

**City Council
Staff Agenda Report**

Agenda Item: 10a.

Agenda Subject: Discussion and possible regarding a replat application from Vitex Developments, LLC for existing Block 3, Lot 10, changing to Eleanor Estates, Block 1, Lots 1-6, with approximate current addresses being 2601 California Lane and 2615 California Lane, Dalworthington Gardens.

<p>Meeting Date: June 15, 2023</p>	<p>Financial Considerations: Engineering costs for review</p> <p>Budgeted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Strategic Vision Pillar:</p> <p><input type="checkbox"/> Financial Stability <input checked="" type="checkbox"/> Appearance of City <input checked="" type="checkbox"/> Operations Excellence <input checked="" type="checkbox"/> Infrastructure Improvements/Upgrade <input type="checkbox"/> Building Positive Image <input type="checkbox"/> Economic Development <input type="checkbox"/> Educational Excellence</p>
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Background Information: Section 10.02.004 of the City’s Code of Ordinance states no land is to be subdivided in the city except by platting in compliance with Chapter 212 of the Texas Local Government Code and city ordinance, and no building permit shall be issued for construction of improvements on any property not platted.

Vitex Development is replatting property on California Lane. In accordance with Section 10.02.031, the city determined the plat application to be complete on January 24, 2023. In accordance with Section 10.02.094, the plat application was then forwarded to the city engineer for review. On May 16, 2023, the city engineer conducted his final review of the plat, determined the plat conforms with the City’s subdivision ordinance, and recommended approval of the plat.

The city has notified all property owners within 200’ and included information on how to provide public comments at both the planning and zoning meeting and city council meeting.

Local Government Code, Chapter 212, states plats that satisfy all applicable regulations must be approved. The proposed plat satisfies all requirements of city ordinances. As such, staff recommends approval of this plat.

Recommended Action/Motion: Motion to approve a replat application from Vitex Developments, LLC for existing Block 3, Lot 10, changing to Eleanor Estates, Block 1, Lots 1-6, with approximate current addresses being 2601 California Lane and 2615 California Lane, Dalworthington Gardens.

- Attachments:** Plat Application
 Engineering Letter
 Plat
 Site Plan
 Legal Notice



PLAT Application

CITY OF DALWORTHINGTON GARDENS

JAN 20 2023

2600 Roosevelt
TEL. 817-274-7368 FAX 817-265-4401
www.cityofdmg.net

Replat Amending Plat Preliminary Plat Final Plat

Applicant's Name: VITEX DEVELOPMENT LLC

Address: PO Box 150884, ARLINGTON, TX 76015

Applicant Contact Number: 817-980-4909

Applicant Email: vitexdevelopment@gmail.com

Surveyor: KEETON SURVEYING COMPANY

Address: 2037 DALWORTH ST. GRAND PRAIRIE, TX 75050

I have purchased or have access to the City of Dalworthington Gardens Subdivision Ordinance which specifies requirements for plat submissions.

Yes No

The attached submission complies with all applicable requirements of the City Subdivision Ordinance.

Yes No

Signature U, Julie

Date Jan 18, 2023

For Office Use Only

Fee: _____ Date Paid: _____ Receipt # _____

P & Z Scheduled _____ Public Hearing Published: _____

Council Scheduled: _____ Public Hearing Published: _____

Pro-Rata Paid: \$ _____ Date: _____

COMMERCIAL RECORDER PROOF

EMAIL ADDRESS: recorder@flash.net

Deadline for submitting legal notices is 11:00 (am) the business day before

PUBLIC NOTICE

PUBLIC NOTICE

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PUBLIC NOTICE

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LEGAL NOTICE

Notice is hereby given that the Dalworthington Gardens Planning and Zoning Commission will hold a public hearing on June 12, 2023 at 6:00 p.m., and the Dalworthington Gardens City Council will hold a public hearing on June 15, 2023 at 7:00 p.m., both of which will be held in the Council Chambers, 2600 Roosevelt Drive, Dalworthington Gardens, Texas to consider the following: A replat application from Vitex Developments, LLC for existing Block 3, Lot 10, changing to Eleanor Estates, Block 1, Lots 1-6, with approximate current addresses being 2601 California Lane and 2615 California Lane, Dalworthington Gardens.

5-26



Lola Hazel
City Secretary
City of Dalworthington Gardens
2600 Roosevelt Drive
Dalworthington Gardens, Texas

May 16, 2023

RE: Lots 1-6, Block 1, Eleanor Estates Replat Final Review

Lola,

We have reviewed the above referenced Replat according to Section 10 of the City of Dalworthington Gardens Subdivision Ordinance, and have the following comments:

1. See attached markups. **COMPLETED SATISFACTORILY**
2. Remove setback lines. Please note, Lot 1 and Lot 6 will have a 35' side street setback, not 25' as shown. A request for a variance would need to be applied for should a 25' side street setback be desired. **COMPLETED SATISFACTORILY**

We recommend that this plat be considered for approval.

Thanks,

Director of Civil Surveying

May 4, 2023

Lola Hazel
City Secretary

City of Dalworthington Gardens

2600 Roosevelt Drive

Dalworthington Gardens, Texas

RE: Eleanor Estates Engineering and Plat review

Lola,
We have completed our review of the Eleanor Estates subdivision. All comments have been addressed and recommend that this project be allowed to proceed with construction.

Find below a summary of the review comments.

First Review

Sheet 1 – Cover sheet

This label conflicts with the plat. The attached plat exhibit is a preliminary plat.

Response: In the plat comments, we were asked to change the name to RePlat and hence we revised this sheet name to match the plat naming and included "Preliminary" next to the replat in the revised cover sheet.

(Completed)

Sheet 3 – Existing DA

As per ordinance:

Rainfall intensity-duration-frequency curves for this area have been developed using the most current data available. These curves shall be from Technical Paper-40 or Hydro-35 and used in the design of all drainage facilities.

Please cite exact reference used since Tarrant_county.IDF is somewhat vague.

Response: iSWM was used for idf values but we have updated the comps to use the idf values of Technical Paper – 40 (Completed)

Sheet 4 – Proposed DA Map

Please add the pond volume at 100-yr WSEL

Response: Pond volume is provided in the Hydrograph report table (Completed)

It is unclear what the discharge rate of the weir is. Was this provided?

Response: This discharge value is provided in the Hydrograph summary report table. (Completed)

The land use is Single Family. A c-factor of 0.41 is to be applied only to permanent open space or parks. A C-factor of 0.58 should be used for the entire subdivision. If a composite C-factor is to be used then 0.9 should be used for impervious and 0.41 for open space. Not 0.58 for impervious.

Please be sure to show proposed subdivision with all proposed impervious areas.

Please review the drainage ordinance. The ordinance requires a Ca factor when using the Rational Method which was not used in the current calculations.

Response: We have updated the runoff coefficient values as suggested and included a Ca value as applicable and showed it in the revised set of plans. (Completed)

Please analyze the timing of the upstream discharge as it relates to the outfall of the pond. The current hydrograph includes the site only but not the anticipated runoff in the stream.

Response: We have computed the Tc of this outfall channel and estimated it to be about 50 minutes. This is about 3 times bigger than the developed drainage area TC and we believe that with these two different times of concentrations, the flows will not peak at the same time. Tc comps and DA map for this outfall channel included in the revised plan set. (Completed)

Sheet 7 – Grading and Erosion Control Plan

Please add allowable release of pond.

Response: Flume/Wier discharge added here in the updated sheet (Completed)

Please provide cross section of swale. Add Qcap and 100-year WSEL

Response: Updated sheet provides cross section B for this swale and includes 100yr WS and flow capacity (Completed)

Please show location of silt fence

Response: Silt fence added as requested. (Completed)

What considerations have been taken in the event that any of the downstream owners blocks the swale leading to the pond? This can lead to serious adverse drainage in the future.

Response: We added a note on the plat that home owner can not block this easement. (Completed)

Please add reference at least two reference benchmarks.

Establish a permanent benchmark on the site.

Response: This information added as requested (Completed)

Sheet 8 – Proposed Site Plan

Please show sidewalk on plans when applicable. (typ)

Response: (None provided) (Not Completed: Completed with second submittal)

Sheet 9 – Street Plan and Profile

Please specify minimum cross slope

Response: 2% minimum cross slope added (Completed)

Please specify HMAC type and/or composition of asphalt section.

Response: HMAC type specified as requested. (Not Completed: Incorrect section)

As per city of DWG ordinance:

(e)

Vertical alignment:

(1)

No streets shall be designed or constructed to a grade of less than one-half of one percent (0.5).

Response: Grades updated to meet minimum 0.5% slope (Completed)

Sheet 10 – Sanitary Sewer Plan

Would it be better to move services to the south side for lots 5 and 2 since the line is deeper at that end?

Response: Agree. We have moved the services of these two lots as suggested. (Completed)

Please move the sewer line outside of pavement

Response: (None provided) (Not Completed: Completed with second submittal)

Sheet 11 – Sanitary Sewer Profile

Please show all water line crossings

Response: water crossing added to the updated sheet. (Completed)

Please specify class and type of pipe.

Response: class and type specified as requested. (Completed)

Please verify shallow depth MH with PW department.

Response: we have added a detail for shallow manhole. We will also contact PW about this manhole (Completed)

Were the invert depths used in this design field verified? If not, please coordinate field verification with the PW department.

Response: We did received this information from Public works. (Completed)

Sheet 12 – Water Plan

Please specify class and type of pipe.

Response: class and type specified as requested. (Completed)

The plans mention a 6"x6" tee. This should be an 8" x 6" tee since this line is being reduced to a 6" line.

Response: Label updated to match plans (Completed)

Sheet 14 – Details Sheet 2

Please use residential service line detail. The city requires a 1" service line.

Response: Detail updated as requested. (Completed)

Second Review

Sheet 1 – Cover Sheet

Update contact information.

Response: Phone number updated (Completed)

Sheet 5 – Drainage Comps

What is the amount of freeboard in the pond? Will there be at least 1 foot of freeboard?

Response: (Not provided) (Completed)

Please provide rip-rap for any exit velocities over 6 fps.

Response: Riprap added as requested (Completed)

Please label cross sections clearly. Are these A and B as stated in the grading and erosion control plan.

Response: This is section BB on the grading plan. Plan updated to reflect this on this sheet (Completed)

Sheet 6 – Driveway Culvert Drainage Area and Comps

It is unclear what's being conveyed. Is this the culvert capacity or the discharge within the culvert?

Response: Total discharge column represents the Q at the culvert and Culvert Discharge column shows that all of the Q is conveyed through the culvert. (Completed)

Where is the runoff? What parameters were used to compute the runoff?

Response: Runoff table added as requested. (Completed)

Per the comment response from the first submittal this appears to be the TC for the channel. However this is not immediately clear by looking at this sheet and the computations. Please present the data in a way that this is readily apparent.

Response: A note added on this sheet about upstream watershed Tc and peak flow timing. (Completed)

What is the reasoning behind these choices? A brief narrative can be provided.

Response: Column B and C not used here. (Completed)

What do these letters correspond to?

Response: Column B and C not used for Sheet and Channel Flow. (Completed)

Sheet 8 – Grading and Erosion Control Plan

Does this development have an HOA? If not who will be responsible for the maintenance of the pond and outfall structure?

Response: No HOA. Each property owner is responsible for maintenance of the drainage easement and the pond. Plat updated to specify this. (Completed)

Sheet 9 – Proposed Site Plan

This comment may have been provided in the summary review during the last round.

Please show sidewalk on plans when applicable. (typ)

Response: Sidewalk added to plans and a note also added that home owner/home builder will be installing the sidewalk in front of their property in the street R.O.W (Completed)

Please show sidewalk

Sidewalk added to plans and a note also added that home owner/home builder will be installing the sidewalk in front of their property in the street R.O.W (Completed)

Sheet 10 – Street Plan and Profile

Must be 4.5" binder course and 1.5" surface course.

Response: added to the updated sheets (Completed)

Call out curb type.

Response: Rolllover curb called out (Completed)

Please show sidewalk

Response: Sidewalk added to plans and a note also added that home owner/home builder will be installing the sidewalk in front of their property in the street R.O.W (Completed)

Sheet 11 – Sanitary Sewer Plan

The City of Dalworthington gardens requested that the sewer line be moved outside of the pavement. They were likely submitted as additional notes.

Please move sewer line from under pavement.

Response: Sewer line moved outside the paving as requested. (Completed)

Third Review

No additional Comments

If there are any questions don't hesitate to contact me.

Sincerely,

Topographic, Co.



Kylon M. Wilson, P.E.

Sr. Project Manager

ELEANOR ESTATES

4.36 ACRES, DALWORTHINGTON GARDENS

TARRANT COUNTY, TEXAS

GENERAL NOTES:

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF DALWORTHINGTON GARDENS STANDARDS AND SPECIFICATIONS.
2. BEFORE BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL PREPARE A CONSTRUCTION SEQUENCES SCHEDULE. THE CONSTRUCTION SCHEDULE SHALL BE SUCH THAT THERE IS MINIMUM INTERFERENCE WITH TRAFFIC ALONG OR ADJACENT TO THE PROJECT. THE CONTRACTOR SHALL PREPARE A BARRICADE AND SIGNAGE PLAN TO BE REVIEWED AND APPROVED BY THE CITY OF DALWORTHINGTON GARDENS.
3. UTILITIES SHOWN ON THE PLANS WERE TAKEN FROM FIELD SURVEYS AND INFORMATION PROVIDED BY THE UTILITY COMPANIES. THE COMPLETENESS AND THE ACCURACY OF THIS DATA IS NOT GUARANTEED. CONTACT TEXAS 811 BEFORE BEGINNING CONSTRUCTION.
THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UNDERGROUND UTILITIES AND STRUCTURES AND PROTECTING THEM FROM DAMAGE DURING CONSTRUCTION. CONTACT ENGINEER IMMEDIATELY IF ANY DISCREPANCIES ARE FOUND.
4. WORK MAY NOT BE BACK FILLED OR COVERED UNTIL IT HAS BEEN INSPECTED.
5. ALL EXCAVATION ON THE PROJECT IS UNCLASSIFIED.
6. FINISHED SLOPES OR PUBLIC RIGHTS-OF-WAY AND EASEMENTS SHALL NOT BE STEEPER THAN 3:1. ALL SLOPES STEEPER THAN 6:1 SHALL BE HYDRO-MULCHED AND MAINTAINED BY THE CONTRACTOR UNTIL GRASS COVERS ALL PARTS OF THE SLOPE.
7. CONTRACTOR TO REMOVE SALVAGE AND REPLACE ALL STREET AND TRAFFIC CONTROL SIGNS THAT MAY BE DAMAGED BY THE CONSTRUCTION OF THE PROJECT.
8. ALL TRENCH AND EXCAVATION SHALL BE IN ACCORDANCE WITH OSHA STANDARDS.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR EROSION/SEDIMENT CONTROL. THE CONTRACTOR SHALL CONSULT WITH THE ENGINEER IF THERE ARE ANY SIGNS THAT SEDIMENT HAS LEFT THE PROPOSED WORK AREA. THE EROSION CONTROL SHOWN ON THE PLANS IS CONSIDERED THE MINIMUM WHICH MAY PROVIDE ADEQUATE EROSION AND SEDIMENT CONTROL. ADDITIONAL CONTROLS MAY NEED TO BE ADDED TO ADDRESS ANY PARTICULAR EROSION AND SEDIMENT CONTROL ISSUES RELATED TO THE CONSTRUCTION. ADDITIONAL CONTROLS IF NOT RELATED TO CONTRACTOR SCHEDULING SHALL BE CONSIDERED AS CHANGE ORDERS TO THE PROJECT AND MAY BE REQUIRED BY THE OWNER TO FACILITATE EFFICIENT STABILIZATION OF THE CONSTRUCTION SITE.
10. THE CONTRACTOR AGREES TO FULLY INDEMNIFY AND SAVE HOLD AND HARMLESS THE CITY AND OWNERS OF THE UNITS AND LOTS ABUTTING THE UNITS IN THIS CONTRACT FROM ALL COSTS OR DAMAGES ARISING OUT OF ANY REAL OR ASSERTED CLAIMS OR CAUSE OR ACTIONS AGAINST IT OF WHATSOEVER KIND OF CHARACTER AND IN ADDITION FROM ANY AND ALL COSTS OR DAMAGES ARISING OUT OF ANY WRONGS, INJURY, DEMANDS, OR SUITS FOR DAMAGES EITHER REAL OR ASSERTED, CLAIMED AGAINST IT THAT IT MAY BE OCCASIONED BY ANY ACT, OMISSION, NEGLIGENCE, OR MISCONDUCT OF SAID CONTRACTOR, HIS AGENTS, SERVANTS, AND EMPLOYEES. A HOLD HARMLESS AGREEMENT SHOULD BE PROVIDED TO THE CITY FOR ANY GRADING OR DRAINAGE IMPROVEMENTS ON PRIVATE OR OFFSITE AREAS.
11. SPECIFICATIONS SHALL BE THE "STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION OF THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS", LATEST ADDITION AS MODIFIED IN SPECIAL PROVISION: NO SPECIAL PROVISIONS HAVE BEEN SUBMITTED OR REVIEWED.
12. OWNER IS RESPONSIBLE FOR ALL LOCAL, STATE, AND FEDERAL CODE COMPLIANCE REGARDLESS OF ANY DETAILS PROVIDED OR NOT ON THE PLANS.
13. ANY DEVIATIONS FROM PLANS HAVE TO BE REVIEWED BY THE ENGINEER OF RECORD AND APPROVED BY THE APPROPRIATE GOVERNMENTAL AGENCY PRIOR TO CONSTRUCTION.
14. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING AND NOT OBSTRUCTING EXISTING DRAINAGE DURING THE CONSTRUCTION.
15. CONTRACTOR TO USE PROPER CONSTRUCTION MEANS AND METHODS AND CONSULT THE GEOTECH ENGINEER FOR ANY GROUNDWATER RELATED ISSUES DURING THE CONSTRUCTION.
16. PERMANENT STREET SIGNAGE IS NOT IN THE SCOPE OF THIS PLANS. OWNER TO COORDINATE WITH THE CITY ON THE SIGNAGE REQUIREMENTS.



VICINITY MAP (N.T.S.)

ENGINEER / DEVELOPER:

NAVEEN KHAMMAMPATI, P.E., CFM
 TURNKEY TRACT
 2770 MAIN ST # 171
 FRISCO, TX 75033
 F-22283
 NKCIVILENGINEER4@GMAIL.COM
 214-483-1599

SURVEYOR:

KEETON SURVEYING COMPANY
 H.S. KEETON M.S. KEETON
 2037 DALWORTH, GRAND PRAIRIE, TEXAS 75050
 REGISTERED PROFESSIONAL LAND SURVEYORS
 PHONE (972) 641-0843 TBPELS FIRM NO. 10090500
 E-MAIL: KSC4019@SBCGLOBAL.NET

OWNER:

VITEX DEVELOPMENT, LLC.
 PO BOX 150884
 ARLINGTON, TX. 76015
 VITEXDEVELOPMENT@GMAIL.COM
 817-980-4909

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW ONLY UNDER THE AUTHORITY OF NAVEEN KHAMMAMPATI, P.E., LICENSE NUMBER 123697, ON 04/14/2023. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSE.

CONTENTS

1. COVER SHEET
2. REPLAT (PRELIMINARY)
3. EXISTING DRAINAGE AREA MAP
4. PROPOSED DRAINAGE AREA MAP
5. DRAINAGE COMPS
6. DRIVEWAY CULVERT DRAINAGE AREA AND COMPS
7. DEMOLITION PLAN
8. GRADING & EROSION CONTROL PLAN
9. PROPOSED SITE PLAN
10. STREET PLAN & PROFILE
11. SANITARY SEWER PLAN
12. SANITARY SEWER PROFILE
13. WATER PLAN
14. DETAIL SHEET 1
15. DETAIL SHEET 2
16. DETAIL SHEET 3

COVER SHEET



PRELIMINARY FOR INTERIM REVIEW ONLY

THESE DOCUMENTS ARE FOR INTERIM REVIEW AND ARE NOT INTENDED FOR REGULATORY APPROVAL PERMIT, BIDDING OR CONSTRUCTION PURPOSES, THEY WERE PREPARED BY, OR UNDER THE SUPERVISION OF:

K. Naveen

NAVEEN KHAMMAMPATI 123697
 NAME P.E. NO.
 DATE 04/14/2023
 TBPE FIRM #F22283

NOT FOR CONSTRUCTION

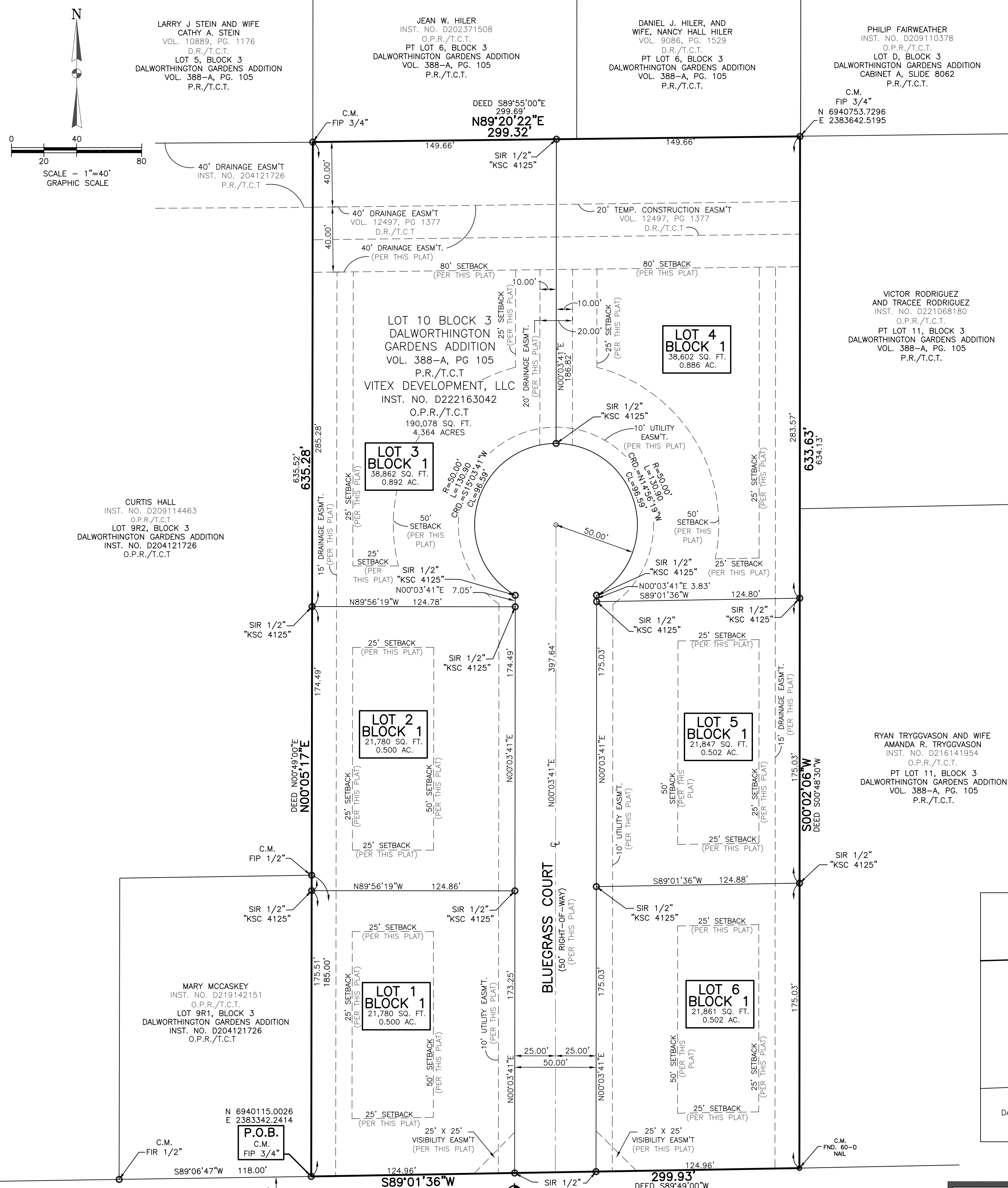
No.	Revision/Issue	Date

Firm Name and Address
 TURNKEY TRACT
 2770 MAIN ST #171
 FRISCO, TX 75033
 F-22283
 nkcivilengineer4@gmail.com
 214-483-1599

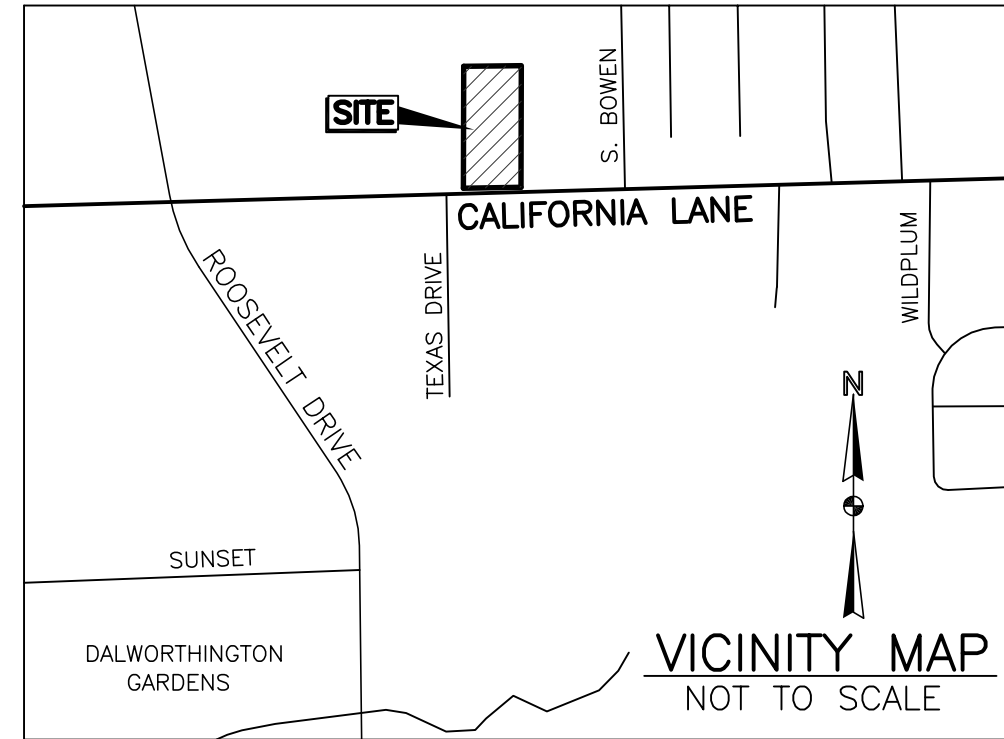
Project Name and Address
 ELEANOR ESTATES
 DALWORTHINGTON GARDENS,
 TEXAS

Project	Sheet
Date 04 / 14 / 2023	01
Scale	16





NOTES:
 1. The basis of bearing, coordinates, and elevations for this survey is the Texas State Plane Coordinate System, NAD83, Texas North Central Zone, 4202, based upon GPS measurements, according to the Leica GPS Reference Network. All bearings, distances, and coordinates shown are Geodetic Grid. Vertical Datum (NAVD 88-GEOID 2018)
 2. C.M. ~ Denotes Controlling Monuments
 3. I have examined the Flood Insurance Rate Map for the City of Dalworthington Gardens, Tarrant County, Texas, Community Panel No. 48439C0335, Suffix K, Map Effective Date: 9-25-2009, Zone "X", and it appears that no part of the subject property lies in any special flood hazard area.
 4. The purpose of this plat is to create five lots out of one Lot as shown.
 5. Existing or future minimum set-backs established by the city ordinance shall take precedence over building lines indicated on this plat.
 6. Adjoining information shown for informational purposes only and obtained from the Tarrant Central Appraisal District, On-line Information.
 7. Gas well was shown on Texas Railroad commission web site. No on the ground evidence observed.
 8. The homeowner is responsible for maintaining the drainage easement, and detention pond and its outfall structures that are in his/her portion of the lot. No fences, structures, and any other items obstructing drainage are allowed in the easement.



CITY APPROVAL STATEMENT
CITY OF DALWORTHINGTON GARDENS

APPROVED: CITY COUNCIL, CITY OF DALWORTHINGTON GARDENS

PLAT APPROVAL DATE: _____

 MAYOR OF DALWORTHINGTON GARDENS

DEDICATION:

STATE OF TEXAS }
 COUNTY OF TARRANT }

THAT VITEX DEVELOPMENT, LLC, by and through the undersigned, its duly authorized officer or agent, does hereby adopt this plat designating the hereinabove described property as LOTS 1, 2, 3, 4, 5, AND 6, BLOCK 1, ELEANOR ESTATES, an Addition to the City of Dalworthington Gardens, Texas and it DOES HEREBY CERTIFY THAT IT IS THE CURRENT OWNER OF Lot 10, Block 3, Dalworthington Gardens Addition AND HAS NO OBJECTION TO THIS REPLAT.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this _____ day of _____, 20____.

VITEX DEVELOPMENT, LLC
XUAN VU

STATE OF TEXAS

COUNTY OF TARRANT

This instrument was acknowledged before me on the _____ day of _____, 2023, by (XUAN VU), (OWNER) of (VITEX DEVELOPMENT, LLC), a (LIMITED LIABILITY COMPANY), on behalf of said Company.

Notary Public, State of Texas

Notary name (printed)

My commission expires: _____

I hereby certify that the area of this plat does not include any lots of a prior subdivision limited by deed restriction to residential use for not more than two residential units per lot.

XUAN VU

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 20____.

Notary Public, State of Texas

Notary name (printed)

My commission expires: _____

PLAT NOTES:

- Selling a portion of any lot in this addition by metes and bounds is a violation of state law and city ordinance and is subject to penalties by law.
- This plat does not alter or remove existing deed restrictions or covenants, if any, on this property.
- There shall be provided at the intersection of all public streets, visibility triangles as required by section 10.02.227 of the Subdivision Ordinance of the City.

LEGEND

- FIR ~ FOUND IRON ROD
- SIR ~ SET IRON ROD
- FIP ~ FOUND IRON PIPE
- CL ~ CENTER LINE
- P.O.B. ~ POINT OF BEGINNING
- C.M. ~ CONTROLLING MONUMENT
- D.R./T.C.T. ~ DEED RECORDS TARRANT COUNTY, TEXAS
- P.R./T.C.T. ~ PLAT RECORDS TARRANT COUNTY, TEXAS
- O.P.R./T.C.T. ~ OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS

THIS PLAT RECORDED IN DOCUMENT NO. _____ DATE _____

OWNER/DEVELOPER:
VITEX DEVELOPMENT, LLC
 PO Box 150884
 ARLINGTON, TEXAS 76015
 PHONE: 817-980-4909
 EMAIL: vitexdevelopment@gmail.com

PREPARED BY:
KEETON SURVEYING COMPANY
 H.B. KEETON
 2037 DALWORTH, GRAND PRAIRIE, TEXAS 75050
 REGISTERED PROFESSIONAL LAND SURVEYORS
 PHONE: (972) 641-0843 TPELS FIRM NO. 10090500
 E-MAIL: ksc4019@ebcgloball.net

OWNERS CERTIFICATE:

State of Texas:
 County of Tarrant:

WHEREAS, Vitex Development, LLC, acting by and through the undersigned, its duly authorized officer, is the sole owner of a tract of land situated in the Leonard Randal Survey, Abstract No. 1311, County of Tarrant, according to the deed recorded in Inst. No. D222163042, Deed Records of Tarrant County, Texas, said tract being Lot 10, Block 3, of Dalworthington Gardens, according to the plat thereof recorded in Volume 388-A, Page 105, of the Map or Plat Records of Tarrant County, Texas, and being more particularly described as follows;

BEGINNING at a 3/4 inch iron pipe found for the common corner of said Lot 10 and Lot 9R1, Block 3, of Dalworthington Gardens Addition, an addition to the City of Dalworthington Gardens, according to the plat thereof recorded in Instrument No. D204121726, of the Official Public Records of Tarrant County, Texas, said point also being in the north line of California Lane (60' Right-of-Way);

THENCE N. 00°05'17" E, with the common line of said Lot 10 and Lot 9R1, for a passing distance of 185.00 feet to a found 1/2 inch iron pipe being the northeast corner of said Lot 9R1, continuing with the west line of said Lot 10 and the east line of Lot 9R2, Block 3, said aforementioned Instrument No. D204121726, a total distance of 635.28 feet to a 3/4 inch iron pipe found for the northwest corner of said Lot 10 and the common south corner of Lot 6 and Lot 5, Block 3, of aforementioned Vol. 388-A, Page 105;

THENCE N. 89°20'22" E, with the common line of said Lot 10 and said Lot 6, a distance of 299.32 feet to a 3/4 inch iron pipe found for the northeast corner of said Lot 10, the southeast corner of said Lot 6, and the southwest corner of Lot D, Block 3, of Dalworthington Gardens Addition, an addition to the City of Dalworthington Gardens, according to the plat thereof recorded in Cabinet A, Slide 8062, of the Plat Records of Tarrant County, Texas;

THENCE S. 00°02'06" W, with the east line of said Lot 10 and the west line of Lot 11, Block 3, said Vol. 388-A, Page 105, a distance of 633.63 feet to a 60-D nail found for the common corner of said Lots 10 and 11, said point also being in the north line of said California Lane;

THENCE S. 89°01'36" W, with the common line of said Lot 10 and said California Lane, a distance of 299.93 feet to the **POINT OF BEGINNING** and **CONTAINING** 190,078 square feet or 4.364 acres of land, more or less.

SURVEYORS CERTIFICATE:

THIS is to certify that I, **Kurtis R. Webb**, a Registered Public Surveyor of the State of Texas, have plotted the above subdivision from an actual survey on the ground; and that all lot corners, angle points, and points of curve shall be properly marked on the ground, and that this plat correctly represents that survey made by me or under my direction and supervision.

PRELIMINARY FOR REVIEW ONLY, NOT TO BE RECORDED FOR ANY PURPOSES

KURTIS R. WEBB
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NO. 4125

REPLAT SHOWING
LOTS 1, 2, 3, 4, 5, AND 6, BLOCK 1
ELEANOR ESTATES

CONTAINING 190,078 SQ. FT. OR 4.364 ACRES
AN ADDITION TO THE CITY OF DALWORTHINGTON GARDENS,
TARRANT COUNTY, TEXAS
 BEING A REPLAT OF LOT 10, BLOCK 3
 DALWORTHINGTON GARDENS ADDITION
 AN ADDITION TO THE CITY OF DALWORTHINGTON GARDENS TARRANT COUNTY, TEXAS

DATE: NOVEMBER 14, 2022
 REVISED: FEBRUARY 21, 2023
 REVISED: APRIL 06, 2023
 REVISED: APRIL 17, 2023

BENCHMARKS:
 City of Arlington Station Ar-13
 N=6942647.77 E=2378769.12
 Elevation=575.98'
 City of Arlington Station Ar-71
 N=6940105.17 E=2386745.17
 Elevation=628.87'

PROPOSED SITE PLAN



PRELIMINARY
FOR INTERIM REVIEW ONLY

THESE DOCUMENTS ARE FOR INTERIM REVIEW AND ARE NOT INTENDED FOR REGULATORY APPROVAL PERMIT, BIDDING OR CONSTRUCTION PURPOSES, THEY WERE PREPARED BY, OR UNDER THE SUPERVISION OF:

K. Hansen

NAVEEN KHAMMAMPATI 123697
NAME P.E. NO.
DATE 04/14/2023
TBPE FIRM #F22283

NOT FOR CONSTRUCTION

No.	Revision/Issue	Date

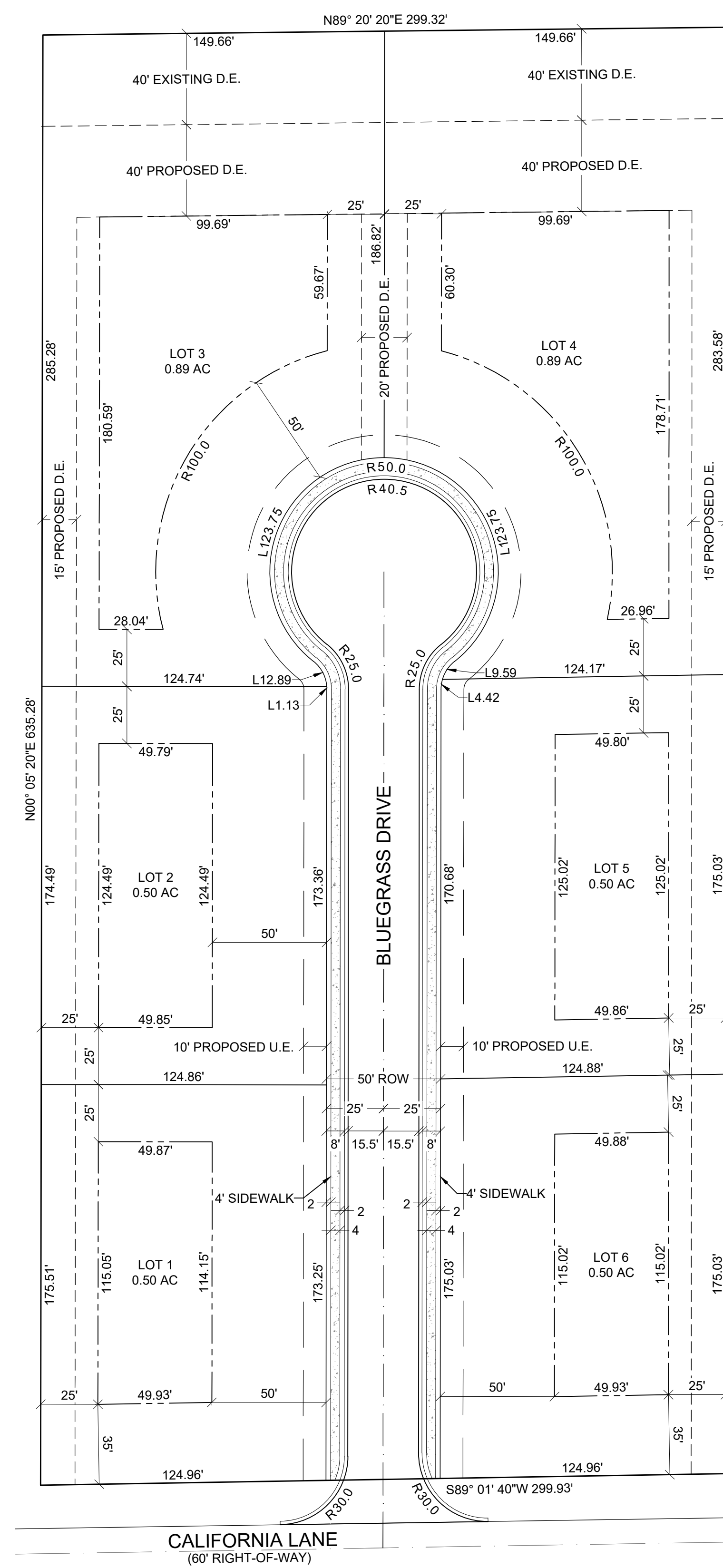
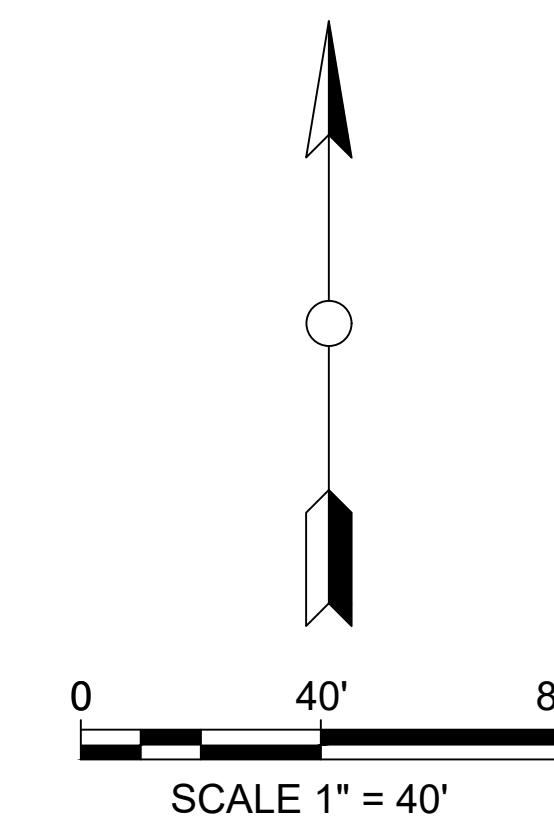
Firm Name and Address
TURNKEY TRACT
2770 MAIN ST #171
FRISCO, TX 75033
F-22283
nkcivilengineer4@gmail.com
214-483-1599

Project Name and Address
ELEANOR ESTATES
DALWORTHINGTON GARDENS,
TEXAS

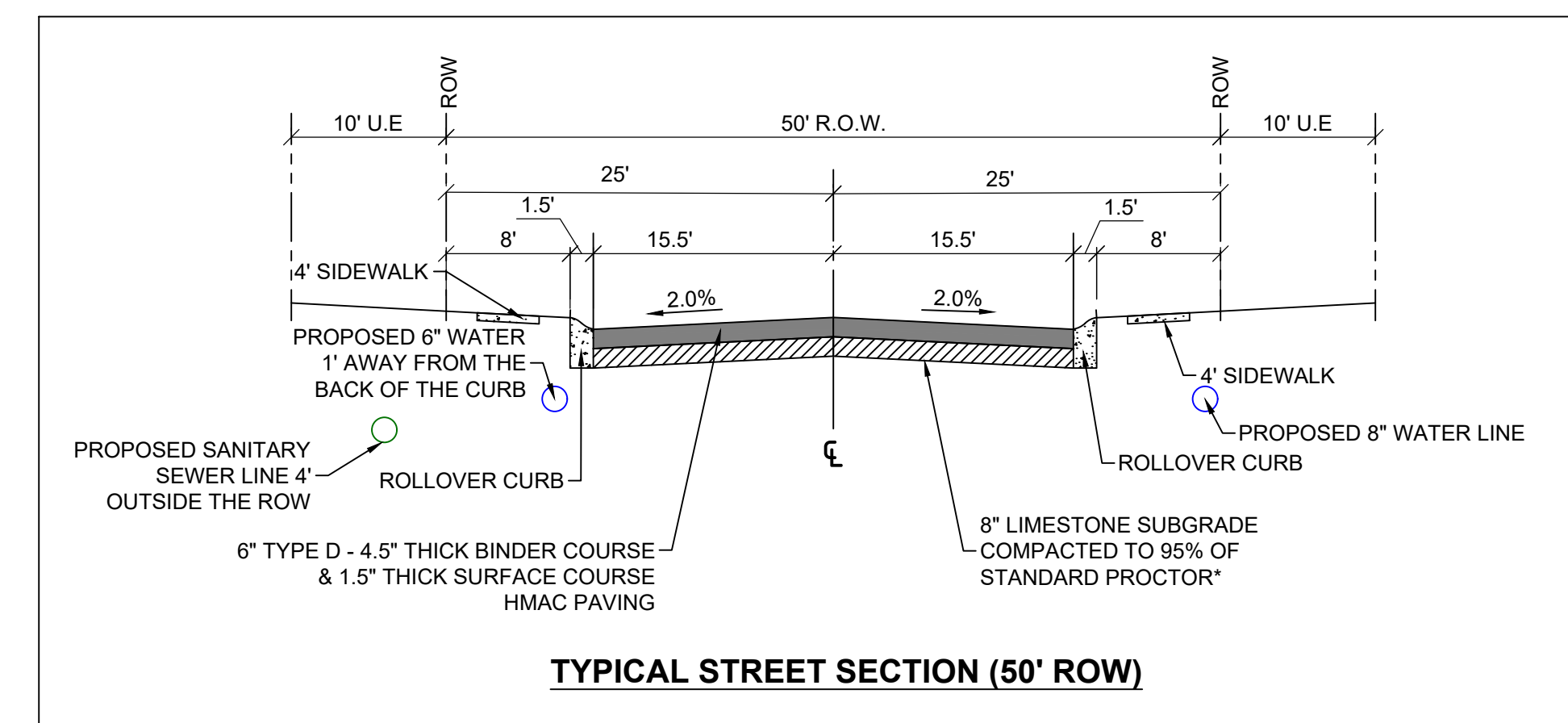
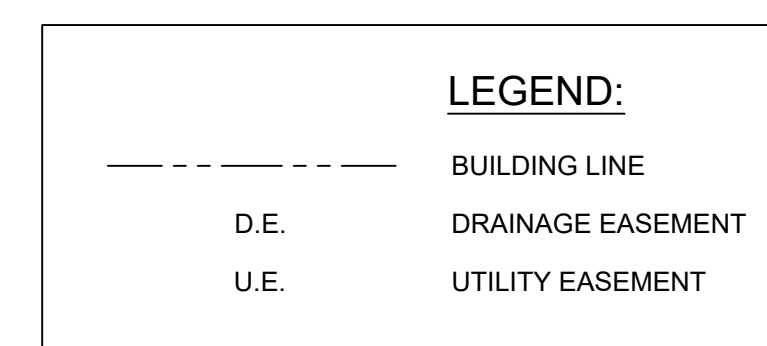
Project	Sheet
Date 04 / 14 / 2023	09
Scale	16



VICINITY MAP
(N.T.S.)



NOTE:
HOME OWNER/BUILDER IS RESPONSIBLE FOR THE INSTALLATION OF THE SIDEWALK IN FRONT OF THEIR PROPERTY.



* OWNER SHOULD CONSULT A GEOTECH ENGINEER FOR SOIL SAMPLING & STREET SECTION RECOMMENDATION IN ACCORDANCE WITH THE CITY OF DALWORTHINGTON GARDENS GUIDELINES.

SITE DATA:
SITE AREA: 4.364 ACRES
TOTAL NO. OF LOTS: 6 LOTS
EXISTING ZONING: SINGLE FAMILY 1 (SF-1)
PROPOSED ZONING: SINGLE FAMILY 1 (SF-1)

SINGLE FAMILY RESIDENTIAL (SF)	
HEIGHT REGULATIONS	
BUILDING HEIGHT	35'
AREA REGULATIONS	
MINIMUM LOT AREA	21,780 SF
MINIMUM LOT WIDTH	80'
MINIMUM FRONT YARD	50'
MINIMUM SIDE YARD- INTERIOR LOT	25'
MINIMUM SIDE YARD- CORNER LOT	35'
MINIMUM REAR YARD (N-4)	25'
MINIMUM REAR YARD- DOUBLE FRONTAGE	35'
MAXIMUM LOT COVERAGE	28%
PARKING REGULATIONS (MIN. SPACES PER DWELLING UNIT)	2
MINIMUM FLOOR AREA	1,250 SF

**City Council
Staff Agenda Report**

Agenda Item: 10c.

Agenda Subject: Discussion and possible action to approve any necessary provisions related to the Park Board’s October 14, 2023 Annular Solar Eclipse event.

<p>Meeting Date:</p> <p>June 15, 2023</p>	<p>Financial Considerations:</p> <p>Budgeted:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p>	<p>Strategic Vision Pillar:</p> <p><input type="checkbox"/> Financial Stability</p> <p><input checked="" type="checkbox"/> Appearance of City</p> <p><input checked="" type="checkbox"/> Operations Excellence</p> <p><input checked="" type="checkbox"/> Infrastructure Improvements/Upgrade</p> <p><input checked="" type="checkbox"/> Building Positive Image</p> <p><input checked="" type="checkbox"/> Economic Development</p> <p><input type="checkbox"/> Educational Excellence</p>
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Background Information: The Park Board is planning an event in October for the Annular Solar Eclipse. A Park Board member should be present at the meeting to present needed supplies so any budget funds or provisions can be approved by City Council. This is not a typical Park Board event and they do not have sufficient funds in their events account. Supplies discussed include glasses and light fare for the public.

Recommended Action/Motion: Provide direction on any necessary provisions related to the Park Board’s October 14, 2023 Annular Solar Eclipse event.

Attachments: None.

**City Council
Staff Agenda Report**

Agenda Item: 10d.

Agenda Subject: Discussion and possible action on budget planning to include but not limited to tax rate calendar and work session scheduling.

<p>Meeting Date:</p> <p>June 15, 2023</p>	<p>Financial Considerations:</p> <p>Budgeted:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p>	<p>Strategic Vision Pillar:</p> <p><input checked="" type="checkbox"/> Financial Stability</p> <p><input checked="" type="checkbox"/> Appearance of City</p> <p><input checked="" type="checkbox"/> Operations Excellence</p> <p><input checked="" type="checkbox"/> Infrastructure Improvements/Upgrade</p> <p><input checked="" type="checkbox"/> Building Positive Image</p> <p><input checked="" type="checkbox"/> Economic Development</p> <p><input checked="" type="checkbox"/> Educational Excellence</p>
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Background Information: The budget calendar is being provided to plan work session dates for council input. If there are specific items council would like staff to entertain during discussions and preparation with the Mayor, that input is desired at this time as well. Based on legal deadlines for budget and tax rate adoption, work sessions may need to be in late July.

Recommended Action/Motion: Provide direction by way of motion on any additions to the budget for planning purposes, and decide

Attachments: Budget calendar
Tax Deadline Educational Document

CITY OF DALWORTHINGTON GARDENS

FY 22/23 BUDGET AND TAX RATE

PLANNING CALENDAR

2024 DATES			
Day	Date	Description	Notes
		Submission of all department budget lists to Finance	
Thursday	June 15, 2023	Regular Meeting - City Hall 7:00 p.m.	
Wednesday	June 28, 2023	High Level Budget Work Session to set goals 6:00	
		PRFDC Budget Work Session City Hall 6:00 pm Meeting	
		1st Budget Work Session City Hall 6:00 p.m.	Will have Oct-Jun (9 mos) actual and Jul-Sep (3 mos) projected financial data
Tuesday	July 25, 2023	Chief Appraiser Certifies Appraisal Roll and Calculates No-New Revenue & Voter-Approval Tax Rates	TEX TAX CODE Title 1 Subtitle D 26.01(a) Chief appraiser may submit a certified estimate of taxable value in lieu of a certified appraisal roll if the appraisal review board for the appraisal district does not approve the records by July 20. 26.01(a-1) states if an estimate of taxable values is submitted, the City must calculate the no-new-revenue and voter-approval tax rate using the estimate.
		2nd Budget Work Session City Hall 6:00 p.m.	Will have Oct-Jun (9 mos) actual and Jul-Sep (3 mos) projected financial data
Tuesday	August 1, 2023	Tarrant County to provide anticipated "collection rate", "no-new-revenue" and "voter-approval" tax rate calculations.	TEX TAX CODE Title 1 Subtitle D 26.04 (b) By August 1 or as soon thereafter as practicable, Tarrant County to provide governing body with the anticipated collection rate, no-new revenue rate and voter-approval rate. Will need to be requested.
Tuesday	August 8, 2023	Upload NNR & Voter approval tax rates to Tarrant County FTP website	TEX TAX CODE Title 1 Subtitle D 26.04 (d-3) A soon as practicable after the designated officer or employee calculates the no-new-revenue tax rate and the voter-approval tax rate of the taxing unit, the designated officer or employee shall submit the tax rate calculation forms used in calculating the rates to the county assessor-collector for each county in which all or part of the territory of the taxing unit is located. Upload Form 50-876 to Tarrant County website and rates entered on FTP site and email form to TC
Tuesday	August 22, 2023	File Proposed Budget with Municipal Clerk, post on Web-Site.	TEX LOCAL GOV CODE Title 4 Subtitle A 102.005 Proposed Budget to be filed with the municipal clerk before the 30th day before the date the governing body of the municipality makes its tax levy for the fiscal year.
Thursday	August 17, 2023	Regular Council Meeting. 7:00 pm	
Thursday	August 17, 2023	By August 7th or as soon thereafter as practical, the City must post notice on the city's website, in the form prescribed by the comptroller the following: 1) the no-new-revenue tax rate and the voter-approval tax rate, along with an explanation of how calculated; 2) the estimated amount of interest and sinking fund balances and the estimated amount of maintenance and operation of general fund balances remaining at the end of the current fiscal year that are not encumbered with or by corresponding existing debt obligations; and 3) a schedule of the city's debt obligations .	TEX TAX CODE Title 1 Subtitle D 26.04 (B) (e) By August 7 or as soon thereafter as practicable, the designated officer or employee shall submit the rates to the governing body. FORM 50-212 to be posted on front page of city's website. Enter the Proposed rates on the Tarrant County FTP site
Thursday	September 7, 2023	Publish "Notice of Budget Hearing" (10-30 days before hearing)	TEX LOCAL GOV CODE Title 4 Subtitle A 102.006(c) shall be published not earlier than the 30th or later than the 10th day before the date of the hearing. Hearing will be conducted in the 9/21/23 Regular Meeting. (Between 8/22/23-9/11/23)
Thursday	September 7, 2023	Publish "Notice of Public Hearing on Tax Increase". Use the appropriate form that matches the tax rate proposed. Use the September Council date as the Public Hearing date in the Notice	TEX TAX CODE Title 1 Subtitle D 26.06. Public Hearing must be held at least 5 days after the date notice of the public hearing is given. Announce Date, Time, & Place of Rate Adoption Meeting. The meeting to vote may not be held later than the 7th day after the day of the public hearing. Form 50-876 - Notice of Public Hearing on Tax Increase - if the proposed tax rate exceeds the no-new-revenue tax rate but does not exceed the voter-approval tax rate. Form 50-873 - Notice of Public Hearing on Tax Increase - if the proposed tax rate exceeds the no-new-revenue tax rate and the voter-approval tax rate. Form 50-877 Notice of Public Hearing on Tax Increase - if the proposed tax rate does not exceed the no-new revenue tax rate but exceeds the voter-approval tax rate . see https://comptroller.texas.gov/taxes/property-tax/truth-in-taxation/notices.php for more notification forms
Thursday	September 21, 2023	CCPD REGULAR COUNCIL MEETING - Adopt Operating Budget City Hall 6:45 pm.	Approve Budget
Thursday	September 21, 2023	REGULAR COUNCIL MEETING, BUDGET HEARING & TAX RATE HEARING. Adopt Operating Budget & Tax Rate City Hall 7:00 pm. Must be 2 separate votes for Budget and Tax Rate	TEX LOCAL GOV CODE Title 4 Subtitle A 102.006. Budget hearing set for a date occurring after the 15th day after the proposed budget is filed with the municipal clerk but before the date the governing body makes its tax levy. TEX LOCAL GOV CODE Title 4 Subtitle A 102.007 This meeting is to adopt the budget and record a record vote. TEX TAX CODE Title 1 Subtitle D 26.06 1st public hearing on tax rate must be held at least 5 days after the date notice of the public hearing is given. Announce Date, Time, & Place of Rate Adoption Meeting. TEX TAX CODE Title 1 Subtitle D 26.05 (a) The governing body shall adopt a tax rate for the current tax year and shall notify the assessor before the later of September 30 or the 60th day after the date the certified appraisal roll is received by the taxing unit, except that the governing body must adopt a tax rate that exceeds the voter-approval tax rate not later than the 71st day before the next uniform election date (Nov 8, 2022) TEX TAX CODE Title 1 Subtitle D 26.06 (e) The meeting to vote on adoption of the tax rate may not be held later than the 7th day after the date of the public hearing.
Friday	September 22, 2023	Send Tax Assessor Adopted Tax Ordinance	
Friday	September 22, 2023	File Approved Budget with Tarrant County Clerk.	TEX LOCAL GOV CODE Title 4 Subtitle A 102.008 Final approval of the budget filed with municipal clerk and a copy of the budget posted on the company website. Tax Code Title 1 Subtitle D 26.18 Posting of Tax Rate and Budget Information by Taxing Unit on Website.

Deadlines When the Tax Rate Does Not Exceed the Voter-Approval Rate

These are absolute deadlines and assume the city waits until the last minute for each step. In most cases the city would be well-advised to act in advance of these dates. This memo will be updated with any relevant changes made by the 88th Legislature.

Tuesday, July 25: Tax Rolls Due

Chief appraiser must deliver the certified appraisal roll or certified estimate of taxable value to assessor. TEX. TAX CODE § 26.01(a).

Note - Estimated Tax Values: A chief appraiser may submit a certified estimate of taxable value in lieu of a certified appraisal roll if the appraisal review board for the appraisal district does not approve the appraisal records for the district by July 20. TEX. TAX CODE § 26.01(a-1). If the assessor receives a certified estimate of taxable values, the officer or employee designated by the city council must calculate the no-new-revenue tax rate and voter-approval tax rate using the estimate. *Id.* § 26.04(c-2).

Monday, August 7: Submit Tax Rates to City Council

The designated officer or employee must submit the no-new-revenue and voter-approval tax rates to the city council by this date, or as soon thereafter as practicable. TEX. TAX CODE § 26.04(e). The designated officer or employee must post the calculated no-new-revenue tax rate and voter-approval tax rates, along with certain debt information, on the home page of the city's website in the form prescribed by the comptroller. *Id.*

Note – Comptroller Rate Calculation Forms: The designated officer or employee shall use the tax rate calculation forms prescribed by the comptroller in calculating the no-new-revenue and voter-approval tax rates. TEX. TAX CODE § 26.04(d-1). These rates may not be submitted to the city council, and the city council may not adopt a tax rate, until the designated officer or employee certifies on the tax rate calculation forms that the person has accurately calculated the tax rates and used values from the city's certified appraisal roll in performing the calculations. *Id.* § (d-2). As soon as practicable after the designated officer or employee calculates the no-new-revenue tax rate and the voter-approval tax rate for the city, the designated officer or employee shall submit the tax rate calculation forms used in calculating the rates to the county assessor-collector for each county in which all or part of the city is located. *Id.* § 26.04(d-3).

Note – De Minimis Rate Calculation: A city with a population of less than 30,000 has an additional option with regard to a tax rate: the “de minimis” rate. Put simply, this is a rate that will impose an amount of taxes equal to \$500,000 more than the previous year, while taking the debt rate into account. TEX. TAX CODE § 26.012(8-a). While there is no requirement that the designated officer or employee calculate the de minimis rate, the city will need to know this rate to take advantage of it. Cities are encouraged to communicate with their designated officer or employee in advance of this date to confirm the calculation of the de minimis rate.

Tuesday, August 29: Deadline to File Proposed Budget

This is the last day for the city’s budget officer to file a proposed budget with the municipal clerk if the city plans to wait until September 29 to adopt the tax rate. TEX. LOC. GOV’T CODE § 102.005 (*before the 30th day before the date the tax rate is adopted* – thus, if a city plans to adopt its tax rate before September 29, the proposed budget must be filed sooner).

Note - Budget Cover Page: The proposed budget must contain a special cover page if the budget will raise more revenue from property taxes than the previous year. TEX. LOC. GOV’T CODE § 102.005(b). The city secretary must post the proposed budget on the city’s website if the city maintains one. TEX. TAX CODE § 26.18(5). Additionally, the proposed budget must include a line item comparing expenditures in the proposed budget and actual expenditures in the preceding year for: (1) notices required to be published in the newspaper; and (2) directly or indirectly influencing or attempting to influence the outcome of legislation or administrative action. TEX. LOC. GOV’T CODE § 140.0045.

Monday, September 18: Deadline to Publish Notice of Budget Hearing in the Newspaper

This is last day to publish notice of budget hearing. TEX. LOC. GOV’T CODE § 102.0065 (not later than 10th day before the budget hearing). Note that the notice may not be published earlier than the 30th day before the hearing making August 29 the earliest date possible for publication for a September 28 budget hearing.

Note – Required Notice Language: The budget hearing notice must contain specific information about property tax increases. TEX. LOC. GOV’T CODE §102.0065(d).

Friday, September 22: Proposed Tax Rate Approval

City council should hold a record vote approving a proposed tax rate. Although there is not a statutorily defined procedure for the city council to follow in determining the proposed tax rate, this date effectively serves as the deadline, as the required notices of the tax rate hearing include the proposed tax rate (see note below).

Friday, September 22: Internet and Television Notice of Tax Rate Hearing

If the proposed tax rate will exceed the no-new-revenue rate, continuous notice of the tax rate public hearing begins on the internet and television,. TEX. TAX CODE § 26.065. The notice must be posted continuously for at least seven days immediately before the public hearing on the proposed tax rate increase and at least seven days immediately before the date of the vote proposing the increase in the tax rate. *Id.*

Note – Specific Content Requirements: For content of the Internet and television notice, see Sections 26.06(b-1), (b-2), and (b-3) of the Tax Code.

Note – Record Vote Required: The required notice of the tax rate hearing requires the names of all members of the governing body, showing how each voted on the proposed tax rate and indicating the absences, if any, during the vote on the proposed tax rate. TEX. TAX CODE §§ 26.06(c) and 26.061.

Note – Special Notice Provisions: The tax rate notice requirements for a city change when the de minimis rate exceeds the voter approval rate. *Id.* § 26.063. Note that, in the unlikely event that a city with a population of less than 30,000 has a de minimis rate that does not exceed its voter-approval rate, these alternate notice provisions are not available to the city.

Note – Low Tax Levy Cities: A city that has a “low tax levy” under Section 26.052 of the Tax Code (i.e. a city that levies under \$500,000 in total property taxes and has a tax rate under \$.50 per \$100 of valuation) may choose to provide notice of its tax rate under that section instead of Sections 26.04(e) and 26.06. A “low tax levy” city that chooses to provide notice under Section 26.052 is not required to hold a public hearing on the tax rate; however, the city is required to provide mailed or published notice of the tax rate no later than seven days before the date the city adopts the tax rate. *Id.* § 26.052(c). If the city chooses to publish notice of the tax rate in the newspaper, the city must also provide public notice of its proposed tax rate by posting notice of the proposed tax rate, along with the information in Section 26.052(e) of the Tax Code, prominently on the home page of the city’s website.

Sunday, September 24: Notice of Tax Rate Hearing or Meeting to Adopt Tax Rate

Last day to **publish notice of the tax rate hearing**, if the proposed tax rate will exceed the no-new revenue rate (the public hearing may not be held before the fifth day after the date the notice of the public hearing is given). TEX. TAX CODE § 26.06(a).

Last day to **publish notice of the meeting to adopt the tax rate**, if the proposed tax rate will not exceed the no-new-revenue rate. *Id.*

Note – Notice Requirements: The notice may be delivered by mail to each property owner or may be published in a newspaper. TEX. TAX CODE § 26.06(c). If the notice is published in the newspaper, the city must also post the notice prominently on the home page of the city’s website from the date the notice is first published until the public hearing is concluded. *Id.* The notice must be in the form prescribed by Sections 26.06 or 26.061 of the Tax Code, and must include the table described in Section 26.062 of the Tax Code. For the content of published notice, see sections 26.06(b-1), (b-2), and (b-3) of the Tax Code.

Thursday, September 28: Budget Hearing

This is the last day for the city to conduct a hearing on the budget. TEX. LOC. GOV’T CODE § 102.006(b) (hearing shall be before the date of the tax levy). Note that the hearing must be held after the 15th day after the proposed budget is filed with the clerk.

Note – Action Required: The city must take some sort of action on the budget at the conclusion of the hearing. TEX. LOC. GOV’T CODE § 102.007. This action could be the adoption of the budget, or a vote to postpone the final budget vote. It is generally accepted that the city need not adopt the budget at the end of the hearing.

Friday, September 29: Budget Adoption

The city should adopt the budget no later than this date. TEX. LOC. GOV’T CODE § 102.009 (because the city may only levy taxes in accordance with budget, and because the levy cannot take place later than September 29 (see note below), this is the effective deadline for budget adoption in cities with a property tax). A vote to adopt the budget must be a record vote. *Id.* §102.007(a).

Note – Separate Ratification Vote Requirement: City council must take a separate ratification vote to adopt any budget that will raise total property tax revenue. TEX. LOC. GOV’T CODE § 102.007(c).

Note – Specific Content: The adopted budget must contain a special cover page that includes: (a) a specific statement on whether the budget raises more, less, or the same amount of property tax revenue compared to the previous year’s budget; (b) the record vote of each member of the city council by name voting on the adoption of the budget; (c) the city property tax rates for the preceding and current fiscal years, including the adopted rate, no-new-revenue tax rate, no-new-revenue maintenance and operations tax rate, voter-approval tax rate, and debt rate; and (d) the total amount of city debt obligations secured by property taxes. TEX. LOC. GOV’T CODE § 102.007(d). The adopted budget, including the cover page, must be posted on the city’s website if the city has one. *Id.* § 102.008(a)(2). City council shall include as an appendix to the city’s budget for a fiscal year the tax rate calculation forms used by the designated officer or employee to calculate the city’s no-new-revenue tax rate and the voter-approval tax rate for the tax year in which the fiscal year begins. TEX. TAX CODE § 26.04(e-5).

Friday, September 29: Tax Rate Adoption: Meeting or Public Hearing

This is the last day the city may adopt a tax rate. If a public hearing is required, the hearing must be held on a weekday that is not a public holiday. TEX. TAX CODE § 26.06(a).

Note – When a Hearing is Required: A public hearing is required only if the proposed tax rate exceeds the lower of the no-new-revenue rate or the voter-approval rate, i.e., if the proposed tax rate would raise more revenue from property taxes than the prior year.

Note – Earliest Possible Dates for Hearing: City council may not hold its public hearing or public meeting to adopt a tax rate until the fifth day after the date the chief appraiser of each appraisal district in which the city participates has delivered its tax estimate notice under Section 26.04(e-2) of the Tax Code and made various types of tax rate information and the tax rate calculation forms available to the public via the property tax database under Section 26.17(f) of the Tax Code. TEX. TAX CODE. § 26.05(d-1).

Note – Rate Adoption at Hearing: City council may vote on the proposed tax rate at the public hearing. If the city council does not vote on the proposed tax rate at the public hearing, the city council shall announce, at the public hearing, the date, time, and place of the meeting at which council will vote on the proposed tax rate, and that meeting may not be held later than the seventh day after the date of the public hearing. TEX. TAX CODE § 26.06(e). This provision does not authorize a city to adopt a tax rate later than September 29.

Note – Sixtieth Day Alternative: A city may adopt a tax rate by this deadline or by the 60th day after receipt of appraisal roll, whichever is later. TEX. TAX CODE § 26.05(a). Please note that if the city uses the 60-day rule, almost every date in this memo would need to be recalculated.

Note – Separate Votes for M&O and Debt Components: City council must separately approve the maintenance and operations component and the debt service component of the tax rate. TEX. TAX CODE § 26.05(a).

Note – Rate Adoption Motion: The motion to adopt a tax rate that exceeds the no-new-revenue rate must be made precisely as follows: “I move that the property tax rate be increased by the adoption of a tax rate of (specify tax rate), which is effectively a (insert percentage by which the proposed tax rate exceeds the no-new-revenue tax rate) percent increase in the tax rate.” If the tax rate will exceed the no-new-revenue tax rate, the vote on the ordinance setting the tax rate must be a record vote and must be approved by at least 60 percent of the members of the city council. TEX. TAX CODE § 26.05(b). Section 26.05 of the Tax Code contains several other precise requirements regarding notice in the tax rate ordinance itself that must be complied with if the city adopts a rate exceeding the no-new-revenue tax rate.

Note – Failure to Adopt Tax Rate: The tax rate of a city that fails to adopt a tax rate before the statutory deadlines is limited to the lower of the voter-approval tax rate or the no-new-revenue tax rate. TEX. TAX CODE § 26.05(c).

**City Council
Staff Agenda Report**

Agenda Item: 10e.

Agenda Subject: Discussion and possible action to direct staff on adding clarity in city ordinances for notice and public hearing requirements for zoning cases.

<p>Meeting Date: June 15, 2023</p>	<p>Financial Considerations: Minimal costs for notice publication and mailing notices; staff time to prepare</p> <p>Budgeted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Strategic Vision Pillar:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Financial Stability <input type="checkbox"/> Appearance of City <input checked="" type="checkbox"/> Operations Excellence <input type="checkbox"/> Infrastructure Improvements/Upgrade <input checked="" type="checkbox"/> Building Positive Image <input type="checkbox"/> Economic Development <input type="checkbox"/> Educational Excellence
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Background Information: In preparation for a recent special exception case, it was determined city ordinances do not require 200’ notifications or publication requirements as other zoning cases do. The notification process is very minimal. As staff did not believe council’s intention or desire would be to negate said notices even in the absence of such requirement, notices were sent out but not with very much time to spare before the Planning and Zoning meeting. Calls were made to residents to get the word out in case notices didn’t arrive in time. One resident did complain about the notice period. Staff is requesting council add this requirement to the ordinances to prevent this in the future.

Recommended Action/Motion: Motion to direct staff on adding clarity in city ordinances for notice and public hearing requirements for zoning cases.

Attachments: None.

**City Council
Staff Agenda Report**

Agenda Item: 10f.

Agenda Subject: Discussion and possible action to direct staff regarding correctly indicating when special exceptions are authorized in accordance with Section 14.02.321 of city ordinances, and additionally discuss removing the special exception for private stables.

<p>Meeting Date:</p> <p>June 15, 2023</p>	<p>Financial Considerations:</p> <p>Budgeted:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Strategic Vision Pillar:</p> <p><input type="checkbox"/> Financial Stability</p> <p><input type="checkbox"/> Appearance of City</p> <p><input checked="" type="checkbox"/> Operations Excellence</p> <p><input type="checkbox"/> Infrastructure Improvements/Upgrade</p> <p><input checked="" type="checkbox"/> Building Positive Image</p> <p><input type="checkbox"/> Economic Development</p> <p><input type="checkbox"/> Educational Excellence</p>
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Background Information: In researching an allowed use for a citizen, it was discovered clarity is needed when a special exception is allowed for a certain land use. Special exceptions are clearly listed in Section 14.02.321 but are not always clearly outlined in coinciding sections where initial regulations exist. An example is the use of a “private stable” in single family residential, but staff is actually recommending removal of this particular special exception. There are several special exceptions, when checked, have this same issue. Staff would like all of them checked and clarity added. An example is provided in the packet of how to correctly note when a special exception can be considered, and where it is not noted at all. Otherwise, outside of going on memory, it is not clear when one would be considered.

Removal of private stables as a special exception is suggested for a few reasons. Because of the unique makeup of the city and varied residential developments and styles, staff did not feel the current council would want to restrict or control animals on private property outside of controlling the volume for reasons of cleanliness and neighbor disturbance. This control method is common in other cities. Secondly, managing or controlling private stables would be difficult for staff. Some residents call the city to ask about this use, but many do not, and the questions from those who do call is about quantity of animals not about whether the use is allowed. There are existing properties where residents lease property to others for horses. Based on the special exception language, “commercial purposes” are not allowed. It would become a major code enforcement issue and citizen dissatisfaction in a lot of cases.

Recommended Action/Motion: Direct staff regarding correctly indicating when special exceptions are authorized in accordance with Section 14.02.321 of city ordinances, and additionally discuss removing the special exception for private stables.

**Attachments: Ordinance Examples
Special Exception Section**

CORRECT notation

Article 4.09 Short Term Rental

(p) Density limitations for short-term rental properties.

(1) Limitation.

Short term rentals shall be limited to no more than (A) the lesser of two units per street or ten (10) percent of the total number of units on the street, or (B) one-eighth (12.5 percent) of the total number of residential units in a multi-unit building. Notwithstanding the foregoing, at least one short-term rental shall be permitted per street or multi-unit building, regardless of density.

(2) Special exception available.

In order to obtain a permit for a short-term rental that would exceed the density limitation of this section, a property owner may apply to the city council **for a special exception in accordance with section 14.02.321 of the code**. In addition to the criteria identified in section **14.02.321**, the city council may consider factors such as the following...

INCORRECT notation. Here, staff would tell a resident private stables are an allowed use but to follow 14.02.127 for volume of animals. However, a special exception exists for “private stables”, seeking to control private stables by special exception.

14.02.172 “SF” residential district.

(a) Permitted uses. A building or premises in this district shall be used only for the following purposes:

- (1) One-family detached dwellings, other than mobile homes.
- (2) Parks, playgrounds, community centers, fire stations or other public safety buildings operated by or under the control of the city or other governmental authority.
- (3) Electric transmission towers and lines, gas transmission lines and metering stations, other local utility distribution lines, sewage pump stations, and water reservoirs, pump stations, wells and transmission lines.
- (4) Churches and rectories; and, public or parochial schools (without student housing).
- (5) Accessory buildings, as elsewhere herein regulated.

(6) Customarily incidental uses.

14.02.127 Agricultural uses.

(a) In districts where the same are otherwise herein permitted, agricultural and livestock uses shall not be conducted on any lot or tract having an area of less than 40,000 square feet.

(b) The intensity of use of land for grazing purposes shall not exceed 10,000 square feet of grazing area per equine or bovine animal and 3,000 square feet of grazing area per each other kind of domestic animal.

(12)	A private stable under the following conditions:	SF
	(A) The use must be one that would in all respects qualify as an incidental use under the terms of section 14.02.172(6) of this article if located on the same property as a primary residential use;	
	(B) The property on which the use is to be conducted must be adjacent to or within 500 feet of the primary residence to which it would be incidental if located on the same property;	
	(C) The owner of the primary residence and the private stable must be the same; and	
	(D) The private stable shall not be used for commercial purposes.	
	This special exception may be revoked by the City Council upon notice and after hearing in the event of a violation of any of the conditions described above.	

§ 14.02.321 **Special exceptions.**

- (a) Purpose. Certain uses are classified as special exceptions, and may be permitted in designated districts when specifically authorized by this division after approval by the city council. Such exceptions may be granted in order that the city may develop in accordance with the intent and purpose of this article, that land may be fully utilized for a lawful purpose, and that substantial justice may be done.
- (b) Criteria for granting a special exception. In reaching a decision on any application for a special exception, the city council shall determine:
 - (1) That the requested exception will establish only those uses permitted under this division;
 - (2) That the location of proposed activities and improvements are clearly defined on a site plan filed by the applicant; and
 - (3) That the exception will be wholly compatible with the use and permitted development of adjacent properties, either as filed or subject to such requirements as the city council may find necessary to protect and maintain the stability of adjacent properties.
- (c) Authorized special exceptions. The following uses may be allowed as special exceptions in the districts specified, subject to full and complete compliance with all conditions herein provided, together with such other conditions as the city council may impose. The conduct of any of the uses described in this subsection (c) shall be illegal in the city unless on property bearing a valid special exception therefor issued in accordance with the terms of this division.

	Special Exception	District Requiring City Council Approval
(1)	Construction field office and storage yard (other than on jobsite). Conditions: Temporary, for time fixed by the City Council.	All districts
(2)	Amusement or entertainment, commercial, indoor or outdoor.	B-2 - LI
(3)	Child care facilities.	MF - LI
(4)	Residential recreation facilities.	SF - MF
(5)	Parking, under division 9 conditions.	All districts
(6)	Development sign of more than one year duration.	SF - MF
(7)	Screening devices, over height or in required front yard.	All districts
(8)	Except for brewpubs and wineries, service of alcoholic beverages for on-premises consumption; for brewpubs and wineries, service of alcoholic beverages for on-premises and off-premises consumption may be permitted	B-2 - LI
(9)	Light industrial or manufacturing uses, other than storage, to be conducted outside buildings.	LI
(10)	Real estate sales office: A temporary real estate sales office.	SF - MF

Special Exception

District Requiring City Council Approval

(11) Retail gasoline service stations, pumps and facilities, storage tanks underground. B-3 - LI

(12) A private stable under the following conditions: SF

(A) The use must be one that would in all respects qualify as an incidental use under the terms of section 14.02.172(6) of this article if located on the same property as a primary residential use;

(B) The property on which the use is to be conducted must be adjacent to or within 500 feet of the primary residence to which it would be incidental if located on the same property;

(C) The owner of the primary residence and the private stable must be the same; and

(D) The private stable shall not be used for commercial purposes.

This special exception may be revoked by the City Council upon notice and after hearing in the event of a violation of any of the conditions described above.

(13) Private school. B-2 - LI

(14) Motor vehicle sales. LI

(15) Retail specialty and novelty establishment. B-3 - LI

Definitions: For the purpose of this subsection:

(A) "Retail specialty and novelty establishment" is a place of business which derives more than 50% of its monthly revenues from the retail sale of specialty and novelty items.

(B) "Specialty and novelty items" means any of the following:

(i) Drug paraphernalia, as that term is defined in 481.002 of the Texas Health and Safety Code;

(ii) Wearing apparel containing obscene pictures or words, such as T-shirts, belt buckles, jewelry or any other wearing apparel;

(iii) Salves, ointments, gels, creams, jellies, lotions and oils advertised and designed as a sexual stimulus;

(iv) Magazines, books, records, videocassettes, pictures, drawings and other similar material depicting and describing sexual conduct in a manner that is designed for

adult use and consumption;

(v) Incense.

- (16) Billiard table establishment. B-3 - LI

Definitions: For the purposes of this subsection:

(A) "Billiard table establishment" means any business containing a billiard table for commercial use and not merely for sale.

(B) "Billiard table" means a table surrounded by a ledge or cushion with or without pockets on which balls are impelled by a stick or cue, but not including a coin-operated billiard table.

- (17) Skill or pleasure coin-operated machines, commercial use of eight (8) or more per occupancy. B-3 - LI

Definitions: For the purposes of this subsection, the term "skill or pleasure coin-operated machine" shall have the meaning ascribed thereto by article 8801, V.T.C.S. [V.T.C.A., Occupations Code, chapter 2153]

- (18) Sexually oriented business. LI

Definition: For the purpose of this subsection, "Sexually oriented business" shall have the meaning ascribed thereto by chapter 243 of the Texas Local Government Code.

Condition: No such use may be permitted at a location within one thousand (1,000) feet of a church, school, public park, boundary of a residential district or property line of a lot devoted to residential use.

- (19) Motor vehicle parking, commercial. B-3 - LI

- (20) Long-term personal care facility. SF - MF

Definition: For the purposes of this subsection, a "long-term personal care facility" is a residence used as an assisted living residence for not more than four (4) unrelated persons.

Conditions: No such use shall be permitted unless:

(A) The State of Texas has issued a license for the location under chapter 142 of the Texas Health and Safety Code; and

(B) The owner of the facility resides in the residence.

The special exception shall continue for so long as a valid state license, as described in subsection (A), shall be in effect, unless the special exception should otherwise be terminated for violation of its terms or applicable laws.

(21) Schools, clubs or centers for gymnastics, exercise or physical fitness. B-1 - B-2

Condition: The use shall comply with all regulatory provisions of the district in which it is located.

(22) Mobile food unit: Special exception sought by property owner required for all zoning districts if mobile food unit remains on property longer than twenty- four (24) hours. All districts

(23) HUD-code manufactured home as primary dwelling MF

(24) Credit access business under the following conditions: L-I

(A) No such use may be permitted at a location within one thousand (1,000) feet of a school, designated place of worship, public park, boundary of a residential district, or property line of a lot devoted to residential use.

(25) Tattoo Shop under the following conditions: L-I

(A) No such use may be permitted within 1,000 feet of another tattoo shop

(B) A tattoo shop may be open for business only between the hours of 8:00 a.m. and 5:00 p.m. Monday through Saturday. A tattoo shop may not open for business on Sunday.

(C) No such use may be contiguous to any residential land use, designated place of worship, or school.

(26) Short- term rental in excess of density limitation. SF, MF, GH Subject to section **4.09.004(p)** of the code

(d) Application for special exception.

(1) Qualification of applicant. Application for a special exception may be made by the owner of, or other person having a contractual or possessory interest in, the subject property. Any application filed by a person who is not the owner of the property for which the special exception is sought shall be accompanied by evidence of the consent of the owner.

(2) Contents of application. An application for a special exception shall be filed with the zoning administrator. The application shall contain the following information as well as such additional information as may be prescribed by rule of or reasonably requested by the commission or the zoning administrator:

(A) The applicant’s name, address and interest in the subject property;

- (B) The owner's name and address, if different from that of the applicant, and the owner's signed consent to the filing of the application;
 - (C) The street address and legal description of the property;
 - (D) The zoning classification and present use of the subject property;
 - (E) A description of the proposed special exception;
 - (F) A site plan sketch, showing the location of the use on the property;
 - (G) A statement as to why the proposed special exception will not cause substantial injury to the value, use or enjoyment of other property in the neighborhood;
 - (H) A statement as to how the proposed special exception is to be designed, arranged and operated in order to ensure that development and use of neighboring property in accordance with the applicable district regulations will not be prevented or made unlikely, and that the value, use and reasonable enjoyment of such property will not be impaired or adversely affected; and
 - (I) An identification of any potentially adverse effects that may be associated with the proposed special exception and the means proposed by the applicant to avoid, minimize or mitigate such effects.
- (3) Processing of application. Upon receipt of an application for a special exception, it shall be referred to the commission for investigation as to the manner in which the proposed character and location of the special exception will affect the master plan of the city. The commission shall report the results of its study to the city council, and thereafter the city council may, after public notice and hearing, grant the permit, including the imposition of conditions of use which the city council may deem essential to insure that the special exception is consistent with the spirit, purpose and intent of this article, will not substantially and permanently injure the appropriate use of neighboring property, and will substantially serve the public convenience and welfare.

(Ordinance 2022-11 adopted 5/19/22; Ordinance 2022-17 adopted 7/21/22; Ordinance 2022-22 adopted 11/17/2022; Ordinance 2022-31 adopted 12/15/2022)

**City Council
Staff Agenda Report**

Agenda Item: 10g.

Agenda Subject: Discussion and possible action regarding prohibiting horses and the like in City parks.		
Meeting Date: June 15, 2023	Financial Considerations: Budgeted: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Strategic Vision Pillar: <input type="checkbox"/> Financial Stability <input checked="" type="checkbox"/> Appearance of City <input checked="" type="checkbox"/> Operations Excellence <input type="checkbox"/> Infrastructure Improvements/Upgrade <input type="checkbox"/> Building Positive Image <input type="checkbox"/> Economic Development <input type="checkbox"/> Educational Excellence

Background Information: There has been a continued problem with horse excrement being left in the park by unknown parties. When this happens, it leaves an obvious and large unsightly trail leading to resident complaints and staff having to clean it up. The last incident left a trail from the City Hall parking lot all the way to the playground.

Staff would like to have an ordinance place in the event it is ever needed. The goal is always education and compliance, but there is currently no regulation in place anyone technically has violated if we were to find the responsible party.

Recommended Action/Motion: Provide direction by way of motion on prohibiting horses and the like in City parks.

Attachments: None.

**City Council
Staff Agenda Report**

Agenda Item: 10h.

Agenda Subject: Discussion and possible action regarding changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, regarding agrihood regulations.

<p>Meeting Date:</p> <p>June 15, 2023</p>	<p>Financial Considerations:</p> <p>Budgeted:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p>	<p>Strategic Vision Pillar:</p> <p><input type="checkbox"/> Financial Stability</p> <p><input checked="" type="checkbox"/> Appearance of City</p> <p><input checked="" type="checkbox"/> Operations Excellence</p> <p><input checked="" type="checkbox"/> Infrastructure Improvements/Upgrade</p> <p><input checked="" type="checkbox"/> Building Positive Image</p> <p><input checked="" type="checkbox"/> Economic Development</p> <p><input type="checkbox"/> Educational Excellence</p>
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Background Information: The Planning and Zoning Commission has recommended approval of an ordinance that adds agrihood to the existing mixed-use ordinance. The regulations outlined in the ordinance apply to both overlays. The ordinance makes a few changes to simplify areas, but also adds the definition for agricultural, the use of which only applies to agrihood. The ordinance also scales down the use list, but allows applicants to apply for uses not listed. Council would have the ultimate say in what uses are allowed in any planned development concept.

Recommended Action/Motion: Provide direction by way of motion on changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, regarding agrihood regulations.

Attachments: Redlined ordinance
Adopting ordinance

§ 14.02.274 “MU” mixed use overlay. “AH” agrihood overlay.

(a) Purpose for Agrihood Overlay. The purpose of the agrihood overlay district is to allow large lot residential uses, but also a mixture of medium density single family garden homes, and commercial uses with a preference toward agricultural related businesses (vegetable and meat markets, farm and ranch supply, etc.) and restaurants.

(ab) Purpose for Mixed Use Overlay. The purpose of the mixed-use zoning overlay district is to allow higher density, mixed use, pedestrian-oriented development.

~~(b) Intent. The mixed use overlay district is required as the traditional zoning districts (SF, GH, B1, B2, B3, PD) are not sophisticated enough to address the complicated growth and development requirements. The intent of the mixed use overlay district is to promote pedestrian-oriented urban form (sustainability and health). The overlay district encourages architectural diversity, creativity and exceptional design. Furthermore, the purpose is to create memorable and outdoor gathering spaces.~~

(c) Definitions.

Agrihood development is characterized as an organized mixed-use community that integrates agricultural and food service commercial businesses, with residential uses, and open spaces that might be used as parks or community gardens. Mixed-use development is characterized as pedestrian-friendly development that blends two or more residential, commercial, cultural, and/or institutional.

Agricultural. Related to the cultivation of the soil to produce crops, horticulture, floriculture, viticulture, forestry, or the raising or keeping of livestock of poultry.

~~Mixed use development is characterized as pedestrian friendly development that blends two or more residential, commercial, cultural, and/or institutional.~~

Bed and breakfast. A lodging use that has no more than five guest rooms; provides accommodations for periods not to exceed five nights; and meals are provided.

Boutique hotel. A lodging facility with 30 or fewer guest rooms that are rented to occupants on a daily basis for not more than 14 consecutive days; provides food that is prepared on-site; and more than 50 percent of the guest rooms are internal-entry.

Civic/open space. Publicly accessible open space in the form of parks, courtyards, forecourts, plazas, greens, playgrounds, squares, etc. Civic/open space may be privately or publicly owned and maintained.

Commercial or mixed-use building. A building in which at least the ground floor of the building is built for commercial use and any of the floors above the ground floor are built to commercial ready standards and occupied by nonresidential or residential uses.

Commercial ready. Space constructed above the ground floor height as established in character district which may be used for noncommercial uses and can be converted into retail/commercial use. Prior to the issuance of certificate of occupancy for a retail/commercial use in a commercial ready space, the space must comply with all building and construction codes for that use. The intent of commercial ready space is to provide the flexibility of occupying space in accordance with market demand and allowing the use in such space to change to retail/commercial uses accordingly.

Cottage industrial. Small scale and individualized (i.e. not mass produced) assembly and light manufacturing/fabrication of commodities fully enclosed within a building (building must be less than 20,000 square feet). This category shall include workshops and studios for cottage industries such as pottery, glass-blowing, metal working and fabrication, screen printing, weaving, etc.

Encroachment. Any structural or nonstructural element such as a sign, awning, canopy, terrace, or balcony that breaks the plane of a vertical or horizontal regulatory limit, extending into a setback, into the public right-of-way, or above a height limit.

Farmer’s market. The retail sale of farm products by individual vendors for the primary purpose of selling fruits, vegetables, herbs, spices, edible seeds, nuts, live plants, flowers, and honey. Sale of new and used household goods,

personal effects, small household appliances, and similar merchandise is not included in this definition.

Hotel. Shall be defined as a building with habitable rooms or suites which are reserved for transient guests for compensation who rent the rooms or suites on a daily basis, and with controlled access to the rooms via a lobby or interior hallway. The establishment shall furnish customary hotel services such as linen, maid service, telephone, use and upkeep of furniture. It shall also include either a full-service restaurant with full kitchen facilities providing service to the general public; or a concessionaire of the management for room service delivery. The establishment shall be required to have on-site staff seven (7) days a week, twenty-four (24) hours per day.

Live-work dwelling. A mixed-use building type with a dwelling unit that is also used for work purposes, provided that the ‘work’ component is located on the street level and (1) is constructed as separate units under a condominium regime or as a single unit. The ‘live’ component may be located above the ground floor. Live-work dwelling is distinguished from a home occupation otherwise defined by section 14.02.092 of the City of Dalworthington Gardens Zoning Regulations in that “work” component is not required to be incidental and secondary to the “live” component. Additionally, the “work” component may employ more than one (1) individual who is not an occupant of the “live” component.

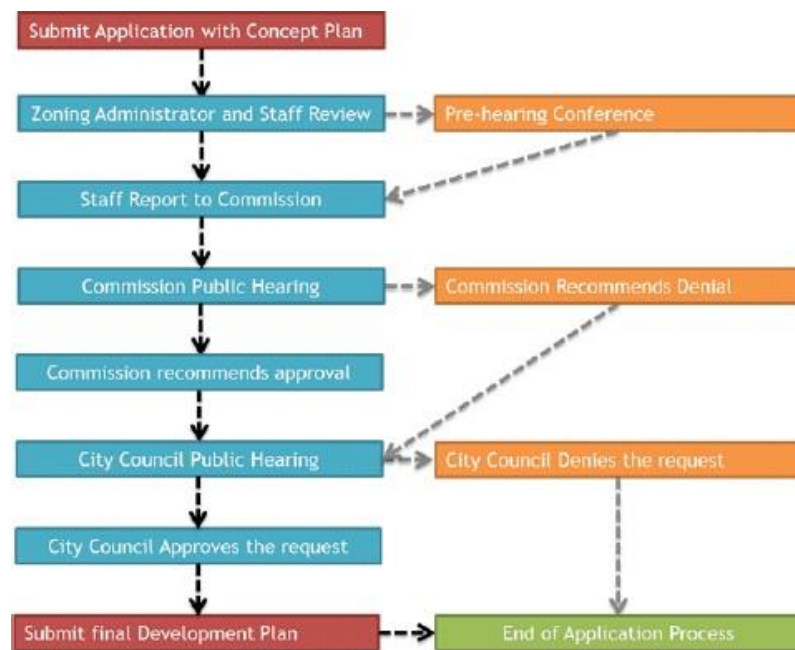
Mixed-use development is characterized as pedestrian-friendly development that blends two or more residential, commercial, cultural, and/or institutional.

Vertical mixed-use. Defined as combination of different uses in the same building. Generally, lower floors have more public uses with more private uses on the upper floors.

Veterinary. A doctor of veterinary medicine who holds a valid license to practice veterinary medicine in the state.

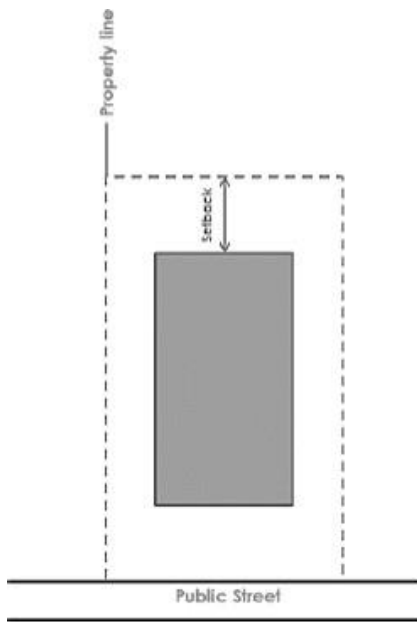
- (d) ~~Mixed-use a~~Application process. The application procedure for the mixed-use/agrihood development will be done in the same manner as planned development administration (section 14.02.272 of the code). However, in addition to the concept plan, the city may require traffic impact study or land use compatibility study.

Figure 1. Application Process



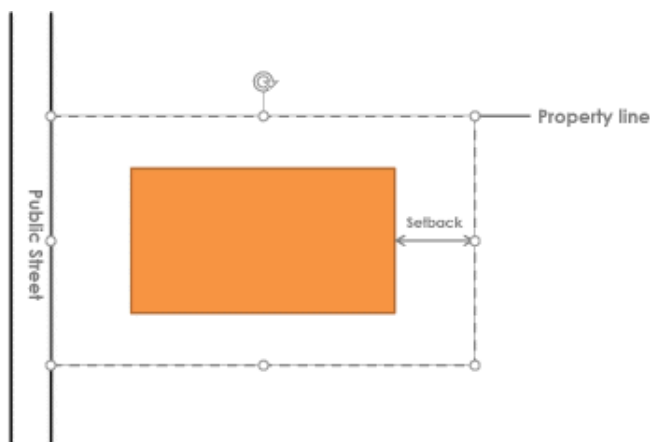
- (e) Traffic impact study. A traffic impact study report should, at the minimum, address the following:
 - (1) State the purpose and scope of the report and identify the study area of the project.
 - (2) State all assumptions used in analysis and make reference to and/or include all supporting documents used to prepare the report.

- (3) Describe, in detail, proposed land use type(s) and size(s).
 - (4) Identify number, location and type of proposed access drive(s) to the development site.
 - (5) Evaluate intersection sightline distances from proposed driveways.
 - (6) Provide a detailed summary of data collection efforts and results.
 - (7) Estimate number of trips generated by the development site.
 - (8) Identify most critical analysis period.
 - (9) Determine anticipated directional distribution of site-generated traffic.
 - (10) Intersection assignment of site traffic including through and turning movements.
 - (11) Internal circulation of site traffic and parking
 - (12) Need for turning lanes or bypass options at proposed driveway location(s)
 - (13) Traffic control needs and warrants
 - (14) Determine anticipated future non-site (background) traffic volumes.
 - (15) Identify other “nearby approved” developments within the study area.
 - (16) Evaluate “existing + site + nearby approved developments” traffic operating conditions to assess cumulative impact of traffic for pre-specified target year.
 - (17) Recommend on-site and/or off-site road improvements for each traffic conditions separately (i.e. “existing,” “existing + site,” “existing + site + nearby approved developments,” and “future long-term”).
 - (18) It is useful to address percent contribution to off-site road improvements by individual development sites (i.e. proposed and other nearby development site), based on number of new trips each and every one of these development sites generate and add to adjacent street network primarily during critical peak-hour.
 - (19) Include findings and recommendations using nontechnical jargon to help planning and zoning commission with their decision making. A letter of opinion from a qualified professional is recommended.
- (f) Additional requirements for mixed use/agrihood development.
- (1) Permitted uses. To find the list of permitted uses, please see the matrix of permitted uses. ~~Land uses not listed in the matrix but are substantially similar may be considered through the application process.~~
 - (2) Parking facilities. For off-street parking facility, the parking demand calculation can be done in the following manner:
 - (A) Number of units (residential) – nr.
 - (B) Number of units (commercial) - nc.
 - (C) Number of parking spaces required as per division 9 of the zoning ordinance for each use (units) – N1, N2, N3, Nu.
 - (D) Total parking spaces = nr + nc (N1 + N2 + N3 +Nu)



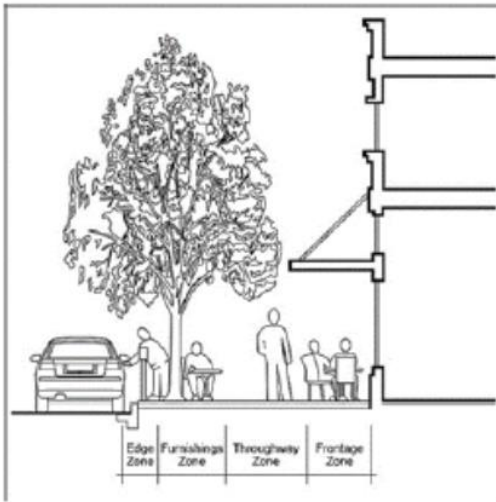
- (3) Height. The height of the building is restricted to 3 stories/floors or 40 feet (whichever is less).
- (4) Setbacks
 - (A) Setback from the front street (if a corner property, both adjacent streets will be considered as front street): 15.
 - (B) Side setback: 10.
 - (C) Rear setback: 15.

Figure 2. Setbacks



- (5) Sidewalk. A minimum of 12' sidewalk is required in the district with a minimum of 6' throughway zone.

Figure 3. Ideal Sidewalk Diagram (Source: ITE Manual)



- (6) Sign standards. Directory, monumental and wall sign shall be allowed in the mixed use overlay district. The height of directory sign is be restricted to 15'. One monument sign per lot per lot street frontage limited to a maximum of 75 sq. ft. per sign face and 6 ft. in height. An applicant has the option to install unique sign including size, color, type, design, and location, subject to approval from the city staff.
- (7) Landscape requirements. In addition to complying with the requirements of division 11 of this article, each lot in this district shall have not less than 20% landscaped open space.
- (8) Outdoor gathering spaces. Open space regulations. Provisions for public, private and common open space shall be evaluated with due regard to density, site coverage, and physical characteristics of the site and, if deemed necessary, required as part of the plan. When common open space, common recreational areas or common area containing some other amenity to the development are approved as a part of a final plan, such areas shall be retained and owned by the owner or owners of the residential units contained within the development or an owners' association of which they are members, and shall be perpetually maintained by the owner or owners or the association as a part of the development for the use and benefit of the residents of the development.
- (9) Building material. To promote architectural diversity, city may consider less than 80% masonry, exceed the use of glass percent and allow use of more surface colors. However, all the designs and colors will require approval through the application process. The application will also be reviewed on the basis of harmony with the surrounding building types.
- (10) Design exception. A design exception means a requested deviation from any building material, open gathering space standards, sign standards, matrix of permitted uses, or parking requirements. All requests for design exceptions shall go before the Dalworthington Gardens Planning and Zoning Commission for action and then to city council for final approval.
- (g) ~~Matrix of~~ permitted uses. If a use is not listed, ~~on the land use matrix~~ that use is considered a prohibited use within the City of Dalworthington Gardens Mixed Use/Agrihood Overlay District, unless the use is allowed by right or by specific use permit under the regulations applicable to the underlying or base zoning district. Land uses not listed in the matrix but are substantially similar may be considered through the application process.

Uses requiring a specific use permit "S" in a cell indicates that the use is allowed only if issued a specific use permit, in accordance with the procedures of section 14.02.325, specific use permits. Uses requiring a specific use permit are subject to all other applicable regulations of this code, including the supplemental use standards in this article and the requirements of this article.

~~P~~ = Permitted use

~~S~~ = Specific use permit use

Animal grooming	P
Agricultural use (agrihood overlay only)	
Artist work or sales space	P
Bed and breakfast	P
Boutique hotel	P
Brewpub	S
Building materials sales, no lumber yard	S
Carpentry or sign fabrication (no outdoor storage)	S
Cleaning and pressing shop (small shop and pickup) (no drive-through or drive-up service)	
Cleaning and pressing shop (small shop and pickup) (with drive-through or drive-up service)	
Cottage industrial	S
Dwelling units located above the ground floor	S
Farm implement or machinery sales, service, repair or storage	S
Farmers market	S
Fitness club, gymnasium, gymnastics, or similar use	P
Food and beverage retail sales	P
Garden home	S
Greenhouse or plant nursery	S
Hotel, full service	S
Live-work dwelling	P
Museum, art gallery (public)	S
Office and medical office use	S
Office/retail/warehouse flex space	S
Pet store, kennel, animal boarding (no outside runs)	S
Private club	S
Repair service, consumer, including bicycles	P

Restaurant or cafeteria (carry out only) (no drive through window or drive P in service)	
Restaurant or cafeteria (indoor service) (no drive through window or drive P in service)	
Restaurant or cafeteria (with drive through window or drive in service)	S
Retail store (no drive-through service)	P
Retail store (with drive through service)	S
Studios, photo, music, art, dance, dojo, health, etc.	P
Tavern/ <u>Bar</u>	S
Upholstery shop	P
Veterinarian (no outside runs)	P
Veterinarian (with outside runs)	S
Winery	S

- (h) Contradictions. Where contradictions exist between the mixed use (~~MU~~) ~~zoning/agrihood~~ overlay district and other zoning districts, requirements outlined in the ~~MU mixed use/agrihood zoning~~ overlay district shall take precedence.

**City Council
Staff Agenda Report**

Agenda Item: 10i.

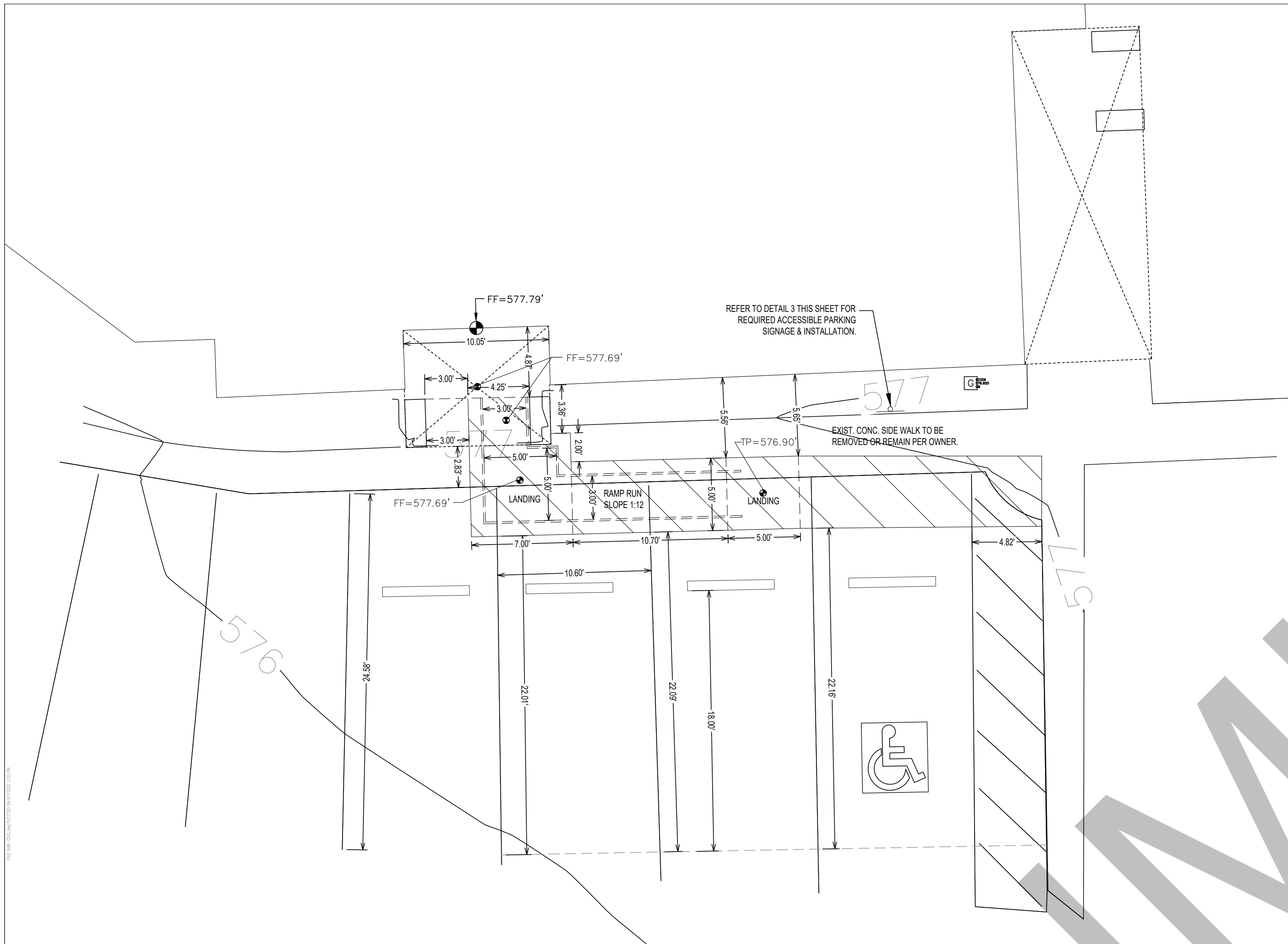
Agenda Subject: Discussion and possible action regarding ADA accessible ramp for the DPS remodel, as well as guidance on bid process for DPS building.

<p>Meeting Date:</p> <p>June 15, 2023</p>	<p>Financial Considerations:</p> <p>Budgeted:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Strategic Vision Pillar:</p> <p><input type="checkbox"/> Financial Stability</p> <p><input checked="" type="checkbox"/> Appearance of City</p> <p><input checked="" type="checkbox"/> Operations Excellence</p> <p><input checked="" type="checkbox"/> Infrastructure Improvements/Upgrade</p> <p><input checked="" type="checkbox"/> Building Positive Image</p> <p><input type="checkbox"/> Economic Development</p> <p><input type="checkbox"/> Educational Excellence</p>
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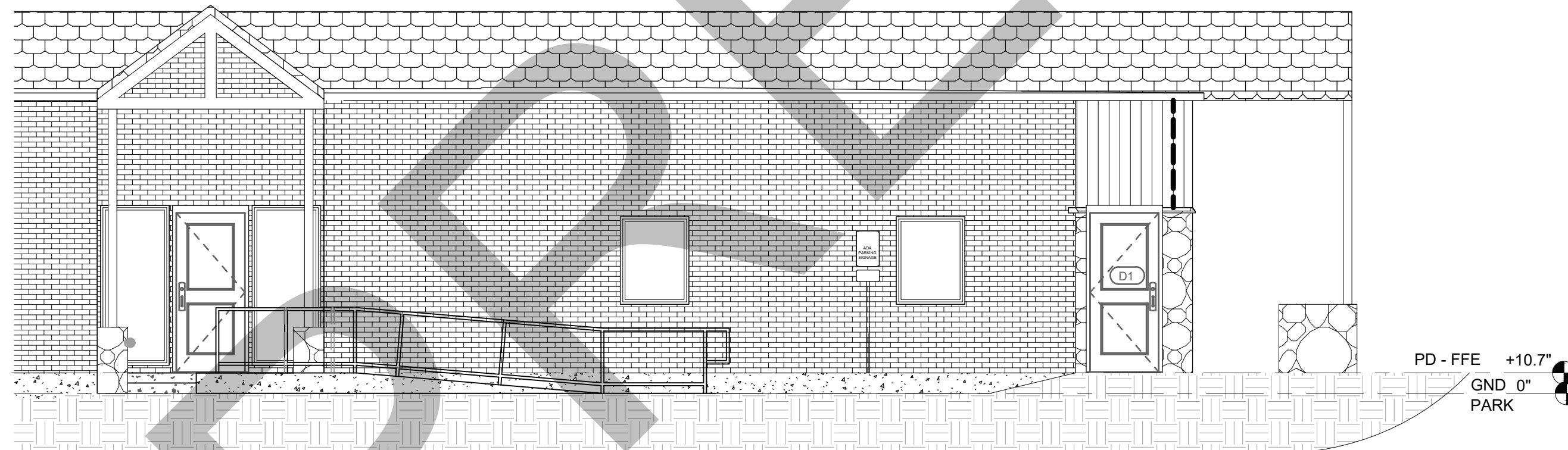
Background Information: AME Engineering completed the diagram/site plane for the ADA accessible ramp for council’s consideration.

Recommended Action/Motion: Motion to approve ADA approved ramp design for the DPS remodel.

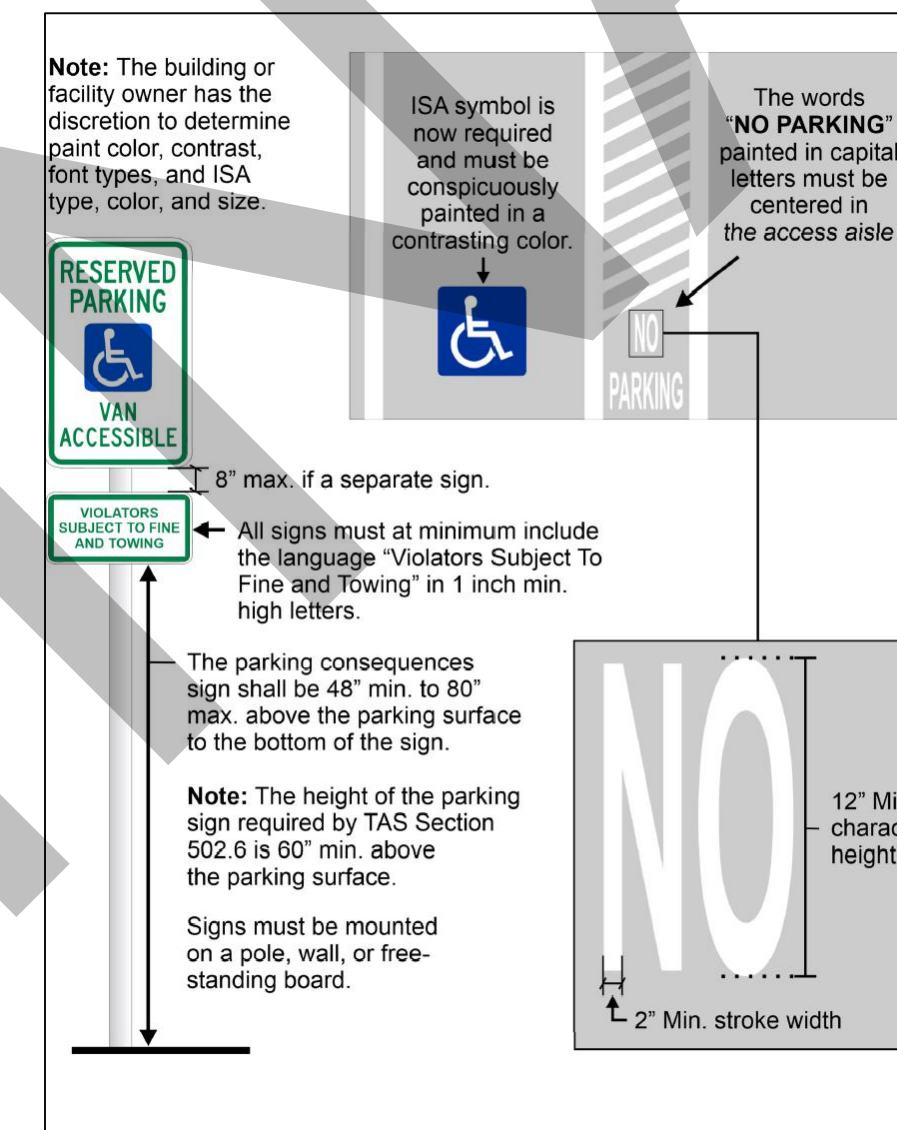
Attachments: Site Plan Ramp Diagram



1 SITE PLAN WITH RAMP LAYOUT



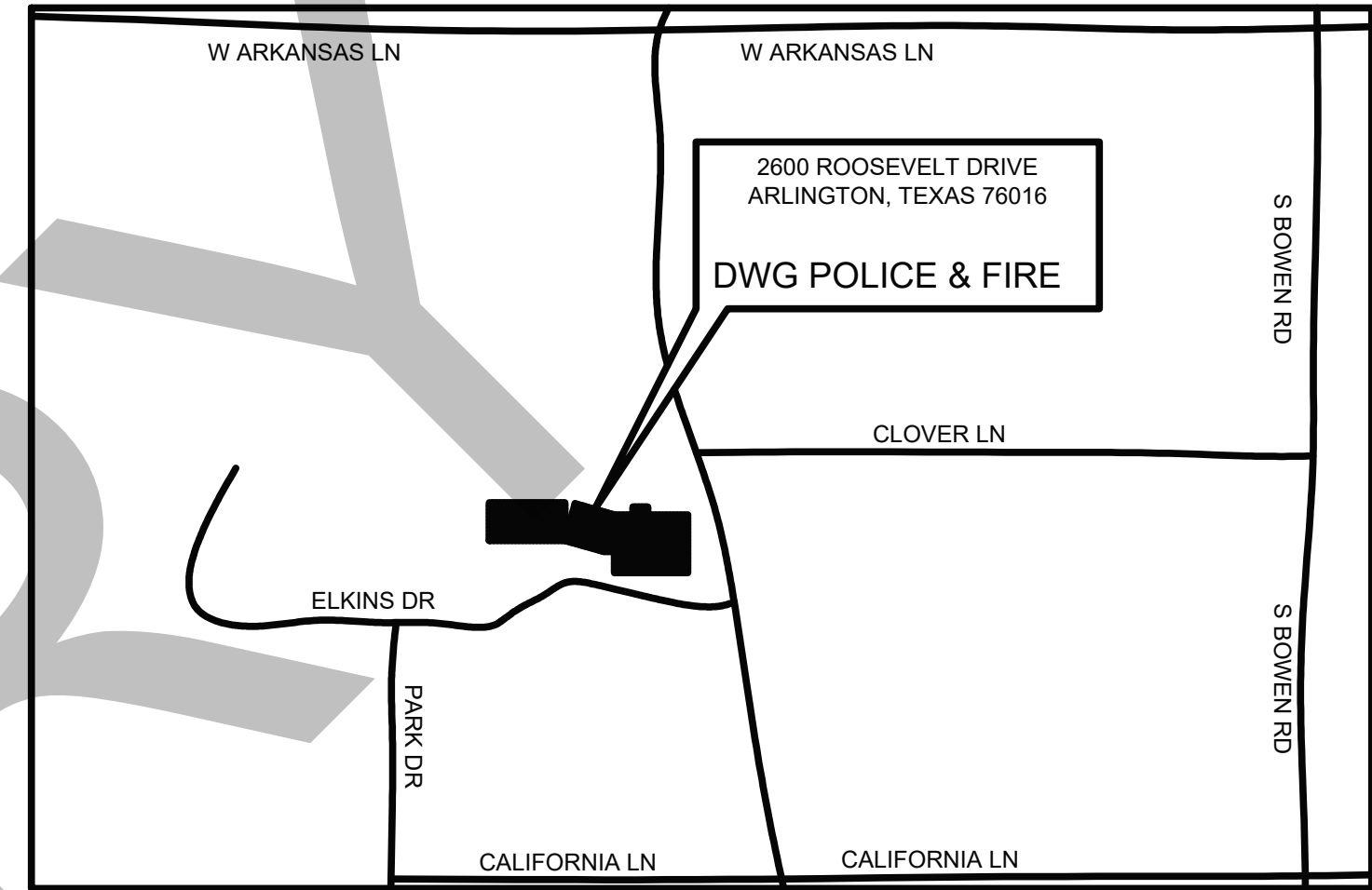
2 POLICE DEPARTMENT FRONT ENTRY RAMP ELEVATION



3 ACCESSIBLE PARKING SIGNAGE DETAIL

NOTES TO CONTRACTOR:

- REFER TO AS-BUILT AND PARTIAL TOPOGRAPHIC SURVEYS PROVIDED BY TEAGUE NALL & PERKINS IN APRIL, 2023, REFERENCE DWG-23154.



VICINITY MAP
NOT TO SCALE

GENERAL DEVELOPMENT NOTES

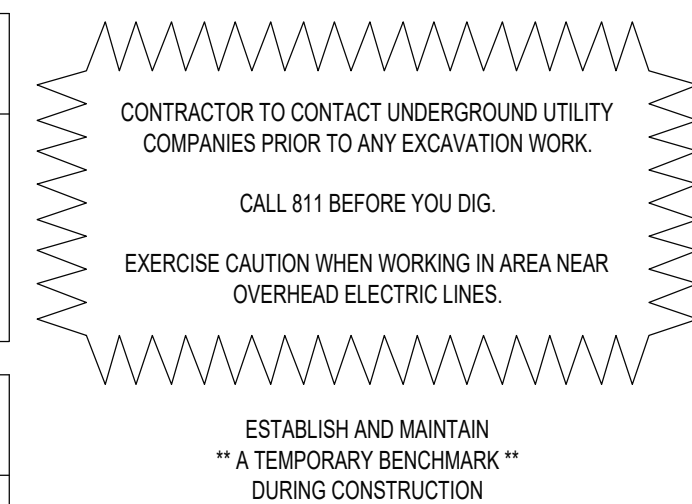
- THE CITY IS TO BE NOTIFIED 24 HOURS PRIOR TO ANY CONSTRUCTION.
- WORK WILL NOT BE ACCEPTED WITHOUT A PERMIT AND INSPECTION OF WORK BY THE CITY (OR ITS DESIGNATED ENGINEERING REPRESENTATIVE).
- NO PERSON SHALL OPEN, TURN OFF, INTERFERE WITH, ATTACH ANY HOSE TO, OR TAP ANY WATER MAIN BELONGING TO THE CITY OR WATER COOPERATIVE UNLESS DULY AUTHORIZED TO DO SO.
- ARRANGEMENTS FOR CONSTRUCTION OF WATER LINES SHALL BE MADE THROUGH THE CITY OR APPLICABLE WATER COOPERATIVE.
- ROUGH GRADING IS TO BE DONE PRIOR TO CONSTRUCTION OF UTILITIES.
- ALL BORES UNDER EXISTING STREETS OR ALLEYS SHALL BE LINED WITH SMOOTH STEEL CARRIER PIPES UNLESS OPEN CUTTING OF THE STREET IS PERMITTED. ENDS OF STEEL CARRIER PIPE TO BE SEALED WITH GROUT OR APPROVED RUBBER BOOT.
- THERE WILL BE NO EXTRA PAY ITEMS FOR PLUGGING EXISTING AND PROPOSED RCPs AND SEWER LINES THAT HAVE BEEN LOCATED AND SHOWN ON THESE PLANS.
- THE CONTRACTOR SHALL ADJUST THE TOPS OF MANHOLES, VALVES, METER BOXES, FIRE HYDRANTS, AND OTHER UTILITY APPURTENANCES FOUND DURING CONSTRUCTION TO FIT THE FINISHED PAVING AND SHOULDERS. THERE WILL BE NO SEPARATE PAY ITEM FOR THIS WORK. THE COST SHALL NOT BE INCLUDED IN THE BID PRICE FOR OTHER ITEMS.
- THE CONTRACTOR SHALL PROTECT ALL EXISTING WATER, SEWER, GAS, TELEPHONE, ETC. UTILITIES. DAMAGED UTILITIES SHALL BE REPLACED OR PAID FOR BY THE CONTRACTOR AT NO EXTRA COST TO THE OWNER.
- THE LOCATION OF EXISTING UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE UNLESS SPECIFICALLY NOTED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE AND VERIFY ON-SITE ANY UTILITIES THAT MAY CONFLICT WITH THE CONSTRUCTION. AT LEAST 48 HOURS PRIOR TO BEGINNING CONSTRUCTION IN THE VICINITY OF EXISTING UNDERGROUND UTILITIES, THE CONTRACTOR SHALL NOTIFY THE APPLICABLE UTILITY OWNER.
- OUTDOOR STORAGE AND REFUSE DISPOSAL SHALL BE LANDSCAPED AND SCREENED FROM VIEW.
- MECHANICAL AND ELECTRICAL EQUIPMENT, INCLUDING AIR CONDITIONING UNITS, SHALL BE DESIGNED, INSTALLED AND OPERATED TO MINIMIZE NOISE AND VISUAL IMPACT ON SURROUNDING PROPERTY. ALL SUCH EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW.
- A SIGN PERMIT MAY BE REQUIRED FOR ANY PROPOSED SIGNS. CONTACT AHJ FOR MORE INFORMATION.

CONTRACTOR RESPONSIBILITIES

CONTRACTOR SHALL REPORT ANY DISCREPANCIES, OMISSIONS OR INCONSISTENCIES ON THE DRAWINGS TO ENGINEER FOR VERIFICATION BEFORE STARTING CONSTRUCTION. OWNER AND ENGINEER ARE NOT RESPONSIBLE FOR ANY ERRORS IN CONSTRUCTION WHERE SUCH DISCREPANCIES, OMISSIONS OR INCONSISTENCIES HAVE NOT BEEN PROPERLY REPORTED IN A TIMELY MANNER.

NOTE TO BIDDER

THE INTENT OF THE DRAWINGS HEREIN IS TO REPRESENT A COMPLETE WORKING SYSTEM. ALL BIDDERS SHALL BE RESPONSIBLE FOR PROVIDING AND INSTALLING ALL COMPONENTS NECESSARY TO PROVIDE A COMPLETE WORKING SYSTEM WHETHER SHOWN OR NOT SHOWN ON THE DRAWINGS.



NOT FOR CONSTRUCTION
PRELIMINARY
DESIGN CONCEPT ONLY

DWG POLICE & FIRE - REMODEL
2600 ROOSEVELT DRIVE
DALWORTHINGTON GARDENS, TEXAS 76016

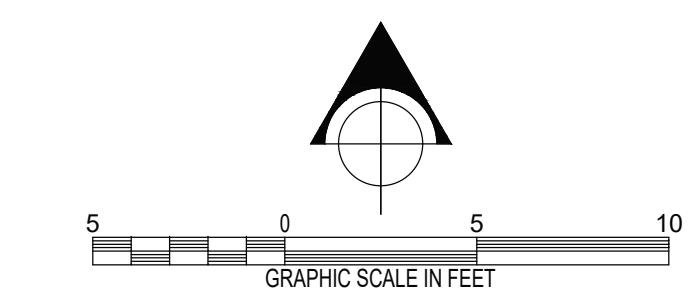
CONTACT NAME	CHEF GREG PETTY
CONTACT COMPANY	DWG POLICE & FIRE
CONTACT PHONE	817-275-1234
ISSUES	
CLIENT REVIEW SET	05/17/2023

SHEET REVISIONS

DESIGNED	JL
CHECKED	JK
IBC	2015
IECC	2015
NEC	2017
SCALE	1" = 5'-0"

SITE PLAN & ADA RAMP DETAILS

PROJECT	A0.1
	1699



**City Council
Staff Agenda Report**

Agenda Item: 10j.

Agenda Subject: Discussion and possible action regarding the addition of a public works employee.		
Meeting Date: June 15, 2023	Financial Considerations: Exact figure unknown at this time but existing budget to be used. No addition to be requested. Budgeted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Strategic Vision Pillar: <input type="checkbox"/> Financial Stability <input checked="" type="checkbox"/> Appearance of City <input checked="" type="checkbox"/> Operations Excellence <input checked="" type="checkbox"/> Infrastructure Improvements/Upgrade <input type="checkbox"/> Building Positive Image <input type="checkbox"/> Economic Development <input type="checkbox"/> Educational Excellence

Background Information: This item was added at the request of the Mayor to discuss the addition of a public works employee. This results from tasks that occasionally are behind and comments received from citizens. Staff is not expecting an approval at this meeting, but would like to begin the conversation in advance of the budget. The goal would be to use existing funds remaining from the departure of the building official for this position. Currently, public works has a director who also works in the field, one full-time employee who is only public works, one full-time employee who is majority public works and also some code enforcement/permitting, and one part-time employee helping with park duties. We would only request funding for what is existing in the budget, not request any additional funding.

Under the current public works director, there have been more tasks done in-house than outsourced. The goal would be to continue that trend where time and resources allow. This will ensure timely completion of tasks and that they are completed to our high city standards. The director has the knowledge and expertise to get city infrastructure on much needed maintenance plans but needs people to do the work.

Examples of projects done in house are excavation and repair of a water line on Roosevelt near Narah Café, bridge construction on Roosevelt, majority of construction in Public Works barn, erosion repair on Corzine Drive, and soon to be pad site and work associated with Park Board storage building.

Recommended Action/Motion: No action necessary, but feedback and questions are helpful to staff.

Attachments: None