



Town of Sunnyvale

Town Council

September 26, 2016

**Town Council
Special Meeting
6:00 P.M.**

**Town Council
Regular Meeting
7:00 P.M.**



**TOWN OF SUNNYVALE
SUNNYVALE TOWN COUNCIL
SPECIAL MEETING
CONFERENCE ROOM - 127 N. COLLINS RD
MONDAY, SEPTEMBER 26, 2016
6:00 P.M.**

CALL MEETING TO ORDER

Mayor calls the Workshop to order, state the date and time. State Councilmember's present and declare a quorum present.

- 1. DISCUSS AND PROVIDE STAFF DIRECTION ON PERFORMANCE MEASURES AND REPORTING PROCESS.**

ADJOURN

ALL LOCATIONS IDENTIFIED ARE IN THE TOWN OF SUNNYVALE UNLESS OTHERWISE INDICATED. FOR A DETAILED PROPERTY DESCRIPTION, PLEASE CONTACT THE BUILDING OFFICIAL AT TOWN HALL. ALL ITEMS ON THE AGENDA ARE FOR POSSIBLE DISCUSSION AND ACTION. PLEASE TURN OFF ALL TELEPHONES AND HANDHELD COMMUNICATION DEVICES WHILE IN ATTENDANCE AT THIS MEETING.

THE SUNNYVALE TOWN COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES), AND 551.087 (ECONOMIC DEVELOPMENT).

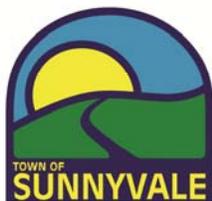
THE TOWN OF SUNNYVALE IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA). REASONABLE ACCOMMODATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED TO THOSE WHO PROVIDE NOTICE TO THE DIRECTOR OF COMMUNITY SERVICES AT 972-226-7177 AT LEAST 48 HOURS PRIOR TO THE MEETING.

I HEREBY CERTIFY THAT THE FOREGOING NOTICE WAS POSTED ON SEPTEMBER 23, 2016, IN THE FOLLOWING LOCATION AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING:

TOWN HALL AT 127 N. COLLINS ROAD

LESLIE BLACK, TOWN SECRETARY

RTCM
09/26/2016



**TOWN OF SUNNYVALE
SUNNYVALE TOWN COUNCIL
REGULAR MEETING
MONDAY, SEPTEMBER 26, 2016
TOWN HALL - 127 N. COLLINS RD.
7:00 P.M.**

INVOCATION

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER

Mayor calls the Meeting to order, state the date and time. State Councilmembers present and declare a quorum present.

PUBLIC FORUM

Citizens may speak on any matter other than personnel matters or matters under litigation. No Town Council actions or discussion will be taken until such matter is placed on the agenda and posted in accordance with law.

CONSENT AGENDA ITEMS 1 THROUGH 3:

1. **MINUTES OF TOWN COUNCIL SPECIAL MEETING – AUGUST 31, 2015.**
2. **MINUTES OF TOWN COUNCIL SPECIAL MEETING – SEPTEMBER 12, 2016.**
3. **MINUTES OF TOWN COUNCIL REGULAR MEETING – SEPTEMBER 12, 2016.**

PUBLIC HEARING

Open or continue public hearing, consider testimony and other information provided, close public hearing, and take necessary action with respect to the following:

4. **APPLICANT: BILL FOOSE
AT OR ABOUT: 2718 BELT LINE ROAD APPROX. 11.53 ACRES
REQUEST: FINAL PLAT – BELT LINE VENTURE ADDITION, LOTS 1 & 2,
BLOCK A**
5. **APPLICANT: JAMES SNEED
AT OR ABOUT: 321 BARNES BRIDGE ROAD
REQUEST: FINAL PLAT – SNEED ADDITION, LOT 1, BLOCK A**
6. **APPLICANT: COLIN HELFFRICH, P.E.
AT OR ABOUT: APPROX. 30 ACRES SOUTH OF MIDSTREAM AND WEST OF
BENWICK DRIVE
REQUEST: FINAL PLAT – STONEY CREEK PHASE 2G**

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09/26/2016

7. **APPLICANT:** ANGELA NAVARRO
AT OR ABOUT: 400 S. PASCHALL ROAD
REQUEST: CONDITIONAL USE PERMIT FOR A COMMERCIAL AMUSEMENT USE AND SITE PLAN
8. **APPLICANT:** JAMES W. BURNETT – DYNAMIC ENGINEERING
AT OR ABOUT: 222 COLLINS ROAD – SOUTH OF NANCE ROAD AND EAST OF COLLINS ROAD
REQUEST: SITE PLAN – SUNNYVALE AG BARN (S.I.S.D.)

DISCUSSION/ACTION ITEMS:

TOWN MANAGER

9. **DISCUSS AND CONSIDER RESOLUTION 16-16: A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS BETWEEN THE TOWN OF SUNNYVALE AND THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENT OF TEXAS STATE HIGHWAY 352 FROM NORTH OF KEARNEY STREET TO US 80 EAST BOUND FRONTAGE ROAD; ESTABLISHING AN EFFECTIVE DATE.**

MAYOR & COUNCIL

10. **MAYOR AND COUNCIL REQUESTS FOR FUTURE STAFF UPDATES AND AGENDA ITEMS.**

ADJOURN

ALL LOCATIONS IDENTIFIED ARE IN THE TOWN OF SUNNYVALE UNLESS OTHERWISE INDICATED. FOR A DETAILED PROPERTY DESCRIPTION, PLEASE CONTACT THE BUILDING OFFICIAL AT TOWN HALL. ALL ITEMS ON THE AGENDA ARE FOR POSSIBLE DISCUSSION AND ACTION. PLEASE TURN OFF ALL TELEPHONES AND HANDHELD COMMUNICATION DEVICES WHILE IN ATTENDANCE AT THIS MEETING.

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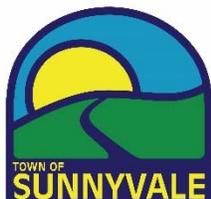
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09/26/2016

TOWN HALL AT 127 N. COLLINS ROAD

LESLIE BLACK, TOWN SECRETARY

RTCM
08/31/2015



**TOWN OF SUNNYVALE
SUNNYVALE TOWN COUNCIL
REGULAR MEETING
MONDAY, AUGUST 31, 2015
TOWN HALL - 127 N. COLLINS RD.
7:00 P.M.**

MAYOR	JIM PHAUP	
MAYOR PRO-TEM, & PLACE 2	SAJI GEORGE	ABSENT
COUNCILMEMBER, PLACE 1	KARA RANTA	
COUNCILMEMBER, PLACE 3	MARK EGAN	
COUNCILMEMBER, PLACE 4	JIM WADE	
COUNCILMEMBER, PLACE 5	KAREN HILL	
COUNCILMEMBER, PLACE 6	CHRIS MCNEILL	

CALL MEETING TO ORDER

Mayor Phaup called the meeting to order at 7:41 p.m. Mayor Pro-Tem Saji George was absent.

PUBLIC HEARING

Open or continue public hearing, consider testimony and other information provided, close public hearing, and take necessary action with respect to the following:

FINANCE

- 1. DISCUSS PROPOSED FISCAL YEAR 2015-2016 ANNUAL BUDGET FOR ALL FUNDS AND CONDUCT PUBLIC HEARING REGARDING PROPOSED BUDGET AND PROPOSED TAX RATE OF \$.407962.**

Finance Director Liz Hopkins outlined the changes to the General Fund, Utility Fund, 4A & 4B budgets from the previous presentation.

Supplemental – Additional Deputy/ Additional Park Technician/ Additional Utility Technician/ Town Hall Repairs & Maintenance

General Fund – Updated

Utility Fund – No Change

Debt Service – No Change

Roadway Impact Fund – No Change

Water & Sewer Impact Funds – No Change

CIP General Fund – No Change

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CIP Utility Fund – No Change

4A EDC – Updated

4B EDC – Updated

Fiscal Impact:

	08/24/15	08/31/15	
Base Revenues		\$6,319,312	\$6,394,312
Base Expenses		<u>\$5,980,692</u>	<u>\$6,237,442</u>
Net		\$ 347,870	\$ 156,870
Days			239
Supplemental		<u>(\$ 120,400)</u>	<u>(\$ 288,005)</u>
Net		\$ 227,470	(\$ 131,135)
213 Days			

Increased Sales Tax projections by \$75,000 after review of the historic trends and expectations going forward.

Increased Road Maintenance Budget for the engineering services for Collins Road from U.S. Highway 80 to Tripp Road for the 50% participation with Dallas County.

	08/24/15	08/31/15	
Base Revenues		\$3,711,000	\$3,711,000
Base Expenses		<u>\$3,797,004</u>	<u>\$3,797,004</u>
Net		(\$ 83,004)	(\$ 83,004)
Add Depreciation Back In		<u>\$ 295,000</u>	<u>\$ 295,000</u>
Net		\$ 211,996	\$ 211,996
Supplemental		<u>(\$ 152,364)</u>	<u>(\$ 199,262)</u>
Net		\$ 59,632	\$ 12,734

4A & 4B Economic Development Corporations:

Increased Sales Tax projections by \$15,000 and \$30,000 respectively after review of the historic trends and expectations going forward.

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Increased Labor and Benefits to include a 1.6% CPI salary increase for eligible employees.

Public Service Officer Russell Jacks stated that to add an additional deputy to day shift to be able to increase our community policing presence within the neighborhoods during the week in order to reduce or eliminate burglaries.

There are currently 2 patrol deputies assigned to the day shift which is from 6 am till 2 pm whose duties include: community policing by patrolling neighborhoods to provide a visual presence to reduce burglaries, and stopping suspicious vehicles and conducting investigations as to possible criminal activity.

Due to the way the current two day shift deputies days off fall on Monday, Tuesday, Thursday, and Friday, there is only one squad/deputy on duty to perform the patrol/community policing duties for the entire town. On Wednesdays there are two patrol deputies here for those duties.

Monday through Friday of each week there is a traffic deputy who is assigned to traffic enforcement and crash investigations. This deputy, when needed, is called away from his assigned duties to back up the patrol deputy.

In addition, when the traffic deputy impounds a vehicle for the driver not having a driver's license, it requires the only patrol deputy to be pulled away from his patrol/community policing duties resulting in diminished patrol presence.

By adding this position, it will allow there to be two patrol deputy's on-duty for the purpose of patrolling the Town providing greater coverage. Should the traffic deputy need to have a cover squad sent to him there would still be one deputy available to perform patrol duties.

The last time a day shift deputy position was added was Fiscal Year 2005. Since then the Town of Sunnyvale has grown drastically. In 2005 Sunnyvale's population was an estimated 3,773. The estimated population in 2013 was 5,651.

Statistic from Sunnyvale's Community Development department show that since 2005 there have been 753 residential building permits issued and approximately 60 new businesses have come to Sunnyvale.

Councilmember Hill asked if this would be added to the contract with Dallas Sheriff's Office. Public Service Officer Russell Jacks stated yes, it will be added to the contract.

Councilmember Wade asked if the patrol deputy was approved after last years budget. He stated that he thought Sunnyvale was fully staffed. The memo reads as though Sunnyvale only has one deputy. Sunnyvale certainly needs the coverage but it grieves him that when Deputy Tillery needs backup he cannot get Dallas County Deputies to cover, it has to be at the expense of Sunnyvale. Public Service Officer Russell Jacks explained that Sunnyvale does have two deputies on patrol each day.

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Mayor Phaup stated the old substation used to be a meeting place and a place for training. He asked if the new building is similar and if there is backup available. Public Service Officer Russell Jacks stated yes, if they are close by they will assist.

Economic Development Director Randall Heye stated there are currently three Parks Maintenance Technicians and one Parks Maintenance Supervisor that work four, ten-hour days. One crew of two individuals is assigned Sunday-Wednesday and the second crew of two individuals is assigned Wednesday-Saturday. Wednesday serves as an overlap day where the two crews work on the same day.

As the Town continues to grow, new right-of-way is added, and existing/future park facilities need to be maintained; the Parks positions will have to do more with less. On a semi-regular basis, the existing positions have to be reassigned due to unscheduled or shifting priorities (e.g. janitorial and repairs) which ultimately creates a backlog. The increased backlog adds additional stress, increases potential safety concerns, and reflects poorly on the community.

It is anticipated the position will serve as a "utility player" that supports the existing crews workload and, as necessary, allow the crews to manage their day to day workload without being pulled to alternative tasks.

Mayor Phaup asked how does this additional person add efficiency or add value for the Town or citizens. Economic Director Randall Heye stated it would prevent current staff from being interrupted with daily maintenance when extra duties occur.

Finance Director Liz Hopkins continued her presentation concerning Town Hall repairs and maintenance.

Councilmember Wade stated the audio system and video system needed to be upgraded.

Councilmember Egan stated the gutter and roof needs to be fixed.

Councilmember Wade stated this budget has 213 days of operating expenses which is a lot more than 120 days recommended. He asked what is preventing Sunnyvale from adding more roads. Town Manager Sean Fox stated he is meeting with Commissioner Price to see if Sunnyvale can get more done.

Councilmember Wade stated it is a nice cushion to have 7 months of operating expenses in the budget, but any extra that can go into roads the better. Mayor Phaup stated that by the first meeting in December he would like to look at cash flow so by the mid-year review the road repair can be done.

Councilmember Wade stated that if Staff cannot do road reconstruction someone else should be hired and added for streets. Councilmember. Egan stated that he agrees with Councilmember Wade but he thinks some other visible projects such as parks are a need also.

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Councilmember Hill stated that if there is some extra money and it cannot be put into roads then it could be put in the water tower expenses. Councilmember Wade stated there are things that need to be done, not just to spend money, but because things need to be done.

Mayor Phaup opened the public hearing. Mayor Phaup closed the public hearing.

DISCUSSION/ACTION ITEMS:

2. **DISCUSS AND CONSIDER FIRST READING OF AN ORDINANCE BY THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS RATIFYING A PROPERTY TAX RATE OF \$0.407962 FOR TAX YEAR 2015.**

Mayor Phaup introduced and read the item. There was no additional discussion.

3. **DISCUSS AND CONSIDER FIRST READING OF AN ORDINANCE OF THE TOWN OF SUNNYVALE, TEXAS, MAKING APPROPRIATIONS FOR THE SUPPORT OF THE TOWN OF SUNNYVALE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015, AND ENDING SEPTEMBER 30, 2016; AND ADOPTING THE ANNUAL BUDGET OF THE TOWN OF SUNNYVALE FOR THE 2015-2016 FISCAL YEAR.**

Mayor Phaup introduced and read the item. There was no additional discussion.

4. **DISCUSS AND CONSIDER FIRST READING OF AN ORDINANCE BY THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS PROVIDING FOR THE LEVYING OF PROPERTY TAXES FOR TAX YEAR 2015; AND ENACTING PROVISIONS RELATING TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE.**

Mayor Phaup introduced and read the item. There was no additional discussion.

5. **PRESENTATION BY THE FINANCE DEPARTMENT ON OPENGOV, A SERVICE AIMED AT INCREASING FINANCIAL TRANSPARENCY.**

Phyliss Moore made a presentation to Council.

ADJOURN

Mayor Phaup adjourned the meeting at 8:56 p.m.

The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

Mayor Jim Phaup

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08/31/2015

ATTEST:

Leslie Black, Town Secretary



**TOWN OF SUNNYVALE
SUNNYVALE TOWN COUNCIL
SPECIAL MEETING
CONFERENCE ROOM - 127 N. COLLINS RD
MONDAY, SEPTEMBER 12, 2016
6:00 P.M.**

MAYOR	JIM PHAUP
MAYOR PRO-TEM, & PLACE 2	SAJI GEORGE
COUNCILMEMBER, PLACE 1	KARA RANTA
COUNCILMEMBER, PLACE 3	MARK EGAN
COUNCILMEMBER, PLACE 4	JIM WADE
COUNCILMEMBER, PLACE 5	KAREN HILL
COUNCILMEMBER, PLACE 6	CHRIS MCNEILL

CALL MEETING TO ORDER

Mayor calls the Workshop to order, state the date and time. State Councilmember's present and declare a quorum present.

1. CONDUCT INTERVIEWS FOR POSSIBLE APPOINTMENTS TO THE TOWN'S BOARDS AND COMMISSIONS INCLUDING:

**BOARD OF ADJUSTMENTS
PLANNING & ZONING COMMISSION
4A DEVELOPMENT CORPORATION BOARD OF DIRECTORS
4B DEVELOPMENT CORPORATION BOARD OF DIRECTORS
LIBRARY BOARD**

Mayor Phaup called the meeting to order at 6:00 p.m. Councilmember McNeill arrived at 6:03 p.m. All other Councilmembers were present.

The Town Council interviewed Dee Blackwood.

EXECUTIVE SESSION

Recess into executive session pursuant to Chapter 551, Subchapter D of the Texas Government Code:

EXECUTIVE SESSION AGENDA:

A. SECTION 551.076. SECURITY DEVICES OR AUDITS

To deliberate the deployment or specific occasions for implementation, or security personnel or devices; or a security audit.

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Councilmember McNeill made a made a motion, seconded by Councilmember Egan, to recess into Executive Session at 6:15 p.m. Mayor Phaup called for a vote, and with all members voting affirmative, the motion passed 7/0.

END OF EXECUTIVE SESSION

Reconvene into open session and take any action necessary as a result of the Executive Session.

2. CONSIDER ANY OFFICIAL ACTION ON THE EXECUTIVE SESSION CLOSED MEETING ITEMS:

A. SECTION 551.076. SECURITY DEVICES OR AUDITS

To deliberate the deployment or specific occasions for implementation, or security personnel or devices; or a security audit.

Mayor Phaup reconvened the meeting at 6:43 p.m. and stated no action would be taken.

ADJOURN

Mayor Phaup adjourned the meeting at 6:43 p.m.

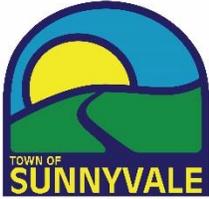
The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

Mayor Jim Phaup

ATTEST:

Leslie Black, Town Secretary

RTCM
9/12/2016



**TOWN OF SUNNYVALE
SUNNYVALE TOWN COUNCIL
REGULAR MEETING
MONDAY, SEPTEMBER 12, 2016
TOWN HALL - 127 N. COLLINS RD.
7:00 P.M.**

MAYOR	JIM PHAUP
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COUNCILMEMBER, PLACE 1	KARA RANTA
COUNCILMEMBER, PLACE 3	MARK EGAN
COUNCILMEMBER, PLACE 4	JIM WADE
COUNCILMEMBER, PLACE 5	KAREN HILL
COUNCILMEMBER, PLACE 6	CHRIS MCNEILL

INVOCATION

Councilmember Hill led the invocation.

PLEDGE OF ALLEGIANCE

Mayor Phaup led the Pledge of Allegiance.

CALL MEETING TO ORDER

Mayor Phaup called the meeting to order at 7:02 p.m. All councilmembers were present.

PUBLIC FORUM

Citizens may speak on any matter other than personnel matters or matters under litigation. No Town Council actions or discussion will be taken until such matter is placed on the agenda and posted in accordance with law.

None

PRESENTATION BY ATMOS ENERGY AND SUNNYVALE GARDEN CLUB TO SUNNYVALE FIRE RESCUE.

CONSENT AGENDA ITEMS 1 THROUGH 2:

- 1. MINUTES OF TOWN COUNCIL SPECIAL MEETING – JULY 25, 2016.**
- 2. MINUTES OF TOWN COUNCIL REGULAR MEETING – JULY 25, 2016.**

Councilmember Egan stated Councilmember Ranta's name was misspelled on page 32 of the packet.

Councilmember McNeill made a motion to approve the minutes of Town Council Special Meeting – July 25, 2016 and minutes of Town Council Regular Meeting – July 25, 2016 with the amendments as stated, and with all members voting affirmative, the items passed 7/0.

Mayor Phaup left the meeting at 7:09 p.m.

DISCUSSION/ACTION ITEMS:

DEVELOPMENT SERVICES

- 3. DISCUSS AND CONSIDER SECOND READING OF ORDINANCE 16-13: AN ORDINANCE AMENDING ZONING ORDINANCE NO. 324 DULY PASSED BY THE TOWN COUNCIL ON JANUARY 31, 2000; AS AMENDED BY ORDINANCE NO.525 AND AS AMENDED FROM TIME TO TIME; SO AS TO CHANGE BY ADOPTION OF AMENDMENTS TO THE TEXT OF THE TOWN'S ZONING ORDINANCE INCLUDING WITHOUT LIMITATION, CHANGES TO CHAPTER 17A, MASTER PLANNED DEVELOPMENT DISTRICT (MPD), ESTABLISHING A NEW MINIMUM DISTRICT SIZE, PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONFLICTS CLAUSE AND PROVIDING AN EFFECTIVE DATE.**

Development Director Rashad Jackson stated direction was provided to Town Staff to propose an amendment to the zoning ordinance to lower the minimum required acreage for Master Planned Development Districts (MPD). At a recent Council meeting held on Aug. 22, 2016, staff was given direction to reduce the minimum required acreage from 15 acres to 10 acres with the stipulation that required acreage could be lower when carrying out the recommendations of the Comprehensive Plan. The revised amendment is attached for review.

The current minimum acreage requirement limits opportunities for some retail development in certain areas in Town. Many of the remaining retail parcels along our primary corridors do not meet the minimum acreage requirement for an MPD. As it exists, possible development on parcels less than 15 acres is restrained to the minimum development standards of the base zoning districts (i.e. Local Retail District, General Business District).

It is recognized that many of today's retail developers typically do not want to use conventional zoning or minimum development standards for their projects. Our zoning ordinance stipulates..." *MPD districts are generally intended to encourage flexible and creative planning, to ensure the compatibility of land uses, to allow for the adjustment of changing demands to meet the current needs of the community, and to result in a higher quality development for the community*". An MPD with a lower minimum acreage requirement would allow for greater flexibility for new development and redevelopment. It would provide the Town the ability to best utilize smaller retail parcels in exchange for greater benefits than would otherwise be achieved through conventional zoned development.

Overall Pros and Cons for Planned Development Districts ⁽¹⁾

Pros

- Greater flexibility;
- Ability to negotiate;

- Ability to assess and mitigate site specific impacts;
- Ability to address public concerns;
- Ability to compensate for deficiencies in standard zoning districts;
- Ability to better regulate large scale mixed use development;

Cons

- Possible contract zoning (inappropriate bargaining);
- Time consuming to establish and administer PD districts;
- More vulnerable to politics;
- Erosion of standard zoning requirements;
- Over use;
- Lack of an automatic revocation if project is not built;
- Manipulation of regulations to gain approval;
- Lack of consistency among districts; and,
- Difficulty in administering regulations when the district is split among multiple owners.

(1) Frank F. Turner, FAICP and Terry D. Morgan, Esq. A Guide to Urban Planning in Texas Communities: Introduction to Planned Development Zoning. American Planning Association – Texas Chapter; 2008.

The cities below have the following requirements:

- Forney : 5 acres
- Plano: no PD district may be established smaller than 5 acres unless a specific finding is made by the City Council that the establishment of the district is required to implement the Comprehensive Plan or related study.
- Garland : Retail or Commercial sales and service on minimum 10 acres; Office or Health Services on minimum 5 acres; Business park on minimum 10 acres
- Frisco: A PD district requires a minimum of fifteen (15) contiguous acres. Acreage may be less than fifteen (15) acres when carrying out the recommendations of the Comprehensive Plan.
- Euless: A “PD” district may be authorized only on sites containing five or more acres, except in infill or transition areas where there shall be no minimum size requirements.

Public notice was provided to the Town’s Official Newspaper for publication on July 27, 2016. Given that this is a text amendment initiated by the Town, which does not specifically affect one property, written letters were not provided to specific property owners.

The Planning and Zoning Commission had the following recommendation at their meeting on August 15, 2016. Commissioner Moss made a motion to approve the MPD district amendment to set the minimum required district size at five (5) acres, seconded by Commissioner Kline. Co-Chairman Okafor called for a vote, the motion passed unanimously.

Town Staff is seeking approval. Per Town Council request, the proposed minimum acreage has been revised to a minimum of 10 contiguous acres. Acreage may be less

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9/12/2016

than ten (10) acres when carrying out the recommendations of the Comprehensive Plan. Mayor Pro-Tem George asked how many lots in the Town would be affected by this. Development Director Rashad Jackson stated it would be at least 5 parcels. More specifically at the southeast corner of Collins Rd. and U.S. Hwy 80, Tripp Rd. and Beltline across from Kearney's, and some by the First Baptist Church.

In response to a question by Mayor Pro-Tem George, Director of Development Services Rashad Jackson responded that this only applies to commercial property.

Mayor Pro-Tem George opened the floor for public comment. There was none.

Councilmember Wade made a motion, seconded by Councilmember Egan, to approve Ordinance 16-13 as presented, and with all members voting affirmative, item passed 6/0. Mayor Phaup left the meeting at 7:09.

ECONOMIC DEVELOPMENT

4. DISCUSS AND CONSIDER AN EXTERIOR LANDSCAPE MAINTENANCE AGREEMENT WITH PARADISE LAWNS OF TEXAS IN THE AMOUNT OF \$32,400.

Economic Development Director Randall Heye stated the 4B Development Corporation and Town Council previously approved an exterior landscape maintenance agreement with Paradise Lawns of Texas for Fiscal Year 2016. At the end of September, the existing agreement with the vendor will expire. For Fiscal Year 2017, staff has requested a proposal for the following locations: the four islands at Collins Rd and US Hwy 80, two islands on Collins Rd, the entrance to Town Hall, and Town Hall proper. The proposed scope of work includes cleaning of weeds, installation of hardwood mulch, and installation of color at Town Hall.

The annualized cost of the contract is \$32,400 and comes from the Development Corporation's landscape maintenance account. This represents a savings of \$600 from the previous year.

Staff recommends Town Council approve 4B's expenditure of \$32,400 for a landscape maintenance agreement with Paradise Lawns of Texas for the next fiscal year.

Councilmember Ranta asked if the scope of work remained the same. Economic Development Director Randall Heye stated yes, the scope of work remained the same.

Councilmember Egan asked if competitive bids were received. Economic Development Director Randall Heye stated yes but the scope of work had to be significantly altered to stay within the \$35,000 range.

Councilmember Hill made a motion, seconded by Councilmember Ranta, to approve an exterior landscape maintenance agreement with Paradise Lawns of Texas not to exceed \$32,400, and with all members present voting affirmative, the item passed 6/0. Mayor Phaup left the meeting at 7:09.

TOWN MANAGER**5. DISCUSS COSTS AND FUNDING OPTIONS FOR THE EXPANSION OF COLLINS ROAD.**

Town Manager Sean Fox stated the Collins Road Expansion Project was approved and included in Dallas County's Major Capital Improvement Program (MCIP) under a 50/50 County & Town partnership. The original project limits defined were from US 80 to Tripp Road, but did not include the Tripp intersection. In 2005, the project was started and stopped with only the initial design work being completed. Over time, as updated estimates of construction costs were provided, the MCIP commitment from Dallas County was also updated, and is currently funded at \$2,871,000.

In 2015, the County and the Town agreed to modify the project limits to include the consolidation of the two Tripp intersections into a single roundabout intersection. The addition of the intersection and increased costs for widening Collins Road have increased the overall estimated project cost from \$5.742M to \$8.602M (based on the latest 90% Opinion of Probable Construction Cost (OPCC) dated 9-1-2016).

The following is a specific breakdown of the increases in costs from one stage or decision point to the next.

Based on the November 2014 Traffic Impact Analysis (TIA) and the October 2015 Intersection Control Evaluation (ICE), intersection alternatives were presented to Council in October 2015 outlining an Opinion of Probable Construction Costs (OPCC) of:

TIA

Collins Road widening -	\$4,100,000
Roundabouts 4.1 Alternative-	\$2,130,000
Right of Way (ROW) costs -	\$780,000
Engineering -	<u>TBD</u>
Total	\$7,010,000

In December 2015, Council approved the final design and awarded the engineering and design contract to NDM based on an updated Collins Road widening OPCC of:

OPCC 12/2/15

Collins Road widening -	\$4,149,897
Roundabouts 4.1 Alternative-	\$2,130,000
Right of Way (ROW) costs -	\$780,000
Engineering -	<u>\$532,905</u>
Total	\$7,592,802

In April 2016, 30% design/plans were presented to Council with an OPCC of:

OPCC 30%

Collins Rd widening -	\$4,539,826
Roundabout/Intersection	\$1,284,801

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Right of Way (ROW) costs -	\$780,000
Engineering -	<u>\$532,905</u>
Total	\$7,137,532

In July 2016, 60% design/plans were presented to Council. An updated OPCC was not presented at the time due to the availability of complete numbers & costs were being scrubbed by Town/Dallas County for cost saving measures.

OPCC 60%

Collins Rd widening -	\$4,822,983
Roundabout/Intersection -	\$2,193,009
Right of Way (ROW) costs -	\$780,000
Engineering -	<u>\$532,905</u>
Total	\$8,328,897

Stated reasons for the increase in cost from 30% to 60% design were:

- The sanitary sewer crossing replacement at Long Creek was added to the project (~\$122K).
- Additional upstream and downstream channel grading was extended at Long Creek (~\$25K).
- Embankment top of slope for Collins Road was pushed out to the existing/proposed ROW line (~\$92K).
- Temporary asphalt quantities increased to add in the temporary detour to facilitate roundabout construction and to shift the temporary pavement further out at Long Creek to facilitate culvert construction; unit costs also increased (~\$65K).
- Addition of temporary special shoring at Long Creek to facilitate culvert construction (~\$38K).
- Prep ROW cost has increased with the expansion of channel grading limits at Long Creek (~\$31K).
- Additional riprap utilizing grouted stone at Long Creek (~\$110K).
- The overall cost of concrete has increased (based on TxDOT Dallas district moving bid averages).
- The unit cost for 10x9 box culvert has increased (based on TxDOT Dallas district moving bid averages ~\$34K).
- Additional concrete drainage junction boxes at roundabout for drainage requirements (~\$25K).
- Additional concrete box storm drain to handle drainage routed through roundabout (~\$280K).
- The level of work zone complexity at the roundabout has added cost for the Barricades, signs, and traffic handling item (~\$90K).
- Water and sanitary sewer line replacements were added in at the intersection (~\$288K).

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On September 1, 2016, Staff received the 90% design from Nathan D. Maier Engineering (NDM) with an updated OPCC of:

OPCC 90%

Collins Rd widening -	\$4,910,741
Roundabout/Intersection -	\$2,229,907
Right of Way (ROW) costs -	\$857,163
Engineering -	<u>\$532,905</u>
Total	\$8,600,716

Stated reasons for the increase in cost from 60% to 90% design were:

- Due to not closing Tripp Road, additional temporary pavement, temporary shoring, and portable concrete traffic barriers required. In addition at 60% the temporary pavement was quantified as the actual HMAC and removal of the HMAC. For the 90% the temporary pavement (installation & removal) has been lumped under the item "Constructing Detours".
- No longer quantifying removal of temp asphalt (-\$50.3k)
- No longer separately quantifying temp asphalt (-\$324.3k)
- Temp asphalt quantified under Constructing Detours (+\$497.9k)
- Additional portable concrete traffic barriers (+\$26.6k)
- Additional temporary special shoring (+\$20.2k)
- McManus & Johnson, further refined final grading on the roundabout, requiring on-site and off-site fill quantities be rebalanced.
- Roadway excavation increased (+\$36.7k)
- Rebalanced on-site fill (+\$63.6k)
- Due to increased excavation off-site fill decreased (-\$136.7k)
- An Irrigation Contingency item was added (+\$20k)
- The roadway illumination foundation was quantified (+\$6.4k)
- The temporary work zone pavement marking were changed to buttons per Dallas County. Buttons and elimination of exist markings are included in the item "Barricades, Signs and Traffic Handling" (-\$20.1k)
- An item was added for Portable Changeable Message Signs (+\$56k)

Both Staff and Dallas County continue to investigate cost saving measures to reduce overall costs of the project. Staff has recently sent a letter to Dallas County requesting they extend their 50/50 commitment to cover the increased costs based on the fact both the County and Town agreed to modify the project limits to include the consolidation of the two Tripp intersections and that the modification enhances the overall safety, effectiveness and efficiency of the project for both the Town and the County.

The engineers from NDM were on hand to answer any questions or provide additional information.

Total project cost (Engineering, ROW & Construction)	\$8,601,144
Less Dallas County Commitment **	<u>\$2,786,000</u>
Remaining balance Town of Sunnyvale	\$5,815,144

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** Note: Dallas County MCIP commitment of \$2,871,000 less \$85,000 spent in 2005 for initial design work on Collins Road = \$2,786,000 remaining.

Last month, Council discussed a Certificate of Obligation issuance of \$4,675,000 based on the 30% OPCC. With the substantial increase in cost estimates from the 90% design, it is recommended by First Southwest that Council either take no action or deny the previously discussed Certificate of Obligation.

On September 26, 2016, Staff and FirstSouthwest will present an updated tax impact worksheet illustrating the associated costs of issuing up to a \$5,600,000 Certificate of Obligation. If approved, Staff anticipates recommending Council approve a new notice to accommodate the Collins Road Expansion Project with the following schedule:

9/26: Council approves new notice for Collins Road
9/30: First newspaper publication
10/7: Second newspaper publication
11/14: Authorization and sale of C/O
12/15: Delivery; receipt of funds

Councilmember Egan asked about the significant increase of cost. Councilmember Wade stated he wanted to clarify that Long Creek is not referring to Long Creek Rd. Town Manager Sean Fox stated there are three reasons for the cost increase; increase of the Collins Rd. expansion, increase in the roundabouts, and an increase in infrastructure for future growth.

Mayor Pro-Tem George asked if cause for the increase of costs is due to the passing of time, or if there were things not considered. Town Manager Sean Fox stated at the 30% to 60% analysis there is an indication of a much deeper dive into the engineering of the project. There is also an increase in construction and concrete costs. He believes the increase in cost is due to a combination of the increase in construction costs and increase in the scope of work since the project was originally envisioned.

Mayor Phaup rejoined the meeting at 7:26.

In response to a question by Councilmember Egan, Town Manager Sean Fox stated he has spoken to Dallas County. Dallas County understands the increase in cost and believes that there may be additional funds available. Dallas County does have other projects that may be considered before Sunnyvale. It would have to be presented to Commissioner Price. It could take 2-4 weeks for an answer. Town Manager Sean Fox stated he has submitted the next phase for funding but it could take 1-2 years to find out if Dallas County will partner with Sunnyvale. Councilmember Egan stated Dallas County just wants to see a project completed before they team with Sunnyvale. Town Manager Sean Fox stated Dallas County has never indicated they were not willing to support Sunnyvale. When this project was first submitted, Dallas County had the opinion of not right now. That was because there was not much progress on the project.

Engineer Matthew McCloud from Nathan D Maier Engineers stated the increase was due to the need for improvement of existing utilities. In response to a question by Mayor

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Pro-Tem George, Engineer Matthew McCloud stated these changes were added later and it makes sense to improve now, not 5 years later.

Councilmember Egan asked if these were not recognized in the 30% analysis. Engineer Matthew McCloud stated no they were not. He stated that now the design has changed to allow for a 100-year storm event. Councilmember Wade asked what would cause that type of flooding. Councilmember Wade stated flooding is not currently a problem and it is not intended to be a heavy residential area. Councilmember Hill asked if the cost really needed to more than double the initial cost. The land upstream and downstream is overgrown and it would need to be cleared out to prepare for the water to flow. Councilmember Egan stated the same volume of water is falling on the undeveloped land now and there is not a problem. Engineer Matthew McCloud stated specific storms have to be considered. He stated there has not been a 100-year storm go through yet.

Councilmember Wade asked if \$1.2 million is related to drainage, what was in the original bids for drainage. There is an 80% increase in cost that is related to drainage. Engineer Matthew McCloud stated it was for the Tripp Rd. intersection.

Councilmember Hill asked how this much engineering was missed because the project has been ongoing since 2005. Engineer Matthew McCloud stated he is not the past engineer and cannot answer that question.

Councilmember Wade stated that this project was voted on and is now twice the cost as it was in the beginning. If Council would have had that information up front, other options may have been considered. Mayor Phaup stated that his concern is the breakdown in cost. It is now twice the original cost of what the project was originally estimated. He asked what caused the cost of the right of ways to go up by 10% between the 60% and 90% analysis. Engineer Matthew McCloud stated it is the way Dallas County does the right of way acquisition documents. They want a right of way acquisition document for every easement and parcel. They have a very specific checklist as to how they want documents completed. Mayor Phaup asked if requirements changed between the 60% and 90% analysis and Council was not aware. Engineer Matthew McCloud stated part of it was not being aware, between the 60% and 90% analysis is when those discussions occurred with Dallas County.

Councilmember Ranta asked if the OPCC dated December 2015, totaling \$7.52 million had a contingency amount. Town Manager Sean Fox stated with each iteration the contingency amount goes down.

Town Manager Sean Fox stated part of the right-of-way acquisition with Dallas County was unknown. There were originally 13 parcels that were considered right-of-way acquisitions that would cost about \$2,700 to \$3,000. There are other types of easements and Dallas County has specific documents for each type. The actual right of way that Sunnyvale needs to purchase from conceptual to 90% analysis is about 2,100 square feet larger than what was proposed. He stated he would verify that number. Dallas County wants an executed document per easement and that increased by \$50,000. Mayor Phaup asked if that was a plug number. Town Manager Sean Fox stated yes that is a plug number. Mayor Phaup asked if that number could go down

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depending on how much each parcel costs per acquisition and the processing required. Engineer Matthew McCloud stated he nailed down the number of parcels that would need to be defined the way Dallas County requires. If it changes it would change to a lower number. Councilmember Hill asked if there are still 13 parcels. Engineer Matthew McCloud stated there are 18 parcels with different easements.

Mayor Phaup stated at the end of the revised memo in the packet there is a proposed schedule for the reactivation of the physical considerations for staff from Southwest, he recommended a workshop to understand the cost changes and financing options. Council needs to understand the buy-in and payout over the next number of years with the cost increase. He stated the newspaper publication needed to be delayed. Mayor Phaup stated a workshop is needed before the next Council Meeting if Council is available.

Councilmember Wade asked for clarification on the Town Manager's Memo comments. He asked if less pavement was being considered. Town Manager Sean Fox stated it is being considered on the temporary side. Town Engineer Justin Brown stated that with the design that is there, ways to reduce the cost without reducing the product are being considered. This project has temporary pavement. It is a heavy temporary pavement. Reducing costs in that area are being considered, as well as reductions for stabilization. He said there are several changes that are being considered to reduce the cost without jeopardizing the project.

Town Engineer Justin Brown stated that the increase in costs that Council has seen from the 30% analysis level to current is drainage. When engineers put together a cost estimate for a roadway project, it is easy to give cost estimates with certain specifications. It is hard to give a cost estimate on drainage structures because the drainage structures are not sized until the 60% analysis level. They used FEMA flows under existing conditions to size them. That was the most cost effective way to estimate. They looked at several options to cut the drainage costs. The cost increase on the drainage is there because there are no details on design flows to properly size the culverts. What was originally estimated is not adequate to cover the costs for the complexity of this project for drainage.

Councilmember McNeill stated he appreciates the different factors that are being considered for this project. This project has been in the works for 11 years. Council wants to make sure they get it right. He would like to know how much the County is willing to contribute. He stated Council does not want to reduce the life of the road to save money. Council wants to save tax dollars for citizens and not jeopardize the road. There are several projects that are coming up. He would like to see a financial timeline for the projects. He understands there are debt obligations coming off of the books. He would like to understand what is realistically in the budget based on the tax rate. He feels like this is critical information.

Councilmember Egan stated he would like to see Staff put their best foot forward on this project. He would like Staff to be cautious about the unknowns.

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In response to Mayor Pro-Tem George, Mayor Phaup stated a meeting needs to happen soon. He stated that Councilmember McNeill made the best point of the evening. Council needs to take this project along with the other projects and prioritize based on money.

FINANCE

- 6. CONSIDER ALL MATTERS INCIDENT AND RELATED TO THE ISSUANCE AND SALE OF "TOWN OF SUNNYVALE, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2016", INCLUDING THE SECOND READING OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF SUCH CERTIFICATES OF OBLIGATION.**

Mayor Phaup stated in the August 29th packet, on page 88, there was a pro forma Ordinance that was intended to finance the Certificate of Obligation. Since the project estimates costs escalated beyond what was projected, he recommended denial of the ordinance and starting fresh.

Councilmember Egan made a motion, seconded by Councilmember Hill, to deny the approval of the issuance and sale of "Town of Sunnyvale, Texas combination tax and revenue certificates of obligation, series 2016", and with all members voting affirmative, the item passed 7/0.

- 7. DISCUSS AND CONSIDER SECOND READING OF AN ORDINANCE BY THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS RATIFYING A PROPERTY TAX RATE OF \$0.407962 FOR TAX YEAR 2016.**

Councilmember Hill made a motion, seconded by Councilmember McNeill to approve an Ordinance by the Town Council of the Town of Sunnyvale, Texas ratifying a property tax rate of \$0.407962 for tax year 2016, and with all members voting affirmative, item passed 7/0.

- 8. DISCUSS AND CONSIDER SECOND READING OF AN ORDINANCE OF THE TOWN OF SUNNYVALE, TEXAS, MAKING APPROPRIATIONS FOR THE SUPPORT OF THE TOWN OF SUNNYVALE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017; AND ADOPTING THE ANNUAL BUDGET OF THE TOWN OF SUNNYVALE FOR THE 2016-2017 FISCAL YEAR.**

Finance Director Liz Hopkins stated Local Government Code (LGC) §102.007(c) requires that adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget. A vote under this subsection is in addition to and separate from the vote to adopt the budget or a vote to set the tax rate required by Chapter 26, Tax Code, or other law.

Staff recommends approval.

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In response to a question by Mayor Phaup, Finance Director Liz Hopkins stated yes, the Town would be operating at a deficit of \$136,936.

Councilmember Hill asked if the Vehicle Replacement Account includes the fire truck and ambulance. Finance Director Liz Hopkins stated yes, the Town does have a capital lease plan. Mayor Phaup asked if there is a reserve pattern for any vehicle that will be capitalized. Finance Director Liz Hopkins stated yes, the Town tries to pay cash.

Town Manager Sean Fox stated the original vehicle replacement plan of the fire engines and ambulances would need to be leased. By the time the vehicles need to be replaced again there will be enough money in the Vehicle Replacement Account to pay cash. Councilmember Hill stated it is important to maintain an appropriate balance. Mayor Phaup stated the debt analysis may need to be changed.

Finance Director Liz Hopkins presented Council with options to fund the water tower. In response to a question by Councilmember Ranta, Finance Director Liz Hopkins stated that Council is free to fund the water tower anyway they want. She stated it is best to preserve the impact fund because the impact fund pays existing debt obligations.

Councilmember McNeill recommended reducing the water impact contribution by \$100,000, reducing the water fund contribution by \$60,000, and increasing the general fund contribution by \$160,000 plus \$3,828. He also wanted to thank Finance Director Liz Hopkins, her staff, and Town Manager Sean Fox for the hard work that went into preparing the budget.

Town Manager Sean Fox stated that Dallas County Budget Officer Ryan Brown was available if there were any questions about the Dallas County Sheriff's Office contract renewal.

Mayor Phaup stated there was a substantial increase in the Dallas County Sheriff's Office contract this year and asked for an explanation. Dallas County Budget Officer Ryan Brown stated the costs are for the services of 12 Deputy Sheriff's, 1 Senior Sergeant, and 1 Investigative Officer.

Mayor Phaup asked for clarification on the allocation of the increase. Dallas County Budget Officer Ryan Brown stated it is primarily the increase in pay to the officers and the rest is for operations. He stated the younger officers will receive a 13% raise and the older officers will receive an 8% increase in pay. They are on the step plan. Mayor Phaup asked if this increase was in line with the other departments in Dallas County. Dallas County Budget Officer Ryan Brown stated yes, it is consistent.

Councilmember Ranta asked for an example of costs that are not being recovered by Dallas County. Dallas County Budget Officer Ryan Brown stated Dallas County Sheriff's Office is dispatching for fire and police in Sunnyvale, which is about 60% of their dispatch calls.

Councilmember Wade asked Dallas County Budget Officer Ryan Brown to justify the road traffic. Dallas County Ryan Brown stated it is a loss to Dallas County.

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Councilmember McNeill made a motion, seconded by Mayor Pro-Tem George to approve an Ordinance of the Town of Sunnyvale, Texas, making appropriations for the support of the Town of Sunnyvale for the fiscal year beginning October 1, 2016, and ending September 30, 2017, with the modification to the General Fund as discussed for the water tower; and adopting the annual budget of the Town of Sunnyvale for the 2016-2017 fiscal year, and with all members voting affirmative, item passed 7/0.

9. DISCUSS AND CONSIDER SECOND READING OF AN ORDINANCE BY THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS PROVIDING FOR THE LEVYING OF PROPERTY TAXES FOR TAX YEAR 2016; AND ENACTING PROVISIONS RELATING TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE.

Each component of the tax rate must be approved separately (Tax Code §26.05). The attached ordinance satisfies the requirements of Tax Code §26.05. Staff recommends approval.

Councilmember McNeill made a motion, seconded by Mayor Pro-Tem George, to approve an Ordinance providing for the levying of property tax rate increase by to a rate of \$0.407962 and of that, \$0.339207 is levied for maintenance and operation of the Town and \$0.068755 of the tax rate is specifically levied for debt service, which is effectively a 0% increase in the tax rate, and with all members voting affirmative, item passed 7/0.

**10. DISCUSS AND CONSIDER APPOINTMENTS TO THE TOWN'S BOARDS AND COMMISSIONS INCLUDING:
BOARD OF ADJUSTMENTS
PLANNING & ZONING COMMISSION
4A DEVELOPMENT CORPORATION BOARD OF DIRECTORS
4B DEVELOPMENT CORPORATION BOARD OF DIRECTORS
LIBRARY BOARD**

Mayor Phaup made the following recommendation:

BOARD OF ADJUSTMENTS:

Jean Holt – 2 year term, through 2018
Nick Sloan – 2 year term, through 2018
Dee Blackwood – 1 year term, through 2017

PLANNING & ZONING:

Sarah Mitchell – Alternate Member, appointed as Regular Member, 1 year term, through 2017

4A DEVELOPMENT CORPORATION BOARD OF DIRECTORS:

Ross Miracle – 2 year term, through 2018

4B DEVELOPMENT CORPORATION BOARD OF DIRECTORS:

Nick Wyse – 2 year term, through 2018

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LIBRARY BOARD:

Katherine Martin – 2 year term, through 2018
Shayne Kastleman – 1 year term, through 2017

Motion was made by Councilmember Egan, seconded by Mayor Pro-Tem Mayor Pro-Tem George, to approve the appointments to the Town of Sunnyvale Board and Commissions, and with all members voting affirmative, the item passed 7/0.

MAYOR & COUNCIL

11. MAYOR AND COUNCIL REQUESTS FOR FUTURE STAFF UPDATES AND AGENDA ITEMS.

Councilmember McNeill asked Town Manager Sean Fox to send out an e-mail requesting a schedule from each Councilmember to plan the Workshop.

EXECUTIVE SESSION

Recess into executive session pursuant to Chapter 551, Subchapter D of the Texas Government Code:

EXECUTIVE SESSION AGENDA:

A. SECTION 551.074. PERSONNEL MATTERS

To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee:

TOWN MANAGER

Motion was made by Councilmember McNeill, seconded by Councilmember Egan, to recess into Executive Session at 9:07 p.m., and with all members voting affirmative, item passed 7/0.

END OF EXECUTIVE SESSION

Reconvene into open session and take any action necessary as a result of the Executive Session.

12. SECTION 551.074 PERSONNEL MATTERS - TOWN MANAGER

Mayor Phaup reconvened into open session at 9:21 p.m. and stated no action would be taken.

ADJOURN

Mayor Phaup adjourned the meeting at 9:21 p.m.

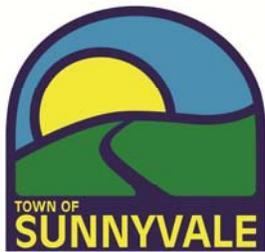
The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

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Mayor Jim Phaup

ATTEST:

Leslie Black, Town Secretary



Town of Sunnyvale

September 26, 2016

Prepared By: **Rashad Jackson, AICP**
Director of Development Services

Summary:

APPLICANT: BILL FOOSE
AT OR ABOUT: 2718 BELT LINE ROAD APPROX. 11.53 ACRES
REQUEST: FINAL PLAT – BELT LINE VENTURE
ADDITION, LOTS 1 & 2, BLOCK A

Background:

The subject property is located at or about 2718 Belt Line Road. The applicant requests approval for a proposed final plat for 2 new lots. Lot 2 will be used for the future development of a Salons Elite establishment. The individual building site is approximately 2 acres. The subject property, located within a Local Retail zoning district is 11.53 acres in size. The proposed use is allowed by right within the Local Retail District.

The plat contains 3 easements that will be recorded by separate instrument.

- A 60' mutual access easement on the south property line
- A 24' fire lane/mutual access easement throughout the interior portions of the property
- An off-site detention pond as required by Town development standards

All other details of the proposed plat meet the requirements of the Sunnyvale zoning ordinance and subdivision ordinance.

Public Notice

Notice was published within the Town's Official Newspaper on August 31st, 2016. Letters were also provided to surrounding properties meeting the distance requirements as provided within the Ordinance. Nineteen (19) letters were sent. As of the writing of this staff memo, no letters had been returned either in favor or in opposition of the request.

Planning & Zoning Commission Recommendation – 9.19.16

Commissioner Daniel made a motion to approve as submitted, seconded by Commissioner Sandler. Chairman Demko called for a vote, the motion passed unanimously.

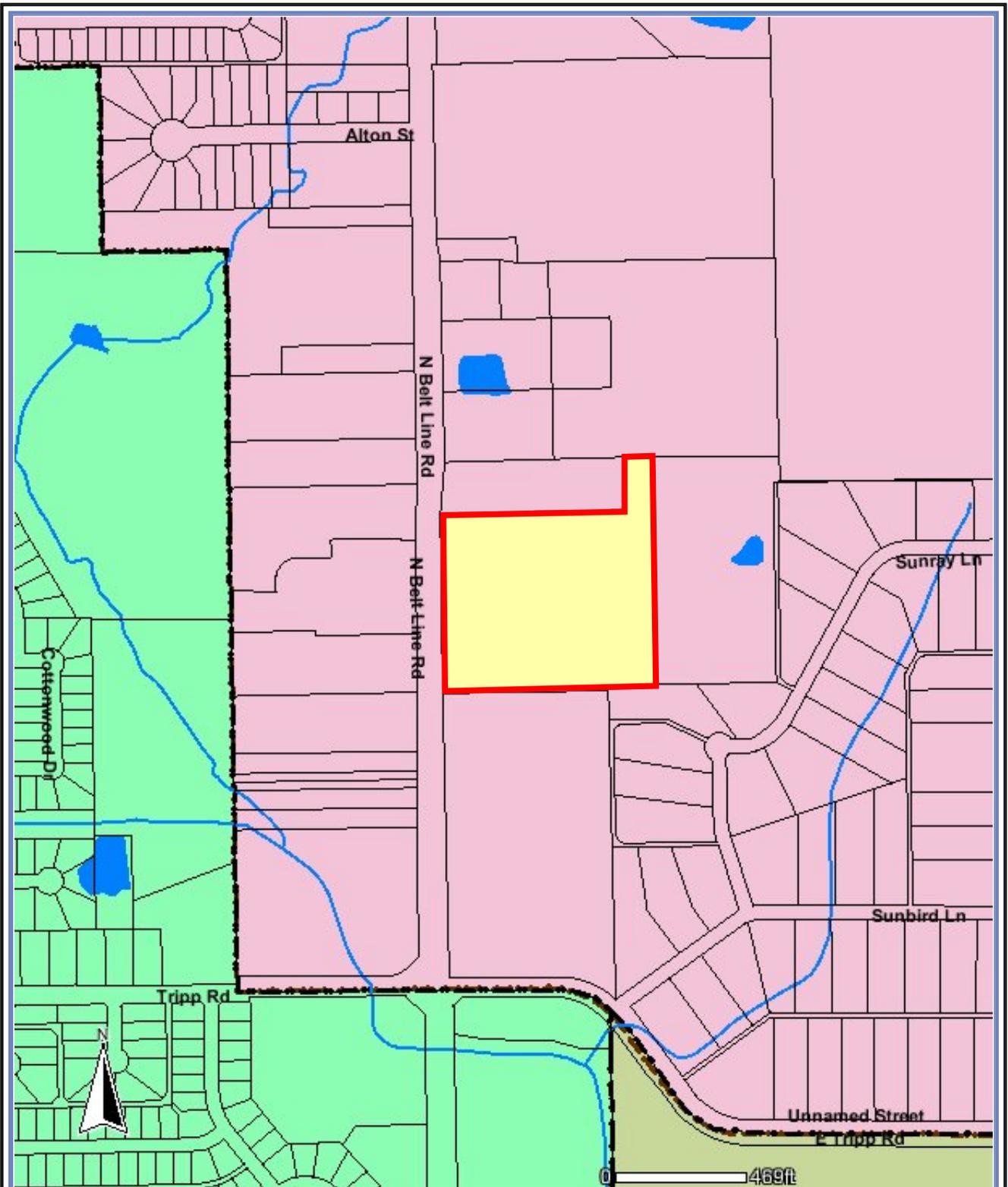
Staff Recommendation

Town staff has the following comments/recommendation for consideration:

1. Town staff recommends approval contingent to all Town comments being satisfactorily addressed prior to construction.

Attachments

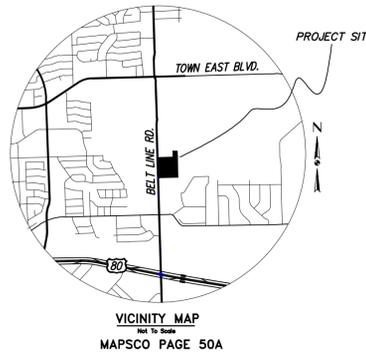
- Location Map
- Proposed Final Plat



**Dallas Central
Appraisal District**
www.dallascad.org

DISCLAIMER

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



GENERAL NOTES:

1. BASIS OF BEARING: NAD 1983 STATE PLANE COORDINATES, TEXAS NORTH CENTRAL (4202). GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS TAKEN ON 9/10/15. SOLUTIONS HAVE BEEN CALCULATED BY THE NATIONAL GEODETIC SURVEY, OPUS WEBSITE.
2. NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF TOWN SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHDRAWING UTILITIES AND BUILDING CERTIFICATES.
3. NO LOT TO LOT DRAINAGE WITHOUT ENGINEERING APPROVAL.
4. BENCHMARKS:
 - 4.1. STORM DRAIN CURB INLET LID, APPROXIMATELY 105' SOUTH OF THE NORTHWEST PROPERTY CORNER OF THE SUBJECT TRACT, ON THE EAST SIDE OF BELTLINE ROAD. ELEVATION 504.85
 - 4.2. STORM DRAIN CURB INLET LID, APPROXIMATELY 356' SOUTH OF THE NORTHWEST PROPERTY CORNER OF THE SUBJECT TRACT, ON THE EAST SIDE OF BELTLINE ROAD. ELEVATION 501.33
5. THE PURPOSE OF THIS PLAT IS TO CREATE 2 LOTS.
6. "THE DETENTION POND WILL BE MAINTAINED BY THE PROPERTY OWNERS."
7. COORDINATES SHOWN HEREON REFERS TO TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE OR PROJECTION.

OWNER'S DEDICATION

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT BELTLINE VENTURE NO. 1, DOES HEREBY ADOPT THIS PLAT, DESIGNATING THE HEREIN DESCRIBED PROPERTY AS **BELTLINE VENTURE ADDITION**, AN ADDITION TO THE CITY OF SUNNYVALE, DALLAS COUNTY, TEXAS AND DO HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER ANY STREETS, ALLEYS, AND FLOODWAY MANAGEMENT AREAS SHOWN THEREON, THE EASEMENTS SHOWN THEREON ARE HEREBY RESERVED FOR THE PURPOSES INDICATED. THE UTILITY AND FIRE LANE EASEMENTS SHALL BE OPEN TO THE GENERAL PUBLIC, FIRE AND POLICE UNITS, AND GARBAGE AND RUBBISH COLLECTION AGENCIES, AND ALL PUBLIC AND PRIVATE UTILITIES FOR EACH PARTICULAR USE. THE MAINTENANCE OF PAVING ON THE UTILITY AND FIRE LANE EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OF GROWTHS SHALL BE CONSTRUCTED, RECONSTRUCTED OR PLACED UPON, OVER AND ACROSS THE EASEMENT AS SHOWN. SAID EASEMENTS BEING HEREBY RESERVED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES USING OR DESIRING TO USE THE SAME. ALL AND ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDING, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON THE EASEMENTS AND ALL PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM AND UPON THE SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS, WITHOUT THE NECESSITY, AT ANY TIME, OF PROCURING THE PERMISSION OF ANYONE, AND ANY PUBLIC UTILITY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS TO PRIVATE PROPERTY FOR THE PURPOSE OF READING METERS AND MAINTENANCE AND SERVICE REQUIRED OR ORDINARILY PERFORMED BY THE UTILITY.

THIS PLAT IS APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF SUNNYVALE, TEXAS.

WITNESS MY HAND AT DALLAS, TEXAS, THIS THE _____ DAY OF _____, 2016.

AGENT FOR BELTLINE VENTURE NO. 1 _____

STATE OF TEXAS:

COUNTY OF DALLAS:

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR DALLAS COUNTY, TEXAS, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN. GIVEN UNDER MY HAND AND SEAL OF THIS OFFICE THE _____ DAY OF _____, 2016.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS.

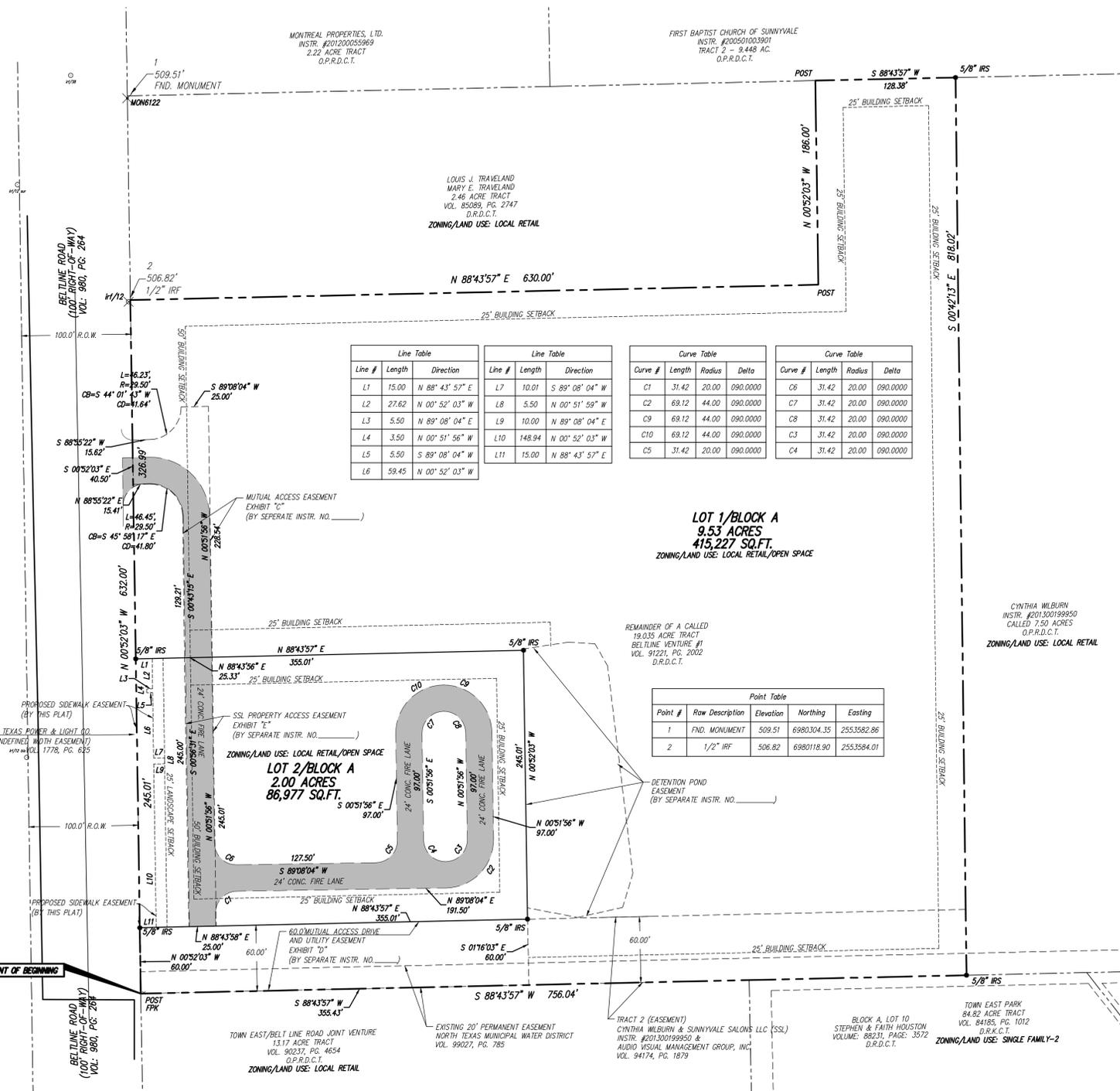
SURVEYOR'S CERTIFICATE

I, LOUIS SALCEDO, A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF TEXAS, AFFIRM THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION, FROM RECORDED DOCUMENTATION, EVIDENCE COLLECTED ON THE GROUND DURING FIELD OPERATIONS AND OTHER RELIABLE DOCUMENTATION; AND THAT THIS PLAT SUBSTANTIALLY COMPLIES WITH THE RULES AND REGULATIONS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND TEXAS LOCAL GOVERNMENT CODE, CHAPTER 212. I FURTHER AFFIRM THAT MONUMENTATION SHOWN HEREON WAS EITHER FOUND OR PLACED IN COMPLIANCE WITH THE CITY OF SUNNYVALE DEVELOPMENT CODE; AND THAT THE DIGITAL DRAWING FILE ACCOMPANYING THIS PLAT IS A PRECISE REPRESENTATION OF THIS SIGNED FINAL PLAT.

PRELIMINARY - THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

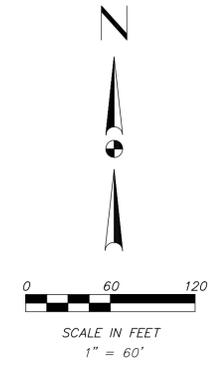
LOUIS M. SALCEDO
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3664

DATE _____



Legend

- 1" IRF 1" IRON PIPE FOUND
- 1" IRF 1" IRON ROD FOUND
- 5/8" IRS 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "SGI 3664", SET



Owner's Certificate
Town of Sunnyvale
State of Texas
County of Dallas

BELTLINE VENTURE NO. 1 is the Owner of an 11.53 acre tract of land situated in the HENRY J. WEBB Survey, Abstract No. 1588, and being part of a called 19.035 acre tract conveyed to BELTLINE VENTURE No. 1, by deed recorded in Vol. 91221, PG. 2002 D.R.D.C.T., and being in the Town of Sunnyvale, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the southwest corner of said 19.035 acre tract, from which a post with pk nail found, bears N 70°47'36" E a distance of 2.70 feet, and being the northwest corner of a tract of land conveyed to TOWN EAST/BELT LINE ROAD JOINT VENTURE, by deed recorded in Vol. 90237, PG. 4654 D.R.D.C.T., and being in the east line of Belt line Road (100 foot right-of-way):

THENCE along the east line of Belt line Road, same being the west line of said 19.035 acre tract, N 00°52'03" W a distance of 632.00 feet to the northwest corner of said 19.035 acre tract, from which a 1/2" iron rod found, bears S 46°00'12" W a distance of 2.32 feet, and being the southwest corner of a tract of land conveyed to Louis J. & Mary E. Traveland by deed recorded in Volume 85089, Page 2747 of the Deed Records of Dallas County, Texas;

THENCE along the north line of said 19.035 acre tract and the common south line of said Traveland tract, N 88°43'57" E a distance of 630.00 feet to an interior corner of said 19.035 acre tract, and being the southeast corner of said Traveland tract, from which a fence post bears N 52°00'38" E a distance of 1.01 feet;

THENCE along the west line of said 19.035 acre tract and the common east line of said Traveland tract, N 00°52'03" W a distance of 186.00 feet, to the northwest corner of said 19.035 acre tract, from which a fence post bears S 8°24'34" E a distance of 0.87 feet, and being the northeast corner of said Traveland tract, and being in the south line of a tract of land conveyed to First Baptist Church of Sunnyvale by deed recorded in Instrument Number 200501003901 of the Official Public Records of Dallas County, Texas;

THENCE along the north line of said 19.035 acre tract, S 88°43'57" W a distance of 128.38 feet to a 5/8" iron rod set with yellow plastic cap stamped "SGI 3664", and being the northeast corner of said 11.53 acre subject tract, and being the northwest corner of a tract of land conveyed to Cynthia Wilburn by deed recorded in Instrument Number 201300199950 of the Official Public Records of Dallas County, Texas;

THENCE along the east line of said 11.53 acre subject tract and the common west line of said Wilburn tract, S 00°42'13" W a distance of 818.02 feet to a 5/8" iron rod with plastic cap stamped "SGI 3664" set for the southeast corner of said 11.53 acre subject tract, and being the southwest corner of said Wilburn tract, and being in the north line of the Town East Park subdivision, recorded in Volume 84185, Page 1012 of the Map Records of Dallas County, Texas;

THENCE along the north line of the Town East Park subdivision and said Town East/Belt Line Road tract, same being the south line of said 19.035 acre tract, S 88°43'57" E a distance of 756.04 feet to the **POINT OF BEGINNING**, and containing 502,204 square feet or 11.53 acres of land, more or less.

**BELTLINE VENTURE ADDITION
LOTS 1 & 2, BLOCK A
502,204 SQ. FT. OR 11.53 AC.**

PART OF
A CALLED 19.035 ACRE TRACT OF LAND OUT OF
HENRY J WEBB SURVEY, ABSTRACT NO. 1588
IN THE
TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS

SGI SALCEDO GROUP, INC.
110 SW 2ND STREET
GRAND PRAIRIE, TX 75050
PHONE: (214)-941-8610

OWNER
BELTLINE VENTURE NO 1
C/O HOUSEMAN PROPERTIES
3838 OAK LAWN STE 1720
DALLAS, TEXAS 75219
214-336-9303

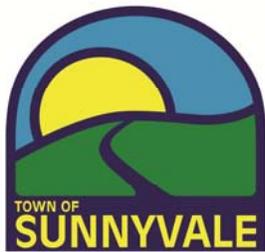
SURVEYOR
SALCEDO GROUP, INC.
110 SW 2ND STREET
GRAND PRAIRIE, TX 75050
(214) 941-8610

FLOOD STATEMENT: According to Community Panel No. 4813C0390K, dated July 7, 2014 of the Federal Emergency Management Agency, National Flood Insurance Program map, this property is within Flood Zone "X", which is not a special flood hazard area.

If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the Surveyor.

STATE OF TEXAS:
COUNTY OF DALLAS:
BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR DALLAS COUNTY, TEXAS, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN. GIVEN UNDER MY HAND AND SEAL OF THIS OFFICE THE _____ DAY OF _____, 2016.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS.



Town of Sunnyvale

September 26, 2016

Prepared By: **Rashad Jackson, AICP**
Director of Development Services

Summary:

APPLICANT: JAMES SNEED
AT OR ABOUT: 323 BARNES BRIDGE ROAD
REQUEST: FINAL PLAT – SNEED ADDITION, LOT 1, BLOCK A

Background:

The applicant is the representative for a residential property located at 323 Barnes Bridge Road. The applicant proposes to subdivide and create a single 5 acre lot (The Sneed Addition) out of an existing 10 acre parcel. The 5 acre lot will be for the future development of a single residence. The preliminary plat for the proposed subdivision was approved in June 2016.

Prior to submission of this plat application, the property received a lot width variance from the Board of Adjustment. The variance, received on May 24th, allows for a lot width of 184 feet for the subject property. The proposed final plat has been submitted in accordance with the Board of Adjustment variance approval and all other Town zoning and subdivision ordinance requirements.

Public Notice

Notice was published within the Town's Official Newspaper on Wednesday, August 31st, 2016. Letters were also provided to surrounding properties meeting the distance requirements as provided within the zoning ordinance. Eight (8) letters were sent out. As of the writing of this staff memo, one (1) letter had been returned in favor of the request.

Board of Adjustment – 05/24/2016

Variance from Section 3.7 Area Standards for Detached Single Family Dwellings, Chart 3.2 Area Standards for Residential Lots to reduce the lot width requirement from 250' to 184' for two (2) proposed residential lots located at or about 323 Barnes Bridge Road.

Chairman Hoffman called for a motion. Member Turner made a motion to approve the request. Member Noster seconded. Chairperson Hoffman called for a vote, and with all members voting affirmative, the motion passed unanimously.

Planning & Zoning Commission Recommendation – 9.19.16

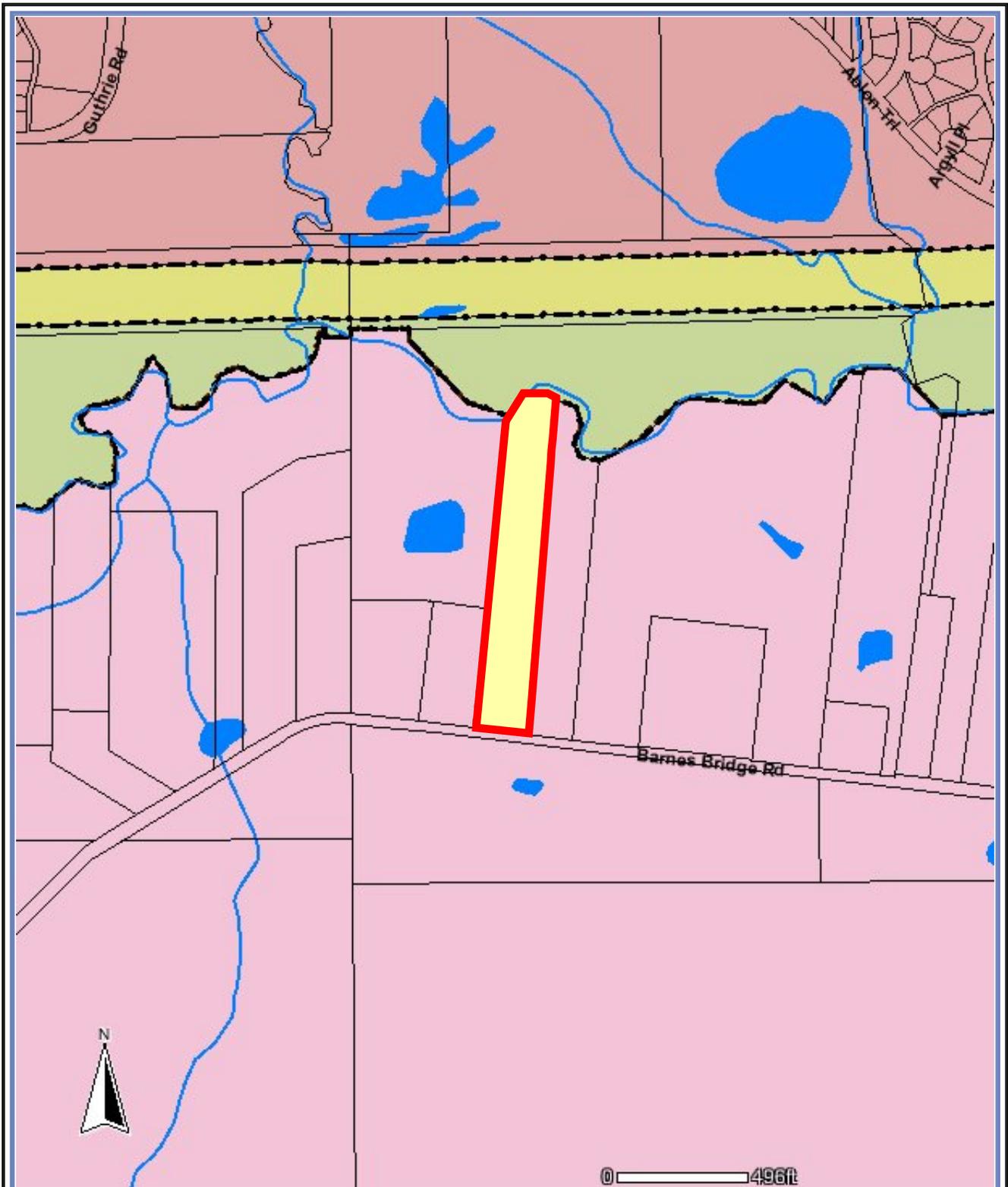
Commissioner Okafor made a motion to approve as submitted, seconded by Commissioner Daniel. Chairman Demko called for a vote, the motion passed unanimously.

Staff Recommendation

1. Town staff recommends approval of the final plat. The proposed plat meets the standards set forth in the Zoning Ordinance.

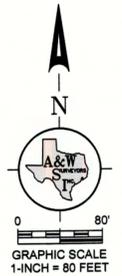
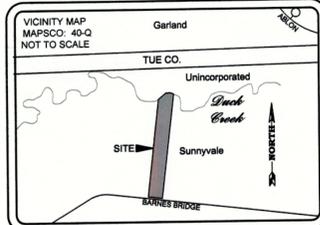
Attachments

- Location Map
- Proposed final plat
- Notice Letter

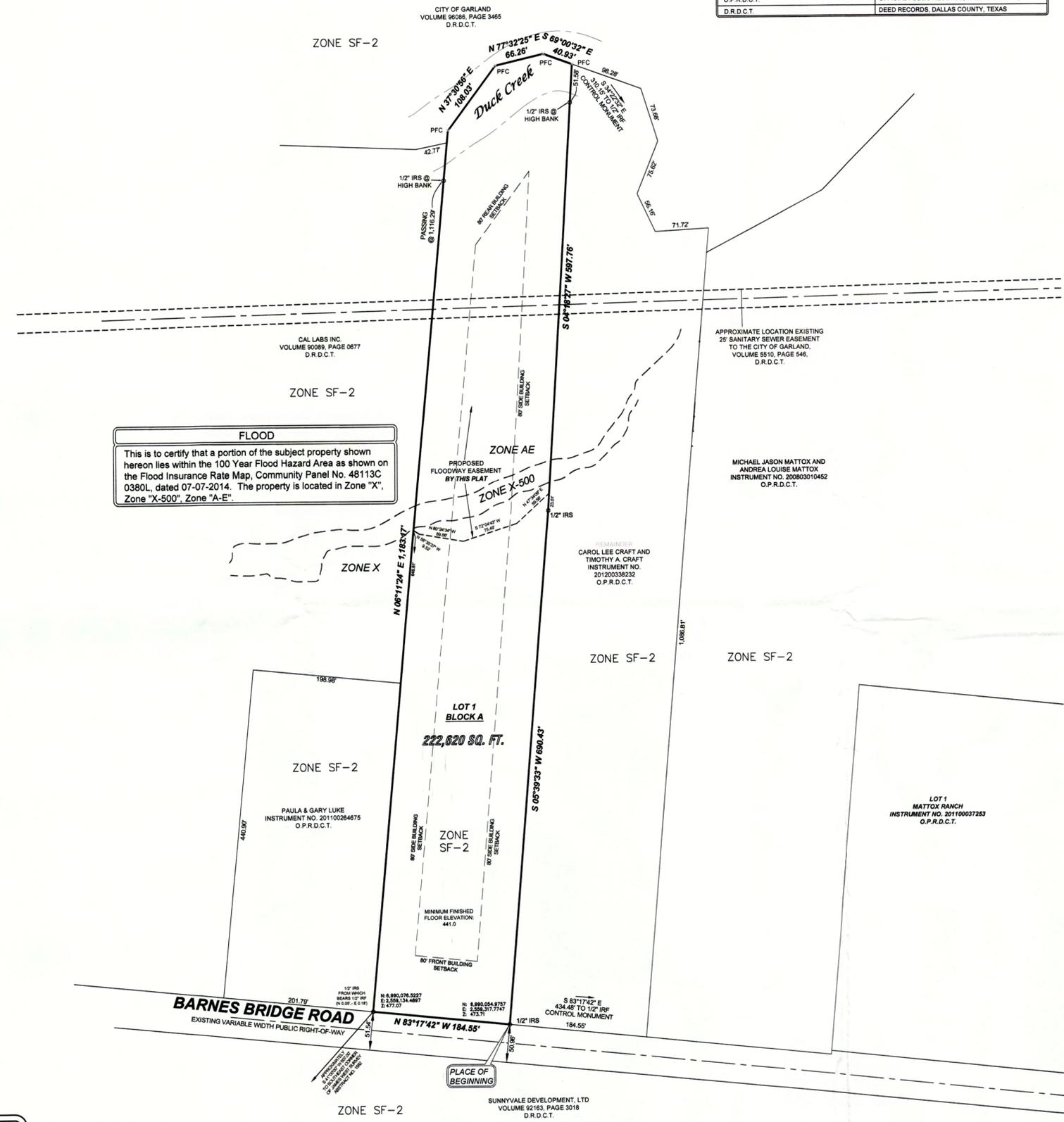


**Dallas Central
Appraisal District**
www.dallascad.org

DISCLAIMER
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



LEGEND	
1/2" IRS	1/2" IRON ROD SET
1/2" IRF	1/2" IRON ROD FOUND
PFC	POINT FOR CORNER
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS



FLOOD

This is to certify that a portion of the subject property shown hereon lies within the 100 Year Flood Hazard Area as shown on the Flood Insurance Rate Map, Community Panel No. 48113C 0380L, dated 07-07-2014. The property is located in Zone "X", Zone "X-500", Zone "A-E".

OWNER'S CERTIFICATE

WHEREAS James Sneed and Robin Sneed are the sole owners of a tract of land located in the JAMES WEST SURVEY, Abstract 1581, Town of Sunnyvale, Dallas County, Texas, and being a part of the same tract of land described in General Warranty Deed to James Sneed and Robin Sneed, recorded in Instrument No. 201800154695, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

Beginning at a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner in the North line of Barnes Bridge Road, a variable width public right-of-way, said point being North 84°51'41" West, a distance of 434.48 feet from the Southwest corner of Lot 1 of Mattox Ranch, an addition to the Town of Sunnyvale, Dallas County, Texas, according to the plat thereof recorded in Instrument No. 201100037253, Official Public Records, Dallas County, Texas;

Thence North 83°17'42" West, along said North line, a distance of 184.55' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set at the Southeast corner of a tract of land described in deed to Paula Luke and Gary Luke, recorded in Instrument No. 201100264675, Official Public Records, Dallas County, Texas;

Thence North 06°11'24" East, along the East line of said Luke tract, passing at 1,116.29' a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for reference in the high bank of Duck Creek, and continuing a total distance of 1,183.17' to a point for corner in said creek;

Thence North 37°30'56" East, along said creek, a distance of 108.03' to a point for corner;

Thence North 77°32'25" East, along said creek, a distance of 66.26' to a point for corner;

Thence South 69°00'32" East, along said creek, a distance of 40.93' to a point for corner;

Thence South 04°18'27" West, passing at a distance of 51.58' a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for reference at the high bank of said creek, and continuing a total distance of 597.76' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner;

Thence South 05°39'33" West, a distance of 690.43' to the PLACE OF BEGINNING and containing 222,620 square feet or 5.111 acres of land.

SURVEYOR'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

THAT I, John S. Turner, do hereby certify that I prepared this plat from an actual survey on the land and that the corner monuments shown thereon were found and/or properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the Planning and Zoning Commission of the Town of Sunnyvale, Texas.

Witness my hand at Mesquite, Texas,
This _____ day of _____, 20__.

PRELIMINARY, RELEASED 8-18-2016 FOR VIEWING PURPOSES ONLY.
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

John S. Turner
Registered Professional Land Surveyor #5310

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared John S. Turner, R.P.L.S. NO. 5310, State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office,
This _____ day of _____, 20__.

Notary Public in and for the State of Texas

OWNER'S DEDICATION

STATE OF TEXAS
COUNTY OF DALLAS

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, James Sneed and Robin Sneed, do hereby add this plat, designating the herein above described property as **SNEED ADDITION**, an addition to the Town of Sunnyvale, Dallas County, Texas, and does hereby dedicate and convey, in fee simple, to public use forever, the streets and alleys as shown hereon. The easements shown thereon are hereby reserved for the purposes indicated. The easements and fire lanes shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility easements and fire lanes is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements, obstructions, or growths shall be constructed, reconstructed or placed upon, over or across the easements and fire lanes as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. The Town of Sunnyvale shall have the right to remove and keep removed from fire lanes, all or parts of any building, fences, trees, shrubs, or other improvements, obstructions, or growths which in any way may endanger or interfere with access of fire units to fire protection facilities or equipment. All and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from and upon the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility). Water main and wastewater easement shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the Town of Sunnyvale, Texas.

WITNESS, my hand at Sunnyvale, Texas, this the _____ day of _____, 20__.

By: _____
James Sneed

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared, James Sneed, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,
this the _____ day of _____, 20__.

Notary Public in and for The State of Texas

WITNESS, my hand at Sunnyvale, Texas, this the _____ day of _____, 20__.

By: _____
Robin Sneed

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared, Robin Sneed, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,
this the _____ day of _____, 20__.

Notary Public in and for The State of Texas

CERTIFICATE OF APPROVAL

RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING COMMISSION OF SUNNYVALE, TEXAS, on the _____ day of _____, 20__.

ATTEST:

Signature of City Secretary _____ Date _____

Signature of Chairman _____ Date _____

APPROVED BY THE TOWN COUNCIL OF SUNNYVALE, TEXAS, on the _____ day of _____, 20__.

Mayor _____ Date _____

SURVEYOR'S NOTES

- 1) BASIS OF BEARING DETERMINED BY PLAT RECORDED IN INSTRUMENT NO. 201100037253, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS.
- 2) NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHOLDING OF UTILITIES AND BUILDING CERTIFICATES.
- 3) ALL DISTANCES ARE SURFACE DISTANCES.
- 4) THE PURPOSE OF THIS PLAT IS TO CREATE ONE BUILDABLE LOT.

5-24-2016 TOWN OF SUNNYVALE BOARD OF ADJUSTMENT GRANTS VARIANCE FOR MINIMUM FRONTAGE FROM 250' TO 184.55' FOR PROPERTIES LOCATED AT 323 & 321 BARNES BRIDGE ROAD.

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
P.O. BOX 870029, MESQUITE, TX. 75187
PHONE: (972) 681-4975 FAX: (972) 681-4954
WWW.AWSURVEY.COM

~ PROPERTY ADDRESS: 321 Barnes Bridge Road ~
Owners: James Sneed and Robin Sneed
~ 321 Barnes Bridge Road, Sunnyvale, TX 75182 ~
~ 214-202-3212 ~

Job No: 16-0247 | Drawn by: 543 | Date: 05-24-2016 | Revised: 6-9-16
"A professional company operating in your best interest"

FINAL PLAT

SNEED ADDITION
LOT 1, BLOCK A

BEING 5.111 ACRES OF LAND OUT OF THE JAMES WEST SURVEY, ABSTRACT 1581 TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS

DEVELOPING ONE (1) LOT TO SF-2 STANDARDS
DATE OF PREPARATION: 5-24-2016



**Notice of Application for Final plat
Town of Sunnyvale
Planning & Zoning Commission**

The Town of Sunnyvale has received a request from James Sneed for a final plat approval of the Sneed Addition. The request will allow for the development of a single residence on the subject property. The location of the property, 321 Barnes Bridge Road, is shown on the attached exhibit.

The Planning and Zoning Commission will hear this application on Monday, September 19, 2016 and the Town Council will consider the application on either Monday, September 26, 2016 or Monday, October 10, 2016. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, you may present them in person at these meetings or may submit written comments at any time on or before date of the hearings.

The final plat application and supporting documents are on file at Town Hall and may be examined at no charge. For further information contact Rashad Jackson, Director of Development Services at (972) 203-4103 or rashad.jackson@townofsunnyvale.org.

- I am in favor of the final plat
- I am opposed to the final plat

Explanation:

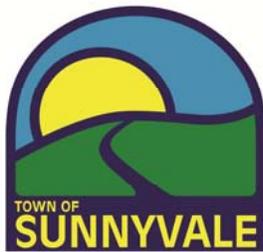
Signature:

J. C. Lupton

Printed Name:

Address:

Date:



Town of Sunnyvale

September 26, 2016

Prepared By:

Rashad Jackson, AICP
Director of Development Services

Summary:

APPLICANT: COLIN HELFFRICH, P.E.
AT OR ABOUT: APPROX. 30 ACRES SOUTH OF MIDSTREAM DRIVE AND WEST OF BENWICK DRIVE
REQUEST: FINAL PLAT – STONEY CREEK PHASE 2G

Background:

The applicant is requesting final plat approval for Stoney Creek Phase 2G. The proposed final plat shows a total of 47 single family residential lots ranging in size from 18,000 square feet to 31,633 square feet. One (1) open space lot will also be provided within the southeast corner of the development. The total area of Phase 2G is 30.679 acres. Lots provided around the perimeter of the development do not abut alleyways. However, those lots located within Block E, have an internal alleyway. The right-of-way within the development is 55 feet in width. A 25' open space/landscape buffer area has been provided along the west and south sides of the development.

Analysis

Town staff has evaluated the proposed development against the Zoning Ordinance, Subdivision Ordinance, and Engineering Design Standards as well as the more specific requirements for a PRO contained within Ordinance No. 463. The table below shows the approved lot totals for Tract 2 of the Stoney Creek development.

TRACT 2 ZONING REQUIREMENTS					
ZONING REQUIREMENTS			CURRENT DEVELOPMENT		
MAXIMUM NUMBER OF UNITS:	472		CURRENT TOTAL NUMBER OF UNITS:	472	
MAXIMUM ACRES:	-		TOTAL ACRES:	330.388	
MAXIMUM DENSITY:	1.43	UNITS/ACRE	DENSITY:	1.43	UNITS/ACRE
ZONING LOT SIZE REQUIREMENTS			CURRENT RESIDENTIAL LOT SIZE		
15,000-17,999	182	UNITS	15,000-17,999	148	UNITS
18,000-23,999	213	UNITS	18,000-23,999	274	UNITS
>24,000	77	UNITS	>24,000	50	UNITS
PHASE 2A			PHASE 2E		
15,000-17,999	43	UNITS	15,000-17,999	46	UNITS
18,000-23,999	32	UNITS	18,000-23,999	24	UNITS
>24,000	9	UNITS	>24,000	2	UNITS
PHASE 2B			PHASE 2F		
15,000-17,999	2	UNITS	15,000-17,999	0	UNITS
18,000-23,999	63	UNITS	18,000-23,999	63	UNITS
>24,000	9	UNITS	>24,000	19	UNITS
PHASE 2C			PHASE 2G		
15,000-17,999	45	UNITS	15,000-17,999	0	UNITS
18,000-23,999	33	UNITS	18,000-23,999	43	UNITS
>24,000	1	UNITS	>24,000	4	UNITS
PHASE 2D					
15,000-17,999	12	UNITS			
18,000-23,999	16	UNITS			
>24,000	8	UNITS			

Upon review, staff notes phase 2G has been developed in accordance with the Tract 2 requirements. With only phases 2E and 2F of Tract 2 remaining, the development is consistent with the approved lot size and lot count approved for the tract.

Density and Lot Count Requirements

The property is zoned SF-3 PRO, Single Family Residential 3 Planned Residential Overlay. Ordinance No. 463 provides further regulations for how Tract 2 of Stoney Creek is to develop. The total number of dwelling units provided within Tract 2 shall not exceed 472. To date (with 2G included), Tract 2 has a total of 318 lots. The overall maximum density per gross usable acre shall not exceed 1.43 dwelling units per acre.

Setbacks and Lot Size

As per the zoning requirements and the PRO standards, lots within phase 2G are required to be a mix of sizes. The following lot sizes are developed within phase 2G.

Number of Units	Lot Size
0	Greater than or equal to 15,000 square feet
43	Greater than or equal to 18,000 square feet
4	Greater than or equal to 24,000 square feet

Lot width, lot depth, and setbacks are determined based upon the size of the lot provided. In all instances, lot depth must be greater than lot width for the lot sizes noted. Setbacks and lot width requirements for lots within these size ranges are as follows:

Lot Size	Width	Front Setback	Side Setback	Rear Setback
14,000 to 19,999	100	50	20	30
20,000 to 34,999	120	60	30	40

The lots provided for within this phase meet the requirements noted above. No amendments or waivers are necessary.

Landscaped Buffer Areas and Open Space

Perimeter buffering is required for Tract 2. Along the south and west sides of the proposed phase, an open space area has been provided. This area is twenty-five (25) feet in width. According to the PRO requirements, this area is to what is referred to as "Landscape Section A-A". A six (6) foot berm with landscaping materials atop (Chinese photinia plant) is provided.

Tract 2 requires that 45.64 acres of open space be provided. At this time, 38.561 acres of open space will have been provided for within this area of the development. Town staff will continue to monitor the open space so as to ensure that the correct amount is provided.

Street Lighting

Decorative lighting is required at all residential subdivision entries. Additional lighting is to be placed throughout the development. Light poles are to be fourteen (14) feet in height. Traffic information and street names shall be placed on the poles. The applicant will need to install the standard Sunnyvale light pole.

Fire Hydrants

Fire Hydrants are located in accordance with the regulations as provided for within the Zoning Ordinance and Subdivision Ordinance. Fire hydrants must be located at all intersecting streets and at intermediate locations between intersections at a maximum spacing of five hundred (500) feet.

Architectural Details

If fencing is to be provided along the lot perimeters, such fencing must meet the requirements of the zoning ordinance. Fencing adjacent to open space, must have openings that do not cover more than fifty (50) percent of the fence area shall be used.

Garages may not face the front of the lot. No front building elevation or plan for a single-family detached dwelling shall be repeated with a block face or within 1,000 feet along a street(s). All residential units shall consist of ninety (90) percent brick or stone, with exception given to doors and windows.

Sidewalks, Trails, and Alleys

No trails have been provided within this portion of the development. Sidewalks will be provided and must be constructed in accordance with the Town's requirements.

Public Notice

Public notice was provided to the Town's Official Newspaper for publication on August 31st, 2016. Letters were also sent to property owners' within 400'. The total number of letters sent was thirty-three (33). As of the release of the staff memo, one (1) response had been received in favor.

Fiscal Impact

Ordinance No. 463 requires that the developer contribute \$1,100 per lot for traffic mitigation fees. This would equate to \$51,700. The intent of these fees is for two (2) designated roadway projects: Collins Rd (from Town East to Tripp Rd) and Tripp Rd/Collins Rd intersection improvements. To date, \$418,800 have been contributed to the fund.

Planning & Zoning Commission Recommendation – 9.19.16

Commissioner Daniel made a motion to approve as submitted, seconded by Commissioner Sandler. Chairman Demko called for a vote, the motion passed unanimously.

Staff Recommendation

Town staff has the following comments/recommendations for consideration:

1. The engineering comments, must be satisfactorily addressed prior to Town signature and recording of the plat.
2. HOA documents are required for the proposed development.
3. The applicant is subject to the payment of traffic mitigation fees in accordance with Ordinance No. 463 at \$1,100 per lot to be paid prior to plat recording. (\$51,700)
4. Lighting, fire hydrants, sidewalks, etc. must be in accordance with zoning ordinance as well as PRO requirements. All franchise utilities and landscaping must be inspected and approved by Town staff prior to the recording of the final plat with Dallas County.

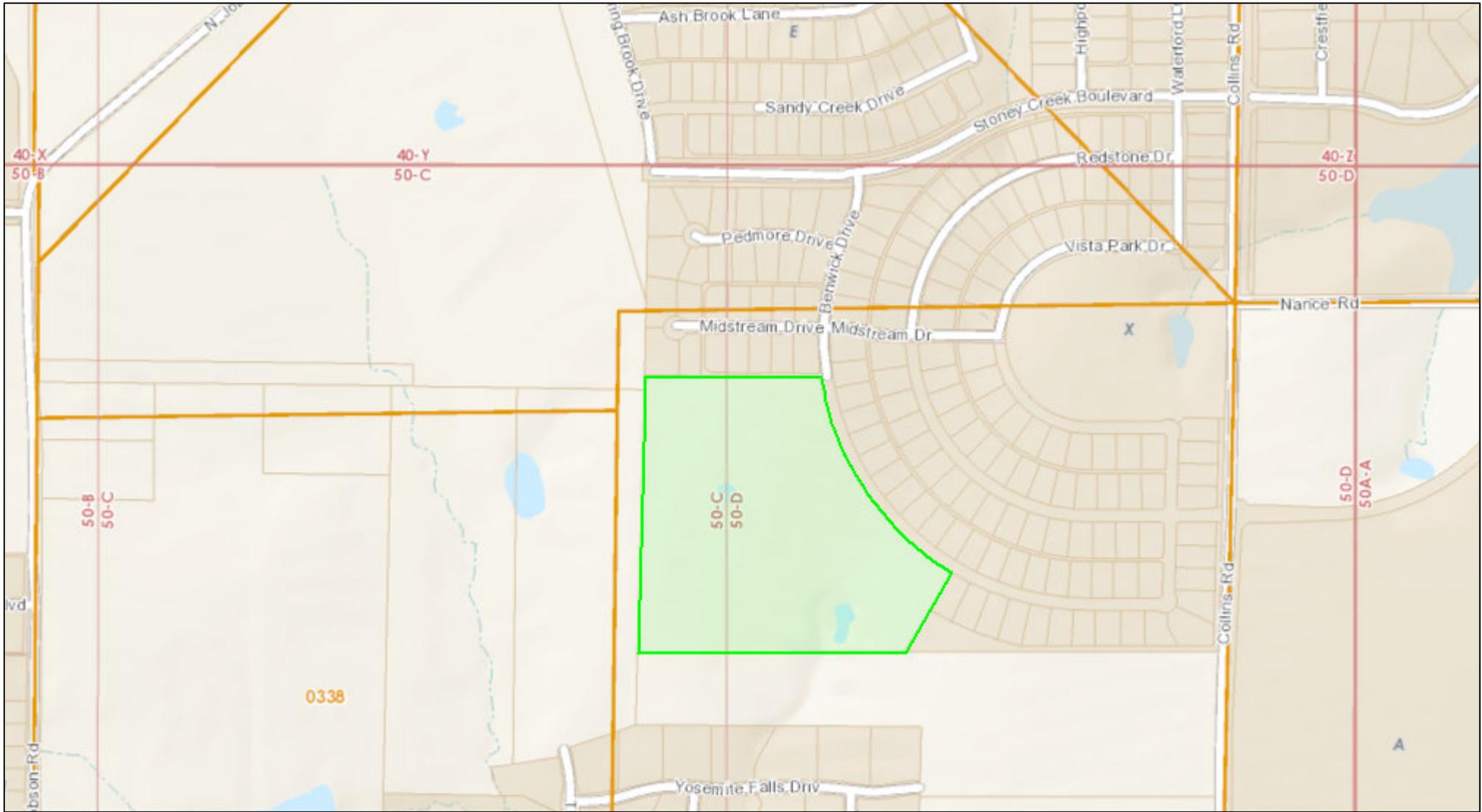
Attachments

- Location Map
- Final Plat: Stoney Creek Phase 2G
- Phase Map – Concept Plan
- Notice Letter

Stoney Creek 2G

DCAD ID: 65059305510010000

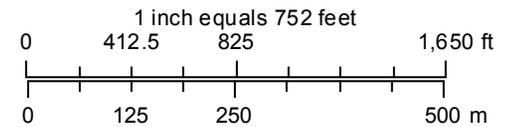
Date of copy: 9/6/2016



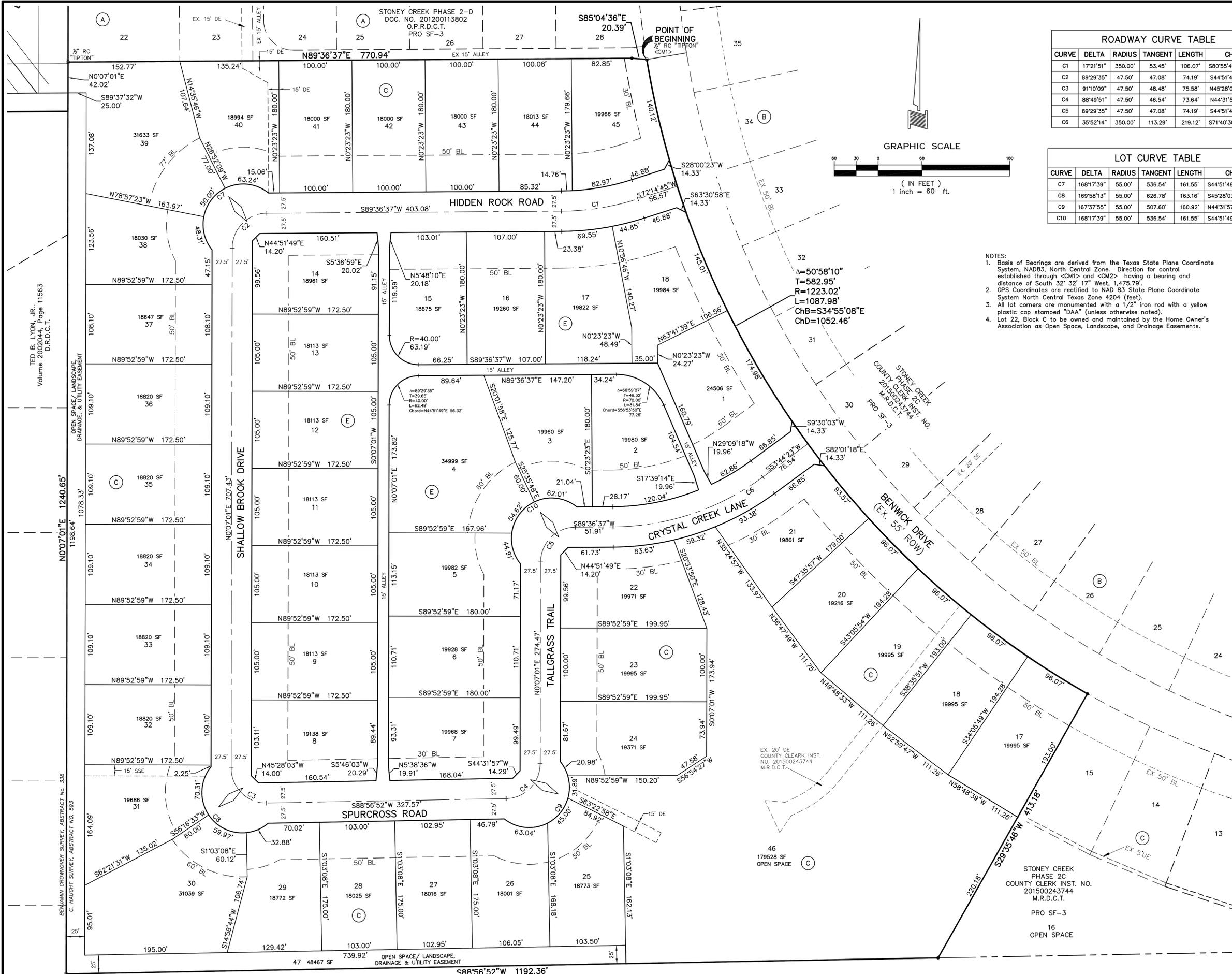
This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



Dallas Central Appraisal District
 2949 N Stemmons Freeway
 Dallas, TX 75247-6195
 (214) 631-1342
www.dallascad.org



DCAD, NCTCOG, USGS, Esri, Inc

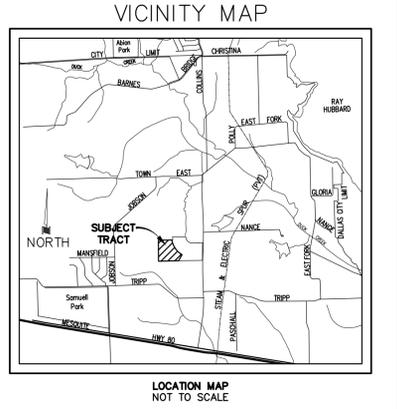
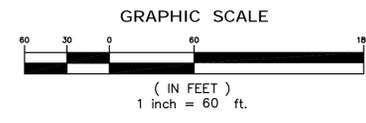


ROADWAY CURVE TABLE

CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD
C1	17°21'51"	350.00'	53.45'	106.07'	S80°55'41"W 105.67'
C2	89°29'35"	47.50'	47.08'	74.19'	S44°51'49"W 66.88'
C3	91°10'09"	47.50'	48.48'	75.58'	N45°28'03"W 67.86'
C4	88°49'51"	47.50'	46.54'	73.64'	N44°31'57"E 66.49'
C5	89°29'35"	47.50'	47.08'	74.19'	S44°51'49"W 66.88'
C6	35°52'14"	350.00'	113.29'	219.12'	S71°40'30"W 215.56'

LOT CURVE TABLE

CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD
C7	168°17'39"	55.00'	536.54'	161.55'	S44°51'49"W 109.43'
C8	169°58'13"	55.00'	626.78'	163.16'	S45°28'03"E 109.58'
C9	167°37'55"	55.00'	507.60'	160.92'	N44°31'57"E 109.36'
C10	168°17'39"	55.00'	536.54'	161.55'	S44°51'49"W 109.43'



- NOTES:**
- Basis of Bearings are derived from the Texas State Plane Coordinate System, NAD83, North Central Zone. Direction for control established through <CM1> and <CM2> having a bearing and distance of South 32° 32' 17" West, 1,475.79'.
 - GPS Coordinates are rectified to NAD 83 State Plane Coordinate System North Central Texas Zone 4204 (feet).
 - All lot corners are monumented with a 1/2" iron rod with a yellow plastic cap stamped "DAA" (unless otherwise noted).
 - Lot 22, Block C to be owned and maintained by the Home Owner's Association as Open Space, Landscape, and Drainage Easements.

- LEGEND**
- BTP = BY THIS PLAT
 - BSE = BY SEPARATE INSTRUMENT
 - SWE = SIDEWALK EASEMENT
 - DE = DRAINAGE EASEMENT
 - SSE = SANITARY SEWER EASEMENT
 - UE = UTILITY EASEMENT
 - TUE = TRANSFORMER & UTILITY EASEMENT
 - HOA = HOME OWNERS ASSOCIATION
 - BL = BUILDING LINE
 - D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS
 - M.R.D.C.T. = MAP RECORDS, DALLAS COUNTY, TEXAS
 - O.P.R.D.C.T. = OFFICIAL PUBLIC RECORD, DALLAS COUNTY, TEXAS
 - RC = RED CAP
 - IRF = IRON ROD FOUND
 - <CM> = CONTROLLING MONUMENT
 - ◇ DENOTES STREET NAME CHANGE
 - ⊙ = 1/2" IRON ROD FOUND W/ YELLOW PLASTIC CAP STAMPED "DAA" (UNLESS OTHERWISE NOTED)
 - = 1/2" IRON ROD SET W/ YELLOW PLASTIC CAP STAMPED "DAA" (UNLESS OTHERWISE NOTED)

FINAL PLAT
STONEY CREEK PHASE 2G
 LOTS 17-46, BLOCK C
 LOTS 1-18, BLOCK E
 ZONED PRO "SF-3"
 47 SINGLE-FAMILY RESIDENCE &
 2 OPEN SPACE LOTS
 30.679 ACRES

C. HAUGHT SURVEY, ABSTRACT NO. 593
 TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS
 SEPTEMBER 2014 SCALE: 1" = 60'

OWNER
STONEY CREEK PROPERTIES, L.L.C.
 14755 PRESTON ROAD ~ SUITE 710
 DALLAS, TEXAS 75254
 CONTACT: DARREL AMEN ~ 972-702-8699

ENGINEER
DOWDEY, ANDERSON & ASSOCIATES, INC.
 5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694
 STATE REGISTRATION NUMBER: F-399
 SURVEY FIRM REGISTRATION NUMBER: 10077800

TED B. LYON, JR.,
 Volume 2002044, Page 11563
 D.R.D.C.T.

REVISED:

SUNNYVALE DEVELOPMENT, LTD.
 Volume 92163, Page 3018
 D.R.D.C.T.

"NOTICE:
 SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF
 CITY SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES AND IS SUBJECT TO
 FINES AND WITHHOLDING OF UTILITIES AND BUILDING CERTIFICATES"

OWNER'S CERTIFICATE

STATE OF TEXAS §

COUNTY OF DALLAS §

WHEREAS, STONEY CREEK PROPERTIES, L.L.C., is the owner of a tract of land situated in the C. HAUGHT SURVEY, ABSTRACT NO. 593 and being part of that tract of land described in Deed to Stoney Creek Properties, LLC, as recorded in Document Number 20070448727, Deed Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with a red plastic cap stamped "TIPTON" found in the west line of Benwick Drive, a 55 foot right-of-way, for a south corner of STONEY CREEK PHASE 2-D, an addition to the Town of Sunnyvale, Dallas County, Texas, according to the Plat thereof recorded in Document No. 201200113802, Official Public Records, Dallas County, Texas, said point being the beginning of a curve to the left having a central angle of 50 degrees 58 minutes 10 seconds, a radius of 1,223.02 feet and a chord bearing and distance of South 34 degrees 55 minutes 08 seconds East, 1,052.46 feet;

THENCE with said west line of Benwick Drive and said curve to the left, an arc distance of 1,087.98 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

THENCE South 29 degrees 35 minutes 46 seconds West, leaving said west line, a distance of 413.18 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set in north line of a tract of land described in Deed to Sunnyvale Development, LTD., as recorded in Volume 92163, Page 3018, Deed Records, Dallas County, Texas, for corner;

THENCE South 88 degrees 56 minutes 52 seconds West, with said north line, a distance of 1,192.36 feet to 5/8 inch iron rod found in the east line of a tract of land described in Deed to Ted B. Lyon, Jr. as recorded in Volume 2002044, Page 11563, Deed Records, Dallas County, Texas, for the common southwest corner of this tract and northwest corner of said Sunnyvale Development, LTD. tract;

THENCE North 00 degrees 07 minutes 01 seconds East, with said east line, a distance of 1,240.65 feet to a 1/2 inch iron rod with a red plastic cap stamped "TIPTON" found in the above mentioned south line of STONEY CREEK PHASE 2-D, Addition;

THENCE North 89 degrees 36 minutes 37seconds East, with said south line, a distance of 770.94 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

THENCE South 85 degrees 04 minutes 36 seconds East, continuing with said south line, a distance of 20.39 feet to the POINT OF BEGINNING and containing 30.679 acres of land, more or less.

DEDICATION STATEMENT

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That STONEY CREEK PROPERTIES, L.L.C., acting by and through its duly authorized officers does hereby adopt this, designating the herein above described property as STONEY CREEK PHASE 2G, an addition to the Town of Sunnyvale, Dallas, County, Texas, and does hereby dedicate and convey, in fee simple, to public use forever, the streets and alleys as shown hereon. The easements shown thereon are hereby reserved for the purposes indicated. The easements and fire lands shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility easements and fire lanes is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements, obstructions, or growths shall be constructed, reconstructed or placed upon, over or across the easements and fire lanes as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. The Town of Sunnyvale shall have the right to remove and keep removed from fire lanes, all or parts of any building, fences, trees, shrubs, or other improvements, obstructions, or growths which in any way may endanger or interfere with access of fire units to fire protection facilities or equipment. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from and upon the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Owner hereby grants and conveys to the Town of Sunnyvale and the general public use forever an access easement for ingress, egress, park and recreation use in, on and under Open Space shown hereon. Owner hereby grants and conveys to the Town of Sunnyvale and the general public a drainage easement in, on and under all Open Space shown hereon. The Town of Sunnyvale shall have the right but not the obligation to maintain drainage facilities, public trails and landscaped areas within all said easements.

Owner hereby grants the Town of Sunnyvale the irrevocable option which option is coupled with an interest, runs with the land and which option shall expire twenty (20) years from the date of this plat, to receive by dedication in fee simple for park recreation and drainage purposes all Open Space shown hereon, landscaped buffers and trail improvements associated therewith at no cost to the Town of Sunnyvale. This option may be exercised by notice from the Town to Owner or its successors or assigns.

The easement, rights, and privileges granted by this conveyance are exclusive, and Owner covenants not to convey any other easement or conflicting rights in the area covered by this grant. The easements shown hereon shall be perpetual. Owner's heirs, personal representatives, successors, and assigns are and shall be bound to warrant and forever defend the easement and rights conveyed in this instrument against every person lawfully claiming or to claim all or any part of the interest in the Property.

Water main and wastewater easement shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrant, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the Town of Sunnyvale, Texas.

WITNESS MY HAND THIS _____ DAY OF, _____ 2016

STONEY CREEK PROPERTIES, L.L.C.

By: _____

THE STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____ known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as a duly authorized officer of such corporation, for the purposes and consideration therein expressed, and in the capacity herein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2016.

Notary Public, in and for the State of Texas

SURVEYOR'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

KNOW ALL MEN BY THESE PRESENTS:

That I, Sean Patton, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown hereon were found or properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City of Plano, Texas.

Sean Patton
Registered Professional Land Surveyor
No. 5660

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas on this day personally appeared Sean Patton, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2016.

Notary Public in and for the State of Texas

CERTIFICATE OF APPROVAL

APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF SUNNYVALE on this the _____ day of _____, 2016.

Chairman, Planning and Zoning Commission

APPROVED BY THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE on this the _____ day of _____, 2016.

Mayor

ATTEST:

Town Secretary

FINAL PLAT
STONEY CREEK PHASE 2G
LOTS 17-46, BLOCK C
LOTS 1-18, BLOCK E
ZONED PRO "SF-3"
47 SINGLE-FAMILY RESIDENCE &
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SEPTEMBER 2014 SCALE: 1" = 60'

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14755 PRESTON ROAD ~ SUITE 710
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ENGINEER

 **DOWDEY, ANDERSON & ASSOCIATES, INC.**
5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694
STATE REGISTRATION NUMBER: F-399
SURVEY FIRM REGISTRATION NUMBER: 10077800

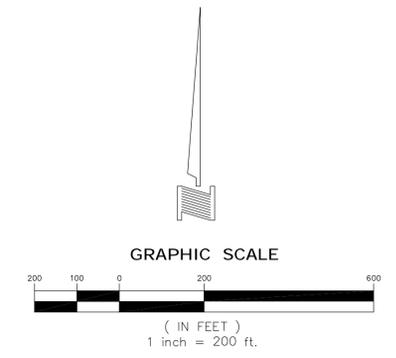
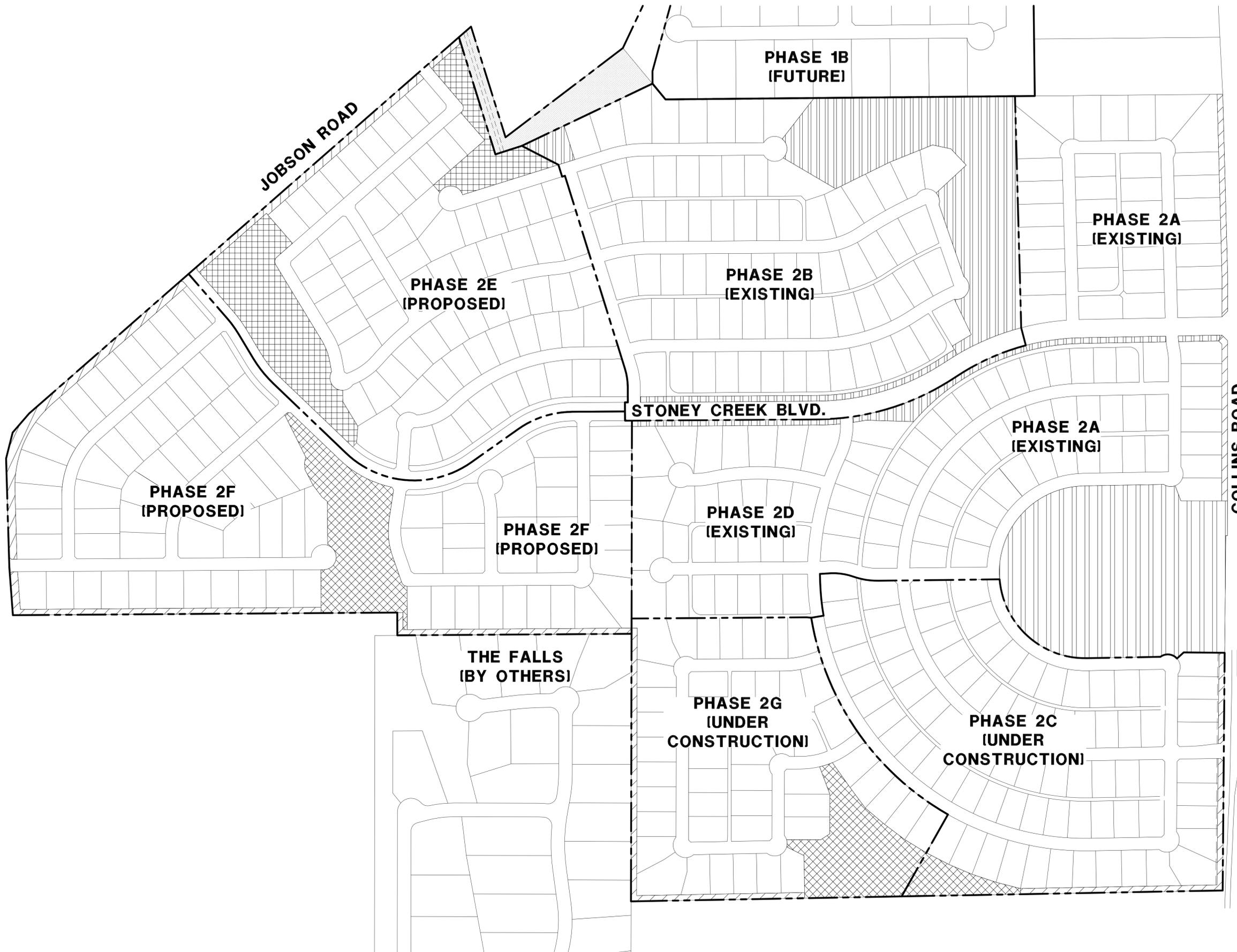
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FINES AND WITHHOLDING OF UTILITIES AND BUILDING CERTIFICATES"

COUNTY CLERK INST. NO.

2 OF 2

12014-2G

REVISED:



TRACT 2

	OPEN SPACE REQUIREMENT	=	45.64 ACRES
	OPEN SPACE PROVIDED	=	50.99 ACRES
	LANDSCAPE BUFFER REQUIREMENT	=	6.35 ACRES
	LANDSCAPE BUFFER PROVIDED	=	7.09 ACRES

- 1. PREVIOUSLY PLATTED AS OPEN SPACE, LANDSCAPE, DRAINAGE AND UTILITY EASEMENTS.
2. AREAS COUNTED IN OPEN SPACE CALCULATIONS ONLY.
- 1. AREAS TO BE PLATTED AS OPEN SPACE, LANDSCAPE, DRAINAGE AND UTILITY EASEMENTS.
2. AREAS COUNTED IN OPEN SPACE CALCULATIONS ONLY.
- 1. AREAS PREVIOUSLY PLATTED AND TO BE PLATTED AS OPEN SPACE, LANDSCAPE, DRAINAGE AND UTILITY EASEMENTS.
2. AREAS COUNTED IN LANDSCAPE BUFFER CALCULATIONS ONLY.
- 1. AREA PREVIOUSLY PLATTED AS A NON-BUILDABLE LOT SATISFYING STONEY CREEKS OBLIGATIONS FOR OPEN SPACE AND LANDSCAPE BUFFERS ALONG THE COMMON PROPERTY LINES. THIS AREA IS BEING SOLD TO THE CROWNOVER FAMILY.
2. AREA COUNTED IN OPEN SPACE CALCULATIONS AS ORIGINALLY CALLED OUT BY P.D. 463 EXHIBIT D.

TRACT 2 OPEN SPACE
STONEY CREEK

TOWN OF SUNNYVALE
DALLAS COUNTY, TEXAS

DOWDEY, ANDERSON & ASSOCIATES, INC.
5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694
STATE REGISTRATION NUMBER: F-399
SURVEY FIRM REGISTRATION NUMBER: 10077800

DESIGN	DRAWN	CHECKED	DATE	SCALE	JOB	SHEET
-	-	-	03/14/16	1"=200'	12014	1

NO.	DATE	BY	REVISION



**Notice of Application for Final plat
Town of Sunnyvale
Planning & Zoning Commission**

The Town of Sunnyvale has received a request from James Sneed for a final plat approval of the Sneed Addition. The request will allow for the development of a single residence on the subject property. The location of the property, 321 Barnes Bridge Road, is shown on the attached exhibit.

The Planning and Zoning Commission will hear this application on Monday, September 19, 2016 and the Town Council will consider the application on either Monday, September 26, 2016 or Monday, October 10, 2016. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, you may present them in person at these meetings or may submit written comments at any time on or before date of the hearings.

The final plat application and supporting documents are on file at Town Hall and may be examined at no charge. For further information contact Rashad Jackson, Director of Development Services at (972) 203-4103 or rashad.jackson@townofsunnyvale.org.

- I am in favor of the final plat
- I am opposed to the final plat

Explanation:

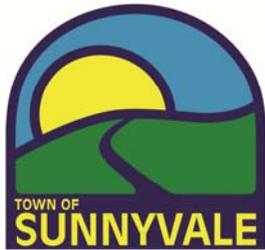
Signature:

J. C. Lupton

Printed Name:

Address:

Date:



Town of Sunnyvale

September 26, 2016

Prepared By: Rashad Jackson, AICP
Director of Development Services

Summary:

APPLICANT: ANGELA NAVARRO
AT OR ABOUT: 400 S. PASCHALL ROAD
REQUEST: CONDITIONAL USE PERMIT FOR A COMMERCIAL AMUSEMENT USE AND SITE PLAN

Background:

The subject property is located at or about 400 S. Paschall Road. The applicant requests approval of a Conditional Use Permit for a Commercial Amusement use and site plan. The request is for the development of a wedding / event facility. The applicant plans to build a venue for events such as weddings, corporate functions, banquets and reunions. The proposed use is allowed with conditional use permit approval within a Highway Commercial zoning district. The subject property is 5.4 acres in size.

Proposed Development Variations: The applicant has requested variations from our standard development requirements for Highway Commercial development (noted below). Conditional Use Permit applicants may seek variations from standard development requirements per section 24.2 if the zoning ordinance.

Section 24.2 of the zoning ordinance reads as follows:

24.2.A: Whenever an applicant for a conditional use permit seeks to vary or waive any of the regulations or standards applicable within the zoning district, he shall clearly identify such variation or waiver on the site plan required by this chapter.

24.2.B: In order to implement the purposes of this chapter, the Town Council may grant variations or waivers to zoning district standards that have been requested by an applicant and specifically identified in the application, only if it determines that the proposed use is appropriate for the site and that such variations or waivers are necessary to render the use compatible with adjoining land uses and consistent with the purpose of the district in which the use is proposed.

The applicant has requested a variation to use wood siding as opposed to masonry or hardboard siding as required. Other portions of the building façades are shown to be constructed with stone accents. The applicant's site plan also shows a variation from the standard parking space and drive aisle paving regulations. The plans propose crushed granite for standard parking spaces and interior drive aisles as opposed to concrete. Only the fire lanes and accessible parking spaces will be constructed out of concrete.

Required Highway Commercial (HC) Development Standards:

Section 20.8.A.2.c

Non-residential - HC District

(1) Exterior walls of all structures shall have at least 90% masonry coverage on all four building sides. Stucco type masonry shall be limited to 40% of required masonry area façade (max %10 stucco in Design Overlay). Colors for stucco type masonry shall be selected from the recommended earth tone palette provided in the Town of Sunnyvale Design Criteria Manual. The use and coverage percentage of Hardiboard type masonry shall be considered only on a specific case basis.

(2) Plain haydite or concrete block outside walls must be veneered with another decorative masonry material. Masonry shall be brick or stone. Glass block and glass curtain walls are acceptable materials but they shall not exceed 50 percent of the area of any wall.

(3) No exterior walls of any buildings shall be constructed of wood or corrugated metal.

Section 19.15 Parking Regulations

All parking spaces and access thereto shall be constructed with a minimum of five (5) inches of reinforced concrete material, except that areas designated for fire lanes shall be constructed with a minimum of six (6) inches of reinforced concrete material, and providing a low maintenance surface on any and all parking areas.

US Hwy 80 Design Overlay District: The proposed site lies within the US Hwy 80 Design Overlay District. The intent of the overlay district is to provide design standards for developments that incorporate large anchors and commercial / retail centers, maintain a consistent landscape treatment throughout the corridor, incorporate natural tree groves and provide standards that encourage pad sites and specialty users to orient around main streets, pedestrian walks or town greens.

Staff notes that the purpose of the overlay design criteria, excluding the landscape requirements, does not necessarily apply to the applicants proposed development. The design overlay development standards are intended to guide big box retail development along the highway corridor. The applicant's proposal is site specific and is not designed as a large commercial / retail use. The proposed site is heavy wooded location near a flood plain and typically would not be considered a prime location for a big box retailer or shopping center development.

Plans show a two-story barn building with wood board batten facade and one main entry. A multi-purpose studio building is shown directly east of the main assembly building. Details of the design are as follows:

- **BUILDING HEIGHT:** Two-story assembly building with gambrel style metal roof. One-story multi-purpose studio building with metal hip style roof.
- **ACCESS:** Access will also be along the S. Paschall Road right of way. The main entry will face Paschall Road. The service entrance and trash pickup will be on the west side of the main assembly building.
- **BUILDING EXTERIOR / FACADE:** The main assembly building exterior will be clad primarily in wood. The multi-purpose building will be clad with wood and stone accents.

- **OFF-STREET PARKING:** Required parking shall be 1 space per 100 sq.ft. (116 spaces). The applicant has submitted plans meeting this requirement. The parking will accommodate the proposed use. Variations have been request for the proposed crushed granite parking material. All fire lanes and accessible parking spaces will be constructed out of concrete.
- **SITE FURNISHINGS & LIGHTING** - Primary circulation routes within development sites shall utilize decorative light fixtures such as the Oncor approved Hanover Eurotique series style light or an approved equivalent. The lights within parking lots and pedestrian areas should be from a consistent family of fixtures for a uniform appearance within each development. The applicant's plans do not shown proposed lighting at this time. A lighting plan, in accordance with Section 20.6.F of the zoning ordinance, will be required prior to construction.
- **PARKING LOT / INTERIOR SITE LANDSCAPE:** Design guidelines require parking areas to be screened. All parking lot screening shall be maintained at least thirty six inches (36") in height. Berming, planting screens or low profile walls are allowed per design criteria standards. The applicant has proposed the use of berms along the US 80 corridor. Additional details for the interior site plantings will be required prior to construction (plating stage). A detailed tree survey / landscape plan will be required.
- **US HWY 80 CORRIDOR LANDSCAPE BUFFER:** The overlay design criteria require the use of naturalistic landscape berms and plantings along the US Hwy 80 corridor landscape. (Example shown below) The applicants design appears to meet the intent of the design regulation. Plans show the use of existing natural vegetation and the installation of landscape berms along the right of way.



Public Notice

Notice was published within the Town's Official Newspaper on August 31st. Letters were also provided to surrounding properties meeting the distance requirements as provided within the Ordinance. Thirty-One (31) letters were sent. As of the writing of this staff memo, one (1) letter had been returned in opposition of the request and one (1) letter in favor of the request.

Planning & Zoning Commission Recommendation – 9.19.16

Commissioner Moss made a motion to approve as submitted, seconded by Commissioner Mitchell. Chairman Demko called for a vote, the motion passed 4-2.

A suggestion was made by the Commission to the applicant to provide an exit only driveway along the US Hwy 80 service road. The applicant stated they would look into the possibility per TxDot design criteria and site topography.

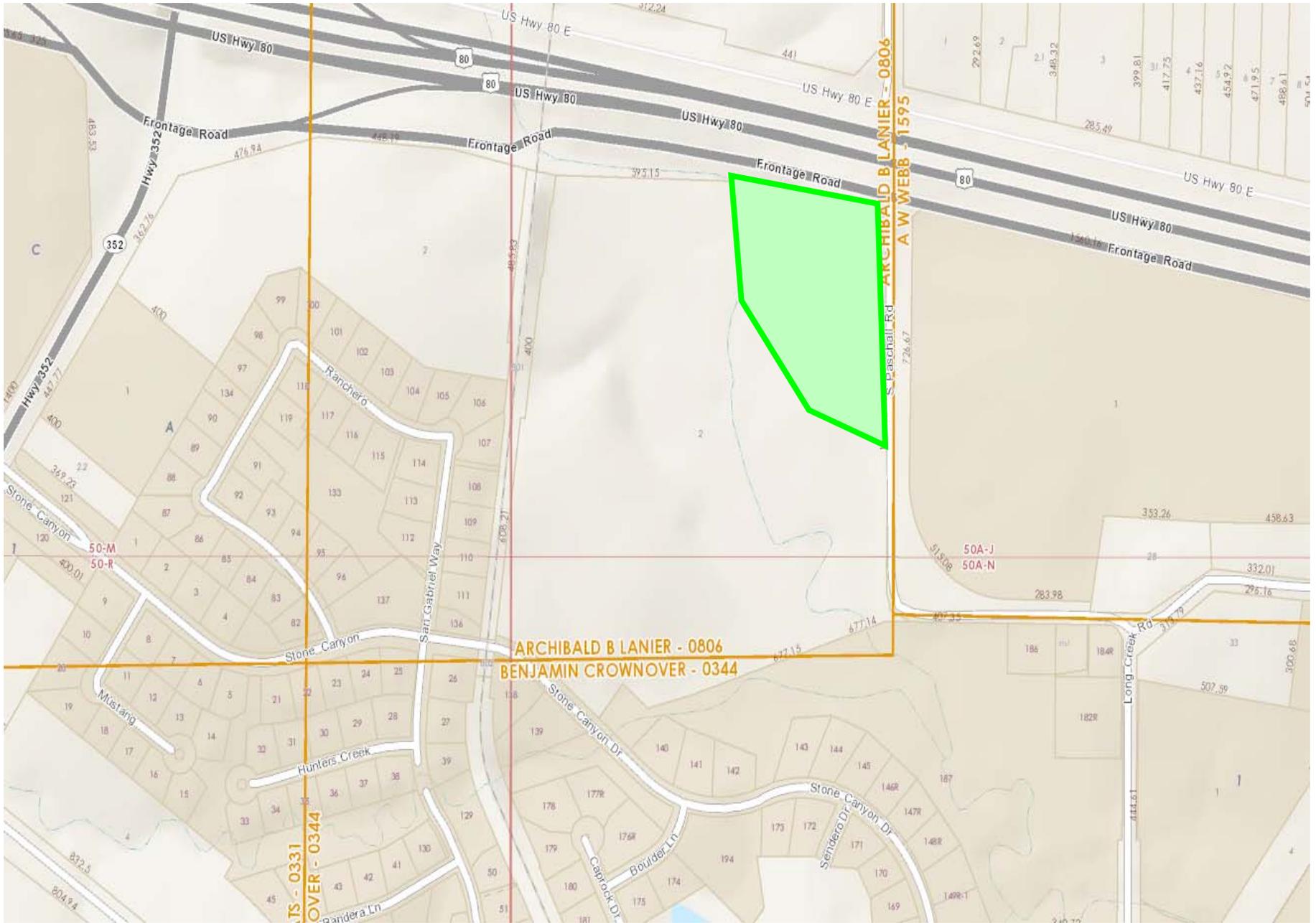
Staff Recommendation

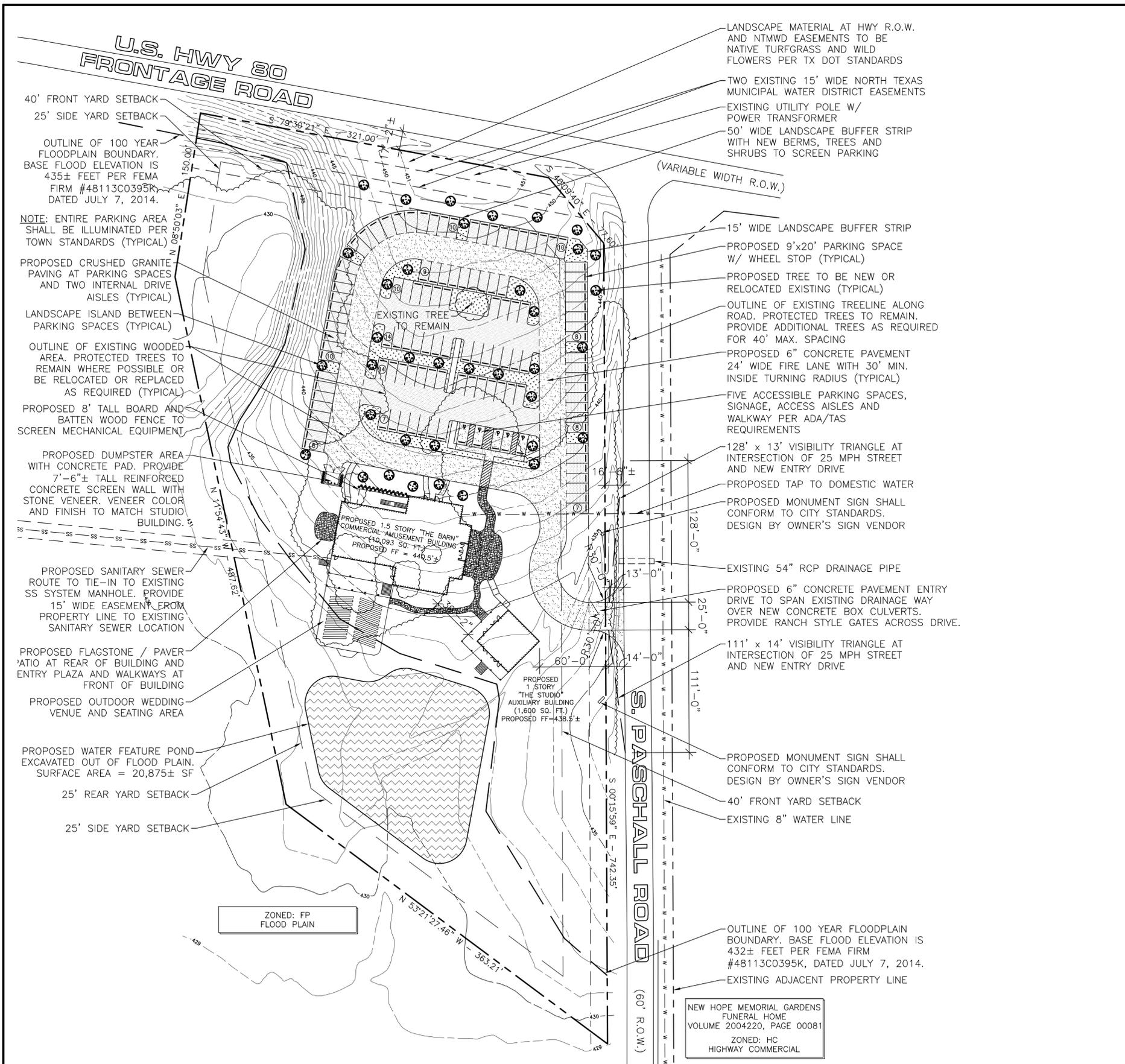
Town staff has the following comments/recommendation for consideration:

1. Town staff recommends approval of the conditional use permit and site plan without a crushed granite parking space / aisle variation.
2. Approval is contingent to all Town comments being satisfactorily addressed prior to construction.
3. A plat will be required prior to construction.

Attachments

- Location Map
- Proposed Site Plan Exhibits
- Notice Letters





LANDSCAPE MATERIAL AT HWY R.O.W. AND NTMWD EASEMENTS TO BE NATIVE TURFGRASS AND WILD FLOWERS PER TX DOT STANDARDS

TWO EXISTING 15' WIDE NORTH TEXAS MUNICIPAL WATER DISTRICT EASEMENTS

EXISTING UTILITY POLE W/ POWER TRANSFORMER

50' WIDE LANDSCAPE BUFFER STRIP WITH NEW BERMS, TREES AND SHRUBS TO SCREEN PARKING

15' WIDE LANDSCAPE BUFFER STRIP

PROPOSED 9'x20' PARKING SPACE W/ WHEEL STOP (TYPICAL)

PROPOSED TREE TO BE NEW OR RELOCATED EXISTING (TYPICAL)

OUTLINE OF EXISTING TREELINE ALONG ROAD. PROTECTED TREES TO REMAIN. PROVIDE ADDITIONAL TREES AS REQUIRED FOR 40' MAX. SPACING

PROPOSED 6" CONCRETE PAVEMENT 24' WIDE FIRE LANE WITH 30' MIN. INSIDE TURNING RADIUS (TYPICAL)

FIVE ACCESSIBLE PARKING SPACES, SIGNAGE, ACCESS AISLES AND WALKWAY PER ADA/TAS REQUIREMENTS

128' x 13' VISIBILITY TRIANGLE AT INTERSECTION OF 25 MPH STREET AND NEW ENTRY DRIVE

PROPOSED TAP TO DOMESTIC WATER

PROPOSED MONUMENT SIGN SHALL CONFORM TO CITY STANDARDS. DESIGN BY OWNER'S SIGN VENDOR

111' x 14' VISIBILITY TRIANGLE AT INTERSECTION OF 25 MPH STREET AND NEW ENTRY DRIVE

PROPOSED MONUMENT SIGN SHALL CONFORM TO CITY STANDARDS. DESIGN BY OWNER'S SIGN VENDOR

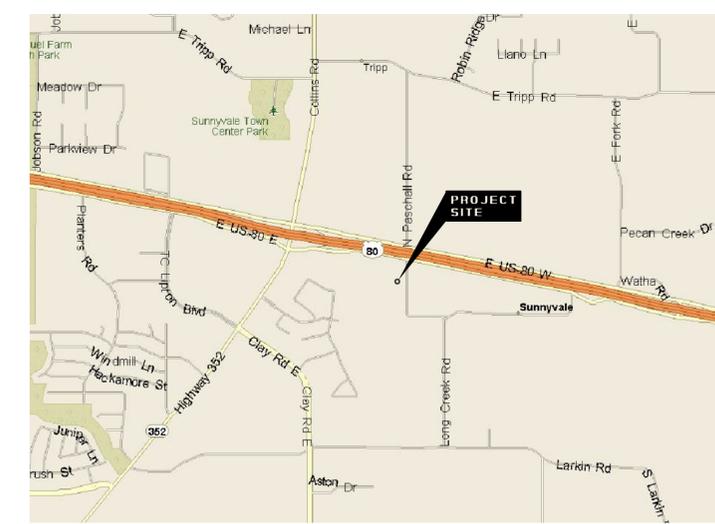
40' FRONT YARD SETBACK

EXISTING 8" WATER LINE

OUTLINE OF 100 YEAR FLOODPLAIN BOUNDARY. BASE FLOOD ELEVATION IS 4.32± FEET PER FEMA FIRM #48113C0395K, DATED JULY 7, 2014.

EXISTING ADJACENT PROPERTY LINE

NEW HOPE MEMORIAL GARDENS FUNERAL HOME
VOLUME 2004220, PAGE 00081
ZONED: HC HIGHWAY COMMERCIAL



1 VICINITY MAP
SCALE: N.T.S.

SITE AND BUILDING DATA

SITE DATA
ZONING: HC HIGHWAY COMMERCIAL with HWY 80 OVERLAY
TOTAL EXISTING SITE AREA = 5.413 ac. = 235,800 s.f.
F.A.R. = 5.0%

BUILDING DATA
MAIN BUILDING - THE BARN
ENCLOSED GROUND FLOOR BUILDING AREA = 7,600 s.f.
ENCLOSED MEZZANINE FLOOR BUILDING AREA = 2,493 s.f.
ENCLOSED BUILDING AREA TOTAL = 10,093 s.f.
PROPOSED CONSTRUCTION TYPE: Type VA (11,500 s.f. allowed)
FULL FIRE SPRINKLER SYSTEM TO BE PROVIDED IN 'THE BARN'.
HEIGHT OF STRUCTURE: 1.5 STORY = 37'-7"± TO ROOF RIDGE.

AUXILIARY BUILDING - THE STUDIO
ENCLOSED BUILDING AREA = 1,600 s.f.
PROPOSED CONSTRUCTION TYPE: Type VB (6,000 s.f. allowed)
FIRE SPRINKLER SYSTEM WILL NOT BE PROVIDED.
HEIGHT OF STRUCTURE: 1.0 STORY = 20'-7"± TO ROOF RIDGE.

PARKING DATA
PARKING REQUIRED BY BUILDING AREA = 101 spaces
PARKING REQUIRED BY DESIGN CRITERIA = 116 spaces
PARKING PROVIDED (INCLUDING ADA SPACE) = 120 spaces
ACCESSIBLE PARKING REQUIRED = 5 spaces
ACCESSIBLE PARKING PROVIDED = 5 spaces

LANDSCAPE DATA

- REQUIREMENTS:**
- 50 FOOT WIDE LANDSCAPE BUFFER STRIP ALONG U.S. HWY 80.
 - 15 FOOT WIDE LANDSCAPE BUFFER STRIP ALONG PASCHALL ROAD.
 - 10 FOOT WIDE LANDSCAPE BUFFER STRIP BETWEEN BUILDING AND DRIVE.
 - LANDSCAPE BUFFER STRIP REQUIRES TREES AT 40 FOOT MAX. CENTERS.
 - PARKING SPACES TO BE WITHIN 100 FEET OF LANDSCAPE AREA W/ TREE.

- COMMENTS:**
- 50 FOOT WIDE LANDSCAPE BUFFER STRIP PROVIDED.
 - 15 FOOT WIDE LANDSCAPE BUFFER STRIP PROVIDED.
 - 20 FOOT WIDE LANDSCAPE BUFFER STRIP PROVIDED AT BUILDING.
 - ANY PROTECTED SIZE TREES SHALL REMAIN WHERE POSSIBLE. SUITABLE TREES SHALL BE RELOCATED TO MEET NEW TREE REQUIREMENTS WHERE FEASIBLE. IF NECESSARY, REMOVED TREES SHALL BE REPLACED.

CALCULATIONS - LANDSCAPE AREA AT PARKING:
TOTAL PARKING SPACES PROVIDED = 120
TOTAL LANDSCAPE AREA REQUIRED (16 SF PER SPACE) = 1,920 s.f.
TOTAL LANDSCAPE AREA PROVIDED WITHIN PARKING = 7,649 s.f.

BEING a tract of land situated in the ARCHIBALD LANIER Survey, ABSTRACT No. 806, Town of Sunnyvale, Dallas County, Texas and being a portion of that certain 105.887-acre tract of land conveyed to Paul Cash by Deed recorded in VOLUME 2003093, PAGE 8718, Deed Records, Dallas County, Texas

Owner:
Paul Cash
190 S. Collins, #102
Sunnyvale, TX 75182
Phone: 214.460.3464

Applicant:
Angela Navarro
5101 Alexandria Dr.
Rowlett, TX 75088
Phone: 214.354.0834

Architect:
John W. Robinson
2724 Hyacinth Dr.
Mesquite, TX 75181
Phone: 214.709.7016

New Wedding / Banquet Facility
The BARN at LONG CREEK
400 S. PASCHALL ROAD
SUNNYVALE, TEXAS 75182



9/9/16
CHECKED BY: JWR
ISSUE DATE: 08/24/2016
REVISIONS:
9/09/16 REV PER CITY COMMENTS

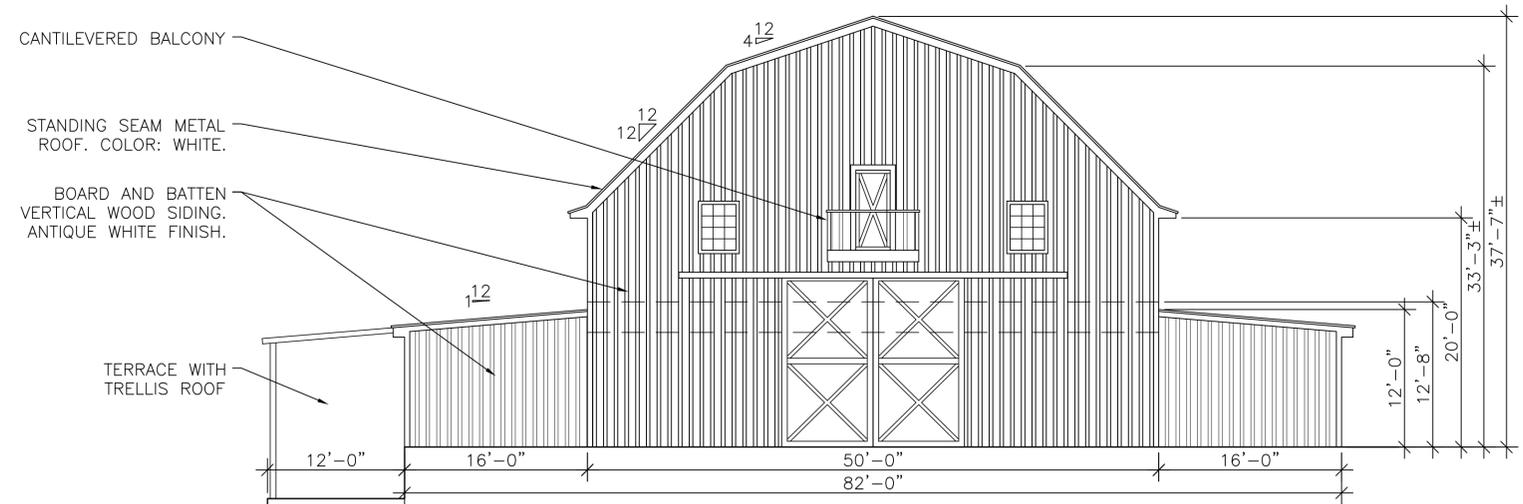
CONCEPT
SITE PLAN
DRAWINGS

SITE PLAN

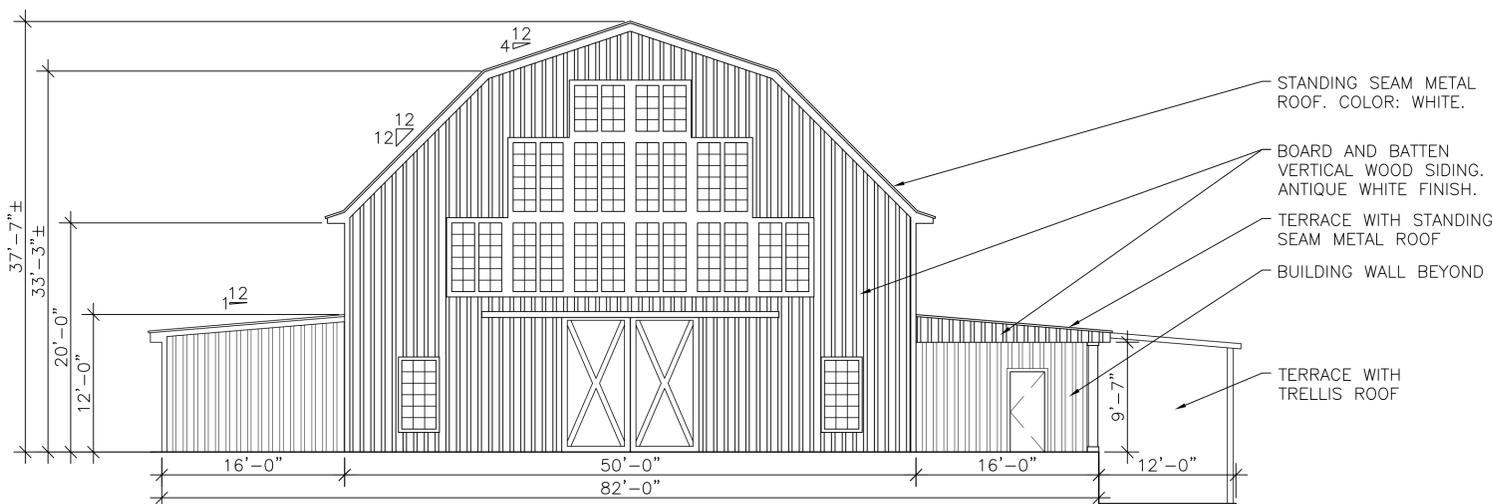
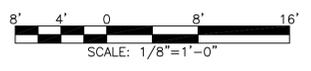
SHEET NO:
CSP-1

1 OVERALL SITE PLAN
SCALE (22" x 34"): 1" = 50'-0"
SCALE (11" x 17"): 1" = 100'-0"

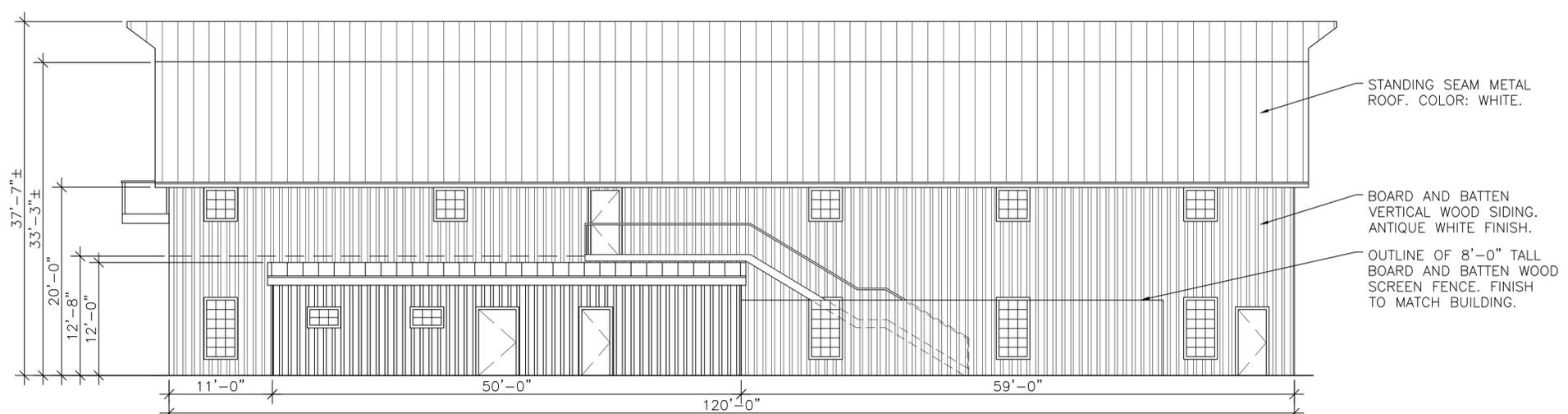
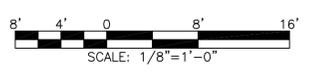
NOTE:
REFER TO SHEET CSP-5 FOR ENLARGED PARTIAL SITE PLAN.



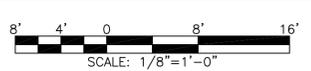
1 THE BARN - FRONT ELEVATION
 SCALE (22" x 34"): 1/8" = 1'-0"
 SCALE (11" x 17"): 1/16" = 1'-0"



2 THE BARN - REAR ELEVATION
 SCALE (22" x 34"): 1/8" = 1'-0"
 SCALE (11" x 17"): 1/16" = 1'-0"



3 THE BARN - SIDE ELEVATION
 SCALE (22" x 34"): 1/8" = 1'-0"
 SCALE (11" x 17"): 1/16" = 1'-0"



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New Wedding / Banquet Facility
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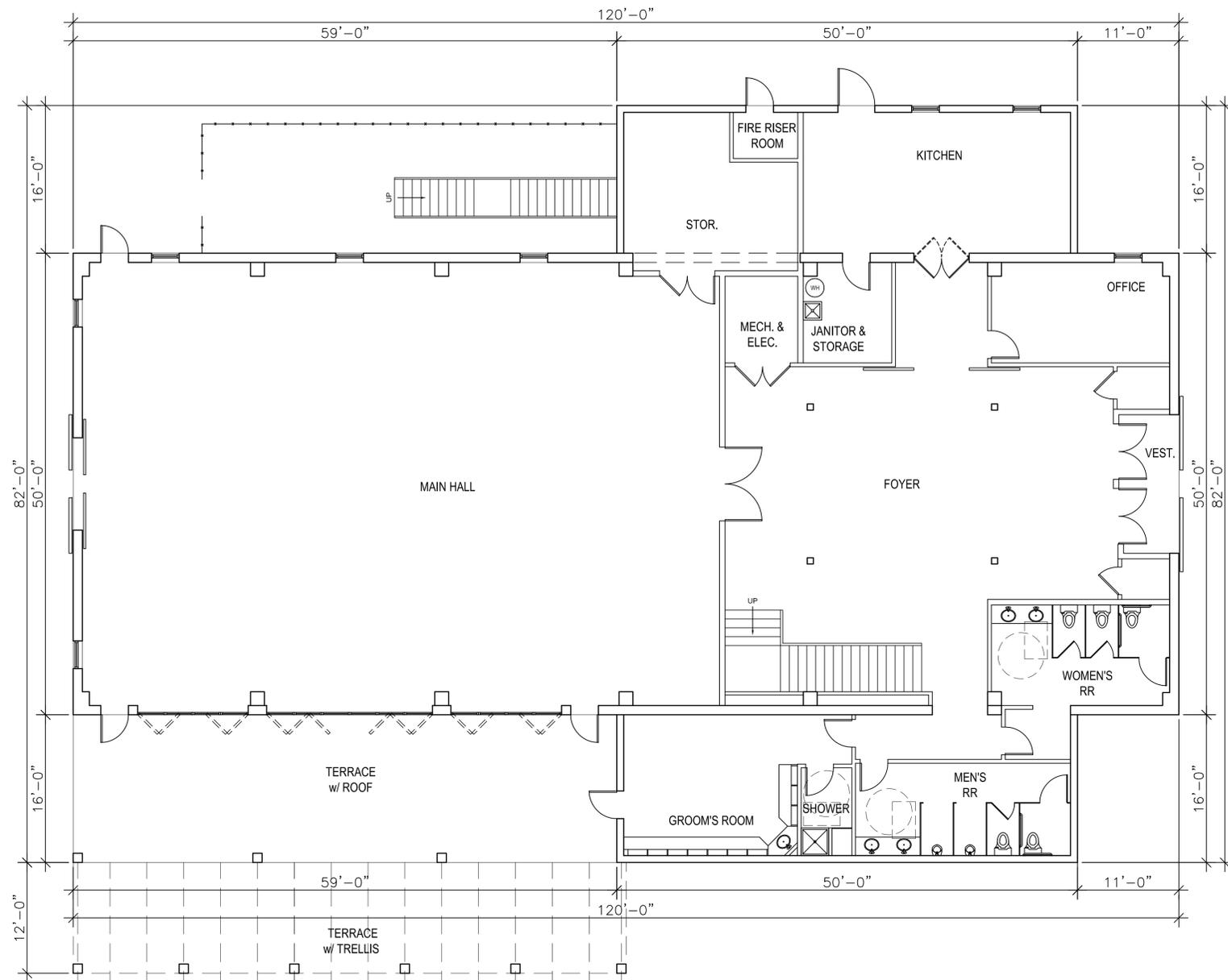


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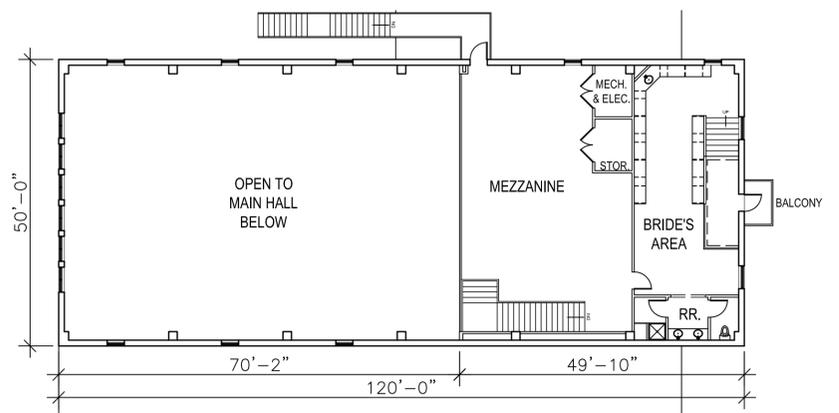
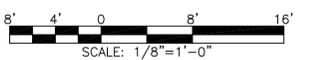
CONCEPT
 SITE PLAN
 DRAWINGS

BUILDING
 ELEVATIONS

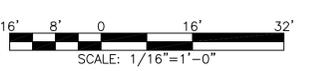
SHEET NO:
CSP-2



1 THE BARN - PRELIM GROUND FLOOR PLAN
 SCALE (22" x 34"): 1/8" = 1'-0"
 SCALE (11" x 17"): 1/16" = 1'-0"



2 THE BARN - PRELIM MEZZANINE FLOOR PLAN
 SCALE (22" x 34"): 1/16" = 1'-0"
 SCALE (11" x 17"): 1/32" = 1'-0"



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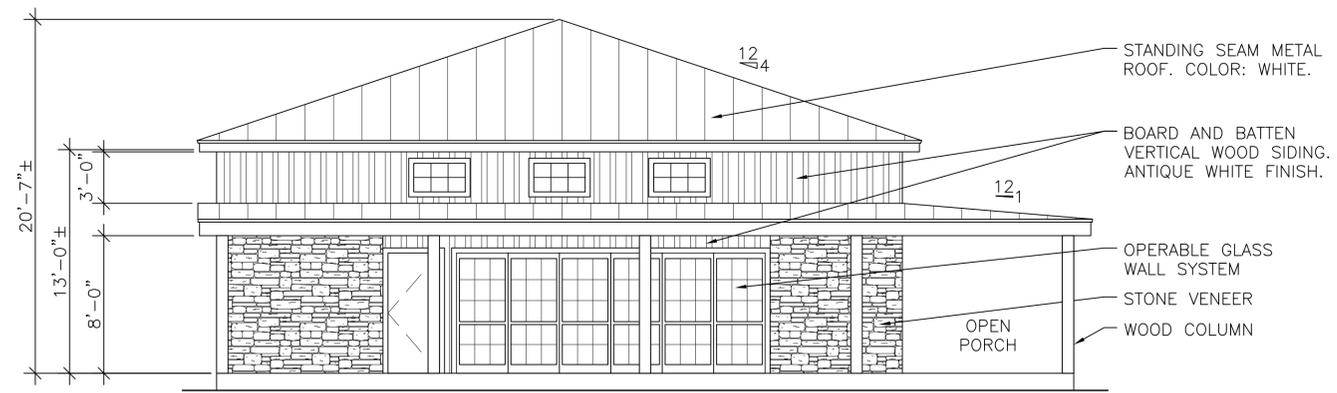
CONCEPT
 SITE PLAN
 DRAWINGS

BUILDING
 FLOOR PLANS

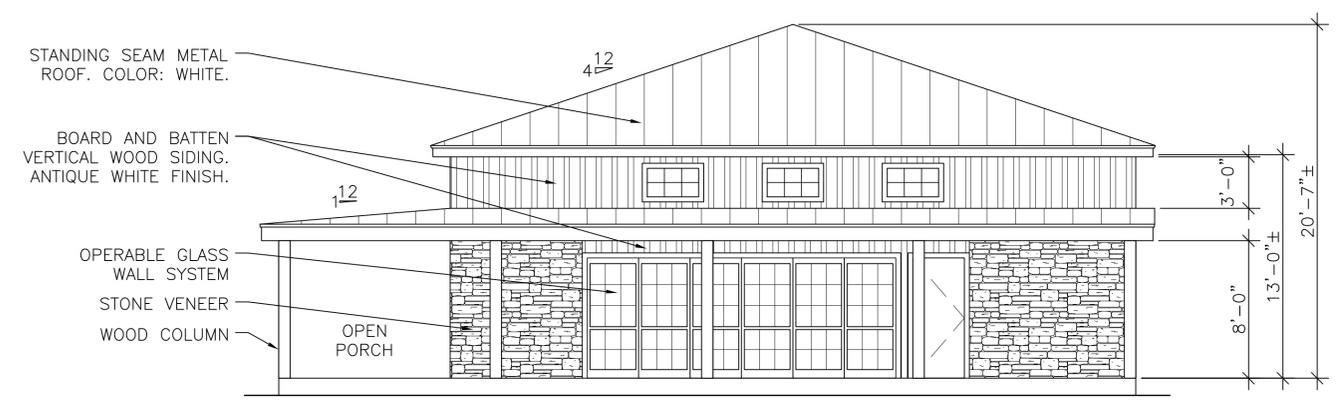
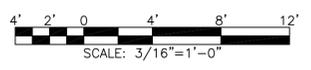
SHEET NO:

CSP-3

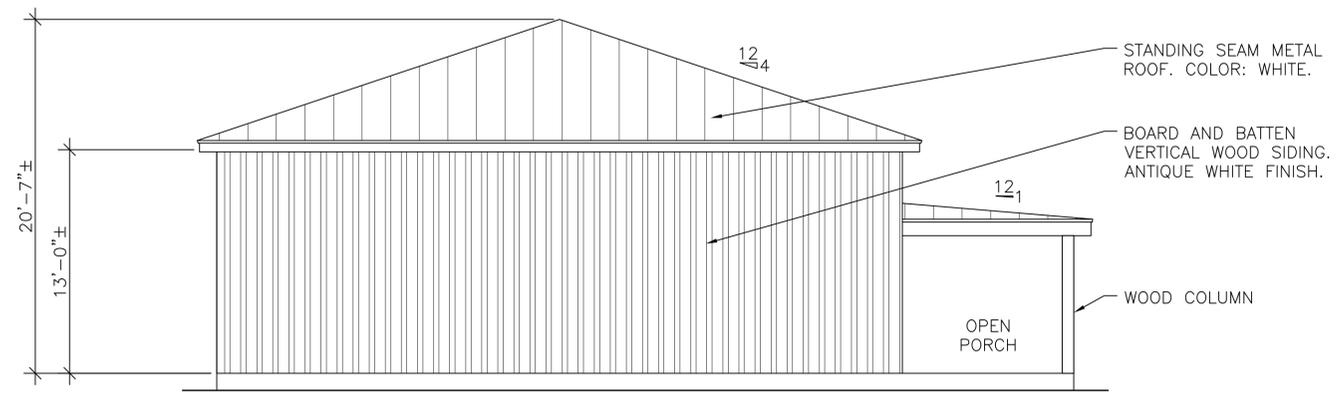
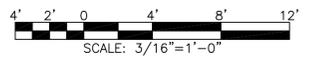
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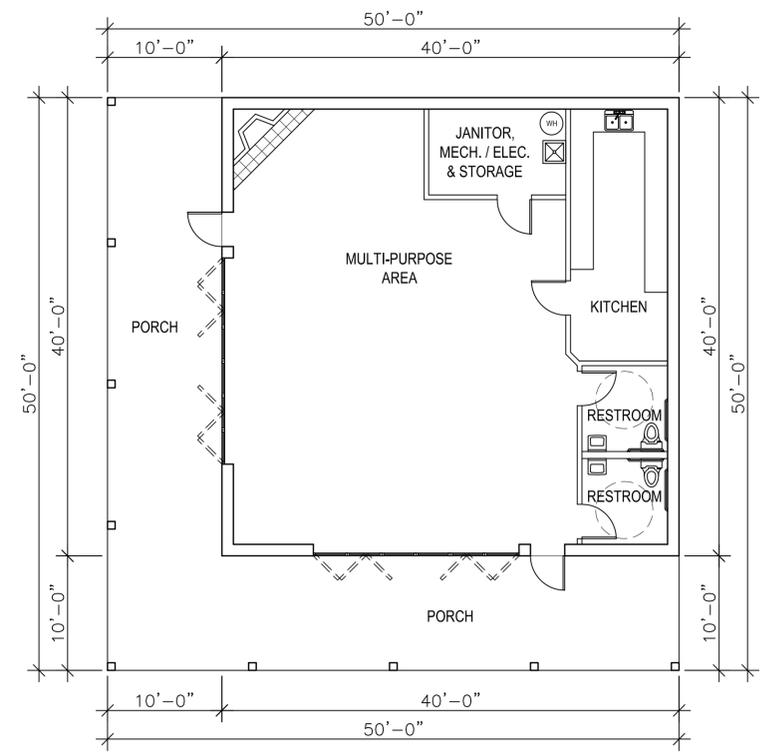
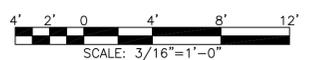
1 THE STUDIO - FRONT ELEVATION
 SCALE (22" x 34"): 3/16" = 1'-0"
 SCALE (11" x 17"): 3/32" = 1'-0"



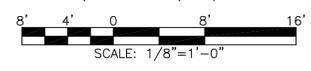
2 THE STUDIO - SIDE ELEVATION
 SCALE (22" x 34"): 3/16" = 1'-0"
 SCALE (11" x 17"): 3/32" = 1'-0"



3 THE STUDIO - SIDE ELEVATION
 SCALE (22" x 34"): 3/16" = 1'-0"
 SCALE (11" x 17"): 3/32" = 1'-0"



4 THE STUDIO - PRELIM FLOOR PLAN
 SCALE (22" x 34"): 1/8" = 1'-0"
 SCALE (11" x 17"): 1/16" = 1'-0"



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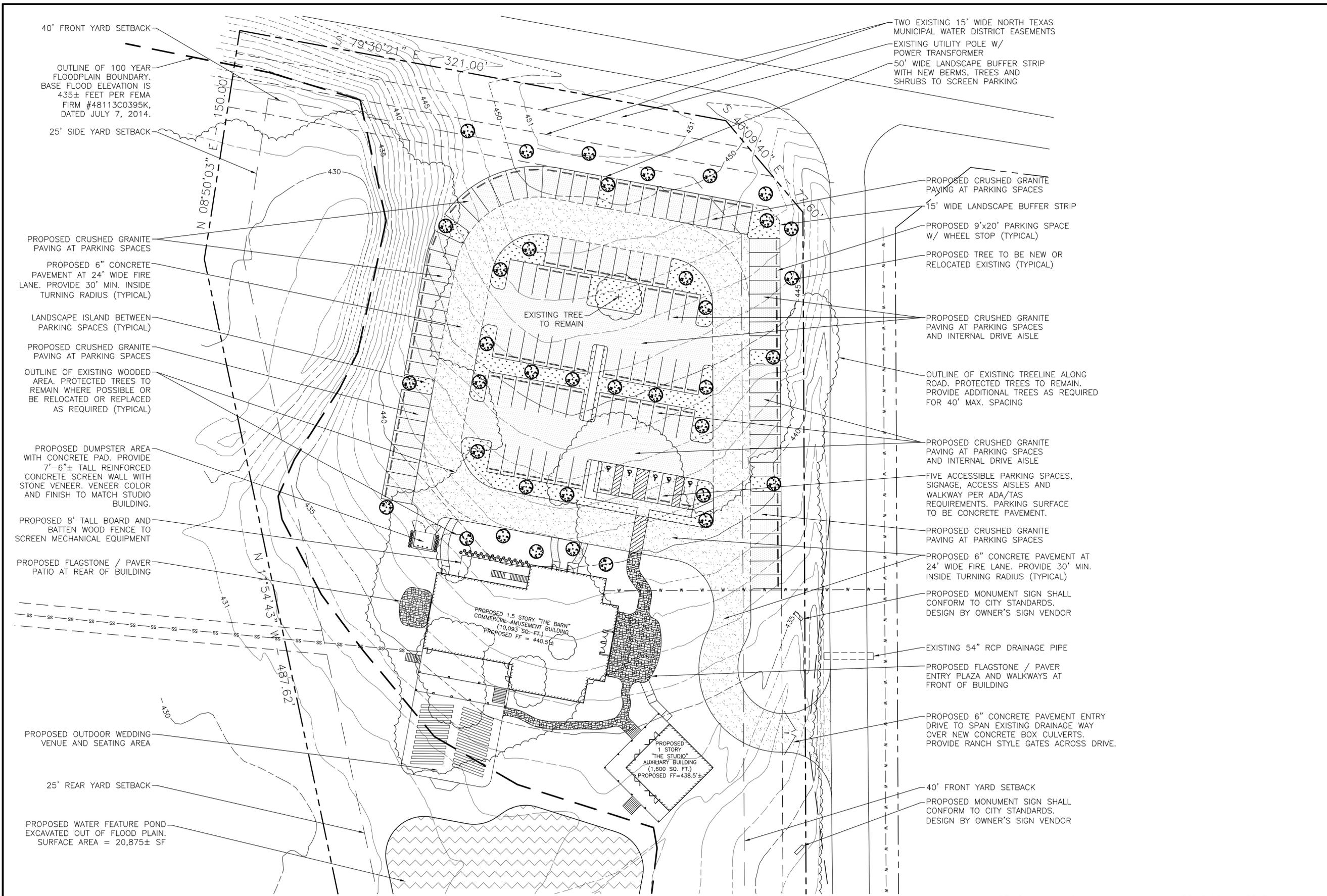
CONCEPT
 SITE PLAN
 DRAWINGS

BUILDING
 ELEVATIONS

SHEET NO:

CSP-4

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9/9/16

CHECKED BY: JWR

ISSUE DATE: 08/24/2016

REVISIONS:

9/09/16 REV PER CITY COMMENTS

CONCEPT
 SITE PLAN
 DRAWINGS

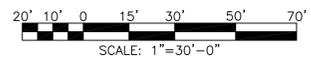
ENLARGED
 SITE PLAN

SHEET NO:

CSP-5



1 ENLARGED PARTIAL SITE PLAN
 SCALE (22" x 34"): 1" = 30'-0"
 SCALE (11" x 17"): 1" = 60'-0"



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THE BARN AT LONG CREEK

- Full Service Wedding Venue
- Onsite Amenities
 - Full Kitchen (Catering & Cakes)
 - Floral Invitations
 - Tables & Chairs (300 people)
- Preferred Vendors
 - Photography
 - D.J.

THE STUDIO

- Rehearsal Dinners
- Wedding/Bridal Showers
- Parties (Anniversary, Birthday, Graduation, Retirement, Quinceaneras)
- Men's/Women's Group Meetings
- Luncheons (personal & business)
- Florist Prep Space

****Catering services will be offered for any events**

General Company Description

The Barn at Long Creek will be a place where weddings are conducted in Sunnyvale, where the dreams of brides will come true. The name was conceived through research that showed that settlers migrated to present-day Sunnyvale in the 1800's and named the hamlet they founded "Long Creek". There is an actual creek that runs beside the property that is appropriately named Long Creek...thus "The Barn at Long Creek" was born. The land chosen will give a quaint, country atmosphere while still offering the close proximity to all city conveniences, including hospitality accommodations for guests. The owner, Angela Navarro, has nearly 30 years of experience in the wedding industry, planning weddings for brides and ensuring catering and cakes match the vision of the bride and groom on their special day. She believes, "an event should be an experience from start to finish," which is the goal of The Barn at Long Creek. Although a new building will be constructed on the property for a reception space, this is not a new business for Mrs. Navarro. In addition to her experience in the industry, she has a proven staff who supports all weddings with years of experience themselves.

The objective of The Barn at Long Creek is to be a thriving, successful wedding venue that is a leader in customer service, ensuring the entire wedding experience for a bride and groom is exceptional. The venue will not just be a partner to brides, it will be an asset to the community; it will be a place to host proms, anniversary parties, painting classes, reunions, corporate events, and other community activities for the city of Sunnyvale. The property will include two structures: The Barn at Long Creek (10,000 square feet) and The Studio (1,000 square feet) to accommodate various event sizes.

Although The Barn at Long Creek will engage in some traditional advertising at a later time, the initial customers will be made up of referrals and long-standing clients of the owner. Because of her extensive experience in the wedding industry, it is anticipated that weddings will be booked prior to opening and before the venue is fully operational.

Many of the competing venues in the Dallas/Ft. Worth metroplex are solely renting a space. The Barn at Long Creek is differentiated because it will be a full service venue, partnering with catering, floral, stationary, and photographers for cohesiveness and overall success of a wedding or event. This is a competitive advantage in the marketplace that does not currently exist. Sunnyvale was chosen as the perfect location for the wedding venue because of its prime position near Dallas and the lack of competition in the area.

The business will be filed as a limited liability corporation (LLC).

Products and Services

The Barn at Long Creek (10,000 square feet) will be rented for the following rates:

Day	Rental Fee
Weekend Evening (Friday/Saturday)	\$10,000
Weekday Evening (Mon – Thurs, Sun)	\$9,000

Rental Fee includes:

- Indoor/Outdoor Ceremony Space
- The Barn and The Studio Building Rentals
- Tables and Chairs
- Serving Tables
- Standard Linens
- Use of the Bridal Suite with private restrooms and vanities (all day)
- Use of the Groom's Suite with private restrooms and vanities (all day)
- Unlimited use of all indoor and outdoor facilities for engagement photography, bridal photography, and wedding photography
- All audio/visual equipment
- Full catering kitchen
- Wedding Coordinator fees

Additional Services Offered (for a fee):

- Catering
- Wedding Cakes
- Floral Services
- Photography
- Stationary
- Disc Jockey

Service (examples)	Fee
Meal service for 200 guests	\$5,000
Bridal Cake	\$1,000
Groom's Cake	\$700

The Studio (1,000 square feet) may be rented alone for the following rates:

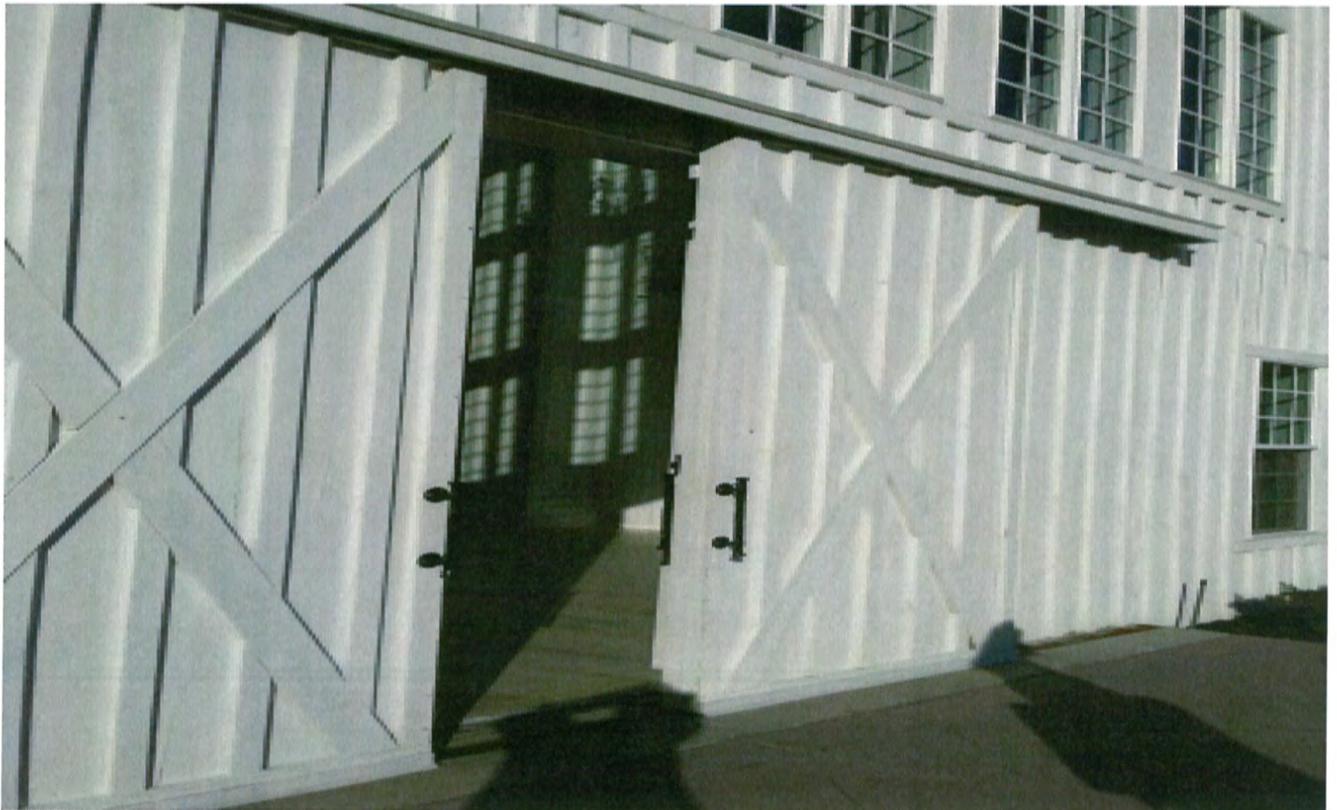
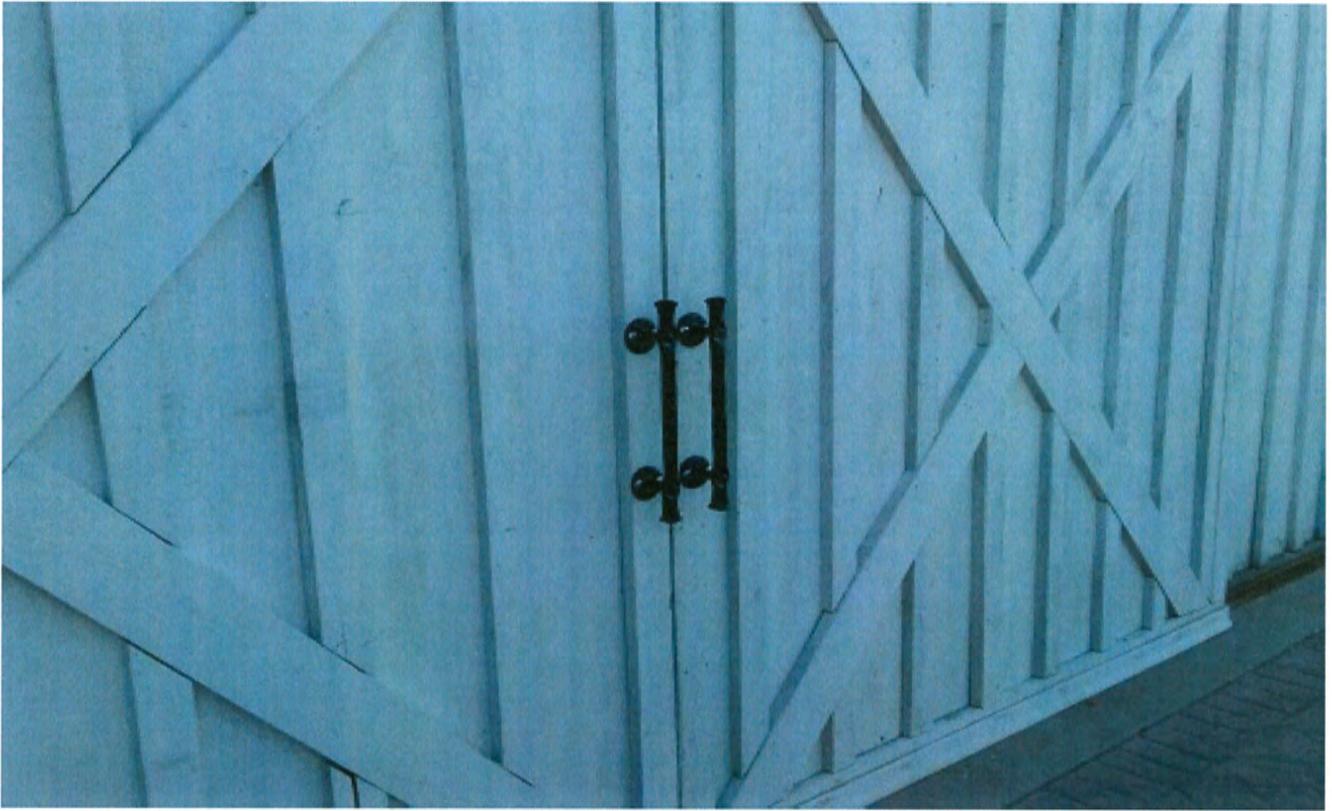
Day	Rental Fee
Weekend Evening (Friday/Saturday)	\$1,000
Weekday Day or Evening (Mon – Thurs, Sun)	\$500

Rental Fee includes:

- All outdoor space
- The Studio Building Rental
- Tables and Chairs
- Serving Tables
- Standard Linens
- Unlimited use of all indoor and outdoor facilities for engagement photography, bridal photography, and wedding photography
- Sound system
- Prep kitchen



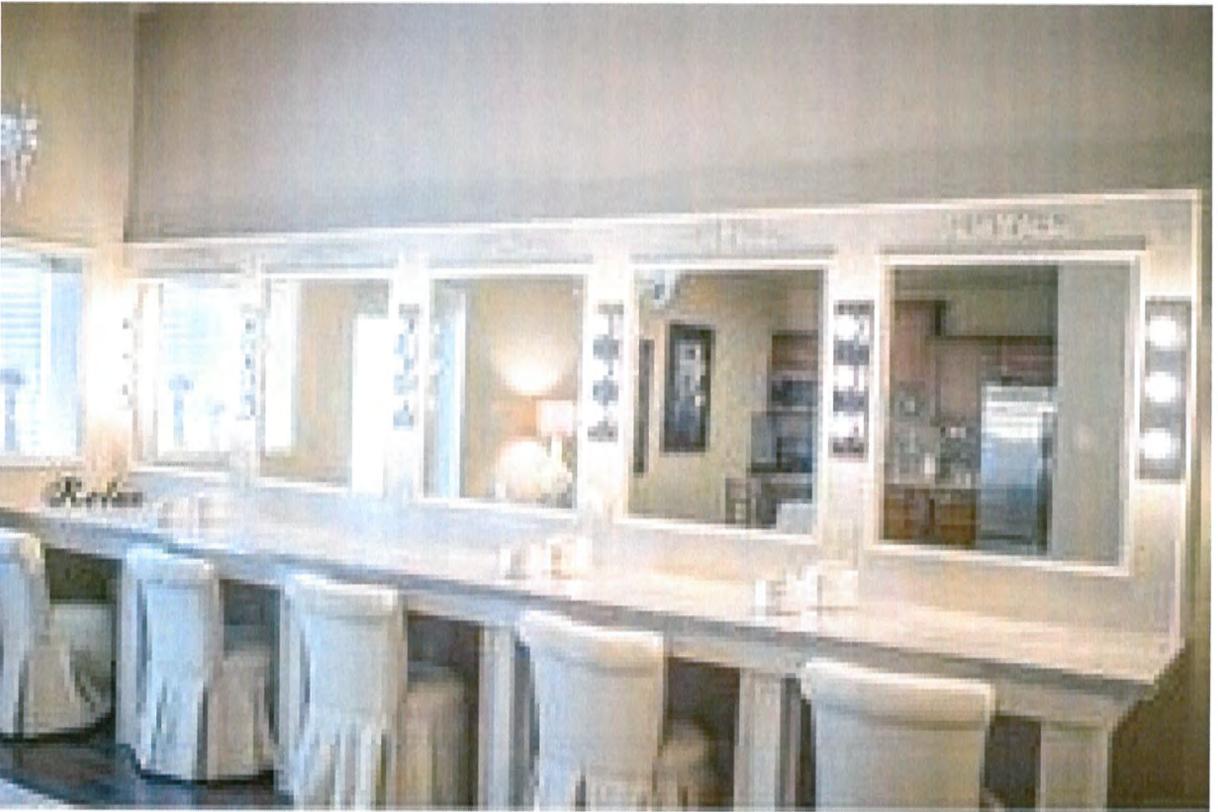
Exterior Material **Wood**



Barn Door Material **Wood**



Interior Material



Bridal Suite



Groom/Man Cave



Crushed Granite Benefits

Crushed granite is ideally suited for driveway installations for several specific reasons. Some of the benefits to using crushed granite for driveways include:

- **Appearance** – People love working with crushed granite for driveway installations because it's so attractive. Granite has long been recognized for its aesthetic value, and even in crushed form, it maintains its beauty. There are a number of different color families involved in the composition of granite which means that you can select from hues that suit your every whim, or simply enjoy the eclectic mix. Either way, you will end up with a crushed granite driveway that attracts the eye and raises the overall value of your property.
- **Size** – Crushed granite is the perfect size for installing a loose fill driveway. You need stone aggregate that's heavy enough to not be easily blown about by the wind or displaced by vehicular and foot traffic, but small and light enough that it's comfortable to walk on and safe to drive over. In all instances, crushed granite fits the bill.
- **Flexibility/Versatility** – Crushed granite provides homeowners with a lot of flexibility in terms of their driveway design preferences. A key advantage to working with loose fill materials like crushed granite is that it's easy to create interesting shapes. All you have to do is imagine the layout and fill it in with the desired stone aggregate materials. Crushed granite is also great for constructing a unique driveway because of the many different colors available. The colors associate with granite can accentuate other landscaping features and will work well with a wide range of natural edging materials for added beauty.

- **Permeability** – One of the biggest challenges that homeowners face with crushed stone driveways is water damage. After the rain, an improperly installed or maintained driveway may experience flooding, pooling, washouts and even the development of potholes. Fortunately, crushed granite is one of the most permeable driveway surfacing materials on the market. The stones will allow water to naturally percolate back into the ground water supply so that your driveway will still continue to look and function perfectly – even after a major storm.
- **Durability** – Crushed granite is extremely tough, durable and long lasting. Even after years of exposure to high volumes of vehicular and foot traffic, you'll find that your crushed granite is still working just as it originally did after first being installed. The natural materials are also able to withstand the impact of the elements. When exposed to the sun, crushed granite will hold its color without fading. It is not prone to shifting, cracking or suffering from other damages during the harsh winter months, and will hold up against freeze and thaw cycles.
- **Affordability** – A crushed granite driveway is able to add a touch of sophistication to any home without breaking the bank. Crushed granite is extremely affordable. This is because granite is so prevalent in our area and can easily be harvested and manufactured by a reliable stone company.
- **Low Maintenance** – Once installed, it's easy to keep your crushed granite driveway looking spectacular. There isn't a whole lot of maintenance required to keep it in tip-top shape. We recommend that users rake over the surface on a regular basis to remove any leaves, sticks or other debris. This process also helps to keep the surface smooth and even. It's always wise to keep the center of the driveway peaked so that any water will run off to the sides. Every 1-2 years you should also consider applying a fresh layer of crushed granite to the driveway.







**Notice of Application for
Conditional Use Permit & Site Plan
Town of Sunnyvale
Planning & Zoning Commission**

The Town of Sunnyvale has received a request by Angie Navarro for approval of a Conditional Use Permit for a Commercial Amusement use with a related site plan. The request is for the development of a wedding / event facility. The applicant plans to build a venue for events such as weddings, corporate functions, banquets and reunions. The location of the development is shown on the included map and site plan exhibits.

The Planning and Zoning Commission will hear this application on Monday, September 19, 2016 and the Town Council will consider the application on either Monday, September 26, 2016 or Monday, October 10, 2016. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, you may present them in person at these meetings or you may submit written comments at any time on or before date of the hearings.

The related application and supporting documents are on file at Town Hall and may be examined at no charge. For further information contact Rashad Jackson, Director of Development Services at (972) 203-4103 or rashad.jackson@townofsunnyvale.org .

I am in favor of the Conditional Use Permit & Site Plan

I am opposed to the Conditional Use Permit & Site Plan

Explanation:

I BELIEVE THE PROPOSED PROJECT IS IN LINE WITH
EXISTING DEVELOPMENT CODES AND IS A GOOD FIT
WITH THE LOCATION

Signature:

Kenneth R. Demko

Printed Name:

KENNETH R. DEMKO

Address:

448 CAPROCK DRIVE

Date:

9-14-2016



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I am in favor of the Conditional Use Permit & Site Plan

I am ^{not} opposed to the Conditional Use Permit & Site Plan but I have these questions

AND CONCERNS: + what are service hours?
Explanation:
* what will be done to preserve old forest trees?
* Will alcohol be permitted and under what supervision?
* Will they consider concrete instead of crushed granite?
* What about noise & light discipline?
* During non-operational hours, will the premise be secured to prevent vandalism and off road vehicles?

Signature:

Printed Name:

Address:

Date:

Handwritten signature and address: 453 Stone Canyon Dr Sunnyvale, TX 75182 September 14, 2016



Town of Sunnyvale

September 26, 2016

**Prepared By: Rashad Jackson, AICP
Director of Development Services**

Summary

APPLICANT: JAMES W. BURNETT – DYNAMIC ENGINEERING
AT OR ABOUT: 222 COLLINS ROAD – SOUTH OF NANCE ROAD
AND EAST OF COLLINS ROAD
REQUEST: SITE PLAN – SUNNYVALE AG BARN (S.I.S.D.)

Background

The applicant is requesting approval for a site plan in order to construct an Ag Barn for the Sunnyvale Independent School District. The building will be used by FFA students. The subject building is located south on Nance Road and east of Collins Road on the north end of the school site. The property is a part of an overall development for the Sunnyvale Independent School District.

The applicant proposes to construct a 3,000 sq.ft. barn on the northern end of the overall SISD school site. The barn will have a light stone metal exterior. A high steel fence with treated wood will enclose the outer corral areas of the barn. Section 19.1.D.1 of the zoning ordinance allows for the proposed metal exterior for barns in residential zoning that are only used for agricultural purposes. The applicant proposes to construct the parking spaces and surrounding turn around area out of concrete per Town standards.

Access Drive

An exception has been requested by the applicant to allow for temporary alternative paving (gravel) for the proposed driveway on Nance Road. It is more viable for the school to utilize Nance Road up until Honsel is extended all the way to the east as shown on the Thoroughfare Plan.

Staff found that it is appropriate for SISD to make such a request for an alternative driveway material, as the SISD is seeking this on a temporary basis only. Staff notes that Nance has been identified in various Town documents as being vacated in the future, under the assumption that Honsel is continued all the way to the east per the Town's Thoroughfare Plan. Discussions have been had on the different possibilities for Nance Road and Honsel but a definitive decision has not been made. SISD is not requesting to be absolved the requirement to use concrete; rather they are requesting temporary driveway paving materials until such time a definitive choice is made. Once a decision is made, SISD would then be required to comply with a permanent concrete drive.

Public Notice

Public notice was provided to the Town's Official Newspaper for publication on August 31, 2016. Letters were also sent to property owners within 400' of the subject property. The total number of letters sent was twenty-two (22). As of the release of the staff memo, no responses had been received.

Planning & Zoning Commission Recommendation – 9.19.16

Commissioner Sandler made a motion to approve as submitted, seconded by Commissioner Daniel. Chairman Demko called for a vote, the motion passed unanimously.

Staff Recommendation

1. Town staff recommends approval of the site plan. The proposed site plan meets the standards set forth in the Zoning Ordinance. The building will accommodate a need for the Town and SISD.
2. The request for a temporary driveway is reasonable due to the long-term access uncertainties of the particular site location. When a definitive decision is made for Nance and Hounsel Road in the future, a time period should be established for the site to come into compliance with the concrete driveway requirement.
3. If approved, the proposed driveway should meet the weight capacity standards for fire truck and EMS access.
4. A plat and approved civil drawings will be required prior to construction.

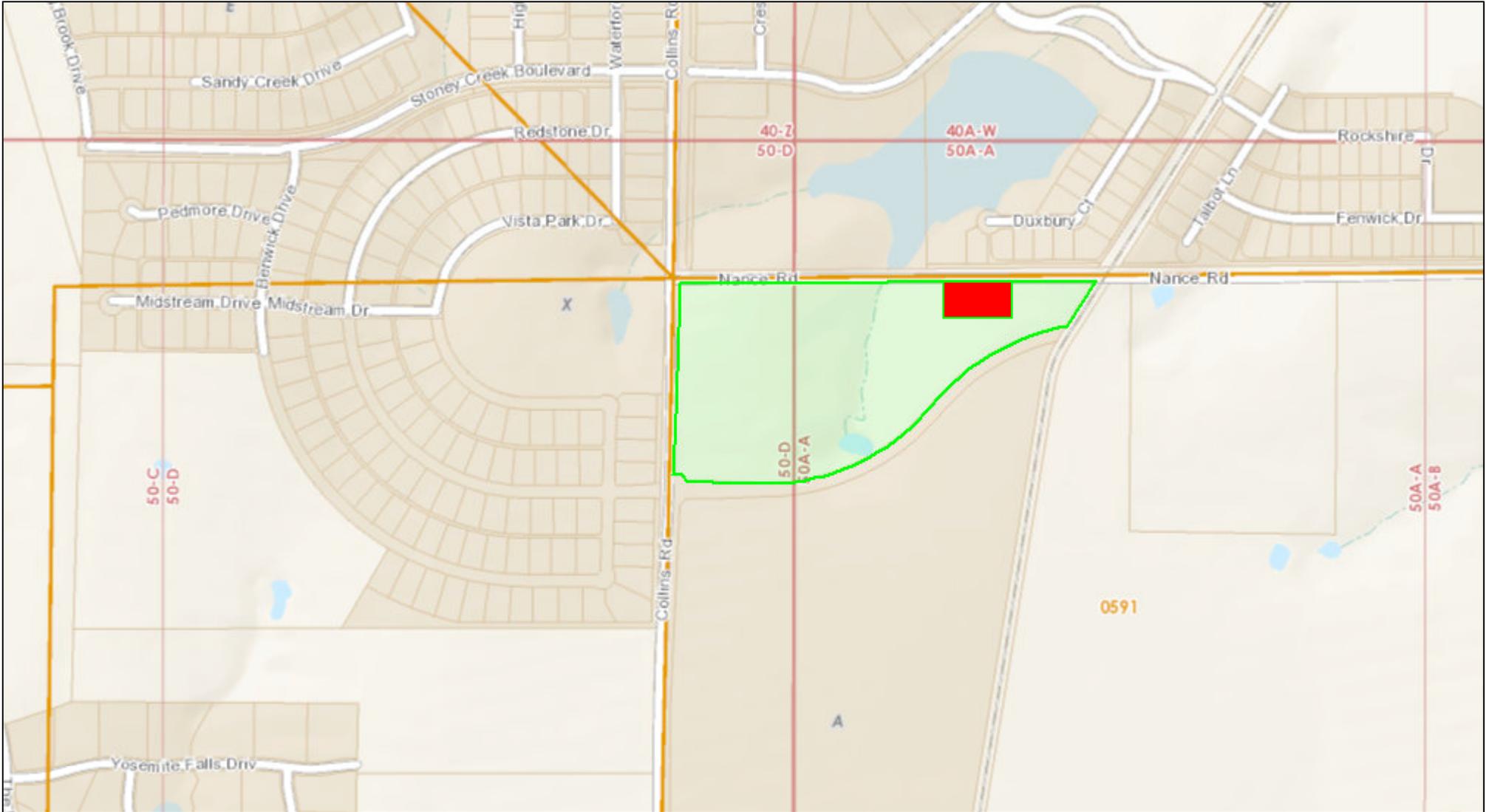
Attachments

Location map
Site Plan Exhibits

ag barn

DCAD ID: 65059104010010000

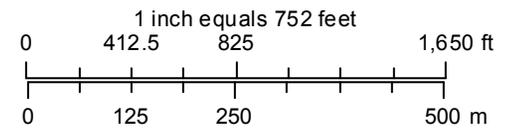
Date of copy: 9/7/2016



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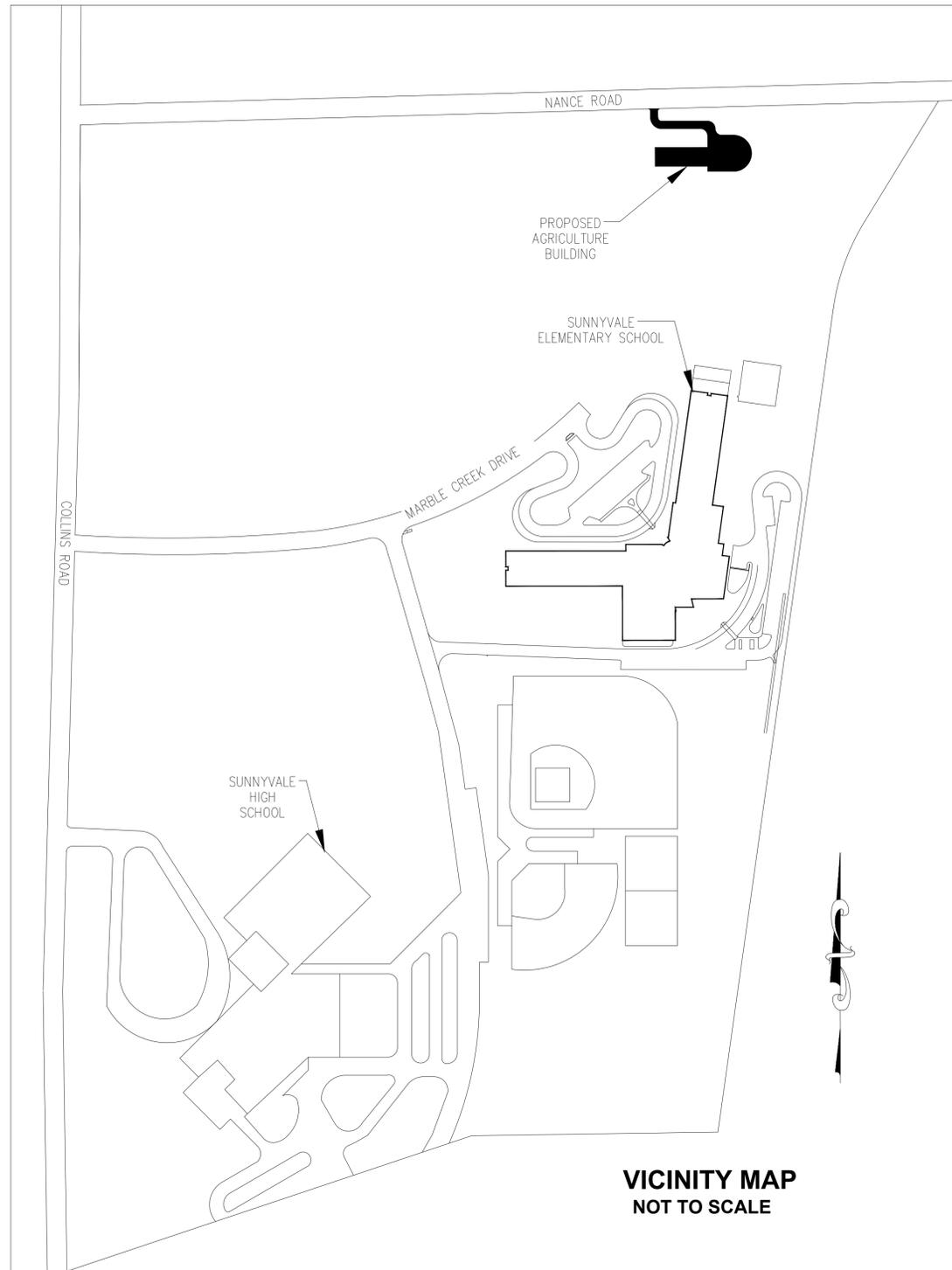


Dallas Central Appraisal District
 2949 N Stemmons Freeway
 Dallas, TX 75247-6195
 (214) 631-1342
www.dallascad.org



SUNNYVALE AGRICULTURE BARN

Sunnyvale, Texas



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TOWN OF SUNNYVALE GENERAL NOTES

GENERAL:

- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS "STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION" AND THE TOWN OF SUNNYVALE'S ADDENDUM THERETO.
- BEFORE BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL PREPARE A CONSTRUCTION SEQUENCE SCHEDULE. THE CONSTRUCTION SCHEDULE SHALL BE SUCH THAT THERE IS THE MINIMUM INTERFERENCE WITH TRAFFIC ALONG OR ADJACENT TO THE PROJECT.
- CONSTRUCTION MAY NOT BE BEGUN EARLIER THAN 7:00AM ON WEEKDAYS NOR CONTINUED AFTER DARK WITHOUT PERMISSION FROM THE TOWN OF SUNNYVALE. CONSTRUCTION ON SATURDAY MAY NOT BEGIN BEFORE 8:00 AM AND WORK ON SUNDAY IS PROHIBITED WITHOUT SPECIAL PERMISSION.
- UTILITIES SHOWN ON THE PLANS WERE TAKEN FROM FIELD SURVEYS AND INFORMATION PROVIDED BY THE UTILITY COMPANIES. THE COMPLETENESS AND THE ACCURACY OF THIS DATA IS NOT GUARANTEED. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATIONS OF ALL UNDER GROUND UTILITIES AND STRUCTURES AND PROTECTING THEM FROM DAMAGE DURING CONSTRUCTION.
- WORK MAY NOT BE BACKFILLED OR COVERED UNTIL IT HAS BEEN INSPECTED BY THE TOWN.
- MATERIALS TESTING SHALL BE PERFORMED BY AN INDEPENDENT TESTING LABORATORY AND PAID FOR BY THE CONTRACTOR.
- ALL EXCAVATION ON THE PROJECT IS UNCLASSIFIED.
- TEMPORARY EROSION CONTROL SHALL BE USED TO MINIMIZE THE SPREAD OF SILT AND MUD FROM THE PROJECT ON TO EXISTING STREETS, ALLEYS, DRAINAGE BAYS AND PUBLIC AND PRIVATE PROPERTY. TEMPORARY EROSION CONTROLS MAY INCLUDE STRAW BALES, BERMS, DIKES, SWALES, STRIPS OF UNDISTURBED VEGETATION, CHECK DAMS, AND OTHER METHODS AS REQUIRED BY THE TOWN ADMINISTRATOR OR HIS REPRESENTATIVE.
- FINISHED SLOPES ON PUBLIC RIGHT-OF-WAYS AND EASEMENTS SHALL NOT BE STEEPER THAN 4:1. ALL SLOPES STEEPER THAN 6:1 SHALL BE HYDROMULCHED AND MAINTAINED BY THE CONTRACTOR UNTIL GRASS COVERS ALL PARTS OF THE SLOPE.
- THE CONTRACTOR SHALL MAINTAIN TWO-WAY TRAFFIC AT ALL TIMES ALONG THE PROJECT.
- REMOVE, SALVAGE, AND REPLACE ALL STREET AND TRAFFIC CONTROL SIGNS WHICH MAY BE DAMAGED BY THE CONSTRUCTION OF THE PROJECT.
- ALL TRENCHING AND EXCAVATION SHALL BE PERFORMED IN ACCORDANCE WITH OSHA STANDARDS.

PAVING

- ALL EMBANKMENT SHALL BE COMPACTED TO 95% STANDARD PROCTOR DENSITY.
- ALL STREETS AND ALLEYS SHALL BE PLACED ON LIME STABILIZED SUB-GRADE WITH A LIME CONTENT OF NOT LESS THAN 6%
- THE MINIMUM 28 DAY COMPRESSIVE STRENGTH OF CONCRETE STREET PAVING SHALL NOT BE LESS THAN 3600 PSI AND SHALL BE AIR ENTRAINED. WATER MAY NOT BE APPLIED TO THE SURFACE OF CONCRETE PAVING TO IMPROVE WORKABILITY.
- ALL CURB AND GUTTER SHALL BE INTEGRAL WITH THE PAVEMENT.
- PARABOLIC CROWNS ARE REQUIRED ON ALL STREET PAVEMENT EXCEPT ON MAJOR THOROUGHFARES WHERE STRAIGHT SECTIONS ARE REQUIRED.
- STREETS AND ALLEYS SHALL BE CONSTRUCTED WITH PROVISIONS FOR SIDEWALK RAMPS AT ALL INTERSECTIONS.

DRAINAGE

- STORM SEWER PIPE SHALL BE REINFORCED CONCRETE, CLASS III UNLESS OTHERWISE NOTED.
- ALL STRUCTURAL CONCRETE SHALL BE CLASS "C" (3600 PSI COMPRESSIVE STRENGTH AT 28 DAYS) AIR ENTRAINED.
- THE CONTRACTOR SHALL INSTALL PLUGS IN STORM SEWER LINES OR OTHERWISE NOTED. MINIMUM COVER FOR WATERLINES IS 48" OR AS REQUIRED TO CLEAR EXISTING UTILITIES, WHICHEVER IS GREATER.

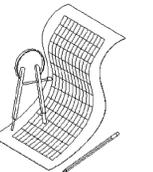
WATER & SANITARY SEWER

- WATER MAINS SHALL BE AWWA C-900 PVC CLASS 150 UNLESS OTHERWISE NOTED. MINIMUM COVER FOR WATERLINES IS 48" OR AS REQUIRED TO CLEAR EXISTING UTILITIES, WHICHEVER IS GREATER.
- MARKING TAPE SHALL BE INSTALLED OVER PVC WATER LINES.
- FITTINGS FOR PVC WATER LINES SHALL BE DUCTILE IRON AND BE ENCASED IN A POLYETHYLENE SHEATH.
- VALVES SHALL BE MUELLER RESILIENT SEAT GATE VALVES.
- ALL DIRECT BURIAL VALVES SHALL BE PROVIDED WITH CAST IRON VALVE BOXES WITH PVC STACKS. VALVE STACKS SHALL BE VERTICAL AND CONCENTRIC WITH THE VALVE STEM. STAINLESS STEEL VALVE EXTENSIONS ARE REQUIRED ON ALL VALVES WHERE THE OPERATING NUT IS GREATER THAN 4 FEET BELOW FINISHED GRADE.
- FIRE HYDRANTS SHALL BE FIELD PAINTED PER TOWN OF SUNNYVALE'S SPECIFICATIONS.
- ALL EXPOSED BOLTING ON ANY BURIED EQUIPMENT OR MATERIAL SHALL BE STAINLESS STEEL. INCLUDED ARE:
 - BONNET AND STUFFING BOX BOLTS ON VALVES.
 - SHOE BOLTS ON FIRE HYDRANTS.
 - FLANGE BOLTS.

- "COR-TEN" MECHANICAL JOINT "T" BOLTS ARE ACCEPTABLE FOR DIRECT BURIAL SERVICE.
- METER BOXES SHALL BE APPROVED BY THE TOWN OF SUNNYVALE. CONTACT THE ENGINEER FOR SPECIFICATIONS.
- SANITARY SEWER MAINS SHALL BE DR 35 PVC.
- THE CONTRACTOR SHALL INSTALL AND MAINTAIN WATER TIGHT PLUGS IN ALL CONNECTIONS TO THE TOWN'S SANITARY SEWER SYSTEM UNTIL THE PROJECT IS ACCEPTED BY THE TOWN.
- ALL SANITARY SEWER LINES AND MANHOLES SHALL BE LEAK TESTED BEFORE THE PROJECT IS ACCEPTED. DEFLECTION TESTING OF PVC SEWER LINES IS REQUIRED.

PERMIT 9/12/2016
ISSUED FOR: DATE:

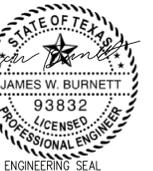
SUNNYVALE ISD
AGRICULTURE BARN
SUNNYVALE, TX



DYNAMIC
Engineering
Consultants
PLLC

PROFESSIONAL
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TEL: 903-458-4195
TEL: 903-383-3444
E-MAIL: jburnett@dynamic-engineering.net
WEB: www.dynamic-engineering.net

FIRM REGISTRATION # F-8215



NAME	DATE
DRAWN SR GREGORY	9/12/16
CHECKED	
ENG APPR. JW BURNETT	9/12/16
Q.A.	

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TITLE PAGE
PROJECT # 6315
SHEET NUMBER T1

OWNER:

SUNNYVALE INDEPENDENT SCHOOL DISTRICT
417 EAST TRIPP ROAD
SUNNYVALE, TX 75182
PH# 972-226-7601

DESIGNER:

T3D DRAFTING & CONSULTING
100 SOUTH MAIN STREET
YANTIS, TX 75497
CONTACT: THOMAS JENKINS
PH# 903-383-7624

CIVIL:

DYNAMIC ENGINEERING
CONSULTANTS, PLLC
200 HILLCREST SUITE C
SULPHUR SPRINGS, TX 75482
CONTACT: JAMES W. BURNETT
PH# 903-513-3773

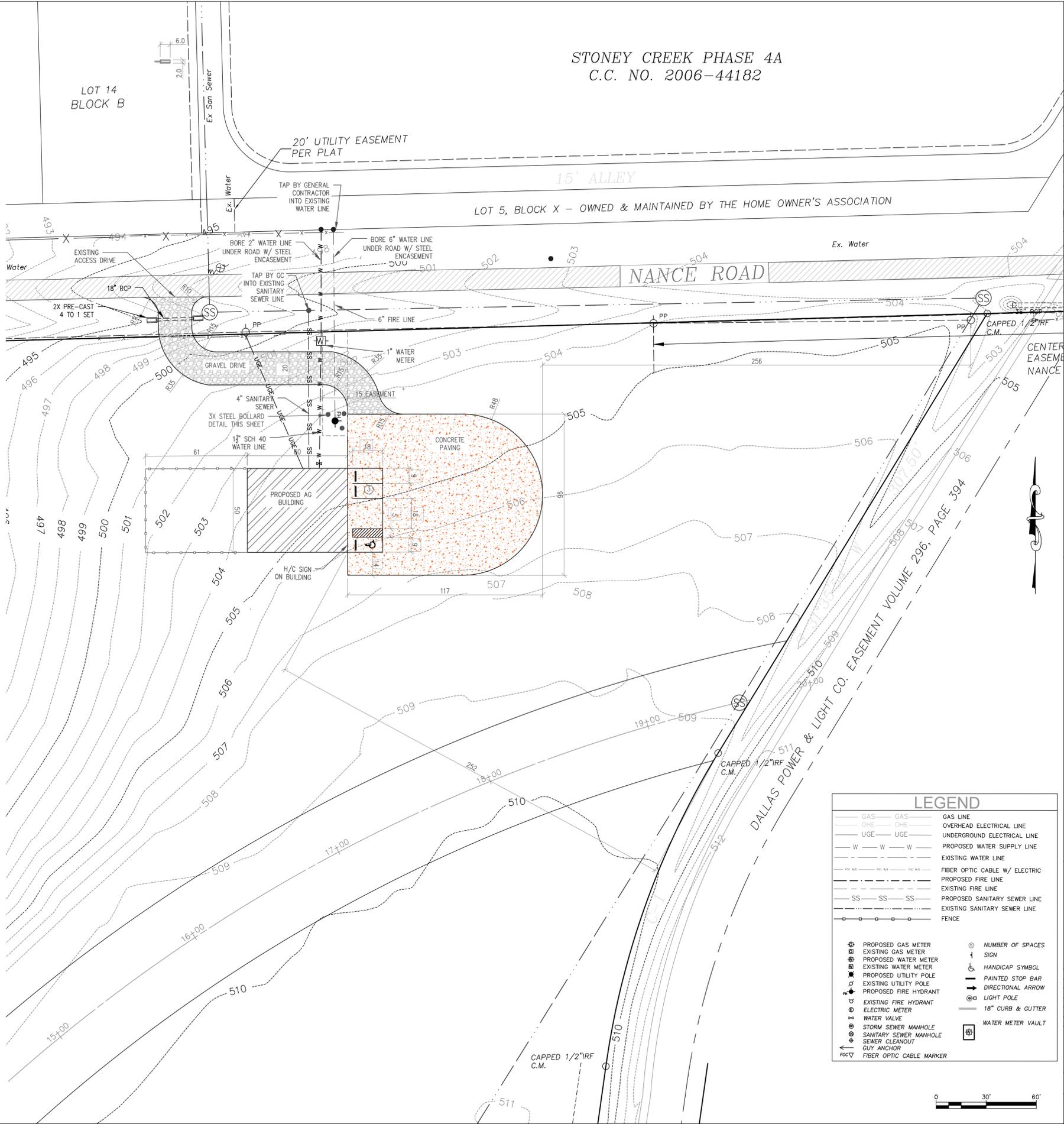
- GENERAL NOTES:**
1. INFORMATION CONCERNING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS AND FIELD CONDITIONS WHEN POSSIBLE, BUT THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES BY DIGGING TEST PITS BY HAND AT ALL UTILITY CROSSING WELL IN ADVANCE OF TRENCHING. IF THE CLEARANCES ARE LESS THAN SPECIFIED ON THE PLANS OR 12", WHICHEVER IS LESS, CONTACT DYNAMIC ENGINEERING CONSULTANTS, PLLC. AT 903-382-3444.
 2. THE CONTRACTOR SHALL INCLUDE IN THE CONTRACT PRICE THE REMOVAL AND STOCK PILE ON SITE OF ANY EXCESS TOPSOIL THAT IS NOT REQUIRED TO PERFORM THE FINAL GRADING AND LANDSCAPING OPERATIONS.
 3. CONTRACTOR IS RESPONSIBLE FOR THE DESIGN AND IMPLEMENTATION OF ALL REQUIRED/NECESSARY SHEETING, SHORING, AND SPECIAL EXCAVATION MEASURED REQUIRED ON THE PROJECT TO MEET OSHA, FEDERAL, STATE, AND LOCAL REGULATIONS PURSUANT TO THE INSTALLATION OF THE WORK INDICATED ON THE DRAWINGS. SUNNYVALE ISD AND DYNAMIC ENGINEERING CONSULTANTS, PLLC. ACCEPT NO RESPONSIBILITY FOR THE DESIGN OR INSTALLATION OF SAID ITEMS.
 4. CALL BEFORE YOU DIG TEXAS ONE-CALL 811.
 5. ALL WORK SHALL CONFORM TO FEDERAL, STATE, COUNTY, AND/OR CITY STANDARDS, WHICHEVER IS MORE RESTRICTIVE.
 6. ALL CURB/HANDICAP RAMP DESIGNS SHALL CONFORM TO ADA STANDARDS, TXDOT OR CITY STANDARDS, WHICHEVER IS MORE RESTRICTIVE.
 7. THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR PRECISE BUILDING DIMENSIONS, ETC.
 8. THE CONTRACTOR SHALL INCLUDE IN THE CONTRACT PRICE DAILY RECORD KEEPING OF THE AS-BUILT CONDITIONS OF ALL OF THE UNDERGROUND UTILITIES, STORM DRAIN AND CONSTRUCTION STAKEOUTS ASSOCIATED WITH THE PROJECT. THE CONTRACTOR SHALL HAVE A LICENSED SURVEYOR PREPARE THE REQUIRED AS-BUILT INFORMATION FOR SUBMITTAL TO GOVERNING AGENCIES AND ALL OTHER INFORMATION REQUIRED IN CONNECTION WITH RELEASE OF BONDS.
 9. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE LOCAL POST OFFICE TO DETERMINE IF A FREE STANDING MAILBOX IS REQUIRED. IF SO REQUIRED, THE CONTRACTOR SHALL INCLUDE IN HIS CONTRACT PRICE THE INSTALLATION OF A 4"x4" PRESSURE TREATED POST SET IN CONCRETE WITH A METAL MAILBOX AT A LOCATION ACCEPTABLE TO THE POST OFFICE AND THE OWNER. (N/A THIS PROJECT)
 10. THE CONTRACTOR SHALL INCLUDE IN THE CONTRACT PRICE ALL MATERIAL AND LABOR ASSOCIATED WITH THE TESTING OF THE WATER AND SEWER LINES AS REQUIRED.
 11. THE CONTRACTOR SHALL INCLUDE IN THE CONTRACT PRICE OF ANY DE-WATERING NECESSARY TO CONSTRUCT THE PROJECT AS SHOWN ON THESE PLANS.
 12. THE CONTRACTOR SHALL INCLUDE IN THE PRICE ANY AND ALL COSTS ASSOCIATED WITH PROVIDING PROFESSIONAL ENGINEER ON SITE IF REQUIRED, DURING THE CONSTRUCTION OF THE STORM WATER MANAGEMENT FACILITY, UNDERGROUND UTILITIES, ETC. AS REQUIRED FOR AS-BUILT CERTIFICATION.

- SITE NOTES:**
1. PROPERTY BOUNDARY INFORMATION SHOWN HERON IS TAKEN FROM A BOUNDARY TOPOGRAPHIC SURVEY PREPARED FOR SUNNYVALE ISD BY SURDUKAN SURVEYING, INC. CONTRACTOR IS RESPONSIBLE FOR PROTECTION OF ALL PROPERTY CORNERS.
 2. CONTRACTOR SHALL REMOVE PAVEMENT & CONCRETE AS REQUIRED IN ACCORDANCE WITH SPECIFICATION OF ALL GOVERNING AGENCIES.
 3. GENERAL CONTRACTOR SHALL COORDINATE WITH APPROPRIATE UTILITY COMPANIES PRIOR TO CONSTRUCTIONS, ADJUSTMENT, OR RELOCATION OF EXISTING UTILITIES AS DESIGNATED ON PLANS.
 4. CONTRACTOR IS RESPONSIBLE FOR REPAIRING THE DAMAGE DONE TO ANY EXISTING ITEMS DURING CONSTRUCTION, SUCH AS, BUT NOT LIMITED TO, DRAINAGE, UTILITIES, PAVEMENT, STRIPING, CURB ETC. REPAIRS SHALL BE EQUAL TO, OR BETTER THAN, EXISTING CONDITIONS. CONTRACTOR IS RESPONSIBLE TO DOCUMENT ALL EXISTING DAMAGE AND NOTIFY CONSTRUCTION MANAGER PRIOR TO CONSTRUCTION STARTS.
 5. CONTRACTOR TO REMOVE OR RELOCATE, WHEN APPLICABLE, ALL EXISTING DRAIN PIPES, SANITARY SEWER PIPES, POWER POLES, AND GUY WIRES, WATER METER AND WATER LINES, WELL, SIDEWALKS, SIGN POLES, UNDERGROUND GAS, AND CONCRETE PAVING, SHOWN AND NOT SHOWN, WITHIN CONSTRUCTION LIMITS AND WHERE NEEDED, TO ALLOW FOR NEW CONSTRUCTION AS SHOWN.
 6. CONTRACTOR SHALL FOLLOW ALL LOCAL, STATE, AND FEDERAL REGULATIONS IN DISPOSING OF DEMOLISHED MATERIALS REMOVED FROM THIS SITE.
 7. DIMENSIONS SHOWN ARE TO FACE OF CURB, FACE OF BUILDING, OR CENTERLINE OF PARKING BAY UNLESS NOTE OTHERWISE.
 8. SEE PAVING PLAN SHEETS FOR PAVEMENT SPECS.
 9. BUILDING EXCAVATION AND FOUNDATIONS, BUILDING ENTRANCE PLATFORMS, PORCHES, PADS, BUILDING DIMENSIONS, UTILITY ENTRY/EXIT POINTS, SIDEWALK, ADJACENT TO THE BUILDING, AND LOADING DOCK RAMP/CURBS/RETAINING WALLS ARE DETAILED AND SPECIFIED ON THE ARCHITECTURAL DRAWINGS.
 10. PROVIDE EXPANSION JOINTS AT ALL RADIUS POINTS IN CONCRETE CURB AND GUTTER AND AS SHOWN ON THE DETAILS, OR AS DIRECTED BY THE ENGINEER.
 11. THE CONTRACTOR IS TO PROVIDE TRASH RECEPTACLES FOR USE OF SUBCONTRACTORS AND THEIR EMPLOYEES, ALL DUMPSTER SHOULD BE LOCATED OFF STREETS AND RIGHT OF WAYS. BLOCKING PERMITS ARE REQUIRED FOR ANY USE OF THE STREET RIGHT OF WAYS.
 12. PROVIDE CONTAINERS FOR GARBAGE AND MINOR TRASH IN EATING AREAS, IN PARKING LOTS, AND ALONG WALKWAYS.
 13. SERVICE TRASH CONTAINERS ADEQUATELY.
 14. KEEP STREETS AND AREAS ADJACENT TO THE JOB SITE CLEAN AND FREE OF TRASH AND MUD ORIGINATING FROM THE SITE.
 15. REQUIRE ALL WASTE HAULERS TO COVER TRUCKS BEFORE LEAVING SITE.
 16. CONTRACTOR IS RESPONSIBLE TO ANY DAMAGE FOR STREETS, SIDEWALKS, CURB AND GUTTERS OR ANY OTHER PUBLIC PROPERTY. DAMAGE MUST BE REPAIRED OR REPLACED PRIOR TO FINAL INSPECTIONS.
 17. REFERENCE GEO-REPORT FOR SOIL CHARACTERISTICS AND SITE DEVELOPMENT RECOMMENDATIONS.

AUTHORITY AND RESPONSIBILITY:
 THE ENGINEER, AS REPRESENTATIVE OF THE OWNER, SHALL NOT GUARANTEE THE WORK OF ANY CONTRACTOR OR SUBCONTRACTOR, SHALL HAVE NO AUTHORITY TO STOP WORK, SHALL HAVE NO SUPERVISION OR CONTROL AS TO THE WORK OR PERSONS DOING THE WORK, SHALL NOT HAVE CHARGE OF THE WORK, SHALL NOT BE RESPONSIBLE FOR SAFETY IN, ON, OR ABOUT THE JOB SITE OR HAVE ANY CONTROL OF THE SAFETY OF ADEQUACY OF ANY EQUIPMENT, BUILDING COMPONENT, SCAFFOLDING, SUPPORTS, FORMS, OR OTHER WORK AIDS, AND SHALL HAVE NO DUTIES OR RESPONSIBILITIES IMPOSED BY THE STRUCTURAL WORK ACT.

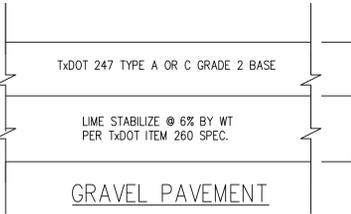
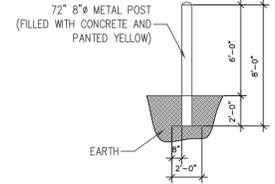
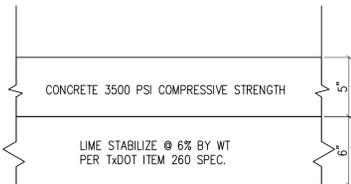
PERMITS, BONDS, AND INSPECTIONS:
 THE CONTRACTOR SHALL BE RESPONSIBLE TO INSURE THAT ALL NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES SHALL BE PERFORMED PRIOR TO THE ANNOUNCED BUILDING POSSESSION AND THE FINAL CONNECTION OF SERVICES. THIS SHALL INCLUDE THE HIRING OF A PROFESSIONAL ENGINEER TO CONDUCT INSPECTIONS AND PROVIDE CERTIFICATIONS, AS MAY BE REQUIRED.

**STONEY CREEK PHASE 4A
 C.C. NO. 2006-44182**



Sunnyvale Ag Barn Site Plan 8-5-16.dwg

9/12/2016



- PROPOSED LIGHT DUTY CONCRETE
- PROPOSED GRAVEL
- EXISTING ROAD

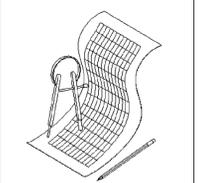
LEGEND

— GAS — GAS — GAS LINE	— GAS — GAS — GAS LINE
— OHE — OHE — OVERHEAD ELECTRICAL LINE	— OHE — OHE — OVERHEAD ELECTRICAL LINE
— UGE — UGE — UNDERGROUND ELECTRICAL LINE	— UGE — UGE — UNDERGROUND ELECTRICAL LINE
— W — W — W — PROPOSED WATER SUPPLY LINE	— W — W — W — PROPOSED WATER SUPPLY LINE
— W — W — W — EXISTING WATER LINE	— W — W — W — EXISTING WATER LINE
— FOC W — FOC W — FOC W — FIBER OPTIC CABLE W/ ELECTRIC	— FOC W — FOC W — FOC W — FIBER OPTIC CABLE W/ ELECTRIC
— FOC W — FOC W — FOC W — PROPOSED FIRE LINE	— FOC W — FOC W — FOC W — PROPOSED FIRE LINE
— FOC W — FOC W — FOC W — EXISTING FIRE LINE	— FOC W — FOC W — FOC W — EXISTING FIRE LINE
— SS — SS — SS — PROPOSED SANITARY SEWER LINE	— SS — SS — SS — PROPOSED SANITARY SEWER LINE
— SS — SS — SS — EXISTING SANITARY SEWER LINE	— SS — SS — SS — EXISTING SANITARY SEWER LINE
— F — F — F — FENCE	— F — F — F — FENCE

⊕ PROPOSED GAS METER	⊕ EXISTING GAS METER	⊕ PROPOSED WATER METER	⊕ EXISTING WATER METER	⊕ PROPOSED UTILITY POLE	⊕ EXISTING UTILITY POLE	⊕ PROPOSED FIRE HYDRANT	⊕ EXISTING FIRE HYDRANT	⊕ EXISTING FIRE HYDRANT	⊕ ELECTRIC METER	⊕ WATER VALVE	⊕ STORM SEWER MANHOLE	⊕ SANITARY SEWER MANHOLE	⊕ SEWER CLEANOUT	⊕ GUY ANCHOR	⊕ FIBER OPTIC CABLE MARKER	⊕ NUMBER OF SPACES	⊕ SIGN	⊕ HANDICAP SYMBOL	⊕ PAINTED STOP BAR	⊕ DIRECTIONAL ARROW	⊕ LIGHT POLE	⊕ 18" CURB & GUTTER	⊕ WATER METER VAULT
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PERMIT 9/12/2016
 ISSUED FOR: DATE:

SUNNYVALE ISD
 AGRICULTURE BARN
 SUNNYVALE, TX



DYNAMIC
 Engineering
 Consultants
 PLLC

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FIRM REGISTRATION # F-8215



NAME	DATE
DRAWN SR GREGORY	9/12/2016
CHECKED	
ENG APPR JW BURNETT	9/12/2016
Q.A.	

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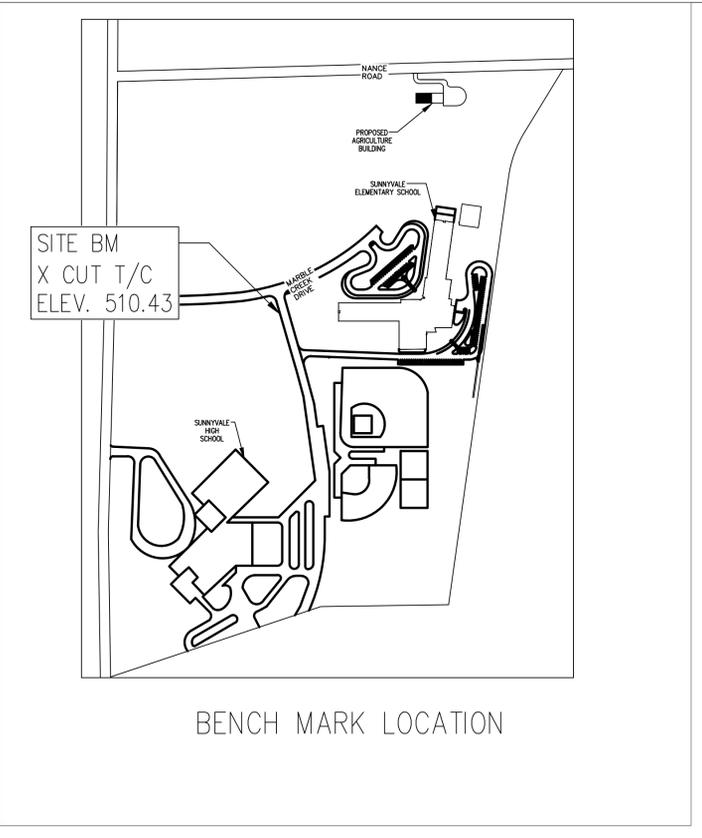
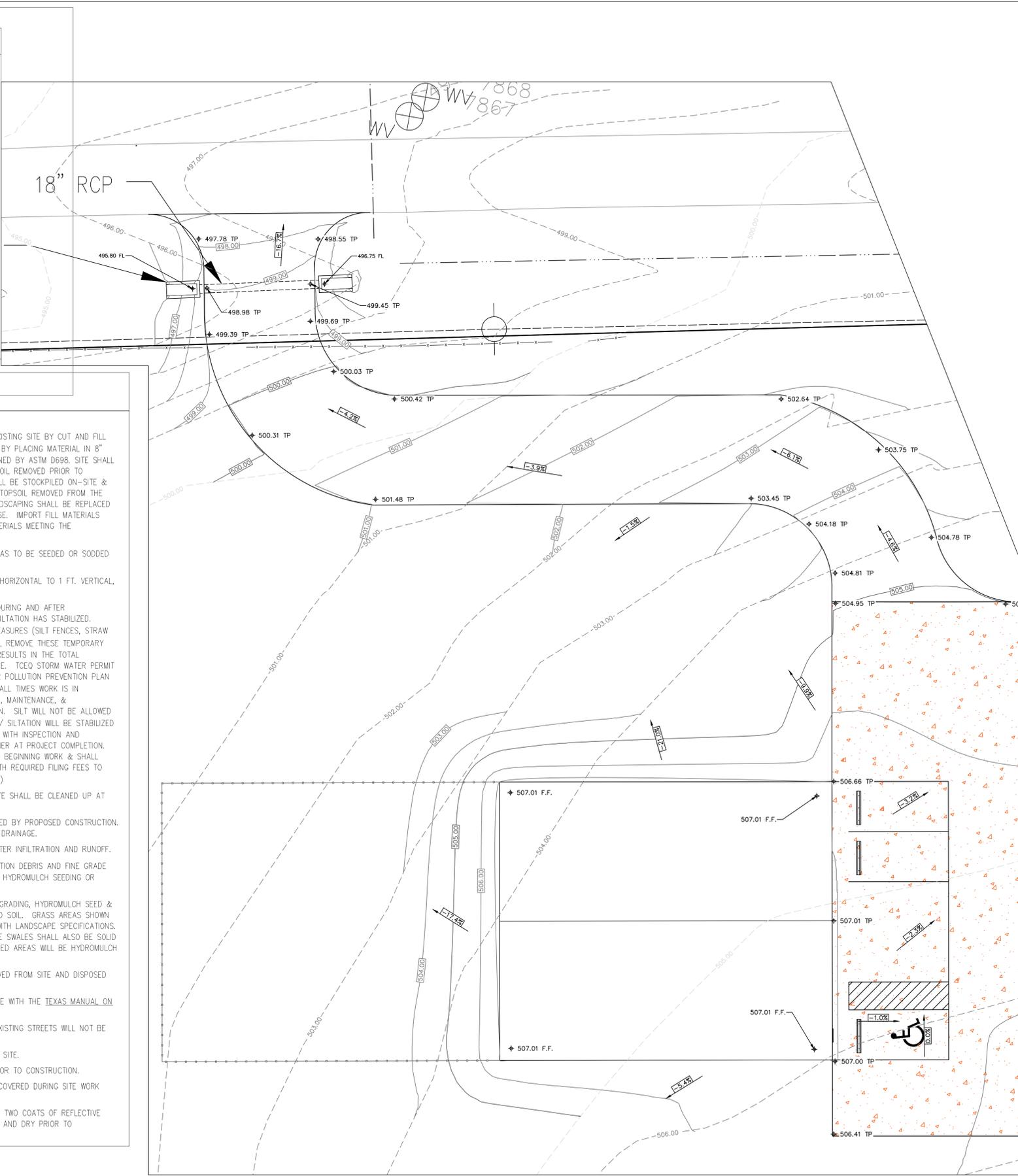
SITE PLAN
 PROJECT # 6315
 SHEET NUMBER
C1

Sunnyvale Ag Building Grading Plan 8-16-16.dwg

8/24/2016

LEGEND

- PRE-CONSTRUCTION DRAINAGE DIVIDE
- POST-CONSTRUCTION DRAINAGE DIVIDE
- EXISTING CONTOUR LINES
- PROPOSED CONTOUR LINES
- AREA DESIGNATOR
- FLOW RATE Q (CFS)
- DIRECTION OF FLOW
- LD — LD — LIMITS OF GRADING DISTURBANCE
- SF — SF — SILT FENCE
- EXISTING FLOW DIRECTION WITH % SLOPE
- PROPOSED FLOW DIRECTION WITH % SLOPE
- TW 479.00 ⊕ TOP OF WALL ELEVATION
- BW 479.00 ⊕ BOTTOM OF WALL ELEVATION
- BC 479.00 ⊕ BACK OF CURB ELEVATION
- EG 479.00 ⊕ EXISTING GROUND ELEVATION
- FF 479.00 ⊕ FINISHED FLOOR ELEVATION



- ### SITWORK NOTES
- PROPOSED GRADES ARE TO BE ATTAINED BY RESHAPING EXISTING SITE BY CUT AND FILL OPERATIONS. FILL OPERATIONS ARE TO BE ACCOMPLISHED BY PLACING MATERIAL IN 8" MAX. LIFTS AND COMPACTING TO 95% DENSITY AS DETERMINED BY ASTM D698. SITE SHALL BE CLEARED & GRUBBED IF APPLICABLE SCARIFIED & TOPSOIL REMOVED PRIOR TO CONSTRUCTION. TOPSOIL AS REQUIRED FOR PLANTING SHALL BE STOCKPILED ON-SITE & RE-USED. DISPOSE OF EXCESS SITE MATERIALS. EXCESS TOPSOIL REMOVED FROM THE SITE WHICH MUST BE REPLACED FOR SITE PLANTING & LANDSCAPING SHALL BE REPLACED WITH SIMILAR QUALITY MATERIALS AT CONTRACTORS EXPENSE. IMPORT FILL MATERIALS SHALL BE SELECT FILL SANDY CLAY OR CLAYEY SAND MATERIALS MEETING THE REQUIREMENTS OF THE GEOTECHNICAL REPORT.
 - FOUR (4) INCHES OF TOPSOIL SHALL BE RETURNED TO AREAS TO BE SEEDDED OR SODDED AND FERTILIZED TO ACHIEVE FINISHED GRADES.
 - MAXIMUM CUT OR FILL SLOPES ARE NOT TO EXCEED 4 FT. HORIZONTAL TO 1 FT. VERTICAL, UNLESS OTHERWISE SPECIFIED.
 - CONTRACTOR TO BE RESPONSIBLE FOR EROSION CONTROL DURING AND AFTER CONSTRUCTION, UNTIL COVER IS ESTABLISHED & EROSION SILTATION HAS STABILIZED. CONTRACTOR SHALL FURNISH TEMPORARY SILT CONTROL MEASURES (SILT FENCES, STRAW BALES, ETC.) AS REQUIRED DURING CONSTRUCTION & SHALL REMOVE THESE TEMPORARY MEASURES AFTER COVER IS ESTABLISHED. THIS PROJECT RESULTS IN THE TOTAL DISTURBANCE OF MORE THAN 1 ACRES OF GROUND SURFACE. TCEQ STORM WATER PERMIT REQUIREMENTS ARE APPLICABLE. A WRITTEN STORM WATER POLLUTION PREVENTION PLAN (SWPPP) WILL BE REQUIRED AND WILL BE ON THE SITE AT ALL TIMES WORK IS IN PROGRESS. TCEQ REQUIREMENTS FOR POSTING, INSPECTION, MAINTENANCE, & RECORDKEEPING SHALL BE FOLLOWED DURING CONSTRUCTION. SILT WILL NOT BE ALLOWED TO EXIT THE SITE TO NEIGHBORING PROPERTIES & EROSION/ SILTATION WILL BE STABILIZED PRIOR TO ACCEPTANCE OF THE WORK. THE WRITTEN PLAN WITH INSPECTION AND MAINTENANCE REPORTS WILL BE TURNED OVER TO THE OWNER AT PROJECT COMPLETION. CONTRACTOR SHALL PREPARE THE WRITTEN PLAN PRIOR TO BEGINNING WORK & SHALL SUBMIT REQUIRED NOTICES OF INTENT AND TERMINATION WITH REQUIRED FILING FEES TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)
 - MAINTAIN SITE IN "FIRST CLASS" CONDITION. THE WORK SITE SHALL BE CLEANED UP AT THE END OF EACH DAY.
 - INSURE THAT NO DRAINAGE ON OR OFF THE SITE IS BLOCKED BY PROPOSED CONSTRUCTION. FINISHED GRADES ARE TO BE SLOPED TO PROVIDE PROPER DRAINAGE.
 - PROTECT EXCAVATIONS FROM FLOODING DUE TO GROUNDWATER INFILTRATION AND RUNOFF.
 - NEAR COMPLETION OF WORK, REMOVE ALL SITE/ CONSTRUCTION DEBRIS AND FINE GRADE ALL DISTURBED AREAS IN PREPARATION FOR LANDSCAPING, HYDROMULCH SEEDING OR SODDING.
 - UPON SUBSTANTIAL COMPLETION AND APPROVAL OF FINAL GRADING, HYDROMULCH SEED & FERTILIZE ALL AREAS WHERE CONSTRUCTION HAS DISTURBED SOIL. GRASS AREAS SHOWN ON LANDSCAPE PLAN SHALL BE SODDED IN ACCORDANCE WITH LANDSCAPE SPECIFICATIONS. AREAS WITH FINISH GRADES EXCEEDING 6 TO 1 & DRAINAGE SWALES SHALL ALSO BE SOLID SODDED PER LANDSCAPING SPECIFICATIONS, OTHER DISTURBED AREAS WILL BE HYDROMULCH SEEDDED WITH SAHARA BERMUDA.
 - EXCESS EXCAVATED MATERIAL AND DEBRIS IS TO BE REMOVED FROM SITE AND DISPOSED OF.
 - CONTRACTOR TO PROVIDE TRAFFIC CONTROL IN ACCORDANCE WITH THE TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL FOR STREETS AND HIGHWAYS.
 - DROP-OFFS GREATER THAN 2 INCHES ADJACENT TO THE EXISTING STREETS WILL NOT BE ALLOWED TO REMAIN OPEN OVERNIGHT.
 - DRESS-UP AND CLEAN-UP PERIMETER TRANSITION AROUND SITE.
 - VERIFY FLOW LINES OF ALL CULVERTS AND CURB LINES PRIOR TO CONSTRUCTION.
 - ANY ROOTS, TRASH OR OTHER MATERIALS EXPOSED OR UNCOVERED DURING SITE WORK SHALL BE REMOVED & DISPOSED OF.
 - PAVEMENT MARKING SHALL BE 4" WIDE STRIPES APPLIED IN TWO COATS OF REFLECTIVE YELLOW TRAFFIC MARKING PAINT. SURFACES TO BE CLEAN AND DRY PRIOR TO APPLICATION.

PERMIT 8/24/2016
 ISSUED FOR: DATE:

SUNNYVALE ISD
 AG BUILDING
 SUNNYVALE, TX

DYNAMIC
 Engineering
 Consultants
 PLLC

PROFESSIONAL
 ENGINEERING
 SERVICES

200 S. HILLCREST DRIVE
 SULPHUR SPRINGS, TX
 75482

TEL: 903-913-3773
 TEL: 903-382-3444
 E-MAIL: jburnett@dynamic-engineering.net
 WEB: www.dynamic-engineering.net

FIRM REGISTRATION # F-8215

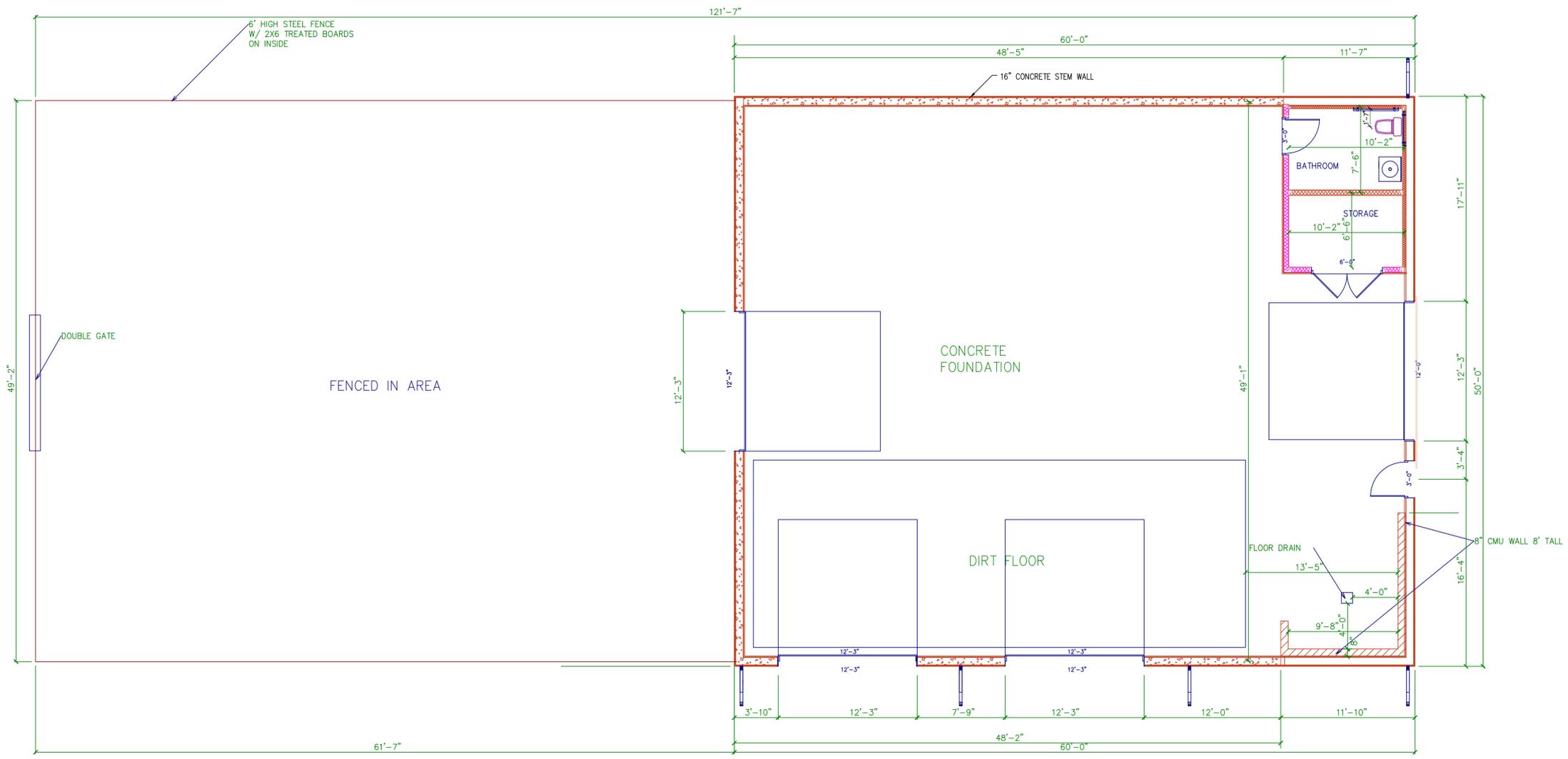
STATE OF TEXAS
 JAMES W. BURNETT
 93832
 LICENSED
 PROFESSIONAL ENGINEER
 ENGINEERING SEAL

NAME	DATE
DRAWN SR GREGORY	8/24/2016
CHECKED	
ENG APPR JW BURNETT	8/24/2016
Q.A.	

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GRADING PLAN
 PROJECT # 6315
 SHEET NUMBER
C3.0

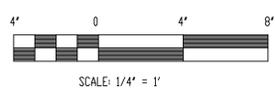




8/24/2016 SUNNYVALE AG BUILDING - ARCH 8-18-16.dwg

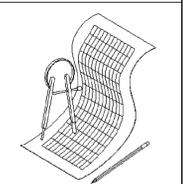
AREA SCHEDULE	
NAME	AREA
Gross Floor Area 3000.0 sq. ft.	

OPENING SCHEDULE					
PRODUCT CODE	SIZE	HINGE DIRECTION	REVERSE	COUNT	
36X80 PLAIN 1-MODIFIED	3'-0"	L	NO	2	
72X80 PLAIN 2-MODIFIED	6'-0"	LR	YES	1	
144X144 - ROLLER-MODIFIED	12'-0"	U	NO	4	



PERMIT 8/24/2016
ISSUED FOR: DATE:

SUNNYVALE ISD
AG BUILDING
SUNNYVALE, TX



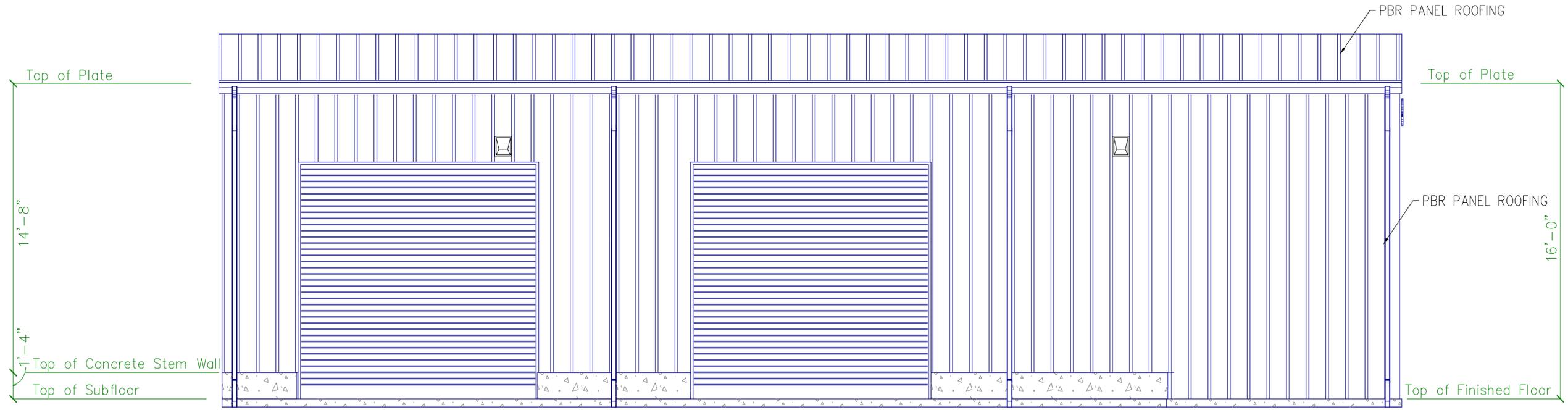
DYNAMIC
Engineering Consultants
PLLC
PROFESSIONAL ENGINEERING SERVICES
200 HILLCREST SUITE C
SULPHUR SPRINGS, TX 75482
TEL: 903-933-3773
FAX: 903-362-3444
E-MAIL: jburnett@dynamic-engineering.net
WEB: www.dynamic-engineering.net
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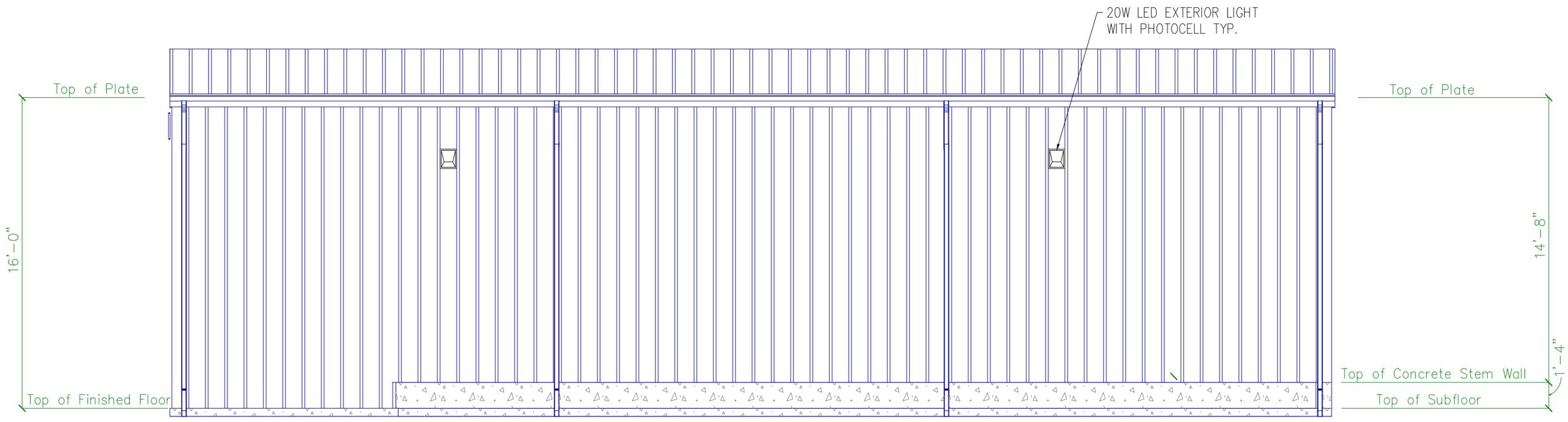
NAME	DATE
DRAWN: SR GREGORY	8/24/2016
CHECKED:	
ENG APPR: JW BURNETT	8/24/2016
Q.A.:	

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FLOOR PLAN
PROJECT # 6315
SHEET NUMBER A1.0



○ LEFT ELEVATION VIEW
Scale: NONE

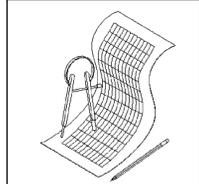


○ RIGHT ELEVATION VIEW
Scale: NONE

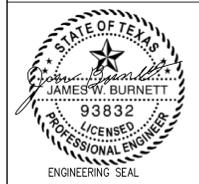
8/24/2016 SUNNYVALE AG BUILDING - ARCH 8-18-16.dwg

PERMIT 8/24/2016
ISSUED FOR: DATE:

SUNNYVALE ISD
AG BUILDING
SUNNYVALE, TX



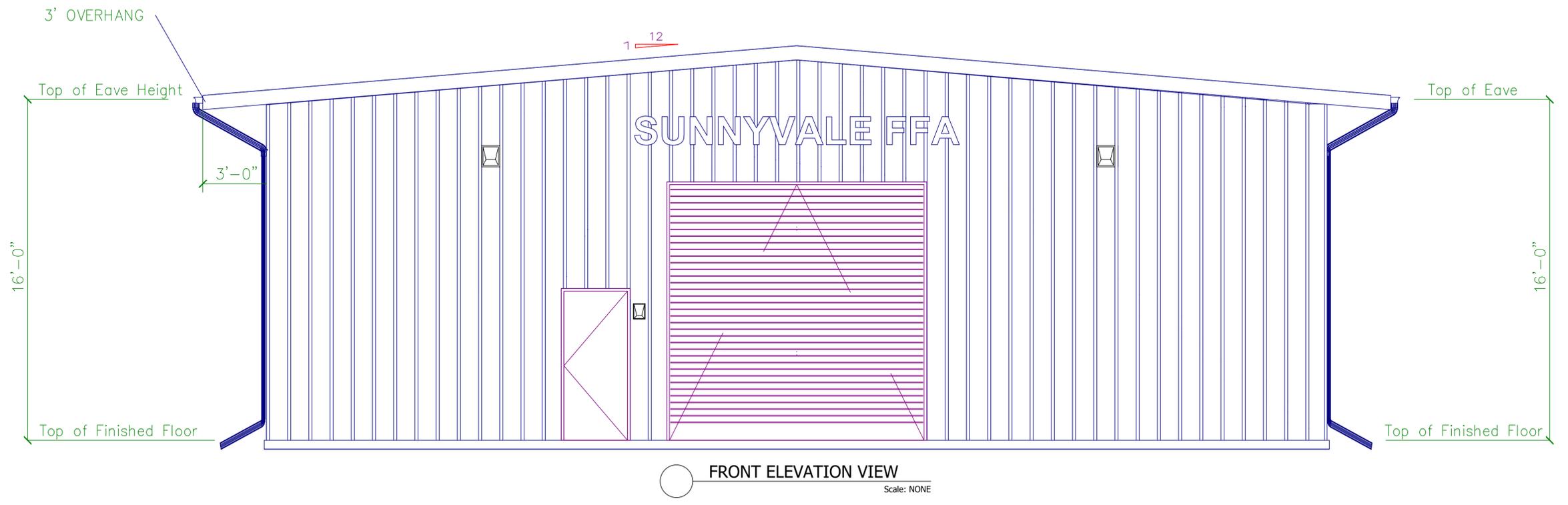
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TEL: 903-513-1773
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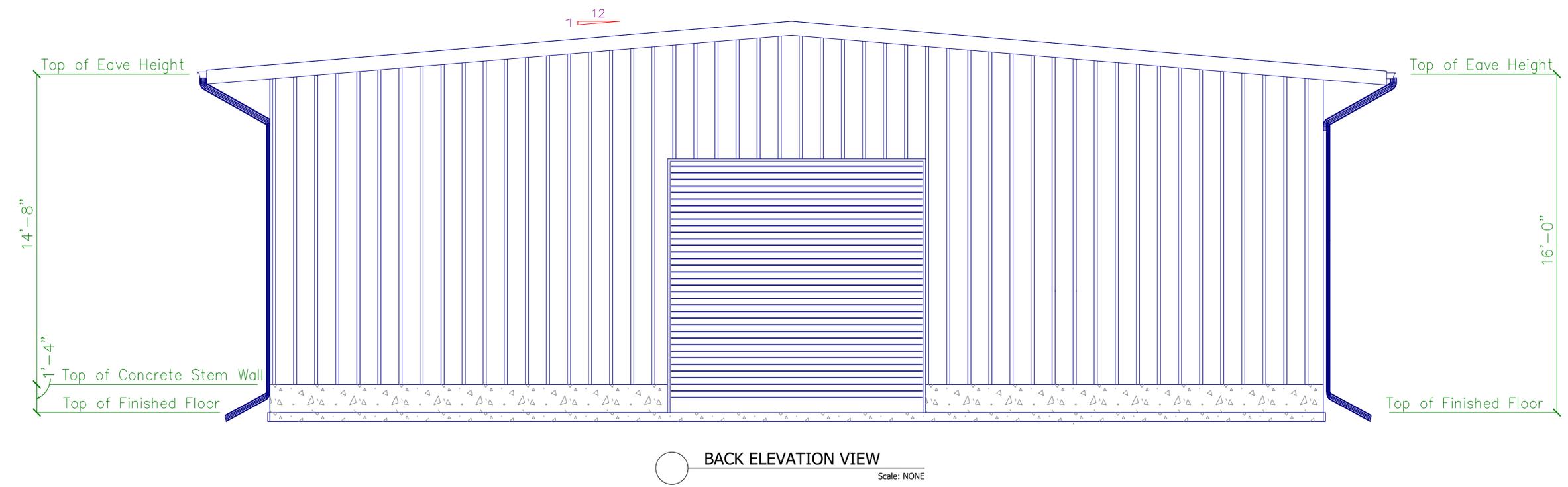
NAME	DATE
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CHECKED	
ENG APPR. JW BURNETT	8/24/2016
Q.A.	

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ELEVATION VIEWS
PROJECT # 6315
SHEET NUMBER A2.0



○ FRONT ELEVATION VIEW
Scale: NONE

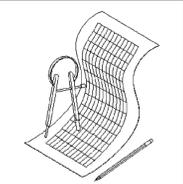


○ BACK ELEVATION VIEW
Scale: NONE

8/24/2016 SUNNYVALE AG BUILDING - ARCH 8-18-16.dwg

PERMIT 8/24/2016
ISSUED FOR: DATE:

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SUNNYVALE, TX



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FIRM REGISTRATION # F-8215



NAME	DATE
DRAWN SR GREGORY	8/24/2016
CHECKED	
ENG APPR. JW BURNETT	8/24/2016
Q.A.	

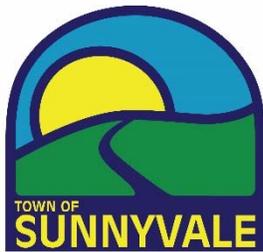
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ELEVATION VIEWS	
PROJECT #	6315
SHEET NUMBER	A3.0

Please provide a material example (color picture or color sample) of the proposed building and materials. (Reference pre-engineered building – Roof is galvanized sheet metal and color will be light stone)



example building



Town of Sunnyvale

Prepared By: Sean Fox, Town Manager

Summary:

DISCUSS AND CONSIDER RESOLUTION 16-16: A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS BETWEEN THE TOWN OF SUNNYVALE AND THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENT OF TEXAS STATE HIGHWAY 352 FROM NORTH OF KEARNEY STREET TO US 80 EAST BOUND FRONTAGE ROAD; ESTABLISHING AN EFFECTIVE DATE.

Background & Analysis:

The State has deemed it necessary to make certain highway improvements on SH-352 from North of Kearney Street to US80 EB Frontage Road. Originally proposed as three-way cost-share project (50%, 25%, & 25%) between TxDOT, Dallas County and the Town, TxDOT & Dallas County submitted this project to the North Central Texas Council of Governments (NCTCOG) for consideration as either a Proposition 1 or 7 project in April 2016. NCTCOG concurred with the recommendation and committed to making funding available in September 2017. Absent to Town's cost-share portion, the Town is still required to participate on a 10% cost-share basis for both Right of Way Acquisition and Reimbursable Utility adjustments at an estimated cost of \$172,652.00.

Contributions of real property may be credited to the Local Government's funding obligation for the cost of right of way to be acquired for the project in lieu of monetary payment. Credit for all real property contributed by the Town to TxDOT shall be based on the property's fair market value.

The Town has been assured that the required ROW along the Northwestern edge of the project will be dedicated to the Town, which in turn will be able to transfer ownership to TxDOT to offset the estimated costs stated above.

TxDOT has submitted the attached ROW Funding Agreement and Draft Resolution for Council's consideration and approval.

Fiscal Impact and Staff Recommendation:

Absent dedication of required ROW from the adjacent property owner, the Town would be responsible for \$172,652.00, but Staff has no reason to doubt the validity of the adjacent property owner's commitment and recommends approval.

RESOLUTION 16-16

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS, AUTHORIZING THE EXECUTION OF AN AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS BETWEEN THE TOWN OF SUNNYVALE AND THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENT OF TEXAS STATE HIGHWAY 352 FROM NORTH OF KEARNEY STREET TO US 80 EAST BOUND FRONTAGE ROAD; ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Texas Department of Transportation has deemed it necessary to make certain highway improvements on Highway No. SH 352 from North of Kearney Street to US 80 east bound frontage road; and

WHEREAS, local governments are required to participate in the funding of right-of-way acquisition for the state road projects within their jurisdictions; and

WHEREAS, contributions of real property may be credited to the Local Government's funding obligation for the cost of right of way to be acquired for this project; and

WHEREAS, the Town Council wishes to authorize said agreement to ensure the project continues;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Sunnyvale, Texas as follows:

Section 1

That the attached Agreement to Contribute Right of Way funds for the improvement of State Highway 352 is hereby authorized for approval in an amount not to exceed \$172,652.00.

Section 2

That the resolution is effective upon approval by the Town Council.

Passed and approved the 26th day of September, 2016.

TOWN OF SUNNYVALE

Jim Phaup, Mayor

ATTEST:

Leslie Black, Town Secretary

County Dallas
 District Dallas
 ROW CSJ # 0430-01-059
 CCSJ # 0430-01-057
 Federal Project #: _____
 CFDA Title: Highway Planning & Construction
 CFDA # 20.205
 Federal Highway Administration
 Not Research and Development

STATE OF TEXAS §

COUNTY OF TRAVIS §

AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS (FIXED PRICE)

THIS AGREEMENT is made by and between the State of Texas, acting through the Texas Department of Transportation, (the "**State**"), and the Town of Sunnyvale, Texas, acting through its duly authorized officials (the "**Local Government**").

WITNESSETH

WHEREAS, Texas Transportation Code §§ 201.103 and 222.052 establish that the State shall design, construct, and operate a system of highways in cooperation with local governments; and

WHEREAS, Texas Transportation Code, §§ 201.209 authorizes the State and a Local Government to enter into agreements in accordance with Texas Government Code, Chapter 791; and

WHEREAS, the State has deemed it necessary to make certain highway improvements on Highway No. SH 352 from North of Kearney Street to US 80 EB Frontage Road, and this section of highway improvements will necessitate the acquisition of certain right of way and the relocating and adjusting of utilities (the "**Project**"); and

WHEREAS, the Local Government requests that the State assume responsibility for acquisition of all necessary right of way and adjustment of utilities for this highway project; and

WHEREAS, the Local Government desires to enter into a fixed price joint participation agreement pursuant to 43 TAC §15.52 to contribute to the State funding participation as defined in 43 TAC §15.55 for the cost of acquiring the right of way and relocating or adjusting utilities for the proper improvement of the State Highway System;

WHEREAS, the Governing Body of the Local Government has approved entering into this agreement by resolution or ordinance dated _____, 20__, which is attached to and made a part of this agreement as Attachment A. A map showing the Project location appears in Attachment B, which is attached to and made a part of this agreement.

NOW THEREFORE, the State and the Local Government do agree as follows:

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 District Dallas
 ROW CSJ # 0430-01-059
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AGREEMENT

1. Agreement Period

This agreement becomes effective when signed by the last party whose signing makes the agreement fully executed. This agreement shall remain in effect until the Project is completed or unless terminated as provided below.

2. Termination

This agreement shall remain in effect until the Project is completed and accepted by all parties, unless:

- A. The agreement is terminated in writing with the mutual consent of the parties;
- B. The agreement is terminated by one party because of a breach, in which case any cost incurred because of the breach shall be paid by the breaching party; or
- C. The Project is inactive for thirty-six (36) months or longer and no expenditures have been charged against federal funds, in which case the State may in its discretion terminate this agreement.

3. Local Project Sources and Uses of Funds

- A. The total estimated cost of the Project is shown in Attachment C, Project Budget Estimate and Payment Schedule, which is attached to and made a part of this agreement. The expected cash contributions from the Federal or State government, the Local Government, or other parties is shown in Attachment C. The Local Government shall pay to the State the amount shown in Attachment C as its required contribution of the total cost of the Project and shall transmit to the State with the return of this agreement, duly executed by the Local Government, a warrant or check for the amount and according to the payment schedule shown in Attachment C.
- B. The Local Government's fixed price contribution set forth in Attachment C is not subject to adjustment unless:
 1. site conditions change;
 2. work requested by the Local Government is ineligible for federal participation; or
 3. the adjustment is mutually agreed on by the State and the Local Government.
- C. If the Local Government will perform any work under this contract for which reimbursement will be provided by or through the State, the Local Government must complete training before federal spending authority is obligated. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled *Local Government Project Procedures Qualification for the Texas Department of Transportation*. The Local Government shall provide the certificate of qualification to the State. The individual who receives the training certificate may be an employee of the Local Government or an employee of a firm that has been contracted by the Local

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Government to perform oversight of the Project. The State in its discretion may deny reimbursement if the Local Government has not designated a qualified individual to oversee the Project.

- D. Whenever funds are paid by the Local Government to the State under this agreement, the Local Government shall remit a warrant or check made payable to the "Texas Department of Transportation Trust Fund." The warrant or check shall be deposited by the State in an escrow account to be managed by the State. Funds in the escrow account may only be applied to this highway project.
- E. Notwithstanding that this is a fixed price agreement, the Local Government agrees that in the event any existing, future, or proposed Local Government ordinance, commissioner's court order, rule, policy, or other directive, including, but not limited to, outdoor advertising or storm water drainage facility requirements, is more restrictive than State or federal regulations, or any other locally proposed change, including, but not limited to, plats or re-plats, results in any increased costs to the State, then the Local Government will pay one hundred percent (100%) of all those increased costs, even if the applicable county qualifies as an Economically Disadvantaged County (EDC). The amount of the increased costs associated with the existing, future, or proposed Local Government ordinance, commissioner's court order, rule, policy, or other directive will be determined by the State at its sole discretion.
- F. If the Local Government is an EDC and if the State has approved adjustments to the standard financing arrangement, this agreement reflects those adjustments.
- G. If the Project has been approved for an "incremental payment" non-standard funding or payment arrangement under 43 TAC §15.52, the budget in Attachment C will clearly state the incremental payment schedule.

4. Real Property in Lieu of Monetary Payment

- A. Contributions of real property may be credited to the Local Government's funding obligation for the cost of right of way to be acquired for this project. Credit for all real property, other than property which is already dedicated or in use as a public road, contributed by the Local Government to the State shall be based on the property's fair market value established as of the effective date of this agreement. The fair market value shall not include increases or decreases in value caused by the project and should include the value of the land and improvements being conveyed, excluding any damages to the remainder. The amount of any credit for real property contributed for this project is clearly shown in Attachment C.
- B. The Local Government will provide to the State all documentation to support the determined fair market value of the donated property. This documentation shall include an appraisal of the property by a licensed appraiser approved by the State. The cost of appraisal will be the responsibility of the State. The State will review the submitted documentation and make a final determination of value; provided however, the State may perform any additional investigation deemed necessary, including supplemental appraisal work by State employees or employment of fee appraisers.

County Dallas
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- C. Credit shall be given only for property transferred at no cost to the State after the effective date of this agreement and the issuance of spending authority, and only for property which is necessary to complete this project, has title acceptable to the State, and is not contaminated with hazardous materials. Credit shall be in lieu of monetary contributions required to be paid to the State for the Local Government's funding share of the right of way to be acquired for this project. The total credit cannot exceed the Local Government's matching share of the right of way obligation under this agreement, and credits cannot be reimbursed in cash to the Local Government, applied to project phases other than right of way, nor used for other projects.
- D. In the event the Local Government's monetary contributions to the State for acquisition of right of way, when added to its real property credits, exceed the Local Government's matching share of the right of way obligation, there will be no refund to the Local Government of any portion of its contributed money.

5. Amendments

Amendments to this agreement due to changes in the character of the work, terms of the agreement, or responsibilities of the parties relating to the Project may be enacted through a mutually agreed upon, written supplemental agreement.

6. Notices

All notices to either party by the other required under this agreement shall be delivered personally or sent by certified or U.S. mail, postage prepaid, to the following addresses:

Local Government:	State:
<u>Town of Sunnyvale</u>	Director of Right of Way Division
<u>Sean Fox, Town Manager</u>	Texas Department of Transportation
<u>127 N. Collins Road</u>	125 E. 11 th Street
<u>Sunnyvale, TX 75182</u>	Austin, Texas 78701

All notices shall be deemed given on the date delivered or deposited in the mail, unless otherwise provided by this agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that notices shall be delivered personally or by certified U.S. mail and that request shall be honored and carried out by the other party.

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7. Remedies

This agreement shall not be considered as specifying the exclusive remedy for any agreement default, but all remedies existing at law and in equity may be availed of by either party to this agreement and shall be cumulative.

8. Legal Construction

If one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability shall not affect any other provisions and this agreement shall be construed as if it did not contain the invalid, illegal, or unenforceable provision.

9. Responsibilities of the Parties

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

10. Compliance with Laws

The parties shall comply with all federal, state, and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of this agreement. When required, the Local Government shall furnish the State with satisfactory proof of this compliance.

11. Sole Agreement

This agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings or written or oral agreements respecting the subject matter of this agreement.

12. Ownership of Documents

Upon completion or termination of this agreement, all documents prepared by the State shall remain the property of the State. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use. All documents produced or approved or otherwise created by the Local Government shall be transmitted to the State in the form of photocopy reproduction on a monthly basis as required by the State. The originals shall remain the property of the Local Government. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

13. Inspection of Books and Records

The Local Government shall maintain all books, papers, accounting records and other documentation relating to costs incurred under this agreement and shall make such materials available to the State and, if federally funded, the Federal Highway

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Administration (FHWA) or their duly authorized representatives for review and inspection at its office during the contract period and for four (4) years from the date of completion of work defined under this agreement or until any impending litigation, or claims are resolved. Additionally, the State and FHWA and their duly authorized representatives shall have access to all the governmental records that are directly applicable to this agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

14. State Auditor

The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under this agreement or indirectly through a subcontract under this agreement. Acceptance of funds directly under this agreement or indirectly through a subcontract under this agreement acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

15. Procurement and Property Management Standards

The parties shall adhere to the procurement standards established in Title 49 CFR §18.36 and with the property management standard established in Title 49 CFR §18.32.

16. Civil Rights Compliance

The parties to this agreement shall comply with the regulations of the U.S. Department of Transportation as they relate to nondiscrimination (49 CFR Part 21 and 23 CFR Part 200), and Executive Order 11246 titled "Equal Employment Opportunity," as amended by Executive Order 11375 and supplemented in the Department of Labor Regulations (41 CFR Part 60).

17. Applicability of Federal Provisions

Articles 18 through 23 only apply if Federal funding is used in the acquisition of right of way or the adjustment of utilities.

18. Office of Management and Budget (OMB) Cost Principles

In order to be reimbursed with federal funds, the parties shall comply with the Cost Principles established in OMB Circular A-87 that specify that all reimbursed costs are allowable, reasonable, and allocable to the Project.

19. Disadvantaged Business Enterprise (DBE) Program Requirements

- A. The parties shall comply with the DBE Program requirements established in 49 CFR Part 26.
- B. The Local Government shall adopt, in its totality, the State's federally approved DBE program.

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- C. The Local Government shall set an appropriate DBE goal consistent with the State's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Local Government shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.
- D. The Local Government shall follow all other parts of the State's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally -Approved Disadvantaged Business Enterprise by Entity and attachments found at web address http://txdot.gov/business/business_outreach/mou.htm.
- E. The Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any U.S. Department of Transportation (DOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. The State's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Local Government of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and the Program Fraud Civil Remedies Act of 1986 (31 USC 3801 et seq.).
- F. Each contract the Local Government signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: *The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate.*

20. Debarment Certification

The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this agreement, the Local Government certifies that it is not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549 and further certifies that it will not do business with any party that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this contract shall require any party to a subcontract or purchase order awarded under this

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contract to certify its eligibility to receive federal funds and, when requested by the State, to furnish a copy of the certification.

21. Lobbying Certification

In executing this agreement, each signatory certifies to the best of that signatory's knowledge and belief, that:

- A. No federal appropriated funds have been paid or will be paid by or on behalf of the parties to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for the Local Government shall complete and submit the Federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The parties shall require that the language of this certification shall be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 USC §1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.

22. Federal Funding Accountability and Transparency Act Requirements

- A. Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act (FFATA) and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms: <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>.
- B. The Local Government agrees that it shall:
 1. Obtain and provide to the State a System for Award Management (SAM) number (Federal Acquisition Regulation, Part 4, Sub-part 4.11) if this award provides more than \$25,000 in Federal funding. The SAM number may be obtained by visiting the SAM website whose address is: <https://www.sam.gov/portal/public/SAM/>
 2. Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows Federal government to track the

County Dallas
 District Dallas
 ROW CSJ # 0430-01-059
 CCSJ # 0430-01-057
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distribution of federal money. The DUNS may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website <http://fedgov.dnb.com/webform>; and

3. Report the total compensation and names of its top five (5) executives to the State if:

- i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and
- ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

23. Single Audit Report

- A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in OMB Circular A-133.
- B. If threshold expenditures of \$750,000 or more are met during the Local Government's fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 E. 11th Street, Austin, TX 78701 or contact TxDOT's Audit Office at <http://txdot.gov/inside-txdot/office/audit/contact.html>
- C. If expenditures are less than \$750,000 during the Local Government's fiscal year, the Local Government must submit a statement to TxDOT's Audit Office as follows: "We did not meet the \$750,000 expenditure threshold and therefore, are not required to have a single audit performed for FY _____."
- D. For each year the project remains open for federal funding expenditures, the Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or the project has been formally closed out and no charges have been incurred within the current fiscal year.

24. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

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THIS AGREEMENT IS EXECUTED by the State and the Local Government in duplicate.

THE LOCAL GOVERNMENT

Signature

Typed or Printed Name

Title

Date

THE STATE OF TEXAS

Gus E. Cannon, CTCM
Director, Right of Way Division
Texas Department of Transportation

Date

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District Dallas
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**ATTACHMENT A
RESOLUTION OR ORDINANCE**

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**ATTACHMENT B
LOCATION MAP SHOWING PROJECT**

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ATTACHMENT C
PROJECT BUDGET ESTIMATE AND PAYMENT SCHEDULE

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**Standard Agreement to Contribute
 State Performs Work
 Attachment C**

Description	Total Estimated Cost	State Participation		Local Participation	
		%	Cost	%	Cost
Right of Way Acquisition	\$1,326,517.00	90%	\$1,193,865.00	10%	\$132,652.00
Reimbursable Utility Adjustments	\$ 400,000.00	90%	\$ 360,000.00	10%	\$ 40,000.00
Joint Bid Reimbursable Utility Adjustments	\$0	0%	\$0	0%	\$0
	\$0	0%	\$0	0%	\$0
	\$0	0%	\$0	0%	\$0
TOTAL	\$1,726,517.00	90%	\$1,726,517.00	10%	\$172,652.00

Except as otherwise provided in the Agreement, the fixed amount of Local Government participation will be that amount provided above.



Texas Department of Transportation

4777 US HIGHWAY 80 EAST | MESQUITE, TEXAS 75150-6643 | (214) 320-6100 | WWW.TXDOT.GOV

August 25, 2016

Town of Sunnyvale
Sean Fox, Town Manager
127 N. Collins Road
Sunnyvale, Texas 75182

RE: Dallas County
RCSJ 0430-01-059, CCSJ 0430-01-057
SH 352 from North of Kearney Street to US 80 EB frontage road

Dear Mr. Fox:

Enclosed for your execution are three (3) original "Agreement to Contribute Right of Way Funds (Fixed Price)" agreements for the above project.

Please sign and return the three original agreements, the Town Resolution along with your contribution check to the address listed below. One fully executed original will be returned to you once final signatures are obtained.

Texas Department of Transportation (TxDOT)
Attn: Teresa Harris - ROW
4777 US Highway 80 East
Mesquite, Texas 75150-6643

Please understand that TxDOT cannot proceed with right of way acquisition until this process is completed.

Should further information or assistance be required, please contact Teresa Harris at (214) 319-6580.

Sincerely,

Lezlie Kirby
Interim Dallas District ROW Supervisor

Enclosures

OUR VALUES: People • Accountability • Trust • Honesty

OUR MISSION: Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.

An Equal Opportunity Employer