



City Manager's Office
City of Frisco, Texas

Memorandum

To: Honorable Mayor Maso and Members of the Frisco City Council

cc: George Purefoy, City Manager
Ron Patterson, Assistant City Manager

From: Ben Brezina, Assistant to the City Manager

Date: October 18, 2016

Subject: Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Development Agreement by and between the City of Frisco and Wal-Mart Real Estate Business Trust for Stonebrook Marketplace Park Improvements.

Action Requested: Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Development Agreement by and between the City of Frisco and Wal-Mart Real Estate Business Trust for Stonebrook Marketplace park improvements.

Background Information: The proposed Development Agreement establishes the framework of responsibilities relating to the park improvement and Parkland dedication to the City by the Developer.

Developer shall, at no cost to Frisco, construct and/or provide the following Park Improvements:

- (i) Pond renovations including dredging and re-grading to comply with storm water requirements outlined by Frisco's Engineering Services Department;
- (ii) Installation of a water well that meets all applicable TCEQ requirements and that keeps the pond at the required level and all necessary pumps, motors, and electrical power to run the well;
- (iii) Renovations to the existing fishing pier including replacement of the decking and rails and to make it comply with all applicable requirements of the Americans with Disabilities Act, the Texas Accessibility Standards as well as be durable, stable and have a neat and clean appearance;

Agenda Memorandum

Resolution – Development Agreement with Wal-Mart for Stonebrook Marketplace Park Improvements

City Council Meeting of October 18, 2016

Page 2 of 3

- (iv) A concrete parking lot located off FM 423 south of the designated retail parking lot with a capacity of nine parking spaces and at least one accessible space that complies with all applicable requirements of the Americans with Disabilities Act and the Texas Accessibility Standards, and provides direct access to the park property;
- (v) An 8' concrete sidewalk on the east, west and southern boundaries of the parking lot connecting to the retail sidewalk along the southern retail property line and narrowing to a 6' concrete sidewalk that connects to the fishing pier;
- (vi) An 8' concrete sidewalk along FM 423 connecting to the retail development located north of the park and continuing to the southern property line;
- (vii) An 8' concrete sidewalk connecting to the 8' concrete sidewalk on FM 423 starting at the southwestern property line and continuing east and heading north along the east side of the pond then turning south to complete a trail loop and connecting to the single family development to the east property line of the Parkland;
- (viii) Retaining walls to match the architectural stonework from the retail development that are necessary to protect existing trees and to prevent slope failure;
- (ix) Eight (8) benches and two (2) picnic tables with product type and selection to be approved by Frisco's Parks and Recreation Department and location to be field verified by Frisco's Parks and Recreation Department;
- (x) A complete irrigation system including the controller, water tap to a potable water source, electrical including an additional transformer if required to power the controller (the irrigation controller product type, irrigation plans, details, and specifications to be approved by Frisco's Parks and Recreation Department);
- (xi) Landscape plan to be reviewed and approved by Frisco's Parks and Recreation Department which shall include native shrubs and grasses; and;
- (xii) Canopy trees, type and location to be reviewed and approved by the Parks Department prior to installation.

The Developer will also provide a TCEQ Water Rights Permit for the pond and construct all improvements for such Permit at no cost to the City.

Agenda Memorandum

Resolution – Development Agreement with Wal-Mart for Stonebrook Marketplace Park Improvements

City Council Meeting of October 18, 2016

Page 3 of 3

Alternatives: City Council could consider the following alternatives:

- § Approval of a Resolution authorizing the City Manager to execute the Development Agreement by and between the City of Frisco and Wal-Mart for Stonebrook Marketplace Park Improvements;
- § Input towards the discussion as desired;
- § Deny approval of the Resolution and send back to staff with direction.

Financial Considerations: The Development Agreement provides the Park Improvements, Park Dedication, and Water Rights Permit at no cost to City.

Legal Review: The City Attorney's Office has reviewed and approved the Development Agreement as to form and legality.

Supporting Documents: Supporting documents include the following items:

- § Project Location Map;
- § Copy of Resolution;
- § Copy of Development Agreement by and between the City of Frisco and Wal-Mart for Stonebrook Marketplace Park Improvements;

Staff Recommendation: Staff recommends City Council consider and approve a Resolution authorizing the City Manager to execute a Development Agreement by and between the City of Frisco and Wal-Mart Real Estate Business Trust for Stonebrook Marketplace Park Improvements.