# City Council Agenda

SAGINAW CITY COUNCIL
NOTICE OF MEETING

Meeting and/or Executive Session Agenda
6:00 PM - Tuesday, October 20, 2020
Saginaw City Hall Council Chambers
333 West McLeroy Blvd.

In accordance with Section 551.042 of the Texas Government Code, this agenda has been posted at Saginaw City Hall, and distributed to the appropriate news media within the required time frame. All meetings of the Saginaw City Council are open to the public. Public participation and written comments are invited on all open session business items.

The Mayor and City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside to respond to a page or to conduct a phone conversation.

The City Hall is wheelchair accessible and special parking is available on the east side of the building. If special accommodations are required please contact the City Secretary a minimum of 72 hours in advance at 817-232-4640.

**(1) Call to Order--Todd Flippo, Mayor**

**Pledge of Allegiance to the United States**

**Pledge of Allegiance to the State of Texas**

"Honor the Texas Flag; I pledge allegiance to thee, Texas, one State under God, one and indivisible"

**(2) Invocation--Pastor Sean Reed, The Crossroads Church**

**(3) Audience Participation--On the Video Screen**

**(4) Consent Agenda--All items listed with lower case letters are part of the Consent Agenda. Public hearing and review are held collectively unless opposition is presented, in which case the contested item will be heard separately.**

**(a)** Action regarding Minutes, October 6, 2020--Janice England, City Secretary

**(b)** Action regarding 2020-21 Tarrant County Emergency Services District #1 Annual Contract Renewal--Doug Spears, Fire Chief

**(c)** Action regarding 2020-21 Tarrant County Fire Alarm Center Contract--

Doug Spears, Fire Chief

**(d)** Action Regarding Change Order Number 1 to the East McLeroy Curb and Gutter Replacement Contract--Rick Trice, P.E., Director of Public Works

**(5)** Introduction of Emergency Management Coordinator Joseph Laster--Doug Spears, Fire Chief

**(6)** PUBLIC HEARING – Consideration and Action Regarding a Recommendation from the Planning and Zoning Commission to Approve a Request for a Specific Use Permit to allow the operation of a tire sales and auto repair garage on property located at 836 S. Saginaw Blvd in Saginaw (Ordinance No. 2020-22)--Rick Trice, P.E., Director of Public Works

**(7)** Consideration and Action regarding an Escrow Agreement by and between Lavonne White, Cheri Elaine Walker as Successor Trustee of the Cheri Elaine Walker Trust and Judy Lynn Hartt as Successor Trustee of the Judy Lynn Hartt Trust, Provident Realty Advisors, Inc., the City of Saginaw, Texas, and the City Attorney as escrow agent, governing terms and conditions for the filing of a Petition for Dissolution of the Saginaw Western Center Public Improvement District--Gabe Reaume, City Manager/Bryn Meredith, City Attorney

**(8)** PUBLIC HEARING--Consideration and Action regarding a Resolution of the City Council of the City of Saginaw, Texas Authorizing and Creating the Western Center Public Improvement District in Accordance with Chapter 372 of the Texas Local Government Code on property consisting of approximately 78.724 acres and described as a tract of land situated in the J. WALKER SURVEY, ABSTRACT NO. 1602 and the J.A. BRADFORD SURVEY, ABSTRACT NO. 183, City of Saginaw, Tarrant County, Texas (Resolution No. 2020-25)--Gabe Reaume, City Manager/Bryn Meredith, City Attorney

**(9)** Discussion of Christmas Events--Valerie Tankersley, Mayor Pro-Tem

**(10) Recess into Workshop**

**(11)** Update and Discussion regarding Beltmill Project--Jim Makens/Don Allen

**(12)** Capital Projects Update--Andrew Simonsen, P.E.

**(13) Reconvene Back into Regular Session**

**(14) Executive Session--The City Council may take action on any Executive Session item posted.**

551.071. Texas Government Code.

Consultation with Attorney. The City Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the City Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items:

**(a)** Any Posted Item

551.087 Texas Government Code.

Deliberation regarding Economic Development Negotiations. The City Council may convene in executive session to discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect described above, including:

**(a)** Possible incentive associated with business relocation involving property located at 521 E. Bailey Boswell Road

**(b)** Possible incentive promoting the development of property consisting of approximately 78.724 acres and described as a tract of land situated in the J. WALKER SURVEY, ABSTRACT NO. 1602 and the J.A. BRADFORD SURVEY, ABSTRACT NO. 183, City of Saginaw, Tarrant County, Texas

**(15) Adjournment**

# City of Saginaw

**Meeting Date:** 10/20/2020

**Agenda Items:** (4)(a)

**Staff Contact:** Janice England
City Secretary

**E-mail:** jengland@saginawtx.org

**Phone:** 817-230-0327

**SUBJECT:**
Action regarding Minutes, October 6, 2020

**BACKGROUND/DISCUSSION:**
The minutes of the October 6th City Council Meeting are presented for consideration.

**FINANCIAL IMPACT:**
N/A

**RECOMMENDATION:**
Staff recommends approval.

## ATTACHMENTS:

Description

Minutes, 10-06-2020

**CITY OF SAGINAW**
**CITY COUNCIL MEETING & WORKSHOP**
**HELD AT THE SAGINAW CITY HALL**
**333 W. MCLEROY BLVD.**
**OCTOBER 6, 2020**

Present at the meeting:

| | |
|---|---|
| Mayor | Todd Flippo |
| Mayor Pro-Tem | Valerie Junkersfeld |
| Councilmember | Charles Beasley |
| Councilmember | Patrick Farr |
| Councilmember | Charles Tucker |
| Councilmember | Mary Copeland |
| City Attorney | Bryn Meredith |
| City Engineer | Andrew Simonsen, P.E. |
| City Manager | Gabe Reaume |
| Asst. City Manager | Dolph Johnson |
| Finance Director | Kim Quin |
| City Secretary | Janice England |
| Police Chief | Lee Howell |
| Fire Chief | Doug Spears |
| Director of Public Works | Rick Trice, P.E. |
| Library Director | Ellen Ritchie |
| Police Officer | Chelce Kidwell |

Absent from the meeting:

| | |
|---|---|
| Councilmember | Cindy Bighorse |
| Dir. of Comm. & Eco. Dev. | Keith Rinehart |
| Director of Human Resources | Melanie McManus |

Visitors at the meeting:

| | |
|---|---|
| Abel Moreno | Scott DePauw |
| James Hinton | Kelly Stewart |
| Gary DeVries | Chris Sano |

(1) Call to Order

Mayor Flippo called the meeting to order at 6:00 p.m. with a quorum present.

Pledge of Allegiance to the United States

Pledge of Allegiance to the State of Texas

(2) Invocation

Councilmember Farr gave the invocation.

(3) Audience Participation

This item was covered on the video screen.

(4) Consent Agenda

a. Action regarding Minutes, September 15, 2020

b. Action regarding Minutes, September 22, 2020

c. Action regarding Building Improvement Grant Agreement with Palomino Southern Limited Partnership (510-548 S. Saginaw Blvd.)

*Summary: On Tuesday, September 15, 2020, the City Council heard information in Executive Session pertaining to the specifics of a Building Improvement Grant (BIG) Program application that was submitted during August by Palomino Southern Limited Partnership in regards to their property located at 510-548 S. Saginaw Blvd. The consensus of the City Council in that session was to award an amount not-to-exceed $5,000 in reimbursable and matching dollars for the anticipated improvements as proposed on their application. The included contract is the realization of that intention.*

d. Action regarding Lease Agreement with Northwest Plumbing to allow a mural to be painted on north side of the Northwest Plumbing Building located at 109 N. Saginaw Blvd.

*Summary: The proposed agreement is between the City of Saginaw and Northwest Plumbing. It addresses the painting of the mural on the north side wall of the Northwest Plumbing building. At the September 1, 2020 City Council Meeting, the City Council approved funds for a professional artist to paint the mural. The term of the lease agreement is ten years. The financial impact of the lease agreement is $10.*

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e. Action regarding Authorization of an Individual Project Order (IPO) with Kimley-Horn & Associates, Inc. (KHA) for the Saginaw Elementary Sidewalk Loop

*Summary: On March 17, 2020, Resolution No. 2020-06 for the 44th Year Community Development Block Grant Project (CDBG) (FY2020) was adopted. The Resolution designated the recommended project to construct new sidewalks in the 215-500 blocks of Bluebonnet Street. On August 18, 2020, the City Council approved Ordinance No. 2020-15 authorizing Certificates of Obligation which included $1,000,000 in Sidewalk and ADA improvements. Staff is recommending that the remainder of the sidewalks proposed in the CDBG Project be designed and constructed at this time. KHA has submitted an IPO for contract preparation, bidding services, and construction phase services for the total amount of $35,000.*

Motion was made by Councilmember Farr with a second by Councilmember Tucker to approve the consent agenda as presented. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Beasley, Farr, Tucker, and Copeland

Against: None

Abstain: None

Absent: Councilmember Bighorse

(5) Consideration and Action regarding Rate Increase Request from Waste Connections

Waste Connections has requested a 2% increase in rates for residential and commercial trash services.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Beasley to approve the rate increase request from Waste Connections as presented. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Beasley, Farr, Tucker, and Copeland

Against: None

Abstain: None

Absent: Councilmember Bighorse

(6) Consideration and Action regarding Ordinance No. 2020-21, Amending Electrical, Mechanical, and Plumbing Fees; and the Residential Trash and Recycle Rate

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Junkersfeld to approve Ordinance No. 2020-21 as presented. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Beasley, Farr, Tucker, and Copeland

Against: None

Abstain: None

Absent: Councilmember Bighorse

(7) Recess into Workshop

Mayor Flippo declared the meeting recessed into Workshop at 6:06 p.m.

(8) Discussion regarding Proposed Beekeeping Ordinance

The proposed beekeeping ordinance was discussed. The Council requested more information on beekeeping before moving forward with an ordinance.

(9) Fire Station Design Update

Representatives of Brown Reynolds Watford Architects and Steele & Freeman, Inc. gave a presentation on the progress of the design for the new fire station.

(10) Reconvene Back into Regular Session

Mayor Flippo declared the meeting back in Regular Session at 7:07 p.m.

(11) Executive Session

1 § 551.071. Consultation with Attorney. The City Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the City Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items:

a. Any Posted Item

1 § 551.087. Texas Government Code. Deliberation regarding Economic Development Negotiations. The City Council may convene in executive session to discuss or deliberate regarding commercial or Financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect described above, including:

a. Possible incentive promoting the development of property consisting of approximately 78.724 acres and described as a tract of land situated in the J. WALKER SURVEY, ABSTRACT NO. 1602 and the J.A. BRADFORD SURVEY, ABSTRACT NO. 183, City of Saginaw, Tarrant County, Texas

Mayor Flippo declared the meeting recessed into Executive Session at 7:07 p.m.

Mayor Flippo declared the meeting back in Regular Session at 7:41 p.m.

(12) Adjournment

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Tucker to adjourn the meeting. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld, Councilmembers Beasley, Farr, Tucker, and Copeland

Against: None

Abstain: None

Absent: Councilmember Bighorse

Mayor Flippo declared the City Council Meeting of October 6, 2020 adjourned at 7:41 p.m.

ATTEST: APPROVED:

_____ _____

City Secretary Janice England Mayor Todd Flippo

# City of Saginaw

**Meeting Date:** 10/20/2020

**Agenda Items:** (4)(b)

**Staff Contact:** Doug Spears
Fire Chief

**E-mail:** dougspears@saginawfire.us

**Phone:** 817-230-0412

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**SUBJECT:**
Action regarding 2020-21 Tarrant County Emergency Services District #1 Annual Contract Renewal

Renewal approval of the contract with Tarrant County Emergency Service District #1 to provide fire and EMS related services to defined unincorporated areas of Tarrant County.

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**BACKGROUND/DISCUSSION:**
The 2020-21 contract mirrors the previous year's contract.

**FINANCIAL IMPACT:**
TC ESD #1 will pay the City a total sum of $97,020.00 for services our fire department provides in addition to providing a TC ESD #1 owned fire apparatus for fire response into the unincorporated areas. Also defined in the contract we applied and have been approved for a $25,000.000 grant from TC ESD #1. The grant funds will be used to purchase personnel protective firefighting equipment - bunker gear.

**RECOMMENDATION:**
Approval of the Tarrant County Emergency Services District #1 contract as presented.

## ATTACHMENTS:

Description

Explanatory Memo to CM
2020/21 TC ESD#1 Contract

# Saginaw Fire Department

400 S. Saginaw Blvd. Saginaw, Texas 76179
Tel: 817-230-0412 Fax: 817-232-3731

**DOUG SPEARS**
**FIRE CHIEF**


**TO:** City Manager Gabe Reaume

**FROM:** Fire Chief Doug Spears

**DATE:** October 12, 2020

**RE:** 2020-2021 Tarrant County ESD # 1 Contract Renewal

Please find attached the proposed contract with the Tarrant County Emergency Services District (ESD) #1 for fiscal year 2020-2021. The contract is for providing fire, rescue and EMS First Responder services to a designated portion of unincorporated Tarrant County. The contract mirrors the previous year's contract.

The annual contract funding paid to us for services is $97,020. The ESD has again provided grant opportunities for contracting departments and our department is eligible for grant funding up to $25,000. We have submitted and been approved for the full $25,000 grant amount which will be utilized to purchase a minimum of seven sets of Personal Protective Equipment (bunker gear consisting of coat and pant ensemble, boots, helmet, gloves and hood). We have been a successful recipient of ESD grants every year for which they were available and for the highest funding amounts permitted.

I have reviewed the contract and recommend approval as presented.

THE STATE OF TEXAS §
§
§
§
COUNTY OF TARRANT §

**City of Saginaw, Texas**
**Fire Service**
**Equipment**
**Grant**

The TARRANT COUNTY EMERGENCY SERVICES DISTRICT NO. ONE, acting by and through its Board of Emergency Commissioners, hereafter referred to as DISTRICT, and the CITY OF SAGINAW, TEXAS, hereafter referred to as CITY, enter into the following Agreement:

## Section 1: Authority and Services

CITY has a volunteer fire department recognized by the Insurance Commission of the State of Texas or a full-time professional fire department, and is, by an order or resolution of its governing body, authorized to enter into this Agreement with DISTRICT for the use of the personnel and equipment of CITY for the purpose of providing fire protection to real and personal property located outside the boundaries of CITY and within such distance as the CITY may be reasonably expected to render service in case of emergency service needs. Said service area(s) is highlighted on the attached Exhibit "A." The equipment and personnel of the CITY shall be under the control and supervision of CITY employees during a fire or emergency medical response pursuant to this Agreement. In accordance with Section 418.109(d) of the Texas Government Code or Section 791.027 of the Texas Government Code, it is also understood and agreed that the existence of this Agreement does not prevent the CITY from providing mutual aid assistance on request from another municipality, county, emergency services district, fire protection agency, organized volunteer group or other emergency service entity, and shall not be obligated to respond, when in the sole judgment of the CITY, such response would leave insufficient protection for the CITY.

## Section 2: Fire Services Provided

CITY and DISTRICT hereby agree that for and in consideration of the monies to be paid by DISTRICT to CITY, the CITY will provide, through its fire department, fire protection services to the area described. These services include fire protection, fire rescue and first response for emergency medical services. In the event that the CITY resources are unavailable at the time of the request for services, the CITY will take reasonable efforts to make the resources available as soon as reasonably possible.

## Section 3: Fire Service Compensation

DISTRICT agrees to pay to CITY the total sum of NINETY-SEVEN THOUSAND TWENTY DOLLARS ($97,020.00) during this contract year by making equal quarterly payments during the months of January 2021, April 2021, July 2021 and October 2021 for fire protection services in the service area outlined in Exhibit "A."

## Section 4: Equipment

During the period of this Agreement the DISTRICT will provide an engine tanker truck for the CITY's use. Title to such trucks shall remain with the DISRICT and the CITY shall return the trucks to the DISTRICT upon expiration or termination of this Agreement, ordinary wear and tear excepted. By housing the tanker truck the CITY agrees to use the equipment for calls beyond its service area in the event that conditions warrant its use. The parties to this Agreement agree that the County Fire Marshal will have the discretion to make decisions governing its use. CITY agrees to provide manpower to operate the equipment. CITY agrees to provide routine maintenance for this truck, including, but not limited to, fuel, tires, oil, transmission fluid, and spark plugs. DISTRICT will provide insurance against damage to the truck and damage, if any, for liability for the use of the equipment. The equipment may not be used as a first responder (EMS) unless necessary, for example, other vehicles are already dispatched in emergency response. Additionally, the CITY will comply with the Tarrant County ESD Equipment Policy which is attached hereto as Exhibit "C" for the usage of the equipment.

Other than property described in the previous paragraph, DISTRICT is under no obligation with respect to providing firefighting equipment or ambulance vehicles or supplies, or any other expenses incidental to the carrying out of this Agreement, and will have no right, title or interest in and to vehicles and equipment belonging to or contracted for by CITY.

## Section 5: Term

Regarding payment, this Agreement will be in full force and effect for and during the period beginning October 1, 2020 and ending September 30, 2021. Regarding response purposes, this Agreement will remain in force until the 2021-22 DISTRICT budget is approved by the Commissioners and a new Agreement is executed retroactive to October 1, 2021 under the same terms and conditions.

## Section 6: Payment of Funds

The DISTRICT will use its general fund to pay for the services supplied by the CITY pursuant to this Agreement. Payment pursuant to this Agreement will be in accord with the Rules and Regulations promulgated by the Commissioners. Said payments will be made as funds are available to DISTRICT.

## Section 7: Emergency Scene Control

Whenever CITY responds to a call outside its normal jurisdictional limits, it will operate under the Fire Code in effect within the CITY limits of such cities or fire department primarily responsible for service to the area being served by CITY. Any fire investigators or other personnel who respond from DISTRICT to a fire or emergency scene which is under the control of CITY will be governed by the Fire Code of the CITY within whose limits the CITY normally operates. CITY personnel agree to fully cooperate with DISTRICT personnel.

## Section 8: Inspection of Equipment

The DISTRICT or its agent has the right to inspect the equipment of the CITY that the CITY operates in its performance under this Agreement. The parties acknowledge that the nature of the CITY's equipment determines the consideration paid under this Agreement. In the event that the inspection reveals that the equipment is not in operating condition and in compliance with the Insurance Services Office (ISO) requirements for a department of its size, the CITY will authorize a re-inspection by the DISTRICT within fifteen (15) days. In the event the equipment is not in operating condition or in compliance with the ISO requirements for a department of its size during the re-inspection, all payments by the DISTRICT to the CITY will cease until the problem is corrected as certified by the DISTRICT.

## Section 9: Monthly Reporting Required

All monthly reports, fire or ambulance, shall be turned in to the Fire Marshal's office no later than fifteen (15) days after the end of the applicable month. The failure to timely file the monthly report shall excuse the DISTRICT from payment for that applicable month resulting in a reduction of one-third of the quarterly payment to the CITY for each applicable month.

## Section 10: Workers' Compensation Coverage

The CITY shall maintain statutory workers' compensation coverage for its employees, officers and volunteers regarding the CITY's performance under this contract. The CITY recognizes that the DISTRICT has no responsibility to furnish this coverage and CITY waives any right to pursue the DISTRICT for liability regarding payments for this coverage or for liability regarding payments for claims filed against this coverage.

## Section 11: Line of Duty

When an employee or volunteer of the responding CITY is performing duties under the terms of this Agreement, that person is considered to be acting in the line of duty for the CITY for the purposes of 42 U.S.C.A., Section 3796; is considered to be in performance of duties for the CITY within the applicable provisions of Chapter 615 of the Texas Government Code, and of Chapter 142, Texas Local Government Code; and shall be entitled to any other benefits which accrue under law as a result of injury, death or loss which occurs while in the line of duty for the CITY under this Agreement. This section does not increase the DISTRICT's liability under this Agreement.

## Section 12: Assignment of Liability

The assisting party (CITY) shall be responsible for any civil liability or costs that may arise from the fire protection, fire rescue and first response for emergency medical services that the assisting party provides to the requesting party (DISTRICT) under this Agreement. The parties agree pursuant to Section 791.006 (a-1) of the Texas Government Code that assignment of liability provided by this Agreement is intended to be different than liability otherwise assigned under Section 791.006 (a) of the Texas Government Code, which provides that "the governmental unit that would have been

responsible for furnishing the services in the absence of the contract is responsible for any civil liability that arises from the furnishing of those services." The parties also agree that pursuant to Section 775.0366 (e) of the Texas Health and Safety Code that assignment of liability provided by this Agreement is intended to be different than liability otherwise assigned under Section 775.0366 (d), which provides that the "district is responsible for any civil liability that arises from furnishing those services if the district would have been responsible for furnishing the services in the absence of the contract." It is expressly understood and agreed, however, that in the execution of this Agreement, neither the CITY nor the DISTRICT waives, nor shall be deemed to waive, any immunity or defenses that would otherwise be available to it against claims arising in the exercise of governmental powers and functions, including the liability limits and immunities for a governmental unit provided by the Texas Tort Claims Act, Chapter 101, Civil Practice and Remedies Code, or other law.

## Section 13: Implied Rights; Employees

By entering into this Agreement the parties do not intend to create any obligations expressed or implied other than those specifically set forth herein and this Agreement will not create rights in parties not signatories hereto. The employees of the CITY are not employees or agents of the DISTRICT by virtue of this Agreement. The employees of the DISTRICT are not employees or agents of the CITY by virtue of this Agreement.

## Section 14: Conferring of Rights

This Agreement does not confer any rights on third parties who are not signatories to this Agreement, therefore no person may bring suit against CITY or DISTRICT regarding the performance of this Agreement as a third party beneficiary of this Agreement.

## Section 15: Cancellation

DISTRICT and CITY retain the right to cancel without cause this Agreement on thirty (30) days written notice to the non-canceling party. In the event of cancellation, DISTRICT will pay a prorated share of the monies due for the remainder of that quarter only if the CITY provides services as required in the Agreement during the period of time leading up to the termination date. However, in the event that CITY exercises this right of cancellation, CITY must repay to DISTRICT all money paid CITY by DISTRICT for personal property, if any, purchased by the CITY with funds from the DISTRICT.

## Section 16: Form 1295 Acknowledgement

CITY acknowledges that it is a governmental entity and not a business entity as those terms are defined in Section 2252.908 of the Texas Government Code, and therefore, no disclosure of interested parties pursuant to Section 2252.908 of the Texas Government Code is required.

## Section 17: Grant from District

During the DISTRICT's 2021 fiscal year, the CITY may request reimbursement for expenses related to the item(s) listed in Exhibit "D". Reimbursement shall not exceed the amounts or quantities listed unless specifically authorized by the DISTRICT through an action of its Commissioners. Reimbursement requests must be received by the DISTRICT on or before June 30, 2021. If applicable, ambulance replacement reimbursements are due by August 31, 2021. Reimbursements will be considered based on proper documentation being submitted by the CITY including, but not limited to, an itemized invoice(s) and proof of payment(s) by the CITY.

WITNESS the signatures of the respective parties hereto this the _____ day of _____, _____.

**TARRANT COUNTY EMERGENCY SERVICES DISTRICT NO. 1**

_____
President

ATTEST:

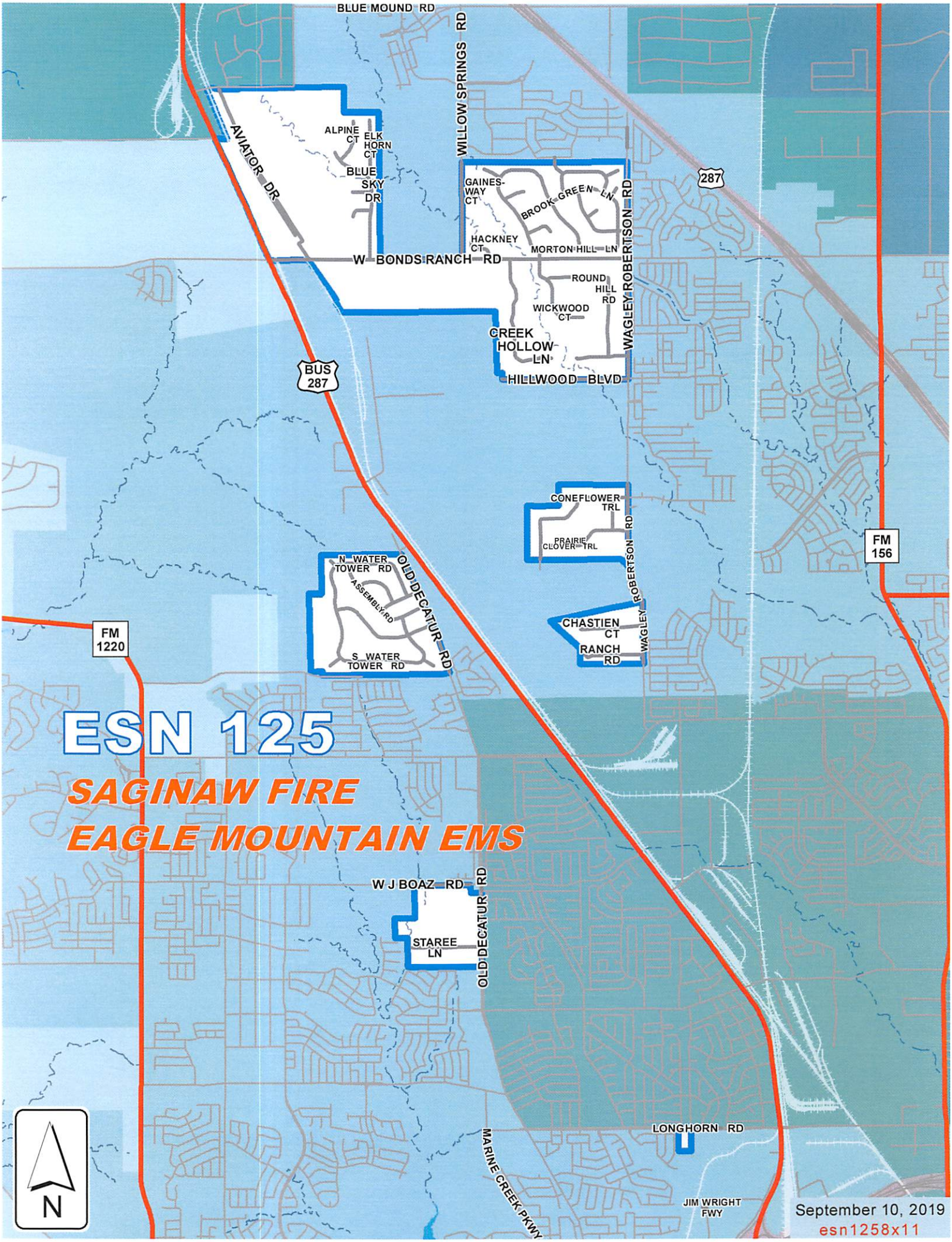
_____
Secretary/Treasurer

**CITY OF SAGINAW, TEXAS**

_____
Authorized Official

ATTEST:

_____
Secretary


BLUE MOUND RD
WILLOW SPRINGS RD
AVIATOR DR
ALPINE CT
ELK HORN CT
BLUE SKY DR
GAINES-WAY CT
BROOK GREEN LN
HACKNEY CT
MORTON HILL LN
W BONDS RANCH RD
ROUND HILL RD
WICKWOOD CT
CREEK HOLLOW LN
HILLWOOD BLVD
WAGLEY ROBERTSON RD
287
BUS 287
CONEFLOWER TRL
PRAIRIE CLOVER TRL
FM 156
N WATER TOWER RD
ASSEMBLY RD
OLD DECATUR RD
S WATER TOWER RD
CHASTIEN CT
RANCH RD
FM 1220
ESN 125
SAGINAW FIRE
EAGLE MOUNTAIN EMS
W J BOAZ RD
STAREE LN
LONGHORN RD
MARINE CREEK PKWY
JIM WRIGHT FWY
N
September 10, 2019
esn1258x11

# EXHIBIT "C"

## TARRANT COUNTY EMERGENCY SERVICES DISTRICT NO. 1

## EQUIPMENT POLICY

### Table of Contents


| Title | Policy Number |
|---|---|
| Mission Statement | 100.0 |
| Types of Calls Inside Tarrant County | 101.0 |
| Care and Maintenance | 102.0 |
| Training and Staffing | 103.0 |
| Types of Calls Outside Tarrant County | 104.0 |
| Inspections by the District | 105.0 |

## Mission Statement

To provide emergency services to the residents of the unincorporated areas of Tarrant County by offering equipment for fire fighting and emergency medical purposes to the unincorporated areas of Tarrant County and providing available equipment to support and supplement existing equipment along with supervising the availability of this equipment for the citizens it serves.

## Types of Calls the Apparatus Inside Tarrant County

1. Structure fires where no adequate water supply exists. (Tanker)
2. In support of the fire fighting units engaged in grass and brush fires.
3. In support of fire fighting units(s) engaged in such emergencies that require a large supply of water. (Tanker)
4. In support of fire fighting activities of Fire departments that contract with the Emergency Service District.
5. Other such calls, emergencies, or other activities as directed by the Tarrant County Fire Marshal's Office.
6. As assigned by the Fire Chief of the appointed departments which house the apparatus.

## Care and Maintenance

1. Each individual fire department who contracts with the Emergency Service District to house and operate one of these units shall be responsible for normal day to day operation cost, and the regular maintenance of that particular unit. Day to day operating cost include: fuel, motor oil, lubricants, fan belts, water hoses, anti-freeze, air filters, transmission fluids, etc. Preventative maintenance includes scheduled oil and filter changes per manufacturer specifications, lubrications, tire rotations if needed, etc.

2. On all major repairs, each department will advise the Emergency Service District Board or the Tarrant County Fire Marshal's Office and coordinate these repairs with them. Top priority shall be given to keeping all units in service at all times.

3. All damages to the apparatus and the equipment assigned to it, either minor or major in nature, shall be reported to the Tarrant County Fire Marshal's Office who is assigned to oversee the operation of these units as soon as possible so that it can be repaired.

4. Anytime any unit is to be out of service whether for a mechanical reasons or otherwise, it shall be reported to the Tarrant County Fire Marshal's Office and also the Tarrant County Fire Alarm Center who will coordinate temporary coverage for that area that unit protects.

5. The Tarrant County Fire Marshal's Office shall coordinate warranty repair.

6. The department to which a Tanker is assigned is also responsible to see that the apparatus is not to leave the hard surface of the road.

## Training and Staffing

1. Each individual department that is assigned one of the apparatus is responsible for training its personnel in the operations of the unit. This includes, but is not limited to, driving and all operations of the units.

2. When responding to emergency calls, it shall be up to the Fire Chief of the department the vehicle is assigned to, to oversee that the vehicle is adequately staffed for any particular assignment to which it is responding.

3. All drivers of the apparatus must at least possess a class "B" exempt driver's license.

## Outside Unincorporated Usage

1. If, in the opinion of the Tarrant County Fire Marshal's Office, the utilization of this equipment outside of Tarrant County will serve a public purpose of the citizens of Tarrant County, Texas then the equipment may be used outside of Tarrant County, Texas in an area under the jurisdiction of a city or volunteer fire department.

2. On major incidents outside the boundaries of unincorporated Tarrant County, only one unit from the northern district and one unit from the southern district shall be permitted to leave the county. Priority shall always be with protecting the citizens of the unincorporated Tarrant County area.

3. Response to areas inside Tarrant County, but outside the responsible areas of the Emergency Services District, shall be coordinated through the Tarrant County Fire Alarm Center and also be limited only to those cities who contract with the District and can only be utilized for fire fighting purpose only. The Tarrant County Fire Alarm Center will then notify the Tarrant County Fire Marshal's Office when this occurs.

## Inspection by the Emergency Services District

1. The Emergency Service District or its representatives shall be allowed to inspect each apparatus and the equipment assigned to it at any reasonable time to assure that the apparatus is being maintained, adequately equipped, and is available for emergency calls.

2. Apparatus that is not being maintained or equipped, and therefore unavailable for calls, can and shall be reassigned to another department if the Emergency Service District decided that such a reassignment would better serve the district and its citizens.

## Exhibit "D"

## GRANT FROM DISTRICT

## City of Saginaw

(Items included in the categories below are based on the agency's itemized request and will be reimbursed in strict compliance with the agency's grant submission.)

| Grant Purpose | Amount |
|---|---|
| Bunker gear and accessories | $25,000.00 |

# City of Saginaw

**Meeting Date:** 10/20/2020

**Agenda Items:** (4)(c)

**Staff Contact:** Doug Spears
Fire Chief

**E-mail:** dougspears@saginwfire.us

**Phone:** 817-230-0412

**SUBJECT:**
Action regarding 2020-21 Tarrant County Fire Alarm Center (TCFAC) Contract

**BACKGROUND/DISCUSSION:**
The TCFAC provides fire and EMS dispatch service to the unincorporated areas of Tarrant County and to contracting municipalities. The City houses and provides managerial oversight of the TCFAC. In return the TCFAC provides some limited services to our fire department and pays the City a sum of $1250.00 monthly ($15,000.00 annually) for the services we provide.

**FINANCIAL IMPACT:**
For services the City provides the TCFAC pays the City of sum of $15,000.00 annually.

**RECOMMENDATION:**
Approval of the 2020-21 Tarrant County Fire Alarm Center contract as presented.

## ATTACHMENTS:

Description

Explanatory Memo to CM
2020/21 TCFAC Contract

# Saginaw Fire Department

400 S. Saginaw Blvd. Saginaw, Texas 76179
Tel: 817-230-0412 Fax: 817-232-3731

**DOUG SPEARS**
**FIRE CHIEF**


**To:** City Manager Gabe Reaume

**From:** Fire Chief Doug Spears

**Date:** October 12, 2020

**Re:** TCFAC Annual Contract Renewal

For your review, please see the attached contract with the Tarrant County Fire Alarm Center (TCFAC). The contract is for reduced fire department dispatch services, the housing of the Alarm Center within City facilities, and the managerial supervision over the Alarm Center that our department provides.

Beginning June 1 of this year the Fort Worth Fire Department Fire Alarm Office took over the fire and EMS related dispatch for our fire department from the TCFAC. The 2020-21 TCFAC contract reflects the resulting changes in our agreement with the TCFAC.

As stipulated in the contract we will continue to house the TCFAC until a new location for the facility is secured. That process is ongoing and the TCFAC will be relocated before the completion of our new fire station on W McLeroy Blvd. In addition we will continue to provide managerial supervision for the TCFAC overseeing its operation and personnel and budget preparation and administration.

In return for the housing and managerial services we provide the TCFAC will pay the City a monthly fee of $1250 ($15,000 annually) until such time the TCFAC is no longer located within our fire department.

It is my recommendation to approve the contract as provided.

EMERGENCY DISPATCH SERVICE CONTRACT

**STATE OF TEXAS )**

**COUNTY OF TARRANT )**

Whereas, the Tarrant County Fire Alarm Center, (Alarm Center), a non-profit Corporation of the State of Texas, and the City of Saginaw, Texas (City), are empowered to make agreements for the provisions of emergency dispatch services, a governmental function; and

Whereas, the Alarm Center and the City desire to enter into this agreement; and

Whereas, the City Council of the City finds the following agreement is in the best interest of and serves the public health, safety, and welfare.

**WITNESSETH:**

NOW, THEREFORE, for and in consideration of the mutual promises and covenants herein made, the benefits flowing to each parties hereto and other good and valuable considerations, the City of Saginaw, Texas, and the Tarrant County Fire Alarm Center do hereby contract and agree as follows:

**The Alarm Center agrees to:**

A. Provide all such services as required to provide the City with 24 hour per day dispatching service for the City of Saginaw Fire Department within the boundaries as contracted for the City with the Tarrant County Emergency Services District #1, and for all other such calls as its fire department would respond to in the unincorporated areas of Tarrant County if called upon to do so;

B. Answer all emergency calls for fire, rescue, and emergency medical services for the City of Saginaw Fire Department within the boundaries as contracted for the City with the Tarrant County Emergency Services District #1 in a prompt and expedient manner and notify the Fort Worth Fire Alarm Office of the emergency(s) on behalf of the Saginaw Fire Department in a prompt and expedient manner.

C. Provide 24 hour per day recording of all 9-1-1 and other emergency telephone calls, all radio transmissions associated with dispatching all calls for fire, rescue, and emergency medical services for the City of Saginaw Fire Department within the boundaries as contracted for the City with the Tarrant County Emergency Services District #1 and to retain such recordings for a period of not less than thirty (30) days. Such recordings shall be made available to the City of Saginaw, Texas, upon written request, for its review in the

event any questions or concerns should arise from the receiving and/or dispatching of any call or calls for service; Furthermore any recording of radio transmissions, 9-1-1 or other emergency telephone calls retained in our database on behalf of the City of Saginaw, Texas Fire Department will remain the property of the City of Saginaw.

Authority to request such recordings shall be reserved to the senior administration of the City of Saginaw, Texas. This shall include the Fire Chief and his/her designated representatives, the City Manager, Assistant City Manager, the Mayor and any of their designated representatives.

D. Provide access to reports containing information of all calls dispatched for the Saginaw Fire Department within the boundaries as contracted for the City with the Tarrant County Emergency Services District #1, and for all other such calls as its fire department would respond to in the unincorporated areas of Tarrant County if called upon to do so, to include the date, time, location, and nature of all such calls. Furthermore any call sheets, and/or reports retained in our database on behalf of the City of Saginaw, Texas Fire Department will remain the property of the City of Saginaw.

E. The Tarrant County Fire Alarm Center agrees to abide by the City's policies in regard to the release of information in accordance with the Texas Public Information Act.

F. In addition, and if requested by the City, the Tarrant County Fire Alarm Center agrees to submit, on a quarterly basis, a financial report on the status of the Fire Alarm Center to reflect its operating expenses and financial status.

G. Provide a "General Liability" Insurance Policy in the amount of one (1) million dollars ($1,000,000.00) that will hold harmless the Tarrant County Fire Alarm Center and all contracting agencies and cities for any acts of negligence or other litigation against the Alarm Center arising from the operation of the Alarm Center, its agents and employees, and agrees to include the City of Saginaw as an additional insured under the policy.

H. Maintain the current method and ability to immediately sound the City of Saginaw Outdoor Warning Sirens when requested to do so by City of Saginaw Senior Officials Saginaw Fire Department Officers.

I. Continue to answer the City of Saginaw facilities fire alarm systems telephone notifications and promptly notify the Fort Worth Fire Alarm Office of the fire alarm notification to include the facility name and address.

J. Pay to the City of Saginaw the sum of ONE THOUSAND, TWO HUNDRED and FIFTY DOLLARS each month invoiced on a quarterly basis with 30 day payment terms.

**The City agrees to, in exchange for such services:**

A. Purchase, install, and maintain at its sole cost and expense, a radio base station and repeater link in order for the Alarm Center to dispatch calls by radio for the City of Saginaw Fire Department within the boundaries as contracted for the City with the Tarrant County Emergency Services District #1;

B. Provide the facilities to accommodate the Fire Alarm Center to be located within the Saginaw Fire Department administration building at 400 S. Saginaw Boulevard, Saginaw, Texas and to provide to the Fire Alarm Center, all necessary utilities involved with the operation of the Fire Alarm Center, excluding, telephone services, television services and internet access.

C. Provide senior managerial supervision of the Fire Alarm Center to ensure compliance of Fire Alarm Center SOP's, continuity of operation, and personnel management. Senior managerial supervision shall be provided by the Saginaw Fire Chief and/or his or her designated representatives.

## TERMS OF AGREEMENT

The term of this agreement shall be for one (1) year, beginning October 1st, 2020 through September 30, 2021.

## NOTICE OF CANCELLATION

In the event that the Tarrant County Fire Alarm Center fails in any way to provide the services in this agreement, the City of Saginaw, Texas, may cancel this agreement. Such notice of cancellation shall be given in writing, listing its reasons for such cancellations, and to be effective 30 days after such notice is received.

In the event that the City of Saginaw, Texas, fails to comply with the provisions of this agreement, the Tarrant County Fire Alarm Center may cancel this agreement. Such notice of cancellation shall be given in writing, listing its reasons for such cancellations, and to be effective 30 days after such notice is received.

## NON-RENEWAL

Should the Fire Alarm Center desire not to renew this agreement, such notice shall be provided, in writing, to the City of Saginaw, Texas, no less than sixty (60) days prior to the expiration of this agreement as to allow the City of Saginaw, Texas, sufficient time to establish an alternate source for such services.

Should the City of Saginaw, Texas desire to not renew this agreement with the Fire Alarm Center, such notice shall be provided, in writing, no less than sixty (60) days prior to the expiration of this agreement as to allow the Fire Alarm Center sufficient time to locate and alternate location for the operation.

If notice of non-renewal is not provided by either party, this agreement shall automatically renew for one (1) year terms.

## LIABILITY

It is the intention of the parties and the parties do agree that any and all civil liability related to the furnishing of the services contemplated by this agreement to the City, as the governmental unit which would be responsible for furnishing such services absent this agreement, shall be the responsibility of the City, and the City agrees, to the extent permitted by law, to indemnify, save and defend the Alarm Center, its agents, officers and employees harmless from all liabilities, claims, cause of action, costs and expenses for injury to persons or property or death of any persons resulting from the failure of the equipment associated with the services provided by the Alarm Center to the City by this agreement. The fact that the parties accept certain responsibilities relating to the rendition of services under this agreement as a part of their responsibility for providing protection for the public health make it imperative that the performance of these vital services be recognized as a governmental function and that the doctrine of governmental immunity shall be and is hereby invoked to the fullest extent possible under the law. Neither party waives or shall be deemed hereby to waive any immunity or defense that would otherwise be available to it against claims arising from the exercise of governmental powers and functions.

## LAWS GOVERNING

The validity of this agreement and any of its terms or provisions, as well as the rights and duties of the parties hereto, shall be governed by the laws of the State of Texas. This agreement shall be performable and all compensation payable in Tarrant County, Texas. Venue under this agreement lies in Tarrant County, Texas.

## SEVERABILITY

If any clause, paragraph, section or portion of this agreement shall be found to be illegal, unlawful, unconstitutional or void for any reason, the balance of the agreement shall be deemed to have contracted as if said clause, section, paragraph or portion had not been contained in the agreement initially.

## AUTHORITY

The undersigned officers and/or agents of the parties hereto are the properly authorized officials and have the necessary authority to execute this agreement on behalf of the parties hereto, and each party hereby certifies to the other that any necessary resolutions extending said authority have been duly passed by majority of the City Council and by the Board of Directors of the Tarrant County Fire Alarm Center, at which meetings a quorum was present, and are now in full force and effect.

Executed in duplicate original this _____ day of _____, 2020.

| | |
|---|---|
| _____ | _____ |
| City Secretary<br>City of Saginaw, Texas | Mayor,<br>City of Saginaw, Texas |
| _____ | _____ |
| Approved as to Form and Legality:<br>City Attorney<br>City of Saginaw, Texas | Kirt Mays, President<br>Board of Directors<br>Tarrant County Fire Alarm Center |

# City of Saginaw

**Meeting Date:** 10/20/2020

**Staff Contact:** Rick Trice, P.E.
Director of Public Works

**Agenda Items:** (4)(d)

**E-mail:** rtrice@saginawtx.org

**Phone:** (817) 230-0449

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**SUBJECT:**
Action Regarding Change Order Number 1 to the East McLeroy Curb and Gutter Replacement Contract

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**BACKGROUND/DISCUSSION:**
On May 19, 2020, City Council awarded a contract to Nu-Way Construction, LLC in the amount of $308,625.00 to remove and replace concrete curb and gutter along E. McLeroy Boulevard. The project, when completed, will be followed by the reconstruction of the asphalt section between the gutter lines.

During construction, a number of drainage and driveway related work was identified requiring additional work outside of the scope of the contract.

The net value of the Change Order is $16,629.00. The value of unused items credited back to the City was $20,000. The value of the additional work is $36,629.00.

The revised contract amount will be $325,304.00.

**FINANCIAL IMPACT:**
The Financial Impact will be $16,629.00. Funding is available in the Street Maintenance Fund.

**RECOMMENDATION:**
It is recommended that Change Order Number 1 to the East McLeroy Curb and Gutter Replacement Contract in the amount of $16,629.00 be approved.

## ATTACHMENTS:

Description

Proposed Change Order

Kimley-Horn and Associates, Inc.
801 Cherry Street, Unit #11, Suite 1300
Fort Worth, TX 76102

Date: October 14, 2020

**CHANGE OR EXTRA WORK ORDER NO. 1**

| | |
|---|---|
| PROJECT DESCRIPTION: | E McLeroy Curb & Gutter Replacement |
| KHA PROJECT NO.: | 61003135 |
| OWNER: | City of Saginaw |
| CONTRACTOR: | Nu-Way Construction, LLC |
| ORIGINAL CONTRACT AMOUNT: | $308,675.00 |

**CHANGE OR EXTRA WORK TO BE PERFORMED:**

| Item No. | Quantity | | Description of Item | Contract Unit Price | Decrease in Contr. Price | Increase in Contr. Price |
|---|---|---|---|---|---|---|
| CO1 | 335 | SY | Remove Concrete Drive | $ 25.00 | | $8,375.00 |
| CO2 | 315 | LF | Remove Concrete Curb and Gutter | $ 5.00 | | $1,575.00 |
| CO3 | 350 | SY | 6" Concrete Driveway | $ 25.00 | | $8,750.00 |
| CO4 | 48 | SY | 8" Gravel Driveway | $ 25.00 | | $1,200.00 |
| CO5 | 591 | LF | 6" Concrete Curb and Gutter | $ 19.00 | | $11,229.00 |
| CO6 | 27.5 | SY | Asphalt Pvmt Removal & Repair (3" TY D on 6" Flexbase) - Miscellaneous Repair | $ 200.00 | | $5,500.00 |
| CO7 | 1 | LS | Project Allowance | $ 20,000.00 | $20,000.00 | |

| | | |
|---|---|---|
| Total Increase in Contract Amount: | | $36,629.00 |
| Total Decrease in Contract Amount: | $20,000.00 | |
| Net **Increase** in Contract Amount: | | $ 16,629.00 |
| Original Contract Amount | | $ 308,675.00 |
| **Revised Contract Amount:** | | **$325,304.00** |

Net Increase/(Decrease) in Contract Time of Completion: _____

Revised Contract Time of Completion: _____

Recommended by Engineer:
Kimley-Horn and Associates, Inc.

By _____ 10/15/2020

Accepted by Contractor:
Nu-Way Construction, LLC

By B. Wood 10/14/2020

Approved by Owner:
City of Saginaw

By _____

**Distribution**
1-City of Saginaw
1-Nu-Way Construction
1-Kimley-Horn

# City of Saginaw

**Meeting Date:** 10/20/2020

**Agenda Items:** (5)

**Staff Contact:** Doug Spears
Fire Chief

**E-mail:** dougspears@saginawfire.us

**Phone:** 817-230-0412

**SUBJECT:**
Formal Introduction of our Emergency Management Coordinator, Joseph Laster.

**BACKGROUND/DISCUSSION:**
Emergency Management Coordinator is a new position for our city and is a shared position with the City of Lake Worth. Mr. Laster started this new role on September 14th of this year with the the official title of LWS (Lake Worth-Saginaw) Emergency Management Coordinator or LWS EMC.

**FINANCIAL IMPACT:**
N/A

**RECOMMENDATION:**
N/A

## ATTACHMENTS:

Description

LWS Logo



# City of Saginaw

**Meeting Date:** 10/20/2020

**Agenda Items:** (6)

**Staff Contact:** Rick Trice, P.E.
Director of Public Works

**E-mail:** rtrice@saginawtx.org

**Phone:** 8172300449

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**SUBJECT:**
**PUBLIC HEARING – Consideration and Action Regarding a Recommendation from the Planning and Zoning Commission to Approve a Request for a Specific Use Permit to allow the operation of a tire sales and auto repair garage on property located at 836 S. Saginaw Blvd in Saginaw. (Ordinance No. 2020-22)**

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**BACKGROUND/DISCUSSION:**
This item is a public hearing. This item is a request for approval of a specific use permit to allow the operation of a tire sales and auto repair garage on property located 836 S Saginaw Blvd in Saginaw.

Owner: Alwahban Real Estate, LLC
Applicant: Dan Fritz

The proposed use of the property per the applicant is for the "retail, sales and install of auto parts and accessories to customize auto. Primary items sold are wheels, tires, lift/lower, steps, bumpers and more. We have over 10,000 parts and accessories available to customize the vehicle."

The use as described would fall under the "*Auto service station*" under the Zoning Ordinance.

The definition for "*Auto service station"* is: "An establishment for the retail sales of petroleum products, automobile accessories, auto tune-up, muffler installation incidental to the primary use, tire installation or repair, oil change or other lubricate services, in which all services provided and all storage, supplies, parts, equipment, and accessories are indoors, with the exception of fuel dispensing operations."

The site previously operated under a similar use. However, the use was abandoned for over six months before the application was submitted for the proposed use. Therefore, the proposed use must meet the requirements of the District in which it is located per Section 4-7 below:

**"Sec. 4-7. - Nonconforming uses of buildings.**

If lawful use involving individual buildings exists at the effective date of adoption or amendment of this ordinance, that would not be allowed in a particular district under the terms of this ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

5. When a nonconforming use of a building is discontinued or abandoned for six consecutive months, the building shall not thereafter be used except in conformity with the regulations of the district in which it is located."

The location falls within the Saginaw Boulevard overlay district (District). The District requires that Auto service station requires a Specific Use Permit in accordance with Section 5-4 of the Zoning Ordinance.
The applicant has provided a site plan and has provided a response to the thirteen conditions for approval listed in Section 5-4, G.

The site is generally consistent with the provisions of the overlay district with the exception of two pole signs. Existing pole signs are protected under the Texas Local Government Code. Building facades and structure are not planned to be changed so the applicable provisions would not be enforced unless the building size is increased by 20% or more. Landscaping, lighting and screening will be be addressed as part of the Certificate or Occupancy requirements.

The Planning and Zoning Commission considered the request at its October 13, 2020 meeting. Discussion took place regarding the opportunity for the applicant to seek a building improvement grant to use for the removal of the two pole signs on the property.

The Commission approved the Special Use Permit unanimously with a recommendation that the City Council support the building approval grant if sought by the applicant.

**FINANCIAL IMPACT:**
NA

**RECOMMENDATION:**
It is recommended that the City Council approve the request for a Specific Use Permit to allow the operation of a tire sales and auto repair garage on property located 836 S Saginaw Blvd in Saginaw with support of an application by the applicant of a building improvement grant for the removal of the two pole signs on the property.

## ATTACHMENTS:

Description

P&Z Minutes
P&Z Packet
Proposed Ordinance No. 2020-22

**MINUTES OF A REGULAR MEETING AND PUBLIC HEARING**
**OF THE CITY OF SAGINAW**
**PLANNING AND ZONING COMMISSION**
**HELD AT THE CITY OF SAGINAW CITY HALL**
**333 WEST MCLEROY BOULEVARD**
**OCTOBER 13, 2020**

Present at the Meeting:

| | | |
|---|---|---|
| Chairman | Place No. 3 | Matthew Lewis |
| Member | Place No. 2 | William Barngrover |
| Member | Place No. 4 | Malinda Julien |
| Member | Place No. 5 | Jason LaBruyere |
| Alternate Member | Alt. No. 2 | Randy Villarreal |
| Director Public Works | | Rick Trice |
| City Attorney | | Ben Gibbs |
| Recording Secretary | | Mary Ragle |

Absent from the Meeting:

| | | |
|---|---|---|
| Vice Chairman | Place No. 1 | Kenneth Haney |
| Alternate Member | Alt No. 1 | John Peet |

Visitors at the Meeting:

Dan Fritz
Jon Julien

**(1) Call to Order**

Chairman Lewis called the meeting to order at 6:00 p.m.

**(2) Roll Call to Establish Quorum**

Chairman Lewis called roll. The quorum will consist of Chairman Lewis, Members Barngrover, Julien, LaBruyere, Alternate Member Villarreal

**(3) Audience participation**

Chairman Lewis explained the procedure to follow to address the Commission.

**(4) Approval of Minutes**

The minutes of a regular meeting and public hearing on September 8, 2020 were presented for approval. A motion was made by Member Julien with a second by Member Barngrover to approve the minutes for September 8, 2020 as presented. Motion carried unanimously.

For: Chairman Lewis,
Members Barngrover, Julien, LaBruyere, Alternate Member Villarreal

Against: None

Absent Vice Chairman Haney, Alternate Member Peet

**(5) PZ 1020-01 PUBLIC HEARING**

**Consideration And Action Regarding Approval Of Request For A Specific Use Permit Allowing The Operation Of An Auto Service Station On Property Located At 836 South Saginaw Boulevard**

Chairman Lewis opened the public hearing at 6:02 p.m.

DPW Trice reviewed the information provided the members' in their packet. He advised the members why a specific use permit was required. He also said the building will need to comply with current building codes.

Mr. Dan Fritz, the applicant, was present to answer any questions.

A discussion followed regarding condition of the building, concerns with existing parking, status of requirements for the existing pole sign, building material, outdoor storage/displays, and used tire removal.

Chairman Lewis expressed concern regarding the building being in compliance with building codes. Mr. Fritz said he is in the process of obtaining the needed permits to bring the location into compliance.

Member Julien voiced concerns with existing parking and the appearance of the building stating this location is one of the 1st things people coming into Saginaw see.

DPW Trice advised that Mr. Fritz had been contacted with information regarding the availability of a Building Improvement Grant (BIG) for assistance with improving the appearance of this property, specifically the removal of the two pole signs.

Chairman Lewis closed the public hearing at 6:22 p.m.

A motion was made by Member Barngrover with a second by Julien to recommend that the City Council approve the request for a specific use permit to allow the operation of an Auto Service Station at 826 South Saginaw Boulevard and requesting that the City Council favorably consider the request for a BIG grant if applied for. Mr. Barngrover encouraged the applicant to look into the BIG program. Motion carried.

For: Chairman Lewis,
Members Barngrover, Julien, LaBruyere, Alternate Member Villarreal

Against: None

Absent Vice Chairman Haney, Alternate Member Peet

**(6) Staff Report**

**A. Discussion of Residential, Commercial, Industrial, and City Capital Projects**

**B. Previous Cases**

DPW Trice reviewed several of the current projects under construction in the City.

**(7) EXECUTIVE SESSION**

1 § 551.071. Consultation with Attorney. The Planning and Zoning Commission may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the Planning and Zoning Commission seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items:

**a. Any Posted Item**

No executive session was held

**(8) Adjournment**

Motion was made by Member LaBruyere with a second by Member Julien to adjourn the meeting. Motion carried unanimously.

For: Chairman Lewis,
Members Barngrover, Julien, LaBruyere, Alternate Member Villarreal

Against: None

Absent Vice Chairman Haney, Alternate Member Peet

Chairman Lewis declared the meeting of October 13, 2020, 2020 closed at 6:30 p.m.

APPROVED:

_____

Matthew Lewis, Chairman

ATTEST:

_____

Mary Ragle, Recording Secretary

**CITY OF SAGINAW PLANNING AND ZONING COMMISSION**
**NOTICE OF REGULAR MEETING**
**Saginaw City Hall**
**333 West McLeroy Boulevard**
**6:00 P.M. – Tuesday, October 13, 2020**

| | | |
|---|---|---|
| (1) | **Call To Order** | Chairman Lewis |
| (2) | **Roll Call To Establish Quorum** | Chairman Lewis |
| (3) | **Audience Participation** | Chairman Lewis |
| (4) | **Approval of Minutes**<br>Regular Meeting and Public Hearing On September 8, 2020 | Chairman Lewis |
| (5) | **PZ 1020-01**<br>**Consideration And Action Regarding Approval Of Request For A Specific Use Permit Allowing The Operation Of An Auto Service Station On Property Located At 836 South Saginaw Boulevard** | Dan Fritz |
| (6) | **Staff Report** | Rick Trice, P. E.<br>Public Works Director |
| A. | Discussion of Residential, Commercial and Industrial, and City Capital Projects | |
| B. | Update Commission of City Council Action on Previous Cases | |

**(7) EXECUTIVE SESSION**

1 § 551.071. Consultation with Attorney. The Planning and Zoning Commission may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the Planning and Zoning Commission seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items:

a. Any Posted Item

**(8) Adjournment** Chairman Lewis

DATE POSTED:_____ TIME:_____ BY:_____

DATE RETRIEVED:_____ TIME:_____ BY:_____

**The City Hall is wheelchair accessible and special parking is available on the east side of the building or in front of the Library located west of City Hall. If special accommodations are required, please contact Mary Ragle at 817-230-0441 a minimum of 72 hours in advance of the meeting.**

**PLEASE NOTE THAT IN ACCORDANCE WITH CURRENT CDC RECOMMENDATIONS REGARDING COVID-19 WE WILL BE OBSERVING SIX FEET DISANCING BETWEEN EVERYONE. THEREFORE, THERE WILL BE LIMITED SEATING AVAILABLE. FACE COVERINGS WILL BE REQUIRED.**

## PLANNING AND ZONING COMMISSION

| | | |
|---|---|---|
| Kenneth Haney<br>Vice Chairman | Place No. 1 | Term Expires May 2022 |
| William Barngrover | Place No. 2 | Term Expires May 2021 |
| Matthew Lewis<br>Chairman | Place No. 3 | Term Expires May 2022 |
| Malinda Julien | Place No. 4 | Term Expires May 2021 |
| Jason LaBruyere | Place No. 5 | Term Expires May 2022 |
| John Peet | 1st Alternate | Term Expires May 2021 |
| Randy Villarreal | 2nd Alternate | Term Expires May 2022 |

- **Sec. 2-8. - Meeting and quorum**

A quorum for the conduct of business shall consist of three members of the commission. The members of the commission shall regularly attend meetings and public hearings of the commission and shall serve without compensation, except for reimbursement of authorized expenses attendant to the performance of their duties.

## Audience Participation

If anyone in the audience wishes to address the board on any item listed on the agenda, please fill out one of the audience participation forms located by the east door of the Council Room. After the form is completed, please hand it to the board secretary. Your request to speak will be given to the chairman and you will be called upon to speak when that item is discussed.

**MINUTES OF A REGULAR MEETING AND PUBLIC HEARING**
**OF THE CITY OF SAGINAW**
**PLANNING AND ZONING COMMISSION**
**HELD AT THE CITY OF SAGINAW CITY HALL**
**333 WEST MCLEROY BOULEVARD**
**SEPTEMBER 8, 2020**

Present at the Meeting:

| | | |
|---|---|---|
| Chairman | Place No. 3 | Matthew Lewis |
| Vice Chairman | Place No. 1 | Kenneth Haney |
| Member | Place No. 2 | William Barngrover |
| Member | Place No. 4 | Malinda Julien |
| Director Public Works | | Rick Trice |
| City Attorney | | Ben Gibbs |
| Recording Secretary | | Mary Ragle |

Absent from the Meeting:

| | | |
|---|---|---|
| Member | Place No. 5 | Jason LaBruyere |
| Alternate Member | Alt No. 1 | John Peet |
| Alternate Member | Alt. No. 2 | Randy Villarreal |

Visitors at the Meeting:

Clay Cristy
David Dierkes
Jon Julien

**(1) Call to Order**

Chairman Lewis called the meeting to order at 6:00 p.m.

**(2) Roll Call to Establish Quorum**

Chairman Lewis called roll. The quorum will consist of Chairman Lewis, Vice Chairman Haney, Members Barngrover, Julien.

**(3) Audience participation**

Chairman Lewis explained the procedure to follow to address the Commission.

**(4) Approval of Minutes**

The minutes of a regular meeting and public hearing on August 11, 2020 were presented for approval. A motion was made by Member Barngrover with a second by Vice Chairman Haney to approve the minutes for August 11, 2020 as presented. Motion carried unanimously.

For: Chairman Lewis, Vice Chairman Haney
Members Barngrover, Julien

Against: None

Absent Member LaBruyere, Alternate Members Peet, Villarreal

**(5) PZ 0920-01**
**Consideration and Action Regarding Approval of a Preliminary Plat UCD Saginaw Add. Lots 1-8, Block A Being 21.292 Acres Of Land Situated In The Henry Robertson Survey, Abstract No. 1798, City Of Saginaw, Tarrant County, Texas.**

DPW Trice reviewed the information provided the members' in their packet.
Clay Cristy, P. E. with ClayMoore Engineering, reminded the members that this development had been on the Planning and Zoning Commission agenda previously when the rezoning was approved. He summarized what is proposed.

Vice Chairman Haney asked about the ingress and egress on and off of East Bailey Boswell and Blue Mound Road. Mr. Cristy addressed his questions and stated that the multifamily lot will have access from East Bailey Boswell Road and Blue Mound Road.

A motion was made by Member Haney with a second by Member Barngrover to recommend that the City Council approve the Preliminary Plat, UCD Saginaw Add. Lots 1-8, Block A. Motion carried.

For: Chairman Lewis, Vice Chairman Haney
Members Barngrover, Julien

Against: None

Absent Member LaBruyere, Alternate Members Peet, Villarreal

**(6) PZ 0920-02**
**Consideration and Action Regarding Approval of a Site Plan for Alliance Saginaw (UCD Saginaw Addition, Lot 8, Block A).**

DPW Trice introduce this item by explaining that an approved site plan is one of the zoning requirements for multifamily zoning. He said there were additional exhibits in the member's packets for elevations and landscaping.

Mr. Cristy summarized the items provided in the site plan.

A motion was made by Vice Chairman Haney with a second by Member Julien to recommend that the city council approve the **Site Plan for Alliance Saginaw (UCD Saginaw Addition, Lot 8, Block A).**

For: Chairman Lewis, Vice Chairman Haney
Members Barngrover, Julien

Against: None

Absent Member LaBruyere, Alternate Members Peet, Villarreal

**(7) Staff Report**
**A. Discussion of Residential, Commercial, Industrial, and City Capital Projects**
**B. Previous Cases**

DPW Trice reviewed information included in the members' packets. He also gave an update on projects throughout the city and some pending City Council items.

**(8) EXECUTIVE SESSION**

1 § 551.071. Consultation with Attorney. The Planning and Zoning Commission may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the Planning and Zoning Commission seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items:

**a. Any Posted Item**

No executive session was held

**(9) Adjournment**

Motion was made by Member Barngrover with a second by Member Julien to adjourn the meeting. Motion carried unanimously.

For: Chairman Lewis, Vice Chairman Haney
Members Barngrover, Julien

Against: None

Absent Member LaBruyere, Alternate Members Peet, Villarreal

Chairman Lewis declared the meeting of September 8, 2020, 2020 closed at 6:15 p.m.

APPROVED:

_____
Matthew Lewis, Chairman

ATTEST:

_____
Mary Ragle, Recording Secretary

City of Saginaw

205 Brenda Lane
P. O. Box 79070
Saginaw, Texas 76179
817-230-0500
Fax 817-232-9868
www.ci.saginaw.tx.us

**DATE: October 5, 2020**

**TO: Chairman and Members of the Planning and Zoning Commission**

**FROM: Rick Trice, P.E., Public Works Director**

**SUBJECT: PZ 1020-01 - PUBLIC HEARING – Consideration and Action Regarding approval of a Request for a Specific Use Permit to allow the operation of a tire sales and auto repair garage on property located 836 S Saginaw Blvd in Saginaw.**

This item is a public hearing. This item is a request for approval of a specific use permit to allow the operation of a tire sales and auto repair garage on property located 836 S Saginaw Blvd in Saginaw.

Owner: Alwahban Real Estate, LLC
Applicant: Dan Fritz

The proposed use of the property per the applicant is for the "retail, sales and install of auto parts and accessories to customize auto. Primary items sold are wheels, tires, lift/lower, steps, bumpers and more. We have over 10,000 parts and accessories available to customize the vehicle."

The use as described would fall under the "*Auto service station*" under the Zoning Ordinance.

The definition for "*Auto service station"* is: "An establishment for the retail sales of petroleum products, automobile accessories, auto tune-up, muffler installation incidental to the primary use, tire installation or repair, oil change or other lubricate services, in which all services provided and all storage, supplies, parts, equipment, and accessories are indoors, with the exception of fuel dispensing operations."

The site previously operated under a similar use. However, the use was abandoned for over six months before the application was submitted for the proposed use.

Therefore, the proposed use must meet the requirements of the District in which it is located per Section 4-7 below:

**"Sec. 4-7. - Nonconforming uses of buildings.**

If lawful use involving individual buildings exists at the effective date of adoption or amendment of this ordinance, that would not be allowed in a particular district under the terms of this ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

5. When a nonconforming use of a building is discontinued or abandoned for six consecutive months, the building shall not thereafter be used except in conformity with the regulations of the district in which it is located."

The location falls within the Saginaw Boulevard overlay district (District). The District requires that Auto service station requires a Specific Use Permit in accordance with Section 5-4 of the Zoning Ordinance.

The applicant has provided a site plan and has provided a response to the thirteen conditions for approval listed in Section 5-4, G.

The site is generally consistent with the provisions of the overlay district with the exception of two pole signs. Existing pole signs are protected under the Texas Local Government Code. Building facades and structure are not planned to be changed so the applicable provisions would not be enforced unless the building size is increased by 20% or more. Landscaping, lighting and screening will be be addressed as part of the Certificate or Occupancy requirements.

If you have any questions, please let me know.

signage, and screening and recognize the street's unique character and importance as the City's primary commercial boulevard and entryway. The intent of these standards is to promote the public health, safety and general welfare, to coordinate and guide future development and redevelopment in accordance with the Comprehensive Plan and to protect and enhance the City's aesthetic and visual quality.

B. *Boundaries.* The Saginaw Boulevard overlay district includes all properties zoned Office Professional, Neighborhood Commercial, and Community Commercial that have frontage and/or access (either direct or through another property) to Saginaw Boulevard from East Industrial Boulevard on the south, the railroad on the east and the northern City boundary. The provisions of the overlay district shall apply to all properties located fully or partially within the above defined area.

C. *Base zoning districts.* Where the Saginaw Boulevard overlay district requirements conflict with the base zoning for properties located within the area described in Section B above, the overlay district shall apply. Otherwise the base zoning of a property shall not be affected by the provisions of this overlay district.

*D. General requirements of the Saginaw Boulevard overlay district.*

1. *Permitted and prohibited uses.* Uses permitted by right or by Specific Use Permit within the overlay district shall be as noted for the base zoning districts in the use charts in Section 5-1 except as follows:

   a. *Prohibited uses*:

      (1) Auto Sales, New and Used
      (2) Building Material Sales
      (3) Cargo Container
      (4) Landscape Service
      (5) Machinery Sales or Repair
      (6) Mini-warehouse
      (7) Motorcycle Sales
      (8) Non-depository financial institutions
      (9) Recreational Vehicle Rental
      (10) Rental Yard, Commercial & Heavy Equipment
      (11) Stone Monument Sales

   b. *Uses requiring a specific use permit.* The following uses shall require approval of a Specific Use Permit in accordance with Section 5-4:

      (1) Convenience Store with fuel sales
      (2) Golf Course, Driving Range

(3) Golf Course, Miniature
(4) Water Park, Commercial
(5) Auto Car Wash
(6) Auto Rental (Car & Truck)
(7) Auto Service Station
(8) Auto Service Station, Light Maintenance
(9) Contractor, no Outside Storage Permitted
(10) Exterminating Service
(11) Greenhouse or Plant Nursery
(12) Home Improvement Store
(13) Small Engine Repair
(14) Auto paint and body shop

c. *Non-Conforming uses*. Non-conforming uses shall be regulated by the provisions of Article 4, Section 4-13 of this ordinance.

2. *Setbacks*. Buildings shall be located on properties in accordance with the following minimum and maximum front yard setbacks:

a. For buildings with no drive aisles or parking located between the building face and the street right-of-way – a minimum setback of 20 feet and a maximum setback of 25 feet.

b. For buildings with drive aisles and/or parking located between the building face and the street right-of-way – maximum setback of 100 feet. Alternatively, the building setback may exceed 100 feet with a 15 foot increase in the minimum landscaped edge for single tenant buildings or multiple-tenant retail shopping centers that are 60,000 square feet or greater in size.

3. *Landscaping*. Landscaping shall be provided and installed in accordance with Section 8-13. Where buildings observe the 25 foot maximum setback, a minimum of 15 feet of landscaping must be provided between the building face and the street right-of-way.

4. *Screening*. Walls, fences, landscaping and other screening devices shall be installed in accordance with Section 8-12 and as follows:

a. *Trash enclosures*. Chain link with vinyl slats is prohibited as a screening material. Solid gates must be provided for trash enclosures that face a public street.

b. *Rooftop mechanical units*. Roof-mounted mechanical units must be screened from view at a point 5.5 feet above the property line with a parapet wall, screen, mansard roof, or alternative architectural element. The height of the screening element shall be equal or greater than the height of the mechanical unit(s) provided that the element shall not extend more than five feet above the roof on a

## Sec. 5-4. - Specific use permits.

A. *Purpose.* Certain land uses, because of their nature and location, are not appropriate for categorizing into installations, such as colleges and universities, institutions, community facilities, zoos, cemeteries, country clubs, show grounds, drive-in theaters and other unusual land uses not specifically provided for in this chapter. To provide for the proper handling and location of such specific uses, provision is made for amending this chapter to grant a permit for a specific use in a specific location. This procedure for approval of a specific use permit includes a public hearing. The amending ordinance may provide for certain restrictions and standards for operation. The indication that it is possible to grant a specific use permit as noted elsewhere in this ordinance does not constitute a grant of privilege for such use, nor is there any obligation to approve a specific use permit unless it is the finding of the planning and zoning commission and city council that such a special use is compatible with adjacent property use and consistent with the character of the neighborhood.

B. *Permit required.* No special use shall be erected, used, altered, occupied nor shall any person convert any land, building or structure to such a use unless a specific use permit has been issued by the city council. The granting of a specific use permit shall be done in accordance with the provisions for amendment of this zoning ordinance.

C. *Application procedure.* An application for a special permit shall be filed with the administrative official on a form prepared by the city. The application shall be accompanied by the following:

1. A completed application form signed by the property owner;
2. An application fee as established by the city's latest adopted schedule of fees;
3. A certificate stating that all city and school taxes have been paid to date;
4. A property description of the area where the specific use permit is proposed to apply;
5. A site plan complying with the requirements stated in this section which will become a part of the specific use permit, if approved; and
6.

Any other material and/or information as may be required by the planning and zoning commission, the city council or the administrative official to fulfill the purpose of this subsection and to ensure that the application is in compliance with the ordinances of the city.

D. *Site plan information.* A site plan shall contain, at a minimum the following information, as provided in section 8-1, Site Plan Requirements:

E. *Additional information.* The following additional information may also be required if deemed appropriate by staff, the planning and zoning commission, or city council.

1. Copies of studies or analyses upon which have been based projections for need or demand for the proposed facility.
2. Description of the present use, assessed value and actual value of the land affected by the proposed facility.
3. Description of the proposed use, anticipated assessed value and supporting documentation.
4. A description of any long-term plans or master plan for the future use or development of the property.
5. A description of the applicant's ability to obtain needed easements to serve the proposed use.
6. A description of any special construction requirements that may be necessary for any construction or development on the subject property.
7. A traffic impact analysis prepared by a qualified professional in the field of traffic evaluation and forecasting may be required.

F. *Council action.* The city council may grant such a wavier only upon finding that the information submitted is sufficient to determine that the proposed building, use, structure, development or activity will have an insubstantial impact on the surrounding area and that providing the information required by the submittal requirements is unreasonably burdensome on the applicant.

G. *Conditions of permit approval.* A specific use permit shall not be recommended for approval by the planning and zoning commission unless the commission finds that all of the following conditions have been found to exist:

1. The proposed use complies with all the requirements of the zoning district in which the property is located.

2. The proposed use as located and configured will contribute to or promote the general welfare and convenience of the city.
3. The benefits that the city gains from the proposed use outweigh the loss of or damage to any homes, business, natural resources, agricultural lands, historical or cultural landmarks or sites, wildlife habitats, parks, or natural, scenic, or historical features of significance, and outweigh the personal and economic cost of any disruption to the lives, business and property of individuals affected by the proposed use.
4. Adequate utilities, road access, drainage and other necessary supporting facilities have been or shall be provided.
5. The design, location and arrangement of all public and private streets, driveways, parking spaces, entrances and exits shall provide for a safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments.
6. The issuance of the specific use permit does not impede the normal and orderly development and improvement of neighboring vacant property.
7. The location, nature and height of buildings, structures, walls and fences are not out of scale with the neighborhood.
8. The proposed use will be compatible with and not injurious to the use and enjoyment of neighboring property, nor significantly diminish or impair property values within the vicinity.
9. Adequate nuisance prevention measures have been or shall be taken to prevent or control offensive odors, fumes, dust, noise, vibration and visual blight.
10. Sufficient on-site lighting is provided for adequate safety of patrons, employees and property, and such lighting is adequately shielded or directed so as not to disturb or adversely affect neighboring properties.
11. There is sufficient landscaping and screening to ensure harmony and compatibility with adjacent properties.
12. The proposed operation is consistent with the applicant's submitted plans, master plans, projections, or, where inconsistencies exist, the benefits to the community outweigh the costs.
13. The proposed use is in accordance with the City of Saginaw Comprehensive

Land Use Plan.

H. *Additional conditions.* In authorizing a specific use permit, the planning and zoning commission may recommend, and the city council may impose, additional reasonable conditions necessary to protect the public interest and the welfare of the community.

I. *Time limit.* A specific use permit issued under this division shall become null and void unless construction or use is substantially underway within one year of the granting of the permit, unless an extension of time is approved the city council.

J. *Revocation of permit.* A specific use permit may be revoked or modified, after notice and hearing, for either of the following reasons:

1. The permit was obtained or extended by fraud or deception.
2. One or more of the conditions imposed by the permit has not been met or has been violated.

K. *Amendments to specific use permit.* The procedure for amending a specific use permit shall be the same as for a new application, provided the administrative official may approve minor variations from the original permit which do not increase density, change traffic patterns, or result in an increase in external impacts on adjacent properties or neighborhoods.

## Sec. 8-1. - Site plan requirements.

A. *Generally.* Whenever a site plan is required by this ordinance, such site plan must conform to the requirements of this section. Unless otherwise specified in this ordinance, all site plans must be approved by the city council, upon recommendation of the planning and zoning commission. The site plan submitted in support of an application shall satisfy the requirements for site plan submittals as set forth by the city staff. Site plans shall be reviewed by the city staff, and comments shall be returned after the review by the city staff. The submittal date of the site plan shall be the date upon which the site plan is found to be in compliance with the provisions of the site plan application by the city staff.

B. *Required prior to building permit.* When required by this ordinance, a site plan must be approved prior to the issuance of a building permit by the city.

C. *Changes to the site plan.* Changes to the site plan shall be processed in the same manner as the original approved site plan.

1. Except as otherwise provided in paragraph 3 below, any site plan that is amended shall require approval of the city council, upon recommendation of the planning and zoning commission.
2. Changes to the site plan which will affect the use of the land may require either an amendment to a planned development or a rezoning of property, whichever applies.
3. Changes of details within a site plan which do not alter the basic physical relationship of the property to adjacent properties; do not alter the use permitted; and do not increase the density, floor area, height, or reduce the yards provided at the boundary of the site as indicated on the approved site plan, may be authorized by the administrative official or his/her designee. An aggrieved party may appeal the decision of the administrative official or his/her designee to the board of adjustment in accordance with the provisions of this ordinance.

D. *Council approval.* Council approval of a site plan that accompanies a zoning change request shall become part of the amending ordinance.

E.

*Site plan content.* The site plan shall contain the information listed below, and any or all of the required features may be incorporated on a single drawing if the drawing is clear and capable of evaluation by the city council and the staff personnel required to enforce and interpret this ordinance.

1. The boundary lines and dimensions of the property, existing subdivision lots, available utilities, easements, roadways, sidewalks, emergency access easements, and public rights-of-way.
2. Topography of the property proposed for development in contours of not less than two feet, together with any proposed grade elevations, if different from existing elevations.
3. Flood plains, water courses, marshes, drainage areas, and other significant environmental features including, but not limited to, rock outcroppings and major tree groupings. Topographic and drainage map information provisions may be waived by the reviewing body when the inclusion of such data would not materially contribute to the necessary evaluation of the project petition.
4. The location and use of all existing and proposed buildings or structures, including all refuse storage areas, and the minimum distance between buildings. Where building complexes are proposed, the location of each building and the minimum distances between buildings, and between buildings and the property line, street line, and /or alley.
5. Total number, location, and arrangement of off-street parking and loading spaces, where required.
6. All points of vehicular ingress, egress, and circulation within the property and all special traffic regulation facilities proposed or required to assure the safe function of the circulation plan.
7. Setbacks, lot coverage, and when relevant, the relationship of the setbacks provided and the height of any existing or proposed building or structure.
8. The location, size, and arrangement of all outdoor signs, exterior auditory speakers, and lighting.
9. The type, location, and quantity of all plant material used for landscaping, and the type, location, and height of fences or screening and the plantings around them.
10. If multiple types of land uses are proposed, a delineation of the specific areas

to be devoted to various land uses.

11. Vicinity map, north point, scale, name of development, name of owner, name of planner, total acreage of project, and street address or common description of the property.
12. Current land uses and zoning district of the property and current land uses and zoning districts of contiguous properties.
13. Buildings on the exterior of the site and within 25 feet of all property lines.
14. The location and size of existing and proposed surface and subsurface drainage facilities, including culverts, drains, and detention ponds, showing size and direction of flow.
15. The number of square feet of the property after construction which will constitute impervious area or impervious surface and vegetated areas.
16. Architectural drawings, such as elevations, concept sketches or renderings depicting building types and other significant proposed improvements including the treatment and use of open spaces, etc., where the submission of such drawings would more clearly portray the nature and character of the applicant's land use and development proposals.
17. Legal description of the total site area proposed for rezoning, development or specific use permit.
18. Signature, title and date of the applicant, at the conclusion of the written documents certifying the information presented in the plans, and supporting documents reflect a reasonably accurate portrayal of the general nature and character of the applicant's proposals.

Robert M. Bakish, Candance K. Beinecke, Barbara Byrne, Brain Goldner, Linda M. Griego, Robert N. Klieger, Judith A. McHale, Ronald L. Nelson, Armando Nunez, Charles E. Phillips, Jr., Susan Schuman, Nicole Seligman, Frederick O. Terrell, Ellen Albert, Alex Berkett, David Byrnes, Naveen Chopra, Christa A. D'Alimonte, Mark DeBevoise, Anthony DiClemente, Amy Dow, Katherine Gill-Charest, Caryn Groce, Ray Hopkins, Richard M. Jones, Pam Kaufman, Dorothea F. Lea, Henry T.A. Moniz, James C. Morrison, Julia Phelps, Nancy Phillips, Jo Ann Ross, Marva Smalls, Erik J. Sobczak, David Stonehill, Jose Tolosa, Naomi Waltman, Mark Beatty, Justin Dini, Michelena Hallie, Barrie Wexler, Danya Ahmed, John W. Bagwell, Darin Bassin, Julia Behunlak, Rebecca Borden, Alleen Brophy, Alexander Coedo, Jack S. Cohen, John Dabney, Margaret Davidson, Ann Dustman, Mindy H. Greene, Jo Ann Haller, Sarah J. Harp, David Hillman, Michael Housley, Allison Klausner, Michael A. Koczko, Kenneth F. Koen, Christopher Lovejoy, Brian Martinez, Adam Moora, Cindy Morgan, Keith Murphy, Heidi L. Naunton, Dan Paretsky, Shanell Parrish-Brown, Trupti S. Patel, Maria Romeo, Andrew J. Siegel, Randa Soudah, Jill Telch, Fanla Washington, Syed Ahmer Wasim, Jenna Watson, Kelly Kahl, Sean McManus, David Nevins, Glenn Oakley, Byron Rubin, George Schweitzer, Nate Basile, Frank Governale, Anne O'Grady, Thom Sherman, Javier Avitia, Deborah Barak, Stacey Benson, David Berson, Karen Howard, Susanna Lowy, Roni Mueller, Deanna O'Toole, Ellen Waggoner, Ray White, Julie Wie, Kenneth Silver, Peter Dunn, Jonathan Anschell, Michele Scaringella, Michael Wittman, Andy Wong, Christopher Fontana, Laura Franco, Mallory Levitt, Laura Kreda and Nicholas Poser.

The Transferees are the Sumner M. Redstone National Amusements Part B Trust and the Sumner M. Redstone National Amusements Life Income Trust. The attributable parties of those entities are their trustees: Shari Redstone, Tyler J. Korff, David R. Andelman, Norman Jacobs, Thaddeus P. Jankowski, Jill S. Krutick and Leonard Lewin.

A copy of this application and related material is available for public inspection at www.ktxa.com or may be obtained from the FCC, Washington, DC 20554, www.fcc.gov.

The North Texas Tollway Authority (NTTA) is accepting bids for the abovementioned solicitations until November 2, 2020 at 10:00 a.m. CT. Bids must be uploaded to NTTA's Marketplace (https://www.nttamarketplace.org).

A virtual pre-bid conference will be held on October 13, 2020 at 1:30 p.m. CT. See RFB documents for meeting details.

A copy of the RFB documents can be downloaded at NTTA's Marketplace (https://www.nttamarketplace.org). Questions must be submitted online on Marketplace Q&A tab no later than the stated deadline.

Email bidpurchasing@ntta.org for questions on registration or use of website.

ORDINANCE NO. OR-2186-20

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

Any person, firm, or corporation violating any of the provisions of this ordinance or the Code of Ordinances, as amended hereby, shall be deemed guilty of a misdemeanor and, upon the conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Hundred Dollars ($200.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

FIRST READING APPROVED ON THE 24TH DAY OF AUGUST, 2020.

SECOND READING APPROVED ON THE 14TH DAY OF SEPTEMBER, 2020.

DULY PASSED ON THE THIRD

ATTEST:
Susana Marin, City Secretary

APPROVED AS TO FORM AND LEGALITY:
City Attorney

PUBLIC NOTICE
CITY OF SAGINAW

The City of Saginaw Planning and Zoning Commission will conduct a Public Hearing at 6:00 p.m. on October 13, 2020 to consider a request for specific use permit to allow the operation of an auto service station on property located at 836 S Saginaw Blvd in Saginaw.

The Saginaw City Council will conduct a Public Hearing at 6:00 p.m. on October 20, 2020 to consider the above mentioned request for a specific use permit, contingent upon the receipt of a report regarding the specific use permit from the Planning and Zoning Commission.

Both meetings will be at the City of Saginaw City Hall located at 333 W McLeroy Boulevard, Saginaw, Texas, 76179.

FINAL ACTION IS TAKEN BY CITY COUNCIL ON PUBLIC HEARING CASES.

Please direct any questions regarding this matter to Rick Trice, Public Works Director at 817-230-0449.

SECTION 00 11 13
INVITATION TO BIDDERS
DEVELOPER AWARDED CONTRACTS
FOR PUBLICLY BID PROJECTS ONLY

RECEIPT OF BIDS

Sealed bids for the construction of MORNINGSTAR DEVELOPMENT, SECTION 5, PHASE 4 will be received by the MORNINGSTAR MUNICIPAL UTILITY DISTRICT, (M.U.D.):
WELCH ENGINEERING, INC.
1308 Norwood Drive Suite 200
Bedford, Texas 76022

Bids will be accepted until 9:45 am, CST, Friday, October 9, 2020 and bids will be publicly read aloud at 10:00 am, CST, Friday, October 9, 2020.

GENERAL DESCRIPTION OF WORK

The major work will consist of the (approximate) following:
The project is MORNINGSTAR DEVELOPMENT, SECTION 5, PHASE 4 consisting of 89 Single Family Residential Subdivision will require the installation of Water, Sanitary Sewer, Storm Drainage, Street Paving and Street Lights. You can bid the project as a whole or separately entities as either Utilities, Paving and/or Street Lights. Excavation of the project is already underway.

PREQUALIFICATION

# Home & Business Servic

## misc. services

All Phases home/rentals/ remodel/ repairs, handyman, 25yrs of satisfied customers. 817-455-1382

BRICK, STONE MASONRY
AMJ Masonry - Mailboxes, Brick REPAIR & STONE 682-558-6086

Buildings
30x40x10 Metal Bldg 1walk door & slab $19,200. Family owned & operated since 1972
millersmetalbuildings.com
817-295-6022

Carpet
Carpet Repair & Re-Stretching. Over 40yr exp.Call 817-641-7888

CARPET REPAIR SPECIALIST. Any Job. No job to small. 40 yrs experience. Call 817-902-7748

## misc. services

CEMENT WORK
$100 OFF All types concrete. Free Est., Lic & bond 817-293-9483

CONCRETE
Epoxy garage floors
Patio, spray texture overlays
817-664-3872

DIGNIFIED HOARDING RELIEF
Free Confidential Consultation.
817-692-2552/info@brogleys.com

ELECTRICAL Contractor Veteran Owned & Operated. Comm, Res & Ind'l. 682-258-9905 TECL #26354

ELECTRICAL & PLUMBING Res. & Comm'l. Free est. No job too large or to small 817-566-4785

## misc. services

FENCING - PLATINUM PERFORMANCE FENCE!
FREE ESTIMATES!
817-879-3181

GUTTERS
WILSONS GUTTER SERVICE
42 yrs exp. Free est 817-237-5950

HANDYMAN
Tile, electric, doors, windows, paint, home rep., remodel
817-884-6327

HAULING
NO JOB too small! Usually same day serv. Haul off, demo, clean out Free est. 817-566-4785

Home Repair on SS 40+yrs. Kitch bath, flooring. Call me or we both loose money 940-637-2110

PZ 1020 -01 A1849-8
ATCHISON TOPEKA & SANTA FE RR
PO BOX 961089
FORT WORTH TX 76161

PZ 1020 -01 33470-17-A2A
ALWAHBAN REAL ESTATE LLC
1225 E SEMINARY DR
FORT WORTH TX 76115

PZ 1020 -01 33470-17-A3A
DCP CROSSING LLC
745 JOHNS WELL CT
ARGYLE TX 76226

PZ 1020 -01 33470-17-10
KOP, EVELYN M & GEOFFREY M
PSC 476 BOX 1157
FPO AP 96322

PZ 1020 -01 33470-17-9
CEDILLO, GILBERTO
833 S HAMPSHIRE ST
SAGINAW TX 76179

PZ 1020 -01 33470-17-8
ALVARADO, SANJUANAITA E
829 S HAMPSHIRE ST
SAGINAW TX 76179

PZ 1020 -01 33470-17-7
SANTELLANO, MARIVEL
825 S HAMPSHIRE ST
SAGINAW TX 76179

City of Saginaw

205 Brenda Lane
P. O. Box 79070
Saginaw, Texas 76179
817-230-0500
Fax 817-232-9868
www.ci.saginaw.tx.us

September 30, 2020

**NOTICE OF PUBLIC HEARING**

*RE: PZ 1020-01 Consideration of a request for a Specific Use Permit (SUP) to be allowed to operate an Auto Service Station at the NW corner of Saginaw Boulevard and Longhorn Road in Saginaw.*

Dear Property Owner:

The Planning and Zoning Commission of the City of Saginaw will hold a Public Hearing on the 13th day of October 2020 at 6:00 p.m. and the City Council of the City of Saginaw, Texas, will hold a Public Hearing on the 20th day October 2020 at 6:00 p.m. at the Saginaw City Hall, 333 West McLeroy Boulevard, Saginaw, Texas, for the purpose of considering a request from Dan Fritz, 1225 E. Seminary Dr, Fort Worth, Texas, for a Specific Use Permit (SUP) to be allowed to operate an auto service station at the NW corner of S. Saginaw Boulevard and Longhorn Road

These hearings are open to any interested person. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing. A reply form is provided for your convenience. Another person may also represent you.

The enclosed map shows the area of request. The circle around the area is that within which property owners are required by law to be notified. Only that area which is shaded or highlighted is the property to be considered.

If you have any questions you may call me at 817-230-0441 or Rick Trice, P. E., Public Works Director, at 817-230-0449.

Sincerely,

Mary Ragle
Planning & Zoning Secretary

Enclosures: Map of requested property and reply form.

## REPLY FORM

In order to be on record, this form may be filled out and mailed to the Planning & Zoning Secretary, City of Saginaw, Texas, P. O. Drawer 79070, Saginaw, Texas 76179

If you have questions concerning the request, you may call 817/230-0441.

## REPLY

RE: Planning and Zoning Meeting on 10/13/2020 and City Council Meeting on 10/20/2020 to consider a request for approval of a Specific Use Permit to operate an auto repair facility at 836 S. Saginaw Boulevard.

Name:_____

Address:_____

Phone Number:_____

( ) In Favor

( ) Opposed

Reasons and/or Comments

_____

_____

_____

_____

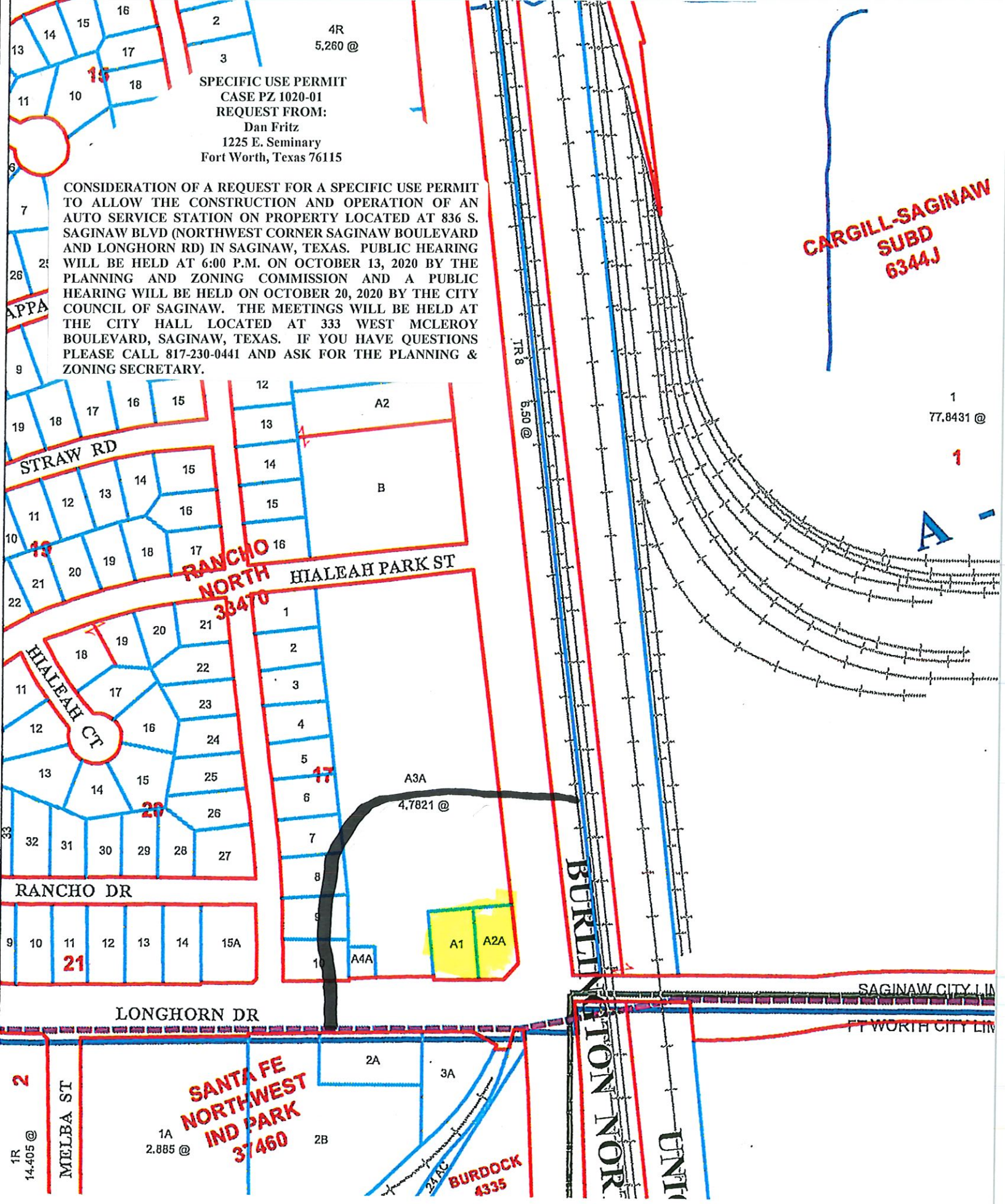
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_____


SPECIFIC USE PERMIT
CASE PZ 1020-01
REQUEST FROM:
Dan Fritz
1225 E. Seminary
Fort Worth, Texas 76115
CONSIDERATION OF A REQUEST FOR A SPECIFIC USE PERMIT TO ALLOW THE CONSTRUCTION AND OPERATION OF AN AUTO SERVICE STATION ON PROPERTY LOCATED AT 836 S. SAGINAW BLVD (NORTHWEST CORNER SAGINAW BOULEVARD AND LONGHORN RD) IN SAGINAW, TEXAS. PUBLIC HEARING WILL BE HELD AT 6:00 P.M. ON OCTOBER 13, 2020 BY THE PLANNING AND ZONING COMMISSION AND A PUBLIC HEARING WILL BE HELD ON OCTOBER 20, 2020 BY THE CITY COUNCIL OF SAGINAW. THE MEETINGS WILL BE HELD AT THE CITY HALL LOCATED AT 333 WEST MCLEROY BOULEVARD, SAGINAW, TEXAS. IF YOU HAVE QUESTIONS PLEASE CALL 817-230-0441 AND ASK FOR THE PLANNING & ZONING SECRETARY.
4R
5.260 @
CARGILL-SAGINAW SUBD 6344J
TR 8
6.50 @
1
77.8431 @
STRAW RD
RANCHO NORTH 33470
HIALEAH PARK ST
HIALEAH CT
RANCHO DR
LONGHORN DR
A2
B
A3A
4.7821 @
A1
A2A
A4A
BURLINGTON NOR
SAGINAW CITY LIM
FT WORTH CITY LIM
SANTA FE NORTHWEST IND PARK 37460
1A
2.885 @
2A
3A
2B
1R
14.405 @
MELBA ST
24 AC
BURDOCK 4335

# City of Saginaw

APPLICATION FOR SPECIFIC USE PERMIT

I. PROPERTY INFORMATION

LOCATION OF PROPERTY: 836 S. Saginaw Blvd Saginaw, TX. 76179

LEGAL DESCRIPTION: All of Lots A1 & A2 Block 17 Rancho North Unit 4

LOT: A1 & A2 BLOCK: 17 ADDITION: Rancho North Unit 4

TRACT: _____ ABSTRACT: _____ SURVEY: _____

ZONING: CC Community Commercial

PRESENT USE AND IMPROVEMENTS ON PROPERTY: Vacant / Previously 2 J's Automotive Service & Repair

APPLICANT INFORMATION: dfritz@texastirescustoms.com

| DAN FRITZ | 1225 E. Seminary Dr. Ft. Worth TX 76115 | (972) 345-1505 |
|---|---|---|
| APPLICANT NAME | ADDRESS | TELEPHONE |

II. OWNER INFORMATION:

| Alwahbaan Real Estate LLC | 1225 E. Seminary Dr. Ft. Worth TX 76115 | (682) 703-2312 |
|---|---|---|
| PROPERTY OWNER NAME | ADDRESS | TELEPHONE |

_____
(Property Owner Signature)

III. AGENT INFORMATION:

| | | |
|---|---|---|
| AGENT | ADDRESS | TELEPHONE |

_____
(Agent Signature)

HAS A PREVIOUS APPLICATION OR APPEAL BEEN FILED ON PROPERTY?

☒ NO ☐ YES, DATE N/A

I CERTIFY THAT (I AM THE LEGAL OWNER OF RECORD) (I HAVE SECURED THE PROPERTY OWNER'S PERMISSION) AND HAVE FULL AUTHORITY TO MAKE THIS APPLICATION AND/OR APPEAL

_____ 8/26/20 9/30/20

APPLICANT SIGNATURE DATE

SUBMITTED BY APPLICANT

IV. REQUESTED ACTION

SPECIFIC USE REQUESTED: Automotive Service Station, Light Maintenance to Sell Auto Parts & Accessories to Customize Vehicles & Routine repair We also offer the installation of all parts and accessories that we sell

V. APPLICANT JUSTIFICATION FOR REQUEST

PLEASE ATTACH ADDITIONAL SHEET IF NECESSARY

Property/Building has always been automotive Use / Repair Service & Maintenance Due to new overlay District We are required Approval of a Specific Use Permit.

VI. PROVIDE A SEPARATE MEMO ADDRESSING THE 13 CONDITIONS THAT MUST EXIST BEFORE THE PLANNING AND ZONING COMMISSION CAN RECOMMEND APPROVAL.

ZONING ORDINANCE, Article 5, Section 5-4, G, 1-13.

*G. Conditions of permit approval.* A specific use permit shall not be recommended for approval by the planning and zoning commission unless the commission finds that all of the following conditions have been found to exist:

1. The proposed use complies with all the requirements of the zoning district in which the property is located.
2. The proposed use as located and configured will contribute to or promote the general welfare and convenience of the city.
3. The benefits that the city gains from the proposed use outweigh the loss of or damage to any homes, business, natural resources, agricultural lands, historical or cultural landmarks or sites, wildlife habitats, parks, or natural, scenic, or historical features of significance, and outweigh the personal and economic cost of any disruption to the lives, business and property of individuals affected by the proposed use.
4. Adequate utilities, road access, drainage and other necessary supporting facilities have been or shall be provided.
5. The design, location and arrangement of all public and private streets, driveways, parking spaces, entrances and exits shall provide for a safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments.
6. The issuance of the specific use permit does not impede the normal and orderly development and improvement of neighboring vacant property.
7. The location, nature and height of buildings, structures, walls and fences are not out of scale with the neighborhood.
8. The proposed use will be compatible with and not injurious to the use and enjoyment of neighboring property, nor significantly diminish or impair property values within the vicinity.
9. Adequate nuisance prevention measures have been or shall be taken to prevent or control offensive odors, fumes, dust, noise, vibration and visual blight.
10. Sufficient on-site lighting is provided for adequate safety of patrons, employees and property, and such lighting is adequately shielded or directed so as not to disturb or adversely affect neighboring properties.
11. There is sufficient landscaping and screening to ensure harmony and compatibility with adjacent properties.
12. The proposed operation is consistent with the applicant's submitted plans, master plans, projections, or, where inconsistencies exist, the benefits to the community outweigh the costs.
13. The proposed use is in accordance with the City of Saginaw Comprehensive Land Use Plan.

~~9/21/20~~ 9/30/20 — DATE RECEIVED

Dana Johnson — APPLICATION TAKEN BY

$750.00 — FEE RECEIVED

179405 — RECEIPT NUMBER

10/13/20 — P&Z MEETING DATE

10/20/20 — CITY COUNCIL MEETING DATE

SUBMITTED BY APPLICANT

# SPECIFIC USE PERMIT 13 CONDITIONS MEMO

ZONING ORDINANCE, Article 5, Section 5-4, G, 1-13

1) The Proposed use of Auto Service Station, Light Maintenance complies with all requirements of zoning district, CC Community Commercial, where the property is located.

2) The Proposed Use will provide additional convenience and welfare by offering the community an alternative source for their automotive parts, service and light maintenance needs.

3) There are truly only benefits to the City and surrounding properties of the proposed use. Texas Tires is committed to a high degree of customer service and satisfaction. It will clean up and put this vacant property back to a positive productive use that it once was serving the community.

4) The Existing Property has adequate utilities, road access, drainage and all the necessary supporting facilities to operate and provide safe professional service to the community.

5) The design, location and arrangement of all public and private streets, driveways, parking spaces, entrances, and exits provide for safe and convenient movement of vehicular and pedestrian traffic. There will not be any adverse affects on the general public or adjacent properties.

6) The issuance of this SUP will not impede normal development or improvement of neighboring vacant property. All adjacent property at this point is developed and occupied.

7) The location, nature, and height of all buildings and structures are to code, scale, and approved by the City of Saginaw.

8) The proposed use will not diminish or impair the property values within the vicinity and will be compatible with and not injurious to the use and enjoyment of neighboring properties. Texas tires is

SUBMITTED
BY APPLICANT

committed to maintaining a professional, safe, clean, work environment where we conduct our operations.

9) Nuisance prevention measures are in place to prevent offensive odor, dust, noise, vibration, and visual light, "blight". All primary disassembly and repair of vehicles is done inside buildings and all lighting is and will be maintained to City Code.

10) Sufficient on site lighting, video surveillance, security, and fire alarms are present to provide safety and security for all patrons and employees. All lighting will be adequately shielded and controlled as to prevent any nuisance to the neighboring properties.

11) There is presently adequate fence screening and landscaping to City code that we will maintain to ensure compatibility and harmony with the community and adjacent properties.

12) The proposed operation is consistent with any submitted plan, proposal, or permit application.

13) The proposed use is in accordance with the City of Saginaw Comprehensive Land Use Plan.

SUBMITTED
BY APPLICANT

# TARRANT COUNTY TAX OFFICE

100 E. Weatherford, Room 105 • Fort Worth, Texas 76196-0301 • 817-884-1100
taxoffice@tarrantcounty.com
In God We Trust

WENDY BURGESS
Tax Assessor-Collector

TAX CERTIFICATE FOR ACCOUNT : 00006311687
AD NUMBER: 33470 17 A1
CERTIFICATE NO : 81450925

DATE : 9/24/2020
FEE : $10.00



**COLLECTING AGENCY**
WENDY BURGESS
PO BOX 961018
FORT WORTH TX 76161-0018

**REQUESTED BY**
ALWAHBAN REAL ESTATE LLC

1225 E SEMINARY DR
FORT WORTH TX 76115

**PROPERTY DESCRIPTION**
RANCHO NORTH ADDITION BLOCK 17
LOT A1

0000106 LONGHORN RD
0.1986 ACRES

**PROPERTY OWNER**
ALWAHBAN REAL ESTATE LLC

1225 E SEMINARY DR
FORT WORTH TX 76115

| YEAR | TAX UNIT | AMOUNT DUE |
|---|---|---|
| 2019 | CITY OF SAGINAW | $0.00 |
| 2019 | Tarrant County | $0.00 |
| 2019 | JPS HEALTH NETWORK | $0.00 |
| 2019 | TARRANT COUNTY COLLEGE | $0.00 |
| 2019 | EAGLE MOUNTAIN/SAGINAW ISD | $0.00 |
| | TOTAL | $0.00 |

ISSUED TO : ALWAHBAN REAL ESTATE LLC
ACCOUNT NUMBER: 00006311687
TOTAL CERTIFIED TAX: $0.00

As Deputy Tax Assessor/Collector for Tarrant County , I do hereby certify pursuant to Texas Property Tax Code Section 31.08 that the delinquent taxes, penalties and attorney fees due for only the above described property are as listed below according to the current tax records. Additional taxes may become due on the described property, which are not reflected herein, if the said described property has or is receiving any special statutory valuations that may trigger tax rollback provisions and other changes to the appraisal roll made subsequent to the issuance of this certificate.

This certificate applies to ad valorem taxes only and does not apply to any special assessment levies.

_____Deputy

TAXES FOR THE CURRENT YEAR HAVE NOT BEEN CALCULATED

Signature of Tax Deputy

BY APPLICANT

# TARRANT COUNTY TAX OFFICE

100 E. Weatherford, Room 105 • Fort Worth, Texas 76196-0301 • 817-884-1100
taxoffice@tarrantcounty.com
In God We Trust

**WENDY BURGESS**
**Tax Assessor-Collector**

TAX CERTIFICATE FOR ACCOUNT : 00006311679
AD NUMBER: 33470 17 A2A
CERTIFICATE NO : 81450926

DATE : 9/24/2020
FEE : $10.00



**COLLECTING AGENCY**
WENDY BURGESS
PO BOX 961018
FORT WORTH TX 76161-0018

**REQUESTED BY**
ALWAHBAN REAL ESTATE LLC

1225 E SEMINARY DR
FORT WORTH TX 76115

**PROPERTY DESCRIPTION**
RANCHO NORTH ADDITION BLOCK 17
LOT A2A

0000836 S SAGINAW BLVD
0.2783 ACRES

**PROPERTY OWNER**
ALWAHBAN REAL ESTATE LLC

1225 E SEMINARY DR
FORT WORTH TX 76115

| YEAR | TAX UNIT | AMOUNT DUE |
|---|---|---|
| 2019 | CITY OF SAGINAW | $0.00 |
| 2019 | Tarrant County | $0.00 |
| 2019 | JPS HEALTH NETWORK | $0.00 |
| 2019 | TARRANT COUNTY COLLEGE | $0.00 |
| 2019 | EAGLE MOUNTAIN/SAGINAW ISD | $0.00 |
| | TOTAL | $0.00 |

ISSUED TO : ALWAHBAN REAL ESTATE LLC
ACCOUNT NUMBER: 00006311679
TOTAL CERTIFIED TAX: $0.00

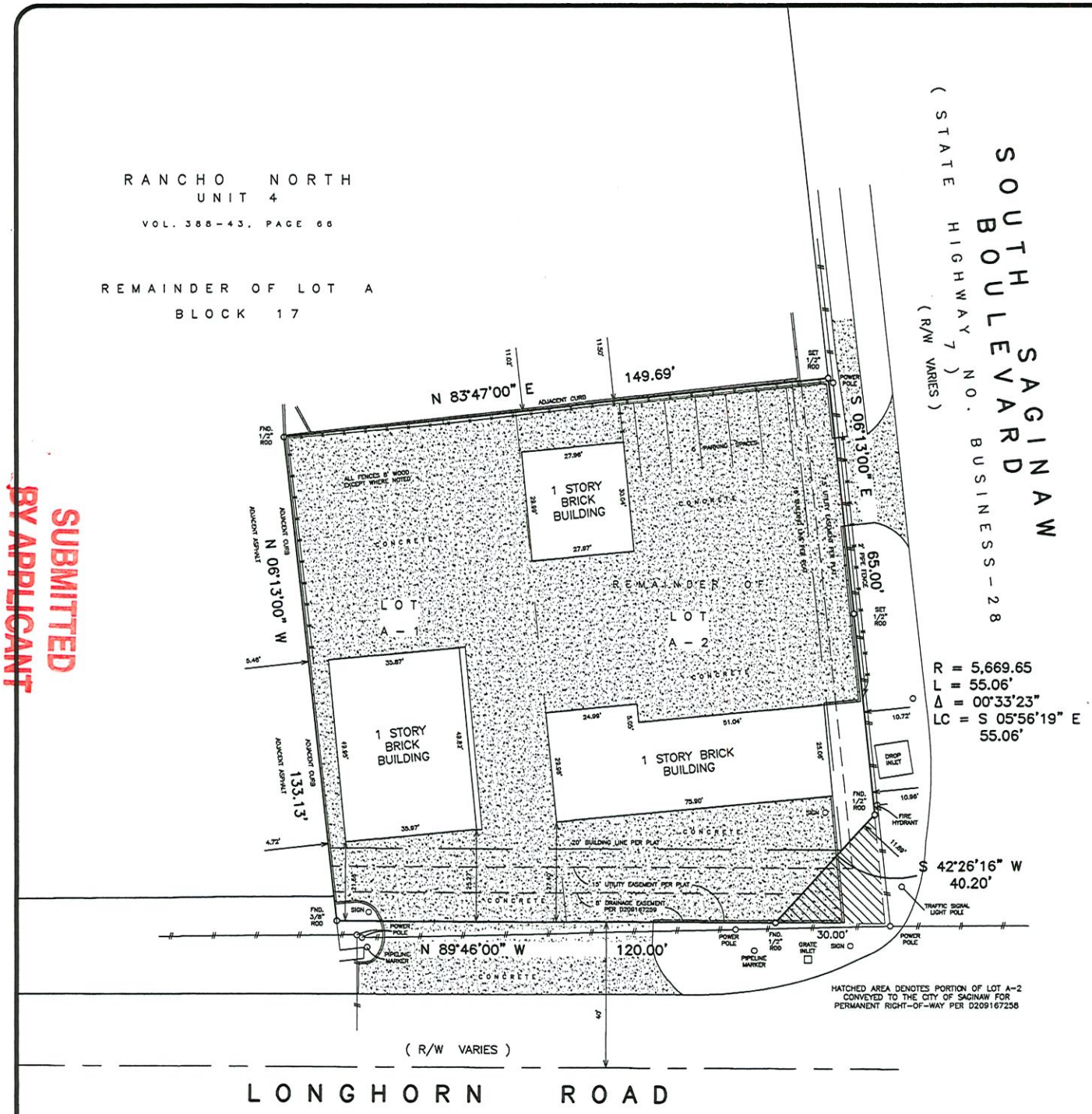
As Deputy Tax Assessor/Collector for Tarrant County , I do hereby certify pursuant to Texas Property Tax Code Section 31.08 that the delinquent taxes, penalties and attorney fees due for only the above described property are as listed below according to the current tax records. Additional taxes may become due on the described property, which are not reflected herein, if the said described property has or is receiving any special statutory valuations that may trigger tax rollback provisions and other changes to the appraisal roll made subsequent to the issuance of this certificate.

This certificate applies to ad valorem taxes only and does not apply to any special assessment levies.

_____Deputy

TAXES FOR THE CURRENT YEAR HAVE NOT BEEN CALCULATED
Signature of Tax Deputy

SUBMITTED BY APPLICANT




SUBMITTED BY APPLICANT

SCALE: 1" = 20'

0 10 20 40

## LEGAL DESCRIPTION

All of Lots A-1 and A-2, Block 17, RANCHO NORTH, UNIT 4, an Addition to the City of Saginaw, Tarrant County, Texas, according to the plat recorded in Volume 388-218, Page 57, Plat Records, Tarrant County, Texas.

SAVE AND EXCEPT

A 0.010 acre portion of said Lot A-2 as conveyed to the City of Saginaw by Instrument recorded at Clerk's File No. D209167258, Deed Records, Tarrant Coun Texas, being more particularly described by metes and bounds as follows:

BEGINNING at the southeast corner of said Lot A-2, at the intersection of the north right-of-way line of Longhorn Road, a public street with a variable width (being 80 feet wide at this point) with the west right-of-way line of Saginaw Boulevard (U. S. Highway Business 287), a public street with a variable width;

THENCE North 89°46'00" West along the south line of said Lot A-2 and the nor right-of-way line of said Longhorn Road, 30.00 feet to a found 1/2" steel rod;

THENCE North 42°26'16" East, 40.20 feet to a found 1/2" steel rod in the east line of said Lot A-2 and the west right-of-way line of said Saginaw Boulevard, and in a curve to the right whose radius bears South 84°20'23" West, 5,669.65 feet;

THENCE continuing along the east line of said Lot A-2 and the west right-of-w line of said Saginaw Boulevard, and along said curve to the right, through a central angle of 00°18'09", an arc length of 29.93 feet (long chord bears South 05°30'33" East, 29.93 feet) to the Point of Beginning, and containing 0.010 acre (447 square feet) of land, more or less.

Street Address: 836 South Saginaw Boulevard Saginaw, Texas 7617

Easements and building lines denoted "Per Plat" refer to the plat recorded in Volume 388-218, Page 57, Plat Records, Tarrant County, Texas.

No part of the subject property lies within the 100-year flood plain according t the FEMA map with the following designation:
Zone X Community 480610 Panel 0180-K Eff. Date 9-25-09

I hereby certify that this sketch of survey of the above described property is tru and correct to the best of my knowledge and belief as recently surveyed under direction on the ground, and that there are no encroachments or protrusions, except as noted.

Date: _____

Job No. 9774-10
F.B. 367, P. 82

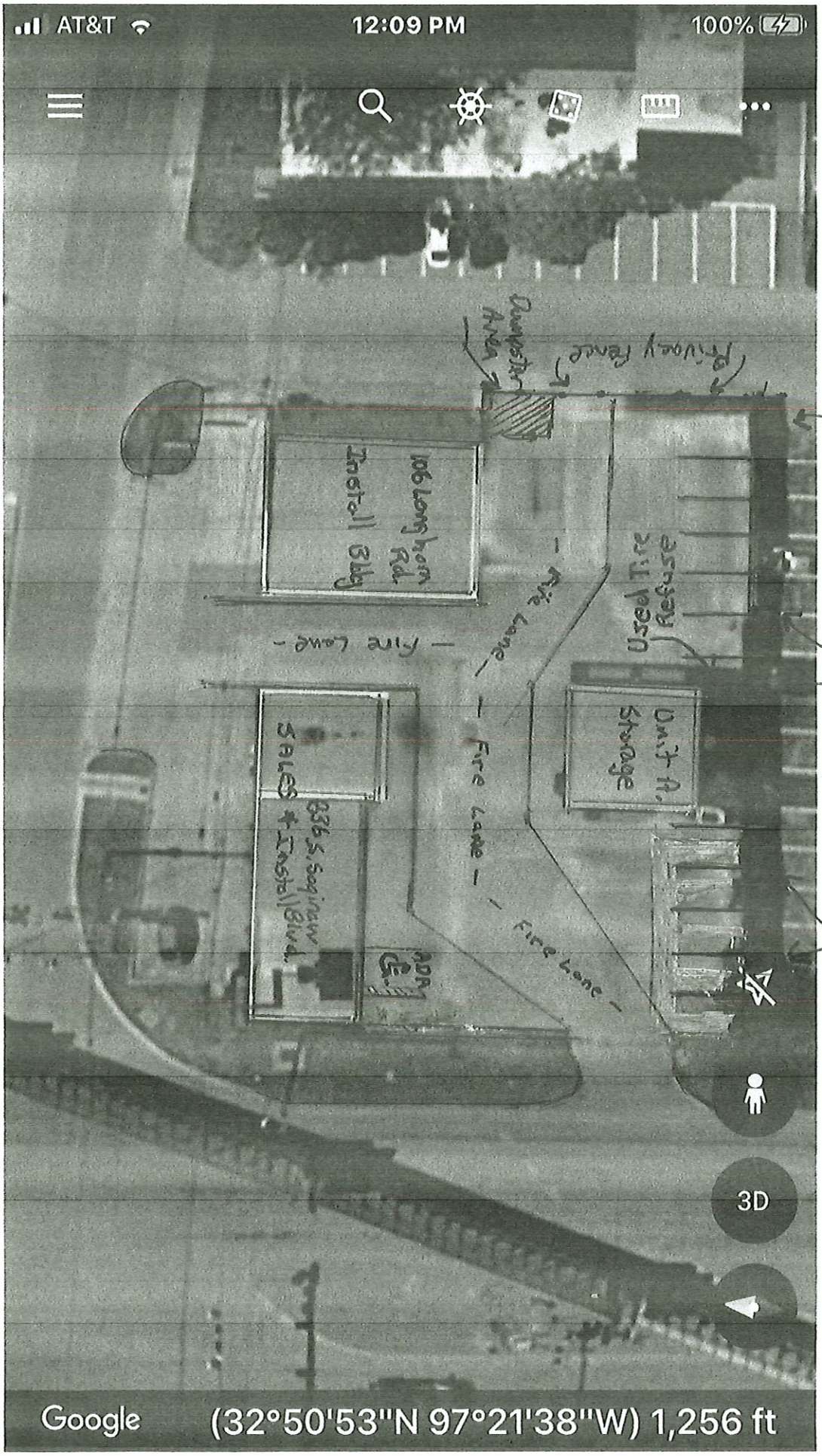
JOHN A. GRANT, III
Registered Professional Land Surveyor 415

TRACT AREA

20,730 Square Feet
0.4759 Acres


**Grant Engineering, Inc.**

Engineers 3244 Hemphill Street | Surveyors Fort Worth, Texas 76110-4014 | Planners 817-923-3131




LOCATION & USE

- Privacy Fence
- Fire Lane
- Parking & ADA
- Bldg Use
- Used Tire Refuse
- Dumpster Area

SUBMITTED BY APPLICANT




– Longhorn Rd side View

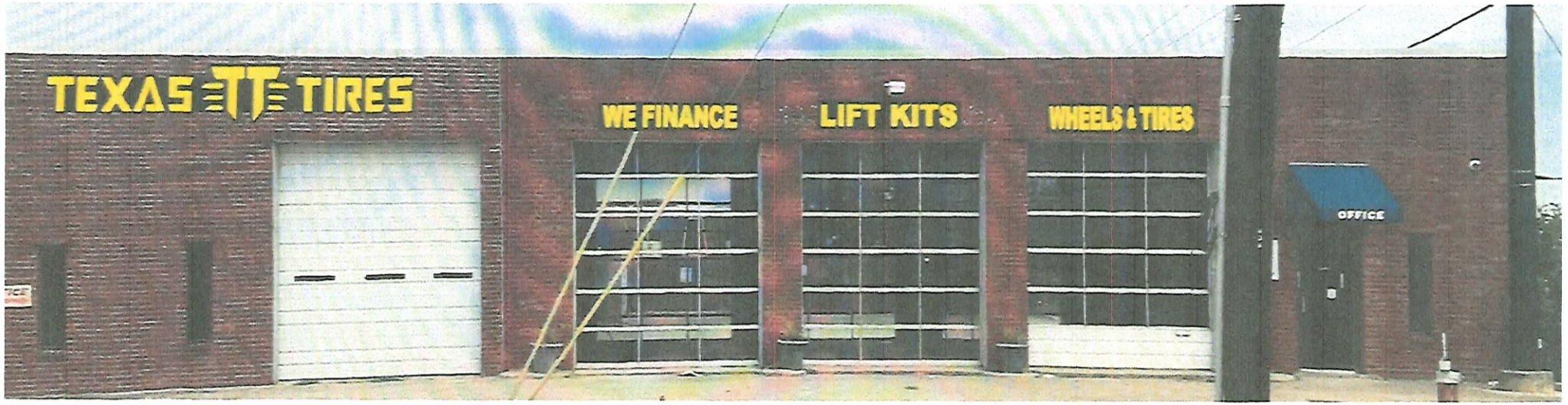
SUBMITTED
BY APPLICANT

SUBMITTED BY APPLICANT




836 SAGINAW BLVD. ENTRANCE SIDE

SUBMITTED BY APPLICANT




836 SAGINAW BLVD./LONGHORN RD. SIDE

**ORDINANCE NO. _____**

**AN ORDINANCE AMENDING ORDINANCE NO. 2002-04, AS AMENDED, THE ZONING REGULATIONS OF THE CITY OF SAGINAW, TEXAS, BY APPROVING A SPECIFIC USE PERMIT TO ALLOW THE OPERATION OF AN AUTO SERVICE STATION AT 836 SOUTH SAGINAW BOULEVARD, LOTS A1 & A2A, BLOCK 17, RANCHO NORTH ADDITION, TARRANT COUNTY, TEXAS, LOCATED AT THE NORTHWEST CORNER OF SOUTH SAGINAW BOULEVARD AND LONGHORN ROAD IN SAGINAW; REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

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

**WHEREAS,** the City Council of the City of Saginaw heretofore adopted Ordinance No. 2002-04, as amended, the Zoning Regulations of the City of Saginaw, which Ordinance regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and

**WHEREAS,** in accordance with Sections 1-3 and 5-4 of the Zoning Regulations of the City, the owner of Lot A1 & A2A, Block 17, Rancho North Addition in Saginaw, Tarrant County, Texas, has filed an application for a Specific Use Permit to allow the operation of auto service station; and

**WHEREAS,** the Planning and Zoning Commission of the City of Saginaw, Texas held a public hearing on October 13, 2020, and the City Council of the City of Saginaw, Texas,

held a public hearing on October 20, 2020, with respect to the Specific Use Permit described herein; and

**WHEREAS,** the City Council has determined that the requested Specific Use is compatible with adjacent property use and consistent with the character of the neighborhood; and

**WHEREAS,** the City has complied with all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements for the rezoning of the property.

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

**SECTION 1.**

Ordinance No. 2002-04, as amended, is hereby amended by approving the following specific use on the hereinafter described property and area as shown below:

> Lots A1 & A2A, Block 17, Rancho North Addition, Tarrant County Texas, known locally as 826 South Saginaw Boulevard, Saginaw, Texas.
>
> a Specific Use Permit to allow the operation of an auto service station, as more fully described Exhibit “A” and by the site plan shown in Exhibits “B” & “C,” attached hereto and incorporated herein.

**SECTION 2.**

The Specific Use Permit as herein established has been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the community.

**SECTION 3.**

The official map of the City of Saginaw is amended and the City Secretary is directed to revise the official zoning map to reflect the approved Specific Use Permit as set forth above.

**SECTION 4.**

The use of the property described above shall be subject to all applicable regulations contained in the Zoning Regulations and all other applicable and pertinent ordinances of the City of Saginaw.

**SECTION 5.**

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Saginaw, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

**SECTION 6.**

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

**SECTION 7.**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars ($2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 8.**

All rights and remedies of the City of Saginaw are expressly saved as to any and all violations of the provisions of Ordinance No. 2002-04, as amended, or any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 9.**

The City Secretary of the City of Saginaw is hereby directed to publish in the official newspaper of the City of Saginaw, the caption and the penalty clause of this ordinance in accordance with Section 52.013(b) of the Texas Local Government Code.

**SECTION 10.**

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

**PASSED AND APPROVED ON THIS 20th DAY OF OCTOBER 2020.**

_____
MAYOR, TODD FLIPPO

ATTEST:

_____
CITY SECRETARY, JANICE ENGLAND

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

_____
CITY ATTORNEY, BRYN MEREDITH

# City of Saginaw

**Meeting Date:** 10/20/2020

**Agenda Items:** (7)

**Staff Contact:** Gabe Reaume
City Manager

**E-mail:** greaume@saginawtx.org

**Phone:** 817-230-0324

**SUBJECT:**
Consideration and Action regarding an Escrow Agreement by and between Lavonne White, Cheri Elaine Walker as Successor Trustee of the Cheri Elaine Walker Trust and Judy Lynn Hartt as Successor Trustee of the Judy Lynn Hartt Trust, Provident Realty Advisors, Inc., the City of Saginaw, Texas, and the City Attorney as escrow agent, governing terms and conditions for the filing of a Petition for Dissolution of the Saginaw Western Center Public Improvement District

**BACKGROUND/DISCUSSION:**
The purpose of this item is for consideration of the Escrow Agreement.

**FINANCIAL IMPACT:**
N/A

**RECOMMENDATION:**
N/A

## ATTACHMENTS:

Description

Proposed Escrow Agreement
Exhibit A--Current Owners Petition
Exhibit B--Future Owners Petition

# ESCROW AGREEMENT

DATE: October 20, 2020

OFFICE: Bryn Meredith
City Attorney, City of Saginaw

RE: Creation of Saginaw Western Center Public Improvement District

This Escrow Agreement (this "Agreement") is entered into on the date set forth above by and between Lavonne White, Cheri Elaine Walker as Successor Trustee of the Cheri Elaine Walker Trust dated October 1, 1993, and Judy Lynn Hartt as Successor Trustee of the Judy Lynn Hartt Trust dated October 1, 1993 (collectively, the "Current Owners"), Provident Realty Advisors, Inc. (the "Future Owner"), the City of Saginaw, Texas, acting through its City Council ("City"), and Bryn Meredith, City Attorney for the City ("Escrow Agent").

## AGREEMENT

This Agreement shall constitute the irrevocable escrow instructions of the Current Owners, Future Owner and City to Escrow Agent in connection with the above-referenced matter.

1. Delivery of Escrow Documents. In connection with the City of Saginaw adopting *Resolution No. _____ Authorizing and Creating the Saginaw Western Center Public Improvement District* ("Western Center PID"), the Current Owners executed a *Petition for Dissolution of Saginaw Western Center Public Improvement District* (the "Current Owners Petition") attached hereto as Exhibit A and incorporated herein by reference for all purposes.

2. As of the date of this Agreement, the Current Owners and the Future Owner are parties to a contract for the purchase and sale (the "Purchase Contract") of all of the property within the Western Center PID (the "Property") and the Future Owner has executed a *Petition for Dissolution of Saginaw Western Center Public Improvement District* (the "Future Owner Petition") attached hereto as Exhibit B and incorporated herein by reference for all purposes.

3. In the event the City Council of the City has not authorized the City to execute a development agreement regarding the Property on or before December 31st, 2020, the Escrow Agent is authorized to date the attached Current Owners Petition (or Future Owners Petition, in the event the Purchase Contract is executed) and file it with the City Secretary of the City.

4. In the event the Current Owners and the Future Owner, or any affiliate of the Future Owner, do not close on the Purchase Contract on or before March 31, 2021, the Escrow Agent is authorized to date the attached Current Owners Petition and file it with the City Secretary of the City.

5. Following the transfer of the Property by the Current Owners to the Future Owner, in the event, (i) Future Owner has not contracted to construct the Authorized Improvements (as defined in the Future Owner Petition) to serve any of the land in Western Center PID within eighteen months of the date hereof, (ii) no bonds secured by public improvement district assessments have been issued, and (iii) upon request either by Future Owner or the City, you are authorized to date the attached Future Owner Petition and file it with the City Secretary of the City.

6. For purposes of the Current Owners Petition and the Future Owner Petition, each event described in paragraphs 3, 4, and 5, shall be referred to as a "Qualifying Event."

7. In the event Future Owner should sell all or a portion of the Property prior to the time it

contracts to construct the Authorized Improvements, Future Owner shall require the purchaser of such land to file with Escrow Agent a petition identical to the Future Owner Petition relative to the land it has purchased and execute an amendment to this Escrow Agreement adding such new landowner as a party.

8. Current Owners, Future Owner and City hereby agree, to the extent allowed by law, to indemnify, protect, save and hold harmless Escrow Agent, its successors, and agents from and against, any and all liabilities, obligations, losses, damages, claims, actions, suits, costs, or expenses (including attorneys' fees) of whatsoever kind or nature imposed on, incurred by, or asserted against Escrow Agent which in any way relate to, or arise out of, the execution and delivery of this Agreement and any action taken hereunder; provided, however, the parties hereto shall have no obligation to indemnify, save and hold harmless Escrow Agent, its successors, and agents from any liability incurred by, imposed upon, or asserted against it for its own willful misconduct or gross negligence.

9. Escrow Agent may resign at any time provided not less than sixty (60) days prior notice is received by the parties hereto.

10. This Agreement cannot be amended or modified without the written approval of all parties to this Escrow Agreement and the written consent of Escrow Agent.

11. This Agreement and all questions relating to its validity, interpretation, performance and enforcement shall be governed by, and construed in accordance with the laws of the State of Texas; and the performance of all obligations, shall be in Tarrant County, Texas.

12. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

EXECUTED and effective as of the date first set forth above (the "Effective Date").

[SIGNATURE PAGES TO FOLLOW]

**CITY OF SAGINAW, TEXAS**

By: _____

Name: _____

Its: _____

ATTEST:

By: _____
Janice England, City Secretary

_____

**LAVONNE WHITE**, an individual

Cheri Elaine Walker as Successor Trustee of the **CHERI ELAINE WALKER TRUST dated October 1, 1993**

Judy Lynn Hartt as Successor Trustee of the **JUDY LYNN HARTT TRUST dated October 1, 1993**

**PROVIDENT REALTY ADVISORS, INC.**

By: _____

Name: _____

Title: _____

**ESCROW AGENT:**

_____

Bryn Meredith

# EXHIBIT A

## CURRENT OWNERS FULLY SIGNED PETITION FOR DISSOLUTION OF SAGINAW WESTERN CENTER PUBLIC IMPROVEMENT DISTRICT

# EXHIBIT B

## FUTURE OWNER FULLY SIGNED PETITION FOR DISSOLUTION OF SAGINAW WESTERN CENTER PUBLIC IMPROVEMENT DISTRICT

**PETITION FOR DISSOLUTION OF**
**SAGINAW WESTERN CENTER PUBLIC IMPROVEMENT DISTRCT**

TO THE HONORABLE MAYOR AND CITY COUNCIL, CITY OF SAGINAW, TEXAS:

COMES NOW Lavonne White, Cheri Elaine Walker as Successor Trustee of the Cheri Elaine Walker Trust dated October 1, 1993, and Judy Lynn Hartt as Successor Trustee of the Judy Lynn Hartt Trust dated October 1, 1993 (collectively, the "Owners"), the owners of certain taxable real property, and pursuant to Chapter 372, Texas Local Government Code, as amended (the "Act"), who hereby petition the City of Saginaw, Texas ("City"), to conduct a hearing on this Petition, pursuant to Section 372.011 of the Act, to dissolve Saginaw Western Center Public Improvement District (the "District"). In support of same, Owners would respectfully show the following:

I.

The District was created by Resolution No. _____ adopted by the City Council on October 20, 2020. The property comprising the District (the "Property") is more particularly described in ***Exhibit A*** and depicted in ***Exhibit B***, both of which are attached hereto and are incorporated by reference herein.

II.

The general nature of the public improvements (the "Authorized Improvements") include the design, acquisition, and construction of public improvement projects authorized by §372.003(b) of the Act that are necessary for development of the Property, which public improvements will include, but not be limited to: (i) roadway improvements; storm drainage/ detention improvements; water and wastewater system improvements; right-of-way acquisitions related to such improvements; sidewalks; traffic signal upgrades; parks, trail system, open space and landscaping improvements; and, other similar improvement projects; (ii) payment of expenses incurred in the establishment, administration and operation of the District; and, (iii) payment of expenses associated with financing such public improvement projects, which may include but are not limited to, costs associated with issuance and sale of revenue bonds secured by assessments levied against the Property.

III.

The estimated total cost to design, acquire, and construct the proposed Authorized Improvements is $14,000,000.

IV.

On October 20, 2020, the Owners and the City entered into an escrow agreement in connection with the creation of the District (the "Escrow Agreement"). As of the effective date of this Petition, one or more of the Qualifying Events (as defined in the Escrow Agreement) has occurred and the undersigned now wishes to dissolve the District.

V.

Since one or more of the Qualifying Events has occurred, the undersigned hereby request, pursuant to the provisions of Section 372.011 of the Act; that the City conduct the necessary hearing and, upon the conclusion of such hearing, dissolve the District.

VI.

The persons or entities (through authorized representatives) signing this Petition (and any other Petition similarly filed with the City) are also owners of taxable real property representing more than fifty percent (50%) of the appraised value of taxable real property liable for assessment under the proposal as determined by the current roll of the appraisal district in which the property is located; and the record owners of real property liable for assessment under the proposal who (a) constitute more than fifty percent (50%) of all record owners of property that are liable for assessment under the proposal, and (b) own taxable real property that constitutes more than fifty percent (50%) of the area of all taxable real property that is liable for assessment under the proposal.

VII.

This Petition will be filed with the City Secretary, City of Saginaw, Texas.

[SIGNATURE PAGES FOLLOW]

EXECUTED by the Owners this __ day of _____, 2020, to be effective as of _____.

_____

**LAVONNE WHITE**, an individual

Cheri Elaine Walker as Successor Trustee of the **CHERI ELAINE WALKER TRUST dated October 1, 1993**

Judy Lynn Hartt as Successor Trustee of the **JUDY LYNN HARTT TRUST dated October 1, 1993**

# Exhibit A

## METES AND BOUNDS DESCRIPTION OF PROPERTY

BEING a tract of land situated in the J. WALKER SURVEY, ABSTRACT NO. 1602 and the J.A. BRADFORD SURVEY, ABSTRACT NO. 183, City of Saginaw, Tarrant County, Texas and being portions of a tract of land as described in deed to The Cheri Elaine Walker Trust and The Judy Lynn Hartt Trust, recorded in County Clerk's File Number D209025164 (Tract 1), Deed Records, Tarrant County, Texas, and being a portion of Lavonne Lane (variable width right-of-way), and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with orange plastic cap stamped "MLS 5799" found at the Northwest end of a corner clip at the intersection of the South right-of-way line of Rough Rider Drive (variable width right-of-way) and the West right-of-way line of Blue Mound Road (F.M. 156, variable width right-of-way);

THENCE South 45 deg 59 min 44 sec East, along said corner clip, a distance of 35.41 feet to a 1/2-inch iron rod with orange plastic cap stamped "MLS 5799" found for corner, said iron rod being situated in said West right-of-way line;

THENCE departing said corner clip and along the West right-of-way line of said Blue Mound Road, the following:

South 00 deg 50 min 30 sec East, a distance of 1,364.96 feet to a point for corner from which a 5/8-inch iron rod with yellow plastic cap stamped "SAMLLC" found bears, South 07 deg 09 min 14 sec West, a distance of 1.41 feet;

South 10 deg 52 min 15 sec West, a distance of 574.10 feet to a 5/8-inch iron rod found for corner;

South 34 deg 24 min 27 sec West, a distance of 231.68 feet to a MAG nail with shiner stamped "W.A.I. R.P.L.S. 5714" set for corner, said MAG nail being situated in the approximate centerline of McLeroy Boulevard (variable width right-of-way);

THENCE North 89 deg 16 min 11 sec West, along said centerline, a distance of 1,391.79 feet to a MAG nail with shiner stamped "W.A.I. R.P.L.S. 5714" set for corner, said MAG nail being situated in the East right-of-way line of Lavonne Drive, (variable width right-of-way, at this point)

THENCE North 89 deg 18 min 41 sec West, over and across, the right-of-way of said Lavonne Drive, a distance of 432.75 feet to a MAG nail with shiner stamped "W.A.I. R.P.L.S. 5714" set for corner, said MAG nail being situated in the West right-of-way line of said Lavonne Drive and the approximate centerline of said McLeroy Boulevard;

THENCE North 89 deg 16 min 11 sec West, continuing along the centerline of said McLeroy Boulevard, a distance of 255.21 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner, said iron rod being the Southeast corner of a tract of land as described in deed to Bana, Inc., recorded in County Clerk's File No. D216107091, Deed Records, Tarrant County, Texas;

THENCE North 20 deg 07 min 00 sec West, departing said approximate centerline and along the Easterly line of said Bana, Inc. tract, a distance of 377.94 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

THENCE North 00 deg 49 min 13 sec West, a distance of 356.74 feet to a 1/2-inch iron rod with orange plastic cap stamped "MLS 5799" found for corner;

THENCE North 89 deg 55 min 47 sec East, at a distance of 266.02 feet, passing a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" found and being situated in the West right-of-way line of said Lavonne Lane, in all a total distance of 339.69 feet to a point for corner, said point being situated in the East right-of-way line of said Lavonne Lane and being the beginning of a non-tangent curve to the right, having a radius of 416.00 feet, a central angle of 23 deg 09 min 29 sec, a chord bearing of North 12 deg 14 min 21 sec West and a chord length of 167.00 feet;

THENCE along said East right-of-way line and said non-tangent curve to the right, an arc distance of 168.14 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" found for corner;

THENCE North 00 deg 39 min 36 sec West, continuing along said East right-of-way line, a distance of 225.27 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

THENCE South 89 deg 45 min 01 sec East, departing the Easterly right-of-way line of said Lavonne Lane, a distance of 1,246.97 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

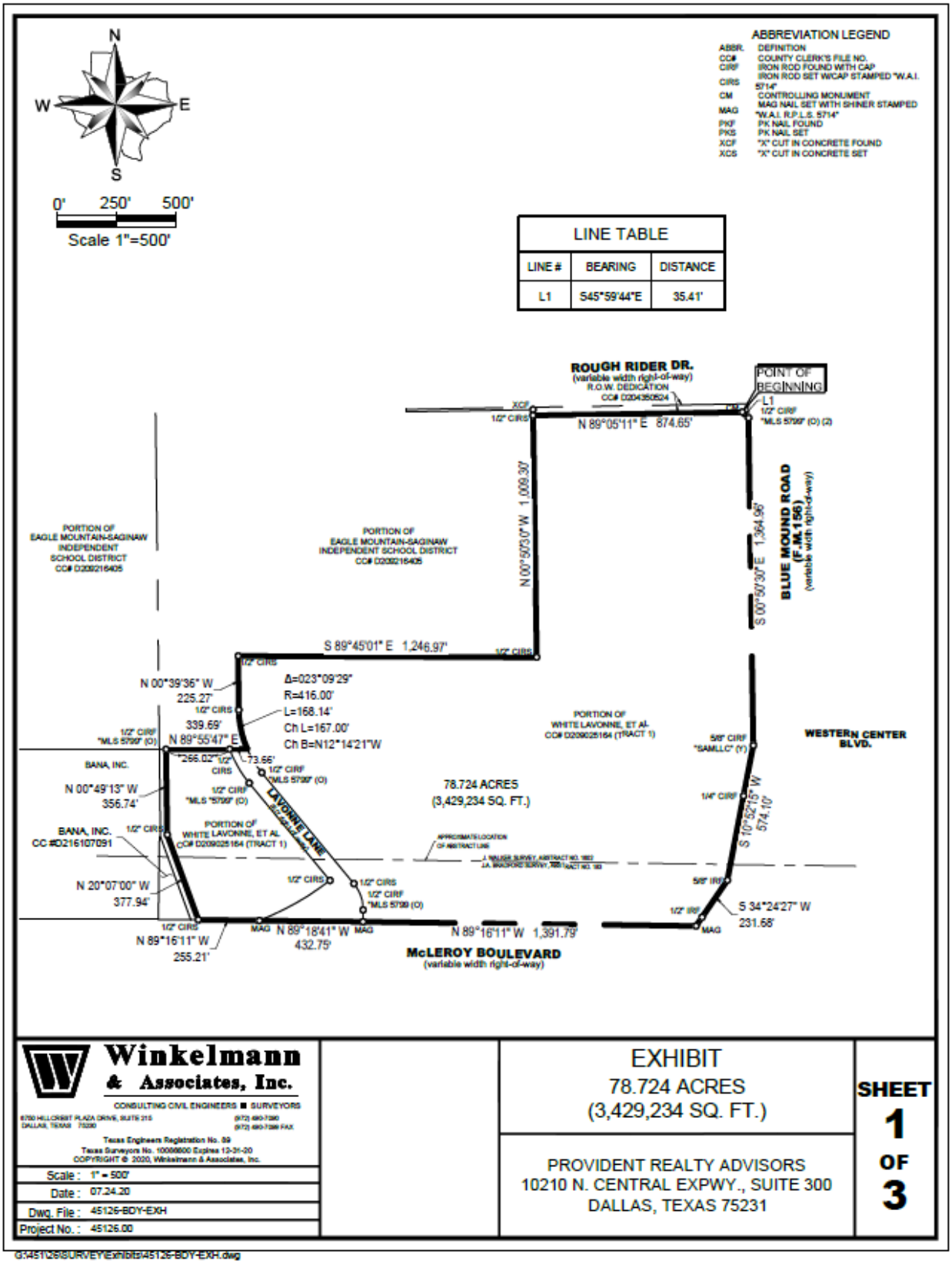
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THENCE North 89 deg 05 min 11 sec East, along said South right-of-way line, a distance of 874.65 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 78.724 acres or 3,429,234 square feet of land, more or less.

Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 13th day of June, 2019, utilizing a G.P.S. bearing related to the Texas Coordinate System, North Texas Central Zone (4202), NAD 83, grid values from the GeoShack VRS network**.**

# Exhibit B
# Depiction of the Property



**PETITION FOR DISSOLUTION OF**
**SAGINAW WESTERN CENTER PUBLIC IMPROVEMENT DISTRCT**

TO THE HONORABLE MAYOR AND CITY COUNCIL, CITY OF SAGINAW, TEXAS:

COMES NOW Provident Realty Advisors, Inc. (the "Owner"), the owner of certain taxable real property, and pursuant to Chapter 372, Texas Local Government Code, as amended (the "Act"), who hereby petition the City of Saginaw, Texas ("City"), to conduct a hearing on this Petition, pursuant to Section 372.011 of the Act, to dissolve Saginaw Western Center Public Improvement District (the "District"). In support of same, Owner would respectfully show the following:

I.

The District was created by Resolution No. _____ adopted by the City Council on October 20, 2020. The property comprising the District (the "Property") is more particularly described in ***Exhibit A*** and depicted in ***Exhibit B***, both of which are attached hereto and are incorporated by reference herein.

II.

The general nature of the public improvements (the "Authorized Improvements") include the design, acquisition, and construction of public improvement projects authorized by §372.003(b) of the Act that are necessary for development of the Property, which public improvements will include, but not be limited to: (i) roadway improvements; storm drainage/ detention improvements; water and wastewater system improvements; right-of-way acquisitions related to such improvements; sidewalks; traffic signal upgrades; parks, trail system, open space and landscaping improvements; and, other similar improvement projects; (ii) payment of expenses incurred in the establishment, administration and operation of the District; and, (iii) payment of expenses associated with financing such public improvement projects, which may include but are not limited to, costs associated with issuance and sale of revenue bonds secured by assessments levied against the Property.

III.

The estimated total cost to design, acquire, and construct the proposed Authorized Improvements is $14,000,000.

IV.

On October 20, 2020, the Owner and the City entered into an escrow agreement in connection with the creation of the District (the "Escrow Agreement"). As of the effective date of this Petition, one or more of the Qualifying Events (as defined in the Escrow Agreement) has occurred and the undersigned now wishes to dissolve the District.

V.

Since one or more of the Qualifying Events has occurred, the undersigned hereby requests, pursuant to the provisions of Section 372.011 of the Act; that the City conduct the necessary hearing and, upon the conclusion of such hearing, dissolve the District.

VI.

The persons or entities (through authorized representatives) signing this Petition (and any other Petition similarly filed with the City) are also owners of taxable real property representing more than fifty percent (50%) of the appraised value of taxable real property liable for assessment under the proposal as determined by the current roll of the appraisal district in which the property is located; and the record owners of real property liable for assessment under the proposal who (a) constitute more than fifty percent (50%) of all record owners of property that are liable for assessment under the proposal, and (b) own taxable real property that constitutes more than fifty percent (50%) of the area of all taxable real property that is liable for assessment under the proposal.

VII.

This Petition will be filed with the City Secretary, City of Saginaw, Texas.

[SIGNATURE PAGES FOLLOW]

EXECUTED this __ day of _____, 2020, to be effective as of _____.

**PROVIDENT REALTY ADVISORS, INC.,**
a Texas corporation

By: _____

Name: _____

Title:_____

## Exhibit A

## METES AND BOUNDS DESCRIPTION OF PROPERTY

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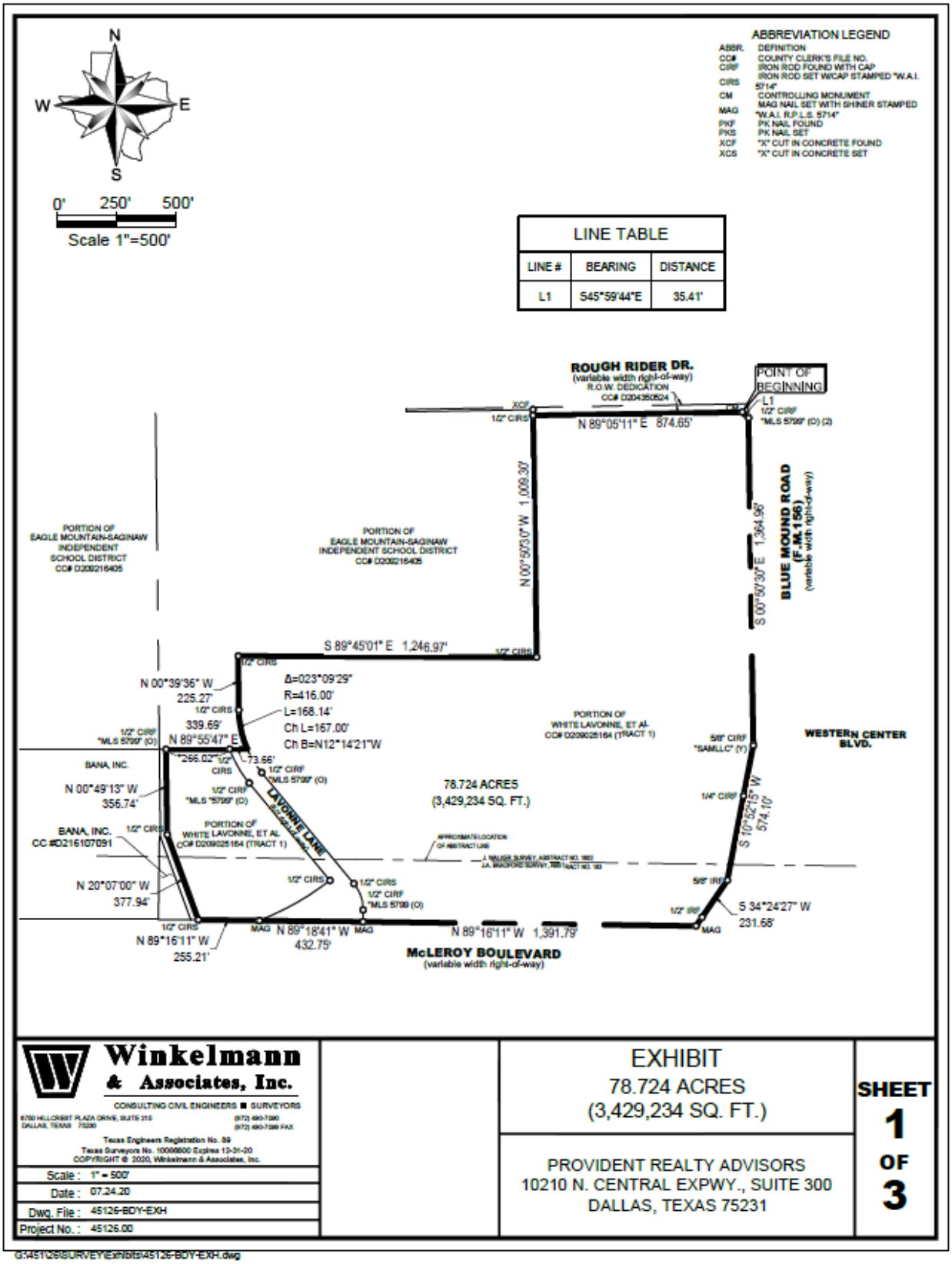
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# Exhibit B
# Depiction of the Property



# City of Saginaw

**Meeting Date:** 10/20/2020

**Staff Contact:** Gabe Reaume
City Manager

**Agenda Items:** (8)

**E-mail:** greaume@saginawtx.org

**Phone:** 8172300324

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**SUBJECT:**
PUBLIC HEARING--Consideration and Action regarding a Resolution of the City Council of the City of Saginaw, Texas Authorizing and Creating the Western Center Public Improvement District in Accordance with Chapter 372 of the Texas Local Government Code on property consisting of approximately 78.724 acres and described as a tract of land situated in the J. WALKER SURVEY, ABSTRACT NO. 1602 and the J.A. BRADFORD SURVEY, ABSTRACT NO. 183, City of Saginaw, Tarrant County, Texas (Resolution No. 2020-25)

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**BACKGROUND/DISCUSSION:**
The purpose of this item is to hold the public hearing and take action on the Resolution regarding the authorization and creation of the Western Center Public Improvement District.

Per the Texas Local Government Code, the public hearing notice was published in the Fort Worth Star Telegram on October 1, 2020, and sent by certified mail to the current property owners on October 2, 2020. It was also posted on the City's website and at City Hall on October 1, 2020.

**FINANCIAL IMPACT:**
N/A

**RECOMMENDATION:**
N/A

## ATTACHMENTS:

Description

Proposed Resolution No. 2020-25

**CITY OF SAGINAW, TEXAS**

**RESOLUTION NO. _____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS AUTHORIZING AND CREATING THE WESTERN CENTER PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS,** the City of Saginaw, Texas (the "***City***"), is authorized under Chapter 372 of the Texas Local Government Code (the "***Act***"), to create a public improvement district within the corporate limits of the City; and

**WHEREAS,** on September 22, 2020, Lavonne White, Cheri Elaine Walker as Successor Trustee of the Cheri Elaine Walker Trust dated October 1, 1993, and Judy Lynn Hartt as Successor Trustee of the Judy Lynn Hartt Trust dated October 1, 1993 (collectively, the "***Petitioners***") submitted and filed with the City Secretary of the City a petition (the "***Petition***") requesting the establishment of a public improvement district for property within the corporate limits of the City; and

**WHEREAS,** the Petition requested the creation of the Western Center Public Improvement District (the "***District***"), which District is located within the corporate limits of the City and more particularly depicted in Exhibit A and described by metes and bounds in Exhibit B (the "***Property***") each attached hereto and incorporated herein for all purposes; and

**WHEREAS,** the City Council of the City (the "***City Council***") has investigated and determined that the facts contained in the Petition are true and correct; and

**WHEREAS,** after publishing notice on October 1, 2020, in the *Fort Worth Star-Telegram,* a newspaper of general circulation in the City, and mailing notice of the hearing, all as required by and in conformity with the Act, the City Council, opened a public hearing on the advisability of the improvements on October 20, 2020, and after all interested parties were given the opportunity to speak, the City Council closed the public hearing.

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

Section 1. The findings set forth in the recitals of this Resolution are found to be true and correct.

Section 2. The Petition submitted to the City by the Petitioners was filed with the City Secretary and complies with Section 372.005 of the Act.

Section 3. Pursuant to the requirements of the Act, including, without limitation, Sections 372.006, 372.009(a), and 372.009(b), the City Council, after considering the Petition and the evidence and testimony presented at the public hearing on October 20, 2020, hereby finds and declares:

(a) **Advisability of the Proposed Improvements**. It is advisable to create the District to provide the Authorized Improvements (as described below). The Authorized Improvements are feasible and desirable and will promote the interests of the City and will confer a special benefit on the Property.

(b) **General Nature of the Authorized Improvements.** The purposes of the District include the design, acquisition, construction, and improvement of public improvement projects authorized by the Act, that are necessary for the development of the property within the District, which public improvements may include, but not be limited to: (i) roadway improvements; storm drainage/ detention improvements; water and wastewater system improvements; right-of-way acquisitions related to such improvements; sidewalks; traffic signal upgrades; parks, trail system, open space and landscaping improvements and, other similar improvement projects; (ii) payment of expenses incurred in the establishment, administration and operation of the District; and, (iii) payment of expenses associated with financing such public improvement projects, which may include but are not limited to, costs associated with issuance and sale of revenue bonds secured by assessments levied against the Property (collectively, the "Authorized Improvements"). These Authorized Improvements shall promote the interests of the City and confer a special benefit on the Property.

(c) **Estimated Costs of the Authorized Improvements and Apportionment of Costs.** The estimated total costs to design, acquire, and construct the Authorized Improvements, including eligible costs related to the establishment, administration and operation of the District and expenses associated with financing Authorized Improvements is $14,000,000, which costs shall be paid by assessments levied on the Property within the District. The City will not be obligated to provide any funds to finance the Authorized Improvements, other than from assessments levied on the Property. The developer of the Property (the "***Developer***") may also pay certain costs of the Authorized Improvements from other funds available to the Developer.

(d) **Boundaries of the District.** The District is proposed to include approximately 78.724 acres of land bound on the north by Rough Rider Drive, on the east by Blue Mound Road (FM-156), and on the south by McElroy Blvd; and, generally located on the West side of FM-156 1.4 miles± north of Northwest Loop 820, and as more particularly depicted in Exhibit A attached hereto, and as more properly described in the metes and bounds in Exhibit B attached hereto.

(e) **Proposed Method of Assessment.** The City shall levy assessments on each parcel within the District in a manner that results in imposing equal shares of the costs on property similarly benefited. All assessments may be paid in full at any time (including interest and debt), and certain assessments may be paid in annual installments (including interest and debt). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed by the assessments and must continue for a period necessary to retire the indebtedness for those Authorized Improvements (including interest).

(f) **Management of the District.** The District shall be managed by the City, with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.

(g) **Advisory Board.** The District shall be managed without the creation of an advisory body.

Section 4. The Western Center Public Improvement District is hereby authorized and created as a public improvement district under the Act in accordance with the findings of the City Council as to the advisability of the Authorized Improvements contained in this Resolution, the nature and the estimated costs of the Authorized Improvements, the boundaries of the District, the method of assessment, and the apportionment of costs as described herein; and the conclusion that the District is needed to fund such Authorized Improvements.

Section 5. Notice of this Resolution authorizing the District shall be given by publishing such notice once in the *Fort Worth Star-Telegram,* a newspaper of general circulation in the City. Effective upon the publication of such notice, the District shall be established.

Section 6. If any section, article, paragraph, sentence, clause, phrase or word in this resolution or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this resolution; and the City Council hereby declares it would have passed such remaining portions of the resolution despite such invalidity, which remaining portions shall remain in full force and effect.

Section 7. This Resolution shall take effect immediately from and after its passage and publication as required by law.

[EXECUTION PAGE FOLLOWS]

PASSED, APPROVED AND ADOPTED on the 20th day of October 2020.

**CITY OF SAGINAW**

_____

**TODD FLIPPO, MAYOR**

**ATTEST:**

_____

**JANICE ENGLAND, CITY SECRETARY**

# EXHIBIT A
## Property Depiction

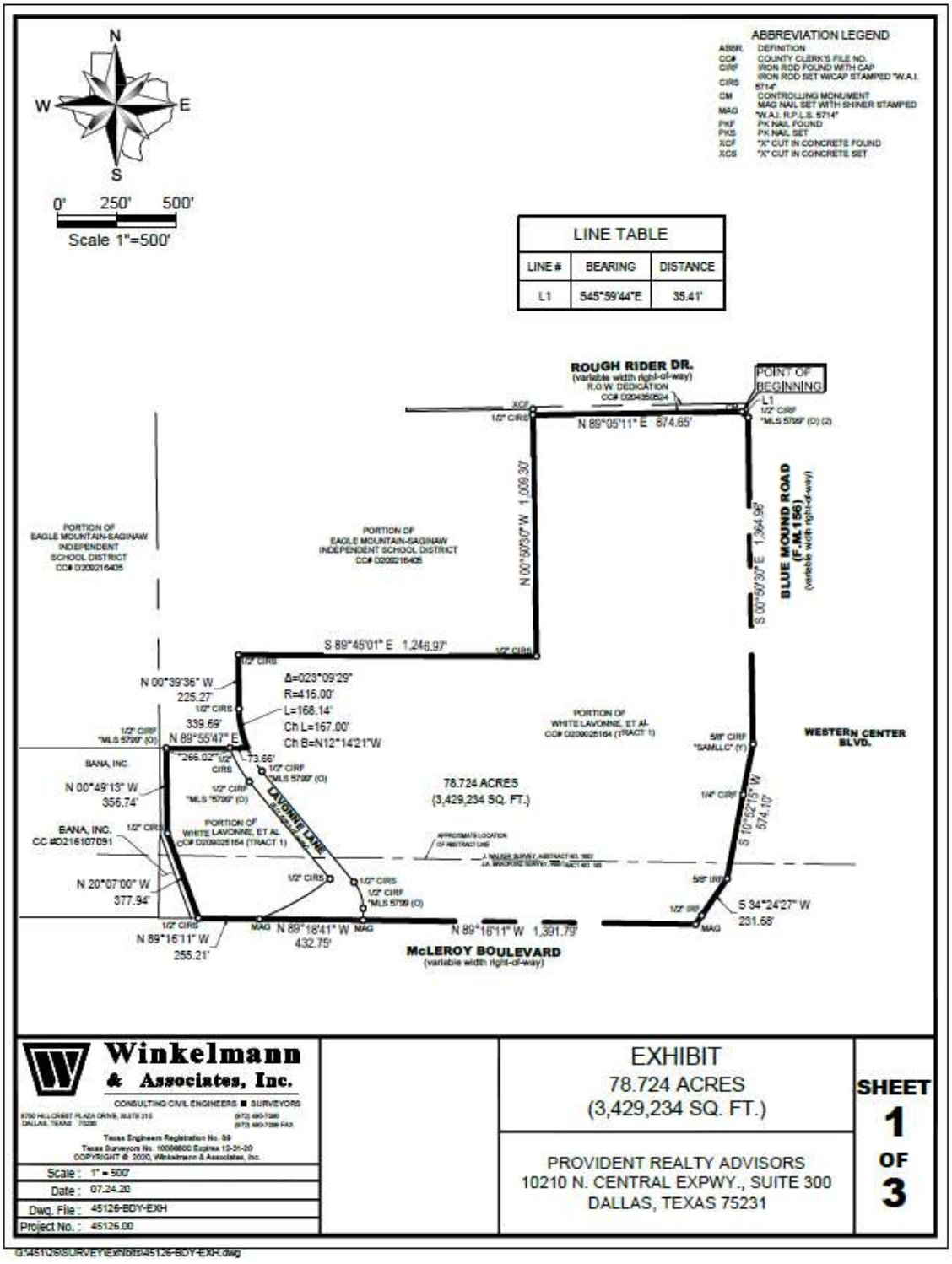


**EXHIBIT B**

**Metes and Bounds Description of the Property**

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South 00 deg 50 min 30 sec East, a distance of 1,364.96 feet to a point for corner from which a 5/8-inch iron rod with yellow plastic cap stamped "SAMLLC" found bears, South 07 deg 09 min 14 sec West, a distance of 1.41 feet;

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THENCE North 20 deg 07 min 00 sec West, departing said approximate centerline and along the Easterly line of said Bana, Inc. tract, a distance of 377.94 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

THENCE North 00 deg 49 min 13 sec West, a distance of 356.74 feet to a 1/2-inch iron rod with orange plastic cap stamped "MLS 5799" found for corner;

THENCE North 89 deg 55 min 47 sec East, at a distance of 266.02 feet, passing a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" found and being situated in the West right-of-way line of said Lavonne Lane, in all a total distance of 339.69 feet to a point for corner, said point being situated in the East right-of-way line of said Lavonne Lane and being the beginning of a non-tangent curve to the right, having a radius of 416.00 feet, a central angle of 23 deg 09 min 29 sec, a chord bearing of North 12 deg 14 min 21 sec West and a chord length of 167.00 feet;

THENCE along said East right-of-way line and said non-tangent curve to the right, an arc distance of 168.14 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" found for corner;

THENCE North 00 deg 39 min 36 sec West, continuing along said East right-of-way line, a distance of 225.27 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

THENCE South 89 deg 45 min 01 sec East, departing the Easterly right-of-way line of said Lavonne Lane, a distance of 1,246.97 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

THENCE North 00 deg 50 min 30 sec West, a distance of 1,009.30 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner, said iron rod being situated in the South right-of-way line of said Rough Rider Drive;

THENCE North 89 deg 05 min 11 sec East, along said South right-of-way line, a distance of 874.65 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 78.724 acres or 3,429,234 square feet of land, more or less.

Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 13th day of June, 2019, utilizing a G.P.S. bearing related to the Texas Coordinate System, North Texas Central Zone (4202), NAD 83, grid values from the GeoShack VRS network.

# City of Saginaw

**Meeting Date:** 10/20/2020

**Staff Contact:** Gabe Reaume
City Manager

**Agenda Items:** (11)

**E-mail:** greaume@saginawtx.org

**Phone:** 18172300324

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**SUBJECT:**
Update and Discussion regarding Beltmill Project

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**BACKGROUND/DISCUSSION:**
Jim Makens and Don Allen will be present to give an update on the Beltmill Project.

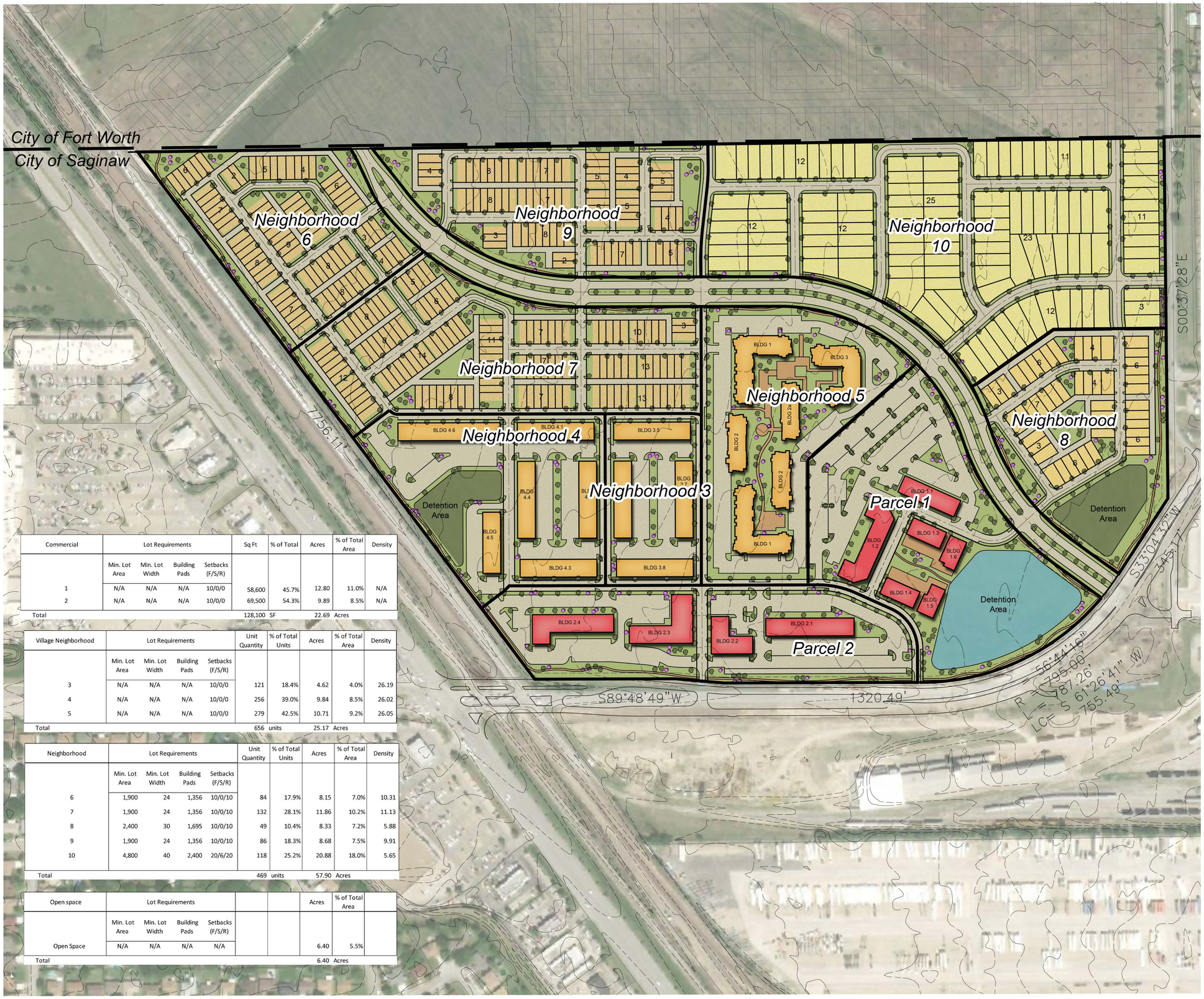
**FINANCIAL IMPACT:**
N/A

**RECOMMENDATION:**
N/A

## ATTACHMENTS:

Description

Beltmill Concept Plan
Beltmill Development Standards
Beltmill--Plaza & Pond Design
Beltmill Analysis--PD vs. Code
Beltmill--Old vs. New Analysis




| Commercial | Lot Requirements | | | | Sq Ft | % of Total | Acres | % of Total Area | Density |
|---|---|---|---|---|---|---|---|---|---|
| | Min. Lot Area | Min. Lot Width | Building Pads | Setbacks (F/S/R) | | | | | |
| 1 | N/A | N/A | N/A | 10/0/0 | 58,600 | 45.7% | 12.80 | 11.0% | N/A |
| 2 | N/A | N/A | N/A | 10/0/0 | 69,500 | 54.3% | 9.89 | 8.5% | N/A |
| Total | | | | | 128,100 | SF | 22.69 | Acres | |

| Village Neighborhood | Lot Requirements | | | | Unit Quantity | % of Total Units | Acres | % of Total Area | Density |
|---|---|---|---|---|---|---|---|---|---|
| | Min. Lot Area | Min. Lot Width | Building Pads | Setbacks (F/S/R) | | | | | |
| 3 | N/A | N/A | N/A | 10/0/0 | 121 | 18.4% | 4.62 | 4.0% | 26.19 |
| 4 | N/A | N/A | N/A | 10/0/0 | 256 | 39.0% | 9.84 | 8.5% | 26.02 |
| 5 | N/A | N/A | N/A | 10/0/0 | 279 | 42.5% | 10.71 | 9.2% | 26.05 |
| Total | | | | | 656 | units | 25.17 | Acres | |

| Neighborhood | Lot Requirements | | | | Unit Quantity | % of Total Units | Acres | % of Total Area | Density |
|---|---|---|---|---|---|---|---|---|---|
| | Min. Lot Area | Min. Lot Width | Building Pads | Setbacks (F/S/R) | | | | | |
| 6 | 1,900 | 24 | 1,356 | 10/0/10 | 84 | 17.9% | 8.15 | 7.0% | 10.31 |
| 7 | 1,900 | 24 | 1,356 | 10/0/10 | 132 | 28.1% | 11.86 | 10.2% | 11.13 |
| 8 | 2,400 | 30 | 1,695 | 10/0/10 | 49 | 10.4% | 8.33 | 7.2% | 5.88 |
| 9 | 1,900 | 24 | 1,356 | 10/0/10 | 86 | 18.3% | 8.68 | 7.5% | 9.91 |
| 10 | 4,800 | 40 | 2,400 | 20/6/20 | 118 | 25.2% | 20.88 | 18.0% | 5.65 |
| Total | | | | | 469 | units | 57.90 | Acres | |

| Open space | Lot Requirements | | | | | | Acres | % of Total Area | |
|---|---|---|---|---|---|---|---|---|---|
| | Min. Lot Area | Min. Lot Width | Building Pads | Setbacks (F/S/R) | | | | | |
| Open Space | N/A | N/A | N/A | N/A | | | 6.40 | 5.5% | |
| Total | | | | | | | 6.40 | Acres | |

File: Z:\Projects\LLH\LLH-19000\Drawings\Concept\20200605 CONCEPT C
Plotted: 5/27/2020 2:54 PM, by FranPatricio, Sheet: 5/27/2020 5:07 PM, by zmiller

The John R. McAdams Company, Inc.
111 Valley Drive
Lewisville, Texas 75067
972. 436. 9712

201 Country View Drive
Roanoke, Texas 76262
940. 240. 1510

TBPE: 1992 TBPLS: 10194440
www.gacon.com
www.mcadamsco.com

McADAMS

**BELTMILL**

**BELTMILL**
**116 Acres**
in the
THOMAS BENJAMIN SURVEY, ABSTRACT NO. 1497
CITY OF SAGINAW
TARRANT COUNTY, TEXAS

**CONCEPTUAL DEVELOPMENT PLAN**

**PRELIMINARY PLANS**

THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.
THE JOHN R. MCADAMS COMPANY, INC.
TBPE: 19762
R. VON BEOUGHER, P.E. #89087
DATE 5/27/2020

Drawn By: PF
Date: 8/19/2020
Scale: 1"=150'
Revisions:

**LLH-19000**

DCP

# BELTMILL

DEVELOPMENT STANDARDS

AUGUST 20, 2020

LACKLAND HOLDINGS

McADAMS

THE MAKENS COMPANY

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**LEGAL DESCRIPTION**

115.421 ACRES

Being all that certain lot, tract or parcel of land situated in the Heirs of Benjamin Thomas Survey, Abstract Number 1497, City of Saginaw, Tarrant County, Texas, and being part of that certain called 380.90 acre tract of land described in deed in favor of CFI Farm Properties, LLC, recorded in Instrument Number D209083859 of the Official Public Records of Tarrant County, Texas, and being more particularly described as follows:

COMMENCING at an axle found on the easterly line of said 380.90 acre tract at the southwest corner of that certain called 317.63 acre tract of land described in deed in favor of Clarence Sloan, recorded in Volume 1622, Page 102 of the Deed Records of Tarrant County, Texas;

THENCE N 89°55'00" E, 712.44 feet with the easterly line of said 380.90 acre tract and the south line of said 317.63 acre tract to a 3/8" rebar found at the most southerly southeast corner of said 617.63 acre tract and being the northwest corner of Lot 7-R, Block A of the B. Thomas Addition, an addition to Tarrant County, Texas, according to the plat thereof recorded in Cabinet A, Slide 5610 (Document Number D20017631) of the Plat Records of Tarrant County, Texas;

THENCE S 48°40'00" E, continuing with the east line of said 380.90 acre tract and the west line of said Lot 7-R, passing the southwest corner thereof and the northwest corner of Lot 6-R of said B. Thomas Addition, continuing with the west line thereof a distance of 1257.47 feet to the southeast corner thereof and being the southwest corner of Lot 5-R of said B. Thomas Addition, and being the northwest corner of that certain called 25 acre tract of land described in deed in favor of William V. Sloan and June Perner Sloan, recorded in Volume 4338, Page 81 of the Deed Records of Tarrant County, Texas;

THENCE S 00°48'00" E, 537.46 feet continuing with the easterly line of said 380.90 acre tract and the west line of said 25 acre tract to a 3/4" steel rod found at the southwest corner of said 25 acre tract and being the northwest corner of that certain called 25 acre tract of land described in deed in favor of CFI Farm Properties, LLC, recorded in Instrument Number D209083861 of the Real Property Records of Denton County, Texas;

THENCE N 89°50'10" E, with the south line of said 25 acre Sloan tract and the north line of said 25 acre CFI tract, passing at 1995.4 feet a 1" rebar found for witness on the west line of Wagley Robertson Road, A.K.A. County Road 4108, continuing a total distance of 2027.79 feet to the southeast corner of said 25 acre Sloan tract and the northeast corner of said 25 acre CFI tract;

THENCE S 00°37'30" E, with the east line of said 25 acre CFI tract in said Wagley Robertson Road, passing the southeast corner thereof and the most easterly northeast corner of said 380.90 acre tract, continuing with the east line thereof a distance of 1056.04 feet to the POINT OF BEGINNING;

THENCE S 00°37'30" E, 1196.87 feet continuing with the east line of said 380.90 acre tract in said Wagley Robertson Road to the north line of East Bailey Boswell Road, being the northeast corner of that certain called 3.318 acre tract of land described in right-of-way deed in favor of the City of Saginaw, Texas, recorded in Instrument Number D198013681 of the Official Public Records of Tarrant County, Texas;

THENCE S 33°04'55" W, 345.22 with the north line of said East Bailey Boswell Road and the north line of said 3.318 acre tract to the beginning of a curve to the left;

THENCE continuing with the north line of said East Bailey Boswell Road and the north line of said 3.318 acre tract with the arc of said curve to the left having a radius of 795.00 feet, a central angle of 56°44’17” and an arc length of 787.26 feet, whose chord bears S 61°27’03” W, 755.49 feet to a point of tangency;

THENCE S 89°49’10” W, 660.43 feet continuing with the north line of said East Bailey Boswell Road and the north line of said 3.318 acre tract to the southeast corner of that certain called 0.423 acre tract of land described in Easement and Right-of-Way Agreement in favor of the City of Saginaw, recorded in Instrument Number D217022485 of the Official Public Records of Tarrant County, Texas;

THENCE N 00°10’50” W, 12.00 feet continuing with the north line of said East Bailey Boswell Road and the east line of said 0.423 acre tract to the northeast corner thereof;

THENCE S 89°49’10” W, 65.00 feet continuing with the north line of said East Bailey Boswell Road and the north line of said 0.423 acre tract to an angle point;

THENCE N 84°42’10” W, 175.17 feet continuing with the north line of said East Bailey Boswell Road and the north line of said 0.423 acre tract to the beginning of a curve to the left;

THENCE continuing with the north line of said East Bailey Boswell Road and the north line of said 0.423 acre tract with the arc of said curve to the left having a radius of 1038.00 feet, a central angle of 05°43’25” and an arc length of 103.69 feet, whose chord bears N 87°33’52” W, 103.65 feet to a point of tangency;

THENCE N 89°34’25” W, 341.34 feet continuing with the north line of said East Bailey Boswell Road and the north line of said 0.423 acre tract to the northwest corner of said 0.423 acre tract, being on the east of the Fort Worth and Denver Railroad as evidenced in Volume 3299, Page 285 of the Deed Records of Tarrant County, Texas, and being on the west line of said 380.90 acre tract;

THENCE N 36°58’40” E, 2216.81 feet with the east line of said Fort Worth and Denver Railroad and the west line of said 380.90 acre tract;

THENCE N 89°12’40” E, 3517.52 feet to the **POINT OF BEGINNING** and containing approximately 115.421 acres of land.

Bearings based Texas Coordinate System, North Central Zone (4202), NAD ’82.

PRELIMINARY DOCUMENT:
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.
MARK PAINE, RPLS 5078 6/26/20

## STATEMENT OF INTENT & PURPOSE

The purpose of the proposed Planned Development District (PD) is to accommodate a mix of retail, office, residential and community activities by creating a place that will have development standards that allow flexibility. The intent is to provide flexibility for developing the site while maintaining quality design standards. The Conceptual Development Plan is included as an illustrative drawing of how the Beltmill development may occur.

"2016 SAGINAW ECONOMIC DEVELOPMENT STRATEGIC PLAN
GOALS & OBJECTIVES

- *Capitalize on Saginaw's great location, good schools, and small town, family-oriented feel* by targeting, attracting and facilitating several unique places and destination businesses – where people can **hang out** and **experience** Saginaw.
    - ❑ Recognize how restaurants are becoming the new anchor for retail:
        - Encourage and reward (through incentives, reduced fees and/or expedited permitting) restaurant patios with shade and landscaping;
        - Approach chefs and incentivize new concepts across or near the train elevators;
        - Establish a farmer's market and/or community garden to generate fresh produce – to the benefit of chefs (to help generate a chef-driven restaurant atmosphere).
    - ❑ Research and focus on certain concepts that attract others and are known for being student-friendly establishments and places of employment, consistent with a **home town** like Saginaw. "

The Conceptual Development Plan includes vehicular and pedestrian linkages that serve both functional and aesthetic roles. The proposed thoroughfare system has been designed to allow for safe and efficient vehicular circulation internal to the site as well as to connect to the existing thoroughfare system external to the development. Furthermore, focal points and terminuses have been provided within the thoroughfare system and pedestrian linkages to enhance the visual aesthetic of the overall design. Pedestrian scale design elements will also be incorporated into the site design in order to foster quality street and sidewalk environments.

The major access to the site will be the construction of Beltmill Parkway, which intersects with Bailey Boswell at the Trinity Industry driveway to the south. This parkway extends to the northwest of the property to the Ft. Worth side of the Beltmill development. Secondary access will be from Wagley Robertson Road and Bailey Boswell Road. The access along Bailey Boswell Road west of Beltmill Parkway is constrained due to the impending construction of the bridge over the railroad tracks and Saginaw Boulevard.

The land use fronting Bailey Boswell Road is shown as devoted to commercial buildings. The area north of the commercial area along Bailey Boswell Road is a series of residential neighborhoods to support the commercial activity. This area is design to allow for a mixture of residential types, with the higher density products being designed in a way to complement the walkability of the proposed Village Center and growing Saginaw's daytime

population. This is intended to encourage residents of the development to walk to the retail and activity center of the Village Center. Thus, creating a one-of-a-kind destination along Saginaw Boulevard.

An essential element to the overall site is the incorporation of an open space system to provide for both active and passive recreational opportunities. The open space system will consist of landscape and hardscape elements such as plazas, greens, trails, pathways and parks for the residents and visitors of the development. These elements within the proposed development will be ultimately located so as to provide recreational opportunities within convenient proximity to as many users as possible. These opportunities may include a farmers' market, destination family-oriented restaurants, arts and crafts shops, small outdoor concerts, and other performances.

Beltmill's name and logo is a modern day symbol that captures the City of Saginaw's rich heritage of railroads and the grain industry. The graphic design incorporates both pieces, both old and new, of the community's fabric together in an exciting one of a kind destination place located at the northern entrance to the City.

The standards contained within this Planned Development District will help to achieve the vision for the overall development. These standards have been formulated so as to provide specificity where necessary and provide flexibility to allow for creative design.

**PLANNED DEVELOPMENT STANDARDS**

## 1.0 PLANNED DEVELOPMENT GENERAL PROVISIONS

### 1.1 GENERAL

The purpose of the proposed Planned Development District is to capitalize on Saginaw's great location, excellent schools, and small town, family oriented feel by targeting, permitting, and focusing on unique places and destination businesses where people can hang out and experience the City. Beltmill meets these goals by establishing a center with a mix of retail, office, restaurant, residential and community activities to serve the needs of the new residents of Beltmill as well as the existing residents in the City of Saginaw.

Terms used in this ordinance shall have the same definition as given in City of Saginaw Zoning Ordinance, in effect at the time of adoption of this Planned Development Ordinance, unless otherwise defined herein.

### 1.2 DISTRICTS DEFINED

The intent of defining the Districts is to provide a framework for creating a vibrant, mixed-use development. The Concept Development Plan depicts the location of specific land uses within the Districts but is illustrative of only one of the development scenarios that could occur under these standards. The form and uses defined in the Districts must be upheld, but the exact location can shift due to market conditions at time of construction. The final use of any area within the development will be determined at time of the final plat for that area.

1.2.1 *District 1—Commercial.* The Commercial District is to provide the siting for retail, office, restaurant, and community uses to serve the residents of the development and the City of Saginaw. This area includes approximately 22.7 acres in size. The Village Center area is depicted on the Conceptual Development Plan to be a walkable commercial and activity area to serve the broader community. The focus of the activity area is a public plaza that can be used for civic events and an area for the community to gather. The layout of this area is intended to have buildings built up to the street with extra wide sidewalks and the majority of the parking is located to the interior of the block. The pedestrian experience is the predominant focus of this area. Further, the Village Center can move within District 1.

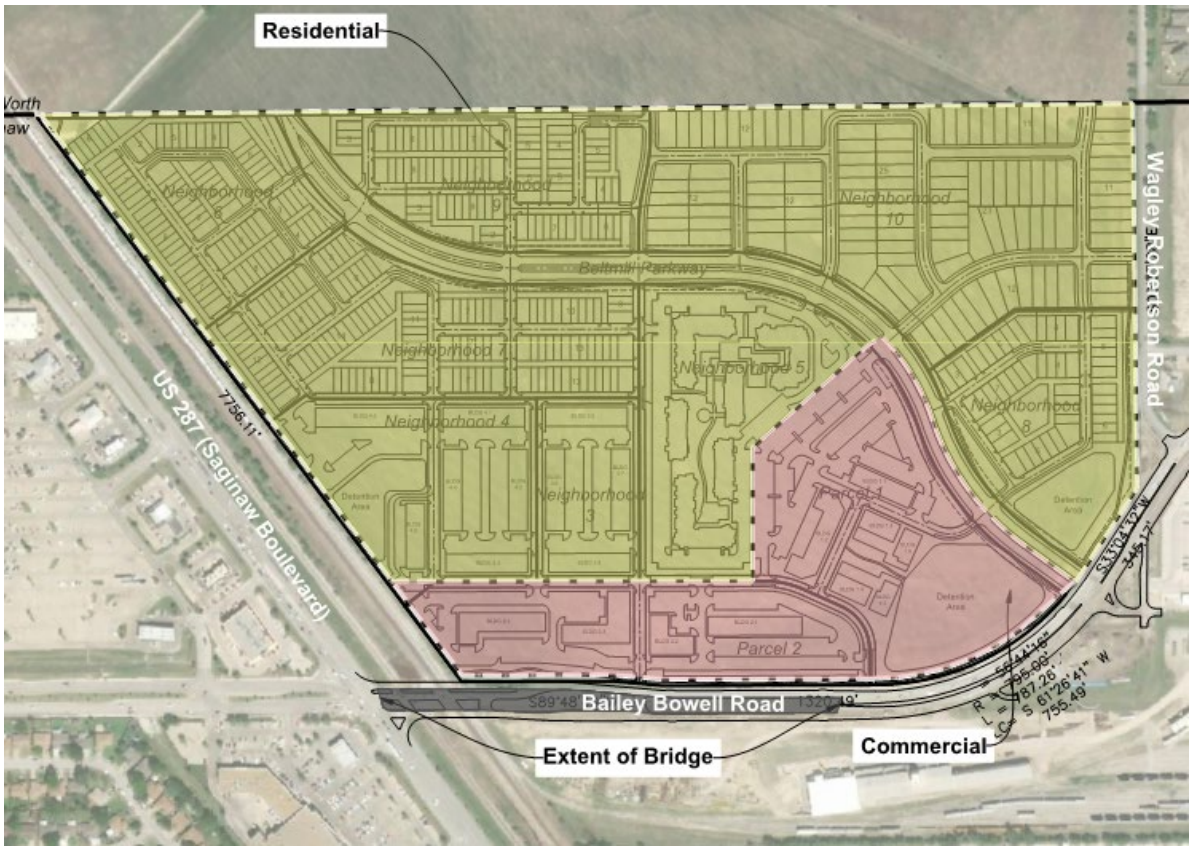
1.2.2 *District 2—Residential.* The second district within the development is devoted to residential uses. These units will provide support the commercial activity on the site. The standards are written to allow for a mixture of unit type; from Urban Residential, Townhome, and Single Family Detached. Approximately 85.1 acres of the site is devoted to residential uses described below. Within District 2 the location of residential uses may change from what is shown in the Concept Development Plan. The total number of residential units may not be exceeded, and the number of Urban Residential units may not be exceeded from what is shown on the Concept Development Plan. Age restricted units do not count toward the cap on the number of Urban Residential units.

a. *Urban Residential.* The intent is to encourage activity on the street and to be a continuation of the walkable design of the Village Center. The concept plan shows this use on parcels 3, 4 and 5, which is approximately 25.2 acres in size.

*b.* *Townhomes.* These units are single family units placed on individual platted lots. These units will also be built to the street and parking typically accessed by rear alleys. Approximately 38.34 acres are shown in parcels 6, 7, 8, and 9 as Townhomes on the Conceptual Development Plan.

c. *Single Family Detached.* The regulations also allow single family detached units within the development. The Concept Plan shows parcel 10 as single family lots; which is approximately 21.21 acres.

## BELTMILL DISTRICTS



## 2.0 DISTRICT 1 — COMMERCIAL

### 2.1 GENERAL PURPOSE AND DESCRIPTION

The Commercial District is intended to develop a commercial and activity area that will serve as the center of the development and larger community. A mixture of uses is allowed, which includes retail, restaurant, personal service, office, and institutional uses.

The development standards included in this Subdistrict are generally consistent with the Community Commercial zoning district in the City of Saginaw Zoning Ordinance.

### 2.2 USE STANDARDS

Land uses within District 1 shall be permitted in accordance with the uses in the Community Commercial zoning district standards.

### 2.3 SITE STANDARDS

2.3.1 *Property Development Regulations.* The proposed land uses shall conform to the property development regulations in Table 2-1.

***Table 2-1. Size of Yards***

| Land Use | Front | Side | Corner | Rear |
|---|---|---|---|---|
| Commercial | 10 ft (1) | 0 (2) | 0 | 10 ft (3) |

Notes:

1. Buildings along public ROW are intended to be built to the setback line.
2. Minimum 5’ adjacent to an alley.
3. Minimum 20’ adjacent to residential.

2.3.2 *Parking.* Required parking in District 1 shall be permitted in accordance with the requirements the Community Commercial zoning district standards.

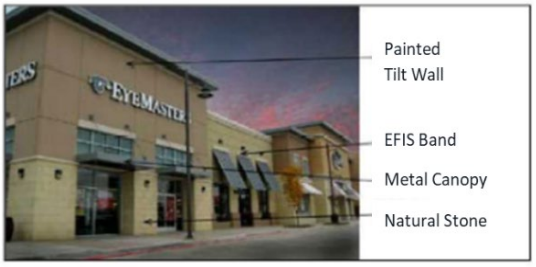
2.3.3 *Maximum Building Height*. All structures in District 1 shall conform to the building height Standards set forth Community Commercial zoning district standards.

### 2.4 URBAN ARCHITECTURAL STANDARDS

These standards are intended to create a walkable, pedestrian environment. The major departure from typical commercial standards is that the buildings are constructed to the street with a minimum setback. The sidewalk is also enlarged and elements such as seating tables are allowed to encourage pedestrian activity.

The buildings in District 1 shall comply with the City’s regulations except as provided for below:

2.4.1 *Building Materials.* Exterior materials used in the construction of buildings shall comply with the following standards.



a. All building façades shall be architecturally finished with 80% masonry with an allowance for up to 20% secondary materials. Masonry finishes include clay fired brick, natural and manufactured stone, cast stone, granite, marble, architectural concrete block, stucco, cementitious siding, and textured and painted concrete tilt-wall. Windows, doors and accent materials shall be excluded from the façade area for the purposes of calculating percentages.







b. Secondary building materials include EIFS as a cornice, band, medallion, etc., quality wood such as, cedar, redwood, tile, composite wood panels or ornamental metal. Other secondary materials not specifically noted herein may be allowed only if approved by the City.

2.4.2 *Sidewalk uses.* Where appropriate, sidewalk widths should allow for small groupings of tables and chairs outside of restaurants as well as larger sidewalk cafes. Smaller areas of congregated public seating may occasionally be provided, particularly near major intersections or adjacent to open space common areas. Appropriate signs and small displays may use the sidewalk in front of retail stores and institutional uses. In no case shall the width of a walkway be reduced to less than 5 feet by the use of the sidewalk allowed above.



2.4.3 *Building Entries.* Building entries shall be clearly defined by incorporating distinguishing architectural features, awnings, canopies, lighting, signage or building articulation.

2.4.4 *Awnings, Canopies, Arcades and Overhangs.* These elements where used shall be designed, and materials shall be used to complement the building design. They should be located to be as functional as possible, and with consideration to landscape areas that may be impacted by their placement.







2.4.5 *Conceptual Elevations.* The following conceptual photos shall serve as a possible option of the overall architectural style, color and material selections in the location identified on the Concept Plan.
















## 3.0 DISTRICT 2 — RESIDENTIAL

### 3.1 GENERAL PURPOSE AND DESCRIPTION

The Residential District is intended to provide residents to support the commercial business within the development.

The Design Guidelines and architectural standards are intended to define the design theme for this District as well as to integrate with specific uses. The predominate uses within the Residential District will be residential, a mixture of Multi-family, Townhomes, or Single Family Detached.

### 3.2 USE STANDARDS

Land uses within the Residential District of Beltmill shall be permitted in accordance with the following schedule, which matches the District uses with the City's zoning district standards.

| District | Use Standards |
|---|---|
| Urban Residential | Multi-Family 2 |
| Townhomes | Single Family Attached |
| Single Family Detached | SF-4 |

### 3.3 SITE STANDARDS

3.3.1 *Property Development Regulations.* The proposed land uses shall conform to the property development regulations in Tables 3-1.

***Table 3-1. Size of Yards***

| Land Use | Front | Side | Corner | Rear |
|---|---|---|---|---|
| Urban Residential | 10 ft | 20 ft | 10 ft | 25 ft |
| Townhomes | 10 ft | 0 [1] | 10 ft | 10 ft |
| Single Family Detached | 20 ft | 6 ft | 10 ft | 20 ft |

Notes:

1. Minimum 5' adjacent to an alley.

3.3.2 *Single Family Detached Lots*. The minimum size of lots shall be 4,400 sf with a minim width of 40 ft and minimum depth of 100 ft.

3.3.3 *Parking*. Refer to Section 6.3 of this Ordinance for the general requirement for parking.

### 3.4 BUILDING STANDARDS

3.4.1 *Maximum Building Height.* All structures in District 2 shall conform to the building height Standards in the MF-2 , SFA, and SF-4 zoning district standards.

### 3.5 URBAN RESIDENTIAL ARCHITECTURAL STANDARDS

3.5.1 *Building Materials.* Exterior materials used in the construction of buildings shall comply with the following standards.

a. All building façades shall be architecturally finished with 75% masonry. Masonry finishes include clay fired brick, natural and manufactured stone, cast stone, granite, marble, architectural concrete block, stucco, and cementitious siding.
b. Windows, doors, porches, gables, balconies and accent materials shall be excluded from the façade area for the purposes of calculating primary building materials.

3.5.2 *Projections into Setbacks and / or Rights-of-Way.* The following projections shall be permitted into a building setback or right-of-way.

a. Canopies and / or awnings may project from the building face. Additionally, they may be extended into the right-of-way to be within eight inches of the back of curb if used to provide a covered walkway to a building entrance and as long as any canopy / awning support is no closer than 24 inches from the back of curb.
b. Front porches and stairways shall be permitted to encroach a maximum of five feet into the front setback line.
c. Below-grade footings approved in conjunction with building permits.
d. Projections as described above shall only be permitted into a building setback or right-of-way provided the following:
    1. Such projections do not extend over the traveled portion of a roadway.
    2. The property owner has assumed liability related to such projections
    3. The property owner shall maintain such projection in a safe and non-injurious manner.

3.5.3 *Conceptual Elevations.* The following conceptual photos shall serve as a possible option of the overall architectural style, color and material selections in the location identified on the Concept Plan.









## 3.6 SINGLE FAMILY ATTACHED AND DETACHED ARCHITECTURAL STANDARDS

3.6.1 Single Family Detached and Townhome building types shall comply with the following standards.

a. The exterior façades shall be constructed of 100% masonry on the front façade and 75% on the other facades. Masonry finishes include clay fired brick, natural and manufactured stone, caststone, stucco (second floor and above), and cementitious siding.

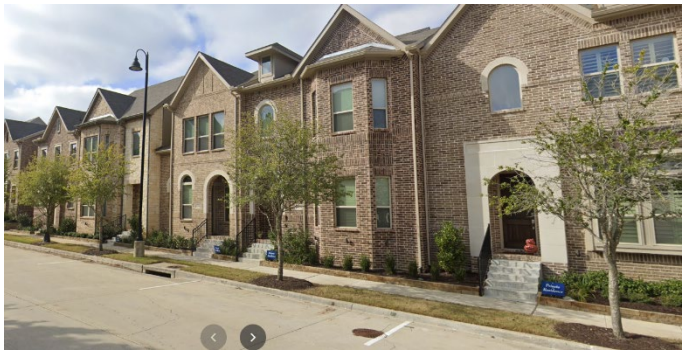
b. Windows, doors, porches, columns, dormers and other architectural features shall be excluded from the façade area for the purpose of calculating primary building materials.

3.6.2 *Townhome Conceptual Elevations.* The following conceptual photos shall serve as a possible option of the overall architectural style, color and material selections in the location identified on the Concept Plan.









3.6.3 *Single family Detached Elevations.* The following conceptual photos shall serve as a possible option of the overall architectural style, color and material selections in the location identified on the Concept Plan.







## 4.0 GENERAL STANDARDS

### 4.1 PLAN APPROVAL PROCESSES

4.1.1 *General.* Development shall generally take place in accordance with the Development Standards and Conceptual Development Plan.

4.1.2 *Conceptual Development Plan.* The Conceptual Development Plan is an example of how the property may develop. Flexibility is included in these standards to allow for uses to move based on the following:

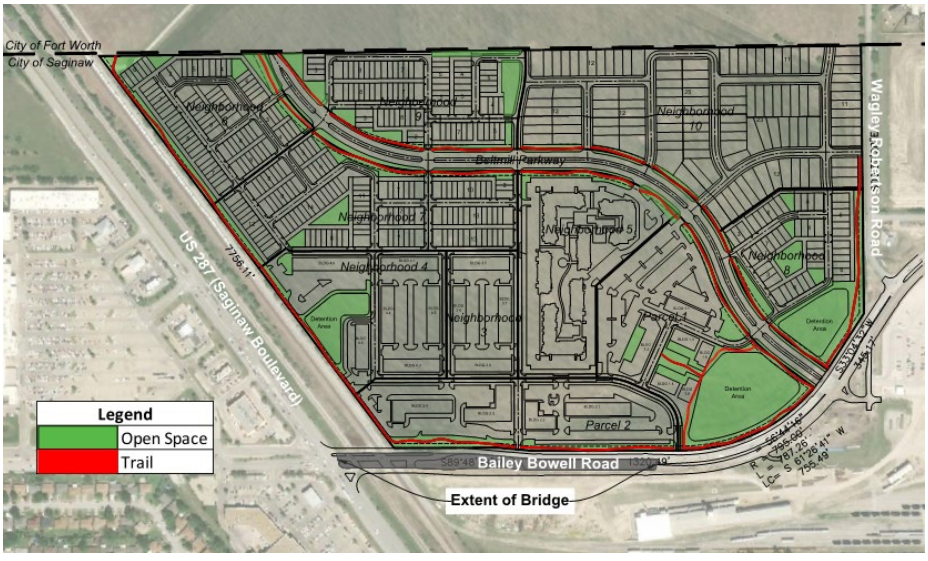
1. The specific uses for any piece of property will be set at the time of final plat.
2. For the Commercial District, the Village Center may move within the District.
3. For the Residential District, the unit type can be either Urban Residential, Townhome, or Single Family Detached for any specific tract. However, the total number of Urban Residential units may not exceed the number shown on the Concept Development Plan. Age restricted units do not count toward the cap on the number of Urban Residential units.

If the City Staff determines that the proposed change(s) violates one or more of the above criteria, then the items shall be placed on a Planning & Zoning Commission agenda for final consideration. This determination will be heard without a public hearing or notice.

Any change to the boundaries of an individual District that results in a change of less than 15% of the land area for that District may be authorized by the City. The specific use of any area will be determined at time of final plat, based on the Concept Plan and these standards.

4.1.3 *Beltmill POA/HOA.* There shall be established a Property Owner's Association (POA) and/or a Homeowner's Association (HOA) for this development. The POA and/or the HOA shall be responsible for the maintenance of the following, but not limited to:

a. Landscaping, trees, sidewalks/trails within common open space areas and along streets.
b. "X" lots identified on the approved plat, open space areas as shown on the concept plan and associated improvements, such as, but not limited to, screening walls, landscaping, sidewalks, trails, drainage facilities, and entry features.



## 4.2 LANDSCAPING AND BUFFER STANDARDS

4.2.1 *General.* All required landscape areas shall comply with the specific standards contained in the City of Saginaw Zoning Ordinance except as noted herein.

4.2.2 *Street Buffer Standards.* The standards below shall be applied for parcels adjacent to thoroughfare and collector streets excepting those streets internal to the urban core of the development.

a. The area be planted with street trees located a minimum distance of four feet from the back of curb, with an average tree spacing no greater than 60 feet on center. All trees shall be a minimum of three caliper inches when planted. Tree plantings may be clustered and berming and planting of smaller shrubs and trees should be designed to provide interest.

***Table 7-1. Required Street Buffers***

| Roadways (1) | Minimum Width |
|---|---|
| Bailey Boswell Road | 20’ |
| Wagley Robertson Road | 20’ |
| Beltmill Parkway | 20’ |

Notes:

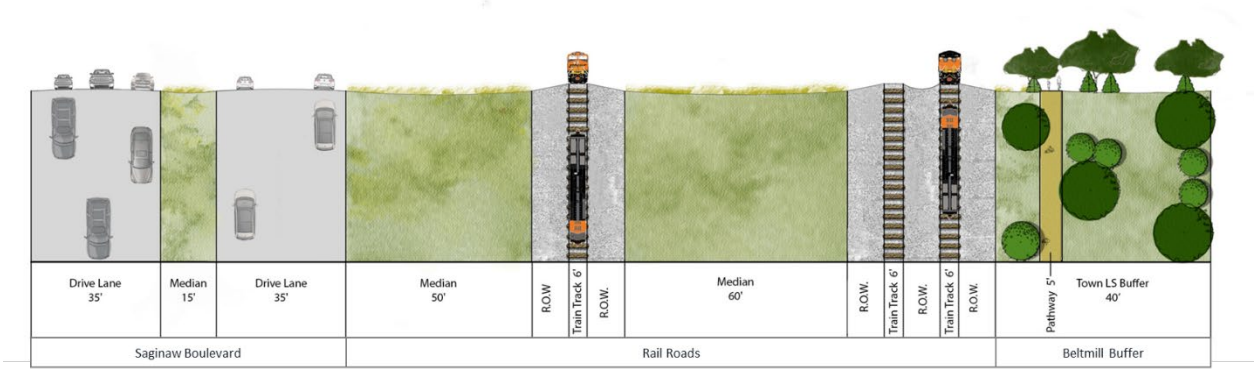
1. Standards only apply to non-urban streets.

4.2.3 *Railroad Buffer Standards.* The standards below shall be applied adjacent to the railroad tracks.

a. A minimum 40 foot wide buffer yard shall be established adjacent to the railroad tracks. The area be planted with street trees located a minimum distance of four feet from the property line, with an average tree spacing no greater than 60 feet on center. All trees shall be a minimum of three caliper inches when planted. Tree plantings may be clustered and berming and planting of smaller shrubs and trees should be designed to provide interest.

b. A minimum 5 foot multi-purpose trail will run along the length of the development.

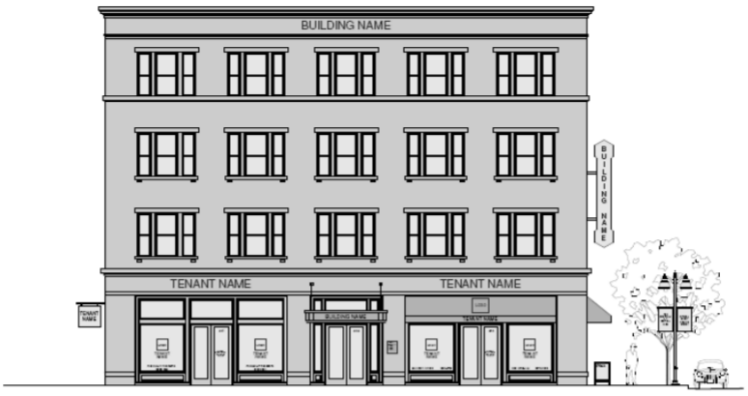
c. A minimum 6 foot high masonry or specialized sound-attenuating wall will run along the length of the development.



## 4.3 SIGN STANDARDS

4.3.1 *General.* The type of development envisioned for Beltmill requires flexibility for more variety of sign types and locations. The following drawing depicts the usage of various types of signs permitted, including a building identification wall sign, a tenant identification wall sign, banner signs, an awning sign, a canopy sign, a blade sign and window signs.

4.3.2 *Permitted Signs*. All signs and outdoor advertising displays permitted under Section 8-10 of the Code of Ordinances, shall be permitted in development. The following types of signs shall also be permitted.




a. Window signs,
b. Banner signs,
c. Blade signs,
d. Marquee signs,
e. Sandwich board signs,
f. Awning or Canopy signs, and
g. Umbrella signs.

4.3.3 *Urban Residential Buildings.* These buildings may have the following signs.

a. Urban Residential buildings with eight (8) residential units or more shall be permitted one (1) sign for identification purposes for each side of the building facing a street, which sign shall be of the following types.
    1. Building identification ground sign,
    2. Building identification wall sign,
    3. Blade sign,
    4. Awning or Canopy sign, or
    5. Window sign.
b. Urban Residential building shall be permitted one (1) "for lease" wall sign with a maximum sign area of nine (9) square feet on each side of the building that faces a street.

4.3.4 *Non-residential Buildings with Multi-Tenant Interior Access.*

a. A nonresidential building with multi-tenant interior access shall be permitted two (2) signs for identification purposes for each side of the building facing a street, which signs shall be of the following types.
    1. Building identification wall sign,
    2. Blade sign,
    3. Awning or Canopy sign, or
    4. Window sign.

    In addition, one (1) additional sign from this list shall be permitted for each entrance to the building located along a block break or interior to the block.



b. One additional wall sign shall be permitted, to be utilized as a "directory" sign to list building tenants, with uniform lettering. Such Directory Sign shall not exceed six feet in height, shall not exceed 18 square feet of sign area and shall not contain lettering exceeding two inches in height.

4.3.5 *Buildings with Tenants with Exterior Access.*

*a.* Tenants with exterior access shall be permitted the following types of signs for their identification:

1. Building wall sign,
2. Blade sign,
3. Awning or Canopy sign, or
4. Window sign.

b. A combination of sign types may be used, with the sum of the areas of all signs attached to the building not to exceed the maximum area of signage permitted per length of the building wall with street frontage occupied by a tenant. The maximum allowable area shall be determined using the Table 7-2, by multiplying maximum width by maximum height.

***Table 7-2. Sign Area***

| Lineal Footage of the Building Wall Occupied by the Tennant | Maximum Width [1] | Maximum Height |
|---|---|---|
| Less than 20 feet | 80% | 36” |
| 20 feet – 25 feet | 75% | 42” |
| 25 feet – 25 feet | 70% | 48” |
| 35 feet – 25 feet | 65% | 54” |
| 45 feet – 25 feet | 60% | 60” |
| 60 feet or more | 55% | 72” |

Notes:

1. Measured lineal frontage.

1. The area of window signs shall not be included in the maximum area of signage permitted in this subsection.
2. Blade signs less than nine (9) square feet in area will not count against the maximum area of signage permitted.

b. In addition, the following signs are Buildings with Tenants with Exterior Access.

1. One (1) portable sandwich board sign shall be permitted per tenant in addition to the signage permitted in this subsection.
2. For food service uses with outdoor seating areas, umbrella signs shall be permitted in addition to the signage permitted in this subsection.




4.3.6 *Window signs.* Window signs shall be subject to the following.

a. Window signs shall be limited to a maximum of 20 percent of window area.
b. No blinking, flashing, or moving signs shall be allowed as window signs

c. In lieu of window signs a tenant may have permanently mounted, framed, posters within three feet of the window. Such signs must not have any lighting associated with such poster sign.

4.3.7 *Residential Subdivision Signs.*

a. Residential entrance signs are allowed as either wall or monument signs.
b. Such signs shall be approved by the City in conjunction with approval of the record plat for the subdivision.

4.3.8 *Beltmill Signs.* The developers and / or BOA of Beltmill may install the following signs.

a. Identifying and Directional Ground signs, complying with the design principles and standards for signage set out in these standards, used for the development may be used throughout the Beltmill development.
b. Banners located over the ROW and banner signs attached to light poles within the development and on light poles along Bailey Boswell Road and Saginaw Boulevard. These signs shall only be used for official use, events or matters occurring in or with regard to Beltmill or general seasons or holidays.

## 4.4 PARKING STANDARDS

4.5.1 *General.* Parking for the development will meet the provisions of Section 8-9 of the Code of Ordinances except as provided below.

a. On-street parallel parking along public and private streets other than major or minor thoroughfares is required and is allowed to count towards the required parking for the adjacent development.
b. Tandem parking (ie. One parking space behind either a garage or carport parking space) shall be allowed and considered in the calculation of the required parking.
c. Outdoor patio and sidewalk dining, as well as other public seating areas, are permitted; these areas shall be included in parking calculations at a rate of 50% of parking standards.

4.5.2 *Parking Standards Based on Use*. Parking spaces shall be provided for non-residential uses shall be in accordance with Section 8-9 of the Code of Ordinances. Residential parking shall be in accordance with the following Standards in Table 7-2.

| **Land Use** [(1)] | **Rate** |
|---|---|
| Dwelling, TH | 3 space / unit [(1)] |
| Dwelling, Urban Residential | 1.1 space / 1 BR unit |
| | 1.65 space / 2 BR unit |
| | 2.0 space / 3 BR unit |

Notes:

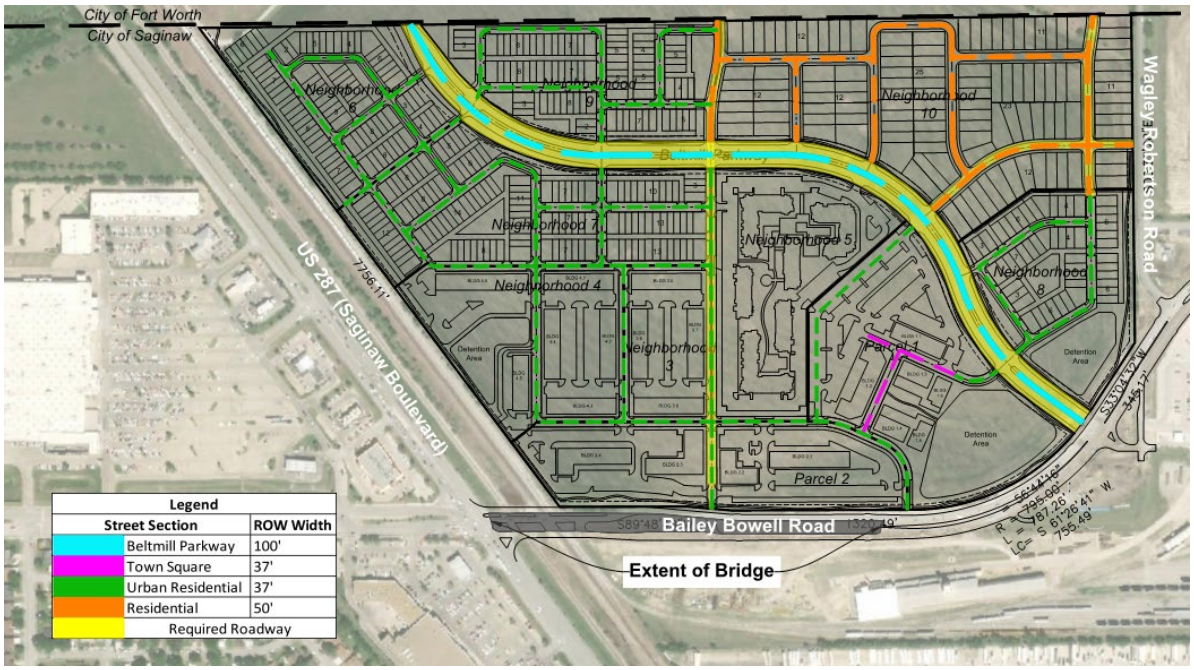
1. Min. 1 enclosed, min. 2 on site

4.5.3 *Parking Dimensions.* Parking space dimensions shall be provided in accordance with Section 8-9 of the Code of Ordinances.

## 4.5 STREET STANDARDS

The public streets and rights-of-way for the Beltmill development shall conform to the following street designs. These roadways are designed to provide access for the site and to create a pedestrian and walkable development that is linked by the streets. The neo-traditional area of the development to be successful must balance the need of vehicles with creation of a pedestrian realm that will enliven the area and allow for businesses to be successful.

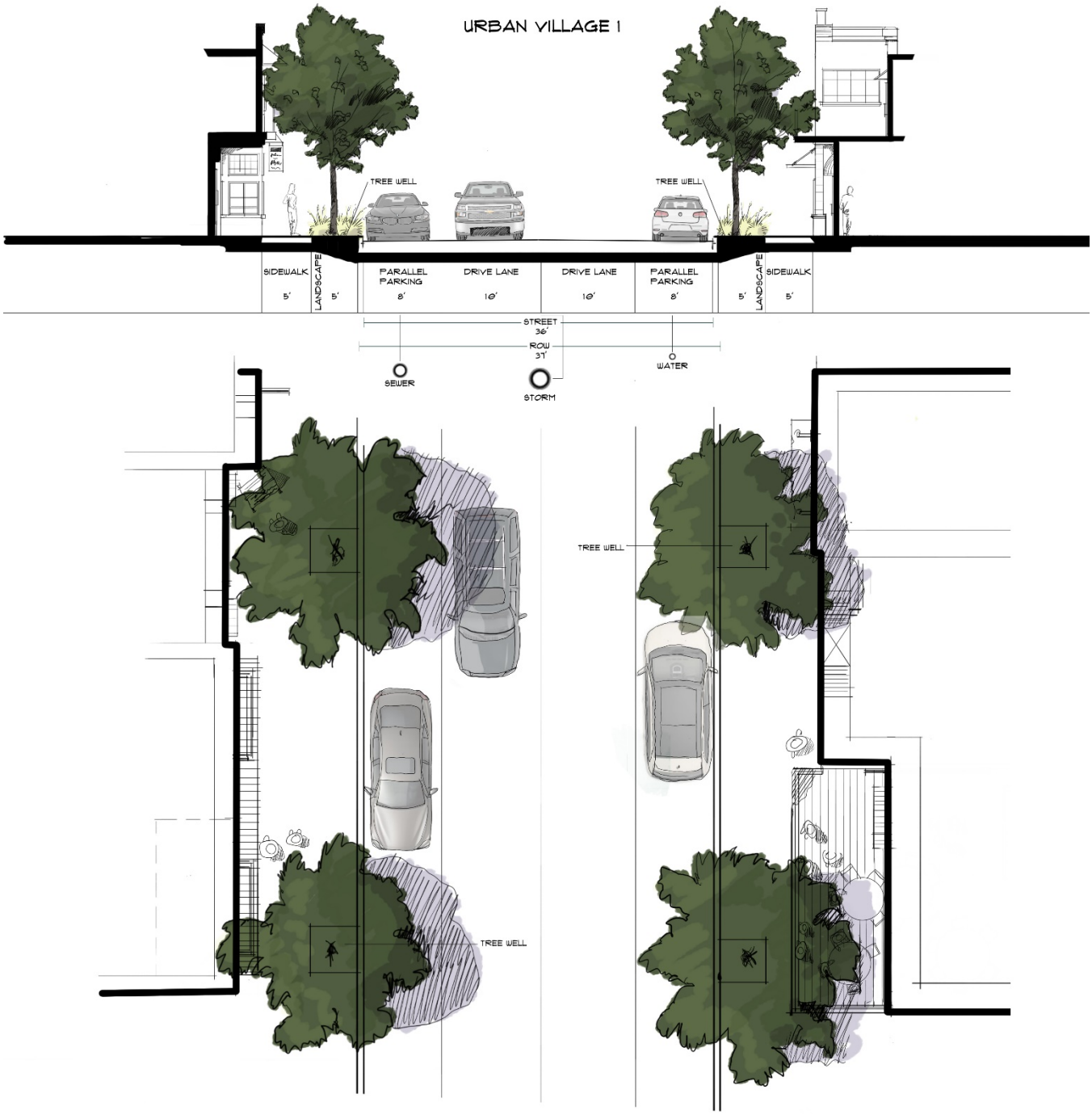
### ROADWAY SYSTEM

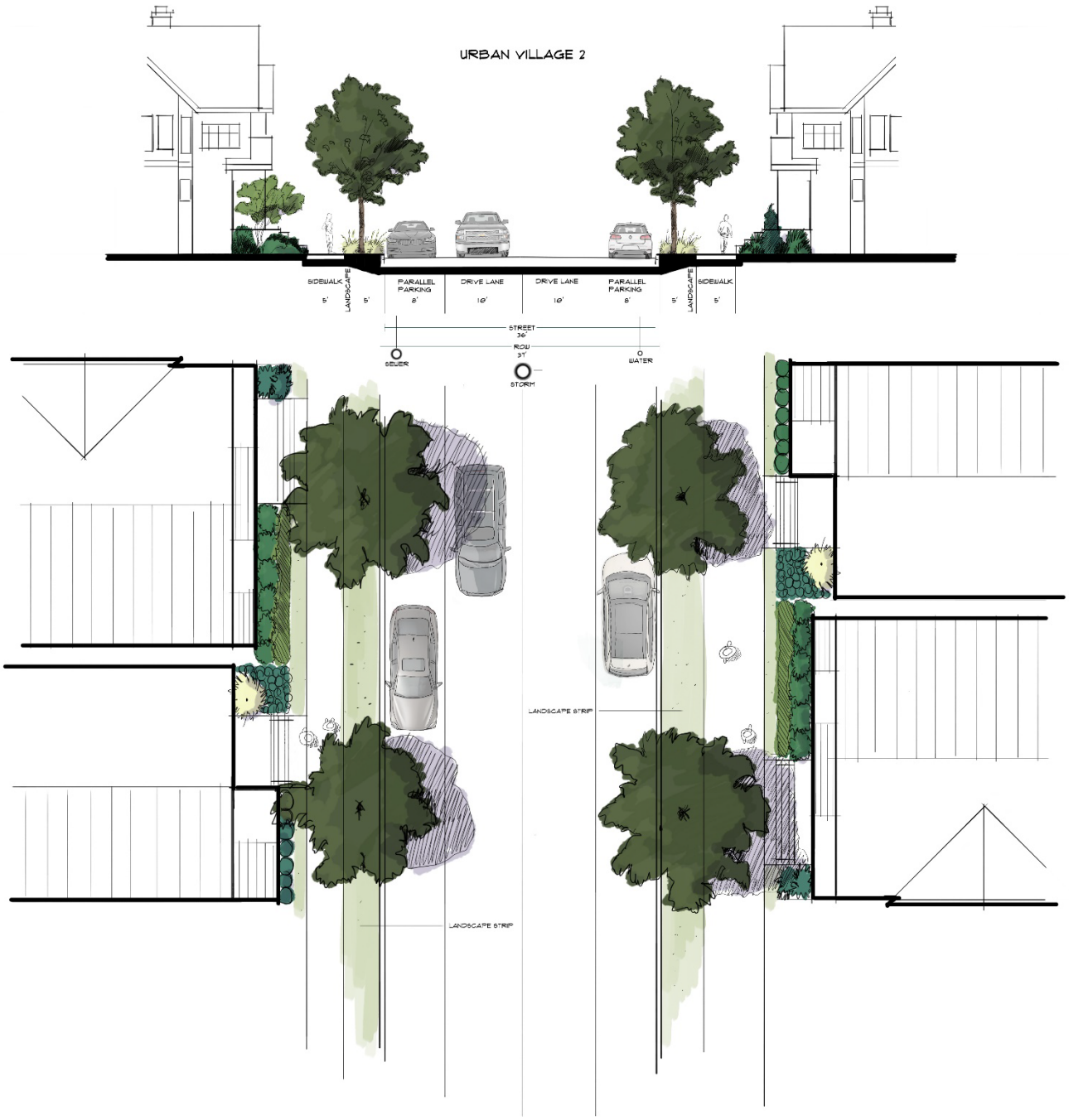


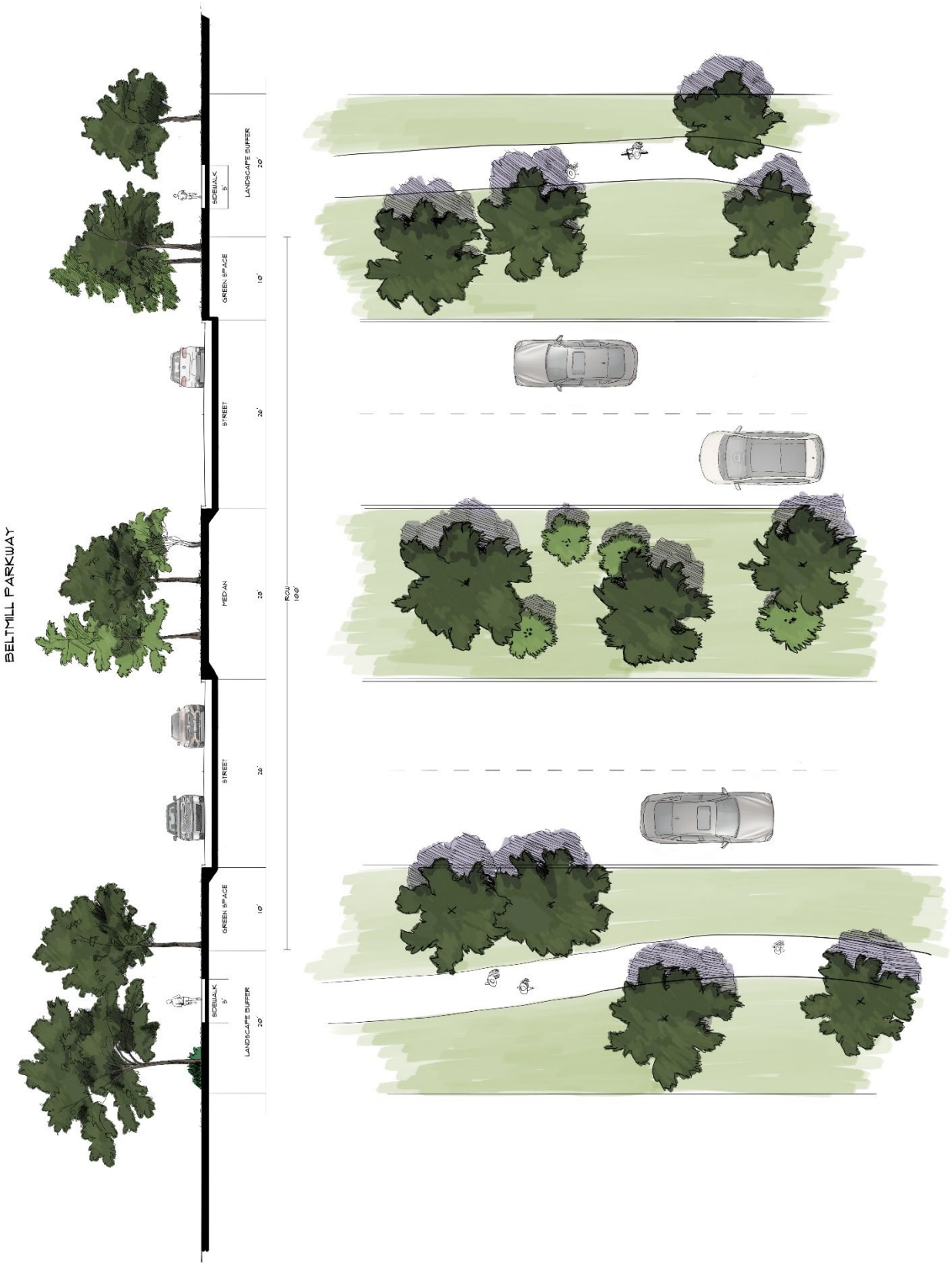

4.5.1 *Required Roadways.* The Roadway System graphic shows the required roadways and generalized location of the different street sections. The required roadways are mandated to be constructed notwithstanding variations to the concept plan. These roadways are required to provide adequate access and circulation to the development.

4.5.2 *Street Sections.* The roadways sections are designed in conjunction with the adjacent land uses. The following is a listing on the uses that will determine the corresponding street section:

| Use | Roadway Section |
|---|---|
| Village Center | Urban Village 1 |
| Urban Residential | Urban Village 2 |
| Townhomes | Urban Village 2 |
| Single Family Detached | Residential |


URBAN VILLAGE 1
TREE WELL
TREE WELL
SIDEWALK
5'
LANDSCAPE
5'
PARALLEL PARKING
8'
DRIVE LANE
10'
DRIVE LANE
10'
PARALLEL PARKING
8'
5'
LANDSCAPE
SIDEWALK
5'
STREET
36'
ROW
37'
SEWER
STORM
WATER
TREE WELL
TREE WELL

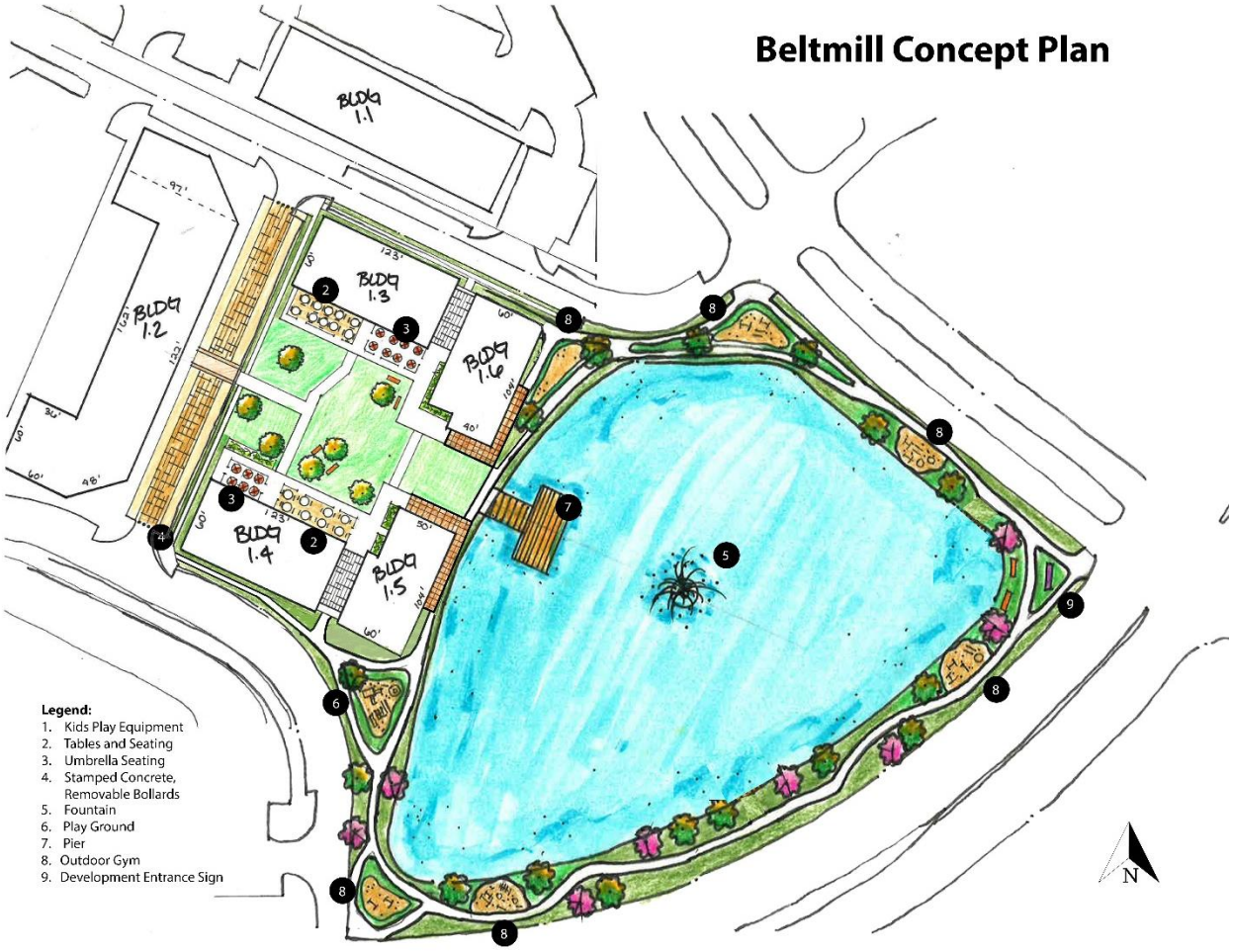

URBAN VILLAGE 2
SIDEWALK
5'
LANDSCAPE
5'
PARALLEL PARKING
8'
DRIVE LANE
10'
DRIVE LANE
10'
PARALLEL PARKING
8'
LANDSCAPE
5'
SIDEWALK
5'
STREET
36'
ROW
51'
SEWER
STORM
WATER
LANDSCAPE STRIP
LANDSCAPE STRIP


BELTMILL PARKWAY
LANDSCAPE BUFFER
20'
SIDEWALK
5'
GREEN SPACE
10'
STREET
26'
MEDIAN
28'
STREET
26'
GREEN SPACE
10'
SIDEWALK
5'
LANDSCAPE BUFFER
20'
ROW
100'

## CONCEPTUAL DEVELOPMENT PLAN



# Beltmill Concept Plan




**Legend:**

1. Kids Play Equipment
2. Tables and Seating
3. Umbrella Seating
4. Stamped Concrete, Removable Bollards
5. Fountain
6. Play Ground
7. Pier
8. Outdoor Gym
9. Development Entrance Sign

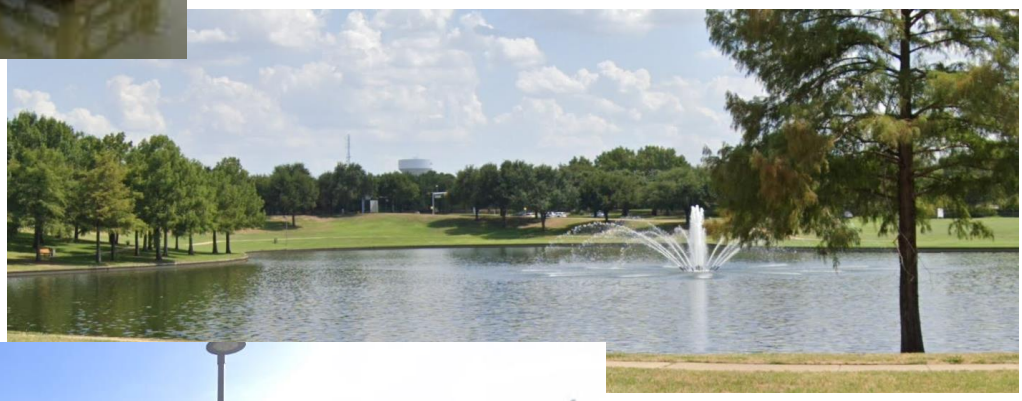




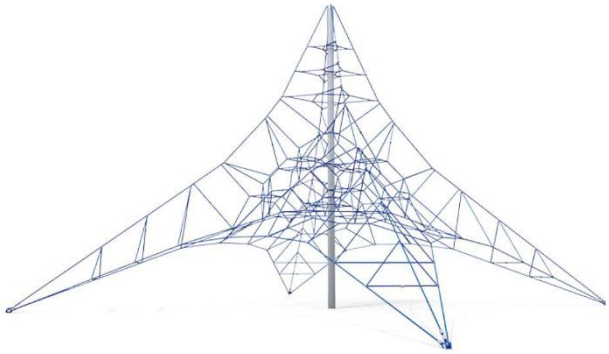



SoDo



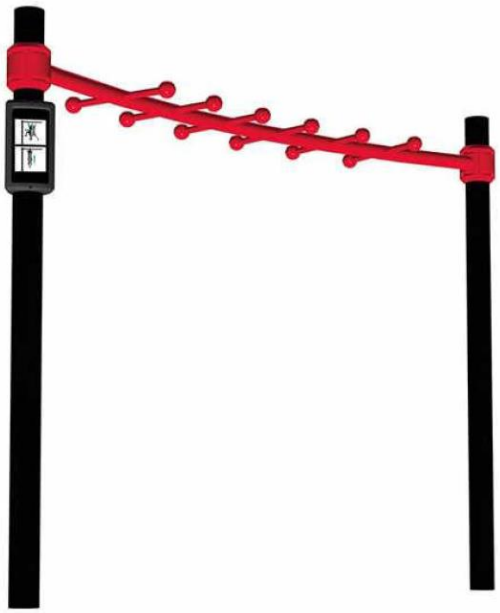






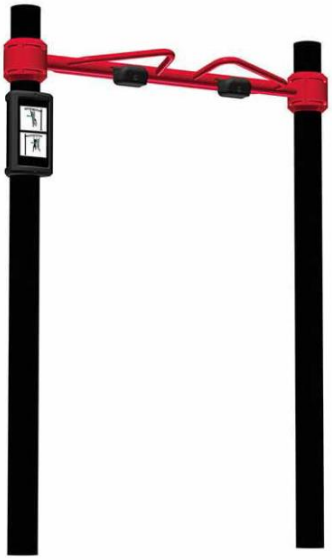














## Village Center (1) & Commercial (2)

| Development Standard | Community Commercial | Village Center | Comments | Commercial | Comments |
|---|---|---|---|---|---|
| Uses | | Community Commercial | | Community Commercial | |
| Density | NA | NA | | NA | |
| Lot Area | NA | NA | | NA | |
| Lot Width | NA | NA | | NA | |
| Lot Depth | NA | NA | | NA | |
| Front Yards | 20 feet | 10 feet | Waiver Required - buildings are placed to be adjacent to the sidewalk to encourage pedestrian use. | 20 feet | |
| Minimum Side Yard Setbacks | None | 0 feet | | 0 feet | |
| Minimum Rear Yard | 10 feet | 10 feet | | 10 feet | |
| Building Height | 110 feet, 8 stories | 36 feet, 2-1/2 stories | | 36 feet, 2-1/2 stories | |
| Building Elevations | | | | | |
| Minimum Lot Coverage | 50% | 50% | | 50% | |
| Parking | | | | | |
| Commercial | | City Code | | City Code | |
| Restaurant | | City Code | | City Code | |
| Office | 1 space/150-300 SF | City Code | | City Code | |
| Screening | | N/A | | N/A | |
| Landscaping | | Tree planting no greater than 30' on center; 3 caliper inch. | | Tree planting no greater than 30' on center; 3 caliper inch. | |
| Signs | | Section 7.4 | | Section 7.4 | |
| Lighting | | City Code | | City Code | |
| Building Materials | 100% masonry or tilt-wall when visible from ROW exclusive of windows, doors and dormers. Wood finish allowed < or = 10% of wall area. | 100% masonry with 20% allowance for secondary materials | Waiver Required | 100% masonry with 20% allowance for secondary materials | Waiver Required |

| Village Residential (3,4,5) | | | |
|---|---|---|---|
| **Development Standard** | **Multi-Family MF2** | **Urban Residential** | **Comments** |
| Uses | | MF-2 | |
| Density | 24 DU/acre | 24 DU/acre | Waiver Required |
| Minimum Lot Area | 2,400 per DU located on 1 acre | 2,400 | |
| Minimum Lot Width | NA | 0 | |
| Minimum Lot Depth | NA | 0 | |
| Front Yards | 25 feet | 10 feet | Waiver Required - buildings are placed to be adjacent to the sidewalk to encourage pedestrian use. |
| Minimum Side Yard | 20 feet | 20 feet | |
| Minimum Rear Yard | 25 feet | 25 feet | |
| Building Height | 45 feet or 3 stories | 45 feet or 3 stories | |
| Building Elevations | Examples are provided in PD. | | |
| Maximum Lot Coverage | 65% | 65% | |
| Parking | | | |
| MF | 1.5/1 bed unit, 2/2 bed unit, 2.5/3 bed unit | City Code | |
| Age Restricted | 1.5/Unit | City Code | |
| Landscaping | | City Code | |
| Signs | | City Code | |
| Lighting | | City Code | |
| Building Materials | 75% Masonry, 100% on front façade exclusive of windows, doors and dormers | All sides 80% masonry, allowance for 20% of secondary materials. Front and sides of residential will be 20% natural, manufactured or split faced block. Front and sides of non-residential shall 25% natural or manufactured stone. Rear façade facing a ROW will be shall be finished with minimum 10% natural or manufactured stone unless a landscape screen of a double row evergreen canopy trees is provided along the ROW. Townhomes will be 100% masonry. 50% cementitious siding allowed 2nd story and above. | Waiver Required |

| Neighborhood (3, 4, 5, 6, 7, 8 & 9) | | | |
|---|---|---|---|
| Development Standard | Single Family Attached | Townhomes | **Comments** |
| Uses | | MF-2 | |
| Density | N/A | 10.22 DU/acre | |
| Minimum Lot Area | 2,500 | 1,900 | Waiver Required |
| Minimum Lot Width | 25 feet | 24 feet | Waiver Required |
| Minimum Lot Depth | 90 feet | 80 feet | Waiver Required |
| Front Yards | 20 feet | 10 feet | Waiver Required |
| Minimum Side Yard | 10 feet | 10 feet | |
| Minimum Rear Yard | 10 feet front entry, 20 feet rear entry | 10 feet front entry, 20 feet rear entry | |
| Building Height | 36 feet, 2-1/2 stories | 36 feet, 2-1/2 stories | |
| Building Elevations | Examples are provided in PD. | | |
| Maximum Lot Coverage | 80% | 80% | |
| Parking | 4/Unit, 2 covered, 2 uncovered off street | 2 space/unit | |
| Landscaping | | City Code | |
| Signs | | City Code | |
| Lighting | | City Code | |
| Building Materials | Seventy-five percent of the exterior of the structure shall be masonry construction with 100 percent of the front facade comprised of masonry construction, exclusive of windows, doors, and dormers. | The exterior façades shall be constructed of 100% masonry. Masonry finishes include clay fired brick, natural and manufactured stone, caststone, stucco (second floor and above), and cementicious fiberboard. Windows, doors, porches, columns, dormers and other architectural features shall be excluded from the façade area for the purpose of calculating primary building materials. Farmhouse style buildings are exempt from these standards. | |

| Neighborhood Residential (3, 4, 5, 6, 7, 8, 9 &10) | | | |
|---|---|---|---|
| Development Standard | Zero Lot Line | Single Family Detatched | **Comments** |
| | | | |
| Uses | | ZLL | |
| | | | |
| Minimum Lot Area | 4,000 | 4,000 | |
| | | | |
| Minimum Lot Width | 40 feet | 40 feet | |
| | | | |
| Minimum Lot Depth | 95 feet | 100 feet | |
| | | | |
| Front Yards | 20 feet | 20 feet | |
| | | | |
| Minimum Side Yard | 10 feet on one side, 1st unit determines lot pattern on block face | 6 feet | |
| | | | |
| Minimum Rear Yard | 10 feet front entry, 20 feet rear entry | 20 feet | |
| | | | |
| Corner | 10 feet | 10 feet | |
| | | | |
| Building Height | 36 feet, 2-1/2 stories | 36 feet, 2-1/2 stories | |
| | | | |
| Building Elevations | Examples are provided in narrative report. | | |
| | | | |
| Maximum Lot Coverage | 50% | 50% | |
| | | | |
| | | | |
| Parking | 4/Unit, 2 covered, 2 uncovered off street | 4/Unit, 2 covered, 2 uncovered off street | |
| | | | |
| Landscaping | | City Code | |
| | | | |
| Signs | | City Code | |
| | | | |
| Lighting | | City Code | |
| | | | |
| Building Materials | N/A | N/A | |

| Street/ROW Sections | Street Width | Right-of-way Width | Parkway/Green Space | Sidewalk | Comments | |
|---|---|---|---|---|---|---|
| | | | | | | |
| | | | | | | |
| Urban Village 1 | 2-11' travel lanes w/8' parallel parking lanes (38' total width) | 39' | 5' buffer abutting ROW | 5' sidewalk abutting buffer | 12' travel lanes required, 30' radius at intersections, Maintenance agreement for sidewalk and common landscaped areas. | |
| Urban Village 2 | 2-11' travel lanes w/8' parallel parking lanes (38' total width) | 39' | 5' buffer abutting ROW | 5' sidewalk abutting buffer | 12' travel lanes required, 30' radius at intersections, Maintenance agreement for sidewalk and common landscaped areas. | |
| Residential | City Standard | 50' | | | | |
| Beltmill Parkway | 2-26' travel lanes w/ 28' median, no parking | 100' | 10' green space | 6' sidewalk in 20' landscape buffer abutting green space | Maintenance agreement for sidewalk and common landscaped areas. | |

7.4.1 *Permitted Signs.* All signs and outdoor advertising displays permitted under Section 8-10 of the Code of Ordinances, shall be permitted in development. The following types of signs shall also be permitted.

a. Window signs,
b. Banner signs,
c. Blade signs,
d. Marquee signs,
e. Sandwich board signs,
f. Awning or Canopy signs, and
g. Umbrella signs.

7.4.2 *Urban Residential Buildings.* These buildings may have the following signs.

a. Urban Residential buildings with eight (8) residential units or more and mixed-use buildings shall be permitted one (1) sign for identification purposes for each side of the building facing a street, which sign shall be of the following types.

1. Building identification ground sign,
2. Building identification wall sign,
3. Blade sign,
4. Awning or Canopy sign, or
5. Window sign.

b. Urban Residential or mixed-use building with residential use shall be permitted one (1) "for lease" wall sign with a maximum sign area of nine (9) square feet on each side of the building that faces a street.

7.4.4 *Non-residential Buildings with Multi-Tenant Interior Access.*

a. A nonresidential building with multi-tenant interior access shall be permitted two (2) signs for identification purposes for each side of the building facing a street, which signs shall be of the following types.

1. Building identification wall sign,
2. Blade sign,
3. Awning or Canopy sign, or
4. Window sign.

b. In addition, one (1) additional sign from this list shall be permitted for each entrance to the building located along a block break or interior to the block.

7.4.5 *Buildings with Tenants with Exterior Access.*

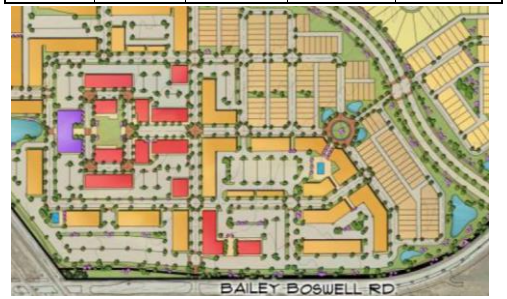
*a.* Tenants with exterior access shall be permitted the following types of signs for their identification:

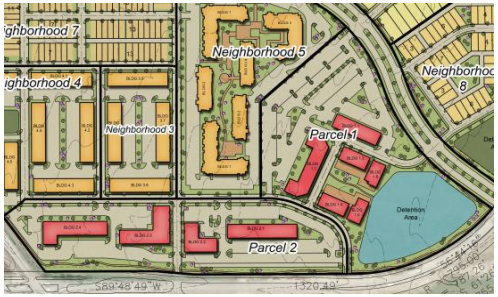
1. Building wall sign,
2. Blade sign,
3. Awning or Canopy sign, or
4. Window sign.

b. A combination of sign types may be used, with the sum of the areas of all signs attached to the building not to exceed the maximum area of signage permitted per length of the building wall with street frontage occupied by a tenant. The maximum allowable area shall be determined using the Table 7-2, by multiplying maximum width by maximum height.

Beltmill Comparison

| Item | | Old Plan | New Plan | Difference |
|---|---|---|---|---|
| | | | | |
| **Uses** | | | | |
| | Commercial | 101,462 sq ft | 128,100 sq ft | +26,638 sq ft |
| | Urban Residential | 954 units | 611 units | -343 units |
| | Townhomes | 258 units | 351 units | +93 units |
| | Single Family | 83 units | 118 units | +35 units |
| | | | | |
| **Concept Plan** | | | | |
| | Village Green | approx 18,705 sq ft | approx 12,212 sq ft 22,084 with street blocked off | |
| | Detention Pond | small area | enlarged area circled by trail exercise stations | |
| | Commercial Area | interior to site | fronting on Baily Boswell | |
| | Parks & Trails | limited areas & trails | large park centered around pond play area & exercise stations pocket parks extensive trail system | |
| | | | | |
| **Dev. Standards** | | | | |
| | Commercial Standards | 0 rear setback | 10 feet | Meets City Standards |
| | | 80 feet, 6 stories | 36 feet, 2-1/2 stories | Meets City Standards |
| | | unique architectural standards | only addding allowed materials to city stanards | |
| | | | | |
| | MF density | 32 units / acre | 24 units / acre | 8 units / acre |
| | | | | |
| | MF Standards | | | |
| | | 0' Minimum Side Yard | 20' Minimum Side Yard | Meets City Standards |
| | | 0' Minimum Rear Yard | 25' Minimum Rear Yard | Meets City Standards |
| | | Building Height 60 feet or 4 stories | Building Height 45 feet or 3 stories | Meets City Standards |
| | | unique parking standards | Comply with Code | Meets City Standards |
| | TH Standards | | | |
| | | 10' Minimum Rear Yard | 10 feet front entry, 20 feet rear entry | Meets City Standards |
| | | 80% masonary façade | 100% masonary façade | |
| | | unique parking standards | Comply with Code | Meets City Standards |
| | | tandem parking allowed | tandem parking not allowed | Meets City Standards |
| **Roadways** | | | | |
| | Urban Sections | 10' travel lanes | 11' travel lanes | |
| | | | | |







CONCEPTUAL DEVELOPMENT PLAN

