City Council Agenda

SAGINAW CITY COUNCIL
NOTICE OF MEETING

Meeting and/or Executive Session Agenda
6:00 PM - Tuesday, December 6, 2022
Saginaw City Hall Council Chambers
333 West McLeroy Blvd.

In accordance with Section 551.043 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 Michael Orr, Saginaw Church of Christ

(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, November 15, 2022--Janice England, City Secretary

(b) Action regarding Cancellation of December 20, 2022 City Council Meeting--Janice England, City Secretary

(c) Action regarding Resolution No. 2022-24, Amending Resolution No.

2022-23 Approving the 2022-48th Year Community Development Block Grant Project Award of Contract by Tarrant County--Randy Newsom, Director of Public Works

(d) Action regarding Funding Interlocal Agreement with Tarrant County for Wagley Robertson Road Reconstruction (Construction Phase)--Randy Newsom, Director of Public Works

(e) Action regarding Individual Project Order with Kimley-Horn and Associates for ADA Transition Plan Phase 4B--Intersection and Sidewalk Evaluation--Randy Newsom, Director of Public Works

(f) Action regarding Drainage Easement Maintenace Agreement with AM & JK Development, LLC (Lot 3, Block 1, The Square Addition)--Randy Newsom, Director of Public Works

(g) Action regarding the Purchase of Real Property located at 300 W. McLeroy Blvd. and Authorizing the Mayor to execute all documents necessary to complete the purchase upon final approval of the City Manager--Lee Howell, Asst. City Manager

(5) Presentation of 2022 Economic Development Award of Merit from the Texas Economic Development Council--Todd Flippo, Mayor & Keith Rinehart, Director of Community & Economic Development

(6) PUBLIC HEARING - Consideration and Action regarding Recommendation from Planning and Zoning Commission on Ordinance No. 2022-20, rezoning nine identified properties to "NMU" Neighborhood Mixed Use Zoning in the City of Saginaw, Texas, more specifically described as: Approximately 1.7 acres, Saginaw Springs, Block 2, Lot 30 Commercial Tract 2; Approximately 4.6 acres, Albright, Alexander F. Survey Abstract 1849 Tract 2C04; Approximately 12 acres, Albright, Alexander F. Survey Abstract 1849 Tract 2C; Approximately 1.4 acres, Idea Schools Addition Block A Lot 1; Approximately 10.6 Acres, Idea Schools Addition Block A Lot 2; Approximately 0.2 Acres, Albright, Alexander F. Survey Abstract 1849 Tract 3A; Approximately 4.0 Acres, Albright, Alexander F. Survey Abstract 1849 Tract 3H05; Approximately 22.2 Acres, Alford, James P. Survey Abstract 53 Tract 2A City Boundary Split; and Approximately 3.1 Acres, Alford, James P. Survey Abstract A 53 Tract 1K; and Revising the Official Zoning Map--Abra Nusser, Peloton Land Solutions & Salvador Gonzalez, Management Analyst

(7) PUBLIC HEARING - Consideration and Action regarding Recommendation from Planning and Zoning Commission on Ordinance No. 2022-29, rezoning property described as approximately 15.2 acres out of the Albright, Alexander F. Survey, Abstract 1849, Tract 3H from Community Commercial

(CC) Zoning to "NMU" Neighborhood Mixed Use Zoning; and revising the official zoning map--Abra Nusser, Peloton Land Solutions & Salvador Gonzalez, Management Analyst

(8) Consideration and Action regarding Acquisition of 2.1838 acre tract of land situated within the B. Thomas Survey, Abstract No. 1497 from Bonner Carrington in exchange for the waiver of certain building permit fees--Randy Newsom, Director of Public Works

(9) Consideration and Action regarding Amending the Food Truck Park Fees, and Amending the Master Fee Schedule (Ordinance No. 2022-28)--Councilmember Felegy and Councilmember Mary Copeland

(10) Consideration and Action regarding Resolution No. 2022-25, Saginaw Home Improvement Program Implementation--Doug Spears, Fire Chief, Larry Little, Chief Building Official, & Salvador Gonzales, PW Management Analyst

(11) City Manager/Personnel Matters--Councilmember Tucker & Councilmember Bighorse

(12) 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

(b) 400 S. Saginaw Blvd. & 405 S. Belmont St.

551.072 Texas Government Code.

Deliberations Regarding Real Property The City Council may convene in executive session to deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person, including the following matters:

(a) 400 S. Saginaw Blvd. & 405 S. Belmont St.

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) 400 S. Saginaw Blvd. & 405 S. Belmont St.

(13) Adjournment--Todd Flippo, Mayor

City of Saginaw

Meeting Date: 12/6/2022

Agenda Items: (4)(a)

Staff Contact: Janice England
City Secretary

E-mail: jengland@saginawtx.org

Phone: 817-230-0327

SUBJECT:
Action regarding Minutes, November 15, 2022

BACKGROUND/DISCUSSION:
The minutes of the November 15th City Council Meeting are being presented for consideration.

FINANCIAL IMPACT:
N/A

RECOMMENDATION:
Staff recommends approval.

ATTACHMENTS:

Description

Minutes, 11-15-2022

CITY OF SAGINAW
MINUTES OF CITY COUNCIL MEETING
AND PUBLIC HEARING
HELD AT THE SAGINAW CITY HALL
333 WEST MCLEROY BLVD.
NOVEMBER 15, 2022

Present at the meeting:

Mayor	Todd Flippo
Mayor Pro-Tem	Valerie Junkersfeld
Councilmember	Paul Felegy
Councilmember	Nicky Lawson
Councilmember	Charles Tucker
Councilmember	Cindy Bighorse
Councilmember	Mary Copeland
City Attorney	Bryn Meredith
City Engineer	Trenton Tidwell, P.E.
City Manager	Gabe Reaume
Asst. City Manager	Lee Howell
Finance Director	Kim Quin
City Secretary	Janice England
Police Chief	Russell Ragsdale
Police Lieutenant	James Crippen
Fire Chief	Doug Spears
Asst. Fire Chief	Scott Craver
Director of Public Works	Randy Newsom
Director of Comm. & Eco. Dev.	Keith Rinehart
Director of Human Resources	Melanie McManus
Library Director	Ellen Ritchie
Management Analyst	Salvador Gonzalez
Police Officer	Randall Spears

Absent from the meeting:

None

Visitors at the meeting:

Brack St. Clair	Kelly Stewart
Norm Bulaich	Abel Moreno
Laura Presley	Richard Kang

(1) Call to Order

Mayor Flippo called the meeting to order at 6:01 p.m. with a quorum present.

Pledge of Allegiance to the United States

Pledge of Allegiance to the State of Texas

(2) Invocation

In the absence of Pastor Ronnie Mills, Councilmember Lawson gave the invocation.

(3) Audience Participation

This item was covered on the video screen.

(4) Consent Agenda

a. Action regarding Minutes, October 18, 2022

b. Action regarding Interlocal Agreement with Tarrant County for Mill and Asphalt Overlay of Knowles Drive and Rockledge Drive

Summary: The proposed Interlocal Agreement with Tarrant County covers the mill and asphalt overlay of Knowles Drive (74,000 sq.ft.) and Rockledge Drive (24,300 sq.ft.). As in previous agreements, Tarrant County will furnish the labor and equipment. The responsibilities of Tarrant County and the City of Saginaw are specified in the proposed agreement. The proposed agreement was approved by Tarrant County on October 11, 2022. Funds are available in the Street Maintenance Fund Budget for the City's portion.

c. Action regarding Authorization of a Funding Interlocal Agreement for Knowles Drive Phase I Reconstruction with Tarrant County

Summary: Tarrant County issued a call for projects in preparation for the Transportation Bond Program. Knowles Drive, Phase I was submitted for consideration. On August 3, 2021, the Tarrant County Commissioners Court accepted a prioritized list of projects recommended by the cities and the Project Evaluation Committee for funding under Proposition A, Traffic Mobility. With passage of Proposition A on November 2, 2021, Tarrant County is proceeding with implementation of the 2021 Transportation Bond Program. Under the proposed agreement, Tarrant County agrees to reimburse the City for 50% of the actual eligible project costs in an amount not to exceed $3,550,000. On March 1, 2022, the City Council awarded a contract to McMahon Contracting L.P. in the amount of $6,971,439.44 for the Knowles Drive, Phase I Project. Reimbursement will be made according to the following schedule: 2023 1st Quarter $506,950, 2nd Quarter $760,420, 3rd Quarter $760,420, 4th Quarter $760,420; and 2024 1st Quarter $761,790.

d. Action regarding Purchase of Backhoe for Public Services Department

Summary: The purchase of a backhoe is budgeted in the 2022-23 Public Services Budget ($185,000, Capital Outlay Account, 01-7000-06-00) This backhoe will replace Unit 250E which is a 2004 model with over 3,500 hours of usage and is showing significant signs of wear and tear. Quotes were received through Sourcewell and staff is recommending approval of the purchase of a new 2022 John Deere backhoe 410P from John Deere in Fort Worth.. The total cost will be $132,175.10 ($152,175.10 less trade in allowance of $20,000 for the current backhoe).

e. Action regarding Purchase of Vac Truck for Water & Wastewater Department

Summary: The purchase of a Vac Truck is budgeted in the 2022-23 Water and Wastewater Budget ($561,525, Capital Outlay Account, 05-7000-50-00). This vac truck will replace Unit 279E which serves as a life line piece of equipment for the department. Quotes were received through BuyBoard and staff is recommending approval of the purchase of a 2024 Western Star 47X Sel Forward Tandem Axle with Gap Vax Body. The total cost will be $479,318.59 ($559,318.59 less trade allowance of $80,000 for the current vac truck).

f. Action regarding Adoption of Resolution No. 2022-23 recommending Award of Bid to Tarrant County for 2022 Community Development Block Grant Sidewalk Project (CDBG-48th Year)

Summary: On March 15, 2022 the City Council adopted Resolution No. 2022-02 designating the 2022-48th Year Community Development Block Grant (CDBG) Project to be sidewalk construction along the north side of Wofford Way and the east side of Thompson Drive from Opal St. to Longhorn Rd. and on both sides of Palomino Dr. crossing Thompson Dr. At that time the total estimated cost for the project was $475,000 with an estimated CDBG Funding allocation of $200,000 and $275,000

estimated participation from the City. Bids were advertised for and received by Tarrant County on October 5, 2022. Four bids were received. They were as follows: Excel 4 Construction $549,090; Cole Construction Inc. $568,960; JR West Texas Concrete, LLC $613,560; and Atkins Bros. $912,530. Upon review of the bid tabulation, Kimley-Horn & Associates (KHA) determined that Excel 4 Construction does not have the necessary qualifications to perform sidewalk, ADA-compliant pedestrian ramps and driveway work. KHA reviewed the bid and references for Cole Construction Inc. and determined them to be the lowest responsive bidder. The amount of the bid from Cole Construction is $568,960. The CDBG allocation for this project is $169,327 which makes the City's contribution a total of $399,633. Funds to cover the City's portion will come from the 2022 Certificates of Obligation. Staff recommends approval of Resolution No. 2022-23, recommending to Tarrant County that the bid be awarded to Cole Construction Inc. in the amount of $568,960 with the City's portion being $399,633.

g. Action regarding Authorization of an Individual Project Order (IPO) with Kimley-Horn & Associates, Inc. (KHA) for the 2021 Saginaw Boulevard Beautification Project (Green Ribbon Funding) Phase III

Summary: In May of 2022 a Green Ribbon grant application was submitted to the Texas Department of Transportation (TxDOT) for Saginaw Blvd. from Bailey Boswell Road to W.J. Boaz Rd. On September 22, 2022, the City was notified that our application was accepted. The amount of the grant is capped at $400,000 and is subject to execution of a maintenance agreement and Advance Funding Agreement that will be forwarded to the City Council for consideration at a future date. The proposed IPO with KHA includes coordination, survey, preparation of construction documents, reporting, bidding, and construction contract administration for a total amount of $60,000. All of the tasks will be paid on a lump sum basis except for Construction Contract Administration that will be based on an hourly rate estimated to be $4,000. Funds for this expenditure are available in the Fund Balance of the General Fund.

h. Action regarding the purchase of the SCADA System Upgrade for the City's Water System Controls

Summary: This item is for the upgrade to our SCADA control system that operates the City's Water System. It has been ten years since our last upgrade was done. This upgrade will be provided by Wheco Electric & Controls. They are the sole source for this equipment and have been the provider for our system and all past upgrades (over a period of twenty plus years). This upgrade was approved in the 2022-2023 Water and Wastewater Budget. The financial impact will be $69,725. Funds are budgeted in the Capital Outlay Account, 05-7000-50-00.

i. Action regarding Police Department Security System Upgrade

Summary: Construction of the Saginaw Police Department was completed in 2007. Since that time the police department has undergone very few upgrades. The security system which consists mainly of security cameras viewing common internal and external areas and the jail have not been updated since 2007. Several cameras are no longer working and the system is so old that replacement parts (cameras) are no longer available. During the budget process we requested funds for this upgrade and were approved. The item is brought before the Council in compliance with the purchasing policy due to its cost. Staff recommends approval of the proposal from NCS in the amount of $125,590 for security system upgrades. NCS has previously performed work within City Hall and will be working at the New Fire Station.

j. Action regarding Upgrade to Police Department Records Management System and Computer Aided Dispatch

Summary: During the budgeting process the Police Department provided data to implement a new RMS/CAD system in partnership with Lake Worth Police Department. The Council approved the budget request for this upgrade. The Police Department is ready to move forward with this upgrade and our Motorola representative is ready to begin placing orders for equipment. This item is being brought before Council in compliance with the purchasing policy. The financial impact will be $375,000 for the upgrade and $50,000 for transition costs between Saginaw and Lake Worth. Staff recommends approval of the upgrade and authorization for the City Manager to enter into a binding agreement with Motorola Solutions and the City of Lake Worth.

k. Action regarding Memorandum of Understanding (MOU) between Saginaw Police Department and EMS-ISD Police Department for Jurisdictional Issues, Issuance of Citations, and Jail Services provided by Saginaw Police Department

Summary: The EMS-ISD has started their own police department. With several of their campuses falling wholly within our jurisdiction, this MOU establishes jurisdictional control, mutual aid during significant events, and also allows the EMS-ISD Police Department to utilize the City of Saginaw's jail based on a compensation rate per arrestee. The only financial impact is positive for the City of Saginaw. EMS-ISD will compensate the City of Saginaw for each and every arrest the EMS-ISD Police Department makes that is transported to the Saginaw City Jail. Reflecting back on past years when we contracted with EMS-ISD for School Resource Officers, those arrests should number fewer than fifteen (15) throughout the whole school year.

l. Action regarding Revised School Resource Officer Contract for the Period of October 1, 2022 to December 31, 2022

Summary: The EMS-ISD has started their own police department. They will be assuming the duties of School Resource Officers previously contracted through the Saginaw Police Department. This proposed revised School Resource Officer Contract provides for reimbursement of costs associated with our officers working the period between October 1st and December 31st.

m. Action regarding Memorandum of Understanding (MOU) for Temporary Dispatch Services provided to Blue Mound Police Department

Summary: The City of Blue Mound is unable to provide basic dispatch services to their citizens due to the loss of all but one of their qualified dispatchers. The proposed MOU will allow the Saginaw Police Department to provide dispatch services while the City of Blue Mound completes contract negotiations with the Sansom Park Police Department. This MOU is for a period of three months with the ability to extend for additional three month terms based on approval by both Saginaw and Blue Mound. The proposed MOU outlines a fee to be paid by the City of Blue Mound to the City of Saginaw while temporary dispatch services are provided. The fee is roughly $2,456/week or $5,856/month.

n. Action regarding a Drone Show contract for the 2022 Holiday Parade and Christmas Tree Lighting

Summary: The 2022 Holiday Parade will be held on Saturday, December 3rd. It will begin at 6:00 p.m. at Willow Creek Elementary and end at the Saginaw Switchyard. After the parade, the Mayor and Council will light up the official Saginaw Christmas Tree. Flylight Drone Shows has submitted a proposal to provide a drone show depicting generic Christmas icons (Santa, Frosty the Snowman) immediately after the tree is lit up. The cost will be $20,000. The Advisory Recreation and Parks Board considered this proposal at their meeting on November 14th and voted to recommend approval to the City Council. Funds are available in the Parks Donation Fund to cover this expenditure.

o. Action regarding Purchase of Skid Loader for Drainage Department

Summary: The purchase of a Skid Loader is budgeted in the 2022-23 Drainage Department Budget ($125,00, Capital Outlay Account, 14-7000-00-00). This skid loader will replace Unit 459E which is a2004 model that was purchased from a rental company and has started to show signs of wear and tear. Quotes were received from Sourcewell. Staff is recommending approval of the purchase of a new Caterpillar Inc. Model 299D3 in the amount of $122,508.05. Unit 459E will be placed in an auction.

p. Action regarding Authorization of a Funding Interlocal Agreement for Old Decatur Road North Roadway Improvements (Construction Phase)

Summary: The purpose of the proposed Funding Interlocal Agreement for Old Decatur Road North Roadway Improvements is for financial support of up to $300,000 from Tarrant County for this project. These funds are available through the 2006 Tarrant County Transportation Bond Program. Staff recommends approval of the agreement with a reimbursement schedule as follows: 2023 1st Quarter $75,000; 2nd Quarter $75,000; 3rd Quarter $75,000; and 4th Quarter $75,000.

Mayor Flippo stated that he received requests to pull Items 4i, 4l, 4m, and 4n from the Consent Agenda.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Tucker to approve the Consent Agenda with the exception of Items 4i, 4l, 4m, and 4n. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

The Council considered Item 4i, Action regarding Upgrade to Police Department Records Management System and Computer Aided Dispatch.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Tucker to approve Item 4i as presented. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

The Council considered Item 4l, Action regarding Revised School Resource Officer Contract for the Period of October 1, 2022 to December 31, 2022.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Bighorse to approve Item 4l as presented. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

The Council considered Item 4m, Action regarding Memorandum of Understanding for Temporary Dispatch Services provided to Blue Mound Police Department.

Note: Councilmember Copeland left the Council Chambers during consideration of this item due to a conflict of interest.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Felegy to approve Item 4m as presented. Motion carried. 6-0-1-0

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, and Bighorse

Against: None

Abstain: Councilmember Copeland

Absent: None

The Council considered Item 4n, Action regarding a Drone Show contract for the 2022 Holiday Parade and Christmas Tree Lighting.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Copeland to approve Item 4n as presented. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

(5) Recognition of 2022 Saginaw Train & Grain Festival Committee Members

City Manager Reaume recognized the members of the 2022 Saginaw Train & Grain Festival Committee. He commended them on the successful event.

(6) Proclamation—Get United Day

Mayor Flippo read a proclamation declaring November 17, 2022 to be "Get United Day" in the City of Saginaw in recognition of the 100th Anniversary of United Way of Tarrant County.

(7) Consideration and Action regarding Rate Increase Request from Waste Connections for Solid Waste and Recycling Services

Motion was made by Councilmember Copeland with a second by Councilmember Tucker to approve the rate increase request of 5% for residential and commercial solid waste and recycling services. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

(8) Consideration and Action regarding Ordinance No. 2022-27, Amending the Residential Trash and Recycle Rate; and Amending the Deposit Amount for the Rental of the Community Center

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Bighorse to approve Ordinance No. 2022-27, amending the residential trash and recycle rate; and amending the deposit amount for the rental of the Community Center. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

(9) Library/Senior Center Update

Asst. City Manager Howell gave a presentation and update on the Library/Senior Center Project.

(10) Consideration and Action regarding Recommendation from Planning & Zoning Commission regarding Final Plat (Conveyance Plat) for Lots 3 & 4, Block 1, The Square, Benjamin Thomas Survey, Abstract 1497, City of Saginaw, Tarrant County, Texas

Motion was made by Councilmember Copeland with a second by Mayor Pro-Tem Junkersfeld to approve the recommendation from the Planning and Zoning Commission for approval of the Final Plat (Conveyance Plat) for Lots 3 & 4, Block 1, The Square, Benjamin Thomas Survey, Abstract 1497 as presented. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

(11) Recommendation and Action for Re-establishing a Chamber of Commerce – A 2022 Strategic Project & Work Plan Item

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Copeland to join the North East Tarrant Chamber of Commerce. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

(12) PUBLIC HEARING – Consideration and Action regarding Recommendation from Planning & Zoning Commission regarding an Ordinance amending the Zoning Ordinance of the City of Saginaw, Texas, Amending Section 7-1 "PD Planned Development District" of Article 7 "Special Districts" of the Saginaw City Code by removing the Minimum Acreage Requirement for Planned Development Districts (Ordinance No. 2022-19)

Mayor Flippo declared the public hearing for this item opened at 7:56 p.m. There being no public input, Mayor Flippo declared the public hearing closed at 8:01 p.m.

Motion was made by Councilmember Copeland with a second by Councilmember Felegy to approve Ordinance No. 2022-19, amending the Zoning Ordinance of the City of Saginaw, amending section 7-1 "PD Planned Development District" of Article 7 "Special Districts" of the Saginaw City Code by removing the minimum acreage requirement for Planned Development Districts as recommended by the Planning and Zoning Commission. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

(13) PUBLIC HEARING – Consideration and Action regarding Ordinance No. 2022-21, Amending Article 2, "Planning and Zoning Commission", of Appendix A, "Zoning", of the Saginaw City Code which establishes a Planning and Zoning Commission and provides for the purposes, organization, and membership of the Commission

Mayor Flippo declared the public hearing for this item opened at 8:02 p.m. City Attorney Meredith explained two revisions that need to be made to the proposed ordinance. They are a change in the residency requirement to one year which is in accordance with the City Charter, and the removal of Section 2-5 to be consistent with the City Charter. There being no public input, Mayor Flippo declared the public hearing closed at 8:08 p.m.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Bighorse to approve Ordinance No. 2022-21 as recommended by the Planning and Zoning Commission with the revisions stated by the City Attorney. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

(14) PUBLIC HEARING – Consideration and Action regarding Ordinance No. 2022-22, amending Article 3, "Board of Adjustment", of Appendix A, "Zoning" of the Saginaw City Code, which establishes a Board of Adjustment and provides for the purposes, organization, and membership of the Board

Mayor Flippo declared the public hearing for this item opened at 8:09 p.m. City Attorney Meredith explained that the proposed ordinance needs to be revised to state that the Board will meet as needed. There being no public input, Mayor Flippo declared the public hearing closed at 8:11 p.m.

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Tucker to approve Ordinance No. 2022-22 as recommended by the Planning and Zoning Commission with the revision stated by the City Attorney. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

(15) Consideration and Action regarding Ordinance No. 2022-23, Amending Article II, "Advisory Recreation and Parks Board", of Chapter 58, "Parks and Recreation", of the Saginaw City Code, which establishes an Advisory Recreation and Parks Board and provides for the purposes, organization, and membership of the Board

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Bighorse to approve Ordinance No. 2022-23 as presented. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

(16) Consideration and Action regarding Ordinance No. 2022-24, Amending Section 2-163 of the Saginaw City Code, which establishes a Capital Improvements Advisory Committee and provides for the purposes, organization, and membership of the Committee

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Lawson to approve Ordinance No. 2022-24 as presented. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

(17) Consideration and Action regarding Ordinance No. 2022-25, Amending Article II, "Library Board", of Chapter 46, "Library", of the Saginaw City Code, which establishes a Library Board and provides for the purposes, organization and membership of the Board

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Felegy to approve Ordinance No. 2022-25 as presented. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

(18) Consideration and Action regarding Ordinance No. 2022-26, Formally Establishing the Keep Saginaw Beautiful Board; and providing for the appointment of members; providing for the duties, procedures and authority of the Board

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Lawson to approve Ordinance No. 2022-26 as presented. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

(19) Executive Session

1 § 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

1 § 551.072. Texas Government Code. Deliberation Regarding Real Property. The City Council may convene in executive session to deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person, including the following matters:

a. 300 W. McLeroy Blvd.

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 negotations; or to deliberate the offer of a financial or other incentive to a business prospect described above, including:

a. Blue Mound Road at E. McLeroy Blvd.

Mayor Flippo declared the meeting recessed into Executive Session at 8:19 p.m.

Mayor Flippo declared the meeting back in Regular Session at 8:41 p.m.

(20) Adjournment

Motion was made by Mayor Pro-Tem Junkersfeld with a second by Councilmember Tucker to adjourn the meeting. Motion carried unanimously. 7-0-0-0

For: Mayor Flippo, Mayor Pro-Tem Junkersfeld,
Councilmembers Felegy, Lawson, Tucker, Bighorse, and Copeland

Against: None

Abstain: None

Absent: None

Mayor Flippo declared the City Council Meeting of November 15, 2022 adjourned at 8:41 p.m.

ATTEST: APPROVED:

_____ _____

City Secretary Janice England Mayor Todd Flippo

City of Saginaw

Meeting Date: 12/6/2022

Agenda Items: (4)(b)

Staff Contact: Janice England
City Secretary

E-mail: jengland@saginawtx.org

Phone: 817-230-0327

SUBJECT:
Action regarding Cancellation of December 20, 2022 City Council Meeting

BACKGROUND/DISCUSSION:
Due to the upcoming Christmas Holidays, and the fact that there are no pending items for the December 20, 2022 City Council Meeting, it is suggested that the meeting be cancelled.

FINANCIAL IMPACT:
N/A

RECOMMENDATION:
Staff recommends approval.

City of Saginaw

Meeting Date: 12/6/2022

Agenda Items: (4)(c)

Staff Contact: Randy Newsom
Director of Public Works

E-mail: rnewsom@saginawtx.org

Phone: 817-230-0448

SUBJECT:
Action regarding Resolution No. 2022-24, Amending Resolution No. 2022-23 Approving the 2022-48th Year Community Development Block Grant Project Award of Contract by Tarrant County

BACKGROUND/DISCUSSION:
As you will recall at the last Council Meeting, the City Council approved Resolution No. 2022-23, recommending the award of the contract for the 2022-48th Community Development Block Grant Project to Tarrant County. Tarrant County has requested that the Resolution be amended to include the amount of the City's funding pledge for the project. Resolution No. 2022-24 is basically the same as the original resolution with the addition of the City's pledged funding amount.

FINANCIAL IMPACT:
The financial impact for this project will be $399,633. Funds to cover this expenditure will come from the 2022 Certificates of Obligation.

RECOMMENDATION:
Staff recommends approval.

ATTACHMENTS:

Description

Proposed Resolution 2022-24

RESOLUTION NO. 2022-24

A RESOLUTION AMENDING RESOLUTION NO. 2022-23 APPROVING THE CITY OF SAGINAW'S 2022—48TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT AWARD OF CONTRACT BY TARRANT COUNTY.

WHEREAS, the City of Saginaw ("City") is eligible to participate in the urban county Community Development Block Grant ("CDBG") program administered through Tarrant County; and

WHEREAS, the City applied for and received a 2022—48th Year CDBG grant for new sidewalk construction in the 201-817 Blocks of Thompson Drive and 201-221 Blocks of Wofford Way; and

WHEREAS, on November 16, 2021, the City Council authorized an Individual Project Order with Kimley-Horn and Associates, Inc., for the design of the project; and

WHEREAS, Tarrant County has advertised and received bids for the project; and

WHEREAS, Cole Construction Inc. is the lowest responsive bidder with a bid of $568,960.00 and is recommended for the award of the contract by the City Engineer; and

WHEREAS, the City Council previously approved Resolution 2022-23 recommending Tarrant County award the City's 2022-48th Year CDBG Project for sidewalk construction to Cole Construction on November 15, 2022; and

WHEREAS, Tarrant County has requested additional information regarding the City and County's contributions to the project; and

WHEREAS, Tarrant County has agreed to provide $169,327.00 in funding for the project; and

WHEREAS, the City has pledged $399,633.00 to the project.

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

SECTION 1

Resolution No. 2022-23 is hereby amended as follows:

The City of Saginaw recommends that Tarrant County award the 2022—48th Year CDBG Project to Cole Construction Inc. in the amount of $568,960.00.

The City of Saginaw has pledged $399,633.00 in funding for the project.

Tarrant County has allocated $169,327.00 in funding for the project.

PASSED AND APPROVED THIS ____ DAY OF DECEMBER, 2022.

APPROVED:

_____
Todd Flippo, Mayor

ATTEST:

_____
Janice England, City Secretary

City of Saginaw

Meeting Date: 12/6/2022

Agenda Items: (4)(d)

Staff Contact: Randy Newsom
Director of Public Works

E-mail: rnewsom@saginawtx.org

Phone: 817-230-0448

SUBJECT:
Action regarding Funding Interlocal Agreement with Tarrant County for Wagley Robertson Road Reconstruction (Construction Phase)

BACKGROUND/DISCUSSION:
The proposed Interlocal Agreement (ILA) with Tarrant County will provide for County participation in the construction of the project in the amount of $150,000. The funds will be available on a reimbursable schedule shown below.

The Wagley Robertson Road Reconstruction (Construction Phase) project will involve the reconstruction of Wagley Robertson Road from East Bailey Boswell Road to the Saginaw/Fort Worth city limit line. The existing two-lane asphalt roadway will be demolished and a new 33-foot-wide roadway will be constructed consisting of two 11-foot traffic lanes and a center left-turn lane. Drainage will be accommodated by the use of bar ditches on the outside of the traffic lanes. A new traffic signal will be added at the intersection with East Bailey Boswell Road.

The proposed ILA with Tarrant County will provide for County participation in the construction of the project in the amount of $150,000. The funds will be available on a reimbursable schedule shown below.

Reimbursement Schedule (Subject to Change)

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
2021				
2022				$60,000
2023	$90,000			
2024				

FINANCIAL IMPACT:
N/A

RECOMMENDATION:

Staff recommends the City Council authorize the Funding Interlocal Agreement for Wagley Robertson Road Reconstruction (Construction Phase) with Tarrant County

ATTACHMENTS:

Description

Proposed ILA--Wagley Robertson Road Reconstruction

STATE OF TEXAS	**§**	**Funding Interlocal Agreement**
	§	**for Wagley Robertson Road Reconstruction**
COUNTY OF TARRANT	**§**	**(Construction Phase)**

This Funding Interlocal Agreement (ILA) is entered into between Tarrant County, Texas, hereinafter referred to as COUNTY, and the City of Saginaw, hereinafter referred to as CITY, and collectively referred to as the "parties", for the purpose of providing financial support of up to $150,000.00 in Precinct 4 discretionary funds through the 2006 Tarrant County Transportation Bond Program (TBP) to a needed transportation project which both parties find serves a public purpose and promotes the public welfare of the citizens of Tarrant County.

The COUNTY and the CITY make the following findings of fact:

1. This Funding ILA is made pursuant to Chapter 791 of the Texas Government Code;

2. To the extent necessary the parties will use current revenues to pay obligations in this Funding ILA;

3. The project benefits the public in that it is a needed transportation project;

4. The COUNTY and the CITY each has the legal authority to perform its obligations in this Funding ILA;

5. The division of costs provided in this Funding ILA constitute adequate consideration to each party; and

6. Both parties acknowledge they are each a "governmental entity" and not a "business entity" as those terms are defined in Texas Government Code Section 2252.908, and therefore, no disclosure of interested parties is required.

I.
PROJECT DESCRIPTION

The Project, hereinafter referred to as PROJECT, will involve the reconstruction of Wagley Robertson Road from East Bailey Boswell Road to the Saginaw/Fort Worth city limit line. The existing two-lane asphalt roadway will be demolished and a new 33-foot-wide roadway will be constructed consisting of two 11-foot traffic lanes and a center left-turn lane. Drainage will be accommodated by the use of bar ditches on the outside of the traffic lanes. A new traffic signal will be added at the intersection with East Bailey Boswell Road.

II.
SCOPE OF SERVICES PROVIDED BY CITY

The services to be provided by the CITY shall include, but are not limited to, the following:

A. All total PROJECT costs, including all construction, right of way acquisition, utility relocation, engineering, planning, surveying, and governmental approval costs (collectively referred to as "Costs");

B. Construction agreement administration, site review, permitting, and inspection;

C. Interagency cooperation;

D. A detailed schedule of the PROJECT shall be provided to the COUNTY; and

E. The CITY will notify the COUNTY of completion of the PROJECT.

III.
TERM

This Funding ILA shall become effective upon the approval of both parties and shall expire on September 30, 2023 unless terminated as described in Section XIII in this Funding ILA or extended in writing and approved by both parties.

IV.
FISCAL FUNDING ACKNOWLEDGEMENT

In the event no funds or insufficient funds are appropriated and budgeted or are otherwise unavailable by any means whatsoever in any fiscal period for payments under this Funding ILA, then the affected party will immediately notify the other party of such occurrence and this Funding ILA shall be terminated on the last day of the fiscal period for which appropriations were received without penalty or expense to the affected party of any kind whatsoever, except to the portions of payments herein agreed upon for which funds shall have been appropriated.

V.
COST

The COUNTY agrees to reimburse the CITY for eligible construction expenses required for the PROJECT in an amount not to exceed $150,000.00 in accordance with the reimbursement payment schedule in Attachment A. The COUNTY recognizes that construction will be performed by a firm under contract with a developer and that the CITY will make payments to the developer. Any reimbursement request from the CITY should include: 1) a copy of the contractor's invoice; 2) a copy of the contractor's progress report or the latest project schedule; and 3) a copy of the check, certification letter, or other documentation to verify the CITY's proof of payment to the developer.

The CITY understands that the CITY will be responsible for cost overruns of the PROJECT and for other expenses incurred by the CITY in performing the services under this Funding ILA.

VI.
AGENCY-INDEPENDENT CONTRACTOR

Neither the COUNTY nor any employee thereof is an agent of the CITY, and neither the CITY nor any employee thereof is an agent of the COUNTY. This Funding ILA does not and shall not be construed to entitle either party or any of their respective employees, if applicable, to any benefit, privilege or other amenities of employment by the other party.

The COUNTY will have no right to control the manner or means of construction of the PROJECT.

VII.
ASSIGNMENT

Neither party may assign, in whole nor in part, any interest it may have in this Funding ILA without the prior written consent of the other party.

VIII.
THIRD PARTY BENEFICIARY EXCLUDED

No person other than a party to this Funding ILA may bring a cause of action pursuant to this Funding ILA as a third-party beneficiary. This Funding ILA may not be interpreted to waive the sovereign or governmental immunity of any party to this Funding ILA to the extent such party may have immunity under Texas law.

IX.
AUDIT OF RECORDS

The CITY's records regarding this PROJECT shall be subject to audit by the COUNTY during the term of this Funding ILA and for two years after the completion of the PROJECT.

X.
ENTIRE AGREEMENT

This Funding ILA represents the entire understanding of and between the parties and superseded all prior representations. This Funding ILA may not be varied orally but must be amended by written document of subsequent date duly executed by these parties.

XI.
VENUE

This Funding ILA shall be governed by the laws of the State of Texas and venue for any action under this Funding ILA shall be in the district courts of Tarrant County, Texas.

XII.
SCHEDULING

The CITY agrees that the COUNTY retains control over the reimbursement payment schedule in Attachment A. The COUNTY agrees to notify the CITY of any changes to the reimbursement payment schedule 30 days in advance. Such notification will be in the form of written correspondence delivered by regular mail.

XIII.
TERMINATION

Until funded by the COUNTY as described in Section V, this Funding ILA may be terminated by either party by providing written notice to the other party at least thirty (30) days prior to the intended date of termination. Any notice or other writing required by this Funding ILA shall be deemed given when personally delivered or mailed by certified or registered mail to the following officials:

COUNTY:
County Administrator
Tarrant County
100 E. Weatherford Street, Suite 404
Fort Worth, Texas 76196

CITY:
City Manager
City of Saginaw
333 West McLeroy Boulevard
Saginaw, Texas 76179

XIV.
SOVEREIGN POWERS

The COUNTY and the CITY agree and understand neither party waives nor surrenders any of its governmental powers by execution of this Funding ILA.

APPROVED on this day the _____ day of _____, 2022, by Tarrant County.

Commissioners Court Order No. _____.

TARRANT COUNTY, TEXAS

_____
B. Glen Whitley, County Judge

_____
J.D. Johnson, Commissioner, Precinct 4

CITY OF SAGINAW

_____
Todd Flippo, Mayor

APPROVED AS TO FORM:

Criminal District Attorney's Office*	Bryn Meredith, City Attorney

* By law, the Criminal District Attorney's Office may only approve contracts for its clients. We reviewed this document as to form from our client's legal perspective. Other parties may not rely on this approval. Instead those parties should seek contract review from independent counsel.

CERTIFICATION OF AVAILABLE FUNDS IN THE AMOUNT OF

$_____ as follows:

Fiscal year ending September 30, 2023 - $ 150,000.00

$ 150,000.00**

Auditor's Office

*** Funds will be provided by Precinct 4 discretionary funds from the 2006 Transportation Bond Program*

ATTACHMENT A

Project Information

City: City of Saginaw
Project Name: Wagley Robertson Road Reconstruction

Project Schedule

	Start Date	Duration (mo.)	End Date
Design:	-	-	-
ROW Acquisition:	-	-	-
Construction:	Nov-2022	5	Mar-2023

Reimbursement Payment by Phase

Design:	$0.00
ROW Acquisition:	$0.00
Construction:	$ 150,000.00
TOTAL:	$ 150,000.00*

* ***Funded with Precinct 4 discretionary funds from the 2006 Transportation Bond Program***

Reimbursement Payment Schedule by Calendar Quarter (SUBJECT TO CHANGE)

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
2021	$0	$0	$0	$0
2022	$0	$0	$0	$60,000.00
2023	$90,000.00	$0	$0	$0
2024	$0	$0	$0	$0

City of Saginaw

Meeting Date: 12/6/2022

Staff Contact: Randy Newsom
Director of Public Works

Agenda Items: (4)(e)

E-mail: rnewsom@saginawtx.org

Phone: 817-230-0448

SUBJECT:
Action regarding Individual Project Order with Kimley-Horn and Associates for ADA Transition Plan Phase 4B--Intersection and Sidewalk Evaluation

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BACKGROUND/DISCUSSION:
This Individual Project Order (IPO) is for the ADA Transition Plan Phase 4B--Intersection and Sidewalk Evaluation. The total lump sum fee for this IPO is $80,000.

FINANCIAL IMPACT:
$80,000 is budgeted in Public Services Budget, Capital Outlay/Special Request Account 01-7000-06 for this phase.

RECOMMENDATION:
Staff recommends approval.

ATTACHMENTS:

Description

Proposed IPO--ADA Transition Plase Phase 4B

November 14, 2022

Mr. Gabe Reaume
City of Saginaw
333 West McLeroy Blvd.
Saginaw, TX 76179

RE: ***City of Saginaw ADA Transition Plan Phase 4B – Intersection and Sidewalk Evaluation***

Dear Gabe:

Thank you for this opportunity to serve the City of Saginaw.

Please see the Individual Project Order (IPO) on the following pages regarding the ADA Transition Plan Phase 4B project (referencing the master agreement dated April 17, 2012).

Please contact Trent Tidwell at (817) 339-2281 or trenton.tidwell@kimley-horn.com, or me at (817) 339-2251 or matt.pool@kimley-horn.com should you have any questions.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.
TBPE No. F-928

C. Matt Pool
Matt Pool, P.E.

INDIVIDUAL PROJECT ORDER – ADA Transition Plan Phase 4B

Describing a specific agreement between Kimley-Horn and Associates, Inc. (the Consultant), and the City of Saginaw, Texas (the Client) in accordance with the terms of the Master Agreement for Continuing Professional Services dated April 17, 2012, which is incorporated herein by reference.

Identification of Project: ADA Transition Plan Phase 4B – Intersection and Sidewalk Evaluation

Project Understanding:

The Consultant will provide professional services based on our project understanding as follows:

- The Client wishes to develop their Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan in multiple phases.

- This assignment will constitute Phase 4B of the ADA Self-Evaluation and Transition Plan and will include an ADA compliance review including public rights-of-way sidewalks and associated curb ramps. Recommendations to bring any non-compliant elements into compliance will be provided, and the Transition Plan will be updated to document all findings from the facility evaluations.

- The previously completed Phase 1 of this project consisted of:
    - Establishment of ADA Liaison Committee
    - Self-Evaluation comprised of:
        - Review of Client programs, procedures, and policies, including:
            - Boards and commissions
            - Departments and associated services
        - Review of Client employment practices
        - Review of Client ordinances
        - Review of Client emergency management plan
    - Development of Transition Plan, including:
        - Defining the role of ADA Coordinator
        - Development of Grievance Policy and Procedure
        - Self-Evaluation findings and solutions for all items reviewed

- The previously completed Phase 2A of this project consisted of:
    - Self-Evaluation comprised of evaluations of Client parks
    - Update Transition Plan with:
        - Self-Evaluation findings and solutions

- The previously completed Phase 2B of this project consisted of:
    - Self-Evaluation comprised of evaluations of Client buildings
    - Update Transition Plan with:
        - Self-Evaluation findings and solutions

- The previously completed Phase 3A of this project consisted of:
    - Self-Evaluation comprised of evaluations of Client buildings, signalized intersections, and public rights-of-way sidewalks and associated curb ramps

- The previously completed Phase 3B and Phase 4A of this project consisted of:

- Self-Evaluation comprised of evaluations of Client public rights-of-way sidewalks and associated curb ramps

Specific Scope of Services:

Task 1 – Project Management

1.1 The Consultant will maintain project records, budgets, and communications for the duration of the project. The project duration is assumed to be 10 months.
1.2 The Consultant will prepare monthly progress reports.

Task 2 – Self-Evaluation

2.1 Facilities Review – The Consultant will conduct field evaluations using forms developed by the Consultant in consultation with the Client. The evaluation forms will be based on the 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) and applicable access-related state and local standards. All field data collected will be compatible with the Client's existing Geographic Information System (GIS).

2.1.1 Facilities Listing

2.1.1.1 Sidewalk Corridors – Up to 32 linear miles of sidewalks will be evaluated.

2.1.1.2 Unsignalized Intersections and Driveways – Unsignalized intersections and driveways along the sidewalk in Task 2.2.1.1 will be evaluated. The Consultant estimates this task will consist of the evaluation of up to 256 intersections and up to 820 curb ramps. Evaluation of additional curb ramps or intersections will be considered Additional Services.

Facility Reports. The Consultant will create a separate report for each facility type. Each facility report will identify compliance status of each facility and include the following:

- Listing of facilities that are in compliance with ADA requirements.
- Listing of facilities that are not in compliance with ADA requirements.
- Possible solutions to resolve non-compliance issues for each facility.
- Prioritized list of improvements using criteria developed by the Consultant.
- "Cost report" that assigns conceptual budget estimates to each possible solution. Because the Consultant does not control the cost of labor, materials, equipment or services furnished by others, methods of determining prices, or competitive bidding or market conditions, any opinions rendered as to costs, including but not limited to opinions as to the costs of construction and materials, shall be made on the basis of its experience and represent its judgment as an experienced and qualified professional, familiar with the industry. The Consultant cannot and does not guarantee that proposals, bids or actual costs will not vary from its opinions of cost. If the Client wishes greater assurance as to the amount of any cost, it shall employ an independent cost estimator. Consultant's services required to bring costs within any limitation established by the Client will be paid for as Additional Services.
- Pay item descriptions, units, and unit prices will be based on the 2022/2023 TxDOT Average Bid Unit Prices.

- Photolog summary for each facility (photos for sidewalks can be hyperlinked in GIS, but will not be provided on each facility report).
- Catalog of all field data compatible with the Client's existing GIS databases.
- The compliance status and possible solutions for facilities listed in Tasks 2.1.1.1 – 2.1.1.2 will be based on the will be based on the 2011 Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) and applicable access-related state and local standards.

Task 3 – Transition Plan Update

3.1 Draft Self-Evaluation and Transition Plan Update. Based on the Self-Evaluation described in Task 2, the Consultant will prepare a draft Self-Evaluation and Transition Plan Update for the Client. The plan will consist of:

- Updated executive summary which will describe the project background and purpose, process, and most significant findings;
- Summary, detailed findings, and listing of solutions for all facilities listed in Task 2.1; and
- Detailed facility reports for all facilities listed in Task 2.1.

3.2 Final Self-Evaluation and Transition Plan Update. The Consultant will address two (2) rounds of comments from Client staff to prepare a Final ADA Self-Evaluation and Transition Plan Update for the Client. The Consultant will provide the following deliverables to the Client:

- Electronic copies of the Final Transition Plan Update in Microsoft Word and Adobe PDF formats

3.3 Transition Plan ArcGIS Dashboard Update. The Consultant will update the previously developed ArcGIS Online Dashboard to include the project database and statistical summary information for all facilities listed in Task 2.1.

Task 4 – Meetings

4.1 Progress Meetings. The Consultant will prepare for and attend up to one (1) progress meeting with Client staff and the ADA Liaison Committee via conference call. The Consultant will produce meeting materials and handouts and prepare a summary of action items resulting from the meeting.

Schedule: Work will begin on Notice to Proceed from Client. The Consultant will aim to provide its services within ten (10) months following the receipt of Notice to Proceed from the Client.

Deliverables: The Consultant will deliver the following materials to the Client:

- Electronic copies of the Draft Transition Plan Update with Appendices in Microsoft Word and Adobe PDF formats; and
- Electronic copies of the Final Transition Plan Update with Appendices in Microsoft Word and Adobe PDF formats.

Terms of compensation:

The Consultant will perform the services in Tasks 1-4 for the total lump sum fee of $80,000. Lump sum fees will be invoiced monthly based upon the overall percentage of services performed.

Payment will be due within 25 days of your receipt of the invoice.

ACCEPTED:

CITY OF SAGINAW, TEXAS

BY:_____
Gabe Reaume
City Manager

DATE:_____

KIMLEY-HORN AND ASSOCIATES, INC.

BY:_____
Scott R. Arnold, P.E.
Vice President

DATE: November 14, 2022

City of Saginaw

Meeting Date: 12/6/2022

Agenda Items: (4)(f)

Staff Contact: Randy Newsom
Director of Public Works

E-mail: rnewsom@saginawtx.org

Phone: 817-230-0448

SUBJECT:
Action regarding Drainage Easement Maintenace Agreement with AM & JK Development, LLC (Lot 3, Block 1, The Square Addition)

BACKGROUND/DISCUSSION:
The proposed Drainage Easement Maintenance Agreement with AM & JK Development, LLC addresses the maintenance of drainage areas that are being primarily left in their natural state. The agreement requires the owner, successors and assigns to provide perpetual maintenance of the drainage easement as described in Exhibit "A-1".

Additionally, the agreement gives the City the ability to take action if the property owner fails to maintain the easement and recover its costs through a lien on the property.

FINANCIAL IMPACT:
N/A

RECOMMENDATION:
Staff recommends approval of the Drainage Easement Maintenance Agreement with AM & JK Development, LLC as presented.

ATTACHMENTS:

Description

Proposed Agreement

DRAINAGE EASEMENT
MAINTENANCE AGREEMENT
LOT 3, BLOCK 1, THE SQUARE ADDITION

THIS AGREEMENT, made and entered into this _____day of _____, 2022, by and between AM & JK Development, LLC, and its successors and assigns, hereinafter referred to as "Landowner", and the City of Saginaw, hereinafter referred to as "City".

WITNESSETH

WHEREAS, the Landowner is the owner of certain real property out of the Benjamin Thomas Survey, Abstract No. 1497 located in Saginaw, Tarrant County, Texas, according to Deed Records, Tarrant County, Texas, more particularly described by metes and bounds on Exhibit "A" (the "Lot 3 Property") and on Exhibit "A-1" (the "Lot 4 Property") attached to this Agreement;

WHEREAS, the Lot 3 Property, which includes a Drainage Easement, and the Lot 4 Property (collectively, the "Property"), are to be platted pursuant to the Final Plat of The Square (the "Plat"); and,

WHEREAS, the Landowner is proposing to develop the Property according to the Site Plan known as The Square Development Plan and City approved civil construction plans known as Construction Plans for Saginaw Square Boulevard and The Square, collectively hereinafter called the "Plan", which is expressly made a part hereof, as approved or to be approved by the City, and the Landowner shall provide for the management of storm water within the confines of the Property pursuant to the Plan and this Agreement; and,

WHEREAS, the City and the Landowner agree that the health, safety and welfare of the residents of the City of Saginaw, Texas require that on-site Drainage Facilities (defined below) be constructed and maintained on the Lot 3 Property.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The Landowner shall construct and maintain the Drainage Facilities on the Lot 3 Property at no expense to the City of Saginaw in accordance with the design specifications for the Drainage Facilities, and the current standards currently in force and effect in the City of Saginaw and with the Operations and Maintenance Plan attached to this Agreement as Exhibit "B". The "Drainage Facilities" include all pipes, channels, flumes, pilot channels, valley storage or other conveyances built to convey or provide detention for storm water through such facilities, as well as all structures, improvements, and vegetation, provided to control the quantity of the storm water. Adequate Maintenance is herein defined as good working condition so that the Drainage Facilities are performing their design function.
2. The responsibility of maintaining the Drainage Facilities within the Lot 3 Property is hereby assigned to the Landowner.
3. The Landowner shall inspect the Drainage Facilities and submit an inspection report to the City annually. The purpose of the inspection is to assure safe and proper functioning of the Drainage Facilities. The inspection shall cover the entire Drainage Facilities (berms, outlet structure, pond areas, access roads, etc.) and note any items in need of maintenance or replacement to perform their design function, along with any corrective actions to be taken.
4. The Landowner hereby grants permission to the City, its authorized agents and employees, to enter upon the Lot 3 Property and to inspect the Drainage Facilities whenever the City deems necessary. The purpose of inspection is to follow-up on reported deficiencies and/or to respond to citizen complaints. The City shall provide the Landowner copies of the inspection findings and a directive to commence with the repairs if necessary.
5. In the event the Landowner fails to maintain the Drainage Facilities in good working condition acceptable to the City, the City shall provide written notice to Landowner describing with reasonable specificity the needed repairs or maintenance. Landowner shall have a period of 30 days to complete such repairs or maintenance or, if such repairs or maintenance cannot reasonably be completed within 30 days, Landowner shall commence such repairs or maintenance and shall have such time thereafter as

reasonably necessary, using reasonable diligence, to complete such repairs or maintenance. If Landowner fails to complete such repairs or maintenance within the time set forth in the immediately preceding sentence, the City, its authorized agents and employees, may enter upon the Property and take whatever steps reasonably necessary to correct deficiencies identified in the inspection report and to charge the costs of such repairs to the Landowner. **It is expressly understood and agreed that the City is under no obligation to routinely maintain or repair said Drainage Facilities, and in no event shall this Agreement be construed to impose any such obligation on the City.**

6. The Landowner will perform the work necessary to keep the Drainage Facilities in good working order as appropriate. In the event the City pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Landowner, its successors and assigns, shall reimburse the City upon demand, within thirty (30) days of receipt thereof for all actual reasonable costs incurred by the City hereunder. In the event that the Landowner fails to pay the City for the costs incurred under this section, the City may impress a lien for the costs of such work upon the Property. Such lien shall be perfected by filing in the office of the County Clerk of Tarrant County, Texas an affidavit identifying the Property, stating the amount thereof, and making reference to this Agreement.

7. This Agreement imposes no liability of any kind whatsoever on the City. **THE LANDOWNER AGREES TO HOLD THE CITY HARMLESS FROM ANY LIABILITY IN THE EVENT THE DRAINAGE FACILITIES FAIL TO OPERATE PROPERLY. THE LANDOWNER COVENANTS AND AGREES AND DOES HEREBY INDEMNIFY, HOLD HARMLESS, AND DEFEND THE CITY OF SAGINAW, ITS AGENTS, SERVANTS AND EMPLOYEES FROM AND AGAINST ALL COSTS, EXPENSES, LOSSES, DAMAGES, CLAIMS OR CAUSES OF ACTION WHATSOEVER ARISING, OR WHICH MIGHT ARISE, FROM THE FAILURE OF LANDOWNER OR ANY FUTURE OWNERS OF THE ABOVE DRAINAGE FACILITIES OR PROPERTY TO MAINTAIN THE DRAINAGE FACILITIES IN ACCORDANCE HEREWITH, OR AS A RESULT**

OF ANY DAMAGES CAUSED TO PERSON OR PROPERTY DUE TO (1) SLOPE FAILURE OF THE BANK OF THE DRAINAGE FACILITIES OR (2) AND FAILURE OF THE DRAINAGE FACILITIES TO OPERATE IN A MANNER CONSISTENT WITH CITY OF SAGINAW CRITERIA TO PERFORM ANY OF ITS DUTIES OR OBLIGATIONS HEREUNDER.

8. The Landowner covenants and agrees that no habitable building shall be erected within the drainage easement on the Lot 3 Property but this paragraph shall not preclude construction or placement of other improvements, subject to the expressed written approval by the City, within the drainage easement that do not impede drainage such as landscaping, benches, trash receptacles, light poles, play areas and other temporary items.

9. This Agreement shall be recorded among the land records of Tarrant County, Texas, and shall constitute a covenant running with the land, and shall be binding on the Landowner, its successors and assigns, including any property owners' association. Notwithstanding anything to the contrary contained in this Agreement, neither Landowner nor any future owner of all or any portion of the Property shall be liable under any indemnification or other obligations under this Agreement with respect to claims, losses, damages, events or occurrence other than those arising during or relating to the respective period of such Landowner's or future owner's ownership of the Property.

Executed this 8TH day of November 2022.

Landowner
AM & JK Development, LLC

Faroowq Wazirali
Title: Manager

City
City of Saginaw

Todd Flippo, Mayor

ATTEST

Janice England, City Secretary

STATE OF TEXAS §

COUNTY OF TARRANT §

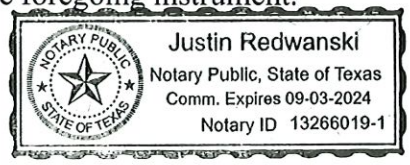
This instrument was acknowledged before me on _____ by Todd Flippo, Mayor of the City of Saginaw, on behalf of the City of Saginaw.

_____
Notary Public, State of Texas

STATE OF TEXAS §

COUNTY OF DALLAS §

Before me, the undersigned authority on this day personally appeared Farooq Wazirali, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same is the act of Farooq Wazirali, and that he executed the same as its manager and as the act of such manager and for the purposes and consideration expressed in the foregoing instrument.



_____
Notary Public, State of Texas

STATE OF TEXAS §

COUNTY OF DALLAS §

This instrument was acknowledged before me on November 8, 2022 by, Farooq Wazirali, authorized representative, acting on behalf of The View Development _____.

_____
Notary Public, State of Texas

Exhibit "A"

The Lot 3 Property

BEGINNING at a point for corner in the north right-of-way line of Saginaw Square Boulevard (a variable width right-of-way);

THENCE North 18°19'35" West, departing the said north right-of-way line of Saginaw Square Boulevard, a distance of 280.41 feet to a point for corner in the south line of Lot 1, Block 1, Old Decatur Addition, an addition to the City of Saginaw according to the plat recorded in Cabinet B, Slide 873, Plat Records, Tarrant County, Texas (P.R.T.C.T.), from which a 5/8" iron rod found bears South 89°23'14" West, a distance of 293.94 feet, said iron rod being the northwest corner of said 15.0736 acre tract;

THENCE North 89°23'14" East, along the south line of said Lot 1, Old Decatur Addition, a distance of 542.62 feet to a point for corner in the said north right-of-way line of Saginaw Square Boulevard, from which a 5/8" iron rod found bears North 89°23'14" East, a distance of 229.45 feet, said iron rod being in the north line of said 15.0736 acre tract and the southwest corner of a tract of land described as a 12.1739 acre tract in said Special Warranty Deed with Vendor's Lien to AM & JK Development LLC;

THENCE along the said north right-of-way line of Saginaw Square Boulevard the following calls:

1) South 00°36'46" East, departing the said south line of Lot 1, Old Decatur Addition, a distance of 1.52 feet to a point for corner being the beginning of a non-tangent curve to the left with a radius of 385.00 feet, a central angle of 48°53'26", and a chord bearing and distance of South 64°56'31" West, 318.65 feet;

2) In a southwesterly direction, with said non-tangent curve to the left, an arc distance of 328.52 feet to a point for corner being the beginning of a non-tangent curve to the right with a radius of 768.17 feet, a central angle of 16°01'23", and a chord bearing and distance of South 50°44'15" West, 214.13 feet;

3) In a southwesterly direction, with said non-tangent curve to the right, an arc distance of 214.82 feet to the **POINT OF BEGINNING** and containing 58,119 square feet or 1.3342 acres of land, more or less.

Exhibit "A-1"

The Lot 4 Property

BEGINNING at a 5/8" iron rod found being the northwest corner Lot 2R-A, Block A, Saginaw Retail Center Addition, an addition to the City of Saginaw according to the plat recorded in Instrument Number D205802271, O.P.R.T.C.T. and the northeast corner of said 15.0736 acre tract;

THENCE South 00°35'54" East, a distance of 570.30 feet to a 5/8" iron rod found in the west line of Lot 1R, Block A, Walmart Supercenter at Saginaw Addition, an addition to the City of Saginaw according to the plat recorded in Cabinet A, Slide 8990, P.R.T.C.T., said iron rod being the southeast corner of said 15.0736 acre tract and the northeast corner of Lot 6, Block 1, Ballard Addition, an addition to the City of Saginaw according to the plat recorded in Instrument Number D214183015, O.P.R.T.C.T.;

THENCE South 89°26'49" West, along the north line of said Lot 6, at a distance of 200.00 feet passing a 1/2" iron rod found, said iron rod being the northwest corner of said Lot 6 and the northeast corner of Lot 2R4-D, Block A, Van Zandt Place, an addition to the City of Saginaw according to the plat recorded in Instrument Number D220228801, O.P.R.T.C.T, continuing in all a total distance of 1,015.77 feet to a point for corner, from which a 1/2" iron rod found with a cap stamped "ISBELL ENGR" bears South 89°26'49" West, a distance of 17.57 feet, said iron rod being in the east right-of-way line of Old Decatur Road (a variable width right-of-way) and the northwest corner of Lot 2R4-A of said Van Zandt Place;

THENCE North 18°19'35" West, a distance of 147.50 feet to a point for corner, said point being the south corner of a corner clip in the south right-of-way line of said Saginaw Square Boulevard;

THENCE along the said south right-of-way line of Saginaw Square Boulevard the following calls:

1) North 26°40'25" East, along said corner clip, a distance of 7.07 feet to a point for corner, said point being the east corner of said corner clip;

2) North 71°40'25" East, a distance of 61.63 feet to a point for corner being the beginning of a non-tangent curve to the left with a radius of 838.17 feet, a central angle of 29°01'01", and a chord bearing and distance of North 57°08'04" East, 419.96 feet;

3) In a northeasterly direction, with said non-tangent curve to the left, an arc distance of 424.48 feet to a point for corner being the beginning of a non-tangent curve to the right with a radius of 315.00 feet, a central angle of 49°07'14", and a chord bearing and distance of North 64°49'37" East, 261.86 feet;

4) In a northeasterly direction, with said non-tangent curve to the right, an arc distance of 270.05 feet to a point for corner;

5) North 89°23'14" East, a distance of 207.12 feet to a point for corner being the beginning of a tangent curve to the left with a radius of 235.00 feet, a central angle of 45°42'03", and a chord bearing and distance of North 66°32'12" East, 182.51 feet;

6) In a northeasterly direction, with said tangent curve to the left, an arc distance of 187.44 feet to a point for corner;

THENCE North 89°38'24" East, departing the said south right-of-way line of Saginaw Square Boulevard, a distance of 30.20 feet to the **POINT OF BEGINNING** and containing 416,838 square feet or 9.5693 acres of land, more or less.

Exhibit "B"

OPERATION AND MAINTENANCE PLAN

The only responsibility the City of Saginaw has in the operation and maintenance of the Drainage Facilities is inspection.

(1) Trees, Brush, and Woody Growth
Control weeds, brush, and woody vegetation in the Valley Storage. This vegetation and its roots shall be removed before it reaches 1 foot in height, or ¾ inch in diameter. Following removal, properly fill and compact the resulting holes. In cases where the roots cannot be removed, treat root systems with herbicide that is in accordance with applicable Federal, State, and local laws and regulations.

(2) Embankment and Earth Fill Areas
Soil that is removed from the embankment, drainage structures and other earthen appurtenances by erosion, vandalism, rodents, vehicles or other causes shall be replaced to original slopes and grades. The material selected for embankment should be fine-grained soils that easily break down when worked with compaction equipment. NO STANDING WATER IS ALLOWED

(3) Grass Cover
The slopes and crest must have established grass cover to avoid erosion and soil loss. Grassed areas shall be mowed monthly between the months of April and October or anytime vegetation exceeds 12-inches in height.

(4) Litter, Sediment, and Debris
Accumulated litter, sediment, and debris shall be removed every 6 months or as necessary to maintain proper operation of the basin. Disposal shall be in accordance with federal, state and local regulations.

City of Saginaw

Meeting Date: 12/6/2022

Agenda Items: (5)

Staff Contact: Todd Flippo, Mayor and Keith C. Rinehart, Director of Community & Economic Development

E-mail: krinehart@saginawtx.org

Phone: 8172300331

SUBJECT:
Presentation of 2022 Economic Development Award of Merit from the Texas Economic Development Council

BACKGROUND/DISCUSSION:
At the Texas Economic Development Council (TEDC) State Conference in San Antonio TX, the City of Saginaw was nominated and awarded a Community Economic Development Award of Merit for outstanding achievement in Community Economic Development. The City of Saginaw was recognized in the Business Retention Category for their successful Building Improvement Grant Program. The awards were presented at the TEDC's 2022 Annual Conference on Thursday, October 20, 2022.

Southern Saginaw and the Overlay District needed a dose of Urban Regeneration. Urban regeneration is defined as *"the attempt to reverse that decline by both improving the physical structure, and, more importantly and elusively, the economy of those areas"*. The Saginaw City Council was committed to using public money (Building Improvement Grants) to do just that…to pump prime investments into an area providing significant and measurable benefits.

To date, twenty-six (26) grants totaling over $106,224 have been awarded by the City of Saginaw with over $425,113 of improvements made by the business owners. Not only was this a 400% return on the City of Saginaw's investment, it also significantly helped the facility appearance and atmosphere in Southern Saginaw.

Nominees were judged on five criteria: innovativeness, transferability, community commitment and leverage, measured objectives, and secondary benefits. The City of Saginaw competed in the category with other municipalities of a population 20,001 to 50,000 citizens.

The Community Economic Development Award program recognizes exceptional contributions of TEDC member cities toward the economic vitality of their communities and the state of Texas through creativity, leadership, and partnership in the achievement of business retention, business recruitment and community improvement.

FINANCIAL IMPACT:
NA

RECOMMENDATION:
NA

City of Saginaw

Meeting Date: 12/6/2022

Staff Contact: Susy Victor-Trevino
Planning Manager
Salvador Gonzalez
Management Analyst

Agenda Items: (6)

E-mail: svictor@saginawtx.org
sgonzalez@saginawtx.org

Phone: 817-230-0440 817-230-0550

SUBJECT:
PUBLIC HEARING - Consideration and Action regarding Recommendation from Planning and Zoning Commission on Ordinance No. 2022-20, rezoning nine identified properties to "NMU" Neighborhood Mixed Use Zoning in the City of Saginaw, Texas, more specifically described as: Approximately 1.7 acres, Saginaw Springs, Block 2, Lot 30 Commercial Tract 2; Approximately 4.6 acres, Albright, Alexander F. Survey Abstract 1849 Tract 2C04; Approximately 12 acres, Albright, Alexander F. Survey Abstract 1849 Tract 2C; Approximately 1.4 acres, Idea Schools Addition Block A Lot 1; Approximately 10.6 acres, Idea Schools Addition Block A Lot 2; Approximately 0.2 Acres, Albright, Alexander F. Survey Abstract 1849 Tract 3A; Approximately 4.0 acres, Albright, Alexander F. Survey Abstract 1849 Tract 3H05; Approximately 22.2 acres, Alford, James P. Survey Abstract 53 Tract 2A City Boundary Split; and Approximately 3.1 acres, Alford, James P. Survey Abstract A 53 Tract 1K; and Revising the Official Zoning Map

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BACKGROUND/DISCUSSION:
See attached information and minutes from the November 8th Planning and Zoning Meeting which includes their recommendation (Item 5).

FINANCIAL IMPACT:
N/A

RECOMMENDATION:
See recommendation from the Planning and Zoning Commission in the attached minutes (Item 5).

ATTACHMENTS:

Description

Proposed Ordinance 2022-20
NMU District Summary
P&Z Minutes, 11-08-2022
NMU Zoning--Reply Forms Recd

P&Z Packet Info.

ORDINANCE NO. 2022-20

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, REZONING NINE IDENTIFIED PROPERTIES TO "NMU" NEIGHBORHOOD MIXED-USE ZONING, IN THE CITY OF SAGINAW, TEXAS, MORE SPECIFICALLY DESCRIBED AS: APPROXIMATELY 1.7 ACRES, SAGINAW SPRINGS BLOCK 2 LOT 30 COMMERCIAL TRACT 2; APPROXIMATELY 4.6 ACRES, ALBRIGHT, ALEXANDER F SURVEY ABSTRACT 1849 TRACT 2C04; APPROXIMATELY 12 ACRES, ALBRIGHT, ALEXANDER F SURVEY ABSTRACT 1849 TRACT 2C; APPROXIMATELY 1.4 ACRES, IDEA SCHOOLS ADDITION BLOCK A LOT 1 ; APPROXIMATELY 10.6 ACRES, IDEA SCHOOLS ADDITION BLOCK A LOT 2; APPROXIMATELY 0.2 ACRES, ALBRIGHT, ALEXANDER F SURVEY ABSTRACT 1849 TRACT 3A; APPROXIMATELY 4.0 ACRES, ALBRIGHT, ALEXANDER F SURVEY ABSTRACT 1849 TRACT 3H05; APPROXIMATELY 22.2 ACRES, ALFORD, JAMES P SURVEY ABSTRACT 53 TRACT 2A CITY BOUNDARY SPLIT; AND APPROXIMATELY 3.1 ACRES, ALFORD, JAMES P SURVEY ABSTRACT A 53 TRACT 1K; REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE WITH THEREWITH; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City has a substantial interest in protecting the health, safety, welfare, convenience, and enjoyment of the general public and has adopted zoning regulations to further this interest; and

WHEREAS, the City adopted an update to the Comprehensive Plan in 2022, which includes a Future Land Use Plan designating certain areas as Neighborhood Mixed-Use (NMU); and

WHEREAS, the City adopted a new NMU zoning district to implement the Comprehensive Plan by providing for low-intensity mixed uses compatible with residential land uses and encouraging the development of community gathering spaces, and enacting regulations related to landscaping, screening, and fencing of this new zoning district; and

WHEREAS, the City has selected parcels to rezone to NMU based on their designation of NMU in the Comprehensive Plan's Future Land Use Plan; and

WHEREAS, the Planning and Zoning Commission of the City of Saginaw, Texas held a public hearing on November ____, 2022, and the City Council of the City of Saginaw, Texas, held a public hearing on December 6, 2022, with respect to the regulations described herein; 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 to amend the Zoning Regulations of the City.

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

SECTION 1.

The Comprehensive Zoning Ordinance of the City of Saginaw, as amended, is hereby amended by rezoning the nine properties more fully described and depicted on the attached Exhibit "A" as "NMU" Neighborhood Mixed-Use District.

SECTION 2.

The use of the properties described above shall conform to all applicable regulations contained in the zoning ordinance and all other applicable and pertinent ordinances of the City of Saginaw.

SECTION 3.

The zoning district as herein established has been made in accordance with the Comprehensive Plan's Future Land Use Plan for the purpose of promoting the health, safety, morals, and general welfare of the community.

SECTION 4.

The official zoning map of the City of Saginaw is hereby amended and the City Secretary is directed to revise the zoning map to reflect the zoning classification, as set forth above.

SECTION 5.

This ordinance shall be cumulative of all provisions of ordinances and the Code of Ordinances of the City of Saginaw, Texas, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

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 phrase, clause, sentence, paragraph or section of this ordinance shall be declared void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness, or

unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 7.

All rights or remedies of the City of Saginaw, Texas, are expressly saved as to any and all violations of the Saginaw City Code or any amendments thereto that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 8.

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 ($2000.00) for each violation of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 9.

The City Secretary of the City of Saginaw is hereby directed to publish at least twice 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 Local Government Code.

SECTION 10.

This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the laws of the State of Texas.

PASSED AND APPROVED ON this the ____ day of _____, 2022.

_____
Todd Flippo, Mayor

ATTEST:

_____
Janice England, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____

Bryn Meredith, City Attorney

EXHIBIT A

Parcel Number	Legal Description
1	SAGINAW SPRINGS BLOCK 2 LOT 30 COMMERCIAL TRACT 2
2	ALBRIGHT, ALEXANDER F SURVEY ABSTRACT 1849 TRACT 2C04
3	ALBRIGHT, ALEXANDER F SURVEY ABSTRACT 1849 TRACT 2C
4	1100 LONGHORN ROAD
5	1150 LONGHORN ROAD
6	ALBRIGHT, ALEXANDER F SURVEY ABSTRACT 1849 TRACT 3A
7	ALBRIGHT, ALEXANDER F SURVEY ABSTRACT 1849 TRACT 3H05
8	ALFORD, JAMES P SURVEY ABSTRACT 53 TRACT 2A CITY BOUNDARY SPLIT
9	ALFORD, JAMES P SURVEY ABSTRACT A 53 TRACT 1K

Exhibit A: Parcel 1

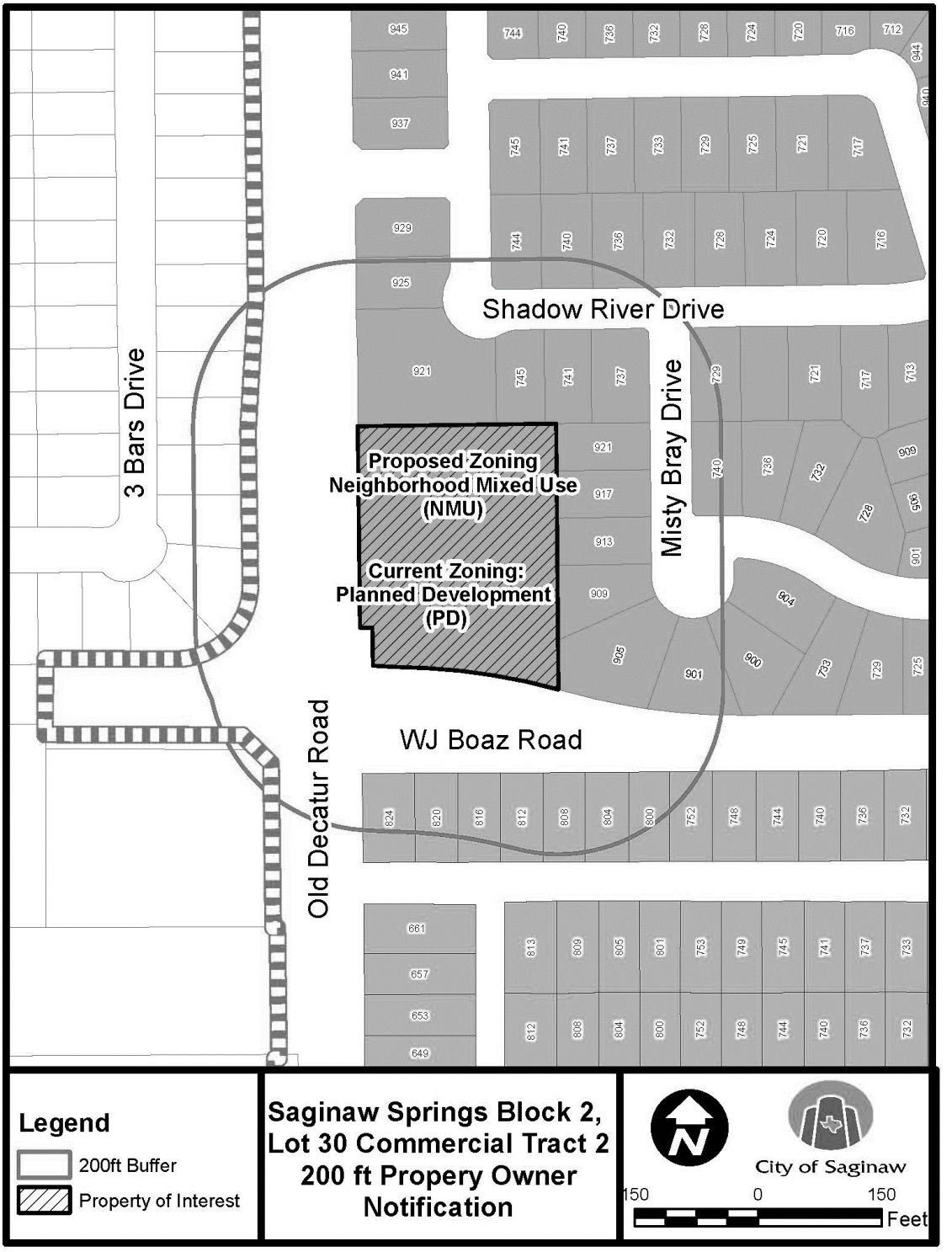


Exhibit A: Parcel 2

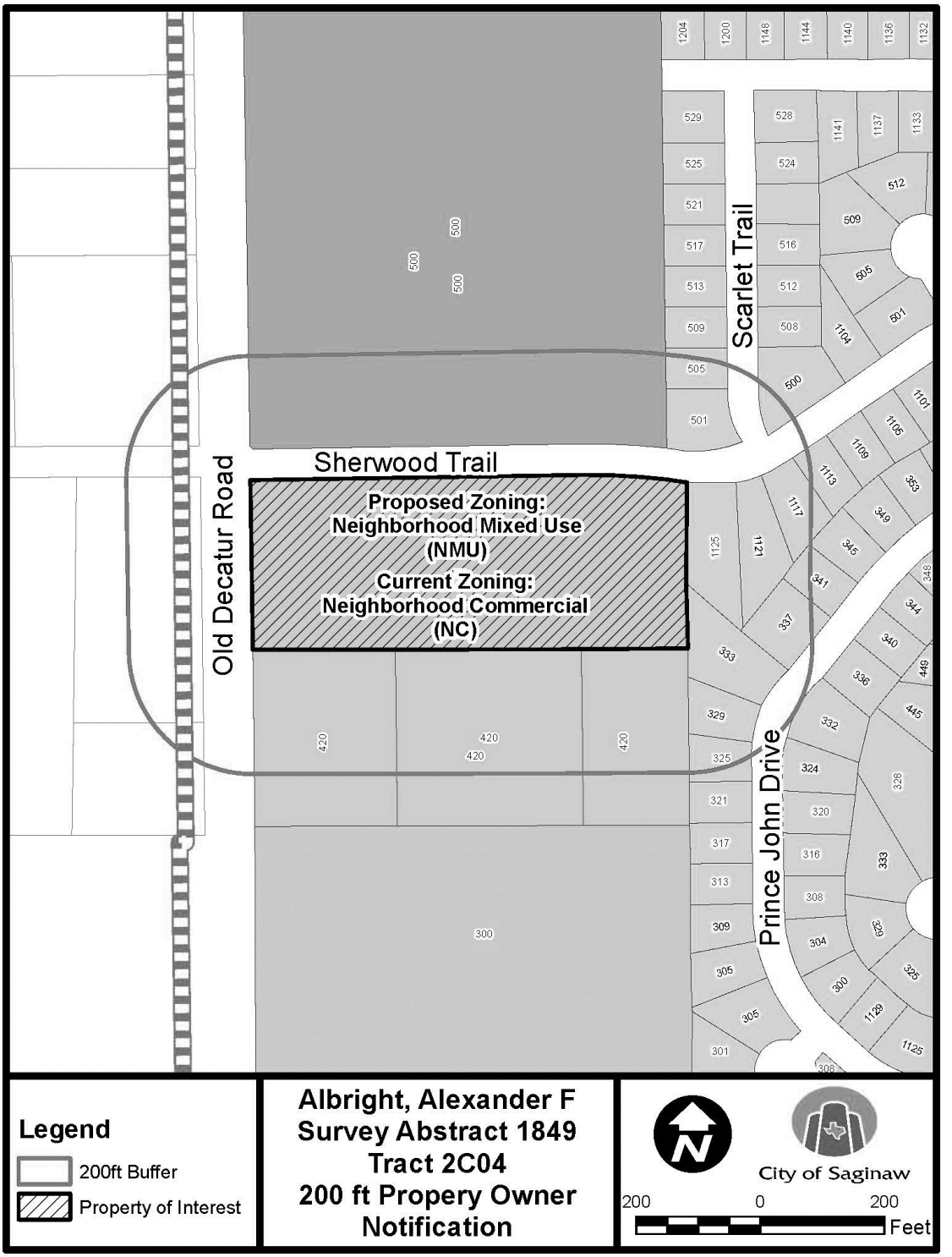


Exhibit A: Parcel 3

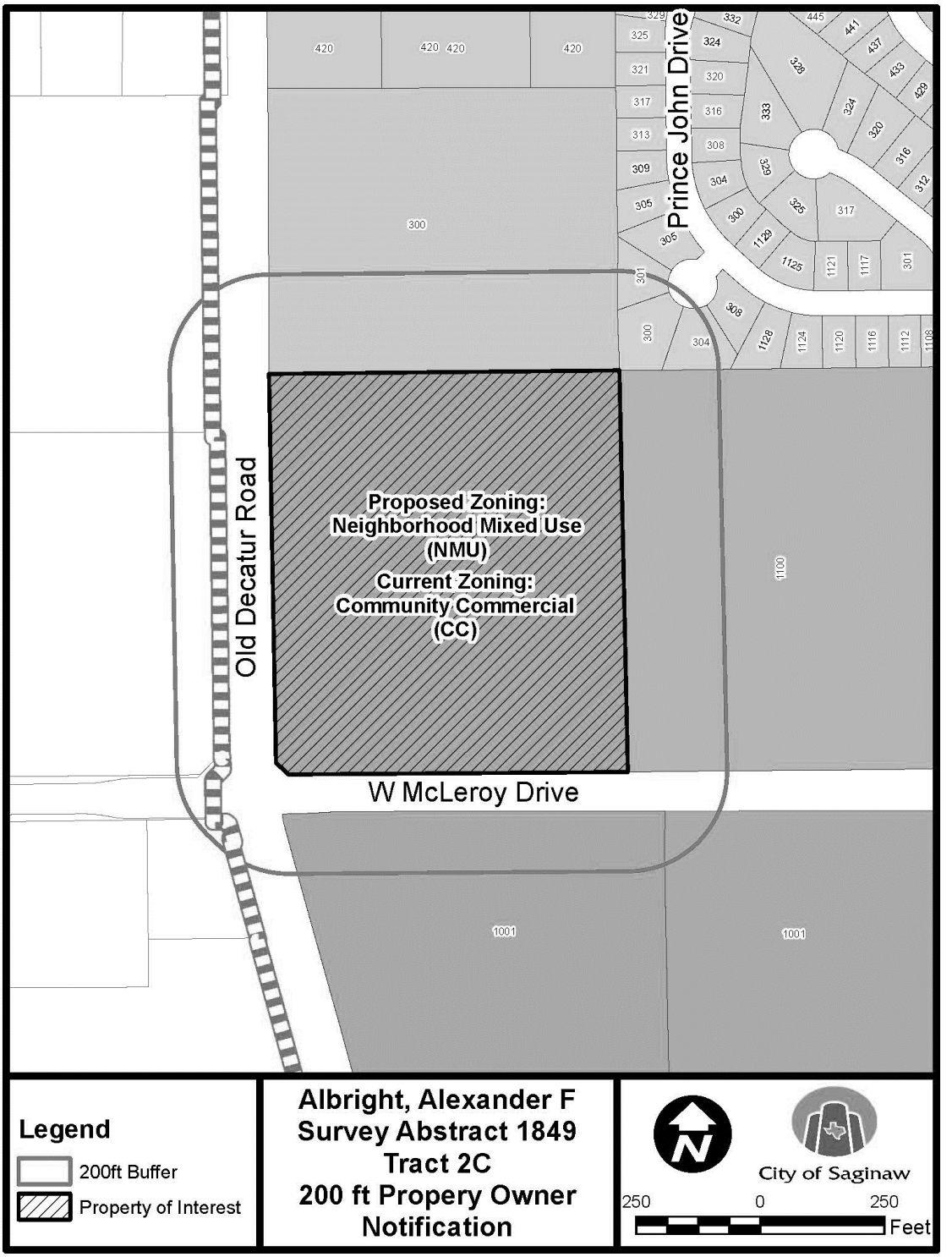


Exhibit A: Parcel 4 & 5

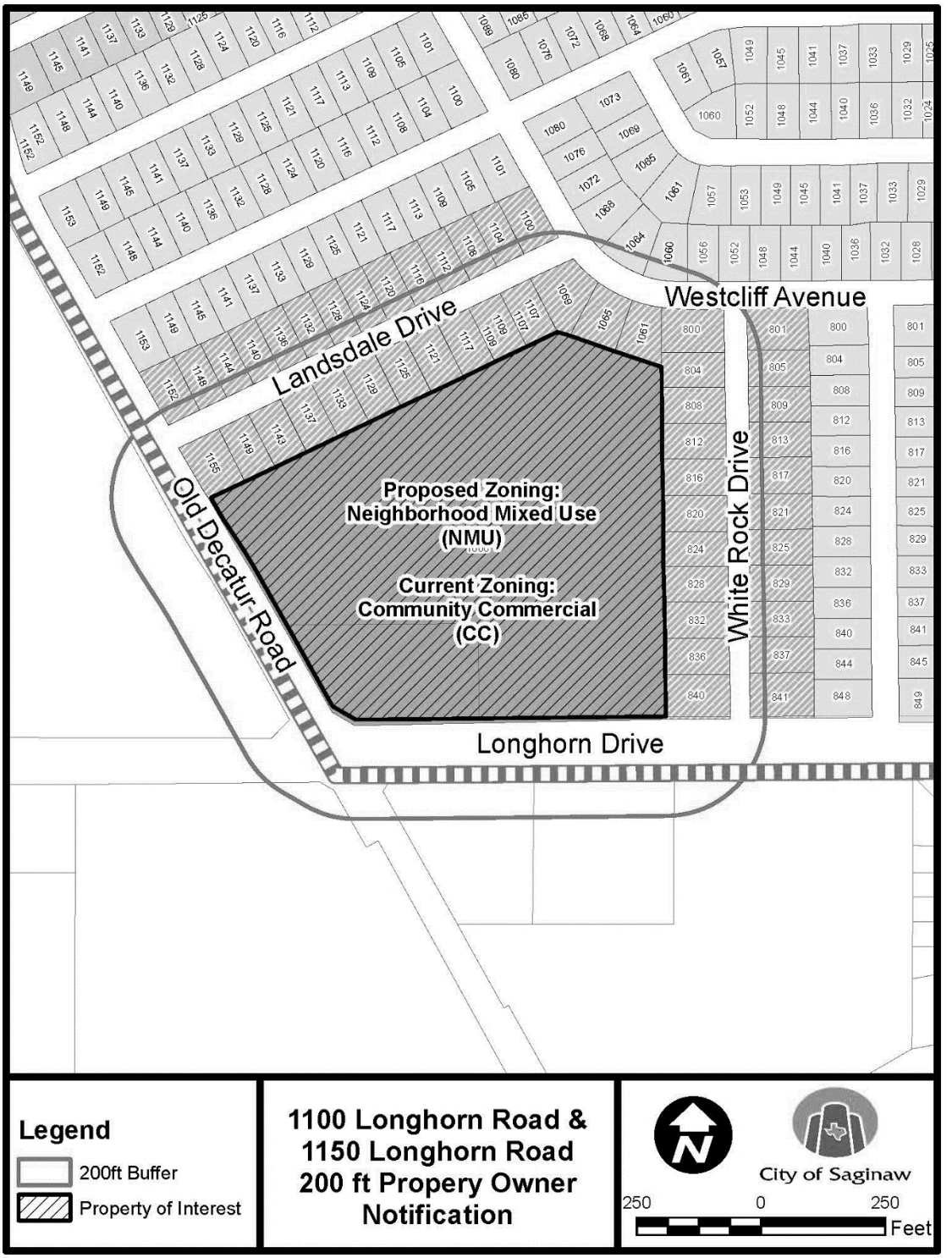


Exhibit A: Parcel 6 & 7

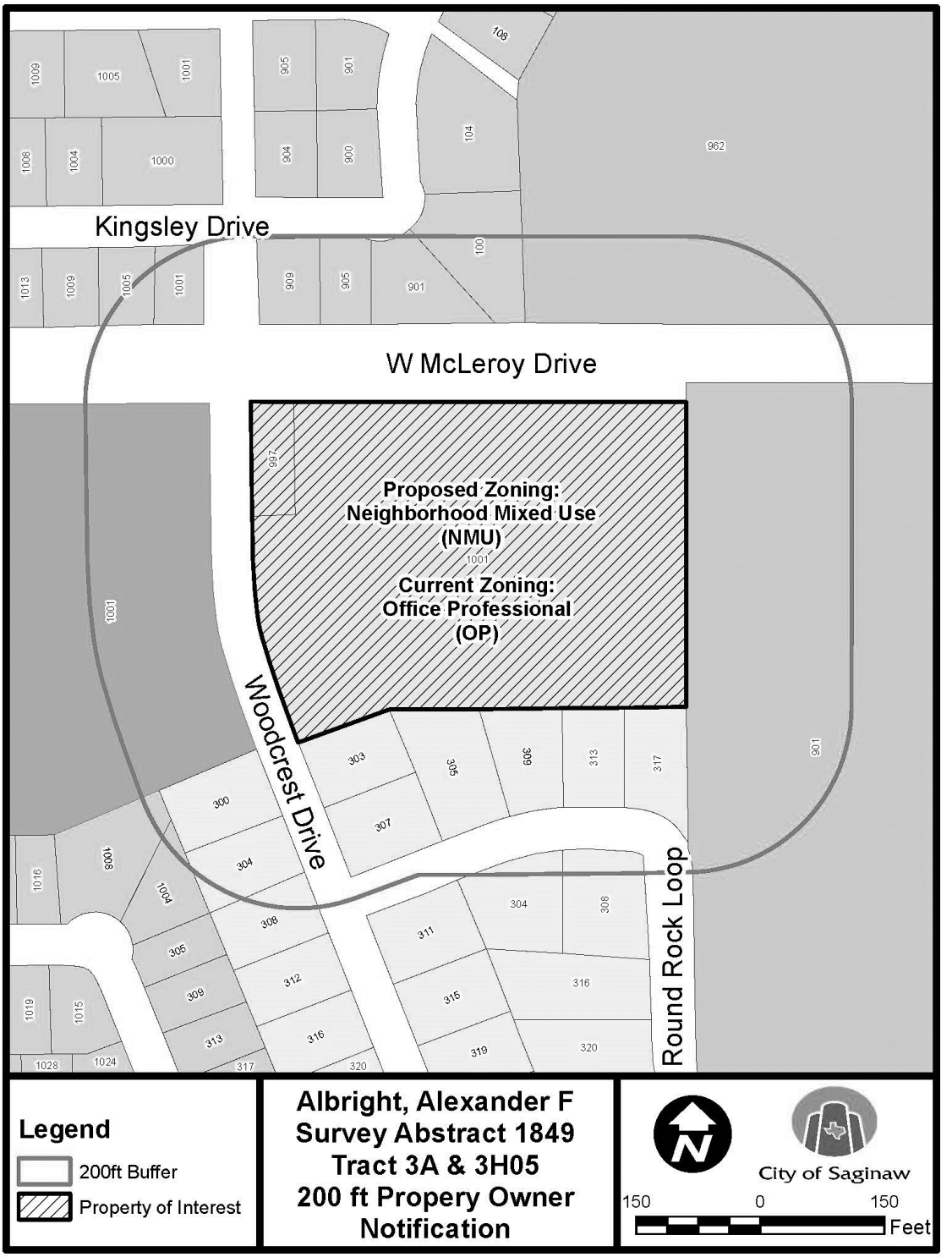


Exhibit A: Parcel 8

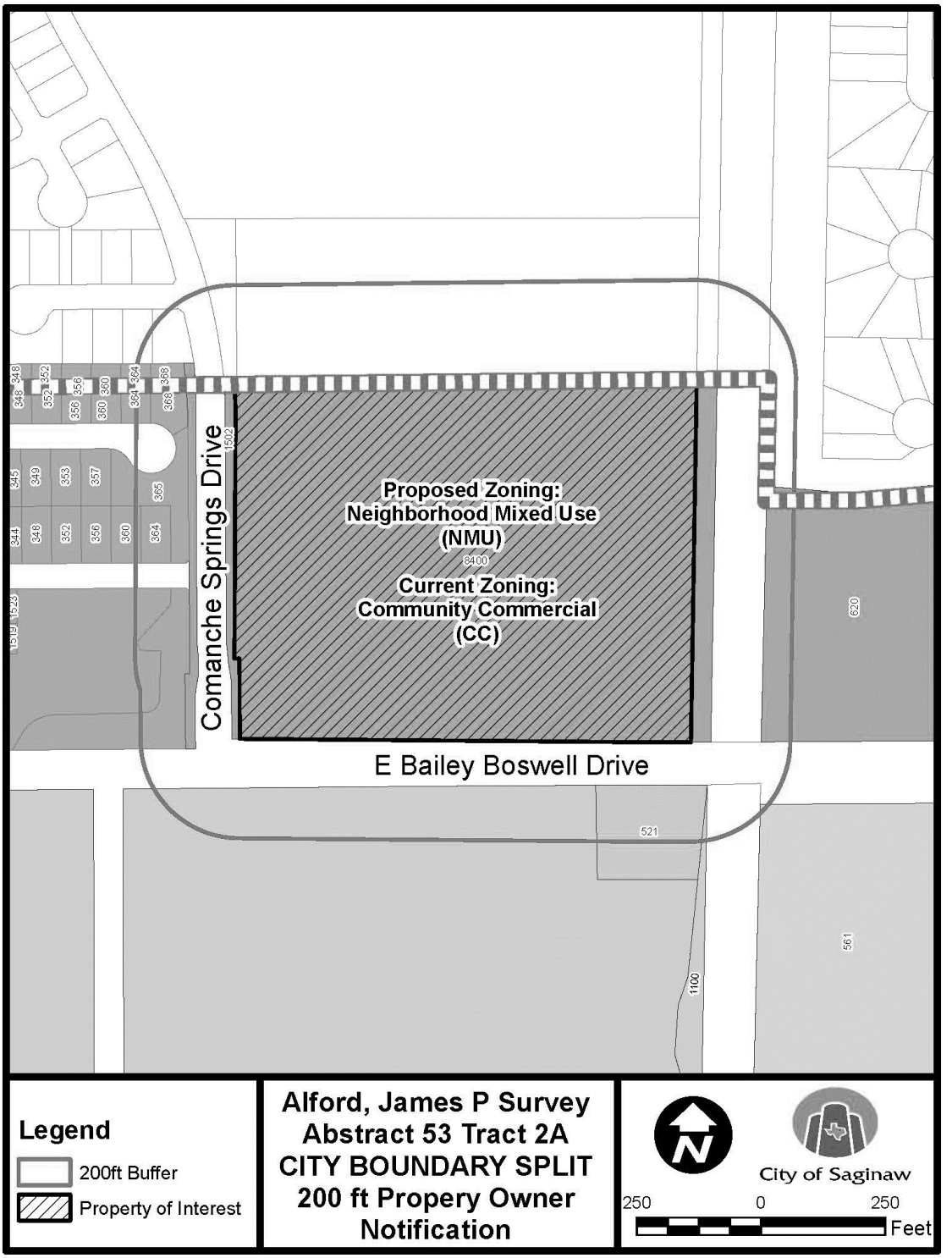
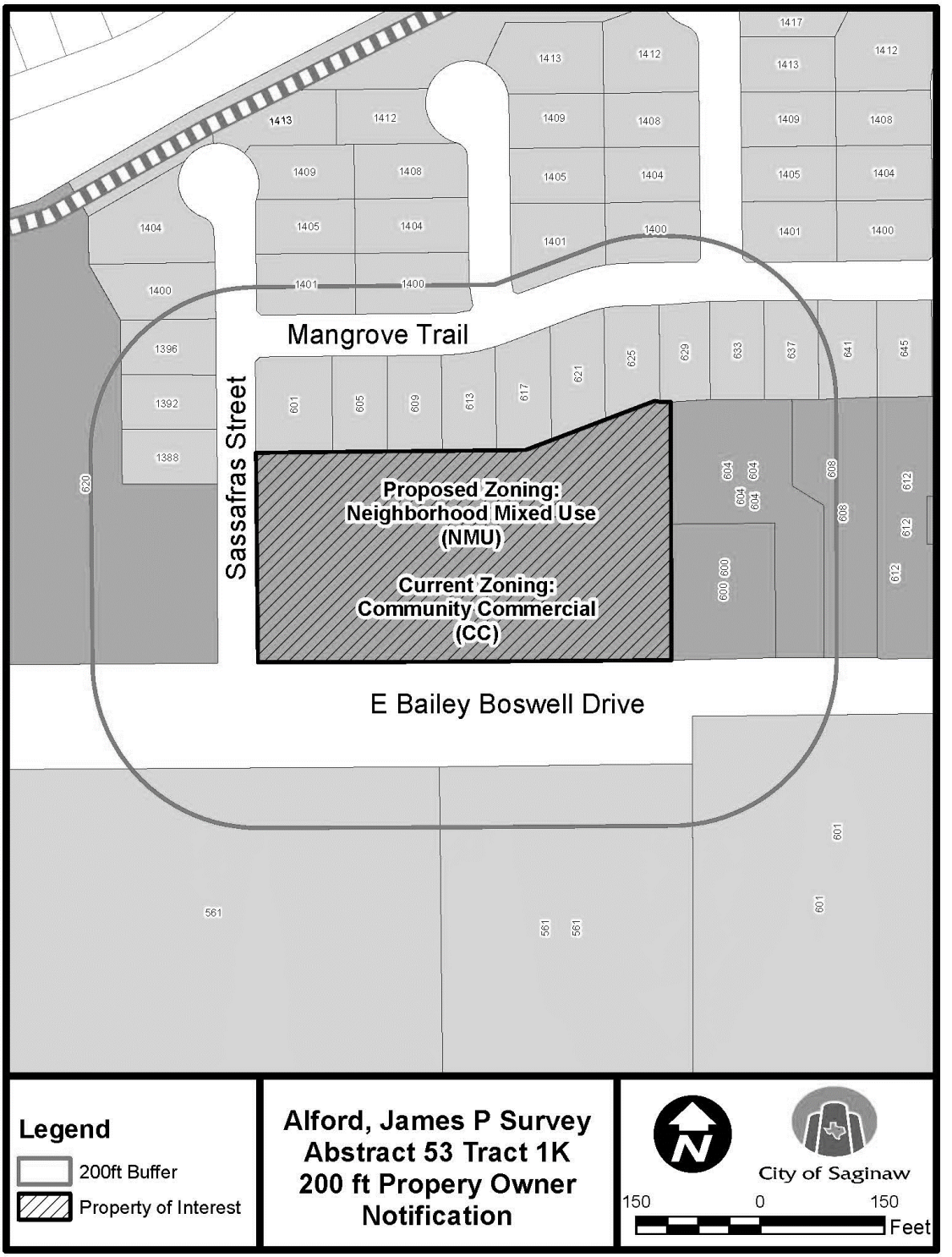


Exhibit A: Parcel 9





SAGINAW
TEXAS

Neighborhood Mixed-Use Zoning District Summary

Encourage valuable frontage to be developed with envisioned commercial use

Buildings along the street to provide walkability and limit two-story views into adjacent residential

Allow limited residential uses to provide walkability and market feasibility

Encourage gathering/parks/plaza areas through residential use activated amenity incentive

Ensure protection of existing homes by requiring enhanced screening & buffering, complementary design, and uses compatible with residential

Prevent residential structure overcrowding and preservation of open space through minimum residential structure separation

MINUTES OF A REGULAR MEETING AND PUBLIC HEARING
OF THE CITY OF SAGINAW
PLANNING AND ZONING COMMISSION
HELD AT THE CITY OF SAGINAW ED KEETER PUBLIC LIBRARY
355 WEST MCLEROY BOULEVARD
November 08, 2022

Present at the Meeting:

Member	Place No. 1	Brent Wooten
Chairman	Place No. 2	William Barngrover
Member	Place No. 3	Phillip Allen
Member	Place No. 4	Ed Larson
Alternate Member	Alt. No. 1	David Kraus
Alternate Member	Alt. No. 2	Lainey Wood*
City Attorney		Rachel Raggio
Planning Manager/Recording Secretary		Susy Victor-Trevino
Management Analyst		Salvador Gonzalez Jr.

Absent from the Meeting:

Vice-Chairman	Place No. 5	Jason LaBruyere

*Alternate Member Wood had to leave at the beginning of the meeting.

Visitors at the Meeting:

Abra Nusser	Donna Sketes
John Ainsworth	Brian Sketes
Peter Drolet	Noe Garcia
Marty Rader	John Ainsworth
Adam Burke	Sophie Bien Gerardin
Randy Mauger	Barbara Tucker
Jacob Abramovich	

(1) Call to Order

Chairman Barngrover called the meeting to order at 6:06 P.M.

(2) Roll Call to Establish Quorum

Chairman Barngrover called roll. The quorum will consist of Chairman Barngrover, Members Wooten, Allen, Larson, and Alternate Member Kraus.

(3) Audience Participation

Chairman Barngrover explained the procedures regarding audience participation.

(4) Approval of Minutes

The minutes of a regular meeting and public hearing on October 11, 2022 were presented for approval. A motion was made by Member Wooten with a second by Member Allen to approve the minutes for October 11, 2022. Motion carried unanimously.

For: Chairman Barngrover, Members Wooten, Allen, Larson, and Alternate Member Kraus

Against: None

Absent Vice-Chairman LaBruyere

5) PZ 1122-01 PUBLIC HEARING

Consideration and Action Regarding Approval of a Request for City-Initiated Rezoning of multiple parcels to "NMU" - Neighborhood Mixed-Use District for conformance to the City's Comprehensive Plan, being approximately 85 acres on the following properties: Saginaw Springs, Block 2, Lot 30, Commercial Tract 2; Albright, Alexander F Survey Abstract 1849 Tract 2C04; Albright, Alexander F Survey Abstract 1849 Tract 2C; Albright, Alexander F Survey Abstract 1849 Tract 3H; Idea Schools Addition Block A, Lot 1; Idea Schools Addition Block A, Lot 2; Albright, Alexander F Survey Abstract 1849 Tract 3A; Albright, Alexander F Survey Abstract 1849 Tract 3H05; Alford, James P Survey Abstract 53 Tract 2A City Boundary Split; and Alford, James P Survey Abstract A 53 Tract 1K, Saginaw, Tarrant County, Texas.

Chairman Barngrover opened the public hearing at 6:10 p.m.

Abra Nusser, from Peloton Solutions, briefed the Commission on the background of the ordinance, the Comprehensive Plan, and the details of each tract. Audience members concerns and questions were also addressed during the presentation, including Peter Drolet, who had overall questions regarding rezoning and how the City regulates certain issues. The Commission heard from different developers, Larry Frazier and Adam Burke, in the audience against the proposed zoning as well. Representatives from parcels six and ten shared their disapproval of the zoning change and explained that their projects would no longer work given the proposed regulations. They also explained that they solely purchased the parcels based off the initial zoning and thus the zoning would impact their plans. Planning Manager Victor-Trevino explained to the Commission that although no formal applications have been received from either parcel, the city would recommend removing the parcels from batch one if they could not adhere to the proposed regulations.

Chairman Barngrover closed the public hearing at 6:56 p.m.

A motion was made by Member Larson with a second by Member Wooten to recommend that the City Council approve a request for City-Initiated Rezoning of multiple parcels to "NMU" - Neighborhood Mixed-Use District for conformance to the City's Comprehensive Plan, being approximately 85 acres on the following properties: Saginaw Springs, Block 2, Lot 30, Commercial Tract 2; Albright, Alexander F Survey Abstract 1849 Tract 2C04; Albright, Alexander F Survey Abstract 1849 Tract 2C; Albright, Alexander F Survey Abstract 1849 Tract 3H; Idea Schools Addition Block A, Lot 1; Albright, Alexander F Survey Abstract 1849 Tract 3A; Albright, Alexander F Survey Abstract 1849 Tract 3H05; and Alford, James P Survey Abstract 53 Tract 2A City Boundary Split, Saginaw, Tarrant County, Texas and to recommend the disapproval of the following properties; Idea Schools Addition Block A, Lot 2, and Alford, James P Survey Abstract A 53 Tract 1K, Saginaw, Tarrant County, Texas.

For: Chairman Barngrover
Members Wooten, Allen, Larson, and Alternate Member Kraus

Against: None

Absent Vice-Chairman LaBruyere, Alternate Member Wood

(6) PZ 1122-02

Consideration and Action Regarding Approval of a Final Plat (Conveyance Plat) for Lots 3 & 4, Block, 1 The Square, Benjamin Thomas Survey, Abstract 1497, City of Saginaw, Tarrant County, Texas.

John Ainsworth, from Kimley-Horn, briefed the Commission on the background and details of the conveyance plat and answered the Commission's questions. Audience participation was bypassed.

A motion was made by Alternate Member Kraus with a second by Member Larson to recommend that the City Council approve a Final Plat (Conveyance Plat) for Lots 3 & 4, Block, 1 The Square, Benjamin Thomas Survey, Abstract 1497, City of Saginaw, Tarrant County, Texas.

For: Chairman Barngrover
Members Wooten, Allen, Larson, and Alternate Member Kraus

Against: None

Absent Vice-Chairman LaBruyere, Alternate Member Wood

(7) PZ 1122-03 PUBLIC HEARING
Consideration and Action Regarding Approval to Consider an Ordinance Amending the Zoning Ordinance of the City of Saginaw, Texas, Amending Article 2, "Planning and Zoning Commission," of Appendix A, "Zoning," of the Saginaw City Code, which Establishes a Planning and Zoning Commission and Provides for the Purposes, Organization, and Membership of the Commission.

Chairman Barngrover opened the public hearing at 7:05 p.m.

Management Analyst, Salvador Gonzalez Jr., briefed the Commission on the background and details of the ordinance. Questions over the ordinance by the Commission were addressed by Management Analyst Gonzalez Jr., with specific legal questions beings addressed by City Attorney, Rachel Raggio. Audience participation was bypassed.

Chairman Barngrover closed the public hearing at 7:09 p.m.

A motion was made by Member Wooten with a second by Alternate Member Kraus to recommend that the City Council approve an Ordinance Amending the Zoning Ordinance of the City of Saginaw, Texas, Amending Article 2, "Planning and Zoning Commission," of Appendix A, "Zoning," of the Saginaw City Code, which Establishes a Planning and Zoning Commission and Provides for the Purposes, Organization, and Membership of the Commission.

For: Chairman Barngrover
Members Wooten, Larson, and Alternate Member Kraus

Against: Member Allen

Absent Vice-Chairman LaBruyere, Alternate Member Wood

(8) PZ 1122-04 PUBLIC HEARING
Consideration and Action Regarding Approval to Consider an Ordinance Amending the Zoning Ordinance of the City of Saginaw, Texas, Amending Article 3, "Board of Adjustment," of Appendix A, "Zoning," of the Saginaw City Code, which establishes a Board of Adjustment and Provides for the Purposes, Organization, and Membership of the Board.

Chairman Barngrover opened the public hearing at 7:10 p.m.

Management Analyst, Salvador Gonzalez Jr., briefed the Commission on the background and details of the ordinance. Audience participation was bypassed.

Chairman Barngrover closed the public hearing at 7:12 p.m.

A motion was made by Member Wooten with a second by Member Larson to recommend that the City Council approve an Ordinance Amending the Zoning Ordinance of the City of Saginaw, Texas, Amending Article 3, "Board of Adjustment," of Appendix A, "Zoning," of the Saginaw City Code, which establishes a Board of Adjustment and Provides for the Purposes, Organization, and Membership of the Board.

For: Chairman Barngrover
Members Wooten, Allen, Larson, and Alternate Member Kraus

Against: None

Absent Vice-Chairman LaBruyere, Alternate Member Wood

(9) PZ 1122-05 PUBLIC HEARING

Consideration and Action Regarding Approval to Consider an Ordinance Amending the Zoning Ordinance of the City of Saginaw, Texas, Amending Section 7-1 "PD Planned Development District" of Article 7 "Special Districts" of Appendix A "Zoning" of the Saginaw City Code by Removing the Minimum Acreage Requirement for Planned Development Districts.

Chairman Barngrover opened the public hearing at 7:13 p.m.

Planning Manager Susy Victor-Trevino briefed the Commission on the background and details of the ordinance. The questions of the commission were then addressed by Planning Manager, Victor-Trevino. Audience participation was bypassed.

Chairman Barngrover closed the public hearing at 7:21 p.m.

A motion was made by Member Larson with a second by Member Wooten to recommend that the City Council approve an Ordinance Amending the Zoning Ordinance of the City of Saginaw, Texas, Amending Section 7-1 "PD Planned Development District" of Article 7 "Special Districts" of Appendix A "Zoning" of the Saginaw City Code by Removing the Minimum Acreage Requirement for Planned Development Districts.

For: Chairman Barngrover
Members Wooten, Allen, Larson, and Alternate Member Kraus

Against: None

Absent Vice-Chairman LaBruyere, Alternate Member Wood

(10) Staff Report

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

B. Update Commission of City Council Action on Previous Cases

Planning Manager Victor-Trevino and Management Analyst Gonzalez Jr. reviewed several of the current projects under construction in the city.

(11) 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.

(12) Adjournment

Motion was made by Member Larson with a second by Member Wooten to adjourn the meeting. Motion carried.

For: Chairman Barngrover
Members Wooten, Allen, Larson, and Alternate Member Kraus

Against: None

Absent Vice-Chairman LaBruyere, Alternate Member Wood

Chairman Barngrover declared the meeting of November 08, 2022 closed at 7:32 p.m.

APPROVED:

_____
Chairman

ATTEST:

_____
Susy Victor-Trevino,
Planning Manager/Recording Secretary

REPLY FORM

In order to be on record, this form may be filled out and mailed to the Planning Manager, at City of Saginaw, Texas, P. O. Drawer 79070, Saginaw, Texas 76179. If you have questions concerning this request, please call the Planning Manager, Susy Victor-Trevino, at 817-230-0440.

The Planning & Zoning Commission Meeting on 11/08/2022 at 6:00 p.m. and the City Council Meeting on 12/06/2022 at 6:00 p.m. is in regards to a request for city-initiated rezoning of multiple parcels, approximately 85 acres of land in Saginaw, Texas, to "NMU" - Neighborhood Mixed-Use District for conformance to the City's Comprehensive Plan.

Name: Randy Mauger - North Forest Office Space

Address: 4645 Wyndham Lane Suite 250B, Frisco, TX, 7503

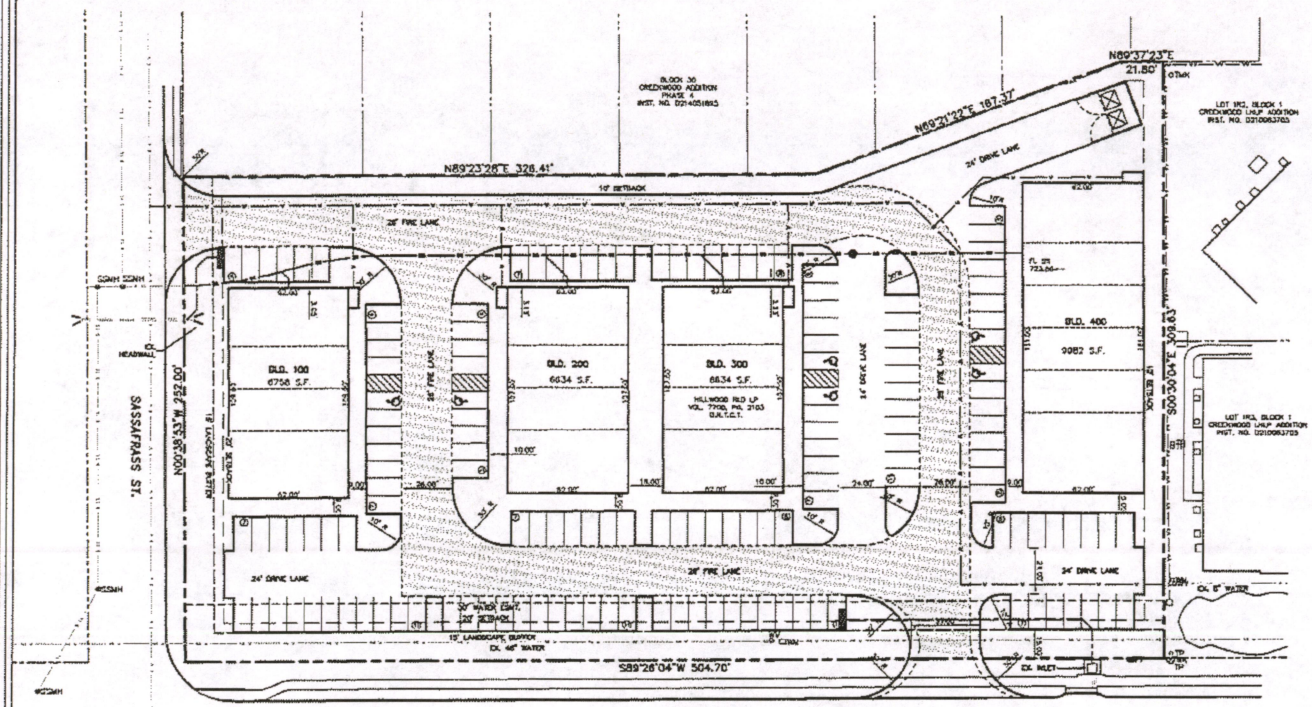
Phone Number: _____

( ) In Favor

(X) Opposed

Reasons and/or Comments:

We are the owners and developers for Site #10 located at Sassafrass and E Bailey Boswell. We were not consulted about this rezoning of our property. We have had a development plan prepared since early 2022 and we have had conversations with Saginaw's Planning, Engineering, and Fire Marshals on our site plan to discuss comments and feedback. We have site plan and architectural approval from Hillwood Group on this site already. We purchased this site in June of this year with the existing Community Commercial zoning in mind during our due diligence. Our building model is very specific and we have only professional office space and medical office space users. The NMU requirements would disrupt our current plan and not work with our design standards (Sec 6-18 NMU Item B). The rear setbacks and build to zone will put us out of our business model we have had since 1982. Our model is exclusively neighborhood services and fits perfectly with the surrounding area and the Community Commercial zoning. The zoning change could have a major detrimental monetary impact on our existing development plans for this property.



SITE DATA TABLE			
PROP. USE	PROFESSIONAL OFFICE		
ADDRESS	BAILEY BOSWELL BLVD.		
GROSS SITE AREA	3.056 ACRES		
ZONING	CC		
CURRENT USE	VACANT		
BUILDING DATA			
BUILDING AREA	30,008 S.F.		
PARKING SUMMARY		REQ.	PROV.
PROFESSIONAL OFFICE	(CITY 1:250)	120	151
	(NFOS 1:200)	150	
HC PARKING		6	6

Scale 1"=30'

No.	DATE	REVISION	APPROV.

PRELIMINARY - FOR REVIEW ONLY. This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document. T. E. MIDDLETON, JR. R.P.L.S. 5748

STATE OF TEXAS T. E. MIDDLETON, JR. 5748 REGISTERED PROFESSIONAL LAND SURVEYOR

Middleton & Associates, LLC.
PROJECT ENGINEER:
CONSULTING CIVIL ENGINEERS & LAND PLANNERS
TBPE #-10900 © Copyright 2022
2765 ROCKBROOK DRIVE, SUITE 105
LEWISVILLE, TEXAS 75067 (972) 393-9000

PRELIMINARY CONCEPT PLAN 7

NORTH FOREST OFFICE SPACE
BAILEY BOSWELL BLVD.
SAGINAW, TEXAS

Drawing File: 0057018CONCEPT7.DWG	DATE:	SCALE:	SHEET NO.
Project No. 0057018	3-16-22	1"=30'	1 / 1

REPLY FORM

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before 6pm

The Planning & Zoning Commission Meeting on 11/08/2022 at 6:00 p.m. and the City Council Meeting on 12/06/2022 at 6:00 p.m. is in regards to a request for city-initiated rezoning of multiple parcels, approximately 85 acres of land in Saginaw, Texas, to "NMU" - Neighborhood Mixed-Use District for conformance to the City's Comprehensive Plan.

Nov. 20, 2021

Name: Guadalupe Barreto

Address: 533 Sierra Blanca Dr.
Property own also at 1068 Westcliff Ave.

Phone Number:

( ) In Favor

(X) Opposed

Reasons and/or Comments

First, I want to thank Ms. Victor-Trevino for sharing the information she had regarding this project.

I opposed because not enough information is provided for this issue.

My unanswered questions: What will be the estimated number of units? Human density? What is the plan to alleviate the traffic in the streets around the project.

Both meetings are not scheduled on days that I can attend.

I am a president of a non-profit and our meetings are on Tuesdays.

REPLY FORM

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The Planning & Zoning Commission Meeting on 11/08/2022 at 6:00 p.m. and the City Council Meeting on 12/06/2022 at 6:00 p.m. is in regards to a request for city-initiated rezoning of multiple parcels, approximately 85 acres of land in Saginaw, Texas, to "NMU" - Neighborhood Mixed-Use District for conformance to the City's Comprehensive Plan.

Name: Roderick Hill

Address: 1113 Sherwood Trl.

Phone Number: [redacted]

(✓) In Favor

( ) Opposed

Reasons and/or Comments

N/A

REPLY FORM

In order to be on record, this form may be filled out and mailed to the Planning Manager, at City of Saginaw, Texas, P. O. Drawer 79070, Saginaw, Texas 76179. If you have questions concerning this request, please call the Planning Manager, Susy Victor-Trevino, at 817-230-0440.

The Planning & Zoning Commission Meeting on 11/08/2022 at 6:00 p.m. and the City Council Meeting on 12/06/2022 at 6:00 p.m. is in regards to a request for city-initiated rezoning of multiple parcels, approximately 85 acres of land in Saginaw, Texas, to "NMU" - Neighborhood Mixed-Use District for conformance to the City's Comprehensive Plan.

Name: Pat Peacock

Address: 1120 Springfield Dr. Saginaw, TX 76179

Phone Number: [illegible]

(X) In Favor

( ) Opposed

Reasons and/or Comments

CITY OF SAGINAW
PLANNING AND ZONING COMMISSION
AUDIENCE PARTICIPATION FORM

In an effort to maintain order, the following policy has been adopted for anyone wishing to speak during an item listed on the agenda. ***PLEASE NOTE: PRESENTATIONS/COMMENTS ARE LIMITED TO 3 MINUTES PER PERSON.***

1. Complete the information at the bottom of this form and give the form to the Public Works Director. The form will be given to the Chairman and he will call on you during the item.

2. When the Chairman calls you to speak, you will need to speak from the podium. Before you begin your remarks, state your name and address for the official record.

DECLINED

Date: NOV 8, 2022

Item Number: PZ1122-01 Do you wish to speak *FOR* or *AGAINST* the item? _____

Subject: REZONING

Name: MARTY RADER

Address: _____

Telephone: _____ E-Mail: _____

CITY OF SAGINAW
PLANNING AND ZONING COMMISSION
AUDIENCE PARTICIPATION FORM

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2. When the Chairman calls you to speak, you will need to speak from the podium. Before you begin your remarks, state your name and address for the official record.

Date: 11/8/22

Item Number: _____ Do you wish to speak *FOR* or *AGAINST* the item? Concerned

Subject: Rezoning

Name: Peter Drolet

Address: 917 Misty Brook Ct

Telephone: _____ E-Mail: _____

CITY OF SAGINAW
PLANNING AND ZONING COMMISSION
AUDIENCE PARTICIPATION FORM

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Date: 11/8/22

Item Number: _____ Do you wish to speak *FOR* or *AGAINST* the item? AGAINST

Subject: PROPERTY ID NMU ZONING

Name: ADAM BURKE

Address: 305 N HEATHERWILDE DR STE 250, PFLUGERVILLE, TX 78660

Telephone: [redacted] E-Mail: [redacted]

CITY OF SAGINAW
PLANNING AND ZONING COMMISSION
AUDIENCE PARTICIPATION FORM

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Date: NOV 8, 2022 PARCEL 6
Item Number: P21122-01 Do you wish to speak *FOR* or *AGAINST* the item? _____

Subject: REZONING

Name: LARRY FRAZIER
Address: 8073 EAGLE MOUNTAIN CIRCLE
Telephone: _____ E-Mail: _____

City of Saginaw
Planning and Zoning

Neighborhood Mixed-Use (NMU) City Initiated Rezoning

Date: November 08, 2022

To: Chairman and Members of the Planning and Zoning Commission

From: Susy Victor-Trevino, Planning Manager

Subject: Consideration and Action Regarding Approval of a Request for City-Initiated Rezoning of multiple parcels to "NMU" - Neighborhood Mixed-Use District for conformance to the City's Comprehensive Plan, being approximately 85 acres on the following properties: Saginaw Springs, Block 2, Lot 30, Commercial Tract 2; Albright, Alexander F Survey Abstract 1849 Tract 2C04; Albright, Alexander F Survey Abstract 1849 Tract 2C; Albright, Alexander F Survey Abstract 1849 Tract 3H; Idea Schools Addition Block A, Lot 1; Idea Schools Addition Block A, Lot 2; Albright, Alexander F Survey Abstract 1849 Tract 3A; Albright, Alexander F Survey Abstract 1849 Tract 3H05; Alford, James P Survey Abstract 53 Tract 2A City Boundary Split; and Alford, James P Survey Abstract A 53 Tract 1K, Saginaw, Tarrant County, Texas.

Background/Discussion:

On August 09, 2022 the Planning and Zoning Commission made a recommendation to Council to approve the request to consider amending the Code of Ordinances, Appendix A (Zoning Ordinance No. 2002-04) Amending Article 5 "Permitted Uses", Article 6 "Zoning Districts", Article 8 "Supplemental District Regulations", and Article 12 "Definitions", Providing for Standards Relating to a New Neighborhood Mixed-Use Zoning District. On August 16, 2022, the City Council voted unanimously to table this item and approved the item on September 06, 2022.

The new zoning district, Neighborhood Mixed-Use, was created to assist the City in executing the 2022 Comprehensive Plan's vision. Now that both the Planning and Zoning Commission and City Council have approved the new Neighborhood Mixed-Use Zoning District, the next step in the execution process would be to implement the new zoning district throughout the City. The City, with the expertise of Peloton Solutions, has chosen to begin the city-initiated rezoning process for Neighborhood-Mixed-Use Zoning on ten undeveloped parcels. The City wanted to first focus on undeveloped parcels to be able to more effectively utilize remaining land throughout the City in the best interest of our community.

Staff Recommendation:

Staff recommends that the request for an approval of a request for city-initiated rezoning of multiple parcels to "NMU" - Neighborhood Mixed-Use District for conformance to the City's Comprehensive Plan, being approximately 85 acres on the following properties: Saginaw Springs, Block 2, Lot 30, Commercial Tract 2; Albright, Alexander F Survey Abstract 1849 Tract 2C04; Albright, Alexander F Survey Abstract 1849 Tract 2C; Albright, Alexander F Survey Abstract 1849 Tract 3H; Idea Schools Addition Block A, Lot 1; Idea Schools Addition Block A, Lot 2; Albright, Alexander F Survey Abstract 1849 Tract 3A; Albright, Alexander F Survey Abstract 1849 Tract 3H05; Alford, James P Survey Abstract 53 Tract 2A City Boundary Split; and Alford, James P Survey Abstract A 53 Tract 1K, Saginaw, Tarrant County, Texas. be forwarded to the City Council with a recommendation for approval.

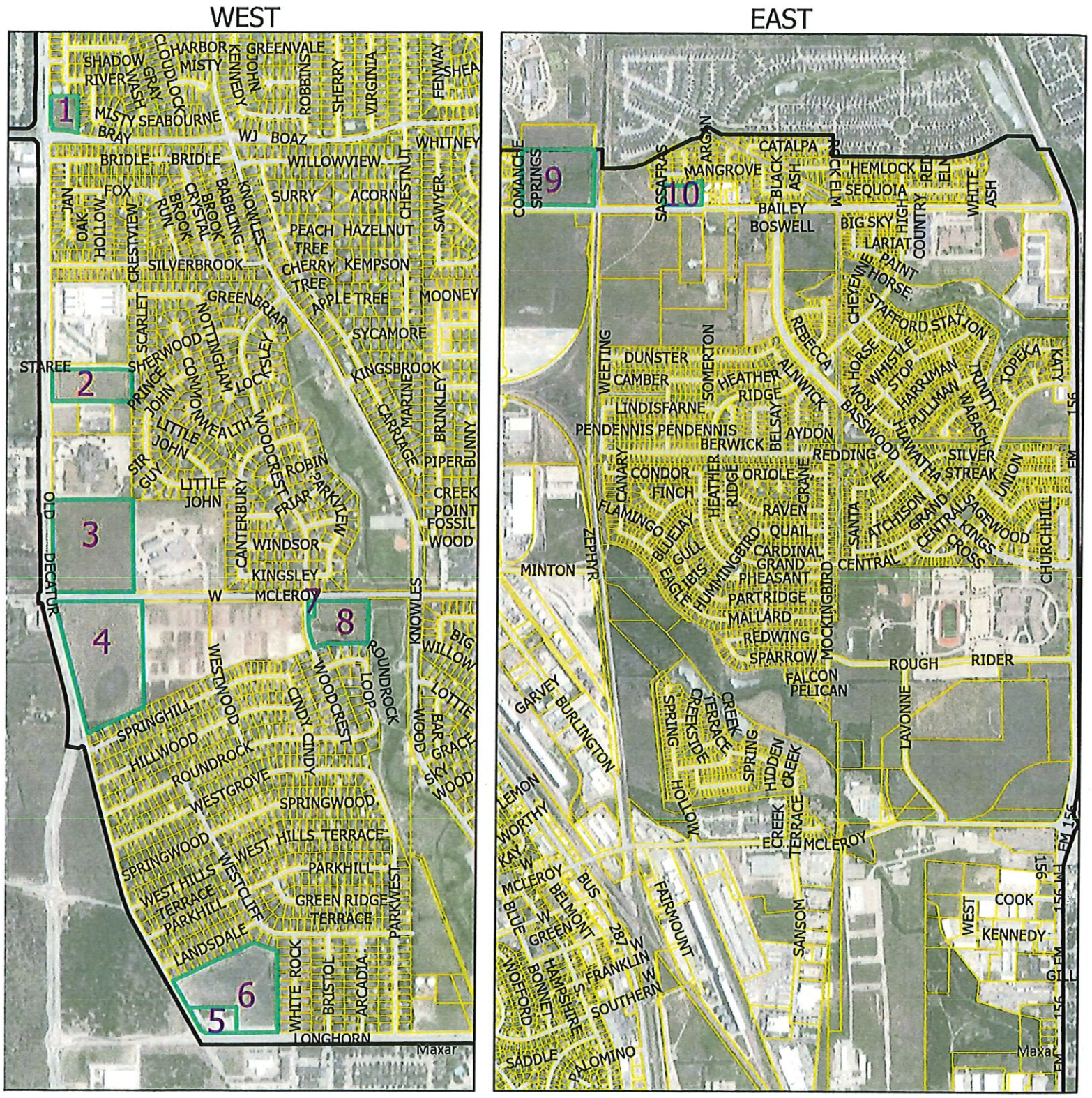
09/13/2022 P&Z Packet Page #8

Attachments:
Ordinance 2022-11, Master Batch Map, Batch 1 Parcel Information, 200 ft. Parcel Maps

CITY OF SAGINAW

BATCH 1 POTENTIAL NEIGHBORHOOD MIXED-USE ZONING

10 Parcels



SOURCE: PELOTON LAND SOLUTIONS, 2022

N

0 500 1,000 2,000 Feet

City of Saginaw City Limits

Tarrant County Parcels

Potential Neighborhood Mixed-Use Parcel(s)

SAGINAW TEXAS

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City of Saginaw

Neighborhood Mixed-Use Rezoning Parcel Exhibits Batch 1

Peloton Land Solutions, October 2022

09/13/2022 P&Z Packet Page #10

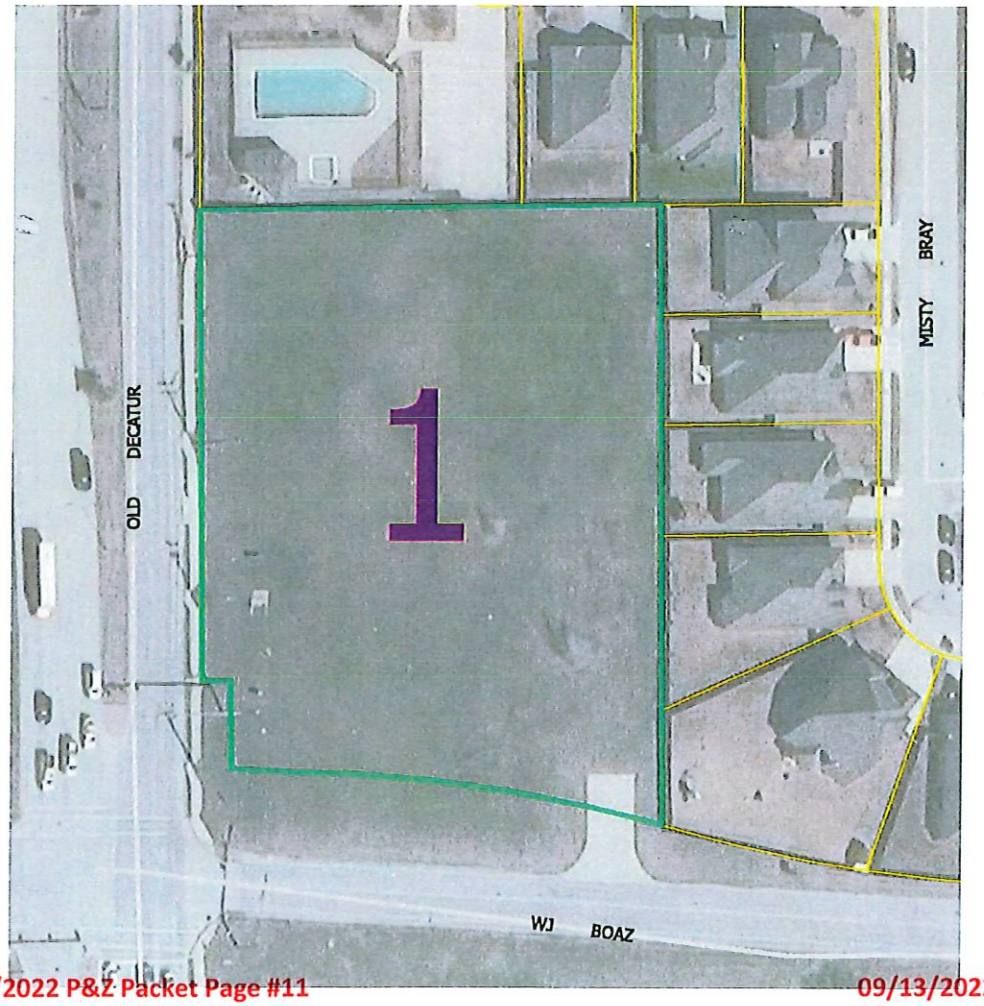
NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 1

VICINITY MAP



LOCATION MAP



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Batch 1, Parcel 1

GENERAL DESCRIPTION

The subject property is located at the northeast corner of Old Decatur Road and WJ Boaz Road and is undeveloped.

SURROUNDING LAND USE

	North: Single Family Residential	
West: (City of Fort Worth) Right-of-Way (Old Decatur Road)	Subject Property: Undeveloped	East: Single Family Residential
	South: Right-of-Way (WJ Boaz Road)	

SUBJECT PROPERTY DETAILS

Size:
1.7 Acres ±

Width:
240' ±
Depth:
299' ±

Existing Zoning:
Planned Development Ord. No. 2021-16
(Mixed Uses)

Platting Status:
Platted

LEGAL DESCRIPTION

SAGINAW SPRINGS, Block 2, Lot 30, COMMERCIAL TRACT 2

Source: Tarrant County Appraisal District, 2022

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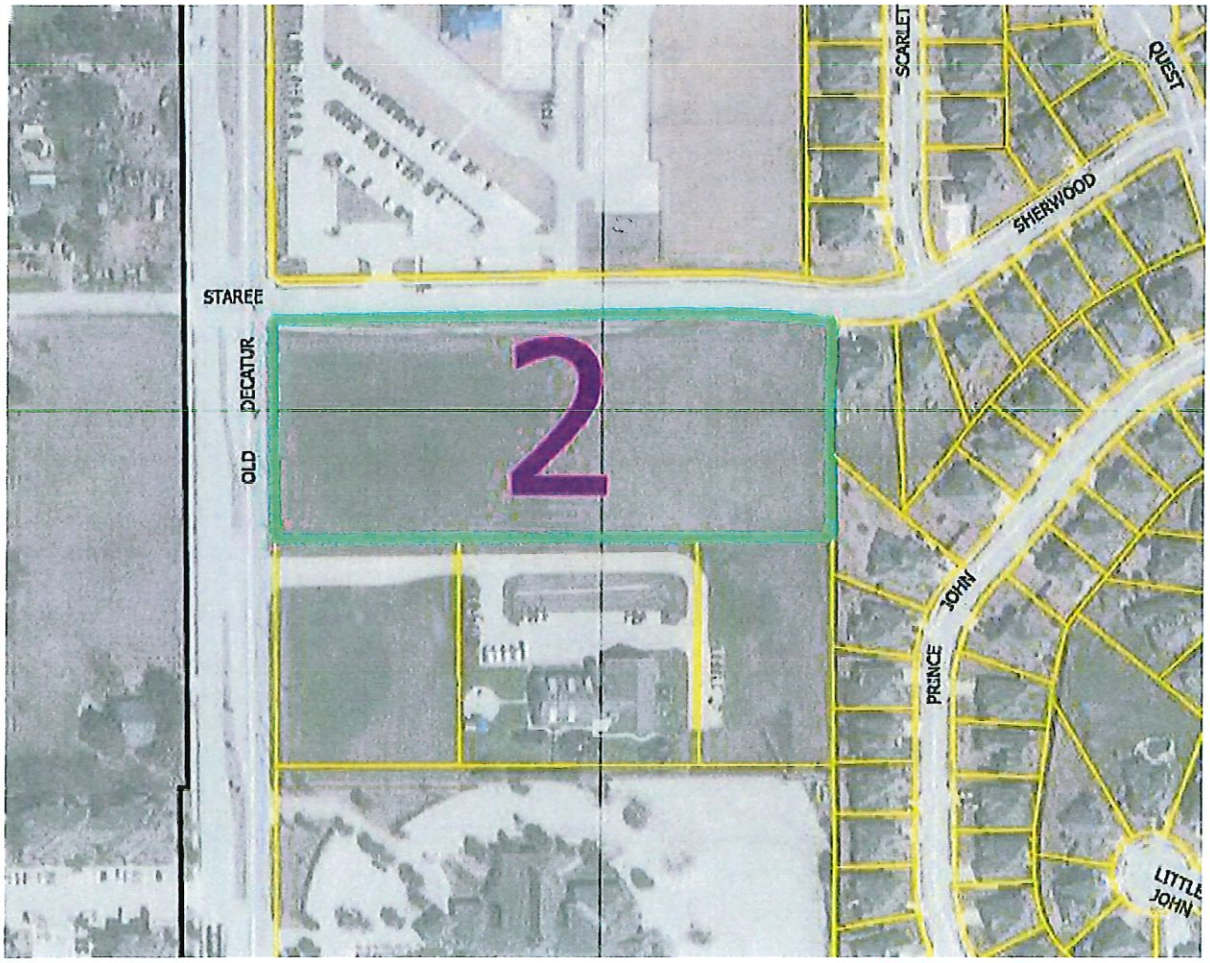
NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 2

VICINITY MAP



LOCATION MAP



09/13/2022 P&Z Packet Page #13

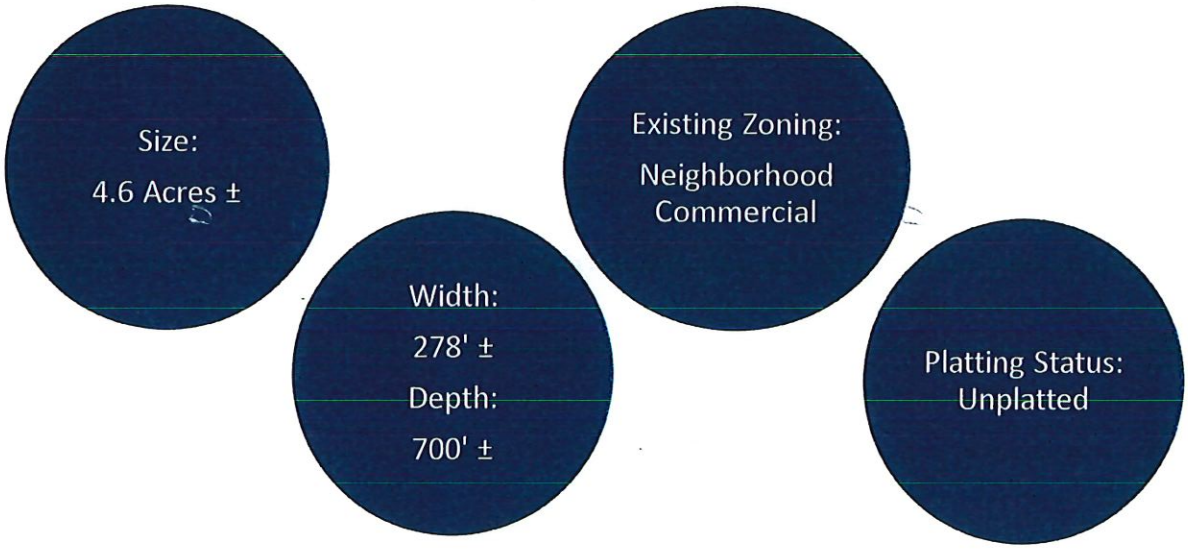
GENERAL DESCRIPTION

The subject property is located at the southeast corner of Old Decatur Road and Sherwood Trail and is undeveloped.

SURROUNDING LAND USE

	North: Right-of-Way (Sherwood Trail)	
West: (City of Fort Worth) Right-of-Way (Old Decatur Road)	Subject Property: Undeveloped	East: Single Family Residential
	South: Country Acres Child Development Center	

SUBJECT PROPERTY DETAILS



LEGAL DESCRIPTION

ALBRIGHT, ALEXANDER F SURVEY Abstract 1849 Tract 2C04

Source: Tarrant County Appraisal District, 2022

09/13/2022 P&Z Packet Page #14

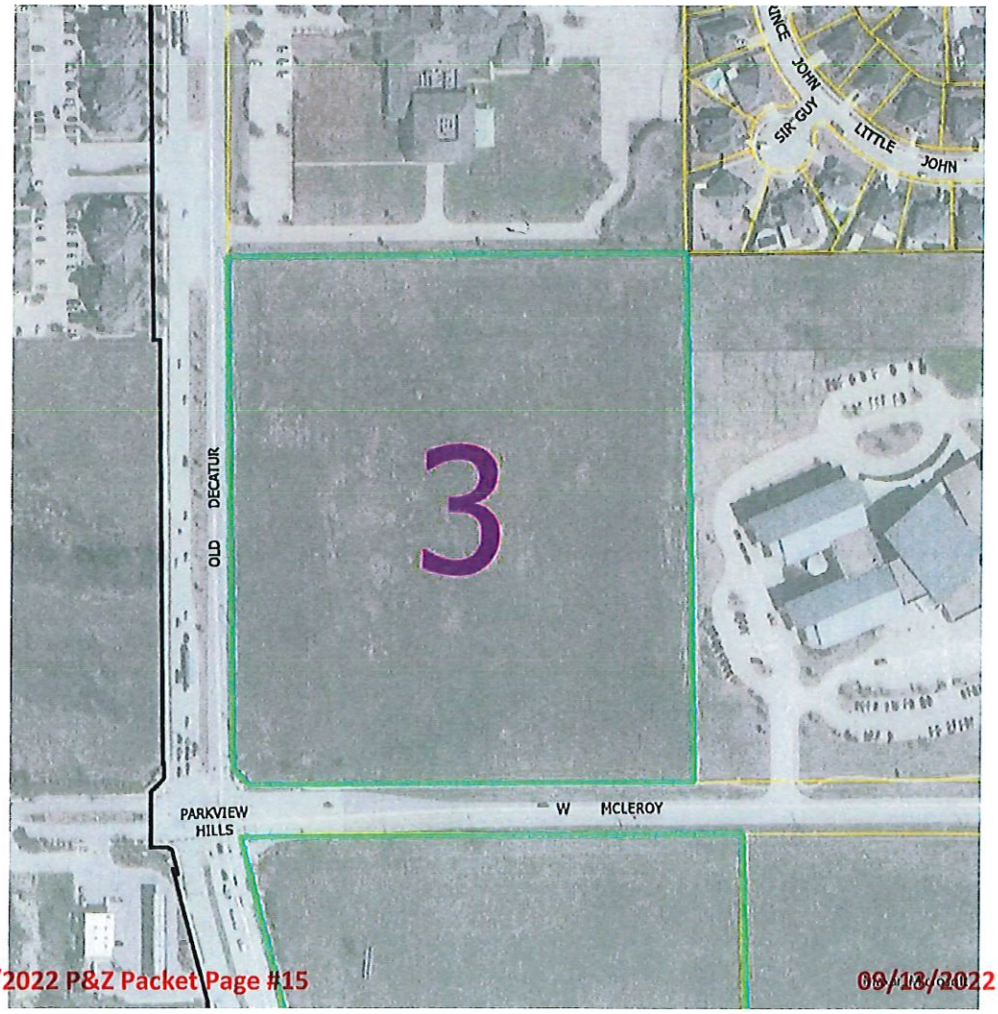
NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 3

VICINITY MAP



LOCATION MAP



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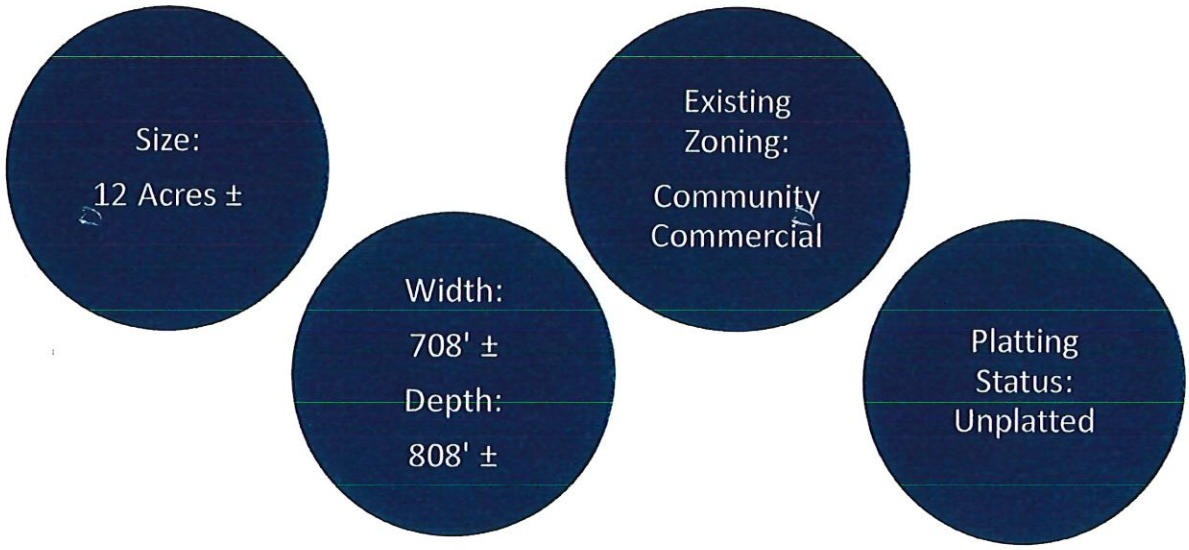
GENERAL DESCRIPTION

The subject property is located at the northeast corner of Old Decatur Road and W McLeroy Boulevard and is undeveloped.

SURROUNDING LAND USE

	North: First Baptist Church	
West: (City of Fort Worth) Right-of-Way (Old Decatur Road)	Subject Property: Undeveloped	East: Willow Creek Elementary School
	South: Right-of-Way (W McLeroy Blvd)	

SUBJECT PROPERTY DETAILS



LEGAL DESCRIPTION

ALBRIGHT, ALEXANDER F SURVEY Abstract 1849 Tract 2C

Source: Tarrant County Appraisal District, 2022

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NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 4

VICINITY MAP



LOCATION MAP



09/13/2022 P&Z Packet Page #17

GENERAL DESCRIPTION

The subject property is located at the southeast corner of Old Decatur Road and W McLeroy Boulevard and is undeveloped.

SURROUNDING LAND USE

	North: Right-of-Way (W McLeroy Blvd)	
West: (City of Fort Worth) Right-of-Way (Old Decatur Road)	Subject Property: Undeveloped	East: Undeveloped
	South: Single Family Residential	

SUBJECT PROPERTY DETAILS



LEGAL DESCRIPTION

ALBRIGHT, ALEXANDER F SURVEY Abstract 1849 Tract 3H

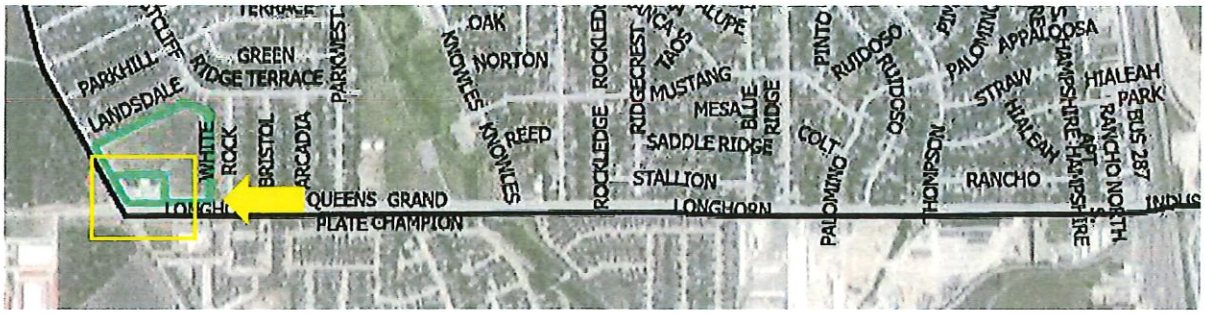
Source: Tarrant County Appraisal District, 2022

09/13/2022 P&Z Packet Page #18

NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 5

VICINITY MAP



LOCATION MAP



09/13/2022 P&Z Packet Page #19

GENERAL DESCRIPTION

The subject property is located at the northeast corner of Old Decatur Road and Longhorn Road and is undeveloped.

SURROUNDING LAND USE

	North: Undeveloped	
West: (City of Fort Worth) Right-of-Way (Old Decatur Road)	Subject Property: Undeveloped	East: Undeveloped
	South: (City of Fort Worth) Right-of-Way (Longhorn Road)	

SUBJECT PROPERTY DETAILS



LEGAL DESCRIPTION

IDEA SCHOOLS ADDITION Block A Lot 1

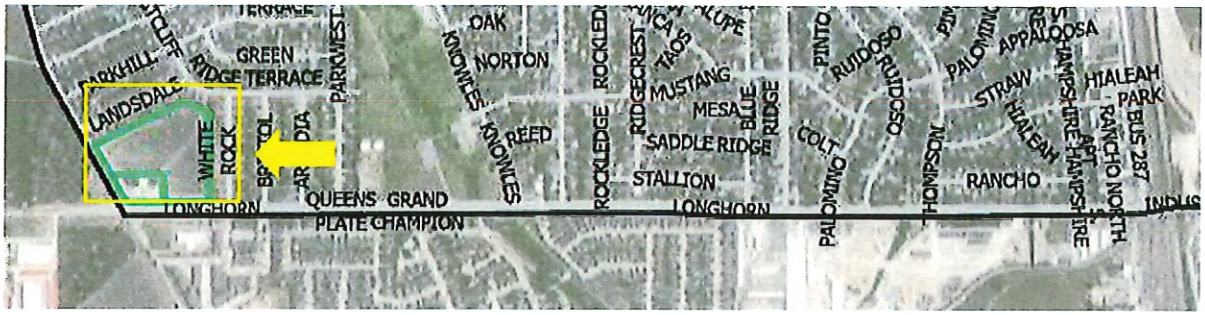
Source: Tarrant County Appraisal District, 2022

09/13/2022 P&Z Packet Page #20

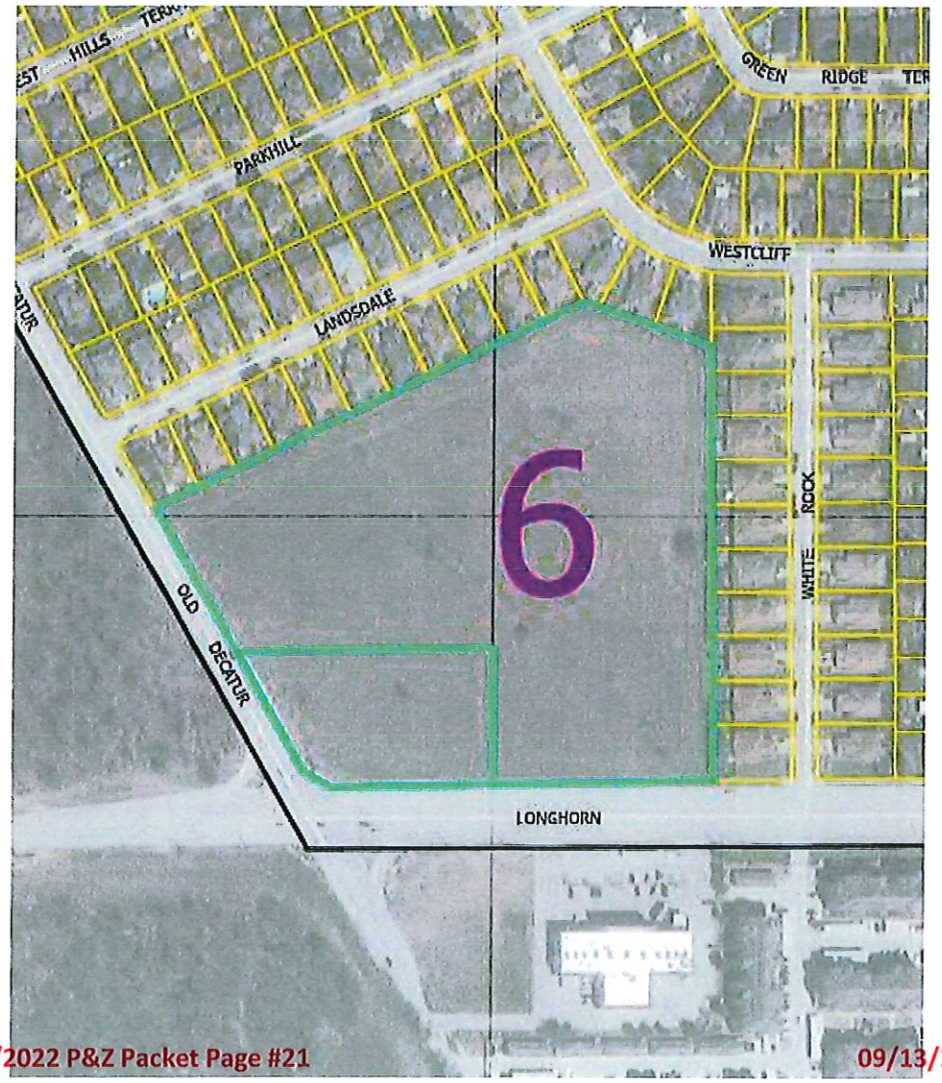
NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 6

VICINITY MAP



LOCATION MAP



09/13/2022 P&Z Packet Page #21

GENERAL DESCRIPTION

The subject property is located on the east side of Old Decatur Road and the north side Longhorn Road (not including the hard corner) and is undeveloped.

SURROUNDING LAND USE

	North: Single Family Residential	
West: (City of Fort Worth) Right-of-Way (Old Decatur Road)	Subject Property: Undeveloped	East: Single Family Residential
	South: (City of Fort Worth) Right-of-Way (Longhorn Road)	

SUBJECT PROPERTY DETAILS



LEGAL DESCRIPTION

IDEA SCHOOLS ADDITION Block A Lot 2

Source: Tarrant County Appraisal District, 2022

09/13/2022 P&Z Packet Page #22

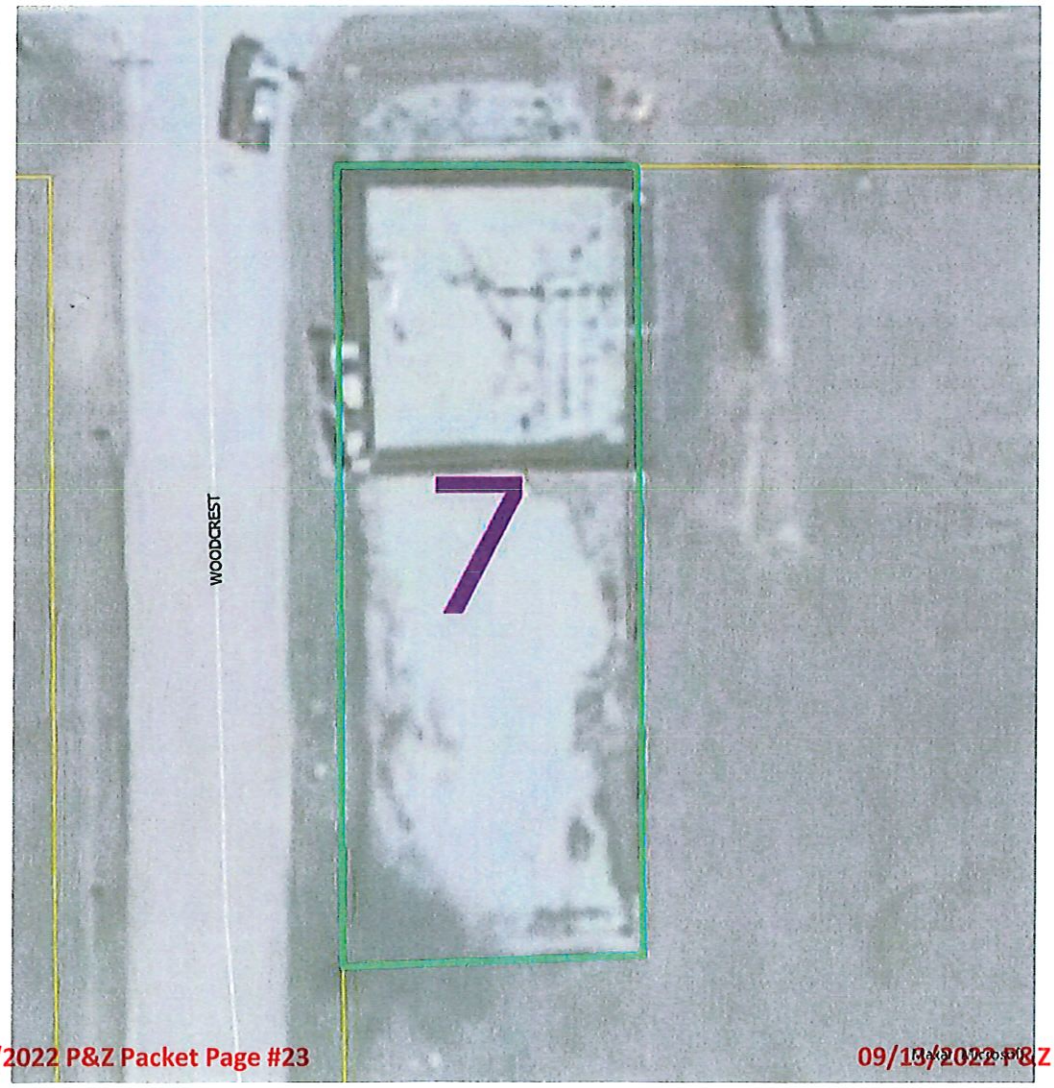
NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 7

VICINITY MAP



LOCATION MAP



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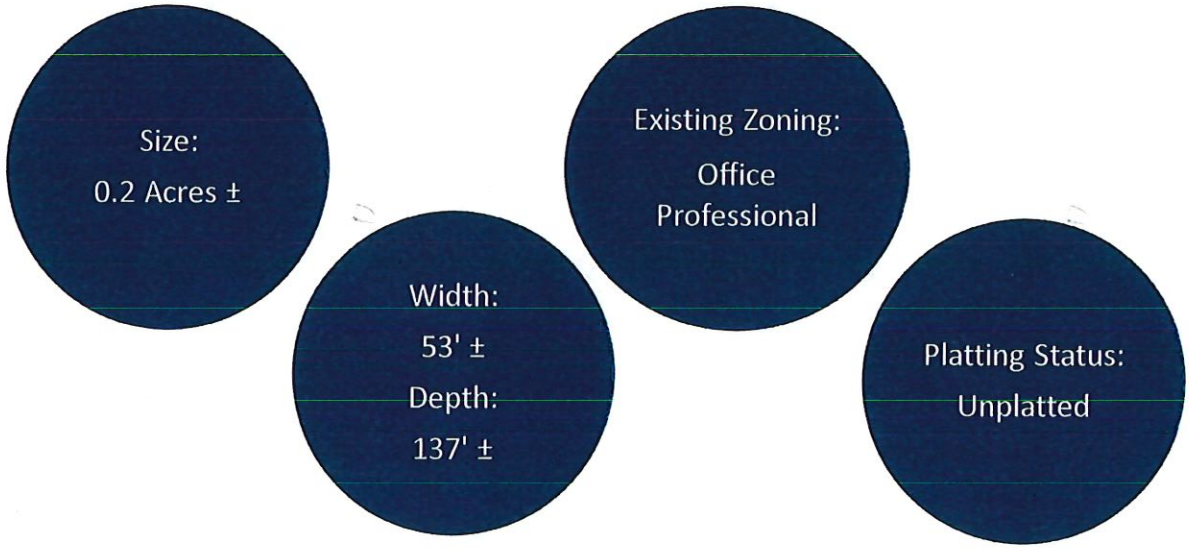
GENERAL DESCRIPTION

The subject property is located at the southeast corner of W McLeroy Boulevard and Woodcrest Drive and is undeveloped (remaining slab/foundation).

SURROUNDING LAND USE

	North: Right-of-Way (W McLeroy Blvd)	
West: Right-of-Way (Woodcrest Drive)	Subject Property: Undeveloped (Remaining Slab/Foundation)	East: Undeveloped
	South: Undeveloped	

SUBJECT PROPERTY DETAILS



LEGAL DESCRIPTION

ALBRIGHT, ALEXANDER F SURVEY Abstract 1849 Tract 3A

Source: Tarrant County Appraisal District, 2022

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NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 8

VICINITY MAP



LOCATION MAP



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GENERAL DESCRIPTION

The subject property is located on the south side of W McLeroy Boulevard and the east side of Woodcrest Drive and is undeveloped.

SURROUNDING LAND USE

	North: Right-of-Way (W McLeroy Blvd)	
West: Right-of-Way (Woodcrest Drive)	Subject Property: Undeveloped	East: Willow Creek Park
	South: Single Family Residential	

SUBJECT PROPERTY DETAILS



LEGAL DESCRIPTION

ALBRIGHT, ALEXANDER F SURVEY Abstract 1849 Tract 3H05

Source: Tarrant County Appraisal District, 2022

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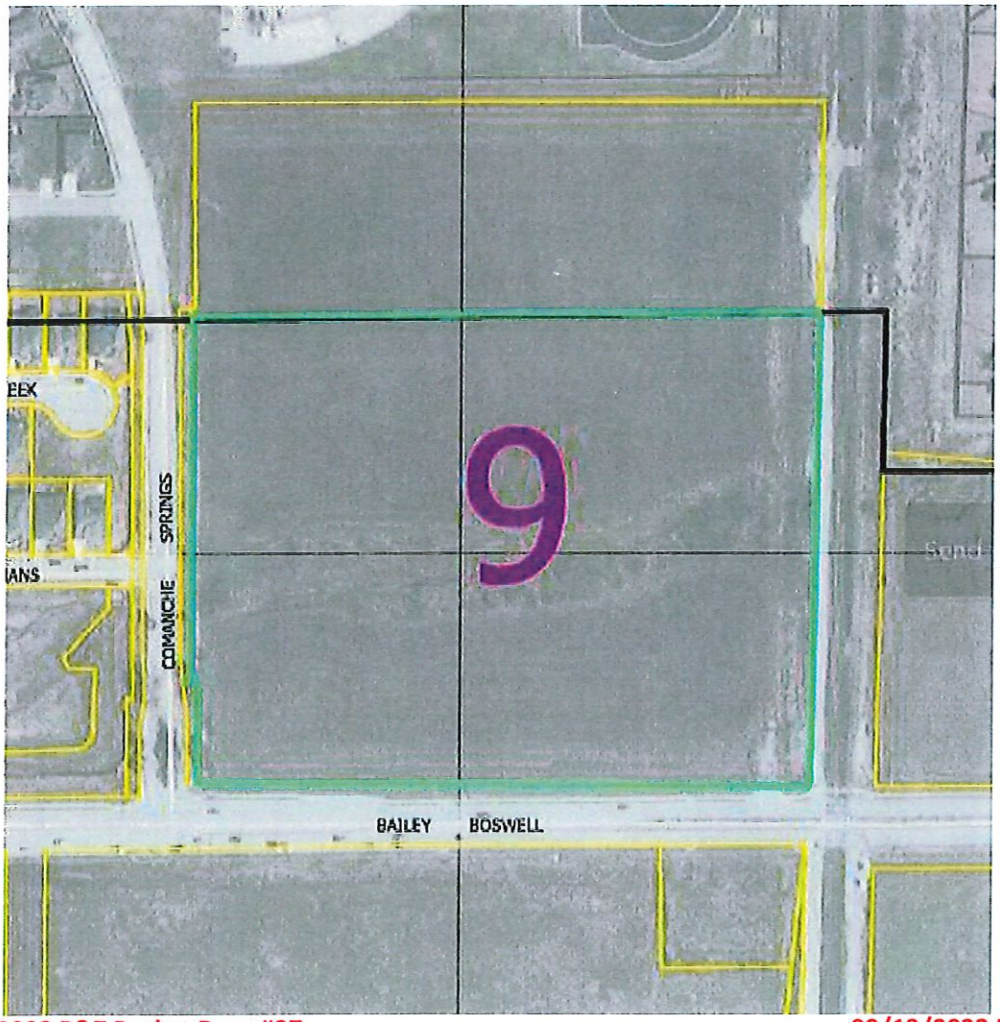
NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 9

VICINITY MAP



LOCATION MAP



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GENERAL DESCRIPTION

The subject property is located at the northeast corner of E Bailey Boswell Road and Comanche Springs Drive and is undeveloped.

SURROUNDING LAND USE

	North: (City of Fort Worth) Undeveloped	
West: Right-of-Way (Comanche Springs Dr)	Subject Property: Undeveloped	East: Railroad Tracks
	South: Right-of-Way (E Bailey Boswell Rd)	

SUBJECT PROPERTY DETAILS



LEGAL DESCRIPTION

ALFORD, JAMES P SURVEY Abstract 53 Tract 2A CITY BOUNDARY SPLIT

Source: Tarrant County Appraisal District, 2022

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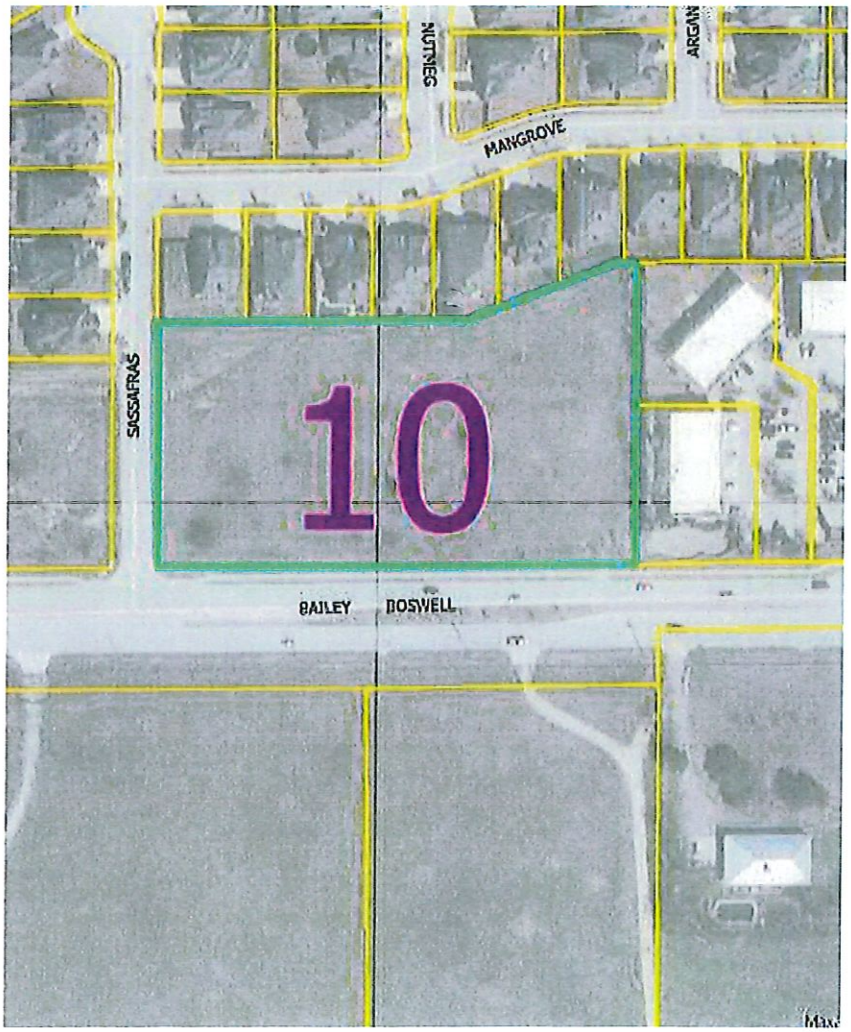
NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 10

VICINITY MAP



LOCATION MAP



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GENERAL DESCRIPTION

The subject property is located at the northeast corner of E Bailey Boswell Road and Sassafras Street and is undeveloped.

SURROUNDING LAND USE

	North: Single Family Residential	
West: Right-of-Way (Sassafras Street)	Subject Property: Undeveloped	East: Retail - Creekwood Marketplace
	South: Right-of-Way (E Bailey Boswell Road)	

SUBJECT PROPERTY DETAILS



LEGAL DESCRIPTION

ALFORD, JAMES P SURVEY Abstract A 53 Tract 1K

Source: Tarrant County Appraisal District, 2022

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ORDINANCE NO. 2022-11

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, AMENDING APPENDIX A "ZONING" OF THE SAGINAW CITY CODE BY ADDING A NEW "NMU" NEIGHBORHOOD MIXED USE DISTRICT AND PROVIDING FOR NMU DISTRICT REGULATIONS BY AMENDING ARTICLE 6 "ZONING DISTRICTS," SECTIONS 8-12 "SCREENING DEVICES AND FENCE REGULATIONS," 8-13 "LANDSCAPE REGULATIONS," AND 5-1 "PERMITTED USE TABLE;' AND BY ADDING A SECTION 8-18 "ACTIVATED AMENITIES;" PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City has a substantial interest in protecting the health, safety, welfare, convenience and enjoyment of the general public and has adopted zoning regulations to further this interest; and

WHEREAS, the City Council finds it appropriate to create a new NMU (Neighborhood Mixed-Use) zoning district to provide for low-intensity mixed uses compatible with residential land uses and encourage the development of community gathering spaces, and to enact regulations related to landscaping, screening, and fencing of this new zoning district; and

WHEREAS, the City Council finds it appropriate to encourage Activated Amenities within the NMU Zoning District in order to promote outdoor recreation and low-impact passive uses of open land; and

WHEREAS, the Planning and Zoning Commission of the City of Saginaw, Texas, held a public hearing on _____, 2022, and the City Council of the City of Saginaw, Texas, held a public hearing on _____, 2022, with respect to the regulations described herein; 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 to amend the Zoning Regulations of the City.

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

SECTION 1.

Article 6 "Zoning Districts" of Appendix A "Zoning" of the Saginaw City Code is hereby amended by adding a new Section 6-18, which said section reads as follows:

"Sec. 6-18. - NMU (Neighborhood Mixed-Use).

A. *Purpose.* The "NMU" district is to provide for low intensity mixed uses, including local shopping and dining destinations, compatible with adjacent or nearby residential land uses. Development will be small in scale and is anticipated to cater to residents living in or near this district. This district also provides an opportunity to include community gathering spaces, parks, and plazas for the residents and visitors in the district and in surrounding neighborhoods.

B. *Definitions.* For the purposes of this section 6-18:

1. "Development" shall mean property on or to which a developer is extending or constructing public infrastructure to provide service to one or more existing or proposed lots, regardless of whether the property is located in an area that was previously developed, or the act of making improvements to property. Each contiguous parcel or un-platted tract or land shall be considered a development.

2. "Living Compatibility Buffer" shall mean the landscaped area contemplated by section 8.12 C. 3., "Living Compatibility Screen."

C. *Permitted uses.* Uses in the "NMU" district shall be in accordance with section 5-1, Permitted Use Table. A minimum of 70 percent of the development frontage along Major Corridors, for a depth of at least 100 feet, shall consist of ground floor commercial uses not directly associated with the development's residential leasing or resident service areas (ex. mailboxes, leasing office, non-publicly accessible amenities, etc.). Major Corridors are defined as any property fronting an existing or proposed roadway classified and designated on the Master Thoroughfare Plan, other than Local Streets.

D. *Area requirements.* Development shall comply with the following requirements, as it pertains to this district, shall conform with the provisions provided in the table below:

Area Requirements	
Minimum Lot Area	N/A
Minimum Lot Width	N/A
Minimum Lot Depth	N/A

Minimum Front Yard Setback	10- to 20-foot build-to-zone
Minimum Side Yard Setback	No interior side setbacks are required in the NMU district, except when NMU-zoned property abuts property zoned or used for single-family residential uses, in which case the minimum side yard setback required for the entire abutting side yard shall be 25 feet to include a Living Compatibility Buffer.
Minimum Rear Yard Setback	10 feet, except when NMU-zoned property abuts property zoned for single-family residential, in which case the minimum rear setback required for the entire abutting rear yard shall be 25 feet.
Maximum Density	8 Dwelling Units per Gross Acre*
Maximum Building Height	36 feet or 2 stories
Minimum Distance Between Residential Structures	15 feet, regardless of building orientation, measured from the dripline of any structure or structurally attached features

**Development is eligible to receive an increase in allowable maximum density, up to a maximum 10 dwelling units per gross acre, should a minimum of 2,500 square feet of the gross land area be provided as an Activated Amenity as detailed in section, 8-18 Activated Amenities.*

E. *Off-street parking and loading requirements.* Off-street parking and loading requirements shall conform to the provisions of section 8-9, Off-Street Parking and Loading Requirements.

F. *Landscaping.* Landscaping shall be in accordance with section 8-13, Landscape Regulations.

G. *Signs.* Signs shall be in accordance with section 8-10, Sign Regulations.

H. *Exterior construction.* Exterior construction shall be compatible in style, intensity, color, and scale with neighborhoods within 200 feet of the subject property. High quality and durable materials shall be utilized, and providing placemaking elements (ex. plazas, lighting, signage, landscaping, etc.) consistent with the character and traditions in Saginaw is highly encouraged.

I. *Activated Amenities and Green Space.* Developments shall provide a minimum of 15 percent gross land area for green space. Green space can include manicured

landscape or treed areas, shaded trails, and areas surrounding detention areas, as long as they are aerated and benches, trash receptacles, and pathways are provided around them. Development is eligible to receive an increase in allowable maximum density, up to a maximum 10 dwelling units per gross acre, should a minimum of 2,500 square feet of the gross land area be provided as an Activated Amenity as defined in section 8-18, Activated Amenities."

SECTION 2.

Section 8-12 "Screening devices and fence regulations" of Article 8 "Supplemental District Regulations" of Appendix A "Zoning" of the Saginaw City Code is hereby amended by revising Subsection C and adding new subsections E and F to read as follows:

"C. *Screening standards: residential uses.* The following standards shall apply to screening devices in the residential zoning districts and in the Neighborhood Mixed-Use District where adjacent to properties zoned or used for entirely single-family or duplex residential uses:

1. In areas where a single-family district abuts a multi-family district, a screening device shall be erected along side and rear property lines. The screening device shall be a minimum height of eight feet. It shall be the responsibility of the multi-family district to construct the screening device.

2. The screening device shall be solid masonry, unless otherwise approved by city council.

3. *Living Compatibility Screen.* Whenever a non-residential use, multi-family use, or mixed use is adjacent to a property used or zoned for single-family or duplex residential uses, the development shall provide a landscaped area of at least 20 feet in width along the common property line, planted with one canopy tree for each 30 linear feet or portion thereof of adjacent exposure. These trees may not be clustered. Connection to the adjacent neighborhood shall be provided via a sidewalk or trail through the Living Compatibility Screen, leading to an adjacent right-of-way, sidewalk, and/or trail as applicable to provide connectivity to any adjacent neighborhoods or other developments.

* * *

E. *Screening of parking lot areas.*

1. Developments shall screen parking from adjacent properties with a Living Compatibility Screen in accordance with section 8-12C.

2. For all developments, off-street surface parking lots, excluding associated driveways, shall be screened from view from public rights-of-way and adjacent property as follows:

a. Earthen berm planted with turf grass and/or combination of ground cover and evergreen shrubs recommended for local area use by the director of parks and recreation, with a slope not to exceed one foot of height for each two feet of width; and/or

b. Evergreen plant materials recommended for local area use by the building official, located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density certified by a landscape authority as being capable of providing a solid appearance within three years.

F. *Special screening: Loading areas.* Loading docks or structures, bays, and bay doors shall be screened from view from the public right-of-way, from adjacent residential property, and from adjacent non-residential property, other than industrial. The required screening device adjacent to a non-residential property, other than industrial, may be waived by the City Council with site plan approval if the City Council determines that the location of the proposed loading docks or structures, bays or bay doors in relation to the adjacent development's site layout is not detrimental."

Existing subsections E through K of Section 8-12 shall now be re-designated as subsections G through M, respectively, and shall otherwise remain unmodified.

SECTION 3.

Section 8-13 "Landscape regulations" of Article 8 "Supplemental District Regulations" of Appendix A "Zoning" of the Saginaw City Code is hereby amended by revising Subparagraphs 4. and 5. of Subsection B., to read as follows:

"4. Residential districts and attached or detached single family or two-family residential uses/structures within mixed-use districts.

a. In the SF-1 and SF-2 districts, six inches of nursery stock tree(s) are required in each front yard, with a minimum size of two-inch caliper for any single tree.

b. In the SF-3, SF-4, and mixed-use districts, four inches of nursery stock tree(s) are required in each front yard, with a minimum size of two-inch caliper for any single tree.

c. In the ZLL, DX and SFA districts, three-inch caliper tree shall be planted between the front face of each dwelling unit and the street right-of-way line.

5. *Interior landscape area requirements.* The amount of landscape area required on the interior of the lot (includes buffer yards) shall be based on the square footage of the proposed buildings. For the purposes of this ordinance, the square footage of the building will be the square footage of the first floor or the square footage of the largest floor, whichever is greater. For single story retail anchor tenants having greater than 20,000 square feet of area, the building square footage shall be the front width of the building multiplied by a depth of 60 feet. The required landscape area for each zoning shall be based on the percentage of the floor area as determined above in accordance with the following chart and can be combined with required open space in mixed-use districts:

Zoning District	Percent of Floor Area
MF-1, MF-2	50
NC, OP, NMU	30
CC, CF	30
LI, HI	10

* * *"

SECTION 4.

Article 8 "Supplemental District Regulations" of Appendix A "Zoning" of the Saginaw City Code is hereby amended by adding a new Section 8-18, which said section reads as follows:

"Sec. 8-18. Activated Amenities.

Should an Activated Amenity be provided pursuant to Section 6-18, NMU (Neighborhood Mixed-Use), the Activated Amenity shall comply with the following:

A. *Definition.* For the purpose of this section, Activated Amenities shall include one or more of the following:

1. Land area of the development used for aesthetic, leisure, and recreational purposes, that is accessible to and permanently reserved for the common use and enjoyment of the occupants of the development;

2. Golf courses, parks, and public open space areas adjacent to the development, which are readily accessible;

3. Low-impact passive uses include conservation of open land in its natural state (for example, woodland, fallow field, or meadow), neighborhood squares, common areas, picnic areas, community gardens, walking trails, bikeways, other kinds of pathways, and similar low-impact passive recreational uses; or,

4. Active recreation uses including recreational playing fields, playgrounds, tennis courts, neighborhood pools, and clubhouse-type structures.

B. *Exclusions.* Activated Amenities shall not include:

1. Land areas reserved for the exclusive use and benefit of an individual owner or tenant;

2. Public or private street right-of-way, parkways, alleys, driveways, parking or loading areas;

3. Religious institutions or private school sites; or,

4. Street medians or islands.

C. *Requirements.*

1. An application that includes an activated amenity or open space shall include a written description or a plan of amenities, such as identification of landscaped areas, trees and shrubs, sidewalks and trails, benches, pavilions, and/or play areas to be included in the open space areas.

2. The maximum amount of open space used for storm water detention or retention purposes shall not exceed 25 percent of the common open space area. If the open space area contains a retention pond, the pond shall include at least one aeration device, such as a fountain, waterfall, or underwater device.

3. Activated Amenities adjacent to street rights-of-way shall be a minimum depth of 25 feet and shall be landscaped to include the retention or planting of one three-inch caliper tree per each 50 feet of street frontage, which may be clustered or distributed within the open space area.

D. *Guarantee of Activated Amenities.* In order to guarantee the preservation and maintenance of the common open space, one of the following methods shall be required:

1. Activated Amenities may be conveyed to the City or other public agency, provided the City or other public agency accepts the conveyance and agrees

to maintain the common open space and any buildings, structures or other improvements thereon; or,

2. A platted common area to be owned and maintained by an associated property owner association with an easement or notation designating perpetual public access.

E. *Public access*. To be eligible for the density bonus outlined in section 6-18, NMU (Neighborhood Mixed-Use), the Activated Amenity shall be accessible to the public with associated public access easement(s) and signage indicating public access."

SECTION 5.

Section 5-1 "Permitted use table" of Article 5 "Permitted Uses" of Appendix A "Zoning" of the Saginaw City Code is hereby amended by: amending the "Land Use Table Legend" by adding NMU (Neighborhood Mixed-Use) to the Legend; by adding NMU (Neighborhood Mixed-Use) to the "Permitted Use Table;" and by indicating which land uses are permitted outright, conditionally permitted, or prohibited within the NMU (Neighborhood Mixed-Use) District, all as set forth in the attached and incorporated Exhibit "A," hereto. The remainder of the Land Use Table Legend and Permitted Use Table shall remain unmodified and are included within Exhibit "A" hereto for illustrative purposes only.

SECTION 6.

This ordinance shall be cumulative of all other ordinances of the City of Saginaw and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 7.

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

SECTION 8.

All rights or remedies of the City of Saginaw, Texas, are expressly saved as to any and all violations of the City Code or any amendments thereto that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition

by the courts.

SECTION 9.

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 ($2000.00) for each violation of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 10.

The City Secretary of the City of Saginaw is hereby directed to publish at least twice 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 Local Government Code.

SECTION 11.

This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the laws of the State of Texas.

PASSED AND APPROVED ON this the ____ day of _____, 2022.

_____
Todd Flippo, Mayor

ATTEST:

_____
Janice England, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____
Bryn Meredith, City Attorney

EXHIBIT A

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Sec. 5-1. Permitted use table.

A. *Land use table legend.* The following table presents the zoning district classifications and the permitted uses within those classifications. Uses are listed as being "Permitted", permitted by "Specific Use Permit", and prohibited uses as signified by blank cells. Conditions are provided in Section 5-2, Special Conditions for Listed Uses. Any use not expressly authorized and permitted herein is expressly prohibited.

P	Permitted Use	AG	Agriculture	MF2	Multi-Family
		SF-1	Single Family	MH	HUD Code Manufactured Housing
S	Specific Use Permit	SF-2	Single Family	OP	Office Professional
		SF-3	Single Family	NC	Neighborhood Commercial
	Prohibited Use	SF-4	Single Family (Inactive)	NMU	Neighborhood Mixed-use
		ZLL	Zero Lot Line	CC	Community Commercial
		DX	Duplex	CF	Community Facilities
		MF1	Multi-Family	LI	Light Industrial
				HI	Heavy Industrial

	P = Permitted Use, S = Specific Use Permit, Blank = Prohibited Use																		
	City of Saginaw Land Use Table																		
Residential											Land Use Designation	Nonresidential							Supplemental Conditions
AG	SF1	SF2	SF3	SF4	SFA	DX	ZLL	MH	MF1	MF2		OP	NC	NMU	CC	CF	LI	HI	
		RESIDENTIAL LAND USES																	
P											Agricultural Use								
									P	P	Apartment			P					19
									P	P	Boarding House			P					
P	S										Caretaker, Guard or Servant, Residence or Apt. Garage				S		S	P	2
P	S	S	S	S	S						Dwelling, Guesthouse								2
P	P	P	P	P	P	P	P	P	P	P	Convent, Rectory, Monastery	P	P	P	P	P	P	P	
					S	S	S		P	P	Dwelling, Assisted Living Facility		S	P					2, 19
								P			Dwelling, HUD-Code Manufactured Home								

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P	P	P	P	P	P	P	P		P	P	Dwelling, Industrialized Housing			P					
											Dwelling, Mobile Home								
									P	P	Dwelling, Multifamily			P					
					P	P	P		P	P	Dwelling, Single Family Attached			P					
P	P	P	P	P	P						Dwelling, Single Family Detached			P					
						P					Dwelling, Two Family			P					
P	S	S	S	S	S	S	S		P	P	Group Home for the Disabled or Disadvantaged			P					2
								S			Manufactured Housing Park or Subdivision								2
	PUBLIC, CIVIC, AND UTILITY USES																		
S											Airport, Public/Private							P	2
											Animal Pound, Shelter					P	P	P	
P									S	S	Assembly Hall	S	S	S	P	P	P	P	2
S											Athletic Field and Play Field					S	P	P	7, 22
S											Cemetery, Mausoleum, Crematorium					S	S	P	2
									P	P	Community Center			P	P	P	P	P	
											Electrical Generating Station							S	7
P	P	P	P	P	P	P	P	P	P	P	Electrical Transmission Line	P	P	P	P	P	P	P	
P	P	P	P	P	P	P	P	P	P	P	Electrical Substation	P	P	P	P	P	P	P	20
											Garage, Public				S	S	P	P	
P	P	P	P	P	P	P	P	P	P	P	Gas Regulator Station	P	P	P	P	P	P	P	
S	S	S	S	S	S	S	P	P	P	P	Golf Course, Public					P	P	P	2
P	P	P	P	P	P	P	P	P	P	P	Government Administration Facility	P	P	P	P	P	P	P	
S	S	S	S	S	S	S	S	S	P	P	Library	P	P	P	P	P			2

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											Lodge, Fraternal, Sorority & Clubs	S	S	S	P	P	P	P	2
											Museum		P	P	P	P	P	P	
	P	P	P	P	P	P	P	P	P	P	Park	P	P	P	P	P	P	P	
									P	P	Philanthropic and/or Charitable Use		P	P	P				
											Public Maintenance Building, Storage Yard					P	P	P	
	P	P	P	P	P	P	P	P	P	P	Public Safety Facility, Police & Fire	P	P	P	P	P	P	P	
	P	P	P	P	P	P	P	P	P	P	Public Utility	P	P	P	P	P	P	P	
P	P	P	P	P	P	P	P	P	P	P	Religious Institution	P	P	P	P	P	P	P	22
	P	P	P	P	P	P	P	P	P	P	Telephone Exchange, Switching or Relay	P	P	P	P	P	P	P	
		EDUCATIONAL USES																	
S											School, Business College	S		S	P		S	S	2, 22
S											School, College or University	S		S	P	S	S	S	2, 22
											School, Commercial Instruction	S		S	P				2, 22
S											School, Commercial Trade	S		S	P		S		2, 22
P	P	P	P	P	P	P	P	P	P	P	School, Home								
S	S	S	S	S	S	S	S	S	S	S	School, Home Day								2
											School, Institution, Rehabilitation & Training Center	S		S	P	S	S		2
									S	S	School, Nursery	P	P	P	P				2
S	S	S	S	S	S	S	S	S	S	S	School, Primary or Secondary	S	S	S	S	S	S	S	22
											School, Vocational	S			P		S		2
		AMUSEMENT AND ENTERTAINMENT USES																	
											Amusement Center, Indoor		P	P	P		P	P	
											Amusement Center, Outdoor				P		P	P	1, 7
											Athletic Field & Play Field, Commercial		S	S	S		P	P	1, 7, 22

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											Auditorium				P				
											Camp Ground & Related Facilities				S		S	S	2
S	S	S	S	S	S	S	S		S	S	Country Club		S	S	S				2
S											Golf Course, Driving Range				P		P	P	1, 7
											Golf Course, Miniature		S	S	P				2
S	S	S	S	S	S	S	S	S	S	S	Golf Course, Private		S	S	S				2
											Go Cart Track and Other Vehicular Track or Facility						S	S	1, 5, 7
											Gymnasium	P	P	S	P				1
											Movie Theater, Cineplex		S		P				2, 7, 22
											Private Club	S	S	S	S				2
P											Recreational Ranch or Farm								
S											Rodeo Ground/Fair Ground				S		S	S	1, 7, 22
											Skating Rink, Indoor		P	S	P		P		
P											Stable, Commercial								1, 5
P	S	S	S	S							Stable, Private						S	S	2
											Swimming Pool, Commercial			S	P		P		2
											Shooting Range, Indoor				S		P	P	2, 5
											Shooting Range, Outdoor						S	S	1, 5
											Water Park, Commercial				P	P	P	P	1, 7, 22
		MEDICAL USES																	
											Clinic						S	S	27
											Hospital	S	S		P	S			2, 22
											Laboratory, Medical and/or Dental	S			P		P	S	2
											Laboratory, Research	S	S		P		P	P	2
											Laboratory, Support				P		P	P	
											Medical, Dental & Optical Retail Sales	P	P	P	P				
											Medical, Dental Office	P	P	P	P				
									S	S	Nursing Home		S		P				2
											Optician Shop	S	S	P	P				2

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S											Veterinary Hospital with Outside Pens						S	P	1, 5, 8, 9
S											Veterinary Hospital without Outside Pens	S	S	S	P		P	P	2
S											Veterinarian Office, Small Animal Practice	P	P	P	P				2
S											Veterinarian Office, Large Animal Practice						S	P	1, 5
	AUTOMOTIVE USES																		
											Auto Auction						S	P	1, 7, 11, 13
											Auto Car Wash		S		S		P	P	2, 7
											Auto Impound Lot/Wrecker Business							S	2, 7, 13
											Auto Paint & Body Shop						P	P	11, 12, 13
											Auto Parts & Accessory Sales		S		P		P	P	2
											Auto Rental (Car & Truck)		S		P		P		2, 13
											Auto Repair Garage		S		S		P	P	1, 11, 12, 13
											Auto Sales, New & Used				S		P	P	2, 7, 12, 13
											Auto Service Station		S		P		P	P	2, 7, 11, 12, 13
											Auto Service Station, Light Maintenance		S		P		P	P	
											Bus, Train, & Taxi Station or Terminal		S	S	P		P	P	2, 13
											Farm Machinery & Implement Sales & Service				S		P	P	2, 12, 13
											Heliport						S	S	2
											Motor Freight Terminal						S	P	2, 7
											Motorcycle Sales		S		P		P		2, 12, 13
S	S	S	S	S	S	S	S	S	S	S	Park and Ride Lots	S	S	S	P	S	P	P	2, 7
											Parking Lot, Commercial (Auto)				P		P	P	7

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											Parking Lot, Commercial (Truck)						P	P	7
											Parking lot, off premises	S	S	S	S	S	S	S	7
											Recreational vehicle Rental				S		P	P	2, 7, 13
											Recreational vehicle storage (commercial)						P	P	7, 11
	PROFESSIONAL USES																		
											Accessory Banking	P	P	P	P				
											Bank, Savings and Loan Association, Financial Institution	P	P	P	P				
											Office, Business	P	P	P	P				
											Office, Professional	P	P	P	P				
											Office, Real Estate Development Tract or Field Office	P	P	P	P				
											Bank, Savings and Loan Association, Financial Institution	P	P	P	P				
	COMMERCIAL, RETAIL, AND SERVICE USES																		
											Ambulance Service	S	S		P	S	P	P	2
P											Animal Grooming		S		P		P	P	2
											Antique Shop		S	P	P				2
											Apparel Alteration and Repair or Tailor Shop		P	P	P				
											Appliance Repair, Household		P	S	P				
											Art Gallery	S	P	P	P				2
											Arts, Crafts, and Hobby Shop		P	P	P				
											Auction House, Indoor				P				1
											Bakery, Retail Confectionery	P	P	P	P				
											Bakery, Wholesale Candy		S	S	P		P		2

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											Barber Shop, Beauty Salon, other Personal Shop	P	P	P	P				
											Bingo Hall				S		S		1, 23
											Brewery				S		S	S	1
											Building Material Sales		P		P		P	P	1, 3, 7, 13, 22
											Cabinet &/or Upholstery Shop				S		P	P	2, 3
											Catering Service		P	P	P				
											Contractor, no Outside Storage Permitted		S		P		P	P	
											Contractor, Outside Storage Permitted						P	P	1, 3, 7, 13
											Contractor Storage or Equipment Yard						P	P	1, 3, 7, 13
											Convenience Store, with or without Fuel Sales		P	S	P		P	P	7
											Copy Shop	S	S	S	P				2
											Cosmetic Tattoo Establishment	P	P	S	P				
											Cottage Industry		P	P	P				
									S	S	Day Care Center, Adult	S	P	S	P				2
									S	S	Day Care Center, Child	S	S	S	P				2, 10
P	P	P	P	P	P	P	P	P	P	P	Day Care, in the Home								10
											Department Store		S	S	P				2
											Extended-Stay Hotel/Motel		S		S				2, 7
											Exterminating Service		S		P		P	P	2
											Factory Outlet, Retail or Wholesale Store				P		P		3, 7, 13, 22
P											Farmers Market, Outdoor		S	S	P	P			2, 7,
											Flea Market						S	S	2, 5, 7, 22
											Funeral Home, Mortuary		S		P		P		1, 22
											Furniture, Fixture & Appliance Store		S		P				2

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											Furniture Repair		S		P		P	P	2
											Gift Shop including Florist		P	P	P				
P											Greenhouse or Plant Nursery		P	P	P		P		7
											Grocery Store		P	P	P				
											Hardware Store		P	P	P		P		
											Health Club, Recreation Facility	S	P	P	P				2
											Hobby Studio, Private		P	P	P				
											Home Improvement Store		S	S	P		P		2, 13
											Hookah/Smoke Lounge				S				
											Hotel, Motel		S		P				2, 7
S											Kennel						S	S	1, 8, 9
											Kiosk	S	P	P	P				2
P											Landscape Service				S		P	P	2
											Laundry, Dry Cleaning Full Service				P		P	P	
											Laundry, Dry Cleaning Pickup & Receiving Station		S		P		P		2
											Laundry, Self Service		S		P				2
											Liquor Store, Packaging Sales				P				22
											Lithography or Print Shop		P		P		P		
											Locksmith Shop		P	P	P				
											Machinery Sales or Repair				S		P	P	2
											Manufactured or Industrialized Home Sales or Rental						S	S	2, 3, 7, 13
											Massage Therapy Establishment				S				
											Meat Market (includes Seafood)		P	P	P				
											Mobile Food Unit Park		S	S	S	P	P	P	28
											Music Store		P	P	P				
											Non-depository financial institutions				S				1

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											Office Machine Sales & Service		P		P				
											Office Supply Store		P	P	P				
											Pawn Shop						P	P	
											Pet Shop		P	P	P				
											Pharmacy	S	P	P	P				2
											Photographic Equipment Sales & Service		P	P	P				
											Photographic Service		P	P	P				
											Private Card Club				S		S	S	2
											Physical Training and Athletic Facility				P		P		
											Radio, Television Studio		P	P	P				
											Recycling Collection Center						S	P	2, 3, 13
											Rental Store		P	P	P				13
											Rental Yard, Commercial & Heavy Equipment				S			P	1, 3, 7, 13, 22
											Repair, Small Engine		S		P		P	P	
											Restaurant, limited		S	P	S				
											Restaurant, with alcohol sales		P	P	P				2, 7, 22, 26
											Restaurant, without alcohol sales		P	P	P				2, 7, 22, 26
											Restaurant, Drive-in / Drive-thru		P	S	P				7, 22, 26
											Restaurant, Refreshment Stand (Temporary or Seasonal)		P	P	P				7
											Sexually Oriented Business	See Ordinance No. 95-1 (as amended)							
											Shoe Repair		P	P	P				
											Snow Cone Stand Seasonal			P	P		P	P	1, 25
											Sign Shop, Painted or Silk-screened				P		P	P	
											Special Event Venue		S	S	S		S		1
											Stone Monument Sales				S		P	P	2, 3, 7
											Studio, Dance	S	P	S	P	S	P	P	

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											Tanning Studio	S	P	P	P				2
											Tattoo Parlor/Body Piercing Studio								
											Tavern, Bars & Night Clubs						S	S	2, 7, 22
											Taxidermist Studio		P		P				
											Taxidermist Shop				S		P	P	1
											Tobacco Shop	S	S	S	S				2
											Video / Game Rental		P	P	P				
											Watch &/or Jewelry Sales & Repair		P	P	P				
											Winery				S		S	S	1
	MANUFACTURING AND INDUSTRIAL USES																		
											Assembly Plant							P	7, 22
											Bottling Works							P	7, 22
											Building Materials Manufacturing							P	7, 22
S											Dairy Processing								7, 22
											Electronics Manufacturing						P	P	7, 22
											Laundry, Dry Cleaning & Dyeing Plant including Diaper Service						P	P	7
S											Line Compressor Station	S	S	S	S	S	S	S	1, 15, 24
											Machine Shop						P	P	
											Manufacturing Facility (Light)						P	P	7, 22
											Meat Product Processing							S	2, 7, 22
											Metal Recycling Facility							S	
											Mini-warehouse		S		S		P	P	2, 7, 18
											Natural Resources Mining								
P	P	P	P	P	P	P	P	P	P	P	Oil and Gas Wells	P	P	S	P	S	P	P	15
											Pharmaceutical Plant						P	P	7, 22
											Plastic Products Manufacturing						P	P	7, 22
											Salvage Yard								7
											Stockyard							S	2, 7, 22

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										Storage and Warehousing Establishment						P	P	2, 7, 13
										Storage Yard						P	P	7
										Telecommunications, Wireless Facility								14
										Textile Manufacturing						P	P	7, 22
										Warehousing, Freight Office and or Storage						P	P	7, 13, 22
										Welding or Machine Shop						P	P	7
		ACCESSORY USES																	
P	P	P	P	P	P	P	P	P	P	p	Accessory building	P	P	P	P	P	P	P	16
											Cargo Container				P		P	P	
P	P	P	P	P	P	P	P	P	P	P	Carport, Residential								21

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SPORTS

Malone gets rare gold for US men at gymnastics worlds

Brody Malone won the first world championship on the high bar by an American men's gymnast in 43 years on Sunday when he edged world and Olympic all-around champion Daiki Hashimoto of Japan in a close event final.

The 22-year-old Malone, a two-time U.S. champion, led off the eight-man final and posted a score of 14.800. Hashimoto's bid to earn a third gold to go with the team and all-around titles he captured earlier in the meet fell just short when he scored 14.700. Arthur Mariano of Brazil took the bronze with a 14.466.

Malone's triumph was the first by a member of the U.S. men's team on the high bar since Kurt Thomas in 1979.

"It's pretty incredible, especially going up against a field like that," Malone, who is from northwest Georgia and competes at Stanford.



THANASSIS STAVRAKIS AP

Brody Malone of the U.S. competes in the horizontal bar finals during the Artistic Gymnastics World Championships in Liverpool, England, on Sunday.

Colleges

Miami: Women's basketball coach Katie Meier has been suspended for the first three games of the season while the school cooperates with an NCAA probe. Meier said Sunday that she is also cooperating with the NCAA. Neither she, the school nor the NCAA has released specifics of the probe, other than Miami calling it "an enforcement matter." The NCAA has not announced any sanctions against Miami, which means this is a self-imposed penalty by the university.

South Florida: South Florida football coach Jeff Scott was fired Sunday, one day after his team gave up 621 yards of offense in a 54-28 loss to Temple that dropped him to 4-26 at the school.

Special teams coordinator Daniel Da Prato will be the interim coach for the remainder of the season.

South Florida is 1-8 this season, 0-5 in the American Athletic Conference.

Defensive coordinator Bob Shoop was also fired.

NFL

Colts: The Indianapolis Colts have fired coach Frank Reich after another lackluster offensive performance in the team's third consecutive loss.

The Colts announced the move on Monday, one day after it went 0 for 14 on third down and totaled just 121 yards of offense in an ugly 26-3 loss at New England.

Giants: New York safety Xavier McKinney injured a hand while on vacation during the bye week and will miss a few weeks.

McKinney tweeted about the injury on Monday and the Giants confirmed the tweet. New York returns to action Sunday against Houston at MetLife Stadium.

Panthers: Carolina Panthers interim coach Steve Wilks fired two of his assistants on Monday, less than 24 hours after the team's embarrassing 42-21 loss to the Cincinnati Bengals in which it allowed a franchise-record 35 points in the first half.

Wilks fired cornerbacks coach Evan Cooper and defensive line coach Paul Pasqualoni.

Cooper has been with the Panthers since 2020, while Pasqualoni, the former head coach at Syracuse, joined the Panthers this offseason.

Ravens: Ravens tight end Mark Andrews was ruled out of Monday's game against the New Orleans Saints, the team announced Sunday.

Andrews, who didn't practice last week because of knee and shoulder injuries, didn't travel with the team to New Orleans. It was the first game the All-Pro has missed because of injury in his four-plus years in Baltimore.

Baseball

Nationals: Washington announced that reliever Sean Doolittle will return on a minor league deal that includes an invite to spring training.

Doolittle, 36, is still recovering from the internal brace procedure he underwent on his left elbow in July. He opted for that surgery instead of Tommy John, hoping to be ready for spring training with Washington or another club.

Basketball

WNBA: The Dallas Wings hired Los Angeles Sparks assistant Latricia Trammell as head coach Monday, picking a defensive specialist for a franchise seeking its first deep playoff run since moving to Texas.

The move comes seven weeks after the Wings said they were declining the option on Vickie Johnson's contract despite the coach making the postseason each of her two seasons.

Trammell was in charge of a Sparks defense that put four players on WNBA All-Defensive teams, including 2020 Defensive Player of the Year Candace Parker.

3x3 AmeriCup: Jimmer Fredette's 2-pointer — that's what beyond-the-arc shots are worth in the 3-on-3 game — with 1:07 remaining was the clinching basket in a 21-18 win over Puerto Rico in the title game of the FIBA 3x3 AmeriCup on Sunday night.

Kareem Maddox led the U.S. with nine points in the title game. Fredette and Canyon Barry — the MVP of the tournament after leading the Americans in scoring — each had five points, and Dylan Travis scored two for the U.S.

Tennis

WTA Finals: Aryna Sabalenka stood stoically ever so briefly, before crouching for an emphatic fist pump to go with a scream.

Yeah, the seventh-ranked woman in the eight-player WTA Finals couldn't hide the emotion, because she knew exactly what she had done.

Sabalenka ended world No. 1 Iga Swiatek's 15-match winning streak against top-10 opponents, taking a 6-2, 2-6, 6-1 victory in the semifinals of the season-ending event Sunday night.

The stunner puts Sabalenka in final Monday night against No. 6 Caroline Garcia, who steamrolled Maria Sakkari 6-3, 6-2 and can become just the second Frenchwoman to win WTA Finals after Amelie Mauresmo in 2005.

Soccer

MLS: Los Angeles FC goalkeeper Maxime Crépeau broke his right leg while committing a red-card foul during extra time in the team's MLS Cup final victory over the Philadelphia Union, the team confirmed Sunday.

Crépeau had surgery at Kaiser Permanente's Baldwin Park Medical Center. He is likely to miss the World Cup for Canada, although the team didn't confirm it.

— WIRE SERVICES



CHARLES KRUPA AP

Indianapolis Colts head coach Frank Reich was fired by the team Monday following a loss to New England.

FROM PAGE 1B

COWBOYS

Giants and Cleveland Browns, all the guys have nothing but great things to say about him. I have always been so impressed with his football playing ability. I have heard so many excellent things about him over the years. I think those are conversations for the future. Right now, we are focused on our guys."

The Cowboys have roughly $7 million in cap space available but the question is will that be enough to land Beckham Jr. if they chose to move in that direction.

He has been linked to the Los Angeles Rams, Green Bay Packers, Buffalo Bills and New York Giants.

Per a source, Beckham, who has played with the Giants, Rams and Cleveland Browns., is not just looking to be an acquired gun until the end of the season. He wants a permanent home with a possible multi-year deal.

Beckham Jr , 30, confirmed as much on the podcast.

"Whether it's Buffalo, Green Bay calling, the Cowboys, reunion with the Giants, I want to (spend) these next three or four years in a place I can call home," Beckham Jr. said. "I'm tired of living out of suitcases. I have done the rock and roll life."

The question is which team is going to give him that type of deal coming off ACL rehab and how that impact is his price?

Beckham Jr. signed a one-year deal worth $1.25 million to play for the Rams last season after being cut by the Browns during the season.

He caught 48 catches for 593 yards and seven touchdowns in 12 games, including the playoffs, proving that the was still a difference-making player before suffering the injury in the Super Bowl.

He has no interest in taking a bargain basement deal again.

"We have to make the decisions that are best to improve our football team," Stephen Jones said. "So, you know we're keeping our eye on the ball in terms of how we can improve our football team as we move forward."

Beckham Jr. would huge upgrade for the Cowboys at receiver.

The team has not had a 100-yard receiver through the first eight games for the first time since 1973.

CeeDee Lamb leads the team with 42 catches for 556 yards and 3 touchdowns. Noah Brown is the next highest receiver with 25 catches for 335 yards and 1 touchdown. Michael Gallup, who missed the first three games of the season rehabbing from a torn ACL and has yet to regain his form, has 12 catches for 135 yards and 1 touchdown.

The only other receiver on the roster with a catch is rookie third-round pick Jalen Tolbert, who has one reception for 4 yards.

James Washington is expected to come off injured reserve by the end of the month after being sideline since training camp with a fractured foot. But he is not same caliber of player as Beckham Jr.

Clarence E. Hill Jr.: 817-390-7760, clarencehilljr

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Legals

CITY OF ARLINGTON ORDINANCE

The Arlington City Council passed the following ordinances at a meeting on November 01, 2022. These ordinances will become effective with second publication in accordance with the City Charter, unless otherwise noted.

Ordinance No. 22-055

An ordinance amending the "Construction" Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article I, Building Code, Sections 1.01 through 1.05, relative to adopting the 2021 Editions of the International Building Code, International Existing Building Code, International Residential Code, the International Energy Conservation Code, and the International Swimming Pool and Spa Code; adopting local amendments and associated appendices; through the amendment of Article IV, Registration, Permits and Inspections, in its entirety to reflect current practices and standards; through the amendment of Article V, Required Fees, in its entirety and reserving same for future codification; and through the amendment of Article VII, Signs, Section 7.10, Temporary Signs Near Polling Places, Subsection (A), relative to compliance with the Elections Chapter; providing for a fine of up to $2,000 for each violation; providing this ordinance be cumulative; and providing for severability, governmental immunity, injunctions, publication, and an effective date of January 1, 2023.

Ordinance No. 22-056

An ordinance amending the "Fire Prevention" Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article I, General Provisions, relative to adopting the 2021 Edition of the International Fire Code; adopting local amendments and associated appendices; providing for a fine of up to $2,000 for each violation; providing this ordinance be cumulative; and providing for severability, governmental immunity, injunctions, publication, and an effective date of January 1, 2023.

Ordinance No. 22-057

An ordinance amending the "Mechanical Code" Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article I, General Provisions, relative to adopting the 2021 Edition of the International Mechanical Code and the 2021 Edition of the International Fuel Gas Code; adopting local amendments and associated appendices; providing for a fine of up to $2,000 for each violation; providing this ordinance be cumulative; and providing for severability, governmental immunity, injunctions, publication, and an effective date of January 1, 2023.

Ordinance No. 22-058

An ordinance amending the "Plumbing" Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article I, General Provisions, relative to adopting the 2021 Edition of the International Plumbing Code and the 2021 Edition of the International Fuel Gas Code; adopting local amendments and associated appendices; providing for a fine of up to $2,000 for each violation; providing this ordinance be cumulative; and providing for severability, governmental immunity, injunctions, publication, and an effective date of January 1, 2023.

Ordinance No. 22-059

An ordinance amending the "Electrical" Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article I, Administration, relative to adopting the 2020 Edition of the National Electrical Code; adopting local amendments and associated appendices; providing for a fine of up to $2,000 for each violation; providing this ordinance be cumulative; and providing for severability, governmental immunity, injunctions, publication, and an effective date of January 1, 2023.

Ordinance No. 22-060

An ordinance revising the development plan on certain property known as 1818 East Pioneer Parkway and zoned Planned Development for limited Community Commercial (CC) uses, plus a Package Liquor Store, with a Development Plan; amending the Zoning District Map accordingly.

Ordinance No. 22-061

An ordinance adopting Specific Use Permit SUP22-3 for Used Vehicle Sales, on certain property known as 2118 East Abram Street zoned Planned Development for General Commercial (GC); amending the Zoning District Map accordingly.

IPL0096981
Nov 7-8 2022

Legal Notice

Application has been made with the Texas Alcohol Beverage Commission for an MB permit by Ellerbe Fine Foods LLC dba Ellerbe Fine Foods, to be located at 1501 W Magnolia Ave, Fort Worth, 76104, Tarrant County, Texas. Owners of said corporation are Molly McCook, co-owner and manager, and Richard King, co-owner and manager.

IPL0097446
Nov 8-9 2022

CITY OF SAGINAW

ORDINANCE NO. 2022-11

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, AMENDING APPENDIX A "ZONING" OF THE SAGINAW CITY CODE BY ADDING A NEW "NMU" NEIGHBORHOOD MIXED USE DISTRICT AND PROVIDING FOR NMU DISTRICT REGULATIONS BY AMENDING ARTICLE 6 "ZONING DISTRICTS," SECTIONS 8-12 "SCREENING DEVICES AND FENCE REGULATIONS," 8-13 "LANDSCAPE REGULATIONS," AND 5-1 "PERMITTED USE TABLE;' AND BY ADDING A SECTION 8-18 "ACTIVATED AMENITIES;" PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

SECTION 9.

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 ($2000.00) for each violation of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

PASSED AND APPROVED ON this the 6 th day of September, 2022. Todd Flippo, Mayor

IPL0097501
Nov 8,15 2022

City of Saginaw Public Notice

Notice is Hereby Given that the City of Saginaw will Conduct two Public Hearings on a Request for City-Initiated Rezoning of Multiple Parcels to "NMU" - Neighborhood Mixed-Use District for Conformance to the City's Comprehensive Plan, Being Approximately 85 Acres on the Following Properties: Saginaw Springs, Block 2, Lot 30, Commercial Tract 2; Albright, Alexander F Survey Abstract 1849 Tract 2C04; Albright, Alexander F Survey Abstract 1849 Tract 2C; Albright, Alexander F Survey Abstract 1849 Tract 3H; Idea Schools Addition Block A, Lot 1; Idea Schools Addition Block A, Lot 2; Albright, Alexander F Survey Abstract 1849 Tract 3A; Albright, Alexander F Survey Abstract 1849 Tract 3H05; Alford, James P Survey Abstract 53 Tract 2A City Boundary Split; and Alford, James P Survey Abstract A 53 Tract 1K, Saginaw, Tarrant County, Texas. Public Hearings will be held by the Planning and Zoning Commission on November 8, 2022 at the John Ed Keeter Public Library at 355 West McLeroy Blvd and by the City Council on December 6, 2022 at Saginaw City Hall located at 333 West McLeroy Blvd, Saginaw, TX 76179. Any changes to meeting procedures or postponements will be posted at ci.saginaw.tx.us and at City Hall.

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

Please direct any questions regarding this matter to Susy Victor-Trevino, Planning Manager, 817-230-0440.

IPL0097494
Nov 8 2022

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October 27, 2022

NOTICE OF PUBLIC HEARING
THIS IS A REQUESTED CHANGE IN PROPERTY ZONING

RE: PZ 1122-01 Consideration of a request to approve the city-initiated rezoning of multiple parcels to "NMU" - Neighborhood Mixed-Use District, for conformance to the City's Comprehensive Plan. The Planning and Zoning Commission will hold a Public Hearing on November 8, 2022 at the John Ed Keeter Public Library located at 355 West McLeroy Boulevard and the City Council will hold a Public Hearing at the Saginaw City Hall located at 333 West McLeroy Boulevard on December 06, 2022. Details regarding the 85 acres of land and individual parcels are as follows:

Dear Property Owner:

The Planning and Zoning Commission of the City of Saginaw will hold a Public Hearing on the 8th day of November, 2022 at 6:00 p.m. at the John Ed Keeter Public Library located at 355 West McLeroy Boulevard, Saginaw, Texas and the City Council of the City of Saginaw, Texas, will hold a Public Hearing on the 6th day of December, 2022 at 6:00 p.m. at the Saginaw City Hall located at 333 West McLeroy Boulevard, Saginaw, Texas, for the purpose of considering a request for the city-initiated rezoning of multiple parcels to "NMU" - Neighborhood Mixed-Use District for conformance to the City's Comprehensive Plan, being approximately 85 acres on the following properties: Saginaw Springs, Block 2, Lot 30, Commercial Tract 2; Albright, Alexander F Survey Abstract 1849 Tract 2C04; Albright, Alexander F Survey Abstract 1849 Tract 2C; Albright, Alexander F Survey Abstract 1849 Tract 3H; Idea Schools Addition Block A, Lot 1; Idea Schools Addition Block A, Lot 2; Albright, Alexander F Survey Abstract 1849 Tract 3A; Albright, Alexander F Survey Abstract 1849 Tract 3H05; Alford, James P Survey Abstract 53 Tract 2A City Boundary Split; and Alford, James P Survey Abstract A 53 Tract 1K, Saginaw, Tarrant County, Texas.

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 master parcel map shows all of the highlighted parcels of land proposed for city-initiated rezoning and the individual area map depicts the parcel nearest you within 200ft. of your property. Only the areas inside of the dark bold line are the properties to be considered. The lightly shaded area around and inside of that line is that which property owners are required by law to be notified. If you have any questions you may call Susy Victor-Trevino, Planning Manager, at 817-230-0440.

Sincerely,

Susy Victor-Trevino
Planning Manager

Enclosures: Reply Form, Master Parcel Map, Map of Requested Property within 200ft of your Property.

Any changes to meeting procedures or postponements will be posted at ci.saginaw.tx.us and at City Hall

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REPLY FORM

In order to be on record, this form may be filled out and mailed to the Planning Manager, at City of Saginaw, Texas, P. O. Drawer 79070, Saginaw, Texas 76179. If you have questions concerning this request, please call the Planning Manager, Susy Victor-Trevino, at 817-230-0440.

The Planning & Zoning Commission Meeting on 11/08/2022 at 6:00 p.m. and the City Council Meeting on 12/06/2022 at 6:00 p.m. is in regards to a request for city-initiated rezoning of multiple parcels, approximately 85 acres of land in Saginaw, Texas, to "NMU" - Neighborhood Mixed-Use District for conformance to the City's Comprehensive Plan.

Name:_____

Address:_____

Phone Number:_____

( ) In Favor

( ) Opposed

Reasons and/or Comments

_____

_____

_____

_____

_____

_____

_____

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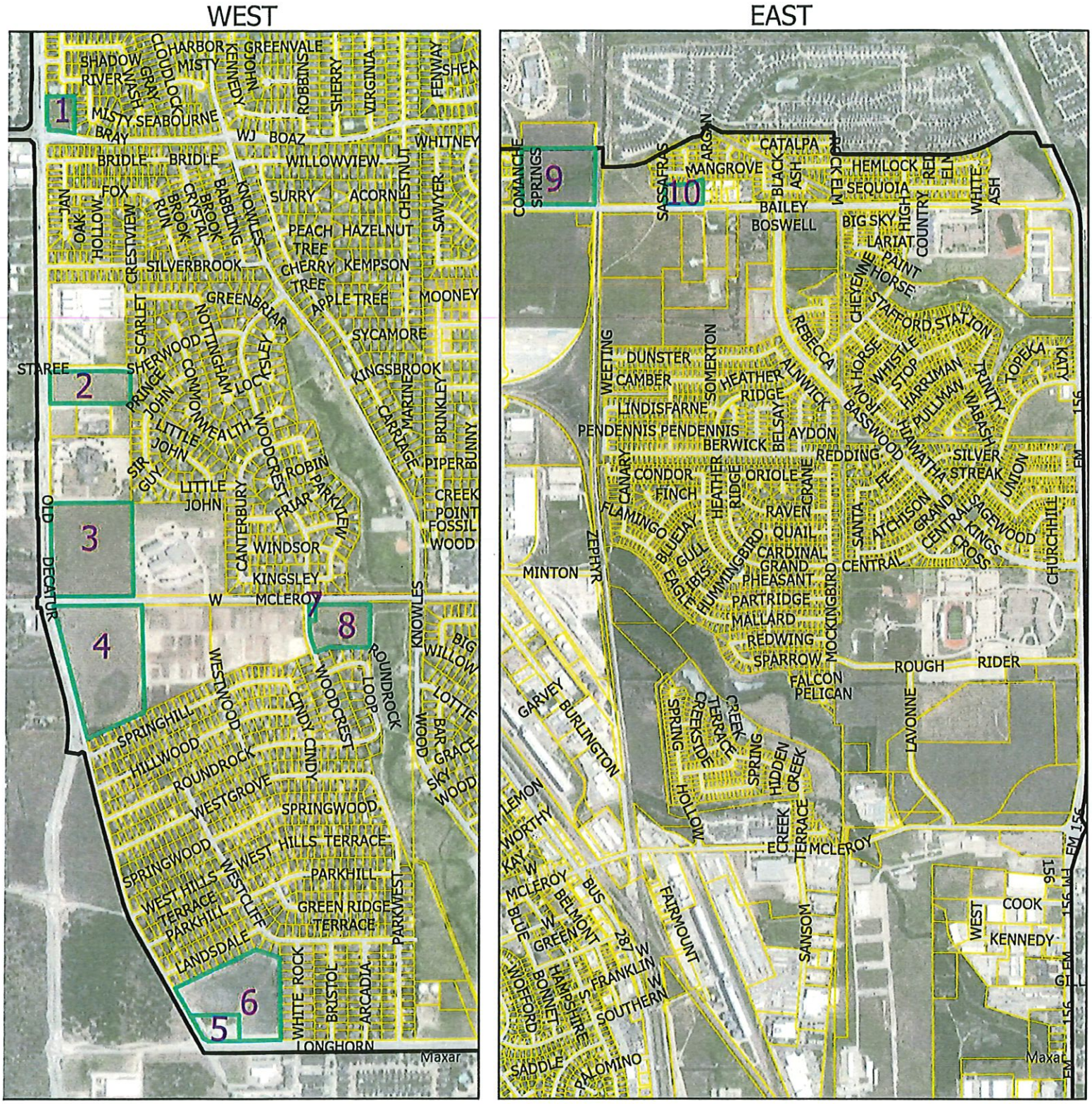
_____

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CITY OF SAGINAW

BATCH 1 POTENTIAL NEIGHBORHOOD MIXED-USE ZONING

10 Parcels



SOURCE: PELOTON LAND SOLUTIONS, 2022

N

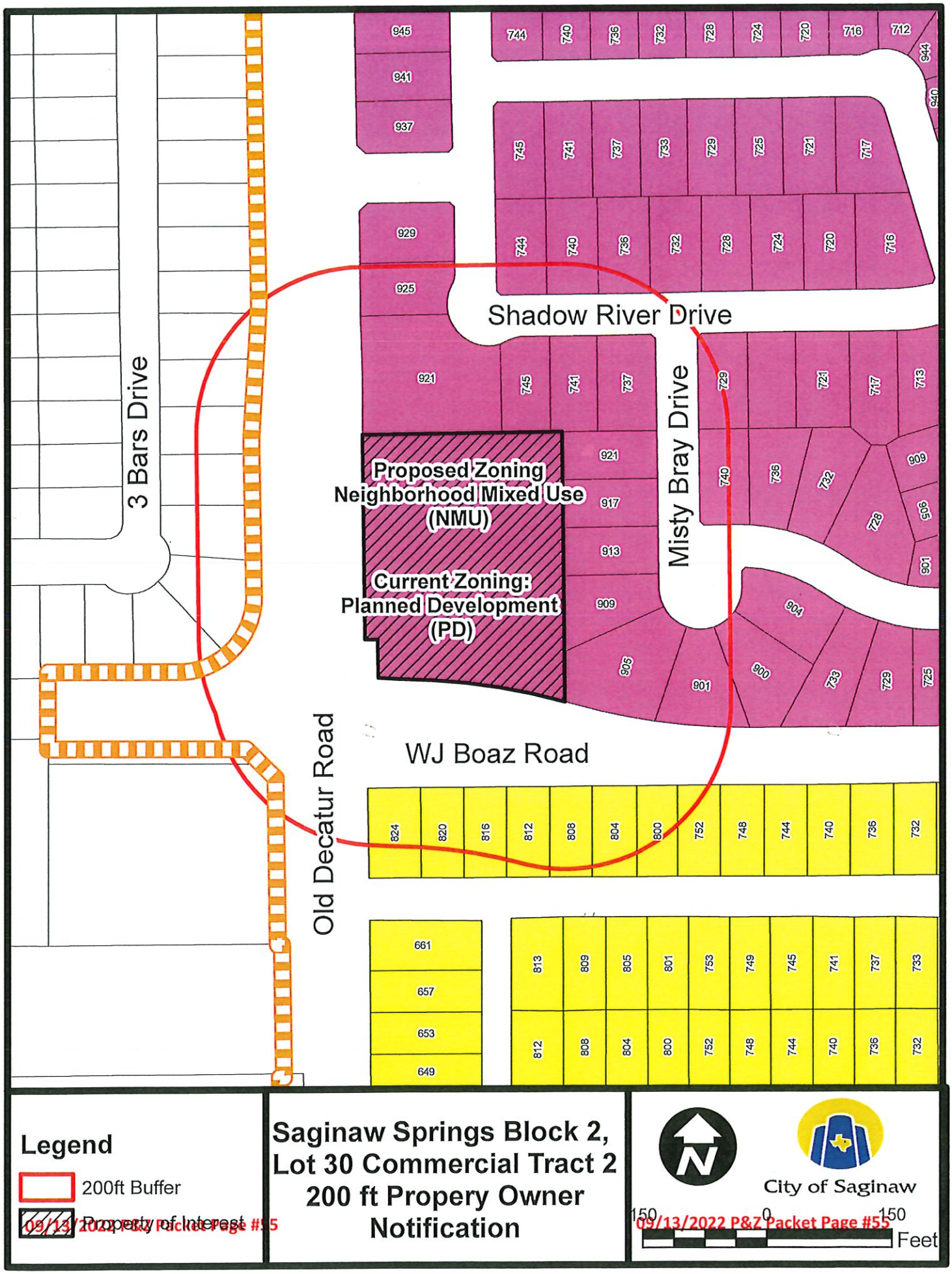
0 500 1,000 2,000 Feet

City of Saginaw City Limits

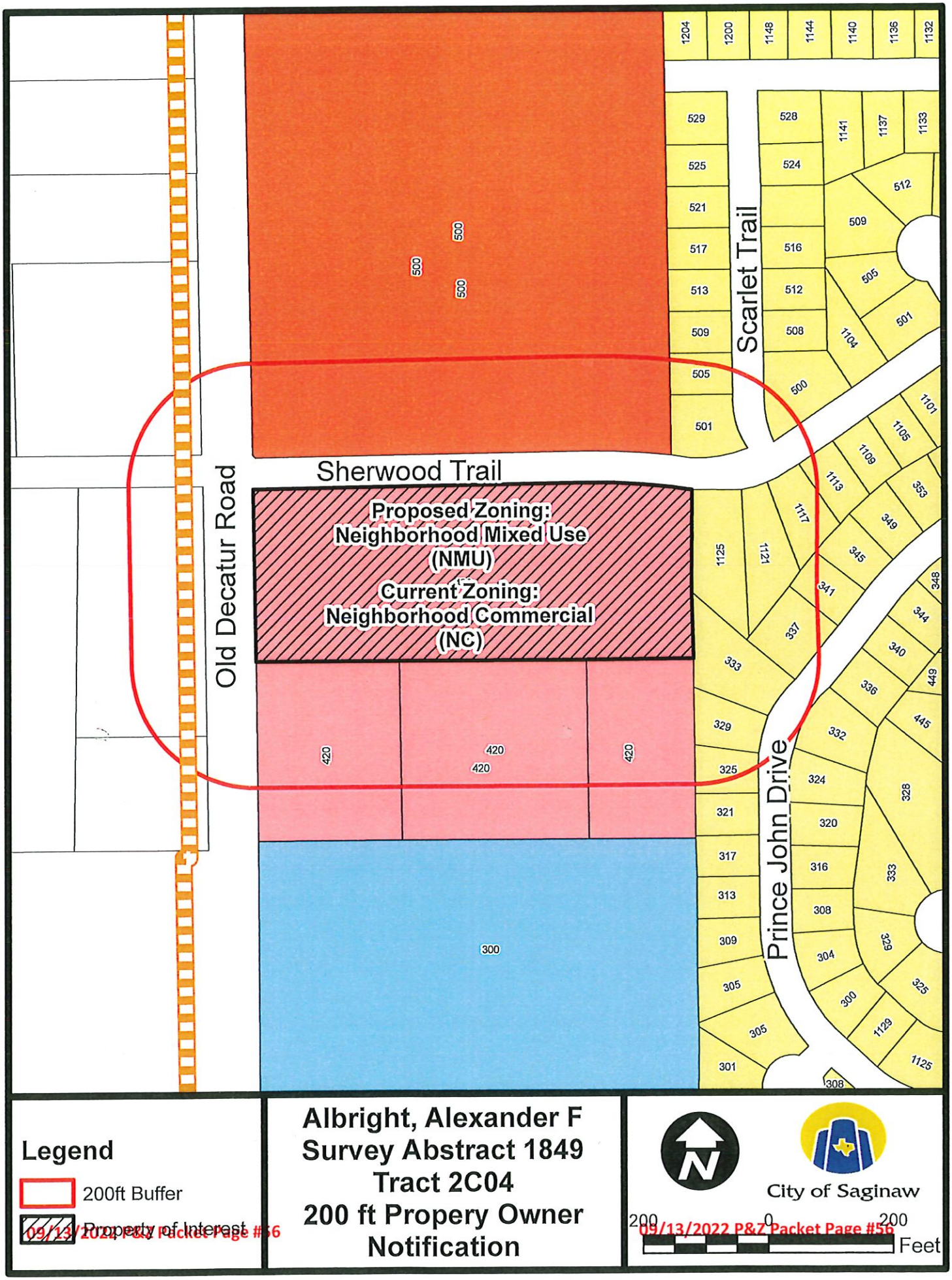
Tarrant County Parcels

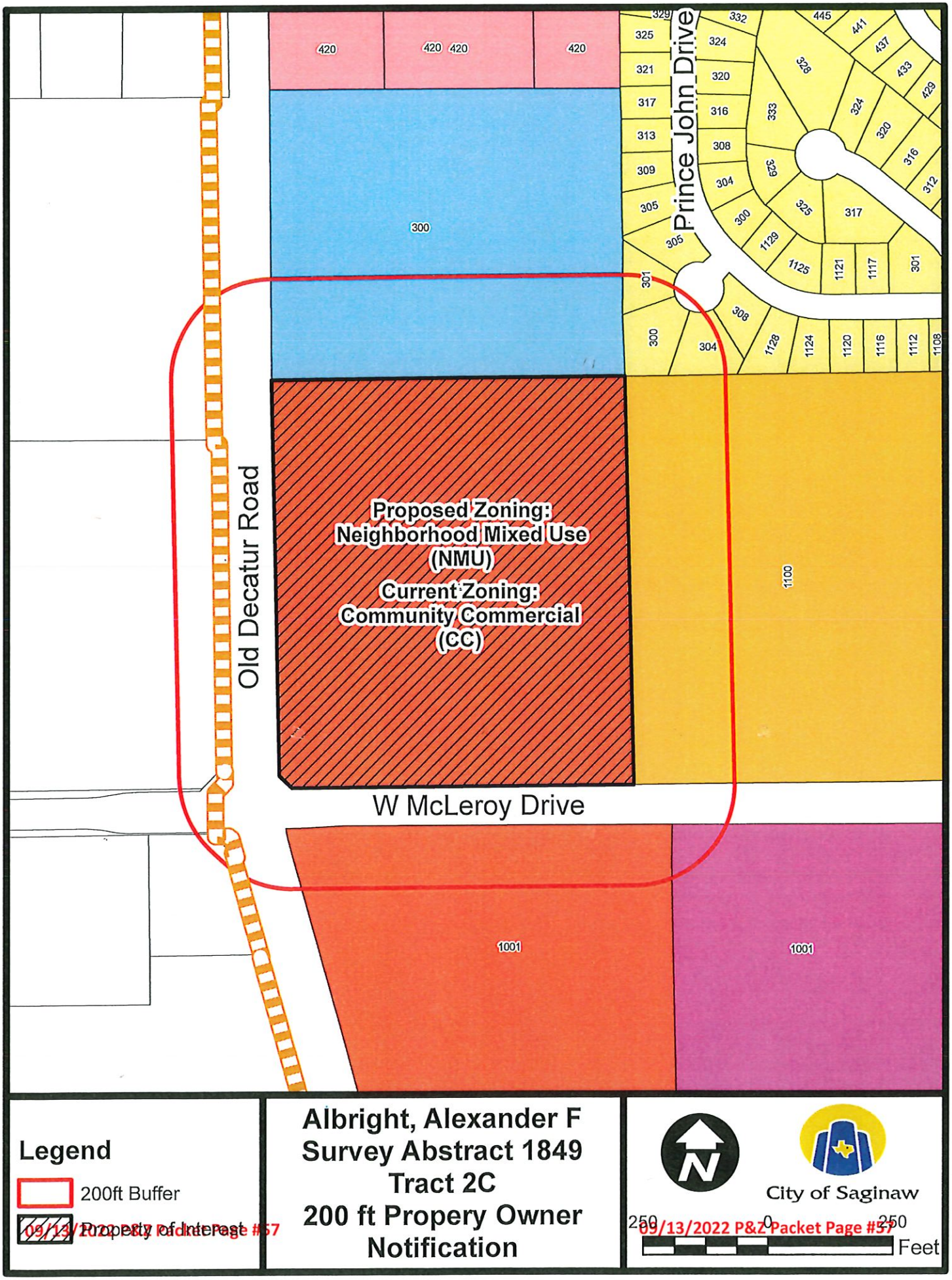
Potential Neighborhood Mixed-Use Parcel(s)

SAGINAW TEXAS

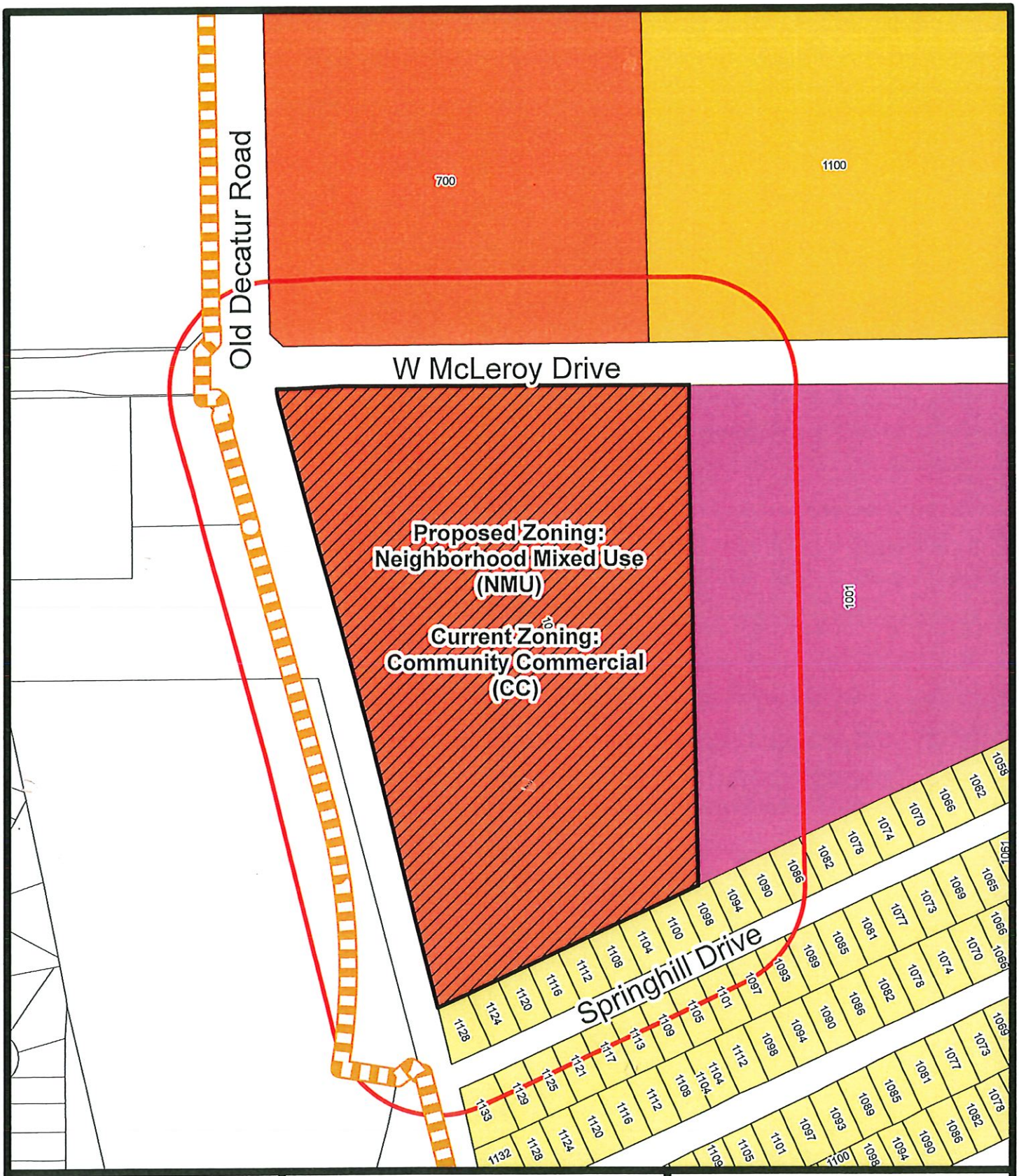


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Sherwood Trail
Old Decatur Road
Scarlet Trail
Prince John Drive
Proposed Zoning:
Neighborhood Mixed Use
(NMU)
Current Zoning:
Neighborhood Commercial
(NC)
Legend
200ft Buffer
Property of Interest
Albright, Alexander F
Survey Abstract 1849
Tract 2C04
200 ft Propery Owner
Notification
City of Saginaw
200
0
200
Feet
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Legend

200ft Buffer

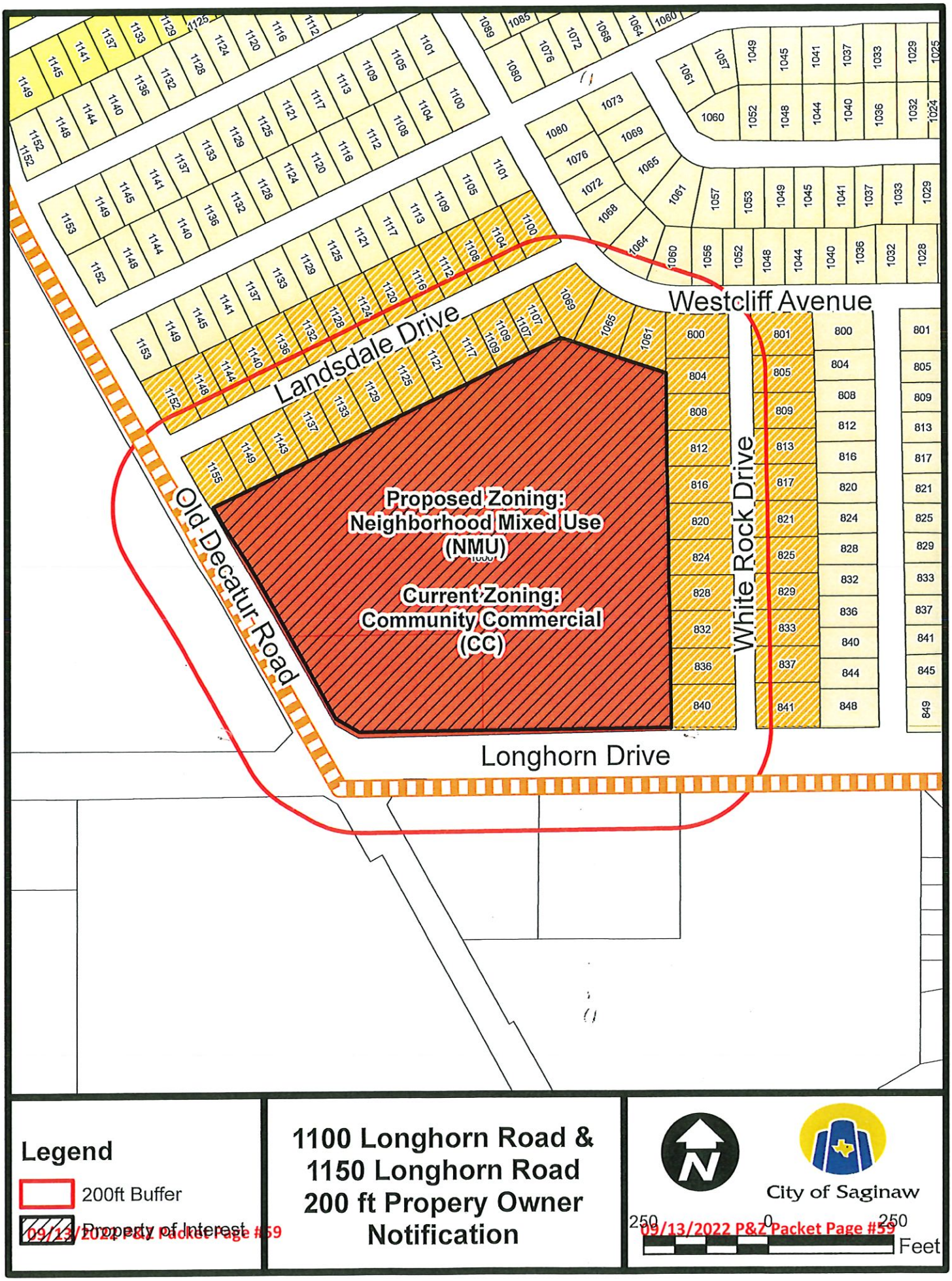
Property of Interest

Albright, Alexander F
Survey Abstract 1849
Tract 3H
200 ft Propery Owner Notification

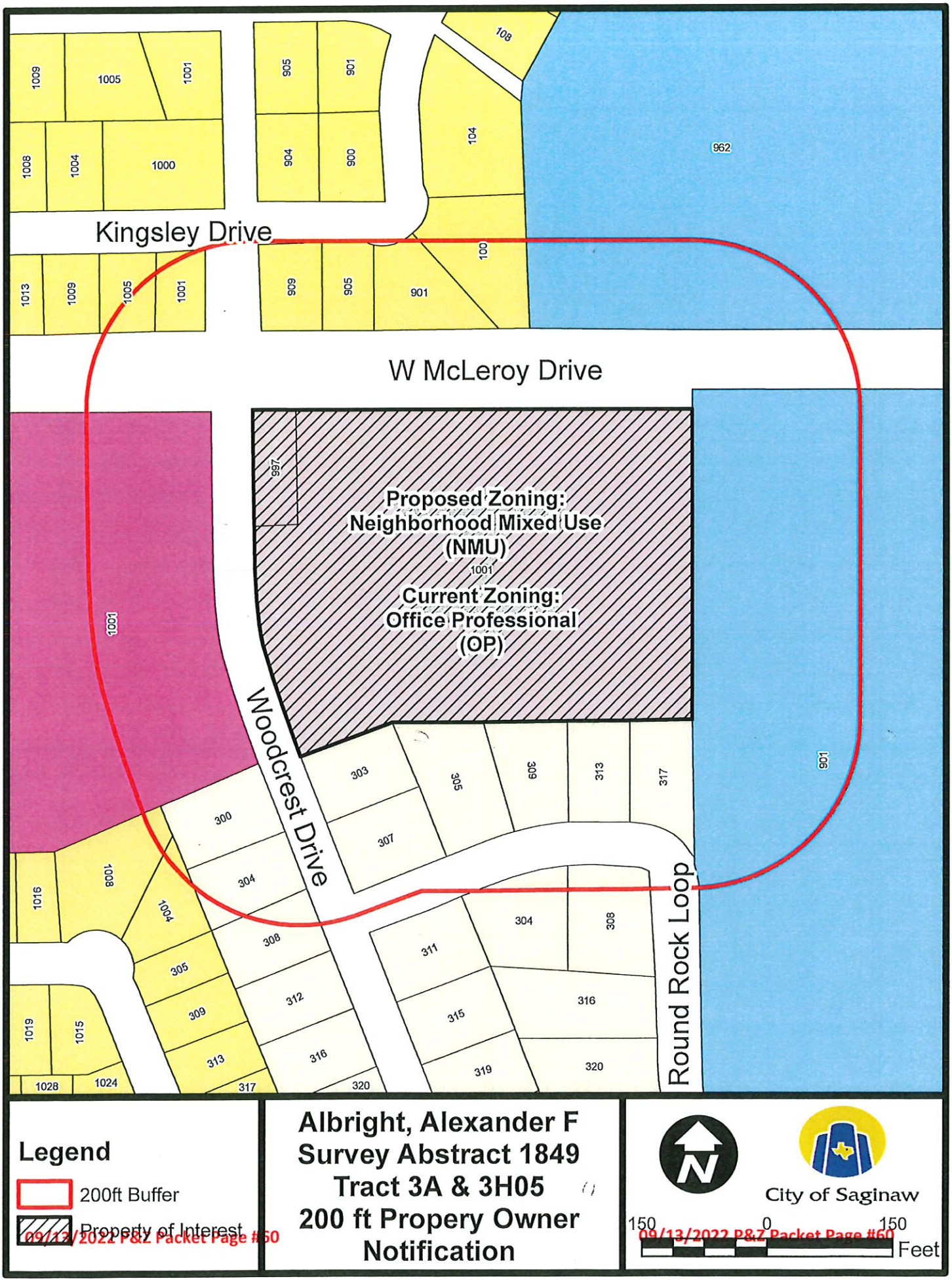
City of Saginaw

250 0 250 Feet

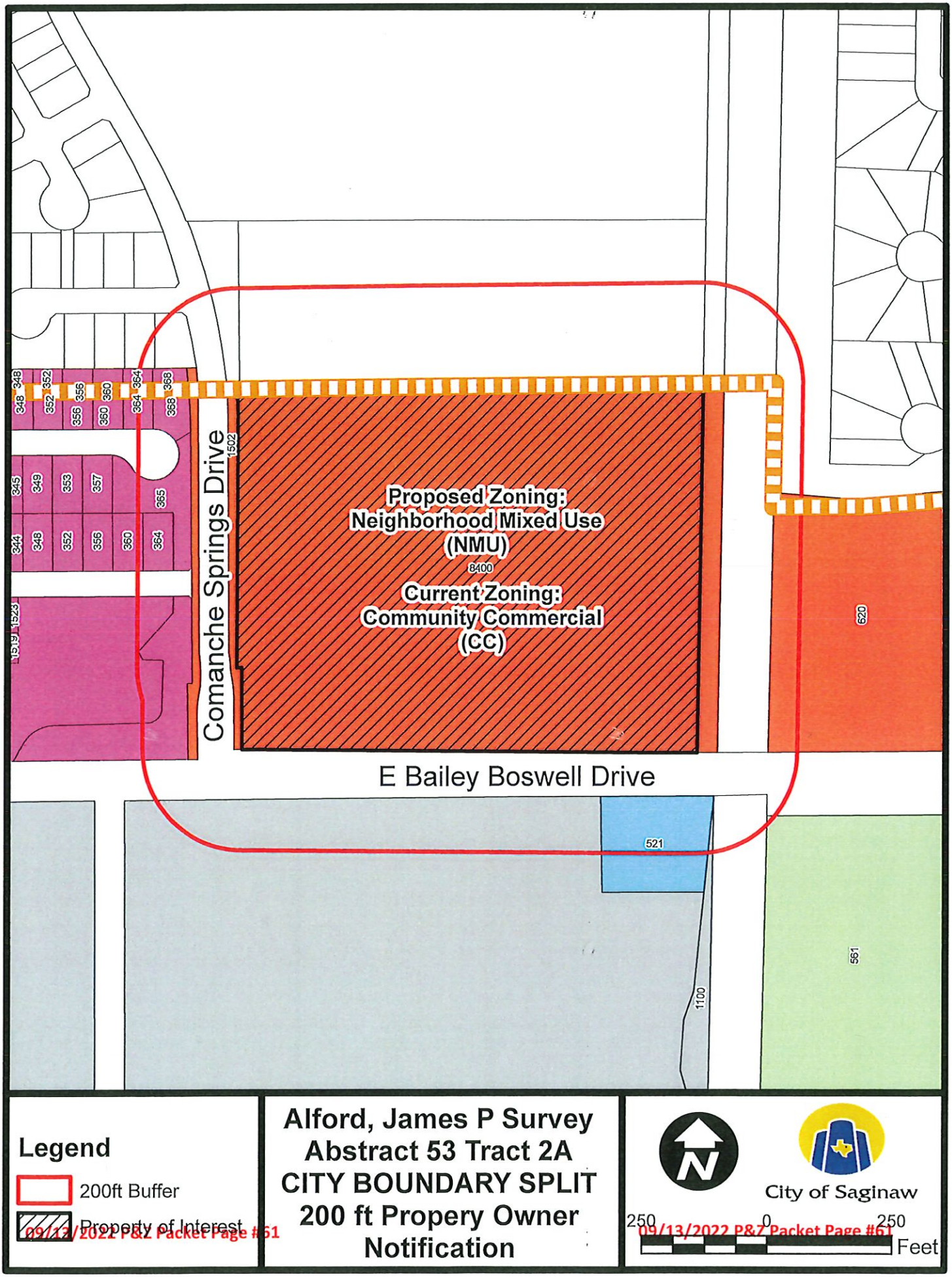
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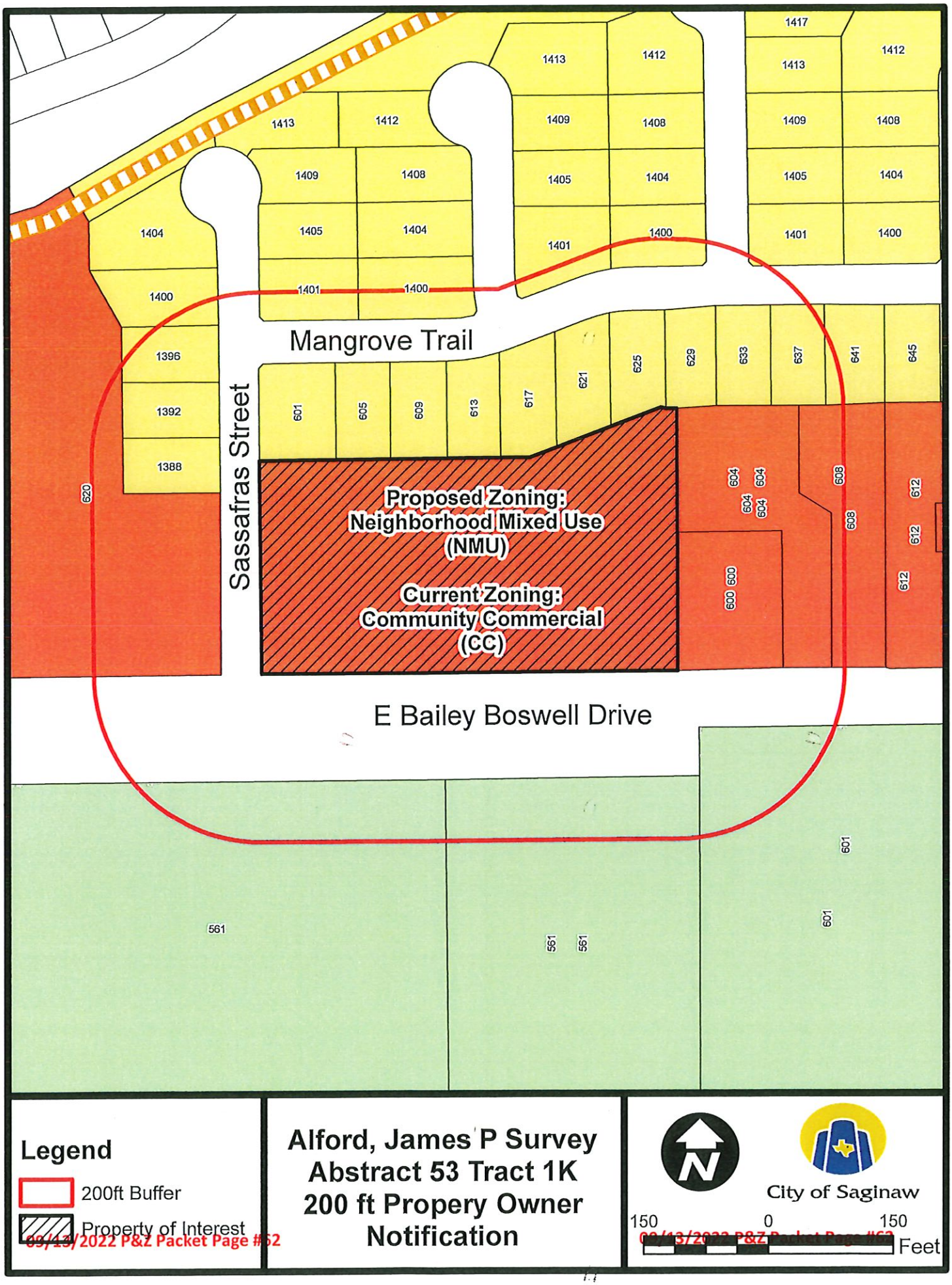
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City of Saginaw

Meeting Date: 12/6/2022

Staff Contact: Susy Victor-Trevino
Planning Manager
Salvador Gonzalez
Management Analyst

Agenda Items: (7)

E-mail: svictor@saginawtx.org
sgonzalez@saginawtx.org

Phone: 817-230-0440 817-230-0550

SUBJECT:
PUBLIC HEARING - Consideration and Action regarding Recommendation from Planning and Zoning Commission on Ordinance No. 2022-29, rezoning property described as approximately 15.2 acres out of the Albright, Alexander F. Survey, Abstract 1849, Tract 3H from Community Commercial (CC) Zoning to "NMU" Neighborhood Mixed Use Zoning; revising the official zoning map

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BACKGROUND/DISCUSSION:
See attached information and minutes from the November 8th Planning and Zoning Meeting which includes their recommendation (Item 5).

FINANCIAL IMPACT:
N/A

RECOMMENDATION:
See recommendation from Planning and Zoning Commission in the attached minutes (Item 5).

ATTACHMENTS:

Description
Proposed Ordinance 2022-29
NMU District Summary
P&Z Minutes, 11-08-2022
NMU Zoning--Reply Forms Recd
P&Z Packet Info.

ORDINANCE NO. 2022-29

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, REZONING PROPERTY DESCRIBED AS APPROXIMATELY 15.2 ACRES, OUT OF THE ALBRIGHT, ALEXANDER F SURVEY, ABSTRACT 1849, TRACT 3H, SAGINAW, TARRANT COUNTY, TEXAS, FROM COMMUNITY COMMERCIAL (CC) ZONING TO "NMU" NEIGHBORHOOD MIXED-USE ZONING; REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE WITH THEREWITH; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City has a substantial interest in protecting the health, safety, welfare, convenience, and enjoyment of the general public and has adopted zoning regulations to further this interest; and

WHEREAS, the City adopted an update to the Comprehensive Plan in 2022, which includes a Future Land Use Plan designating certain areas as Neighborhood Mixed-Use (NMU); and

WHEREAS, the City adopted a new NMU zoning district to implement the Comprehensive Plan by providing for low-intensity mixed uses compatible with residential land uses and encouraging the development of community gathering spaces, and enacting regulations related to landscaping, screening, and fencing of this new zoning district; and

WHEREAS, the City has selected the subject parcel to rezone to NMU based on its designation of NMU in the Comprehensive Plan's Future Land Use Plan; and

WHEREAS, the Planning and Zoning Commission of the City of Saginaw, Texas held a public hearing on November ____, 2022, and the City Council of the City of Saginaw, Texas, held a public hearing on December 6, 2022, with respect to the regulations described herein; 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 to amend the Zoning Regulations of the City.

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

SECTION 1.

The Comprehensive Zoning Ordinance of the City of Saginaw, as amended, is hereby amended by rezoning the property more fully described and depicted on the attached Exhibit "A" as "NMU" Neighborhood Mixed-Use District.

SECTION 2.

The use of the properties described above shall conform to all applicable regulations contained in the zoning ordinance and all other applicable and pertinent ordinances of the City of Saginaw.

SECTION 3.

The zoning district as herein established has been made in accordance with the Comprehensive Plan's Future Land Use Plan for the purpose of promoting the health, safety, morals, and general welfare of the community.

SECTION 4.

The official zoning map of the City of Saginaw is hereby amended and the City Secretary is directed to revise the zoning map to reflect the zoning classification, as set forth above.

SECTION 5.

This ordinance shall be cumulative of all provisions of ordinances and the Code of Ordinances of the City of Saginaw, Texas, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

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 phrase, clause, sentence, paragraph or section of this ordinance shall be declared void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness, or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 7.

All rights or remedies of the City of Saginaw, Texas, are expressly saved as to any and all violations of the Saginaw City Code or any amendments thereto that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until

final disposition by the courts.

SECTION 8.

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 ($2000.00) for each violation of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 9.

The City Secretary of the City of Saginaw is hereby directed to publish at least twice 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 Local Government Code.

SECTION 10.

This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the laws of the State of Texas.

PASSED AND APPROVED ON this the ____ day of _____, 2022.

_____
Todd Flippo, Mayor

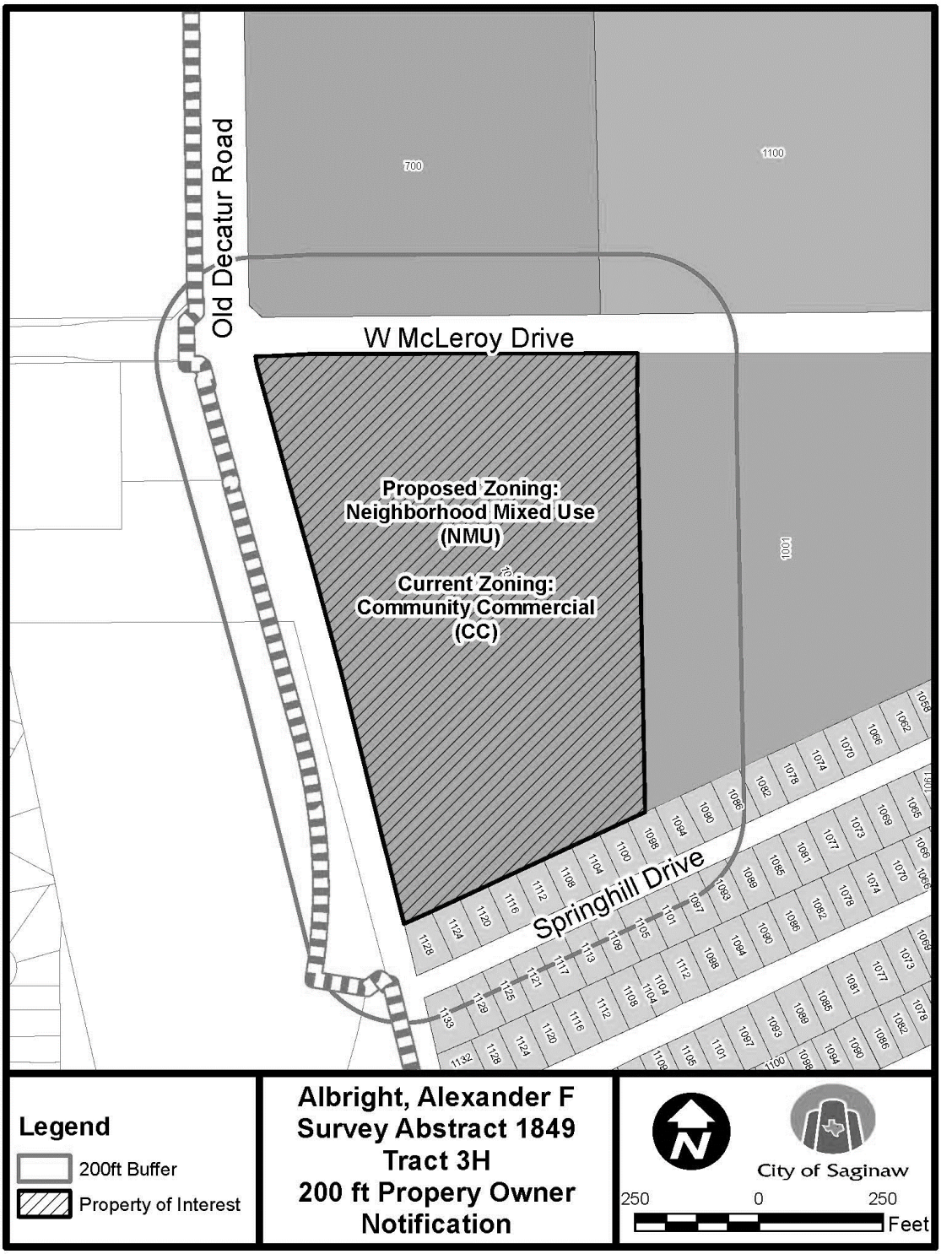
ATTEST:

_____
Janice England, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____
Bryn Meredith, City Attorney

EXHIBIT A


Old Decatur Road
W McLeroy Drive
Springhill Drive
700
1100
1001
Proposed Zoning:
Neighborhood Mixed Use
(NMU)
Current Zoning:
Community Commercial
(CC)
Legend
200ft Buffer
Property of Interest
Albright, Alexander F
Survey Abstract 1849
Tract 3H
200 ft Propery Owner
Notification
City of Saginaw
250
0
250
Feet



SAGINAW
TEXAS

Neighborhood Mixed-Use Zoning District Summary

Encourage valuable frontage to be developed with envisioned commercial use

Buildings along the street to provide walkability and limit two-story views into adjacent residential

Allow limited residential uses to provide walkability and market feasibility

Encourage gathering/parks/plaza areas through residential use activated amenity incentive

Ensure protection of existing homes by requiring enhanced screening & buffering, complementary design, and uses compatible with residential

Prevent residential structure overcrowding and preservation of open space through minimum residential structure separation

MINUTES OF A REGULAR MEETING AND PUBLIC HEARING
OF THE CITY OF SAGINAW
PLANNING AND ZONING COMMISSION
HELD AT THE CITY OF SAGINAW ED KEETER PUBLIC LIBRARY
355 WEST MCLEROY BOULEVARD
November 08, 2022

Present at the Meeting:

Member	Place No. 1	Brent Wooten
Chairman	Place No. 2	William Barngrover
Member	Place No. 3	Phillip Allen
Member	Place No. 4	Ed Larson
Alternate Member	Alt. No. 1	David Kraus
Alternate Member	Alt. No. 2	Lainey Wood*
City Attorney		Rachel Raggio
Planning Manager/Recording Secretary		Susy Victor-Trevino
Management Analyst		Salvador Gonzalez Jr.

Absent from the Meeting:

Vice-Chairman	Place No. 5	Jason LaBruyere

*Alternate Member Wood had to leave at the beginning of the meeting.

Visitors at the Meeting:

Abra Nusser	Donna Sketes
John Ainsworth	Brian Sketes
Peter Drolet	Noe Garcia
Marty Rader	John Ainsworth
Adam Burke	Sophie Bien Gerardin
Randy Mauger	Barbara Tucker
Jacob Abramovich	

(1) Call to Order

Chairman Barngrover called the meeting to order at 6:06 P.M.

(2) Roll Call to Establish Quorum

Chairman Barngrover called roll. The quorum will consist of Chairman Barngrover, Members Wooten, Allen, Larson, and Alternate Member Kraus.

(3) Audience Participation

Chairman Barngrover explained the procedures regarding audience participation.

(4) Approval of Minutes

The minutes of a regular meeting and public hearing on October 11, 2022 were presented for approval. A motion was made by Member Wooten with a second by Member Allen to approve the minutes for October 11, 2022. Motion carried unanimously.

For: Chairman Barngrover, Members Wooten, Allen, Larson, and Alternate Member Kraus

Against: None

Absent Vice-Chairman LaBruyere

5) PZ 1122-01 PUBLIC HEARING

Consideration and Action Regarding Approval of a Request for City-Initiated Rezoning of multiple parcels to "NMU" - Neighborhood Mixed-Use District for conformance to the City's Comprehensive Plan, being approximately 85 acres on the following properties: Saginaw Springs, Block 2, Lot 30, Commercial Tract 2; Albright, Alexander F Survey Abstract 1849 Tract 2C04; Albright, Alexander F Survey Abstract 1849 Tract 2C; Albright, Alexander F Survey Abstract 1849 Tract 3H; Idea Schools Addition Block A, Lot 1; Idea Schools Addition Block A, Lot 2; Albright, Alexander F Survey Abstract 1849 Tract 3A; Albright, Alexander F Survey Abstract 1849 Tract 3H05; Alford, James P Survey Abstract 53 Tract 2A City Boundary Split; and Alford, James P Survey Abstract A 53 Tract 1K, Saginaw, Tarrant County, Texas.

Chairman Barngrover opened the public hearing at 6:10 p.m.

Abra Nusser, from Peloton Solutions, briefed the Commission on the background of the ordinance, the Comprehensive Plan, and the details of each tract. Audience members concerns and questions were also addressed during the presentation, including Peter Drolet, who had overall questions regarding rezoning and how the City regulates certain issues. The Commission heard from different developers, Larry Frazier and Adam Burke, in the audience against the proposed zoning as well. Representatives from parcels six and ten shared their disapproval of the zoning change and explained that their projects would no longer work given the proposed regulations. They also explained that they solely purchased the parcels based off the initial zoning and thus the zoning would impact their plans. Planning Manager Victor-Trevino explained to the Commission that although no formal applications have been received from either parcel, the city would recommend removing the parcels from batch one if they could not adhere to the proposed regulations.

Chairman Barngrover closed the public hearing at 6:56 p.m.

A motion was made by Member Larson with a second by Member Wooten to recommend that the City Council approve a request for City-Initiated Rezoning of multiple parcels to "NMU" - Neighborhood Mixed-Use District for conformance to the City's Comprehensive Plan, being approximately 85 acres on the following properties: Saginaw Springs, Block 2, Lot 30, Commercial Tract 2; Albright, Alexander F Survey Abstract 1849 Tract 2C04; Albright, Alexander F Survey Abstract 1849 Tract 2C; Albright, Alexander F Survey Abstract 1849 Tract 3H; Idea Schools Addition Block A, Lot 1; Albright, Alexander F Survey Abstract 1849 Tract 3A; Albright, Alexander F Survey Abstract 1849 Tract 3H05; and Alford, James P Survey Abstract 53 Tract 2A City Boundary Split, Saginaw, Tarrant County, Texas and to recommend the disapproval of the following properties; Idea Schools Addition Block A, Lot 2, and Alford, James P Survey Abstract A 53 Tract 1K, Saginaw, Tarrant County, Texas.

For: Chairman Barngrover
Members Wooten, Allen, Larson, and Alternate Member Kraus

Against: None

Absent Vice-Chairman LaBruyere, Alternate Member Wood

(6) PZ 1122-02

Consideration and Action Regarding Approval of a Final Plat (Conveyance Plat) for Lots 3 & 4, Block, 1 The Square, Benjamin Thomas Survey, Abstract 1497, City of Saginaw, Tarrant County, Texas.

John Ainsworth, from Kimley-Horn, briefed the Commission on the background and details of the conveyance plat and answered the Commission's questions. Audience participation was bypassed.

A motion was made by Alternate Member Kraus with a second by Member Larson to recommend that the City Council approve a Final Plat (Conveyance Plat) for Lots 3 & 4, Block, 1 The Square, Benjamin Thomas Survey, Abstract 1497, City of Saginaw, Tarrant County, Texas.

For: Chairman Barngrover
Members Wooten, Allen, Larson, and Alternate Member Kraus

Against: None

Absent Vice-Chairman LaBruyere, Alternate Member Wood

(7) PZ 1122-03 PUBLIC HEARING
Consideration and Action Regarding Approval to Consider an Ordinance Amending the Zoning Ordinance of the City of Saginaw, Texas, Amending Article 2, "Planning and Zoning Commission," of Appendix A, "Zoning," of the Saginaw City Code, which Establishes a Planning and Zoning Commission and Provides for the Purposes, Organization, and Membership of the Commission.

Chairman Barngrover opened the public hearing at 7:05 p.m.

Management Analyst, Salvador Gonzalez Jr., briefed the Commission on the background and details of the ordinance. Questions over the ordinance by the Commission were addressed by Management Analyst Gonzalez Jr., with specific legal questions beings addressed by City Attorney, Rachel Raggio. Audience participation was bypassed.

Chairman Barngrover closed the public hearing at 7:09 p.m.

A motion was made by Member Wooten with a second by Alternate Member Kraus to recommend that the City Council approve an Ordinance Amending the Zoning Ordinance of the City of Saginaw, Texas, Amending Article 2, "Planning and Zoning Commission," of Appendix A, "Zoning," of the Saginaw City Code, which Establishes a Planning and Zoning Commission and Provides for the Purposes, Organization, and Membership of the Commission.

For: Chairman Barngrover
Members Wooten, Larson, and Alternate Member Kraus

Against: Member Allen

Absent Vice-Chairman LaBruyere, Alternate Member Wood

(8) PZ 1122-04 PUBLIC HEARING
Consideration and Action Regarding Approval to Consider an Ordinance Amending the Zoning Ordinance of the City of Saginaw, Texas, Amending Article 3, "Board of Adjustment," of Appendix A, "Zoning," of the Saginaw City Code, which establishes a Board of Adjustment and Provides for the Purposes, Organization, and Membership of the Board.

Chairman Barngrover opened the public hearing at 7:10 p.m.

Management Analyst, Salvador Gonzalez Jr., briefed the Commission on the background and details of the ordinance. Audience participation was bypassed.

Chairman Barngrover closed the public hearing at 7:12 p.m.

A motion was made by Member Wooten with a second by Member Larson to recommend that the City Council approve an Ordinance Amending the Zoning Ordinance of the City of Saginaw, Texas, Amending Article 3, "Board of Adjustment," of Appendix A, "Zoning," of the Saginaw City Code, which establishes a Board of Adjustment and Provides for the Purposes, Organization, and Membership of the Board.

For: Chairman Barngrover
Members Wooten, Allen, Larson, and Alternate Member Kraus

Against: None

Absent Vice-Chairman LaBruyere, Alternate Member Wood

(9) PZ 1122-05 PUBLIC HEARING

Consideration and Action Regarding Approval to Consider an Ordinance Amending the Zoning Ordinance of the City of Saginaw, Texas, Amending Section 7-1 "PD Planned Development District" of Article 7 "Special Districts" of Appendix A "Zoning" of the Saginaw City Code by Removing the Minimum Acreage Requirement for Planned Development Districts.

Chairman Barngrover opened the public hearing at 7:13 p.m.

Planning Manager Susy Victor-Trevino briefed the Commission on the background and details of the ordinance. The questions of the commission were then addressed by Planning Manager, Victor-Trevino. Audience participation was bypassed.

Chairman Barngrover closed the public hearing at 7:21 p.m.

A motion was made by Member Larson with a second by Member Wooten to recommend that the City Council approve an Ordinance Amending the Zoning Ordinance of the City of Saginaw, Texas, Amending Section 7-1 "PD Planned Development District" of Article 7 "Special Districts" of Appendix A "Zoning" of the Saginaw City Code by Removing the Minimum Acreage Requirement for Planned Development Districts.

For: Chairman Barngrover
Members Wooten, Allen, Larson, and Alternate Member Kraus

Against: None

Absent Vice-Chairman LaBruyere, Alternate Member Wood

(10) Staff Report

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

B. Update Commission of City Council Action on Previous Cases

Planning Manager Victor-Trevino and Management Analyst Gonzalez Jr. reviewed several of the current projects under construction in the city.

(11) 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.

(12) Adjournment

Motion was made by Member Larson with a second by Member Wooten to adjourn the meeting. Motion carried.

For: Chairman Barngrover
Members Wooten, Allen, Larson, and Alternate Member Kraus

Against: None

Absent Vice-Chairman LaBruyere, Alternate Member Wood

Chairman Barngrover declared the meeting of November 08, 2022 closed at 7:32 p.m.

APPROVED:

_____
Chairman

ATTEST:

_____
Susy Victor-Trevino,
Planning Manager/Recording Secretary

REPLY FORM

In order to be on record, this form may be filled out and mailed to the Planning Manager, at City of Saginaw, Texas, P. O. Drawer 79070, Saginaw, Texas 76179. If you have questions concerning this request, please call the Planning Manager, Susy Victor-Trevino, at 817-230-0440.

The Planning & Zoning Commission Meeting on 11/08/2022 at 6:00 p.m. and the City Council Meeting on 12/06/2022 at 6:00 p.m. is in regards to a request for city-initiated rezoning of multiple parcels, approximately 85 acres of land in Saginaw, Texas, to "NMU" - Neighborhood Mixed-Use District for conformance to the City's Comprehensive Plan.

Name: Randy Mauger - North Forest Office Space

Address: 4645 Wyndham Lane Suite 250B, Frisco, TX, 7503

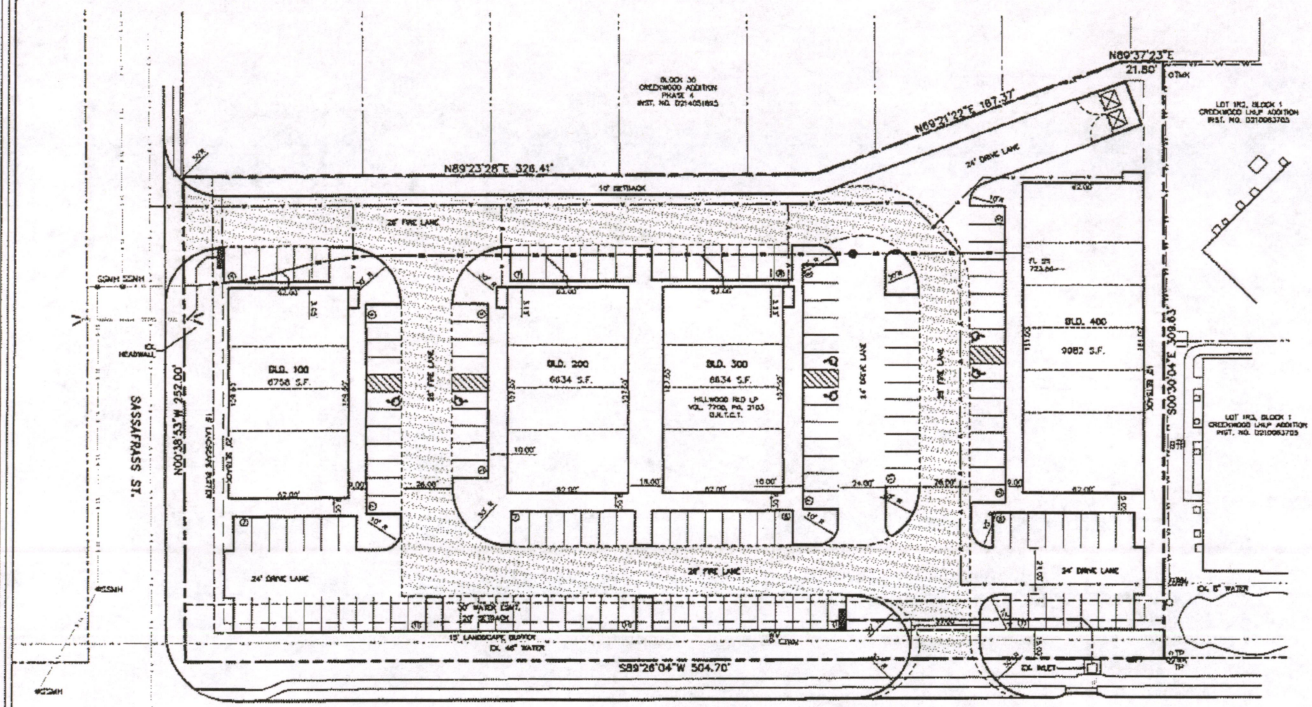
Phone Number: _____

( ) In Favor

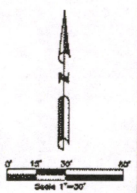
(X) Opposed

Reasons and/or Comments:

We are the owners and developers for Site #10 located at Sassafrass and E Bailey Boswell. We were not consulted about this rezoning of our property. We have had a development plan prepared since early 2022 and we have had conversations with Saginaw's Planning, Engineering, and Fire Marshals on our site plan to discuss comments and feedback. We have site plan and architectural approval from Hillwood Group on this site already. We purchased this site in June of this year with the existing Community Commercial zoning in mind during our due diligence. Our building model is very specific and we have only professional office space and medical office space users. The NMU requirements would disrupt our current plan and not work with our design standards (Sec 6-18 NMU Item B). The rear setbacks and build to zone will put us out of our business model we have had since 1982. Our model is exclusively neighborhood services and fits perfectly with the surrounding area and the Community Commercial zoning. The zoning change could have a major detrimental monetary impact on our existing development plans for this property.



SITE DATA TABLE			
PROP. USE	PROFESSIONAL OFFICE		
ADDRESS	BAILEY BOSWELL BLVD.		
GROSS SITE AREA	3.056 ACRES		
ZONING	CC		
CURRENT USE	VACANT		
BUILDING DATA			
BUILDING AREA	30,008 S.F.		
PARKING SUMMARY		REQ.	PROV.
PROFESSIONAL OFFICE	(CITY 1:250)	120	151
	(NFOS 1:200)	150	
HC PARKING		6	6



No.	DATE	REVISION	APPROV.

Middleton & Associates, LLC.
PROJECT ENGINEER:
CONSULTING CIVIL ENGINEERS & LAND PLANNERS
TBPE #-10900 © Copyright 2022
2765 ROCKBROOK DRIVE, SUITE 105
LEWISVILLE, TEXAS 75067 (972) 393-9000

PRELIMINARY CONCEPT PLAN 7

NORTH FOREST OFFICE SPACE
BAILEY BOSWELL BLVD.
SAGINAW, TEXAS

Drawing File: 0057018CONCEPT7.DWG	DATE:	SCALE:	SHEET NO.
Project No. 0057018	3-16-22	1"=30'	1 / 1

REPLY FORM

In order to be on record, this form may be filled out and mailed to the Planning Manager, at City of Saginaw, Texas, P. O. Drawer 79070, Saginaw, Texas 76179. If you have questions concerning this request, please call the Planning Manager, Susy Victor-Trevino, at 817-230-0440.

before 6pm

The Planning & Zoning Commission Meeting on 11/08/2022 at 6:00 p.m. and the City Council Meeting on 12/06/2022 at 6:00 p.m. is in regards to a request for city-initiated rezoning of multiple parcels, approximately 85 acres of land in Saginaw, Texas, to "NMU" - Neighborhood Mixed-Use District for conformance to the City's Comprehensive Plan.

Nov. 20, 2021

Name: Guadalupe Barreto

Address: 533 Sierra Blanca Dr.
Property own also at 1068 Westcliff Ave.

Phone Number:

( ) In Favor

(X) Opposed

Reasons and/or Comments

First, I want to thank Ms. Victor-Trevino for sharing the information she had regarding this project.

I opposed because not enough information is provided for this issue.

My unanswered questions: What will be the estimated number of units? Human density? What is the plan to alleviate the traffic in the streets around the project.

Both meetings are not scheduled on days that I can attend.

I am a president of a non-profit and our meetings are on Tuesdays.

REPLY FORM

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Name: Roderick Hill

Address: 1113 Sherwood Trl.

Phone Number: [redacted]

(✓) In Favor

( ) Opposed

Reasons and/or Comments

N/A

REPLY FORM

In order to be on record, this form may be filled out and mailed to the Planning Manager, at City of Saginaw, Texas, P. O. Drawer 79070, Saginaw, Texas 76179. If you have questions concerning this request, please call the Planning Manager, Susy Victor-Trevino, at 817-230-0440.

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Name: Pat Peacock

Address: 1120 Springfield Dr. Saginaw, TX 76179

Phone Number: [illegible]

(X) In Favor

( ) Opposed

Reasons and/or Comments

CITY OF SAGINAW
PLANNING AND ZONING COMMISSION
AUDIENCE PARTICIPATION FORM

In an effort to maintain order, the following policy has been adopted for anyone wishing to speak during an item listed on the agenda. ***PLEASE NOTE: PRESENTATIONS/COMMENTS ARE LIMITED TO 3 MINUTES PER PERSON.***

1. Complete the information at the bottom of this form and give the form to the Public Works Director. The form will be given to the Chairman and he will call on you during the item.

2. When the Chairman calls you to speak, you will need to speak from the podium. Before you begin your remarks, state your name and address for the official record.

DECLINED

Date: NOV 8, 2022

Item Number: PZ1122-01 Do you wish to speak *FOR* or *AGAINST* the item? _____

Subject: REZONING

Name: MARTY RADER

Address: _____

Telephone: _____ E-Mail: _____

CITY OF SAGINAW
PLANNING AND ZONING COMMISSION
AUDIENCE PARTICIPATION FORM

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2. When the Chairman calls you to speak, you will need to speak from the podium. Before you begin your remarks, state your name and address for the official record.

Date: 11/8/22

Item Number: _____ Do you wish to speak *FOR* or *AGAINST* the item? Concerned

Subject: Rezoning

Name: Peter Drolet

Address: 917 Misty Brook Ct

Telephone: _____ E-Mail: _____

CITY OF SAGINAW
PLANNING AND ZONING COMMISSION
AUDIENCE PARTICIPATION FORM

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2. When the Chairman calls you to speak, you will need to speak from the podium. Before you begin your remarks, state your name and address for the official record.

Date: 11/8/22

Item Number: _____ Do you wish to speak *FOR* or *AGAINST* the item? AGAINST

Subject: PROPERTY ID NMU ZONING

Name: ADAM BURKE

Address: 305 N HEATHERWILDE DR STE 250, PFLUGERVILLE, TX 78660

Telephone: [redacted] E-Mail: [redacted]

CITY OF SAGINAW
PLANNING AND ZONING COMMISSION
AUDIENCE PARTICIPATION FORM

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Date: NOV 8, 2022 PARCEL 6
Item Number: P21122-01 Do you wish to speak *FOR* or *AGAINST* the item? _____

Subject: REZONING

Name: LARRY FRAZIER
Address: 8073 EAGLE MOUNTAIN CIRCLE
Telephone: _____ E-Mail: _____

City of Saginaw
Planning and Zoning

Neighborhood Mixed-Use (NMU) City Initiated Rezoning

Date: November 08, 2022

To: Chairman and Members of the Planning and Zoning Commission

From: Susy Victor-Trevino, Planning Manager

Subject: Consideration and Action Regarding Approval of a Request for City-Initiated Rezoning of multiple parcels to "NMU" - Neighborhood Mixed-Use District for conformance to the City's Comprehensive Plan, being approximately 85 acres on the following properties: Saginaw Springs, Block 2, Lot 30, Commercial Tract 2; Albright, Alexander F Survey Abstract 1849 Tract 2C04; Albright, Alexander F Survey Abstract 1849 Tract 2C; Albright, Alexander F Survey Abstract 1849 Tract 3H; Idea Schools Addition Block A, Lot 1; Idea Schools Addition Block A, Lot 2; Albright, Alexander F Survey Abstract 1849 Tract 3A; Albright, Alexander F Survey Abstract 1849 Tract 3H05; Alford, James P Survey Abstract 53 Tract 2A City Boundary Split; and Alford, James P Survey Abstract A 53 Tract 1K, Saginaw, Tarrant County, Texas.

Background/Discussion:

On August 09, 2022 the Planning and Zoning Commission made a recommendation to Council to approve the request to consider amending the Code of Ordinances, Appendix A (Zoning Ordinance No. 2002-04) Amending Article 5 "Permitted Uses", Article 6 "Zoning Districts", Article 8 "Supplemental District Regulations", and Article 12 "Definitions", Providing for Standards Relating to a New Neighborhood Mixed-Use Zoning District. On August 16, 2022, the City Council voted unanimously to table this item and approved the item on September 06, 2022.

The new zoning district, Neighborhood Mixed-Use, was created to assist the City in executing the 2022 Comprehensive Plan's vision. Now that both the Planning and Zoning Commission and City Council have approved the new Neighborhood Mixed-Use Zoning District, the next step in the execution process would be to implement the new zoning district throughout the City. The City, with the expertise of Peloton Solutions, has chosen to begin the city-initiated rezoning process for Neighborhood-Mixed-Use Zoning on ten undeveloped parcels. The City wanted to first focus on undeveloped parcels to be able to more effectively utilize remaining land throughout the City in the best interest of our community.

Staff Recommendation:

Staff recommends that the request for an approval of a request for city-initiated rezoning of multiple parcels to "NMU" - Neighborhood Mixed-Use District for conformance to the City's Comprehensive Plan, being approximately 85 acres on the following properties: Saginaw Springs, Block 2, Lot 30, Commercial Tract 2; Albright, Alexander F Survey Abstract 1849 Tract 2C04; Albright, Alexander F Survey Abstract 1849 Tract 2C; Albright, Alexander F Survey Abstract 1849 Tract 3H; Idea Schools Addition Block A, Lot 1; Idea Schools Addition Block A, Lot 2; Albright, Alexander F Survey Abstract 1849 Tract 3A; Albright, Alexander F Survey Abstract 1849 Tract 3H05; Alford, James P Survey Abstract 53 Tract 2A City Boundary Split; and Alford, James P Survey Abstract A 53 Tract 1K, Saginaw, Tarrant County, Texas. be forwarded to the City Council with a recommendation for approval.

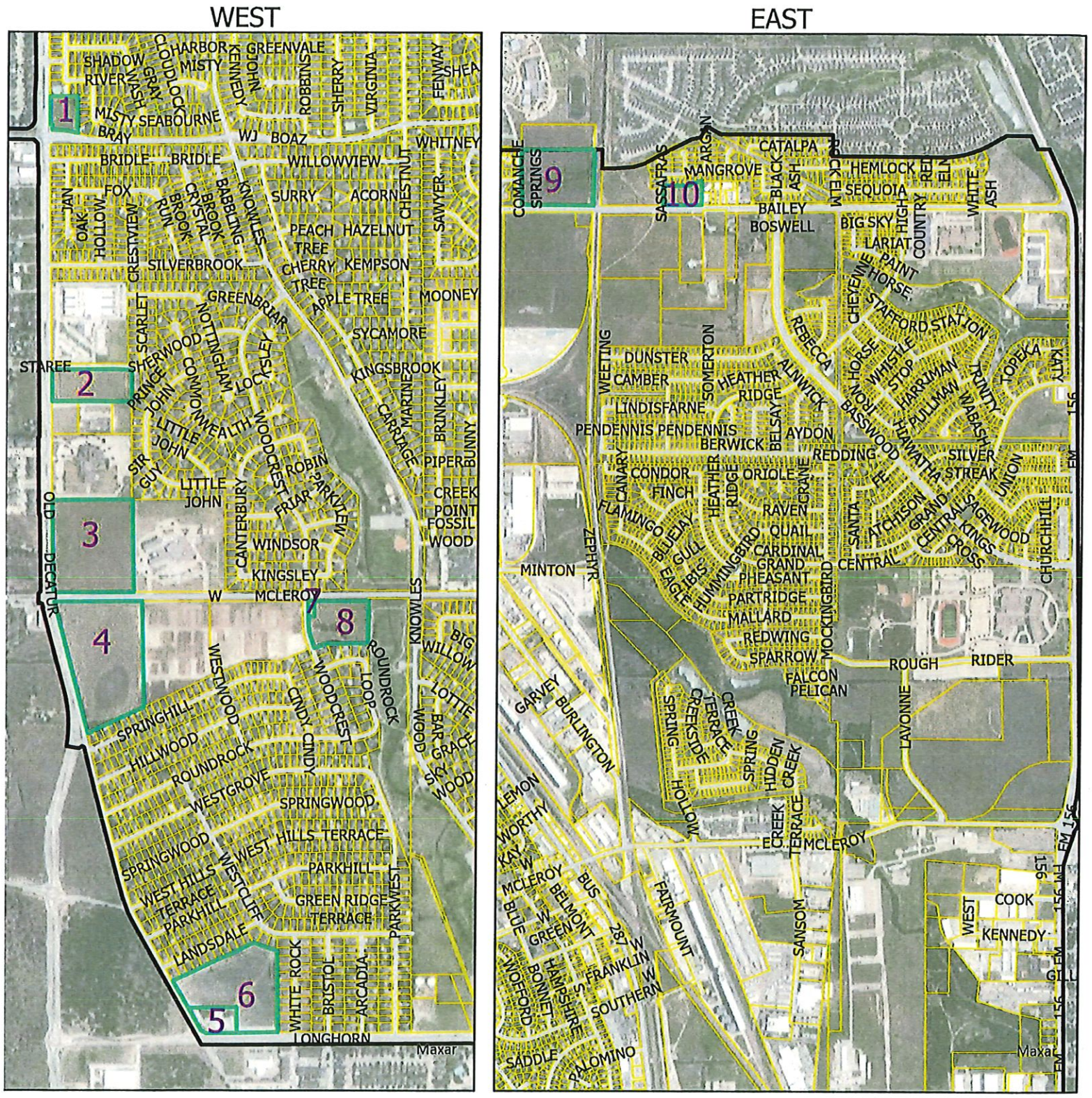
09/13/2022 P&Z Packet Page #8

Attachments:
Ordinance 2022-11, Master Batch Map, Batch 1 Parcel Information, 200 ft. Parcel Maps

CITY OF SAGINAW

BATCH 1 POTENTIAL NEIGHBORHOOD MIXED-USE ZONING

10 Parcels



SOURCE: PELOTON LAND SOLUTIONS, 2022

N

0 500 1,000 2,000 Feet

City of Saginaw City Limits

Tarrant County Parcels

Potential Neighborhood Mixed-Use Parcel(s)

SAGINAW TEXAS

09/13/2022 P&Z Packet Page #9



City of Saginaw

Neighborhood Mixed-Use Rezoning Parcel Exhibits Batch 1

Peloton Land Solutions, October 2022

09/13/2022 P&Z Packet Page #10

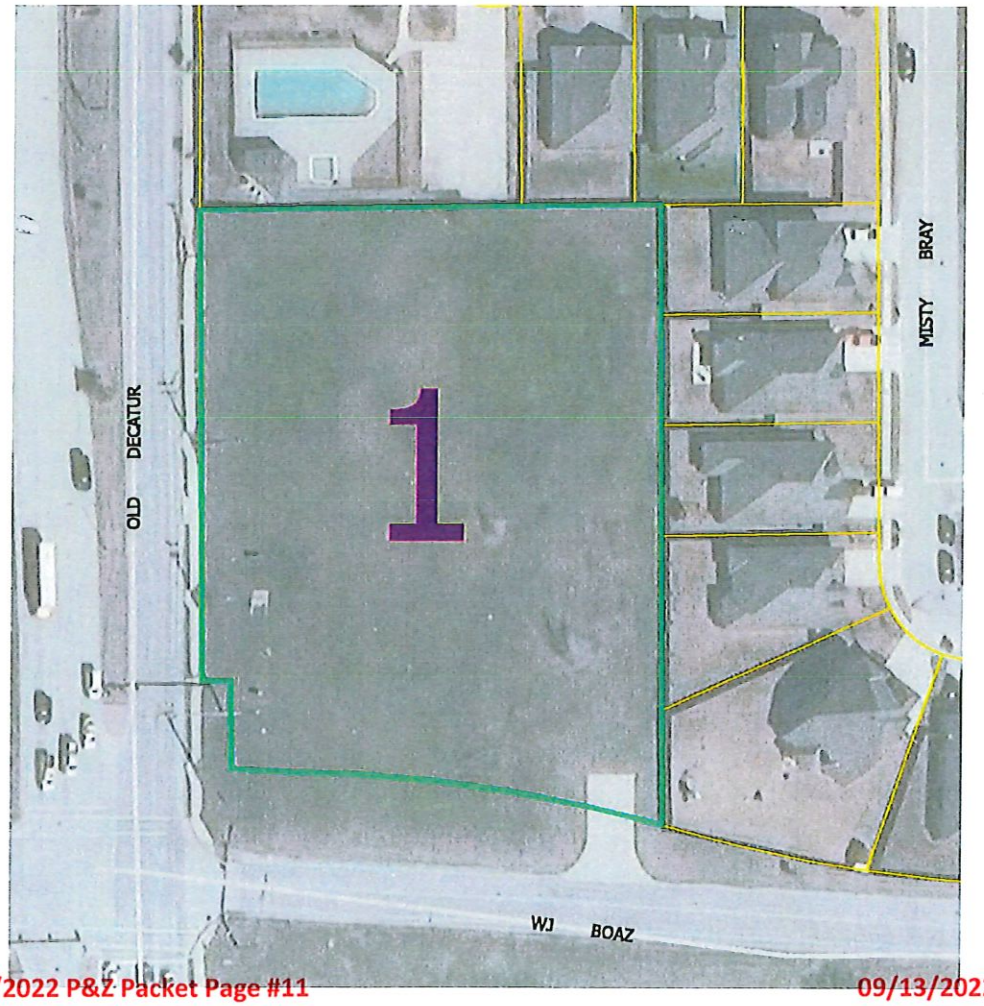
NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 1

VICINITY MAP



LOCATION MAP



09/13/2022 P&Z Packet Page #11

Batch 1, Parcel 1

GENERAL DESCRIPTION

The subject property is located at the northeast corner of Old Decatur Road and WJ Boaz Road and is undeveloped.

SURROUNDING LAND USE

	North: Single Family Residential	
West: (City of Fort Worth) Right-of-Way (Old Decatur Road)	Subject Property: Undeveloped	East: Single Family Residential
	South: Right-of-Way (WJ Boaz Road)	

SUBJECT PROPERTY DETAILS

Size:
1.7 Acres ±

Width:
240' ±
Depth:
299' ±

Existing Zoning:
Planned Development Ord. No. 2021-16
(Mixed Uses)

Platting Status:
Platted

LEGAL DESCRIPTION

SAGINAW SPRINGS, Block 2, Lot 30, COMMERCIAL TRACT 2

Source: Tarrant County Appraisal District, 2022

09/13/2022 P&Z Packet Page #12

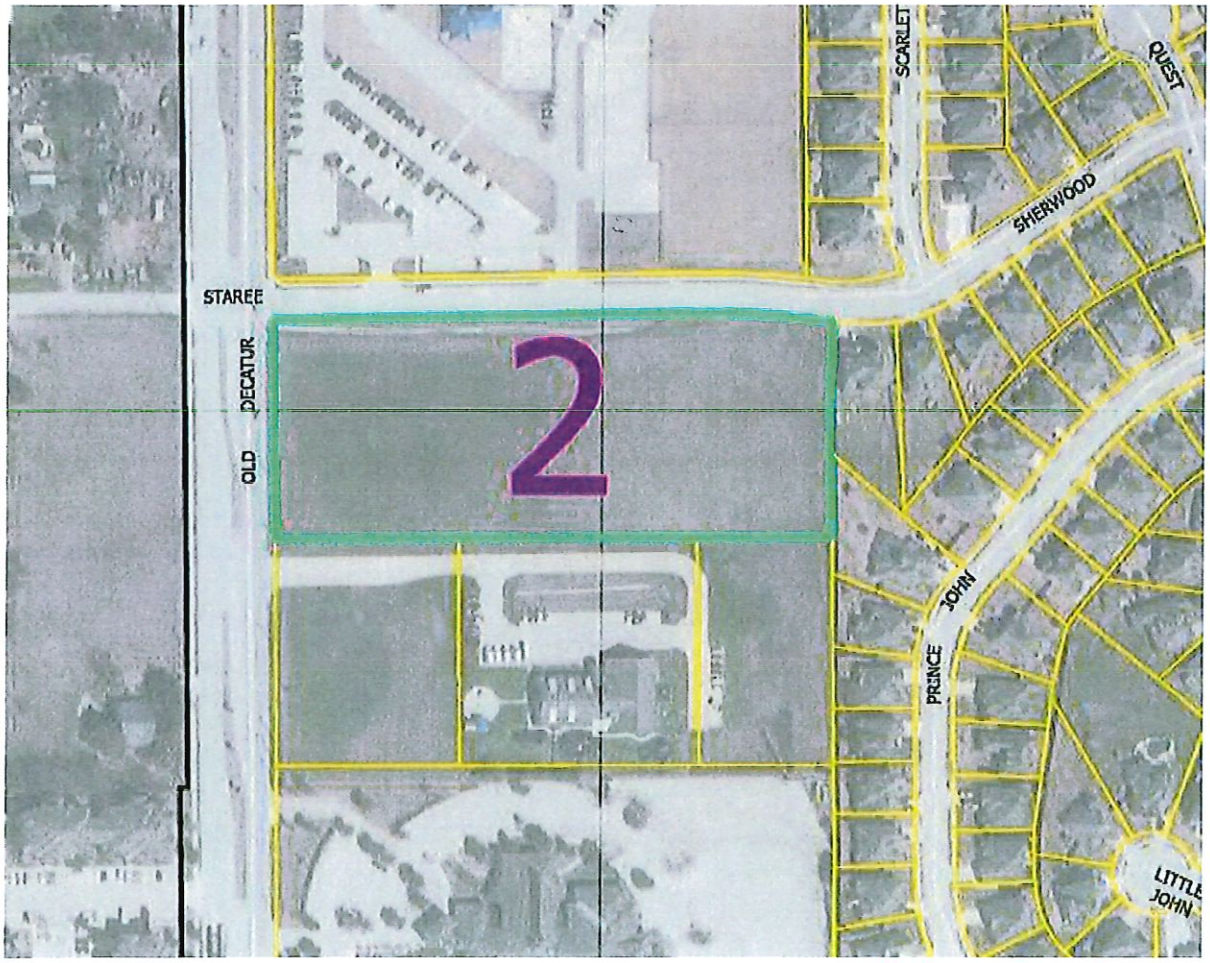
NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 2

VICINITY MAP



LOCATION MAP



09/13/2022 P&Z Packet Page #13

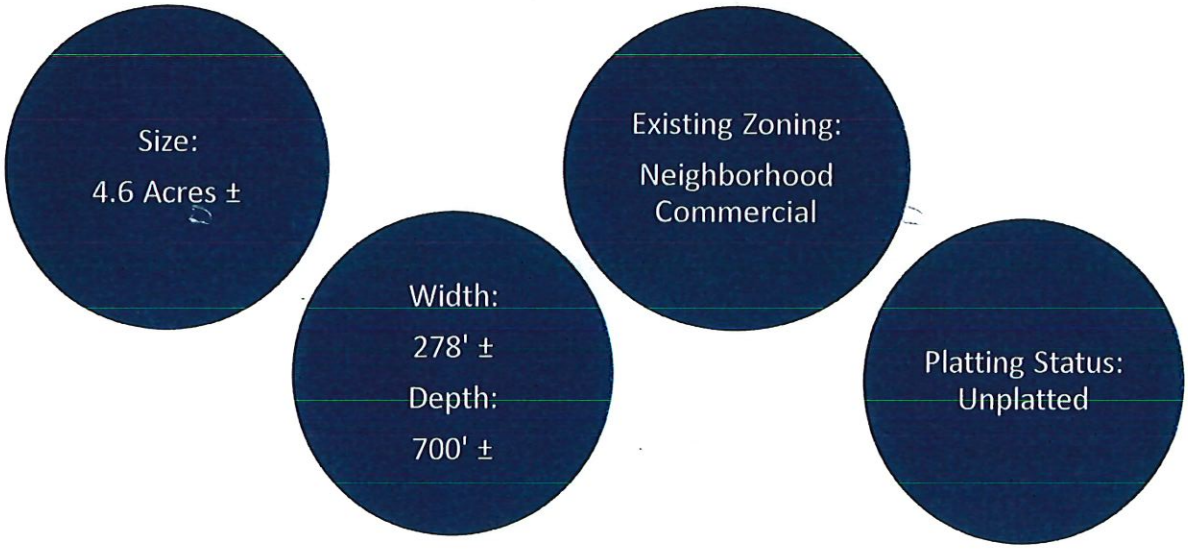
GENERAL DESCRIPTION

The subject property is located at the southeast corner of Old Decatur Road and Sherwood Trail and is undeveloped.

SURROUNDING LAND USE

	North: Right-of-Way (Sherwood Trail)	
West: (City of Fort Worth) Right-of-Way (Old Decatur Road)	Subject Property: Undeveloped	East: Single Family Residential
	South: Country Acres Child Development Center	

SUBJECT PROPERTY DETAILS



LEGAL DESCRIPTION

ALBRIGHT, ALEXANDER F SURVEY Abstract 1849 Tract 2C04

Source: Tarrant County Appraisal District, 2022

09/13/2022 P&Z Packet Page #14

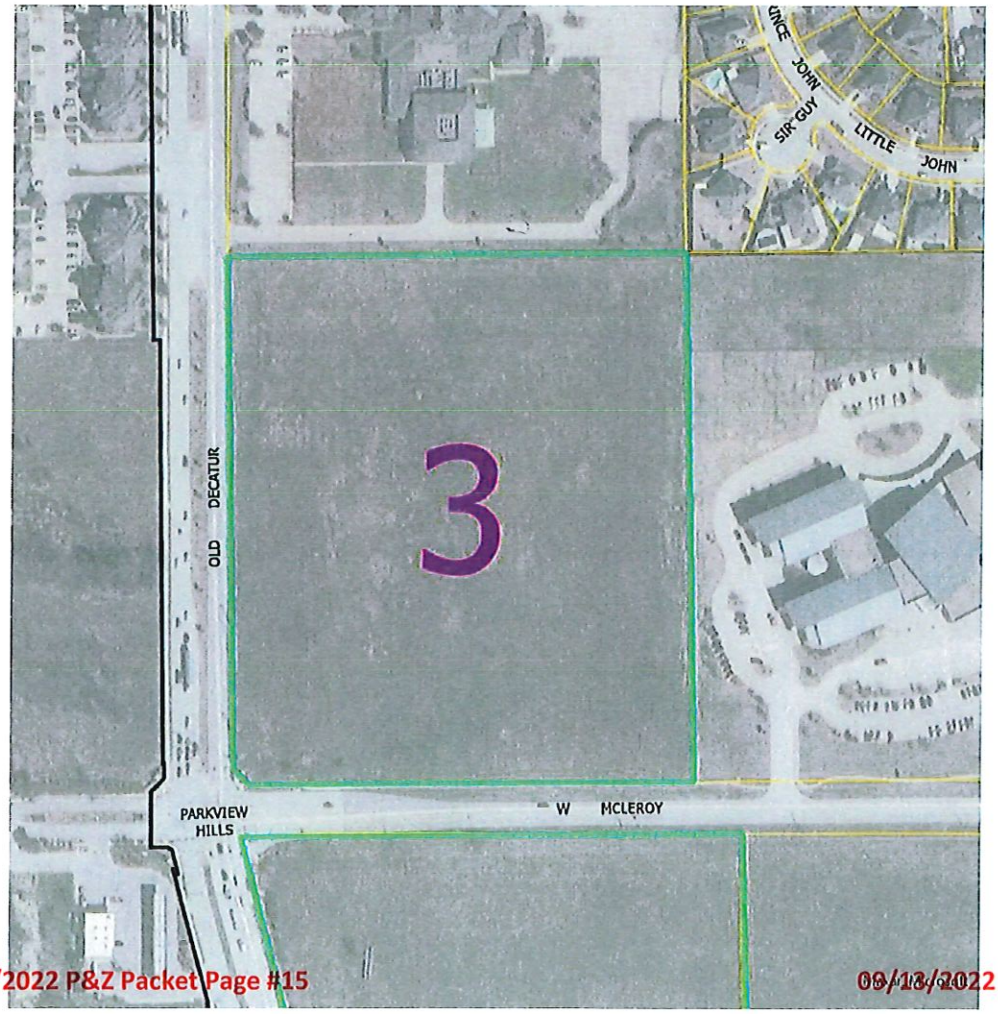
NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 3

VICINITY MAP



LOCATION MAP



09/13/2022 P&Z Packet Page #15

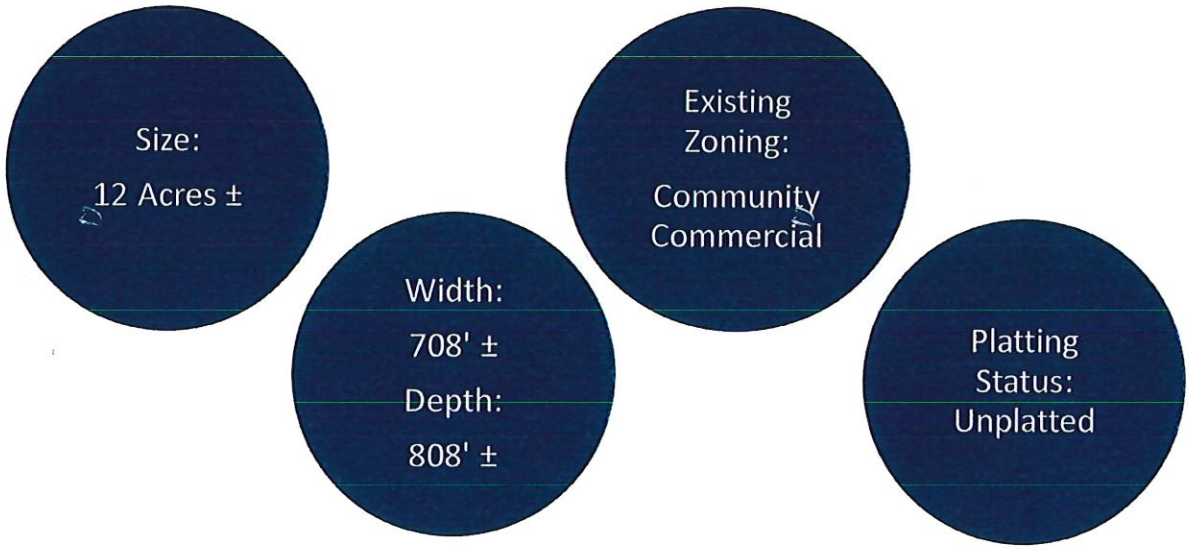
GENERAL DESCRIPTION

The subject property is located at the northeast corner of Old Decatur Road and W McLeroy Boulevard and is undeveloped.

SURROUNDING LAND USE

	North: First Baptist Church	
West: (City of Fort Worth) Right-of-Way (Old Decatur Road)	Subject Property: Undeveloped	East: Willow Creek Elementary School
	South: Right-of-Way (W McLeroy Blvd)	

SUBJECT PROPERTY DETAILS



LEGAL DESCRIPTION

ALBRIGHT, ALEXANDER F SURVEY Abstract 1849 Tract 2C

Source: Tarrant County Appraisal District, 2022

09/13/2022 P&Z Packet Page #16

NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 4

VICINITY MAP



LOCATION MAP



09/13/2022 P&Z Packet Page #17

GENERAL DESCRIPTION

The subject property is located at the southeast corner of Old Decatur Road and W McLeroy Boulevard and is undeveloped.

SURROUNDING LAND USE

	North: Right-of-Way (W McLeroy Blvd)	
West: (City of Fort Worth) Right-of-Way (Old Decatur Road)	Subject Property: Undeveloped	East: Undeveloped
	South: Single Family Residential	

SUBJECT PROPERTY DETAILS



LEGAL DESCRIPTION

ALBRIGHT, ALEXANDER F SURVEY Abstract 1849 Tract 3H

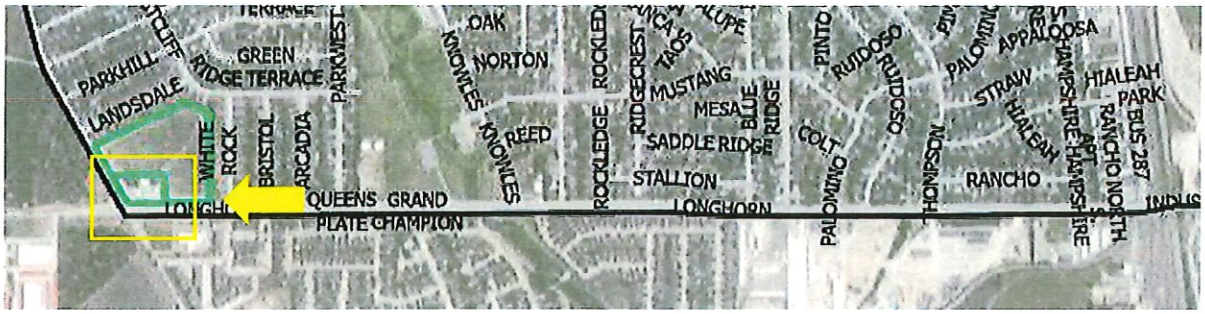
Source: Tarrant County Appraisal District, 2022

09/13/2022 P&Z Packet Page #18

NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 5

VICINITY MAP



LOCATION MAP



09/13/2022 P&Z Packet Page #19

GENERAL DESCRIPTION

The subject property is located at the northeast corner of Old Decatur Road and Longhorn Road and is undeveloped.

SURROUNDING LAND USE

	North: Undeveloped	
West: (City of Fort Worth) Right-of-Way (Old Decatur Road)	Subject Property: Undeveloped	East: Undeveloped
	South: (City of Fort Worth) Right-of-Way (Longhorn Road)	

SUBJECT PROPERTY DETAILS



LEGAL DESCRIPTION

IDEA SCHOOLS ADDITION Block A Lot 1

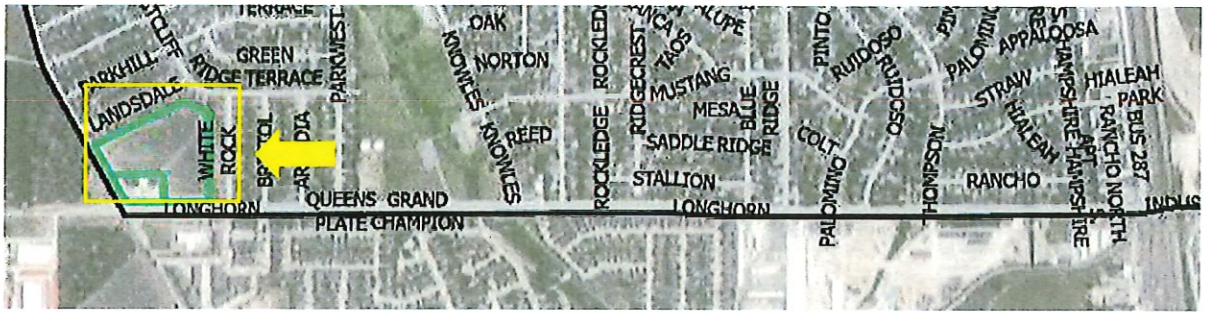
Source: Tarrant County Appraisal District, 2022

09/13/2022 P&Z Packet Page #20

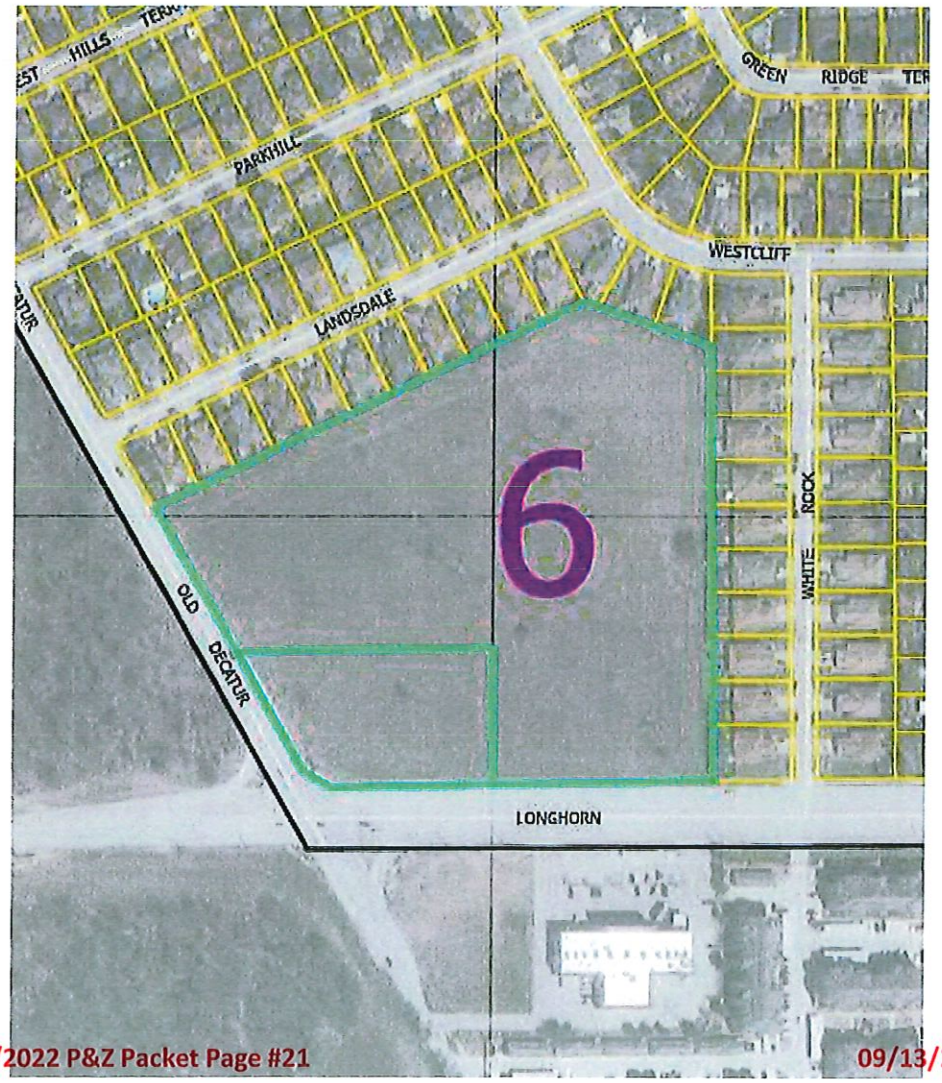
NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 6

VICINITY MAP



LOCATION MAP



09/13/2022 P&Z Packet Page #21

GENERAL DESCRIPTION

The subject property is located on the east side of Old Decatur Road and the north side Longhorn Road (not including the hard corner) and is undeveloped.

SURROUNDING LAND USE

	North: Single Family Residential	
West: (City of Fort Worth) Right-of-Way (Old Decatur Road)	Subject Property: Undeveloped	East: Single Family Residential
	South: (City of Fort Worth) Right-of-Way (Longhorn Road)	

SUBJECT PROPERTY DETAILS



LEGAL DESCRIPTION

IDEA SCHOOLS ADDITION Block A Lot 2

Source: Tarrant County Appraisal District, 2022

09/13/2022 P&Z Packet Page #22

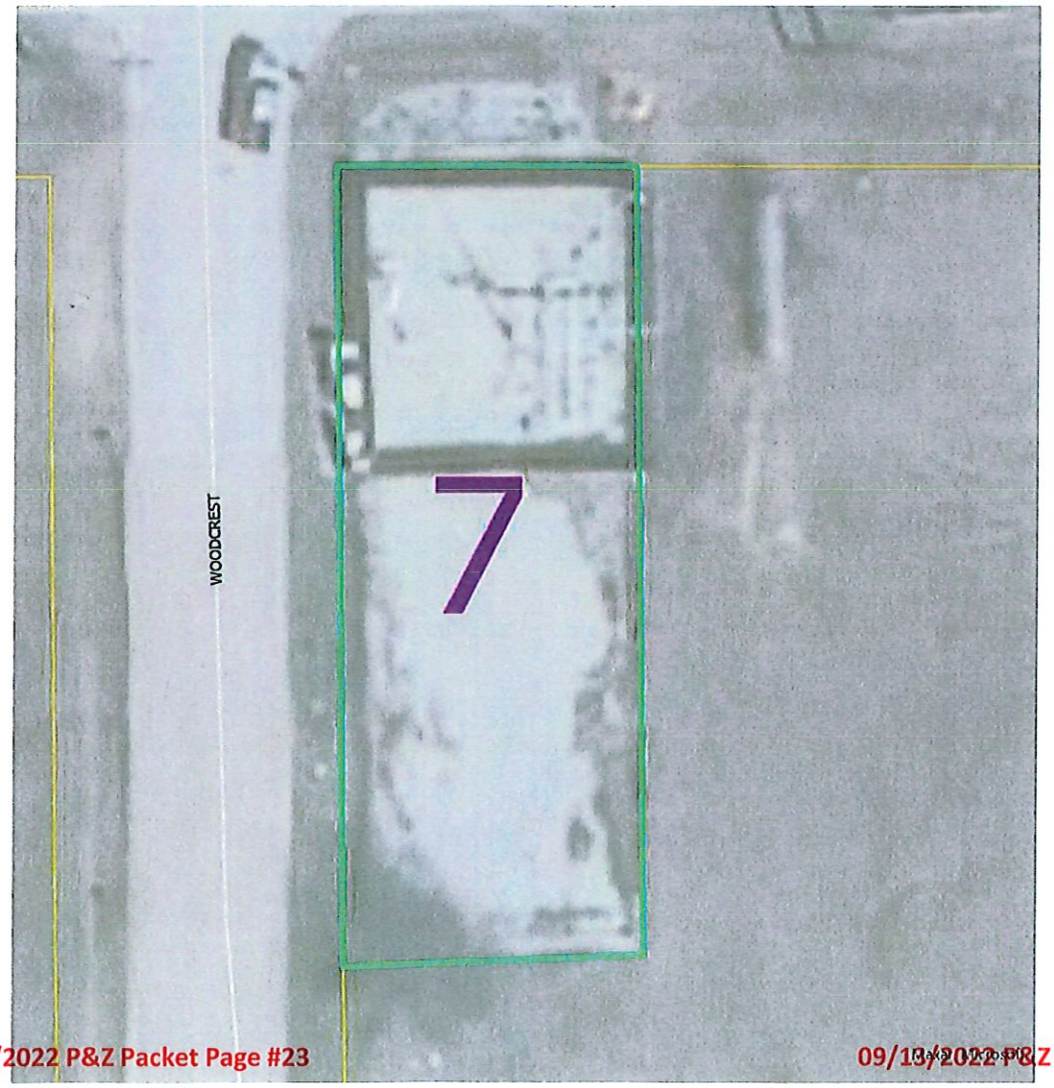
NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 7

VICINITY MAP



LOCATION MAP



09/13/2022 P&Z Packet Page #23

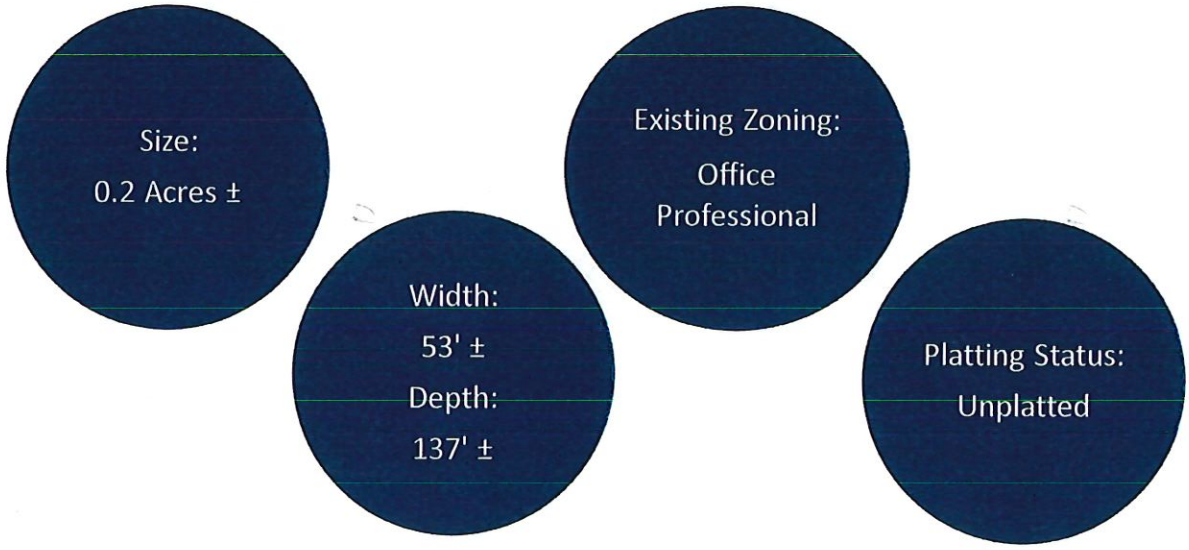
GENERAL DESCRIPTION

The subject property is located at the southeast corner of W McLeroy Boulevard and Woodcrest Drive and is undeveloped (remaining slab/foundation).

SURROUNDING LAND USE

	North: Right-of-Way (W McLeroy Blvd)	
West: Right-of-Way (Woodcrest Drive)	Subject Property: Undeveloped (Remaining Slab/Foundation)	East: Undeveloped
	South: Undeveloped	

SUBJECT PROPERTY DETAILS



LEGAL DESCRIPTION

ALBRIGHT, ALEXANDER F SURVEY Abstract 1849 Tract 3A

Source: Tarrant County Appraisal District, 2022

09/13/2022 P&Z Packet Page #24

NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 8

VICINITY MAP



LOCATION MAP



09/13/2022 P&Z Packet Page #25

GENERAL DESCRIPTION

The subject property is located on the south side of W McLeroy Boulevard and the east side of Woodcrest Drive and is undeveloped.

SURROUNDING LAND USE

	North: Right-of-Way (W McLeroy Blvd)	
West: Right-of-Way (Woodcrest Drive)	Subject Property: Undeveloped	East: Willow Creek Park
	South: Single Family Residential	

SUBJECT PROPERTY DETAILS



LEGAL DESCRIPTION

ALBRIGHT, ALEXANDER F SURVEY Abstract 1849 Tract 3H05

Source: Tarrant County Appraisal District, 2022

09/13/2022 P&Z Packet Page #26

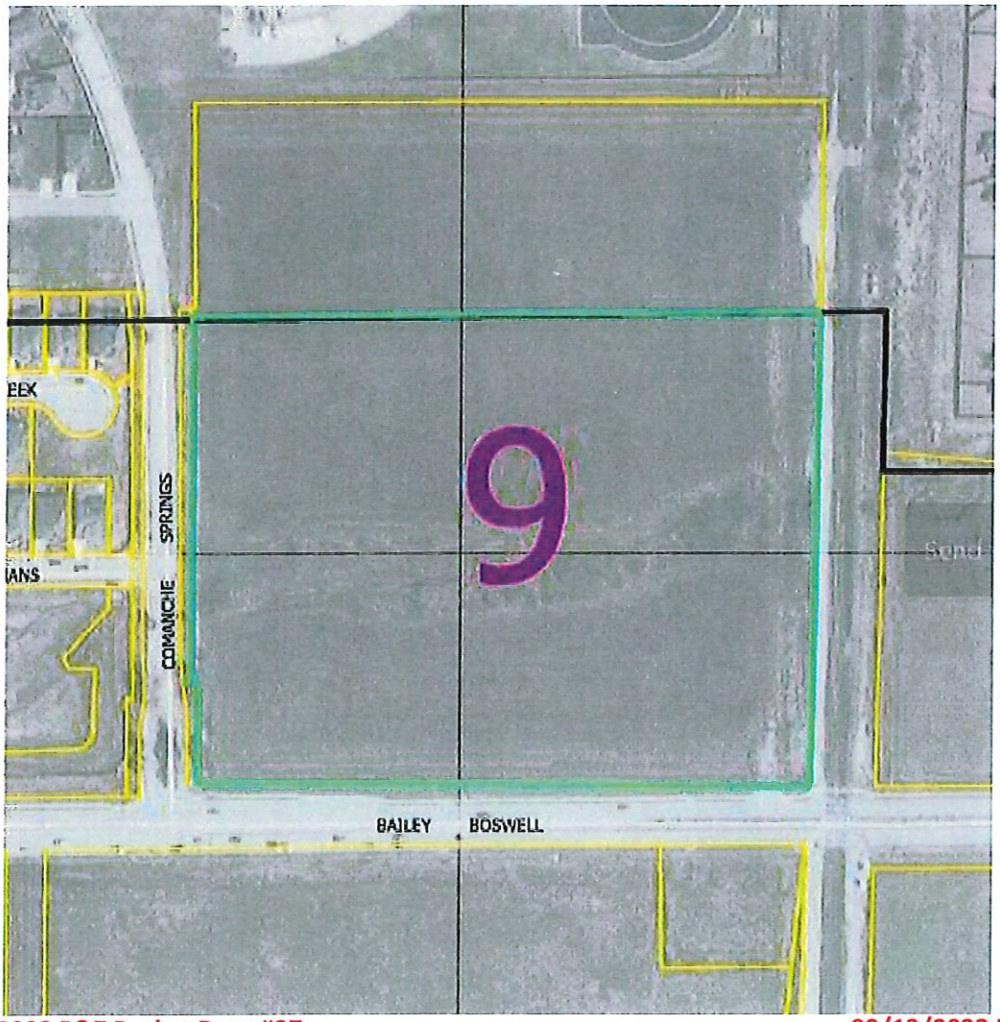
NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 9

VICINITY MAP



LOCATION MAP



09/13/2022 P&Z Packet Page #27

GENERAL DESCRIPTION

The subject property is located at the northeast corner of E Bailey Boswell Road and Comanche Springs Drive and is undeveloped.

SURROUNDING LAND USE

	North: (City of Fort Worth) Undeveloped	
West: Right-of-Way (Comanche Springs Dr)	Subject Property: Undeveloped	East: Railroad Tracks
	South: Right-of-Way (E Bailey Boswell Rd)	

SUBJECT PROPERTY DETAILS



LEGAL DESCRIPTION

ALFORD, JAMES P SURVEY Abstract 53 Tract 2A CITY BOUNDARY SPLIT

Source: Tarrant County Appraisal District, 2022

09/13/2022 P&Z Packet Page #28

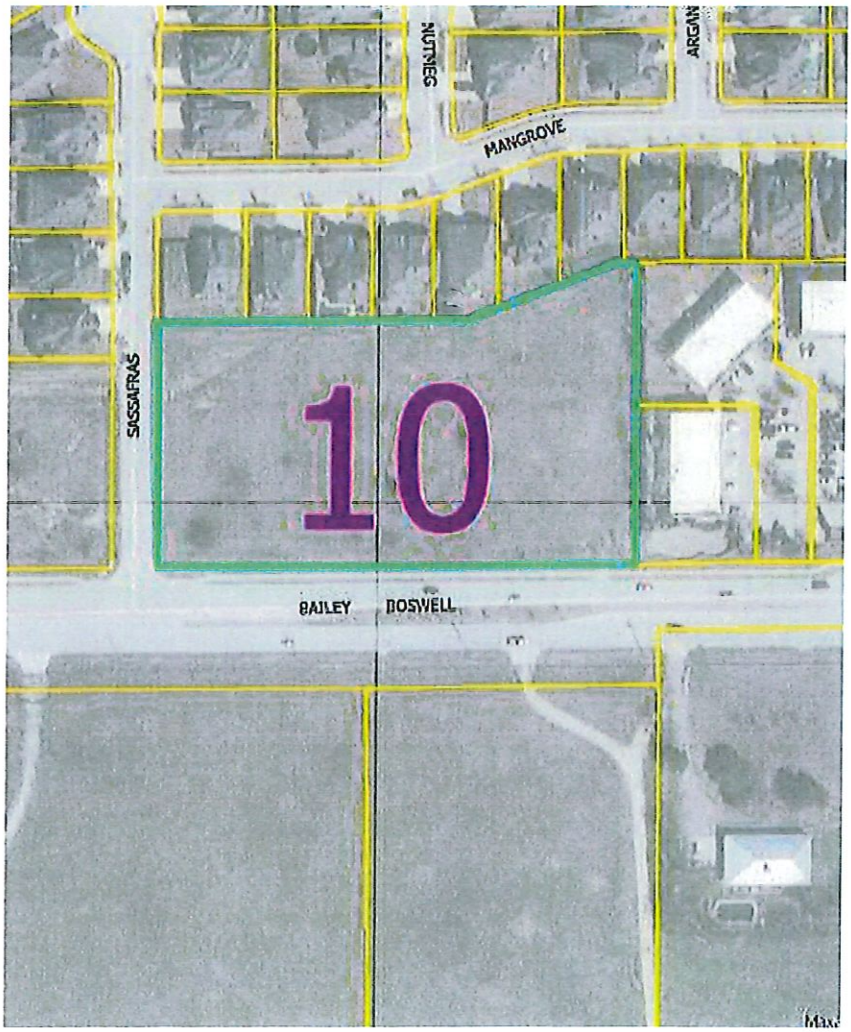
NEIGHBORHOOD MIXED-USE PARCEL EXHIBIT

BATCH 1, PARCEL 10

VICINITY MAP



LOCATION MAP



09/13/2022 P&Z Packet Page #29

GENERAL DESCRIPTION

The subject property is located at the northeast corner of E Bailey Boswell Road and Sassafras Street and is undeveloped.

SURROUNDING LAND USE

	North: Single Family Residential	
West: Right-of-Way (Sassafras Street)	Subject Property: Undeveloped	East: Retail - Creekwood Marketplace
	South: Right-of-Way (E Bailey Boswell Road)	

SUBJECT PROPERTY DETAILS



LEGAL DESCRIPTION

ALFORD, JAMES P SURVEY Abstract A 53 Tract 1K

Source: Tarrant County Appraisal District, 2022

09/13/2022 P&Z Packet Page #30

ORDINANCE NO. 2022-11

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, AMENDING APPENDIX A "ZONING" OF THE SAGINAW CITY CODE BY ADDING A NEW "NMU" NEIGHBORHOOD MIXED USE DISTRICT AND PROVIDING FOR NMU DISTRICT REGULATIONS BY AMENDING ARTICLE 6 "ZONING DISTRICTS," SECTIONS 8-12 "SCREENING DEVICES AND FENCE REGULATIONS," 8-13 "LANDSCAPE REGULATIONS," AND 5-1 "PERMITTED USE TABLE;' AND BY ADDING A SECTION 8-18 "ACTIVATED AMENITIES;" PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City has a substantial interest in protecting the health, safety, welfare, convenience and enjoyment of the general public and has adopted zoning regulations to further this interest; and

WHEREAS, the City Council finds it appropriate to create a new NMU (Neighborhood Mixed-Use) zoning district to provide for low-intensity mixed uses compatible with residential land uses and encourage the development of community gathering spaces, and to enact regulations related to landscaping, screening, and fencing of this new zoning district; and

WHEREAS, the City Council finds it appropriate to encourage Activated Amenities within the NMU Zoning District in order to promote outdoor recreation and low-impact passive uses of open land; and

WHEREAS, the Planning and Zoning Commission of the City of Saginaw, Texas, held a public hearing on _____, 2022, and the City Council of the City of Saginaw, Texas, held a public hearing on _____, 2022, with respect to the regulations described herein; 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 to amend the Zoning Regulations of the City.

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

SECTION 1.

Article 6 "Zoning Districts" of Appendix A "Zoning" of the Saginaw City Code is hereby amended by adding a new Section 6-18, which said section reads as follows:

"Sec. 6-18. - NMU (Neighborhood Mixed-Use).

A. *Purpose.* The "NMU" district is to provide for low intensity mixed uses, including local shopping and dining destinations, compatible with adjacent or nearby residential land uses. Development will be small in scale and is anticipated to cater to residents living in or near this district. This district also provides an opportunity to include community gathering spaces, parks, and plazas for the residents and visitors in the district and in surrounding neighborhoods.

B. *Definitions.* For the purposes of this section 6-18:

1. "Development" shall mean property on or to which a developer is extending or constructing public infrastructure to provide service to one or more existing or proposed lots, regardless of whether the property is located in an area that was previously developed, or the act of making improvements to property. Each contiguous parcel or un-platted tract or land shall be considered a development.

2. "Living Compatibility Buffer" shall mean the landscaped area contemplated by section 8.12 C. 3., "Living Compatibility Screen."

C. *Permitted uses.* Uses in the "NMU" district shall be in accordance with section 5-1, Permitted Use Table. A minimum of 70 percent of the development frontage along Major Corridors, for a depth of at least 100 feet, shall consist of ground floor commercial uses not directly associated with the development's residential leasing or resident service areas (ex. mailboxes, leasing office, non-publicly accessible amenities, etc.). Major Corridors are defined as any property fronting an existing or proposed roadway classified and designated on the Master Thoroughfare Plan, other than Local Streets.

D. *Area requirements.* Development shall comply with the following requirements, as it pertains to this district, shall conform with the provisions provided in the table below:

Area Requirements	
Minimum Lot Area	N/A
Minimum Lot Width	N/A
Minimum Lot Depth	N/A

Minimum Front Yard Setback	10- to 20-foot build-to-zone
Minimum Side Yard Setback	No interior side setbacks are required in the NMU district, except when NMU-zoned property abuts property zoned or used for single-family residential uses, in which case the minimum side yard setback required for the entire abutting side yard shall be 25 feet to include a Living Compatibility Buffer.
Minimum Rear Yard Setback	10 feet, except when NMU-zoned property abuts property zoned for single-family residential, in which case the minimum rear setback required for the entire abutting rear yard shall be 25 feet.
Maximum Density	8 Dwelling Units per Gross Acre*
Maximum Building Height	36 feet or 2 stories
Minimum Distance Between Residential Structures	15 feet, regardless of building orientation, measured from the dripline of any structure or structurally attached features

**Development is eligible to receive an increase in allowable maximum density, up to a maximum 10 dwelling units per gross acre, should a minimum of 2,500 square feet of the gross land area be provided as an Activated Amenity as detailed in section, 8-18 Activated Amenities.*

E. *Off-street parking and loading requirements.* Off-street parking and loading requirements shall conform to the provisions of section 8-9, Off-Street Parking and Loading Requirements.

F. *Landscaping.* Landscaping shall be in accordance with section 8-13, Landscape Regulations.

G. *Signs.* Signs shall be in accordance with section 8-10, Sign Regulations.

H. *Exterior construction.* Exterior construction shall be compatible in style, intensity, color, and scale with neighborhoods within 200 feet of the subject property. High quality and durable materials shall be utilized, and providing placemaking elements (ex. plazas, lighting, signage, landscaping, etc.) consistent with the character and traditions in Saginaw is highly encouraged.

I. *Activated Amenities and Green Space.* Developments shall provide a minimum of 15 percent gross land area for green space. Green space can include manicured

landscape or treed areas, shaded trails, and areas surrounding detention areas, as long as they are aerated and benches, trash receptacles, and pathways are provided around them. Development is eligible to receive an increase in allowable maximum density, up to a maximum 10 dwelling units per gross acre, should a minimum of 2,500 square feet of the gross land area be provided as an Activated Amenity as defined in section 8-18, Activated Amenities."

SECTION 2.

Section 8-12 "Screening devices and fence regulations" of Article 8 "Supplemental District Regulations" of Appendix A "Zoning" of the Saginaw City Code is hereby amended by revising Subsection C and adding new subsections E and F to read as follows:

"C. *Screening standards: residential uses.* The following standards shall apply to screening devices in the residential zoning districts and in the Neighborhood Mixed-Use District where adjacent to properties zoned or used for entirely single-family or duplex residential uses:

1. In areas where a single-family district abuts a multi-family district, a screening device shall be erected along side and rear property lines. The screening device shall be a minimum height of eight feet. It shall be the responsibility of the multi-family district to construct the screening device.

2. The screening device shall be solid masonry, unless otherwise approved by city council.

3. *Living Compatibility Screen.* Whenever a non-residential use, multi-family use, or mixed use is adjacent to a property used or zoned for single-family or duplex residential uses, the development shall provide a landscaped area of at least 20 feet in width along the common property line, planted with one canopy tree for each 30 linear feet or portion thereof of adjacent exposure. These trees may not be clustered. Connection to the adjacent neighborhood shall be provided via a sidewalk or trail through the Living Compatibility Screen, leading to an adjacent right-of-way, sidewalk, and/or trail as applicable to provide connectivity to any adjacent neighborhoods or other developments.

* * *

E. *Screening of parking lot areas.*

1. Developments shall screen parking from adjacent properties with a Living Compatibility Screen in accordance with section 8-12C.

2. For all developments, off-street surface parking lots, excluding associated driveways, shall be screened from view from public rights-of-way and adjacent property as follows:

a. Earthen berm planted with turf grass and/or combination of ground cover and evergreen shrubs recommended for local area use by the director of parks and recreation, with a slope not to exceed one foot of height for each two feet of width; and/or

b. Evergreen plant materials recommended for local area use by the building official, located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density certified by a landscape authority as being capable of providing a solid appearance within three years.

F. *Special screening: Loading areas.* Loading docks or structures, bays, and bay doors shall be screened from view from the public right-of-way, from adjacent residential property, and from adjacent non-residential property, other than industrial. The required screening device adjacent to a non-residential property, other than industrial, may be waived by the City Council with site plan approval if the City Council determines that the location of the proposed loading docks or structures, bays or bay doors in relation to the adjacent development's site layout is not detrimental."

Existing subsections E through K of Section 8-12 shall now be re-designated as subsections G through M, respectively, and shall otherwise remain unmodified.

SECTION 3.

Section 8-13 "Landscape regulations" of Article 8 "Supplemental District Regulations" of Appendix A "Zoning" of the Saginaw City Code is hereby amended by revising Subparagraphs 4. and 5. of Subsection B., to read as follows:

"4. Residential districts and attached or detached single family or two-family residential uses/structures within mixed-use districts.

a. In the SF-1 and SF-2 districts, six inches of nursery stock tree(s) are required in each front yard, with a minimum size of two-inch caliper for any single tree.

b. In the SF-3, SF-4, and mixed-use districts, four inches of nursery stock tree(s) are required in each front yard, with a minimum size of two-inch caliper for any single tree.

c. In the ZLL, DX and SFA districts, three-inch caliper tree shall be planted between the front face of each dwelling unit and the street right-of-way line.

5. *Interior landscape area requirements.* The amount of landscape area required on the interior of the lot (includes buffer yards) shall be based on the square footage of the proposed buildings. For the purposes of this ordinance, the square footage of the building will be the square footage of the first floor or the square footage of the largest floor, whichever is greater. For single story retail anchor tenants having greater than 20,000 square feet of area, the building square footage shall be the front width of the building multiplied by a depth of 60 feet. The required landscape area for each zoning shall be based on the percentage of the floor area as determined above in accordance with the following chart and can be combined with required open space in mixed-use districts:

Zoning District	Percent of Floor Area
MF-1, MF-2	50
NC, OP, NMU	30
CC, CF	30
LI, HI	10

* * *"

SECTION 4.

Article 8 "Supplemental District Regulations" of Appendix A "Zoning" of the Saginaw City Code is hereby amended by adding a new Section 8-18, which said section reads as follows:

"Sec. 8-18. Activated Amenities.

Should an Activated Amenity be provided pursuant to Section 6-18, NMU (Neighborhood Mixed-Use), the Activated Amenity shall comply with the following:

A. *Definition.* For the purpose of this section, Activated Amenities shall include one or more of the following:

1. Land area of the development used for aesthetic, leisure, and recreational purposes, that is accessible to and permanently reserved for the common use and enjoyment of the occupants of the development;

2. Golf courses, parks, and public open space areas adjacent to the development, which are readily accessible;

3. Low-impact passive uses include conservation of open land in its natural state (for example, woodland, fallow field, or meadow), neighborhood squares, common areas, picnic areas, community gardens, walking trails, bikeways, other kinds of pathways, and similar low-impact passive recreational uses; or,

4. Active recreation uses including recreational playing fields, playgrounds, tennis courts, neighborhood pools, and clubhouse-type structures.

B. *Exclusions.* Activated Amenities shall not include:

1. Land areas reserved for the exclusive use and benefit of an individual owner or tenant;

2. Public or private street right-of-way, parkways, alleys, driveways, parking or loading areas;

3. Religious institutions or private school sites; or,

4. Street medians or islands.

C. *Requirements.*

1. An application that includes an activated amenity or open space shall include a written description or a plan of amenities, such as identification of landscaped areas, trees and shrubs, sidewalks and trails, benches, pavilions, and/or play areas to be included in the open space areas.

2. The maximum amount of open space used for storm water detention or retention purposes shall not exceed 25 percent of the common open space area. If the open space area contains a retention pond, the pond shall include at least one aeration device, such as a fountain, waterfall, or underwater device.

3. Activated Amenities adjacent to street rights-of-way shall be a minimum depth of 25 feet and shall be landscaped to include the retention or planting of one three-inch caliper tree per each 50 feet of street frontage, which may be clustered or distributed within the open space area.

D. *Guarantee of Activated Amenities.* In order to guarantee the preservation and maintenance of the common open space, one of the following methods shall be required:

1. Activated Amenities may be conveyed to the City or other public agency, provided the City or other public agency accepts the conveyance and agrees

to maintain the common open space and any buildings, structures or other improvements thereon; or,

2. A platted common area to be owned and maintained by an associated property owner association with an easement or notation designating perpetual public access.

E. *Public access*. To be eligible for the density bonus outlined in section 6-18, NMU (Neighborhood Mixed-Use), the Activated Amenity shall be accessible to the public with associated public access easement(s) and signage indicating public access."

SECTION 5.

Section 5-1 "Permitted use table" of Article 5 "Permitted Uses" of Appendix A "Zoning" of the Saginaw City Code is hereby amended by: amending the "Land Use Table Legend" by adding NMU (Neighborhood Mixed-Use) to the Legend; by adding NMU (Neighborhood Mixed-Use) to the "Permitted Use Table;" and by indicating which land uses are permitted outright, conditionally permitted, or prohibited within the NMU (Neighborhood Mixed-Use) District, all as set forth in the attached and incorporated Exhibit "A," hereto. The remainder of the Land Use Table Legend and Permitted Use Table shall remain unmodified and are included within Exhibit "A" hereto for illustrative purposes only.

SECTION 6.

This ordinance shall be cumulative of all other ordinances of the City of Saginaw and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 7.

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

SECTION 8.

All rights or remedies of the City of Saginaw, Texas, are expressly saved as to any and all violations of the City Code or any amendments thereto that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition

by the courts.

SECTION 9.

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 ($2000.00) for each violation of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 10.

The City Secretary of the City of Saginaw is hereby directed to publish at least twice 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 Local Government Code.

SECTION 11.

This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the laws of the State of Texas.

PASSED AND APPROVED ON this the ____ day of _____, 2022.

_____
Todd Flippo, Mayor

ATTEST:

_____
Janice England, City Secretary

APPROVED AS TO FORM AND LEGALITY:

_____
Bryn Meredith, City Attorney

EXHIBIT A

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Sec. 5-1. Permitted use table.

A. *Land use table legend.* The following table presents the zoning district classifications and the permitted uses within those classifications. Uses are listed as being "Permitted", permitted by "Specific Use Permit", and prohibited uses as signified by blank cells. Conditions are provided in Section 5-2, Special Conditions for Listed Uses. Any use not expressly authorized and permitted herein is expressly prohibited.

P	Permitted Use	AG	Agriculture	MF2	Multi-Family
		SF-1	Single Family	MH	HUD Code Manufactured Housing
S	Specific Use Permit	SF-2	Single Family	OP	Office Professional
		SF-3	Single Family	NC	Neighborhood Commercial
	Prohibited Use	SF-4	Single Family (Inactive)	NMU	Neighborhood Mixed-use
		ZLL	Zero Lot Line	CC	Community Commercial
		DX	Duplex	CF	Community Facilities
		MF1	Multi-Family	LI	Light Industrial
				HI	Heavy Industrial

	P = Permitted Use, S = Specific Use Permit, Blank = Prohibited Use																		
	City of Saginaw Land Use Table																		
Residential											Land Use Designation	Nonresidential							Supplemental Conditions
AG	SF1	SF2	SF3	SF4	SFA	DX	ZLL	MH	MF1	MF2		OP	NC	NMU	CC	CF	LI	HI	
		RESIDENTIAL LAND USES																	
P											Agricultural Use								
									P	P	Apartment			P					19
									P	P	Boarding House			P					
P	S										Caretaker, Guard or Servant, Residence or Apt. Garage				S		S	P	2
P	S	S	S	S	S						Dwelling, Guesthouse								2
P	P	P	P	P	P	P	P	P	P	P	Convent, Rectory, Monastery	P	P	P	P	P	P	P	
					S	S	S		P	P	Dwelling, Assisted Living Facility		S	P					2, 19
								P			Dwelling, HUD-Code Manufactured Home								

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P	P	P	P	P	P	P	P		P	P	Dwelling, Industrialized Housing			P					
											Dwelling, Mobile Home								
									P	P	Dwelling, Multifamily			P					
					P	P	P		P	P	Dwelling, Single Family Attached			P					
P	P	P	P	P	P						Dwelling, Single Family Detached			P					
						P					Dwelling, Two Family			P					
P	S	S	S	S	S	S	S		P	P	Group Home for the Disabled or Disadvantaged			P					2
								S			Manufactured Housing Park or Subdivision								2
	PUBLIC, CIVIC, AND UTILITY USES																		
S											Airport, Public/Private							P	2
											Animal Pound, Shelter					P	P	P	
P									S	S	Assembly Hall	S	S	S	P	P	P	P	2
S											Athletic Field and Play Field					S	P	P	7, 22
S											Cemetery, Mausoleum, Crematorium					S	S	P	2
									P	P	Community Center			P	P	P	P	P	
											Electrical Generating Station							S	7
P	P	P	P	P	P	P	P	P	P	P	Electrical Transmission Line	P	P	P	P	P	P	P	
P	P	P	P	P	P	P	P	P	P	P	Electrical Substation	P	P	P	P	P	P	P	20
											Garage, Public				S	S	P	P	
P	P	P	P	P	P	P	P	P	P	P	Gas Regulator Station	P	P	P	P	P	P	P	
S	S	S	S	S	S	S	P	P	P	P	Golf Course, Public					P	P	P	2
P	P	P	P	P	P	P	P	P	P	P	Government Administration Facility	P	P	P	P	P	P	P	
S	S	S	S	S	S	S	S	S	P	P	Library	P	P	P	P	P			2

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											Lodge, Fraternal, Sorority & Clubs	S	S	S	P	P	P	P	2
											Museum		P	P	P	P	P	P	
	P	P	P	P	P	P	P	P	P	P	Park	P	P	P	P	P	P	P	
									P	P	Philanthropic and/or Charitable Use		P	P	P				
											Public Maintenance Building, Storage Yard					P	P	P	
	P	P	P	P	P	P	P	P	P	P	Public Safety Facility, Police & Fire	P	P	P	P	P	P	P	
	P	P	P	P	P	P	P	P	P	P	Public Utility	P	P	P	P	P	P	P	
P	P	P	P	P	P	P	P	P	P	P	Religious Institution	P	P	P	P	P	P	P	22
	P	P	P	P	P	P	P	P	P	P	Telephone Exchange, Switching or Relay	P	P	P	P	P	P	P	
		EDUCATIONAL USES																	
S											School, Business College	S		S	P		S	S	2, 22
S											School, College or University	S		S	P	S	S	S	2, 22
											School, Commercial Instruction	S		S	P				2, 22
S											School, Commercial Trade	S		S	P		S		2, 22
P	P	P	P	P	P	P	P	P	P	P	School, Home								
S	S	S	S	S	S	S	S	S	S	S	School, Home Day								2
											School, Institution, Rehabilitation & Training Center	S		S	P	S	S		2
									S	S	School, Nursery	P	P	P	P				2
S	S	S	S	S	S	S	S	S	S	S	School, Primary or Secondary	S	S	S	S	S	S	S	22
											School, Vocational	S			P		S		2
		AMUSEMENT AND ENTERTAINMENT USES																	
											Amusement Center, Indoor		P	P	P		P	P	
											Amusement Center, Outdoor				P		P	P	1, 7
											Athletic Field & Play Field, Commercial		S	S	S		P	P	1, 7, 22

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											Auditorium				P				
											Camp Ground & Related Facilities				S		S	S	2
S	S	S	S	S	S	S	S		S	S	Country Club		S	S	S				2
S											Golf Course, Driving Range				P		P	P	1, 7
											Golf Course, Miniature		S	S	P				2
S	S	S	S	S	S	S	S	S	S	S	Golf Course, Private		S	S	S				2
											Go Cart Track and Other Vehicular Track or Facility						S	S	1, 5, 7
											Gymnasium	P	P	S	P				1
											Movie Theater, Cineplex		S		P				2, 7, 22
											Private Club	S	S	S	S				2
P											Recreational Ranch or Farm								
S											Rodeo Ground/Fair Ground				S		S	S	1, 7, 22
											Skating Rink, Indoor		P	S	P		P		
P											Stable, Commercial								1, 5
P	S	S	S	S							Stable, Private						S	S	2
											Swimming Pool, Commercial			S	P		P		2
											Shooting Range, Indoor				S		P	P	2, 5
											Shooting Range, Outdoor						S	S	1, 5
											Water Park, Commercial				P	P	P	P	1, 7, 22
		MEDICAL USES																	
											Clinic						S	S	27
											Hospital	S	S		P	S			2, 22
											Laboratory, Medical and/or Dental	S			P		P	S	2
											Laboratory, Research	S	S		P		P	P	2
											Laboratory, Support				P		P	P	
											Medical, Dental & Optical Retail Sales	P	P	P	P				
											Medical, Dental Office	P	P	P	P				
									S	S	Nursing Home		S		P				2
											Optician Shop	S	S	P	P				2

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S											Veterinary Hospital with Outside Pens						S	P	1, 5, 8, 9
S											Veterinary Hospital without Outside Pens	S	S	S	P		P	P	2
S											Veterinarian Office, Small Animal Practice	P	P	P	P				2
S											Veterinarian Office, Large Animal Practice						S	P	1, 5
	AUTOMOTIVE USES																		
											Auto Auction						S	P	1, 7, 11, 13
											Auto Car Wash		S		S		P	P	2, 7
											Auto Impound Lot/Wrecker Business							S	2, 7, 13
											Auto Paint & Body Shop						P	P	11, 12, 13
											Auto Parts & Accessory Sales		S		P		P	P	2
											Auto Rental (Car & Truck)		S		P		P		2, 13
											Auto Repair Garage		S		S		P	P	1, 11, 12, 13
											Auto Sales, New & Used				S		P	P	2, 7, 12, 13
											Auto Service Station		S		P		P	P	2, 7, 11, 12, 13
											Auto Service Station, Light Maintenance		S		P		P	P	
											Bus, Train, & Taxi Station or Terminal		S	S	P		P	P	2, 13
											Farm Machinery & Implement Sales & Service				S		P	P	2, 12, 13
											Heliport						S	S	2
											Motor Freight Terminal						S	P	2, 7
											Motorcycle Sales		S		P		P		2, 12, 13
S	S	S	S	S	S	S	S	S	S	S	Park and Ride Lots	S	S	S	P	S	P	P	2, 7
											Parking Lot, Commercial (Auto)				P		P	P	7

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											Parking Lot, Commercial (Truck)						P	P	7
											Parking lot, off premises	S	S	S	S	S	S	S	7
											Recreational vehicle Rental				S		P	P	2, 7, 13
											Recreational vehicle storage (commercial)						P	P	7, 11
	PROFESSIONAL USES																		
											Accessory Banking	P	P	P	P				
											Bank, Savings and Loan Association, Financial Institution	P	P	P	P				
											Office, Business	P	P	P	P				
											Office, Professional	P	P	P	P				
											Office, Real Estate Development Tract or Field Office	P	P	P	P				
											Bank, Savings and Loan Association, Financial Institution	P	P	P	P				
	COMMERCIAL, RETAIL, AND SERVICE USES																		
											Ambulance Service	S	S		P	S	P	P	2
P											Animal Grooming		S		P		P	P	2
											Antique Shop		S	P	P				2
											Apparel Alteration and Repair or Tailor Shop		P	P	P				
											Appliance Repair, Household		P	S	P				
											Art Gallery	S	P	P	P				2
											Arts, Crafts, and Hobby Shop		P	P	P				
											Auction House, Indoor				P				1
											Bakery, Retail Confectionery	P	P	P	P				
											Bakery, Wholesale Candy		S	S	P		P		2

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											Barber Shop, Beauty Salon, other Personal Shop	P	P	P	P				
											Bingo Hall				S		S		1, 23
											Brewery				S		S	S	1
											Building Material Sales		P		P		P	P	1, 3, 7, 13, 22
											Cabinet &/or Upholstery Shop				S		P	P	2, 3
											Catering Service		P	P	P				
											Contractor, no Outside Storage Permitted		S		P		P	P	
											Contractor, Outside Storage Permitted						P	P	1, 3, 7, 13
											Contractor Storage or Equipment Yard						P	P	1, 3, 7, 13
											Convenience Store, with or without Fuel Sales		P	S	P		P	P	7
											Copy Shop	S	S	S	P				2
											Cosmetic Tattoo Establishment	P	P	S	P				
											Cottage Industry		P	P	P				
									S	S	Day Care Center, Adult	S	P	S	P				2
									S	S	Day Care Center, Child	S	S	S	P				2, 10
P	P	P	P	P	P	P	P	P	P	P	Day Care, in the Home								10
											Department Store		S	S	P				2
											Extended-Stay Hotel/Motel		S		S				2, 7
											Exterminating Service		S		P		P	P	2
											Factory Outlet, Retail or Wholesale Store				P		P		3, 7, 13, 22
P											Farmers Market, Outdoor		S	S	P	P			2, 7,
											Flea Market						S	S	2, 5, 7, 22
											Funeral Home, Mortuary		S		P		P		1, 22
											Furniture, Fixture & Appliance Store		S		P				2

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											Furniture Repair		S		P		P	P	2
											Gift Shop including Florist		P	P	P				
P											Greenhouse or Plant Nursery		P	P	P		P		7
											Grocery Store		P	P	P				
											Hardware Store		P	P	P		P		
											Health Club, Recreation Facility	S	P	P	P				2
											Hobby Studio, Private		P	P	P				
											Home Improvement Store		S	S	P		P		2, 13
											Hookah/Smoke Lounge				S				
											Hotel, Motel		S		P				2, 7
S											Kennel						S	S	1, 8, 9
											Kiosk	S	P	P	P				2
P											Landscape Service				S		P	P	2
											Laundry, Dry Cleaning Full Service				P		P	P	
											Laundry, Dry Cleaning Pickup & Receiving Station		S		P		P		2
											Laundry, Self Service		S		P				2
											Liquor Store, Packaging Sales				P				22
											Lithography or Print Shop		P		P		P		
											Locksmith Shop		P	P	P				
											Machinery Sales or Repair				S		P	P	2
											Manufactured or Industrialized Home Sales or Rental						S	S	2, 3, 7, 13
											Massage Therapy Establishment				S				
											Meat Market (includes Seafood)		P	P	P				
											Mobile Food Unit Park		S	S	S	P	P	P	28
											Music Store		P	P	P				
											Non-depository financial institutions				S				1

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											Office Machine Sales & Service		P		P				
											Office Supply Store		P	P	P				
											Pawn Shop						P	P	
											Pet Shop		P	P	P				
											Pharmacy	S	P	P	P				2
											Photographic Equipment Sales & Service		P	P	P				
											Photographic Service		P	P	P				
											Private Card Club				S		S	S	2
											Physical Training and Athletic Facility				P		P		
											Radio, Television Studio		P	P	P				
											Recycling Collection Center						S	P	2, 3, 13
											Rental Store		P	P	P				13
											Rental Yard, Commercial & Heavy Equipment				S			P	1, 3, 7, 13, 22
											Repair, Small Engine		S		P		P	P	
											Restaurant, limited		S	P	S				
											Restaurant, with alcohol sales		P	P	P				2, 7, 22, 26
											Restaurant, without alcohol sales		P	P	P				2, 7, 22, 26
											Restaurant, Drive-in / Drive-thru		P	S	P				7, 22, 26
											Restaurant, Refreshment Stand (Temporary or Seasonal)		P	P	P				7
											Sexually Oriented Business	See Ordinance No. 95-1 (as amended)							
											Shoe Repair		P	P	P				
											Snow Cone Stand Seasonal			P	P		P	P	1, 25
											Sign Shop, Painted or Silk-screened				P		P	P	
											Special Event Venue		S	S	S		S		1
											Stone Monument Sales				S		P	P	2, 3, 7
											Studio, Dance	S	P	S	P	S	P	P	

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											Tanning Studio	S	P	P	P				2
											Tattoo Parlor/Body Piercing Studio								
											Tavern, Bars & Night Clubs						S	S	2, 7, 22
											Taxidermist Studio		P		P				
											Taxidermist Shop				S		P	P	1
											Tobacco Shop	S	S	S	S				2
											Video / Game Rental		P	P	P				
											Watch &/or Jewelry Sales & Repair		P	P	P				
											Winery				S		S	S	1
	MANUFACTURING AND INDUSTRIAL USES																		
											Assembly Plant							P	7, 22
											Bottling Works							P	7, 22
											Building Materials Manufacturing							P	7, 22
S											Dairy Processing								7, 22
											Electronics Manufacturing						P	P	7, 22
											Laundry, Dry Cleaning & Dyeing Plant including Diaper Service						P	P	7
S											Line Compressor Station	S	S	S	S	S	S	S	1, 15, 24
											Machine Shop						P	P	
											Manufacturing Facility (Light)						P	P	7, 22
											Meat Product Processing							S	2, 7, 22
											Metal Recycling Facility							S	
											Mini-warehouse		S		S		P	P	2, 7, 18
											Natural Resources Mining								
P	P	P	P	P	P	P	P	P	P	P	Oil and Gas Wells	P	P	S	P	S	P	P	15
											Pharmaceutical Plant						P	P	7, 22
											Plastic Products Manufacturing						P	P	7, 22
											Salvage Yard								7
											Stockyard							S	2, 7, 22

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										Storage and Warehousing Establishment						P	P	2, 7, 13
										Storage Yard						P	P	7
										Telecommunications, Wireless Facility								14
										Textile Manufacturing						P	P	7, 22
										Warehousing, Freight Office and or Storage						P	P	7, 13, 22
										Welding or Machine Shop						P	P	7
		ACCESSORY USES																	
P	P	P	P	P	P	P	P	P	P	p	Accessory building	P	P	P	P	P	P	P	16
											Cargo Container				P		P	P	
P	P	P	P	P	P	P	P	P	P	P	Carport, Residential								21

09/13/2022 P&Z Packet Page #51

SPORTS

Malone gets rare gold for US men at gymnastics worlds

Brody Malone won the first world championship on the high bar by an American men's gymnast in 43 years on Sunday when he edged world and Olympic all-around champion Daiki Hashimoto of Japan in a close event final.

The 22-year-old Malone, a two-time U.S. champion, led off the eight-man final and posted a score of 14.800. Hashimoto's bid to earn a third gold to go with the team and all-around titles he captured earlier in the meet fell just short when he scored 14.700. Arthur Mariano of Brazil took the bronze with a 14.466.

Malone's triumph was the first by a member of the U.S. men's team on the high bar since Kurt Thomas in 1979.

"It's pretty incredible, especially going up against a field like that," Malone, who is from northwest Georgia and competes at Stanford.



THANASSIS STAVRAKIS AP

Brody Malone of the U.S. competes in the horizontal bar finals during the Artistic Gymnastics World Championships in Liverpool, England, on Sunday.

Colleges

Miami: Women's basketball coach Katie Meier has been suspended for the first three games of the season while the school cooperates with an NCAA probe. Meier said Sunday that she is also cooperating with the NCAA. Neither she, the school nor the NCAA has released specifics of the probe, other than Miami calling it "an enforcement matter." The NCAA has not announced any sanctions against Miami, which means this is a self-imposed penalty by the university.

South Florida: South Florida football coach Jeff Scott was fired Sunday, one day after his team gave up 621 yards of offense in a 54-28 loss to Temple that dropped him to 4-26 at the school.

Special teams coordinator Daniel Da Prato will be the interim coach for the remainder of the season.

South Florida is 1-8 this season, 0-5 in the American Athletic Conference.

Defensive coordinator Bob Shoop was also fired.

NFL

Colts: The Indianapolis Colts have fired coach Frank Reich after another lackluster offensive performance in the team's third consecutive loss.

The Colts announced the move on Monday, one day after it went 0 for 14 on third down and totaled just 121 yards of offense in an ugly 26-3 loss at New England.

Giants: New York safety Xavier McKinney injured a hand while on vacation during the bye week and will miss a few weeks.

McKinney tweeted about the injury on Monday and the Giants confirmed the tweet. New York returns to action Sunday against Houston at MetLife Stadium.

Panthers: Carolina Panthers interim coach Steve Wilks fired two of his assistants on Monday, less than 24 hours after the team's embarrassing 42-21 loss to the Cincinnati Bengals in which it allowed a franchise-record 35 points in the first half.

Wilks fired cornerbacks coach Evan Cooper and defensive line coach Paul Pasqualoni.

Cooper has been with the Panthers since 2020, while Pasqualoni, the former head coach at Syracuse, joined the Panthers this offseason.

Ravens: Ravens tight end Mark Andrews was ruled out of Monday's game against the New Orleans Saints, the team announced Sunday.

Andrews, who didn't practice last week because of knee and shoulder injuries, didn't travel with the team to New Orleans. It was the first game the All-Pro has missed because of injury in his four-plus years in Baltimore.

Baseball

Nationals: Washington announced that reliever Sean Doolittle will return on a minor league deal that includes an invite to spring training.

Doolittle, 36, is still recovering from the internal brace procedure he underwent on his left elbow in July. He opted for that surgery instead of Tommy John, hoping to be ready for spring training with Washington or another club.

Basketball

WNBA: The Dallas Wings hired Los Angeles Sparks assistant Latricia Trammell as head coach Monday, picking a defensive specialist for a franchise seeking its first deep playoff run since moving to Texas.

The move comes seven weeks after the Wings said they were declining the option on Vickie Johnson's contract despite the coach making the postseason each of her two seasons.

Trammell was in charge of a Sparks defense that put four players on WNBA All-Defensive teams, including 2020 Defensive Player of the Year Candace Parker.

3x3 AmeriCup: Jimmer Fredette's 2-pointer — that's what beyond-the-arc shots are worth in the 3-on-3 game — with 1:07 remaining was the clinching basket in a 21-18 win over Puerto Rico in the title game of the FIBA 3x3 AmeriCup on Sunday night.

Kareem Maddox led the U.S. with nine points in the title game. Fredette and Canyon Barry — the MVP of the tournament after leading the Americans in scoring — each had five points, and Dylan Travis scored two for the U.S.

Tennis

WTA Finals: Aryna Sabalenka stood stoically ever so briefly, before crouching for an emphatic fist pump to go with a scream.

Yeah, the seventh-ranked woman in the eight-player WTA Finals couldn't hide the emotion, because she knew exactly what she had done.

Sabalenka ended world No. 1 Iga Swiatek's 15-match winning streak against top-10 opponents, taking a 6-2, 2-6, 6-1 victory in the semifinals of the season-ending event Sunday night.

The stunner puts Sabalenka in final Monday night against No. 6 Caroline Garcia, who steamrolled Maria Sakkari 6-3, 6-2 and can become just the second Frenchwoman to win WTA Finals after Amelie Mauresmo in 2005.

Soccer

MLS: Los Angeles FC goalkeeper Maxime Crépeau broke his right leg while committing a red-card foul during extra time in the team's MLS Cup final victory over the Philadelphia Union, the team confirmed Sunday.

Crépeau had surgery at Kaiser Permanente's Baldwin Park Medical Center. He is likely to miss the World Cup for Canada, although the team didn't confirm it.

— WIRE SERVICES



CHARLES KRUPA AP

Indianapolis Colts head coach Frank Reich was fired by the team Monday following a loss to New England.

FROM PAGE 1B

COWBOYS

Giants and Cleveland Browns, all the guys have nothing but great things to say about him. I have always been so impressed with his football playing ability. I have heard so many excellent things about him over the years. I think those are conversations for the future. Right now, we are focused on our guys."

The Cowboys have roughly $7 million in cap space available but the question is will that be enough to land Beckham Jr. if they chose to move in that direction.

He has been linked to the Los Angeles Rams, Green Bay Packers, Buffalo Bills and New York Giants.

Per a source, Beckham, who has played with the Giants, Rams and Cleveland Browns., is not just looking to be an acquired gun until the end of the season. He wants a permanent home with a possible multi-year deal.

Beckham Jr , 30, confirmed as much on the podcast.

"Whether it's Buffalo, Green Bay calling, the Cowboys, reunion with the Giants, I want to (spend) these next three or four years in a place I can call home," Beckham Jr. said. "I'm tired of living out of suitcases. I have done the rock and roll life."

The question is which team is going to give him that type of deal coming off ACL rehab and how that impact is his price?

Beckham Jr. signed a one-year deal worth $1.25 million to play for the Rams last season after being cut by the Browns during the season.

He caught 48 catches for 593 yards and seven touchdowns in 12 games, including the playoffs, proving that the was still a difference-making player before suffering the injury in the Super Bowl.

He has no interest in taking a bargain basement deal again.

"We have to make the decisions that are best to improve our football team," Stephen Jones said. "So, you know we're keeping our eye on the ball in terms of how we can improve our football team as we move forward."

Beckham Jr. would huge upgrade for the Cowboys at receiver.

The team has not had a 100-yard receiver through the first eight games for the first time since 1973.

CeeDee Lamb leads the team with 42 catches for 556 yards and 3 touchdowns. Noah Brown is the next highest receiver with 25 catches for 335 yards and 1 touchdown. Michael Gallup, who missed the first three games of the season rehabbing from a torn ACL and has yet to regain his form, has 12 catches for 135 yards and 1 touchdown.

The only other receiver on the roster with a catch is rookie third-round pick Jalen Tolbert, who has one reception for 4 yards.

James Washington is expected to come off injured reserve by the end of the month after being sideline since training camp with a fractured foot. But he is not same caliber of player as Beckham Jr.

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Legals

CITY OF ARLINGTON ORDINANCE

The Arlington City Council passed the following ordinances at a meeting on November 01, 2022. These ordinances will become effective with second publication in accordance with the City Charter, unless otherwise noted.

Ordinance No. 22-055

An ordinance amending the "Construction" Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article I, Building Code, Sections 1.01 through 1.05, relative to adopting the 2021 Editions of the International Building Code, International Existing Building Code, International Residential Code, the International Energy Conservation Code, and the International Swimming Pool and Spa Code; adopting local amendments and associated appendices; through the amendment of Article IV, Registration, Permits and Inspections, in its entirety to reflect current practices and standards; through the amendment of Article V, Required Fees, in its entirety and reserving same for future codification; and through the amendment of Article VII, Signs, Section 7.10, Temporary Signs Near Polling Places, Subsection (A), relative to compliance with the Elections Chapter; providing for a fine of up to $2,000 for each violation; providing this ordinance be cumulative; and providing for severability, governmental immunity, injunctions, publication, and an effective date of January 1, 2023.

Ordinance No. 22-056

An ordinance amending the "Fire Prevention" Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article I, General Provisions, relative to adopting the 2021 Edition of the International Fire Code; adopting local amendments and associated appendices; providing for a fine of up to $2,000 for each violation; providing this ordinance be cumulative; and providing for severability, governmental immunity, injunctions, publication, and an effective date of January 1, 2023.

Ordinance No. 22-057

An ordinance amending the "Mechanical Code" Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article I, General Provisions, relative to adopting the 2021 Edition of the International Mechanical Code and the 2021 Edition of the International Fuel Gas Code; adopting local amendments and associated appendices; providing for a fine of up to $2,000 for each violation; providing this ordinance be cumulative; and providing for severability, governmental immunity, injunctions, publication, and an effective date of January 1, 2023.

Ordinance No. 22-058

An ordinance amending the "Plumbing" Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article I, General Provisions, relative to adopting the 2021 Edition of the International Plumbing Code and the 2021 Edition of the International Fuel Gas Code; adopting local amendments and associated appendices; providing for a fine of up to $2,000 for each violation; providing this ordinance be cumulative; and providing for severability, governmental immunity, injunctions, publication, and an effective date of January 1, 2023.

Ordinance No. 22-059

An ordinance amending the "Electrical" Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article I, Administration, relative to adopting the 2020 Edition of the National Electrical Code; adopting local amendments and associated appendices; providing for a fine of up to $2,000 for each violation; providing this ordinance be cumulative; and providing for severability, governmental immunity, injunctions, publication, and an effective date of January 1, 2023.

Ordinance No. 22-060

An ordinance revising the development plan on certain property known as 1818 East Pioneer Parkway and zoned Planned Development for limited Community Commercial (CC) uses, plus a Package Liquor Store, with a Development Plan; amending the Zoning District Map accordingly.

Ordinance No. 22-061

An ordinance adopting Specific Use Permit SUP22-3 for Used Vehicle Sales, on certain property known as 2118 East Abram Street zoned Planned Development for General Commercial (GC); amending the Zoning District Map accordingly.

IPL0096981
Nov 7-8 2022

Legal Notice

Application has been made with the Texas Alcohol Beverage Commission for an MB permit by Ellerbe Fine Foods LLC dba Ellerbe Fine Foods, to be located at 1501 W Magnolia Ave, Fort Worth, 76104, Tarrant County, Texas. Owners of said corporation are Molly McCook, co-owner and manager, and Richard King, co-owner and manager.

IPL0097446
Nov 8-9 2022

CITY OF SAGINAW

ORDINANCE NO. 2022-11

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, AMENDING APPENDIX A "ZONING" OF THE SAGINAW CITY CODE BY ADDING A NEW "NMU" NEIGHBORHOOD MIXED USE DISTRICT AND PROVIDING FOR NMU DISTRICT REGULATIONS BY AMENDING ARTICLE 6 "ZONING DISTRICTS," SECTIONS 8-12 "SCREENING DEVICES AND FENCE REGULATIONS," 8-13 "LANDSCAPE REGULATIONS," AND 5-1 "PERMITTED USE TABLE;' AND BY ADDING A SECTION 8-18 "ACTIVATED AMENITIES;" PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

SECTION 9.

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 ($2000.00) for each violation of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

PASSED AND APPROVED ON this the 6 th day of September, 2022. Todd Flippo, Mayor

IPL0097501
Nov 8,15 2022

City of Saginaw Public Notice

Notice is Hereby Given that the City of Saginaw will Conduct two Public Hearings on a Request for City-Initiated Rezoning of Multiple Parcels to "NMU" - Neighborhood Mixed-Use District for Conformance to the City's Comprehensive Plan, Being Approximately 85 Acres on the Following Properties: Saginaw Springs, Block 2, Lot 30, Commercial Tract 2; Albright, Alexander F Survey Abstract 1849 Tract 2C04; Albright, Alexander F Survey Abstract 1849 Tract 2C; Albright, Alexander F Survey Abstract 1849 Tract 3H; Idea Schools Addition Block A, Lot 1; Idea Schools Addition Block A, Lot 2; Albright, Alexander F Survey Abstract 1849 Tract 3A; Albright, Alexander F Survey Abstract 1849 Tract 3H05; Alford, James P Survey Abstract 53 Tract 2A City Boundary Split; and Alford, James P Survey Abstract A 53 Tract 1K, Saginaw, Tarrant County, Texas. Public Hearings will be held by the Planning and Zoning Commission on November 8, 2022 at the John Ed Keeter Public Library at 355 West McLeroy Blvd and by the City Council on December 6, 2022 at Saginaw City Hall located at 333 West McLeroy Blvd, Saginaw, TX 76179. Any changes to meeting procedures or postponements will be posted at ci.saginaw.tx.us and at City Hall.

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

Please direct any questions regarding this matter to Susy Victor-Trevino, Planning Manager, 817-230-0440.

IPL0097494
Nov 8 2022

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October 27, 2022

NOTICE OF PUBLIC HEARING
THIS IS A REQUESTED CHANGE IN PROPERTY ZONING

RE: PZ 1122-01 Consideration of a request to approve the city-initiated rezoning of multiple parcels to "NMU" - Neighborhood Mixed-Use District, for conformance to the City's Comprehensive Plan. The Planning and Zoning Commission will hold a Public Hearing on November 8, 2022 at the John Ed Keeter Public Library located at 355 West McLeroy Boulevard and the City Council will hold a Public Hearing at the Saginaw City Hall located at 333 West McLeroy Boulevard on December 06, 2022. Details regarding the 85 acres of land and individual parcels are as follows:

Dear Property Owner:

The Planning and Zoning Commission of the City of Saginaw will hold a Public Hearing on the 8th day of November, 2022 at 6:00 p.m. at the John Ed Keeter Public Library located at 355 West McLeroy Boulevard, Saginaw, Texas and the City Council of the City of Saginaw, Texas, will hold a Public Hearing on the 6th day of December, 2022 at 6:00 p.m. at the Saginaw City Hall located at 333 West McLeroy Boulevard, Saginaw, Texas, for the purpose of considering a request for the city-initiated rezoning of multiple parcels to "NMU" - Neighborhood Mixed-Use District for conformance to the City's Comprehensive Plan, being approximately 85 acres on the following properties: Saginaw Springs, Block 2, Lot 30, Commercial Tract 2; Albright, Alexander F Survey Abstract 1849 Tract 2C04; Albright, Alexander F Survey Abstract 1849 Tract 2C; Albright, Alexander F Survey Abstract 1849 Tract 3H; Idea Schools Addition Block A, Lot 1; Idea Schools Addition Block A, Lot 2; Albright, Alexander F Survey Abstract 1849 Tract 3A; Albright, Alexander F Survey Abstract 1849 Tract 3H05; Alford, James P Survey Abstract 53 Tract 2A City Boundary Split; and Alford, James P Survey Abstract A 53 Tract 1K, Saginaw, Tarrant County, Texas.

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 master parcel map shows all of the highlighted parcels of land proposed for city-initiated rezoning and the individual area map depicts the parcel nearest you within 200ft. of your property. Only the areas inside of the dark bold line are the properties to be considered. The lightly shaded area around and inside of that line is that which property owners are required by law to be notified. If you have any questions you may call Susy Victor-Trevino, Planning Manager, at 817-230-0440.

Sincerely,

Susy Victor-Trevino
Planning Manager

Enclosures: Reply Form, Master Parcel Map, Map of Requested Property within 200ft of your Property.

Any changes to meeting procedures or postponements will be posted at ci.saginaw.tx.us and at City Hall

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REPLY FORM

In order to be on record, this form may be filled out and mailed to the Planning Manager, at City of Saginaw, Texas, P. O. Drawer 79070, Saginaw, Texas 76179. If you have questions concerning this request, please call the Planning Manager, Susy Victor-Trevino, at 817-230-0440.

The Planning & Zoning Commission Meeting on 11/08/2022 at 6:00 p.m. and the City Council Meeting on 12/06/2022 at 6:00 p.m. is in regards to a request for city-initiated rezoning of multiple parcels, approximately 85 acres of land in Saginaw, Texas, to "NMU" - Neighborhood Mixed-Use District for conformance to the City's Comprehensive Plan.

Name:_____

Address:_____

Phone Number:_____

( ) In Favor

( ) Opposed

Reasons and/or Comments

_____

_____

_____

_____

_____

_____

_____

_____

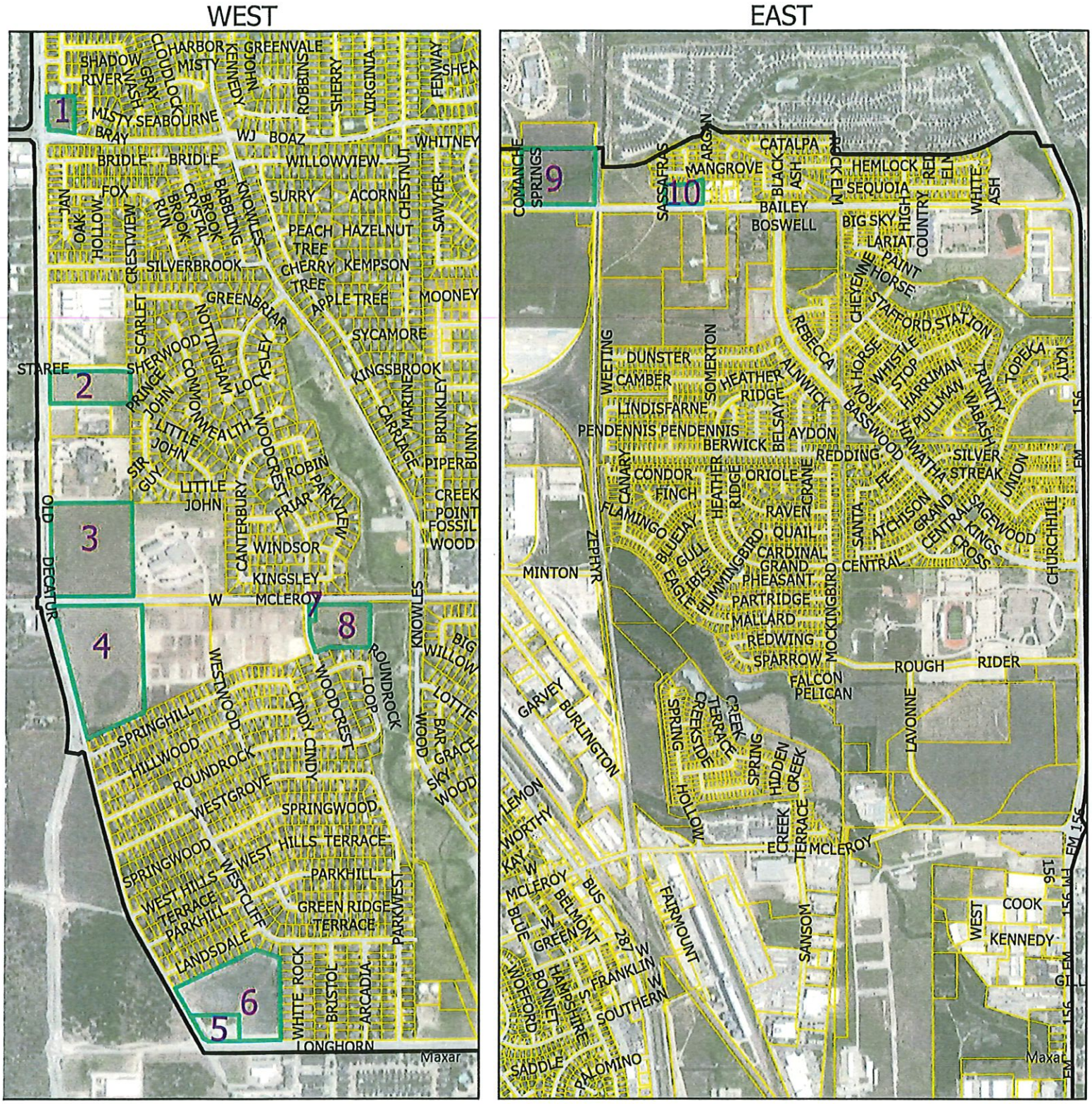
_____

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CITY OF SAGINAW

BATCH 1 POTENTIAL NEIGHBORHOOD MIXED-USE ZONING

10 Parcels



SOURCE: PELOTON LAND SOLUTIONS, 2022

N

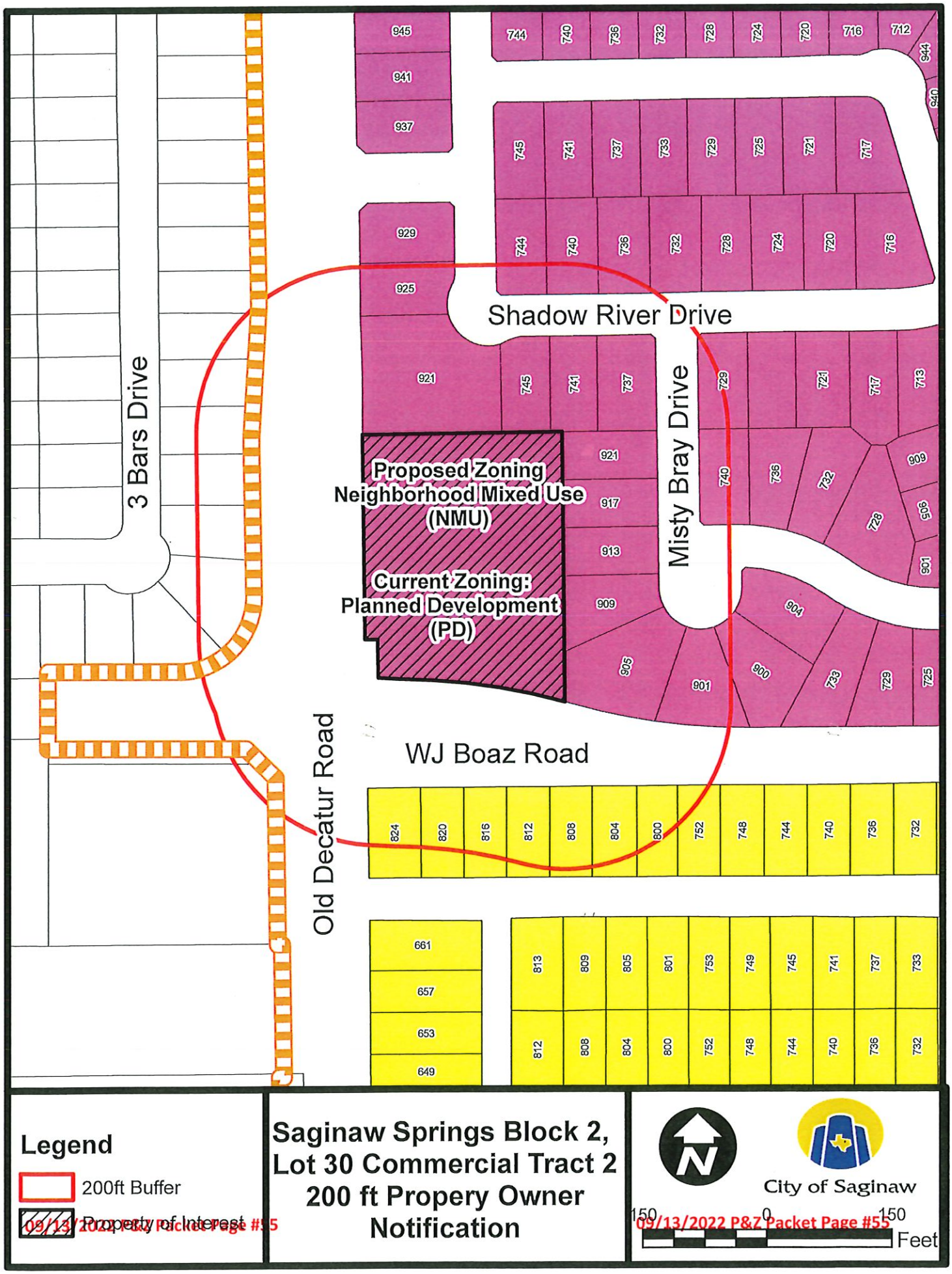
0 500 1,000 2,000 Feet

City of Saginaw City Limits

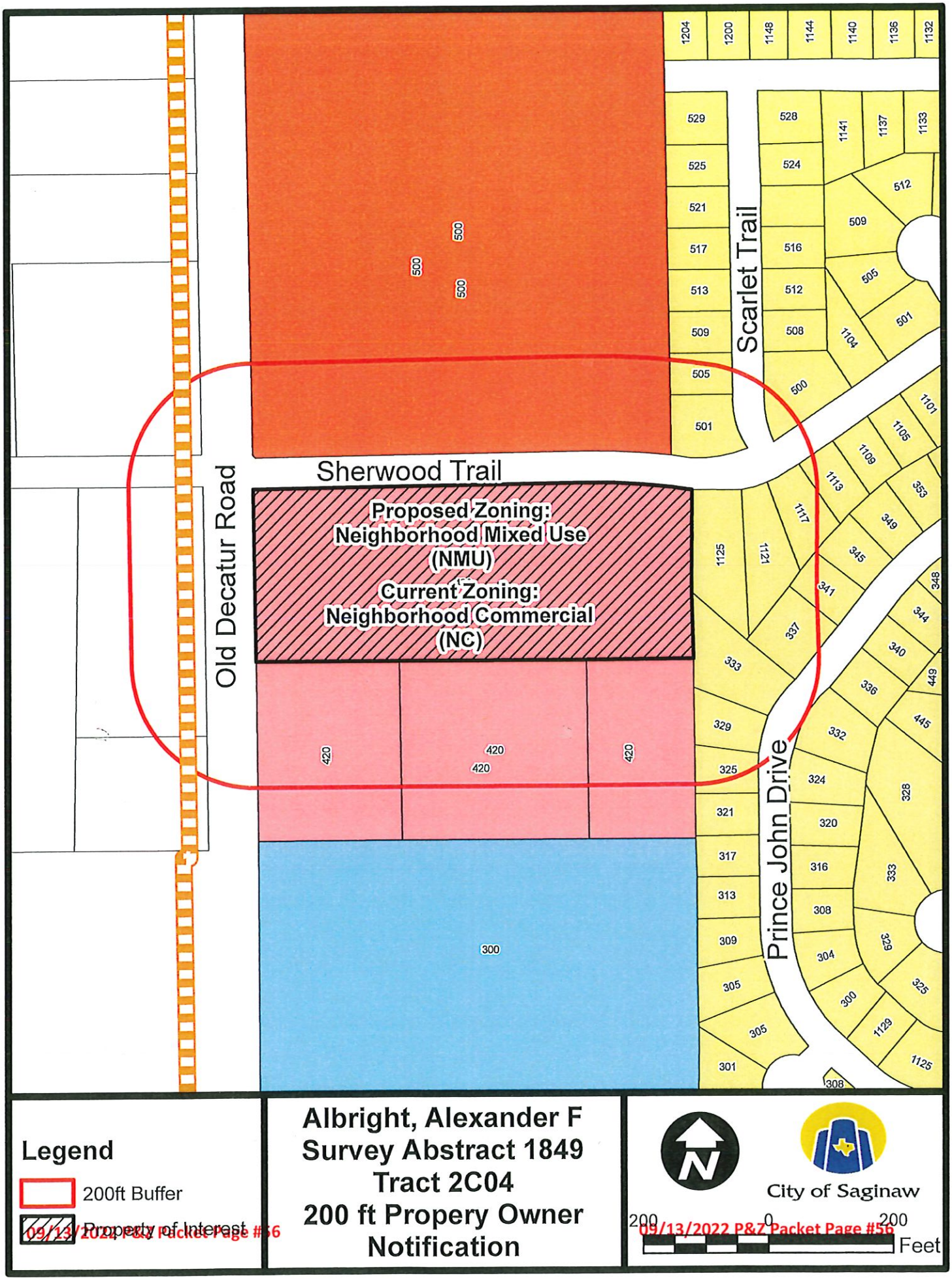
Tarrant County Parcels

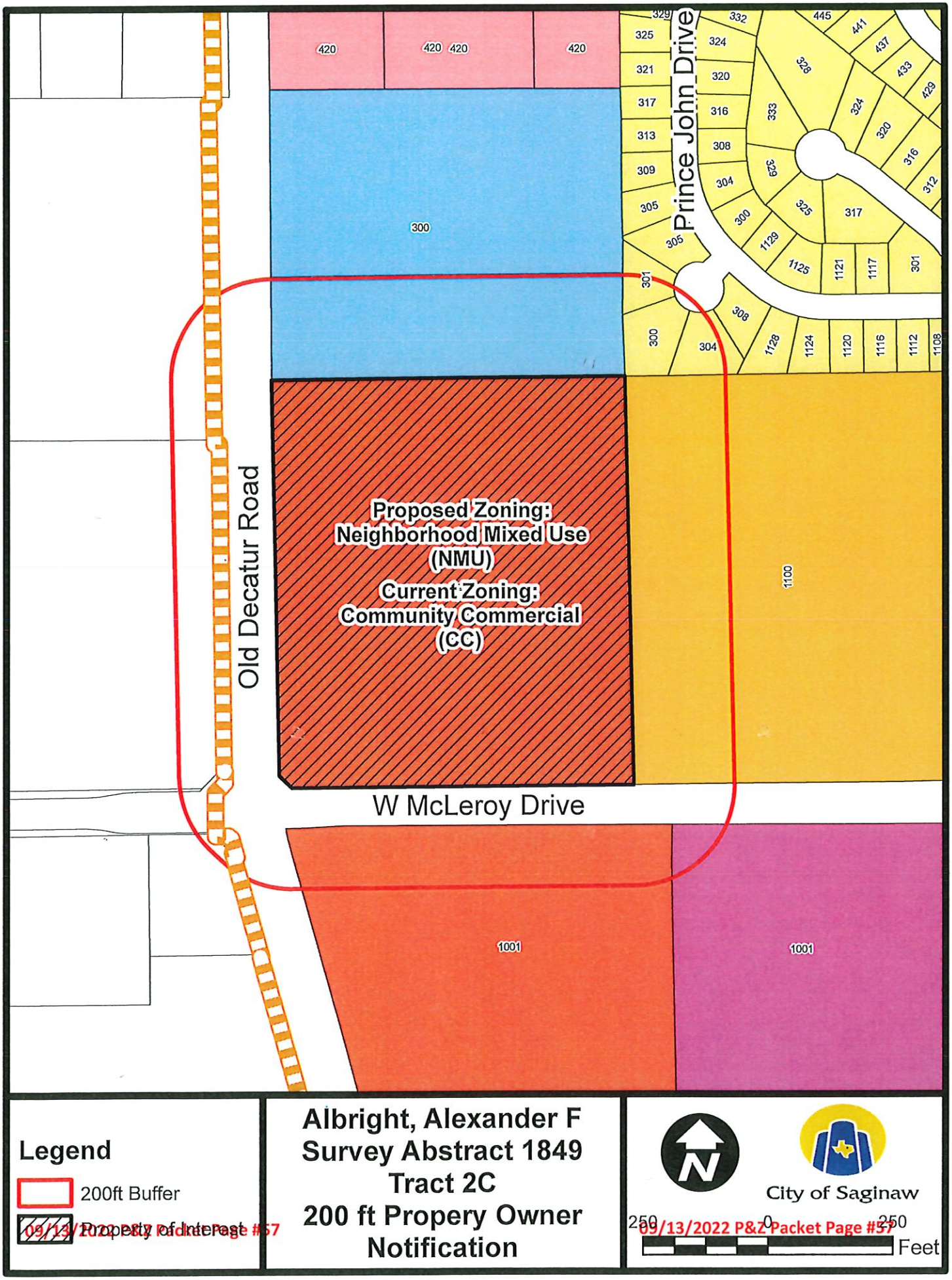
Potential Neighborhood Mixed-Use Parcel(s)

SAGINAW TEXAS

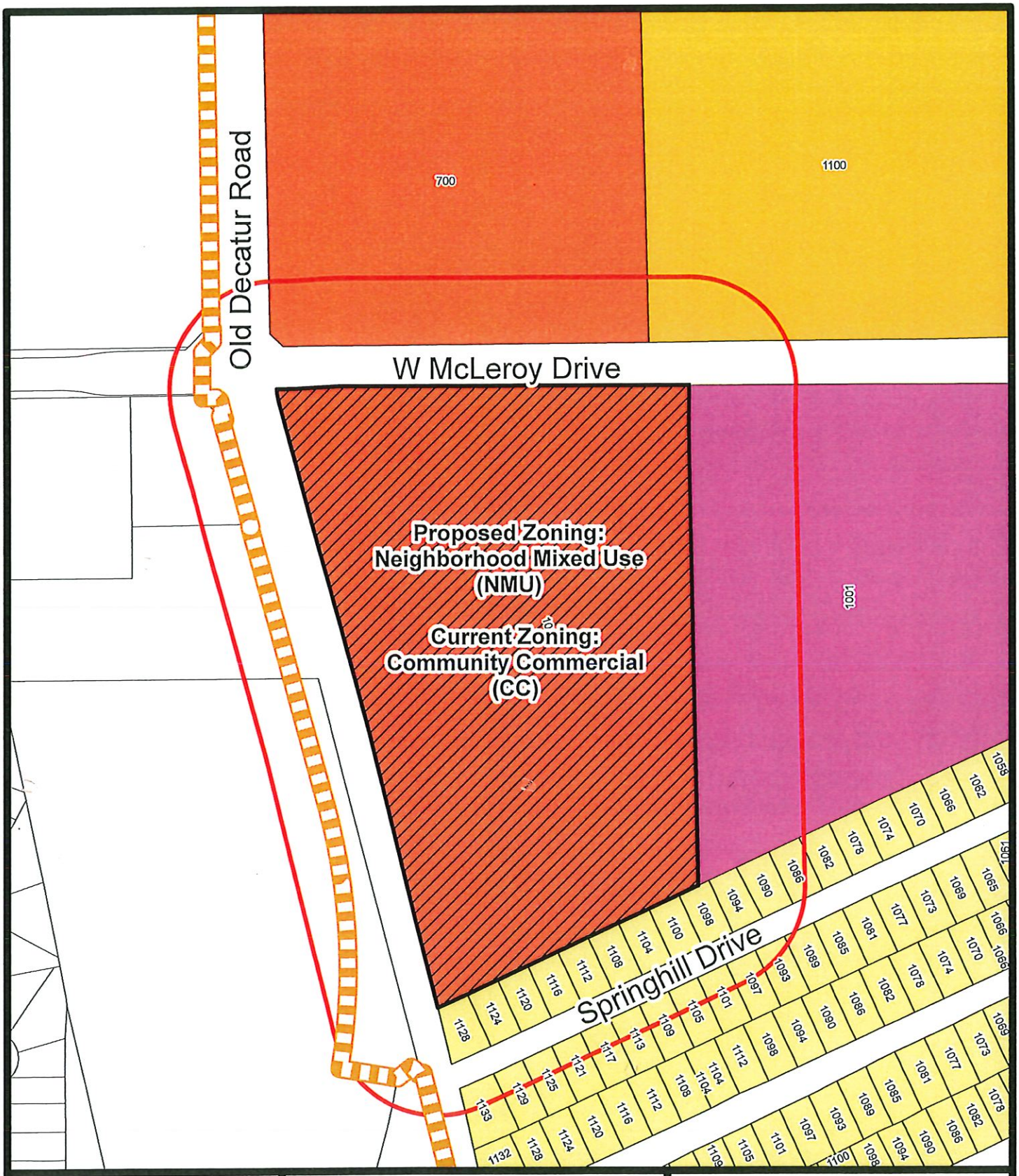


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Sherwood Trail
Old Decatur Road
Scarlet Trail
Prince John Drive
Proposed Zoning:
Neighborhood Mixed Use
(NMU)
Current Zoning:
Neighborhood Commercial
(NC)
Legend
200ft Buffer
Property of Interest
Albright, Alexander F
Survey Abstract 1849
Tract 2C04
200 ft Propery Owner
Notification
City of Saginaw
200
0
200
Feet
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Legend

200ft Buffer

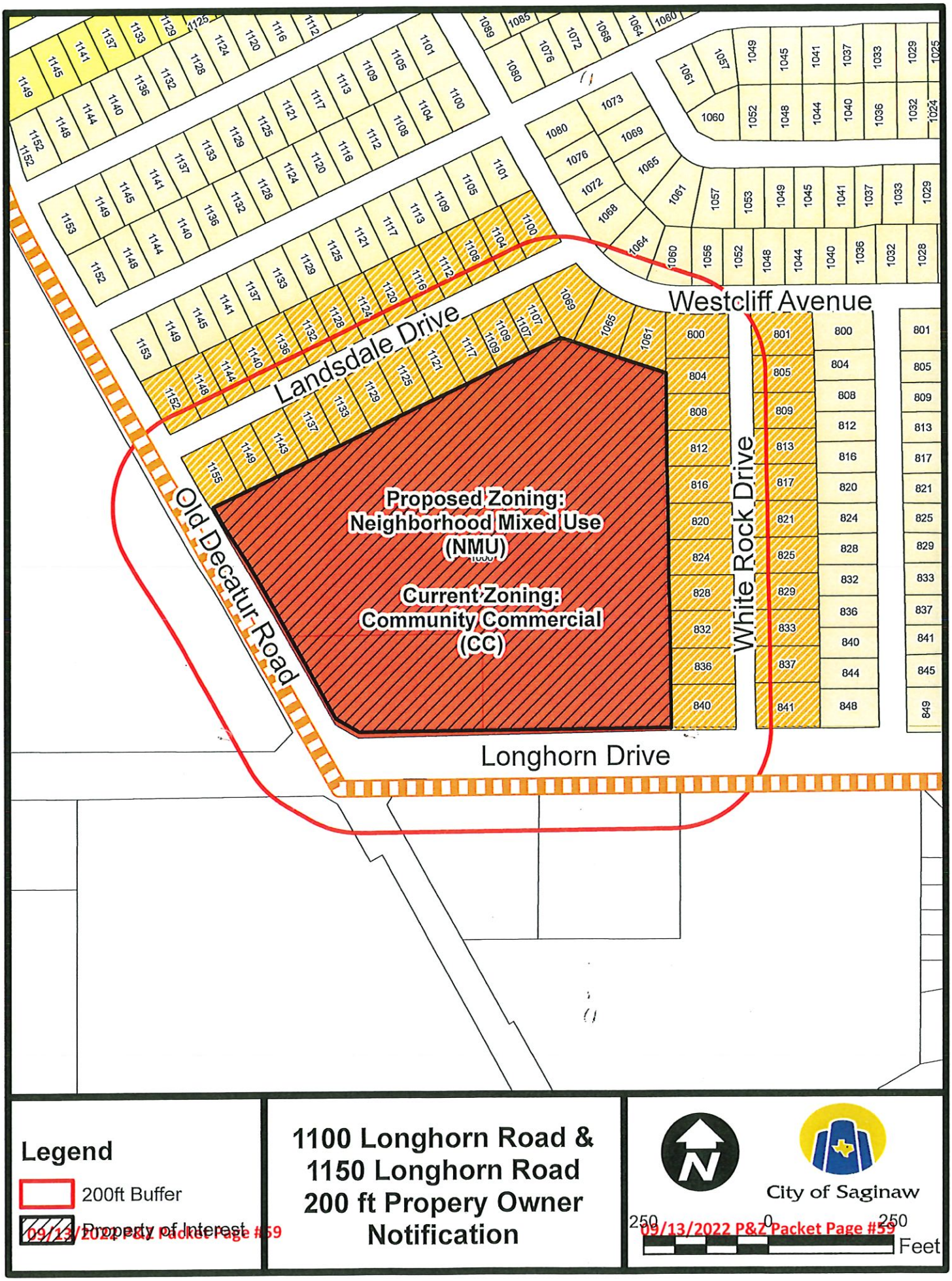
Property of Interest

Albright, Alexander F
Survey Abstract 1849
Tract 3H
200 ft Propery Owner Notification

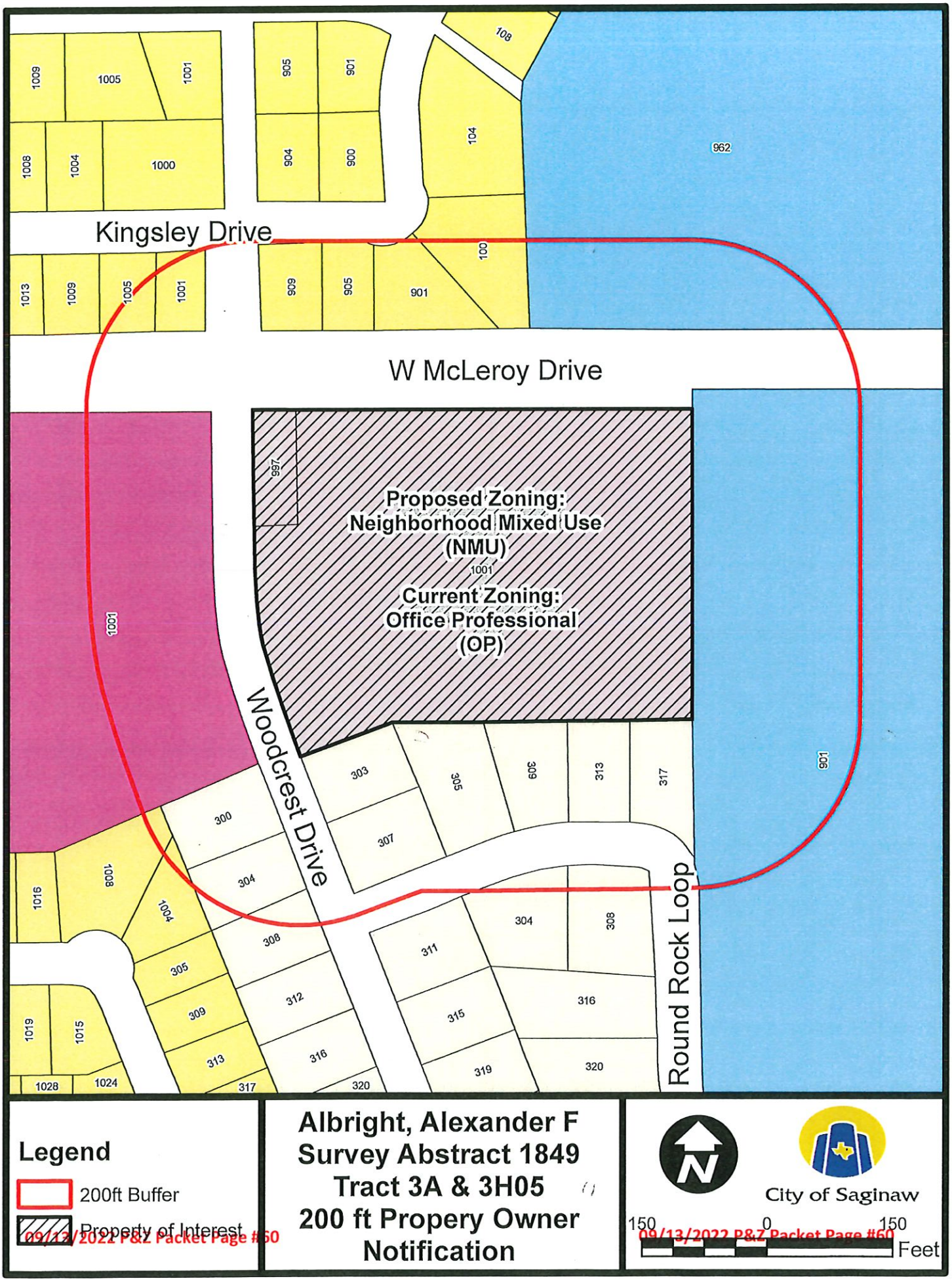
City of Saginaw

250 0 250 Feet

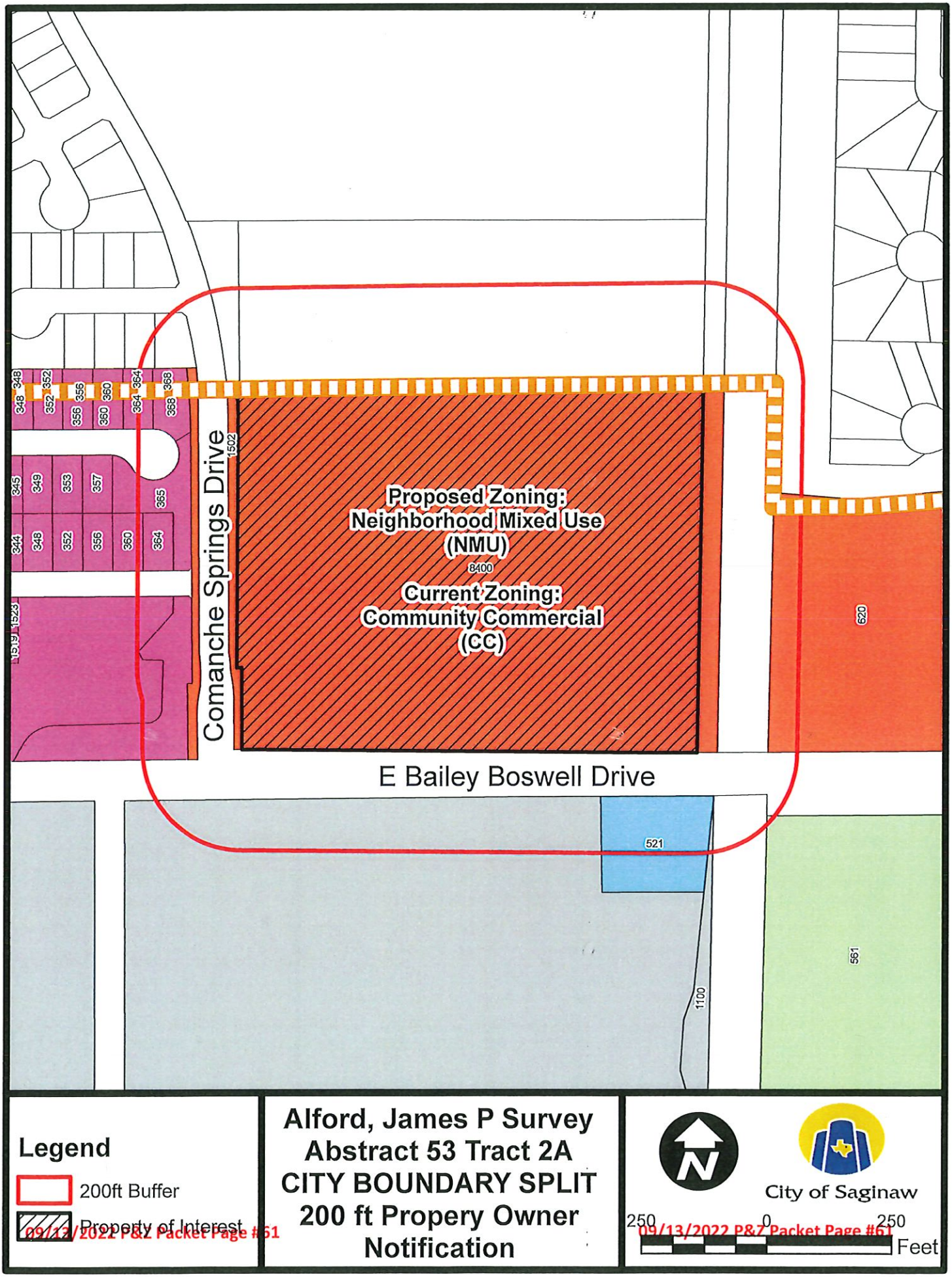
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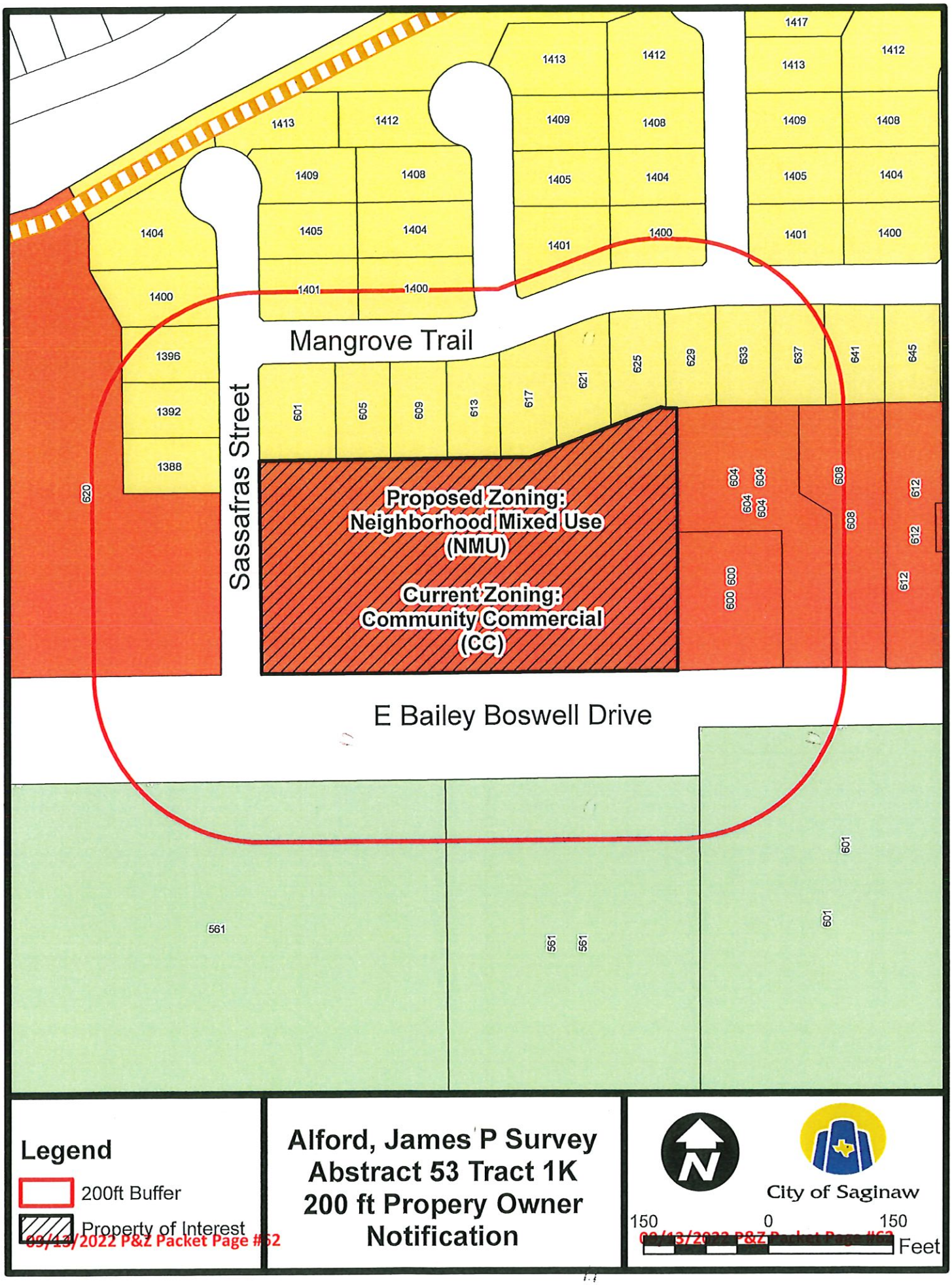
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09/13/2022 P&Z Packet Page #62

City of Saginaw

Meeting Date: 12/6/2022

Agenda Items: (8)

Staff Contact: Randy Newsom
Director of Public Works

E-mail: rnewsom@saginawtx.org

Phone: 817-230-0448

SUBJECT:
Consideration and Action regarding Acquisition of 2.1838 acre tract of land situated within the B. Thomas Survey, Abstract No. 1497 from Bonner Carrington in exchange for the waiver of certain building permit fees

BACKGROUND/DISCUSSION:
This item addresses a parcel approximately 2.1838 acres in size to be acquired from Bonner Carrington in exchange for a waiver of building permit fees for their new age-restricted apartment complex that will be built in BeltMill. The building permit for the proposed complex would be approximately $200,000. The proposed exchange for the land is approximately half of the market value of the property. This property is adjacent to a tract of land that is approximately 4.6 acres that the City has already acquired.

Bonner Carrington also built Mariposa on East McLeroy Blvd. However, the project in Beltmill will be market rate only and not income based like Mariposa.

FINANCIAL IMPACT:
The financial impact would be the exchange of the permit fees for the parcel of land.

RECOMMENDATION:
Staff recommends approval.

City of Saginaw

Meeting Date: 12/6/2022

Agenda Items: (9)

Staff Contact: Councilmember Paul Felegy
Councilmember Mary Copeland

E-mail: pfelegy@saginawtx.org
mcopeland@saginawtx.org

Phone:

SUBJECT:
Consideration and Action regarding Amending the Food Truck Park Fees, and Amending the Master Fee Schedule (Ordinance No. 2022-28)

BACKGROUND/DISCUSSION:
Councilmembers Felegy and Copeland requested consideration of the removal of the $25 daily fee for food trucks, and amending the $40 daily fee to be for market days and special events only.

Included in the attachments are copies of the notice given to food truck owners regarding the fee changes approved recently as well as responses, concerns, and comments from many of the food truck owners.

Ordinance No. 2022-28 will amend the Master Fee Schedule to include the amended food truck park fees if approved.

FINANCIAL IMPACT:

RECOMMENDATION:
Councilmember Felegy and Councilmember Copeland recommend approval.

ATTACHMENTS:

Description

Responses from Food Truck Owners to Fee Increases

Thank you for allowing us the opportunity to address the upcoming fee changes.

As a small business, we are thrilled to be serving the same community we are raising our family in. We have a vested interest in staying local while supporting our schools and all first responders.
As much as we love our community, the new fee schedule threatens our ability to stay in business at the Saginaw Switchyard. As a new business, our expenditures far outweigh the amount of income we have seen so far.
Our current costs include:

- Food ($1200+ this week alone)
- Trailer payment
- Equipment fees
- Propane
- Insurance
- Storage fees
- Commissary
- Permits
- Inspections
- Phone and internet
- Gas
- Fire suppression system maintenance
- Point of sale and credit card fees
- Repairs
- Website development
- Additional employees
- Working towards adding signage and banners

We were hoping to add to our customer base before accumulating new fees. The profit margin for fresh ribeye and other quality meats is slim, but it is what we have built our business upon. Over half the days we have been at the Switchyard, we have ran at 10-15% capacity and brought in approximately $400 or less in gross sales, not profit. All while working seven days a week to provide the best and freshest quality of product. We have a family to support and personal bills in addition to business expenses while the cost of food is still rising each week as we make our purchases.

As a business, we understand the need to curb the costs the city accumulates by providing the beautiful park and hookups, but we would also like to think that we add value to the city by keeping dollars local. Currently, we see three upcoming events that could be very beneficial to our family of food trucks, but there is no guaranteed foot traffic or sales throughout some of the hardest months. The cold months and lesser foot traffic loom ahead of us after the holidays.

We would ask that you revisit the fee schedule with an understanding that your Saginaw Switchyard food trucks are very small businesses. Most have had some time to create their own followings and regulars, but some are new, like us, and are working towards getting out of the red from huge startup costs. We are hoping to be afforded the opportunity to have a reduction or waiver of fees while we continue to build our clientele and help build value in the Saginaw community.

We would also like to thank Jen Weldon and Vicki Weldon for all of their help and support during our journey to starting our business. They are tireless champions for Saginaw and small businesses.

Sincerely,

Tasty Steaks
Chris and Cassie

Salsazon
MEXICO CITY KITCHEN

Good Afternoon,

Thank you for notifying us of the recent changes taking place at The Switchyard. We want to start off by expressing our gratitude to the City of Saginaw and the Saginaw Department of Recreation. We have come to love working in Saginaw and have felt the support from the community. When starting Salsazon we had the vision to turn the food truck into a brick and mortar in Fort Worth. However, we quickly changed our minds and hope to one day have a brick and mortar in Saginaw and be part of the exciting growth. We also hope to offer scholarships to the seniors in Saginaw in the future. We are not saying this because of the recent news, but this has been planned before; review the recent Chamber of Commerce survey where we lay out our desires to grow and invest in the community.

It is still our desire to grow in Saginaw. However, it will be difficult to achieve this due to the recent fees. We feel that the fees are too high especially in the winter months as not a lot of clients are willing to go out in January and February. Most of the time the cost to serve in the winter results in revenue losses. During the winter we serve because of our commitment to the community rather than profit. We feel that the new rates will prevent us from frequenting the Switchyard as often throughout the year and especially in the winter.

We understand the rationale behind charging fees for the Switchyard food truck park especially in Farmers Markets days. However, we would suggest a more reasonable rate such as $20 for special events which is the same rate that the Farmers Market booth food vendors are charged according to the Saginaw Farmers Market Vendor Handbook (pg. 3). It would be more reasonable to remove the $25 daily parking fee during the week; as weekday vending is met with less clients and competing/ overlapping food options.

After reviewing the City of Saginaw Fiscal Year 2022/2023 report I noticed that the Switchyard fees is estimated to bring in $15,000 in revenue (pg. 21). We feel that the goal to bring revenue to the City of Saginaw can still be achived by charging a $20 - $25 farmers market fee and raising the cost for the permit to $300. According to the Saginaw Fiscal Year 2022/2023 report the Switchyard averaged over 120 trucks in the 2021-2022 accomplishments. Without the fees being charged The Switchyard is expected to grow in the upcoming year and the increased permit cost can fill in for the expected revenue. Raising the permit cost along with charging a lower special events fee can make up for the expected revenue.

We want to see the Switchyard grow and become a one-of-a-kind location where it helps small businesses grow and allow these businesses to give back in the future. Last week we talked to a client that owns a drink trailer in Nevada she was finally able to fly in, take an Uber to the Switchyard and saw what the Switchyard is all about. We are getting noticed. The City of Saginaw is getting noticed.

We are excited for the upcoming growth and understand the appeal to bringing in brand recognized restaurants into Saginaw. However, we can see city become a place of locally grown restaurants like Austin which was the birthplace of Pluckers and Torchy's Taco's to name a few. We are grateful to have our start in Saginaw and hope that other food trucks can say the same thing. We hope that the City of Saginaw can continue facilitating the growth of these small businesses, many which are owned by Saginaw constituents. We are open to continue this discussion as a stakeholder if the opportunity arises.

Thank you,

Fernando A. Nunez / Owner
Rosa L. Rosales, M.A. / Owner
info@salsazondf.com
www.salsazondf.com

From: Lori Cuadros <duckduckscoop@gmail.com>
Sent: Tuesday, November 8, 2022 6:56 PM
To: Vickie Weldon <vweldon@saginawtx.org>
Subject: Re: Fee Schedule effective December 1, 2022 Response Required

I would like a prorated refund. This is not fair to have to pay these fees two separate ways.

Thank you,

~Lori

On Nov 8, 2022, at 6:47 PM, Lori Cuadros <duckduckscoop@gmail.com> wrote:

Wow Vickie. I know it's not you, but I really got hosed. I just paid 250 for the year in September. I can't believe they're starting it before the new year.

Thank you,

~Lori

From: Lori Cuadros <duckduckscoop@gmail.com>
Sent: Thursday, November 10, 2022 8:21 AM
To: Vickie Weldon <vweldon@saginawtx.org>
Subject: Re: Fee Schedule effective December 1, 2022 Response Required

Thank you. I appreciate it. It is so infuriating. We are the smallest of small businesses. Most of us operate with 1-2 employees and for them to try and increase our rent 21x what we were quoted is unacceptable. As usual, the rich get richer and the poor get poorer. If they can't refund me the difference, I want to be grandfathered into the current pricing that I paid. Next September, I would understand if I have to go to the new pricing structure. I don't know how the kettle corn and new donut truck are going to be able to continue serving at the switchyard as well as myself. We can only charge so much for our product.

I see in the letter they make no note of making any improvements. I know some people have told me they get discouraged when wanting to come to the Switchyard because the parking is so terribly small. 6 spaces for 6 trucks? I see people make U-turns and leave when they can't park.

Why would they do this as soon as it starts to get cold? Business is always much slower when it's cold out for all of the trucks. This is hurting everyone's pocketbook twice.

Hey, Mrs. Vickie.

Unfortunately the fees that the City of Saginaw has voted to enforce are too great for my business. In the near future I will be unable to serve the Saginaw residents to the capacity at which I currently serve them.

I love the city of Saginaw and its residents, some of which are my oldest regulars that I now call friends. I have been invited to many of these people's homes and places of work to serve them coffee.

I do not want to quit serving the people of Saginaw, but the fees are just too high for the level of business in Saginaw, more specifically the Switchyard. I made sustainable money in the City of Keller at $25 for 1 day at the Farmer's Market (apart from Keller's yearly Mobile Food Unit Permit Fee of $250).

I believe that the Saginaw Switchyard should raise enough money to sustain itself, and raise funds for the city, but is it possible that the increase is much too high?

Until this point, the Saginaw Switchyard has served as a nursery to newly developing food trucks and dreams largely because of the unique flexibility in scheduling, social media post, and affordability. What kind of trucks will be in this new vision of the switchyard?

I have had a blast being a part of the Switchyard family over the past two years. I am so thankful that I got to work with you, Mrs. Vickie, and Jen. You guys are great. ❤️

Sincerely,

-Lee Limoges

Limoges Coffee L.L.C.

From: jesus rodriguez
Sent: Sunday, November 13, 2022 8:03 PM
To: Vickie Weldon <vweldon@saginawtx.org>
Subject: Re: Fee Schedule effective December 1, 2022 Response Required

Oh wow that is huge ,I do undertand but prob wont be part of the switchyard anymore 😔 we bearly make 240 250 on market days so wont be worth it ,just wish I woulda known a few weeks before just renewed my permit 🤦‍♂️

Sent from my T-Mobile 4G LTE Device
Get Outlook for Android

From: Gardenia Torres <
Sent: Wednesday, November 9, 2022 10:24 AM
To: Vickie Weldon <vweldon@saginawtx.org>
Subject: Re: Fee Schedule effective December 1, 2022 Response Required

So what about our yearly fee? Do we get a refund back or is it a credit for the date we choose to go after December?

Here are responses from four of our trucks:

"Unfortunately the fees that the City of Saginaw has voted to enforce are too great for my business. In the near future I will be unable to serve the Saginaw residents to the capacity at which I currently serve them.

I love the city of Saginaw and its residents, some of which are my oldest regulars that I now call friends. I have been invited to many of these people's homes and places of work to serve them coffee.

I do not want to quit serving the people of Saginaw, but the fees are just too high for the level of business in Saginaw, more specifically the Switchyard. I made sustainable money in the City of Keller at $25 for 1 day at the Farmer's Market (apart from Keller's yearly Mobile Food Unit Permit Fee of $250).

I believe that the Saginaw Switchyard should raise enough money to sustain itself, and raise funds for the city, but is it possible that the increase is much too high?

Until this point, the Saginaw Switchyard has served as a nursery to newly developing food trucks and dreams largely because of the unique flexibility in scheduling, social media post, and affordability. What kind of trucks will be in this new vision of the switchyard?

I have had a blast being a part of the Switchyard family over the past two years. I am so thankful that I got to work with you, Mrs. Vickie, and Jen. You guys are great. ❤️ "

"So what about our yearly fee? Do we get a refund back or is it a credit for the date we choose to go after December?"

"This is confirmation that I received the fee notice. _____ and I will need to talk, and we would like to voice our concerns to your shortly. We appreciate everything you and Jen do for us!
Thank you"

"I would like a prorated refund. This is not fair to have to pay these fees two separate ways. "

IMPORTANT FEE CHANGES - SAGINAW SWITCHYARD

On October 1st, 2022 the Saginaw City Council ratified and approved the fee schedule for the city. Fees were adjusted and added in attempt to increase revenue for the 2022-2023 fiscal operating year.

The following new fees will go into effect December 1st, 2022

Saginaw Switchyard -Food Truck Park Fees

$25.00	Daily Truck Fee	Sunday – Thursday unless a holiday or special event
$40.00	Daily Truck Fee	Friday, Saturday, holiday, or special event
$135.00	Weekly Truck Fee	Monday-Sunday
$450.00	Monthly Truck Fee	1st – 31st of the month

The fees are for parking on city property, and do not guarantee a hook up or parking assignment location. Fees are non-refundable, unless the city chooses to close or cancel an event.

Payment must be made prior to scheduling and must be made in person at the Recreation Center. Money can be held in your account and schedule requests can be done through email.

The cash register receipt of fee payment must be displayed in a visible location on your truck/ trailer along with your Saginaw Mobile Food Unit Permit.

Please direct any comments, concerns, or how the fees will impact your business, directly to me. I will make sure to covey your statements to the proper channels so that your voice can be heard. Changes to the fee schedule must be go through a due process.

Vickie Weldon
Managing Director
The Switchyard Food Truck Park

vweldon@saginawtx.org
Mobile: (682) 232-9305
Office: (817) 230-0354

City of Saginaw

Meeting Date: 12/6/2022

Staff Contact: Fire Chief Doug Spears
Chief Building Official Larry Little
PW Management Analyst Salvador Gonzales

Agenda Items: (10)

E-mail: dougspears@saginawfire.us

Phone: 817-230-0412

SUBJECT:
Consideration and Action regarding Resolution No. 2022-25, Implementation of the Saginaw Home Improvement Program or SHIP.

See accompanying documents :

SHIP Application
SHIP Policy
SHIP Agreement
SHIP Resolution

BACKGROUND/DISCUSSION:
At the October 8th City Council meeting the SHIP program was introduced to City Council and with City Council support provided, the program is now being presented for formal action to implement.

The intent of the program is to incentivize and assist with home improvement which can result in increased curb appeal, revitalization of neighborhoods, blight abatement, higher efficiency, and elevated value of the improved home and surrounding community.

The program has undergone legal counsel review and approval. A 380 agreement is the legal instrument required to implement the program. Each project submitted for consideration will require a 380 agreement between the city and the applicant homeowner.

FINANCIAL IMPACT:
A **total amount of $25,000** has been budgeted in the current fiscal year for the program.

$12,500 is budgeted from the general fund.
$12,500 is budgeted from the enterprise fund. Use of enterprise funds are restricted to specific improvements such as water and sewer related improvements and as such will only be applicable to those qualifying improvements.

The program will be managed by Chief Building Official Larry Little with support from FD Admin, Finance and the City Manager's Office.

RECOMMENDATION:
Staff recommends implementation of the Saginaw Home Improvement Program as presented through resolution adoption (Resolution No. 2022-25).

ATTACHMENTS:

Description
SHIP Application
SHIP Policy
SHIP Agreement
Ship Resolution

City of Saginaw
Building Inspections and Permit Dept.
301 S. Saginaw Blvd.
Saginaw, Texas 76179 817-230-0453
ci.saginaw. tx.us

City of Saginaw

Saginaw Home Improvement Program (SHIP) Application

Section 1. Applicant Information			
Name of Applicant (Property Owner):			
Phone:	Email:		
Physical Address:	City:	State:	Zip:
Work Phone Number:			

Section 2. Property Owner Information and Requirements (Circle Yes or No)		
Are you the current homeowner/property owner of the listed address above?	Yes	No
Do you plan on selling your home in the next two years?	Yes	No
Are you willing to provide copies of home insurance documentation?	Yes	No
Are you willing to comply with an inspection by a city building inspector before and after project completion?	Yes	No
Do you agree to complete all improvements within 6 months of application approval?	Yes	No

Section 3. Renovation Information		
Type of Improvement	Check All That Apply	Estimated Dollar Value
1.) Replace exterior doors, including (if applicable) garage door.		$
2.) Replace existing windows with energy efficient windows.		$
3). Replace entire driveway with concrete to city specifications.		$
4). Replace soffit and/or fascia.		$
5). Replace, repair, or install fence to city specifications.		$
6). Replace siding using city approved material.		$
7). Add or repair garage.		$
8). Repaint house.		$
9). Install or replace gutters.		$

10). Add or repair front porch, conforming to city specifications.		$
11). Foundation repair.		$
12). Removal of accessory buildings.		$
13). Re-shingle roof with 30-year shingles.		$
14). Other improvements:		

***Please see policy document for additional conditions on qualifying improvements ***

Section 4.	Rebate Information
Total Estimated Value of Improvements (Minimum of $2,500 to qualify)	$

I understand that if I meet all requirements necessary under this program, I will be eligible for an economic development incentive rebate in an amount equal to up to ten (10) times the amount of increase in property taxes for the Residence for the first tax year following the Completion of Construction as the result of the increase in the Taxable Value of the Residence, as determined by the City's Financial Services Department for the Approved Project. The maximum Incentive rebate shall not exceed $5,000.00 per Approved Project.

Signature: _____ Date: _____

Section 5. Acknowledgements

I hereby certify that the information provided is true and accurate to the best of my knowledge. I hereby acknowledge that I have read, understand and agree to comply with the City of Saginaw Residential Renovation Incentive Program Cash Rebate Program policy which is attached, which governs the granting of cash rebates and permit fees, or other rebates, and that any VIOLATION of the terms of the policy or MISREPRESENTATION shall constitute grounds for rejection of an application or termination of cash rebate, or reimbursement of the cash rebate if granted, at the total discretion of the City of Saginaw.

I understand that the approval of cash rebates, refunds of permit fees, or other rebates shall not be deemed to be approval of any aspect of the construction or improvements project. I understand that I am responsible for obtaining all required permits and inspections from the City of Saginaw and in ensuring the project meets all current City requirements.

I understand that my application will not be processed if it is incomplete. I agree to provide any additional information for determining eligibility as requested by the Saginaw.

I understand and agree that the City of Saginaw is not responsible for the work done by any contractor or materials supplied by any provider and is not liable for defects, failure to perform or poor workmanship.

I understand that the award of any cash rebate is at the sole discretion of the City of Saginaw and that the program may be suspended, terminated, or modified at any time regardless of availability of funds or pending applications on file.

In consideration of the foregoing Saginaw Home Improvement Program ("SHIP") Application and participation in SHIP, I hereby take action for myself, my executors, administrators, heirs, next of kin, successors, and assigns, as follows: 1) I agree to waive, release, hold harmless, and discharge from any and all liability the City of Saginaw, its elected and appointed officials, officers, agents, representatives, and employees, from and against any and all claims and damages of every kind, for my injury or death and for damage to or loss of property arising out of or attributed to the activities in any manner related to SHIP, including but not limited to claims and damages arising in whole or in part from the partial or sole negligence of the City of Saginaw and its elected or appointed officials, officers, agents, representatives, and employees; and 2) I also agree to defend, indemnify, and hold harmless the City of Saginaw, its elected and appointed officials, officers, agents, representatives, and employees, from any and all liability, claims, actions, suits, judgment, damages, and costs arising out of or attributed to SHIP, including any injury or death and damage to or loss of property resulting therefrom. This paragraph shall bind me and my executors, administrators, heirs, next of kin, successors, and assigns.

_____ _____

Printed Name Date

_____ _____

Signature Approved By

Return application to:
City of Saginaw,
Community Development
333 W. McLeroy Blvd
Saginaw, TX 76179 817-232-4640

City of Saginaw

Saginaw Home Improvement Program (SHIP)
Economic Development Incentive Policy

WHEREAS, the City is authorized by Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Gov't Code to provide economic development grants to promote state and local economic development and to stimulate business and commercial activity in the City; and

WHEREAS, the promotion of the redevelopment of existing housing stock in the City promotes economic development within the City and is essential for the continued economic growth and vitality of the City; and

WHEREAS, it is well established that the availability of quality housing stock encourages the relocation of businesses and attracts new business enterprises, as well as the expansion of existing business enterprises within the City, which in turn stimulates growth, creates jobs and increases property and sales tax revenues; and

WHEREAS, the promotion of the housing stock is a major contributing factor to the growth of the City, which, in turn, stimulates trade and commerce and reduces unemployment; and

WHEREAS, residential development and redevelopment will attract and encourage business relocation and expansion since businesses will look to the available housing stock to meet the needs of management and the work force; and

WHEREAS, this program is made in the exercise of the City's governmental functions in the interest of the health, safety, and welfare of the general public and for economic development purposes pursuant to Chapter 380 of the Texas Local Gov't Code; and

NOW, THEREFORE, **BE IT KNOWN,** that the City has determined that providing economic development incentives in accordance with this program will further the objectives of the City, will benefit the City and the City's inhabitants, will promote local economic development, and will stimulate business and commercial activity in the City, and the terms and conditions of this Policy, have been approved by resolution of the City Council.

I). Program Purpose and Summary

A). Purpose

In addition to the purposes contained in the recitals above, the Saginaw Home Improvement Program (SHIP) is designed to incentivize local homeowners to invest in their homes via home improvements, encourage code compliance, economic development, and for other public purposes provided in Texas Local Gov't Code Ch. 380. SHIP will prevent blight, improve property values, inspire surrounding homeowners, revitalize neighborhoods, promote energy

and water use efficiency, and increase Saginaw neighborhood appeal, all of which are urgent community development needs. The purposes outlined in this Program are directly related to governmental functions exercised by the City of Saginaw in the interest of the general public and for the public health, safety and welfare of the City's residents.

B). Summary

Qualifying projects will be incentivized as follows:

1). A waiver of residential remodel building permit fees, as authorized by the City Building Official.

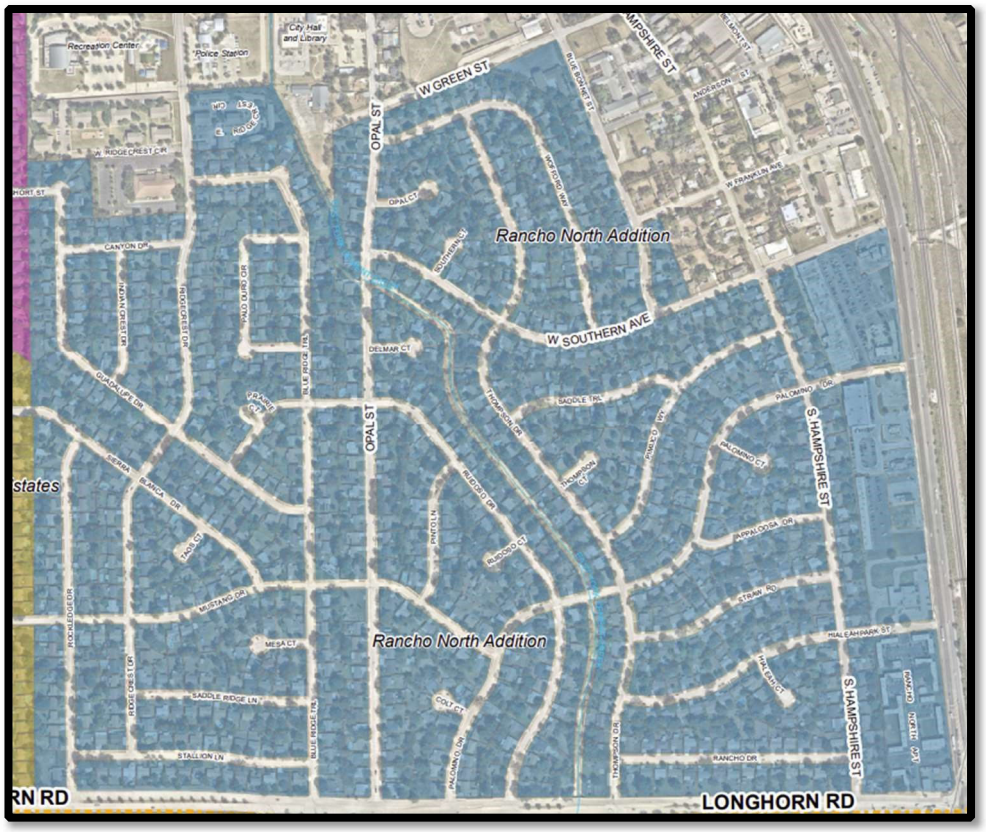
2). After completion of the project and a city inspection, the city will repair or replace sidewalks in public right-of-way, as well as sewer and water lines for participating properties based on the assessed condition of the existing sidewalk and other public infrastructure, in the City's sole discretion and subject to available funding.

3). One haul of a full roll off dumpster. (Picture proof must be provided to building department.)

4). Economic development incentive rebate in an amount equal to up to ten (10) times the amount of increase in property taxes for the Residence for the first tax year following the Completion of Construction (as defined in the SHIP Agreement between the City and the Property Owner) as the result of the increase in the Taxable Value of the Residence, as determined by the City's Financial Services Department for the Approved Project. The maximum Incentive rebate shall not exceed $5,000.00 per Approved Project.

C). Target Zone

All participating homes must lie within the Saginaw City limits. Additionally, all participating homes must lie within the Rancho North Addition, located north of Longhorn Road, West of Saginaw Blvd (the "target zone"). The map below can be used as a guide to the target zone to better help identify program eligibility. The City may designate other "target zones" by Resolution or Ordinance of the City Council.



II). Program Requirements for Eligibility

All program applicants must meet the following criteria to qualify:

A). General Requirements

1). The home to be renovated must lie in the target zone.

2). The home must be a single-family home.

3). Applicant must have the project address as their homestead.

4). The property must not have any pending notice of code violations or citations and must be current on property taxes and city utilities, and must not currently owe any debt, fees, or other impositions to the City. Such requirements do not apply to minimum housing deficiencies (such as, but not limited to, rotting wood, cracking or peeling paint, broken windows, etc.) that will be corrected as a result of the project.

5). The minimum investment to be considered for this program is $2,500.

6). Participants must comply with an initial inspection of the property/home by a City Building Inspector and a final inspection of the property/home by a City Building inspector.

7). The project must be completed within 6 months of approval as determined by the final inspection of the project. (Timeline requirements are subject to the discretion of the City Building Official.)

8). Permits must be obtained from the City of Saginaw Building Inspection Department. Permit fees may be waived for approved projects as authorized by the City of Saginaw Fee Schedule. All construction must comply with all current city building code requirements.

B). Documentation Requirements

1). Proof that the Property Owner is current on the homeowner's insurance for the property as evidenced by a receipt or documentation showing the insurance policy has been paid or is current on scheduled payments.

2). Application that includes line-item bid estimate(s), which may be provided by a licensed and registered contractor with the City of Saginaw who will perform the improvements.

3). Proof of financial capacity to pay for the cost of the improvements.

III). Qualifying Improvements

1). Replace exterior doors, including garage door.

2). Replace existing windows with energy efficient windows.
(i). Must replace all front facing windows at minimum to qualify.

3). Replace entire driveway with concrete to city specifications, if driveway is located at the front of the house.

4). Replace soffit and/or fascia.

(i). Must replace with city approved material.

(ii). Must replace a minimum of 50% to qualify.

5). Replace, repair, or install fence to city specifications. Must replace or repair a minimum of 50% of the total linear feet of fencing to qualify.

6). Replace siding using city approved material. Must replace a minimum of 50% of the total siding area to qualify.

7). Repaint house

(i). Color must be consistent with neighborhood

(ii). Entire house structure (main living structure) must be painted to qualify

8). Install or replace front gutters with color matching or complimentary to the paint color of the house.

9). Add or repair front porch, conforming to city specifications.

10). Foundation repair.

(i). Foundation repair cannot be the only approved improvement to the property

(ii). Owner must secure a foundation assessment and repair report, at the owner's expense, from a structural engineer certified in the State of Texas that is dated no longer than 90 days from the date of application for this program.

(iii). To be considered for eligibility, the foundation repair component of the application must conform entirely to the assessment and repair document prepared by a structural engineer.

11). Removal of accessory buildings

(a). Removal of accessory buildings (detached garage, storage shed, etc.) cannot be the only approved improvement to the property.

(b). Only removal will be considered for eligibility under this program. Repairs or improvements are not eligible.

12). Re-shingle roof with 30-year shingles. Must replace the total roof area to comply.

13). Other improvements that result in aesthetic improvements and/or the repair/correction of housing deficiencies may also be approved by city staff.

IV). Timeline

A). Participant Process

1). Property Owner determines what will be renovated.

2). Property Owner submits application with plans and permits for improvements to Building Inspections and Permits Department.

3). City reviews the application and Property Owner signs SHIP Agreement with the City.

4). Property Owner allows for pre-inspection of improvements to be completed by City Building Inspector.

5). Improvements Completed.

6). City pays incentive upon final inspection by City Building Inspector and increase in the Taxable Value of the Residence, as determined by the City's Financial Services Department for the Approved Project, and subject to the terms and conditions of the SHIP Agreement.

B). Internal Process

1). Application submittal and review to the City of Saginaw Building and Inspections Department. (Includes checking any code violations on property/home, checking status of Utility Billing, TAD to verify home/property ownership and checking property tax receipt).

2). Notification of approval or denial

3). Initial inspection of home/property by City Building inspector

4). Final Inspection of home/property by City Building inspector

5). Assessment of ROW condition and fix/replace

6). Review of picture proof of full Roll-off dumpster

7). Submittal of approved application/additional documentation to Finance Dept.

8). Economic development incentive rebate processed and paid to resident, subject to increase in the Taxable Value of the Residence, as determined by the City's Financial Services Department for the Approved Project, and subject to the terms and conditions of the SHIP Agreement.

9). Property listed on SHIP (Saginaw Home Improvement Program) Monthly Report (In combination with Monthly City Manager Report).

V). Additional Terms and Conditions

A). Receipt of the application does not commit the city to approve the application for the program or to pay any cost incurred in the preparation of the application. The award of any rebate is at the sole discretion of the City of Saginaw. The program may be suspended or terminated at any time regardless of availability of funds or pending applications on file.

B). No application shall be accepted or rebate awarded that would constitute a conflict of interest. Members of the Saginaw City Council, or city employees, are ineligible for the receipt of benefits from this rebate program.

C). Applicants will be limited to one incentive agreements, per calendar year, per homestead, although multiple elements may be included in a single agreement.

D). All applications and information contained therein are subject to disclosure pursuant to the Texas Public Information Act.

E). If approved, the cash rebate will only be paid to the Applicant responsible for the improvements as stated under Application Information. The cash rebate shall be paid in a lump sum to the Applicant only. Rebate checks will not be split between different parties nor will checks be pro-rated over any time period.

F). To encourage employment opportunities and economic development within the City, all applicants are encouraged to select contractors whose businesses are located in Saginaw, but may perform the improvements themselves when abiding by City standards and codes. Receipts and /or invoices will be required in order to receive the cash incentive. It is the Property Owner's responsibility to do their own due diligence in determining the right contractor for their project if a contractor is hired to complete the improvements.

G). Applications shall be processed and approved on a first-come-first-serve basis, and upon approval by the City, the applicant will enter into a SHIP Agreement with the City pursuant to Texas Local Gov't Code Ch. 380.

H). Current Revenue. The economic development incentive rebate made under this Program shall be paid solely from lawfully available funds that have been appropriated by the City. Under no circumstances shall the City's obligations hereunder be deemed to create any debt within the meaning of any constitutional or statutory provision. None of the City's obligations under this Agreement shall be pledged or otherwise encumbered in favor of any commercial lender and/or similar financial institution or other party.

STATE OF TEXAS §
§ **KNOW ALL PERSONS BY THESE PRESENTS:**
COUNTY OF TARRANT §

Saginaw Home Improvement Program (SHIP) Agreement

This Saginaw Home Improvement Program (SHIP) Agreement ("Agreement") is made by and between the City of Saginaw, a Texas home-rule municipality (the "City") and _____ ("Property Owner").

WITNESSETH:

WHEREAS, the Property Owner is the owner of a single-family residential structure located at _____, Saginaw, Texas (the "Residence"); and

WHEREAS, the City is authorized by Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Gov't Code to provide economic development grants to promote state and local economic development and to stimulate business and commercial activity in the City; and

WHEREAS, the promotion of the redevelopment of existing housing stock in the City promotes economic development within the City and is essential for the continued economic growth and vitality of the City; and

WHEREAS, it is well established that the availability of quality housing stock encourages the relocation of businesses and attracts new business enterprises, as well as the expansion of existing business enterprises within the City, which in turn stimulates growth, creates jobs and increases property and sales tax revenues; and

WHEREAS, the promotion of the housing stock is a major contributing factor to the growth of the City, which, in turn, stimulates trade and commerce and reduces unemployment; and

WHEREAS, residential development and redevelopment will attract and encourage business relocation and expansion since businesses will look to the available housing stock to meet the needs of management and the work force; and

WHEREAS, this Agreement is made in the exercise of the City's governmental functions in the interest of the health, safety, and welfare of the general public and for economic development purposes pursuant to Chapter 380 of the Texas Local Gov't Code; and

WHEREAS, the City has determined that providing an economic development incentive in accordance with this Agreement will further the objectives of the City, will benefit the City and the City's inhabitants, will promote local economic development, and will stimulate business and commercial activity in the City.

NOW, THEREFORE, in consideration of the foregoing, and on the terms and conditions hereinafter set forth, and other valuable consideration the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

Section 1. Term

The term of this Agreement shall begin on the Effective Date and continue until the Expiration Date, unless sooner terminated as provided herein.

Section 2. Definitions

Wherever used in this Agreement, the following terms shall have the meanings ascribed to them:

"Approved Project" shall mean a project for home improvements, modifications or remodeling of the Residence as approved by the Chief Building Official in coordination with the Financial Services Department as being eligible for an incentive under the Saginaw Home Improvement Program (SHIP).

"City" shall mean the City of Saginaw, Texas.

"Commencement of Construction" shall mean that (i) the plans have been prepared and all approvals thereof required by applicable governmental authorities have been obtained for the Approved Project; and (ii) all necessary permits for the construction of the Approved Project have been issued by all applicable governmental authorities.

"Completion of Construction" shall mean the date of the City's final inspection of Residence following the construction of the Approved Project.

"Effective Date" shall mean the last date of execution hereof.

"Event of Bankruptcy or Insolvency" shall mean insolvency, appointment of receiver for the Property Owner and such appointment is not terminated within ninety (90) days after such appointment is initially made, any general assignment for the benefit of creditors, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against the Property Owner and such proceeding is not dismissed within ninety (90) days after the filing thereof.

"Expiration Date" shall mean two (2) years from Completion of Construction.

"Saginaw Home Improvement Program" or "SHIP" shall mean the City of Saginaw Home Improvement Program (SHIP) adopted by Resolution of the Saginaw City Council, and as may be amended from time to time.

"Impositions" shall mean all taxes, assessments, use and occupancy taxes, charges, excises, license and permit fees, and other charges by public or governmental authority, general and special, ordinary and extraordinary, foreseen and unforeseen, which are or may be assessed, charged, levied, or imposed by any public or governmental authority on the Property Owner or any property or any business owned by Property Owner within the City.

"Incentive" shall mean an economic development incentive rebate in an amount equal to up to ten (10) times the amount of increase in property taxes for the Residence for the first tax year following the Completion of Construction as the result of the increase in the Taxable Value of the Residence, under the Saginaw Home Improvement Program (SHIP) as determined by the City's Financial Services Department for the Approved Project. The maximum Incentive rebate shall not exceed $5,000.00 per Approved Project.

"Residence" shall mean the single-family residential structure, excluding the land, located at _____, Saginaw, Texas.

"Property Owner" shall mean the owner of the Residence.

"Taxable Value" shall mean the appraised value of the Residence as certified by the applicable appraisal district, or its successor entity, as of January 1 of a given year.

Section 3. Economic Development Incentive

(a) Payment. Subject to the Property Owner's continued satisfaction of the terms and conditions of this Agreement and the obligation of the Property Owner to repay the Incentive pursuant to Section 5(b) hereof, the City agrees to provide the Incentive to the Property Owner to be paid in a single lump-sum payment on April 1 of the first full calendar year following Completion of Construction. For example, assume that the Approved Project is completed on December 31, 2022 and that the 2023 property taxes for the Residence increased $300.00 above the 2022 property taxes as a result of the Approved Project. The total Incentive would be $3,000.00 and would be paid on April 1, 2024.

(b) Current Revenue. The Incentive made hereunder shall be paid solely from lawfully available funds that have been appropriated by the City. Under no circumstances shall City's obligations hereunder be deemed to create any debt within the meaning of any constitutional or statutory provision. None of the City's obligations under this Agreement shall be pledged or otherwise encumbered in favor of any commercial lender and/or similar financial institution or other party.

Section 4. Incentive Conditions

(a) Conditions. The City's obligation to pay the Incentive shall be conditioned upon the Property Owner's continued compliance with and satisfaction of the terms and conditions of this Agreement and each of the conditions set forth in this Article.

(b) Inspections. The Property Owner agrees to submit to periodic inspections of the Residence by the City during the period beginning with the date of Commencement of Construction and ending on date of Completion of Construction.

(c) Construction Costs. The construction costs incurred and paid by the Property Owner for the Approved Project shall be at least $2,500 (the "Certified Costs"). The Property Owner shall, as a condition precedent to the payment of the Incentive, provide copies of invoices, receipts and other documentation as may be reasonably requested by the City to verify the costs incurred and paid by the Property Owner for construction of the Approved Project.

(d) Completion of Construction. The Property Owner shall cause Completion of Construction of the Approved Project to occur within six (6) months after the City's approval of the Property Owner's proposed project for an Incentive. Additional time may be added to the deadline for Completion of Construction, subject to approval by the City Building Official.

Section 5. Termination

(a) This Agreement shall terminate upon the occurrence of any one of the following:

(1) mutual agreement of the parties;

(2) the Expiration Date;

(3) at the City's option, if any Impositions owed to the City or the State of Texas by Property Owner shall become delinquent (provided, however Property Owner retains the right to timely and properly protest and contest any such Impositions);

(4) by the City in the event Property Owner breaches any of the terms or conditions of this Agreement and such breach is not cured within sixty (60) days after written notice thereof;

(5) by City, if the Property Owner suffers an Event of Bankruptcy or Insolvency;

(6) by City, if any subsequent Federal or State legislation or any final, non-appealable decision of a court of competent jurisdiction declares or renders this Agreement invalid, illegal or unenforceable; or

(7) the sale or transfer of the Residence following one assignment of this Agreement as provided herein.

(b) In the event of termination by the City pursuant to (a)(3), (4), (5), (6) or (7) the Property Owner shall immediately repay to the City an amount equal to Incentive paid to Property Owner, if any, prior to termination of this Agreement. If the Incentive is not repaid

by the Property Owner within thirty (30) days from the date of termination, the City may file a lien against the Property Owner, the Residence, or the Property Owner's real property to recapture the Incentive and preserve the public purposes of the Program.

Section 6. Miscellaneous

(a) Assignment. This Agreement may not be assigned without the prior written consent of the City, except that this Agreement may be assigned by the Property Owner one (1) time in connection with the sale or transfer of the ownership (including a life estate) of the Residence to a subsequent owner of the Residence upon thirty (30) days prior written notice to the City. This Agreement shall automatically terminate upon any subsequent sale or transfer of the ownership of the Residence.

(b) Binding Agreement. The terms and conditions of this Agreement are binding upon the successors and assigns of the parties hereto.

(c) Limitation on Liability. It is understood and agreed between the parties that the Property Owner and/or Property Owners, in satisfying the conditions of this Agreement, have acted independently, and City assumes no responsibilities or liabilities to third parties in connection with these actions.

(d) No Joint Venture. It is acknowledged and agreed by the parties that the terms hereof are not intended to and shall not be deemed to create a partnership or joint venture among the parties.

(e) Authorization. Each party represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this Agreement.

(f) Notice. Any notice required or permitted to be delivered hereunder shall be deemed received three days thereafter sent by United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the party at the address set forth below or on the day actually received if sent by courier or otherwise hand delivered.

If intended for Property Owner, to:
_____
_____
Saginaw, Texas _____

If intended for City, to:
Attn: Chief Building Official – SHIP Program Manager
City of Saginaw, Texas
333 W. McLeroy Blvd.,
Saginaw, Texas 76179

With a copy to:
Attn: Bryn Meredith

(g) Entire Agreement. This Agreement is the entire Agreement between the parties with respect to the subject matter covered in this Agreement. There is no other collateral oral or written Agreement between the parties that in any manner relates to the subject matter of this Agreement, except as provided in any Exhibits attached hereto.

(h) Governing Law. The Agreement shall be governed by the laws of the State of Texas; and venue for any action concerning this Agreement shall be in the State District Court of Tarrant County, Texas. The parties agree to submit to the personal and subject matter jurisdiction of said court.

(i) Amendment. This Agreement may only be amended by the mutual written agreement of the parties.

(j) Legal Construction. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

(k) Recitals. The recitals to this Agreement are incorporated herein.

(l) Gift to Public Servant. The City may terminate the Agreement immediately if the Property Owner has offered or agreed to confer any benefit upon a City employee or official that the City employee or official is prohibited by law from accepting.

(m) Survival of Covenants. Any of the representations, warranties, covenants, and obligations of the parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination of this Agreement shall survive termination.

(n) Public Information. All Certified Costs, information, documents, and communications relating to this Agreement may be subject to the Texas Public Information Act and any opinion of the Texas Attorney General or a court of competent jurisdiction relating to the Texas Public Information Act. In addition to the foregoing sentence, the City shall submit to the comptroller the information as required by Texas Local Gov't Code Sec. 380.004, and any other information the comptroller considers necessary to operate and update the database described by Section 403.0246(c), Government Code.

(o) Counterparts. This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall

constitute one and the same instrument.

(p) The following documents are hereby incorporated into this Agreement as if fully set forth herein: (1) The Saginaw Home Improvement Program (SHIP) - Economic Development Incentive Policy; and (2) the Saginaw Home Improvement Program (SHIP) Application submitted by the Property Owner.

(q) Employment of Undocumented Workers. As required by Texas Gov't Code Ch. 2264, during the term of this Agreement, the Property Owner agrees not to knowingly employ any undocumented workers, and if convicted of a violation under 8 U.S.C Section 1324a(f), the Property Owner shall repay the Incentives herein and any other funds received from the City as of the date of such violation within 120 calendar days after the date the Property Owner is notified by the City of such violation, plus interest at the rate of 6% compounded annually from the date of violation until paid. The Property Owner is not liable for a violation of this paragraph by a subsidiary, Affiliate, or franchisees, or by a person with whom the Property Owner contracts.

(r) Governmental Function(s) and Immunity. The parties hereby acknowledge and agree that the City is entering into this Agreement pursuant to its governmental function(s) and that nothing contained in this Agreement shall be construed as constituting a waiver of the City's police power, legislative power, or governmental immunity from suit or liability, which are expressly reserved to the extent allowed by law. To the extent a Court of competent jurisdiction determines that the City's governmental immunity from suit or liability is waived in any manner, or that this Agreement is subject to the provisions of Chapter 271 of the Texas Local Gov't Code, as amended, the City's immunity from suit shall be waived only as set forth in Subchapter I of Chapter 271, Texas Local Gov't Code. Further, the parties agree that this Agreement is made subject to all applicable provisions of the Texas Civil Practice and Remedies Code, including but not limited to all defenses, limitations, and exceptions to the limited waiver of immunity from liability provided in Chapter 101 and Chapter 75.

[Signature page(s) to follow]

[Remainder of Page Left Blank]

IN WITNESS WHEREOF, the parties have executed this Agreement and caused this Agreement to be effective as of the day of _____, 20__.

City of Saginaw, Texas

By: _____
City Manager, Gabe Reaume

Attest:

By: _____
City Secretary, Janice England

Approved As To Form:

By: _____
Bryn Meredith, City Attorney

Executed on this _____ day of _____, 20 __.

Property Owner

By: _____

Name: _____

RESOLUTION NO. 2022-

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS, ESTABLISHING THE SAGINAW HOME IMPROVEMENT PROGRAM ("SHIP") PURSUANT TO TEXAS LOCAL GOV'T CODE CHAPTER 380; AUTHORIZING THE CITY MANAGER TO EXECUTE SHIP AGREEMENTS PURSUANT TO THE PROGRAM TO PROVIDE ECONOMIC DEVELOPMENT INCENTIVES TO SHIP APPLICANTS; 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 is authorized by Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Gov't Code to provide economic development grants to promote state and local economic development and to stimulate business and commercial activity in the City; and

Whereas, the promotion of the redevelopment of existing housing stock in the City promotes economic development within the City and is essential for the continued economic growth and vitality of the City; and

Whereas, it is well established that the availability of quality housing stock encourages the relocation of businesses and attracts new business enterprises, as well as the expansion of existing business enterprises within the City, which in turn stimulates growth, creates jobs, and increases property and sales tax revenues; and

Whereas, the promotion of the housing stock is a major contributing factor to the growth of the City, which, in turn, stimulates trade and commerce and reduces unemployment; and

Whereas, residential development and redevelopment will attract and encourage business relocation and expansion since businesses will look to the available housing stock to meet the needs of management and the work force; and

Whereas, the Saginaw Home Improvement Program ("SHIP") is established in the exercise of the City's governmental functions in the interest of the health, safety, and welfare of the general public and for economic development purposes pursuant to Chapter 380 of the Texas Local Gov't Code; and

Whereas, the City Council finds and determines that providing economic development incentives in accordance with SHIP will further the objectives of the City, will benefit the City and the City's inhabitants, will promote local economic development, and will stimulate business and commercial activity in the City.

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

SECTION 1.

The recitals and findings above are true and correct and incorporated into this Resolution as if fully set forth herein.

SECTION 2.

The attached Saginaw Home Improvement Program ("SHIP") is hereby established and approved pursuant to Chapter 380 of the Texas Local Gov't Code, and the City Manager, or the City Manager's designee, is hereby authorized to execute SHIP Agreements to provide economic development incentives to SHIP applicants, subject to available funding, in accordance with the SHIP Agreement, which is also attached to this Resolution.

SECTION 3.

This Resolution shall be in full force and effect from and after the date of its passage and it is so resolved.

PASSED AND APPROVED ON THIS 6th DAY OF DECEMBER, 2022.

APPROVED:

_____
TODD FLIPPO, MAYOR

ATTEST:

_____
JANICE ENGLAND, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

_____
BRYN MEREDITH, CITY ATTORNEY