

AGENDA

Regular Meeting of the Bedford City Council
Tuesday, November 27, 2012
Bedford City Hall Building A
2000 Forest Ridge Drive
Bedford, Texas 76021

Council Chamber Work Session 5:30 p.m.
Council Chamber Regular Session 6:30 p.m.

COMPLETE COUNCIL AGENDAS AND BACKGROUND INFORMATION ARE AVAILABLE FOR REVIEW
ONLINE AT <http://www.bedfordtx.gov>

WORK SESSION

- Review and discuss items on the regular agenda and consider placing items for approval by consent.
- Receive an update from staff regarding the StoneCourt Homeowner's Association perimeter screening wall.

EXECUTIVE SESSION

To convene before the Regular Session, if time permits, in the conference room in compliance with Section 551.001 et. Seq. Texas Government Code, to discuss the following:

- a) Pursuant to Section 551.071, consultation with City Attorney regarding pending or contemplated litigation – The Oaks of Landera Apartments.
- b) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lots 1D and 1E, Shops at Central Park.
- c) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lots 4BR1 and Block 1, Lot 4A, Northeast Community Hospital Addition and Block 1 Lot 4 Cimarron Plaza Addition.
- d) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1, First State Bank Plaza Addition

REGULAR SESSION 6:30 P.M.

CALL TO ORDER/GENERAL COMMENTS

INVOCATION (Pastor Tyler Downing, Woodland Heights Baptist Church)

PLEDGE OF ALLEGIANCE

OPEN FORUM

(The public is invited to address the Council on any topic that is posted on this agenda. Citizens desiring to speak on Public Hearing(s) must do so at the time the Public Hearing(s) are opened. In order to speak during Open Forum a person must first sign in with the City Secretary prior to the Regular Session being called to order. Speakers will be called upon in the order in which they sign in. Any person not signing in prior to the commencement of the Regular Session shall not be allowed to speak under Open Forum. Further, Open Forum is limited to a maximum of 30 minutes. Should speakers not use the entire 30 minutes Council will proceed with the agenda. At the majority vote of the Council the Mayor may extend the time allotted for Open Forum.)

CONSIDER APPROVAL OF ITEMS BY CONSENT

COUNCIL RECOGNITION

1. Employee service recognition.

PERSONS TO BE HEARD

2. The following individuals have requested to speak to the Council tonight under Persons to be Heard.
 - a) Royal Smith, 2010 California Crossing, Dallas, Texas – Requested to speak to the Council regarding Community Waste Disposals interest in providing a proposal and to pass out general information.

APPROVAL OF THE MINUTES

3. Consider approval of the following City Council minutes:
 - a) November 13, 2012 regular meeting

OLD BUSINESS

4. Consider an ordinance amending Chapter 22. “Building and Building Regulations”, Article XIII. “Fences”, Section 22-554. “Definitions”, Section 22-558. “Maintenance”, and Section 22-559. “Construction Prohibited”, of the City of Bedford Code of Ordinances; providing a savings clause; providing a severability clause; and providing an effective date. (Continued from the October 23, 2012 meeting)

NEW BUSINESS

5. Public hearing and consider an ordinance to rezone a portion of property known as Lot 1, Block A, Bedford Plaza Addition, 2101 West Airport Freeway, Bedford, Texas; specifically for the operation of a restaurant (Chili’s) from Planned Unit Development (PUD) to Heavy Commercial (H), Site Plan Approval, in the Central Business District Overlay. The property is generally located north of Airport Freeway and east of Central Drive. (Z-230)
6. Consider a resolution authorizing the City Manager to purchase seven 2013 replacement patrol vehicles in the amount of \$191,696.89 through Holiday Chevrolet utilizing the Tarrant County Cooperative Contract.
7. Consider a resolution authorizing the City Manager to purchase a 2013 Chevrolet Silverado truck in the amount of \$15,624.33 through Holiday Chevrolet utilizing the State of Texas Contract.
8. Report on most recent meeting of the following Boards and Commissions:
 - ✓ Animal Control Board – Councilmember Olsen
 - ✓ Animal Shelter Advisory Board - Councilmember Olsen
 - ✓ Beautification Commission – Councilmember Turner
 - ✓ Community Affairs Commission - Councilmember Boyter
 - ✓ Cultural Commission - Councilmember Nolan
 - ✓ Library Board – Councilmember Brown
 - ✓ Parks & Recreation Board - Councilmember Davisson
 - ✓ Senior Citizen Advisory Board - Councilmember Turner
 - ✓ Teen Court Advisory Board - Councilmember Olsen
9. Council member reports
10. City Manager/Staff Reports
11. Take any action necessary as a result of the Executive Session

(Any item on this posted agenda may be discussed in executive session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.)

ADJOURNMENT

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the outside window in a display cabinet at the City Hall of the City of Bedford, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted by the following date and time: Wednesday, November 21, 2012 at 5:00 p.m., and remained so posted at least 72 hours before said meeting convened.

Amanda Jacobs, Assistant City Secretary

Date Notice Removed

(Auxiliary aids and services are available to a person when necessary to afford an equal opportunity to participate in City functions and activities. Auxiliary aids and services or accommodations should be requested forty-eight (48) hours prior to the scheduled starting time of a posted council meeting by calling 817.952.2101.)



Council Agenda Background

PRESENTER: Beverly Griffith, City Manager

DATE: 11/27/12

Council Recognition

ITEM:

Employee Service Recognition

City Manager Review: _____

DISCUSSION:

The following employees have completed a service period and are eligible for recognition:

Shayna Embry	5 yr.	Police Department
Gregory Yond	5 yr.	Police Department
Ernis Walker	5 yr.	Public Services
Jeffery Gibson	15 yr.	Police Department
William Cooper	20 yr.	Support Services
Eric Griffin	25 yr.	Police Department

N/A



Council Agenda Background

PRESENTER: See below

DATE: 11/27/12

Persons to be Heard

ITEM:

- a) Royal Smith, Community Waste Disposal, 2010 California Crossing, Dallas, Texas – Requested to speak to the Council regarding the expiring trash and recycle contract on 01/01/2014.

City Manager Review: _____

DISCUSSION:

N/A

ATTACHMENTS:

Letter of Request

From: "Smith, Royal" <[REDACTED]>
Date: November 20, 2012, 3:37:57 PM CST
To: "Wells, Michael" <[REDACTED]>
Subject: Persons to be Heard - 11/27

Mr. Wells,

I would like to address city council and staff regarding the expiring trash and recycle contract on 01/01/2014. May I speak under the "Persons to be Heard" section?

The purpose of addressing council and staff is to let them know that CWD is very interested in providing a proposal, and I will pass out some general information.

Sincerely,

Royal Smith
Office Building Sales Manager
Community Waste Disposal, L.P.
2010 California Crossing
Dallas, TX 75220
[REDACTED]

Please consider the environment before printing this email



Council Agenda Background

PRESENTER: Michael Wells, City Secretary

DATE: 11/27/12

Minutes

ITEM:

Consider approval of the following City Council minutes:

a) November 13, 2012 regular meeting

City Manager Review: _____

DISCUSSION:

N/A

ATTACHMENTS:

November 13, 2012 regular meeting

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Work Session at 5:00 p.m. in the Building A Conference Room at 5:00 p.m. and Regular Session at 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 13th day of November, 2012 with the following members present:

Jim Griffin	Mayor
Michael Boyter	Council Members
Chris Brown	
Jim Davisson	
Patricia Nolan	
Sherri Olsen	
Roy W. Turner	

constituting a quorum.

Staff present included:

Beverly Griffith	City Manager
David Miller	Deputy City Manager
Stan Lowry	City Attorney
Michael Wells	City Secretary
Roger Gibson	Police Chief
Maria Redburn	Library Manager
Jacquelyn Reyff	Planning Manager
Bill Syblon	Development Director

WORK SESSION - Conference Room

Mayor Griffin called the Work Session to order at 5:03 p.m.

• Presentation from Dunhill Properties regarding the Shops at Central Park

Development Director Bill Syblon stated that he met with Tim Denker from Dunhill Partners at the recent ICSC regional show in Dallas. Mr. Denker stated that the cost for finishing out the Movie Tavern was much more than anticipated and the deal is on shaky ground. They contacted City Manager Beverly Griffith to schedule this discussion for a Council meeting in order to act as quickly as possible and to see if there is anything the City can do.

Mr. Denker spoke regarding the \$12M going into the renovation of the shopping center. The biggest piece of the renovation is putting the Movie Tavern into the old Sac and Save location. The opportunity to do so came about from the condemnations and the abatements from the City. When the bids came back for the project, it was \$2.4M higher than what was anticipated. Movie Tavern really wants a flagship store in their hometown and they are willing to put in \$1M. Universal Construction was brought in to perform value engineering to get the remaining \$1.4M down to a smaller number while at the same time not changing the product. He is coming to the City to see what they can do to help close that gap so that can get this built. He stated that this deal will help in filling the shopping center and that it would serve as a great entry into the City.

Cade Pittman stated that the challenge is that the Movie Tavern is doing well where they are currently and they would have to benchmark against current returns. They are putting approximately \$2M into the deal and the ownership wants to have a flagship theater as close as possible to Dallas. The proposed theater would be the largest and nicest that they own. It would be a blend of what is currently at West

Seventh Street in Fort Worth and at Hulen. It would have a similar price point to what is there now. He believes that the gap would be approximately \$700,000 and if this can be bridged, they are committed to build.

In answer to questions from Council, Mr. Denker stated that the old Sac and Save location would have to be torn down. One of the biggest costs is that they would have to install cinder block walls instead of tilt panel because of the surrounding businesses. Due to the issues being discussed, the project will be set back between 30 and 45 days. Mr. Pittman stated that there would be no mezzanine, which is not in a lot of modern theaters and would not take away from the customer experience. In regards to the economic impact to the City, the Movie Tavern currently does \$4.5M in sales and they expect it to go to \$8M. They would also go from 85-100 employees to approximately 220. There would be 11 screens and 1,100 seats. They had budgeted \$8.5M for the Movie Tavern but it jumped to \$11M. In regards to the current location, Mr. Denker stated there have been talks with a health club as well as a grocery store. The current Movie Tavern has been there for approximately 10 years. There are concerns about the noise from the freeway at the current location. In regards to renovations, they did go to stadium seating several years ago but there have been no material renovations. Nothing will be changed on the inside of the new theater due to the issues discussed. Mr. Denker stated that Dunhill Partners has owned the property since 2002. It costs Dunhill on average two years of revenue per tenant. In regards to upgrades they have made to the center in that time, they have painted the whole center, replaced the roof, increased parking and built the Starbucks. Dunhill is putting in \$4M into the whole center, with \$3M going into the Move Tavern alone. Other improvements include building the Applebee's, changing the driveline for the Starbucks, regarding the parking lot and moving signs. They have spent approximately \$1M so far.

Council moved into the Council Chamber at 6:00 p.m. to continue the Work Session.

WORK SESSION - Council Chamber

- **Review and discuss items on the regular agenda and consider placing items for approval by consent.**

Council discussed placing the following items on consent: 3, 5, 6 and 7.

- **Discuss a possible date(s) to hold a Council Work Session. ***This item requested by Mayor Griffin**

This item was not discussed during the Work Session and was moved to the end of the Regular Session.

Mayor Griffin requested this item be placed on the agenda for discussion. He received requests from Council members for a work session to discuss the Highway 183 Overlay District, the Fence Ordinance and the Swimming Pool Ordinance. In regards to the Swimming Pool Ordinance, he stated that there has been no direction to staff regarding changes to the Ordinance. At a previous work session, there was discussion on changes to several different ordinances, some of which were passed at the last meeting including those regarding trash and vehicle parking. There were discussions regarding improving the operations of Code Enforcement including additional training and tools as well as the utilization of additional funds to enhance their procedures. In regards to the Fence Ordinance, it was tabled at the previous Council meeting due to a particular situation regarding masonry screening between a residential subdivision and businesses. Staff is currently working through that scenario and they will be presenting recommendations at the Council meeting on November 27. In regards to the Overlay District, when this was previously discussed, a number of business owners asked that it be tabled as it affected their negotiations with the North Tarrant Expressway. He did not want to work on the Overlay District unless Council is certain that everybody has completed their deals with NTE. Mayor Griffin stated that he wanted to start moving on bigger items such as the Overlay District, the CBDZ, the five-year Capital Improvement Program and Phase One of the Boys Ranch Master Plan. He further stated that it is Council's responsibility to deal with the City Manager when asking for action to be taken and not to make requests of staff members to provide such things as reports. This is a violation of the Charter.

Council discussed the Overlay District including that it is not for granting relief to current businesses but instead to establish the looks for new businesses coming into the City; that the current Swimming Pool Ordinance does not require a working filtration system; working through the City Manager instead of going to individual department heads; holding an all-day work session to prioritize issues, give direction to staff and for staff to show current projects being worked on along with timelines. Council was of the consensus to hold a work session on December 5 to discuss the Highway 183 Overlay District.

Mayor Griffin adjourned the Work Session at 6:47 p.m.

EXECUTIVE SESSION

To convene before the Regular Session, if time permits, in the conference room in compliance with Section 551.001 et. Seq. Texas Government Code, to discuss the following:

- a) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lots 12A and 13A, Oak Grove Estates.
- b) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lots 1D and 1E, Shops at Central Park.
- c) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lots 4BR1 and Block 1, Lot 4A, Northeast Community Hospital Addition and Block 1 Lot 4 Cimarron Plaza Addition. (Amended item)

Council was not able to meet in Executive Session prior to the Regular Session.

Council convened into Executive Session pursuant to Texas Government Code Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lots 12A and 13A, Oak Grove Estates, Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lots 1D and 1E, Shops at Central Park and Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lots 4BR1 and Block 1, Lot 4A, Northeast Community Hospital Addition and Block 1 Lot 4 Cimarron Plaza Addition at approximately 8:16 p.m.

Council reconvened from Executive Session at 9:09 p.m. Any necessary action to be taken as a result of the Executive Session will occur during the Regular Session of the Bedford City Council Meeting.

REGULAR SESSION 6:30 P.M.

The Regular Session began at 6:52 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the meeting to order.

INVOCATION (Lead Pastor Robert White, Cornerstone Church)

Lead Pastor Robert White of Cornerstone Church gave tonight's invocation.

PLEDGE OF ALLEGIANCE (Cub Scout Pack 363, Loren Coleman, Leader)

Cub Scout Pack #363 lead by Loren Coleman, and Cub Scouts John Adams, Christopher Coleman, Frank West, Luke Lilly, Hunter Helwig, Ian Wilhite and William Norton, lead the Pledge of Allegiance.

OPEN FORUM

Nobody chose to speak under tonight's Open Forum.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Motioned by Councilmember Turner, seconded by Councilmember Olsen, to approve the following items by consent: 3, 5, 6 and 7

Motion approved 7-0-0. Mayor Griffin declared the motion carried.

COUNCIL RECOGNITION

1. Recognition of Billy Lynch “Mr. Billy”, School Crossing Guard, for a Bedford Employee Commitment Award (BECA).

School Crossing Guard Billy “Mr. Billy” Lynch was recognized with the Bedford Employee Commitment Award for his work at the intersection of Cummings and McLain.

2. Proclamation recognizing Fire Safety Poster Contest Winners.

Mayor Griffin presented proclamations recognizing Fire Safety Poster Contest Winners to the following students:

Jessa Woode – First Grade, Bedford Heights Elementary
Mckenna Smith – Second Grade, Bedford Heights Elementary
Nicholas McDaniel - Third Grade, Bedford Heights Elementary
Jennifer Nguyen – Fourth Grade, Meadow Creek Elementary
Sienna Encarnacion – Fifth Grade, Bell Manor Elementary
Anabel Villarreal – Sixth Grade, Stonegate Elementary

APPROVAL OF THE MINUTES

3. Consider approval of the following City Council minutes:

- a) **October 23, 2012 regular meeting**
- b) **October 30, 2012 special meeting**

This item was approved by consent.

OLD BUSINESS

4. Public hearing and consider an ordinance to rezone a portion of property known as Lot 1R1, Block 1, Harwood Hills Village Addition, 3350 Harwood Road, Bedford, Texas; specifically for the operation of a restaurant (McDonald’s) from Planned Unit Development (PUD) to Amended Planned Unit Development, Site Plan Modification, in the Highway Corridor Overlay District. The property is generally located south of Harwood Road and west of State Highway 121. (Z-225)

Planning Manager Jacquelyn Reyff presented information regarding this ordinance. This is for the McDonald’s at 3350 Harwood Road to upgrade their property. It is currently zoned as a Planned Unit Development (PUD) with a Highway Corridor Overlay. The PUD is for the development of the McDonald’s building and the shopping center. The applicant is requesting that the PUD be amended for a different drive-through configuration, façade changes and expansion of landscaping. The building will not have a larger footprint. The façade materials and colors meet or exceed the designs standards of the Overlay District, which include being 100% masonry with materials of earth tones, masonry screening of ground-mounted equipment and architectural relief to the roof and walls. The lot coverage is increasing from 11% to 14% due to the increased number of plantings. In regards to the drive-through, there is one stacking lane and there is room for 13 vehicles according to the applicant’s plans. This meets the intent of the ordinance in regards to the parking standards. The parking remains from previous development and will not be changed in regards to the number of spaces. Egress and ingress will be from two curb cuts on Harwood Road east and west of the property. Because the landscaping is from previous development and the footprint is not being changed, there does not need to be any changes. However, the applicant has added green space and plantings. There currently exists nine crepe myrtles on the east and west side of the building. There will be increased green space on the south side of the building with two new trees and assorted plants and shrubs. The Planning and Zoning

Commission approved this item at their October 11 meeting by a vote of 7-0-0. In answer to a question from Council, Ms. Reyff stated that they are adding two message boards.

Mayor Griffin opened the public hearing at 7:09 p.m.

Nobody chose to speak during tonight's public hearing.

Mayor Griffin closed the public hearing at 7:09 p.m.

Motioned by Councilmember Turner, seconded by Councilmember Davisson, to approve an ordinance to rezone a portion of property known as Lot 1R1, Block 1, Harwood Hills Village Addition, 3350 Harwood Road, Bedford, Texas; specifically for the operation of a restaurant (McDonald's) from Planned Unit Development (PUD) to Amended Planned Unit Development, Site Plan Modification, in the Highway Corridor Overlay District. The property is generally located south of Harwood Road and west of State Highway 121. (Z-225)

Motion approved 7-0-0. Mayor Griffin declared the motion carried.

NEW BUSINESS

- 5. Consider a resolution authorizing the City Manager to move forward with the sale of the City-owned property known as Block 6, Lot 9 Oak Grove Estates, located at 2401 Brasher Lane, Bedford, Texas.**

This item was approved by consent.

- 6. Consider a resolution authorizing the Mayor to certify the Chapter 59 Asset Forfeiture Report as required by Article 59.06 of the Code of Criminal Procedures.**

This item was approved by consent.

- 7. Consider a resolution authorizing the Mayor to certify the Equitable Sharing Agreement and Certification as required by the United States Department of Justice.**

This item was approved by consent.

- 8. Discussion and receive Council direction regarding the color scheme for the stealth cellular tower.**

Development Director Bill Syblon stated that in order to remove the former CI Host building, the cellular equipment from the building will be moved to a stealth cell tower. The next step in that process is to review the color options for the tower. In attendance from AT&T were Paul Bumgardner and the architect Mark Stapleton.

Council discussed the color scheme for the tower, the Bedford logo and the surrounding fence. They further discussed the effects of weathering on the colors and the logo being made of plastic.

Motioned by Councilmember Davisson, seconded by Councilmember Turner, to approve Sherwin Williams Color SW6183 for the tower, Sherwin Williams Color SW6230 for the "B" and Superior Concrete Products "Charcoal" for the fence around it.

Motion approved 6-1-0. Mayor Griffin declared the motion carried.

Voting in favor of the motion: Mayor Griffin, Councilmember Boyter, Councilmember Davisson, Councilmember Olsen, Councilmember Nolan and Councilmember Turner.

Voting in opposition to the motion: Councilmember Brown.

9. Staff report on the photographic traffic monitoring systems (i.e. red light cameras).

This item was presented during the Work Session.

Police Chief Roger Gibson gave an update on the red light photo enforcement program. This program was originally brought before Council for consideration in 2006. One in five traffic fatalities are at red light intersections and historically, these types of accidents are the number one killer andcripler of children under 15. The purpose of the program is not to generate revenue but to increase traffic safety, while also being self-sufficient. To accomplish this, the City chose to contract with a company called Redflex. The agreement runs through 2027 for them to install and maintain the system at a cost of a percentage of the revenue generated. There are no maintenance or installation costs for the City. After the revenue is divided, then the City does receive a percentage. Chief Gibson presented slides showing that currently, there are four locations and a total of eight approaches that have red light cameras, which were all installed in 2007 and 2008. The Highway 183 construction has had an impact in that four cameras have been inactivated and it is very likely that the camera at the intersection of Central Drive and the freeway will be inactivated by the time construction is complete. Redflex will be performing redesigns at these locations once the construction is completed as well as surveys at their cost.

Chief Gibson presented information regarding red light accidents and injuries from 2004/2005 and 2010/2011. There has not been a dramatic difference but there have been some decreases. In showing the number of red light violations over the last three calendar years, there has been a significant improvement at the intersection of the east bound access road and Bedford Road. From the total violations for the last two fiscal years, there is a significant improvement in the lowering of violations. He stated that one thing that is hard to track is right turn on reds that result in accidents, as the accident data may be captured outside of the intersection.

In addressing the question about the program being about safety or to be a revenue generator, Chief Gibson displayed data from the last three calendar years showing the vast difference between the number of violations that the system has captured versus the number of citations issued. This difference is caused by the license plate not being visible or the photo mechanism triggering even if vehicle did come to a stop. Council had drafted the ordinance to read that violations occur beyond the stop bar and at the imaginary line between the four corners of the intersections. Those incidents are reviewed by the Police Department; the officer reviewing the incident would use the same logic he or she would use on the street in determining if a citation should be issued. 9% of incidents are dismissed for technical reasons, 51% are dismissed for Police reasons, leaving 41% that were actually processed as a citation.

Chief Gibson presented a fiscal year comparison of gross revenue from 2010/2011 and 2011/2012. 75% of the Police Corporal's salary comes for the program. There are also costs for the hearing officer, the amount paid to Redflex as well as other miscellaneous costs. After all of those costs come out, the State gets half of the revenue while the City gets the other half. The data shows that the City received \$11.81 per citation in 2010/2011 and \$11.49 in 2011/2012.

With the construction along the freeway, Redflex will again perform surveys but there may be different results. Some of the current locations may become right turn on yield as opposed to right turn on stop. From June 12-14, Redflex performed surveys at six intersections, with a total of 24 approaches, at the request of the City. There has been a 30% increase in traffic on Harwood Road due to the construction. Chief Gibson showed locations that Redflex's statistics indicated the City should consider adding to the current program. The contract with Redflex allows up to 20 intersections. If the City wants to go through with adding these locations, Redflex is willing to come back to the Council to share their information. Chief Gibson explained that through the Transportation Code, in order to add locations for red light cameras, the City would need to perform a traffic engineering study, change up signalization and/or redesign intersections to see if there is something the City can do on their end to solve any issues as opposed to adding cameras. Information regarding accident history, traffic volumes and red light violations would have to be forwarded to a citizen advisory committee made up of one member of the public chosen by each Council member.

Chief Gibson presented information regarding a scofflaw program offered by Redflex, which is tied to vehicle registration. Currently, if a person does not pay their administrative violation, after 35 days a

\$25.00 late fee is added and after the 91st day, it goes to a collection agency. Under the scofflaw program, there would not be \$25.00 going to a collection agency but a \$10.00 fee going to Redflex for them to tag the registration. Afterwards, \$21.00 would go to the State and \$21.00 would go to the City. If a person has made no effort to pay the administrative fee, then the violation would go into the scofflaw program. If it has been partially paid, then it would go to the collection agency.

In answer to questions from Council, Chief Gibson stated that as of August, there are 14,651 violations outstanding totaling \$1.4M. Current outstanding cases can be put into the scofflaw program. Council discussed the scofflaw program; other programs besides Redflex; whether anything could be done regarding the glare from license plates; increasing the number of locations in the program; and options regarding the camera flash at night including turning off the cameras at night or adding a red lens filter. Council was of the consensus to support the scofflaw program, to explore adding additional locations to the program based on safety concerns and adding a red lens filter to the cameras on a trial basis. Chief Gibson stated he would contact Redflex to determine if the red lens could be added at no additional cost to the City.

10. Report on most recent meeting of the following Boards and Commissions:

✓ **Animal Control Board – Councilmember Olsen**

No report was given.

✓ **Animal Shelter Advisory Board - Councilmember Olsen**

Councilmember Olsen reported that the Board established April 13 as the date for the next pet fair. Deputy Chief Les Hawkins has submitted the ordinance combining the Animal Control and Animal Shelter Board to the City Attorney. The newly combined Board will meet every other month, starting next year on Wednesday, January 9. There has also been work on more formal literature for a foster program.

✓ **Beautification Commission – Councilmember Turner**

No report was given.

✓ **Community Affairs Commission - Councilmember Boyter**

Councilmember Boyter reminded everybody about the Shop Bedford First program.

✓ **Cultural Commission - Councilmember Nolan**

Councilmember Nolan reported that the Commission is still in the process of putting together a report to bring to Council.

✓ **Library Board – Councilmember Brown**

Councilmember Brown reported that the Board moved their regular month meeting to tomorrow at 7:00 p.m.

✓ **Parks & Recreation Board - Councilmember Davisson**

Councilmember Davisson reported that the Board is still working with Oncor and HEB ISD to come up with a presentation to council regarding the dog park. Their next meeting is December 6.

✓ **Senior Citizen Advisory Board - Councilmember Turner**

No report was given.

✓ **Teen Court Advisory Board - Councilmember Olsen**

Councilmember Olsen reported that the next Board meeting is December 6 at 6:00 p.m.

11. Council member reports

Mayor Griffin reported on a wonderful celebration that was held at the Community Garden pavilion. There was a good crowd with food trucks and a live band. 1,400 pounds of vegetables have been harvested to date for the Food Pantry. He reminded Council that they have a bed at the Garden.

12. City Manager/Staff Reports

City Manager Beverly Griffith reminded everybody that City offices will be closed on Thanksgiving Day and Friday, November 23. The Christmas Tree Lighting will be held on Friday, November 30, starting at the Library from 4:00 p.m. to 6:00 p.m. and then moving over to the Old Bedford School at 6:00 p.m.

13. Take any action necessary as a result of the Executive Session

No action was necessary as a result of the Executive Session.

ADJOURNMENT

Mayor Griffin adjourned the meeting at 9:11 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary



Council Agenda Background

PRESENTER: David Miller, Deputy City Manager
Russell Hines, Building Official

DATE: 11/27/12

Council Mission Area: Be responsive to the needs of the community.

ITEM:

Consider an ordinance amending Chapter 22. "Building and Building Regulations", Article XIII. "Fences", Section 22-554. "Definitions", Section 22-558. "Maintenance", and Section 22-559. "Construction Prohibited", of the City of Bedford Code of Ordinances; providing a savings clause; providing a severability clause; and providing an effective date. (Continued from the October 23, 2012 meeting)

City Attorney Review: Yes

City Manager Review: _____

DISCUSSION:

This item was continued from the October 23, 2012 Council meeting.

At the September 20, 2012 City Council Work Session, Staff was given direction to address masonry fences in the Fence Ordinance to ensure that a masonry fence is repaired or replaced with like materials. Also, the definition of a "thoroughfare" is added to clarify the requirement of the installation and maintenance of a wood fence adjacent to a thoroughfare or a swimming pool. Finally, parallel fences have been identified to maintain a minimum distance between fences. The following is a summary of the proposed changes:

Thoroughfare - Any public or private street within the corporate limits of the City.

Section 22-558. MAINTENANCE

Fences facing a thoroughfare or enclosing a swimming pool shall be adequately maintained by the owner(s) or person(s) in charge of the property. Fences shall not become dilapidated or deteriorated. Maintenance shall include but not be limited to the following:

A Fence facing a thoroughfare or enclosing a swimming pool is considered dilapidated if its pickets or structural members between vertical supports are substantially damaged, missing or rotted beyond repair; or if any portion of the fence is more than (15°) degrees off vertical alignment.

Masonry fences that require complete or partial replacement, damaged or in need of repair shall be replaced, repaired or reconstructed with the same or similar masonry materials and same or similar color of masonry materials provided the materials are still available and comply with the requirement for masonry fence construction.

Section 22-559. CONSTRUCTION PROHIBITED - No fence shall be built parallel to an existing fence with less than five (5) feet separation between fences.

RECOMMENDATION:

Staff recommends the following motion:

There is a work session item regarding possible relief from the masonry wall requirements in the City's Zoning Ordinance. Based on the outcome of the work session, staff may need to research any possible conflicts between these proposed amendments to the Fence Ordinance and any proposed changes to the masonry wall provisions in the City's zoning ordinance.

If Council elects to proceed with this ordinance as presented staff recommends the following motion:

Consider an ordinance amending Chapter 22. "Building and Building Regulations", Article XIII. "Fences", Section 22-554. "Definitions", Section 22-558. "Maintenance", and Section 22-559. "Construction Prohibited", of the City of Bedford Code of Ordinances; providing a savings clause; providing a severability clause; and providing an effective date.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Ordinance

ORDINANCE 12-

AN ORDINANCE AMENDING CHAPTER 22. "BUILDING AND BUILDING REGULATIONS", ARTICLE XIII. "FENCES", SECTION 22-554. "DEFINITIONS", SECTION 22-558. "MAINTENANCE", AND SECTION 22-559. "CONSTRUCTION PROHIBITED", OF THE CITY OF BEDFORD CODE OF ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City Council of Bedford, Texas deems it necessary, in order to provide for the health, safety, and general welfare of the residents of the City of Bedford, to establish the provisions of this ordinance regarding the regulation of Fences as authorized by the State of Texas; and,

WHEREAS, the City Council of Bedford, Texas has established regulations for fences, in *Chapter 22, Building and Building Regulations, Article XIII-Fences, of the Code of Ordinances*, as amended; and,

WHEREAS, the City Council of Bedford, Texas has determined that revisions are necessary to this Fence ordinance and has noticed, according to the requirements of public meetings by State Law, the proposed amendments; and,

WHEREAS, the City Council of Bedford, Texas has, after thoughtful deliberation, voted to approve these Fence ordinance amendments.

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

SECTION 1. That *Chapter 22, Building and Building Regulations, Article XIII-Fences, of the Code of Ordinances*, being the fence ordinance of the City of Bedford is hereby amended to read in its entirety as follows:

Sec 22-551. - Adoption, fences.

There is hereby adopted by the city the fences ordinance, to provide standards regulating the erection, construction, enlargement, alteration, repair, conversion, use or maintenance of fences in the city; providing for the issuance of permits and the collection of fees thereof and inspections by the office of the building official.

Sec. 22-552. - Short title.

This article shall be known and may be cited as "Fences."

Sec. 22-553. - Applicability.

These regulations shall apply to all land within the city. These standards shall be for the purpose of regulating free standing fences. Excluding maintenance, these standards shall not apply to fences that receive specific approval in the form of a specific use permit, planned development or approved variance. Fences constructed prior to the adoption date of the city's "fences" ordinance [this article] shall comply with the "maintenance" provisions of this article.

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Sec. 22-554. - Definitions.

For the purposes of this article, certain words used herein are defined as follows:

Fence: A barrier erected upon, or immediately adjacent to, a property line for the purpose of separating properties, enclosing or protecting the property within its perimeter. Construction site barriers and landscape treatments shall not be classified as a fence.

Height: The distance measured from the existing grade of adjoining properties to the top of the tallest structural member of the fence.

Masonry: Masonry construction shall include brick, decorative block, split face stone construction, natural stone, stucco, or other material approved for the primary purpose of masonry fence construction; but shall not include concrete masonry unit (CMU) blocks.

Permanent: To remain without essential change; not expected to change in status, condition, or place.

Temporary: Used for a limited time.

Thoroughfare- Any public or private street within the corporate limits of the City.

Yard: Front yard, rear yard, and side yard as defined in the city's zoning ordinance.

Sec. 22-555. - Construction permit required.

It shall be unlawful for any person to erect or have erected a new fence, or any part of a fence in excess of 50 percent per elevation side in the city without first obtaining a construction permit.

Sec. 22-556. - Encroachment on public property.

No fence, guy wires, braces or any post of such fence shall be constructed upon or caused to protrude over property that the city or the general public has dominion and control over, owns, or has an easement except upon utility easements which are permitted to be fenced.

Sec. 22-557. - Height and construction requirements.

- (a) Fences are permitted in any required side or rear yard. No fence shall be erected, constructed, or reconstructed to a height of more than eight feet above the adjoining ground level of the subject property.
- (b) Fences shall be installed to provide sufficient clearance from the bottom of the fence to the ground to prevent rotting and allow proper drainage.
- (c) Materials permitted are wood, masonry, chain link, wrought iron, galvanized steel pipe, vinyl or other materials designed for the primary purpose of fence construction unless otherwise regulated or prohibited by the comprehensive zoning ordinance.
- (d) All structural members shall be designed to prevent rust, corrosion and rotting or be of a material that is impervious to rust, corrosion, rotting or deterioration from the elements.
- (e) Fences facing a thoroughfare shall be constructed with the smooth finished surface facing outward from the property facing the thoroughfare. Any posts or support beams shall be inside the finished surface or designed to be an integral part of the finished surface.

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- (f) Masonry fences and columns shall be designed for construction by a registered engineer.**
- (g) All new wood fences must use metal post set in concrete as approved by the building official. Alternative fence post materials for fences such as vinyl, masonry or post and rail fences may be approved by the building official.**
- (h) Wooden fences shall be constructed using the minimum following criteria:**
 - (1) Vertical posts shall be 2³/₈-inch minimum outside diameter, standard pipe gauge galvanized steel. Vertical posts shall be spaced at no greater than eight feet on center, set in 18-inch deep concrete footings.**
 - (2) Vertical slats shall be nailed to three horizontal bracing stringers (bottom, middle, and top nailer boards) running from vertical post to post. The size of the stringers shall be not less than two-inch by three-inch nominal size and shall be secured to steel posts with non-corrosive metal anchor straps and non-corrosive bolts or screws.**
 - (3) Materials shall be securely fastened, vertical boards to horizontal stringers, stringers to vertical posts, to ensure an ongoing attractive appearance and safe condition, free from rot, rust, vandalism, and other sources of decay.**
 - (4) Fences shall be treated lumber or treated with weather-resistant material to prevent pre-mature deterioration.**

Sec. 22-558. - Maintenance.

Fences facing a thoroughfare or enclosing a swimming pool shall be adequately maintained by the owner(s) or person(s) in charge of the property. Fences shall not become dilapidated or deteriorated. Maintenance shall include but not be limited to the following:

- (1) A Fence facing a thoroughfare or enclosing a swimming pool is considered dilapidated if its pickets or structural members between vertical supports are substantially damaged, missing or rotted beyond repair; or if any portion of the fence is more than (15°) degrees off vertical alignment.**
- (2) All damaged, removed or missing portions of a fence shall be replaced or repaired with like materials to the remaining portion of such fence.**
- (3) Masonry fences that require complete or partial replacement, damaged or in need of repair shall be replaced, repaired or reconstructed with the same or similar masonry materials and same or similar color of masonry materials provided the materials are still available and comply with the requirement for masonry fence construction.**
- (4) Fences shall not have murals, graffiti, advertising or other illegal signage.**

Sec. 22-559. - Construction prohibited.

- (a) No fence erected above ground on any property shall be electrically charged in any manner or form which includes but is not limited to fences electrically charged by battery or those tied in with an electrical outlet.**
- (b) Fences or any part of such fence shall not be constructed to impede ingress or egress of a stairway, entrance, or exit of a building.**
- (c) Fences shall not restrict access to fire hydrants or city utility reading devices.**

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- (d) Fences shall not be constructed of broken concrete stacked in piles or rows, razor ribbon, sheet/corrugated metal, fiberglass panels, plywood or other materials not manufactured or designed for the primary purpose of fence construction.
- (e) No fence shall be built parallel to an existing fence with less than five (5) feet separation between fences.

Sec. 22-560. - Temporary construction site fences.

- (a) *Construction sites.* Temporary construction site fences shall be permitted to enclose the complete project or a partial area. Fences under this section shall be erected in such position or placed so as to not be dangerous or detrimental to the health or safety of any person or obstruct the view so as to constitute a traffic hazard. Temporary construction fences shall be removed prior to occupancy of the facility.
- (b) *Swimming pool construction sites.* Temporary fencing not less than four feet in height shall be installed to provide a barrier for all unprotected portions of the pool capable of retaining water. A temporary fence shall not be used as the required permanent barrier for a swimming pool.

Sec. 22-561. - Swimming pool fences.

- (a) Regulations for private swimming pool fence construction shall be regulated by the currently adopted International Residential Code.
- (b) Private swimming pools shall have an approved fence not less than six feet in height at the perimeter of the property to enclose the pool.
- (c) Public and semiprivate swimming pools shall comply with the requirements of state law, including but not limited to Chapter 214 of the Texas Local Government Code, Chapter 757 of the Texas Health and Safety Code, and Chapter 341 of the Texas Administrative Code.

SECTION 2. That this Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

SECTION 3. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby declares it would have passed such remaining portion of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 4. This Ordinance shall take effect from and after its date of passage in accordance with law, and it is so ordained.

ORDINANCE 12-

PRESENTED AND PASSED on this 27th day of November 2012, by a vote of __ ayes, __ nays and __ abstentions at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney



Council Agenda Background

PRESENTER: Jacquelyn Reyff, Planning Manager

DATE: 11/27/12

Council Mission Area: Foster economic growth.

ITEM:

Public hearing and consider an ordinance to rezone a portion of property known as Lot 1, Block A, Bedford Plaza Addition, 2101 West Airport Freeway, Bedford, Texas; specifically for the operation of a restaurant (Chili's) from Planned Unit Development (PUD) to Heavy Commercial (H), Site Plan Approval, in the Central Business District Overlay. The property is generally located north of Airport Freeway and east of Central Drive. (Z-230)

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

The property is currently zoned as a Planned Unit Development (PUD) with a Central Business District Overlay. This PUD was established to provide for development of this restaurant and the other restaurants and businesses in this development. This property was previously utilized as a Bennigan's Restaurant.

Site Data

- The total site area is 56,849 SF.
- The building will have a footprint 6,090 SF or 10.71% of the total site area.
- The maximum allowable height is 35' and the new restaurant is proposed to be 25.5' high.
- All required setbacks meet the requirements of the City of Bedford Zoning Ordinance.

Parking and Ingress/Egress

The parking required per ordinance is one parking space per two and one-half seats. There will be 246 seats in the restaurant. Therefore, the number of required parking spaces is 98. The applicant is providing 103 parking spaces. The required number of handicapped parking spaces is five and the applicant is providing five.

There are three existing points of ingress and egress; one off of Airport Freeway, another off Bay Street, and a third point off Plaza Parkway. Those points will remain and be used for the new restaurant.

Landscaping and Lot Coverage

The site area of the project is 56,849 SF and of that, 27,450 SF, or 48% will be landscaped, which exceeds the zoning ordinance landscape requirement of 20%.

Front yard landscaping is required to have a minimum of 40%. In this proposal, the applicant will provide 82% or 9,363 SF.

Parking lot landscaping is required to be 10% or 3,891 SF. The applicant will be providing 11% or 4,451 SF.

There are currently 23 trees (255 caliper inches) on the tree preservation plan. The applicant is proposing to remove four trees (41 caliper inches) leaving 19 trees (214 caliper inches) on site.

Elevations

After discussion with staff regarding the elevations, the proposed elevations include the following materials:

- Stucco
- Brick
- Metal
- Stone
- Bronze light fixtures

The Central Business District does not have specific design standards, however with the opportunity of having a new restaurant in this corridor, staff worked with the applicant to represent the building in such a way that it will reflect the current trends in this corridor and in modern restaurant design.

Comprehensive Plan:

The Comprehensive Plan indicates the location of 2101 West Airport Freeway, to be commercial. Therefore, the use of a new restaurant would not conflict with the Comprehensive Plan.

The Planning and Zoning Commission recommended approval of this item at their October 25, 2012 meeting by a vote of 6-0-0 with no stipulations.

RECOMMENDATION:

Staff recommends the following motion:

An ordinance to rezone a portion of property known as Lot 1, Block A, Bedford Plaza Addition, 2101 West Airport Freeway, Bedford, Texas; specifically for the operation of a restaurant (Chili's) from Planned Unit Development (PUD) to Heavy Commercial (H), Site Plan Approval, in the Central Business District Overlay. The property is generally located north of Airport Freeway and east of Central Drive. (Z-230)

FISCAL IMPACT:

N/A

ATTACHMENTS:

Ordinance
October 25, 2012 Planning & Zoning Minutes
Zoning Change Application
Zoning Map of Referenced Property
Copy of Legal Description Published in Star Telegram
8 1/2 x 11 drawings
24x36 exhibits – separate Attachment

ORDINANCE NO. 12-

AN ORDINANCE TO REZONE THE PROPERTY KNOWN AS LOT 1, BLOCK A, BEDFORD PLAZA ADDITION, LOCATED AT 2101 WEST AIRPORT FREEWAY, BEDFORD, TEXAS, SPECIFICALLY FOR THE OPERATION OF A RESTAURANT (CHILI'S) FROM PLANNED UNIT DEVELOPMENT (PUD) TO HEAVY COMMERCIAL (H), SITE PLAN APPROVAL IN THE HIGHWAY CORRIDOR OVERLAY DISTRICT; DECLARING THAT THIS ORDINANCE BE CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND DECLARING AN EFFECTIVE DATE. (Z-230)

WHEREAS, it is deemed expedient and for the benefit of the City of Bedford, Texas, that the Comprehensive Zoning Ordinance be amended to rezone the property at 2101 West Airport Freeway for the operation of a restaurant (Chili's) from Planned Unit Development (PUD) to Heavy Commercial (H) and Site Plan approval in the Central Business District Overlay. The property is generally located north of Airport Freeway and east of Central Drive. (Z-230)

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

SECTION 1. That Section 2 of the Zoning Ordinance be amended and the map designated "ZONING MAP-CITY OF BEDFORD, TEXAS" be revised and amended so that the land described as:

the property known as Lot 1, Block A, Bedford Plaza Addition, and is located at 2101 West Airport Freeway, Bedford, Texas, shall be shown as approved by this ordinance.

SECTION 2. That the Site Plan, Landscaping Plan, and Elevation Plan attached hereto as Exhibit "A", is approved as a component of this zoning change approval. Any revisions to the property that deviate from the Site Plan attached hereto shall require an amendment to this ordinance.

SECTION 3. That approval of this rezoning is subject to no stipulations.

SECTION 4. That from and after the final passage of this ordinance, the land described herein shall be subject to the regulations and uses of Heavy Commercial/Site Plan Approval in the Central Business District Overlay.

SECTION 5. That this ordinance shall be cumulative of all provisions of other ordinances of the City of Bedford, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting revisions of such ordinances are hereby repealed.

SECTION 6. That it is hereby declared the intention of the City Council of the City of Bedford, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity 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 7. That any person, organization, corporation, partnership or entity that violates, disobeys, omits, neglects or fails to comply with the provisions of this ordinance shall be fined not more than two thousand dollars (\$2,000.00) for each offense or violation. Each day that an offense or violation occurs shall constitute a separate offense.

ORDINANCE NO. 12-

PRESENTED AND PASSED this 27th day of November, 2012 by a vote of _ ayes, _ nays and _ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF OCTOBER 25, 2012**

APPROVED

CALL TO ORDER

Chairman Stroope called the meeting to order at 7:00 p.m.

INVOCATION

Vice Chairman Reese gave the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

APPROVAL OF MINUTES

1. Consider approval of the following Planning and Zoning Commission meeting minutes:

a) October 11, 2012

Motion: Commissioner Carlson made a motion to approve the meeting minutes of October 11, 2012, correct as written.

Commissioner Sinisi seconded the motion and the vote was as follows:

Ayes: Commissioners Carlson, Sinisi, Vice Chairman Reese, Chairman Stroope

Nays: None

Abstention: Commissioners Henning, Pierson

Chairman Stroope declared the motion approved.

PUBLIC HEARING

2. Zoning Case Z-230 for a public hearing and to consider a request to rezone the property known as Lot 1, Block A, Bedford Plaza Addition for a Chili's Restaurant. The property is located at 2101 West Airport Freeway, Bedford, Texas. The proposed rezoning is from Planned Unit Development to Heavy Commercial in the Central Business District. The property is generally located north of Airport Freeway and east Central Drive.



Chairman Stroope recognized Jacquelyn Reyff, AICP, Planning Manager who reviewed Zoning Case Z-230.

Chairman Stroope recognized Josh Millsap, 5310 Harvest Hill Road, Dallas, Texas, and Kimberly Willford, 6820 LBJ Freeway, Dallas, Texas, who were there to present this Zoning Case on behalf of Brinker International.

Chairman Stroope opened the public hearing at 7:10 p.m. and there being no one to speak, closed the public hearing at 7:10 p.m.

The Commission discussed the application.

**PLANNING AND ZONING COMMISSION
MEETING MINUTES OF OCTOBER 25, 2012**

APPROVED

Motion: Commissioner Henning made a motion to approve Zoning Case Z-230 as presented.

Commissioner Sinisi seconded the motion and the vote was as follows:

Motion approved 6-0-0. Chairman Stroope declared the motion approved.

NEW BUSINESS

Commissioner Henning made a motion for the Planning and Zoning Commission to officially cancel their November 22, 2012, and December 27, 2012, meetings. Commissioner Sinisi seconded the motion and the motion passed 6-0-0. This item was not posted on the October 25, 2012 Agenda but is scheduled to be placed on the November 8, 2012 Agenda.

ADJOURNMENT

Chairman Stroope adjourned the Planning and Zoning meeting at 7:12 p.m.

**Chairman Stroope
Planning and Zoning Commission**

ATTEST:

Yolanda Alonso, Planning and Zoning Secretary

**City of Bedford
Change of Zoning Application**

Applicant Name (Print): Kimberly Williford (*Signature): Kimberly Williford

Address: Brinker International - 6820 LBJ Freeway, Dallas, TX 75240

Telephone number: 972-770-8923 Fax number: 972-628-8724

I, the undersigned owner, or _____ (*Option Holder, etc.*) of the following described real property located in the City of Bedford, Texas, hereby make application for a change of zoning classification:

From: PUD To: Heavy Commercial

as provided in the City of Bedford Zoning Ordinance. I hereby certify that there are no existing dwellings or other buildings located on the property which would not conform to the construction standards, of the zoning classification being proposed, except as provided in Section 2.3, Nonconforming Lots, Nonconforming Uses of Land, Nonconforming Structures & Nonconforming Uses of Structures & Premises of the City of Bedford Zoning Ordinance.

Legal Description: Lot 1 Block A Addition Bedford Plaza
Tract _____ Abstract No. 71 Survey Thomas Beedy to the City of Bedford, Texas
Street Address 2101 West Airport Freeway, Bedford, TX

Fee: (\$150.00 plus \$75.00 per acre over one.) \$150.00 + \$75.00 x 2 = \$300
Payable by cash, Visa, MasterCard, or check made out to the City of Bedford (# of acres) (total fee)

Property Owner (if not applicant): (*Signature)

(Print name)
Ernest Pekmezaris

(Company name)
Pappas Restaurants, Inc.

(Street Address, City, State & Zip Code)
13939 Northwest Freeway, Houston, TX 77040

(Telephone number) (FAX number)
713-869-0151 713-863-0523

Land Planner/Engineer/Surveyor: (*Signature)

(Print Name)
Joshua Millsap, PE

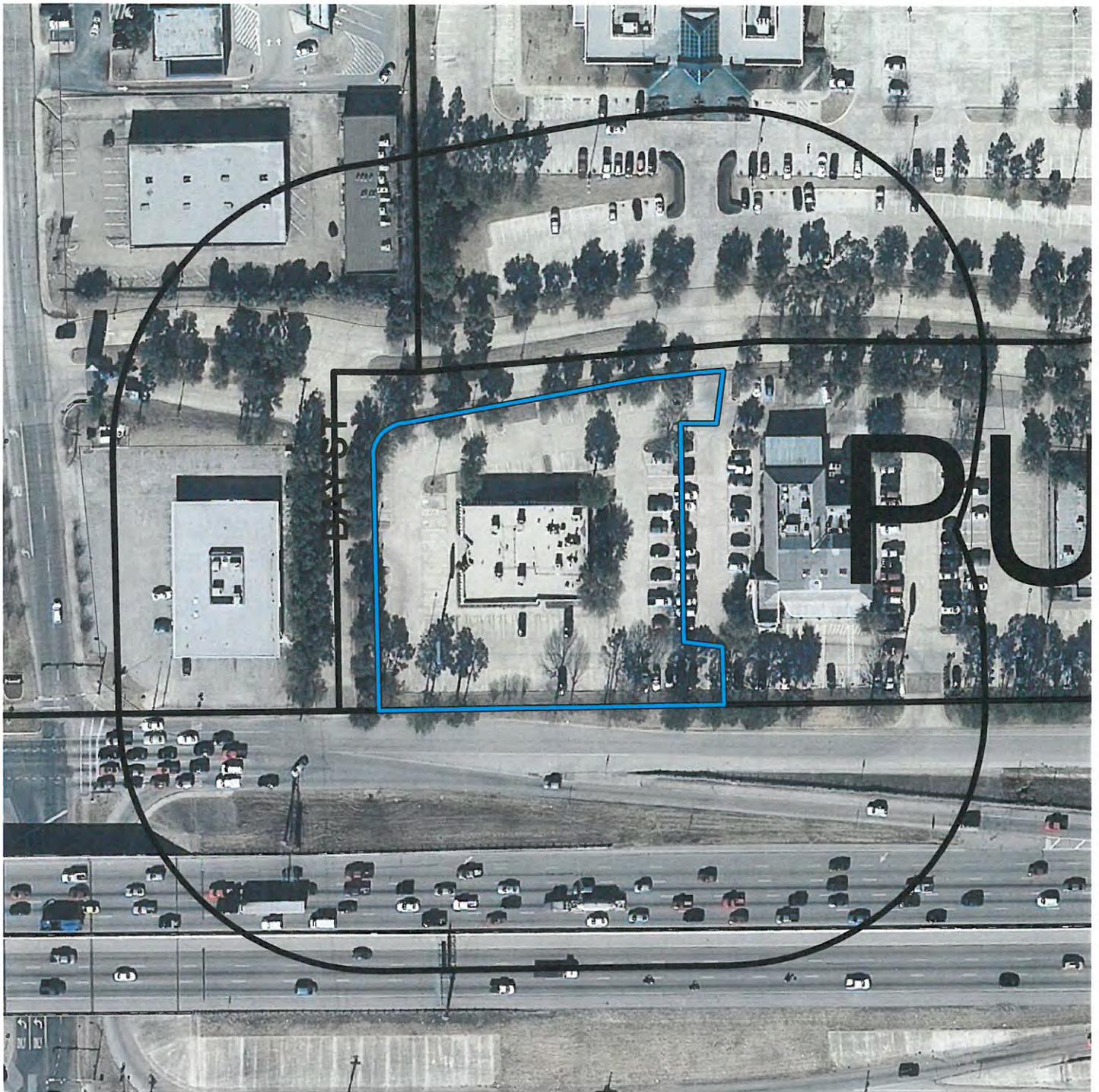
(Company Name)
Bury+Partners

(Street Address, City, State & Zip Code)
5310 Harvest Hill, Suite 100, Dallas, TX 75230

(Telephone number) (FAX number)
972-991-0011 972-991-0278

***Signatures certify that all information provided is true and correct.**

(Please indicate sole contact for the City purposes with an arrow "⇒".)



Hearing Date: 10-25-12 Z-230

**Address: 2101 Airport Freeway
Bedford, Texas 76021**

**Legal Description: Lot 1, Block A
Bedford Plaza Addition**

City of Bedford, Texas



-  Parcel Boundary
-  Subject Parcel and Buffer

DISCLAIMER
The City of Bedford makes no representation or warranty as to the accuracy of this map and its information or to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further agrees to not hold the City of Bedford liable from any damage, loss, or liability arising from any use of the map product. Independent verification of all information contained on this map should be obtained by the end user.

Current Site Conditions

Current View of Site



View southeast

Zoning Sign Posted



View east



CITY OF
BEDFORD

Discover the Center

October 26, 2012

PLEASE DELIVER TO:

Legal Publications
Attn: Christine Lopez
Fort Worth Star-Telegram
400 West 7th Street
Fort Worth, TX 76102

SENT VIA E-MAIL: clopez@star-telegram.com on Friday, October 26, 2012

FROM:

City of Bedford
Yolanda Alonso, Planning and Zoning

Dear Christine,

Please publish the following in "Legal Notices" Tuesday, October 30, 2012.

MESSAGE:

CITY OF BEDFORD
PUBLIC HEARING

The City of Bedford City Council will hold a Public Hearing on the following zoning item on Tuesday, November 27, 2012 at 6:30 PM, at City Hall, Council Chamber, 2000 Forest Ridge Drive, Building A, Bedford, Texas:

Public hearing and consider an ordinance to rezone the property known as Lot 1, Block A, Bedford Plaza Addition, for a Chili's Restaurant. The property is located at 2101 West Airport Freeway, Bedford, Texas. The proposed rezoning is from Planned Unit Development to Heavy Commercial in the Central Business District. The property is generally located north of Airport Freeway and east Central Drive. (Z-230)

Yolanda Alonso
Planning and Zoning



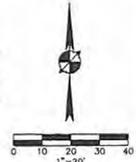
SITE PLAN

**CHILIS
 LOT 1R, BLOCK A
 BEDFORD PLAZA ADDITION
 BEDFORD, TEXAS**

Scale: 1" = 20'
 Date: 11/13/12
 Designed By: BPN
 Drawn By: BPN
 Checked By: BPN
 Title: CHILIS LOT 1R, BLOCK A, BEDFORD PLAZA ADDITION
 Project No.: RST0004-0005

SHEET
C003

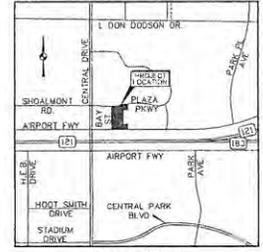
CAUTION!!
 CONTRACTOR IS TO CONTACT TEXAS ONE-CALL SYSTEM (1-800-248-4343) OR OTHER UTILITY LOCATING SERVICES AT LEAST 48 HOURS PRIOR TO CONSTRUCTION ACTIVITIES. BURY + PARTNERS IS NOT RESPONSIBLE FOR KNOWING ALL EXISTING UTILITIES IN THE PROJECT AREA NOR FOR DETERMINING THE EXACT LOCATION OF UTILITIES ON THESE DRAWINGS.



ALL DIMENSIONS SHOWN ARE TO FACE OF CURB UNLESS OTHERWISE NOTED

GENERAL NOTES - SITE PLAN

- GENERAL CONSTRUCTION NOTES: REFER TO SHEET C002 "GENERAL CONSTRUCTION NOTES, LEGEND AND ABBREVIATIONS" FOR THE GENERAL CONSTRUCTION NOTES FOR THE PROJECT.
- SURVEYING: ALL SURVEYING REQUIRED FOR CONSTRUCTION STAKING SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE DEVELOPER SHALL PROVIDE THE PROPERTY CORNERS AND TWO BENCHMARKS FOR USE AS HORIZONTAL AND VERTICAL DATUM. THE CONTRACTOR SHALL EMPLOY A REGISTERED PROFESSIONAL LAND SURVEYOR TO PERFORM ALL ADDITIONAL SURVEY LAYOUT AND MEASUREMENT WORK NECESSARY FOR THE COMPLETION OF THE PROJECT.
- PROTECTION OF PROPERTY CORNERS AND BENCHMARKS: THE CONTRACTOR SHALL PROTECT ALL PROPERTY CORNER MARKERS AND BENCHMARKS, AND WHEN ANY SUCH MARKERS OR BENCHMARKS ARE IN DANGER OF BEING DISTURBED, THEY SHALL BE PROPERLY REFERENCED AND IF DISTURBED, SHALL BE RESET BY A REGISTERED PROFESSIONAL LAND SURVEYOR AT THE EXPENSE OF THE CONTRACTOR.
- DIMENSIONAL CONTROL: ALL PAVING DIMENSIONS AND COORDINATES SHOWN ARE TO FACE OF CURB WHERE APPLICABLE. ALL DIMENSIONS SHOWN AT PI CURB POINTS ARE AT THE INTERSECTION OF THE FACE OF CURB.
- CURB RADIUS: ALL CURB RADIUS SHALL BE 3' TO FACE OF CURB UNLESS OTHERWISE NOTED.
- BUILDING DIMENSIONS: CONTRACTOR SHALL REFER TO BUILDING PLANS FOR ACTUAL BUILDING DIMENSIONS. THE DIMENSIONS AND CORNERS SHOWN ARE TO FACE OF OUTSIDE WALLS OF BUILDING.



SITE DATA	
LOT/BLOCK:	BEDFORD PLAZA LOT 1R, BLOCK A, 1.308 AC.
FURNISH ZONING:	RS-1 (RESIDENTIAL SINGLE-FAMILY)
PROPOSED ZONING:	PL-1 (COMMERCIAL, LIGHT)
PROPOSED USE:	CHILIS RESTAURANT
TOTAL BUILDING FOOTPRINT:	6,087 SQ. FT.
NET BUILDING AREA:	4,000 SQ. FT.
MAX. BUILDING HEIGHT:	20' - 11 1/2'
LOT COVERAGE:	16.7%
FLOOR AREA RATIO:	0.171
PARKING REQUIRED:	11 SPACES (2 SEATS)
PARKING PROVIDED:	300 SEATS / 240 SPACES
HANDICAP PARKING REQUIRED:	4 SPACES (1 VAN)
HANDICAP PARKING PROVIDED:	2 SPACES (2 VANS)
SF OF IMPROVED SURFACE:	47,531 SQ. FT.

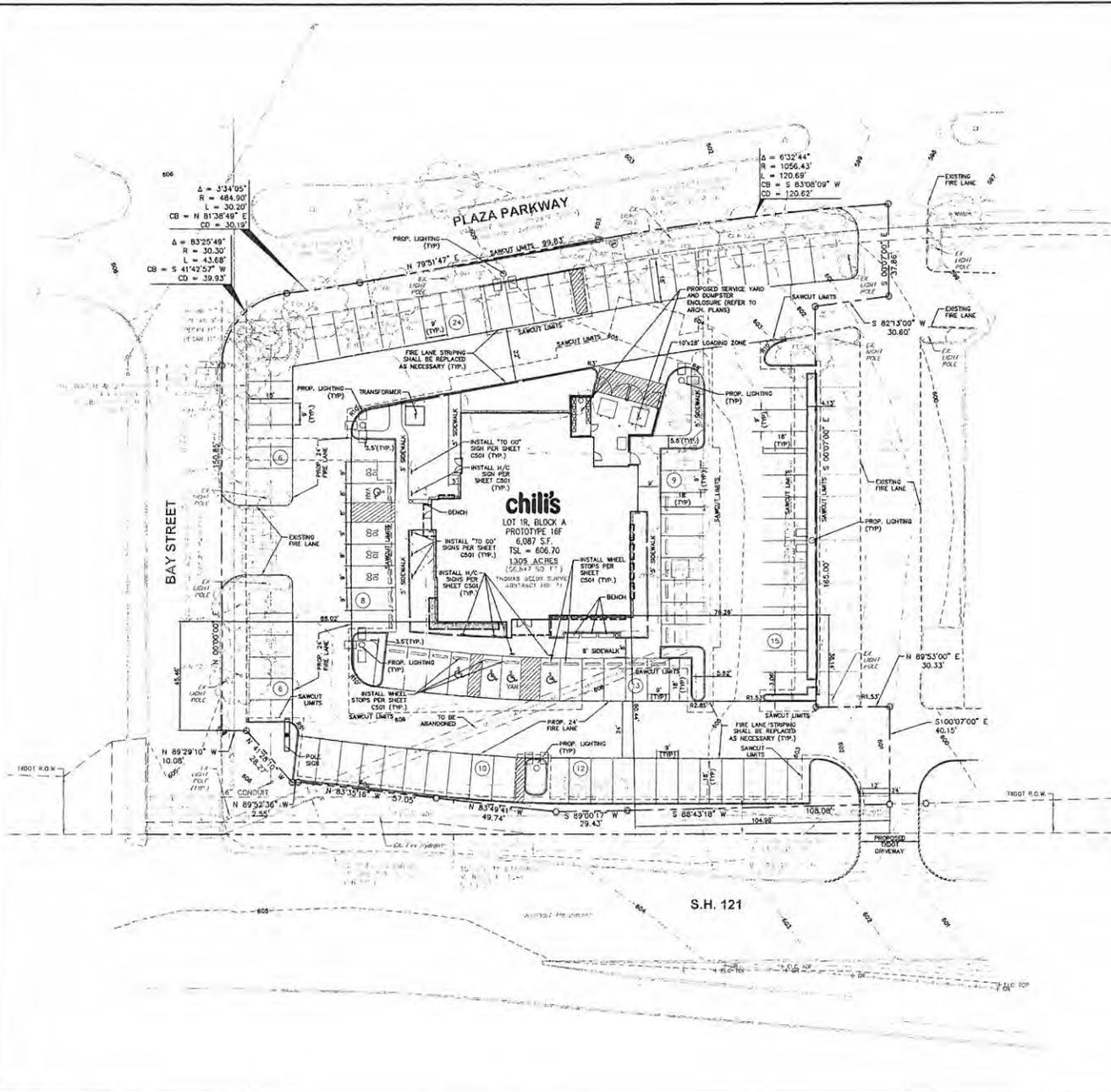
CONTRACTORS:
 BURY + PARTNERS-OFW, INC.
 5310 HARVEST HILL ROAD
 SUITE 100
 DALLAS, TEXAS 75240
 PH: (972) 981-0011
 FAX: (972) 981-0278
 CONTACT: JOSHUA HALL, P.E.

SURVEYOR:
 BURY + PARTNERS-OFW, INC.
 5310 HARVEST HILL ROAD
 SUITE 100
 DALLAS, TEXAS 75240
 PH: (972) 981-0011
 FAX: (972) 981-0278
 CONTACT: RANDY DE WERT, R.P.L.S.

ENGINEER:
 BURNER TEXAS, LP
 6820 LYNDON B. JOHNSON FWY
 DALLAS, TEXAS 75240
 PH: (972) 770-8823
 FX: (972) 668-8724
 CONTACT: KIMBERLY MILLFORD

SITE BENCHMARK:
 BEARS MONUMENT FOUND STAMPED "TEXAS DEPARTMENT OF TRANSPORTATION B.S.R. MARK NO. 10" ON TOP OF CURB ALONG THE EAST SIDE OF BAY STREET APPROXIMATELY 17' EAST FROM THE CENTERLINE OF BAY STREET, APPROXIMATELY 215' SOUTH FROM THE CENTERLINE OF PLAZA PARKWAY.
 ELEVATION = 805.37

REFERENCE BENCHMARK:
 SQUARE CUI POINT AT NORTH MEDIAN EDGE IN HOSPITAL PARKWAY @ B.S.R. DRIVE, REFERENCE CONSTRUCTION PLANS FOR THE SHOPS AT CENTRAL PARK PLANS PREPARED BY MADRID/MALLACE, INC. DATED 3/7/11.
 ELEVATION = 873.37

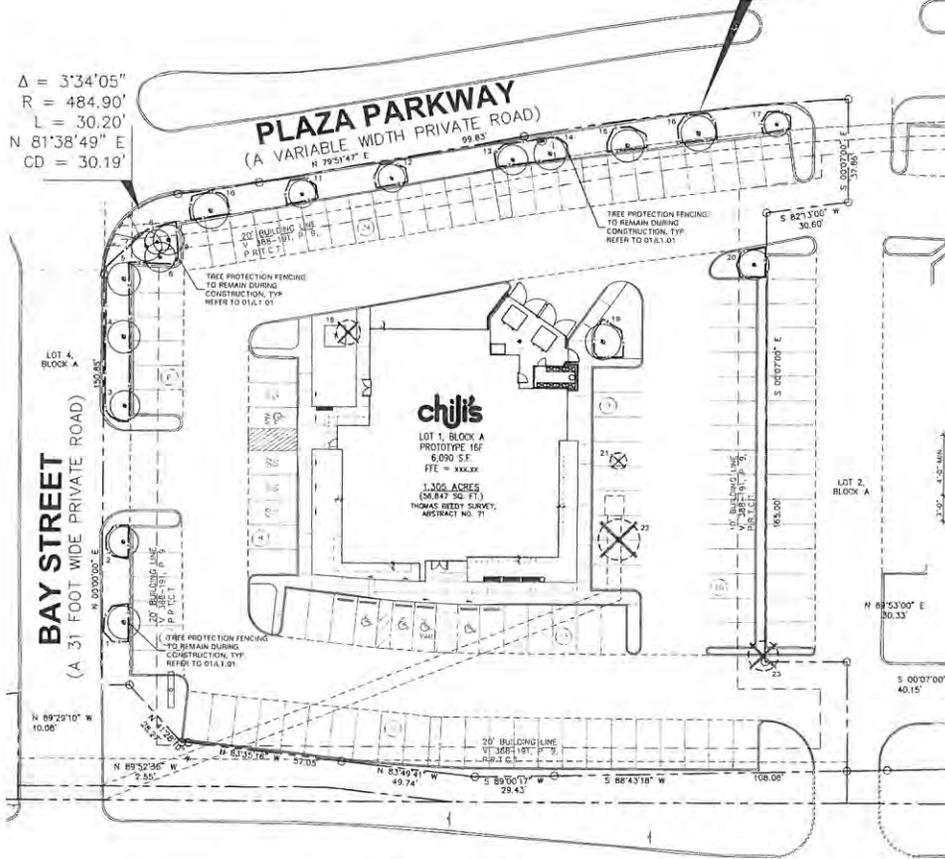


11-14-12A1051 RCVD

P&Z APPLICATION
Z-230
Received 9/26/12

$\Delta = 3'34.05"$
 $R = 484.90'$
 $L = 30.20'$
 $N 81'38'49" E$
 $CD = 30.19'$

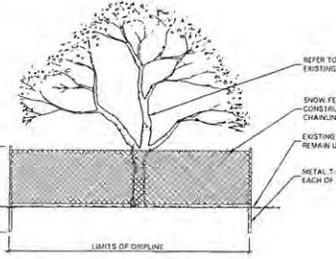
$\Delta = 6'32'44"$
 $R = 1056.43'$
 $L = 120.69'$
 $CB = S 83'08'09" W$
 $CD = 120.62'$



S.H. 121

TREE SURVEY FIELD DATA				
No.	Di.	Species	Status	Reason for Removal
1	12	OAK	TO REMAIN	
2	11	OAK	TO REMAIN	
3	11	OAK	TO REMAIN	
4	12	OAK	TO REMAIN	
5	12	OAK	TO REMAIN	
6	11	PECAN	TO REMAIN	
7	11	PECAN	TO REMAIN	
8	9	PECAN	TO REMAIN	
9	11	PECAN	TO REMAIN	
10	13	OAK	TO REMAIN	
11	10	OAK	TO REMAIN	
12	10	OAK	TO REMAIN	
13	11	OAK	TO REMAIN	
14	12	OAK	TO REMAIN	
15	12	OAK	TO REMAIN	
16	13	OAK	TO REMAIN	
17	9	OAK	TO REMAIN	
18	9	OAK	TO REMAIN	
19	13	PECAN	TO BE REMOVED	IN PATH OF PROPOSED UTILITIES
20	11	PECAN	TO REMAIN	
21	8	OAK	TO BE REMOVED	IN PROPOSED PARKING AREA
22	15	OAK	TO BE REMOVED	IN PROPOSED PARKING AREA
23	11	OAK	TO BE REMOVED	IN PROPOSED DRIVE (PINE LANE)

Total Caliper Inches on Site: 250
Total Caliper Inches Removed: 41
Total Caliper Inches Removed (in Buildable Area): 41
Total Caliper Inches Required for Replacements: 0



01 TREE PROTECTIVE FENCING NTC

- TREE PRESERVATION NOTES**
- EXISTING TREE TO REMAIN SHALL BE PROTECTED DURING CONSTRUCTION FROM TREE STRUCTURE DAMAGE AND COMPACTION OF SOIL UNDER AND AROUND DRIP LINE (CANOPY) OF TREE.
 - IF ANY ROOT STRUCTURE IS DAMAGED DURING ADJACENT EXCAVATION / CONSTRUCTION, NOTIFY OWNER'S AUTHORIZED REPRESENTATIVE IMMEDIATELY. IT IS RECOMMENDED THAT A LICENSED ARBORIST BE SECURED FOR THE TREATMENT OF ANY POSSIBLE TREE WOUNDS.
 - NO DISTURBANCE OF THE SOIL GREATER THAN 4" SHALL BE LOCATED CLOSER TO THE TREE TRUNK THAN 1/2 THE DISTANCE OF THE DRIP LINE TO THE TREE TRUNK. A MINIMUM OF 75% OF THE DRIP LINE AND ROOT ZONE SHALL BE PRESERVED AT NATURAL GRADE.
 - ANY FINE GRADING DONE WITHIN THE CRITICAL ROOT ZONES OF THE PROTECTED TREES MUST BE DONE WITH LIGHT MACHINERY SUCH AS A ROBEAT OR LIGHT TRACTOR. NO EARTH MOVING EQUIPMENT WITH TRACKS IS ALLOWED WITHIN THE CRITICAL ROOT ZONE OF THE TREES.
 - NO MATERIALS INTENDED FOR USE IN CONSTRUCTION OR WASTE MATERIALS ACCUMULATED DUE TO EXCAVATION OR DEMOLITION SHALL BE PLACED WITHIN THE LIMITS OF THE DRIP LINE OF ANY TREE.
 - NO EQUIPMENT MAY BE CLEANED OR TOXIC SOLUTIONS OR OTHER LIQUID CHEMICALS SHALL BE DEPOSITED WITHIN THE LIMITS OF THE DRIP LINE OF A TREE INCLUDING BUT NOT LIMITED TO: PAINT, OIL, SOLVENTS, ASPHALT, CONCRETE, MORTAR, PROPELLER, ETC.
 - NO SIGNS, WIRES OR OTHER ATTACHMENTS, OTHER THAN THOSE OF A PROTECTIVE NATURE, SHALL BE ATTACHED TO ANY TREE.
 - NO VEHICULAR / CONSTRUCTION EQUIPMENT TRAFFIC OR PARKING IS ALLOWED WITHIN THE LIMITS OF THE DRIP LINE OF TREES.
 - BORING OF UTILITIES MAY BE PERMITTED UNDER PROTECTED TREES IN CERTAIN CIRCUMSTANCES. THE MINIMUM LENGTH OF THE BORE SHALL BE THE WIDTH OF THE TREE'S CANOPY AND SHALL BE A MINIMUM DEPTH OF FORTY EIGHT (48) INCHES.
 - IRRIGATION TRENCHING WHICH MUST BE DONE WITHIN THE CRITICAL ROOT ZONE OF A TREE SHALL BE DUG BY HAND AND ENTER THE AREA IN A RADIAL MANNER.
 - ALL TREES TO BE REMOVED FROM THE SITE SHALL BE FLAGGED BY THE CONTRACTOR WITH BRIGHT RED VINYL TAPE 3" WIDE WRAPPED AROUND THE MAIN TRUNK AT A HEIGHT OF FOUR (4) FEET ABOVE GRADE. FLAGGING SHALL BE APPROVED BY OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO ANY TREE REMOVAL. CONTRACTOR SHALL CONTACT OWNER'S AUTHORIZED REPRESENTATIVE WITH 72 HOURS NOTICE TO SCHEDULE ON-SITE MEETING.
 - ALL TREES TO REMAIN, AS NOTED ON DRAWINGS, SHALL HAVE PROTECTIVE FENCING LOCATED AT THE TREE'S DRIP LINE. THE PROTECTIVE FENCING MAY BE COMPOSED OF SHOW FENCING, ORANGE VINYL CONSTRUCTION FENCING, CHAIN LINK FENCE OR OTHER SIMILAR FENCING WITH A FOUR (4) FOOT APPROXIMATE HEIGHT. THE PROTECTIVE FENCING SHALL BE LOCATED AS INDICATED ON THE TREE PROTECTION DETAIL.
 - WHEN A LOW HANGING LIMB IS BROKEN DURING THE COURSE OF CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY THE OWNER'S AUTHORIZED REPRESENTATIVE IMMEDIATELY. UNDER NO CIRCUMSTANCE SHALL THE CONTRACTOR PRUNE ANY PORTION OF THE DAMAGED TREE WITHOUT THE PRIOR APPROVAL BY THE OWNER'S AUTHORIZED REPRESENTATIVE.

- EXISTING TREE LEGEND**
- EXISTING TREE TO REMAIN
 - EXISTING TREE TO BE REMOVED
 - TREE PROTECTIVE FENCING TO REMAIN DURING CONSTRUCTION REFER TO DETAIL 01



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SUITE 100
DALLAS, TEXAS 75221
PROTOTYPE 16.0 DLP

chili's
DO NOT SCALE DRAWINGS
CONTRACTOR TO VERIFY
ALL EXISTING CONDITIONS AND
DIMENSIONS-NOTIFY ARCHITECT
IF ANY DISCREPANCIES PRIOR
TO BEGINNING CONSTRUCTION



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Dallas, Texas 75218
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NO REVISION

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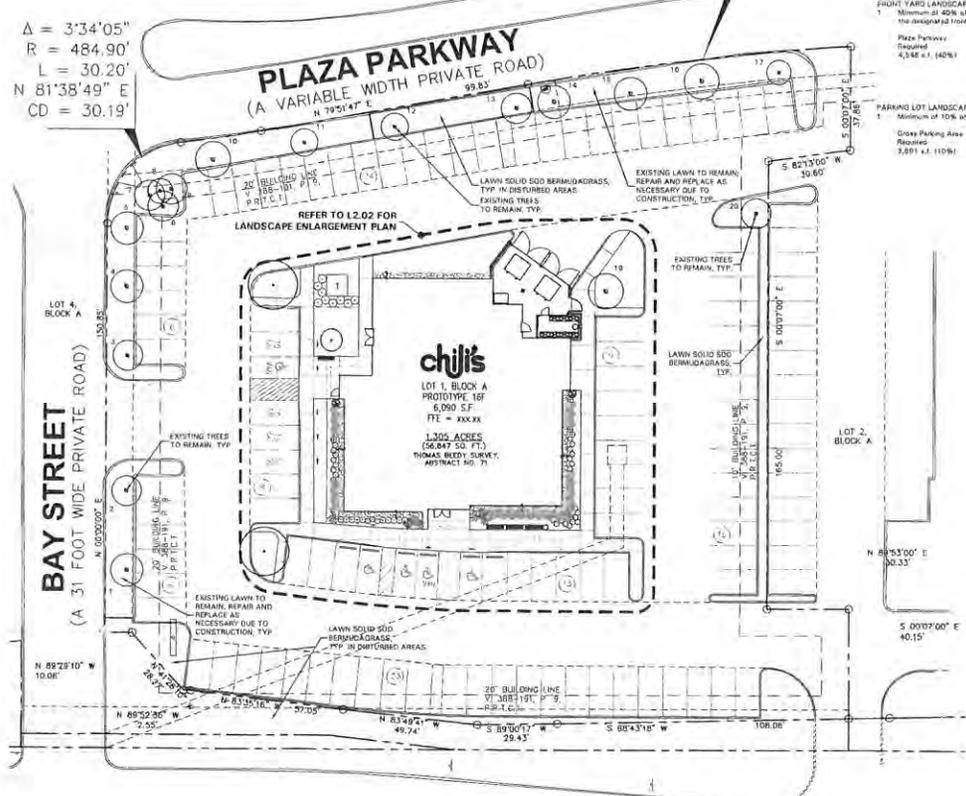
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S.H. 121

PLANT LIST

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY	SIZE	REMARKS
MAO	Magnolia grandifolia 'SO Sheen'	SO Sheen Magnolia	1	48 gal.	container grown, full to base, 8" in., 3" spread, matching
NO	Quercus shumardii	Shumard Red Oak	2	3" cal.	container grown, 12" in., 4" spread, 4" branching, matching
SHADE/SHOULDERCOVER					
AE	Azalea japonica 'Starlet'	Azalea 'Starlet'	28	5 gal.	container full, 20" spread, 24" h.c.
CEB	Cornus paniculata	White Red Cornus	10	1 gal.	container full, 24" spread, 24" cal., 24" h.c.
EL	Prunella laetevirens	English Laurel 'Oria Louisa'	8	7 gal.	container full, 36" h.c.
HI	Rhododendron obtusum 'Corymbosum' P.P. #15644	Indian Hawthorn 'Corymbosum'	47	1 gal.	container full, 20" spread, 24" cal.
JY	Panicum macrophyllum 'MM'	Shabby Japanese Yew	2	18 gal.	container full to base, 20" x 20" 60 h.c., 4" in
LR	Lonicera maackii 'Big Blue'	Lilac 'Big Blue'	286	1" pot	container full top of container, 12" h.c.
MBT	Malva sylvestris 'Queen's Choice'	Malva 'Queen's Choice'	3	7 gal.	container full to base, 24" h.c., 30" o.c.
MS	Quercus laevis	Scuppernon Oak	20	4" pot	container full, 12" o.c., selection by Owner; refer to notes
	Quercus laevis	Common Bursera			

NOTE: ALL TREES SHALL HAVE STRAIGHT TRUNKS AND BE MATCHED WITH VARIETIES PLANT LIST IN AN AID TO ROOTERS ONLY. CONTRACTOR SHALL VERIFY ALL QUANTITIES ON PLAN. ALL HEIGHTS AND SPREADS ARE MINIMUMS. ALL PLANT MATERIAL SHALL BE SET OR DIPPED REMARKS AS INDICATED.

LANDSCAPE TABULATIONS

LANDSCAPE TABULATIONS
Minimum of 20% of the total lot to be landscaped area.

Site Landscaping	Proposed
Site Area = 34,828 s.f. Required 71,370 s.f. (206%)	77,410 s.f. (188%) 8,050 s.f. landscape area 7,000 s.f. (18) existing trees, 5" cal. 400 s.f. per tree 400 s.f. (12) trees, 3" cal. @ 200 s.f. per tree 10,800 s.f. (108) 5-gal. shrubs @ 100 s.f. per shrub
Front Yard Landscaping	
Minimum of 40% of the total required landscape area to be located in the designated front yard.	
Price Per Square Foot Required 4,348 s.f. (140%)	Proposed 9,363 s.f. (25%) 3,783 s.f. landscape area 5,600 s.f. (144) existing trees, 6" cal. @ 400 s.f. per tree
Parking Lot Landscaping	
Minimum of 10% of the total parking area to be landscaped.	
Grass Parking Area = 26,905 s.f. Required 2,891 s.f. (10%)	Proposed 6,451 s.f. (11%) 2,021 s.f. landscape area 2,000 s.f. (10) existing trees, 6" cal. @ 400 s.f. per tree 400 s.f. (12) trees, 3" cal. @ 200 s.f. per tree

LANDSCAPE NOTES

- CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHER.
- CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
- CONTRACTOR SHALL PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
- CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
- ALL PLANTING BEDS AND LAWN AREAS SHALL BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS, OR CURBS. CUT STEEL EDGING AT 45 DEGREE ANGLE INSIDE IT. 1/4" x 1/4" x 1/4" GALV. STEEL.
- TOP OF MULCH SHALL BE 1/2" MINIMUM BELOW THE TOP OF WALKS AND CURBS.
- ALL LAWN AREAS SHALL BE SOLID SOD BERMUDAGRASS, UNLESS OTHERWISE NOTED ON THE DRAWING.
- ALL LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM WITH MAIN AND FEEDER LINES AND EMITTERS/TRANSPICRATION. ALL WEATHER-BASED CONTROLS AND SAFETY SYSTEMS SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL AND INSTALLED BY A LICENSED IRRIGATOR.
- CONTRACTOR SHALL PROVIDE BID PROPOSAL LISTING UNIT PRICES FOR ALL MATERIAL PROVIDED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.

MAINTENANCE NOTES

- THE OWNER, TENANT AND THEIR AGENT, IF ANY, SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPE.
- ALL LANDSCAPE SHALL BE MAINTAINED IN A NEAT AND CAREFUL MANNER AT ALL TIMES. THIS SHALL INCLUDE MOWING, EDGING, PRUNING, FERTILIZING, WATERING, WEEDING AND OTHER ACTIVITIES COMMON TO LANDSCAPE MAINTENANCE.
- ALL LANDSCAPE AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS AND OTHER SUCH MATERIAL OR PLANTS NOT PART OF THIS PLAN.
- ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR.
- ALL PLANT MATERIAL WHICH DIES SHALL BE REPLACED WITH PLANT MATERIAL OF EQUAL OR BETTER VALUE.
- CONTRACTOR SHALL PROVIDE SEPARATE BID PROPOSAL FOR ONE YEAR'S MAINTENANCE TO BEGIN AFTER FINAL ACCEPTANCE.

GENERAL LAWN NOTES

- CONTRACTOR SHALL COORDINATE OPERATIONS AND AVAILABILITY OF EXISTING TOPSOIL WITH ON-SITE CONSTRUCTION MANAGER.
- CONTRACTOR SHALL LEAVE LAWN AREAS 1" BELOW FINAL FINISHED GRADE PRIOR TO TOPSOIL INSTALLATION.
- CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED ON CIVIL PLANS. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDRING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
- ALL LAWN AREAS SHALL BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED AND FRESH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER ON LANDSCAPE ARCHITECT PRIOR TO LAWN INSTALLATION.
- CONTRACTOR SHALL REMOVE ALL ROCKS 3/4" DIAMETER AND LARGER, DRIFT CLODS, STICKS, CONCRETE SOILS, ETC. PRIOR TO PLACING TOPSOIL AND LAWN INSTALLATION.
- CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO, MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN A VEGETATIVE HEALTHY CONDITION.
- CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY IF NECESSARY.

SOLID SOD NOTES

- PLANT SOD BY HAND TO COVER INDICATED AREAS COMPLETELY. ENSURE EDGES OF SOD ARE TOUCHING. TOP PRESS JOINTS BY HAND WITH TOPSOIL TO FILL HOLES.
- ROLL GRADES AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE. FREE FROM UNNATURAL UNDULATIONS.
- WATER SOD THOROUGHLY AS SOD OPERATION PROGRESSES.
- IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MARCH 1, OVERSEED BERMUDAGRASS SOD WITH WINTER GRASSES, AT A RATE OF FOUR (4) POUNDS PER ONE THOUSAND (1000) SQUARE FEET.

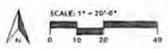
BRINKER INTERNATIONAL SPECIFICATIONS

- ALL WORK SHALL BE LAID OUT BY LANDSCAPE CONTRACTOR FOR THE OWNER'S APPROVAL PRIOR TO INSTALLATION. ALL MATERIAL SHALL BE SUBJECT TO APPROVAL.
- WRITTEN APPROVAL IS REQUIRED BY THE OWNER FOR ANY SUBSTITUTIONS OR CHANGES IN MATERIAL.
- LANDSCAPE CONTRACTOR TO PROVIDE DAILY CLEANUP AND MAINTENANCE THROUGH COMPLETION.
- THE LANDSCAPE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT ANY EXISTING BUILDINGS OR STRUCTURES ON THE SITE AND SHALL BE HELD RESPONSIBLE FOR ANY DAMAGE CAUSED BY HIS WORK.
- LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL LABOR FOR (12) TWELVE MONTHS AFTER ACCEPTANCE OF PROJECT FOR MATERIAL TENDER. READ OR NOT IN HEALTHY CONDITION. CONTRACTOR SHALL WATER ALL MATERIAL DURING PERIOD OF PROJECT.
- IT SHALL BE THE RESPONSIBILITY OF LANDSCAPE CONTRACTOR TO PREVENT PLANTS FROM FALLING OR BEING BLOWN OVER AND TO REINSTALL OR REPLACE ALL PLANTS WHICH ARE DAMAGED DUE TO LACK OF CURING OR STAKING. PLANTS BLOWN OVER BY WIND SHALL NOT CAUSE ADDITIONAL EXPENSE TO THE OWNER BUT SHALL BE THE FINANCIAL RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR.
- LANDSCAPE CONTRACTOR SHALL NOT BE RESPONSIBLE AT ANY TIME TO REPLACE OR HONOR ANY WARRANTY FOR THE HEALTHY GROWTH OF ANY PLANTS, FLOODED, FREEZING OR SOIL DUE TO FIRE, FLOODS, FREEZING TEMPERATURES, UNUSUAL WINDS IN EXCESS OF 50 MPH, OR ANY NATURAL DISASTER.
- UNLESS OTHERWISE SPECIFIED ON THESE PLANS, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FINE GRADING OF THE FINISHED AREAS. FINE GRADING SHALL COMPLY WITH THE FINAL 10 FOOT OF THE GRADE TO BE ACHIEVED.
- TOPSOIL MATERIAL, WHEN CALLED FOR ON THE PLANS, SHALL BE FREE OF HARD CLODS, STEEL CLAY, HARD PAN, STONES LARGER THAN 3/4" DIAMETER, DRIFT, WEEDS AND PLANTS. SOD, PARTIALLY DISENTERED, DEBRIS, INSECTS OR ANY OTHER UNDESIRABLE MATERIAL, PLANTS OR SEEDS THAT WOULD BE TOXIC OR HARMFUL TO PROPER GROWTH.
- THE LANDSCAPE CONTRACTOR SHALL BE ADVISED OF THE EXISTENCE OF UNDERGROUND UTILITIES ON THE SITE. THEIR EXACT LOCATION SHALL BE VERIFIED IN THE FIELD WITH THE OWNER OR THE GENERAL CONTRACTOR PRIOR TO THE COMMENCEMENT OF ANY DIGGING OPERATIONS. IN THE EVENT THEY ARE UNCOVERED, THE LANDSCAPE CONTRACTOR SHALL PROMPTLY NOTIFY THE OWNER. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGES TO UTILITIES AND SUCH DAMAGE SHALL NOT CAUSE ANY ADDITIONAL EXPENSE TO THE OWNER. ANY DAMAGE TO UNCOVERED LINES SHALL NOT BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR.
- LANDSCAPE CONTRACTOR SHALL PROVIDE PLANTED AND GUARANTEED UNIT PRICES FOR ALL WORK.
- PLANT LIST QUANTITIES ARE PROVIDED AS AN AID TO ROOTERS ONLY. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR VERIFICATIONS OF PLANT MATERIAL QUANTITIES ON PLAN. HEMIPHYLL PLANT CODES MADE BY THE LANDSCAPE CONTRACTOR SHALL BE NO CAUSE FOR ADDITIONAL EXPENSE TO THE OWNER.
- PLANTS SHOULD CONFORM TO THE AMERICAN ASSOCIATION OF HURSTBYMAN STANDARDS.
- THE LANDSCAPE CONTRACTOR SHALL VERIFY THE COMPLIANCE OF LANDSCAPE PLANS WITH THE CITY REQUIREMENTS.
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION WITH PHYSICAL BARRIERS AND MAINTENANCE OF EXISTING AND TRANSPLANTED TREES DURING CONSTRUCTION (WHERE APPLICABLE).
- THE LANDSCAPE CONTRACTOR SHALL ADJUST PLANTING AS NEEDED TO ALLOW FOR THE SCREENING OF PROPOSED ELECTRICAL TRANSFORMERS.
- THE LANDSCAPE CONTRACTOR SHALL COORDINATE PLACEMENT OF PLANT MATERIAL WITH THE SITE AND BUILDING LIGHTING LOCATIONS AS PER ARCHITECTURAL PLANS.
- LAWN AREAS TO BE SODDED SHALL BE BAKED FREE OF STONES AND DEBRIS. DEBRIS AND STONES OVER 3/4" DIAMETER SHALL BE REMOVED FROM THE SITE. ALL DAMAGED SOD WILL BE REJECTED. ALL SOD MUST BE PLACED WITH STAPLED JOINTS, TIGHTLY BUTTED, WITH NO UNEQUALITIES IN GRADE. PLACE ALL SOD IN ROWS AT RIGHT ANGLES TO SLOPES (WHERE APPLICABLE).

GENERAL NOTES

- PLANTING LAYOUT, BASED ON PROTOTYPE LANDSCAPE PLAN, IS TO BE PROVIDED BY BRINKER INTERNATIONAL DESIGN DEPARTMENT.
- FINAL LOCATION OF ALL PLANTING SHALL BE DETERMINED IN THE FIELD BY THE OWNER'S CONSTRUCTION MANAGER.
- ANY MODIFICATIONS TO PLANTING LAYOUT, PLANT MATERIALS, ETC. SHALL BE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER PRIOR TO EXECUTION.
- ALL AREAS TO BE IRRIGATED BY AN AUTOMATIC IRRIGATION SYSTEM WITH THE CLOCK. LANDSCAPE CONTRACTOR TO VERIFY AND ADJUST FOR ANY SITE VISIBILITY ANGLES.

LANDSCAPE PLAN



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1410 Cooper Parkway
Suite 300
Dallas Texas 75214
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2101 AIRPORT FREEMWAY
BEFORD, TX 76027
PROTOTYPE 16.0 PLP

Chili's
DO NOT SCALE DRAWINGS
CONTRACTOR TO VERIFY
ALL EXISTING CONDITIONS AND
DIMENSIONS-NOTIFY ARCHITECT
OF ANY DISCREPANCIES PRIOR
TO BEGINNING CONSTRUCTION

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803 Brookhollow Drive
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214-763-5274
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NO REVISION

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SHEET NUMBER

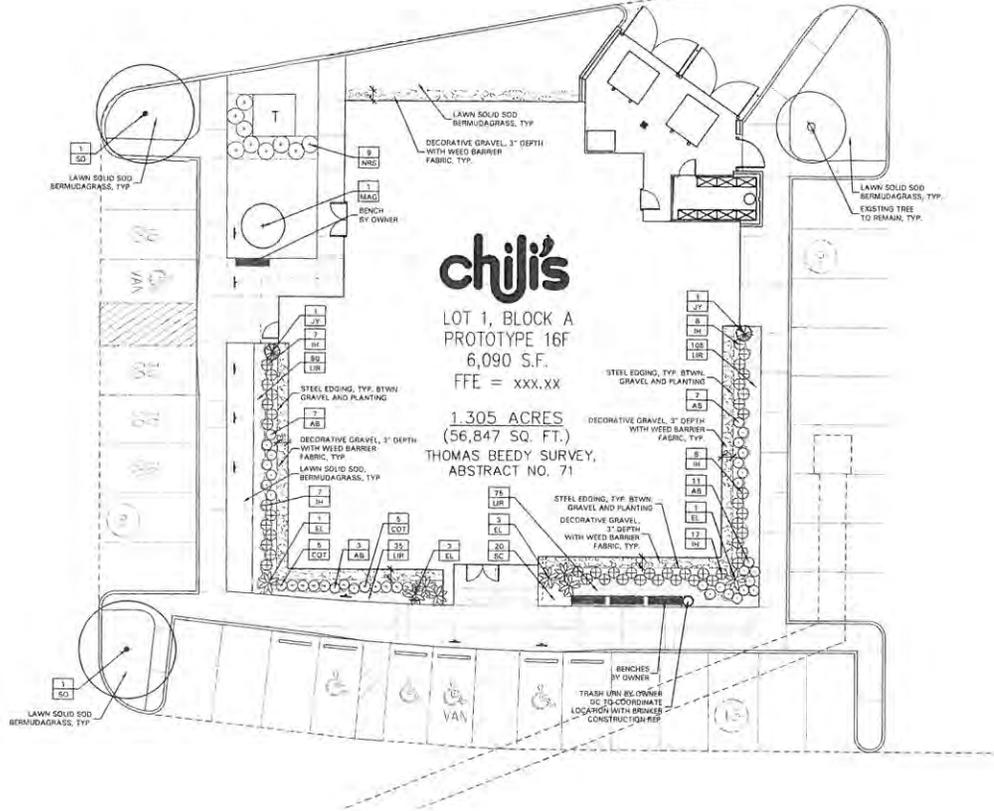
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DATE OF THIS PRINTING - 09-28-12

P&Z APPLICATION

Z-230

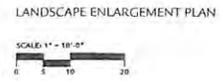
Received 9/26/12



PLANT LEGEND
 SYMBOL, COMMON NAME

MAO	OO Blanchard Magnolia
AB	Atala 'Caryan'
COZ	Gray Leaf Cocosmastic
EL	English Laurel 'Vito Luaven'
HI	Indian Hawthorn 'Showercap'
JY	Stivality Japanese Yew
LR	Likiep 'Big Blue'
MRS	Nutts #1 Stroman Holly
SC	Seasonal Color
SO	Shensard Red Oak

REFER TO L2.01 FOR PLANT LIST



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 1410 Dallas Parkway
 Suite 300
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 Ph: (972) 238-8884
 Fax: (972) 238-5064

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chili's

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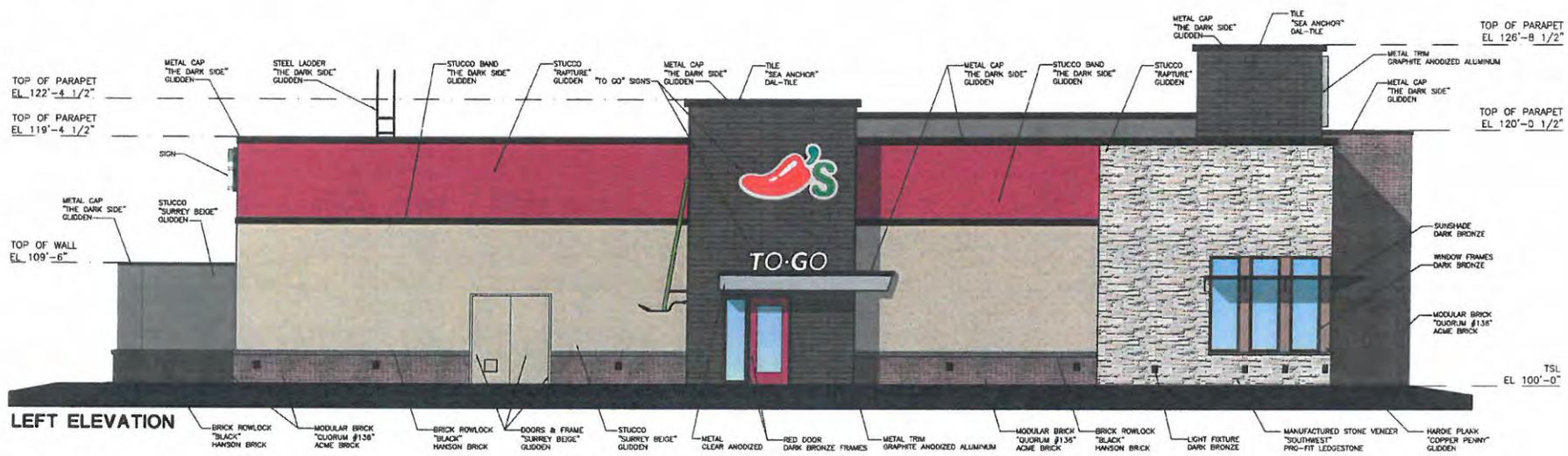
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FRONT ELEVATION



LEFT ELEVATION



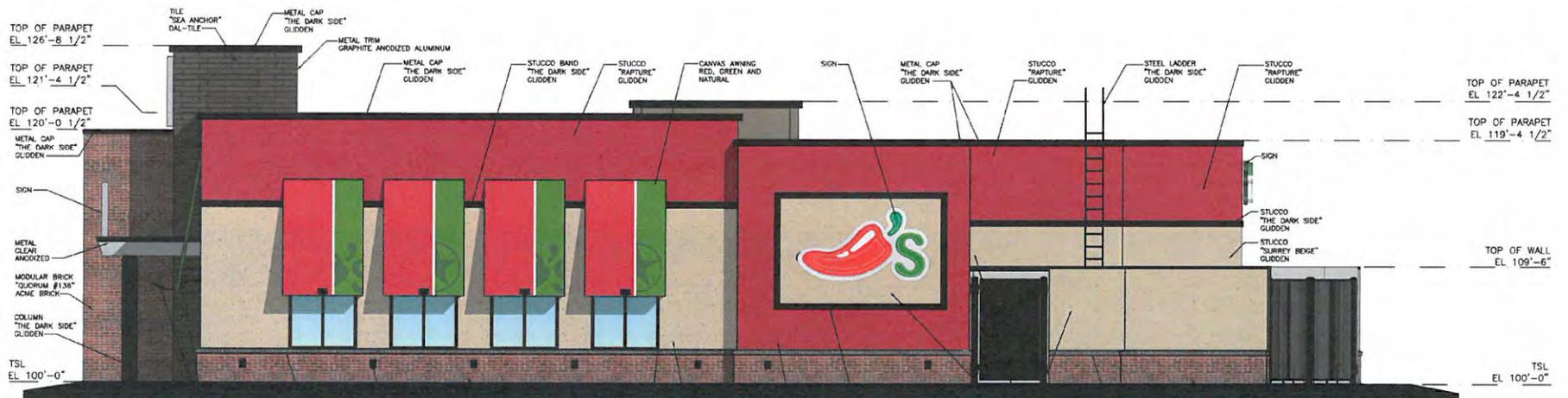
**EXTERIOR ELEVATIONS-BEDFORD, TX
PROTO 16.1 FLIP**



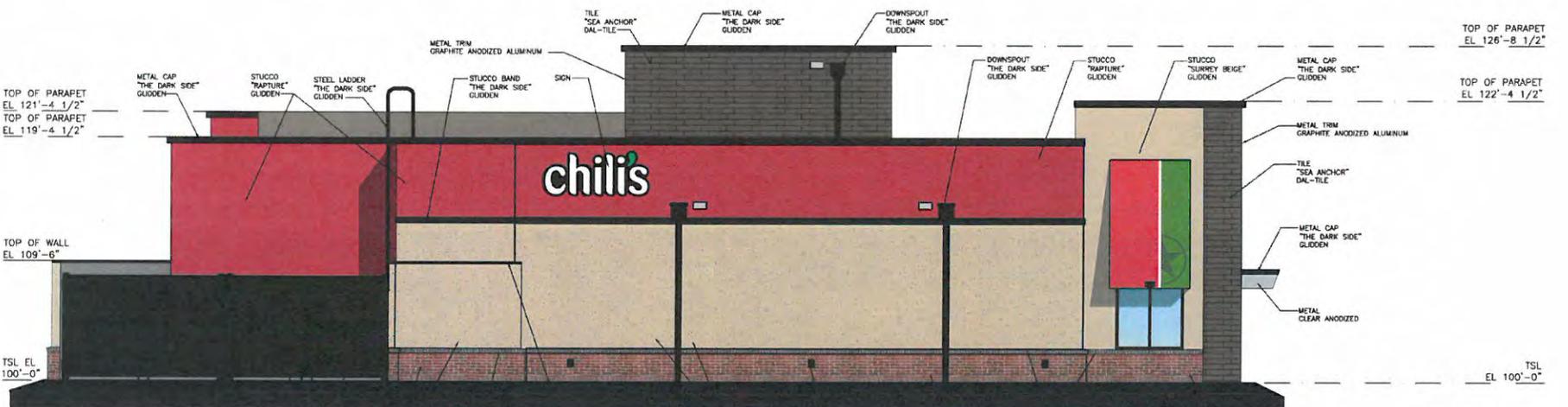
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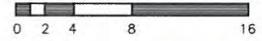
RIGHT ELEVATION



REAR ELEVATION



**EXTERIOR ELEVATIONS-BEDFORD, TX
PROTO 16.1 FLIP**



11.09.12 120454.001





Council Agenda Background

PRESENTER: Les Hawkins, Deputy Police Chief

DATE: 11/27/12

Council Mission Area: Be responsive to the needs of the community.

ITEM:

Consider a resolution authorizing the City Manager to purchase seven 2013 replacement patrol vehicles in the amount of \$191,696.89 through Holiday Chevrolet utilizing the Tarrant County Cooperative Contract.

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

On September 11, 2012, the Bedford City Council passed an ordinance adopting the FY 2012/13 Budget. Funds were allocated within the budget for the purchase of six replacement front line patrol vehicles and one replacement patrol corporal vehicle. All seven vehicles purchased will be police pursuit package Chevrolet Tahoes.

This year's fleet purchase is part of the Police Department's ten-year vehicle plan as outlined during the FY 2008/09 Budget Work Session. Current front line patrol vehicles are two years old and will be moved to the Department's "back line" fleet.

The Police Department will be purchasing the new patrol units through Holiday Chevrolet utilizing the Tarrant County Cooperative Contract No. 2012-151.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to purchase seven 2013 replacement patrol vehicles in the amount of \$191,696.89 through Holiday Chevrolet utilizing the Tarrant County Cooperative Contract.

FISCAL IMPACT:

The fiscal impact will be \$191,696.89, to be paid as follows:
\$140,000 – General Fund – Patrol Motor Vehicles
\$51,696.89 – Traffic Safety Fund

ATTACHMENTS:

Resolution
Holiday Chevrolet Estimate

RESOLUTION NO. 12-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE SEVEN 2013 REPLACEMENT PATROL VEHICLES IN THE AMOUNT OF \$191,696.89 THROUGH HOLIDAY CHEVROLET UTILIZING THE TARRANT COUNTY COOPERATIVE CONTRACT.

WHEREAS, the City Council of Bedford, Texas determines the necessity to replace seven patrol vehicles with funds approved in the FY 2012/13 budget; and,

WHEREAS, the City Council of Bedford, Texas determines that to meet public safety demands and reduce maintenance costs, seven existing front line police vehicles must be replaced; and,

WHEREAS, in order to obtain best pricing, the purchase of seven replacement police vehicles should be through the Tarrant County Cooperative Contract.

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

SECTION 1. That the City Manager is hereby authorized to purchase seven 2013 replacement patrol vehicles in the amount of \$191,696.89 through Holiday Chevrolet utilizing the Tarrant County Cooperative Contract.

PASSED AND APPROVED this 27th day of November 2012, by a vote of _ ayes, _ nays and _ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney



DEFENDER SUPPLY

Date	11/15/2012
Estimate By	Bryan Brooks
	bryan@defendersupply.com
	(903) 564-5641



Bill To
Bedford Police Department 2121 L. Don Dodson Bedford, TX 76201

Customer Contact	Roger Gibson
Customer Phone	817-952-2402
Customer E-mail	Les.Hawkins@bedfor...
Estimate #	4760

2013 Tahoe PPV
Vehicle Base Color - Black

Description	Location
2013 Chevrolet Tahoe 2WD PPV with Locking Differential, Dual Batteries, and Driver Side Spot Light - Purchased Through Holiday Chevrolet using the Tarrant County Cooperative Contract No. 2012-151 Paint Scheme - Doors White - Tahoe Texas Government or Municipality - No Sales Tax	

Final sale amount may be subject to state and local sales tax.

Vehicle and Emergency Equipment Total	\$27,385.27
Quantity Ordered	7

SIGNATURE _____

By Signing You Agree to the Above Estimate and Authorize Defender Supply to move forward with this purchase.

Total Vehicle Order Cost	\$191,696.89
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Council Agenda Background

PRESENTER: Les Hawkins, Deputy Police Chief

DATE: 11/27/12

Council Mission Area: Be responsive to the needs of the community.

ITEM:

Consider a resolution authorizing the City Manager to purchase a 2013 Chevrolet Silverado truck in the amount of \$15,624.33 through Holiday Chevrolet utilizing the State of Texas Contract.

City Attorney Review: N/A

City Manager Review: _____

DISCUSSION:

On September 11, 2012, the Bedford City Council passed an ordinance adopting the FY 2012/13 Budget. Funds were allocated within the budget for the purchase of a replacement truck for the Animal Control Division.

The vehicle to be replaced is a 2001 Dodge truck with approximately 100,000 miles and has over 122 points on the City's Vehicle Decision Tree.

The Police Department will be purchasing the new truck through Holiday Chevrolet utilizing the State of Texas Contract No. 071-A1-2012.

RECOMMENDATION:

Staff recommends the following motion:

Approval of a resolution authorizing the City Manager to purchase a 2013 Chevrolet Silverado truck in the amount of \$15,624.33 through Holiday Chevrolet through utilizing the State of Texas Contract.

FISCAL IMPACT:

The fiscal impact will be \$15,624.33, to be paid out of the General Fund – Animal Control Motor Vehicles.

ATTACHMENTS:

Resolution
Holiday Chevrolet Estimate

RESOLUTION NO. 12-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE A 2013 CHEVROLET SILVERADO TRUCK IN THE AMOUNT OF \$15,624.33 THROUGH HOLIDAY CHEVROLET UTILIZING THE STATE OF TEXAS CONTRACT.

WHEREAS, the City Council of Bedford, Texas determines the necessity to replace an animal control truck with funds approved in the FY 2012/13 budget; and,

WHEREAS, the City Council of Bedford, Texas determines that to meet citizen demands and reduce maintenance costs, the existing truck must be replaced; and,

WHEREAS, in order to obtain best pricing, the purchase of the replacement truck should be through the State of Texas Contract.

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

SECTION 1. That the City Manager is hereby authorized to purchase a 2013 Chevrolet Silverado truck in the amount of \$15,624.33 through Holiday Chevrolet utilizing the State of Texas Contract.

PASSED AND APPROVED this 27th day of November 2012, by a vote of _ ayes, _ nays and _ abstentions, at a regular meeting of the City Council of the City of Bedford, Texas.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary

APPROVED AS TO FORM:

Stan Lowry, City Attorney

DEFENDER SUPPLY

PUBLIC SAFETY EQUIPMENT



HOLIDAY CHEVY-FORD
800-486-3115



Date	10/15/2012
Estimate By	Mark Waters
	mark@defendersupply.com
	(800) 486-3115



Bill To
Bedford Police Department 2121 L. Don Dodson Bedford, TX 76201

Customer Contact	Roger Gibson
Customer Phone	817-952-2402
Customer E-mail	Les.Hawkins@bedf...
Estimate #	4526

2013 Chevrolet Silverado
Vehicle Base Color - White

Description	Location
2013 Chevrolet Silverado 1500 Regular Cab Long Bed Truck. V6 Automatic and Cloth Interior Texas Government or Municipality - No Sales Tax	

Final sale amount may be subject to state and local sales tax.

Vehicle and Emergency Equipment Total	\$15,624.33
Quantity Ordered	1

SIGNATURE _____

Total Vehicle Order Cost	\$15,624.33
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