, Saturday | 8:00 a.m. - 5:00 p.m. |
| | April 25, Sunday | 1:00 p.m. - 6:00 p.m. |
| | April 26 – 27, Monday – Tuesday | 7:00 a.m. - 7:00 p.m. |
| **Ellis County** | April 19 – 23, Monday – Friday | 8:00 a.m. - 5:00 p.m. |
| 204 E. Jefferson Street, Waxahachie, Texas 75165 | April 24, Saturday | 8:00 a.m. - 4:00 p.m. |
| | April 26 – 27, Monday – Tuesday | 7:00 a.m. - 7:00 p.m. |
| **Tarrant County** | April 19 – 23, Monday – Friday | 8:00 a.m. - 5:00 p.m. |
| 2700 Premier Street, Fort Worth, Texas 76111 | April 24, Saturday | 7:00 a.m. - 7:00 p.m. |
| | April 25, Sunday | 11:00 a.m. - 4:00 p.m. |
| | April 26 – 27, Monday - Tuesday | 7:00 a.m. - 7:00 p.m. |

Branch Early Voting Polling Places, Dates, and Times will be determined by the Dallas, Tarrant and Ellis County Elections Administrators and published in the forthcoming election notice provided by each of Dallas County, Ellis County and Tarrant County.

## Early Voting by Mail

### Dallas County, Texas

Applications for voting by mail should be received no later than the close of business (5:00 p.m.) on April 20, 2021. Applications should be sent to:

1520 Round Table Drive, Dallas, Texas 75247
phone: (469) 627-VOTE (8683)
fax: (214) 819-6301
email: dallascountyvotes@dallascounty.org

If an application for ballot by mail is faxed or emailed (or if a federal postcard application is faxed), the applicant must also mail the original application so that the early voting clerk receives the original no later than four days after receiving the emailed or faxed copy.

### Ellis County, Texas

Applications for voting by mail should be received no later than the close of business (5:00 p.m.) on April 20, 2021. Applications should be sent to:

204 E. Jefferson Street, Waxahachie, Texas 75165
phone: 972-825-5195
fax: 972-923-5194
email: elections@co.ellis.tx.us

If an application for ballot by mail is faxed or emailed (or if a federal postcard application is faxed), the applicant must also mail the original application so that the early voting clerk receives the original no later than four days after receiving the emailed or faxed copy.

### Tarrant County, Texas

Applications for voting by mail should be received no later than the close of business (5:00 p.m.) on April 20, 2021. Applications should be sent to:

2700 Premier Street, Fort Worth, Texas 76111
phone:817-831-VOTE (8683)
fax: 817-850-2344

email: votebymail@tarrantcounty.comIf an application for ballot by mail is faxed or emailed (or if a federal postcard application is faxed), the applicant must also mail the original application so that the early voting clerk receives the original no later than four days after receiving the emailed or faxed copy.

**Exhibit C**

**VOTER INFORMATION DOCUMENT**

Grand Prairie City, Texas Proposition A:

| | |
|---|---|
| □ FOR (a favor)<br><br>□ AGAINST (en contra) | "THE ISSUANCE OF $75,000,000 GENERAL OBLIGATION BONDS FOR PROMOTING ECONOMIC DEVELOPMENT WITHIN THE CITY AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS" |

| | |
|---|---|
| principal of debt obligations to be authorized | $75,000,000 |
| estimated interest for the debt obligations to be authorized presuming an interest rate of 3.0% | $39,793,333 |
| estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized amortized over 30 years | $ 114,793,333 |
| as of the date the election was ordered, principal of all outstanding debt obligations | $311,300,000 |
| as of the date the election was ordered, the estimated remaining interest on all outstanding debt obligations | $93,600,000 |
| estimated combined principal and interest required to pay on time and in full all outstanding debt obligations | $404,930,000 |
| estimated maximum annual increase in the amount of taxes on a residence homestead with a taxable value of $100,000 to repay the debt obligations to be authorized, if approved<br>This figure assumes the amortization of the City's debt obligations, including outstanding debt obligations and the proposed debt obligation; changes in estimated future appraised values within the City; and the assumed interest rate on the proposed debt obligations. | $0 |

*[The remainder of this page intentionally left blank.]*