



**SUMMARY OF MEETINGS AND ACTIVITIES
MONDAY, JANUARY 3, 2011, THROUGH FRIDAY, JANUARY 7, 2011**

MONDAY, JANUARY 3, 2011

TIME

LOCATION

NO MEETINGS

TUESDAY, JANUARY 4, 2011

D/FW International Airport Board – Executive Compensation Committee	11:30 a.m.	D/FW International Airport Administration Building Board Room, 3200 East Airfield Drive Dallas 75261
D/FW International Airport Board – Retirement/Investment Committee	12:30 p.m.	D/FW International Airport Administration Building Board Room, 3200 East Airfield Drive Dallas 75261
Housing and Economic Development Committee (HEDC)	1:00 p.m.	Pre-Council Chamber
Housing Finance Corporation	Immediately Following the HEDC Meeting	Pre-Council Chamber
D/FW International Airport Board – Operations Committee	1:30 p.m.	D/FW International Airport Administration Building Board Room, 3200 East Airfield Drive Dallas 75261
D/FW International Airport Board – Finance/Audit Committee	2:15 p.m.	D/FW International Airport Administration Building Board Room, 3200 East Airfield Drive Dallas 75261
D/FW International Airport Board – Concessions/Commercial Development Committee	2:45 p.m.	D/FW International Airport Administration Building Board Room, 3200 East Airfield Drive Dallas 75261
Pre-Council Meeting	3:00 p.m.	Pre-Council Chamber
City Council Meeting	7:00 p.m.	Council Chamber

This summary is compiled from data furnished to the Office of the City Secretary by 12:00 noon on December 27, 2010, and may not include all meetings to be conducted during the week of January 3, 2011, through January 7, 2011. It is a summary listing only. See individual agendas which are posted in Compliance with the Texas Open Meetings Law for individual agenda to be considered.



**SUMMARY OF MEETINGS AND ACTIVITIES
MONDAY, JANUARY 3, 2011, THROUGH FRIDAY, JANUARY 7, 2011**

WEDNESDAY, JANUARY 5, 2011

Board of Adjustment – Commercial Work Session	9:00 a.m.	Pre-Council Chamber
Board of Adjustment – Commercial Public Hearing	10:00 a.m.	Council Chamber

THURSDAY, JANUARY 6, 2011

D/FW International Airport Board – Executive Compensation Committee	8:00 a.m.	D/FW International Airport Administration Building Board Room, 3200 East Airfield Drive Dallas 75261
D/FW International Airport Board	9:00 a.m.	D/FW International Airport Administration Building Board Room, 3200 East Airfield Drive Dallas 75261
Downtown Design Review Board Work Session	1:30 p.m.	Pre-Council Chamber
Downtown Design Review Board Public Hearing	2:00 p.m.	Pre-Council Chamber

FRIDAY, JANUARY 7, 2011

City Council Work Session - City Attorney Interviews and Evaluations of Candidates	9:00 a.m.	Pre-Council Chamber
Disciplinary Appeals Board – Special Session - Appeal Hearing Regarding Termination Before Hearing Examiner Don E. Williams	9:00 a.m.	Human Resources Department Conference Room 600 908 Monroe Street
Disciplinary Appeals Board – Special Session - Appeal Hearing Regarding Termination Before Hearing Examiner Don E. Williams	9:00 a.m.	Human Resources Department Conference Room 600 908 Monroe Street

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**HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE MEETING
TUESDAY, JANUARY 4, 2011
1:00 P.M.**

**PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

**FORT WORTH HOUSING FINANCE CORPORATION MEETING
TUESDAY, JANUARY 4, 2011
(IMMEDIATELY FOLLOWING THE HOUSING AND ECONOMIC DEVELOPMENT
COMMITTEE MEETING)**

**PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

**PRE-COUNCIL MEETING
TUESDAY, JANUARY 4, 2011
3:00 P.M.**

**PRE-COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

1. Report of the City Manager - **Tom Higgins, Interim City Manager**
 - a. Changes to the City Council Agenda
 - b. Upcoming and Recent Events
 - c. Organizational Updates and Employee Recognition(s)
 - d. Informal Reports
 - IR 9341: Enterprise Resource Planning (ERP) Project - Phase I Update
 - IR 9342: Proposed Council-Initiated Zoning Changes for Phase Four of the Northside Neighborhood
 - IR 9343: Proposed Council-Initiated Zoning Changes for a Portion of the Stop Six/Poly Oversight Neighborhood
 - IR 9344: Interim Report on Contract for Professional Services for Natural Gas Air Quality Study Final Work Plan with Eastern Research Group, Inc.
 - IR 9345: Cancellation of Temporary Heliport Project
 - IR 9346: City Energy Conservation Program Update
2. Questions Concerning Current Agenda Items - **City Council Members**
 - a. Overview of Significant Zoning Cases - **Dana Burghdoff, Planning and Development**
3. Responses to Items Continued from a Previous Week
 - a. A Resolution Reappointing and Appointing Members to the Fort Worth Transportation Authority Executive Committee (**Continued from December 7, 2010 by Council Member Jordan**)
 - b. ZC-10-120 - AutoZone, Inc., 4331 East Lancaster Avenue; from: "MU-1" Low Intensity Mixed Use to: "PD/MU-1" Planned Development for all uses in "MU-1" Low Intensity Mixed use plus inventory warehouse; site plan included.(COUNCIL DISTRICT 8) (**Continued from November 9, 2010 by Council Member Hicks**)

c. ZC-10-184 - City of Fort Worth Planning and Development: Text Amendment, Near Southside Amendment: An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of the City of Fort Worth, to amend:

- Various sections of the Near Southside Development Standards and Guidelines as provided by Section 4.909D, "Other Development Standards" of Chapter 4, "District Regulations" of Article 9, "Commercial Districts" to revise criteria of Significant Trees and methods of mitigation for removal; to further promote desirable development and to correct inconsistencies;
- To amend the regulations for building height and projecting signs;
- To clarify the application of roof slope standards;
- To provide additional regulations for "N" zones;
- To correct references for established and projecting yards

(COUNCIL DISTRICTS 8 and 9)

(Continued from December 7, 2010 by Council Member Burns)

4. Council Proposal No. 283 - Short Term Loan to the Fort Worth Air and Space Museum Foundation for a Temporary Exhibition - **Council Member Jungus Jordan and Council Member Carter Burdette**
5. ERP Phase I Stabilization Report (IR No. 9341 and M&C C-24677) - **Karen Montgomery, City Manager's Office**
6. Report on Natural Gas Pipelines - **Randle Harwood, Planning and Development, Libby Willis, Fort Worth League of Neighborhoods and Carl Weimer, Pipeline Safety Trust**
7. Update on the Tarrant County 9-1-1 District Budget and Strategic Plan - **Carl Smart, Fire Department and Greg Petrey, Executive Director, Tarrant County 9-1-1**
8. Briefing on Redistricting - **Fernando Costa, City Manager's Office**
9. City Council Requests for Future Agenda Items and/or Reports
10. Executive Session - The City Council may conduct a closed meeting as authorized by Section 551.071 of the Texas Government Code to seek the advice of its attorneys on legal issues regarding any matter listed on today's City Council Agendas

This facility is wheelchair accessible. For accommodations or sign interpretive services, please call the City Manager's Office at 817-392-6143, 48 hours in advance.

**NOTICE OF SPECIAL SESSION
(PRE-COUNCIL CHAMBER, CITY HALL)
Tuesday, January 4, 2011**

NOTICE OF SPECIAL MEETING

Notice is hereby given that the City Council of the City of Fort Worth will hold a special meeting in the Pre-Council Chamber of the Fort Worth City Hall, 1000 Throckmorton, Fort Worth, Texas, on Tuesday, January 4, 2011 to consider the items on the agenda listed below. The special meeting will be held immediately after the Pre-Council meeting that begins at 3:00 P.M. in the Pre-Council Chamber at City Hall and before the regular City Council meeting that begins at 7:00 P.M. in the Council Chamber at City Hall.

I. CALL TO ORDER

II. EXECUTIVE SESSION

The City Council will conduct a closed meeting in order to:

1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules and as authorized by Section 551.071 of the Texas Government Code:

- (a) Karen Freeto, Individually, as Independent Administrator of the Estate of Dwayne Freeto, and as Next Friend of Jenna Freeto and Jordin Freeto, minors, Carl Freeto, and Linda Freeto v. Ford Motor Company and Samuel Hillburn, Cause No. 348-233429-08.; and
- (b) Legal issues related to the claims of Chad Gibson and George Armstrong; and
- (c) Legal issues regarding ownership of mineral rights; and
- (d) Legal issues related to the Fort Worth Botanical Garden; and
- (e) Legal issues concerning any item listed on today's City Council meeting agendas; and

2. Deliberate the purchase, exchange, lease, or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and

3. Deliberate economic development negotiations as authorized by Section 551.087 of the Texas Government Code; and

4. Deliberate the deployment, or specific occasions for implementation, of security personnel or devices, in accordance with Section 551.076 of the Texas Government Code.

5. Deliberate issues concerning the appointment of a City Attorney in accordance with Section 551.074 of the Texas Government Code.

III. ADJOURN

**CITY COUNCIL AGENDA
FOR THE MEETING AT 7:00 P.M. TUESDAY, JANUARY 04, 2011
CITY COUNCIL CHAMBER, CITY HALL
1000 THROCKMORTON STREET, FORT WORTH, TEXAS**

I. CALL TO ORDER

II. INVOCATION - Dr. Fritz Ritsch, Saint Stephen Presbyterian Church

III. PLEDGE OF ALLEGIANCE

**IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF
DECEMBER 14, 2010**

V. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

VI. ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

VII. CONSENT AGENDA

Items on the Consent Agenda require little or no deliberation by the City Council. Approval of the Consent Agenda authorizes the City Manager, or his designee, to implement each item in accordance with staff recommendations.

A. General - Consent Items

1. [M&C G-17163](#) - Approve the Appointment of Veronica Zerpa to the Capital Improvements Advisory Committee for Transportation Impact Fees
2. [M&C G-17164](#) - Authorize Payment of the City of Fort Worth's Assessed Pro Rata Allocation of the Denton County Appraisal District's Budget for January through December 2011 for an Amount Up to \$67,923.80
3. [M&C G-17165](#) - Authorize the Purchase of Excess Workers Compensation Insurance Policy for 2011 from Star National Insurance Company through McGriff, Seibels and Williams of Texas, Inc., in the Amount of \$399,180.00
4. [M&C G-17166](#) - Authorize Continuation of the Military Pay Supplement Benefit and Military Leave Fund Policy Until December 31, 2011
5. [M&C G-17167](#) - Adopt a Resolution Nominating RadioShack Corporation as an Enterprise Project Pursuant to the Texas Enterprise Zone Act, Chapter 2303 of the Texas Government Code and Repealing Resolution No. 3912-08-2010 (COUNCIL DISTRICT 2)
6. [M&C G-17168](#) - Adopt Appropriation Ordinance and Authorize the Transfer of Funds for Contract Renewal with Enercon Services, Inc., City Secretary Contract No. 39673, in the Amount of \$400,000.00 for Environmental and Engineering Consulting Services (ALL COUNCIL DISTRICTS)
7. [M&C G-17169](#) - Authorize Payment to TxDOT in an Amount Not

to Exceed \$300,163.96 for Construction Adjustment on Lancaster Avenue from Henderson Street to Jones Street, and Transfer to Parks and Community Services General Fund in the Amount of \$19,252.14 for Irrigation Repairs Made on Behalf of this Project and Adopt Appropriation Ordinances (COUNCIL DISTRICT 9)

8. [M&C G-17170](#) - Adopt an Ordinance Amending Chapter 27 of the Code of the City of Fort Worth, Texas (1986) Providing for the Payment of Shift Differential for Certain Police Officer Positions

B. Purchase of Equipment, Materials, and Services - Consent Items

1. [M&C P-11189](#) - Authorize the Purchase of Three Pieces of Portable Chemical Analysis Equipment and a One-Year Support and Service Package for the Fire Department from Federal Resources Supply Company Using a General Services Administration Contract for an Amount of \$171,506.47 from Federal Grant Funds
2. [M&C P-11190](#) - Authorize the Purchase of Two PatrolSim IV Driving Simulators, Software, and Related Services for the Police Department from MPRI, a Division of L-3 Services, Inc., Using a General Services Administration Contract for a Total Amount of \$196,500.00

C. Land - Consent Items

1. [M&C L-15121](#) - Authorize the Acceptance of a Dedication Deed from Russell and Shelia Emerson, at No Cost to the City of Fort Worth for 0.001 Acres of Land for the Right-of-Way Required for the Widening of Old Decatur Road from Bailey-Boswell Road to W J Boaz Road (COUNCIL DISTRICT 7)
2. [M&C L-15122](#) - Authorize the Acceptance of a Dedication Deed from Eagle Mountain-Saginaw Independent School District, at No Cost to the City of Fort Worth for 0.027 Acres of Land for the Right-of-Way Required for the Widening of Old Decatur Road from Bailey-Boswell Road to W J Boaz Road (COUNCIL DISTRICT 7)
3. [M&C L-15123](#) - Accept the Dedication of Approximately 19.98 Acres of Unimproved Parkland from Forestar (USA) Real Estate Group, Inc., for Kingsridge Park (COUNCIL DISTRICT 2)
4. [M&C L-15124](#) - Accept the Dedication of Approximately 4.5825 Acres of Unimproved Parkland from St. Augustine Apartments II, LLC, as an Addition to Arcadia Trail Park North (COUNCIL DISTRICT 2)

D. Planning & Zoning - Consent Items

1. [M&C PZ-2920](#) - Adopt an Ordinance Vacating a Portion of Saba Drive, Maui Drive, Thunder Bay Drive and Granada Drive in Waterfront at Enchanted Bay (COUNCIL DISTRICT 5)
2. [M&C PZ-2921](#) - Authorize the City Manager to Initiate Rezoning of Certain Properties in Phase Four of the Northside Neighborhood in Accordance with the Comprehensive Plan (COUNCIL DISTRICT 2)
3. [M&C PZ-2922](#) - Authorize an Application for the Rezoning of Certain Properties in a Portion of the Stop 6/Poly Oversight Neighborhood in Accordance with the Comprehensive Plan (COUNCIL DISTRICT 5)

E. Award of Contract - Consent Items

1. [M&C C-24667](#) - Adopt a Resolution Authorizing an Increase of \$10,000.00 to the Maximum Amount to Be Paid to Lowell Denton of Denton, Navarro, Rocha and Bernal, P.C., to Assist the City in Public Safety Labor Negotiation Issues
2. [M&C C-24668](#) - Authorize Professional Services Agreement with Horizon Health Corporation to Provide the City of Fort Worth Employee Assistance Program at an Initial Annual Cost of \$90,000.00
3. [M&C C-24669](#) - Authorize the Expenditure of \$412,750.00 in Community Development Block Grant - Recovery Funds to New Star Grading & Paving Company for the Sidewalk Infrastructure Project PHASE II and the Execution of a Contract (ALL COUNCIL DISTRICTS)
4. [M&C C-24670](#) - Authorize an Engineering Agreement in the Amount of \$128,957.00 with Dunaway Associates, L.P., for the Wesleyan Hills Drainage Improvements Project (COUNCIL DISTRICT 8)
5. [M&C C-24671](#) - Authorize the Execution of an Interlocal Agreement with Tarrant County to Conduct Auto Theft and Burglary of Motor Vehicle Investigations Through Participation in the Tarrant Regional Auto Crimes Task Force, Accept \$1,078,815.12 from the Tarrant County Regional Auto Crimes Task Force Grant, Authorize \$240,370.79 in Matching Funds and Adopt Appropriation Ordinance
6. [M&C C-24672](#) - Authorize the Ratification and Execution of an Agreement with the Safe City Commission, Inc., to Operate a Crime Stoppers Call Center for \$75,000.00
7. [M&C C-24673](#) - Authorize a Contract in the Amount of \$655,823.50 with Jay Mills Contracting, Inc., for Taxilane, Roadway and Lighting Improvements at Fort Worth Spinks Airport and Adopt Appropriation Ordinance in the Amount of \$721,405.85 for Taxilane, Roadway and Lighting Improvements at Fort Worth Spinks Airport (COUNCIL DISTRICT 8)

8. [M&C C-24674](#) - Authorize Amendment No. 1 to City Secretary Contract No. 40274, a Community Facilities Agreement with Steel Crafters, Inc., to Add City Participation in the Amount of \$48,353.77 for Construction of Twelve Inch Water Main to Serve Adams Industrial Park
9. [M&C C-24675](#) - Authorize Change Order No. 2 in the Amount of \$312,705.00 to City Secretary Contract No. 39655 with Ark Contracting Services, LLC, for the Village Creek Reclaimed Water Eastern Delivery System Pump Station No. 1, Located at the Village Creek Wastewater Treatment Plant (COUNCIL DISTRICT 5)
10. [M&C C-24676](#) - Authorize Amendment No. 4 in the Amount of \$91,940.00 to City Secretary Contract No. 37547 with Alan Plummer Associates, Inc., for the Design of the Village Creek Reclaimed Water Delivery System (COUNCIL DISTRICT 5)

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. OCS - 1799 - Notice of Claims for Alleged Damages and/or Injuries

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation of Proclamation for North Texas Aviation Centennial Celebration
2. Presentation of Certificates of Recognition to Former Board and Commission Members

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events
2. Recognition of Citizens

XI. PRESENTATIONS BY THE CITY COUNCIL

1. Changes in Membership on Boards and Commissions
2. Council Proposal No. 283 - Short Term Loan to the Fort Worth Air and Space Museum Foundation for a Temporary Exhibition

XII. PRESENTATIONS AND/OR COMMUNICATIONS FROM BOARDS, COMMISSIONS AND/OR CITY COUNCIL COMMITTEES

XIII. RESOLUTIONS

1. A Resolution Reappointing and Appointing Members to the Fort Worth Transportation Authority Executive Committee (**Continued from December 7, 2010**)
2. A Resolution Authorizing Dallas-Fort Worth International Airport to Apply for an Amendment to Texas Commission on Environmental Quality Water Use Permit Number 3800B on Behalf of the City of Fort Worth

XIV. REPORT OF THE CITY MANAGER

A. Benefit Hearing - None

B. General

1. [M&C G-17171](#) - Adopt Supplemental Appropriation Ordinance for Fiscal Year 2011 for Rollover Encumbrances

2. [M&C G-17172](#) - Adopt Appropriation Ordinance Increasing Appropriations in the Airports Gas Lease Project Fund in the Amount of \$3,000,000.00 and Authorize Transfer of \$3,000,000.00 from the Airports Gas Lease Project Fund to the General Fund for the Purpose of Reimbursing the City for a Portion of the Prior Six Years of Aircraft Rescue and Firefighting Services from Alliance Fire Station 35 and Meacham Fire Station 44
3. [M&C G-17173](#) - Authorize Payment of the City of Fort Worth's Assessed Pro Rata Allocation of the Tarrant Appraisal District's Budget for January through December 2011 for an Amount Up to \$2,126,723.42
4. [M&C G-17174](#) - Authority to Use Eminent-Domain Proceedings in the Acquisition of Property for the Main Line and Connector Tract for the Alliance Airport Runway Extension Project (COUNCIL DISTRICT 2)
5. [M&C G-17175](#) - Approve the Parks and Community Services Department's Fiscal Year 2011 Gas Related Revenue Project Expenditure Plan in the Amount of \$2,771,089.12 and Adopt Appropriation Ordinance

C. Purchase of Equipment, Materials, and Services

1. [M&C P-11191](#) - Authorize a Purchase from Dell Marketing, L.P., for Storage Area Network Hardware, Software Licensing and Professional Services Using the State of Texas Department of Information Resources Contract Number DIR-SDD-890, for an Initial Amount of \$578,572.42

D. Land - None

E. Planning & Zoning - None

F. Award of Contract

1. [M&C C-24677](#) - Ratify Contract Amendment No. 8 to City Secretary Contract No. 37974 with eVerge Group of Texas, Ltd., to Provide Assistance in Processing Paycheck Corrections for Police in an Amount Not to Exceed \$49,815.00 and Authorize Contract Amendment No. 9 to City Secretary Contract No. 37974 with eVerge Group of Texas, Ltd., and Contract Amendment No. 3 to City Secretary Contract No. 37970 with Salvaggio, Teal and Associates for Continued Support of the City's PeopleSoft System for Human Resources and Payroll in Amounts Not to Exceed \$1,622,400.00 for eVerge Group of Texas, Ltd., Amendment No. 9 and \$174,720.00 for Salvaggio, Teal and Associates Amendment No. 3 and Adopt Appropriation Ordinances
2. [M&C C-24678](#) - Authorize a Contract in the Amount of

\$1,793,000.00 with Archer Western Contractors, Ltd., for the Village Creek Reclaimed Water Quality Improvements Located at the Village Creek Wastewater Treatment Plant (COUNCIL DISTRICT 5)

3. [M&C C-24679](#) - Rescind M&C C-24540, Authorize a Contract in the Amount of \$1,107,520.00 with Utilitex Construction, LLP, for Sanitary Sewer Rehabilitation Contract LXV, Part 1, on North Sylvania Avenue, Stratford Park Drive and Brentwood Stair Road and Adopt Appropriation Ordinance (COUNCIL DISTRICTS 2, 4 and 8)

XV. ZONING HEARING

1. **Zoning Docket No. ZC-10-120 - (CD 8)** - AutoZone, Inc., 4331 East Lancaster Avenue; from: "MU-1" Low Intensity Mixed Use to: "PD/MU-1" Planned Development for all uses in "MU-1" Low Intensity Mixed use plus inventory warehouse; site plan included. **(Recommended for Denial) (Continued from a Previous Meeting)**
2. **Zoning Docket No. ZC-10-133 - (CD 5)** - S. J. Thornhill Partnership, 12000 block of Trinity Boulevard; from: "E" Neighborhood Commercial and "PD-778" Planned Development for Townhouse/Cluster Residential with the following criteria:
 - Masonry: all dwelling structures located along and visible from the Texas Star Golf Course will have effectively 100% rear masonry, and 90% masonry on the ground floor of all structures, excluding windows, doors and small areas not designed or engineered for masonry;
 - Fencing: will be constructed of tubular steel fencing material and installed along the common property boundary lines contiguous with the subject property and Texas Star Golf Course. Fencing will not be less than 6 ft in height, and shall be painted black and brown in accordance with customary industry standards;
 - Minimum Square Footage: dwelling units in the various structures (individual pods) will have a minimum size of 1,250 sq. ft. of living area, excluding garage, porches, and patios, the 1,250 sq. ft. units will be limited to a maximum of one such unit per lot, all other units will have a minimum size of 1,450 sq. ft of living area, excluding garage, porches, and patios;
 - Garages: all dwelling units will have two car, front entry garages, and
 - Maximum Dwelling Units per Structure: no individual dwelling units will exceed a maximum of six attached dwelling units; site plan waived

to: Amend "PD-778" to amend standards as indicated and to add additional property:

- Setback: To include a minimum and maximum front yard setback of 10 to 30 feet, with the setback not to project; site plan waiver recommended.

(Recommended for Approval)

3. **Zoning Docket No. ZC-10-178 - (CD 7)** - Great Dane Holdings, LLC, 4621 Geddes Avenue; from: "B" Two-Family to: "PD/E" Planned Development for all uses in "E" Neighborhood Commercial, excepting certain uses; site plan required. **(Recommended for Approval)**
4. **Zoning Docket No. SP-10-009 - (CD 7)** - Great Dane Holdings, LLC, 4605 - 4621 Geddes Avenue and 4616 Diaz Avenue; Site Plan for "PD-805" Planned Development for E uses excepting certain uses. **(Recommended for Approval as Amended for an 8 ft. fence along the entire western property line with masonry columns every 20 ft., and the allowance of parking adjacent to the southern driveway as indicated on the site plan)**
5. **Zoning Docket No. ZC-10-180 - (CD 2)** - City of Fort Worth Planning & Development, Generally bounded by Old Denton Road, High School Drive, Alta Vista Road, and Golden Triangle Boulevard; from: Unzoned to: "A-43" One-Family, "A-10" One-Family, "MH" Manufactured Housing, "CF" Community Facilities, "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial, "FR" General Commercial Restricted, "I" Light Industrial, and "PD/SU" Planned Development/Specific Use (11855 Alta Vista uses are warehouse, outdoor storage, greenhouse, showroom, retail sales, office, and up to 15 temporary portable storage containers not to exceed six months use in a 12 month period; 11865 Alta Vista uses are landscaping and construction contractor yard, greenhouse/nursery with plant sales, pest elimination services, and beauty salon); site plan waiver recommended. **(Recommended for Approval as Amended to A-10 single-family for 11545, 11555, 11565, 11575, 11585 Alta Vista)**
6. **Zoning Docket No. ZC-10-184 - (CD 8, CD 9)** - City of Fort Worth Planning & Development: Text Amendment, Near Southside Amendment: An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of the City of Fort Worth, to amend:
 - Various sections of the Near Southside Development Standards and Guidelines as provided by Section 4.909D, "Other Development Standards" of Chapter 4, "District Regulations" of Article 9, "Commercial Districts" to revise criteria of Significant Trees and methods of mitigation for removal; to further promote desirable development and to correct inconsistencies;
 - To amend the regulations for building height and projecting signs;
 - To clarify the application of roof slope standards;
 - To provide additional regulations for "N" zones;
 - To correct references for established and projecting yards

(Recommended for Approval) (Continued from a Previous Meeting)

7. **Zoning Docket No. ZC-10-187 - (CD 5)** - Reginald Wilson,

4503 Mansfield Highway; from: "E" Neighborhood Commercial to: "FR" General Commercial Restricted (**Recommended for Approval**)

8. **Zoning Docket No. ZC-10-188 - (CD 2)** - City of Fort Worth Planning & Development, Northside Neighborhood, Phase 2 Generally bounded by McKinley Avenue, NW 28th Street, Lincoln Avenue, and Park Street; from: "A-5" One-Family, "B" Two-Family, "B/HC" Two-Family/Historic & Cultural Overlay, "CR" Low Density Multifamily, "C" Medium Density Multifamily, "C/DD" Medium Density Multifamily/Demolition Delay, "D" High Density Multifamily, "CF" Community Facilities, "E" Neighborhood Commercial, "E/DD" Neighborhood Commercial/Demolition Delay, "FR" General Commercial Restricted, "F" General Commercial, "I" Light Industrial, "I/DD" Light Industrial/Demolition Delay, and "PD" Planned Developments 39, and 777 to: "A-5" One-Family, "A-5/HC" One-Family/Historic & Cultural Overlay, "A-5/DD" One-Family/Demolition Delay, "B" Two-Family, "CR" Low Density Multifamily, "CF" Community Facilities, "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial, and "FR" General Commercial Restricted (**Recommended for Approval**)
9. **Zoning Docket No. ZC-10-189 - (CD 7)** - City of Fort Worth Public Events, Will Rogers Area Generally bounded by Montgomery Street, Camp Bowie Boulevard, University Drive, and Harley Avenue; from: "A-5" One-Family, "A-5/DD" One-Family/Demolition Delay, "CF" Community Facilities, "C" Medium Density Multifamily, "E" Neighborhood Commercial, "J" Medium Industrial, and "K" Heavy Industrial to: "PD/CF" Planned Development for all uses in "CF" Community Facilities plus alcohol sales, "PD/CF/DD" Planned Development for all uses in "CF" Community Facilities plus alcohol sales and retaining Demolition Delay, "PD/I" Planned Development for all uses in Light Industrial, including certain uses and excluding certain uses, and "PD/I/DD" Planned Development for all uses in Light Industrial, including certain uses and excluding certain uses and retaining Demolition Delay, with development standards; site plan waiver recommended. (**Recommended for Approval**)
10. **Zoning Docket No. ZC-10-191 - (CD 7)** - City of Fort Worth Planning and Development: Text Amendment, Boat Dock Standards: An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of the Fort Worth, to amend:
 - Article 3, "Accessory Uses" of Chapter 5, "Supplemental Use Standards" to add a new section, Section 5.308, "Docks, Piers, and Boat Houses"; to regulate residential docks and boat houses; and
 - To Amend Chapter 9, "Definitions" to add new definitions related to Docks, Piers, and Boat Houses

(Recommended for Approval as Amended)

XVI. CITIZEN PRESENTATIONS

1. Joe Don Brandon, P.O. Box 1155 - "Woman's Presbyterian Night Shelter Needs (\$50.00 Bunk Rent)"

XVII. EXECUTIVE SESSION (PRE-COUNCIL CHAMBER)

XVIII. ADJOURNMENT

According to the City Council Rules of Procedures, individual citizen presentations shall be limited to three minutes, and group presentations shall be limited to ten minutes. The Mayor, at his discretion, may reasonably extend these limits.

This facility is wheelchair accessible. For accommodations or sign interpretive services, please call the City Manager's Office at 817-392-6143, 48 hours in advance.



CITY OF FORT WORTH
CITY COUNCIL

HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE

AGENDA

Tuesday, January 4, 2011

1:00 P.M

City Hall, Pre-Council Chamber, Second Floor
1000 Throckmorton Street, Fort Worth, Texas 76102

Housing and Economic Development Committee Members

Jungus Jordan, Chair	Sal Espino, Council Member	Frank Moss, Council Member
Carter Burdette, Vice-Chair	Kathleen Hicks, Council Member	Danny Scarth, Mayor Pro Tem
Joel Burns, Council Member	Mike Moncrief, Mayor	Zim Zimmerman, Council Member

Staff Liaison – Susan Alanis, Assistant City Manager

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1. **Call to Order** - Jungus Jordan, Chair
 2. **Approval of Minutes from the Meeting held on December 7, 2010** – Chairman Jordan
 3. **Executive Session** - The Housing and Economic Development Committee will conduct a closed meeting to:
 - A. Seek the advice of its attorneys concerning any current agenda items that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by section 551.071 of the Texas Government Code;
 - B. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and

C. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.

4. **Presentation Regarding a Proposed Community Facility in the Evans and Rosedale Urban Village** – Jay Chapa, Director of Housing and Economic Development
5. **Requests for Future Agenda Items** – Chairman Jordan
6. **Date of Next Regular Meeting:** February 1, 2011- Chairman Jordan
7. **Adjourn** - Chairman Jordan

This facility is wheelchair accessible. For accommodations or sign interpretation services, please call the Housing and Economic Development Department 48 hours in advance at 817-392-7316.

**CITY OF FORT WORTH
CITY COUNCIL
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
DECEMBER 7, 2010**

Present:

Committee Member Jungus Jordan, Chairman
Committee Member Carter Burdette, Vice Chairman
Committee Member Mike Moncrief
Committee Member Salvador Espino
Committee Member W. B. "Zim" Zimmerman
Committee Member Danny Scarth
Committee Member Frank Moss
Committee Member Joel Burns (left at 2:34 p.m.)

Absent:

Committee Member Kathleen Hicks

City Staff:

Susan Alanis, Assistant City Manager
Peter Vaky, Assistant City Attorney
Marty Hendrix, City Secretary
Jay Chapa, Director of Housing and Economic Development Department
Cynthia Garcia, Assistant Director, Housing and Economic Development Department
Robert Sturns, Manager, Housing and Economic Development Department

Other City Staff in Attendance:

Tom Higgins, Deputy City Manager
Fernando Costa, Assistant City Manager
Randall Harwood, Director of Planning and Development Department
Mark Rauscher, Senior Capital Projects Officer, Planning and Development Department
Vicki Ganske, Senior Assistant City Attorney, Law Department
Mark Folden, Development Project Coordinator (CDBG), Housing and Economic Development Department
Ryan Haden, Development Project Coordinator (HOME), Housing and Economic Development Department
Avis Chaisson, Development Project Coordinator (HOME), Housing and Economic Development Department

With a quorum of the committee members present, Chairman Jungus Jordan called the regular meeting of the Housing and Economic Committee to order at 1:35 p.m., on Tuesday,

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December 7, 2010, in the Pre-Council Chamber of the Fort Worth Municipal Building, 1000 Throckmorton Street, Fort Worth, Texas 76102.

**Approval of Minutes of the
September 14, 2010, Housing and
Economic Development Committee**

(Agenda Item 2)

Chairman Jordan opened the floor for a motion on the approval of the minutes.

MOTION: Upon a motion made by Committee Member Scarth and seconded by Committee Member Zimmerman, the Committee Members voted eight (8) “ayes” and zero (0) “nays”, with Committee Member Hicks absent, to approve the minutes of the September 14, 2010, Housing and Economic Development Committee meeting. The motion carried unanimously.

Written Reports

(Agenda Item 3)

Chairman Jordan opened the floor for questions and/or comments on the following written reports:

Update on Tax Foreclosed Property

Mr. Jay Chapa, Director of Housing and Economic Development Department, distributed to the committee members the written report on the update of the tax foreclosed property and spoke before the committee on the report. Committee Member Espino requested a clarification on certain information on the memo, which was provided by Mr. Chapa.

Committee Member Moss also expressed concern for the properties in his district that were commercial and industrial properties that showed up on the tax foreclosed property list and stated that he wanted to be notified about them before they were put out for bids.

Committee Member Burns interjected that this review request was probably true for all of the City Council Members.

TECH Fort Worth Annual Report

There was no discussion on the TECH Fort Worth Annual Report

These reports were received as a matter of information.

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Written Reports (cont'd)

(Agenda Item 3)

Chairman Jordan acknowledged receipt and filing of these reports.

Chairman Jordan adjourned the regular meeting of the Housing and Economic Development Committee into Executive Session at 1:37 p.m. in accordance with the requirements of the Texas Open Meeting Act.

Executive Session

(Agenda Item 4)

Chairman Jordan called to order the Executive Session at 1:37 p.m. in order to discuss the following items:

- A. Seek the advice of its attorneys concerning the following items that were exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code: (i) legal issues related to any current agenda items;
- B. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and,
- C. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.

Chairman Jordan adjourned the Executive Session at 1:52 p.m.

Chairman Jordan reconvened the regular session of the Housing and Economic Development Committee at 1:52 p.m.

**Presentation on Proposed Tax Abatement
Agreement on Texas Refinery Corporation**

(Agenda Item 5)

Mr. Robert Sturns, Manager of the Housing and Economic Development Department, spoke before the committee on the proposed Tax Abatement Agreement on Texas Refinery Corporation.

**Presentation on Proposed Tax Abatement
Agreement on Texas Refinery Corporation (cont'd)**

(Agenda Item 5)

Mr. Sturns presented the following background information on the Texas Refinery Corporation:

- Began in Fort Worth as Panther Grease Manufacturing Company in 1922
- Leader in developing and producing greases, motor oils, hydraulic oils and fluids, fuel treatment systems, transmission fluids and gear lubricants
- Site was being purchased and company must relocate due to the Trinity River Vision Project
- Moving from an existing site on 840 N. Main to an existing location at 600 N. Beach

Mr. Sturns showed a slide indicating the current location and the new location at 840 N. Main and discussed the need for incentives as follows:

- Company was eligible for abatement under the Relocation Tax Abatement Policy
- Site for relocation sat on the boundary between Area 1 and Area 2 abatement
 - Area 1 provided eight-year, 75% tax abatement, fee waivers
 - Area 2 provided four-year, 50% tax abatement, fee waivers
- Significant costs to relocate the company due to the age/type of equipment
- Company was willing to make commitments to Fort Worth companies and Fort Worth employment for an incentive equal to Area 1 under the Relocation Policy

Mr. Sturns reviewed the Texas Refinery Company's commitment as follows:

- Invest at least \$3,500,000 in real property improvements and \$7,750,000 in personal property improvements by June 30, 2012
- Spend a minimum of \$2,800,000 of construction costs with Fort Worth companies
- Spend a minimum of \$875,000 with Fort Worth Minority/Women Owned Business Enterprise companies
- Minimum of 30 full-time employees
- Greater of 65% or 19 of the FTEs with Fort Worth residents
- Greater of 25% or eight (8) of the FTEs with Fort Worth Central City residents
- Spend the greater of 80% or \$25,600 of annual discretionary service and supply expenditures with contractors that were Fort Worth contractors
- Spend the greater of 40% or \$12,800 of annual discretionary service and supply expenditures with contractors that were Certified Fort Worth M/WBE contractors

Mr. Sturns then explained the City's commitment as follows:

**Presentation on Proposed Tax Abatement
Agreement on Texas Refinery Corporation (cont'd)**

(Agenda Item 5)

- Enter into an 8-year, 75% tax abatement agreement with Texas Refinery Corporation on the incremental value of the real property improvements and business personal property investment
- Waive the following fees: (i) all building permit, plan review, inspection, and re-inspection fees; (ii) all zoning fees; (iii) all temporary encroachment fees; (iv) all platting fees; and (v) all fire, sprinkler, and alarm permit fees

Mr. Sturns showed a chart breaking down the Texas Refinery Commitment:

Texas Refinery Commitment	Potential Annual Grant (Eight Year Term)
Real & Personal Property Investment	25%
Construction Commitments (80% FW)	15%
Construction Commitment (25% FW MWBE)	10%
Overall Employment (30 FTE)	5%
Employment of Fort Worth Residents (65%)	5%
Employment of FW Central City Residents (25%)	5%
Annual Supply & Service (80% FW)	5%
Annual Supply & Service (40% of FW MWBE)	5%
TOTAL	75%

Mr. Sturns concluded his presentation with the following recommendation/next steps:

- Mayor and Council Communication (M&C) creating the reinvestment zone to be scheduled for Council's consideration on December 14, 2010
- M&C for consideration of tax abatement agreement on December 14, 2010

Chairman Jordan opened the floor for questions and/or comments.

Committee Member Scarth pointed out that the City entered into economic development agreements from time to time when they created tax value. He added in this particular case the City was essentially participating in a process where this company was being forced to move from their existing site due to the threat of condemnation. He indicated that he felt a particular reason to be cooperative with this sort of incentive plan beside the fact that it was going to do some redevelopment on a piece of property that had sat fairly stagnate for a number of years there on North Beach.

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**Presentation on Proposed Tax Abatement
Agreement on Texas Refinery Corporation (cont'd)**

(Agenda Item 5)

Committee Moncrief stated that the City had a long-time family here with Mr. Aggie Pate and those that had survived him have been team players with the City and were now finding themselves being displaced from their property for a project of the City's making. He added he felt this effort needed to be supported, especially with a 20 to 1 return on investment. He stated that it made sense to him.

It was the consensus of the committee to move forward to the full City Council with this recommendation as presented.

This concluded the presentation and discussion on this agenda item.

**Presentation Regarding Recommendations
for Proposed HOME Projects**

(Agenda Item 6)

Ms. Cynthia Garcia, Assistant Director, Housing and Economic Development Department, spoke before the committee on the recommendations for the proposed HOME projects. She advised the City of Fort Worth received federal HOME funds for the development of low and moderate income housing. She pointed out that the figure was a little more than \$3,000,000.00 per year. She advised that 15% of that funding had to be set aside for Community Housing Development Organizations (CHDOs). She added that the funds could be used by non-profit and for profit developers to develop low to moderate income housing. She advised that the staff had prepared a Request for Proposal (RFP) in order to receive proposals from developers.

Ms. Garcia presented an overview of the contents of the presentation as follows.

- RFP Timeline
- Funding Availability
- Proposed Project Summaries and Funding Requests
- Funding Recommendations
- Recommended Next Steps

She discussed the RFP Timeline as follows:

- October 14, 2010 – RFP Posted
- November 18, 2010 – All responses due
- December 1, 2010 – Staff funding CHDO recommendations to CDC

**Presentation Regarding Recommendations
for Proposed HOME Projects (cont'd)**

(Agenda Item 6)

- December 7, 2010 – Presentation to City Council
- January 25, 2011 – M&C on City Council Agenda

Ms. Garcia advised the Committee of the breakdown used for the evaluation as follows:

- Project Location – 25 points available
- Proof of Site Control – 5 points available
- Project Description – 30 points available
- Project Design – 15 points available
- Project Budgets – 20 points available
- Experience/Capacity – 20 points available
- Experience/Capacity – 20 points available
- Financial Capability – 20 points available
- Community Support – 20 points available

She provided the funding availability as follows:

- CHDO Available Funds - \$1,261,931
- Non-CHDO Available Funds - \$2,260,000

She clarified that the CHDOs could apply for the non-CHDO funds.

Ms. Garcia reviewed each of the RFPs received as follows and advised that there were three (3) proposals received for the CHDOs:

She reviewed the aerial map of the Polytechnic/Wesleyan Neighborhood Empowerment Zone, which was outlined in the color red on the aerial map and provided the project information as follows:

**Cornerstone Assistance Network Housing Development Corporation
Polytechnic/Wesleyan NEZ Council District 5**

- Proposal for new construction of six (6) single family homes, with three (3) bedrooms, two (2) baths, and attached garage (approx. 1,400 square feet)
- Scope of work included: site acquisition and construction

**Presentation Regarding Recommendations
for Proposed HOME Projects (cont'd)**

(Agenda Item 6)

- HOME funding request: \$640,000
 - \$540,000 in project costs (\$90,000/home)
 - \$100,000 in operating expenses (\$50,000/year for 2011 and 2012)
- Total project cost: \$619,900
- Community support for project and proposed elevations

She indicated that one of the problems with this proposal was that the developer had not gained site control for the project to date.

Ms. Garcia showed five (5) slides of the elevations of the homes for this project as well as the architectural drawing of the floor plans.

She reviewed the aerial map of the Como Neighborhood, which was outlined in the color red on the aerial map and provided the project information as follows:

**Neighborhood Land Corporation Habitat for Humanity Como Neighborhood -
Council District 7**

- Proposal was for new construction of seven (7) single-family homes, with three (3) bedrooms, two (2) baths, and a one-car garage
- Approximately 1,100 square feet
- Scope of work: construction
- HOME funding request: \$470,000
 - \$420,000 in project costs (\$60,000/home)
 - \$50,000 (operating)
- Total project cost: \$704,074
- Community support had not been established

Ms. Garcia showed four (4) slides of the elevation drawings and photographs of the homes for this project.

She reviewed the aerial map of the Hillside Morningside Neighborhood, which was outlined in the color red on the aerial map and provided the project information as follows:

**Presentation Regarding Recommendations
for Proposed HOME Projects (cont'd)**

(Agenda Item 6)

**Tarrant County Housing Partnership, Inc., Hillside Morningside Neighborhood –
Council District 8**

- Proposal: new construction of 17 single-family homes
 - Three (3) bedrooms, two (2) baths, with detached rear garage
 - Floor plan options range from 1,200 to 1,449 square feet
- Scope of work: site acquisition (all 17 lots were in the City of Fort Worth's inventory of tax foreclosed properties) and construction
- HOME Request: \$617,884
 - \$500,000 in project costs
 - \$117,884 in operating expenses
- Total project cost: \$2,283,471
 - The requested HOME amount would only fund approximately 20% of this project
 - Construction cost of each home was over \$134,000
- TCHP had applied for other sources to cover the gap in funding.
- Community support for project

Ms. Garcia showed three (3) slides of the elevation artist renderings and architectural floor plans of the homes for this project.

Committee Member Moss requested clarification on the Cornerstone Project. He requested clarification that the developer would have to purchase some of the lots from the City. Ms. Garcia indicated that they were moving forward with the purchase of three (3) lots on Strong Avenue, which they purchased from the City. She pointed out that the project she had just reviewed was a new project and the lots had not been identified.

Committee Member Burdette requested clarification on whether the Neighborhood Land Corporation had acquired the land in the Como area. Ms. Garcia indicated that they had acquired it. Committee Member Burdette requested confirmation that the only issue that remained was gaining neighborhood support for this project. Ms. Garcia indicated that was correct.

Ms. Garcia continued her presentation with a chart showing the CHDO funding results and the CDC recommendation:

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**Presentation Regarding Recommendations
for Proposed HOME Projects (cont'd)**

(Agenda Item 6)

Organization	CHDO Funding and the CDC Recommendation			
	Requested Funds		Staff Recommendation	
	Operating Funds	Project Funds	Operating Funds	Project Funds
Cornerstone Assistance Network	\$100,000	\$540,000 (6 homes)	\$50,000	\$360,000* (3 homes)
Neighborhood Land Corporation	\$50,000	\$420,000	\$50,000	\$420,000**
Tarrant County Housing Partnership, Inc.	\$117,884	\$500,000 (17 homes)	\$50,000	\$331,931 (3 Homes)
Total	\$267,884	\$1,460,000	\$150,000	\$1,111,931

*Award is contingent upon Cornerstone securing site control of four (4) properties by the end of February 2011. If Cornerstone is unable to secure site control of all four (4) sites, the award will be reduced proportionately.

**Award is contingent upon NLC's ability to secure Como neighborhood support for its project.

She showed a chart detailing the Non-CHDO Submissions as follows:

Organization	CD	Project Type	HOME Request	Total Project Costs
Itex Group	8	MF Rehab (168 units)	\$800,000	\$16,834,026
Pilgrim Valley Manor	9	MF Rehab (5 units)	\$169,715	\$245,433
LDC Housing – 2508 S. Jennings	7	Senior MF (120 units)	\$800,000	\$15,992,424
Willow Bay Apartments	9	MF Rehab (14 units)	\$1,902,900	\$1,910,700
Mary Elizabeth Apartments 2008, 2014 S. Hemphill St.	4	SF Rental (68 units)	\$1,100,000	\$11,977,495
M.R. Development - Bonnie Brae Estates	2	Senior MF (60 units)	\$850,000	\$8,838,698
NRP - Belknap Senior	7	SF Rental (36 units)	\$315,056	\$7,945,742

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**Presentation Regarding Recommendations
for Proposed HOME Projects (cont'd)**

(Agenda Item 6)

NRP - Four Seasons	8	MF (96 units)	\$750,000	\$13,023,105
TCHP Hillside - Morningside	8	SF (17 units)	\$1,583,471	\$2,283,471
Versa Development Sendona Ranch	2	Senior MF (172 units)	\$1,400,000	\$19,259,277

Ms. Garcia provided slides of maps detailing the location of each Non-CHDO RFP submission and showing the building elevations and some concept plans as follows:

**Itex Group, LLC, 1701 East Robert Street (Pilgrim Valley Apartments),
Council District 8**

- Proposal: multifamily rehabilitation of 168 units
- HOME Request: \$800,000
- Total project costs: \$16,834,026
- Scope of Work:
 - Acquisition and rehabilitation
 - Asbestos and lead paint abatement
 - Landscaping, paving, and repair sidewalks
 - Replace outdated HVAC
 - Replace flooring, plumbing and electrical
 - Demolish existing community center and rebuild
 - Support services offered

LDC Housing, LLC, 2508 S. Jennings - Council District 9

- Proposal: rehabilitation of a quadplex plus an accessory structure for total of five (5) units
- HOME funding request: \$167,715
- Total project costs: \$245,433
- Scope of Work:
 - Acquisition and rehabilitation
 - Restore hardwood flooring
 - Replace siding and soffits as necessary
 - Replace HVAC

**Presentation Regarding Recommendations
for Proposed HOME Projects (cont'd)**

(Agenda Item 6)

**LDG Development – Willow Bay Apartments – Boat Club Road and Cromwell
Marine Creek, Council District 7**

- Proposal: new construction of a 124-unit senior multi-family complex
 - One (1) & two (2) bedroom units
- HOME funding request: \$800,000
- Total project costs: \$15,992,424
- Scope of Work:
 - Acquisition and new construction
 - Community center with common amenities such as a business center
 - Offer services to residents including health screening, exercises classes, and health and nutrition classes
 - Units will feature energy efficiency appliances

**Mary Elizabeth Apartments - 2008, 2014 South Hemphill Street – Council District 9,
Fairmount Historic District**

- Proposal: substantial rehabilitation and restoration of an existing structure converting 23 units into 14 units
 - Convert all one (1) bedroom units into two (2) and three (3) bedroom units
- HOME funding request: \$1,902,900
- Total project costs: \$1,910,700
- Scope of Work:
 - Install central air and heating in units
 - Replace flooring
 - Install energy efficient windows

**M.R. Development – Bonnie Brae Estates, 3715 NE 28th Street and
3650 Kimbo Road – Council District 4**

- Proposal: New Construction of 68 single family rental units
 - Two (2), three (3) and four (4) bedroom
- HOME funding request: \$1,100,000
- Total project costs: \$11,977,495
- Scope of Work:
 - Subdivide lot and add new streets

**Presentation Regarding Recommendations
for Proposed HOME Projects (cont'd)**

(Agenda Item 6)

- Community Center that will house business center and leasing office
- Tenant services offered include ESL, GED preparation, and financial planning

**NRP Group – Belknap Senior, 606 Blandin, 2819 E. Belknap, 2817 Plumwood,
Council District 2**

- Proposal: new construction of a 60-unit senior multi-family complex
 - One (1) and two (2) – bedroom units ranging from 750 – 900 square feet
- HOME funding request: \$850,000
- Total project costs: \$8,838,698
- Scope of Work:
 - Acquisition and construction
 - Community Center with computer center, health and wellness room, plus a kitchenette
 - Services offered at no cost tenants include health and nutritional counseling, vocation training and financial planning

NRP Group – Como Homes – Como Neighborhood – Council District 7

- Proposal: new construction of 36 single-family rental units
 - Three (3) and four (4) – bedroom homes ranging from 1,375 to 1,550 square feet
- HOME funding request: \$315,056
- Total project costs: \$7,945,742
- Scope of Work:
 - Acquisition of properties in City's tax foreclosed property
 - Construction of community center
 - Support services offered to residents

Committee Member Moncrief asked to return to the map showing the NRP Group – Como Homes and requested clarification as to the reason that Libby Street was cut out of the area. Ms. Garcia could not respond to the question; however, Committee Member Burdette indicated that he knew the answer. Committee Member Burdette pointed out that the area in the color red was the area that was represented by the Neighborhood Advisory Council known as NAC and Libby Street had its own Neighborhood Association, which was separate from NAC. He also added that he understood that NRP was requesting tax credits for this project, which

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**Presentation Regarding Recommendations
for Proposed HOME Projects (cont'd)**

(Agenda Item 6)

would be part of their financing of this project. Ms. Garcia indicated that information was correct as this was a low income housing project.

Committee Member Scarth referenced the almost \$8 million dollar cost associated with this project, for 36 homes, which he calculated would be a cost of more than \$200,000.00 per home. Ms. Garcia indicated that the cost of the home would be dependent upon what they could sell the tax credits for. She explained that they usually do not sell for 100%, it was usually 60 cents per \$1.00. She explained that if they requested the \$8 million dollars in tax credits, they would probably only receive \$5 million. Committee Scarth then questioned how they made up the difference in the total cost of the project; i.e., was it from their own pockets. Ms. Garcia repeated the explanation she had provided previously. Committee Member Scarth questioned again the reason that the cost of the project was showing as \$8 million, when in reality it was less than that amount. There was further deliberation on the fact that the tax credits were bid out and the developer would not know how much they were receiving until the tax credits were bid. She explained that this was the process on all low income tax credits. Further explanation was provided by Mr. Jay Chapa, Director of Housing and Economic Development.

Committee Member Espino referenced the housing designs that were shown in the drawings and elevations and indicated that they appeared small. He referenced slides 18 and 21. He questioned if that was the best that they could do for these structures.

Ms. Garcia requested to complete her presentation before responding to Committee Member Espino's question. She reviewed the next project as follows:

**NRP Group – Four Seasons – Oak Grove Shelby Road and South Race Street
Council District 8**

- Proposal: new construction of a 96-unit mixed-income multi-family complex
- One (1), two (2) and three (3) bedroom units ranging from 712 to 1,112 sq. feet
- HOME funding request: \$750,000
- Total project costs: \$13,023,105
- Scope of Work:
 - Community center and clubhouse with amenities such as workout room, computer room with internet access, and kitchenette
 - Support services offered at no cost to residents
 - Child care and after school program

**Presentation Regarding Recommendations
for Proposed HOME Projects (cont'd)**

(Agenda Item 6)

- Adult GED
- Vocation and computer skills training

**Tarrant County Housing Partnership, Inc., Hillside Morningside Neighborhood –
Council District 8**

- Proposal: new construction of a 17 single-family homes
 - Three (3) bedrooms, two (2) baths, with detached rear garage
 - Floor plan options range from 1,200 to 1,449 square feet
- Scope of Work:
 - Site acquisition (all 17 lots were in the City of Fort Worth's inventory of tax foreclosed properties)
 - Construction
- HOME funding request: \$1,583,471
 - \$500,000 in project costs (\$29,411/home)
 - \$117,884 in operating expenses
- Total project costs: \$2,283,471
 - The requested HOME amount would only fund approximately 20% of this project
 - Construction cost of each home was over \$134,000
 - TCHP had applied for other sources to cover the gap in funding
- Community support for project

Versa Development – Sedona Ranch, 6101 Old Denton Road – Council District 2

- Proposal: new construction of a 172-unit senior multi-family complex
- HOME funding request: \$1,400,000.00
- Total project costs: \$19,259,277.00
- Scope of Work:
 - Acquisition and New Construction
 - Community room with business and computer center plus a library
 - Support services offered to residents

Ms. Garcia completed her presentation. Committee Member Espino requested to go back and review the requests for the CHDO projects. He referenced the project in District 5, Cornerstone Assistance Network, with homes at 1,400 square feet. He also referenced the exterior of the house as wood rather than masonry.

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**Presentation Regarding Recommendations
 for Proposed HOME Projects (cont'd)**

(Agenda Item 6)

He referenced the elevations shown on Slide 8. Ms. Garcia indicated that the exterior would be Hardy board exterior, rather than masonry. Committee Member Espino indicated that with the attached garage to the house, he pointed out that the City Council had previously indicated that they did not want the garage frontage to be the predominate feature of the front of the house. Ms. Garcia explained that the 1,400 square feet, only included the living area and would not include the garage area.

Committee Member Moss stated that the housing projects to be constructed in District 5 by Cornerstone had gone through a planning process and guidelines had been developed for that project to follow.

As Committee Member Espino referenced various slides, Ms. Garcia showed again the elevations and photographs of the proposed houses. Committee Member Espino requested to view again Slides 15 and 16 showing the elevation and photograph of the proposed housing for the Como Neighborhood by the Neighborhood Land Corporation, which were 1,100 square feet. He referenced Slides 17 and 18. He also referenced Slides 21 and 22. Ms. Garcia explained those houses had a detached garage that was located behind the house. He then referenced Slide 41, showing the elevations for the Bonnie Brae Estates and pointed out that the garage appeared very predominate on the two elevations shown. There was further discussion on these elevations. As this project was in District 4, Committee Member Scarth indicated that the designs met the City's Subdivision Ordinance and the front porches did stick out further than the front of the garage, approximately 8 feet. He advised that this was not evident from the elevation drawings. In further discussion, Committee Member Espino requested the square footage of those houses. Ms. Garcia indicated that she had not included that information in the presentation. Committee Member Espino reiterated his concern regarding the issue of having the garage be the predominate feature of the front of the house. He indicated all of his concerns had been answered.

Ms. Garcia presented a slide showing the staff recommendations for Non-CHDO Funds as follows:

Staff Recommendations for Non – CHDO Funds				
Organization	CD	RFP Score	HOME Request	Staff Recommendations
Itex Group Pilgrim Valley Manor (LIHTC)	8	72	\$800,000	\$0

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**Presentation Regarding Recommendations
for Proposed HOME Projects (cont'd)**

(Agenda Item 6)

LDC Housing – 2508 S. Jennings	9	46	\$169,715	\$0
LDG Development	7	49	\$800,000	\$0
Willow Bay Apartments (LIHTC)				
Mary Elizabeth Apartments 2008, 2014 S. Hemphill Street	9	62	\$1,902,900	\$0
M.R. Development	4	95	\$1,100,000	\$1,100,000
Bonnie Brae Estates (LIHTC)				
NRP – Belknap Senior (LIHTC)	2	88	\$850,000	\$850,000
NRP – Como Homes (LIHTC)	7	82	\$315,056	\$315,056
NRP – Four Seasons (LIHTC)	8	59	\$750,000	\$0
TCHP Hillside – Morningside	8	68	\$1,583,471	\$0
Versa Development Sedona Ranch (LIHTC)	2	78	\$1,400,000	\$0
Total HOME Funds Allocated				\$2,265,056

She pointed out the projects that had received the three (3) highest rankings.

Ms. Garcia presented recommended next steps as follows:

Recommended Next Steps

Presentation to City Council	December 7, 2011
Public Notices in <i>Fort Worth Star Telegram</i>	December 11, 2011
M&C on City Council Agenda	January 25, 2011
HOME Conditional Commitments Agreements Executed	Spring 2011
TDHCA Tax Credit Award	July 2011
Project Commences	Winter 2011
	Spring 2012

Chairman Jordan opened the floor for questions and/or comments.

Committee Member Espino commended the City staff on their work and that they had managed to look throughout the City for areas where these projects could be built according to the funding requirements. He indicated that he hoped that these projects would receive the tax credit funding that they were seeking.

**Presentation Regarding Recommendations
for Proposed HOME Projects (cont'd)**

(Agenda Item 6)

Committee Member Scarth pointed out that the Bonnie Brae project only missed receiving the required funds by four (4) points last year, so he was glad to see that it was in a position to receive the funding this year. He indicated that he was present at the neighborhood meeting when they supported this project. He indicated that this was the third time that this project had been submitted; therefore, he was pleased to see it in the ranking.

Committee Member Moncrief requested to know if the City staff felt satisfied that these products were going to be sustainable and if these products represented the City's priorities of responsible building and rebuilding neighborhoods. Ms. Garcia indicated that the answer was "yes." Ms. Garcia added that the products used in these projects were going to be of the highest quality and she added that she felt these housing projects were going to be amazing.

It was the consensus of the committee to move forward these recommendations to the full City Council for consideration.

This concluded the presentation and discussions on this agenda item.

Presentation on Community Development Projects

(Agenda Item 7)

Chairman Jordan indicated that this presentation contained really good news for the City.

Jay Chapa, Director of Housing and Economic Development Department, spoke before the committee regarding the Community Development Division Projects. He spoke about the combination of the Housing Department with the Department of Economic and Community Development and the amount of work that they had been putting out.

Using a PowerPoint presentation, Mr. Chapa updated the committee on the status of their accomplishments with the Department of Housing and Urban Development (HUD) issues over the past year as follows:

- Findings that were cleared this year were 31 that had resulted from the past several years
- Major Milestones
 - Sale of the building at 2909 Mitchell Blvd., which was to become a clinic
 - Closure of Mercado Building findings with the pay back of the CDBG funds
 - Closing of certain activities in the IDIS accounts of HUD

**CITY OF FORT WORTH
CITY COUNCIL
HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
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**Presentation on Community Development
Projects (cont'd)**

(Agenda Item 7)

- 240 CDBG
- 90 HOME
- First time in at least 8 years, HUD found that “the city has the capacity to carry out its approved programs in a timely manner”
 - Since at least 2002 HUD “questioned the city’s capacity to carry out its approved programs”

Mr. Chapa commended his staff on the work that they had done to accomplish the above standing with HUD.

At this time, Chairman Jordan asked Mr. Chapa to repeat this information. He pointed out how important this was and referenced the number of years the City had trouble with carrying out the HUD programs in a timely manner and the City Council had been placed in a position to have to live through those problems. He pointed out this was a big deal and was a “foot stomper.” Mr. Chapa read the statement again and Chairman Jordan congratulated him on this progress.

He presented a map of the Central City Target Area that was identified in the color blue, with the area targeted for economic development outlined in the color red. He indicated that two (2) staffing positions had been identified to go out and seek economic development for that area in an aggressive manner. He advised that now with the federal funding, the department could add to their resources. He presented an organizational chart of the department as it existed today for the community development group. He pointed out that this group administered approximately \$5 million in federal funds in addition to non-federal fund projects. Mr. Chapa then went around the room and recognized his staff members that were present. Those present in the room were Mark Folden, Development Project Coordinator (CDGB); Avis Chaisson, Development Project Coordinator (HOME); and Ryan Hayden, Development Project Coordinator (HOME). The other staff members who were not present included: Robin Bentley, Assistant Housing Program Manager; Leticia Rodriguez, Development Project Coordinator (CDBG); Fabiola Suarez, Economic Development Specialist (HOME); and Sarah Odle, Administrative Assistant – Neighborhood Empowerment Zones.

Mr. Chapa began the presentation on the community development projects, which included the following:

- Federally Funded Projects

**Presentation on Community Development
Projects (cont'd)**

(Agenda Item 7)

- HOME Partnership Funds
- Community Development Block Grants (CDBG)
- Emergency Shelter Grants
- Housing Opportunities for Persons with AIDS
- Economic Development Initiative Grants
- Neighborhood Stabilization Program Grant
- Non Federally Funded Projects
 - 380 Grants
 - Tax Abatements
 - TIF Agreements (Working through Economic Development Section)
 - Enhanced CFAs

Mr. Chapa explained that one of the goals of the department was to go into an area of the City and have a large impact and then move out as the market took over. He began with an aerial map of the Terrell Heights area (Evans and Rosedale Development) and described the following project:

NRP/HFC Terrell Heights

- Council District 8
- Funding: \$900,000 in HOME Funds
- Total Investment: \$11,043,214
- Project:
 - HFC and NRP Holdings, LLC are partners in development
 - Partnership will buy 54 lots in Terrell Heights neighborhood and build three (3) and four (4) bedroom single family homes (five (5) HOME units)
 - Homes will be available for rent to households earning less than 60% of area median incomes
 - Homes will be rented for 15 years, then sold to current occupant for balance of debt (20 years for HOME units)
- Start Date: Summer 2011

Terrell Heights HFC

- Council District 8
- Funding: \$988,870 in HOME Funds
- Project:
 - Construction or rehabilitation of up to 11 single family homes in Terrell Heights

**Presentation on Community Development
Projects (cont'd)**

(Agenda Item 7)

- HFC has option agreement to purchase 11 properties from Tom Struhs and KT Land, LTD
- Start Date: Acquire Land – Winter 2010
 - Request for Proposal for Builder – Jan/Feb 2011
 - Construction – Summer 2011

Terrell Heights Street Lights

- Council District 8
- Funding: \$1.4 Million in CBDG Funds
- Project:
 - Street light replacement and upgrade in Terrell Heights Historic District
 - First phase completed
- Status: Installation of lights ongoing
\$500,000 remaining for future phases

Jack in the Box (Evans and Rosedale)

- Council District 8
- Funding: CBDG funds were used to acquire lots, private funding will pay for site development
- Project:
 - First retail development in Villages of Evans & Rosedale area
 - Pad site improvements include utility relocation, grading, and tree removal
 - Jack in the Box to provide 10-20 new full time employees
- Status: Opening Spring 2011

Missouri Street Reconstruction

- Council District 8
- Funding: \$830,000 Enhanced Community Facilities Agreement
- Project:
 - Missouri Street reconstruction and streetscape
 - Fort Worth Local Development Corporation (LDC) serves as Developer
 - City will reimburse LDC for costs expended to construction
- Status: Construction is underway and anticipated to be complete by December 2010

**Presentation on Community Development
Projects (cont'd)**

(Agenda Item 7)

Race Street Lofts

- Council District 2
- Funding: \$1,412,584 in HOME funds
- Total Investment: \$7 Million
- Project:
 - 36-unit multifamily rental complex in Six Points Urban Village (11 HOME assisted units)
 - Partnership between HFC and NRP Holdings, LLC
 - Partnership to acquire property between Race Street and McLemore Avenue and demolish existing structures
 - TDHCA tax credits awarded
- Status: Negotiating partnership terms with NRP. Construction anticipated to be complete by March 2012
- Start Date: Spring/Summer 2011

Lincoln Terrace

- Council District 7
- Funding: \$480,000 in HOME funds
- Total Investment: \$9,998,746
- Developer: Fort Worth Housing Authority
- Project:
 - Reconstruction of 72-unit multifamily rental development in 4700 block of Horne Street
 - TDHCA tax credits awarded
- Status: Currently under Construction

Poly Rowhouses

- Council District 8
- Funding: \$787,500 in HOME funds
- Total Investment: \$2.5 Million
- Developer: TownSite Company
- Project:
 - 30-unit multifamily development (8 HOME units)
 - Located in Polytechnic/Wesleyan Urban Village

**Presentation on Community Development
Projects (cont'd)**

(Agenda Item 7)

- Will incorporate historic Polytechnic Heights Fire Station/City Hall and Dillow House into development
- Start Date: Spring/Summer 2011

Hardy Street

- Council District 2
- Funding: \$640,000 in CBDG funds
- Project:
 - The City used CBDG funds to acquire two (2) acres of land on Hardy Street in the Diamond Hill area and to demolish a vacant nursing home
 - City will use CBDG funds to construct infrastructure improvements
- Status:
 - Public meetings regarding style of house to be held in January 2011
 - Hire architect to design and plat subdivision – January 2011
 - Construction of infrastructure – Late summer 2011
 - Once the infrastructure is complete, City will market the properties to developers for construction of 21 affordable single family homes

Prince Hall Gardens

- Council District 8
- Funding: \$555,000 in HOME funds
- Total Investment: \$11 Million
- Developer: The Itex Group LLC
- Project:
 - Acquisition and rehabilitation of 100-unit apartment complex
 - TDHCA tax credits awarded
- Start Date: Spring/Summer 2011

Cornerstone CHDO

- Council District 5
- Funding: \$290,000 in HOME funds
- Developer: Cornerstone Assistance Network Housing Development Corporation
- Project:
 - Cornerstone Assistance Network to construct 3 single family homes on Strong Avenue in Polytechnic Neighborhood

**Presentation on Community Development
Projects (cont'd)**

(Agenda Item 7)

- Homes will be available to households earning 80% or less of median area income
- Start Date: Winter 2010/2011

Neighborhood Land Corporation/Tarrant Habitat

- Council District 8
- Funding: Up to \$370,000 in HOME funds
- Developer: NLC
- Project:
 - Neighborhood Land Corporation (NLC) and Habitat for Humanity to construct five (5) new single family homes in the Hanna Ranch subdivision
 - Homes will be available to households earning 80% or less of median area income
- Start Date: Spring 2011

Neighborhood Land Corporation/Tarrant Habitat

- Council District: Various
- Funding: Up to \$458,312 in HOME funds
- Developer: NLC
- Project:
 - Neighborhood Land Corporation (NLC) and Habitat for Humanity to construct eight (8) new single family homes on scattered sites around the City
 - Homes will be available to households earning 80% or less of median area income
- Start Date: Fall 2011

TCHP – South Hemphill

- Council District 9
- Funding: Up to \$507,404.51 in HOME funds
- Developer: Tarrant County Housing Partnership
- Project:
 - Five (5) single family homes
 - Acquisition of vacant and improved lots
 - Original scope of work new construction only
 - Amend scope of work to include rehab and demolition
 - Houses will be sold to an individual or family that earns 80% or less of AMI

**Presentation on Community Development
Projects (cont'd)**

(Agenda Item 7)

- Start Date: Currently, project is under environmental review

TCHP – 1307 Elmwood

- Council District 8
- Funding: Up to \$145,000 in HOME funds
- Developer: Tarrant County Housing Partnership
- Project:
 - New construction of single family home on vacant lot
 - Three (3) bedrooms, two (2) baths and a garage (1,250 sq ft)
 - The house will be sold to an individual or family that earns 80% or less of AMI
- Start Date: Currently, project is under environmental review

Fire Station No. 10

- Council District 9
- Funding: Up to \$380,878 in CBDG funds
- Project:
 - Renovation of historic fire station for use as a community center
 - Will offer community services for low and moderate income citizens near South Hemphill Heights neighborhood
- Status: construction ongoing

Lancaster NPO

- Council District 8
- Funding: Up to \$700,000 in CBDG funds
- Project:
 - Funds used to build NPO along East Lancaster near I-35
 - Near public service organizations and shelters
- Status:
 - Advertise – December 2010
 - Award – February 2011
 - Construction – April 2011 thru March 2012

Parkland Acquisition

- Council District: Various
- Funding: CBDG funds - \$128,633.10
- Project:

**Presentation on Community Development
Projects (cont'd)**

(Agenda Item 7)

- City has identified dozens of tax foreclosed parcels that are inside or adjacent to City parkland
- Parks department has chosen parcels that they would like to incorporate into existing parks
- For parks that service eligible areas, CDBG funds can be used for a portion of the purchase price

Demolition

- Council Districts 2, 5, 7, 8 and 9
- Funding: CBDG funds - \$640,000
- Project:
 - Demolition of structures on tax foreclosed properties
 - 32 properties demolished to date
- Status: \$150,000 remaining for ongoing demolition

ADA Infrastructure

- Council Districts 2, 8 and 9
- Funding: CBDG funds - \$605,000
- Project:
 - Construction of wheelchair accessible ramps in CDBG eligible neighborhoods
 - Phase I completed; 100+ ramps constructed
- Status: Phase II – proposed work sites being evaluated

CDBG Street Reconstruction

- Council Districts 2, 3, 5, 7, 8 and 9
- Funding: CBDG funds - \$1,020,000
- Project:
 - Reconstruction of streets in income qualifying areas
- Status: Bid to be advertised in January 2011

CDBG-R Sidewalks

- Council Districts: Various
- Funding: \$1.7M in CDBG-R funds (American Recovery and Reinvestment Act of 2009)
- Project:

**Presentation on Community Development
Projects (cont'd)**

(Agenda Item 7)

- Construction of sidewalks in CDBG eligible areas to benefit low and moderate income and handicapped City residents
- Status: Phase I work to be completed December 2010. Phase II M&C will be on January 4, 2011 Council agenda

Beaty Street

- Council District 8
- Funding: \$1,699,755 in Neighborhood Stabilization Funds
- Total Investment: \$3,340,700
- Developer: Tarrant County Housing Partnership
- Project:
 - Tarrant County Housing Partnership to acquire and rehabilitate properties into a 64-unit multi-family project
 - TCHP will use NSP Funds for acquisition and predevelopment costs
- Status: Bid
 - Phase II and acquisition – Winter 2010/2011
 - Rehabilitation in Spring 2011

Renaissance Square

- Council District 8
- Funding: Up to \$12,750,000 in TIF Funds and 380 Grant Funds, plus \$199,000 in Enhanced CFA Funds
- Total Investment: \$45 to \$75 Million
- Developer: Tarrant County Housing Partnership
- Project:
 - 67 acre commercial development at SW corner of US Hwy 287 and East Berry Street
 - 500,000 sq. ft. of retail/restaurant space, plus residential component
 - Projects team is helping developer with infrastructure project (traffic turnaround) and acquiring property from TxDOT
- Status: Turnaround work to begin March 2011 and completed by August 2011
Tenants to begin build out in early 2011. Anticipated opening – December 2012

2909 Mitchell

- Council District 8
- Funding: \$67,600 in CBDG funds

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**Presentation on Community Development
Projects (cont'd)**

(Agenda Item 7)

- Total Project Cost: \$1,000,000
- Developer: Fort Worth Northside Community Health Center, Inc.
- Project:
 - City-owned commercial property
 - Selling to Fort Worth Northside Community Health Center, Inc. for \$67,700
 - Purchase price is considered program income. With Council approval, same amount will be used for development of a community health center providing services to low and moderate income citizens.
- Status: Bid
 - Sell Property December 2010
 - Finish Out – Spring 2011
 - Opening – Summer 2011

Mr. Chapa showed a slide concerning Model Blocks

- Up to \$1.2 Million invested in small geographic area (\$600,000 HOME funds/\$600,000 CDBG funds)
- From 1994-2005, the City selected 18 model block recipients
- CURRENT MODEL BLOCK AREAS:

	CDBG	HOME
Stop Six	\$402,914	\$358,951
Historic Carver Heights	\$528,814	\$563,154
South Hemphill	\$216,814	\$475,112
North Greenbrier	\$98,623	
Worth Heights	\$45,083	
Handley CDBG	\$12,736	
Greenway CDBG	\$8,581	
Carver Heights East	\$3,966	

Mr. Chapa continued with slides showing additional federally funded projects.

UCC Wesley

- Council District 2
- Funding: \$766,500 in CBDG funds
- Project:

**Presentation on Community Development
Projects (cont'd)**

(Agenda Item 7)

- Development of a 15,000 sq. ft. community center, playground and parking lot to be located at 3600 N. Crump St.
- Will offer community services for low and moderate income citizens including after-school childcare and emergency assistance
- Status: Construction – Fall 2011

Sun Valley

- Council District 5
- Funding: EDI Grant in the amount of \$346,500
- Project:
 - Developer will construct 27 industrial spec buildings on 20 acres in phases
 - The buildings will then be leased
- Status: Construction – Late 2011

1703 South Freeway

Council District 8

- Funding: ECFA or 380
- Total Investment: approx. \$2,000,000
- Developer: Spoon Industries
- Project:
 - Acquired property in City's tax foreclosure inventory
 - Propose new service station with 14 pumps
 - Dual quick service restaurants
 - Approximately 30 new full time jobs
- Status: Working with developer to relocate utilities and to replat property

Mr. Chapa advised that his staff also was responsible for contract administration of funds provided to non-profit agencies and that they oversaw the funding provided through the Homelessness Prevention and Rapid Rehousing (HPRP), which was part of the federal stimulus funding as follows:

- City of Fort Worth received \$2.7 Million of American Recovery and Reinvestment Act of 2009 funds for homelessness prevention and rapid rehousing activities
- Agencies provide rental assistance, utility payment assistance, moving expenses, deposits and hotel vouchers and are reimbursed by City contracted with seven (7)

**Presentation on Community Development
Projects (cont'd)**

(Agenda Item 7)

nonprofits and government agencies to provide such services (Catholic Charities, Safehaven, Salvation Army and others)

- To date, approximately 350 households have been served

Mr. Chapa then explained that the staff also had to oversee the Public Service Contracts as follows:

- 32 CDBG
 - Child Care, Elderly Services, Youth Services
- 5 Emergency Shelter Grants
- 4 Housing Opportunities for Persons with Aids

He explained the City staff's oversight of the Neighborhood Empowerment Zones and related matters as follows:

- Tax Abatements
- Policy Amendments
- Creation and Termination of NEZ
- Certification is done by Planning and Development

Mr. Chapa completed his presentation.

Chairman Jordan opened the floor for questions and/or comments.

Committee Member Moncrief commended the staff on their work and particularly the rapid housing for the homeless people that was part of the City's Directions Home project. He pointed out that it was working and it was having an impact. He requested that the City staff return to Slide 57. This slide contained information about the demolition of properties. Committee Member Moncrief indicated that he felt the City had more requests for demolition of condemned property than there was funding available to do what needed to be done. He reviewed the contents of the slide and requested to know the current demand; i.e., the number of properties that still needed to be demolished. Mr. Chapa stated that according to Brandon Bennett, Director of Code Compliance, they could use as much money as possible to address this issue. Mr. Chapa clarified that he would be coming back to the City Council in January of 2011 with an overview of the amount of CDBG funds that would be available and put together an action plan for the expenditure of those funds.

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**Presentation on Community Development
Projects (cont'd)**

(Agenda Item 7)

Committee Member Moncrief then referenced the issue about the City finally being in compliance with HUD. He referenced a business function that he had attended earlier in the morning and that he talked with HUD Field Office Director Bob Cook about being in compliance with HUD and Mr. Cook's comments about the City now having a better working relationship with HUD than it ever had in the past. Committee Member Moncrief congratulated Mr. Chapa on this work and to the staff for their efforts. He added that they were setting the proper municipal example of how to cooperate with different levels of government to the benefit of the citizens who deserved the services that the City employees provided.

Committee Member Espino requested that when Mr. Chapa came back before the committee in January he felt that they needed to look at monies that would be available for demolition. He added what he was seeing in the northern area, i.e., Riverside area, and the Central City area were substandard structures that needed to be demolished. He encouraged Mr. Chapa to get with the City's Code Compliance Department Director to see what were the priority sites for demolition. He pointed out that there could also be some substandard properties that could be tax foreclosed as they owed outstanding taxes. He explained that he was not sure how this would work; however, he encouraged the staff to look at this issue as there were many substandard structures that needed to be demolished.

Mr. Chapa explained that since his department also oversaw the real property for the City, they could look at the properties that owed back taxes and move them quicker through the system.

Committee Member Moss indicated that he felt it was an impressive report; however, he indicated that he still had concerns about his district, specifically the model blocks programs that were in his district and he had been pushing to get some infill housing written into those plans. He indicated the City really needed to start moving on that issue. He added that he was getting a lot of private investment coming into the district doing infill housing but that was a major, major problem in his district and he did not really see that happening in his district.

Chairman Jordan also referenced the demolition issue and indicated that he felt it would be good to have an all inclusive report from all funding resources on demolition projects that have been accomplished in the City and what other projects were being done. He pointed out that Granbury Hills Apartments project was also demolished; however, it was done with other funding sources. He added that he felt a lot of progress had been made; however, there was more work to be done.

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**Presentation on Community Development
Projects (cont'd)**

(Agenda Item 7)

Chairman Jordan also expressed appreciation to Mr. Chapa and his staff for the work that they have done to clean up the department and the issues with HUD and he asked Mr. Chapa to take that word back to his staff.

This concluded the presentation and discussions on this agenda item.

Request for Future Agenda Items

(Agenda Item 8)

There were no requests for future agenda items.

**Date of Next Regular Meeting –
January 4, 2011**

(Agenda Item 9)

Chairman Jordan advised that the next regular meeting of the Housing and Economic Development Committee would be held on Tuesday, January 4, 2011.

Adjourn

(Agenda Item 10)

With no further presentations or discussions, Chairman Jordan adjourned the regular meeting of the Housing and Economic Development Committee at 2:50 p.m., on Tuesday, December 7, 2010.

These minutes approved by the Housing and Economic Development Committee on the 4th day of January, 2011.

APPROVED:

Jungus Jordan, Chairman

Minutes Prepared by and Attest:

Marty Hendrix, City Secretary

FORT WORTH HOUSING FINANCE CORPORATION

AGENDA

Tuesday, January 4, 2011

*Immediately Following the City of Fort Worth City Council
Housing and Economic Development Committee Meeting
Scheduled to Begin at 1:00 P.M.*

City Hall, Pre-Council Chamber, Second Floor
1000 Throckmorton Street, Fort Worth, Texas 76102

Board of Directors

Kathleen Hicks, President
Danny Scarth, Vice President
Frank Moss, Secretary

Carter Burdette, Director
Joel Burns, Director
Salvador Espino, Director

Jungus Jordan, Director
Mike Moncrief, Director
Zim Zimmerman, Director

Staff Liaison: Susan Alanis, Assistant City Manager

1. **Call to Order** - Kathleen Hicks, President
2. **Approval of Minutes from the Meeting Held on December 7, 2010** - Kathleen Hicks
3. **Written Reports** – Jay Chapa, Assistant General Manager
 - A. Financial Report through November 30, 2010
4. **Executive Session:** The Fort Worth Housing Finance Corporation will conduct a closed meeting to:
 - A. Seek the advice of its attorneys concerning the following items that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code: (i) legal issues concerning any current agenda item;
 - B. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the Corporation in negotiations with a third party; and
 - C. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.

5. **Adopt Resolution Approving an Agreement with NRP Holdings LLC to Develop the Esperanza Cove Senior Apartments; Authorizing the Formation of Esperanza Cove GP, LLC and Approving all Related Actions Required for it to Act as General Partner for Esperanza Cove Ltd., the Partnership Developing, Owning and Managing the Project located at 2718 E. Belknap; and Authorizing the Execution or Assignment of an Option to Purchase the Development Site - Jay Chapa, Assistant General Manager**

6. **Adopt Resolution Approving an Agreement with NRP Holdings LLC to develop the Lakeside Village Homes; Authorizing the Formation of Lakeside Village GP LLC and Approving all Related Actions Required for it to Act as General Partner for Lakeside Village Ltd., the Partnership Developing, Owning and Managing the Project Located on Scattered Sites in the Como Neighborhood; and Authorizing the Execution or Assignment of an Option to Purchase the Development Sites – Jay Chapa, Assistant General Manager**

7. **Adopt Resolution Approving a Gas Lease with Chesapeake Exploration L.L.C. for 2710 Avenue C – Jean Petr, Gas Lease Program Manager, City of Fort Worth, Planning and Development Department**

8. **Requests for Future Agenda Items - Kathleen Hicks**

9. **Adjourn - Kathleen Hicks**

This facility is wheelchair accessible. For accommodations or sign interpretation services, please call the Housing and Economic Development Department 48 hours in advance at 817-392-7316.

**CITY OF FORT WORTH, TEXAS
FORT WORTH HOUSING FINANCE CORPORATION
CALLED – SPECIAL SESSION
TUESDAY, DECEMBER 7, 2010**

Present:

Vice President Danny Scarth
Secretary Frank Moss
Director Mike Moncrief (Arrived at 1:06 p.m.)
Director Salvador Espino
Director W. B. “Zim” Zimmerman
Director Jungus Jordan
Director Carter Burdette

Absent:

President Kathleen Hicks
Director Joel Burns

City staff:

Susan Alanis, Assistant City Manager
Vicki Ganske, Senior Assistant City Attorney
Ron Gonzales, Assistant City Secretary
Jay Chapa, Assistant General Manager
Jean Petr, Gas Lease Program Manager

Other staff:

Cynthia Garcia, Assistant Director, Housing & Economic Development Department
Robert Sturns, Economic Development Manager, Housing & Economic Development Dept.
Henry Day, Senior Management Analyst, Housing & Economic Development Department
Mark Folden, Housing Program Manager, Housing & Economic Development Department
Ryan Haden, Development Project Coordinator, Housing & Economic Development Dept.
Avis Chaisson, Development Project Coordinator, Housing & Economic Development Dept.
Fabiola Suarez, Economic Development Specialist, Housing & Economic Development Dept.
Christopher Mosley, Assistant City Attorney

Call to Order

(Agenda Item 1)

With a quorum present, Vice President Scarth called the meeting to order for the Board of Directors of the Fort Worth Housing Finance Corporation (Corporation) at 1:04 p.m. on Tuesday, December 7, 2010, in the Pre-Council Chamber of the Fort Worth Municipal Building, 1000 Throckmorton Street, Fort Worth, Texas, with Director Moncrief temporarily absent and President Hicks and Director Burns absent.

**CITY OF FORT WORTH, TEXAS
FORT WORTH HOUSING FINANCE CORPORATION
CALLED – SPECIAL SESSION
TUESDAY, DECEMBER 7, 2010
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**Approval of Minutes of the October 5, 2010
Meeting**

(Agenda Item 2)

Vice President Scarth opened the floor for a motion on the approval of the minutes of the Tuesday, October 5, 2010, meeting.

MOTION: Upon a motion made by Director Jordan and seconded by Director Espino, the Board of Directors voted six (6) “ayes” and zero (0) “nays”, with Director Moncrief temporarily absent and President Hicks and Director Burns absent, to approve the Tuesday, October 5, 2010, minutes of the Corporation as presented. The motion carried.

**Written Reports: Fort Worth Housing
Finance Corporation Financial Report through
October 31, 2010**

(Agenda Item 3A)

Vice President Scarth referenced the Financial Report through October 31, 2010, and opened the floor for discussion on the report. There was no discussion on this agenda item.

The written report was provided to the Board as a matter of information. There was no formal action taken on the report.

**Written Reports: Villas of Eastwood Terrace
Gas Leases with Chesapeake**

(Agenda Item 3B)

Vice President Scarth referenced the report regarding the Villas of Eastwood Terrace Gas Leases with Chesapeake and opened the floor for discussion.

Assistant City Manager Alanis advised that a copy of the Villas of Eastwood Terrace report was not distributed to the Corporation and advised that an electronic copy would be mailed to the directors.

Director Jordan advised that he would file a Conflict of Interest Affidavit with the City Secretary’s Office and would abstain from voting on Agenda Item No. 7.

There was no discussion on this agenda item.

The written report was provided to the Board as a matter of information. There was no formal action taken on the report.

(Director Moncrief arrived at the meeting.)

**CITY OF FORT WORTH, TEXAS
FORT WORTH HOUSING FINANCE CORPORATION
CALLED – SPECIAL SESSION
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Executive Session

(Agenda Item 4)

Vice President Scarth stated that he had been advised that an Executive Session was not necessary to discuss the following items:

- A. Seek the advice of its attorneys concerning the following items that are exempt from public disclosure under Article X, Section 9, of the Texas State Bar Rules, as authorized by Section 551.071 of the Texas Government Code: (i) legal issues concerning any current agenda item;
- B. Discuss the purchase, sale, lease or value of real property, as authorized by Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the Corporation in negotiations with a third party; and
- C. Discuss or deliberate negotiations relating to any economic development negotiations, as authorized by Section 551.087 of the Texas Government Code.

This agenda item was passed over.

Adopt Resolution Ratifying the Formation of Terrell Homes, LLC, and Approve All Related Actions Required to Act as General Partner for the Partnership Developing, Owning and Managing the Terrell Homes I Project in the Terrell Heights Neighborhood

(Agenda Item 5)

Mr. Jay Chapa, Assistant General Manager, addressed the Corporation regarding the proposed resolution. Using a PowerPoint presentation, he provided the following background information relative to the project's partnership:

- February 2010 the Corporation approved a letter of agreement to enter into a partnership with NRP Group, LLC, for the development of the Terrell Homes
- The development required formation of the Limited Liability Company by the Corporation to serve as the General Partner of a partnership entity which will own the development.

**CITY OF FORT WORTH, TEXAS
FORT WORTH HOUSING FINANCE CORPORATION
CALLED – SPECIAL SESSION
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Adopt Resolution Ratifying the Formation of Terrell Homes, LLC, and Approve All Related Actions Required to Act as General Partner for the Partnership Developing, Owning and Managing the Terrell Homes I Project in the Terrell Heights Neighborhood (cont'd)

(Agenda Item 5)

Mr. Chapa stated that when the award was approved by the Texas Department of Community Affairs the timeline for formation of the LLC was less than the time that another meeting of the Corporation could be held. He pointed out that City staff had prior approval to enter into that partnership and move forward with the formation of the LLC and made the following recommendation:

- Staff recommends the Corporation ratify the formation of Terrell Homes, GP, LLC, to serve as General Partner for the purpose of:
 - Owning
 - Developing
 - Constructing
 - Managing

Vice President Scarth opened the floor for discussion on this issue.

There being no discussion, Vice President Scarth opened the floor for a motion.

MOTION: Upon a motion made by Director Moncrief and seconded by Director Espino, the Board voted seven (7) “ayes” and zero (0) “nays”, with President Hicks and Director Burns absent, to approve Resolution No. FWHFC 2010-15. The motion carried.

Adopt Resolution for Additional Funds in Order to Purchase Lots from KT Land, Ltd., and Tom Struhs for Infill Development in the Terrell Heights Neighborhood

(Agenda Item 6)

Ms. Fabiola Suarez, Economic Development Specialist, Housing and Economic Development Department, addressed the Corporation regarding the proposed resolution. Using a PowerPoint presentation, Ms. Suarez displayed an aerial view of the proposed infill properties and advised the Corporation that the properties were located south of Rosedale and west of IH 35. She displayed a closer aerial view of the properties and provided a brief overview of the project as reflected below:

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**Adopt Resolution for Additional Funds in Order to
Purchase Lots from KT Land, Ltd., and Tom Struhs
for Infill Development in the Terrell Heights
Neighborhood (cont'd)**

(Agenda Item 6)

- Construction or rehabilitation of up to 11 Single Family homes in Terrell Heights.
- Purchase properties from KT Land, LTD.
- November 2009, the Corporation approved the purchase of the lots for \$5,500.00 each.
- Because we have not been able to close on the lots, the lot price has increased to \$6,500.00. This amount is supported by an appraisal.

Ms. Suarez clarified that delay in closing on the lots was due to the environmental review process that was performed in phases and that created an accumulation of fees and the increase in the lot price. She added that staff's recommendation was to approve the resolution to add an additional \$11,000.00 in funding to purchase the lots from KT Land and Tom Struhs.

Vice President Scarth opened the floor for discussion on this issue.

Director Moncrief asked for clarification on the escalation in the lot price. Ms. Suarez advised that the environmental review process had to be tiered which took some time to get each of the 11 lots cleared through the Planning and Development Department and therefore the fees that accumulated on each lot caused the price to increase.

Senior Assistant City Attorney Ganske stated that Mr. Struhs and KTD Land, LTD., had an interim loan with the Omni American Bank on these lots and part of the increase were carrying costs which had gone on for about one (1) year.

Director Burdette stated that as he understood this, the additional costs were reimbursement for funds already spent and they were not actually increases in the purchase price per se since the sellers had already incurred these costs. Senior Assistant City Attorney Ganske concurred.

Director Moss stated that he assumed the environmental costs were the Corporation's costs. Ms. Suarez confirmed Director Moss's statement.

There being no further discussion, Vice President Scarth opened the floor for a motion.

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Adopt Resolution for Additional Funds in Order to Purchase Lots from KT Land, Ltd., and Tom Struhs for Infill Development in the Terrell Heights Neighborhood (cont'd)

(Agenda Item 6)

MOTION: Upon a motion made by Director Moss and seconded by Director Moncrief, the Board voted seven (7) “ayes” and zero (0) “nays”, with President Hicks and Director Burns absent, to approve Resolution No. FWHFC 2010-16. The motion carried.

Adopt Resolution Approving a Gas Lease with Chesapeake Exploration, L.L.C., for Twenty Four Properties

(Agenda Item 7)

Director Jordan stated that he would file a Conflict of Interest Affidavit with the City Secretary’s Office and abstain from voting on this item.

Ms. Jean Petr, Gas Lease Program Manager, Planning and Development Department, addressed the Corporation regarding the proposed resolution. Using a PowerPoint presentation, Ms. Petr provided the following outline of the request:

- Chesapeake requested leases on 24 tracts of Fort Worth Housing Finance Corporation property in three (3) units.
 - All tracts located in District 5
- Lease Terms
 - \$3,000.00 per acre bonus
 - 25 percent royalty
 - Two (2) year term
 - No surface use

Ms. Petr displayed an aerial map of the location where the three (3) units would be leased. She explained that the Hill Unit was just south of Rosedale Avenue, went south to the Piper Unit and beyond on the southwest was the Braylon Unit. She referred to the location of the Mt. Tabor Well where all the units would be drilled and pointed out that the well was already permitted by the City. She then displayed an aerial map and a brief description of each unit:

- Hill Unit
 - 12 properties
 - 2.6 acres, more or less
 - \$7,800.00 total bonus

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FORT WORTH HOUSING FINANCE CORPORATION
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**Adopt Resolution Approving a Gas Lease with
Chesapeake Exploration, L.L.C., for Twenty Four
Properties (cont'd)**

(Agenda Item 7)

- Piper Unit
 - 8 properties
 - 2.035 acres, more or less
 - \$6,105.00 total bonus
- Braylon Unit
 - 4 tracts (denoted in pink)
 - 2.035 acres, more or less
 - \$6,105.00 total bonus

Ms. Petr advised that based on the current market terms these were acceptable lease prices and recommended that the Corporation execute the leases.

Vice President Scarth opened the floor for discussion on this issue.

Director Burdette stated that it was his understanding that these properties were within designated drilling units already designated by Chesapeake and therefore no other drilling or gas companies would be interested in leasing these properties.

Ms. Petr concurred and added that these were small tracts of land and therefore there was not a lot of competition. She added that Chesapeake was still forming some of these units that may not be filed with the Railroad Commission.

There being no further discussion, Vice President Scarth opened the floor for a motion.

MOTION: Upon a motion made by Director Moss and seconded by Director Burdette, the Board voted six (6) “ayes” and zero (0) “nays”, with President Hicks and Director Burns absent and with one abstention by Director Jordan , to approve Resolution No. FWHFC 2010-17. The motion carried.

**Adopt Resolution to Hire John Shackleford as Legal
Counsel for Low Income Housing Tax Credit Projects**

(Agenda Item 8)

Mr. Jay Chapa, Assistant General Manager, addressed the Corporation regarding the proposed resolution. Mr. Chapa referred to the resolution that was distributed to the Corporation Board members that asked the Corporation to approve the hiring of Mr. Shackleford to serve as

**CITY OF FORT WORTH, TEXAS
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**Adopt Resolution to Hire John Shackleford as Legal
Counsel for Low Income Housing Tax Credit Projects
(cont'd)**

(Agenda Item 8)

an outside attorney for low income housing tax credit projects. He stated that these tax credits had proven to be very intricate and extremely time consuming on the document preparation side and on the legal side. He added that staff worked with Senior Assistant City Attorney Vicki Ganske and Assistant City Attorney Leann Guzman to obtain outside help and this resolution would approve the hiring of Mr. Shackleford for \$60,000.00 for each project to do the complete legal work associated with the contracts and partnerships with NRP and also with the state relative to the low income housing tax credits. He stated that the costs would be incurred by the Corporation and those dollars would be recouped through development fees associated with each project which was a good return on investment. He pointed out that the actual payment would not occur until the project closed.

Vice President Scarth opened the floor for discussion on this issue.

There being no discussion, Vice President Scarth opened the floor for a motion.

MOTION: Upon a motion made by Director Moncrief and seconded by Director Burdette, the Board voted seven (7) “ayes” and zero (0) “nays”, with President Hicks and Director Burns absent, to approve Resolution No. FWHFC 2010-18. The motion carried.

Requests for Future Agenda Items

(Agenda Item 9)

Vice President Scarth opened the floor on requests for future agenda items. No requests were made by Board members.

Adjourn

(Agenda Item 10)

With no further discussion, President Hicks adjourned the called – special session of the Fort Worth Housing Finance Corporation Board at 1:15 p.m. on Tuesday, December 7, 2010.

**CITY OF FORT WORTH, TEXAS
FORT WORTH HOUSING FINANCE CORPORATION
CALLED – SPECIAL SESSION
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These minutes approved by the Fort Worth Housing Finance Corporation Board of Directors on the _____ day of _____, 2011.

APPROVED:

Kathleen Hicks
President

ATTEST:

Frank Moss
Secretary

Prepared and respectfully submitted by:

Ronald P. Gonzales, TRMC/CMC
Assistant City Secretary

FORT WORTH HOUSING FINANCE CORPORATION
BALANCE SHEET AS ON NOVEMBER 30, 2010
(UNAUDITED)

ASSETS

Cash, Cash Equivalents and Investments

Cash & Investments	\$ 3,866,630	
Cash and cash equivalents (HTF General Fund)	1,695,840	
Cash at Bank- JP Morgan Chase - Infill	2,779	
		5,565,249

Restricted Assets

Restricted cash, cash equivalents & investments	1,286,781	
Restricted cash HTF	4,000,000	
		5,286,781

Other Assets

Loans receivable	22,302	
Contribution receivable from Grant Fund (HTF)	970	
Loans receivable - Eastland	900,000	
Loans receivable - Wind River	715,000	
Interest Receivable	52,861	
Investments in Villas of East Wood LLC	615,000	
Loans receivable from Villas of East Wood LLC	638,979	
Investment in FWCCC, LLC	-	
Properties held for sale or construction by FWHFC (at cost or FMV)	1,816,320	(1)
		4,761,431

Total Assets

\$ 15,613,461

LIABILITIES & FUND BALANCE

Liabilities

Accounts payable	\$ 1,018	
Escrow for loans	206	
Accrual - Payroll	103	
Deferred revenue	22,302	
Payable to CFW - Carter Metro assigned liability	138,918	(4)
Payable to CFW - Mitchell Blvd. assigned properties	21,047	(4)
Payable to CFW - Appropriation from Rental Rehab Rev.(for VOE)	615,000	
		798,596

Total Liabilities

\$ 798,596

Fund Balances

Restricted for corpus	5,286,781	
Represented by HTF General Fund	3,310,840	
Represented by advance balance to VOE	27,990	(3)
Represented by investments/loans	638,979	
Represented by land & properties	1,816,320	
Restricted for land banking	348,503	
Restricted for Infill Dev.	1,310,961	
Unrestricted	2,074,492	(2)
		14,814,866

Total Fund Balance

14,814,866

Total Liabilities & Fund Balance

\$ 15,613,461

Notes:

- (1) Cost of properties includes certain properties received as gift for which fair market value as on date of gift was included as cost. It also includes properties assigned to HFC.
- (2) Grants/endowments/gifts and other appropriations received and used to acquire properties or for operating expenditure forms part of the unrestricted equity balance along with surplus / loss from operations and interest income from investments.
- (3) FWHFC Board has approved an advance of \$350,000.00 to VOE. Payment of \$322,010.00 were made from R109 and the balance to be paid is \$27,990.00
- (4) Properties assigned to HFC in note (1) were acquired with grant funds, and the proceeds less taxes and constr. exp. incurred by HFC to be returned to CFW as program income.

OTHER NOTES:

- A. CFW authorized grants of \$4,172,075 from HOME funds and \$2,250,000 from CDBG funds for Housing Trust Fund and out of these Grant funds \$1,032,958.66 have been expended as on date.
- B. Home warranty expenses and tax abatement refund dues are accounted on cash basis. The liability for unexpired warranties and tax abatement refunds have not been quantified and not provided for.
- C. HFC is the parent organization and sole shareholder of the The Villas of East Wood Terrace, LLC and FWCCC LLC. Accounts of these subsidiaries are not included or consolidated for this statements. Also no provision has been made for liabilities of these subsidiaries.

FORT WORTH HOUSING FINANCE CORPORATION
REVENUES AND EXPENDITURES FOR PERIOD (2 MONTHS) ENDING NOVEMBER 30, 2010
(UNAUDITED)

Revenues

Interest earned on investments	\$ 24,702
Interest on loans	495
Contribution from HUD - HTF	13,148
Program income prin. loan	-
Land/home sales	-
Gas lease bonus	-
Gas lease royalties	1,404
Loan application & inspection /origination fee	-
Misc. revenue	-

Total Revenues \$ 39,749

Expenditures

Salary expenses	\$ 1,609.93
Postage	99
Misc. & other operations	-
Appraisal fees	-
Conference and seminars	1,723
Engineering Services	-
Inside printing	11
Graphics	-
Liability insurance	-
Electricity	274
Water & waste disposal	344
Dues and membership	290
Contractual services	46,210
Contractual services - HTF Expenses	1,785
Contractual services - Mercado Repayment	1,102,462
Loss on asset	56,731
Bank Charges	39
Land purchase	-
Other expenses to be paid	-

Total Expenditures \$ 1,211,578

Excess of Revenues over (under) Expenditures (1,171,830)

Other Financing Sources (Uses)

Transfers in HFC	48,892
Total Other Financing Sources (Uses)	48,892

Excess of Revenues over (under) Expenditures and Other Financing sources (1,122,938)

Fund Balances (Deficit), beginning of the period	13,843,790
Fund Balances (Deficit), at the end of the period	12,720,852

Reconciliation of fund balance to Balance sheet

ADD: Loans receivable from Villas Of Eastwood	638,979
Equity investment in FW CCC, LLC	-
Eastland loan	900,000
Wind River loan	715,000
Less: Liability to CFW - Assigned properties	(159,965)
	-
Fund balance per balance sheet	\$ 14,814,866

FORT WORTH HOUSING FINANCE CORPORATION

Details of Loan Receivables & Escrow Accounts for period ending November 30, 2010

Loan Receivables

<u>Name</u>	<u>Date of Note</u>	<u>Amount</u>	<u>Status</u>
Willie Roberson	08/21/98	22,302	Active
Eastland		900,000	Active
Wind River		715,000	
Total		\$ 1,637,302	

Deferred revenue

Willie Roberson	22,302
Wind River	715,000
Eastland	900,000
	1,637,302

Escrows

Willie Roberson	08/21/98	206	Active
Total		\$ 206	

Details of Classification of Fund Balance

Represented by Investments & Loans

Loans receivable from Villas of East Wood LLC	638,979
Holdings for FWCCC LLC	-
Total	\$ 638,979

Details of Payable to CFW (Assigned properties liability from Carter Metro)
(Properties were acquired with grant funds)

Assigned from Cartermetro	
1118 E. Tucker	1,500.00
1139 Cannon St	1,500.00
2912 Walker St	92,800.00
4521 Trueland	9,000.00
4525 Trueland	9,000.00
802 E. Magnolia	1,500.00
Cash assigned to HFC	27,075.98
Total	142,375.98
Less Taxes paid when assigned	3,457.75
Total liability	138,918.23
Assigned from TCDC (Formerly Mitchell Blvd. Dev. Corp.)	
2511 Mitchell Blvd	39,220.00
3220 Thrall St	0.00
Total	39,220.00
Less Taxes paid when assigned	18,172.76
Total liability	21,047.24

G. Total Liability **159,965.47**

THE VILLAS OF EASTWOOD TERRACE, LLC
BALANCE SHEET AS ON NOVEMBER 30, 2010*
(UNAUDITED)

ASSETS

Cash and other assets:

Cash	\$ 18,586	
Accounts receivable	12,316	
Prepaid expenses	77,215	
Total cash and other assets	108,117	108,117

Restricted deposits:

Cash - tenant security deposits held in trust	22,934	
Escrow deposits held by mortgagee	37,241	
Replacement reserve held by mortgagee	144,019	
Other reserves held by mortgagee	-	
Total restricted deposits	204,194	204,194

Apartment property at cost:

Land	216,561	
Building and Improvements	9,533,523	
Furniture and Equipments	71,676	
Motor vehicles	7,849	
Total	9,829,610	
Accumulated depreciation	(2,816,628) (1)	
Net	7,012,982	7,012,982

Total Assets

\$ 7,325,293

LIABILITIES & NET ASSETS (DEFICIT)

Mortgage payable, collateralized by apartment property	\$ 9,168,225
Owner loan (HFC)	615,000
Advances from owner (HFC)	638,979
Misc current liabilities	500
Accounts payable - operations	10,848
Accrued mortgage interest	47,881
Accrued wages and taxes	2,983
Prepaid revenue	2,793
Tenant security deposits	22,822

Total liabilities

10,510,030

Net assets (deficit)

(3,184,737)

Total liabilities and net assets (deficit)

\$ 7,325,293

*Source, Quest Asset Management, Inc.

Note:

(1) No depreciation expense has been booked by QUEST ASSET Management for this period but an estimated depreciation expense of \$319,586.00 has been booked by CFW staff for this statement.

THE VILLAS OF EASTWOOD TERRACE, LLC
REVENUES AND EXPENDITURE FOR PERIOD (11 MONTHS) ENDING NOVEMBER 30, 2010*
(UNAUDITED)

Revenues:		
Rental income - apartments	\$ 1,053,064	
Other income from teneants	36,459	
Interest income	120	
Total Revenues	<u>1,089,643</u>	1,089,643
 Expenses:		
Administrative	126,207	
Utilities	84,801	
Operating and maintenance	132,233	
Taxes and insurance	50,820	
Mortgage interest	528,689	
Mortgage insurance	69,774	
Depreciation	319,586 (1)	
Total Expenses	<u>1,312,110</u>	1,312,110
Change in net assets		(222,467)
Net assets (Deficit) at beginning of period		(2,962,270)
Net assets (Deficit) at end of period	<u>\$</u>	<u>(3,184,737)</u>

*Source, Quest Asset Management, Inc.

Note:

(1) No depreciation expense has been booked by QUEST ASSET Management for this period but an estimated depreciation expense of \$319,586.00 has been booked by CFW staff for this statement.

FW CITY CONSTRUCTION COMPANY, LLC
BALANCE SHEET AS ON NOVEMBER 30, 2010
(UNAUDITED)

ASSETS

Cash and Cash Equivalents

Cash at bank- Compass Bank

\$ -

-

Other Assets

-

Total Assets

\$

-

LIABILITIES & EQUITY

Liabilities

Total Liabilities

-

EQUITY

Opening Balance

543,730

Transfer of 4525&4521 Trueland to HFC

(169,473)

Equity returned to HFC

(348,892)

Add: Profit (Loss) for the period pending allocation

(25,365)

0

Total Equity & Liabilities

\$

0

FW CITY CONSTRUCTION COMPANY, LLC
REVENUES AND EXPENDITURE FOR THE PERIOD (11 MONTHS) ENDING NOVEMBER 30, 2010
(UNAUDITED)

INCOME

Income from Construction & Other activities	\$ 111,192	
Increase (Decrease)in Work in Progress	<u>(145,820)</u>	
Total		(34,628)

EXPENDITURE

Blue Prints, Plans & Fees	153	
Materials & Labor	(896)	
Workers' Comp. Ins.	-	
Liability Insurance (net)	(4,585)	
Builder's Risk	74	
Landscaping	(4,420)	
Stamps	-	
Software update	338	
Other Dues, Training & Fees	15	
Bank Charges	<u>59</u>	
Total		<u>(9,264)</u>
Profit(Loss) on operations carried forward to Balance Sheet	<u>\$</u>	<u>(25,365)</u>



**FORT WORTH CITY COUNCIL WORK SESSION
CITY ATTORNEY INTERVIEWS AND EVALUATIONS OF
CANDIDATES**

**FRIDAY, JANUARY 7, 2011
CITY HALL - PRE-COUNCIL CHAMBERS
1000 THROCKMORTON STREET
FORT WORTH, TEXAS 76102
9:00 A.M.**

I. Call to Order

II. Executive Session

Deliberate personnel matters related to the appointment of a City Attorney in accordance with Section 551.074 of the Texas Government Code.

III. Discussion and direction concerning matters discussed in Executive Session.

IV. Adjourn



Updated December 28, 2010

City of Fort Worth
City Council Pre-Council Agenda Calendar

December 31, 2010 *(Friday)*

City Hall Closed – New Year’s Eve Holiday

January 4, 2011

*1:00 p.m. Housing and Economic Development Committee
Housing Finance Corporation
(Immediately following the HED)
3:00 p.m. Pre-Council Meeting*

Continued Items:

- **Resolution #4** - A Resolution Reappointing and Appointing Members to the Fort Worth Transportation Authority Executive Committee (**Continued from December 7, 2010 by Council Member Jordan**)
 - **ZC-10-120** - AutoZone, Inc., 4331 East Lancaster Avenue; from: "MU-1" Low Intensity Mixed Use to: "PD/MU-1" Planned Development for all uses in "MU-1" Low Intensity Mixed use plus inventory warehouse; site plan included. (**Continued from November 9, 2010 by Council Member Hicks**)
 - **ZC-10-184** - City of Fort Worth Planning & Development: Text Amendment, Near Southside Amendment: An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of the Fort Worth, to amend:
 - Various sections of the Near Southside Development Standards and Guidelines as provided by Section 4.909d, "Other Development Standards" of Chapter 4, "District Regulations" of Article 9, "Commercial Districts" to revise criteria of Significant Trees and methods of mitigation for removal; to further promote desirable development and to correct inconsistencies;
 - To amend the regulations for building height and projecting signs;
 - To clarify the application of roof slope standards;
 - To provide additional regulations for "N" Zones;
 - To correct references for established and projecting yards(**Continued from December 7, 2010 by Council Member Burns**)
- ERP Phase I Stabilization Report [*Karen Montgomery, City Manager’s Office*]
- Report on Natural Gas Pipelines [*Randle Harwood, Planning and Development, Libby Willis, Fort Worth League of Neighborhoods and Carl Weimer, Pipeline Safety Trust*]



Updated December 28, 2010

City of Fort Worth
City Council Pre-Council Agenda Calendar

January 4, 2011 (continued)

- Update on the Tarrant County 9-1-1 District Budget and Strategic Plan [*Carl Smart, Fire Department and Greg Petrey, Executive Director, Tarrant County 9-1-1*]
- Briefing on Redistricting [*Fernando Costa, City Manager's Office*]

January 11, 2011

1:00 p.m. Infrastructure & Transportation Committee (cancelled)
3:00 p.m. Pre-Council Meeting (cancelled)

January 17, 2011 (Monday)

City Hall Closed – Martin Luther King, Jr. Holiday

January 18, 2011

8:30 a.m. Pre-Council Meeting (cancelled)

January 19, 2011 (Wednesday)

10:00 a.m. Legislative and Intergovernmental Affairs Committee



Updated December 28, 2010

City of Fort Worth
City Council Pre-Council Agenda Calendar

January 25, 2011

8:30 a.m. Pre-Council Meeting
Alliance Airport Authority, Inc. (TBD)
(Immediately Following the City Council)

Continued Items:

- **M&C L-15096** - Authorize Execution of an Encroachment License Agreement with Texas Midstream Gas Services, L.L.C., in the Amount of \$46,827.68 for a 24-inch Natural Gas Pipeline Within a City of Fort Worth Drainage Easement, Located Just East of and Adjacent to the Railroad Tracks, Between Altamesa Boulevard and Hallmark Drive West **(Continued from December 7, 2010 by Staff)**
 - **M&C L-15098** - Authorize Execution of an Underground Pipeline License Agreement with Texas Midstream Gas Services, L.L.C. in the Amount of \$33,927.41 for a 24-Inch Natural Gas Pipeline Across City-Owned Property Situated in the G. Herrera Survey, A-2027 and Located West of Trimble Drive and North of Sheffield Drive **(Continued from December 7, 2010 by Staff)**
 - **M&C C-24577** - Authorize the Execution of a Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, LLC, a License to Construct and Operate a Natural Gas Gathering Pipeline Across Sycamore School Road, Alta Mesa Boulevard and Sheffield Drive, for a One-Time License Fee of \$15,193.75 **(Continued from December 7, 2010 by Staff)**
 - **ZC-10-094** - Commercial Metals Company, 2400 NE 36th Street; from: "K" Heavy Industrial to: "PD/K" Planned Development for all uses in "K" Heavy Industrial plus metal recycling facility; site plan included **(Continued from November 9, 2010 by Council Member Espino)**
-
- Redevelopment of General Worth Square Park including the John F. Kennedy Tribute *[Richard Zavala, Parks and Community Services and Andy Taft, Downtown Fort Worth, Inc.]*
 - Super Bowl Preparation Follow-Up *[Susan Alanis, City Manager's Office]*
 - Briefing on Citizen Presentation Guideline Options *[Marty Hendrix, City Secretary's Office]*
 - Briefing on Citizen Survey *[Horatio Porter, Budget Officer]*



Updated December 28, 2010

City of Fort Worth
City Council Pre-Council Agenda Calendar

January 27, 2011 *(Thursday)*

3:00 p.m. Audit and Finance Advisory Committee

February 1, 2011

11:00 a.m. Legislative and Intergovernmental Affairs Committee

1:00 p.m. Housing and Economic Development Committee

3:00 p.m. Pre-Council Meeting

Continued Items:

- **M&C G-17140** - Conduct a Public Hearing, Adopt a Resolution Designating the Six Points Area as a Neighborhood Empowerment Zone and Adopt an Ordinance Designating the Six Points Area as Neighborhood Empowerment Reinvestment Zone No. 38
(Continued from December 7, 2010 by Council Member Espino)
- **ZC-10-150A** - City of Fort Worth Planning & Development Department, Central Meadowbrook Neighborhood, Phase 2, 5221 and 5401 E. Lancaster Avenue; from: "F" General Commercial to: "E" Neighborhood Commercial (Continued from December 7, 2010 by Council Member Burns)
- **ZC-10-183** - City of Fort Worth Planning and Development: Text Amendment, Mixed Use Districts Amendment: An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of the City of Fort Worth to Amend (Continued from December 7, 2010 by Council Member Burdette)
- Update on Alliance Airport [*Susan Alanis, City Manager's Office and Mike Berry, Alliance Airport*] *Tentative*

February 4, 2011

11:00 a.m. Legislative and Intergovernmental Affairs Committee (Tentative)



Updated December 28, 2010

City of Fort Worth
City Council Pre-Council Agenda Calendar

February 8, 2011

1:00 p.m. Infrastructure & Transportation Committee
3:00 p.m. Pre-Council Meeting

February 15, 2011

8:30 a.m. Pre-Council Meeting

February 17, 2011 (Thursday)

7:00 p.m. Fort Worth Crime Control and Prevention District Board of Directors Meeting (Pre-Council Chambers)

February 22, 2011

8:30 a.m. Pre-Council Meeting (cancelled)

February 24, 2011 (Thursday)

3:00 p.m. Audit and Finance Advisory Committee

March 1, 2011

11:00 a.m. Legislative and Intergovernmental Affairs Committee
1:00 p.m. Housing and Economic Development Committee
3:00 p.m. Pre-Council Meeting



Updated December 28, 2010

City of Fort Worth
City Council Pre-Council Agenda Calendar

March 8, 2011

1:00 p.m. Infrastructure & Transportation Committee
3:00 p.m. Pre-Council Meeting

March 15, 2011

8:30 a.m. Pre-Council Meeting (cancelled)

March 22, 2011

8:30 a.m. Pre-Council Meeting

March 24, 2011 *(Thursday)*

3:00 p.m. Audit and Finance Advisory Committee

March 29, 2011

8:30 a.m. Pre-Council Meeting (cancelled)



City Council Meeting of December 14, 2010
Staff Action Tracking

Item #1	Pension Plan	
Due Date:	January 25, 2011	Council District: 8
Staff Action:	Staff to provide a memo about the vesting periods of other Texas pension plans.	
Responsibility:	Karen Montgomery (City Manager's Office)	

Item #2	Operation Crackdown	
Due Date:	February 1, 2011	Council District: 8
Staff Action:	Staff to research the Texas National Guard's "Operation Crackdown" Program in an effort to clean up neighborhoods that have substandard properties and report back to Council on how this program might save the City money.	
Responsibility:	Brandon Bennett (Code Compliance)	

Item #3	Joint City Council/FWISD Board of Education Meeting	
Due Date:	February 1, 2011	Council District: 8
Staff Action:	Staff to schedule a joint meeting of the City Council and the FWISD Board of Education during the upcoming year.	
Responsibility:	Shirley Little (City Manager's Office)	

Item #4	Detention Services Contract	
Due Date:	February 1, 2011	Council District: 3
Staff Action:	Staff to review the current detention services contract the City has with the City of Mansfield and determine if there is a better way in providing this service.	
Responsibility:	Charles Daniels (City Manager's Office)	

**CITY OF FORT WORTH, TEXAS
REGULAR CITY COUNCIL MEETING
DECEMBER 14, 2010**

Present

Mayor Mike Moncrief
Mayor Pro tem Daniel Scarth, District 4
Council Member Salvador Espino, District 2
Council Member W. B. "Zim" Zimmerman, District 3
Council Member Frank Moss, District 5
Council Member Jungus Jordan, District 6
Council Member Carter Burdette, District 7
Council Member Kathleen Hicks, District 8
Council Member Joel Burns, District 9

Staff Present

Dale Fisseler, City Manager
David Yett, City Attorney
Marty Hendrix, City Secretary

I. CALL TO ORDER

With a quorum of the City Council Members present, Mayor Moncrief called the regular session of the Fort Worth City Council to order at 7:04 p.m., on Tuesday, December 14, 2010, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102.

II. INVOCATION - Minister Jack Cummings, Western Hill Church of Christ

The invocation was provided by Minister Jack Cummings, Western Hill Church of Christ.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF DECEMBER 7, 2010

Motion: Mayor Pro tem Scarth made a motion, seconded by Council Member Espino, that the minutes of the regular meeting of December 7, 2010, be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

V. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items to be withdrawn from the Consent Agenda.

VI. ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

There were no items to be continued or withdrawn by Staff.

VII. CONSENT AGENDA

Council Member Hicks stated that she was advised by City Attorney Yett that although she served on the Trinity River Vision Board, she did not have a conflict of interest and would be able to vote on Mayor and Council Communication No. 24636.

City Attorney Yett confirmed that Council Member Hicks could vote on M&C C-24636.

Motion: Mayor Pro tem Scarth made a motion, seconded by Council Member Zimmerman, that the Consent Agenda be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

A. General - Consent Items

1. M&C G-17144 - Authorize the Acceptance of Funds from Tarrant County 9-1-1 District in an Amount Up to \$330,608.75 for the Public Safety Answering Points Assistance Program Reimbursement for Fiscal Year 2011 and Adopt Appropriation Ordinance.

Approved by the City Council as recommended and as follows: Authorizing the City Manager to Accept Funds From Tarrant County 9-1-1 District for Fiscal Year 2011 in an Amount up to \$330,608.75 for the Public Safety Answering Points Assistance Program Reimbursement; and Adopting Appropriation Ordinance No. 19476-12-2010 Increasing the Estimated Receipts and Appropriations in the Information Systems Fund in the Amount of \$330,608.75, Subject to Receipt of the Funds for the Purpose of Funding the Reimbursement.

2. M&C G-17145 - Authorize Payment for the City of Fort Worth's Fiscal Year 2011 Membership Dues to the North Central Texas Council of Governments in an Amount Not to Exceed \$73,620.00.

Approved by the City Council as recommended and as follows: Authorizing Payment for the City's Fiscal Year 2011 Membership Dues to the North Central Texas Council of Governments in an Amount Not to Exceed \$73,620.00.

3. M&C G-17146 - Adopt a Resolution Ratifying the City's Lawsuit Entitled, City of Fort Worth v. Greg Abbott, Attorney General of Texas, Cause No. D-1-GV-10-001771, Filed on October 22, 2010, in the 126th District Court of Travis County, Texas.

Approved by the City Council as recommended and as follows: Adopting Resolution No. 3951-12-2010 Ratifying the Lawsuit Entitled City of Fort Worth v. Greg Abbott, Attorney General of Texas, Cause No. D-1-GV-10-001771, Filed by the City Attorney on October 22, 2010, in the 126th District Court of Travis County, Texas.

VII. CONSENT AGENDA Continued)

4. M&C G-17147 - Adopt a Resolution Increasing the Amount to be Paid to Jackson Walker, L.L.P., to Assist the City in Certain Employment Tax, Labor and Employment Law Issues, and Tax Issues Related to the Employees Retirement Fund, to an Amount Not to Exceed \$15,000.00.

Approved by the City Council as recommended and as follows: Adopting Resolution No. 3952-12-2010 Increasing in the Amount to be Paid to Jackson Walker, L. L. P., to Assist the City in Certain Employment Tax, Labor and Employment Law Issues and Tax Issues Related to the Employees Retirement Fund, to an Amount Not to Exceed \$15,000.00.

5. M&C G-17148 - Approval of 2010 Ad Valorem Tax Roll.

Approved by the City Council as recommended and as follows: Approving the 2010 Ad Valorem Tax Roll.

6. M&C G-17149 - Approve Findings of Ground Transportation Coordinator Regarding Application of Allen Limousine, Inc., to Operate Thirty-Five Limousines Within the City of Fort Worth and Adopt Ordinance Granting Such Authority.

Approved by the City Council as recommended and as follows: Considering and Adopting the Following Findings of the Ground Transportation Coordinator: the Public Necessity and Convenience Require the Operation of 35 Limousines Upon the City Streets, Alleys and Thoroughfares; Allen Limousine, Inc., is Qualified and Financially Able to Conduct a Limousine Service Within the City; Allen Limousine, Inc., has Complied With the Requirements of Chapter 34 of the City Code; Allen Limousine, Inc., Presented Facts in Support of Compelling Demand and Necessity for 35 Limousines; the General Welfare of the Citizens of the City Will Best be Served by the Addition of 35 Limousines Upon City Streets, Alleys and Thoroughfares; and Adopting Ordinance No. 19477-12-2010 Granting the Privilege of Operating Authority to Allen Limousine, Inc., for the Use of the Streets, Alleys, and Public Thoroughfares of the City in the Conduct of its Limousine Business, Which Shall Consist of the Operation of 35 Limousines, for a Three (3) Year Period Beginning on the Effective Date; Specifying the Terms and Conditions of the Grant; and Providing for Written Acceptance by Allen Limousine, Inc., and Subject to and Conditioned on Allen Limousine, Inc., Complying With All Requirements of Chapter 34, Article VI, of the Code of the City of Fort Worth (1986), as Amended.

7. M&C G-17150 - Approve Findings of Ground Transportation Coordinator Regarding Application of DFW Prestige Limos, LLC, d/b/a DFW Limos, to Operate Fifteen Limousines Within the City of Fort Worth and Adopt Ordinance Granting Such Authority.

(VII. CONSENT AGENDA Continued)

(G-17150 Continued)

Approved by the City Council as recommended and as follows: Considering and Adopting the Following Findings of the Ground Transportation Coordinator: the Public Necessity and Convenience Require the Operation of 15 Limousines Upon the City Streets, Alleys and Thoroughfares; DFW Prestige Limos, L.L.C., d/b/a/ DFW Limos, is Qualified and Financially Able to Conduct a Limousine Service Within the City; DFW Prestige Limos, L.L.C., d/b/a/ DFW Limos, has Complied With the Requirements of Chapter 34 of the City Code; DFW Prestige Limos, LLC, d/b/a/ DFW Limos, Presented Facts in Support of Compelling Demand and Necessity for 15 Limousines; the General Welfare of the Citizens of the City Will Best be Served by the Addition of 15 Limousines Upon City Streets, Alleys and Thoroughfares; and Adopting Ordinance No. 19478-12-2010 Granting the Privilege of Operating Authority to DFW Prestige Limos, L.L.C., d/b/a/ DFW Limos, for the Use of the Streets, Alleys, and Public Thoroughfares of the City in the Conduct of its Limousine Business, Which Shall Consist of the Operation of 15 Limousines, for a Three (3) Year Period Beginning on the Effective Date; Specifying the Terms and Conditions of the Grant; and Providing for Written Acceptance by DFW Prestige Limos, L.L.C., d/b/a/ DFW Limos, and Subject to and Conditioned on DFW Prestige Limos, L.L.C., d/b/a/ DFW Limos, Complying With All Requirements of Chapter 34, Article VI, of the Code of the City of Fort Worth (1986), as Amended.

8. M&C G-17151 - Authorize the Temporary Road Closure of Main Street Between 3rd Street and 5th Street, and 4th Street Between Commerce Street and Houston Street from January 26, 2011 to February 8, 2011, and Houston Street Between 3rd Street and 5th Street, and 4th Street Between Houston Street and Throckmorton Street from January 30, 2011 to February 7, 2011.

Approved by the City Council as recommended and as follows: Authorizing the Temporary Road Closures for Main Street From 3rd Street to 5th Street and 4th Street From Commerce Street to Houston Street From January 26, 2011, to February 8, 2011, and Houston Street From 3rd Street to 5th Street and 4th Street From Houston Street to Throckmorton Street From January 30, 2011, to February 7, 2011, to Facilitate Broadcast Activities Associated With the Super Bowl on February 6, 2011.

9. M&C G-17152 - Standardization of Fee Schedule for Code Compliance Education Classes Available as Alternative to Fines and Fees for Ordinance Violations.

Approved by the City Council as recommended and as follows: Approving a Standardized \$30.00 Fee for All Education Classes Offered by the Code Compliance Department as an Alternative for Eligible Individuals to Paying Fines and Fees for Violations of Certain Ordinances.

(VII. CONSENT AGENDA Continued)

B. Purchase of Equipment, Materials, and Services - Consent Items

1. M&C P-11186 - Authorize the Purchase of Two Chillers for the Fort Worth Convention Center from Johnson Controls, Inc., Using a Texas Multiple Award Schedule Contract, for the Public Events Department for a Total Amount of \$437,993.00.

Approved by the City Council as recommended and as follows: Authorizing the Purchase of Two (2) Chillers for the Fort Worth Convention Center From Johnson Controls, Inc., Using a Texas Multiple Award Schedule Contract, for the Public Events Department for a Total Amount of \$437,993.00.

2. M&C P-11187 - Authorize a Purchase Agreement with Teleste LLC, for a Video Management System, Software Licenses, Equipment, and Services for the Transportation and Public Works Department Using a State of Texas Department of Information Resources Contract for an Initial Amount of \$203,625.00.

Approved by the City Council as recommended and as follows: Authorizing a Purchase Agreement With Teleste L.L.C., for a Video Management System, Software Licenses, Equipment, and Services for the Transportation and Public Works Department Using State of Texas Department of Information Resources Contract Number DIR-SDD-1566 for an Initial Amount of \$203,625.00.

C. Land - Consent Items

1. M&C L-15109 - Authorize the Conveyance of Permanent Easements to Oncor Electric Delivery Company, LLC, for the Installation and Maintenance of a Primary Electric Service at the Will Rogers Memorial Center.

Approved by the City Council as recommended and as follows: Authorizing the City Manager to Convey Permanent Easements to Oncor Electric Delivery Company, L.L.C., for the Installation and Maintenance of a Primary Electric Service at the Will Rogers Memorial Center.

2. M&C L-15110 - Authorize the Purchase from Betty K. Pierce of a Fee Simple Interest in 0.007 Acres of Land for Right-of-Way and 0.002 Acres of Land for a Temporary Construction Easement at 11855 Alta Vista Road for the North Beach Phase I Roadway Project for a Total Purchase Price of \$1,890.00, Authorize the Payment of Closing Costs, and Authorize the Acceptance of a Dedication Deed from Betty K. Pierce for 0.040 Acres of Land at 11855 Alta Vista Road at No Cost to the City for Future Roadway Improvements.

(VII. CONSENT AGENDA Continued)

(L-15110 Continued)

Approved by the City Council as recommended and as follows: Authorizing the Acquisition of 0.007 Acre of Land for Right-of-Way and 0.002 Acre of Land for a Temporary Construction Easement, Both Located at 11855 Alta Vista Road, Described as Abstract No. 266, Tract 2A02, F. Cuella Survey, Fort Worth, Texas, From Betty K. Pierce for the North Beach Phase I Roadway Project; Finding That the Price of \$1,850.00 Offered for the Purchase of Right-of-Way and \$40.00 for the Purchase of a Temporary Construction Easement is Just Compensation; Authorizing the Acceptance of a Dedication Deed for 0.040 Acre of Land Located at 11855 Alta Vista Road, Fort Worth, Texas, From Betty K. Pierce for Future Roadway Improvements; and Authorizing the City Manager or His Designee to Accept the Conveyances and Record the Appropriate Instruments and to Pay Closing Cost Up to \$2,000.00.

3. M&C L-15111 - Authorize the Purchase from Teresa A. Loddick of a Fee Simple Interest in 0.007 Acres of Land for Right-of-Way and 0.002 Acres for a Temporary Construction Easement at 11865 Alta Vista Road for the North Beach Phase I Roadway Project for the Total Purchase Price of \$1,890.00, Authorize the Payment of Closing Costs, and Authorize the Acceptance of a Dedication Deed from Teresa A. Loddick for 0.040 Acres of Land at 11865 Alta Vista Road for Future Roadway Improvements.

Approved by the City Council as recommended and as follows: Authorizing the Acquisition of 0.007 Acre of Land for Right-of-Way and 0.002 Acre of Land for a Temporary Construction Easement, Both Located at 11865 Alta Vista Road, Described as Abstract No. 266, Tract 2A01, F. Cuella Survey, Fort Worth, Texas, From Teresa A. Loddick for the North Beach Phase I Roadway Project; Finding That the Price of \$1,850.00 Offered for the Purchase of Right-of-Way and \$40.00 for the Purchase of a Temporary Construction Easement is Just Compensation; Authorizing the Acceptance of a Dedication Deed for 0.040 Acre of Land Located at 11865 Alta Vista Road, Fort Worth, Texas, From Teresa A. Loddick for Future Roadway Improvements; and Authorizing the City Manager or His Designee to Accept the Conveyances and Record the Appropriate Instruments and to Pay Closing Cost Up to \$2,000.00.

4. M&C L-15112 - Authorize the Purchase of a Fee Simple Interest in 0.027 Acres of Land for Right-of-Way and 0.018 Acres for a Temporary Construction Easement Located at 4022 East First Street from Anselmo Rodarte and Maria Isabel Rodarte for a Total of \$31,700.00 and Pay the Estimated Closing Costs of \$3,000.00 for the East First Street Widening Project.

(VII. CONSENT AGENDA Continued)

(L-15112 Continued)

Approved by the City Council as recommended and as follows: Authorizing the Fee Acquisition of 0.027 Acre for Right-of-Way and 0.018 Acre for a Temporary Construction Easement, Excluding Minerals, Located at 4022 East First Street, Described as Lot C, Block 1, Baker's Subdivision, Fort Worth, Texas, From Anselmo Rodarte and Maria Isabel Rodarte; Finding That the Total Price of \$31,700.00 is Just Compensation for the East First Street Widening Project; and Authorizing the City Manager or His Designee to Accept the Conveyances, Record the Appropriate Instruments and to Pay Closing Cost Up to \$3,000.00.

5. M&C L-15113 - Authorize the Acceptance of a Dedication Deed from Roberta B. Murfin, at No Cost to the City of Fort Worth for 0.001 Acres of Land for Right-of-Way Needed for the Widening of Old Decatur Road from Bailey-Boswell Road to W J Boaz Road.

Approved by the City Council as recommended and as follows: Authorizing the Acceptance of a Dedication Deed From Roberta B. Murfin at No Cost to the City of Fort Worth for 0.001 Acre of Land Right-of-Way Described as Lot 8, Block 21, Saginaw North Addition, Fort Worth, Tarrant County, Texas, Needed for the Widening of Old Decatur Road From Bailey-Boswell Road to W J Boaz Road; and Authorizing the City Manager, or His Designee, to Accept and Record the Appropriate Instruments to Complete the Conveyance.

6. M&C L-15114 - Authorize the Acceptance of a Dedication Deed from Christopher Deleon, at No Cost to the City of Fort Worth for 0.001 Acres of Land for the Right-of-Way Required for the Widening of Old Decatur Road from Bailey-Boswell Road to W J Boaz Road.

Approved by the City Council as recommended and as follows: Authorizing the Acceptance of a Dedication Deed From Christopher Deleon at No Cost to the City of Fort Worth for 0.001 Acre of Land for the Right-of-Way Described as Lot 1, Block 21, Saginaw North Addition, Fort Worth, Tarrant County, Texas, Needed for the Widening of Old Decatur Road From Bailey-Boswell Road to W J Boaz Road; and Authorizing the City Manager, or His Designee, to Accept and Record the Appropriate Instruments to Complete the Conveyance.

7. M&C L-15115 - Accept the Dedication of Approximately 6.25 Acres of Parkland and Facility Improvements from SJ Rosemary Development, L.P., for Rosemary Ridge Park.

Approved by the City Council as recommended and as follows: Accepting the Dedication Being a 6.25 Acres Tract of Land Described as Lot 7, Block 112, Rosemary Ridge Addition, an Addition to the City of Fort Worth, Situated in the Moses Walters Survey, Abstract No. 1598, From SJ Rosemary Development, L.P., for Rosemary Ridge Park, in Accordance With the Neighborhood and Community Park Dedication Policy.

(VII. CONSENT AGENDA Continued)

E. Award of Contract - Consent Items

1. M&C C-24636 - Authorize the Execution of a Master Utility Agreement with AT&T Outlining Cost-Sharing Responsibilities and Processes for Utility Relocations Required by Trinity River Vision - Central City Project.

Approved by the City Council as recommended and as follows: Authorizing the City Manager to Execute a Master Utility Agreement With AT&T Outlining Cost-Sharing Responsibilities and Processes for Utility Relocations Required by the Trinity River Vision – Central City Project.

2. M&C C-24637 - Authorize the Execution of an Agreement with MetroCode Analysis, L.L.C., for Commercial and Residential Plan Review and Inspection Services for an Initial Annual Amount Up to \$100,000.00.

Approved by the City Council as recommended and as follows: Authorizing the City Manager to Execute an Agreement With MetroCode Analysis, L.L.C., for Plan Review and Inspection Services in the Annual Amount Up to \$100,000.00.

3. M&C C-24638 - Authorize the Execution of an Encroachment Agreement with Texas Health Harris Methodist Hospital for the Installation of Five Way-Finding Signs Which will Encroach the Pennsylvania Avenue, South Henderson Street, Sixth Avenue and North Henderson Street Rights-of-Way.

Approved by the City Council as recommended and as follows: Authorizing the City Manager to Execute a Standard Encroachment Agreement With Texas Health Harris Methodist Hospital for the Installation of Five (5) Way-Finding Signs Which Will Encroach the Pennsylvania Avenue, South Henderson Street, Sixth Avenue and North Henderson Street Rights-of-Way.

4. M&C C-24639 - Adopt a Resolution Authorizing Employment of Mark G. Daniel as Outside Counsel to Advise the Ethics Review Committee in an Amount Not to Exceed \$50,000.00.

Approved by the City Council as recommended and as follows: Ratifying and Approving the Selection of Mark G. Daniel as Outside Counsel, Pursuant to City Code, Sec. 2-245 (a), to Advise the Ethics Review Committee Regarding Various Ethics Complaints Filed; Adopting Resolution No. 3953-12-2010, Authorizing the City Attorney to Retain Mark G. Daniel to Advise the Ethics Review Committee Regarding Various Ethics Complaints and Fixing in Advance, as far as Practicable, the Amount to be Paid to Mark G. Daniel in an Amount Not to Exceed \$50,000.00.

(VII. CONSENT AGENDA Continued)

5. M&C C-24640 - Authorize Execution of Interlocal Agreement Between the Dallas/Fort Worth International Airport Board of Directors, the City of Euless and the City of Fort Worth to Provide for the Sharing of Hotel Occupancy Taxes.

Approved by the City Council as recommended and as follows: Authorizing the City Manager to Enter Into an Interlocal Agreement Between the Dallas/Fort Worth International Airport Board of Directors, the City of Euless and the City of Fort Worth for the Sharing of Municipal Hotel Occupancy Taxes Generated on Land Located Within the Geographical Boundaries of the Dallas/Fort Worth International Airport.

6. M&C C-24641 - Authorize Change Order No. 1 in the Amount of \$75,116.16 to City Secretary No. 37367 with Stabile & Winn, Inc., for Pavement Reconstruction and Water and Sanitary Sewer Main Replacements on Portions of Edney Street and Southcrest Drive.

Approved by the City Council as recommended and as follows: Authorizing the City Manager to Execute Change Order No. 1 in the Amount of \$75,116.16 to City Secretary Contract No. 37367 With Stabile & Winn, Inc., for Pavement Reconstruction and Water and Sanitary Sewer Main Replacements on Portions of Edney Street and Southcrest Drive, Thereby Revising the Total Contract Amount to \$1,381,685.96.

7. M&C C-24642 - Authorize the Execution of Change Order No. 3 in the Amount of \$75,194.00 to City Secretary Contract No. 39522 with Stabile & Winn, Inc., for Pavement Reconstruction, Water and Sanitary Sewer Main Replacements on Portions of Boston Avenue, Chelsea Road, Chicago Avenue, Clairemont Avenue, Junuis Street, Lynnhaven Road and Norma Street, Contract Group A District 8 Critical Capital Program, Project No. 00923 and DOE No. 6068.

Approved by the City Council as recommended and as follows: Authorizing the City Manager to Execute Change Order No. 3 in the Amount of \$75,194.00 to City Secretary Contract No. 39522 With Stabile & Winn, Inc., Thereby Revising the Total Contract Amount to \$2,392,244.29 for Contract Group A District 8 Critical Capital Program, Project No. 00923 and DOE No. 6068. The Project Consists of Pavement Reconstruction, as Well as Water and Sanitary Sewer Replacements for the Following Streets:

Boston Avenue	Meadowbrook Drive to East Lancaster Avenue
Chelsea Road	Meadowbrook Drive to North Dead End
Chicago Avenue	Meadowbrook Drive to East Lancaster Avenue
Clairemont Avenue	Meadowbrook Drive to East Lancaster Avenue
Junuis Street	Martha Lane to Meadowbrook Drive
Lynnhaven Road	Barnett Street to Normandy Road
Norma Street	North Edgewood Terrace to Queen Street

(VII. CONSENT AGENDA Continued)

8. M&C C-24643 - Authorize the Execution of Contract with Conatser Construction TX, LP, in the Amount of \$1,218,282.50 for the Oakridge Terrace and Linda Lane Drainage Improvements and Adopt Appropriation Ordinance.

Approved by the City Council as recommended and as follows: Authorizing the City Manager to Execute a Contract With Conaster Construction TX, LP, in the Amount of \$1,218,282.50 for the Oakridge Terrace and Linda Lane Drainage Improvements; Authorizing the Transfer of \$792,558.25 From the Water and Sewer Fund to the Water Capital Projects Fund in the Amount of \$405,158.00 and the Sewer Capital Projects Fund in the Amount of \$387,400.25; and Adopting Appropriation Ordinance No. 19479-12-2010 Increasing the Estimated Receipts and Appropriations in the Water Capital Projects Fund and the Sewer Capital Projects Fund From Available Funds for the Purpose of Funding the Improvements (City Project Number 00474).

9. M&C C-24644 - Authorize the Execution of an Interlocal Agreement with Tarrant County for the Maintenance of the Upper End of a Storm Drain Which Ends Beyond the City Limits But Within the City's Extraterritorial Jurisdiction in Tarrant County.

Approved by the City Council as recommended and as follows: Authorizing the City Manager to Execute an Interlocal Agreement With Tarrant County for the Maintenance of Approximately 112 Linear Feet of Storm Drain and Two (2) Associated Drainage Inlets at the Intersection of Haslet-Roanoke Road and Ridgetop Road, in the City's Extraterritorial Jurisdiction in Tarrant County.

10. M&C C-24645 - Authorize an Additional Payment in the Amount of \$87,874.98 to the Texas Department of Transportation Under City Secretary Contract No. 35401, a Local Project Advance Funding Agreement, for the Construction and Inspection of Drainage Improvements at East Rosedale and Sycamore Creek.

Approved by the City Council as recommended and as follows: Authorizing an Additional Payment in the Amount of \$87,874.98 to the Texas Department of Transportation Under City Secretary Contract No. 35401, a Local Project Advance Funding Agreement for the Construction and Inspection of Drainage Improvements at East Rosedale Street and Sycamore Creek.

11. M&C C-24646 - Authorize the Execution of an Amendment to the Agreement with Rodeo Plaza, Inc., to Manage, Maintain and Program the Area Known as Rodeo Plaza for a Period of Six Months and Adopt a Supplemental Appropriation Ordinance Increasing Appropriations in the Culture and Tourism Fund in the Amount of \$200,000.00 and Decreasing the Unaudited, Unreserved, Undesignated Fund Balance by the Same Amount for the Purpose of Upgrading the Sound System and Replacing the Bucking Chutes in the Cowtown Coliseum.

(VII. CONSENT AGENDA Continued)

(C-24646 Continued)

Approved by the City Council as recommended and as follows: Authorizing the City Manager to Execute an Amendment to the Agreement With Rodeo Plaza, Inc., to Manage, Maintain and Program the Area Known as Rodeo Plaza for a Period of Six (6) Months; and Adopting Supplemental Appropriation Ordinance No. 19480-12-2010 Increasing the Estimated Receipts and Appropriations in the Culture and Tourism Fund in the Amount of \$200,000.00 and Decreasing the Unaudited, Unreserved, Undesignated Fund Balance by the Same Amount for the Purpose of Upgrading the Sound System and Replacing the Bucking Chutes in the Cowtown Coliseum.

12. M&C C-24647 - Adopt a Supplemental Appropriation Ordinance Increasing Appropriations in the Culture and Tourism Fund in the Amount of \$533,000.00 to Fund the Convention and Visitors Bureau and Decreasing the Unaudited, Unreserved, Undesignated Culture and Tourism Fund Balance by the Same Amount.

Approved by the City Council as recommended and as follows: Adopting Supplemental Appropriation Ordinance No. 19481-12-2010 Increasing the Estimated Receipts and Appropriations in the Culture and Tourism Fund in the Amount of \$533,000.00 to Fund the Convention and Visitor Bureau and Decreasing the Unaudited, Unreserved, Undesignated Fund By the Same Amount, for the Purpose of Restoring Funds for Marketing and Increasing the Special Public Facilities Fund.

13. M&C C-24648 - Authorize a Contract with Coburn's Catering Service, Inc., to Provide Exclusive Concession and Alcoholic Beverage Services at the Will Rogers Memorial Center for a Period of Six Months.

Approved by the City Council as recommended and as follows: Authorizing the City Manager to Contract With Coburn's Catering Service, Inc., to Provide Exclusive Concession and Alcoholic Beverage Services at the Will Rogers Memorial Center for a Term of Six (6) Months to Begin on January 1, 2011, and Expire on June 30, 2011 With Options to Renew for Up to Seven Additional Months.

14. M&C C-24649 - Authorize the City Manager to Execute an Amendment to City Secretary Contract No. 33979 with the City of Mansfield for Detention Services.

Approved by the City Council as recommended and as follows: Authorizing the City Manager to Execute an Amendment to City Secretary Contract No. 33979 With the City of Mansfield for Detention Services.

(VII. CONSENT AGENDA Continued)

15. M&C C-24650 - Adopt a Resolution and Authorize the Application and Execution of the Related Contract for the Fiscal Year 2011 Transnational Gang Grant from the Office of the Governor, Criminal Justice Division in the Amount of \$150,000.00 and Making Assurances Required by the Criminal Justice Division of the Governor's Office and Adopt Related Appropriation Ordinance.

Approved by the City Council as recommended and as follows: Adopting Resolution No. 3954-12-2010 Authorizing the Application and Acceptance of \$150,000.00 in Grant Funds From the Fiscal Year 2011 Criminal Justice Division Grant Funds and the Making of Assurances Required by the Criminal Justice Division of the Governors' Office; Authorizing the City Manager to Apply for, Accept, Reject, Alter or Terminate, if Awarded, the Fiscal Year 2011 Transnational Gang Grant From the Office of the Governor, Criminal Justice Division; Authorizing the City Manager to Designate the Assistant City Manager who Oversees the Police Department as the Authorized Official to Accept, Reject or Alter the Fiscal Year 2011 Transnational Gang Grant After it is Awarded; Providing Assurance That Funds Will be Returned to the Office of the Governor, Criminal Justice Division, in Full, in the Event of Loss or Misuse of Criminal Justice Division Grant Funds; Authorizing the City Manager to Execute a Contract With the Office of the Governor for the Implementation of the Fiscal Year 2011 Transnational Gang Grant; and Adopting Appropriation Ordinance No. 19482-12-2010 Increasing the Estimated Receipts and Appropriations in the Grants Fund by \$150,000.00 Upon Receipt of Said Grant, for the Purpose of Funding the Grant.

16. M&C C-24651 - Execute an Interlocal Agreement with Tarrant County to Provide Up to \$72,753.00 for One Strategic National Stockpile Liaison Position for Fiscal Year 2011 and Adopt Appropriation Ordinance.

Approved by the City Council as recommended and as follows: Authorizing the City Manager to Enter Into an Interlocal Agreement With Tarrant County for Tarrant County to Pay the City a Maximum of \$72,753.00 for one (1) Strategic National Stockpile Liaison Position With the City's Emergency Management Office; and Adopting Appropriation Ordinance No. 19483-12-2010 Increasing the Estimated Receipts and Appropriations in the Grants Fund From the Available Funds for the Purpose of Funding the Position.

17. M&C C-24652 - Authorize a Contract in the Amount of \$769,276.00 with William J. Schultz, Inc., d/b/a Circle "C" Construction Company for Water and Sanitary Sewer Relocations for SH121T, Part 20 at Hulen Street.

(VII. CONSENT AGENDA Continued)

(C- 24652 Continued)

Approved by the City Council as recommended and as follows: Authorizing the City Manager to Execute a Contract in the Amount of \$769,276.00 With William J. Schultz, Inc., d/b/a Circle "C" Construction Company, for Water and Sanitary Sewer Relocations for SH121T, Part 20 at Hulen Street for the Installation of a 48-Inch Diameter Pipe Beginning From a Point Located 270 Feet North of the Hulen Street/Bridgeview Drive Intersection, Northwesterly 410 Feet Then Easterly 380 Feet and Then Southerly 80 Feet to a Connection Point With an Existing 10-Inch Sewer Lateral.

18. M&C C-24653 - Authorize an Engineering Agreement in the Amount of \$292,213.00 with CP&Y, Inc., for the South Holly High Service Pump Station Motor and Switchgear Replacement Project.

Approved by the City Council as recommended and as follows: Authorizing the City Manager to Execute an Engineering Agreement With CP&Y, Inc., in the Amount of \$292,213.00 for the South Holly High Service Pump Station Motor and Switchgear Replacement Project.

19. M&C C-24654 - Authorize Change Order No. 2 in the Amount of \$156,058.00 to City Secretary Contract No. 39768 with Burnsco Construction, Inc., for Sanitary Sewer Rehabilitation Contract LX, Part 2 on Tierney Road (Cliffview Drive to Barnett Street) and Adopt Appropriation Ordinance.

Approved by the City Council as recommended and as follows: Authorizing the Transfer of \$205,354.00 From the Water and Sewer Fund to the Water Capital Projects Fund in the Amount of \$199,354.00 and the Sewer Capital Projects Fund in the Amount of \$6,000.00; and Adopting Appropriation Ordinance 19484-12-2010 Increasing the Estimated Receipts and Appropriations in the Water Capital Projects Fund and in the Sewer Capital Projects Fund for the Purpose of Funding Sanitary Sewer Rehabilitation Contract LX (60), Part 2; and Authorizing the City Manager to Execute Change Order No. 2 in the Amount of \$156,058.00 to City Secretary Contract No. 39768 With Burnsco Construction, Inc., for Sanitary Sewer Rehabilitation Contract LX, Part 2 on Tierney Road (Cliffview Drive to Barnett Street), Thereby Increasing the Contract Amount to \$785,874.80.

20. M&C C-24655 - Authorize an Engineering Agreement in the Amount of \$114,512.00 with Neel-Schaffer, Inc., for Sanitary Sewer Rehabilitation, Contract LXXXI on Childress Street, Killian Street, Wilbarger Street, Collin Street, Rutan Street, Erath Street and Adopt Appropriation Ordinance.

(VII. CONSENT AGENDA Continued)

(C-24655 Continued)

Approved by the City Council as recommended and as follows: Authorizing the Transfer of \$126,512.00 From the Water and Sewer Fund to the Sewer Capital Projects Fund; Adopting Appropriation Ordinance No. 19485-12-2010 Increasing the Estimated Receipts and Appropriations in the Sewer Capital Projects Fund in the Amount of \$126,512.00 From Available Funds for the Purpose of Funding Sanitary Sewer Rehabilitation Contract LXXXI (81); and Authorizing the City Manager to Execute a Contract in the Amount of \$114,512.00 With Neel-Schaffer, Inc., for Sanitary Sewer Rehabilitation, Contract LXXXI (81) on Childress Street From Vaughn Boulevard to Miller Avenue; Killian Street From Dowdell Street to Miller Avenue; Wilbarger Street From Vaughn Boulevard to Miller Avenue; Collin Street From Shackelford Street to Miller Avenue; Rutan Street From Collin Street to Howard Street; and Erath Street From Wilbarger Street to Knox Street.

21. M&C C-24656 - Authorize the Execution of a Contract for the Billing of Treated Water Between the City of Fort Worth and the Cities of Keller, Southlake and Westlake.

Approved by the City Council as recommended and as follows: Authorizing the City Manager to Execute a Contract for the Billing of Treated Water Between the City of Fort Worth and the Cities of Keller, Southlake and Westlake.

22. M&C C-24657 - Approval to Amend Community Facilities Agreement, City Contract No. 38509-A1, with Harmony Realty, Ltd., and Authorize City Participation in an Amount of \$12,299.56 for Relocation of 12-inch Sewer Main to Serve Twin Creeks Crossing, a Development Located In West Fort Worth.

Approved by the City Council as recommended and as follows: Authorizing the City Manager to Amend the Community Facilities Agreement, City Secretary Contract No. 38509-A1, With Harmony Realty, Ltd., for the City to Participate in the Amount of \$12,299.56 for the Relocation of the 12-Inch Sewer Main to Serve Twin Creeks Crossing, a Development Located in West Fort Worth.

23. M&C C-24658 - Authorize the Acceptance of Funds and Execution of Agreement with Tarrant County in an Amount Up to \$30,000.00 for Fiscal Year 2011 for the Operation of Two Community Action Partners Centers, Authorize Execution of Lease Agreement for One Center and Adopt Appropriation Ordinance.

Approved by the City Council as recommended and as follows: Authorizing the City Manager to Accept Funds and Execute an Agreement With Tarrant County for Fiscal Year 2011 in an Amount Up to \$30,000.00 for the Operation of Two (2) Community Action Partners Centers; Authorizing the City Manager to Execute a Lease Agreement With Mary Hartman for the Far Northwest Community Action Partners Center in an Amount Not to Exceed \$10,534.68 Per Year; and Adopting Appropriation Ordinance No. 19486-12-2010 Increasing the Estimated Receipts and Appropriations in the Grants Fund Subject to Receipt of the Funds for the Purpose of Funding the Centers.

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

- 1. OCS - 1797 - Notice of Claims for Alleged Damages and/or Injuries**
- 2. OCS - 1798 - Liability Bonds Approval**

End of Consent Agenda.

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation by America's Promise Alliance

Mr. Jordan LaPier, Senior Director of 100 Best Communities for Youth, presented the City with a Push Pin Award from America's Promise Alliance. He stated that the efforts of Fort Worth civic and community leaders were honored today when America's Promise Alliance (the Alliance), the nation's largest partnership organization dedicated to youth and children, announced the City had been named a winner of the Alliance's *100 Best Communities for Young People (100 Best)* competition presented by ING, a global financial services company and leading provider of retirement plans and programs for teachers. He advised that the 2010 recognition marked the first win for Fort Worth in the competition. He further advised that the *100 Best* designation recognized those communities that made youth a priority by implementing programs that help keep children in school and prepared them for college and the 21st century workforce. He stated that the competition was open to all communities that made children and youth a priority, including small towns, large cities, counties and school districts. He pointed out that in addition to enhancing local educational opportunities, most winning communities had taken steps to facilitate improved access to health care for its young people, encouraged youth civic engagement and supplied developmental resources that created better places for young people to live and grow. He added that the entire 2010 list of *100 Best Communities for Young People* and their accomplishments could be found at www.americaspromise.org/100Best. He also stated that Fort Worth was named one of the nation's *100 Best* because of the City's dedication to supporting and engaging local youth. He further stated that Fort Worth's goal was to create a child-friendly city with a college-bound culture through innovative collaborations and partnerships among volunteers, nonprofit organizations and local government. He advised that more than \$13.6M was budgeted annually by the Mayor and Council Members for programs benefiting children and youth, including the LeaderKids Fort Worth program which engaged students through career presentations and volunteer opportunities to better the community. He also advised that one (1) initiative, Prevail to Graduation, brought together the City, Fort Worth Independent School District, the Chamber of Commerce and community volunteers who worked toward increasing the graduation rate among high school students. He further advised that students who had recently dropped out of school were personally contacted by a volunteer who encouraged the student to return to school and graduate. He pointed out that the volunteers came from all sectors of the Fort Worth community, including faith and business leaders, educators, parents and government workers and added that since 1995, graduation rates had increased 10 percent due to the initiative and its other collaborative programs.

(IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC. - #1 Continued)

Mayor Moncrief accepted the award on behalf of the City and expressed appreciation to America's Promise Alliance for the award and for the life changing support that the organization provided to the youth in the community.

2. Presentation of Proclamation for Healing Shepherd Clinic Day

Council Member Hicks presented a Proclamation for Healing Shepherd Clinic Day to Mr. Don Shisler, President and CEO of Union Gospel Mission of Tarrant County. She stated that Healing Shepherd Clinic, established in late 2008, was created to provide primary care to homeless individuals and to relieve the overcrowding of hospital emergency rooms. She further stated that the mission of the Healing Shepherd Clinic was to understand and serve the health and wellness needs of the residents and guests of Union Gospel Mission in the spirit of community. She advised that over the past 12 months, 10 volunteer physicians and six (6) volunteer registered nurses from the Fort Worth medical community had donated their time to the treatment of patients at the Healing Shepherd Clinic. She also pointed out that since its inception two (2) years ago, the Healing Shepherd Clinic had provided patients with a medical home which included primary care, medical referrals and patient education and advocacy.

Mr. Shisler expressed appreciation for the Proclamation and stated that Healing Shepherd Clinic was working with all the hospitals, with or without emergency facilities, in Tarrant County to relieve some of the overcrowding issues, especially during the holidays.

Mayor Moncrief expressed appreciation to Mr. Shisler and Union Gospel Mission of Tarrant County for their work in and around the City. He stated the Mission was a great partner with the City and Directions Home and stated Fort Worth was very proud of their accomplishments in the homeless community.

3. Presentation of Certificates of Recognition to Former Board and Commission Members

Council Member Hicks, presented a Certificate of Recognition to the following former Board and Commission member:

Ms. Susan De Los Santo, for her service on the Board of Adjustment - Residential from August 3, 2006, through October 26, 2010.

Council Member Hicks advised that the following individuals were unable to attend the meeting to receive a Certificate of Recognition:

(IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC. - #3 Continued)

Ms. Teresa Ayala, for her service on the Community Development Council from July 14, 2009, through October 19, 2010.

Ms. Martha Stanton Lunday, for her service on the Appeals Board from October 1, 2003, through October 19, 2010.

Ms. Sakura Moten-Dedrick, for her service on the Area Metropolitan Ambulance Authority from September 1, 2009, through October 26, 2010.

Ms. Becky Lawton, for her service on the Art Commission from June 15, 2004, through October 19, 2010.

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Council Member Scarth wished Mr. Eddie Robinson, former General Manager of the Texas Rangers and former New York Yankee baseball player, a happy 90th birthday. He also wished his son Haddon Scarth a happy 20th birthday. He also announced that Arcadia Park was hosting a holiday neighborhood event with hayrides, hot cocoa, and pictures with Santa on December 18, 2010, from 1:00 p.m., to 3:00 p.m., and invited everyone in the area to attend.

Council Member Zimmerman announced the “Home for the Holidays” pet adoption event. He stated all cats were available for adoption for \$12.00 and dogs were available for \$24.00. He stated the promotional prices were available through December 24, 2010, at the Chuck Silcox Animal Care and Control Center, located at 4900 Martin Street, and at the PetSmart Adoption Center, located at 4800 South Loop 820. He also advised that gift certificates were available for purchase for either a dog or cat and were good for 90 days from the date of purchase.

Council Member Moss announced that a Stop Six Sunrise Addition Model Block Meeting would be held on December 16, 2010, from 6:30 p.m., to 8:00 p.m., at the Tarrant County College Opportunity Center, located at 5901 Fitzhugh Street.

Council Member Hicks announced that the Fort Worth Business Assistance Center would host a holiday open house on December 16, 2010, from 4:00 p.m., to 6:00 p.m., and encouraged everyone to attend the event to learn about the Center’s goals for the coming year and to enjoy refreshments.

(X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF - #1 Continued)

Mayor Moncrief announced that Cowboy Santas Toy Drive would be held on December 17, 2010, from 6:00 a.m., to 9:00 a.m., on Third and Main Streets and encouraged everyone to donate an unwrapped toy or make a monetary donation. He stated that he and his wife Rosie, along with the Police and Fire Departments and many other staff members would be on location to encourage donations. He stated the program began in 1981 at several Fort Worth Community Centers with a group of community leaders to help provide area families with toys for the holidays. He further stated that over the last three decades and through the support of city and community leaders, the program had grown to cover all of Tarrant County. He advised that the Cowboy Santas Program was headquartered in the City's Parks and Community Services Department and stated the program was able to distribute toys to 12,323 children and more than 5,000 families.

Mayor Moncrief, on behalf of the City Council, presented City Manager Fisseler with a bronze replica of Frederic Remington's *Bronco Buster* as a memento of his retirement on December 31, 2010.

The Mayor and Council Members expressed appreciation to City Manager Fisseler for his service to the City and recounted memories relative to his past three (3) years as City Manager and his 21-year career with the City. They described City Manager Fisseler as a man of great humility, compassion, tremendous character, a proper gentleman and a true Manager. They acknowledged his ability to handle tough budget and economic situations with humor and compassion for his employees, friends and citizens and always approached decision making on what made sense. They stated he was a great communicator and held one of the finest moral compasses of anyone they had ever worked with and added he would be greatly missed as he enjoyed his family and retirement.

City Manager Fisseler expressed appreciation to the Mayor and Council Members for the memento and stated his staff was the best in the industry and worked tirelessly to take care of business. He further stated that he would miss the friendships that he had made during his career with the City. He advised that he would be spending his retirement with his family and would be performing volunteer work in the area.

Mayor Moncrief also announced that a retirement celebration would be held on February 17, 2011, from 5:30 p.m., to 7:30 p.m., at the Omni Hotel Ballroom for City Manager Fisseler and encouraged those interested in making a donation to contact Shirley Little, Assistant to Mayor and Council or Maddie Gibbs, Assistant to the Mayor.

Mayor Moncrief and Council Member Jordan welcomed Assistant City Manager Tom Higgins as the Interim City Manager beginning January 1, 2011. They stated Mr. Higgins was savvy in the area of economic development and had gained a great deal of trust throughout his career with the City. They added that the City Council looked forward to working with him on a daily basis.

(X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF - #1 Continued)

Mayor Moncrief also reminded everyone that the Texas Christian University (TCU) Horned Frogs would play the University of Wisconsin in the Bowl Championship Series (BCS) Rose Bowl on January 1, 2011, at 4:10 p.m., in Pasadena, California. He stated the football game would be televised on ESPN. He advised he contacted Madison, Wisconsin Mayor Dave Cieslewicz and made a friendly wager on the BSC bowl game and stated the losing city's Mayor would wear the winner's jersey and cap at the first Council meeting of 2011 and advised he would send Mayor Cieslewicz a pair of Justin Boots if the University of Wisconsin won the game. He wished the Horned Frogs luck and encouraged everyone to wear purple and watch the BCS National Championship game.

2. Recognition of Citizens

There were no citizens recognized at this time.

XI. PRESENTATIONS BY THE CITY COUNCIL

1. Changes in Membership on Boards and Commissions

Motion: Mayor Pro tem Scarth made a motion, seconded by Council Member Hicks that Mr. James Driskell be appointed to Place 4 on the Building Standards Commission, replacing Mr. Steven Osmundson whose term had expired, effective December 14, 2010, with a term expiring September 20, 2012. The motion carried unanimously nine (9) ayes to zero (0) nays.

XII. PRESENTATIONS AND/OR COMMUNICATIONS FROM BOARDS, COMMISSIONS AND/OR CITY COUNCIL COMMITTEES

There were no presentations and/or communications from boards, commissions and/or City Council committees.

XIII. RESOLUTION

1. A Resolution Appointing Tom Higgins as City Manager, In An Interim Capacity

Motion: Council Member Hicks made a motion, seconded by Council Member Zimmerman that Resolution No. 3955-12-2010 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

XIV. REPORT OF THE CITY MANAGER

B. General

1. M&C G-17153 - Adopt a Resolution Notifying the Board of Trustees of the City of Fort Worth Employees' Retirement Fund of City Council's Intent to Consider and Vote on Benefit Reductions for Non-Vested, Non-Civil Service Employees Hired on or After April 1, 2006.

The recommendation was that the City Council Adopt a Resolution to Notify the Board of Trustees of the City of Fort Worth Employees' Retirement Fund That City Council Intends to Consider and Vote on Amendments to the Retirement Ordinance for Non-Vested, Non-Civil Service Employees Hired on or After April 1, 2006, That Will Reduce a Non-Accrued Benefit Provided by the Retirement System, at a City Council Meeting to be Held on or After March 15, 2011.

Ms. Karen Montgomery, Assistant City Manager, appeared before Council and explained the contents of the proposed resolution.

Council Member Jordan reiterated that the City Council was not voting today to reduce any benefits, but that the item they were voting on was to simply notify the Board of Trustees of the Council's intent to consider and vote no earlier than March 15, 2011, whether to reduce any benefits for non-vested employees.

Council Member Burdette advised he would not support this item and that the unfunded pension balance was a major problem and approval of this item would not fix the problem. He stated that he was not sure that this was the best solution and added that if the item was approved that the recommendations would be hard to change.

Council Members Hicks and Moss advised that they could not support this item and stated that they had issues with the City making changes to the benefits of current employees. They advised that they looked forward to discussing this matter in greater detail at the joint meeting of the City Council and the Employees' Retirement Fund Board of Trustees on December 15, 2010.

Motion: Mayor Pro tem Scarth made a motion, seconded by Council Member Zimmerman that Mayor and Council Communication No. G-17153 be approved and Resolution No. 3956-12-2010 be adopted. The motion carried six (6) ayes to three (3) nays, with Council Members Burdette, Moss and Hicks casting the dissenting votes.

2. M&C G-17154 - Adopt an Ordinance Authorizing the Dallas-Fort Worth International Airport Board to Act as City's Agent for Limited Purposes of Creating and Issuing Temporary North Texas Regional Limousine Permit/Decal for Super Bowl XLV and Establishing Rules, Regulations, Fees, Procedures, Qualifications, and Standards for Drivers and Vehicles, Allowing Holders of Regional Permit to Operate within the City, Creating Offenses for Violations with a \$500.00 Penalty, and Providing for Effective Date and Expiration and Repeal Date.

(G-17154 Continued)

The recommendation was that the City Council Adopt an Ordinance Authorizing the Dallas-Fort Worth International Airport Board to Act as Agent of the City of Fort Worth for the Limited Purposes of Creating and Issuing a Temporary North Texas Regional Limousine Permit/Decal for Super Bowl XLV and Establishing Rules, Regulations, Fees, Procedures, Qualifications, and Standards for the Permit/Decal and Limousine Drivers and Vehicles Issued the Permit/Decal; Providing That Limousine Drivers and Vehicles Issued a Valid Temporary North Texas Regional Limousine Permit/Decal Will be Allowed to Provide Limousine Service Inside the City Without Having a Limousine Driver's Permit or Vehicle Decal Issued Under Chapter 34, "Vehicles for Hire," of the Fort Worth City Code; Creating Offenses With a \$500.00 Penalty for Operating Without a Proper Regional Permit; and Providing That the Ordinance Will be Effective Following Adoption and Publication and Will Expire and be Automatically Repealed on February 12, 2011.

Motion: Council Member Moss made a motion, seconded by Council Member Espino that Mayor and Council Communication No. G-17154 be approved and Ordinance No. 19487-12-2010 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

3. M&C G-17155 - Adopt Supplemental Appropriation Ordinances in the General Fund by \$10,000,000.00 and in the Workers' Compensation Insurance Fund by \$5,000,000.00, and Decreasing the Unaudited, Unreserved, Undesignated Fund Balances by the Same Amount.

The recommendation was that the City Council Adopt Supplemental Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the General Fund in the Amount of \$10,000,000.00 and Decreasing the Unaudited, Unreserved, Undesignated General Fund Balance by the Same Amount for the Purpose of Transferring Said Funds to Capital Projects Reserve Fund; Adopt a Supplemental Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Workers' Compensation Insurance Fund in the Amount of \$5,000,000.00 and Decreasing the Unaudited, Unreserved, Undesignated Workers' Compensation Fund Balance by the Same Amount; and Authorize the Transfer From the General Fund and the Workers' Compensation Insurance Fund to the Capital Projects Reserve Fund for the Purpose of Funding High Priority Capital Projects.

Motion: Mayor Pro tem Scarth made a motion, seconded by Council Member Moss that Mayor and Council Communication No. G-17155 be approved and Supplemental Appropriation Ordinance Nos. 19488-12-2010 and 19489-12-2010 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

4. M&C G-17156 - Adopt the Financial Management Policy Statements for Fiscal Year 2010-11.

The recommendation was that the City Council Adopt the Financial Management Policy Statements for Fiscal Year 2010-11.

(G-17156 Continued)

Motion: Council Member Jordan made a motion, seconded by Council Member Espino that Mayor and Council Communication No. G-17156 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

5. M&C G-17157 - Authorize the Purchase of the City's Multiple-Layered Property Insurance and Boiler and Machinery Insurance Policies from Hub International Rigg, Broker of Record in the Amounts of \$991,606.00 and \$91,952.00.

The recommendation was that the City Council Authorize the Purchase of the City's Multiple-Layered Commercial Property Insurance by the Broker of Record (Hub International Rigg) at a Total Premium of \$991,606.00; and Authorize the Purchase of the City of Fort Worth Commercial Boiler and Machinery Insurance by the Broker of Record (Hartford Steam Boiler Insurance coverage) at a Total Premium of \$91,952.00.

Motion: Council Member Moss made a motion, seconded by Council Member Burns that Mayor and Council Communication No. G-17157 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

6. M&C G-17158 - Adopt an Ordinance Establishing Operational Hours for On-Street Parking Meters in the Fort Worth Cultural District.

The recommendation was that the City Council Adopt an Ordinance Amending the Code of the City of Fort Worth, Texas (1986), Chapter 22, "Motor Vehicles and Traffic", Article VI, "Standing, Stopping and Parking", Division II, "Parking Meters" to Establish Operational Hours for On-Street Parking Meters in the Fort Worth Cultural District.

Motion: Council Member Burdette made a motion, seconded by Mayor Pro tem Scarth that Mayor and Council Communication No. G-17158 be approved and Ordinance No. 19490-12-2010 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

7. M&C G-17159 - Authorize the Transfer of Funds in the Amount of \$15,871,883.00 from the General Fund to the Contract Street Maintenance Fund for Fiscal Year 2010-2011 Contract Street Maintenance Program and Adopt Appropriation Ordinance.

The recommendation was that the City Council Authorize the City Manager to Transfer \$15,871,883.00 From the General Fund to the Contract Street Maintenance Fund; and Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Contract Street Maintenance Fund From the Available Funds for the Purpose of Funding a Portion of the Fiscal Year 2010-2011 Street Maintenance Program.

(G-17159 Continued)

Motion: Council Member Burns made a motion, seconded by Council Member Espino that Mayor and Council Communication No. G-17159 be approved and Appropriation Ordinance No. 19491-12-2010 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

8. M&C G-17160 - Adopt a Temporary Ordinance Establishing a Clean Zone and Buffer Zone Restricting Certain Activities In and Around the Downtown Area from January 23, 2011 Through February 8, 2011 in Conjunction With Super Bowl XLV.

The recommendation was that the City Council Adopt a Temporary Ordinance Establishing a Clean Zone and Buffer Zone Prohibiting Certain Activities Within Protected Areas in Connection With Activities Related to Super Bowl XLV in and Around the City of Fort Worth Downtown Area From January 23, 2011, Through February 8, 2011.

Ms. Sarah Fullenwider, Senior Assistant City Attorney, appeared before Council and advised that the word “commercial” was added to page 3, Section 1, Item 5 to the Clean Zone Ordinance to indicate that the City would not be regulating non-commercial flyers or material.

Motion: Council Member Burns made a motion, seconded by Council Member Espino that Mayor and Council Communication No. G-17160 be approved and Temporary Ordinance No. 19492-12-2010 be adopted as amended. The motion carried unanimously nine (9) ayes to zero (0) nays.

9. M&C G-17161 - Accept Donation of a Limestone Wall for the Fort Worth Botanic Garden from the Botanical Research Institute of Texas, Inc.

The recommendation was that the City Council Accept a Donation of a Limestone Wall Valued at \$193,817.00 From the Botanical Research Institute of Texas, Inc., for the Fort Worth Botanic Garden.

Motion: Council Member Burdette made a motion, seconded by Council Member Burns that Mayor and Council Communication No. G-17161 be approved with appreciation to the Botanical Research Institute of Texas, Inc. The motion carried unanimously nine (9) ayes to zero (0) nays.

10. M&C G-17162 - Adopt Ordinance Designating Tax Abatement Reinvestment Zone No. 71, City of Fort Worth, Texas, for Property Located in Vicinity of 600 North Beach Street. (PUBLIC HEARING)

The recommendation was that the City Council Hold a Public Hearing Concerning the Designation of Tax Abatement Reinvestment Zone No. 71, City of Fort Worth, Texas; and Adopt an Ordinance Designating a Certain Area in the City of Fort Worth as “Tax Abatement Reinvestment Zone No. 71, City of Fort Worth, Texas”, Pursuant to and in Accordance With Chapter 312 of the Texas Tax Code.

(G-17162 Continued)

Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

a. Report of City Staff

Mr. Robert Sturns, Economic Development Manager, Housing and Economic Development Department, appeared before Council and provided a staff report.

b. Citizen Presentations

The following individual completed speaker cards in support of Mayor and Council Communication No. G-17162, but did not wish to address the City Council.

Mr. Joe Allen, 840 North Main Street
Mr. Mark Presswood, 840 North Main Street

c. Council Action

Motion: Mayor Pro tem Scarth made a motion, seconded by Council Member Espino that the public hearing be closed and Mayor and Council Communication No. G-17162 be approved as recommended and Ordinance No. 19493-12-2010 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

C. Purchase of Equipment, Materials, and Services

1. M&C P-11188 - Authorize the Purchase of Two Hundred Twenty Five Patrol Units for the Police Department from Philpott Ford Using a Tarrant County Cooperative Contract and Crime Control and Prevention District Funds for a Total Amount of \$4,938,543.00.

The recommendation was that the City Council Authorize the Purchase of 225 Patrol Units for the Police Department From Philpott Ford Using Tarrant County Cooperative Contract No. 2007-190 and Paid for With Crime Control and Prevention District Funds for a Total Amount of \$4,938,543.00.

Motion: Council Member Jordan made a motion, seconded by Council Member Zimmerman that Mayor and Council Communication No. P-11188 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

D. Land

1. M&C L-15116 - Authorize the Sale of Thirty Six Tax-Foreclosed Properties in Accordance with Section 272.001 of the Texas Local Government Code and Section 34.05 of the Texas Property Tax Code for a Total of \$507,096.00.

The recommendation was that the City Council Authorize the Sale of 36 Tax Foreclosed Properties in Accordance With Section 272.001 of the Texas Local Government Code and Section 34.05 of the Texas Property Tax Code for a total of \$507,096.00; and Authorize the City Manager, or His Designee, to Execute and Record the Appropriate Instruments Conveying the Properties to the Highest Bidders in Compliance With the Bid Form Specifications to Complete the Sale.

Council Member Hicks requested that the property at 920 Missouri Avenue be removed from consideration.

Motion: Council Member Espino made a motion, seconded by Council Member Burns that Mayor and Council Communication No. L-15116 be approved as amended. The motion carried unanimously nine (9) ayes to zero (0) nays.

2. M&C L-15117 - Authorize the Sale of Eighteen Tax-Foreclosed Properties in Accordance with Section 272.001 of the Texas Local Government Code and Section 34.05 of the Texas Property Tax Code for a Total of \$118,050.21.

The recommendation was that the City Council Authorize the Sale of 18 Tax Foreclosed Properties in Accordance With Section 272.001 of the Texas Local Government Code and Section 34.05 of the Texas Property Tax Code for a Total of \$118,050.21; and Authorize the City Manager, or His Designee, to Execute and Record the Appropriate Instruments Conveying the Properties to the Highest Bidders in Compliance With the Bid Form Specifications to Complete the Sale.

Motion: Council Member Espino made a motion, seconded by Council Member Moss that Mayor and Council Communication No. L-15117 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

3. M&C L-15118 - Authorize the Condemnation of an Easement Interest in 0.061 Acres of Land for a Permanent Drainage Facility Easement and 0.063 Acres of Land for a Temporary Construction Easement, Owned by Graciela R. Garcia and Located at 1225, 1229 and 1233 East Butler Street, for the Butler-McClure Drainage Improvement Project.

(L-15118 Continued)

The recommendation was that the City Council Declare That Negotiations Between the City and the Landowner to Acquire Easement Interests in a Total of 0.124 Acre of Land, Owned by Graciela R. Garcia and Known as 1225, 1229 and 1233 East Butler Street, Lots 7, 8 and 9, Block 2, Weisenberger Sunny Hill Garden Addition, City of Fort Worth, Tarrant County, Texas, Were Unsuccessful Because of the Inability to Reach the Owners of the Property; Declare the Necessity to Take by Condemnation the Subject Property for the Butler-McClure Drainage Improvement Project; Authorize the City Attorney to Institute Condemnation Proceedings to Acquire Easement Interests in the Surface Estate, But Not the Mineral Estate of the Property; and Authorize the Acceptance and Recording of Appropriate Instruments.

Motion: Council Member Burns made a motion, seconded by Council Member Zimmerman that Mayor and Council Communication No. L-15118 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

4. M&C L-15119 - Authorize the Condemnation of an Easement Interest in 0.433 Acres of Land for a Permanent Drainage Facility Easement, 0.941 Acres for Three Temporary Construction Easements, and 0.175 Acres for a Temporary Access Easement Owned by JSD/JLD Real Estate II, Ltd., and Located at 2000 North Forest Park Boulevard and 2400 West Freeway, for the Forest Park-Parkview Storm-Drain Project.

The recommendation was that the City Council Declare That Negotiations Between the City and the Landowner to Acquire Easement Interests in a Total of 1.549 Acres of Land Owned by JSD/JLD Real Estate II Ltd., and Known as 2000 North Forest Park Boulevard and 2400 West Freeway, Lots 1 and 2, Block 34-R, Edward Heirs Addition, City of Fort Worth, Tarrant County, Texas, Were Unsuccessful Because of the Inability to Reach an Agreement to Acquire the Easement Interests; Declare the Necessity to Take by Condemnation the Subject Property for the Easement Interests Needed for the Forest Park-Parkview Storm-Drain Project; Authorize the City Attorney to Institute Condemnation Proceedings to Acquire Easement Interests in the Surface Estate, But Not the Mineral Estate of the Property; and Authorize the Acceptance and Recording of Appropriate Instruments.

Motion: Council Member Burns made a motion, seconded by Council Member Zimmerman that Mayor and Council Communication No. L-15119 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

5. M&C L-15120 - Authorize the Condemnation of an Easement Interest in 0.131 Acres of Land for a Permanent Drainage Facility Easement and 0.169 Acres of Land for a Temporary Construction Easement, Owned by Richard N. Abrams and Julienne Gail Martinez Abrams, Located at 4301 Briarhaven Road for the Summercrest Court Drainage Improvements Project.

(L-15120 Continued)

The recommendation was that the City Council Declare That Negotiations to Acquire a Total of 0.30 Acre of Land Owned by Richard N. Abrams and Julienne Gail Martinez Abrams, Known as 4301 Briarhaven Road, Lot 1, Block 82-A, Westcliff Addition, City of Fort Worth, Tarrant County, Texas, Were Unsuccessful Because the City and the Land Owner Could Not Agree on the Purchase Price for the Easements; Declare the Necessity to Take by Condemnation the Subject Property for the Summercrest Court Drainage Improvement Project; Authorize the City Attorney to Institute Condemnation Proceedings to Acquire the Needed Easement Interests in the Property; and Authorize the Acceptance and Recording of Appropriate Instruments.

Motion: Council Member Zimmerman made a motion, seconded by Council Member Espino that Mayor and Council Communication No. L-15120 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

F. Award of Contract

1. M&C C-24659 - Authorize the Execution of Amendment No. 1 with Eastern Research Group, Inc., in the Amount of \$402,448.00 for the Fort Worth Air Quality Study and Adopt Appropriation Ordinances.

The recommendation was that the City Council Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the General Unrestricted Gas Lease Revenue Section of the Capital Projects Reserve Fund in the Amount of \$402,448.00 From Available Funds for the Purpose of Transferring Said Funds to the General Fund; Authorize the Transfer From the Capital Projects Reserve Fund General Unrestricted Gas Lease Revenue to the General Fund; Adopt a Supplemental Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the General Fund From Available Funds for the Purpose of Providing Additional Funds for the Fort Worth Air Quality Study; and Authorize the City Manager to Execute Amendment No. 1 With Eastern Research Group, Inc., for the Study.

Mayor Moncrief and Council Members Espino, Scarth, Zimmerman, Hicks and Jordan all requested an Interim Report be provided to the Council prior to completion of the study and the final report. They reiterated the importance of the Air Quality Study not only to the City but to the North Central Council of Governments and other cities across the nation. They stated that an update was necessary prior to the final report, due in June 2011, because the State Legislators needed to be advised on what they could do to assist cities in terms of environmental protection. Additionally, Council Member Hicks requested that information be placed on the website detailing what these additional funds would be used for and what the interim report would include.

(C-24659 Continued)

Motion: Council Member Zimmerman made a motion, seconded by Council Member Jordan that Mayor and Council Communication No. C-24659 be approved and Appropriation Ordinance No. 19494-12-2010 and Supplemental Appropriation Ordinance No. 19495-12-2010 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

2. M&C C-24660 - Authorize a Community Facilities Agreement with the Botanical Research Institute of Texas, Inc., with City Participation in the Amount of \$1,533,551.53, Adopt Appropriation Ordinance Increasing the Estimated Appropriations in the Storm Water Utility Fund in the Amount of \$462,000.00 and Adopt Supplemental Appropriation Ordinance Decreasing the Unaudited, Unreserved, Undesignated Storm Water Utility Fund Balance by the Same Amount.

The recommendation was that the City Council Authorize the City Manager to Execute a Community Facilities Agreement With the Botanical Research Institute of Texas, Inc., With City Participation in an Amount Not to Exceed \$1,533,551.53 for a Shared Use Parking Lot at the Deborah Beggs Moncrief Garden Center; Authorize the City Manager to Enter into a Shared Use Agreement With the Botanical Research Institute of Texas, Inc.; Adopt a Supplemental Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Storm Water Utility Fund in the Amount of \$462,000.00 and Decreasing the Unaudited, Unreserved, Undesignated Storm Water Utility Fund Balance by the Same Amount for the Purpose of Transferring Said Funds to the Park Gas Lease Project Fund; Authorize the Transfer of \$462,000.00 from the Storm Water Utility Fund to the Park Gas Well Leases Fund; Authorize the Transfer of \$462,000.00 From the Water and Sewer Utility Fund to the Park Gas Well Leases Fund; and Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations by &1,533,551.53 in the Park Gas Lease Project Fund From Available Funds for the Parking Lot.

Council Member Burdette advised that the City was very fortunate to have the Botanical Research Institute of Texas, Inc., (BRIT) constructing their headquarters in this area. He stated that as part of the construction of the new facility, BRIT was constructing a new innovative 258 space parking lot that would be used jointly by BRIT and patrons of the Botanic Garden. He advised that the parking lot would capture and reuse storm water to sustain the garden and reduce water usage for irrigation.

Ms. Elaine Petrus, 3736 Country Club Circle, completed a speaker card in support of Mayor and Council Communication No. 24660, but did not wish to address the City Council.

Motion: Council Member Burdette made a motion, seconded by Council Member Espino that Mayor and Council Communication No. C-24660 be approved with appreciation to the Botanical Research Institute of Texas, Inc., and Supplemental Appropriation Ordinance No. 19496-12-2010 and Appropriation Ordinance No. 19497-12-2010 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

3. M&C C-24661 - Authorize the Execution of Public Right-of-Way Use Agreements Consenting to the Assignment to DFW Midstream Services, LLC, by Texas Midstream Gas Services, L.L.C., of Licenses to Operate Natural Gas Pipelines Across Randol Mill Road, Sartain Road, John T. White Road, Ederville Road, Brentwood Stair Road, Cooks Lane and Precinct Line Road.

The recommendation was that the City Council Authorize the City Manager to Execute a Public Right-of-Way Use Agreement and Consent to Partial Assignment of City Secretary Contract No. 35519 Granting DFW Midstream Services, L.L.C., the Right to Operate a Natural Gas Pipeline Across Randol Mill Road, North of its Intersection With Lowery Road; Sartain Road, Southeast of its Intersection With Brook Ridge Drive; John T. White Road, East of its Intersection With Cooks Lane; Ederville Road, East of its Intersection With Cooks Lane; Brentwood Stair Road, East of its Intersection With Cooks Lane; and Cooks Lane, Northwest of its Intersection With Drews Lane; Authorize the City Manager to Execute a Public Right-of-Way Use Agreement and Consent to Partial Assignment of City Secretary Contract No. 37456 Granting DFW Midstream Services, L.L.C., the Right to Operate a Natural Gas Pipeline Across Precinct Line Road, North of Randol Mill Road, and Cooks Lane, North of Colbi Lane.

Motion: Mayor Pro tem Scarth made a motion, seconded by Council Member Moss that Mayor and Council Communication No. C-24661 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

4. M&C C-24662 - Authorize Execution of Tax Abatement Agreement with Texas Refinery Corporation for Property Improvements at 600 North Beach Street and Authorize the Waiver of Certain Related Development Fees.

The recommendation was that the City Council Authorize the City Manager to Execute a Tax Abatement Agreement With Texas Refinery Corporation for Property Improvements Located at 600 North Beach Street; and Authorize the Waiver of City Development Fees That Would Otherwise be Charged on Account of This Project.

Motion: Mayor Pro tem Scarth made a motion, seconded by Council Member Zimmerman that Mayor and Council Communication No. C-24662 be approved with appreciation to the Housing and Economic Development Department staff. The motion carried unanimously nine (9) ayes to zero (0) nays.

5. M&C C-24663 - Authorize the Execution of a Contract in the Amount of \$2,427,552.20, with Stable & Winn, Inc., for Pavement Reconstruction and Water Main Replacement on Portions of Fletcher Avenue, Goodman Avenue, Lake Como Drive, Hervie Street, Curzon Avenue, Penticost Street and Sanguinet Street and Adopt Appropriation Ordinance.

**CITY OF FORT WORTH, TEXAS
REGULAR CITY COUNCIL MEETING
DECEMBER 14, 2010
PAGE 30 of 33**

(C-24663 Continued)

The recommendation was that the City Council Authorize the Transfer of \$762,541.00 From the Water and Sewer Fund to the Water Capital Projects Fund in the Amount of \$557,191.50 and Sewer Capital Projects Fund in the Amount of \$205,349.50; Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Water Capital Projects Fund and the Sewer Capital Projects Fund From Available Funds, etc.; and Authorize the City Manager to Execute a Contract With Stabile & Winn, Inc., in the Amount of \$2,427,552.20, for Pavement Reconstruction, and Water Main Replacement for the Streets Listed Below:

Fletcher Avenue	Horne Street to Bryant Irvin Road North
Goodman Avenue	Horne Street to Bryant Irvin Road North
Hervie Street	Collinwood Avenue to Birchman Avenue
Lake Como Drive	Locke Avenue To Curzon Avenue
Curzon Avenue	Sanguinet Street to Neville Street
Penticost Street	Curzon Avenue to Diaz Avenue
Sanguinet Street	Donnelley Avenue to Houghton Avenue

Motion: Council Member Burdette made a motion, seconded by Council Member Moss that Mayor and Council Communication No. C-24663 be approved with appreciation to the Transportation and Public Works Department and Appropriation Ordinance No. 19498-12-2010 be adopted. The motion carried unanimously nine (9) ayes to zero (0) nays.

6. M&C C-24664 - Authorize a Construction Contract in the Amount of \$15,443,305.00 with Rogers-O'Brien Construction Company, Ltd, Authorize a Construction Administration Services Agreement in the Amount of \$398,450.00 Plus Up to \$8,900.00 in Reimbursable Expenses with Hahnfeld Hoffer Stanford, Inc., and Authorize a Materials Testing Agreement in the Amount of \$120,068.00 with CMJ Engineering, Inc., to Construct the East Equestrian Facility at the Will Rogers Memorial Center.

The recommendation was that the City Council Execute a Construction Contract in the Amount of \$15,443,305.00 With Rogers-O'Brien Construction Company, Ltd.; Execute a Construction Administration Services Agreement in the Amount of \$398,450.00 Plus Up to \$8,900.00 in Reimbursable Expenses With Hahnfeld Hoffer Stanford, Inc.; and Execute a Geotechnical Materials Testing Agreement in the Amount of \$120,068.00 With CMJ Engineering, Inc., to Construct the East Equestrian Facility at Will Rogers Memorial Center.

Motion: Council Member Burdette made a motion, seconded by Mayor Pro tem Scarth that Mayor and Council Communication No. C-24664 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

7. M&C C-24665 - Authorize Execution of Trust Fund Agreement with the North Texas Super Bowl XLV Host Committee, Inc., for Reimbursement of Certain Super Bowl-Related Expenses.

The recommendation was that the City Council Authorize the City Manager to Execute a Trust Fund Agreement With the North Texas Super Bowl XLV Host Committee, Inc., for Reimbursement to the City of Certain Super Bowl Related Expenses.

Motion: Council Member Burdette made a motion, seconded by Council Member Jordan that Mayor and Council Communication No. C-24665 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

8. M&C C-24666 - Authorize a Contract in the Amount of \$169,941.70 with EAS Contracting, L.P., for Improvements for a Temporary Heliport.

The recommendation was that the City Council Authorize the City Manager to Execute a Construction Contract With EAS Contracting, L.P., for Improvements for a Temporary Heliport in the Amount of \$169,941.70.

Motion: Council Member Burdette made a motion, seconded by Council Member Espino that Mayor and Council Communication No. C-24666 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

XV. ZONING HEARING

1. Zoning Docket No. ZC-10-149 - WTW Properties, 8601 Oak Grove Road; from: "F" General Commercial to: "PD/F" Planned Development for all uses in "F" General Commercial plus small equipment repair, and lay down yard; site plan included. (Recommended for Approval as Amended to include 40 foot spacing of trees and provision of large and small canopy trees along the side fencelines) (Continued from a Previous Meeting)

It appeared that the City Council, at its meeting of December 7, 2010, continued Zoning Docket No. ZC-10-094, WTW Properties, 8601 Oak Grove Road; From "F" General Commercial to "PD/F" Planned Development for All Uses in "F" General Commercial Plus Small Equipment Repair, and Lay Down Yard; Site Plan Included. (Recommended for Approval as Amended to Include 40 Foot Spacing of Trees and Provision of Large and Small Canopy Trees Along the Side Fence Lines) (Continued from a Previous Meeting)

Mayor Moncrief opened the public hearing and asked if there was anyone present desiring to be heard.

Mayor Pro tem Scarth advised he had filed a Conflict of Interest Affidavit with the City Secretary's Office and would abstain from voting on this item.

(ZC-10-149 Continued)

Mr. Trace Strevey, representing the applicant, 6300 Ridglea Place, Suite 700, completed a speaker card in support of Zoning Docket No. ZC-10-149, but did not wish to address the City Council.

Motion: Council Member Hicks made a motion seconded by Council Member Zimmerman that the public hearing be closed and that Zoning Docket No. ZC-10-149 be approved with appreciation to XTO Energy, as amended to include 40 foot spacing of trees and provision of large and small canopy trees along the side fence lines. The motion carried unanimously eight (8) ayes to zero (0) nays, with one (1) abstention by Mayor Pro tem Scarth.

There being no one else present desiring to be heard in connection with the recommended changes and amendments to Zoning Ordinance No. 13896, Council Member Hicks made a motion, seconded by Council Member Zimmerman, that the hearing be closed and that the following ordinance be adopted:

ORDINANCE NO. 19499-11-2010

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, SAME BEING AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY RESIDENCE AND OTHER PURPOSES, THE HEIGHT, NUMBER OF STORIES AND SIZE OF THE BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, OFF-STREET PARKING AND LOADING, AND THE DENSITY OF POPULATION, AND FOR SUCH PURPOSES DIVIDING THE MUNICIPALITY INTO DISTRICTS AND THE BOUNDARIES THEREOF UPON "DISTRICT MAPS"; PURPOSE AND CONFLICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR PUBLICATION AND NAMING AN EFFECTIVE DATE.

The motion carried unanimously nine (9) ayes to zero (0) nays.

XVI. CITIZEN PRESENTATIONS

1. Mr. Joe Don Brandon, P. O. Box 1155, Citizen Presentations Harassment

Mr. Joe Don Brandon, P.O. Box 1155, appeared before Council and wished City Manager Fisseler good luck in the future relative to his impending retirement. He displayed his citizen presentation card from the November 16, 2010, City Council meeting and advised that he was allowed to speak on any subject he wished. He stated that he would not tolerate being harassed or yelled at during his citizen presentations. He stated that there was no such thing as a "House Rule" and the rules must be written

(XVI. CITIZEN PRESENTATIONS - #1 Continued)

down in order to be a rule. He commented on the possible criminal records of various civic leaders and stated it was wrong for those people to be in charge with their particular types of violations on record. He displayed a small baked potato and stated that the City was attempting to cut back on feeding the homeless and stated that this small potato was being served to the homeless. He also advised that Union Gospel Mission provided the most nutritious meals to the homeless in the community.

Other Citizen Presentations:

Ms. Carol Sullivan, 5216 Carol Avenue, appeared before Council and corrected a statement that she made at the November 16, 2010, City Council meeting. She advised that TCU had the highest pass rate on the Certified Public Accountant Exam, followed by Texas Wesleyan University and University of Texas at Arlington. She advised of three (3) goals to make the City a more livable place: enforce all laws and ensure public safety; enforce code compliance laws and pick up trash especially on City properties; and reopen the swimming pools that were closed due to lack of use or funding.

XVII. EXECUTIVE SESSION (PRE-COUNCIL CHAMBER)

XVIII. ADJOURNMENT

Mayor Moncrief announced that Council Member Hicks was re-elected to the Board of Directors to the National Black Caucus of Local Elected Officials during their most recent League of Cities National Conference in Denver, Colorado. He congratulated Council Member Hicks on the reappointment and advised this was the third time she had served on this Board and pointed out that the Board was elected by members of the National Black Caucus of Local Elected Officials, a constituency group of the National League of Cities. There being no further business the meeting was adjourned at 8:28 p.m.

No Documents for this Section



To the Mayor and Members of the City Council

January 4, 2011

Page 1 of 1

**SUBJECT: ENTERPRISE RESOURCE PLANNING (ERP) PROJECT - PHASE I
UPDATE**

INFORMATION FORTHCOMING

Proposed Council-initiated Zoning Changes for Phase Four of the Northside Neighborhood



Prepared for the
City Council

By the
Planning and Development Department

January 4, 2011

1

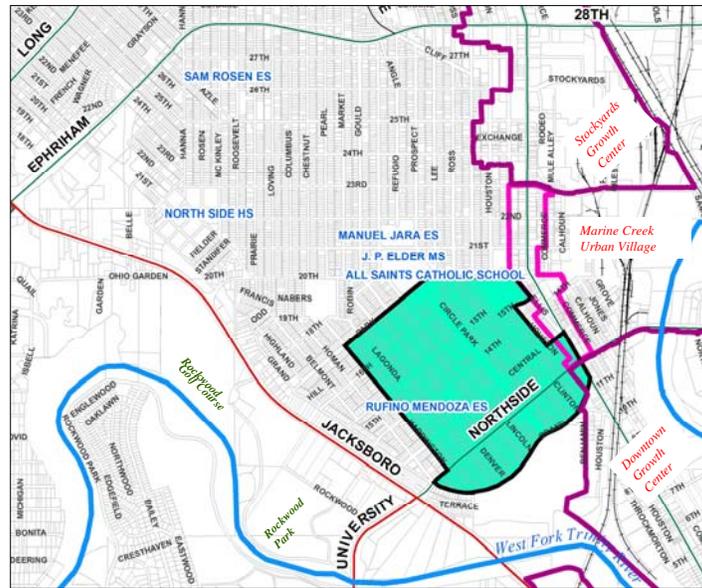
Purpose

Provide a **briefing** on the proposed Council-initiated rezoning of 307 acres of property from various residential and commercial districts to be in conformance with the Comprehensive Plan.



2

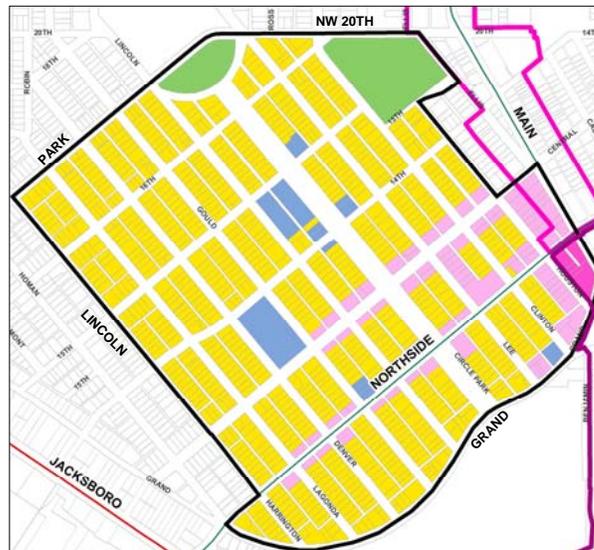
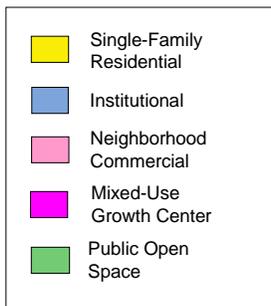
Where is the proposed rezoning area?



3

Note: The proposed rezoning area consists of a total of **987** properties.

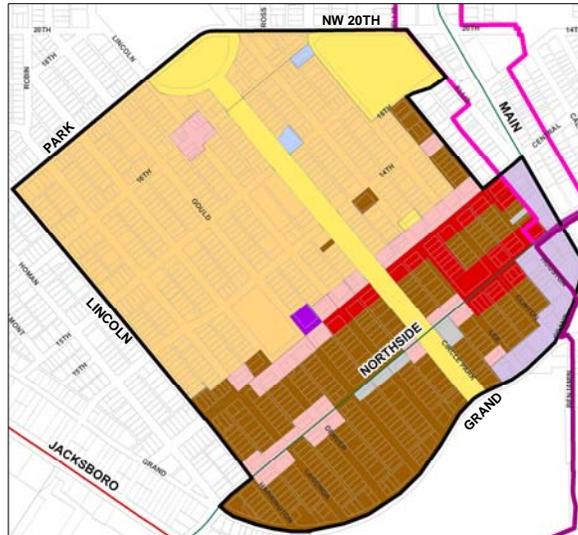
What future land use is designated in the 2010 Comprehensive Plan?



4

What is the current zoning?

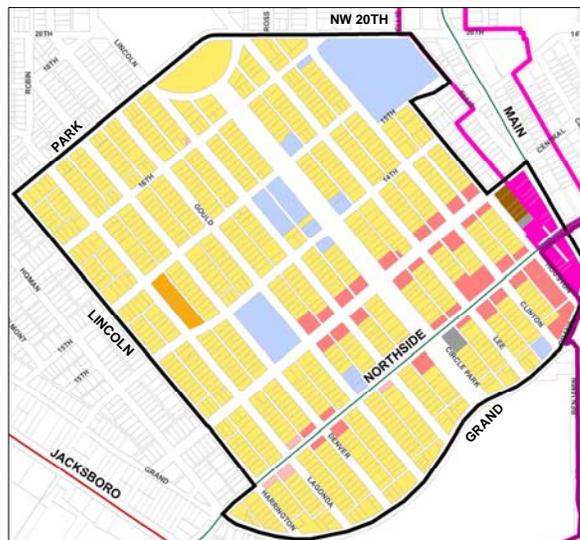
- A-5, A-5/CD: One-Family
- B, B/DD: Two-Family
- C, C/DD: Multifamily
- CF: Community Facilities
- ER, E, E/DD: Neighborhood Commercial
- FR, F, F/DD: General Commercial Restricted, General Commercial
- I: Light Industrial
- J: Medium Industrial
- PD: Planned Development
- Downtown Mixed-Use Growth Center
- Marine Creek Urban Village



5

What is the proposed zoning?

- A-5, A-5/CD, A-5/DD: One-Family
- B: Two-Family
- UR: Urban Residential
- CF: Community Facilities
- ER: Neighborhood Commercial Restricted
- E, E/DD: Neighborhood Commercial
- MU-1: Low Intensity Mixed-Use
- PD: Planned Development
- Downtown Mixed-Use Growth Center
- Marine Creek Urban Village



6

What is the proposed schedule?

<u>Date</u>	<u>Action</u>
August 17, Nov. 4, 2010	Residents attend public information meetings and express support for zoning changes.
Jan. 4, 2011	City Council receives Informal Report on proposed zoning changes.
Jan. 4	City Council approves M&C authorizing initiation of zoning changes.
Feb. 9	Zoning Commission conducts public hearing and makes recommendations on proposed zoning changes.
Mar. 1	City Council conducts public hearing and approves zoning changes.

7

**To the Mayor and Members of the City Council****January 4, 2011**

Page 1 of 1

SUBJECT: PROPOSED COUNCIL-INITIATED ZONING CHANGES FOR PHASE FOUR OF THE NORTHSIDE NEIGHBORHOOD

The January 4 City Council agenda will contain an M&C to initiate the zoning process for the fourth and final phase of the Northside neighborhood. The purpose of the proposed zoning changes is to rezone residential and non-residential property to zoning classifications that reflect the prevailing land use and appropriate land use policies. For your reference, the attached PowerPoint presentation shows the future land use from the 2010 Comprehensive Plan, the current zoning, and the proposed zoning. Council Member Espino would like to initiate rezoning of these areas in response to neighborhood concerns.

An informational meeting for the Northside neighborhood was held on August 17, 2010, which was attended by area property owners and staff. Another informational meeting for the La Nueva neighborhood was held on November 4, 2010. At both meetings, the property owners expressed support for the proposed zoning changes. One person in opposition has been noted to date.

Public hearings for the rezoning of these properties would be held by the Zoning Commission on February 9, 2011, and by the City Council on March 1.

If you have any questions, please contact Dana Burghdoff, Deputy Planning and Development Director, at 817-392-8018.

A handwritten signature in cursive script that reads "Tom Higgins".

Tom Higgins
Interim City Manager

attachment: PowerPoint presentation

Proposed Council-initiated Zoning Changes for a Portion of the Stop Six / Poly Oversight Neighborhood



Prepared for the
City Council

By the
Planning and Development Department

January 4, 2011

1

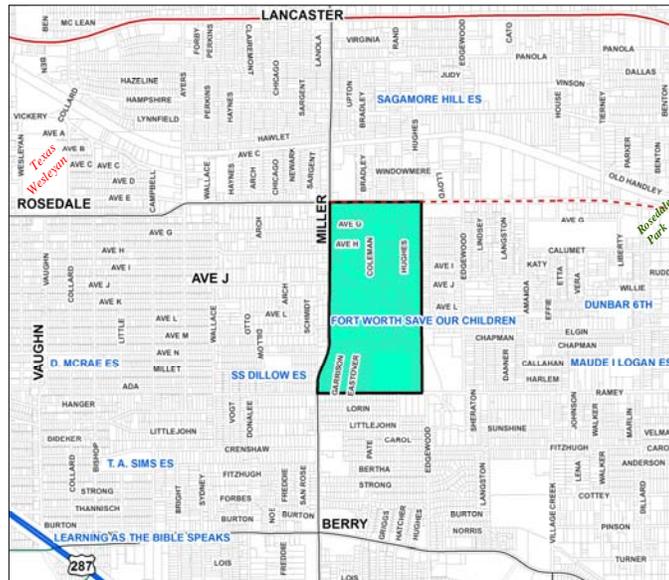
Purpose

Provide a **briefing** on the proposed Council-initiated rezoning of 124 acres of property from various residential and commercial districts to be in conformance with the Comprehensive Plan.



2

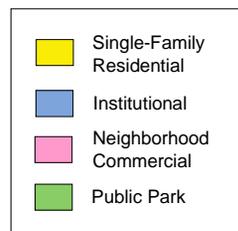
Where is the proposed rezoning area?



3

Note: The proposed rezoning area consists of a total of 326 properties.

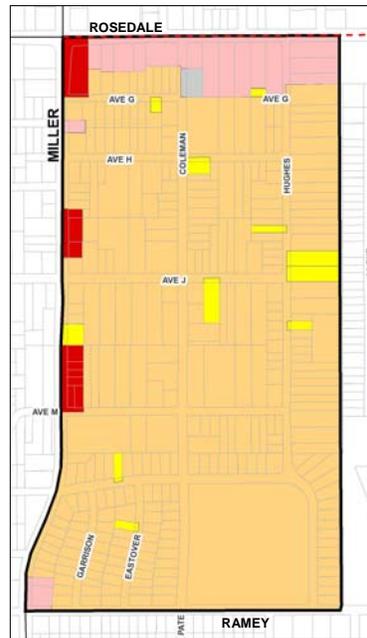
What future land use is designated in the 2010 Comprehensive Plan?



4

What is the current zoning?

- A-10, A-5: One-Family
- B: Two-Family
- ER, E: Neighborhood Commercial Restricted, Neighborhood Commercial
- FR: General Commercial Restricted
- PD: Planned Development



5

What is the proposed zoning?

- A-10: One Family
- A-7.5: One Family
- A-5: One Family
- CF: Community Facilities
- ER: Neighborhood Commercial Restricted
- E: Neighborhood Commercial
- PD: Planned Development



6

What is the proposed schedule?

<u>Date</u>	<u>Action</u>
Nov. 18, 2010	Residents attend public information meeting and express support for zoning changes.
Jan. 4, 2011	City Council receives Informal Report on proposed zoning changes.
Jan. 4	City Council approves M&C authorizing initiation of zoning changes.
Feb. 9	Zoning Commission conducts public hearing and makes recommendations on proposed zoning changes.
Mar. 1	City Council conducts public hearing and approves zoning changes.

**To the Mayor and Members of the City Council****January 4, 2011**

Page 1 of 1

Subject: Proposed Council-Initiated Zoning Changes for a Portion of the Stop Six/Poly Oversight Neighborhood

The January 4 City Council agenda will contain an M&C to initiate the zoning process for a portion of the Stop Six/Poly Oversight neighborhood. The purpose of the proposed zoning changes is to rezone residential and non-residential property to zoning classifications that reflect the prevailing land use and appropriate land use policies. For your reference, the attached PowerPoint presentation shows the future land use from the 2010 Comprehensive Plan, the current zoning, and the proposed zoning. Council Member Moss would like to initiate rezoning of these areas in response to neighborhood concerns.

An informational meeting for the Stop Six/Poly Oversight neighborhood was held on November 18, 2010, which was attended by area property owners and staff. At this meeting, the property owners expressed support for the proposed zoning changes. No one in opposition has been noted to date.

Public hearings for the rezoning of these properties would be held by the Zoning Commission on February 9, 2011, and by the City Council on March 1, 2011.

If you have any questions, please contact Dana Burghdoff, Deputy Planning and Development Director, at 817-392-8018.

Tom Higgins
Interim City Manager

attachment: PowerPoint presentation

**To the Mayor and Members of the City Council****January 4, 2011**

Page 1 of 2

SUBJECT: INTERIM REPORT ON CONTRACT FOR PROFESSIONAL SERVICES FOR NATURAL GAS AIR QUALITY STUDY FINAL WORK PLAN WITH EASTERN RESEARCH GROUP, INC.

The purpose of this Informal Report is to provide details on the timing of an Interim Report for the Contract for Professional Services for the Natural Gas Air Quality Study (NGAQS) Final Work Plan with Eastern Research Group, Inc.

To date the Ambient Air Monitoring Network activities have been completed including laboratory analysis of samples and the final quality assurance and quality control (QA/QC) procedures on that data are in progress. The first phase of Point Source Testing has been completed including laboratory analysis of samples collected and is also pending the consultant's final QA/QC procedures.

By contract, Eastern Research Group, Inc.'s (ERG) is to provide a Final Report which is due to the City on June 30, 2011. This Final Report will contain 7 sections:

- Section 1 – Ambient Monitoring Methodology and Results;
- Section 2 – Point Source Testing Methodology and Results;
- Section 3 – Dispersion Modeling Methodology and Results;
- Section 4 – Public Health Evaluation;
- Section 5 – Regulatory Assessment;
- Section 6 – Full Build-Out Estimates; and
- Section 7 – Conclusions and Recommendations.

Although the Contract including the Work Plan requires a Final Report, it does not include an Interim Report as a deliverable item. However, there is a provision in the contract by which the City can order similar or related professional services related to the scope of the overall project (such as an Interim Report). ERG has committed to providing an Interim Report that contains ambient air monitoring and point source data that have been analyzed and quality assured to date.

Staff is working with ERG to provide the Interim Report within the Council Packet on February 4, 2011 with a Pre-Council briefing on February 8, 2011.

The Natural Gas Air Quality Study Committee will be briefed on the Interim Report on or about February 7, 2011. Additionally, the Committee will be briefed on the Final Report in accordance with Resolution 3866-03-2010 which states the committee will "receive a briefing on the study results and provide feedback to the City Council".



To the Mayor and Members of the City Council

January 4, 2011

Page 2 of 2

SUBJECT: INTERIM REPORT ON CONTRACT FOR PROFESSIONAL SERVICES FOR NATURAL GAS AIR QUALITY STUDY FINAL WORK PLAN WITH EASTERN RESEARCH GROUP, INC.

Please refer any questions to Michael A. Gange, Assistant Director of TPW – Environmental Services Division at extension 6569.

A handwritten signature in cursive script that reads "Tom Higgins".

Tom Higgins
Interim City Manager

**To the Mayor and Members of the City Council****January 4, 2011**

Page 1 of 3

SUBJECT: CANCELLATION OF TEMPORARY HELIPORT PROJECT

On September 14, 2010, by M&C C-22442 revised, the City Council appropriated \$413,000 in Aviation Mineral Lease funds to make improvements necessary for a temporary heliport associated with the Super Bowl, and to conduct survey and preliminary planning work for a proposed permanent heliport. The proposed site for the temporary heliport was an overflow parking lot at the Fort Worth Botanic Garden near IH-30 and Montgomery Street. The Aviation Department, with assistance from URS Consulting, began working with all affected parties to carry out the improvements.

Work began with four main areas of focus:

- (1) Heliport Layout: Working with URS, the Federal Aviation Administration, and the Parks and Community Services Department (PACS) to arrange the facility with minimal impact on the surrounding area.
- (2) Alternative Parking: The parking lot to be used was leased to Mid-Western Development and sub-leased to Lockheed Martin for employee parking so arrangements were necessary to accommodate 130 vehicles during the time of construction and heliport operations.
- (3) Heliport Design & Construction: Working with URS to design and arrange construction of the heliport lighting and paving improvements to allow for the temporary heliport and restoration of the property back to a parking lot.
- (4) Terminal Improvements: Working with URS, PACS, and eventually the Transportation and Public Works Department to determine the improvements necessary for accommodating passengers and flight crews.

Due to complex scheduling for constructing the heliport and coordinating five alternative parking areas, it took a substantial amount of time to complete negotiations for the alternative parking and use of the premises. Once negotiations were completed and all parties had expressed agreement, the legal documents were prepared. As the legal documents were being drafted, Mid-Western Development made a request to extend their lease for the parking lot from 2013 to 2015. Mid-Western Development held to this demand that the lease be extended, or else they would decline to execute the agreement. City staff explained to Mid-Western that we legally could not extend their lease without City Council authorization. Mid-Western Development then inserted the following clause into the proposed agreement and would not execute the agreement without such assurance:

Notwithstanding the foregoing, in the event that the city council of the City has not approved and executed a two (2) year extension of the Mid-Western Lease, with no rights of early termination in favor of the City (except for a default thereunder by Mid-Western that is not cured within all applicable notice, cure and/or grace periods) and in form and substance acceptable to Mid-Western, on or before January 25, 2011, the temporary suspension of Mid-Western's rights, titles and interests under the Mid-Western Lease shall automatically be withdrawn and revoked to the same extent as if such temporary

To the Mayor and Members of the City Council

January 4, 2011

Page 2 of 3



SUBJECT: CANCELLATION OF TEMPORARY HELIPORT PROJECT

suspension had never been provided and the Suspension Term shall automatically be terminated as of January 25, 2011, and neither the City, the FBO nor any other party shall have the right to use the Botanic Garden Parking Lot as a temporary heliport or for any other purpose other pursuant to this Agreement.

City staff found this clause to be unacceptable because the proposed lease extension was not related in any way to heliport operations, because the lease extension could materially affect implementation of the Botanic Garden Master Plan, and because the proposed clause would place the temporary heliport at risk should the City Council decide on January 25 not to extend the lease agreement. Lockheed Martin expressed concurrence with our response and attempted to persuade Mid-Western, but Mid-Western persisted in demanding an unrestricted and guaranteed two-year lease extension. Consequently, the City Manager's Office decided to terminate the temporary heliport project and accommodate Super Bowl-related helicopter operations at Meacham International Airport.

The expenses incurred for the temporary heliport project included the planning and design work by URS, heliport lighting equipment, interior design services, screening material, plant material, fencing work and other minor expenses as follows:

Engineering	\$ 95,000
Heliport Lighting*	38,131
Interior Design	7,000
Screening Material*	3,330
Plant Material	2,000
Fencing	3,600
Other	<u>5,000</u>
Total	\$154,061

*These materials (\$41,461) will still be used by the Aviation Department.

URS Consulting was also contracted to perform survey work and preliminary planning for the permanent heliport as a part of this contract and will continue that portion of the work with the Aviation Department. The total for this URS Consulting contract is \$155,500.

The Aviation Department has made arrangements and advised helicopter operators either to use Meacham International Airport or to prearrange use of the former Tandy Helipad with the Tarrant Regional Water District for customers that need closer access to Downtown Fort Worth. The Aviation Department has further advised the North Central Texas Council of Governments, which is coordinating the provision of information for helicopter operators, and the North Texas Super Bowl Aviation Action Team of this change.

To the Mayor and Members of the City Council

January 4, 2011

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SUBJECT: CANCELLATION OF TEMPORARY HELIPORT PROJECT

If you have any questions about this matter, please contact Assistant City Manager Fernando Costa at 817-392-6122.

A handwritten signature in cursive script, appearing to read "Thomas Higgins".

Thomas Higgins
Interim City Manager



To the Mayor and Members of the City Council

January 4, 2011

Page 1 of 4

SUBJECT: CITY ENERGY CONSERVATION PROGRAM UPDATE

The purpose of this Informal Report is to inform the Mayor and Council of the status of the City's *Energy Conservation Program* conducted in response to the **City's goal of Improved Mobility and Air Quality**. In coming weeks, City staff will be recommending 1) adoption of an Appropriation Ordinance of revenues and expenditures in the *Special Trust Fund* of utility incentives secured through program projects, and 2) authorization of *Energy Savings Performance Contract* (ESPC) Amendment No.7 (Phase VI-b) to be funded largely through the federal *Energy Efficiency & Conservation Block Grant* (EECBG). Following is a presentation of *Program Background, Project Scope, Project Funding, and Pending Projects*.

Program Background

The City's *Energy Conservation Program* continues to implement projects both in service of the above-stated Council goal, and in response to the State's goal of improved environmental air quality as forwarded through the passage of Texas Senate Bills 5 (SB5/77th Legislature, 2001) and 12 (SB12/80th Legislature, 2006.) Both bills provide amendments to Local Government Code Chapter 302, *Energy or Water Conservation Measures for Local Governments*. The current goal is to achieve electricity usage reductions of 5-percent annually through 2012, using 2007 as the baseline year.

In fiscal year 2002, staff identified ESPCs as a technically, financially, and legally viable vehicle to implement conservation projects. To this end, the City developed and issued a *Request for Proposal* (RFP) to identify qualified *Energy Services Companies* (ESCOs.) Johnson Controls, Inc. (JCI) was ultimately selected to assist the City in implementing ESPCs for City facilities. The Department of Transportation & Public Works' (TPW) *Facilities Management Group* is responsible for managing these and other *Energy Conservation Program* efforts. The following table summarizes project information for the current program, including contract reference, general scope, funding source(s), construction cost, and cost savings.

Project Name	M&C No., Date	CSC No.	Scope	Funding	Construction*	Savings/yr.*
ESPC Phase I	C-19739, 02SEP03	29110	Comfort	Loan+Lease	\$ 3,063,090	\$ 259,647
ESPC Phase II	C-21289, 07FEB06	33347	Comfort	Loan	\$ 2,395,659	\$ 342,855
ESPC Phase III	C-21737, 26SEP06	34222	Comfort	Loan+Cash	\$ 5,198,937	\$ 711,324
LED Signals	C-22063, 17APR07	35252	Process	Lease	\$ 1,959,678	\$ 536,624
ESPC Phase IV	C-22868, 17JUN08	37266	Comfort	Lease	\$ 9,248,307	\$ 944,814
ESPC Ph. V, Sec.1	C-24070, 02FEB10	29110-A4	Process	Cash	\$ 13,652,350	\$ 829,428
ESPC Ph. V, Sec.2	C-24360, 20JUL10	29110-A5	Process	Lease+Cash	\$ 17,889,397	\$ 1,528,971
ESPC Phase VI-a	C-24406, 17AUG10	29110-A6	Comfort	Grant	\$ 1,815,526	\$ 205,939
ESPC Phase VI-b	TBD	TBD	Comfort	Grant+Cash	\$ 3,350,000	\$ 167,500
<i>10-Project Total</i>					\$ 58,572,944	\$ 5,527,102



To the Mayor and Members of the City Council

January 4, 2011

Page 2 of 4

SUBJECT: CITY ENERGY CONSERVATION PROGRAM UPDATE

Please note that italicized *Construction Costs* and *Annual Cost Savings* tabulated above (*) represent current estimates for ESPC Phase VI-b, and guaranteed amounts for previously contracted projects. Significantly, actual post-construction cost avoidance for ESPC Phases I through IV, and LED Signals projects total over \$8.4M cumulatively through FY10, exceeding the projected performance savings.

Project Scoping

The scope of *Energy Conservation Program* projects continues to be developed as most cost-effective to the City. During project development, actual utility billing history is evaluated relative to an existing facility's function and occupancy. Scoping includes consideration of all energy consuming devices relative to current available technology. Project scope mostly involves retrofitting current equipment with newer technologies proven to be more energy efficient, with the final scope being negotiated between City staff and the selected ESCo. Typically, follow-on service contracts are part of project scoping, including those for *Performance Guarantee*, *Preventative Maintenance* and *Field Technicians*.

Following are the two (2) basic approaches utilized in *Energy Conservation Program* scoping:

- Comfort scope includes facility improvement measures such as high-efficiency *lighting* (e.g. lamps, ballasts), *air-conditioning* (e.g. chillers, boilers, pumps, fans, motors), *control* (occupancy sensors, *building management systems* (BMS)) systems and equipment; and
- Process scope includes improvement measures for *water reclamation facility systems* (e.g. *supervisory control & data acquisition* (SCADA), aeration basins, anaerobic digesters, gas turbines, fluid pumps, air blowers, motors), and *transportation facility systems* (e.g. lamps, lenses).

Project Funding

The funding of *Energy Conservation Program* projects continues to be developed as budget-neutral, or better, to the City. Projects are funded such that utility, operations, and maintenance savings accumulate to recover all project costs, including any necessary finance and follow-on service contract costs. During construction of these projects, progress payments are made to contractors as approved by City staff while cost savings accrue to City accounts. The ESCo effectively guarantees projected ESPC cost savings to the City, tracking and reporting these avoided costs during the subsequent project performance period through a 3rd-party-approved measurement and verification (M&V) plan.

Following are the four (4) basic approaches utilized in *Energy Conservation Program* funding:



To the Mayor and Members of the City Council

January 4, 2011

Page 3 of 4

SUBJECT: CITY ENERGY CONSERVATION PROGRAM UPDATE

- Loans such as “LoanSTAR” (*Loan Saving Taxes & Resources*) are low-interest project financing instruments available competitively through the *Texas State Energy Conservation Office* (SECO);
- Leases such as *Municipal Equipment Lease-Purchase* (MELP) financing are available competitively in the financial services marketplace;
- Cash such as available from reserves within City fund accounts (e.g. *Commercial Paper Sewer Fund, Public Events Fund, Special Trust Fund*); and
- Grants such as the *American Resource & Reinvestment Act of 2009's* (ARRA) EECBG, are available either as formula- or competitively-based through the United States' *Department of Energy* (DOE).

In Fiscal Year 2008, to assist with future funding of *Energy Conservation Program* initiatives, a *Conservation Reserve Account* was established within the City's *Special Trust Fund*. Utility incentive monies from Oncor Electric Delivery, the City's regulated electricity utility, continue to fund this account. Currently, this account has \$432,469.27 available in support of future projects, as recommended by the *Facilities Management Group*. A utility incentive of \$233,333.03 is anticipated for receipt later this (JAN11), as qualified and approved after implementation of ESPC Phase IV.

Pending Projects

In June 2009, M&C C-23554 authorized application for and acceptance of an EECBG award funding approved activities identified within the federal *Energy Independence & Security Act of 2007* (EISA.) Since the September 2009 grant award (CSC No.39311), City staff have been working with JCI and the federal Department of Energy (DOE) in development of two ESPC amendments: Phase VI-a for *Water Fund* facilities, and Phase VI-b for *General Fund* facilities.

In May 2010, M&C C-24229 authorized execution of a *Project Development Agreement* with JCI to conduct a *Detailed Energy Study* of DOE-approved EECBG activities for *General Fund* facilities. In coming weeks, City staff plan to forward two (2) M&Cs critical to the success of our EECBG, 1) adoption of an Appropriation Ordinance of revenues and expenditures in the *Special Trust Fund* of utility incentives secured through program projects, and 2) authorization of ESPC Amendment No.7 (Phase VI-b) to be funded largely through the federal EECBG.

This fiscal year (FY11), TPW plans to work with other City departments to develop and publish an RFP in newly qualifying ESCos in the marketplace. This RFP will allow City staff to determine best-value ESCo services necessary to develop and implement future ESPCs for City facilities. City staff is also preparing a proposal to budget funding for future sustainability and growth of the *Energy Conservation Program* by redirecting a portion of cost avoidance after project cost repayment to a dedicated program fund account.



To the Mayor and Members of the City Council

January 4, 2011

Page 4 of 4

SUBJECT: CITY ENERGY CONSERVATION PROGRAM UPDATE

Several other *Energy Conservation Program* initiatives are under development, and Council will be briefed as plans progress. If you have any questions, please contact Sam Steele, *Sustainability Administrator*, in the *Transportation and Public Works Department (TPW)*, at 817.392.1276.

Tom Higgins
Interim City Manager

CITY OF FORT WORTH, TEXAS

COUNCIL PROPOSAL

Date: 01/04/2011	File Number: 283	Subject: Short Term Loan to the Fort Worth Air and Space Museum Foundation for a Temporary Exhibition
Proposed By: Jungus Jordan	City Manager's Review: <i>M. McGinnis</i>	Page: PAGE 1 OF 3
	City Attorney's Review: <i>David L. Goff</i>	

It is proposed that the City Council:

1. Acknowledge strong support for the Fort Worth Air and Space Museum Foundation and the effort to establish a Fort Worth Air & Space Museum.
2. Find that the establishment of a permanent aviation museum in Fort Worth is consistent with recommendations from the Mayor's Aviation Museum Task Force and its consultants, is a valid public purpose, and is in the best interest of the citizens of Fort Worth to capture, display and educate the general public on the history and future of aviation in the North Texas area.
3. In furtherance of this public purpose, direct the City Manager to bring forward to the City Council, for consideration at its January 25, 2011 meeting, an appropriation of \$3,000,000.00 to be loaned to the Fort Worth Air and Space Museum Foundation to fund a Temporary Exhibition at the Fort Worth Museum of Science and History, and a nine (9) month loan agreement and such other documents as the parties may deem necessary to secure such loan.

DISCUSSION:

On January 15, 2008, the City Council passed a Resolution (No. 3572-01-2008) establishing the Mayor's Aviation Museum Task Force (Task Force) for the purpose of making recommendations to the City Council on the formulation of core values and development of a strategic plan for a Fort Worth Aviation Museum. The participants in the Task Force included representatives of the Fort Worth Museum of Science and History, American Airlines C.R. Smith Museum, City of Fort Worth Aviation Advisory Board, Vought Aircraft Industries, Lockheed-Martin Corporation, Bell Helicopter, Fort Worth Convention and Visitor's Bureau, OV-10 Bronco Association, Aviation Heritage Association, B-36 Peacemaker Foundation, and Vintage Flying Museum.

In March of 2008 (via M&C C-22733), the City Council authorized an agreement with Lord Cultural Resources, a renowned museum consulting firm, to aid the Task Force in evaluating the need, role, and manner in which an Aviation Museum could be established to capture the rich aviation history in the North Texas area and to develop a strategic plan. There was a clear recognition by the Task Force that the North Texas area has been home to many prominent innovations from leading aerospace companies which would increase the likelihood for implementation and long-term sustainability of a World Class Aviation Museum in Fort Worth.

With the expertise of Lord Cultural Resources, the Museum Task Force developed a strategic master plan. The plan called for a permanent building totaling 180,000 square feet with 97,000 square feet of display space, a 4-D theater, and 34,000 square feet of restoration space; a governing structure led by the Fort Worth Museum of Science & History; a fund raising organization to raise funds for the capital costs; ownership of the permanent facility by the City of Fort Worth; and support by the City of Fort Worth to cover operating expense shortfalls through an endowment. The permanent museum would consolidate the varied aviation museum efforts in the Fort Worth area and establish a Fort Worth Air & Space Museum for the purpose of capturing, displaying and educating the general public regarding the history and future of aviation in the North Texas area.

As an element of the Task Force recommendations presented to the City Council on July 14, 2009, the Fort Worth Air and Space Museum Foundation was created to lead the development of the Fort Worth Air & Space Museum based upon a two

- LEGALITY
- FISCAL NOTE
- CITY MANAGER'S COMMENTS
- CITY POLICIES MANUAL

CITY OF FORT WORTH, TEXAS



COUNCIL PROPOSAL

Date: 01/04/2011	File Number: 283	Subject: Short Term Loan to the Fort Worth Air and Space Museum Foundation for a Temporary Exhibition	
Proposed By: Jungus Jordan		City Manager's Review:	Page: PAGE 2 OF 3
		City Attorney's Review: <i>David L. Yett</i>	

tiered plan which first creates a Temporary Exhibition in the Fort Worth Museum of Science and History, and secondly creates a Permanent Museum at Fort Worth Alliance Airport.

As guidance for this effort the Fort Worth Air and Space Museum Foundation has established a Vision, Mission and Mandates as follows:

Vision – The Fort Worth Air & Space Museum will inspire appreciation for the pioneering endeavors in aviation and space efforts which took place in North Texas, and connect new generations to the magic experienced by these pioneers.

Mission – The Fort Worth Air & Space Museum will tell the stories of North Texas's involvement in air and space endeavors and their resulting worldwide impact.

Mandate – The Fort Worth Air & Space Museum will:

- Provide opportunities for visitors of all ages to learn about air and space science and technology, the pioneering efforts of visionary individuals, as well as past, present, and future developments through exciting interactive exhibits, educational programs, and events.
- Collaborate with schools and universities, the air and space industry, and others to encourage younger generations to explore opportunities in science and technology and related educational fields to continue the legacy of North Texas' air and space heritage.
- Collect, preserve, and document a representative collection of artifacts, archives, visual and oral histories pertaining to the air and space endeavors in North Texas.
- Restore iconic aircraft and artifacts distinctive to the air and space history of North Texas.

The Temporary Exhibition, planned for opening in June 2011, will be a 10,000 square foot demonstration with interactive displays where visitors will see four areas of focus as a predecessor to the permanent museum. These include Pioneers and Innovators, Creativity, The Future, and Aviation in North Texas. The exhibitions will show people who have made North Texas one of the world's premier aerospace hubs, what is happening in modern day aviation, and serve as a challenge to what the future holds for aerospace.

The year 2011 was chosen for the Temporary Exhibition because it coincides with the 100th Anniversary of the first flight in Fort Worth performed by Roland Garros in an aerial exhibition sponsored by Amon Carter. This exhibition will be the first glimpse of what is to be expected in the permanent Fort Worth Air & Space Museum and is intended to build momentum for the fund raising efforts currently under way.

Following a time of displaying the Temporary Exhibition at the Fort Worth Museum of Science and History, a 5,000 square foot portion of the exhibition will be toured through other aviation, science and history museums in the region and nation. This tour of the Temporary Exhibition will allow others to see the contribution that North Texas has made and garner further support for the fund raising efforts toward the permanent museum.

The plan for the permanent Fort Worth Air & Space Museum is for the facility to be placed at Fort Worth Alliance Airport with an opening in 2016.

- LEGALITY
- FISCAL NOTE
- CITY MANAGER'S COMMENTS
- CITY POLICIES MANUAL

CITY OF FORT WORTH, TEXAS

COUNCIL PROPOSAL

Date: 01/04/2011	File Number: 283	Subject: Short Term Loan to the Fort Worth Air and Space Museum Foundation for a Temporary Exhibition	
Proposed By: Jungus Jordan		City Manager's Review:	Page: PAGE 3 OF 3
		City Attorney's Review: <i>David L. Galt</i>	

The City will fund a nine-month loan for the Fort Worth Air and Space Museum Foundation in an amount up to \$3,000,000 from General Fund dollars to aid in the implementation of the Temporary Exhibition. Staff anticipates returning to the City Council for approval of the loan and an ordinance to appropriate funding on January 25, 2011.

LEGALITY:

The City Attorney finds that this proposal is legal and within the authority of the City Council.

FISCAL NOTE:

The Financial Management Services Director certifies that funds are available as a result of reimbursements to the General Funds from the Aviation Fund for Fire Services provided in previous years as authorized by the Federal Aviation Administration Policy and Procedures Concerning the Use of Airport Revenue. Once these dollars are appropriated, the funds for this initiative will be available in the General Fund.

CITY MANAGER'S COMMENT:

As identified in the City staff notes related to legal and finance matters, the proposed loan for a Temporary Exhibition is a valid use of General Fund monies.

PROPOSED BY:


Jungus Jordan
Councilmember


Carter Burdette
Councilmember

- LEGALITY
- FISCAL NOTE
- CITY MANAGER'S COMMENTS
- CITY POLICIES MANUAL

A Resolution

NO. _____

REAPPOINTING AND APPOINTING MEMBERS TO THE FORT WORTH TRANSPORTATION AUTHORITY EXECUTIVE COMMITTEE

WHEREAS, the Fort Worth Transportation Authority Executive Committee was initially appointed by the Fort Worth City Council in November 1983, following a public referendum, that established the Fort Worth Transportation Authority; and

WHEREAS, the Fort Worth Transportation Authority Executive Committee consists of nine members who serve one year terms; and

WHEREAS, eight members are appointed by the City Council and the ninth is appointed by the Tarrant County Commissioners Court.

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

That the following individuals be reappointed to the Fort Worth Transportation Authority Executive Committee for a term of one year from October 1, 2010, to September 30, 2011.

<u>Council District</u>	<u>Name</u>	<u>Council Member</u>
2	Rosa Navejar	Sal Espino
3	Gary Havener	Zim Zimmerman
4	Gary Cumbie	Danny Scarth
5	Reby Cary	Frank Moss
6	Jesse P. Martinez	Jungus Jordan
7	Robert L. Jameson	Carter Burdette

That the following individuals be appointed to the Fort Worth Transportation Authority Executive Committee for a term of one year from October 1, 2010, to September 30, 2011.

<u>Council District</u>	<u>Name</u>	<u>Council Member</u>
8	Janet Saltgiver	Kathleen Hicks
9		Joel Burns



Resolution No. _____

Adopted this 4th day of January 2011.

ATTEST:

By: _____

Marty Hendrix, City Secretary



A Resolution

NO. _____

AUTHORIZING DALLAS-FORT WORTH INTERNATIONAL AIRPORT TO APPLY FOR AN AMENDMENT TO TEXAS COMMISSION ON ENVIRONMENTAL QUALITY WATER USE PERMIT NUMBER 3800B ON BEHALF OF THE CITY OF FORT WORTH

WHEREAS, the City of Dallas, Texas and the City of Fort Worth, Texas were issued water rights for a related dam and irrigation for a Golf Course at the Dallas-Fort Worth International Airport with a priority date of January 18, 1981; and,

WHEREAS, this water right permit number 3800B has a current expiration date of December 31, 2010 and has been previously amended to set new expiration dates; and,

WHEREAS, Dallas-Fort Worth International Airport has historically applied for this amendment on behalf of the City of Dallas, Texas and the City of Fort Worth, Texas and,

WHEREAS, this water right provides for the non-potable irrigation of the golf course; and,

WHEREAS, a permit amendment application has been filed with the Texas Commission on Environmental Quality by Dallas-Fort Worth International Airport, on behalf of the City of Dallas, Texas and the City of Fort Worth, Texas to amend the water right permit 3800B to extend the expiration date of the diversion of up to 300 acre-feet per year for irrigation;

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

Section 1. That the City Council authorizes Jeffrey P. Fegan, Chief Executive Officer, Dallas-Fort Worth International Airport, to apply for an amendment of Texas Commission on Environmental Quality water use permit number 3800B, on behalf of the City of Fort Worth.

Section 2. That this resolution shall take effect immediately from and after its adoption.

Adopted this _____ day of January, 2011.

ATTEST:

By: _____

Marty Hendrix, City Secretary



No Documents for this Section

City of Fort Worth, Texas
Mayor and Council Communication

DATE: Tuesday, January 4, 2011

LOG NAME:

REFERENCE NO.: **OCS-1799

SUBJECT:

Notices of Claims for Alleged Damages and/or Injuries

RECOMMENDATION:

It is recommended that the City Council refer the notices of claims for alleged damaged and/or injuries to the Finance Department/Risk Management for evaluation and investigation.

DISCUSSION:

The procedure for filing of claims of alleged damages and/or injuries is prescribed in Chapter XXVII, Section 25 of the Charter of the City of Fort Worth, Texas.

The attached list is a summary of the notices of claims against the City of Fort Worth received in the City Secretary's Office as of 5:00 p.m., Wednesday, December 22, 2010.

Attachment

Submitted for City Secretary's Office by:

Marty Hendrix (6152)

Originating Department Head:

Marty Hendrix (6152)

Additional Information Contact:

Lena Ellis (8517)
Nancy McKenzie (7744)

CITY COUNCIL MEETING

Tuesday, January 04, 2011

RISK MANAGEMENT CLAIMS REPORT

Claims listed on this report have been received in the Risk Management Division claims office and either have been or will be thoroughly investigated. The decision whether or not to accept liability is predicated on applicable provisions of the Texas Tort Claims Act. If any claimant contacts you, please refer them to Nancy McKenzie ext 7744 or JoAnn Rowls ext 7784. Thank you.

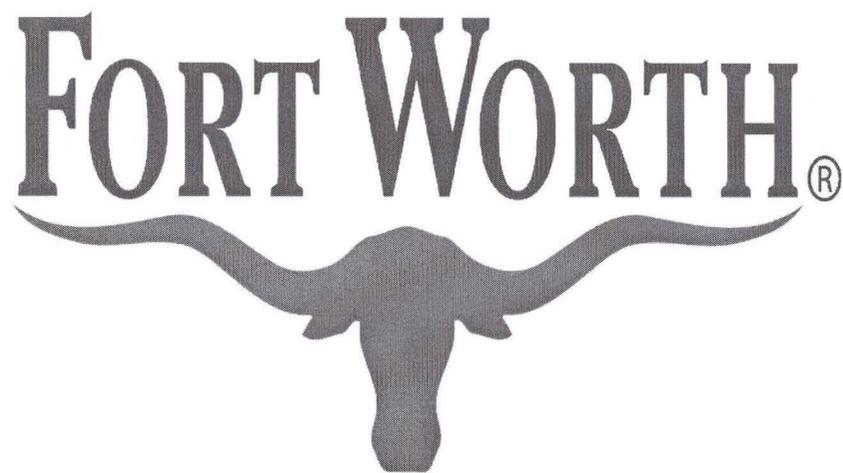
CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Fears/Nachawat i PLLC	12/20/2010	11/27/2010	4800 Ashton Ave	Bodily Injury	Bodily injury.		No	No
William Rucker	12/9/2010	12/1/2010	3950 Mt. Vernon	Property Damage	Fence damaged by equipment.	TPW	No	No
Andrew Kristofek	12/8/2010	10/9/2010	John T White Rd & JTW Rd N	Property Damage	Struck road bump while on motorcycle and crashed.	TPW	No	Yes
Barbara Reed	12/9/2010	12/2/2010	1005 E Pulaski St	Bodily Injury	Gas fumes entered home.	Water	No	Yes
Atmos Energy	12/9/2010	10/12/2010	515 W Malta	Property Damage	Gas meter struck by equipment.	Water	Yes	No
Alvester Jackson, Jr.	12/10/2010	11/22/2010	Parker Henderson & David	Auto Damage	Auto damage from road construction with no warning signs.	TPW	Yes	No
Lamar Lex	12/10/2010	10/1/2010	6747 Poppy	Property Damage	Water leak.	Water	Yes	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Ankur Patel	12/10/2010	7/25/2010	FW Auto Pound		Vehicle being detained in impound.	Police	No	No
Salem R. Zahn	12/10/2010	1/18/2009	2725 NE 28th St	Bodily Injury	False arrest and personal injury.	Police	No	Yes
Rigoberto Legarda	12/8/2010	12/1/2010	28th & Decatur	Auto Damage	Struck pothole.	TPW	No	No
John McClanahan	12/10/2010	12/3/2010	Hwy 35W NB & N Loop 820	Auto Damage	Collision with City vehicle.	Fire	No	No
Benjamin Connelly	12/10/2010	11/10/2010	Forest Park & Berry	Auto Damage	Vehicle damage during construction.	TPW	No	No
Bishop Barrett	12/10/2010	11/18/2010	3000 SE Loop 820	Auto Damage	Collision with City vehicle.	Fire	No	No
Roderick Wright	12/14/2010	11/23/2010	943 & 949 Harvey Ave	Property Damage	Driveway concrete cracked from truck loads of rocks dumped by contractor.	TPW	No	No
Paul Brockway	12/13/2010	12/10/2010	Hulen & W Vickery	Auto Damage	Rebar at curb punctured tire.	TPW	No	No
Ernesto Daniel Lopez	12/16/2010	12/16/2010	5th St. & University	Property Damage	CFW employee pulled out from stop sign in front of citizen.	Marshall	No	No

CLAIMANT	DATE RECEIVED	DATE OF INCIDENT	LOCATION	INCIDENT TYPE	ALLEGATION	DEPT	ESTIMATE	INJURY
Jason Hopson	12/16/2010	11/12/2010	4651 N Main St	Auto Damage	Automated gate closed on vehicle.	Police	No	No
Sonia Cross	12/17/2010	11/18/2010	7600 Blk of Mary's Creek Rd	Auto Damage	Vehicle fell into sinkhole in street.	TPW	Yes	No
Francisco Castro	12/16/2010	11/28/2010	4400 Miller & 4200 Wilbarger	Property Damage	Collision with City vehicle.	Fire	Yes	No
Atmos Energy	12/17/2010	8/12/2010	2336 Westbrook Ave	Property Damage	Gas line cut.	Water	Yes	No

No Documents for this Section

CITY OF FORT WORTH, TEXAS



**CITY COUNCIL
ZONING HEARING
January 4th, 2011**

CITY COUNCIL ALTERNATIVES FOLLOWING RECEIPT OF RECOMMENDATIONS BY THE ZONING COMMISSION

A. LESS THAN TWENTY (20) PERCENT PROTEST:

When the Zoning Commission recommends APPROVAL OR DENIAL of a zoning request as submitted or amended and there is less than 20 percent protest by owners of property within 200 feet, the City Council, with a majority vote of all members (5 of 9), may:

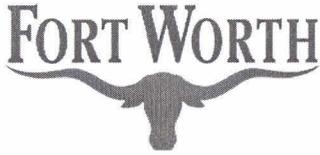
1. Approve as recommended;
2. Deny with or without prejudice (if denied without prejudice, the Applicant does not have to wait one year before submitting another request for zoning change);
3. Continue hearing;
4. Continue hearing and re-send notices as required under state law in order to substitute a more restrictive classification unless the affected property owner is present and agrees or if not present, agrees in writing to the more restrictive change on his/her property; or
5. Return to Zoning Commission for rehearing.

B. TWENTY (20) PERCENT OR MORE PROTEST:

When the Zoning Commission recommends APPROVAL OR DENIAL of a zoning request as submitted or amended and there is 20 percent protest or more by the owners of property within 200 feet against the change, the City Council may:

1. Approve as recommended with a three-fourth vote of all City Council members (7 of 9);
2. Deny with or without prejudice (if denied without prejudice, the Applicant does not have to wait one year before submitting another request for zoning change) (5 of 9);
3. Continue hearing for consideration of noticed rezoning (5 of 9);
4. Continue hearing and re-send notices as required under state law in order to substitute a more restrictive classification (5 of 9); or
5. Return to Zoning Commission for rehearing (5 of 9).

C. When the City Council has denied a proposal, or when the applicant has withdrawn his proposal at the Zoning Commission meeting after the giving of public notice, no new applications of like nature shall be accepted by the City or scheduled for hearing by the Zoning Commission within a period of twelve (12) months of the date of Council denial or applicant's withdrawal.



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
January 4, 2011

Council District 8

Zoning Commission Recommendation:
Denial by a vote of 8-1

Opposition: representative of the West Meadowbrook
Neighborhood Assoc.

Continued Yes X No ___
Case Manager Lynn Jordan
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: **AutoZone, Inc.**

Site Location: 4331 East Lancaster Avenue Mapsco: 78H 79E

Proposed Use: **Auto Parts Sales and Inventory Warehouse**

Request: From: "MU-1" Low Intensity Mixed-Use
To: "PD/MU-1" Planned Development for all uses in "MU-1" Low Intensity Mixed-Use plus inventory warehouse; site plan included.

Land Use Compatibility: Requested change **is compatible.**

Comprehensive Plan Consistency: Requested change **is not consistent.**

Background:

The applicant is requesting a zoning change to allow the expansion of an existing auto parts store in the Oakland Corners Urban Village.

The 7,568 square foot addition is to be used to store inventory that may be sold at other AutoZone stores. The storage of this additional inventory that is not intended to be sold on site is not permitted in the commercial or MU-1 Low Intensity Mixed Use districts.

In June 2009, AutoZone had a pre-development conference and a permit was reviewed in September 2009 for the expansion of the building for additional storage. Staff raised questions about this storage after receiving concerns from the representatives from the West Meadowbrook Neighborhood Association that the additional storage was actually for a distribution facility. The project has been under a stop work order.

The applicant represents that truck traffic will include 1-2 large trucks per week, for approximately an hour for unloading. A site plan is attached which indicates the location of the loading dock to remain in its current location on the western side of the building with no additional bay doors or doors facing the residential area.

The original building was built to "E" standards of the 1980's (setbacks, parking, etc.). However, the changing of the footprint with the addition establishes the requirement to meet the MU-1 standards.

Several waivers are being requested for the site plan due to this difference. There is an existing pole sign in the setback the applicant intends on keeping.

The applicant met with the neighborhood representatives and proposed some additions to the site plan at the October 13 Zoning Commission meeting. These additions include additional landscaping along the rights-of-way to create a pedestrian walkway, light pole banners, and traffic control box. All of these items are intended to follow the guidelines of the Oakland Corners Urban Village Master Plan.

Site Information:

Owner: AutoZone, Inc.
123 S. Front Street
Memphis, TN 38103

Agent: Jim Schell
Acreage: 1.91 ac
Comprehensive Plan Sector: Eastside

Surrounding Zoning and Land Uses:

- North "A-10 HC" One Family, "MU-1" Low Intensity Mixed Use / single family
- East "E" Neighborhood Commercial / Quickwash and commercial uses
- South "E" Neighborhood Commercial and "PD-70" Planned Development / vacant, convenience store and car wash
- West "MU-1" Low Intensity Mixed Use / vacant and commercial uses

Site Plan Comments:

The site plan as submitted is not in general compliance with the Zoning Ordinance regulations for the MU-1 district. The key deficiencies are:

1. The building exceeds the maximum 20 ft. front yard setbacks on the south and east sides.
2. Landscape islands are required in parking lots with 12 or more parking spaces.
3. Façade design standards for new construction apply.
4. The site plan includes an existing pole sign located in a maximum front yard setback.

The building and existing light pole are located in a 10' electric easement. Indicate if the easement has been vacated.

This item cannot be waived by the Zoning Commission.

Compliance with the items noted above shall be reflected on the site plan or a waiver is required.

Public Notification:

The following Neighborhood Associations were notified:

- West Meadowbrook
- Neighborhoods of East Ft. Worth
- East Ft. Worth Business Association
- Eastside Sector Alliance
- Southeast Fort Worth, Inc.
- Fort Worth ISD

Recent Relevant Zoning and Platting History:

Zoning History: 1992 E to PD/E plus auto repair
ZC-07-179 Council initiated rezoning of the Oakland Corners Urban Village to MU-1 to align with the Comprehensive Plan; approved by Council 11/6/07
ZC-10-010 Council initiated rezoning of the West Meadowbrook Neighborhood, Association Phase 4, to align with the Comprehensive Plan; approved by Council 02/02/10
ZC-09-141 Council initiated rezoning of the West Meadowbrook Neighborhood Association Phase 3, to align with the Comprehensive Plan; approved by Council 01/12/10

ZC-09-126 subject property one block east; amend PD 127 to PD/E to allow auto parts sales; approved by Council 12/8/09

Platting History: None

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing a rezoning to PD/MU-1 plus inventory warehouse. Surrounding land uses include single family to the north, a car wash with some commercial uses to the east, commercial uses and a car wash to the south and a retail store directly west.

The proposed zoning **is compatible** with surrounding land uses along East Lancaster.

2. **Comprehensive Plan Consistency**

The 2010 Comprehensive Plan designates the site as Neighborhood Commercial. The proposed zoning change request to PD/MU-1 plus inventory warehouse does not conform to the following Comprehensive Plan policies:

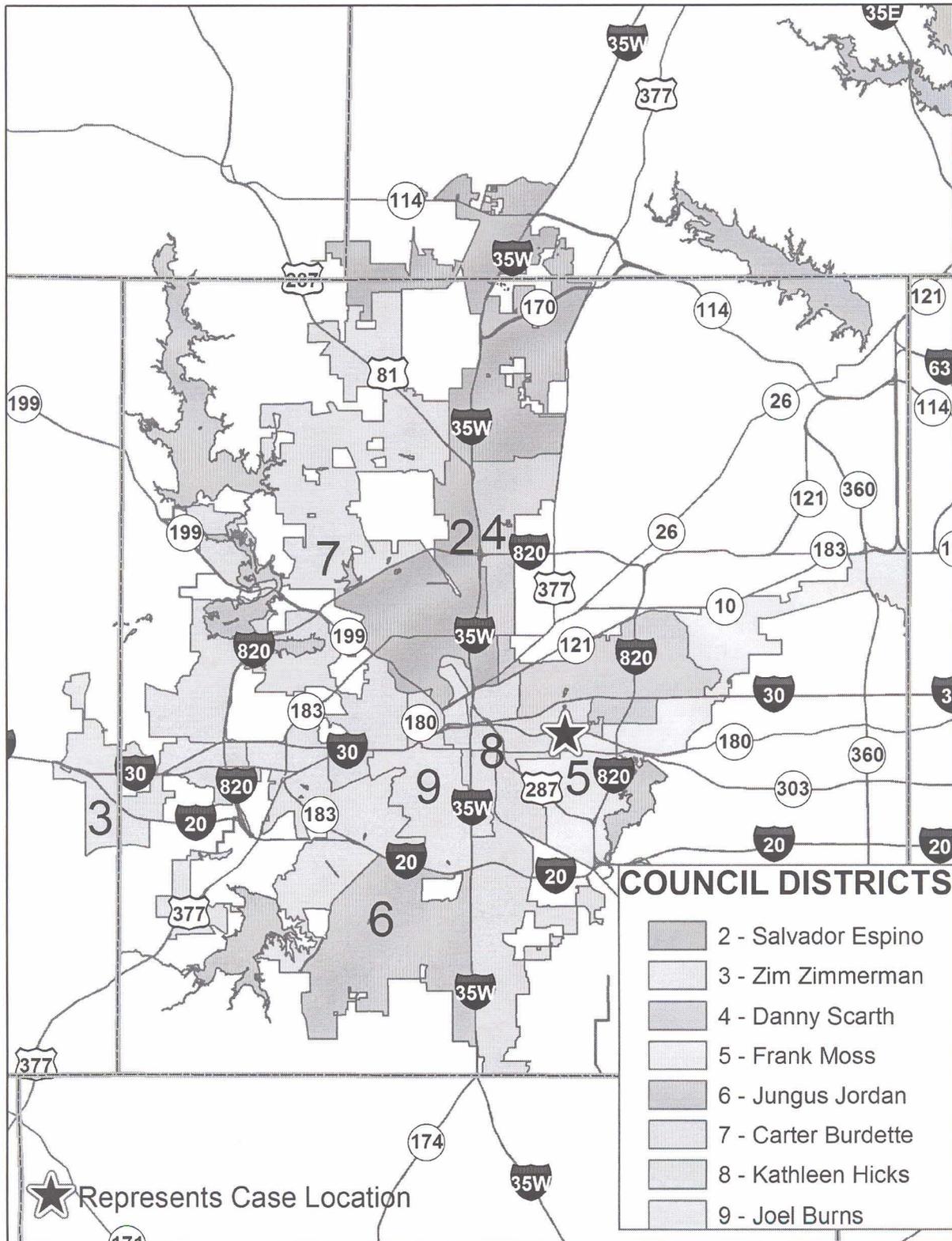
- Preserve and protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (pg. 37).
- Separate incompatible land uses with buffers or transitional uses. Some land uses have attributes such as height, proportion, scale, operational characteristics, traffic generated, or appearance that may not be compatible with the attributes of other uses. (pg. 38).

Based on the lack of conformance with the future land use map and policies stated above, the proposed zoning **is not consistent** with the Comprehensive Plan.

Attachments:

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Site Plan
- Minutes from the November 9, 2010 Council meeting
- Minutes from the August 11, and October 13, 2010 Zoning Commission meeting

Location Map





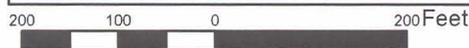
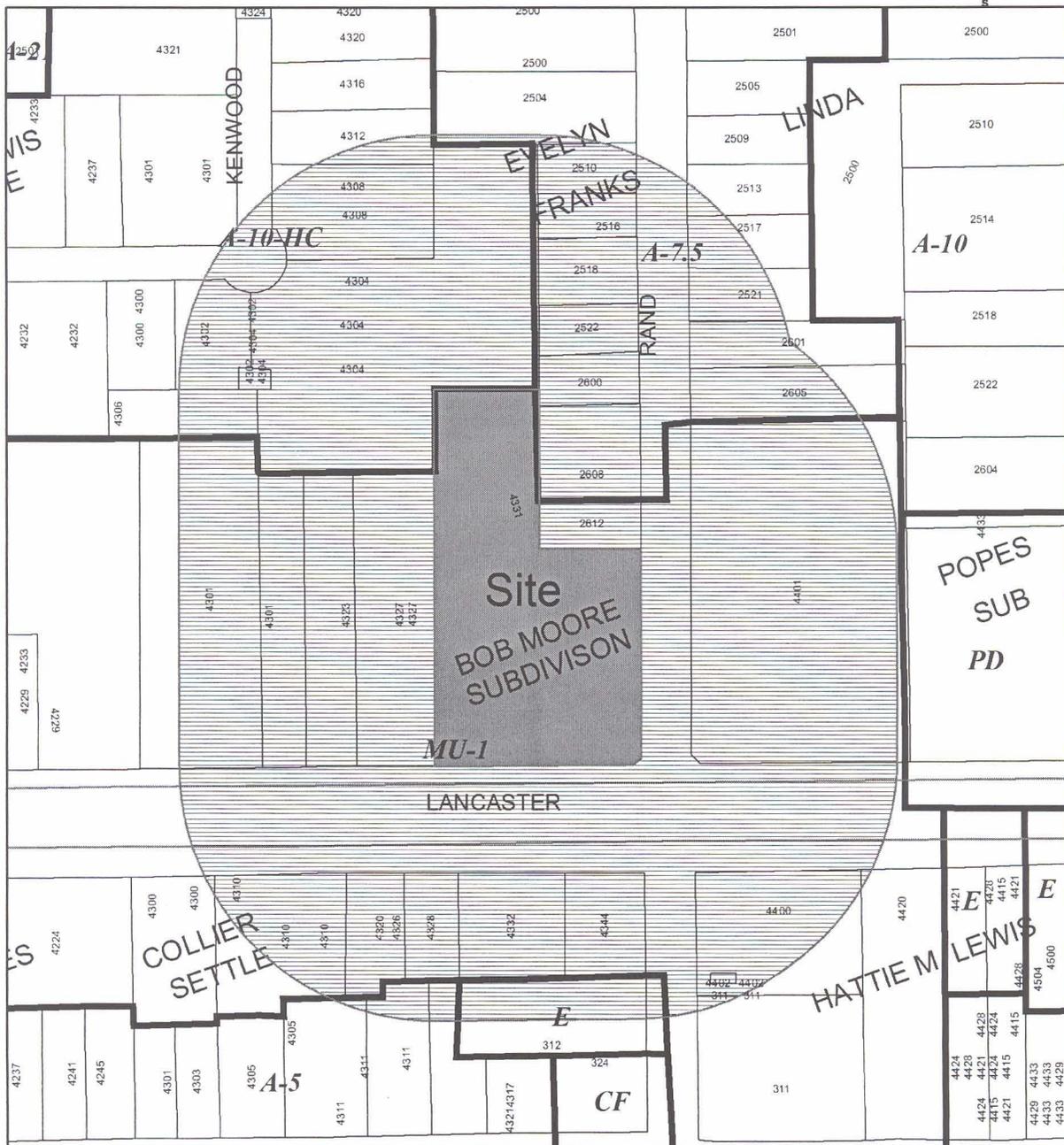
ZC-10-120

Area Zoning Map

Applicant: AutoZone
 Address: 4331 E. Lancaster Avenue
 Zoning From: MU-1
 Zoning To: PD for MU-1 uses plus storage of inventory for sale at other Corporate stores
 site plan included

Acres: 1.97
 Mapsco: 79E
 Sector/District: Eastside
 Commission Date: 08/11/2010
 Contact: 817-392-2495

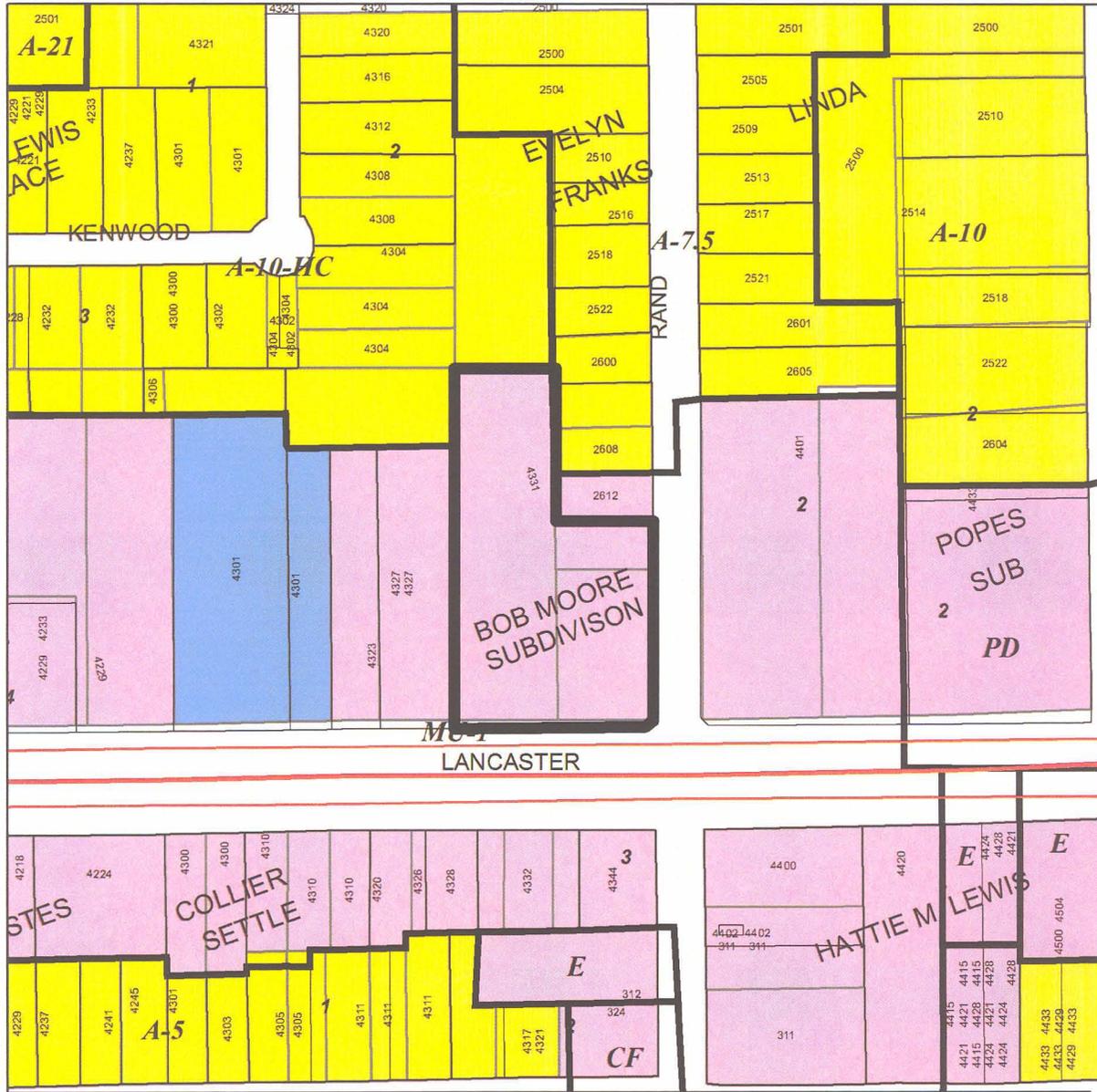
 300 Ft. Notification Buffer





Future Land Use

ZC-10-120



- Vacant, Undeveloped, Agricultural
- Rural Residential
- Suburban Residential
- Single Family Residential
- Manufactured Housing
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Institutional

- Neighborhood Commercial
- General Commercial
- Light Industrial
- Heavy Industrial
- Mixed-Use Growth Center
- Industrial Growth Center
- Infrastructure
- Lakes and Ponds
- Public Park, Open Space
- Private Park, Open Space

- CFWGIS.SDE.TRN_RAILROADS
- CFWGIS.SDE.CAD_addresses
- Freeways/Toll Roads
- Proposed Freeway/Toll Road
- Principal Arterial
- Proposed Principal Arterial
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial
- Flood Plain



A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government code, Section 219.005) Land use designations were approved by City Council on February 23, 2010



Aerial Photo Map



(ZC-10-108 Continued)

Mayor Pro tem Scarth and Council Member Burdette clarified that denying this item would actually place more cars on the street and increase the neighbors' parking issues.

Mayor Moncrief stated the temporary ramps were a safety issue and a code violation and needed to be corrected immediately. He stated the Police Department and Code Compliance Department would be enforcing the rules.

Motion: Council Member Burns made a motion, seconded by Council Member Moss, that Zoning Docket No. ZC-10-108 be denied without prejudice. The motion carried eight (8) ayes to one (1) nay, with Council Member Burdette casting the dissenting vote.

5. Zoning Docket No. ZC-10-120 - AutoZone, Inc., 4331 East Lancaster Avenue; from: "MU-1" Low Intensity Mixed Use to: "PD/MU-1" Planned Development for all uses in "MU-1" Low Intensity Mixed use plus inventory warehouse; site plan included. (Recommended for Denial)

Motion: Council Member Hicks made a motion, seconded by Mayor Pro tem Scarth, that Zoning Docket No. ZC-10-120 be continued until the January 4, 2011, Council meeting. The motion carried unanimously nine (9) ayes to zero (0) nays.

6. Zoning Docket No. ZC-10-145 - Parr Trust, Bank One Trustee, 1700 and 2000 - 2400 blocks of proposed Basswood Boulevard; from: "R2" Townhouse/Cluster, "E" Neighborhood Commercial, and "F" General Commercial to: "A-5" One-Family. (Recommended for Approval)

Mr. Richard Payne, 5751 Kroger Drive, Keller, Texas 76244, completed a speaker card in support of Zoning Docket No. ZC-10-145, but did not wish to address the City Council.

Motion: Council Member Hicks made a motion, seconded by Council Member Moss, that Zoning Docket No. ZC-10-145 be approved. The motion carried unanimously nine (9) ayes to zero (0) nays.

7. Zoning Docket No. ZC-10-146 -Cook Children's Medical Center, 1000 6th Avenue, 800 and 1021 7th Avenue, 901 Southland Avenue, 1425 and 1433 W. Humbolt Street, 1413, 1418, 1424, 1436 W. Pulaski Street, and 1550 W. Rosedale Street; from: "CF" Community Facilities, "E" Neighborhood Commercial, "FR" General Commercial Restricted, "NS/T5I" Near Southside/Urban Center to: "G" Intensive Commercial. (Recommended for Approval)

Council Member Jordan advised he had filed a Conflict of Interest Affidavit with the City Secretary's Office and would abstain from voting on this item.

2. ZC-10-088 City of Fort Worth Planning & Development AX-10-002 (CD 7)- 1000-1473 (odds) Avondale Haslet Road, 1000-1500 blocks of Boaz Road (see addresses below, 147.36 Acres): from Unzoned to “PD/E” Planned Development for all uses in “E” Neighborhood Commercial plus veterinary clinic with outdoor kennels; site plan waiver requested.

Jocelyn Murphy, Planning Manager, City of Fort Worth, explained to the Commissioners this is the second case proposed for annexation. The property owners along with the City of Fort Worth have development agreements that will postpone annexation until January 2012; therefore this zoning is not necessary at this time.

Motion: Following a brief discussion, Mr. Genua recommended denial without prejudice of the request, seconded by Ms. Reed. The motion carried unanimously 9-0.

3. ZC-10-120 AutoZone, Inc. (CD 8)- 4331 East Lancaster Avenue (Bob Moore Subdivision, Block 1, Lot 2R, 1.91 Acres): from “MU-1” Low Intensity Mixed Use to “PD/MU-1” Planned Development for all uses in “MU-1” Low Intensity Mixed Use plus inventory warehouse; site plan included.

Jim Schell, 900 Fort Worth Club Building, representing AutoZone, explained to the Commissioners this case was continued from a previous meeting so they could meet with the West Meadowbrook neighborhood, which they did. A revised site plan was submitted to the Commissioners. In order to achieve a pedestrian walkway along Lancaster, the site plan proposed 11 three inch caliper red oak trees along Rand Street, to be installed just inside the parkway, and 154 buford hollies. There will be a 30 foot natural bufferyard to the north of the property. The loading dock is on the west side of the building. Mr. Schell explained when they met with the neighborhood one of the concerns was truck traffic along East Lancaster. It was also mentioned at the neighborhood meeting they needed to do something special for Oakland Corners. There is a master plan for Oakland Corners that includes sidewalks for pedestrian walkway, banners on light poles, and designs on traffic control boxes.

Mr. Ortiz asked how many banners they would have to provide. Mr. Schell mentioned they only needed one for their site.

Ms. Spann asked about the cost of the banners on the light poles. Mr. Schell mentioned he did not think the cost was on the business owner after reading the master plan.

Mr. Wilson asked about the future concept for Auto Zone and how it pertains to warehouse inventory. Mr. Schell mentioned this was the first one and that one was approved last month on Hulen Street. He also mentioned this is not a distribution store.

Mr. Romero asked about the facia of the building that was to be addressed per the last meeting. He would like to see a rendering of what their new concept is. Mr. Schell in response mentioned they could not add on to the front of the building and they would have to discontinue business to do that. He also mentioned he does not agree with the MU concept for additions to existing buildings and the requirement for fenestration. It makes for an odd looking building in this case.

Mr. Romero also asked if this was going to be the example for the rest of the stores. It was also mentioned this may be the wrong location for this expansion. David Bently, 123 South Front Street, Tennessee, representative of AutoZone mentioned this was the only one that size considered.

Mr. Romero asked where the main distribution facility is located. Mr. Bently mentioned it is located in Terrell, Texas. They want to be able to have parts available on hand for other stores in the area.

Mr. Ortiz mentioned this is an Urban Village where they want to encourage pedestrians. He asked how many deliveries are proposed. Mr. Bently mentioned they have three vans that will make deliveries three times a day.

Deidra Norris, 4309 Arden Place, President of the West Meadowbrook neighborhood spoke in opposition. She mentioned they did meet with AutoZone but this is an Urban Village and that there is presently another auto parts store within close proximity. The proposed addition would double the size of the existing building. She also agrees this is the wrong location to expand.

Wanda Conlin, 1755 Martell also mentioned they meet with the applicant and appreciated the research they did on the art program; however, the program is not voluntary. They would hope that every business would work with them on their concept or vision for the neighborhood.

Mr. Wilson asked the question what is their plan; what is the neighborhood looking for. Ms. Conlin mentioned this is too big and just like a big box store. They want businesses closer to the street to create a walkable area.

In rebuttal, Mr. Schell mentioned they have more landscaping, less asphalt, a pedestrian walkway. It was mentioned this use is compatible and small upgrades will lead to others.

Mr. Edmonds asked about the Urban Village when it was created and whether this is on the eastern edge. He mentioned this is a heavily traveled area and they need to protect the Urban Village concept.

Motion: Following brief discussion Mr. Romero recommended a denial of the request, seconded by Mr. Edmonds. The motion carried 8-1 with Mr. Wilson against.

IV. New Cases

4. ZC-10-145 Parr Trust, Bank One Trustee (CD 2)- 1700 and 2000-2400 blocks of proposed Basswood Boulevard (Milly Gilbert Survey, Abstract 565 & J. Walker Survey, Abstract 1602 66.31 Acres): from "R2" Townhouse/Cluster, "E" Neighborhood Commercial, and "F" General Commercial to "A-5" One-Family

Richard Payne, 5751 Kroger Drive, representing Parr Trust, Bank One Trustee, explained to the Commissioners this request is to change to A-5 expand for more single-family.

Motion: Following a brief discussion, Ms. Spann recommended approval as amended of the request for a minimum three foot sidewalk buffer, seconded by Mr. Genua. The motion carried unanimously 7-0.

— **8. ZC-10-120 AutoZone, Inc. (CD 8)- 4331 East Lancaster Avenue (Bob Moore Subdivision, Block 1, Lot 2R, 1.91 Acres): from “MU-1” Low Intensity Mixed Use to “PD/MU-1” Planned Development for all uses in “MU-1” Low Intensity Mixed Use plus inventory warehouse; site plan included.**

Marcella Olson, 500 Main Street, Suite 800, representing AutoZone, explained to the Commissioners this is a new business model they are presenting. The business has been in existence since the early 1990’s. Ms. Olson mentioned that the distribution facility for this store is located in Terrell, Texas. They want to be able to expand this store to allow for more inventory storage to sell to their customers as well as deliver to other stores. She explained that there will not be a lot of truck traffic generated. The current building has about 7,500 square feet with another 7,500 square foot for the expansion. The loading dock is not going to change; it will remain the same. Ms. Olson mentioned she did not believe this land use is not compatible since it has been in this location. She mentioned that they are not encroaching into the neighborhood and that it’s not a traditional warehouse use.

Mr. Romero asked the question as to why they have key deficiencies. He also mentioned he would like to see changes to the building façade as well as landscaping islands. The neighborhood is opposed and they should go above and beyond. Ms. Olson explained the building exists today and they did not want to tear up the parking lot to add a landscape island per the new requirements of MU. They did not want to tear up the existing building to adhere to the fenestration requirements.

Mr. Ortiz mentioned he would like to see AutoZone look at the neighborhood and try to conform to some of these standards. Ms. Olson said they could do a 30 day continuance and speak to the neighborhood.

David Bentley, 123 S. Front Street representative of AutoZone mentioned they are trying to provide a service to the neighborhood. He did mention the façade is going to be a challenge.

Deidra Norris, 4309 Arden Place, President of the West Meadowbrook neighborhood spoke in opposition. She said the expansion is too much compared to other facilities. The issues the neighborhood has includes how much traffic will be generated. They have had no contact from the owners or applicants for this project. She would be agree to a continuance.

Andre McEwing with Fort Worth South, Inc also spoke in opposition. He requested that they stick to their plan for the urban villages. This was the first time he had heard of a hub store. Oakland Corners wants them to consider buffering, aesthetics, and traffic.

Motion: Following brief discussion Mr. Romero recommended a 60 day continuance of the request, seconded by Ms. Spann. The motion carried unanimously 7-0.



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
January 4, 2011

Council District 5

Zoning Commission Recommendation:
Approved by a vote of 8-0

Opposition: None

Continued Yes ___ No X
Case Manager Lynn Jordan
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: S.J. Thornhill Partnership

Site Location: 12000 Block of Trinity Boulevard Mapsco: 55W

Proposed Use: Single-family

Request: From: "E" Neighborhood Commercial and "PD 778" Planned Development for "R2" Townhouse/Cluster Residential with the following criteria:

- Masonry: all dwelling structures located along and visible from the Texas Star Golf Course will have effectively 100% rear masonry, and 90% masonry on the ground floor of all structures, excluding windows, doors and small areas not designed or engineered for masonry;
- Fencing: will be constructed of tubular steel fencing material and installed along the common property boundary lines contiguous with the subject property and Texas Star Golf Course. Fencing will not be less than 6 ft in height, and shall be painted black and brown in accordance with customary industry standards;
- Minimum Square Footage: dwelling units in the various structures (individual pods) will have a minimum size of 1,250 sq. ft. of living area, excluding garage, porches, and patios, the 1,250 sq. ft. units will be limited to a maximum of one such unit per lot, all other units will have a minimum size of 1,450 sq. ft of living area, excluding garage, porches, and patios;
- Garages: all dwelling units will have two car, front entry garages, and
- Maximum Dwelling Units per Structure: no individual dwelling units will exceed a maximum of six attached dwelling units; site plan waived

To: Amend "PD 778" to amend standards as indicated and to add additional property:

- Setback: To include a minimum and maximum front yard setback of 10 to 30 feet, with the setback not to project

Land Use Compatibility: Requested change **is compatible.**

Comprehensive Plan Consistency: Requested change **is consistent.**

Background:

The applicant is requesting a zoning change to add additional property to the residential development and to amend the current Planned Development language as revised and to include a minimum and

maximum front yard setback and for the front setback not to project across the block face. Dwelling units to be single-family detached.

The subject property was rezoned in September 2007 from “J” to “E” and “PD/R2” with development standards that allowed for a product centered on the lot, and the flexibility to also provide attached and zero lotline units. This amendment includes the “E” portion into the residential project.

The applicant is asking for a waiver of the site plan. A plat was submitted for 93 residential lots which was continued for 60 days by the City Plan Commission on August 25, 2010 due to objections by the City of Euless and reconsideration of certain items. It will be heard again by the City Plan Commission on November 19.

The table below depicts the current PD language, the proposed amended standards, and a comparison to the A-5 One-Family District. The City of Euless owns and operates a municipal golf course to the south and west of the subject property and has submitted a letter of support.

Development Standards	Current PD/R2	Proposed PD/R2	A-5
Front Yard	None; greater setback can project across block	10 to 30 ft-no projection	20 ft.; can project across block
Rear Yard (Min.)	5 ft	5 ft	5 ft
Side Yard (Min.)	5 ft	5 ft	5 ft
Masonry	100% rear masonry on all structures facing golf course, 90% on ground floor	100% rear masonry on all structures facing golf course, 90% on ground floor	n/a
Fencing	Min. 6 ft tubular steel, painted black & dark brown-properties contiguous with golf course	Min. 6 ft tubular steel, painted black & dark brown-properties contiguous with golf course	6 ft wood/open type
Minimum Square Footage	Min. of 1,250 square feet living area unit per lot; all others minimum of 1,450 square feet	Min. of 1,250 square feet living area unit per lot; all others minimum of 1,450 square feet	n/a
Garages	Two parking spaces per dwelling unit behind building line; front entry	Two parking spaces per dwelling unit behind building line; front entry	Two spaces behind building line, garage not to project past eight feet

Site Information:

Owner: S. J. Thornhill Partnership
7755 Bellaire Drive South
Fort Worth, Tx 76132

Agent: F. P. Greenhaw
Acreage: 17.71 ac
Comprehensive Plan Sector: Eastside

Surrounding Zoning and Land Uses:
North “PD-292” Planned Development for I uses / impound yard
East “J” Medium Industrial / auto auction and vacant
South “A-43 One-Family / golf course
West “A-43” One-Family / golf course

Public Notification:

The following Neighborhood Associations were notified:

Mosier Valley, CAC
Southeast Fort Worth, Inc.

Eastside Sector Alliance
Hurst Euleess Bedford

Recent Relevant Zoning and Platting History:

Zoning History: ZC-07-015 approved by Council from J to PD/R2 with development standards & E 9/04/07

Platting History: PP-10-015 for 93 residential lots approved by City Plan Commission November 19, 2010

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing a rezoning to PD/R2 with development requirements. Surrounding land uses include an auto impound lot to the north, vacant land and an auto auction to the east, golf course to the south and west.

The proposed zoning **is compatible** with surrounding land uses, the golf course being directly south and west.

2. **Comprehensive Plan Consistency**

The 2010 Comprehensive Plan designates the site as Low Density Residential and Neighborhood Commercial. The proposed zoning change request to PD/R2 with development requirements does conform to the following Comprehensive Plan policies:

- Encourage single-family and low-density residential development and open space beyond growth centers. (pg. 39).

In addition the Comprehensive Plan provides a table (pg.38) that refers to the land use designation of Neighborhood Commercial and allows all residential zoning.

Based on conformance with the future land use map and policies stated above, the proposed zoning **is consistent** with the Comprehensive Plan.

Attachments:

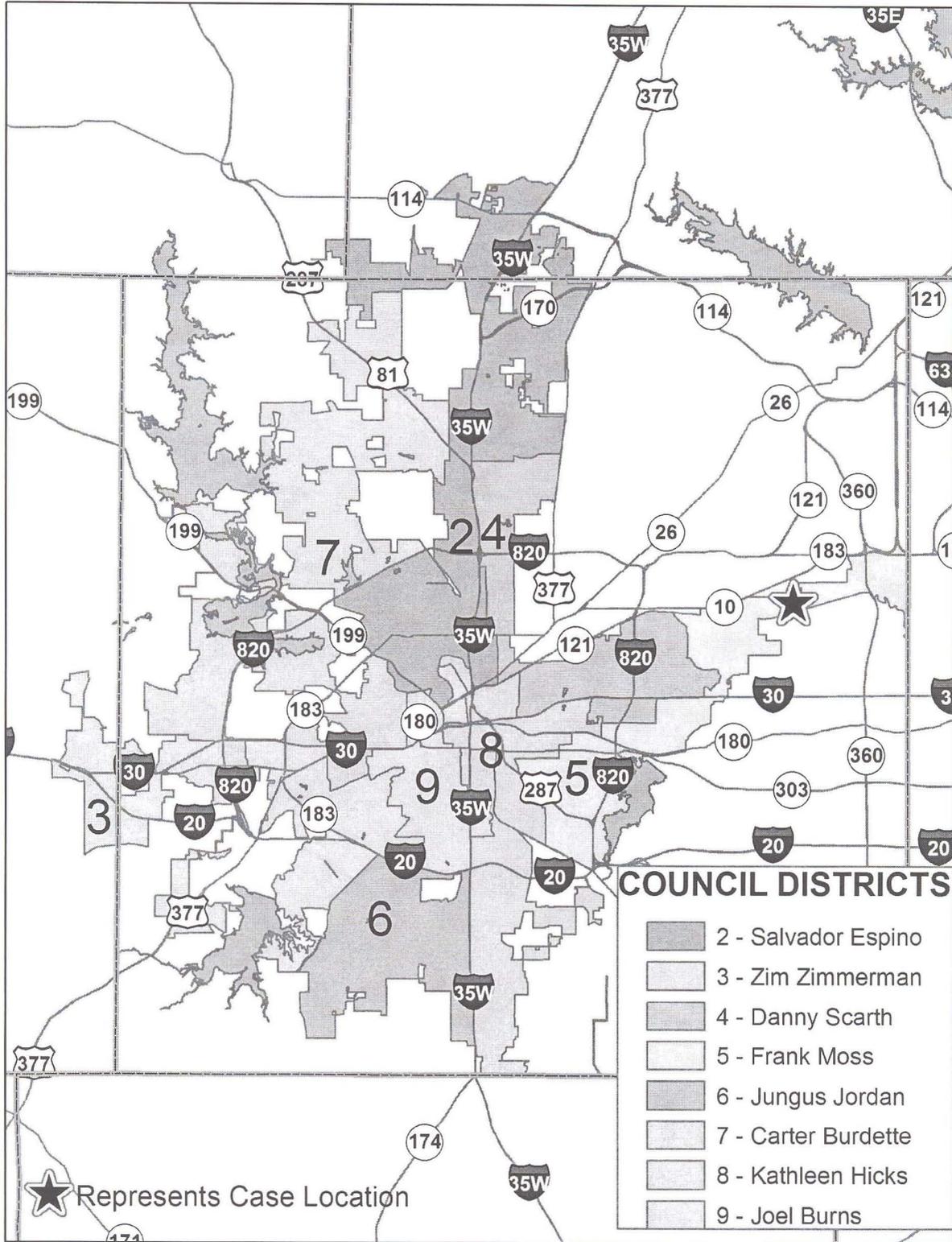
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Submitted Plat
- Minutes from the November 10 & December 8, 2010 Zoning Commission meeting

FORT WORTH



ZC-10-133

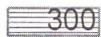
Location Map

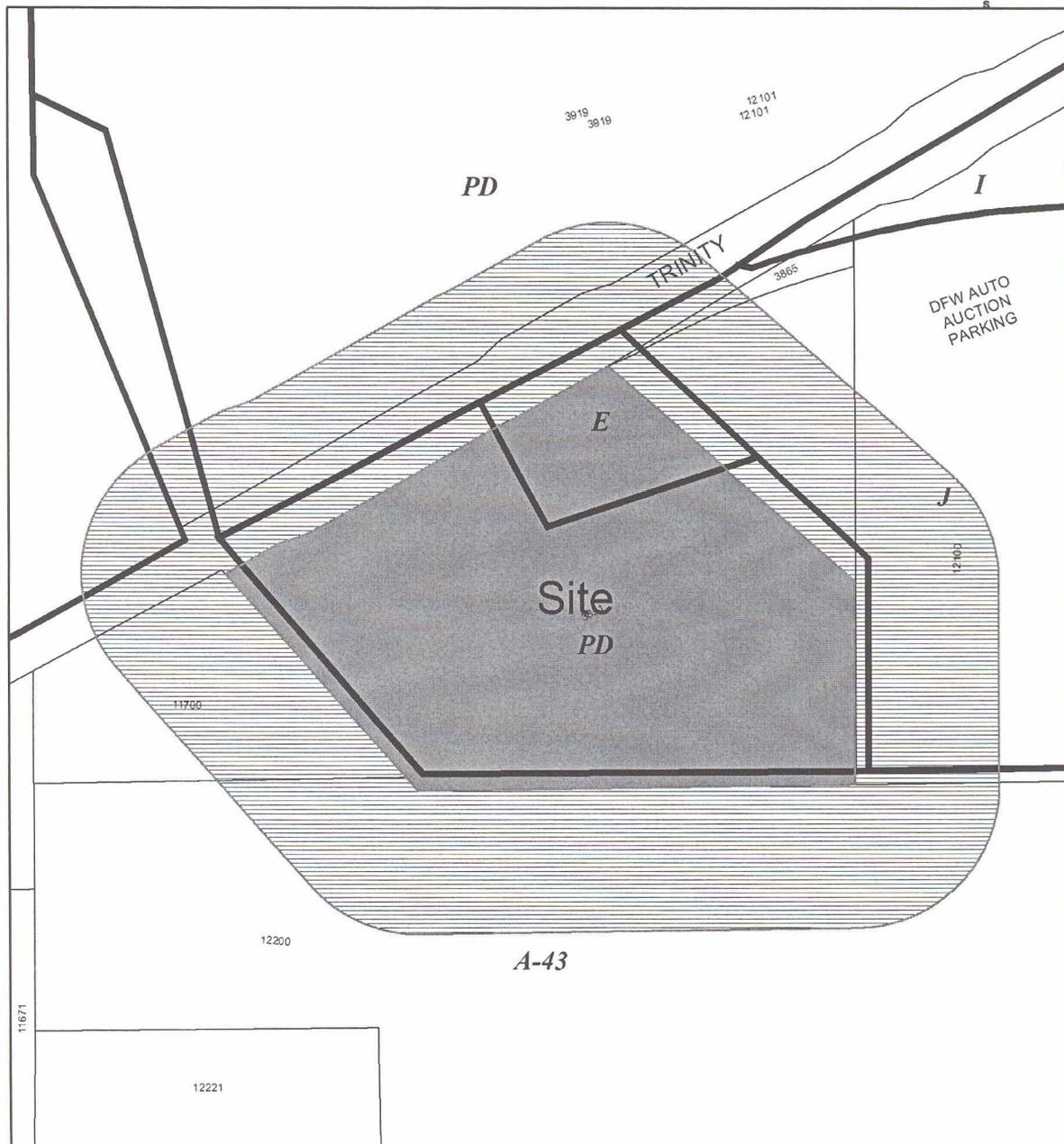


5 2.5 0 5 Miles

Area Zoning Map

Applicant: SJ Thornhill Partnership
Address: 12000 block of Trinity Boulevard
Zoning From: E, PD 778 for R2 uses
Zoning To: PD for R2 uses
Acres: 17.94
Mapsc0: 55W
Sector/District: Eastside
Commission Date: 09/08/2010
Contact: 817-392-2495

 300 Ft. Notification Buffer



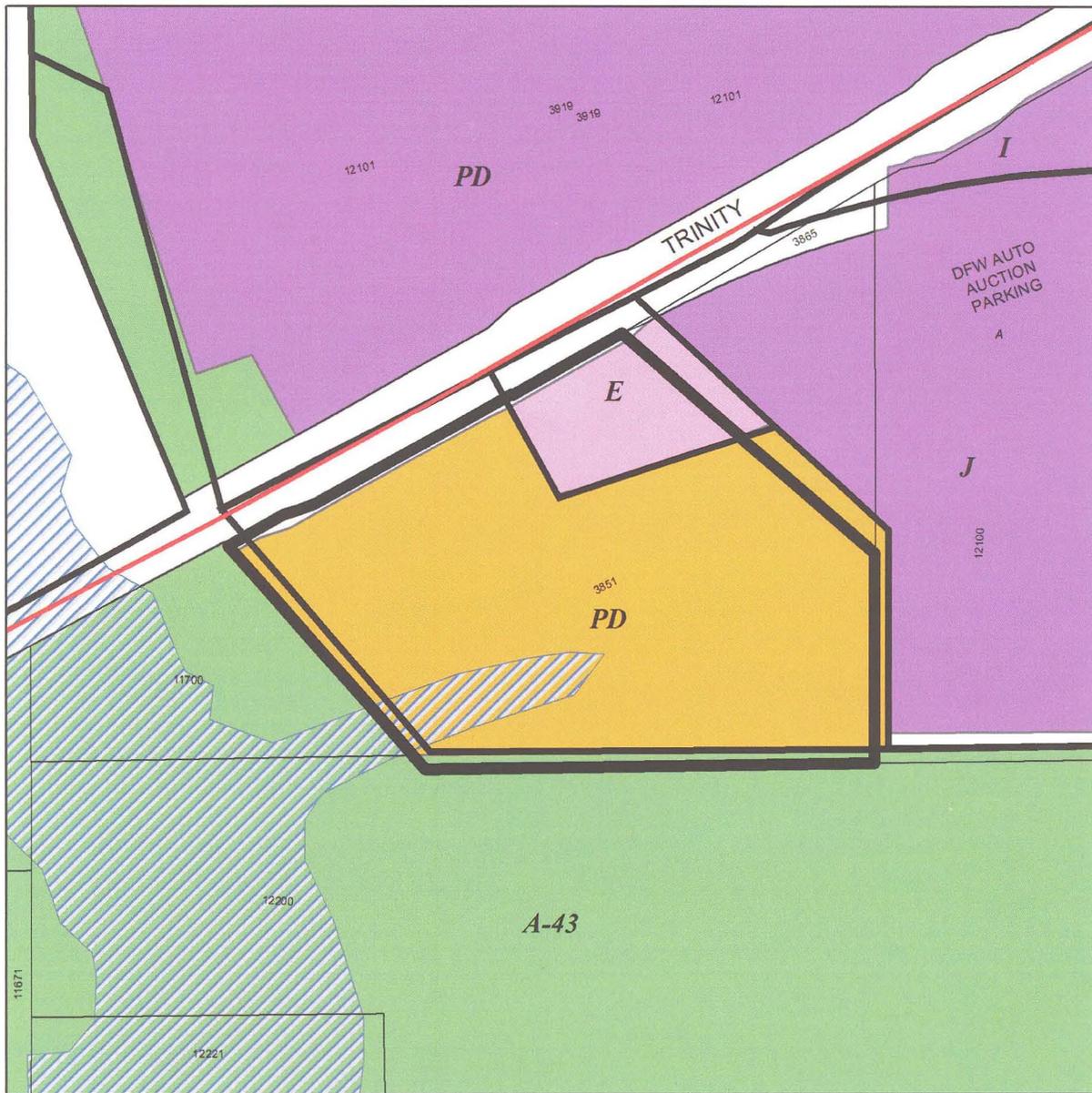
200 100 0 200 Feet





Future Land Use

ZC-10-133



- Vacant, Undeveloped, Agricultural
- Rural Residential
- Suburban Residential
- Single Family Residential
- Manufactured Housing
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Institutional

- Neighborhood Commercial
- General Commercial
- Light Industrial
- Heavy Industrial
- Mixed-Use Growth Center
- Industrial Growth Center
- Infrastructure
- Lakes and Ponds
- Public Park, Open Space
- Private Park, Open Space

- CFWGIS.SDE.TRN_RAILROADS
- CFWGIS.SDE.CAD_addresses
- Freeways/Toll Roads
- Proposed Freeway/Toll Road
- Principal Arterial
- Proposed Principal Arterial
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial
- Flood Plain



A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government code, Section 219.005) Land use designations were approved by City Council on February 23, 2010



Aerial Photo Map



City of Fort Worth, Texas
Zoning Commission
December 08, 2010 – Meeting Minutes

DRAFT

Present:

Neftali Ortiz, Chair, District 2
Ann Zadeh, Vice Chair, District 1
Jackson Wilson, District 3
Ramon Romero, District 8
Charles Edmonds, Jr., District 4
Maurice Barnes, District 5 (absent thru ZC-10-188)
Stephanie Spann, District 6
Nick Genua, District 7
Gaye Reed, District 9

Staff Members Present:

Dana Burghdoff, Deputy Director
Jocelyn Murphy, Planning Manager
Lynn Jordan, Planner
Stephen Murray, Planner
Sarah Fullenwider, Legal
Melinda Ramos, Legal

Absent:

None

I. Public Hearing – 10:02 A. M.

Ms. Murphy explained the procedure to be followed for the Zoning Commission meeting.

II. Minutes

The Commission, on a motion by Mr. Edmonds, seconded by Ms. Zadeh, on a vote of 8-0, voted to approve the Zoning Commission minutes of the November 10, 2010 meeting.

Video on individual cases can be viewed at the following website.

http://fortworthgov.granicus.com/ViewPublisher.php?view_id=2

III. Continued Cases

1. ZC-10-133 S J Thornhill Partnership (CD 5)- 12,000 block of Trinity Boulevard (G. W. Couch Survey, Abstract 278, 17.94 Acres): from “E” Neighborhood Commercial and “PD-778” Planned Development for “R2” Townhouse/Cluster Residential with the following criteria:

- **Masonry:** all dwelling structures located along and visible from the Texas Star Golf Course will have effectively 100% rear masonry, and 90% masonry on the ground floor of all structures, excluding windows, doors and small areas not designed or engineered for masonry;
- **Fencing:** will be constructed of tubular steel fencing material and installed along the common property boundary lines contiguous with the subject property and Texas Star Golf Course. Fencing will not be less than 6 ft in height, and shall be painted black and brown in accordance with customary industry standards;
- **Minimum Square Footage:** dwelling units in the various structures (individual pods) will have a minimum size of 1,250 sq. ft. of living area, excluding garage, porches, and patios, the 1,250 sq. ft. units will be limited to a maximum of one

such unit per lot, all other units will have a minimum size of 1,450 sq. ft of living area, excluding garage, porches, and patios;

- **Garages:** all dwelling units will have two car, front entry garages, and
- **Maximum Dwelling Units per Structure:** no individual dwelling units will exceed a maximum of six attached dwelling units; site plan waived

to Amend PD-778 to add additional property and to include a minimum and maximum front yard setback of 10 to 30 feet, not to project; site plan waiver recommended.

Buddy Greenhaw, 3332 West 7th, representing S J Thornhill Partnership, explained to the Commissioners the City of Euless is in support of the zoning request.

Motion: Following a brief discussion, Ms. Zadeh recommended approval of the request, seconded by Mr. Wilson. The motion carried unanimously 8-0.

2. ZC-10-178 Great Dane Holdings, LLC (CD 7)- 4621 Geddes Avenue and 4616 Diaz (Chamberlain Arlington Heights 2nd Addition, Block 13, Lot 13R 0.19 Acres): from “B” Two-Family to “PD/E” Planned Development for all uses in “E” Neighborhood Commercial save and except certain uses; site plan required.

James Schell, 901 Fort Worth Club Building, representing Great Dane Holdings, LLC, explained to the Commissioners they met with the neighborhood group and have come to an agreement on construction material, setbacks, and fencing as depicted in the power point presentation. Mr. Schell mentioned there would be extensive landscaping and a buffer in place to separate the west side property owners. The site plan was also amended to provide only one access point along Geddes Avenue. An eight foot cedar fence with brick columns along the western most boundary line up to Diaz Avenue is also proposed. Mr. Schell also mentioned they plan on closing the entire alleyway and that the neighborhood was in support.

Alexis Brooks, 4633 Geddes, spoke in support. Ms. Brooks mentioned they have had extensive meetings working on the site plan. They are still in negotiations on the materials proposed for the eight foot fence, but that is was important that it be treated. Ms. Brooks also mentioned the delivery truck route and that they were to exit onto Geddes back out to Hulen and not travel back into the neighborhood.

Mr. Genua asked they question about traffic flow along Hulen. In response, Ms. Brooks mentioned as long as a four way stop sign can be put in to slow traffic on Diaz, she thinks it will be safer.

Mr. Wilson asked about the rest of the block possibly being rezoned. Ms. Brooks explained they want to protect the neighborhood.

Melinda Culton, 4637 Geddes, was a property owner also spoke in opposition. Ms. Culton mentioned that the three remaining properties along Geddes are not proposed to be bought at this time. One of the concerns is there could be up to 40 employees at this site and where will they park.

City of Fort Worth, Texas
Zoning Commission
November 10, 2010 – Meeting Minutes

DRAFT

Present:

Neftali Ortiz, Chair, District 2
Ann Zadeh, Vice Chair, District 1
Jackson Wilson, District 3
Ramon Romero, District 8
Charles Edmonds, Jr., District 4
Maurice Barnes, District 5
Stephanie Spann, District 6
Nick Genua, District 7
Gaye Reed, District 9

Staff Members Present:

Dana Burghdoff, Deputy Director
Jocelyn Murphy, Planning Manager
Lynn Jordan, Planner
Stephen Murray, Planner
Sarah Fullenwider, Legal
Melinda Ramos, Legal

Absent:

None

I. Public Hearing – 10:03 A. M.

Ms. Murphy explained the procedure to be followed for the Zoning Commission meeting.

II. Minutes

The Commission, on a motion by Mr. Genua, seconded by Ms. Zadeh, on a vote of 9-0, voted to approve as amended the Zoning Commission minutes of the October 13, 2010 meeting.

Video on individual cases can be viewed at the following website.
http://fortworthgov.granicus.com/ViewPublisher.php?view_id=2

III. Continued Cases

1. **ZC-10-133 S J Thornhill Partnership (CD 5)- 12,000 block of Trinity Boulevard (G. W. Couch Survey, Abstract 278, 17.94 Acres): from “E” Neighborhood Commercial and “PD-778” Planned Development for “R2” Townhouse/Cluster Residential with the following criteria:**

- **Masonry:** all dwelling structures located along and visible from the Texas Star Golf Course will have effectively 100% rear masonry, and 90% masonry on the ground floor of all structures, excluding windows, doors and small areas not designed or engineered for masonry;
- **Fencing:** will be constructed of tubular steel fencing material and installed along the common property boundary lines contiguous with the subject property and Texas Star Golf Course. Fencing will not be less than 6 ft in height, and shall be painted black and brown in accordance with customary industry standards;
- **Minimum Square Footage:** dwelling units in the various structures (individual pods) will have a minimum size of 1,250 sq. ft. of living area, excluding garage,

porches, and patios, the 1,250 sq. ft. units will be limited to a maximum of one such unit per lot, all other units will have a minimum size of 1,450 sq. ft of living area, excluding garage, porches, and patios;

- Garages: all dwelling units will have two car, front entry garages, and
- Maximum Dwelling Units per Structure: no individual dwelling units will exceed a maximum of six attached dwelling units; site plan waived

to Amend PD-778 to add additional property and to include a minimum and maximum front yard setback of 10 to 30 feet, not to project; site plan waiver requested.

Buddy Greenhaw, 3332 West 7th, representing S J Thornhill Partnership, explained to the Commissioners they are in negotiations with the City of Euless and would like to request a 30 day continuance.

Mr. Barnes asked if there was a representative from the City of Euless.

Mike Collins, Economic Development Director, City of Euless mentioned they need to present the development agreement to City Council next week and support the continuance.

Motion: Following a brief discussion, Mr. Barnes recommended a 30 day continuance of the request, seconded by Ms. Reed. The motion carried unanimously 9-0.

2. ZC-10-149 WTW Properties (CD 8)- 8601 Oak Grove Road (Everman Park South Addition, Block 1, Lot B, 6.35 Acres): from “F” General Commercial to “PD/F” Planned Development for all uses in “F” General Commercial plus small equipment repair and laydown yard; site plan included.

Bob Manthei, 810 Houston, XTO Energy, explained to the Commissioners this is a new site for the laydown yard with office that will enhance their other facility. Mr. Manthei mentioned they do have security at their other facility.

Trace Strevey, 6300 Ridglea Place Suite 700, Baird Hampton & Brown, representing WTW Properties, explained to the Commissioners they have made changes to the site plan as requested by Ms. Hicks. They are preserving and protecting the drainage channel at the back of the property, increased the bufferyard area between the laydown yard and single family to 125 feet. Ms Hicks also asked for a rendering of the proposed site. The rendering shows the building, laydown yard, site lighting, fencing and landscaping. They have completed the Urban Forestry plan. They are proposing to use the same type fencing as indicated in the pictures (wood fence). Typical traffic would consist of one ton trucks with trailers. Mr. Strevey also mentioned equipment stored on-site will not be visible from the road.

Mr. Romero mentioned he did appreciate them updating their site plan. He asked if there were other options for another site.

Mr. Strevey mentioned this site would be better if it would be close to their field office.

Mr. Romero asked if they are proposing a wood fence along Everman Parkway.

required on north and south sides, no outside storage, and a denial of the requested waiver to the fence requirement; seconded by Ms. Miller. The motion carried unanimously 8-0.

2. ZC-10-121 City of Fort Worth Planning & Development/Dennison Royal, Et Al (CD 2)-7351 and 7401 North Freeway (Thomas Peck Survey, Abstract 1210, Tracts 1A & 1A1, 118.59 Acres): from “CR” Low Density Multifamily & “E” Neighborhood Commercial to “G” Intensive Commercial.

Dana Burghdoff, Deputy Director, City of Fort Worth explained to the Commissioners this is a Council-initiated case and what is before them is to consider all the property for G or a mix of A-5 and G.

Dennison Royal, 6639 Country Club Circle, Dallas, Texas explained to the Commissioners he prefers that the entire property is rezoned to G. He also mentioned apartment zoning would not be appropriate for this site.

Ms. Zadeh asked if they had any thoughts of taking the G back only to a portion and then A-5 as it is aligned with the properties to the south. He said that in the original request, which was to A-5 and G, single family didn't make sense along the IH 35 frontage and there is plenty of single family in the rear of the property.

Motion: Following brief discussion Mr. Wilson recommended approval of the request, seconded by Mr. Genua. The motion carried unanimously 8-0.

IV. New Cases

3. ZC-10-133 S.J. Thornhill Partnership (CD 5)- 12000 block of Trinity Boulevard (G. W. Couch Survey, Abst. 278, 2.26 Acres): from “E” Neighborhood Commercial and “PD-778” Planned Development for “R2” Townhouse/Cluster Residential with the following criteria:

- **Masonry**: all dwelling structures located along and visible from the Texas Star Golf Course will have effectively 100% rear masonry, and 90% masonry on the ground floor of all structures, excluding windows, doors and small areas not designed or engineered for masonry;
- **Fencing**: will be constructed of tubular steel fencing material and installed along the common property boundary lines contiguous with the subject property and Texas Star Golf Course. Fencing will not be less than 6 ft in height, and shall be painted black and brown in accordance with customary industry standards;
- **Minimum Square Footage**: dwelling units in the various structures (individual pods) will have a minimum size of 1,250 sq. ft. of living area, excluding garage, porches, and patios, the 1,250 sq. ft. units will be limited to a maximum of one such unit per lot, all other units will have a minimum size of 1,450 sq. ft of living area, excluding garage, porches, and patios;
- **Garages**: all dwelling units will have two car, front entry garages, and
- **Maximum Dwelling Units per Structure**: no individual dwelling units will exceed a maximum of six attached dwelling units; site plan waived

to Amend PD 778 to add additional property and amend "PD-778" to include a minimum and maximum front yard setback of 10 to 30 not to project; site plan waiver requested

Charles Crook, Charles Crook Consulting, representing S. J. Thornhill Partnership, explained to the Commissioners they would like to request a 60 day continuance.

Motion: Following a brief discussion, Mr. Barnes recommended a 60 day continuance of the request, seconded by Ms. Reed. The motion carried unanimously 8-0.

4. ZC-10-135 Hulen Street Retail (CD 3)- 5729 S. Hulen Street (Hulen Retail, Block 1, Lot 2, 0.89 Acres): from "E" Neighborhood Commercial to "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus retail for inventory warehouse; site plan required.

Jim Schell, 901 Fort Worth Club Building, representing Hulen Street Retail, explained to the Commissioners this is a new Auto Zone retail store to be developed between two existing commercial businesses. He referenced the surrounding businesses as restaurants and a grocery. He also noted that a screening fence is required between the duplex zoning and his client's property. Mr. Schell mentioned there is already an access easement at the rear of the properties.

He said that he is requesting the site plan be waived for two reasons, 1) based on the underlying zoning and that the request is only to add one specific use and 2) Auto Zone will not purchase the property until they are able to obtain a building permit on it.

Mr. Ortiz asked if this was going to be a hub store. Mr. Schell said he was not sure if it was going to be one.

Mr. Genua asked about the alley way on the north end. Mr. Schell explained that trucks will be entering from Hulen Street. Mr. Schell explained Arby's drive thru is not in the alley or access.

Ms. Zadeh mentioned Starbuck's drive thru flows into the access. She also mentioned there seems to be a trend of business going into commercial districts making them more intense.

Mr. Romero mentioned if this was going to be a model hub that a site plan should be submitted. He also mentioned it seems that 50% of the building is going to be warehouse. Mr. Schell disagreed with the statement and wanted to know where you draw the line as far as how much inventory is permitted in commercial districts.

Mr. Ortiz asked the question about the typical size of an Auto Zone store. Mr. Schell explained that he expects that the smallest store is 7,500 square feet to about 15,000 square feet for a large store.

Motion: Following brief discussion Mr. Wilson recommended approval of the request, seconded by Mr. Genua. The motion carried 7-1 with Mr. Romero being against.

two way stop was not functioning well and a four way stop could handle any increase in traffic from the development.

At the Zoning Commission meeting, a McDonald's representative also agreed to install signage on the property indicating a right turn only on Geddes, in an attempt to reduce the amount of traffic traveling to the west through the residential area.

Site Information:

Owner: Great Dane Holdings, LLC
2600 Suzanne Trail
Hudson Oaks, TX 76087

Agent: Jim Schell
Acreage: 0.19 acres
Comprehensive Plan Sector: Arlington Heights

Surrounding Zoning and Land Uses:

North "PD/G" (PD 455) for all uses in "G" with waiver of setback on all sides / commercial
East "PD/E" (PD 805) for all uses in "E" excepting certain uses / single-family
South "B" Two-Family / single-family
West "B" Two-Family / single-family

Recent Relevant Zoning and Platting History:

Zoning History: ZC-08-058, "PD/E" for all use is "E" excepting certain uses, approved; May 8, 2008.

Platting History: The applicant has submitted documents to replat this property into one larger lot.

Public Notification:

The following Neighborhood Associations were notified:

Alamo Heights NA
Sunset Heights South
Lake Como/Vickery Redevelopment Org.
Fort Worth ISD

Development Impact Analysis:

1. **Land Use Compatibility**

Surrounding uses are currently single-family to the south, east and west with a large commercial development to the north. The adjacent properties located southeast and east are zoned for commercial uses and included in the subsequent SP-10-009 case. The proposed zoning for this lot **is compatible** at this location.

2. **Comprehensive Plan Consistency**

The 2010 Comprehensive Plan designates the subject property as single family, with neighborhood commercial uses to the east. The requested zoning classification is appropriate for the land use designations as a Minor Boundary Adjustment. The proposed PD/E zoning is consistent with the following Comprehensive Plan policies:

- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods. (pg. 38)
- Separate incompatible land uses with buffers or transitional uses. Some land uses have attributes such as height, proportion, scale, operational characteristics, traffic generated, or appearance that may not be compatible with the attributes of other uses. (pg. 38)

Based on the consideration as a Minor Boundary Adjustment and with the policies stated above, the proposed zoning **is consistent** with the Comprehensive Plan.

Attachments:

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the December 8, 2010 Zoning Commission meeting

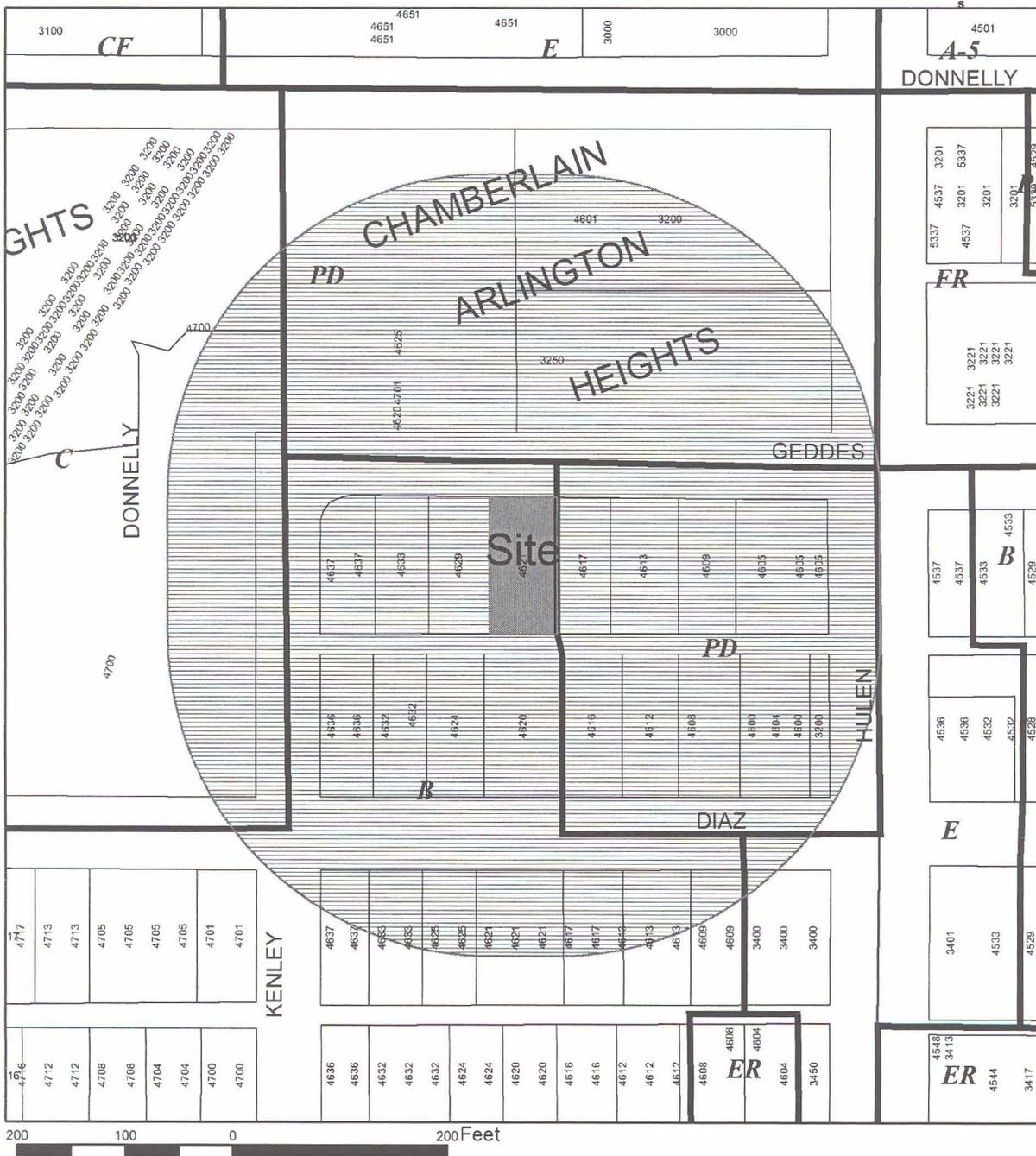


ZC-10-178

Area Zoning Map

Applicant: Great Dane Holdings LLC
 Address: 4621 Geddes
 Zoning From: B
 Zoning To: PD/E; site plan required
 Acres: 0.19
 Mapsco: 75K
 Sector/District: Arlington Heights
 Commission Date: 11/10/2010
 Contact: 817-392-8043

300 Ft. Notification Buffer



ZC-10-178
Development Standards

"PD/E" Planned Development for all uses in "E" Neighborhood
Commercial, save and except the following uses which are not permitted:

A. Public and Civic Uses

- Natural Gas Compressor Station
- Electric power sub-station
- Water supply, treatment or storage facility
- Ambulance dispatch station
- Hospital
- Utility transmission or distribution line

B. Commercial Uses

- Large retail store
- Theater, movie theater, or auditorium
- Theater, drive-in
- Cold storage plant or ice plant
- Firewood sales
- Garage, storage only
- Gasoline sales

C. Transportation

- Airport, aviation field, heli-stop or landing area; passenger station

D. Waste

- Recycling collection facility

E. Accessory Uses

- Itinerant Vendor, edible items
- Residence for security purposes
- Batch plant, concrete or asphalt (temporary)

Notwithstanding the foregoing, the following limited uses will be permitted:

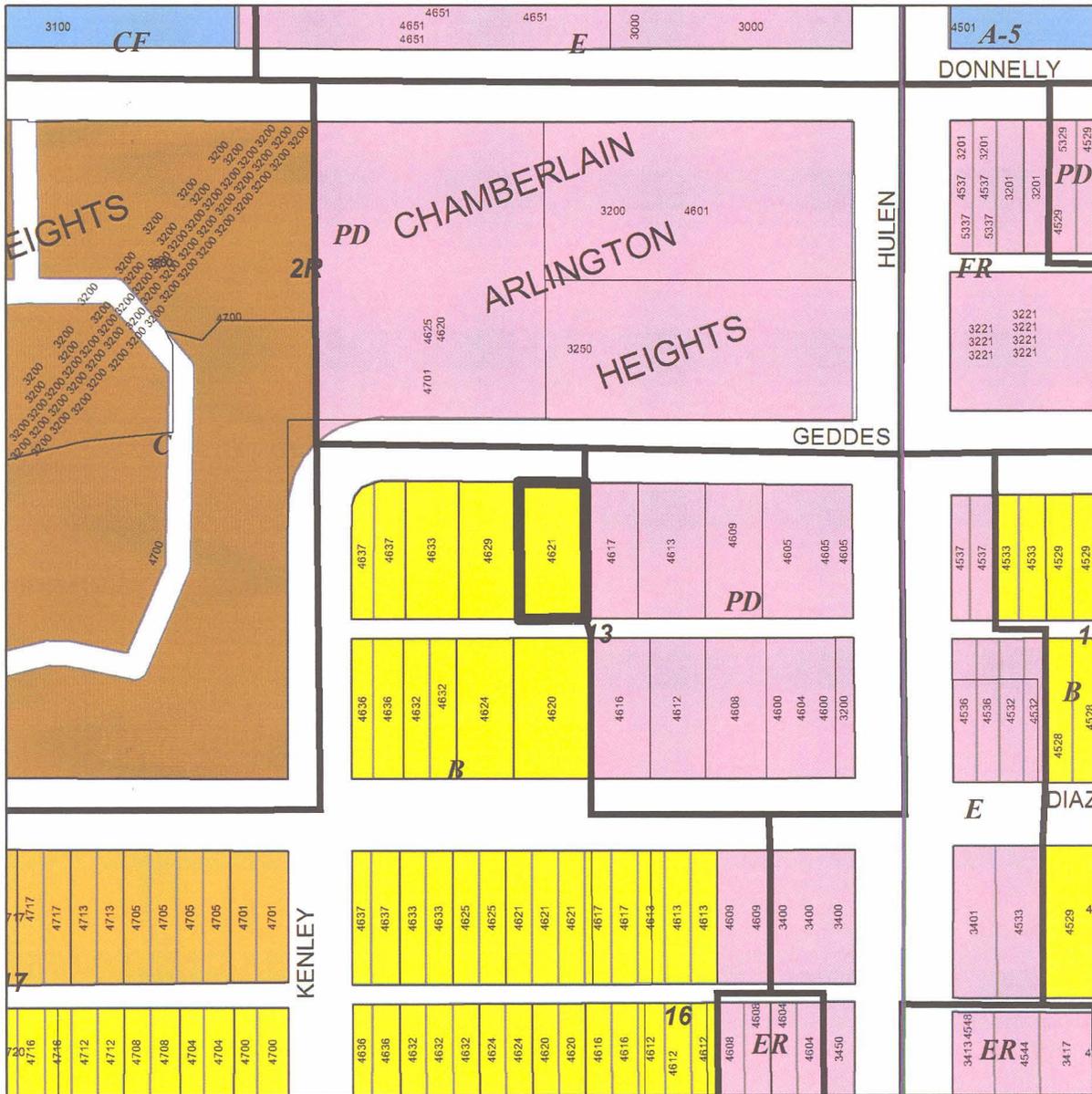
- A. A parking area or garage, so long as such use is in conjunction with, or auxiliary to, an onsite business
- B. A temporary residence for security purposes
- C. A temporary trailer (portable) used for construction or storage purposes

Site plan required.



Future Land Use

ZC-10-178



- Vacant, Undeveloped, Agricultural
- Rural Residential
- Suburban Residential
- Single Family Residential
- Manufactured Housing
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Institutional

- Neighborhood Commercial
- General Commercial
- Light Industrial
- Heavy Industrial
- Mixed-Use Growth Center
- Industrial Growth Center
- Infrastructure
- Lakes and Ponds
- Public Park, Open Space
- Private Park, Open Space

- CFWGIS.SDE.TRN_RAILROADS
- CFWGIS.SDE.CAD_addresses
- Freeways/Toll Roads
- Proposed Freeway/Toll Road
- Principal Arterial
- Proposed Principal Arterial
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial
- Flood Plain



A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government code, Section 219.005) Land use designations were approved by City Council on February 23, 2010



Aerial Photo Map



such unit per lot, all other units will have a minimum size of 1,450 sq. ft of living area, excluding garage, porches, and patios;

- **Garages**: all dwelling units will have two car, front entry garages, and
- **Maximum Dwelling Units per Structure**: no individual dwelling units will exceed a maximum of six attached dwelling units; site plan waived

to Amend PD-778 to add additional property and to include a minimum and maximum front yard setback of 10 to 30 feet, not to project; site plan waiver recommended.

Buddy Greenhaw, 3332 West 7th, representing S J Thornhill Partnership, explained to the Commissioners the City of Euless is in support of the zoning request.

Motion: Following a brief discussion, Ms. Zadeh recommended approval of the request, seconded by Mr. Wilson. The motion carried unanimously 8-0.

2. ZC-10-178 Great Dane Holdings, LLC (CD 7)- 4621 Geddes Avenue and 4616 Diaz (Chamberlain Arlington Heights 2nd Addition, Block 13, Lot 13R 0.19 Acres): from “B” Two-Family to “PD/E” Planned Development for all uses in “E” Neighborhood Commercial save and except certain uses; site plan required.

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Alexis Brooks, 4633 Geddes, spoke in support. Ms. Brooks mentioned they have had extensive meetings working on the site plan. They are still in negotiations on the materials proposed for the eight foot fence, but that is was important that it be treated. Ms. Brooks also mentioned the delivery truck route and that they were to exit onto Geddes back out to Hulen and not travel back into the neighborhood.

Mr. Genua asked they question about traffic flow along Hulen. In response, Ms. Brooks mentioned as long as a four way stop sign can be put in to slow traffic on Diaz, she thinks it will be safer.

Mr. Wilson asked about the rest of the block possibly being rezoned. Ms. Brooks explained they want to protect the neighborhood.

Melinda Culton, 4637 Geddes, was a property owner also spoke in opposition. Ms. Culton mentioned that the three remaining properties along Geddes are not proposed to be bought at this time. One of the concerns is there could be up to 40 employees at this site and where will they park.

James Audet, 106 Kortney Court, Hudson Oaks, owns property located at 4528 Diaz Avenue spoke in support of the request. A traffic light would be vital in this area especially for the school kids.

Motion: Following brief discussion, Mr. Genua recommended approval of the request, seconded by Mr. Wilson. The motion carried unanimously 8-0.

3. SP-10-009 Great Dane Holdings, LLC (CD 7)- 4605-4621 Geddes Avenue and 4616 Diaz (Chamberlain Arlington Heights Addition, Block 13, Lots W5' Lot 1 All Lots 2A & 4R, Lot 6R, 8R, 11R, 13R, & Lot C , 1.12 Acres): Site Plan for "PD-805" Planned Development for E uses, excepting certain uses.

James Schell, 901 Fort Worth Club Building, representing Great Dane Holdings, LLC, explained to the Commissioners this case is a companion to the previous zoning case and they would support a four way stop sign as mentioned by Ms. Brooks. Mr. Schell asked for clarification on whether they would have to seek a variance from the Board of Adjustment for the fence encroaching into the front yard setback on Diaz.

Ms. Burghdoff explained that it could be requested as a waiver to the site plan for the encroachment.

Mr. Schell also mentioned they would like to include in this site plan, some parking spaces in the bufferyard and setback on Diaz intended for phase two. An illustration of the overall master plan was explained to the Commissioners.

Dusty Renfro, P.O. Box 1874, Aledo, Texas, explained to the Commissioners they had discussions with the neighborhood as to what type of fence they are proposing. If they put in a six foot fence it would be of masonry material or an eight foot wood fence with masonry columns every 20 feet. McDonald's has agreed to put in an eight foot fence.

Mr. Genua mentioned he has some concerns with the site plan relating to the lay out and circulation within the property. He also asked if they could alter the site plan and move the order and pickup windows.

Mr. Renfro explained they would be putting in a traffic signal at the intersection of Diaz and Hulen Street to help with traffic flow.

David Drake, 511 E. John Carpenter Freeway, Irving, Texas, representing McDonald's explained to the Commissioners they could not flip the placement of the windows in the drive through which would be changing the location of the kitchen, because it would put the back of the building fronting Hulen. He hopes the access issue will get better as phase two develops.

Alexis Brooks mentioned in rebuttal the traffic flow could work better if they were to put in a directional sign for no left turn. She did mention the wood fence has to be eight feet and treated.

district is intended for higher density and would be more appropriate than the split zoning that exists. The majority of the properties are rentals. They are in negotiations with the landowner of the two properties to the south, not included in this request. They have had several meetings with the neighborhood and the major concerns were traffic, parking, and density. They have put together a plan that would consist of an internal parking garage, one space per bedroom, limited access from one street. Mr. Poole mentioned the exhibit presented depicts duck in parking to help with on street parking. The PD language limits the bedroom count to 265 bedrooms with one bed per bedroom unless related. There will be on-site management to take care of the property. Mr. Poole mentioned they are asking for the site plan to be waived to allow for flexibility in the design. The neighborhood is in support of the proposed zoning change.

Mr. Ortiz asked the question as to density and where does it stop in this area?

Mr. Poole mentioned the Comprehensive Plan for residential use should stop at Cantey. A map was presented to the Commissioners depicting ownership of properties in the area.

Ms. Zadeh asked about the PD language and how is it different from straight UR zoning?

Mr. Poole mentioned there is no cap on density in UR. They calculated the bedroom count based on the acreage and come up with a benchmark of 265 bedrooms. That would have to be adjusted if they did not acquire the two lots to the south.

Tony Dauphinot, 5254 Trail Lake Drive, representing the two properties outside of the request, spoke in opposition.

Motion: Following brief discussion, Ms. Reed recommended approval of the request, seconded by Mr. Romero. The motion carried 8-1 with Mr. Barnes being against.

7. ZC-10-178 Great Dane Holdings, LLC (CD 7)- 4621 Geddes Avenue and 4616 Diaz (Chamberlain Arlington Heights 2nd Addition, Block 13, Lot 13R 0.19 Acres): from “B” Two-Family to “PD/E” Planned Development for all uses in “E” Neighborhood Commercial save and except certain uses; site plan required.

James Schell, 901 Fort Worth Club Building, representing Great Dane Holdings, LLC, explained to the Commissioners this is one lot being rezoned to PD/E with the same language as the case heard a couple of years ago, subject property to the east. Mr. Schell mentioned Hulen is a major arterial which supports commercial use.

Mr. Ortiz asked about the uses to the north.

Mr. Schell mentioned it is a commercial satellite center zoned PD. There is a Chick-Fil-A, Star-Bucks and apartments are to the west.

John Scott Daniels, 4629 Geddes, property owner directly to the west of the request. This request encroaches into the three remaining properties on Geddes. He mentioned there has been no

discussion to purchase these properties from the applicant. He does not want to be next to a fast food restaurant.

Mr. Ortiz asked if thought the remainder of the block should be commercial.

Alexis Brooks, 4633 Geddes, adjacent property to Mr. Daniels also spoke in opposition. Ms. Brooks submitted photos of the property adjacent to the lot with the drive access. She mentioned there is a young couple with children living there. There has been no communication between the developer and property owners along Diaz. Ms. Brooks mentioned they have concerns with increased traffic, lighting and noise. There is a lot of foot traffic in this area. A petition was submitted to the Commissioners. It was also mentioned they need to work with the neighborhood and restrict access on Geddes and possibly restrict hours of operation same as Chick-Fil-A.

Melinda Culton, 4637 Geddes, property owner next to Ms. Brooks also spoke in opposition. She also mentioned there have been no discussions with the developer. Her concerns are traffic, congestion, lighting, deliveries, ect.

Mr. Schell in rebuttal mentioned this is a neighborhood in transition. He recalled the case from a couple of years ago and comments made at that time concerning residential zoning. Mr. Schell mentioned the property owner has tried to market this property and finally Mc Donald's has shown interest. It was mentioned the residential lot is needed for circulation due to the detention required on the front of the property. Mr. Schell mentioned his client is going to install a controlled stop light at the Hulen & Diaz intersection.

Mr. Romero asked about the street going to the south indicated on the site plan.

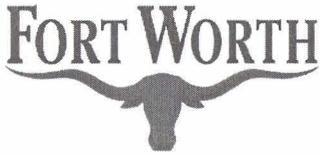
Mr. Schell mentioned it is needed for circulation in and out of Mc Donald's.

Motion: Following brief discussion, Mr. Genua recommended a 30 day continuance of the request, seconded by Mr. Romero. The motion carried 7-2 with Mr. Ortiz and Ms. Zadeh being against.

8. SP-10-009 Great Dane Holdings, LLC (CD 7)- 4605-4621 Geddes Avenue and 4616 Diaz (Chamberlain Arlington Heights Addition, Block 13, Lots W5' Lot 1 All Lots 2A & 4R, Lot 6R, 8R, 11R, 13R, & Lot C, 1.12 Acres): Site Plan for "PD-805" Planned Development for E uses, excepting certain uses.

James Schell, 901 Fort Worth Club Building, representing Great Dane Holdings, LLC, explained to the Commissioners the previous zoning case is connected with this site plan and there has been some discussion regarding both cases.

Mr. Romero asked the question again about the drive to the south on Diaz. He also asked about directional signs that may be used along Geddes.



**SITE PLAN AMENDMENT
STAFF REPORT**

City Council Meeting Date:
January 4, 2011

Council District 7

Zoning Commission Recommendation:

Approved as Amended by a vote of 8-0 with the additional requirements of an 8 ft. treated wood fence along the entire western property lines with masonry columns every 20 ft., and the allowance of parking adjacent to the southern driveway as indicated on the site plan

Opposition: One person spoke

Continued Yes ___ No X
Case Manager Stephen Murray
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: Great Dane Holdings, LLC

Site Location: 4605-4621 Geddes Ave. and 4616 Diaz Ave. Mapsco: 90H

Proposed Use: Quick Service Restaurant

Companion Cases: ZC-08-058, ZC-10-178

Background:

The site is located between Geddes Avenue and Diaz Avenue and is proposed for a McDonald's restaurant. The initial zoning was approved in March of 2008 for "PD/E" for all uses in "E", minus certain uses with a site plan required and is known as PD 805. Case ZC-10-178, being heard at this same meeting, is proposed for the identical uses as PD 805. The lot is included in this site plan.

An application has been submitted for the abandonment of the entire alley, with the agreement of the neighboring property owners. A plat has also been submitted for review to combine the lots along Geddes Ave. into one lot and include the alley into the project. The process to abandon the alley must be complete before the plat can be recorded.

The developer has been working with City Traffic staff and has agreed to install a traffic signal at Diaz Ave. To access this intersection which will make the turning movement safer, the site plan provides a driveway through the southern property onto Diaz Ave. The applicant has requested to construct additional parking accessed from this driveway.

An amended site plan will go through the rezoning process when a use is planned for the southern lots fronting Diaz Ave.

The proposed site is deficient on parking spaces, and contains parking within the 30' front yard setback as projected from the adjacent "B" Two Family district. A waiver is required on the site plan for these items. The proposed site plan depicts the layout and area of the restaurant.

Meetings have been held with the neighboring property owners who requested some changes to the site plan, especially the inclusion of an eight foot tall fence along the entire western property line of both the McDonald's property and southern driveway. The property owner indicated that McDonald's agreed to

either a six foot masonry fence or an eight foot wood fence with masonry columns every 20 feet, but that an eight foot masonry fence was not financially feasible. The neighborhood is agreeable to the wood fence as long as the wood is treated and maintained. The property owners also requested that the city look into installing a four way stop at the intersection of Diaz and Kenley. They expressed that the existing two way stop was not functioning well and a four way stop could handle any increase in traffic from the development.

At the Zoning Commission meeting, a McDonald's representative also agreed to install signage on the property indicating a right turn only on Geddes, in an attempt to minimize traffic that travels west through the residential area.

Site Information:

Owner: Great Dane Holdings, LLC
2600 Suzanne Trail
Hudson Oaks, TX 76087

Agent: Jim Schell
Acreage: 1.12 ac
Comprehensive Plan Sector: Arlington Heights

Surrounding Zoning and Land Uses:

North "PD/G" (PD 455) for all uses in "G" with waiver of setback on all sides / commercial
East "E" Neighborhood Commercial / commercial
South "B" Two-Family / single-family
West "B" Two-Family / single-family

Site Plan Comments:

The site plan as submitted is not in general compliance with the Zoning Ordinance regulations. The key deficiencies are:

1. 16 parking spaces in projected front yard setback are prohibited
2. Deficient four (4) parking spaces
3. 8 ft. fence is located in the front setbacks on Geddes and Diaz Aves.

Zoning Commission recommended waivers to the items noted above.

Recent Relevant Zoning and Platting History:

Zoning History: ZC-08-058, "PD/E" for all use is "E" save and except certain uses, approved; May 8, 2008.

Platting History: The applicant intends to replat this property to reflect the planned developments.

Public Notification:

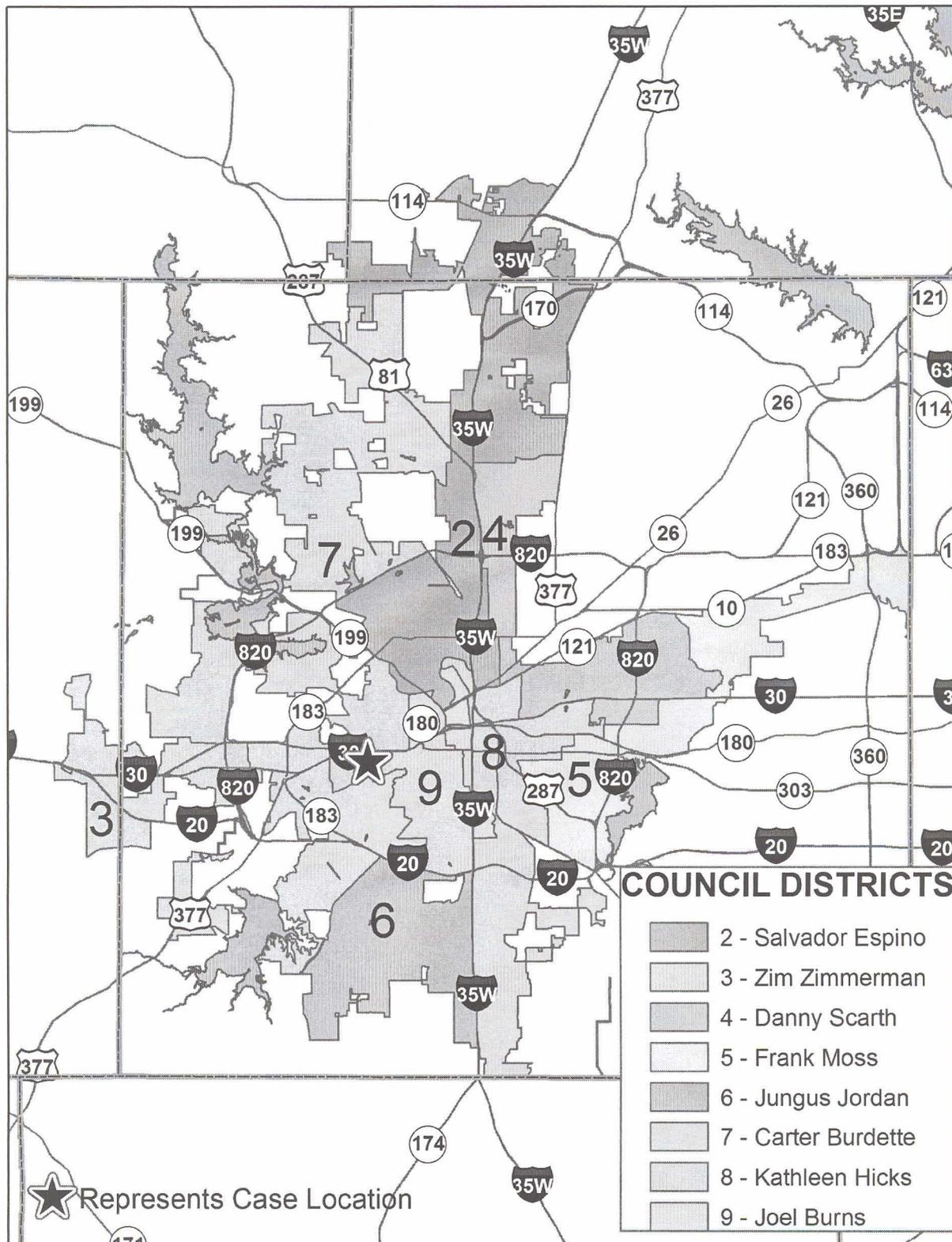
The following Neighborhood Associations were notified:

Alamo Heights
Sunset Heights South
Lake Como/Vickery Redevelopment Org.
Fort Worth ISD

Attachments:

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Site plan
- Minutes from the December 8, 2010 Zoning Commission meeting

Location Map



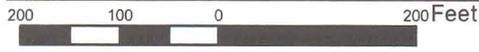
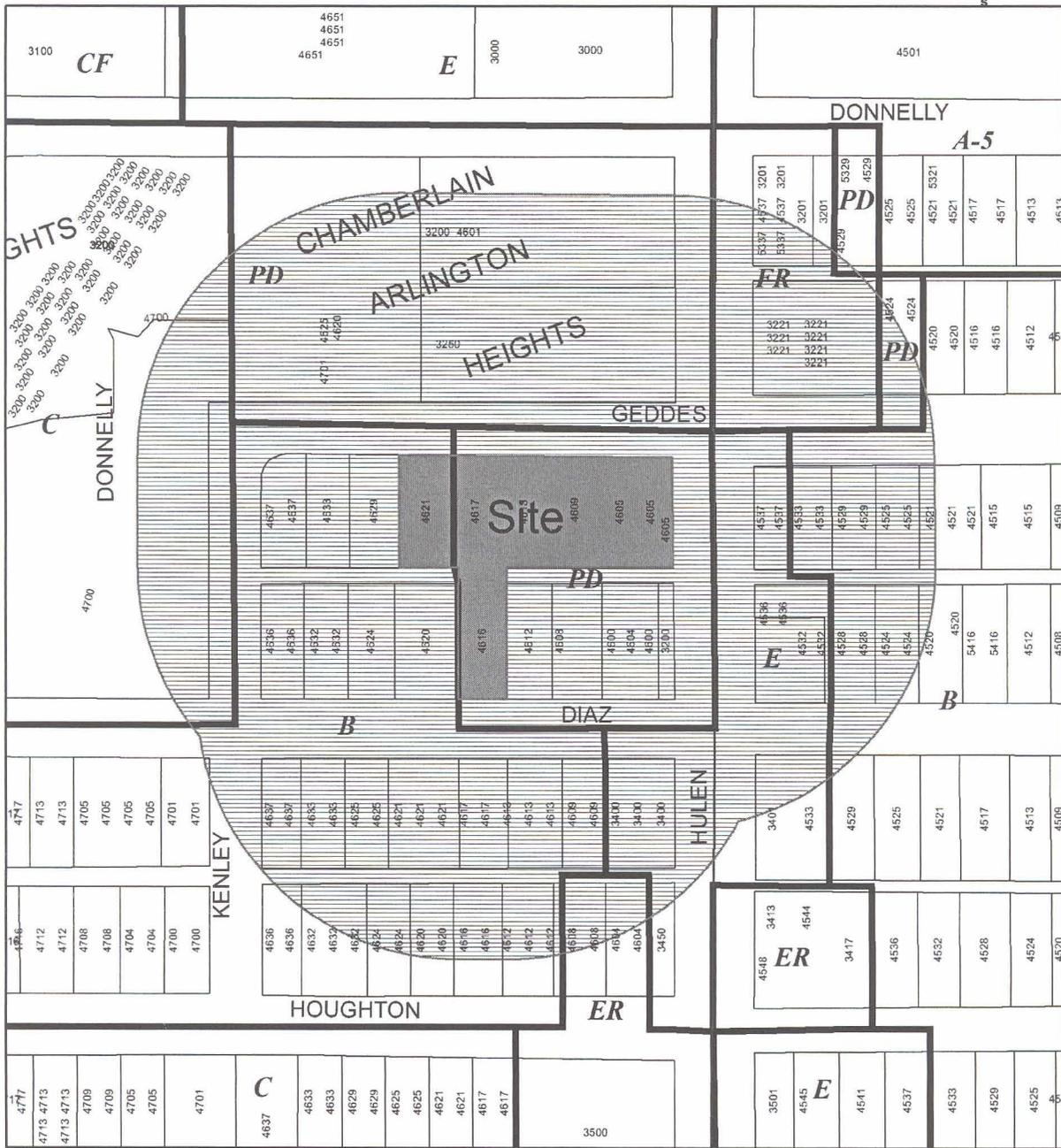


SP-10-009

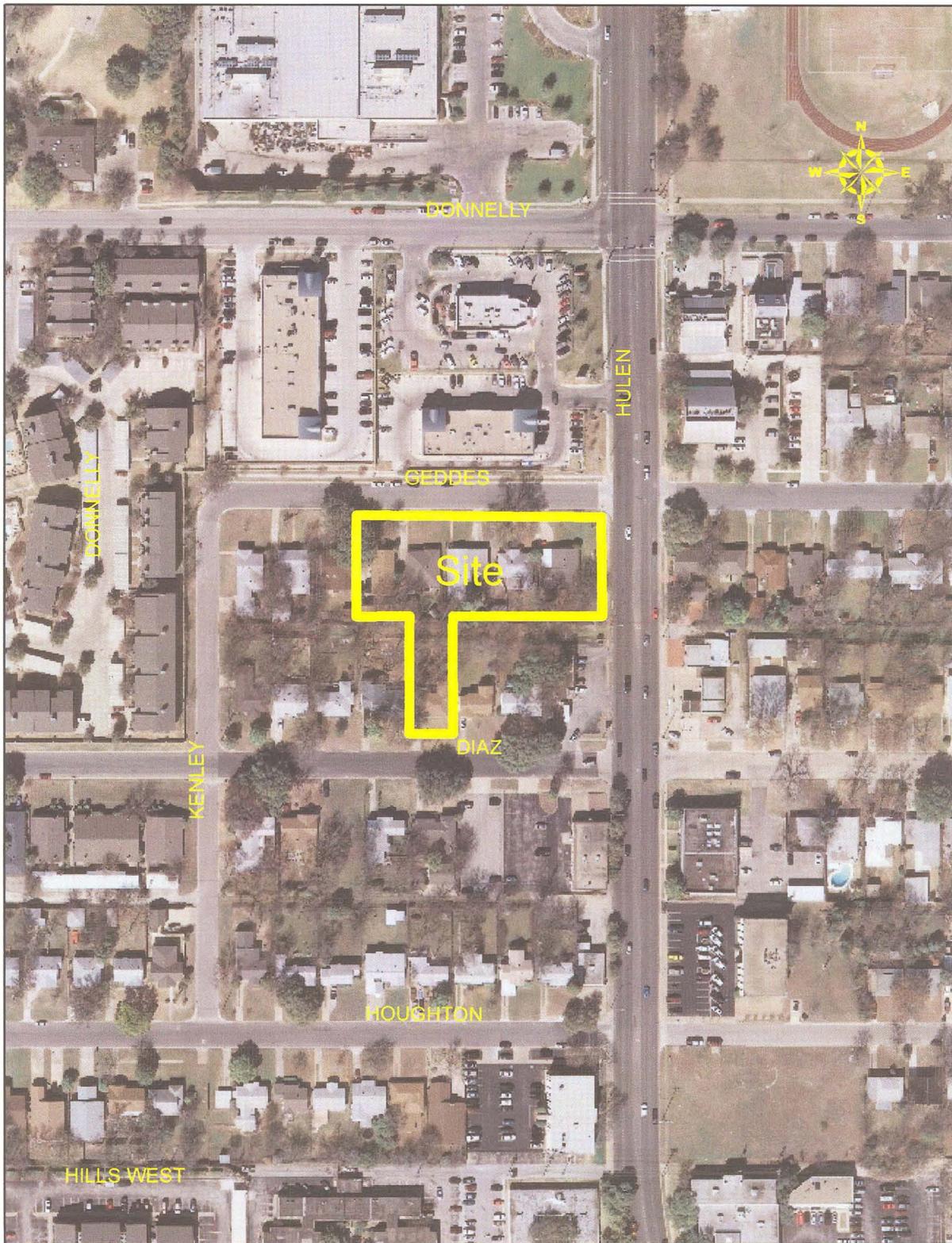
Area Zoning Map

Applicant: Great Dane Holdings LLC
 Address: 4605-4621 Geddes, 3200 Hulen, 4600-4616 Diaz
 Zoning From: Site Plan Required for PD 805
 Zoning To: Site Plan for PD 805
 Acres: 1.12
 Mapsco: 75K
 Sector/District: Arlington Heights
 Commission Date: 11/10/2010
 Contact: 817-392-8043

300 Ft. Notification Buffer



Aerial Photo Map



James Audet, 106 Kortney Court, Hudson Oaks, owns property located at 4528 Diaz Avenue spoke in support of the request. A traffic light would be vital in this area especially for the school kids.

Motion: Following brief discussion, Mr. Genua recommended approval of the request, seconded by Mr. Wilson. The motion carried unanimously 8-0.

3. SP-10-009 Great Dane Holdings, LLC (CD 7)- 4605-4621 Geddes Avenue and 4616 Diaz (Chamberlain Arlington Heights Addition, Block 13, Lots W5' Lot 1 All Lots 2A & 4R, Lot 6R, 8R, 11R, 13R, & Lot C , 1.12 Acres): Site Plan for "PD-805" Planned Development for E uses, excepting certain uses.

James Schell, 901 Fort Worth Club Building, representing Great Dane Holdings, LLC, explained to the Commissioners this case is a companion to the previous zoning case and they would support a four way stop sign as mentioned by Ms. Brooks. Mr. Schell asked for clarification on whether they would have to seek a variance from the Board of Adjustment for the fence encroaching into the front yard setback on Diaz.

Ms. Burghdoff explained that it could be requested as a waiver to the site plan for the encroachment.

Mr. Schell also mentioned they would like to include in this site plan, some parking spaces in the bufferyard and setback on Diaz intended for phase two. An illustration of the overall master plan was explained to the Commissioners.

Dusty Renfro, P.O. Box 1874, Aledo, Texas, explained to the Commissioners they had discussions with the neighborhood as to what type of fence they are proposing. If they put in a six foot fence it would be of masonry material or an eight foot wood fence with masonry columns every 20 feet. McDonald's has agreed to put in an eight foot fence.

Mr. Genua mentioned he has some concerns with the site plan relating to the lay out and circulation within the property. He also asked if they could alter the site plan and move the order and pickup windows.

Mr. Renfro explained they would be putting in a traffic signal at the intersection of Diaz and Hulen Street to help with traffic flow.

David Drake, 511 E. John Carpenter Freeway, Irving, Texas, representing McDonald's explained to the Commissioners they could not flip the placement of the windows in the drive through which would be changing the location of the kitchen, because it would put the back of the building fronting Hulen. He hopes the access issue will get better as phase two develops.

Alexis Brooks mentioned in rebuttal the traffic flow could work better if they were to put in a directional sign for no left turn. She did mention the wood fence has to be eight feet and treated.

Mr. Schell mentioned they would be happy to put in a no left turn sign, but who is going to enforce it.

Motion: Following brief discussion, Mr. Genua recommended approval as amended of the request for an eight foot wood fence with masonry columns every 20 feet along the most western boundary line and parking spaces for phase two as indicated on the site plan, seconded by Mr. Romero. The motion carried unanimously 8-0.

4. ZC-10-180 City of Fort Worth Planning & Development AX-007-006 (CD 2)- Generally bounded by Old Denton Road, High School Drive, Alta Vista Road, & Golden Triangle Boulevard (see addresses in case file, 360.37 Acres): from Unzoned to “A-43” One-Family, “A-10” One-Family, “MH” Manufactured Housing, “CF” Community Facilities, “ER” Neighborhood Commercial Restricted, “E” Neighborhood Commercial, “FR” General Commercial Restricted, “I” Light Industrial, and “PD/SU” Planned Development/Specific Uses for 11855 Alta Vista uses are warehouse, outdoor storage, greenhouse, showroom, retail sales, office, and up to 15 temporary portable storage containers not to exceed six months use in a 12 month period; for 11865 Alta Vista uses are landscaping and construction contractor yard, greenhouse/nursery with plant sales, beauty shop and pest elimination services; site plan waiver recommended.

Beth Knight, Senior Planner, City of Fort Worth, explained to the Commissioners the map indicated on the screen shows the properties that were re-noticed. The parcels in the 11,500 block of Alta Vista were noticed for E as requested by the property owner, however after reviewing staff found that no commercial use exists or is planned and therefore recommended A-10 residential.

Ken Slough, property owner for 11715 & 11731 Alta Vista spoke in support of the request for E zoning on his property.

Jeff Traylor, property owner for 401 Ridgeview Circle also spoke in support of the request for FR zoning on his property. He explained an office with parking currently exists on the lot.

Mr. Ortiz asked how he felt about A-43 zoning. Mr. Traylor was under the assumption he was going to FR. Current uses on the property are offices with parking in the front with future trailer sales. He explained the house was converted to an office and the trailer sales will be adjacent to this.

Mr. Ortiz asked what the hours of operation would be. Mr. Traylor mentioned the hours would be 8 to 5.

Jim Schell, 901 Fort Worth Club Building, spoke in support of the re-noticed request for his client.

Motion: Following brief discussion, Mr. Genua recommended approval as amended of the request for 11545, 11555, 11565, 11575 & 11585 to A-10, seconded by Ms. Spann. The motion carried unanimously 8-0.

discussion to purchase these properties from the applicant. He does not want to be next to a fast food restaurant.

Mr. Ortiz asked if thought the remainder of the block should be commercial.

Alexis Brooks, 4633 Geddes, adjacent property to Mr. Daniels also spoke in opposition. Ms. Brooks submitted photos of the property adjacent to the lot with the drive access. She mentioned there is a young couple with children living there. There has been no communication between the developer and property owners along Diaz. Ms. Brooks mentioned they have concerns with increased traffic, lighting and noise. There is a lot of foot traffic in this area. A petition was submitted to the Commissioners. It was also mentioned they need to work with the neighborhood and restrict access on Geddes and possibly restrict hours of operation same as Chick-Fil-A.

Melinda Culton, 4637 Geddes, property owner next to Ms. Brooks also spoke in opposition. She also mentioned there have been no discussions with the developer. Her concerns are traffic, congestion, lighting, deliveries, ect.

Mr. Schell in rebuttal mentioned this is a neighborhood in transition. He recalled the case from a couple of years ago and comments made at that time concerning residential zoning. Mr. Schell mentioned the property owner has tried to market this property and finally Mc Donald's has shown interest. It was mentioned the residential lot is needed for circulation due to the detention required on the front of the property. Mr. Schell mentioned his client is going to install a controlled stop light at the Hulen & Diaz intersection.

Mr. Romero asked about the street going to the south indicated on the site plan.

Mr. Schell mentioned it is needed for circulation in and out of Mc Donald's.

Motion: Following brief discussion, Mr. Genua recommended a 30 day continuance of the request, seconded by Mr. Romero. The motion carried 7-2 with Mr. Ortiz and Ms. Zadeh being against.

8. SP-10-009 Great Dane Holdings, LLC (CD 7)- 4605-4621 Geddes Avenue and 4616 Diaz (Chamberlain Arlington Heights Addition, Block 13, Lots W5' Lot 1 All Lots 2A & 4R, Lot 6R, 8R, 11R, 13R, & Lot C , 1.12 Acres): Site Plan for "PD-805" Planned Development for E uses, excepting certain uses.

James Schell, 901 Fort Worth Club Building, representing Great Dane Holdings, LLC, explained to the Commissioners the previous zoning case is connected with this site plan and there has been some discussion regarding both cases.

Mr. Romero asked the question again about the drive to the south on Diaz. He also asked about directional signs that may be used along Geddes.

Mr. Schell mentioned he could not find a neighborhood association for this area. They could put up interior directional signs but aren't enforceable.

Mr. Genua mentioned the site plan as indicated shows traffic will exist onto Geddes based on the design.

Mr. Schell mentioned they do not have access directly onto Hulen. He mentioned when phase two opens up they could direct traffic differently.

Dusty Renfro, P.O. Box 1874, Aledo, Texas, explained to the Commissioners he has been trying to market this property for a couple of years. This is the first phase for this project. The second phase will consist of two driveways along Geddes and two along Diaz. The existing Convenience store along Hulen is still open, that is where the proposed second drive is to be at the back of the lot.

Mr. Romero asked if they could provide a master plan of the final product, especially if this continued.

Mr. Wilson asked if they could build a different prototype of store.

David Drake, 511 E. John Carpenter Freeway, Irving, Texas, representing McDonald's explained to the Commissioners the reason the site plan is drawn this way is because of the drainage along Hulen. Mr. Drake mentioned there are some things they can work with internally.

John Scott Daniels, 4629 Geddes, property owner directly to the west of the request spoke in opposition of the request. Once again Mr. Daniels mentioned this is a patchwork of commercial property encroaching into residential. This development will bring down the home values that remain. Mr. Daniels mentioned the late hours, deliveries at the back of the property, dumpsters being emptied during the early hours of the morning; this is adjacent to his property.

Alexis Brooks, 4633 Geddes, adjacent property to Mr. Daniels also spoke in opposition. She mentioned she went to the Sunset Heights neighborhood meeting and concerns were lighting, children in the neighborhood leaving for school, older residents. She mentioned all the businesses that have opened in the area have worked with the neighborhood. They are going to have problems on these two streets unless they put traffic lights in and lay speed bumps down to slow down vehicles.

Melinda Culton, 4637 Geddes, property owner next to Ms. Brooks also spoke in opposition. She submitted a petition of four property owners along Diaz.

Mr. Barnes asked about access to the north.

Mr. Schell mentioned there would be no access because of the topography and existing retaining wall to the north.

Motion: Following brief discussion, Mr. Genua recommended a 30 day continuance of the request, seconded by Mr. Romero. The motion carried unanimously 9-0.

9. ZC-10-179 City of Fort Worth Planning & Development AX-007-005 (CD 2)- Generally bounded by (see addresses in case file, 175.45 Acres): from Unzoned to “A-10” One-Family, “CF” Community Facilities, and “I” Light Industrial

Beth Knight, Senior Planner, City of Fort Worth, explained to the Commissioners this is an area the City started the annexation process in 2007. The zoning is a reflection of uses on the ground today.

Guy Brown, 4852 Sangers Court, spoke in opposition of the request. He purchased the property about a year ago and wishes it to remain agricultural for exemption purposes.

Kris Dossey, 5325 Rush Creek Court also spoke in opposition. He mentioned the property has an easement that runs through it and would be unbuildable for residential use.

Ms. Knight in rebuttal mentioned the City does not determine what land use goes on property. She also mentioned there is already existing single family along the pipeline easement.

Motion: Following brief discussion, Mr. Genua recommended approval of the request, seconded by Ms. Spann. The motion carried unanimously 9-0.

10. ZC-10-180 City of Fort Worth Planning & Development AX-007-006 (CD 2)- Generally bounded by (see addresses in case file, 360.37 Acres): from Unzoned to “A-43” One-Family, “MH” Manufactured Housing, “CF” Community Facilities, “ER” Neighborhood Commercial Restricted, “E” Neighborhood Commercial, “FR” General Commercial Restricted, “I” Light Industrial, and “PD/SU” Planned Development/Specific Uses for 11855 Alta Vista for warehouse, outdoor storage, greenhouse, showroom, retail sales, office, and up to 15 temporary portable storage containers not to exceed six months use in a 12 month period; for 11865 Alta Vista uses are landscaping and construction contractor yard, greenhouse/nursery with plant sales, and pest elimination services; site plan waiver requested.

Beth Knight, Senior Planner, City of Fort Worth, explained to the Commissioners this property is due north from the previous case heard.

Jim Schell, 901 Fort Worth Club Building, representing the property owner located at 11865 Alta Vista is requesting to add a beauty shop to the PD language.

Bill Scherar, 401 Ridgeview Circle, is requesting the property be rezoned to FR for mini storage; the property was split six months ago and has been commercial for the last six to ten years. The address for the mini storage is 3255 Keller Hicks Road.

The area was added to the Annexation Plan in November 2007, which obligates the City to finish the annexation within three years. Instead of leaving the site with the default "AG" Agriculture zoning and creating a large number of non-conforming uses, the area is being zoned with the annexation.

Council-initiated rezoning is required to be in conformance with the Comprehensive Plan, which designates these parcels as rural residential, single family, manufactured housing, institutional, neighborhood commercial, and light industrial. Portions of the enclave have an agricultural exemption that qualifies for development agreements in lieu of annexation, which may impact the zoning case boundaries.

At the November 10 Zoning Commission meeting, property owners or their representative requested the following sites be re-noticed for a more intensive zoning district: 401 Ridgeview Circle and 11545, 11555, 11565, 11575, 11585, 11695, 11731, & 11865 Alta Vista Road. Due to the number of sites requested for renoticing, the entire case was continued.

The owner of the parcels in the 11500 block of Alta Vista Road requested that her properties be renoticed for "E" Neighborhood Commercial. The properties are currently used either as single family or vacant land. No pending development is noted, and no Pre-Development Conferences have been held. Providing these parcels commercial zoning would more than double the amount of proposed commercial zoning at the northwest corner of the Alta Vista/ Keller Hicks intersection. At this time, only institutional uses and vacant land exist at Alta Vista/ Keller Hicks intersection. The Zoning Commission has previously recommended approval for commercial districts that have an existing use or submitted permit. As development is not eminent in the immediate area, "E" Neighborhood Commercial in this block appears to be premature. The Zoning Commission recommended that these properties be rezoned to A-10 at this time.

In April 2010, a Pre-Development Conference was held for 11695 Alta Vista Road for a gymnastics facility and a single family dwelling. On November 19, the structure housing the gymnastics facility arrived on-site. The pending gymnastics center is between a private school located to the south and a veterinary clinic to the north. The property owner of the veterinary clinic has requested extension of the proposed E zoning to extend onto 11731 Alta Vista Road, which is the lot behind the clinic. The veterinary clinic, the gymnastics facility, private school, along with an office/retail building north of the vet clinic, form a cluster of commercial uses built from 2005 to the present. While commercial is less preferred in a mid-block location, clustering commercial uses is a better alternative than encouraging commercial uses along the entire length of the enclave.

The landscaping contractor at 11865 Alta Vista Road has requested the addition of a beauty salon to the list of specific uses in their Planned Development. A beauty salon is less intensive than the other commercial and industrial uses previously noticed and is unlikely to cause negative off-site impacts.

Prior to the November 10 Zoning Commission meeting, requests for additional commercial zoning clustered in the 11600 and 11700 blocks of Alta Vista Road had not been received. Due to the commercial zoning requests, staff re-evaluated the proposed "A-43" One-Family district for properties between the Ridgeview Circle Road development and Alta Vista Road. The remaining residential zoning is divided into smaller developable areas that may not be feasible to build infrastructure for rural densities. Staff is therefore revising the proposed single family zoning to "A-10" One-Family as a transitional district between the A-43 along Ridgeview Circle and the A-5 on the east side of Alta Vista Road.

The property at 401 Ridgeview Circle is in the process of being converted from a single family residence to commercial trailer sales, drawing customers from a larger region instead of the local neighborhood. The site has two access points, the former residential driveway on Ridgeview Circle and another driveway from Keller Hicks Road, across the street from Trinity Meadows Intermediate School. Ridgeview Circle is a residential street that is an inappropriate street classification for intensive commercial uses. Heavy commercial uses that can create additional turning movements that conflict with the school's driveways are inappropriate in this mid-block location. Rezoning this site for "FR" General Commercial Restricted would create a lot with more intensive zoning than similar uses in the immediate area.

Site Information:

Owner's Agent / Consultant: City of Fort Worth Planning & Development Dept.

1000 Throckmorton Street
Fort Worth, TX 76102

Acreage: 360.38 ac.

Comprehensive Plan Sector: Far North

Surrounding Zoning and Land Uses:

North A-5, MH, and CF / Single family, manufactured home park, and high school
East A-5, CF, E, and G / Single family, middle school, and vacant land
South A-5, MH, CF, and E / Single family, manufactured home park, and middle school
West A-5, MH, and E / Single family, manufactured home park, and vacant land

Public Notification:

The following Neighborhood Associations were notified:

Villages of Woodland Springs NA	North Fort Worth Alliance
Crawford Farms NA	Keller ISD
Vista Meadows Addition NA	

Recent Relevant Zoning and Platting History:

Zoning History: ZC-05-189, east of site, from E to G, approved;
ZC-06-095, west of site, from E to MU-1, denied;
ZC-08-067, west of site, from Unzoned to MH, approved;
ZC-09-062, Council-initiated west of site, from A-5, C, and E to R2, CF, and E, approved; and
ZC-10-083, west of site, from C to A-5, approved.

Platting History: PP-01-005, Villages of Woodland Springs West; PP-04-057, Realty Cap Beach Addition; and PP-07-019 Keller HS No. 4 Addition

Development Impact Analysis:

1. **Land Use Compatibility**

This council-initiated zoning change request is intended to align the existing land uses, future land use map, and zoning for the approximately 345 parcels in the annexation enclave. The process for Council-initiated rezoning was adopted in November 2000 regarding the procedure for City-Council-initiated rezoning. A summary of the procedures is an Informal Report was presented at the October 5, 2010 Pre-Council meeting and a corresponding M&C to proceed with the rezoning was approved by the City Council at the October 12, 2010 meeting.

Based on a lack of current or pending development and a lack of existing surrounding commercial uses, the requested "E" Neighborhood Commercial for the 11500 block of Alta Vista Road **is not compatible** with the surrounding land uses. Based on the residential street classification of Ridgeview Circle and regional nature of the proposed trailer sales, the requested "FR" General Commercial Restricted **is not compatible** with the surrounding land uses.

On the basis of existing land uses, the remaining proposed zoning changes **are compatible** with the surrounding land uses.

2. **Comprehensive Plan Consistency**

The 2010 Comprehensive Plan designates the subject property as rural residential, single family, manufactured housing, institutional, neighborhood commercial, and light industrial. The requested zoning classifications are appropriate for the land use designations. The proposed zoning is consistent with the following Comprehensive Plan policies:

- Preserve and protect residential neighborhoods from incompatible land uses, disinvestments, encroachment, speculation, demolition, neglect, and other negative forces. (pg. 37)
- Promote measures to ensure that residential developments, whether single family or multifamily, large lot or small lot, are compatible in scale to abutting residential developments. A significant increase in units per acre or reduction in lot size should be

discouraged for new development immediately adjacent to existing development or platted and zoned property. (pg. 39)

- Separate incompatible land uses with buffers or transitional uses. Some land uses have attributes such as height, proportion, scale, operational characteristics, traffic generated, or appearance that may not be compatible with the attributes of other uses. (pg. 38)

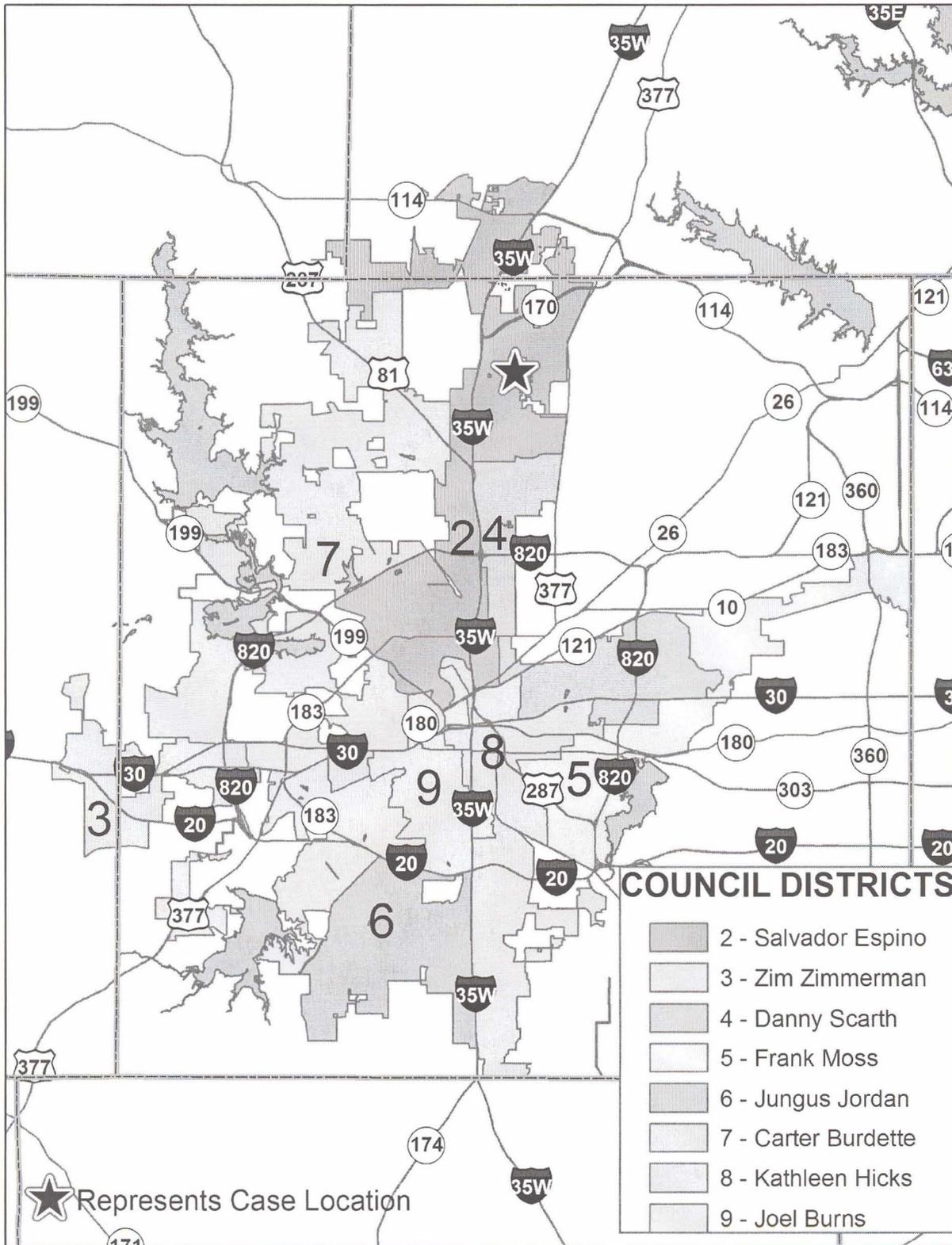
Based on conformance with an amendment to the future land use map and with the policies stated above, the proposed zoning change **are consistent** with the Comprehensive Plan.

Based on a lack of conformance with the future land use map and the policies noted above, the requested E zoning in the 11500 block of Alta Vista and the requested FR zoning for 401 Ridgeview Circle **are not consistent** with the Comprehensive Plan.

Attachments:

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes of the November 10 & December 8, 2010 Zoning Commission meeting

Location Map





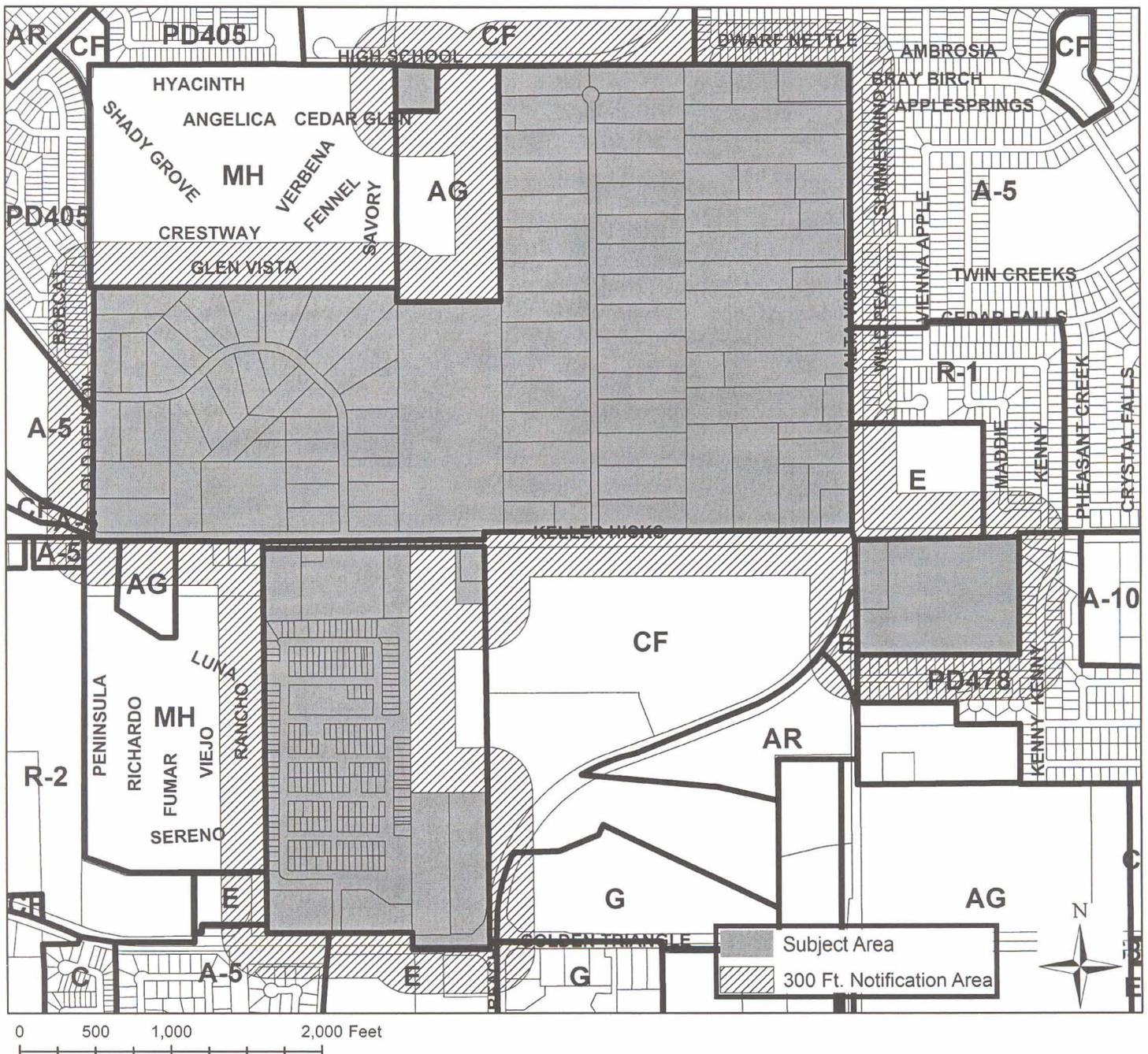
ZC-10-180

Area Zoning Map

Applicant: City of Fort Worth Planning and Development
 Address: Generally bounded by Old Denton Rd, High School Dr, Alta Vista Rd, & Golden Triangle Blvd.
 Zoning From: Unzoned
 Zoning To: A-43, MH, CF, ER, E, FR, I and PD/SU for certain I uses, site plan waived
 Acres: 360.375847
 Mapsco: 22EFJK
 Commission Date: 11/10/2010

Sector/District: Far North
 Contact: 817-392-8190

You may find a list of included properties at:
<http://www.fortworthgov.org/planninganddevelopment/zoningcommission.aspx>
 Click on the case name for a list of properties and proposed zoning. A map of proposed zoning districts is attached.





ZC-10-180A

Area Zoning Map

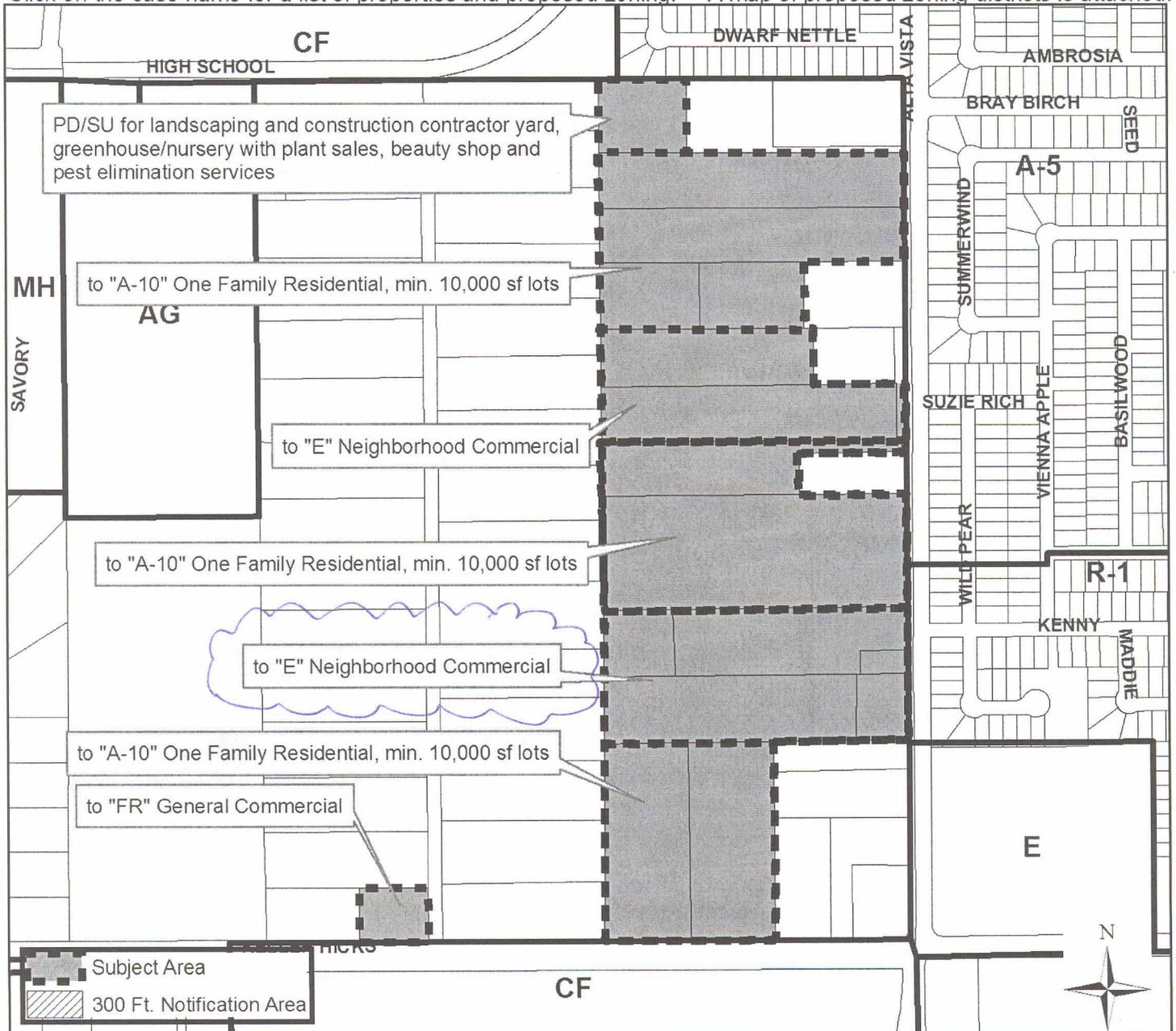
Applicant: City of Fort Worth Planning and Development
 Address: Various properties generally bounded by Old Denton Rd, High School Dr, Alta Vista Rd, & Golden Triangle Blvd.
 Zoning From: Unzoned
 Zoning To: See properties below
 Acres: 360.375847
 Mapsco: 22EFJK
 Commission Date: 11/10/2010

Sector/District: Far North
 Contact: 817-392-8190

You may find a list of included properties at:

<http://www.fortworthgov.org/planninganddevelopment/zoningcommission.aspx>

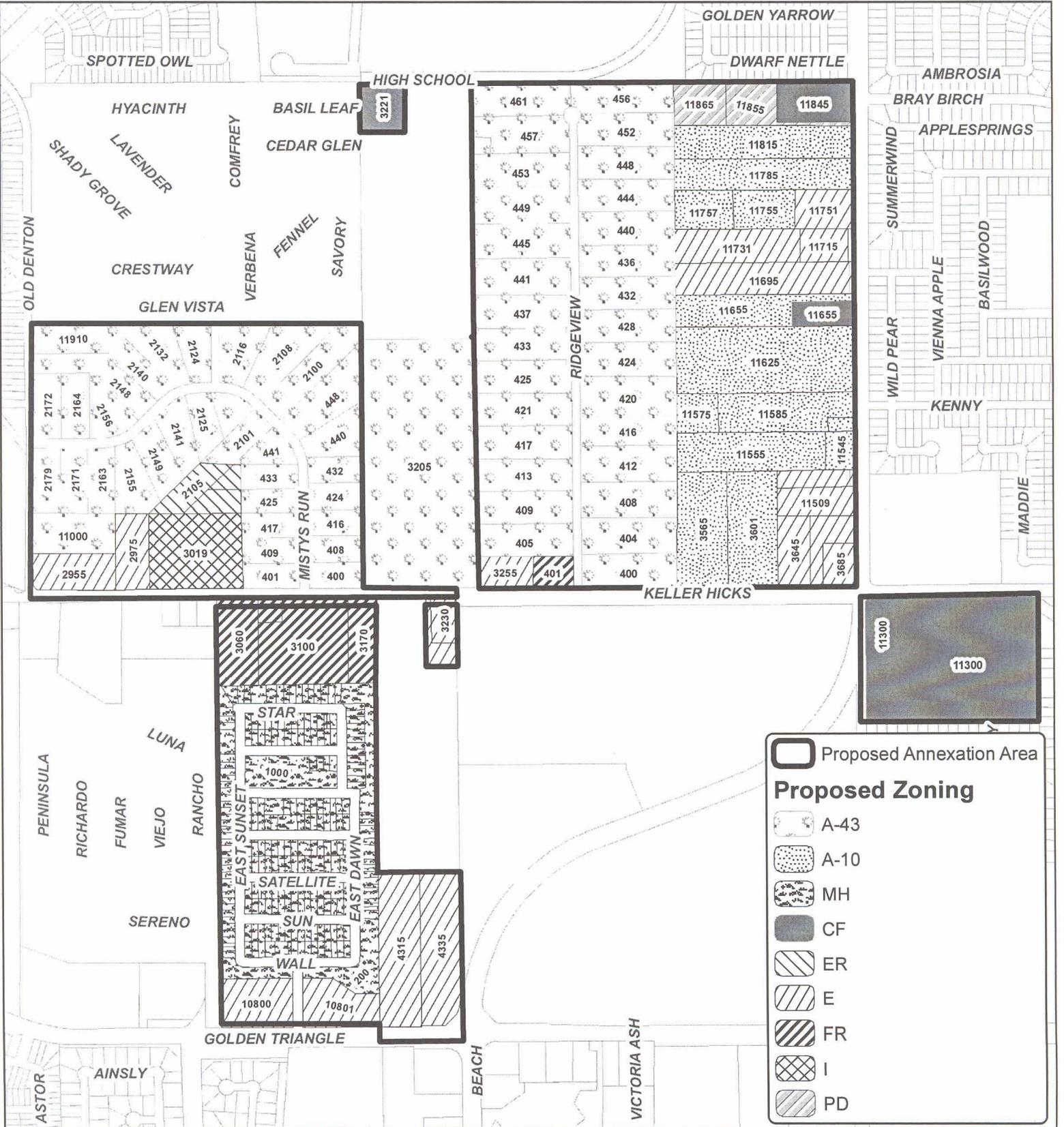
Click on the case name for a list of properties and proposed zoning. A map of proposed zoning districts is attached.



Area 12 (AX-07-006): Proposed Zoning

ZC-10-180

From Unzoned to "A-43" One-Family, "A-10" One-Family, "MH" Manufactured Housing, "CF" Community Facilities, "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial, "FR" General Commercial Restricted, "I" Light Industrial, and "PD/SU" Planned Development/Specific Uses (11855 Alta Vista uses are warehouse, outdoor storage, greenhouse, show room, retail sales, office, and up to 15 temporary portable storage containers not to exceed 6 months use; 11865 Alta Vista uses are landscaping and construction contractor yard, greenhouse/nursery with plant sales, pest elimination services, and beauty salon), site plan waived



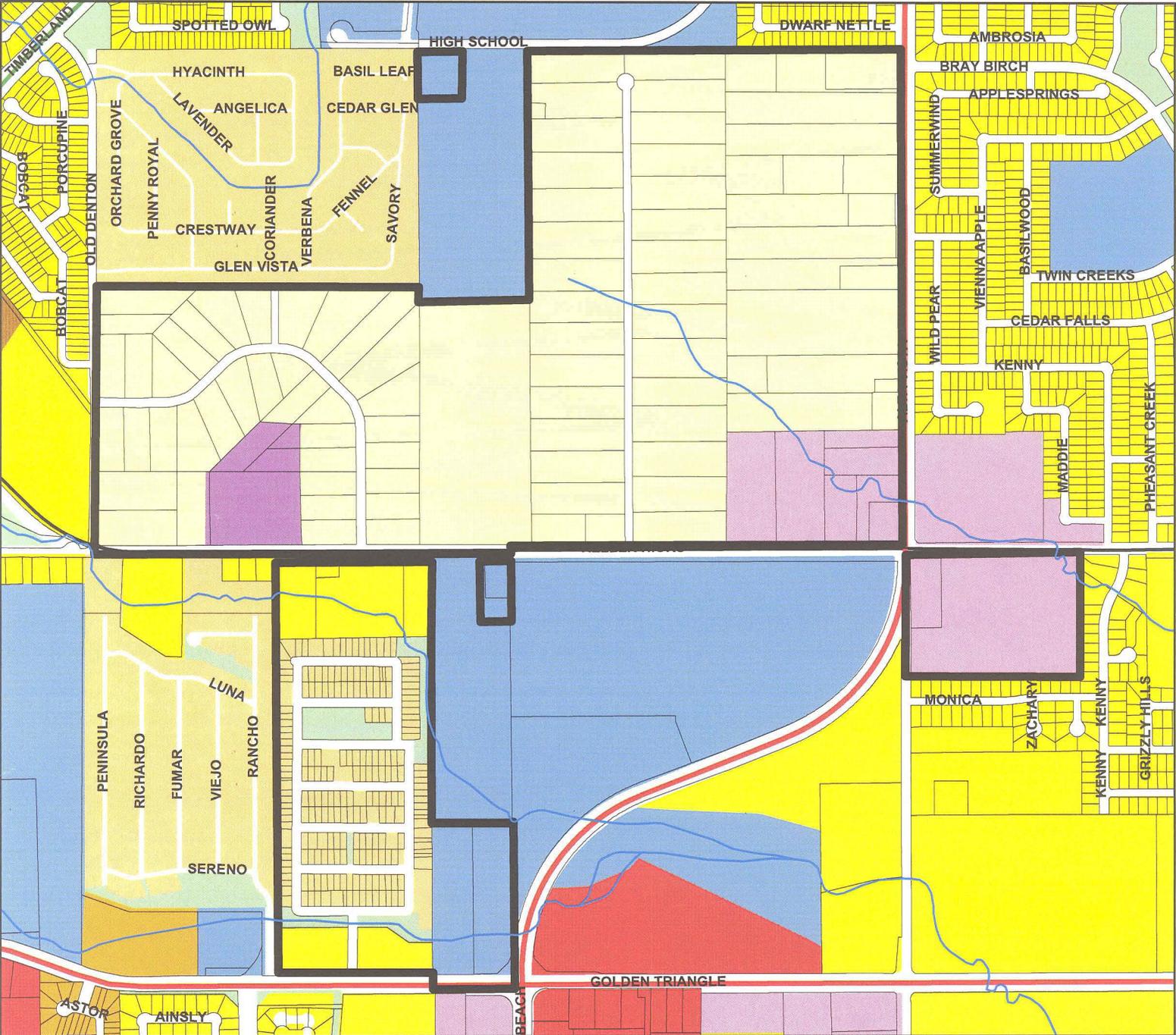
Proposed Annexation Area

Proposed Zoning

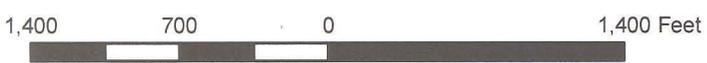
- A-43
- A-10
- MH
- CF
- ER
- E
- FR
- I
- PD



Future Land Use



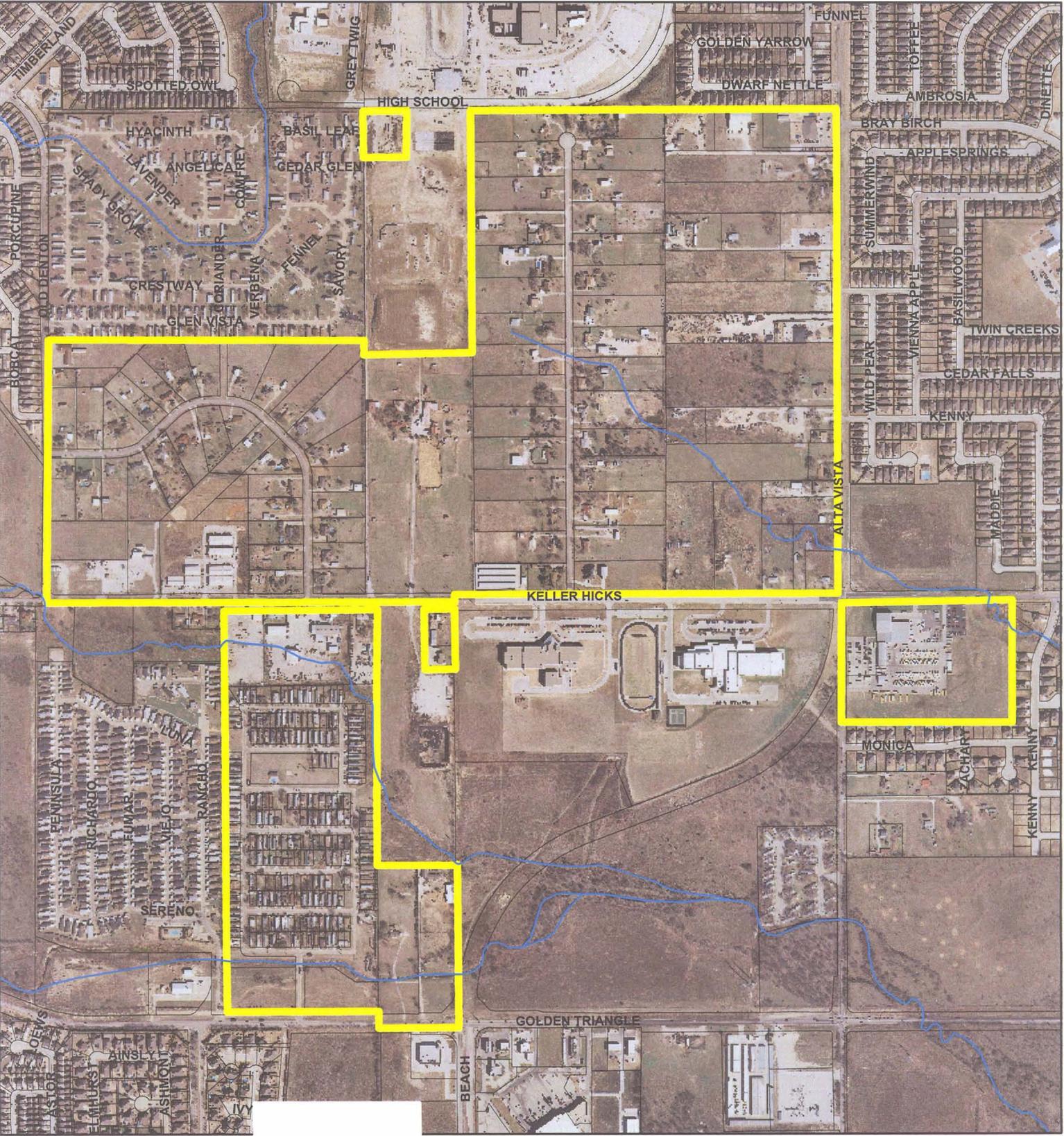
- | | | | | | |
|--|--------------------|--|-----------------------------------|--|--------------------------------------|
| | TOLLWAY / FREEWAY | | Vacant, Undeveloped, Agricultural | | Neighborhood Commercial |
| | PRINCIPAL ARTERIAL | | Lakes and Ponds | | General Commercial |
| | MAJOR ARTERIAL | | Rural Residential | | Light Industrial |
| | MINOR ARTERIAL | | Suburban Residential | | Heavy Industrial |
| | | | Single Family Residential | | Mixed-Use Growth Center |
| | | | Manufactured Housing | | Industrial Growth Center |
| | | | Low Density Residential | | Infrastructure |
| | | | Medium Density Residential | | 100 Year Flood Plain |
| | | | High Density Residential | | Public Park, Recreation, Open Space |
| | | | Institutional | | Private Park, Recreation, Open Space |



A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 219.005.) Land use designations were approved by City Council on February 23, 2010.



Aerial Photo Map



1,250 625 0 1,250 Feet

A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 219.005.) Land use designations were approved by City Council on February 23, 2010.



Mr. Schell mentioned they would be happy to put in a no left turn sign, but who is going to enforce it.

Motion: Following brief discussion, Mr. Genua recommended approval as amended of the request for an eight foot wood fence with masonry columns every 20 feet along the most western boundary line and parking spaces for phase two as indicated on the site plan, seconded by Mr. Romero. The motion carried unanimously 8-0.

4. ZC-10-180 City of Fort Worth Planning & Development AX-007-006 (CD 2)- Generally bounded by Old Denton Road, High School Drive, Alta Vista Road, & Golden Triangle Boulevard (see addresses in case file, 360.37 Acres): from Unzoned to "A-43" One-Family, "A-10" One-Family, "MH" Manufactured Housing, "CF" Community Facilities, "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial, "FR" General Commercial Restricted, "I" Light Industrial, and "PD/SU" Planned Development/Specific Uses for 11855 Alta Vista uses are warehouse, outdoor storage, greenhouse, showroom, retail sales, office, and up to 15 temporary portable storage containers not to exceed six months use in a 12 month period; for 11865 Alta Vista uses are landscaping and construction contractor yard, greenhouse/nursery with plant sales, beauty shop and pest elimination services; site plan waiver recommended.

Beth Knight, Senior Planner, City of Fort Worth, explained to the Commissioners the map indicated on the screen shows the properties that were re-noticed. The parcels in the 11,500 block of Alta Vista were noticed for E as requested by the property owner, however after reviewing staff found that no commercial use exists or is planned and therefore recommended A-10 residential.

Ken Slough, property owner for 11715 & 11731 Alta Vista spoke in support of the request for E zoning on his property.

Jeff Traylor, property owner for 401 Ridgeview Circle also spoke in support of the request for FR zoning on his property. He explained an office with parking currently exists on the lot.

Mr. Ortiz asked how he felt about A-43 zoning. Mr. Traylor was under the assumption he was going to FR. Current uses on the property are offices with parking in the front with future trailer sales. He explained the house was converted to an office and the trailer sales will be adjacent to this.

Mr. Ortiz asked what the hours of operation would be. Mr. Traylor mentioned the hours would be 8 to 5.

Jim Schell, 901 Fort Worth Club Building, spoke in support of the re-noticed request for his client.

Motion: Following brief discussion, Mr. Genua recommended approval as amended of the request for 11545, 11555, 11565, 11575 & 11585 to A-10, seconded by Ms. Spann. The motion carried unanimously 8-0.

Motion: Following brief discussion, Mr. Genua recommended a 30 day continuance of the request, seconded by Mr. Romero. The motion carried unanimously 9-0.

9. ZC-10-179 City of Fort Worth Planning & Development AX-007-005 (CD 2)- Generally bounded by (see addresses in case file, 175.45 Acres): from Unzoned to “A-10” One-Family, “CF” Community Facilities, and “I” Light Industrial

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Guy Brown, 4852 Sangers Court, spoke in opposition of the request. He purchased the property about a year ago and wishes it to remain agricultural for exemption purposes.

Kris Dossey, 5325 Rush Creek Court also spoke in opposition. He mentioned the property has an easement that runs through it and would be unbuildable for residential use.

Ms. Knight in rebuttal mentioned the City does not determine what land use goes on property. She also mentioned there is already existing single family along the pipeline easement.

Motion: Following brief discussion, Mr. Genua recommended approval of the request, seconded by Ms. Spann. The motion carried unanimously 9-0.

10. ZC-10-180 City of Fort Worth Planning & Development AX-007-006 (CD 2)- Generally bounded by (see addresses in case file, 360.37 Acres): from Unzoned to “A-43” One-Family, “MH” Manufactured Housing, “CF” Community Facilities, “ER” Neighborhood Commercial Restricted, “E” Neighborhood Commercial, “FR” General Commercial Restricted, “I” Light Industrial, and “PD/SU” Planned Development/Specific Uses for 11855 Alta Vista for warehouse, outdoor storage, greenhouse, showroom, retail sales, office, and up to 15 temporary portable storage containers not to exceed six months use in a 12 month period; for 11865 Alta Vista uses are landscaping and construction contractor yard, greenhouse/nursery with plant sales, and pest elimination services; site plan waiver requested.

Beth Knight, Senior Planner, City of Fort Worth, explained to the Commissioners this property is due north from the previous case heard.

Jim Schell, 901 Fort Worth Club Building, representing the property owner located at 11865 Alta Vista is requesting to add a beauty shop to the PD language.

Bill Scherar, 401 Ridgeview Circle, is requesting the property be rezoned to FR for mini storage; the property was split six months ago and has been commercial for the last six to ten years. The address for the mini storage is 3255 Keller Hicks Road.

Ken Slough, 11715 Alta Vista, property owner spoke in opposition. He would like his zoning to reflect E as the front half is being rezoned for. He does operate an indoor kennel/veterinary office use and wishes to expand in the future. The property in question is 11731 Alta Vista.

Amy Chapman, 11695 Alta Vista also spoke in opposition. She is the property owner and is requesting the property be rezoned to E for her commercial business. The business is under construction at this time.

Bobby Wilkerson, 841 Caprock Canyon, also spoke in opposition. She owns 11545, 11565, 11585 Alta Vista and would like the property to be rezoned for Commercial. The property is for sale listed as commercial use. There is a cell tower located on one of the lots located at the rear of the property.

Motion: Following brief discussion, Mr. Genua recommended a 30 day continuance of the request to re-notice certain properties, seconded by Ms. Spann. The motion carried unanimously 9-0.

11. ZC-10-181 City of Fort Worth Planning & Development Northside neighborhood Phase 1 (CD 2)- Generally bounded by Jacksboro Highway, Ephriham Avenue, McKinley Avenue, and Harrington Avenue (see addresses in case file, 470.76 Acres): from "B" Two-Family, "B/HC" Two-Family/Historical and Cultural Overlay, "B/DD" Two-Family/Demolition Delay, "CR" Low Density Multifamily, "C" Medium Density Multifamily, "C/HC" Medium Density Multifamily/Historical and Cultural Overlay, "C/DD" Medium Density Multifamily/Demolition Delay, "D" High Density Multifamily, "CF" Community Facilities, "E" Neighborhood Commercial, "FR" General Commercial Restricted, "F" General Commercial, "I" Light Industrial, "J" Medium Industrial, and "PD" Planned Developments 233, 236, and 595 to "A-5" One-Family, "A-5/HC" One-Family/Historical and Cultural Overlay, "A-5/DD" One-Family/Demolition Delay, "B" Two-Family, "CR" Low Density Multifamily, "CF" Community Facilities, "CF/DD" Community Facilities /Demolition Delay, "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial, "FR" General Commercial Restricted, "F" General Commercial, and "I" Light Industrial

Beth Knight, Senior Planner, City of Fort Worth, explained to the Commissioners this is the first phase of the Northside neighborhood to align properties to conform to the Comprehensive Plan.

Motion: Following brief discussion, Ms. Zadeh recommended approval of the request, seconded by Mr. Genua. The motion carried unanimously 8-0. Mr. Romero left for the day.

12. ZC-10-182 Ty Williams/City of Fort Worth Planning & Development (CD 8)- 662 May Street (Tucker Addition, Block 17, Lot 2B, 0.15 Acres): from "NS-T4N/DD" Near Southside-General Urban Neighborhood/Demolition Delay to "NS-T4N/HC" Near Southside-General Urban Neighborhood/Historic & Cultural Overlay

Ty Williams, 662 May Street, property owner spoke in support of the request.



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
January 4, 2011

Council District 8 & 9

Zoning Commission Recommendation:

Approved by a vote of 8-0

Opposition: None

Continued	Yes <u>X</u>	No <u> </u>
Case Manager	<u>Jocelyn Murphy</u>	
Surplus	Yes <u> </u>	No <u>X</u>
Council Initiated	Yes <u> </u>	No <u>X</u>

Owner / Applicant: City of Fort Worth Planning and Development Department

Site Location: Citywide Mapsco: N/A

Proposed Use: An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of The City of Fort Worth, to amend;

- Various sections of the Near Southside Development Standards and Guidelines as provided by Section 4.909d, "Other Development Standards" of Chapter 4, "District Regulations" of Article 9, "Commercial Districts" to revise criteria of Significant Trees and methods of mitigation for removal; to further promote desirable development and to correct inconsistencies;
- To amend the regulations for building height and projecting signs;
- To clarify the application of roof slope standards;
- To provide additional regulations for "N" Zones;
- To correct references for established and projecting yards

Request: TEXT AMENDMENT: NEAR SOUTHSIDE

Several amendments are proposed to the regulations of the Near Southside Design District to reflect needs of the market and other issues that have been revealed through development in the area.

A summary of the amendments includes:

- Require a multi-story minimum along designated "main" streets and/or other primary streets
- Prohibit parking lots for non-residential single-use projects within "N" Neighborhood Zones
- Maximum projection for building signs: 4 feet, except when existing signs on the same block face project further than 4 feet, in which case the new sign may match the smallest projection of the existing signs
- Clarifications
 - Established setbacks: Specify that NS districts are exempt from established front yard and projecting yard requirements
 - Specify 3" caliper minimum for trees
 - Specify street trees count towards mitigation for removal of significant trees
 - Specify that sloped roof restriction is limited to single-story non-residential structures

The Fort Worth South Development Committee and the Design Review Committee have endorsed the proposed amendments.

- ***Attachments:***

- Proposed Ordinance Amendment
- Minutes of the November 10, 2010 Zoning Commission meeting

Recommended for Approval by
the Zoning Commission
November 10, 2010
ZC-10-184

Near Southside
ORDINANCE NO. _____

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, CODIFIED AS APPENDIX "A" OF THE CODE OF THE CITY OF FORT WORTH (1986), TO AMEND VARIOUS SECTIONS OF THE NEAR SOUTHSIDE DEVELOPMENT STANDARDS AND GUIDELINES AS PROVIDED BY SECTION 4.909D, "OTHER DEVELOPMENT STANDARDS" OF CHAPTER 4, "DISTRICT REGULATIONS" OF ARTICLE 9, "COMMERCIAL DISTRICTS" TO REVISE CRITERIA OF SIGNIFICANT TREES AND METHODS OF MITIGATION FOR REMOVAL; TO FURTHER PROMOTE DESIRABLE DEVELOPMENT AND TO CORRECT INCONSISTENCIES; TO AMEND THE REGULATIONS FOR BUILDING HEIGHT AND PROJECTING SIGNS; TO CLARIFY THE APPLICATION OF ROOF SLOPE STANDARDS; TO PROVIDE ADDITIONAL REGULATIONS FOR "N" ZONES; TO CORRECT REFERENCES FOR ESTABLISHED AND PROJECTING YARDS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in November 2007, the City Council created the Near Southside Zoning Districts to encourage high quality, pedestrian-oriented development in the near Southside; adopted the Near Southside Development Standards and Guidelines as part of the Zoning Ordinance; and established the Urban Design Commission and staff to administer those design standards; and

WHEREAS, in July 2008, the City Council adopted amendments to the Near Southside Zoning Districts to provide clarity and correct inconsistencies; and

WHEREAS, Fort Worth South Inc. has provided input and worked with staff on the proposed amendments to the Near Southside Development Standards and Guidelines and has endorsed the proposed amendments, and

WHEREAS, it is advisable to amend the Near Southside Development Standards and Guidelines in order to further promote desirable development that is consistent with the urban design and economic development goals for the Near Southside District and provide clarity for property owners; and

WHEREAS, Section 4.909D of the Zoning Ordinance entitled “Other Development Standards” requires that any revisions to the Near Southside Development Standards and Guidelines must be considered by the Urban Design Commission, the Zoning Commission and the City Council;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS AS FOLLOWS:

SECTION 1.

The Near Southside Development Standards and Guidelines is hereby amended as set out in Exhibit “A”, attached and hereby incorporated into the Zoning Ordinance by reference, to provide clarification and correct inconsistencies in various sections of the Near Southside Development Standards and Guidelines to include requiring three-(3) inch minimum caliper trees; and revising criteria of significant trees and methods of mitigation for removal; amending the regulations related to building height and projecting signs; clarifying the application of roof slopes; providing regulations for “N” zones which will provide clarity for the property owners in the Near Southside District;

specifying exemption from established and projected front yard requirements; as follows:

5.B. Streets and Other Public Spaces

3. ROADSIDE ELEMENTS

a. Street trees

Developments must conform to the tree preservation standards set forth in Section 5.G.1. Canopy of all street trees can be applied towards mitigation requirements. The provisions below also apply.

1. Public and private development shall provide shade trees within the street tree/furniture zone.
2. Street trees shall be a minimum of three (3) inch caliper and spaced 15-35 feet apart on center, depending on the trees' size at maturity.*

5.C. Building Location and Orientation

1. BASE SETBACK STANDARDS

New buildings shall be located in relation to the boundaries of their lots according to the setback standards listed below and depicted to the right.

Front Setback 0 ft. min., 20 ft. max. except as described in Section 5.C.2. below.

Side Setback 0 ft. min., except as described in Section 5.C.2.e. below.

Rear Setback 3 ft. min.

Corner Setback 5' x 5' dedication when required by Section 5.C.2.f. below.

General yard development standards: Development shall be exempt from Chapter 6, Article 1, Sections 6.101B, 6.101C, 6.101E, and 6.101G of the Zoning Ordinance.

5.D. Building Height

2. BUILDING HEIGHTS

Minimum Height: Two (2) stories consisting of a minimum of 18 feet along the following streets (refer to map in Section 4.B.):

1. W. Vickery Boulevard from Adams Street, to S. Main Street
2. Pennsylvania Avenue from 8th Avenue to S. Main Street
3. W. Rosedale Street from Jerome Street to Evans Avenue
4. W. Magnolia Avenue from 8th Avenue to S. Main Street
5. Park Place Avenue from FWRR to 8th Avenue
6. 8th Avenue from Pennsylvania Avenue to Park Place Avenue
7. S. Henderson Street from I-30 to W. Magnolia Avenue

8. S. Hemphill Street from W. Vickery Boulevard to W. Allen Avenue
9. S. Jennings Avenue from W. Vickery Boulevard to W. Magnolia Avenue
10. S. Main Street from W. Vickery Boulevard to W. Magnolia Avenue

5.F Architectural Standards

1. ROOFS

a. **Single-story buildings** – New single-story non-residential buildings shall not have large expanses of sloped roofs. Roof slope shall not be greater than 1:12. Sloped roof elements that are not part of the actual roof, similar to elements found on certain historic commercial buildings, are permitted.

6.B. Special Requirements in “N” Neighborhood and “R” Restricted Zones

“N” ZONES– PROHIBITED USE – Surface parking lots providing parking for single-use non-residential projects

7. SIGNS –

b. **Basic Sign Standards** – Signs shall conform to the basic dimensional regulations set forth in Chapter 6, Article 4 of the Zoning Ordinance with the following exceptions for projecting signs:

Maximum projection: Four (4) feet

Exception: When existing signs on the same block face project further than 4 feet, the new sign may match the smallest projection over 4 feet.

SECTION 2.

This ordinance shall be cumulative of all provision of ordinances and the Code of the City of Fort Worth, Texas (1986), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and, if any

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

SECTION 4.

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

SECTION 5.

All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any all violations of the provisions of Ordinance No. 13896 which have accrued at the time of the effective date of this ordinance and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 6.

The City Secretary of the City of Fort Worth, Texas, is hereby directed to publish the caption, penalty clause and effective date of this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas, as authorized by Section 52.013, Texas Local Government Code.

SECTION 7.

This ordinance shall take effect upon adoption and publication as required by law.

APPROVED AS TO FORM AND LEGALITY:

Assistant City Attorney

ADOPTED: _____

EFFECTIVE: _____

David Gaspers, Senior Planner, City of Fort Worth, explained to the Commissioners the text amendment in the work session.

Motion: As cases ZC-10-183A through ZC-10-183D were heard as one motion, Mr. Edmonds recommended approval of the request, seconded by Ms. Zadeh. The motion carried unanimously 8-0.

16. ZC-10-183D City of Fort Worth Planning & Development Text Amendment: “MU-2G” High Intensity Mixed Use Greenfield (CD All)- An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix “A” of the Code of the City of Fort Worth, to amend; Article 10 “Industrial Districts”, of Chapter 4, “District Regulations” to amend a Mixed-Use Zoning District, Section 4.1002, “High Intensity Greenfield Mixed-Use” (MU-2G) District and establish Development Standards for the District (MU2-G);

David Gaspers, Senior Planner, City of Fort Worth, explained to the Commissioners the text amendment in the work session.

Motion: As cases ZC-10-183A through ZC-10-183D were heard as one motion, Mr. Edmonds recommended approval of the request, seconded by Ms. Zadeh. The motion carried unanimously 8-0.

17. ZC-10-184 City of Fort Worth Planning & Development Text Amendment: “NS” Near Southside Amendment (CD 8 & 9)- An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix “A” of the Code of The City of Fort Worth, to amend;

- **Various sections of the Near Southside Development Standards and Guidelines as provided by Section 4.909d, “Other Development Standards” of Chapter 4, “District Regulations” of Article 9, “Commercial Districts” to revise criteria of Significant Trees and methods of mitigation for removal; to further promote desirable development and to correct inconsistencies;**
- **To amend the regulations for building height and projecting signs;**
- **To clarify the application of roof slope standards;**
- **To provide additional regulations for “N” Zones;**
- **To correct references for established and projecting yards**

Mike Brennan, 1606 Mistletoe Boulevard, Fort Worth South, Inc., explained to the Commissioners they have worked closely with City staff to make these text amendment changes. Mr. Brennan explained the proposed changes.

Motion: Following brief discussion, Ms. Reed recommended approval of the request, seconded by Ms. Zadeh. The motion carried unanimously 8-0.



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
January 4, 2011

Council District 5

Zoning Commission Recommendation:

Approved by a vote of 8-0

Opposition: None

Continued	Yes ___	No <u>X</u>
Case Manager	<u>Stephen Murray</u>	
Surplus	Yes ___	No <u>X</u>
Council Initiated	Yes ___	No <u>X</u>

Owner / Applicant: **Reginald Dwaine Wilson**

Site Location: 4503 Mansfield Hwy Mapsco: 93N

Proposed Use: **Auto Repair & Service**

Request: From: "E" Neighborhood Commercial
To: "FR" General Commercial Restricted

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is not consistent.

Background:

The proposed site is located on Mansfield Highway near the corner of Wreay Drive. The applicant intends to use the site for automotive repair and service. Surrounding uses along Mansfield Highway are primarily industrial and commercial.

A Council Initiated rezoning was approved in 2009, reducing the intensity of zoning along the block face to conform to the neighborhood commercial designation in the Comprehensive Plan. As a result, the existing contractor yard/industrial use is grandfathered, and any new business desiring to continue this use must acquire a new Certificate of Occupancy. The proposed auto repair constitutes a change to a use that is prohibited in "E" Neighborhood Commercial which requires a zoning change.

Councilmember Moss has requested a meeting with the City of Forest Hill to discuss future land uses in the area. The meeting is expected to be held in mid December.

Site Information:

Owner:	Reginald Dwaine Wilson 3901 Kramer Ct. Arlington, TX 76180
Agent:	Emad Abati
Acreage:	0.8 ac
Comprehensive Plan Sector:	Southeast

Surrounding Zoning and Land Uses:

- North "E" Neighborhood Commercial / vacant
- East "E" Neighborhood Commercial / single-family, outdoor storage
- South City of Forest Hill; "GB" General Business; Light Industry / commercial, vacant
- West "E" Neighborhood Commercial / light industrial

Public Notification:

The following Neighborhood Associations were notified:

Southeast Fort Worth, Inc.

Fort Worth ISD

Recent Relevant Zoning and Platting History:

Zoning History: ZC-09-100, Council Initiated rezoning Echo Heights Neighborhood. Site was rezoned from "I" Light Industrial to "E" Neighborhood Commercial to comply with Comprehensive Plan; approved 10/13/09

Platting History: None

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing a zoning change from "E" Neighborhood Commercial to "FR" General Commercial Restricted for auto sales and service. Surrounding land uses vary with single-family to the east, vacant land to north, and light industrial to the south (City of Forest Hill) and west. Mansfield Highway is a major arterial, and contains a variety of commercial and industrial uses and intensities.

The proposed zoning **is compatible** with surrounding land uses.

2. **Comprehensive Plan Consistency**

The 2010 Comprehensive Plan designates the site as Neighborhood Commercial. The proposed zoning is not consistent with the following Comprehensive Plan policies.

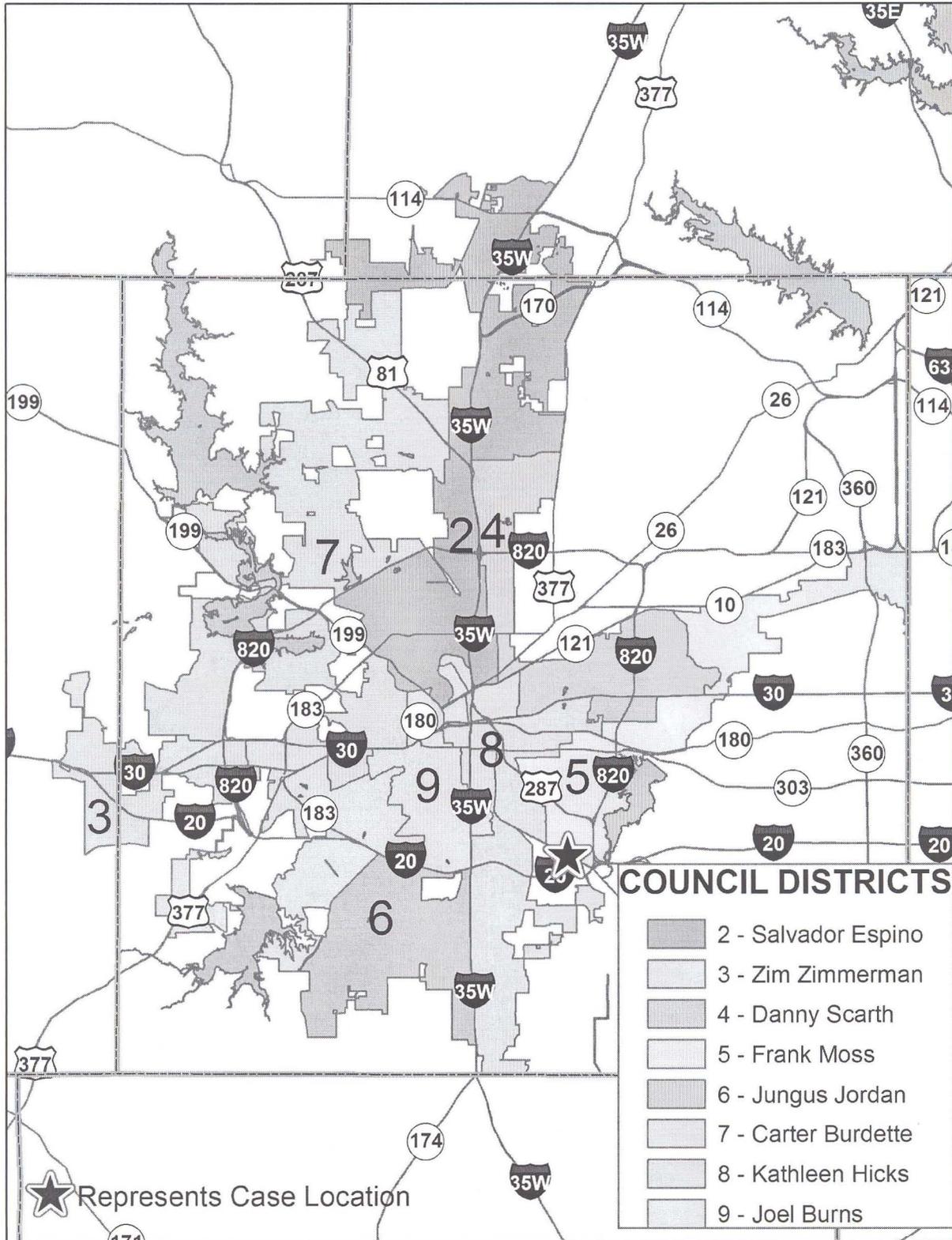
- Encourage appropriate development and redevelopment within central city commercial districts and neighborhoods.
- Separate incompatible land uses with buffers or transitional uses. Some land uses have attributes such as height, proportion, scale, operational characteristics, traffic generated, or appearance that may not be compatible with the attributes of other uses.

Based on the lack of conformance with the future land use map, and policies stated above, the proposed zoning **is not consistent** with the Comprehensive Plan.

Attachments:

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Minutes from the December 8, 2010 Zoning Commission meeting

Location Map



★ Represents Case Location



5 2.5 0 5 Miles

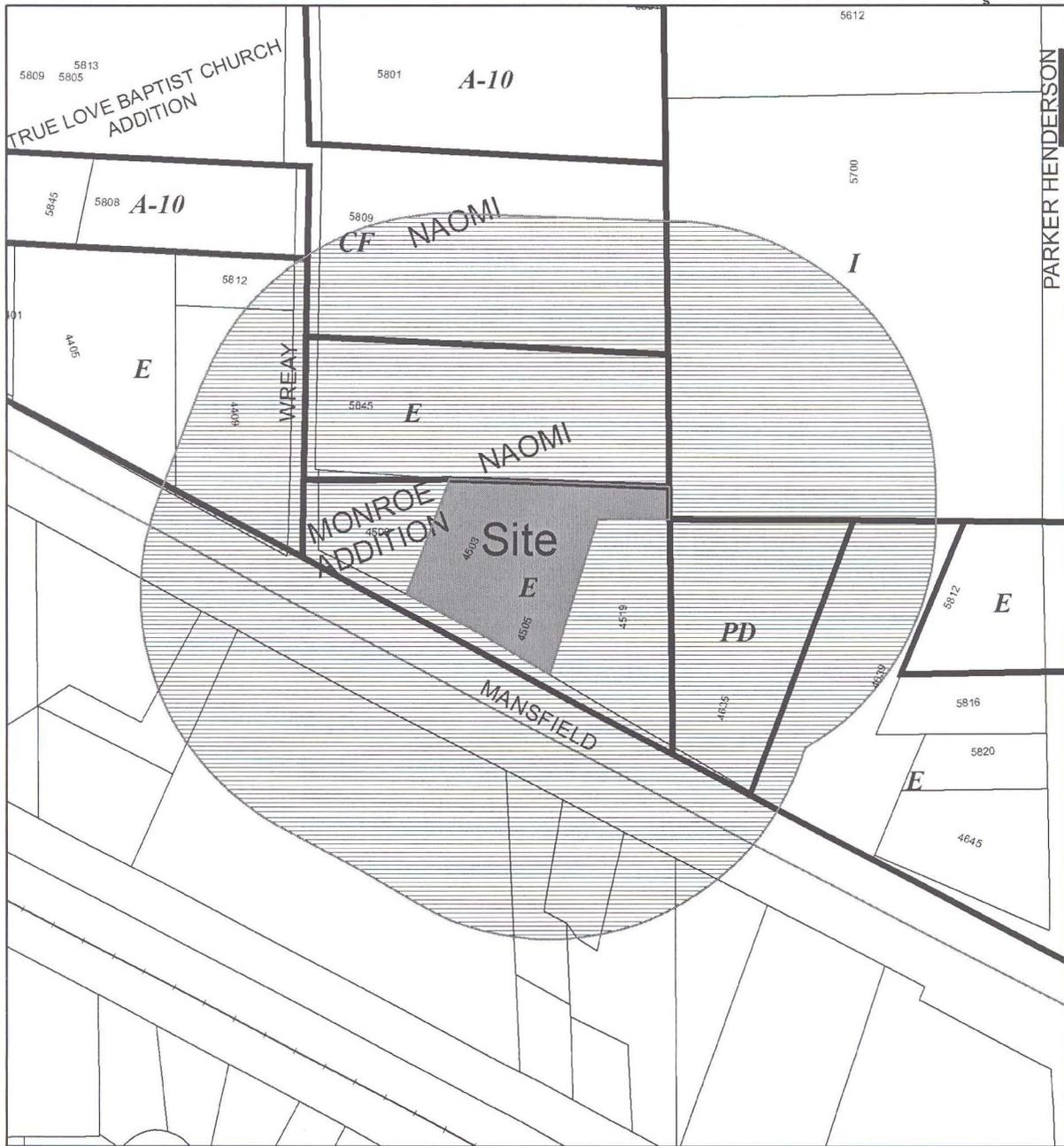


ZC-10-187

Area Zoning Map

Applicant: Reginald Wilson
 Address: 4503 Mansfield Highway
 Zoning From: E
 Zoning To: FR
 Acres: 0.81
 Mapsco: 93N
 Sector/District: Southeast
 Commission Date: 12/08/2010
 Contact: 817-392-8043

 300 Ft. Notification Buffer

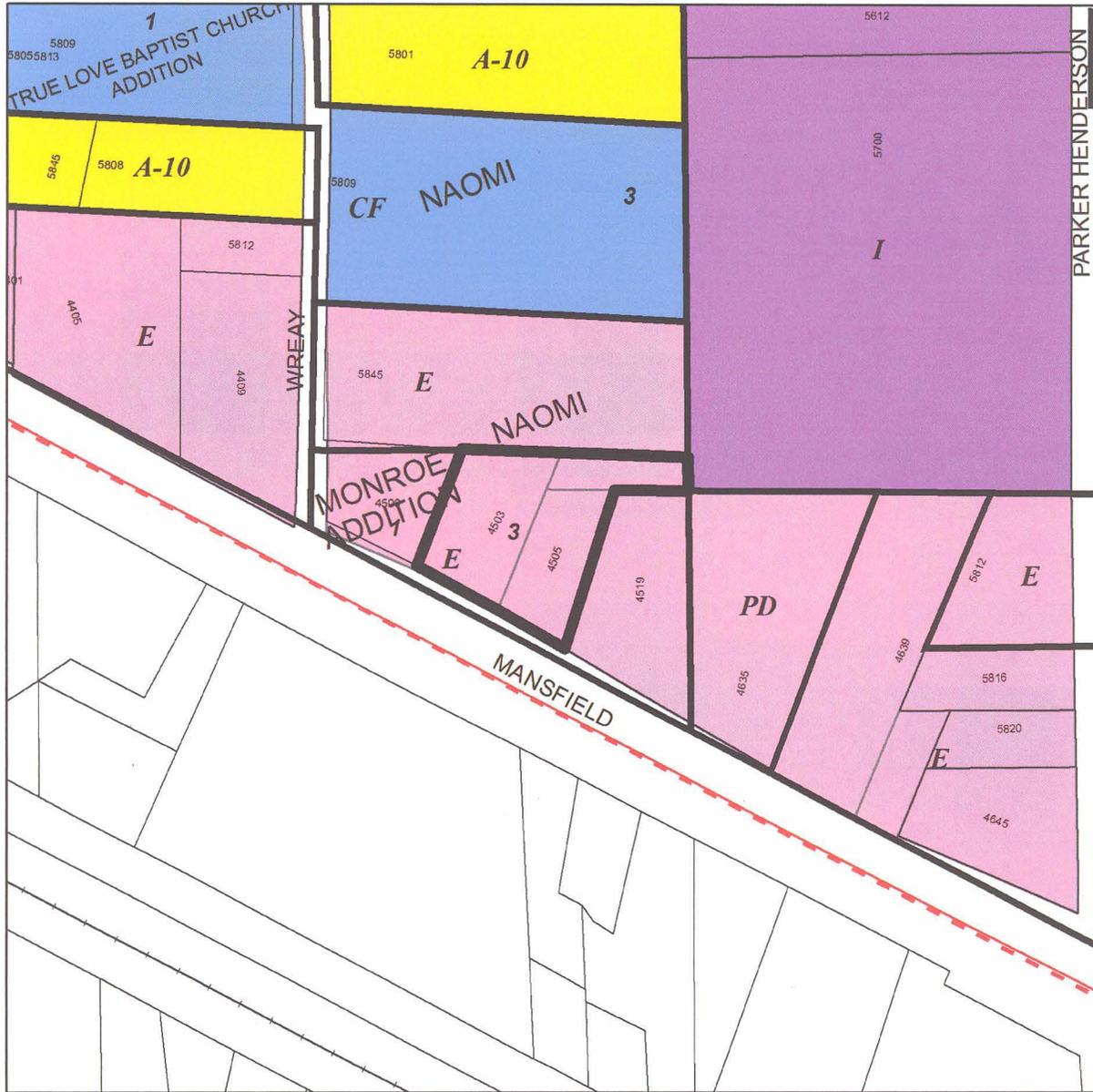


200 100 0 200 Feet



Future Land Use

ZC-10-187



- | | | |
|-----------------------------------|--------------------------|-----------------------------|
| Vacant, Undeveloped, Agricultural | Neighborhood Commercial | CFWGIS.SDE.TRN_RAILROADS |
| Rural Residential | General Commercial | CFWGIS.SDE.CAD_addresses |
| Suburban Residential | Light Industrial | Freeways/Toll Roads |
| Single Family Residential | Heavy Industrial | Proposed Freeway/Toll Road |
| Manufactured Housing | Mixed-Use Growth Center | Principal Arterial |
| Low Density Residential | Industrial Growth Center | Proposed Principal Arterial |
| Medium Density Residential | Infrastructure | Major Arterial |
| High Density Residential | Lakes and Ponds | Proposed Major Arterial |
| Institutional | Public Park, Open Space | Minor Arterial |
| | Private Park, Open Space | Proposed Minor Arterial |
| | | Flood Plain |



A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government code, Section 219.005) Land use designations were approved by City Council on February 23, 2010



Aerial Photo Map



IV. New Cases

5. ZC-10-186 SAI Business Associates Inc. (CD 3)- 7020 W. Vickery Boulevard (Ridglea Hills Addition, Block 72, Lot A2, 0.33 Acres): from "E" Neighborhood Commercial to "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus min-warehouses; site plan waiver requested.

Sheryl Cornelious, 7528 Overhill Road, representing SAI Business Associates, President of the Ridglea Hills Neighborhood Association explained to the Commissioners that the neighborhood supports the request.

Mr. Wilson mentioned to Ms. Cornelious they would like to see a site plan with the proposed PD. The site plan shows what is on the ground as far as buildings, trees and fencing this is to help protect the neighborhood from any future expansion.

Ms. Cornelious explained there is no room to expand the building. The only reason they are requesting the zoning change is to get the electricity changed into the new owner's name.

Ms. Zadeh also mentioned the importance of a site plan to make it more compatible.

Ronald Slate, 7017 Sandalwood Lane, spoke in opposition of the request. His concerns are the possibility of other uses on the property.

Baska Pabba, 3100 Riverwood Drive, in rebuttal explained to the Commissioners there is no auto detailing on this property.

Motion: Following brief discussion Mr. Wilson recommended a 30 day continuance of the request, seconded by Mr. Edmonds. The motion carried 7-1 with Mr. Romero being against.

6. ZC-10-187 Reginald Wilson (CD 5)- 4503 Mansfield Highway (Naomi Addition, Block 3, Lot 4A & A 1223, Tracts 4A5 & 4T1, 0.81 Acres): from "E" Neighborhood Commercial to "FR" General Commercial Restricted

Reginald Wilson, 3901 Kramer Court, Arlington, Texas, explained to the Commissioners they are requesting to rezone in order to allow for auto sales and repair. Mr. Wilson explained the existing structure was a plaster business and already has bays in it.

Beth Knight, Senior Planner, City of Fort Worth, explained to the Commissioners this was part of the Echo Heights rezoning which rezoned properties along Mansfield Hwy to E per the Comprehensive Plan.

Motion: Following brief discussion Mr. Genua recommended approval of the request, seconded by Mr. Wilson. The motion carried 7-1 with Ms. Zadeh against.

7. ZC-10-188 City of Fort Worth Planning & Development Northside Neighborhood Phase 2 (CD 2)-Generally bounded by McKinley Avenue, NW 28th Street, Lincoln Avenue and



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
January 4, 2011

Council District 2

Zoning Commission Recommendation:

Approved by a vote of 8-0

Opposition: None

Continued	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Case Manager	<u>Beth Knight</u>	
Surplus	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Council Initiated	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Owner / Applicant: **City of Fort Worth Planning & Development Department,
Northside Neighborhood, Phase 2**

Site Location: Generally bounded by McKinley Ave., NW 28th Street, Lincoln Avenue, and Park Street Mapsco: 62EFJK

Proposed Use: Single family residential, duplexes, institutional and commercial uses, and vacant land

Request: From: "A-5" One-Family, "B" Two-Family, "B/HC" Two-Family/Historical and Cultural Overlay, "CR" Low Density Multifamily, "C" Medium Density Multifamily, "C/DD" Medium Density Multifamily/Demolition Delay, "D" High Density Multifamily, "CF" Community Facilities, "E" Neighborhood Commercial, "E/DD" Neighborhood Commercial/Demolition Delay, "FR" General Commercial Restricted, "F" General Commercial, "I" Light Industrial, "I/DD" Light Industrial/Demolition Delay, and "PD" Planned Developments 39 and 777

To: "A-5" One-Family, "A-5/HC" One-Family/Historical and Cultural Overlay, "A-5/DD" One-Family/Demolition Delay, "B" Two-Family, "CR" Low Density Multifamily, "CF" Community Facilities, "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial, and "FR" General Commercial Restricted

Land Use Compatibility: Requested change **is compatible.**

Comprehensive Plan Consistency: Requested change **is consistent.**

Background:

This central portion of the Northside neighborhood consists primarily of single family residential, duplexes, institutional and commercial uses and vacant land. Given the significant size of the Neighborhood Association, rezoning will take place in several phases over the upcoming months. This second portion is designated single family, institutional, neighborhood commercial, infrastructure, and public open space in the 2010 Comprehensive Plan.

On August 17, 2010, Council Member Espino held an informational meeting with the neighborhood and discussed the proposed zoning changes. One person in opposition was noted.

Site Information:

Owner's Agent / Consultant: City of Fort Worth Planning & Development Dept.
1000 Throckmorton Street
Fort Worth, TX 76102

Acreage: 429.04 ac.

Comprehensive Plan Sector: Northside

Surrounding Zoning and Land Uses:

- North A-5, ER, and E / Single family, commercial uses, and vacant land
- East B, B/DD, C, and F / Single family, schools, library, and small commercial uses
- South B / Single family
- West B, C, FR, and F / Single family, schools, library, and small commercial uses

Public Notification:

The following Neighborhood Associations were notified:

- | | |
|-------------------------------------|---------------------------------|
| Northside NA | Near Northside Partners Council |
| Far Greater Northside Historical NA | Streams & Valleys, Inc. |
| La Nueva Northside NA | Fort Worth ISD |

Recent Relevant Zoning and Platting History:

Zoning History: ZC-05-048, southwest of rezoning area, from B and E to FR, approved;
 ZC-05-061, within rezoning area, from B to B/HC, approved
 ZC-07-127, within rezoning area, from B, E, and I to PD for E uses plus warehouse, approved;
 ZC-08-021, north of rezoning area, surplus property from B to ER, approved;
 ZC-10-019, within rezoning area, surplus property from B to A-5, approved;
 ZC-10-063, within rezoning area, from C to F, approved for FR; and
 ZC-10-104, ZC-10-116, ZC-10-181, north and west of rezoning area, Council-initiated from various districts to be in conformance with the Comprehensive Plan, approved.

Platting History: None.

Development Impact Analysis:

1. **Land Use Compatibility**

This council-initiated zoning change request is intended to align the existing land uses and zoning.

The process for Council-initiated rezoning was adopted in November 2000 and involves:

- Verifying the zoning changes are consistent with the City's Comprehensive Plan (8/10);
- Allowing interested City Council members to conduct one or more informational meetings in or near the proposed zoning districts in order to explain the proposed changes to affected property owners; (8/17/10)
- Providing for the Planning Department to brief the City Council on the proposed zoning changes, after which the City Council shall indicate whether or not it wishes to initiate the proposed zoning changes; (10/26/10), and
- Placing a Mayor and Council Communication on the agenda for the next regular City Council meeting authorizing the Planning and Development Department to prepare and submit an appropriate rezoning application (11/9/10), which shall schedule the application for the next available public hearing by the Zoning Commission (12/8/10).

The subject area covers 429.04 acres and approximately 1,117 parcels. The request is to rezone the area to correspond to the existing land uses. On the basis of existing land uses, the proposed zoning change **is compatible** with the surrounding land uses.

2. **Comprehensive Plan Consistency**

The 2010 Comprehensive Plan designates the subject neighborhood as single family, institutional, neighborhood commercial, infrastructure, and public open space. The requested zoning classifications are appropriate for the land use designations. Based on conformance with the future land use map, the proposed zoning **is consistent** with the Comprehensive Plan.

Attachments:

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Map of Proposed Zoning Districts
- Future Land Use Map
- Aerial Photograph
- Minutes from the December 8, 2010 Zoning Commission meeting

Area Zoning Map

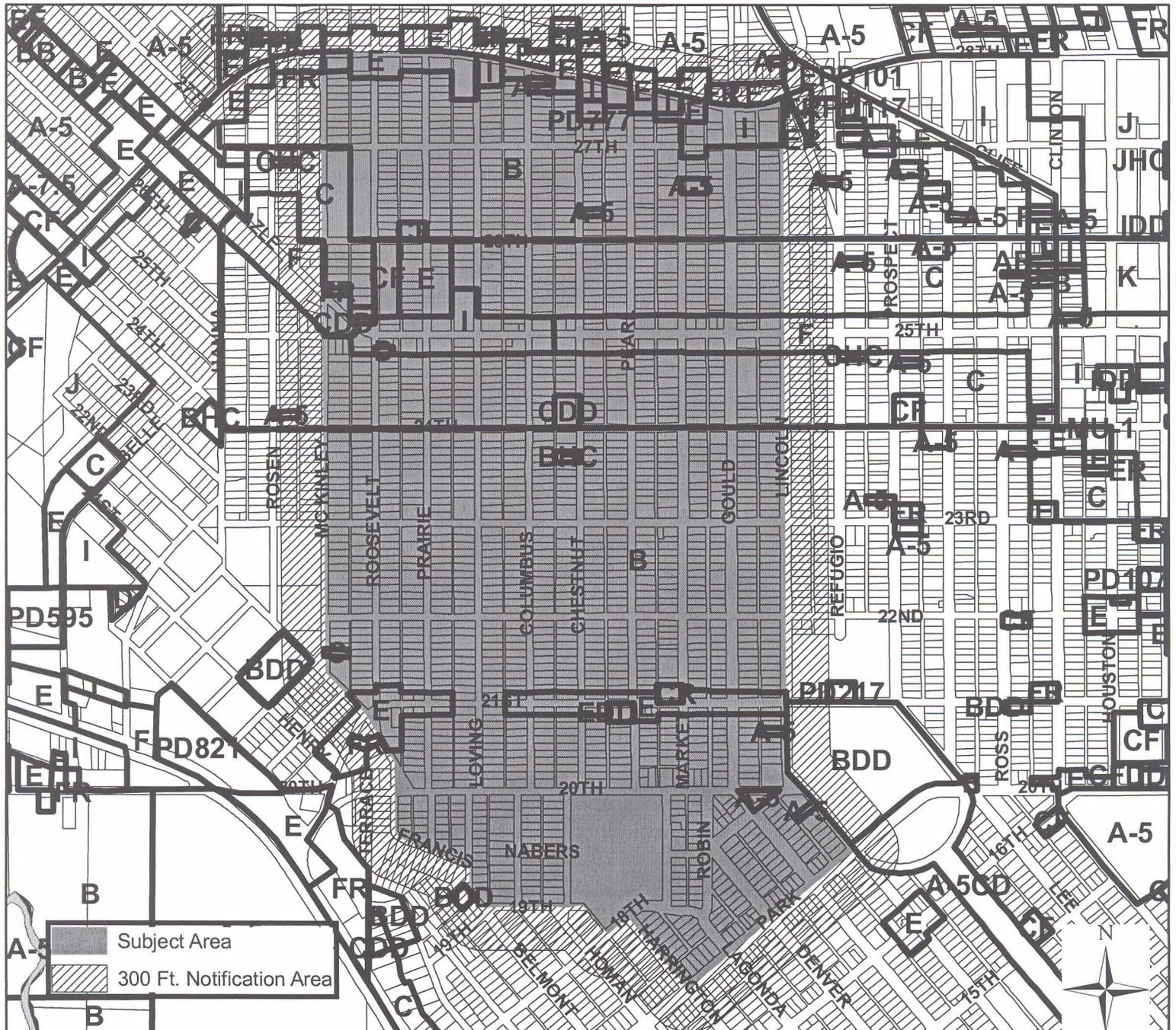
Applicant: City of Fort Worth Planning and Development Northside Phase 2
Address: Generally bounded by NW 28th St, McKinley Ave, Park St, and Lincoln Ave
Zoning From: A-5, B, B/HC, CR, C, C/DD, D, CF, E, E/DD, FR, F, I, I/DD, and PDs 39 & 77
Zoning To: A-5, A-5/HC, A-5/DD, B, CR, CF, ER, E, and FR
Acres: 429.041717
Mapsc0: 62EFJK Sector/District: Northside
Commission Date: 12/08/2010 Contact: 817-392-8190

You may find a list of included properties at:

<http://www.fortworthgov.org/planninganddevelopment/zoningcommission.aspx>

Click on "Property List" under the case name.

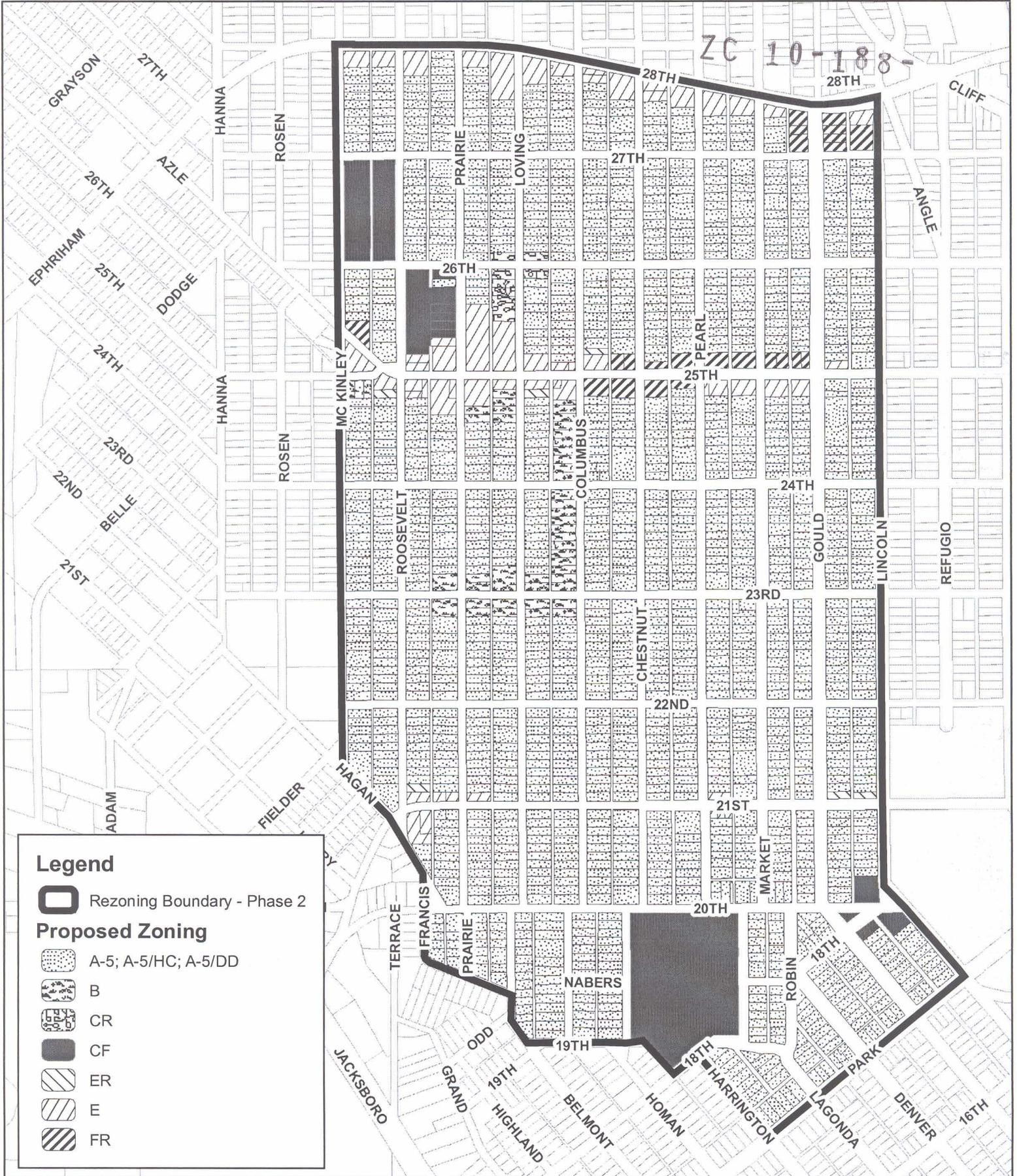
A map of proposed zoning districts is attached.



Portion of Northside Neighborhood: Proposed Zoning

From Various Districts To "A-5" One-Family, "B" Two-Family, "CR" Low Density Multifamily, "CF" Community Facilities, "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial, and "FR" General Commercial Restricted. Historical overlays will be retained.

ATTACHMENT A



Legend

Rezoning Boundary - Phase 2

Proposed Zoning

- A-5; A-5/HC; A-5/DD
- B
- CR
- CF
- ER
- E
- FR

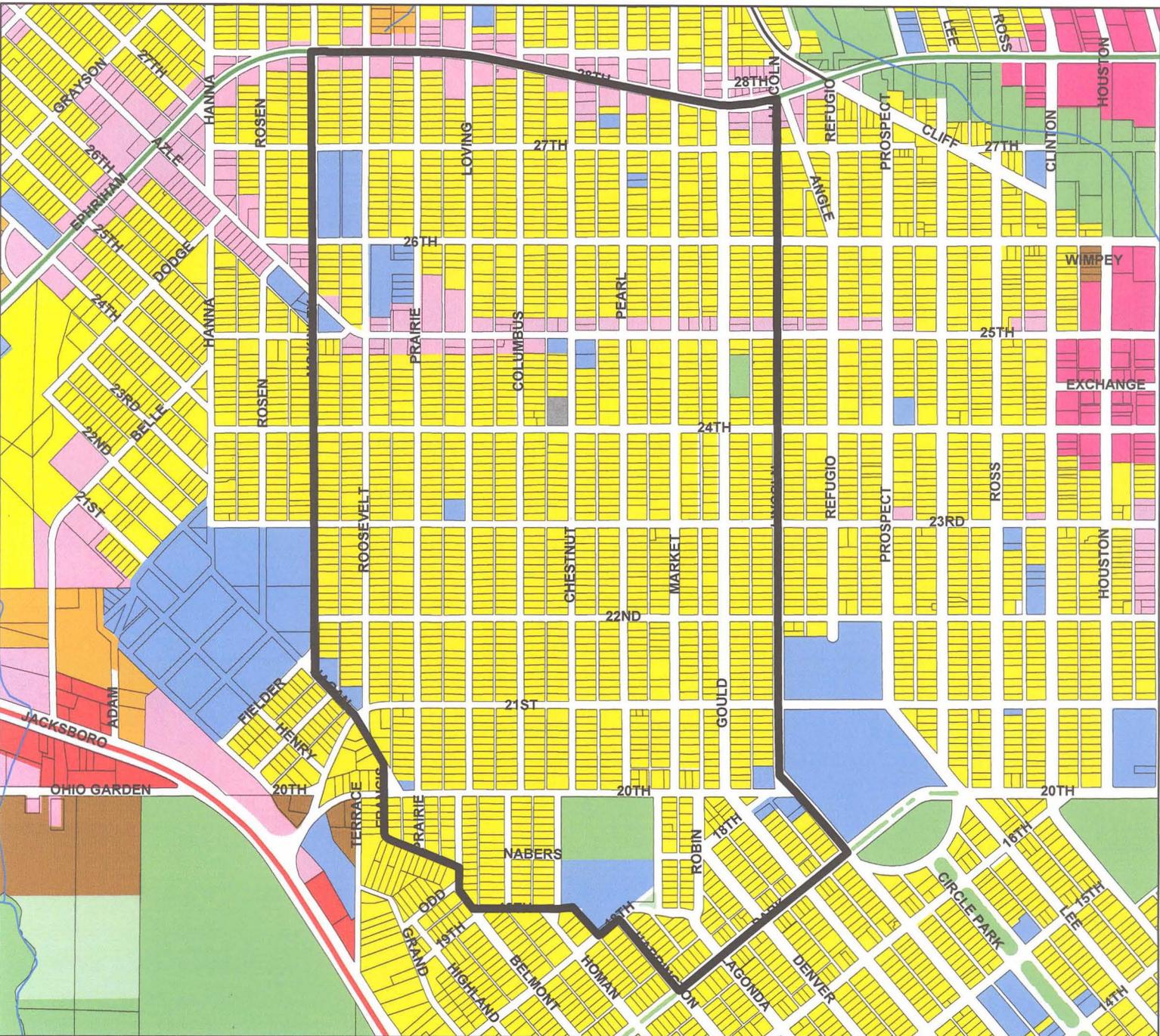


Planning and Development
Department 10/4/10 - BK

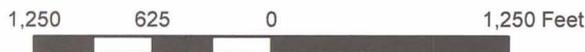
COPYRIGHT 2009 CITY OF FORT WORTH
UNAUTHORIZED REPRODUCTION IS A VIOLATION OF APPLICABLE LAWS
THIS DATA IS TO BE USED FOR A GRAPHICAL REPRESENTATION ONLY
THE ACCURACY IS NOT TO BE TAKEN USED AS DATA PRODUCED
FOR ENGINEERING PURPOSES OR BY A REGISTERED PROFESSIONAL
LAND SURVEYOR. THE CITY OF FORT WORTH ASSUMES NO
RESPONSIBILITY FOR THE ACCURACY OF SAID DATA.

FORT WORTH

Future Land Use



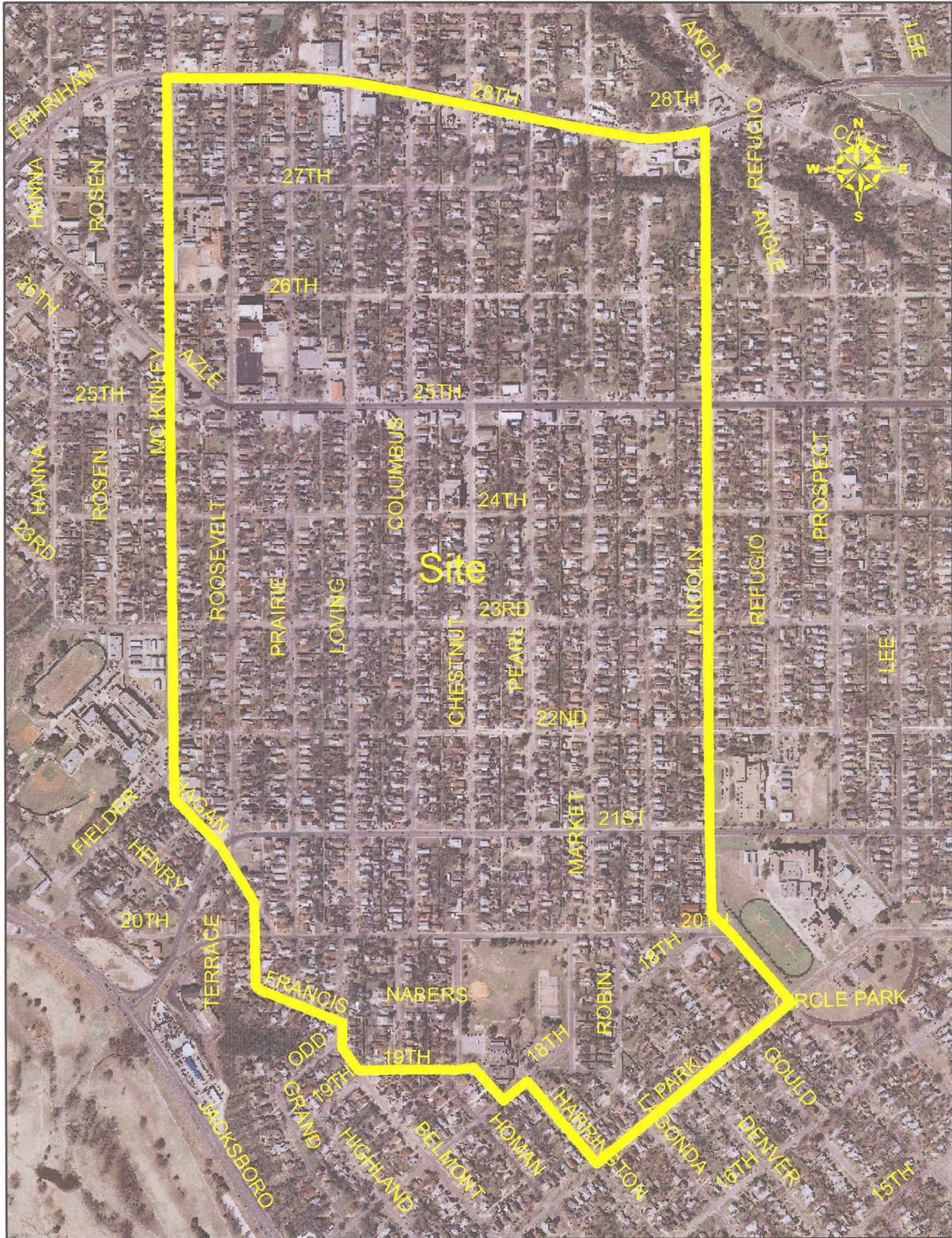
- | | | |
|--------------------|-----------------------------------|--------------------------------------|
| TOLLWAY / FREEWAY | Future Land Use Category | Neighborhood Commercial |
| PRINCIPAL ARTERIAL | Vacant, Undeveloped, Agricultural | General Commercial |
| MAJOR ARTERIAL | Lakes and Ponds | Light Industrial |
| MINOR ARTERIAL | Rural Residential | Heavy Industrial |
| | Suburban Residential | Mixed-Use Growth Center |
| | Single Family Residential | Industrial Growth Center |
| | Manufactured Housing | Infrastructure |
| | Low Density Residential | 100 Year Flood Plain |
| | Medium Density Residential | Public Park, Recreation, Open Space |
| | High Density Residential | Private Park, Recreation, Open Space |
| | Institutional | |



A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 219.005.) Land use designations were approved by City Council on February 23, 2010.



Aerial Photo Map



IV. New Cases

5. ZC-10-186 SAI Business Associates Inc. (CD 3)- 7020 W. Vickery Boulevard (Ridglea Hills Addition, Block 72, Lot A2, 0.33 Acres): from "E" Neighborhood Commercial to "PD/E" Planned Development for all uses in "E" Neighborhood Commercial plus min-warehouses; site plan waiver requested.

Sheryl Cornelious, 7528 Overhill Road, representing SAI Business Associates, President of the Ridglea Hills Neighborhood Association explained to the Commissioners that the neighborhood supports the request.

Mr. Wilson mentioned to Ms. Cornelious they would like to see a site plan with the proposed PD. The site plan shows what is on the ground as far as buildings, trees and fencing this is to help protect the neighborhood from any future expansion.

Ms. Cornelious explained there is no room to expand the building. The only reason they are requesting the zoning change is to get the electricity changed into the new owner's name.

Ms. Zadeh also mentioned the importance of a site plan to make it more compatible.

Ronald Slate, 7017 Sandalwood Lane, spoke in opposition of the request. His concerns are the possibility of other uses on the property.

Baska Pabba, 3100 Riverwood Drive, in rebuttal explained to the Commissioners there is no auto detailing on this property.

Motion: Following brief discussion Mr. Wilson recommended a 30 day continuance of the request, seconded by Mr. Edmonds. The motion carried 7-1 with Mr. Romero being against.

6. ZC-10-187 Reginald Wilson (CD 5)- 4503 Mansfield Highway (Naomi Addition, Block 3, Lot 4A & A 1223, Tracts 4A5 & 4T1, 0.81 Acres): from "E" Neighborhood Commercial to "FR" General Commercial Restricted

Reginald Wilson, 3901 Kramer Court, Arlington, Texas, explained to the Commissioners they are requesting to rezone in order to allow for auto sales and repair. Mr. Wilson explained the existing structure was a plaster business and already has bays in it.

Beth Knight, Senior Planner, City of Fort Worth, explained to the Commissioners this was part of the Echo Heights rezoning which rezoned properties along Mansfield Hwy to E per the Comprehensive Plan.

Motion: Following brief discussion Mr. Genua recommended approval of the request, seconded by Mr. Wilson. The motion carried 7-1 with Ms. Zadeh against.

7. ZC-10-188 City of Fort Worth Planning & Development Northside Neighborhood Phase 2 (CD 2)-Generally bounded by McKinley Avenue, NW 28th Street, Lincoln Avenue and

Park Street (see addresses in case file, 429.04 Acres): from “A-5” One-Family, “B” Two-Family, “B/HC” Two-Family/Historic & Cultural Overlay, “CR” Low Density Multifamily, “C” Medium Density Multifamily, “C/DD” Medium Density Multifamily/Demolition Delay, “D” High Density Multifamily, “CF” Community Facilities, “E” Neighborhood Commercial, “E/DD” Neighborhood Commercial/Demolition Delay, “FR” General Commercial Restricted, “F” General Commercial, “I” Light Industrial, “I/DD” Light Industrial/Demolition Delay, and “PD-39” & “PD-777” Planned Developments to “A-5” One-Family, “A-5/HC” One-Family/Historic & Cultural Overlay, “A-5/DD” One-Family/Demolition Delay, “B” Two-Family, “CR” Low Density Multifamily, “CF” Community Facilities, “ER” Neighborhood Commercial Restricted, “E” Neighborhood Commercial and “FR” General Commercial Restricted

Beth Knight, Senior Planner, City of Fort Worth, explained to the Commissioners this is the second phase of the Northside neighborhood rezoning to reflect what is actually on the ground and to bring in conformance with the Comprehensive Plan.

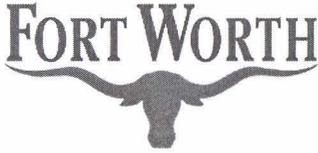
Motion: Following brief discussion, Ms. Spann recommended approval of the request, seconded by Ms. Zadeh. The motion carried unanimously 8-0.

8. ZC-10-189 City of Fort Worth Planning & Development Public Events Will Rogers Area (CD 7)- Generally bounded by Montgomery Street, Camp Bowie Boulevard, University Drive, and Harley Avenue (see addresses in case file, 175.45 Acres): from “A-5” One-Family, “A-5/DD” One-Family/Demolition Delay, “C” Medium Density Multifamily, “CF” Community Facilities, “E” Neighborhood Commercial, “J” Medium Industrial, and “K” Heavy Industrial to “PD/CF” Planned Development for all uses in “CF” Community Facilities plus alcohol sales, “PD/CF/DD” Planned Development for all uses in “CF” Community Facilities plus alcohol sales and retaining Demolition Delay, “PD/I” Planned Development for all uses in “I” Light Industrial, including certain uses and excluding certain uses, and “PD/I/DD” Planned Development for all uses in “I” Light Industrial, including certain uses and excluding certain uses and retaining Demolition Delay with development standards on file in the Planning & Development Department; site plan waiver recommended

Jocelyn Murphy, Planning Manager, City of Fort Worth, explained to the Commissioners this is to rezone the Will Rogers and Kimball Arts Museum area out of single family and to reflect current uses. Development Standards are attached with the zoning including landscaping and signage.

Motion: Following brief discussion, Mr. Genua recommended approval of the request, seconded by Ms. Reed. The motion carried unanimously 9-0 with Mr. Barnes being present.

9. ZC-10-190 City of Fort Worth Planning & Development Text Amendment: IH35 Design District Text & Map Amendment 1000 feet from the centerline of IH 35N from Meacham to State Highway 114(CD All)- An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix “A” of the Code of the City of Fort Worth, to amend;



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
January 4, 2011

Council District 7

Zoning Commission Recommendation:

Approved by a vote of 9-0

Opposition: None

Continued	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Case Manager	<u>Jocelyn Murphy</u>	
Surplus	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Council Initiated	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Owner / Applicant: City of Fort Worth Public Events Will Rogers Area

Site Location: Generally bounded by Montgomery Street, Camp Bowie Boulevard, University Drive, and Harley Ave. Mapsco: 75D,H 76A,E

Proposed Use: Existing Museums and Multi Use Municipal Center

Request: From: "A-5" One-Family, "A-5/DD" One-Family Demolition Delay, "CF" Community Facilities, "C" Medium Density Multifamily, "E" Neighborhood Commercial, "J" Medium Industrial and "K" Heavy Industrial

To: "PD/CF" Planned Development for all uses in "CF" Community Facilities plus alcohol sales, "PD/CF/DD" Planned Development for all uses in "CF" Community Facilities plus alcohol sales and retaining Demolition Delay, "PD/I" Planned Development for all uses in Light Industrial, including certain uses and excluding certain uses, and "PD/I/DD" Planned Development for all uses in Light Industrial, including certain uses and excluding certain uses and retaining Demolition Delay, with development standards; site plan waiver recommended

Land Use Compatibility: Requested change is compatible.

Comprehensive Plan Consistency: Requested change is consistent.

Background:

This zoning case proposes to rezone the area that includes the Will Rogers Memorial Center, the Kimball Museum, The Modern, the Museum of Science and History, the Cowgirl Museum, and other facilities that are located within the rezoning subject area. The new parking garage is not included as it is part of a PD with a site plan. The Kimball building is on city property, but the foundation owns property that currently includes a parking lot. The Modern owns the property it resides on. The other museums also operate on city property. Staff has discussed the proposal with the museums. Staff has received a Letter of Authorization from the Kimball and are awaiting a letter from The Modern.

The Will Rogers Tower, Coliseum and Auditorium were built in 1936, before zoning was enacted in the City of Fort Worth. As was standard practice, and in some cases still occurs, many city facilities, parks, schools, the Trinity River, and other uses allowed in all districts were rezoned to one family to provide the greatest restrictions to the property in the event that the property ceased to be used for the current use and was converted for development. As a result, most of the subject properties are zoned one-family.

The heart of the complex that includes the auditorium, coliseum and tower were given a DD Demolition Delay designation in November 1995. This designation provides up to a 180 day delay in any demolition efforts to provide time to find any available alternatives. This DD designation will remain on all designated properties.

The rezoning area includes several zoning districts in addition to the one-family district. The proposal is to rezone the properties on the perimeter, the "museum" properties", to Planned Development/Community Facilities to reflect their current use, and to add the sales of alcohol by right. The majority of the Will Rogers complex will be rezoned to Planned Development/Light Industrial to exclude certain uses not desirable in the area and to include all uses that are required for this facility based on past events.

The removal of surrounding one family zoning and the rezoning to the "CF" with alcohol sales will eliminate possible delays or restrictions on the museums. Several new structures are either under construction or are currently being planned, as is the construction of Harley Avenue as a main route through the complex. "I" Light Industrial base zoning will allow these uses by right and remove many of the restrictions triggered by the residential zoning, including setbacks, landscaping buffers, signage, and parking. No site plan is proposed with this rezoning request.

Site Information:

Owners: City of Fort Worth
1000 Throckmorton Street
Fort Worth, TX 76102

MPA Foundation (The Modern)
Kimball Art Foundation (parking lot south of The Modern)

Acreage: 152.36 ac
Comprehensive Plan Sector: Arlington Heights

Surrounding Zoning and Land Uses:
North MU-2, G, CF / commercial, medical school
East A-5, MU-2 / industrial, football stadium, park
South J, K / industrial, Botanic Gardens
West C, E, F, various PD's / commercial, residential

Public Notification:

The following Neighborhood Associations were notified:

Linwood	Westside Alliance
Arlington Heights	Camp Bowie District Inc.
Sixth & Arch Adams	Cultural District Development Initiative
Monticello	Assoc. Businesses of the Cultural District
North Hi Mount	Fort Worth ISD

Recent Relevant Zoning and Platting History:

Zoning History: None

Platting History: None

Development Impact Analysis:

1. **Land Use Compatibility**

The Will Rogers Memorial Center is anchored by the tower, coliseum and auditorium built in 1936, and is now surrounded by multiple animal barns, arenas, and other multi purpose event centers. Museums, both on city-owned property and privately owned property, surround the Center on the north and western sides and are included in the zoning case. Predominant land uses to the north of the museums include the UNT Health Science Center/Medical School, various commercial uses, and other sites that are either vacant or under construction for mixed use structures. Properties to the east and south are primarily industrial, vacant, or city-owned park

land including Trinity Park and the Botanic Gardens. Properties to the west of the subject area are commercial and industrial along Montgomery, with a mix of single-family and multi family residential further into the neighborhood. Based on the surrounding land uses, the proposed zoning **is compatible** at this location.

2. Comprehensive Plan Consistency

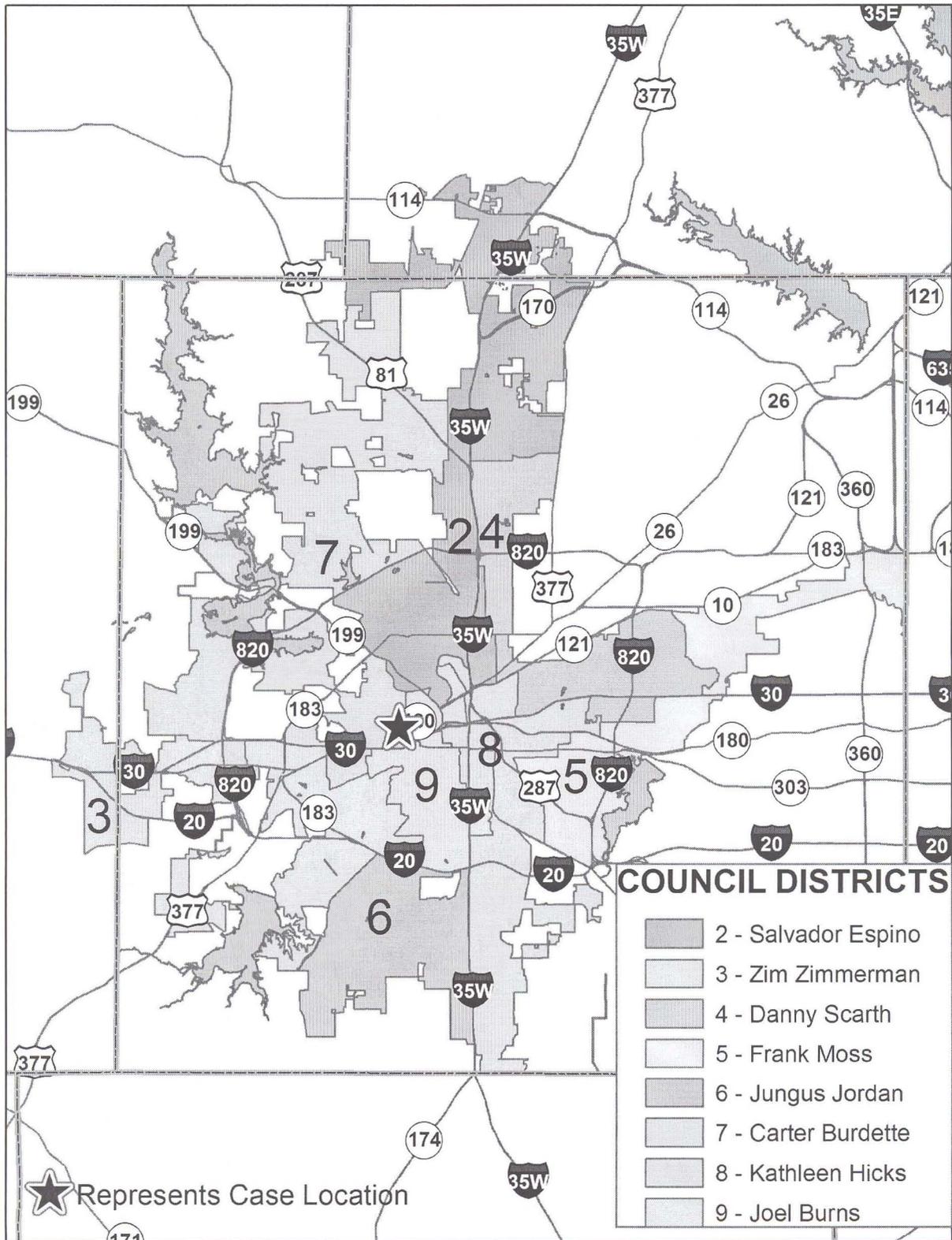
The 2010 Comprehensive Plan designates the future land use as Mixed Use. The properties are also part of the Cultural District Growth Center

The proposed zoning **is consistent** with the 2010 Comprehensive Plan.

Attachments:

- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Proposed Development Standards
- Minutes from the December 8, 2010 Zoning Commission meeting

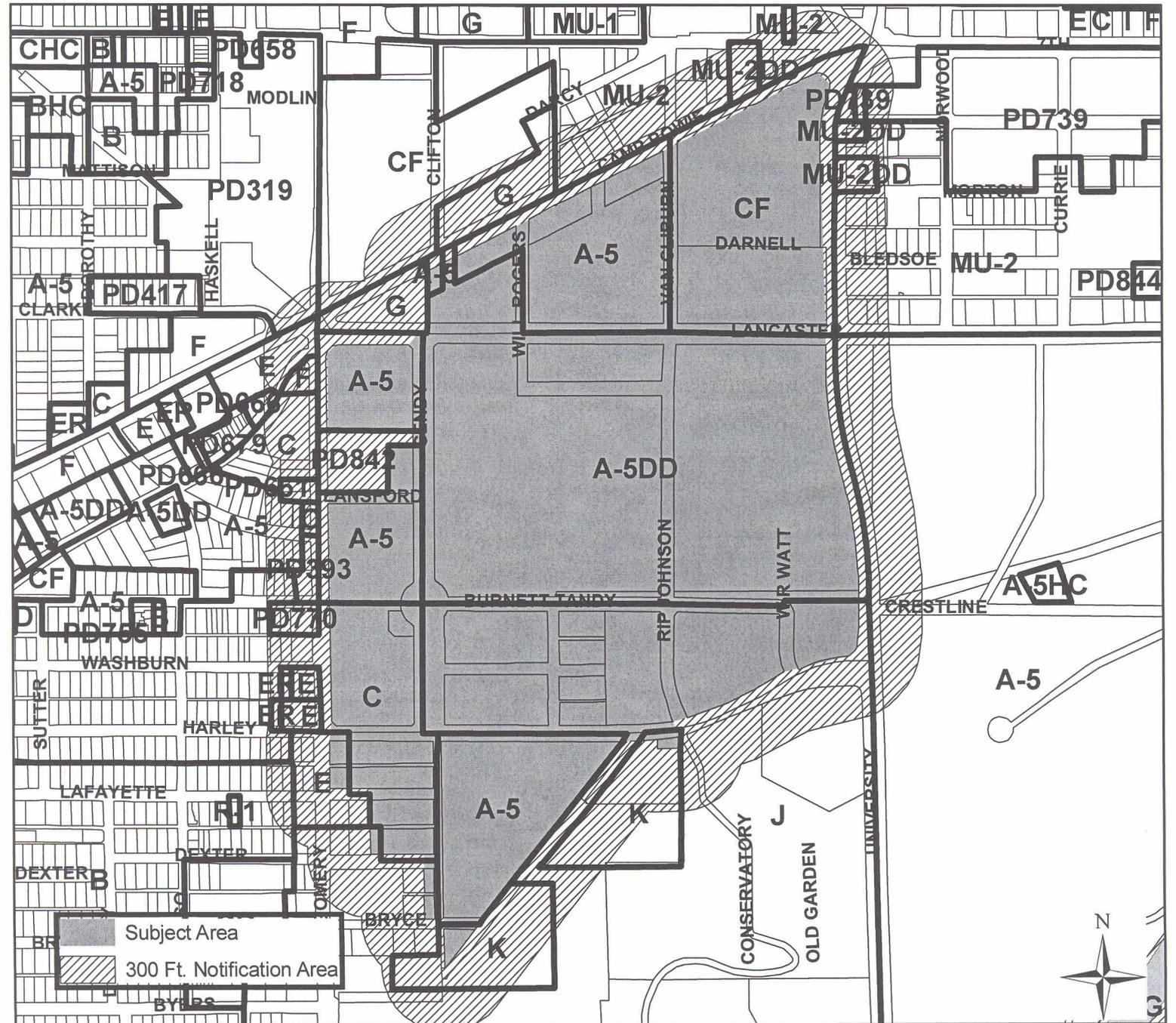
Location Map



Area Zoning Map

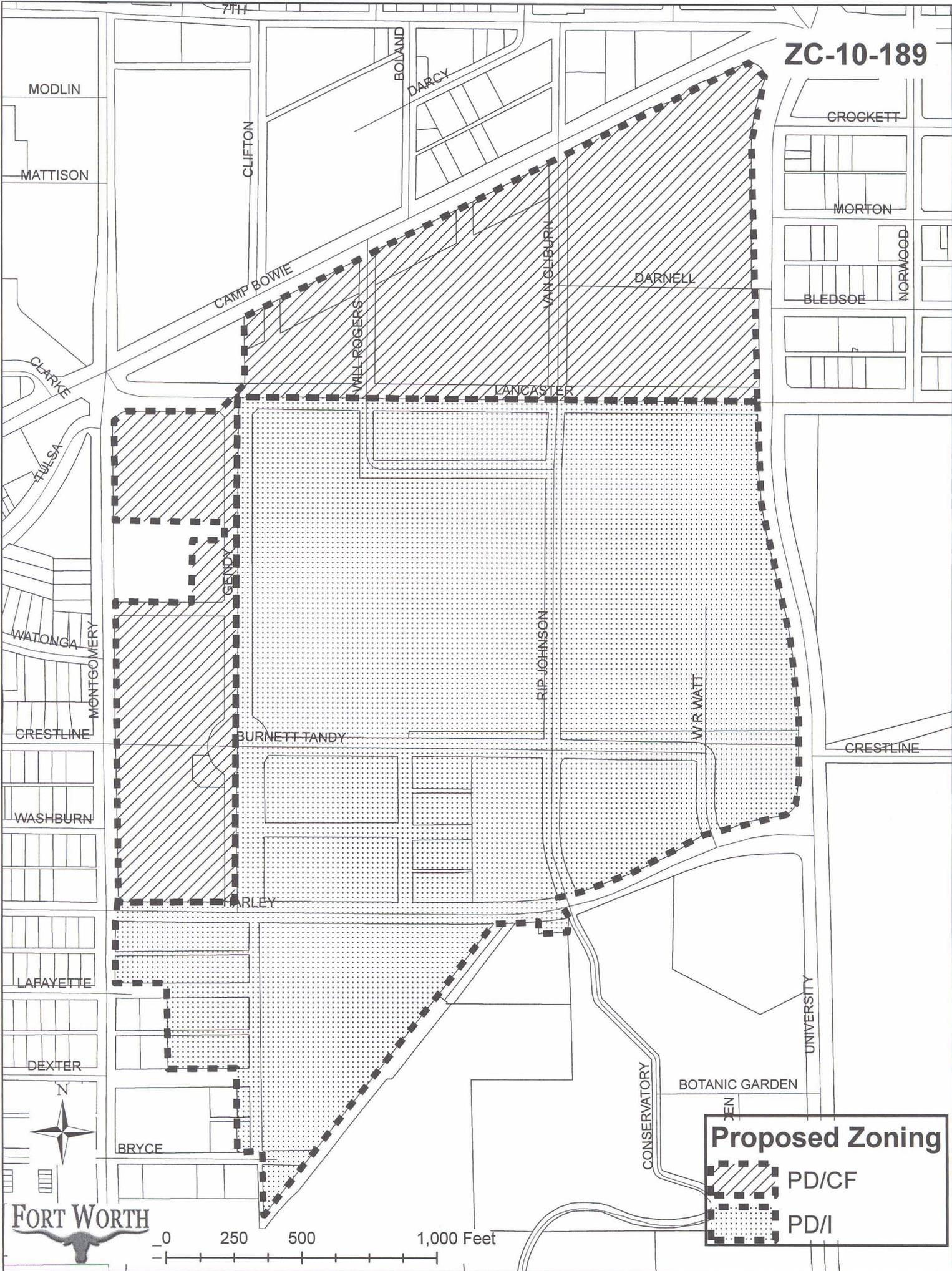
Applicant: City of Fort Worth Public Events
Address: Generally bounded by Montgomery St. Camp Bowie Blvd, University Dr, and Harley Ave
Zoning From: A-5, A-5/DD, C, CF, E, J, K
Zoning To: PD/CF, PD/CF/DD, PD/I, PD/I/DD
Acres: 152.361014 Mapsco: 76E
Commission Date: 12/08/2010 Sector/District: Arlington Heights
Contact: 817-392-8043

You may find a list of included properties at:
<http://www.fortworthgov.org/planninganddevelopment/zoningcommission.aspx>
Click on the case name for a list of properties and proposed zoning. A map of proposed zoning districts is attached.



0 375 750 1,500 Feet

ZC-10-189



Proposed Zoning

- PD/CF
- PD/I



0 250 500 1,000 Feet

**PD Development Standards
Will Rogers Complex – Public Facilities**

Site Plan Waiver Requested

PERMITTED USES

PD/CF

Planned Development for all uses in “CF” Community Facilities plus alcohol sales
Properties fronting Camp Bowie and fronting Montgomery to Harley Avenue

PD/I

Planned Development for all uses in “I” Light Industrial as below:

Excluding:

Blood Bank
Sexually Oriented Businesses
Pawn Shop
Car Wash
Manufactured Housing Sales
Vehicle Junkyard
Assembly of Pre-Manufactured Parts
Coal, Coke or Wood Yard
Crematorium
Electroplating
Manufactured Home Repair (RV Repair Permitted)
Paper Box Manufacture
Rubber Stamp Manufacture
Railroad Roundhouse or RR car repair
Railroad Spur, Loading or Storage

Including, By Right:

Helistop
Outdoor Sales and Storage
Yards, Contractor Storage
All uses as customarily attributed with the following events:
Arts, Crafts, and Collectibles
Auto/Motorcycle/RV/Truck Shows and Events
Circus / Carnival / Midway
Conference
Concerts
Conventions
Catering
Dances/Recitals
Dog/Cat Show
Equestrian Activities (incl. Sales, Shows, and Housing)
Emergency Shelter
Exhibits/Booths
Farmers’/Flea Market
Gun Show
Health Fairs/Classes
Livestock Activities/Stock Show (incl. Sales, Shows, and Housing)
RV living and trailer parking, temporary as associated with events
Sporting Events (incl. rodeo, boxing, karate, etc.)

LANDSCAPING AND URBAN FORESTRY

Landscaping – Required plantings shall comply with *6.301 Landscaping, Buffers* for individual projects. If it is not feasible to plant on the construction site due to functional constraints, required plantings may be installed on another location within the Will Rogers campus.

Urban Forestry – A complete Urban Forestry Plan, including Part I and Part II, shall be completed for the entire property included in the area zoned PD/I, as required through Section *6.302 Urban Forestry*. The Plan shall be submitted upon replatting of the property or the first building permit after approval of the zoning. Total canopy coverage shall be determined by the total of the canopy requirements for industrial uses. Tree planting may be accommodated within the identified Urban Forestry Plan area, including street trees, parking and landscaping islands.

BUILDING STANDARDS

Height

Structures shall not exceed 120 feet.

Setbacks

Front/Side/Rear 20 ft. front setback along Montgomery Street
 0 ft. otherwise

Parking

No minimum or maximum parking requirements

Shared parking permitted within the boundaries of the PD/CF and PD/I zoning districts.

Signage

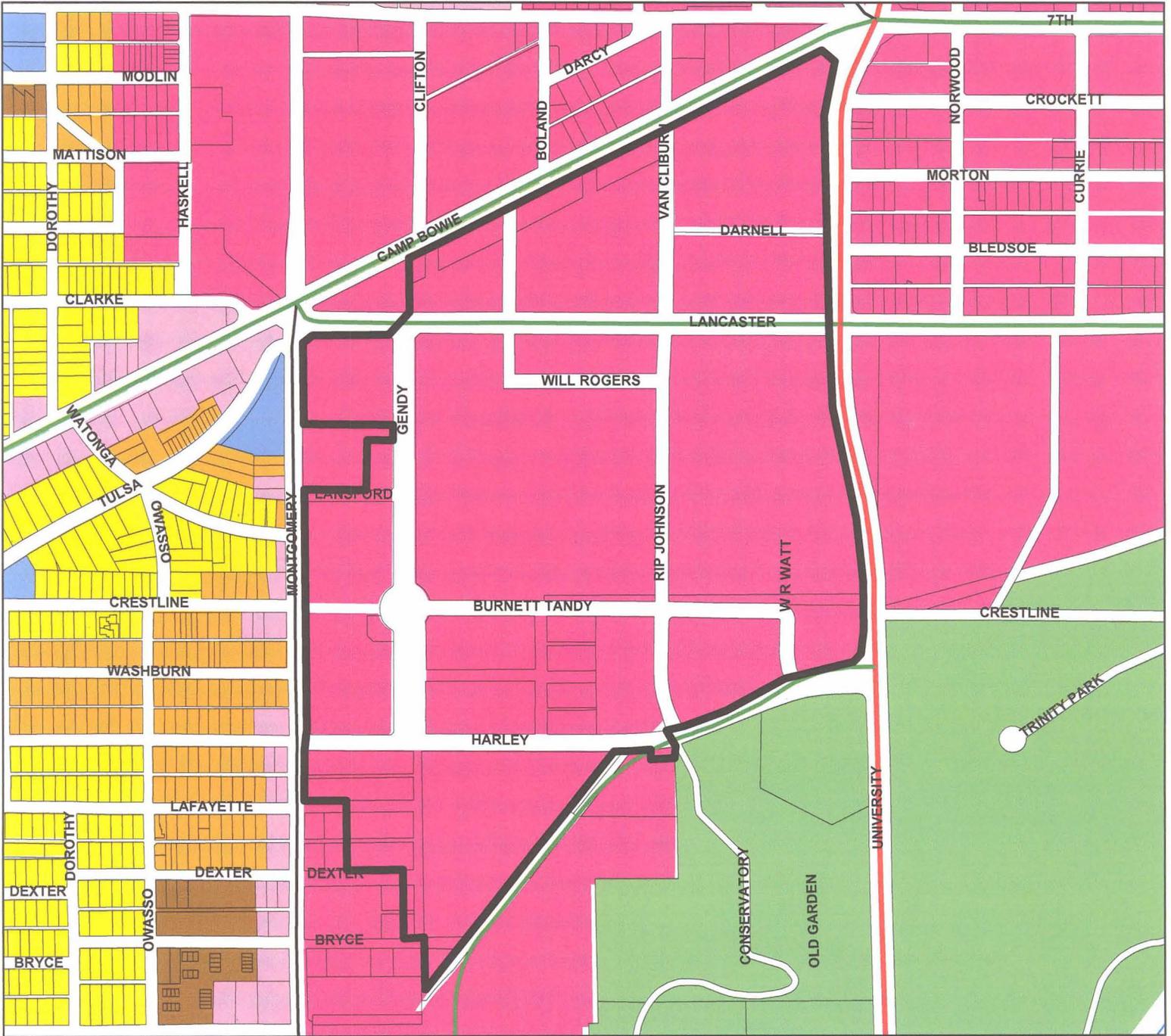
Signs shall conform to Article 4, Signs, of the Zoning Ordinance.

Temporary/ Event Signs/ Banners	No permit required, related to permitted events only Maximum display 30 days
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Off premise advertising prohibited except for Sponsorships. Sponsorships are allowed on signage, including temporary signs, if less than 15% of a sign face.

Sponsorships included in a facility name are considered the name of the facility and not advertising.

Future Land Use



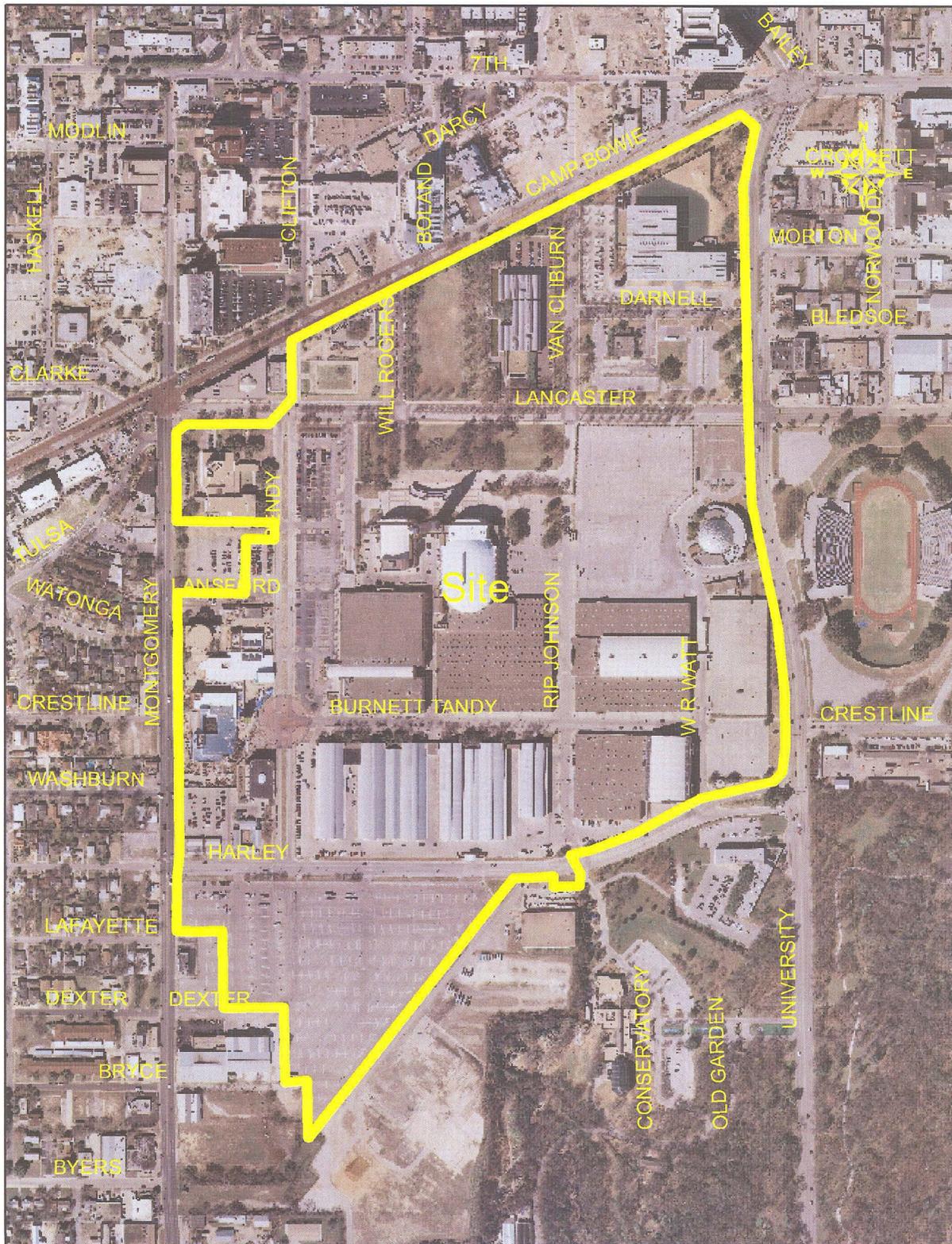
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| | Institutional | |



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Aerial Photo Map



Park Street (see addresses in case file, 429.04 Acres): from "A-5" One-Family, "B" Two-Family, "B/HC" Two-Family/Historic & Cultural Overlay, "CR" Low Density Multifamily, "C" Medium Density Multifamily, "C/DD" Medium Density Multifamily/Demolition Delay, "D" High Density Multifamily, "CF" Community Facilities, "E" Neighborhood Commercial, "E/DD" Neighborhood Commercial/Demolition Delay, "FR" General Commercial Restricted, "F" General Commercial, "I" Light Industrial, "I/DD" Light Industrial/Demolition Delay, and "PD-39" & "PD-777" Planned Developments to "A-5" One-Family, "A-5/HC" One-Family/Historic & Cultural Overlay, "A-5/DD" One-Family/Demolition Delay, "B" Two-Family, "CR" Low Density Multifamily, "CF" Community Facilities, "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial and "FR" General Commercial Restricted

Beth Knight, Senior Planner, City of Fort Worth, explained to the Commissioners this is the second phase of the Northside neighborhood rezoning to reflect what is actually on the ground and to bring in conformance with the Comprehensive Plan.

Motion: Following brief discussion, Ms. Spann recommended approval of the request, seconded by Ms. Zadeh. The motion carried unanimously 8-0.

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construction. Dock construction would continue to be subject to building codes as required for all construction.

Earlier this year, the Planning and Development Department, in cooperation with the Water Department and Law Department, issued a new set of draft dock standards for review by the Steering Committee. Staff's current proposal is more restrictive than the one issued in late 2008 and has generated differing opinions from neighborhood associations and property owners on the lake. In response to these comments, staff incorporated minor changes for dock size and allowed second stories. Staff does not recommend allowing a full dock enclosure, given the inability to view uses within the enclosure and the negative effect on views from the shore and from the lake.

The Zoning Commission recommendation accommodated many of the requests heard from some property owners and opposition. These included 1) increasing the minimum and maximum dock sizes, 2) increasing the allowed length of the sidewalls for boat protection, and 3) to allow differences in dock size, enclosures, and setbacks to be heard by the Board of Adjustment as special exceptions instead of variances. Variances can require proof of hardship while special exceptions are based on preference. All other items will be heard as variances.

A summary of the amendments includes:

- The maximum size of a dock/structure is based on the property's shoreline frontage.

Shoreline Frontage (linear feet)	Maximum Structure Size (square feet)
Up to 80 feet	1,000 square feet
81 feet or more	Linear feet of shoreline x 15, Not to exceed 2,000 square feet

- Structures may be two stories. A sundeck over the dock does not count toward the maximum dock size. Any area under a permanent roof on the second level will be counted in measuring the dock size. If, due to topography, the peak of the second level roof is lower than the foundation of the primary house, then the maximum dock size may be increased by 50 percent.
- One walkway, up to six (6) feet in width, is allowed and is not included in the structure size calculation. The walkway shall extend to only one structure.
- The total shoreline frontage of one or more lots may be used to determine the maximum area of a dock only if the primary residence crosses the lot line(s) by at least one (1) foot.
- The minimum side-yard setback within the water access easement is based on the property's shoreline frontage.

Shoreline Frontage (linear feet)	Setback (feet)
Up to 50 feet	5 feet
51-100 feet	10% of shoreline frontage
101 feet or more	10 feet

- Structures on a cove shall occupy no more than 1/3 of the cove width and in no case shall be located within 10 feet of the centerline of the cove.
- Enclosed structures are prohibited. Solid sides on the structure will be permitted at a maximum of four (4) feet measured downward from the point where the ceiling joist meets the top plate.
- An enclosed storage area shall be allowed on the first floor (lower deck) of a structure with a maximum size of 48 square feet.
- A structure will be allowed without an existing residential use on the property.
- Requests for greater dock sizes, setbacks, and enclosures shall be heard as Special Exceptions by the Board of Adjustment

Attachments: Proposed Ordinance Amendment

BOAT DOCK STANDARDS

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NUMBER 13896, CODIFIED AS APPENDIX "A" OF THE CODE OF THE CITY OF FORT WORTH (1986), TO AMEND ARTICLE 3, "ACCESSORY USES" OF CHAPTER 5, "SUPPLEMENTAL USE STANDARDS" TO ADD A NEW SECTION, SECTION 5.308, "DOCKS, PIERS AND BOAT HOUSES" TO REGULATE RESIDENTIAL DOCKS AND BOATHOUSES; TO AMEND CHAPTER 9, "DEFINITIONS" TO ADD NEW DEFINITIONS RELATED TO DOCKS, PIERS AND BOAT HOUSES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS Lake Worth is owned by the City of Fort Worth and the City has water rights in Lake Worth which is a drinking water source for residents and its wholesale customers; and

WHEREAS Lake Worth also provides a habitat for numerous species of plants and animals, and is a regional center for water recreational activities for the City of Fort Worth's citizens and visitors; and

WHEREAS Chapter 36 of the Building Code as adopted by the City Council requires that Structures constructed on Lake Worth must have the approval of the City's Water Department, as well as comply with other City Codes; and

WHEREAS the City finds a need to take steps to protect the health and safety of the citizens of Fort Worth and the recreational users of Lake Worth by determining appropriate standards for boathouses and other Structures; and

WHEREAS representatives from various neighborhood associations around Lake Worth, real estate professionals, community members and City staff members have provided comments; and

WHEREAS recommendations for boathouses and other Structures were presented to the City Council's Infrastructure and Transportation Committee on December 9, 2008, and revised staff recommendations were provided to the City Council in an Informal Report on November 9, 2010; and

WHEREAS it is advisable to amend the Zoning Ordinance to add regulations for the construction and use of boathouses and other Structures to insure the preservation of water quality, habitat and the natural and scenic beauty of Lake Worth as well as provide for the health and safety of its citizens and visitors.

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

SECTION 1.

Article 3, "Accessory Uses" of Chapter 5, "Supplemental Use Standards" of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth is hereby amended to add a new section, Section 5.308, entitled "Docks, Piers and Boathouses" to read as follows:

Section 5.308. Docks, Piers and Boathouses

A. Purpose and Intent.

1. The purpose of this Section is to regulate the construction and use of residential Docks, Piers and Boathouses (Structure) to insure the preservation of water quality, habitat and the natural and scenic beauty of Lake Worth as well as provide for the health and safety of its citizens and visitors.
2. A person who wishes to construct or improve a residential Structure or Walkway must have a valid Water Use and Access Easement for Lake Worth executed and granted by the City of Fort Worth.
3. Commercial Structures and slips will require a Special Exception from the Board of Adjustment. The Board of Adjustment shall consider whether the proposal will affect the water quality, habitat and the natural and scenic beauty of Lake Worth or the health and safety of its citizens and visitors.

B. Size and Setback Limitations.

1. One Structure is permitted per property, and the maximum size of any Structure shall be as follows:

Shoreline Frontage (linear feet)	Maximum Structure Size (square feet)
Up to 80 feet	1,000 square feet
81 feet or more	Linear feet of shoreline x 15 Not to exceed 2,000 square feet

The area measured is to be the largest area at the end of a Walkway. The largest area may be either the outside corners of the Structure or the roofline if it has more than a two-foot overhang.

2. One Walkway, not to exceed six (6) feet in width, shall be excluded in the square footage calculation of the Structure. If, however, the Walkway exceeds six (6) feet

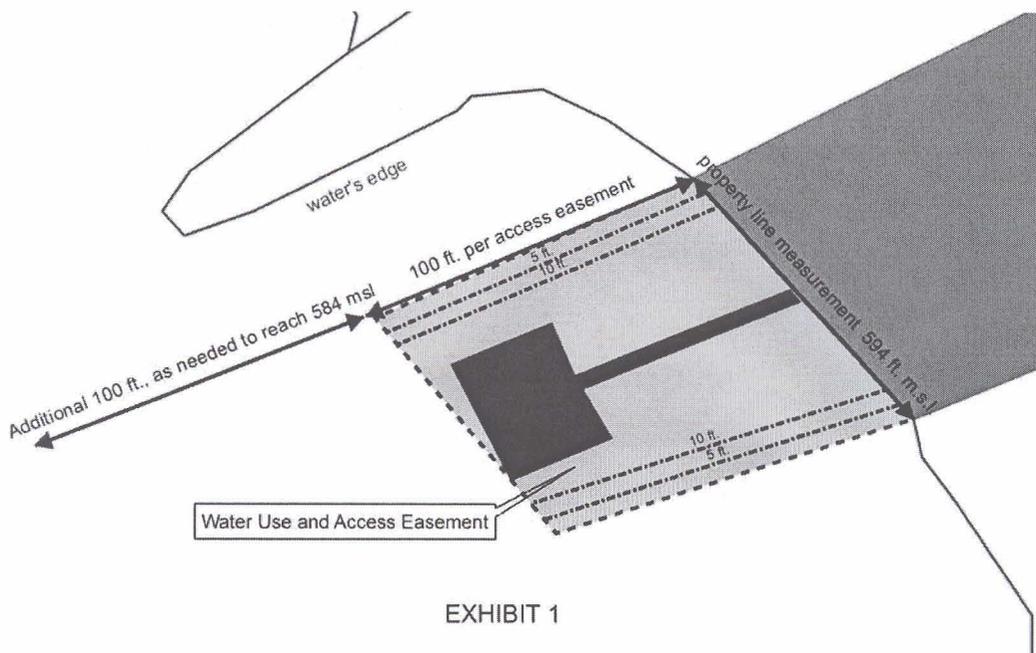
in width, the difference shall count towards the maximum allowed square footage of the Structure. No Walkway shall be allowed in excess of eight (8) feet in width or to extend to more than one Structure. The distance the Walkway and the Structure extend into the reservoir shall be kept as short a distance as is practical so as not to impair navigation and to maintain continuity with the shoreline.

3. The minimum setback of a Structure from a projected side yard line (Exhibit 1) shall be based on the width of the property at the Lakefront Property Line as follows:

Shoreline Frontage (linear feet)	Setback (feet)
Up to 50 feet	5 feet
51-100 feet	10% of shoreline frontage
101 feet or more	10 feet

4. Structures may extend:
 - a. To a point 100 feet from the Lakefront Property Line into the waters of Lake Worth regardless of the depth of the water at that point, or
 - b. To the point at which the elevation of the land lying under Lake Worth is not less than 584 feet above mean sea level, but in no case more than 200 feet from the Lakefront Property Line into the water of Lake Worth. (Exhibit 1)

The depth shall be determined by the City of Fort Worth.



6. No Structure shall occupy more than one-third ($1/3$) of the cove width and in no case shall be located within 10 feet of the centerline of the cove. (Exhibit 2)

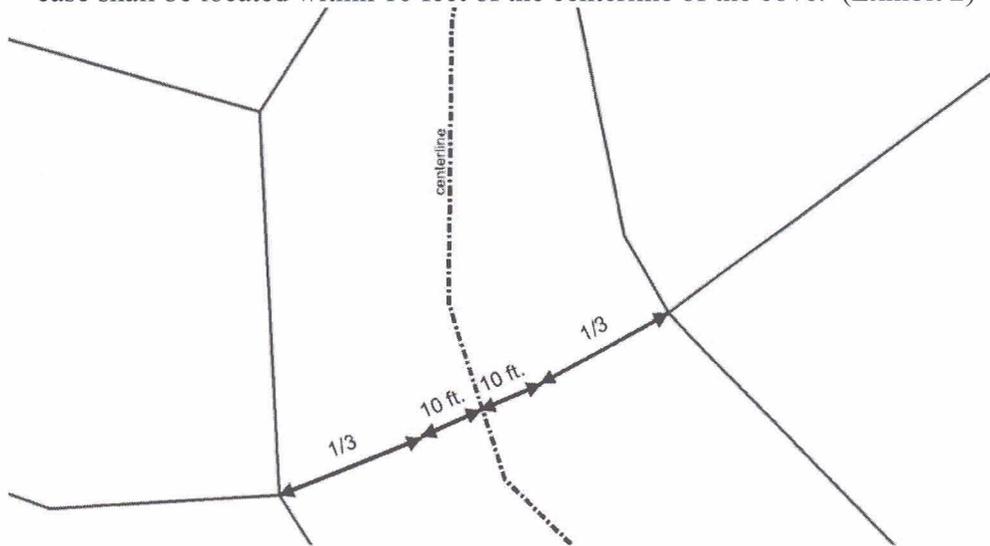


EXHIBIT 2

7. A Structure will be permitted without an existing residential use on the property.
8. Where large undivided tracts or multiple lots are used to determine the maximum area of a Structure, the linear footage of shoreline for the combined area shall be set aside and cannot be used for the future determination of the size of other Structures. With multiple lots, the primary residence must cross over the center lot line(s) by at least one (1) foot in order for more than one (1) lot width to be counted in determining the maximum area of a Structure.

C. Enclosures and Storage.

1. Enclosed Structures are prohibited. To protect a raised boat within a Structure from the elements, solid sides on the Structure will be permitted at a maximum of four (4) feet measured downward from the point where the ceiling joist meets the top plate. No additional materials may be installed below the four (4) foot sidewalls.
2. Structures shall be limited to two stories. A sundeck over the dock shall not count towards the maximum dock size. Any area under a permanent roof of the second level will be counted in the dock size measurement. If, due to topography, the peak of the second level roof is lower than the foundation of the primary house, then the maximum dock size may be increased by fifty (50) percent. The floor of the lower deck shall be no less than the 596 foot elevation, which does not apply to floating docks.
3. A maximum storage area of forty-eight (48) square feet shall be allowed on the

first floor (lower deck) of a Structure. The design of the storage area shall be such that it does not close off any more than fifty percent (50%) of any wall length, maintaining the required openness required in Section C1. Products considered hazardous material or any material which has a warning label prohibiting its use or storage near water and/or public water supplies may not be stored in the storage area.

D. Special Exception

1. Requests for greater dock sizes, smaller setbacks, and enclosures may be permitted as a special exception by the Board of Adjustment.

SECTION 2.

Chapter 9, "Definitions" of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth is hereby amended to add new definitions to read as follows:

Decking shall mean the surface material that forms the floor of the Structure.

Dock, Pier, or Boathouse (or any combination) shall mean a structure that permits the landing and mooring of vessels, including the anchoring system, cables, floats, electrical, plumbing and any other related components or materials installed in conjunction with the construction, maintenance, or use of the dock for the landing and mooring of vessels, but excluding the Walkway.

Lakefront Property Line shall mean the property line that borders the waters of Lake Worth as shown on the final plat of record or survey for the property.

Walkway (or Bridge) shall mean a passage that provides access from the land to a boat dock, marina, or other floating facility.

Water Use and Access Easement shall mean an easement granted by the City of Fort Worth enclosed on one side by the lakefront property line, on a second side by the waters of Lake Worth, and on the third and fourth side by two lines, each beginning at opposite ends of the lakefront property line and each being a projection of the side lot lines of each lot as shown on the plat of record or survey for the property.

SECTION 3.

Section 7.107, "Specific Nonconforming Uses of Chapter 7, "Nonconformities" of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth is hereby amended to add a new subsection, "I", entitled "Docks, Piers and Boathouses" to read as follows:

- I. Docks, Piers and Boathouses

A property owner wanting to claim legal non-conforming status under this chapter must register with the City of Fort Worth, Planning and Development Department by _____, 2011. The registration must include a digital photo of the existing dock.

SECTION 4.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Fort Worth, Texas (1986), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 5.

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

SECTION 6.

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

SECTION 7.

All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any and

all violations of the provisions of Ordinances No. 3011, 13896 and any other ordinances affecting zoning which have accrued at the time of the effective date of this ordinance, and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 8.

The City Secretary of the City of Fort Worth, Texas, is hereby directed to publish the caption, penalty clause and effective date of this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas, as authorized by Section 52.013, Texas Local Government Code.

SECTION 9.

All other provisions of the Zoning Ordinance of the City of Fort Worth not herein amended shall remain in full force and effect.

SECTION 10.

This ordinance shall take effect upon adoption and publication as required by law.

APPROVED AS TO FORM AND LEGALITY:

By: _____
Assistant City Attorney

ADOPTED: _____
EFFECTIVE: _____

Article 12 “Urban Design Districts”, of Chapter 4, “District Regulations” to add a new section, Section 4.1300, “I-35W Design (“I35W”) Overlay District, providing for Design Standards and Guidelines for New Construction in the I35W Design Overlay District, and; to require a Certificate of Appropriateness for New Construction in the I35W Design Overlay District, and; to provide for Administrative Approval of Certificate of Appropriateness under certain circumstances, and; to provide an Appeal Process;

Link: <http://www.fortworthgov.org/planninganddevelopment/zoningcommission.aspx>

Jocelyn Murphy, Planning Manager, City of Fort Worth, explained to the Commissioners staff is requesting a 30 day continuance.

Motion: Following brief discussion, Mr. Edmonds recommended approval of the request, seconded by Ms. Zadeh. The motion carried unanimously 8-0.

10. ZC-10-191 City of Fort Worth Planning & Development Text Amendment: “Boat Docks, Piers, and Boat Houses (CD All)- An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix “A” of the Code of the City of Fort Worth, to amend;

Article 3 “Accessory Uses”, of Chapter 5, “Supplemental Use Standards” to add a new section, Section 5.308, “Docks, Piers, and Boat Houses” to regulate Docks and Boat Houses, and; to Amend Chapter 9, “Definitions” to add new definitions related to Docks, Piers, and Boat Houses;

Link: <http://www.fortworthgov.org/planninganddevelopment/zoningcommission.aspx>

Jocelyn Murphy, Planning Manager, City of Fort Worth, explained to the Commissioners the text amendment standards and guidelines related to Boat Docks, Piers, and Boat Houses.

Joe Waller, 2533 Castle Circle, representing the Lake Worth Neighborhood Alliance spoke in support of the request. Mr. Waller did mention there is a CIIP going forward to clean up the lake. Mr. Waller did read into the record a letter of support from his organization which includes various neighborhoods. It was also mentioned they do support the appeal process by the Board of Adjustment.

Linda Austin, 8908 Heron Drive representing the Southwest Lake Worth Association spoke in support of the request also. Ms. Austin mentioned many boat docks were built in the last two years without approval and that some did not look good. She also emphasized that the lake is first a water source for the entire city.

Robert Crow, 8416 Blue Heron Court also spoke in support. He is representing the neighborhood associations for North and East Lake Worth and some proposed some of the modifications that were provided to the Commissioners.

Michael Dallas, 8437 Island View Drive, mentioned there are several people present wearing buttons in opposition who chose not to speak. Mr. Dallas mentioned they do have several issues with the way the ordinance is written. The issues are flexibility based on the size of the lots as well as setbacks and enclosures. A proposal was submitted this morning before the public hearing.

Jim Schell, 901 Fort Worth Club Building, representing Mr. Dallas spoke on the proposal. He mentioned the lake was built back in the 1930's. It was mentioned that in the deed records water easements were granted to property owners for water recreational purposes, ingress and egress of the lake as well as construction and maintenance of piers, docks, and boat houses. You cannot deny access from your neighbor or extend too far out into the water. Mr. Schell mentioned their proposal was to allow for a Special Exception for size, height, and enclosure instead of a variance. He mentioned it is hard to prove hardship.

Mr. Ortiz asked for clarification of an example. Mr. Schell mentioned for instance the size of the lot frontage that depicts how big your dock can be but that it would be difficult to say it is a hardship because you bought a big boat that needs a bigger dock.

Kristin Williams, 9217 Watercress Drive, spoke in opposition and mentioned they would not be here today if they felt comfortable with the text amendment and those representing it. He mentioned 800 square feet does not work. Mr. Williams mentioned the lake and it receding into their properties and they have to pay taxes on it.

Michael Barnard, 4237 Wells Drive, President of the North Lake Worth Neighborhood Association spoke in opposition of the request. He is opposed because of three items they wanted to see included in the ordinance. The group had originally been ok with 1800 square foot docks but have since changed their mind and want 2,000 square foot docks. They are opposed to the variance process for appeal. The side walls need to be increased to six feet. Mr. Barnard also mentioned how the easements is projected into the water from pie-shaped lots and those that may not be able to have a dock.

Frank Newman, property owner at 8244 Kildeer Circle mentioned the easement information noted in deed records that allows for boat houses and access to the lake. Mr. Newman mentioned there should be a minimum of 1000 square foot for docks, storage areas shall be at least 60 sq. ft. There should be no restriction to roofs. He also mentioned people buying property out on the lake will not purchase if they have no lake frontage.

William Simms, 8100 Woodvale Road, purchased his property in 2006 and he wants to protect his investment. He also has concerns with small or pie shaped lots and access to the lake.

Mike Statler, 7448 Love Circle, he requested the ordinance be delayed to further look at the issues. He suggested instead of 2000 sq ft go to 2500 sq. ft. for the dock size.

In rebuttal, Ms. Austin mentioned the Lake belongs to the entire City of Fort Worth not just residents on the lake as the water source for all residents, and not for a select few. They do not want to see any changes to the ordinance.

Mr. Waller also in rebuttal mentioned they need to move forward with the ordinance as requested and to grandfather all existing docks.

Motion: Following brief discussion, Mr. Genua recommended approval as amended of the request for the minimum dock size of 1,000 sf and maximum of 2,000 sf, using the 15x multiplier for frontage, side walls to be four feet, for setbacks, changes in size, and enclosures to be heard as a Special Exception by the Board of Adjustment, seconded by Mr. Romero. The motion carried unanimously 9-0.

11. ZC-11-001 Housing Finance Corporation (CD 6)- 5240 Wooten Drive & 5250 Wonder Drive (Wedgewood Addition, Block 20, Lot D, & Block 21, Lots C1A & C2A 3.60 Acres): from "E" Neighborhood Commercial to "MU-1" Low Intensity Mixed Use.

Cynthia Garcia, Assistant Director, Housing & Economic Development, City of Fort Worth, explained to the Commissioners the request to rezone to MU-1 because the area is in the area planned for the Granbury/I20 station and will be part of a transit oriented development. As an apartment complex, the site has been a problem for the neighbors and Council has asked them to look at the site to see what could be developed there. A diagram of the area was presented to the Commissioners. Ms. Garcia also mentioned the T has already purchased the property to the north of the site for the station.

Mr. Ortiz mentioned the UR district would be a better fit for the property. Ms. Garcia mentioned neighborhood commercial uses would be more attractive to developers.

Tolli Thomas, 5341 Wooten Drive spoke in opposition. She is an officer of the Wedgewood Empowerment Zone and explained they have not been a part of the discussions for future development. Ms. Thomas mentioned the City purchased the property in 2009 and is glad it is being demolished. The neighborhood has concerns as to the setbacks to the adjacent property owners as well as what may be developed on this site. Ms. Thomas is concerned as to why the zoning is being rushed through the zoning process. They would like to see the application delayed so the neighborhood get gather more information.

Ms. Spann asked if 30 days would be enough time for them. Ms. Thomas mentioned as long as they can get a return phone call.

Barry Miller, 5305 Wooten Drive, also spoke in opposition. He mentioned they have had problems with the apartment complex for over 20 years and are happy to see them come down. Mr. Miller mentioned they do not want to see a five story development go in there.

Mr. Ortiz asked if a 30 day continuance would be helpful. Mr. Miller mentioned 60 days would be better.

Ms. Garcia in rebuttal explained the reason for the quick turn is to get developers interested in the property. She also mentioned they have held several public hearings on this.



FORT WORTH



S.M.A.R.T. Report

Street Management And Road Traffic
Transportation and Public Works
December 24 —January 6



CENTRAL BUSINESS DISTRICT STREET CLOSURES (Partial)

7TH Street Bridge Utility Relocations

- Forest Park from 10TH to 5TH
Multiple lane closures from August 30, 2010 through **Jan 21, 2011**
- 5TH from Forest Park to Penn
Multiple lane closures from August 30, 2010 through **Jan 21, 2011**
- 10TH from Forest Park to Penn
Multiple lane closures from August 30, 2010 through **Jan 21, 2011**
- Fournier from 7TH to 10TH
Lane closures from Aug 30, 2010 through **Jan 21, 2011**

9th Street/Transit Plaza Improvements

- 9th (from Throckmorton to Jones) Street and sidewalk closures through mid January 2011. 9th Street between Throckmorton and Houston will be realigned during this time
- The intersections of 9th @ Throckmorton, 9th @ Houston, 9th @ Calhoun, 9th @ Commerce, and 9th @ Jones will remain open to traffic. The intersection of 9th @ Main will be closed.***
- Main (from 8th to 9th) Street closure through mid January 2011
- Throckmorton (from 8th to 11th) various lane/sidewalk closures through mid January 2011
- Houston (from 8th to 11th) various lane/sidewalk closures through mid January 2011
- Commerce (from 8th to 12th) various lane/sidewalk closures through mid January 2011
- Calhoun (from 8th to 12th) various lane/sidewalk closures through mid January 2011
- Jones (from 8th to 12th) various lane/sidewalk closures through mid January 2011
- Throckmorton (from 8th to 10th) closed through December 2010

Fort Worth Club

- W 7th St (between Throckmorton and Taylor) overhead protection on sidewalk through mid January 2011

Franky's Sports Bar Project

- Lamar Street (between W 3rd and 4th) parking lane closed through December 2010

Removal of Tarrant County Angels

- N Houston Street (between Belknap and Weatherford) **parking lane closed through mid January 2011**

Remodel of 515 Houston

- W 5th Street (between Houston and Main) parking lane closure through December 2010

North Main Street Bridge Rehabilitation—TxDOT Project

- Main (from Belknap to NE 5th St, lane closures until December 2010

New Tarrant County Jail

- Belknap (from Cherry to Burnett) Parking lane and Sidewalk closures through 2011
- Weatherford (from Cherry to Burnett) Parking lane and Sidewalk closures through 2011
- Cherry (from Belknap to Weatherford) Northbound direction closed and sidewalk closures through 2011
- **Southbound Burnett (from Belknap to Weatherford) closed and sidewalk closures through 2011**

St Patrick's Cathedral New Hall

- Throckmorton (from W 12th to W 13th) Parking Lane closures through January 20, 2011
- W 12th (from Throckmorton to Jennings) Parking Lane closures through January 20, 2011
- Texas (from W 13th to Jennings) Parking Lane closures through January 20, 2011
- W 13th (from Texas to Throckmorton) Parking lane closures through January 20, 2011

Tarrant County College Construction

- Belknap (from Commerce to Pecan St) Sidewalk closures through January 2011
- Weatherford (from Commerce to Calhoun) lane and sidewalk closures through Jan 27, 2011
- Calhoun (from Belknap to Weatherford) parking lane and sidewalk closures through Jan 27, 2011
- N Commerce (from Belknap to Weatherford) lane and sidewalk closures through Jan 26, 2011

* Expect heavy haul truck traffic 7:00a.m. to 5:00 p.m. through January 2011 on :

- ** Belknap (between Commerce and Pecan)
- ** Weatherford (between Houston and Pecan)
- ** Calhoun (between Belknap and Weatherford)

For detailed information on TxDOT closures:
http://www.dot.state.tx.us/travel/road_conditions.htm

For additional information, please contact 817-392-6672.

New items printed in red.



FORT WORTH



S.M.A.R.T. Report

**Street Management And Road Traffic
Transportation and Public Works
December 24 — January 6**



Special Events

Festivals * Runs * Walks

CULTURAL DISTRICT

DOWNTOWN OUTDOOR EVENTS DISTRICT

- **Christmas Tree Display**
Nov 15 through Jan 5
Street Closure: Main St from 3rd St to 4th St

- **Stock Show Parade**
Jan 15 Step-off at 11 a.m.
Staging at La Grave Field
Route: Start in front of the Tarrant County Courthouse, south on Main St to 9th St, west on 9th St to Houston St, north on Houston St to the Courthouse, then back to La Grave field

NEAR SOUTHSIDE OUTDOOR EVENTS DISTRICT

STOCKYARDS OUTDOOR EVENTS DISTRICT

OTHER

Parades

CULTURAL DISTRICT

DOWNTOWN OUTDOOR EVENTS DISTRICT

NEAR SOUTHSIDE OUTDOOR EVENTS DISTRICT

STOCKYARDS OUTDOOR EVENTS DISTRICT

OTHER

For additional information, please contact 817-392-6672.

New items printed in red.