CITY OF COLLEYVILLE
CITY COUNCIL AGENDA

100 Main Street, Colleyville, Texas, 76034

TUESDAY, DECEMBER 17, 2024

WORKSESSION
5:30 PM
EXECUTIVE CONFERENCE ROOM
THIRD FLOOR

CALL TO ORDER

WS-1 Discussion of Heroes Park nomination criteria and process

WS-2 Discussion of the Recreation Center expansion

WS-3 Discussion of the December 17, 2024, City Council regular agenda items

1. EXECUTIVE SESSION - In accordance with Texas Government Code, Chapter 551, Subchapter D

Section 551.071 - Legal - Consultation with the City Attorney regarding items on the agenda or for matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Code

Section 551.072 - Real Estate - Deliberate the purchase, exchange, lease, or value of real property for City facilities

Section 551.087 – Economic Development - Discuss or deliberate regarding commercial or financial information the City has received from business prospects the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect

REGULAR MEETING
7:00 P.M.
CITY COUNCIL CHAMBERS

INVOCATION: Pastor Lee Johnson, Bear Valley Church

PLEDGE OF ALLEGIANCE: City Attorney Whitt Wyatt

2. EXECUTIVE SESSION READING AND PUBLIC HEARING: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - RESOLUTION R-24-4998

3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

Announcement of the Community Christmas Tree winners

4. CONSENT: READING AND PUBLIC HEARING - RESOLUTION R-24-4999

4a Approval of the minutes of the regular City Council meeting of December 3, 2024

4b Approval of an Advisory Services Agreement with Specialized Public Finance Inc. for financial advisory services related to the issuance of debt and authorizing the City Manager to execute the agreement

4c Approval of a Bond Counsel Services Engagement Agreement with Norton Rose Fulbright and authorizing the City Manager to execute the agreement

5. ITEMS NOT FOR CITY COUNCIL ACTION

5a Monthly Financial Report - November 2024

6. ORDINANCE(S): SECOND READING AND PUBLIC HEARING

6a Ordinance O-24-2305

Consideration of a Special Use Permit to allow for a fence on Lot 1, Block 1, Chelsea Park Addition, located at 5000 Chelsea Drive, Case ZC24-020

6b Ordinance O-24-2306

Consideration of changing the zoning from AG Agricultural to CC-1 Village Retail on Lot 2, Block 1, First Baptist Church Addition, located at 1007 Church Street, Case ZC24-021

6c Ordinance O-24-2307

Consideration of a Special Use Permit to allow for a fence on Lot 16, Block 8, Oak Crest Hills Addition, located at 405 Oak Valley Drive, Case ZC24-022

6d Ordinance O-24-2308

Appeal of decision of denial by the Planning and Zoning Commission for consideration of a Special Use Permit to allow for a residential carport on Lot 8, Block 1, Arbor Estates Addition, located at 2401 Spruce Court, Case ZC24-023

6e Ordinance O-24-2309

Consideration of a Special Use Permit for a reduction in parking on Lot 1, Block 1, Gonzalez Addition, located at 6609 Colleyville Boulevard, Case ZC24-026

6f Ordinance O-24-2310

Amending Ordinance O-23-2256 relating to the Fiscal Year 2024 budget

6g Ordinance O-24-2311

Amending Sections 3A and 3B of the Water and Sewer Policy and Procedure manual as contained in the Code of Ordinances of the City of Colleyville, Texas, adjusting water and wastewater volumetric rates to pass through changes from the Trinity River Authority

7. CITIZEN COMMENTS

8. REPORTS

Colleyville Library Board Minutes - October 14, 2024
Planning and Zoning Commission Minutes - November 12, 2024
Planning and Zoning Worksession Minutes - November 25, 2024

9. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR TUESDAY, DECEMBER 17, 2024 - READING AND PUBLIC HEARING - RESOLUTION R-24-5000

10. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards *Friday, December 13, 2024* by 5:00 p.m.

Christine Loven, TRMC
City Secretary

A quorum of any Colleyville board, commission, or committee may be present at this meeting. Any matter on this agenda may, at the discretion of the governing body, be opened for public comment and discussion.

If you plan to attend this public meeting and have a disability that requires special accommodations, please advise the City Secretary at least 48 hours in advance at 817.503.1130, and reasonable accommodations will be made to assist you.

CITY OF COLLEYVILLE
CITY COUNCIL BRIEFING

Agenda Number WS-1 **Agenda Date** 12/17/2024
Type Worksession
Department Community Development

Title
Discussion of Heroes Park nomination criteria and process

Explanation
The Heroes Park Design Committee met on November 14, 2024 and December 10, 2024 to discuss the criteria for nominations of heroes to Heroes Park. This agenda item provides for a presentation of Committee recommendations and discussion by the City Council.

Attachments
1. Hero Nominations Criteria

CITY OF COLLEYVILLE

HEROES PARK NOMINATIONS

ELIGIBILITY CRITERIA

Heroes Park is intended to serve as a place where Colleyville's military and community heroes can be honored. The park contains low walls where individual plaques may be placed to recognize specific individuals. In order to nominate an individual for inclusion in Heroes Park, the individual must meet the criteria below for either a military or community hero, to be considered.

MILITARY HERO

Military hero nominees must meet the two-part eligibility criteria below:

1. Military Service (must meet one of the following):
    a. A deceased or living military veteran who received an honorable discharge (confirm military service has been concluded)

2. Colleyville Connection (must meet one of the following):
    a. Lived in Colleyville for a minimum of five (5) years
    b. Maintained a Colleyville permanent address at any point during active military service
    c. A Gold Star family that has lived in Colleyville for a minimum of five (5) years (must meet qualifications of Gold Star family as defined by *Gold Star Families of Texas*)

Nominations must include documentation verifying military service and compliance with one of the Colleyville Connection criteria listed above.

Please note that nominations of individuals who meet the military service criteria, but not the Colleyville connection requirement, will not be considered. The City recognizes and appreciates their service to the United States. It is our hope that these individuals will be recognized and honored in their respective hometowns and appropriate state or national memorials.

COMMUNITY HERO

Community heroes must have made significant contributions and sacrifices for the betterment of the Colleyville community. Nominees must have lived in Colleyville for a minimum of five (5) years. Their acts of service must have benefited Colleyville residents.

Community Heroes must have demonstrated one or more of the following traits:

- Served the community in an extraordinary way;
- Demonstrated a significant commitment to the community;
- Improved the quality of life for Colleyville citizens;
- Demonstrated leadership resulting in contributions which had a positive impact on the Colleyville community; and/or
- Contributed their talents through acts of goodwill without personal or monetary compensation.

While these traits will be common among those designated as a Community Hero, the specific contributions of each person will be as varied and diverse as the citizens of Colleyville.

Nominations must describe how the Nominee served the community in a substantial way, leaving a lasting impact on Colleyville. This may have been accomplished through extensive volunteer service which bettered Colleyville, whether through opportunities directly with the City or through local organizations.

Nominations should not rely on the following for the primary basis of eligibility:

- Years of service
- Monetary donation
- Status as elected or appointed official (board or committee service)

Community Hero Nominees may be deceased or living. If living, the nominee must have concluded their career or service.

City Employees:

First responders (Police, Fire, or other City employee) who lost their life in service to the Colleyville community are eligible for nomination as Community Heroes and will be considered for designation strictly based on their personal sacrifice. These individuals will be automatically approved.

Employment with or retirement from the City are not sufficient as the primary basis for nomination. Actions performed as a normal course of work responsibilities are not considered extraordinary. To be eligible for nomination, an employee must meet the same threshold of significant contribution to the Colleyville community as that described above for Community Heroes. In consideration of City employee nominations, the residency requirement (minimum number of years) would not apply.

PROCEDURE

The City of Colleyville will hold an annual call for nominations. Nominations may be made during this time only.

The Heroes Park Committee will review applications for eligibility (Military Hero) and/or merit (Community Hero). The Committee will then recommend which individuals nominated should be added to those recognized in Heroes Park.

In the event of insufficient information or documentation, a nomination may be held until the following year if information cannot be provided in time for the current year's evaluation process.

Committee decisions are final.

TIMELINE

A call for nominations will be held each year. Nominations may be submitted from July 1 to December 30. The Committee will review nominations from January to March, or earlier as needed based on volume of nominations received.

New heroes inducted into Heroes Park will be announced each year at the Stars & Guitars celebration, typically held in June.

REMOVAL PROCESS

In the (hopefully) extremely rare event that an individual honored in Heroes Park should be considered for removal, a unanimous vote of the Committee is required. Proof of reasoning for removal must be provided.

POLICY AMENDMENTS

By vote of the Heroes Park Committee and approval by City Council the criteria outlined in this policy may be amended.

CITY OF COLLEYVILLE
CITY COUNCIL BRIEFING

Agenda Number WS-2 **Agenda Date** 12/17/2024
Type Worksession
Department City Manager

Title
Discussion of the Recreation Center expansion

Explanation
Staff will provide an update on the Recreation Center expansion.

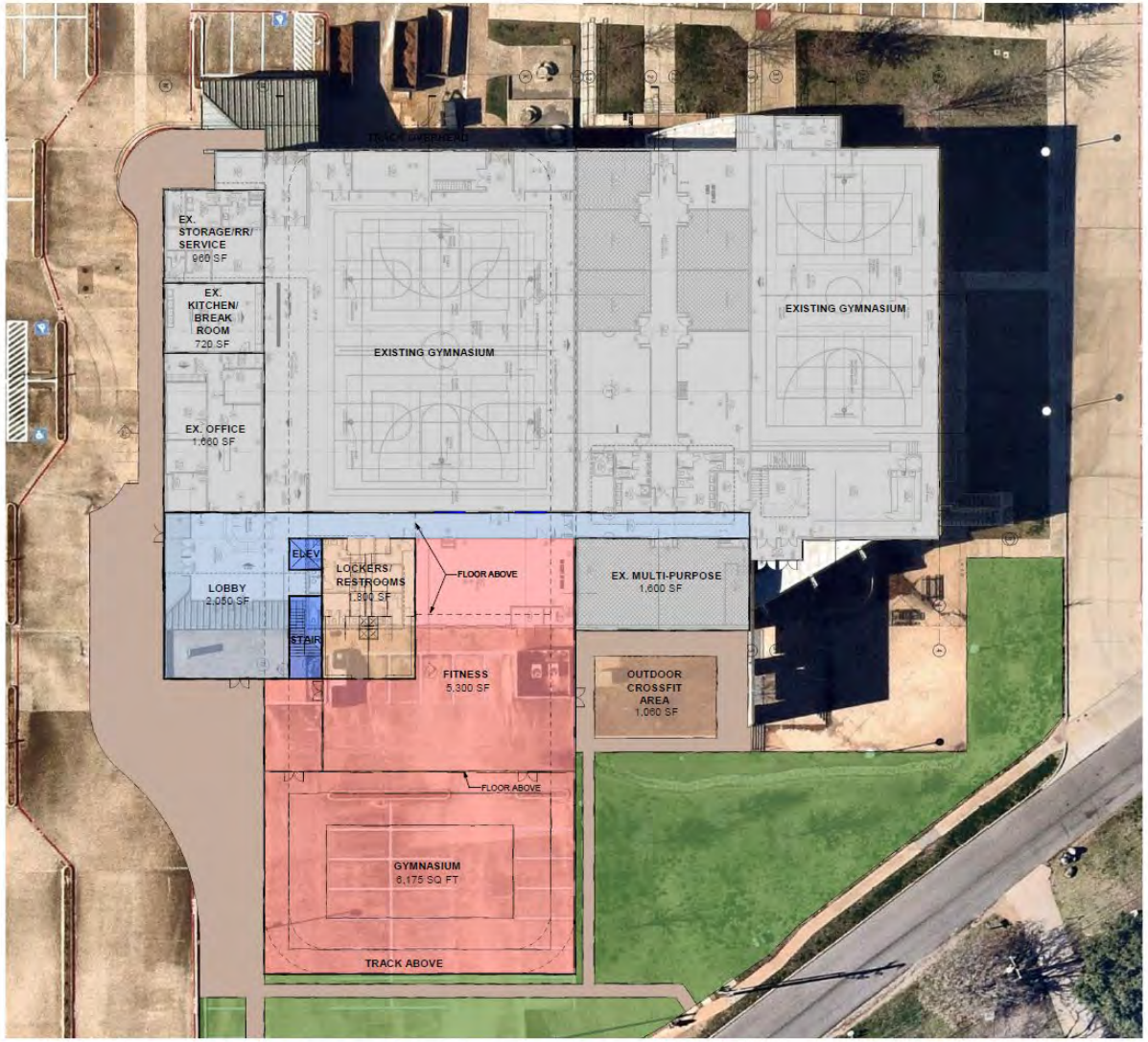
Attachments
1. Colleyville Recreation Center Expansion presentation

Recreation Center Expansion Update

City Council Worksession

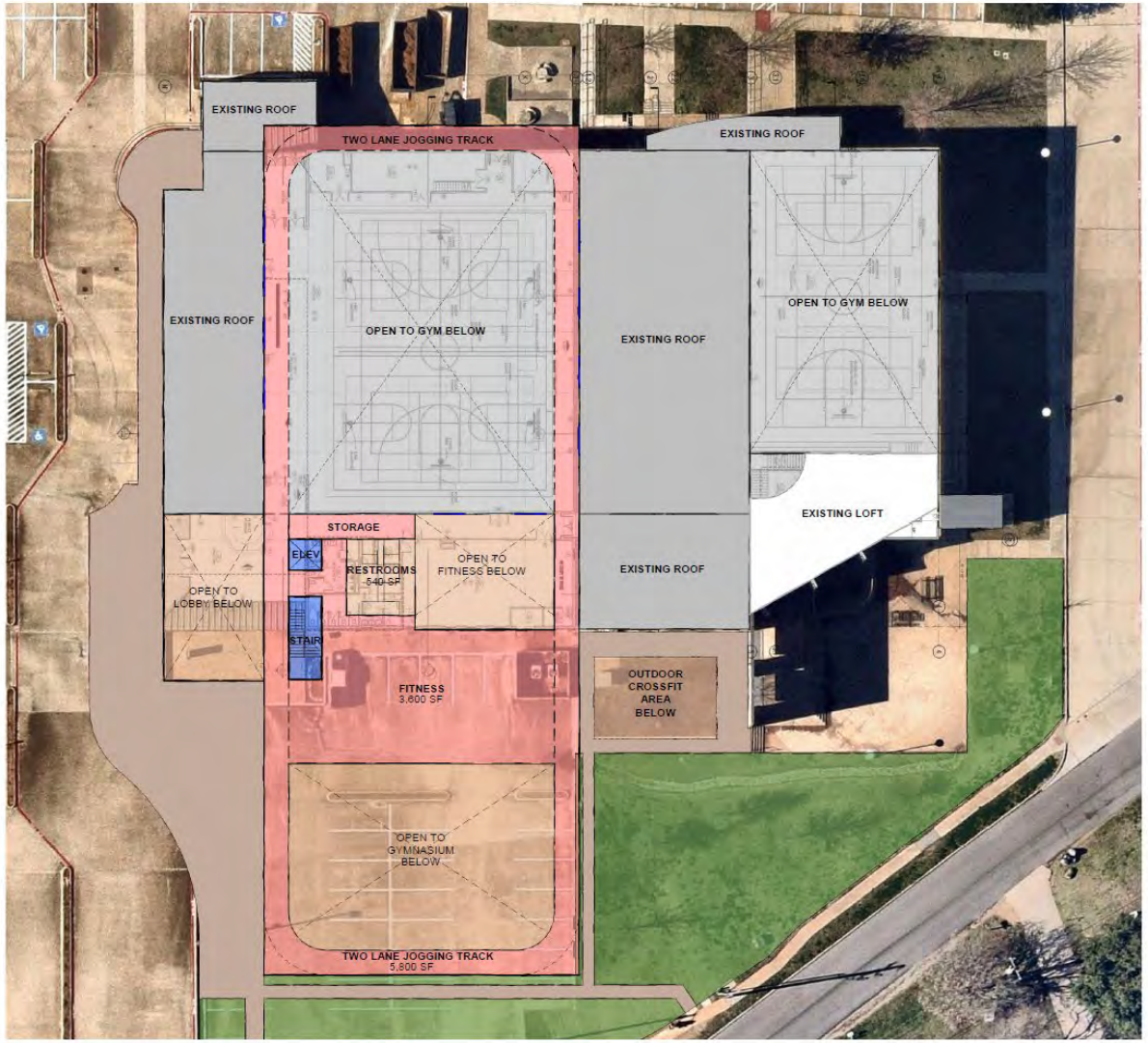
December 17, 2024

Rec Center Expansion



COLLEYVILLE RECREATION CENTER EXPANSION - FIRST FLOOR PLAN

Rec Center Expansion



COLLEYVILLE RECREATION CENTER EXPANSION - SECOND FLOOR PLAN

Rec Center Expansion

BRWARCHITECTS
3535 TRAVIS STREET
SUITE 250
DALLAS, TEXAS 75204
214-528-8704
BRWARCH.COM

COLLEYVILLE RECREATION CENTER EXPANSION - RENDERING OPTION A

Rec Center Expansion

BRWARCHITECTS
3535 TRAVIS STREET
SUITE 250
DALLAS, TEXAS 75204
214-528-8704
BRWARCH.COM

COLLEYVILLE RECREATION CENTER EXPANSION - RENDERING OPTION A

Rec Center Expansion

COLLEYVILLE RECREATION CENTER
CONCEPTUAL COSTS - PHASE II, OPTION A

Description	Quantity	UM	$/UM	Extended
Option A				
Demo Existing Building for Expansion	5,400	SFF	$32.50	$175,500
Temporary Weather Barrier/Enclosure	3,300	SF	$15.00	$49,500
Renovation, First Floor, Multi-Purpose	1,620	SFF	$250.00	$405,000
Pavement Removal for Gymnasium Expansion	20,000	SF	$5.00	$100,000
Expansion, First Floor and Open to Above	**17,680**	**SFF**	$347.33	**$6,140,875**
Lobby, First Floor, Open to Above	2,050	SFF	$425.00	$871,250
Gymnasium, First Floor, Open to Above	6,175	SFF	$325.00	$2,006,875
Lockers and Restrooms	1,800	SFF	$550.00	$990,000
Fitness	5,300	SFF	$300.00	$1,590,000
Corridor	1,800	SFF	$250.00	$450,000
Elevator	155	SFF	$1,050.00	$162,750
Stairs	400	SFF	$175.00	$70,000
Expansion, Second Floor	**4,460**	**SFF**	$356.17	**$1,588,500**
Fitness	3,600	SFF	$350.00	$1,260,000
Restrooms	540	SFF	$475.00	$256,500
Storage	320	SFF	$225.00	$72,000
Two Lane Track Above Existing Gymnasium	3,000	SF	$175.00	$525,000
Two Lane Track Above New Gymnasium	2,800	SF	$125.00	$350,000
Outdoor Crossfit Area	1,060	SF	$150.00	$159,000
Monument Sign	1	ALLOW	$35,000.00	$35,000
Walking/Running Trail Around Site	23,000	SF	$15.00	$345,000
Site Lighting	1	ALLOW	$75,000.00	$75,000
Site Fencing; wrought Iron Fence Along Roberts Rd - 1,100 LF	1	ALLOW	$250,000.00	$250,000
Sidewalks, Landscaping, Area Restoration	12,000	SF	$12.00	$144,000
Multi-Purpose playing field (220,000 SF)	1	ALLOW	$550,000.00	$550,000
Site Amenities; Sitting areas with benches and special paving (8 locations along walking trail)	1	ALLOW	$350,000.00	$350,000
8' tall stone screen wall with foundation between property and residential. 2,300 LF	1	ALLOW	$1,000,000.00	$1,000,000
Pavement; Parking and Drives	11,000	SF	$30.00	$330,000
Subtotal				$12,572,375
Contingency, Mark-Ups - 30%				$3,771,713
TOTAL - OPTION A				**$16,344,088**

Recreation Center Expansion

	Scenario 1	Scenario 2
Project Fund Deposit	$15,000,000	$20,000,000
Estimated Interest Rate (current rates +25 basis points)	3.99%	
Term	20 Years	
Estimated Maximum Annual Debt Service	$1,120,000	$1,485,900
Estimated Aggregate Net Debt Service	$22,207,000	$29,525,000
Estimated Required I&S Tax Rate increase *	$0.023 Cents	$0.031 Cents
Estimated I&S Monthly Impact of Average Single-Family Home**	$13.04	$17.57
Estimated Annual Operations Cost	$400,000	
Estimated Required O&M Tax Rate Increase *	$0.008 Cents	
Estimated O&M Monthly Impact of Average Single-Family Home**	$4.53	
Total Impact (Monthly/Annual)	$17.57/ $210.87	$22.11/ $265.28

Recreation Center Expansion Update

City Council Worksession

December 17, 2024

CITY OF COLLEYVILLE
CITY COUNCIL BRIEFING

Agenda Number WS-3 **Agenda Date** 12/17/2024
Type Worksession
Department City Secretary

Title
Discussion of the December 17, 2024, City Council regular agenda items

CITY OF COLLEYVILLE
CITY COUNCIL BRIEFING

Agenda Number 1 **Agenda Date** 12/17/2024
Type Executive Session
Department City Secretary

Title

Section 551.071 - Legal - Consultation with the City Attorney regarding items on the agenda or for matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Code

Section 551.072 - Real Estate - Deliberate the purchase, exchange, lease, or value of real property for City facilities

Section 551.087 – Economic Development - Discuss or deliberate regarding commercial or financial information the City has received from business prospects the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect

Attachments

RESOLUTION R-24-4998

A RESOLUTION APPROVING COUNCIL ACTION REGARDING EXECUTIVE SESSION ITEMS AT THE REGULAR CITY COUNCIL MEETING OF DECEMBER 17, 2024

WHEREAS, following discussion in Executive Session, and in full accordance with the requirements of the Open Meetings Act, the City Council determines that the following action is in the best interests of the health, safety, and welfare of the public.

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

Sec. 1. THAT

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS ON THIS THE 17TH DAY OF DECEMBER 2024.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

ATTEST: **CITY OF COLLEYVILLE**

Christine Loven
City Secretary, TRMC

Bobby Lindamood
Mayor

CITY OF COLLEYVILLE
CITY COUNCIL BRIEFING

Agenda Number 3 **Agenda Date** 12/17/2024
Type Announcements, Proclamations, and Presentations
Department City Manager

Title
Announcement of the Community Christmas Tree winners

Attachments

RESOLUTION R-24-4999

APPROVING CITY COUNCIL ACTION UNDER CONSENT ITEMS AT THE REGULAR CITY COUNCIL MEETING OF DECEMBER 17, 2024

WHEREAS, City Council has taken action on certain items on the agenda under Consent Items.

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

Sec. 1. THAT the agenda decisions approved by City Council action under Consent Items as follows are hereby adopted:

a. Approval of the minutes of the regular City Council meeting of December 3, 2024

b. Approval of an Advisory Services Agreement with Specialized Public Finance Inc. for financial advisory services related to the issuance of debt and authorizing the City Manager to execute the agreement

c. Approval of a Bond Counsel Services Engagement Agreement with Norton Rose Fulbright and authorizing the City Manager to execute the agreement

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS, ON THIS THE 17TH DAY OF DECEMBER 2024.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

ATTEST: **CITY OF COLLEYVILLE**

Christine Loven
City Secretary, TRMC

Bobby Lindamood
Mayor

CITY OF COLLEYVILLE
CITY COUNCIL MINUTES

100 Main Street, Colleyville, Texas, 76034

TUESDAY, DECEMBER 3, 2024

Mayor Bobby Lindamood called the Colleyville City Council Worksession to order on Tuesday, December 3, 2024, at 5:30 p.m.

ROLL CALL: Mayor Bobby Lindamood, Mayor Pro Tem Brandi Elder, Deputy Mayor Pro Tem Scotty Richardson, and Councilmembers Mark Alphonso, Ben Graves, Kimberly Holt Gunderson, and Tim Raine.

ALSO PRESENT: City Manager Jerry Ducay, Assistant City Manager Mark Wood, Assistant City Manager Adrienne Lothery, Police Chief Michael Miller, Fire Chief Mark Cantrell, Community Development Director Ben Bryner, Building Official Greg Goodrich, Code Enforcement Officer Kerk Gray, Public Works Director Amber Beard, Capital Projects Program Manager Elijah Dorminy, City Attorney Nicole Corr, and City Secretary Christine Loven.

WS-1 Discussion of the Cheek-Sparger Road Intersection Study

Director of Public Works Amber Beard provided an introduction for Kimley Horn Project Team Member, Lucy Cunningham. Ms. Cunningham reviewed the methodology and analysis results of the Cheek-Sparger Road at Bedford Road intersection study. Based on the study, Kimley Horn recommended a roundabout be placed at this intersection with a bypass lane in future years.

Kimley Horn also studied the Cheek-Sparger Road at Martin Parkway intersection and recommended a traffic signal; with the assumption, Cheek-Sparger Road will be expanded.

There was general discussion regarding the timeline of the project, traffic counts, and current and future needs. City Council asked Kimley Horn to investigate an adjustment to the west turn lane and right-of-way on the Bedford Road roundabout and expressed interest in proceeding. The City Council noted the traffic signal at Martin Parkway will be evaluated at a later date.

WS-2 Discussion of adopting the current International Building Code series to include the Property Maintenance Code

Community Development Director Ben Bryner presented this item noting the City currently operates under the 2018 International Code and 2020 National Electric Code and NCTCOG amendments. He stated the purpose of this item is to seek approval to establish a program to adopt the codes on a three-year cycle, and offset by one year for the I-Codes and two years for the NEC and limit the

adoption of regional amendments. Director Bryner reviewed the major code changes in each code category, stated the International Property Maintenance Code is part of the codes package, and would provide for regulation of minimum maintenance requirements for existing buildings, which are not currently in place.

There was discussion regarding lithium ion batteries, the property maintenance codes, and timeline for implementation. City Council directed staff to move forward with bringing an ordinance before them at a future meeting.

WS-3 Discussion of Building Permit Fees

Community Development Director Ben Bryner presented this item, which provided a review of building permit fees. Staff recommends increasing fees from $0.80 sq. ft. to $1.00 sq. ft. for remodels and accessory buildings, from $75 to $100 for mechanical, electrical, plumbing, sign, and fence permits and from $50 to $100, the fence permit. Director Bryner noted the increase would provide for Colleyville to be in alignment with surrounding cities and to ensure development covers a portion of costs for compliance.

City Council directed staff to move forward with preparing an ordinance for City Council action.

WS-4 Discussion of the December 3, 2024, City Council regular agenda items

There was no discussion and Mayor Lindamood adjourned the Worksession at 6:21 p.m. and called the Executive Session to order.

1. EXECUTIVE SESSION - In accordance with Texas Government Code, Chapter 551, Subchapter D

Section 551.071 - Legal - Consultation with the City Attorney regarding items on the agenda or for matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Code

Section 551.072 - Real Estate - Deliberate the purchase, exchange, lease, or value of real property for City facilities

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There was no action taken and Mayor Lindamood adjourned Executive Session at 7:10 p.m.

Mayor Lindamood called the regular meeting of the City Council to order at 7:17 p.m. and called the roll.

ROLL CALL: Mayor Bobby Lindamood, Mayor Pro Tem Brandi Elder, Deputy Mayor Pro Tem Scotty Richardson, and Councilmembers Mark Alphonso, Ben Graves, Kimberly Holt Gunderson, and Tim Raine.

INVOCATION: Martin Schmidt, Baha'I Community
PLEDGE OF ALLEGIANCE: City Attorney Nicole Corr

2. EXECUTIVE SESSION READING AND PUBLIC HEARING: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - RESOLUTION R-24-4993

This resolution was not needed.

3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

Mayor Lindamood and the City Council provided announcements regarding community news and upcoming events.

4. CONSENT: READING AND PUBLIC HEARING - RESOLUTION R-24-4994

4a Approval of the minutes of the regular City Council meeting of November 19, 2024

4b Approval of rejecting all bids for the Justice Center Roof Rehabilitation Project

4c Approval of an amendment to the Professional Services Agreement with Westwood Professional Services, Inc., amending the design parameters for the FY2025 Green Ribbon Project to include two additional locations, in an amount not to exceed $94,500.00, and authorizing the City Manager to execute the amendment

4d Casting the City's 17 ballots for the election to the Tarrant Appraisal District Board of Directors

Mayor Lindamood read Resolution R-24-4994 in its entirety.

Public Works Director Amber Beard presented items 4b and 4c, and City Secretary Christine Loven presented item 4d.

There was discussion regarding the candidates for 4d.

Mayor Lindamood opened and closed the public hearing without any speakers.

Mayor Lindamood made a motion to approve Resolution R-24-4994, casting nine ballots to Michael Alfred and eight ballots to Sayeda Syed for the Tarrant Appraisal District Board of Directors, seconded by Councilmember Graves.

The motion was approved by the following vote:

Ayes: 7 – Mayor Lindamood, Mayor Pro Tem Elder, Deputy Mayor Pro Tem Richardson, and Councilmembers Mark Alphonso, Ben Graves, Kimberly Holt Gunderson, and Tim Raine.

5. ORDINANCE(S): FIRST READING AND PUBLIC HEARING

5a Ordinance O-24-2305

Consideration of a Special Use Permit to allow for a fence on Lot 1, Block 1, Chelsea Park Addition, located at 5000 Chelsea Drive, Case ZC24-020

Mayor Lindamood read the caption of Ordinance O-24-2305.

Community Development Director Ben Bryner reviewed the request to allow for the replacement of an existing 6-foot wood fence with an 8-foot wood fence along Glade Road.

There was discussion of fence heights in the neighborhood and progress and state of the current structure. The applicant was not present and Mayor Lindamood asked staff to advise the applicant they would like him to attend the next meeting.

Mayor Lindamood opened and closed the public hearing without any speakers.

This was a first reading and no action was taken.

5b Ordinance O-24-2306

Consideration of changing the zoning from AG Agricultural to CC-1 Village Retail on Lot 2, Block 1, First Baptist Church Addition, located at 1007 Church Street, Case ZC24-021

Mayor Lindamood read the caption of Ordinance O-24-2306.

Community Development Director Ben Bryner noted the property is part of the CrossCreek campus and stated the rezoning request is to allow for a new storage and office building in the future.

Mayor Lindamood opened and closed the public hearing without any speakers.

This was a first reading and no action was taken.

5c Ordinance O-24-2307
Consideration of a Special Use Permit to allow for a fence on Lot 16, Block 8, Oak Crest Hills Addition, located at 405 Oak Valley Drive, Case ZC24-022

Mayor Lindamood read the caption of Ordinance O-24-2307.

Community Development Director Ben Bryner presented this request for approval of an SUP to allow for a wrought iron fence 6-foot in height and a portion of a wood fence to encroach into the required street side yard setback and to be placed along the property line.

There was discussion of the previous right-of-way dedication and the side yard setback.

Mayor Lindamood opened the public hearing.

Osmama Nashed, Ana Consultants, 5000 Thompson Terrace, stated the Planning and Zoning and Commission requested the screening material to be removed from the fence, but the applicant would like it to remain, as the shrubs have not matured to a point to provide privacy.

There was no one else wishing to speak and Mayor Lindamood closed the public hearing.

This was a first reading and no action was taken.

5d Ordinance O-24-2308
Appeal of decision of denial by the Planning and Zoning Commission for consideration of a Special Use Permit to allow for a residential carport on Lot 8, Block 1, Arbor Estates Addition, located at 2401 Spruce Court, Case ZC24-023

Mayor Lindamood read the caption of Ordinance O-24-2308.

Community Development Director Ben Bryner presented this appeal of the Planning and Zoning Commission denial. He stated a super-majority vote is required.

Director Bryner stated the applicant is requesting an SUP to allow a residential carport to remain, though the carport was not permitted and exceeds carport size and setback regulations.

There was discussion of the structure and a fine.

At the City Council's request, applicant Joe Chiles, 2401 Spruce Court, came forward to answer questions. Mr. Chiles stated he has no excuse for not obtaining a permit. He stated the house had set empty for several years before he purchased it a year and half ago. He asked City Council to see the upgrades already done to the house and stated he and his wife wanted to remain in Colleyville.

Mayor and Council questioned Mr. Chiles regarding the work performed and possible solutions for compliance.

Mayor Lindamood opened the public hearing.

Melanie Harris, 2403 Spruce Court, and Ellen Stotmeiter, 2306 Carlisle Avenue did not wish to speak but registered support for this item.

Speaking in support of this item were Lora Shumate, 2407 Spruce Court, Vicki Chiles, 2401 Spruce Court, John Schepps, 3325 Burninglog Drive, Grapevine, Gary Case, 5607 Poplar Court West, Thomas Harris, 2403 Spruce Court, and Eric Holland, 5500 Sycamore Drive.

There were no others wishing to speak and Mayor Lindamood closed the public hearing.

There was general discussion regarding finishing the carport to be an accessory building and assessing a fine. Mayor Lindamood requested Mr. Chiles meet with City staff to review options before the next meeting.

This was a first reading and no action was taken.

5e Ordinance O-24-2309

Consideration of a Special Use Permit for a reduction in parking on Lot 1, Block 1, Gonzalez Addition, located at 6609 Colleyville Boulevard, Case ZC24-026

Mayor Lindamood read the caption of Ordinance O-24-2309.

Community Development Director Ben Bryner stated the applicant is requesting a reduction in parking from 27 spots to 18 to allow for a new 5,497 square foot training and baseball facility, which the applicant states will not need the amount of required parking as it is highly specialized one-on-one training, by appointment. Director Bryner reviewed the Land Development Code Parking Requirement and stated the applicant is working with the neighboring business for a shared drive access.

City Manager Jerry Ducay stated he understands this is not a zoning request, however, as this business is located in the Light Manufacturing district, he would like to take advantage of the SUP request to look at the elevations, related to the architecture and landscaping, as both would be a nice feature, though the use is utilitarian. Director Bryner stated the applicant is present and there was some discussion regarding the site plan, however, he does not know the applicant's timeline for being able to provide the elevations. City Manager Ducay suggested if there was a procedural approval of the parking issue, the SUP could be contingent upon an architectural and landscape review of some sort.

Mayor Lindamood asked if the applicants are aware or have talked about these suggestions. Director Bryner stated he is not aware of the applicant's timeframe. Mayor Lindamood also inquired on the ingress and egress at the back of the property and the shared access. He stated he would like to see a site plan which addresses this, and how it will back up to Ross Downs.

There was general discussion regarding the parking calculation for the use.

Russell Motz and Preston Motz, the applicants, came forward to explain the business use and answer questions of the City Council. Russell Motz discussed their working and development relationship with the neighboring business and stated he is aware of Colleyville standards and the facility will be appropriate for Colleyville. Russell Motz also stated he has elevations, but not the landscape plan, although he does understand about the 20-foot buffer. Preston Motz discussed the training facility and how it will operate.

Mayor Lindamood opened and closed the public hearing without any speakers.

This was a first reading and no action was taken.

5f Ordinance O-24-2310
Amending Ordinance O-23-2256 relating to the Fiscal Year 2024 budget

Mayor Lindamood read the caption of Ordinance O-24-2310.

Assistant City Manager Mark Wood presented this item noting the ordinance provides for FY24 excess funds to be transferred to the capital projects funds.

There were no questions.

Mayor Lindamood opened and closed the public hearing without any speakers.

This was a first reading and no action was taken.

5g Ordinance O-24-2311

Amending Sections 3A and 3B of the Water and Sewer Policy and Procedure manual as contained in the Code of Ordinances of the City of Colleyville, Texas, adjusting water and wastewater volumetric rates to pass through changes from the Trinity River Authority

Mayor Lindamood read the caption of Ordinance O-24-2311.

Assistant City Manager Mark Wood presented this item and reviewed the recommendations of the Water and Wastewater Rate Advisory Committee which have been implemented since 2016. He stated the base and volumetric rates are reviewed and updated on an annual basis and the new base rates are reflected in bills sent in October to coincide with the City fiscal year. The new volumetric rates are reflect on the January bills to coincide with the Trinity River Authority's rate changes.

There was discussion regarding the rates and providing an exemption from the TRA 5% rate for 65 and over.

Mayor Lindamood opened the public hearing.

Sayeda Syed, 6700 Sapphire Circle North, suggested not using the volumetric rate, but instead put a tax in place per water connection.

There were no others wishing to speak and Mayor Lindamood closed the public hearing.

There was discussion regarding rates and when the funds will be used.

This was a first reading and no action was taken.

6. RESOLUTION(S): READING AND PUBLIC HEARING

6a Resolution R-24-4995

Consideration of a Preliminary/Final Plat for the Oak Creek Subdivision, being Lot 1, Block 1, Allzim Acres Addition and Tracts 2A7B, 2ABC, and 2A9A, Abstract 533, Mary M Freeman Survey, located at 7209 John McCain Road and 7215 John McCain Road, Case PC24-012

Mayor Lindamood read Resolution R-24-4995 in its entirety.

Community Development Director Ben Bryner reviewed the plat and answered questions of the City Council.

Mayor Lindamood opened and closed the public hearing without any speakers.

Councilmember Alphonso made a motion to approve Resolution R-24-4995, seconded by Deputy Mayor Pro Tem Richardson.

The motion was approved by the following vote:

Ayes: 7 – Mayor Lindamood, Mayor Pro Tem Elder, Deputy Mayor Pro Tem Richardson, and Councilmembers Mark Alphonso, Ben Graves, Kimberly Holt Gunderson, and Tim Raine.

6b Resolution R-24-4996

Consideration of a Preliminary/Final Plat for The Bluffs of Colleyville Subdivision, being Tracts 1B1, 1B2, 1C1, and 1B3, Abstract 294, Robert Chowning Survey and Lot 1, Block 1, Cero Addition, located at 2417 Wilkes Drive and 6900 Pool Road, Case PC24-013

Mayor Lindamood read Resolution R-24-4996 in its entirety.

Community Development Director Ben Bryner reviewed the plat and answered questions of the City Council.

Mayor Lindamood opened and closed the public hearing without any speakers.

Councilmember Raine made a motion to approve Resolution R-24-4996, seconded by Councilmember Holt Gunderson.

The motion was approved by the following vote:

Ayes: 7 – Mayor Lindamood, Mayor Pro Tem Elder, Deputy Mayor Pro Tem Richardson, and Councilmembers Mark Alphonso, Ben Graves, Kimberly Holt Gunderson, and Tim Raine.

7. CITIZEN COMMENTS

Sayeda Syed, 6705 Sapphire Circle N., thanked the City Council for the votes to the Tarrant Appraisal District Board of Directors. She also asked City Council to consider have special designated parking for wounded service members which would be located near handicap parking spaces.

8. REPORTS

Colleyville Center Advisory Committee Minutes - August 19, 2024

There was no discussion of this item.

9. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR TUESDAY, DECEMBER 3, 2024 - READING AND PUBLIC HEARING - RESOLUTION R-24-4997

This resolution was not needed.

10. ADJOURNMENT

There being no further business before the City Council, Mayor Lindamood adjourned the meeting without objection by the City Council at 9:53 p.m.

APPROVED BY A VOTE OF AYES, NAYS, ON THIS THE 17TH DAY OF DECEMBER 2024.

Minutes taken and prepared by:

Christine Loven, TRMC
City Secretary

CITY OF COLLEYVILLE
CITY COUNCIL BRIEFING

Agenda Number 4b **Agenda Date** 12/17/2024 **Number** Resolution R-24-4999
Type Resolution
Department City Manager

Title
Approval of an Advisory Services Agreement with Specialized Public Finance Inc. for financial advisory services related to the issuance of debt and authorizing the City Manager to execute the agreement

Explanation
Reading and Public Hearing

Approval of this agreement will provide the City professional services relative to the issuance of indebtedness (bonds) for the expansion of the Colleyville Recreation Center.

Financial Impact
The fees to be assessed will be negotiated annually, based on the City's needs.

Recommendation
Approve

Attachments
1. SPFI Financial Advisory Services Areement

FINANCIAL ADVISORY SERVICES AGREEMENT

This Financial Advisory Services Agreement (the "Agreement") is made and entered into by and between the City of Colleyville, Teas ("Issuer") and Specialized Public Finance Inc. ("SPFI") effective as of the date executed by the Issuer as set forth on the signature page hereof.

WITNESSETH:

WHEREAS, the Issuer will have under consideration from time to time the authorization and issuance of indebtedness in amounts and forms which cannot presently be determined and, in connection with the authorization, sale, issuance and delivery of such indebtedness, the Issuer desires to retain an independent financial advisor; and

WHEREAS, the Issuer desires to obtain the professional services of SPFI to advise the Issuer regarding the issuance and sale of certain evidences of indebtedness or debt obligations that may be authorized and issued or otherwise created or assumed by the Issuer (hereafter referred to collectively as "Debt") from time to time during the period in which this Agreement shall be effective; and

WHEREAS, SPFI is willing to provide its professional services and its facilities as financial advisor in connection with all programs of financing as may be considered and authorized by the Issuer during the period in which this Agreement shall be effective.

NOW, THEREFORE, the Issuer and SPFI, in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, do hereby agree as follows:

SECTION I
DESCRIPTION OF SERVICES

Upon the request of the Issuer, SPFI agrees to perform the financial advisory services stated in the following provisions of this Section I; and for having rendered such services, the Issuer agrees to pay to SPFI the compensation as provided in Section V hereof.

1. Financial Planning. Provide financial planning services related to Debt plans and programs.

2. Debt Elements. Provide recommendations regarding Debt under consideration, including such elements as timing, structure, security provisions, and such other provisions as may be appropriate.

3. Method of Sale. Make a recommendation as to an appropriate method of sale, including but not limited to competitive sale, negotiated sale or private/limited offering.

4. Auditors. Coordinate verification by an independent auditor of any calculations incident to the Debt, as required.

5. Printing. Coordinate all work incidents to printing of the offering documents and other documents required by the Issuer.

6. Closing. Provide the Issuer a post sale/closing booklet or update for the Debt and other outstanding debt, as needed.

SECTION II
CONTINUING DISCLOSURE

It is understood and agreed that the Issuer, in connection with the sale and delivery of Debt, will be required to comply with certain continuing disclosure undertakings, including preparation and submission of annual reports (the "annual reports") and reporting of certain specified material events (the "material events") pursuant to written undertakings of the Issuer and in accordance with the provisions of Securities and Exchange Commission Rule 15c2-12, as amended (the "Rule"). SPFI shall provide continuing disclosure services on the terms and conditions, for the time period and for the compensation set forth herein.

1. This Agreement shall apply to all Debt delivered subsequent to the effective date of the continuing disclosure undertakings of the Issuer and as specified in the Rule, to the extent that any particular issue of Debt does not qualify for exceptions to the continuing disclosure requirements of the Rule.

2. SPFI agrees to perform annual reporting and material event notification duties required by the undertakings of the Issuer and the Rule at a flat rate of $350 per material event filing.

3. The fees of SPFI for providing the foregoing continuing disclosure services shall be negotiated annually (not to exceed $1,500 per similarly-secured type of Debt). The fees of SPFI for providing material event notification services shall be negotiated separately at the time such notifications may be required.

SECTION III
TERM OF AGREEMENT

This Agreement shall become effective as of the date executed by the Issuer as set forth on the signature page hereof and, unless terminated by either party pursuant to Section IV of this Agreement, shall remain in effect thereafter for a period of five (5) years from such date. Unless SPFI or the Issuer shall notify the other party in writing at least thirty (30) days in advance of the applicable anniversary date that this Agreement will not be renewed, this Agreement will automatically renew on the fifth anniversary of the date hereof for an additional one (1) year period and thereafter will automatically renew on each anniversary date for successive one (1) year periods under the same terms as the initial 5-year period.

SECTION IV
TERMINATION

This Agreement may be terminated with or without cause by the Issuer or SPFI upon the giving of at least thirty (30) days' prior written notice to the other party of its intention to terminate. In the event of such termination, it is understood and agreed that only the amounts due SPFI for services provided and expenses incurred to the date of termination will be due and payable. No penalty will be assessed for termination of this Agreement.

SECTION V
COMPENSATION AND EXPENSE REIMBURSEMENT

The fees due to SPFI for the services set forth and described in Section I of this Agreement with respect to each issuance of Debt during the term of this Agreement shall be calculated in accordance with the schedule set forth on Appendix A attached hereto. Unless specifically provided otherwise on Appendix A or in a separate written agreement between the Issuer and SPFI, such fees, together with any other fees as may have been mutually agreed upon and all expenses for which SPFI is entitled to reimbursement, shall become due and payable concurrently with the delivery of the Debt to the purchaser.

SECTION VI
MISCELLANEOUS

1. Choice of Law. This Agreement shall be construed and given effect in accordance with the laws of the State of Texas. Proper venue for any legal action arising out of this Agreement shall be Tarrant County, Texas.

2. Binding Effect; Assignment. This Agreement shall be binding upon and inure to the benefit of the Issuer and SPFI, their respective heirs, executors, personal representatives, successors and assigns; provided however, neither party hereto may assign or transfer any of its rights or obligations hereunder without the prior written consent of the other party.

3. Texas State Law Certifications.

   (a) *No Israel Boycott Certification.* SPFI represents that, to the extent this Agreement constitutes a contract for goods or services within the meaning of Section 2270.002 of the Texas Government Code, as amended, solely for purposes of compliance with Chapter 2270 of the Texas Government Code, neither SPFI, nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the SPFI (i) boycotts Israel or (ii) will boycott Israel through the term of this Agreement. The terms "boycotts Israel" and "boycott Israel" as used in this paragraph have the meanings assigned to the term "boycott Israel" in Section 808.001 of the Texas Government Code, as amended.

(b) *No Energy Company Boycott Certification.* SPFI represents that, pursuant to Texas Government Code, 2274, as enacted in Senate Bill 13 by the 87th Legislature, if SPFI is a for-profit organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations (specifically excluding sole proprietorships) that exists to make a profit, which has ten (10) or more full-time employees and the value of the contract with Issuer is $100,000 or more, SPFI represents and warrants to Issuer that SPFI does not boycott energy companies and will not boycott energy companies during the term of this Agreement. "Boycott energy companies" means, without an ordinary business purpose, refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on or limit commercial relations with a company because the company engages in the exploration, production utilization, transportation, sale or manufacturing of fossil fuel-based energy and does not commit or pledge to meet environmental standards beyond applicable federal and state law.

(c) *No Discrimination of Firearm Entities or Trade Associations Certification.* SPFI represents that, pursuant to Texas Government Code, Chapter 2274, as enacted in Senate Bill 19 by the 87th Legislature, if SPFI is a for-profit organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations (specifically excluding sole proprietorships) that exists to make a profit, which has ten (10) or more full-time employees and the value of the contract with Issuer is $100,000 or more, SPFI represents and warrants to Issuer that SPFI does not have a practice, policy, guidance or directive that discriminates against a firearm entity or firearm trade association and will not discriminate against a firearm entity or firearm trade association during the term of this Agreement. A "firearm entity" means a firearm, firearm accessory, or ammunition manufacture, distribute, wholesaler, supplier or retailer, or a sport shooting range. A "firearm trade association" means any person, corporation, unincorporated association, federation, business league or business organization that is not organized or operated for profit for which none of its net earning inures to the benefit of any private shareholder or an individual that has two or more firearm entities as members or is exempt for federal income taxation under Section 501(c) of the Internal Revenue Code.

(d) Companies Engaged in Business with Iran, Sudan, or a Foreign Terrorist Organization. In accordance with Texas Government Code, Chapter 2252, Subchapter F, Issuer is prohibited from entering into a contract with a company that is identified on a list prepared and maintained by the Texas Comptroller or the State Pension Review Board under Texas Government Code Sections 806.051, 807.051, or 2252.153. By execution of this Agreement, SPFI certifies to Issuer that it is not a listed company under any of those Texas Government Code provisions. SPFI hereby voluntarily and knowingly acknowledges and agrees that this Agreement shall be null, and void should facts arise leading Issuer to believe that SPFI was a listed company at the time of this Agreement.

4. Entire Agreement. This instrument contains the entire agreement between the parties relating to the rights herein granted and obligations herein assumed. Any oral or written representations or modifications concerning this Agreement shall be of no force or effect except for a subsequent modification in writing signed by all parties hereto.

Specialized Public Finance Inc.

By: Paul N. Jasin
Managing Director

City of Colleyville, Texas

By:_____

Title:_____

Date:_____

The Issuer acknowledges that the decision to engage SPFI was reached based solely upon the expertise of SPFI to perform the duties outlined in this Agreement. The Issuer further acknowledges that no non-public information was relied upon in the decision to engage SPFI.

APPENDIX A

Fee Schedule:

Base fee, any issue $10,000
Plus $8 per $1,000 funds delivered up to $5,000,000 funds delivered,
Plus $6 per $1,000 funds delivered for the next $5,000,000, for a total of $10,000,000 funds delivered,
Plus $4 per $1,000 funds delivered for the next $5,000,000 for a total of $15,000,000 funds delivered,
Plus $2 per $1,000 funds delivered thereafter over $15,000,000.

The above charges shall be multiplied by 1.25 times for the completion of an application to a federal or state government agency. Additionally, the above charges shall be multiplied by 1.25 times for the issuance of refunding bonds, reflecting the additional services required.

The charges for ancillary services shall be levied only for those services which are reasonably necessary in completing the transaction and such charges were incurred at the specified direction of the Issuer.

The payment of charges for financial advisory services in Section I of the foregoing Agreement shall be contingent upon the delivery of bonds and shall be due at the time that bonds are delivered. The payment of charges for services described in Section II of the foregoing Agreement shall be due and payable in accordance with the mutual agreement therefore between SPFI and the Issuer.

The Issuer shall be responsible for the following expenses, if and when applicable:

Bond counsel
Bond ratings
Computer structuring
Continuing Disclosure, as per Section II
Credit enhancement
Verification agent
Official statement preparation
Official statement printing
Paying agent/registrar/trustee
Travel related expenses
Underwriter and underwriters' counsel
Delivery, copy, conference call charges and other miscellaneous charges

The payment of reimbursable expenses that SPFI has assumed on behalf of the Issuer shall NOT be contingent upon the delivery of bonds and shall be due at the time that services are rendered and payable upon receipt of an invoice therefore submitted by SPFI.

CITY OF COLLEYVILLE
CITY COUNCIL BRIEFING

Agenda Number 4c **Agenda Date** 12/17/2024 **Number** Resolution R-24-4999
Type Resolution
Department City Manager

Title
Approval of a Bond Counsel Services Engagement Agreement with Norton Rose Fulbright and authorizing the City Manager to execute the agreement

Explanation
Reading and Public Hearing

Approval of this agreement will provide the City with professional services relative to all legal proceedings and preparation required by Texas law regarding bonds for the expansion of the Colleyville Recreation Center.

Financial Impact
The fees to be accessed will be based on the City's needs.

Recommendation
Approve

Attachments
1. Bond Counsel Engagement Agreement

NORTON ROSE FULBRIGHT

December 9, 2024

Norton Rose Fulbright US LLP
2200 Ross Avenue, Suite 3600
Dallas, Texas 75201-7932
United States

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Head, Public Finance
Direct line +1 214 855 8189
paul.braden@nortonrosefulbright.com

Tel +1 214 855 8000
Fax +1 214 855 8200
nortonrosefulbright.com

Jerry Ducay
City Manager
City of Colleyville, Texas
100 Main Street
Colleyville, Texas 76034

Re: Bond Counsel Services Engagement Agreement – City of Colleyville, Texas

Mr. Ducay:

We sincerely appreciate the opportunity to continue to serve as bond counsel to the City of Colleyville, Texas (the "City"). This letter confirms that Norton Rose Fulbright US LLP will represent the City in connection with the issuance or incurrence, from time to time, of various debt obligations and other related matters as described herein, including a possible bond election (the "Matter"). This letter, together with the *Additional Terms of Engagement* attached hereto, evidence an agreement between the City and our firm with respect to our legal representation as Bond Counsel to the City (the "Representation").

Terms of Engagement

As Bond Counsel, we will prepare, or assist the appropriate City officials and staff in the preparation of, all required legal proceedings and will perform certain other necessary legal work in connection with the City's authorization, issuance, and sale of its Debt Obligations (as defined herein). Our services as Bond Counsel will include the following services:

- preparation of any resolution or ordinance calling a bond election for the City and review of City election materials after the City calls an election and prior to distribution by the City to identify any compliance issues under applicable Texas law and current Texas Ethics Commission positions;

- preparation of any order, resolution, ordinance, trust indenture, or trust agreement authorizing or securing bonds, certificates of obligation, notes, contractual obligations, or other forms of indebtedness (collectively, the "Debt Obligations"), as well as redemption orders, ordinances and resolutions to redeem outstanding Debt Obligations;

- performance of required federal, State, and local tax analysis involved in planning and executing Debt Obligation transactions;

- providing legal advice to ensure compliance by the City with all federal and State securities laws including, but not limited to, establishing internal procedures to comply with the City's requirements concerning continuing secondary market disclosure;

- attendance at meetings with City staff to the extent required or requested with reference to the authorization and issuance of Debt Obligations;
- attendance at meetings with the City's financial advisor or purchasers of the City's Debt Obligations and with rating agencies and bond insurers to the extent required or requested by the City;
- review, negotiation, and modification of offering and sale documentation;
- preparation of necessary closing documentation and supporting tax certifications and filings;
- submission of transcripts of proceedings to the Office of the Attorney General of Texas requesting approval of Debt Obligations and coordination of registration of initial Debt Obligations with the Comptroller of Public Accounts of Texas;
- supervision of the printing and execution of Debt Obligations and the delivery thereof to the underwriters or other purchasers or the coordination of the delivery of the Debt Obligations to The Depository Trust Company;
- representation of the City at the closing of each issue or installment of Debt Obligations;
- reviewing City policies and procedures, as well as providing guidance for change and implementation of additional policies;
- conducting research and providing memoranda related to questions arising as to bond elections, debt offerings, and post-issuance compliance;
- presentation of our Firm's market opinion addressing the validity of the Debt Obligations, the source of payment and security for the Debt Obligations, and whether and to what extent interest on the Debt Obligations is exempt from federal income taxation;
- guidance with questions that arise from time to time relating to previously-issued Debt Obligations, Debt Obligations to be issued, tax laws, State laws, and other questions related to Debt Obligation financing and utilization of such funds;
- presenting to the City industry-developments that could impact the City or its operational activities; and
- conducting seminars and training events for City staff involved in managing the City's debt portfolio.

Our engagement is to advise you with respect to legal issues only. Unless we are separately engaged to provide such services, our duties as Bond Counsel specifically do not include:

1. except as described above, or except as specifically engaged for such purpose, assisting in the preparation or review of an official statement or any other disclosure document with respect to the Debt Obligations, or performing an independent investigation to determine the accuracy, completeness or sufficiency of any such document or rendering advice that the official statement or other disclosure document does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements contained therein, in the light of the circumstances under which they were made, not misleading;

2. preparing requests for tax rulings from the Internal Revenue Service;

3. preparing blue sky or investment surveys with respect to the Debt Obligations;

4. drafting of state constitutional amendments or preparation of authorizing legislation;

5. providing the City with litigation support in the event of bond election contests, Texas ethics complaints, or other bond-related controversies;

6. making an investigation or expressing any view of the creditworthiness of the City or of the Debt Obligations or any obligor therefor;

7. responding to Internal Revenue Service audits or Securities and Exchange Commission investigations or other regulatory entities;

8. responding to litigation challenging or otherwise affecting the issuance and delivery of the Debt Obligations; or

9. any other matter not specifically set forth above that is not required to render the Bond Opinion.

It is understood and agreed that our engagement is limited to the Representation. We are not being retained as general counsel, and our acceptance of this engagement does not imply any undertaking to provide legal services other than those set forth in this letter.

Personnel Who Will Be Working on the Matter

I will be the City's first line of contact with the firm. Other firm personnel, including firm tax partners, associates and paralegals, will also participate in the Matter.

Legal Fees and Other Charges

Our fees per series of Debt Obligations issued and certain other services provided as Bond Counsel as are set forth in the "Schedule of Fees" attached hereto. Such fees(s) are typically paid from the proceeds of the sale of the Debt Obligations or from other funds, as the City deems appropriate. For legal work associated with an issuance of Debt Obligations, we customarily do not submit any statement for fees and out-of-pocket expenses until the closing of the sale of the

Debt Obligations; however, if there is a substantial delay in completing the financing or if it is determined that the financing will not proceed to a closing, we will submit a statement for any-out-of-pocket expenses reasonably incurred. If we are requested to perform other legal services by the City beyond Bond Counsel, our standard hourly rates applicable to state and local government entities would apply, such fees would be billed on a monthly basis, and those legal fees would not be contingent on the closing of a Debt Obligation.

Conflicts of Interest

Before accepting the engagement, we have undertaken reasonable and customary efforts to determine whether there are any potential conflicts of interest that would prevent us from representing the City related to bond counsel services. We reviewed that issue in accordance with the rules of professional responsibility adopted in Texas. You agree to the applicability of those rules in regard to all matters relating to this engagement and that, in future matters involving the City , potential conflicts of interest will be evaluated under the applicable rules of professional responsibility. Based on the information available to us, we are not aware of any conflicts.

In addition to our representation of other companies and individuals, we also regularly represent lawyers and law firms. As a result, opposing counsel in the Representation may be a lawyer or law firm that we may represent now or in the future. Likewise, opposing counsel in the Representation may represent our firm now or in the future. Further, we have professional and personal relationships with many other attorneys, often because of our participation in bar associations and other professional organizations. It is our professional judgment that such relationships with other attorneys do not adversely affect our ability to represent any client. The acceptance of these terms of engagement represents an unqualified consent to any such relationships between our firm and other lawyers or law firms, even counsel who is representing a party that is adverse to the City in the Representation that is the subject of this engagement or in some other Representation.

During the course of the firm's representation of the City , we may need to analyze or address matters relating to our professional duties or responsibilities, and to consult with lawyers of the firm who have been identified internally to serve as the firm's in-house counsel about such matters. To the extent that any conflict of interest might be deemed to exist as between the firm and the City because of these consultations, you hereby waive any such conflict, consent to such consultations, and agree that we have no obligation to disclose information relating to such consultations to the City . You also agree that these consultations are protected from disclosure by the firm's attorney-client privilege and, as appropriate, the firm's work product protection and that the City will not seek to discover or inquire into them. Nothing in the foregoing shall otherwise diminish or affect our obligation to keep the City informed of material developments in your representation.

Due to the size, geographic scope, breadth and diversity of our practice, it is likely that current and future clients of ours will come into contact with you, and it is important that we agree with you on certain matters in relation to conflicts of interest to preserve our ability to represent you while also preserving the right of our other clients or potential clients to choose us to commence or continue as their counsel. In that regard, you consent to, and waive any conflicts of interest

with respect to, our representation of any current or future clients (including any parties adverse to you in this Matter) in any matter that is not substantially related to this Matter, even if their interests are directly adverse to you or your interests in such other matter. Such current and future clients may include your financial advisors, debtors, creditors or others who have interests that are contrary to your interests.

We agree, however, that your consent and waiver does not permit us to represent another client in a matter if we have obtained your non-public proprietary or other confidential information from you that could be used by the other client to your material disadvantage, unless we take timely and adequate steps to protect your confidential information. For the avoidance of doubt, your agreement to these terms and conditions and the consent and waiver will have no adverse impact upon our representation of your interests in the Representation.

Verifications

We hereby verify that Norton Rose Fulbright US LLP and its affiliates presently do not, and through the term of the contemplated engagement, will not, (a) boycott Israel, (b) boycott energy companies, (c) have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association, or (d) unless affirmatively declared by the United States government to be excluded from its federal sanctions regime relating to Sudan or Iran (or any federal sanctions regime relating to a foreign terrorist organization), appear on a list of scrutinized companies prepared and maintained by the Texas Comptroller of Public Accounts under Section 2252.153 or Section 2270.0201, Texas Government Code, and posted on any of the following pages of such officer's internet website:

https://comptroller.texas.gov/purchasing/docs/sudan-list.pdf,

https://comptroller.texas.gov/purchasing/docs/iran-list.pdf, or

https://comptroller.texas.gov/purchasing/docs/fto-list.pdf.

The foregoing verification is made solely to enable the Issuer to comply with Sections 2252.152, 2271.002, 2274.002 and 2276.002 of the Texas Government Code. Terms used in the foregoing verifications that are defined in the referenced sections of the Texas Government Code shall have the meanings ascribed to such terms in such sections. The Firm hereby verifies that it does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association and will not discriminate against a firearm entity or firearm trade association during the term of this Agreement. As used in the foregoing verification, "discriminate against a firearm entity or firearm trade association" has the meaning provided in Section 2274.001(3), Texas Government Code.

Conclusion

This letter and the attached *Additional Terms of Engagement* constitute the entire terms of the engagement of Norton Rose Fulbright US LLP in the Representation. These written terms of engagement are not subject to any oral agreements or understandings, and they can be modified

NORTON ROSE FULBRIGHT

only by further written agreement signed both by the City and Norton Rose Fulbright US LLP. Unless expressly stated in these terms of engagement, no obligation or undertaking shall be implied on the part of either the City or Norton Rose Fulbright US LLP. The execution and return of a copy of this letter constitutes an unqualified agreement to all the terms set forth in this letter and in the attached Additional Terms of Engagement.

If there are any questions about these terms of engagement, or if these terms are inaccurate in any way, please let us know. Otherwise, thank you for the opportunity to continue to be of service as your Bond Counsel!

Sincerely,

NORTON ROSE FULBRIGHT US LLP

By: Paul A. Braden
Paul A. Braden

CITY OF COLLEYVILLE, TEXAS, AGREES TO AND ACCEPTS THIS LETTER AND THE ATTACHED TERMS OF ENGAGEMENT:

CITY OF COLLEYVILLE, TEXAS

By: _____

Title: _____

Date: _____

SCHEDULE OF FEES[1]

A. Traditional Debt Issuance by City: Fees for Bond Counsel services in connection with a proposed issuance of bonds or other debt obligations or other permitted borrowings (each a "Debt Obligation") shall be paid from proceeds of the Debt Obligation (unless otherwise directed by the City), as set forth below:

1. *Non-TWDB, USDA or RUS Financings--Traditional Property Tax Supported New Money Debt:* $9,500[2] + (i) $1.00 for each $1,000 of par value of Debt Obligations issued for all amounts up to $50 million; and (ii) $0.80 for each $1,000 of par value of Debt Obligations for all amounts in excess of $50 million; with a minimum fee of $15,000;

2. *TWDB, USDA or RUS Financings*: State and Local Government hourly rates apply.

3. *Revenue Obligations*: 1.5 times amounts set forth in A. 1 above and/or by agreement.

4. *Refunding Obligations:* 1.25 times amounts set forth above as applicable to the type of Debt Obligations being refunded;

5. *Capital Lease Financings:* Reduced State and Local Government hourly rates apply;

6. *Bond Elections*: $15,000 added to first Debt Obligations issued pursuant to a successful bond election handled by the Firm;[3] and

7. *Bond Defeasance*: $6500 per defeasance that is not part of a simultaneous issuance of Debt Obligations. No additional charge if part of a simultaneous refunding bond issuance.

B. Conduit Issuers, Derivatives, Credit Agreements or Other Special Obligations: In the event (i) a conduit issuer or other non-profit corporation, including a local government corporation, created by the City is issuing a Debt Obligation or (ii) the City or such non-profit corporation is entering into a SWAP, derivative, hedge, credit agreement or other novel, sophisticated, non-traditional debt instrument or Debt Obligation, the above fee schedule will be adjusted as mutually agreed to by the parties to reflect the sophisticated nature of the transaction. In the event the parties do not agree on a flat fee, the Firm's then current hourly rates will apply to such transaction.

C. Expenses. In addition to bond counsel fees, the Firm would be entitled to payment or reimbursement for out-of-pocket expenses incurred in performing services in this engagement. Expenses incurred on behalf of the City are not contingent.

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[1] Unless otherwise agreed to by the parties, all legal fees are payable at closing from the proceeds of a Debt Obligation issued or incurred by, or on behalf of, the City.

[2] Such base amounts may be adjusted by bond counsel to take into account any increases in the CPI index in subsequent years; provided however no such adjustment shall be made within two years of the date of this agreement. "CPI" means the Consumer Price Index - All Urban Consumers, U.S. City Average, All Items (1982-84 = 100), as published by the Bureau of Labor Statistics of the United States Department of Labor.

[3] Such amount will be included in the first issue following the passage of the bond election. Any third party provider costs (i.e. Spanish translations, publication costs) will be billed directly to the City or included as a cost reimbursement in our statement for services rendered.

NORTON ROSE FULBRIGHT
STANDARD TERMS OF ENGAGEMENT

Norton Rose Fulbright Verein (the **Verein**) is a Swiss verein which does not itself engage in the practice of law or other business. The member firms in the Verein are Norton Rose Fulbright LLP, Norton Rose Fulbright Australia, Norton Rose Fulbright Canada LLP, Norton Rose Fulbright South Africa Inc and Norton Rose Fulbright US LLP (the **Members** or, individually, a **Member**), who, with their subsidiaries or associated entities, engage in a coordinated international legal practice, even though they are separate law firms each of which, absent specific contractual agreement with a client on an individual matter, is solely responsible for its own work and not for the work of any other of them.

Each of the Members is committed to providing its clients with the highest quality legal services and to building a lasting relationship with its clients as a trusted adviser.

To that end, these Standard Terms of Engagement will apply to all engagements between a Member or its subsidiary or associated entity and a client unless otherwise agreed in writing by the client and an authorized representative of such Member, subsidiary or associated entity. These Standard Terms of Engagement are supplemented by additional standard provisions and/or a letter or contract of engagement relevant to the jurisdiction of the Contracting Party (as below defined).

1 Defined Terms

1.1 The following documents will constitute the entire agreement relating to the engagement of a Contracting Party by a client: (i) any letter or contract of engagement, (ii) any additional standard provisions referred to above, (iii) these Standard Terms, (iv) any other terms and conditions agreed between the Contracting Party and the client, and (v) any amendments or supplements to any of the foregoing agreed from time to time. In the event of any conflict between the terms of the foregoing, the documents shall be construed in the order of priority in which they are referred to above, but subject to any amendments as referred to in (v).

1.2 In the above-mentioned documents:

(a) Any individual entity that is a Member or subsidiary or associated entity of a Member is referred to as a Norton Rose Fulbright Entity. The Norton Rose Fulbright Entity with which a client engages at any time is referred to as the Contracting Party.

(b) We, our and us refer to the Contracting Party together with any other Norton Rose Fulbright Entity to which part or all of your instructions have been referred pursuant to paragraph 2.1(h) of these Terms; you and your refer to the client (jointly, if more than one, and not individually) with which the Contracting Party engages. Unless otherwise specifically agreed, you and your do not refer to and no attorney/client or solicitor/client relationship will exist as to persons or entities related to the client such as parent companies, subsidiaries, affiliates, employees, officers, directors, shareholders, partners, members, commonly owned corporations or partnerships, or other such persons, entities or affiliates.

2 Your relationship with us

2.1 When you instruct us on an individual matter, we will write to you to set out:

(a) which Norton Rose Fulbright Entity is the Contracting Party;

(b) the scope of the work we have agreed to undertake and any assumptions on which it is based;

(c) who will be the responsible partner or director and other key team members whom we will try not to replace, although unforeseen circumstances may require that;

(d) the fees and invoicing arrangements;

(e) any applicable limitation of liability; and

(f) the governing law applicable to the contractual relationship with you and the choice of jurisdiction for resolving any issues.

(g) Your contractual relationship for individual matters is between you and the Contracting Party, not any other Norton Rose Fulbright Entity nor any individual. You understand that we do not make any promises or warranties as to the outcome of the representation.

(h) If, with your agreement, the Contracting Party has referred all or part of your instructions on any individual matter to one or more other Norton Rose Fulbright Entities, legal services provided by other Norton Rose Fulbright Entities will be governed by the terms of our engagement, which will apply as between you and such Norton Rose Fulbright Entity or Entities, to the fullest extent permitted by the laws and professional regulations applicable in the jurisdictions in which such other Norton Rose Fulbright Entity or Entities operate as regards such other Norton Rose Fulbright Entity's or Entities' representation of you, as well as by, if any are issued, additional standard provisions and any letter or contract of engagement relevant to the other Norton Rose Fulbright Entity or Entities.

3 Our fees

3.1 Our bills are payable on receipt and in the currency in which they are submitted. If you ask us to provide bills using an e-billing solution you understand that: (i) we will send your information to our and your third party supplier(s) to enable us to comply with your request and the transfer is at your risk; (ii) any costs arising out of use of your third party supplier shall be borne by you; and (iii) our compliance with your request shall not reduce the fee otherwise chargeable by us.

3.2 If you are required by law to deduct any amount when paying a bill, you will pay to us an additional amount so as to ensure that we receive a net sum equal to the amount of the bill.

3.3 We need to approve in advance any proposal for any part of one of our bills to be paid by a third party. Notwithstanding our approval, you agree that you will remain responsible for paying the whole bill and any interest accrued on it.

3.4 Unless otherwise agreed, any other Norton Rose Fulbright Entity or Entities to whom the Contracting Party has referred instructions under paragraph 2.1(h) may provide statements of their fees and charges to the Contracting Party, who will include such fees and charges in its statements to you, which you will be obligated to pay in order that it can remit payment to such other Norton Rose Fulbright Entity or Entities.

3.5 If a bill remains unpaid 30 days after delivery:

(a) you agree that we may be entitled to charge interest, if any, on it at such rate and under such arrangements allowable under the laws and professional regulations applicable to us or as may be provided for in applicable additional standard provisions or an agreement between us and you, and

(b) on giving written notice to you, we may cease work on the matter to which the bill relates and any of your other matters. You agree that we are not responsible for any loss resulting from such inactivity. If the matter is litigious, we may also remove ourselves from the Court or tribunal record.

3.6 You agree that we may exercise a lien over your files and documents until all bills due to us from you have been paid in full, subject to the laws and professional regulations applicable to us.

3.7 If we are required by any governmental or regulatory body, or by a service provider appointed by you, to submit one of our bills to audit, to produce documents or provide information on any individual matter on which you have instructed us, we shall be entitled to bill you for the work involved (and any disbursements incurred) at the rates agreed for the relevant matter. If legal privilege attaches to any such documents, you will either waive privilege or instruct us to review them in your interests.

3.8 We advise and you acknowledge that the Members of the Verein have an arrangement between them that where a matter is referred by one Member to another, the referring Member and one or more of its partners or directors may be financially rewarded for having so referred the matter. This is an entirely internal arrangement as between the Members of the Verein, and their respective partners and directors, and it does not require you to pay any amount in addition to the fees, disbursements and other charges which apply under the agreed terms of your engagement of us and, if applicable, any other Norton Rose Fulbright Entity.

4 Disbursements and other charges

4.1 We may consider it to be in your interests to instruct counsel or engage correspondent lawyers, experts or others on your behalf and at your expense. We will consult you before doing so if such instructions or engagements will result in significant fees becoming payable.

4.2 We may also charge for photocopying, telephone calls, travel, searches, court fees, hosting on-line data or deal rooms and for other services at our or their standard rates from time to time and for other expenses. These charges will be included in our bills and will not include any mark-up of expenses for which the precise cost can be readily determined but may vary from or exceed our or their direct cost for services for which the precise cost cannot be readily determined.

5 Money held on account for you

5.1 We will deposit any money we hold on your behalf with a regulated financial institution and manage it in accordance with the laws and professional regulations applicable to us. You agree that we are not responsible for any loss of funds so deposited and managed.

5.2 If you deposit money with us on account of our fees, the principal and interest accrued, if any, will be applied to your final bill, rendered when we complete your instructions. Unless you and we have agreed otherwise, we may also apply any part of the money in settlement of any outstanding interim bills we submit to you.

6 Communicating with us

6.1 When you seek and receive legal advice from us on your rights and obligations, legal advice or attorney-client privilege will attach to our communications related to that advice. If we act for you in contemplated or actual legal proceedings, litigation or attorney-client privilege will attach to our communications related to those proceedings.

6.2 You agree that we may communicate with you using electronic means, knowing that certain risks (including, for example, interception, unauthorized access and risk of viruses) are associated with such means.

7 Confidentiality, conflict of interests, and our relationships with other clients

7.1 We will keep all information obtained from you, which is not in the public domain, confidential, and will only otherwise disclose it with your authority or if required to do so by the laws and professional regulations applicable to us or if permitted under paragraph 9.3. Nevertheless, you agree that we may disclose any relevant information in order to protect and/or defend ourselves in any actual or threatened legal, civil or regulatory proceeding and may also disclose any relevant information in confidence to our insurers, insurance brokers, auditors, bankers and other advisers if and to the extent such disclosure may occur without waiving or losing any applicable legal privilege.

7.2 You will provide us, and will instruct your other advisers and any co-venturer or other co-participants to provide us, on any matter on which we are instructed, with all relevant information and documents, all of which will have been properly obtained and on which we may rely without verification. You agree that, unless you instruct us otherwise, we may disclose any relevant information to your other professional advisers.

7.3 Norton Rose Fulbright is a large coordinated international legal practice with multiple offices around the world. Because of the size, geographic scope, breadth and diversity of the practice, it is inevitable that current and future clients of ours will come into contact with you, and it is important that we agree with you on certain matters in relation to conflicts of interests to preserve our ability to represent both you and other clients. You agree that we may represent current or future clients (including any parties adverse to you in this Matter) in any other matter (including in litigation, arbitration, or other dispute resolution proceedings) that is not substantially related to your Matter, even if their interests are directly adverse to you or your interests in that other matter. We agree, however, that we will not represent another client in a matter if we have obtained non-public proprietary or other confidential information from you that could be used by that other client to your material disadvantage in that matter. You agree and accept that you have access to independent advice on the effect of this paragraph 7.3 and that your signature by way of

acceptance of the provisions of the engagement letter to which these Terms apply is confirmation that you understand the scope and application of this paragraph and that you have no questions or concerns in that respect.

7.4 You agree that we or any other Norton Rose Fulbright Entity may act for other clients in transactions or disputes in which you or any affiliated entity of yours has an interest provided that we or such other Norton Rose Fulbright Entity do not thereby breach our or their duty of confidentiality to you.

7.5 You agree that we are under no duty to disclose to you or use on your behalf any information in respect of which we or any other Norton Rose Fulbright Entity owe a duty of confidentiality to another client or any other person.

7.6 You agree that we may disclose our role as legal advisers in any matter on which we are instructed following its completion, for the purposes of publicity, unless you instruct us otherwise. You also agree that, unless you instruct us otherwise, we may publicize the fact that we have a relationship with you.

8 Complaints

8.1 Any concerns or complaint about our work should be directed initially to the partner/director responsible for carrying out your instructions or, if you prefer, to the relationship partner/director. We maintain internal procedures that can be employed should a concern require escalation beyond the responsible partner/ director. The laws and professional regulations applicable to us may also provide formal complaint procedures.

8.2 In particular, you should raise any queries regarding any of our bills with the partner or director responsible for the matter as soon as possible. If any part of one of our bills is queried by you or the relevant payer, you agree to immediately pay, or procure payment of, those parts not subject to query.

9 Data protection, exchange of information and storage of documents

9.1 We act as a data controller in the provision of our legal services. We will process personal data provided to us by you or your employees or agents in relation to any instruction in accordance with data protection standards required by applicable law and will implement appropriate technical and organizational security measures to protect against unauthorized or unlawful processing of that personal data and against accidental loss of, or damage to, that personal data. Please see our Privacy notice for further information on our processing of personal data: http://www.nortonrosefulbright.com/privacy-notice/.

9.2 Each party (you and we) will assist the other party in complying with its respective obligations under applicable data protection law and will ensure that the provision of personal data to the other party is fair and lawful. You agree that you will make our Privacy notice available to your employees or other individuals whose personal data you share with us where this provision of information is required by applicable data protection law. We in turn agree that we will promptly notify you either: (i) upon receipt of a request or complaint from a regulatory authority or an individual exercising a data subject right; or (ii) in the event of loss, disclosure or unauthorized or unlawful processing of personal data that you have provided to us or that we have obtained on your behalf. We will cooperate with you and provide all reasonable assistance as may be required in either case.

9.3 In the course of providing our services to you, personal data (if any) with respect to persons in the European Economic Area (EEA) may be accessible to and used by other Norton Rose Fulbright Entities and their contractors and/or agents, including those located outside the EEA where data protection laws may not be as comprehensive as in the EEA, but as to such personal data we will ensure compliance with the data protection standards of the EU General Data Protection Regulation 2016 or higher standards under other laws applicable to such personal data.

9.4 We will also share your contact details, and those of your staff with whom we have contact, with other Norton Rose Fulbright Entities in order to provide you with information relevant to your business, and to ensure your continuous access to publications, events and news in areas of interest to you. Where your employees supply their contact details to us, we will only use that personal data in accordance with our Privacy notice referenced above or as otherwise consented to by them.

9.5 We will not exchange information that will result in waiver or loss of any client privilege with other Norton Rose Fulbright Entities. Otherwise, you agree that the Contracting Party may exchange your information (including personal data) with other Norton Rose Fulbright Entities, including for the purposes of conflict checking, compliance, financial planning, billing, business development and matter management. Arrangements are in place among all Norton Rose Fulbright Entities to protect the confidentiality of the information exchanged.

9.6 We may outsource certain functions associated with servicing clients to a service center dedicated to Norton Rose Fulbright located outside of the EEA or to other third party providers. For example, we may outsource information and document management, office support, technology and IT services, word processing, photocopying, and translation services.

9.7 Some of your data may be stored using cloud technology managed by a third party service provider. We have agreements in place with the third party service providers referred to in paragraphs 9.6 and 9.7 where applicable and also employ technical and organizational measures to protect the confidentiality and security of any information shared with them.

9.8 We do not undertake to store or retain your files (whether paper or electronic) for any particular period of time, but will do so for at least the minimum number of years required by applicable laws and professional regulations or local business custom. Files may be destroyed at any time after the expiry of such period, without notice, except those files you ask be delivered to you.

10 Copyright and intellectual property

10.1 We retain all copyright and other intellectual property rights in all material developed, designed and created by us in the course of a matter. You may only use and copy material created by us for you, or which we have developed independently of our work for you and used in the course of your matter, in accordance with our advice or specific license terms. All material must be kept confidential by you unless we agree otherwise.

10.2 We may use all material created and/or modified by us in the course of any matter for legal training, forms, service development (including in the training of artificial intelligence technologies in which event the materials may be hosted on a third party system) and research purposes, without reference to you.

11 Our compliance with certain laws and regulations

11.1 We may require you to provide identifying documents and information concerning yourself and individuals and/or entities associated with you in order to comply with anti-money laundering laws and regulations, and to keep those documents and information up to date. We may be unable to carry out your instructions if we are unable to verify your identity or, in some instances, the identities of your directors, shareholders and eventual beneficial owners. We shall only process such identifying documents and information for the purposes of preventing money laundering or terrorist financing and to fulfil any other legal and regulatory obligation and shall retain it for the period necessary in accordance with permitted or required retention and limitation periods and in accordance with our data protection obligations as set out at paragraph 9 above.

11.2 We may be required by law or regulation to report to a governmental or regulatory authority our knowledge and/or suspicion that certain criminal offences have been committed, regardless of whether such an offence has been committed by a client of ours or by a third party. We may not be able to discuss such reports with you because of restrictions imposed by those laws and regulations, and we may have to cease acting for you in those circumstances. You agree that we are not responsible for any adverse consequences you may suffer as a result of our compliance with such laws and regulations.

12 Force majeure

Neither you nor we will be responsible for failure to perform our respective obligations concerning your instructions (save for your responsibility to pay our bills in full) if the failures are due to causes outside, respectively, your or our control.

13 Amendments

From time to time, we may need to amend these terms of engagement. If this occurs, we will notify you of the changes by means of a notice in the Legal Notices section of our website but they will not affect any matter on which we are then currently instructed.

14 Limitations

If the validity or enforceability of any of these terms of engagement is in any way limited by the laws and professional regulations applicable to us, those laws and professional regulations will take precedence over these terms of engagement but they will be valid and enforceable to the fullest extent permitted by such laws and professional regulations, and such limitation shall not affect the validity or enforceability of any other term.

15 Integrity and ethics

Our policy is to act at all times in accordance with the highest professional, ethical and business standards, and we expect you to act in like manner in all your dealings with us and your business counter-parties. We do not countenance bribery or corruption in any form and you agree (i) not to expect or request any conduct from us that might bring our name into disrepute or compromise our integrity, (ii) that you and your employees and agents will refrain from any practices involving bribery or any other corrupt activities, and (iii) that you have taken or will take internal steps or procedures designed to ensure that the risk of corruption and bribery during the course of our relationship is eliminated.

16 Termination

16.1 Either you or we may terminate our engagement at any time by giving reasonable prior notice in writing, subject, in our case, to any applicable laws or regulations. We will only stop acting for you if we believe we have a good reason to do so, including in the circumstances contemplated by paragraph 3.5 (b), but we retain sole discretion regarding any such decision.

16.2 If our engagement is terminated for any reason, you agree to pay in full our bills representing fees, costs, disbursements and other charges up to the time of the engagement's termination.

16.3 An attorney/client relationship exists between you and us only if, at the relevant point in time, we are working under instructions from you; we shall have no duty to provide you advice at any other time concerning changes in laws, rules or regulations that might affect your rights. Further, if we are not under instructions from you at a given point in time, you agree that, unless prohibited by applicable laws or regulations, we are entitled to accept at that time other instructions to act in respect of the subject matter of your previous instructions although we will not disclose to, or use to the benefit of, another client any information or documents in respect of which we owe you a duty of confidentiality.

16.4 We and other Norton Rose Fulbright Entities may send you general information on legal developments without charge, or may include you in general mailings, after our or their engagement with you has been terminated. This will not change the fact that our or their engagement has been terminated.

Standards of Professionalism and Attorney Complaint Information

Pursuant to rules promulgated by the Texas Supreme Court and the State Bar of Texas, we are to advise our clients of the contents of the Texas Lawyer's Creed, a copy of which is attached. In addition, we are to advise clients that the State Bar of Texas investigates and prosecutes complaints of professional misconduct against attorneys licensed in Texas. A brochure entitled *Attorney Complaint Information* is available at all of our Texas offices and is likewise available upon request. A client that has any questions about State Bar's disciplinary process should call the Office of the General Counsel of the State Bar of Texas at 1-800-932-1900 toll free.

THE TEXAS LAWYER'S CREED — A MANDATE FOR PROFESSIONALISM

The Texas Supreme Court and the Texas Court of Criminal Appeals adopted this Creed, with the requirement that lawyers advise their clients of its contents when undertaking representation.

I am a lawyer; I am entrusted by the People of Texas to preserve and improve our legal system. I am licensed by the Supreme Court of Texas. I must therefore abide by the Texas Disciplinary Rules of Professional Conduct, but I know that Professionalism requires more than merely avoiding the violation of laws and rules. I am committed to this Creed for no other reason than it is right.

I. OUR LEGAL SYSTEM. A lawyer owes to the administration of justice personal dignity, integrity, and independence. A lawyer should always adhere to the highest principles of professionalism. I am passionately proud of my profession. Therefore, "My word is my bond." I am responsible to assure that all persons have access to competent representation regardless of wealth or position in life. I commit myself to an adequate and effective pro bono program. I am obligated to educate my clients, the public, and other lawyers regarding the spirit and letter of this Creed. I will always be conscious of my duty to the judicial system.

II. LAWYER TO CLIENT. A lawyer owes to a client allegiance, learning, skill, and industry. A lawyer shall employ all appropriate means to protect and advance the client's legitimate rights, claims, and objectives. A lawyer shall not be deterred by any real or imagined fear of judicial disfavor or public unpopularity, nor be influenced by mere self-interest. I will advise my client of the contents of this Creed when undertaking representation. I will endeavor to achieve my client's lawful objectives in legal transactions and in litigation as quickly and economically as possible. I will be loyal and committed to my client's lawful objectives, but I will not permit that loyalty and commitment to interfere with my duty to provide objective and independent advice. I will advise my client that civility and courtesy are expected and are not a sign of weakness. I will advise my client of proper and expected behavior. I will treat adverse parties and witnesses with fairness and due consideration. A client has no right to demand that I abuse anyone or indulge in any offensive conduct. I will advise my client that we will not pursue conduct which is intended primarily to harass or drain the financial resources of the opposing party. I will advise my client that we will not pursue tactics which are intended primarily for delay. I will advise my client that we will not pursue any course of action which is without merit. I will advise my client that I reserve the right to determine whether to grant accommodations to opposing counsel in all matters that do not adversely affect my client's lawful objectives. A client has no right to instruct me to refuse reasonable requests made by other counsel. I will advise my client regarding the availability of mediation, arbitration, and other alternative methods of resolving and settling disputes.

III. LAWYER TO LAWYER. A lawyer owes to opposing counsel, in the conduct of legal transactions and the pursuit of litigation, courtesy, candor, cooperation, and scrupulous observance of all agreements and mutual understandings. Ill feelings between clients shall not influence a lawyer's conduct, attitude, or demeanor toward opposing counsel. A lawyer shall not engage in unprofessional conduct in retaliation against other unprofessional conduct. I will be courteous, civil, and prompt in oral and written communications. I will not quarrel over matters of form or style, but I will concentrate on matters of substance. I will identify for other counsel or parties all changes I have made in documents submitted for review. I will attempt to prepare documents which correctly reflect the agreement of the parties. I will not include provisions which have not been agreed upon or omit provisions which are necessary to reflect the agreement of the parties. I will notify opposing counsel, and, if appropriate, the Court or other persons, as soon as practicable when hearings, depositions, meetings, conferences or closings are canceled. I will agree to reasonable requests for extensions of time and for waiver of procedural formalities, provided legitimate objectives of my client will not be adversely affected. I will not serve motions or pleadings in any manner that unfairly limits another party's opportunity to respond. I will attempt to resolve by agreement my objections to matters contained in pleadings and discovery requests and responses. I can disagree without being disagreeable. I recognize that effective representation does not require antagonistic or obnoxious behavior. I will neither encourage nor knowingly permit my client or anyone under my control to do anything which would be unethical or improper if done by me. I will not, without good cause, attribute bad motives or unethical conduct to opposing counsel nor bring the profession into disrepute by unfounded accusations of impropriety. I will avoid disparaging personal remarks or acrimony towards opposing counsel, parties and witnesses. I will not be influenced by any ill feeling between clients. I will abstain from any allusion to personal peculiarities or idiosyncrasies of opposing counsel. I will not take advantage, by causing any default or dismissal to be rendered, when I know the identity of an opposing counsel, without first inquiring about that counsel's intention to proceed. I will promptly submit orders to the Court. I will deliver copies to opposing counsel before or contemporaneously with submission to the court. I will promptly approve the form of orders which accurately reflect the substance of the rulings of the Court. I will not attempt to gain an unfair advantage by sending the Court or its staff correspondence or copies of correspondence. I will not arbitrarily schedule a deposition, Court appearance, or hearing until a good faith effort has been made to schedule it by agreement. I will readily stipulate to undisputed facts in order to avoid needless costs or inconvenience for any party. I will refrain from excessive and abusive discovery. I will comply with all reasonable discovery requests. I will not resist discovery requests which are not objectionable. I will not make objections nor give instructions to a witness for the purpose of delaying or obstructing the discovery process. I will encourage witnesses to respond to all deposition questions which are reasonably understandable. I will neither encourage nor permit my witness to quibble about words where their meaning is reasonably clear. I will not seek Court intervention to obtain discovery which is clearly improper and not discoverable. I will not seek sanctions or disqualification unless it is necessary for protection of my client's lawful objectives or is fully justified by the circumstances.

IV. LAWYER AND JUDGE. Lawyers and judges owe each other respect, diligence, candor, punctuality, and protection against unjust and improper criticism and attack. Lawyers and judges are equally responsible to protect the dignity and independence of the Court and the profession. I will always recognize that the position of judge is the symbol of both the judicial system and administration of justice. I will refrain from conduct that degrades this symbol. I will conduct myself in court in a professional manner and demonstrate my respect for the Court and the law. I will treat counsel, opposing parties, the Court, and members of the Court staff with courtesy and civility. I will be punctual. I will not engage in any conduct which offends the dignity and decorum of proceedings. I will not knowingly misrepresent, mischaracterize, misquote or miscite facts or authorities to gain an advantage. I will respect the rulings of the Court. I will give the issues in controversy deliberate, impartial and studied analysis and consideration. I will be considerate of the time constraints and pressures imposed upon the Court, Court staff and counsel in efforts to administer justice and resolve disputes.

CITY OF COLLEYVILLE
CITY COUNCIL BRIEFING

Agenda Number 5 **Agenda Date** 12/17/2024
Type Report
Department Finance

Title
Monthly Financial Report - November 2024

Explanation
Staff will present the monthly financial report for November.

Attachments
1. November 2024 Monthly Budget vs Actual Presentation
2. November 2024 Monthly Budget vs Actual

Monthly Financial Report November 2024

City Council Meeting
December 17, 2024

General Fund Performance

	FY 25 Budget	FY 25 YTD	% of Budget	FY 24 YTD	FY 24 % of Budget
Revenues	$ 29,655,370	$ 761,664	2.6%	$ 1,212,220	4.2%
Expenditures	27,858,385	4,506,382	16.2%	4,285,628	15.7%
Total	$ 1,796,985	$ (3,744,718)		$ (3,073,408)	

% of year Completed: 16.7%

% of Budget Spent: 16.2%

***Note:**. Property taxes are due in January*

Property Tax Collections

Cumulative Collections vs. Budget

FY 25 Rate:
- M&O – $0.260172
- I&S – $0.016032

Total Rate – $0.276204/$100

	FY 25 Budget	FY 25 YTD	% of Budget	FY 24 YTD	FY 24 % of Budget
Current Taxes	$ 18,008,973	$ -	0.00%	$ 620,174	3.64%

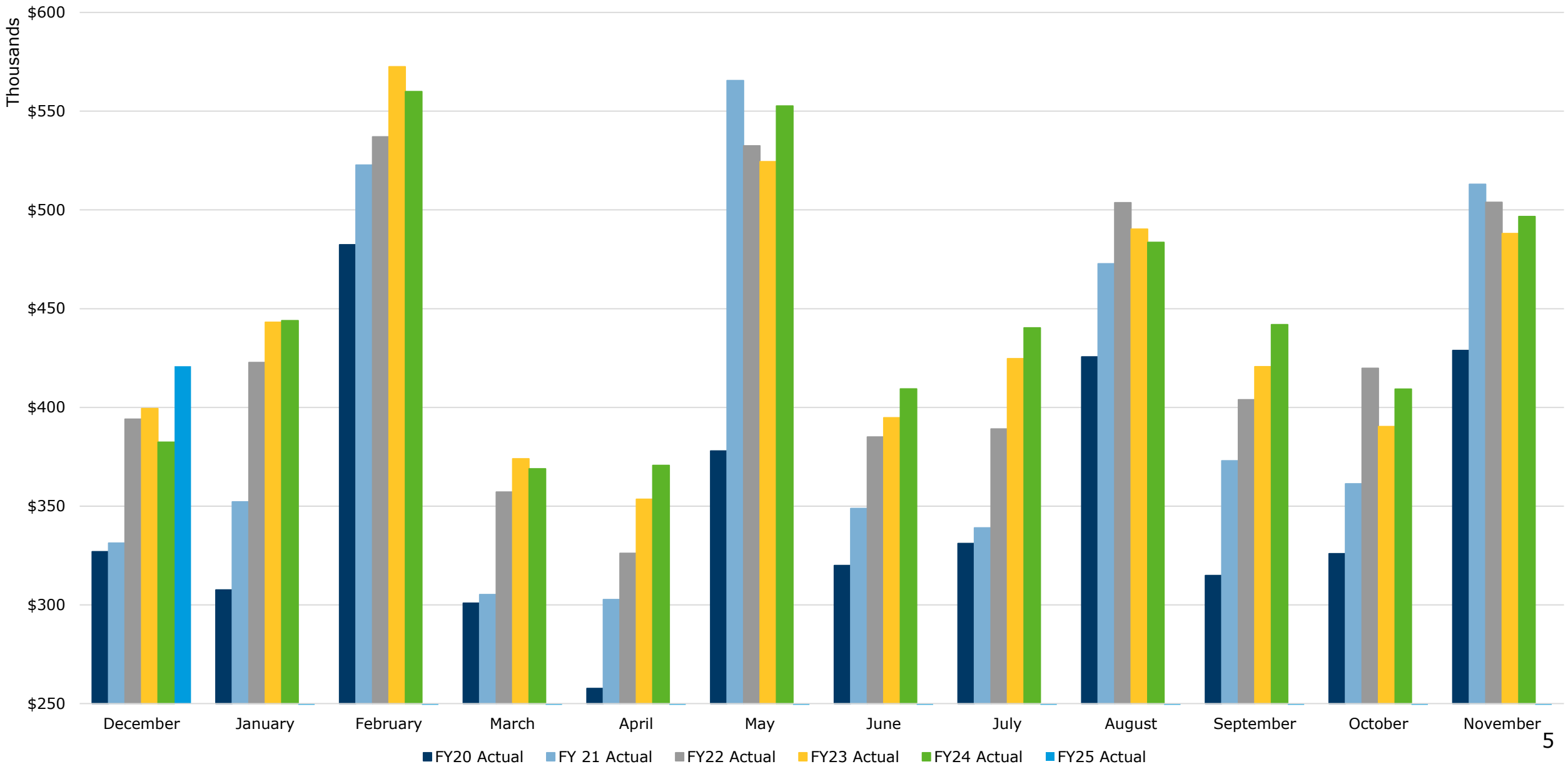
Note: *Property taxes are due in January. Collections for FY25 are behind FY24 due to the GCISD Tax rate election.*

Sales Tax: Current Fiscal Year Collections

Collections Month	Sales Month	FY 24 Actual	FY 25 Actual	Increase/ (Decrease)	% Change
December	October	$ 382,458	$ 420,829	$ 38,371	10.03%

Per GASB rules, December is the first month of FY25 in which collections from sales taxes are recorded. October and November sales taxes are recorded in the prior fiscal year since the sales for those receipts occurred two months prior.

Sales Tax: Comparative Collections



Sales Tax: Regional Benchmark

	Net Payment This Period	Comparable Payment PY	% Change	Payment YTD	PY Payment YTD	% Change2
Colleyville	630,927	573,400	10.03%	8,093,358	7,884,487	2.65%
North Richland Hills	1,720,717	1,541,807	11.60%	21,009,205	20,563,021	2.17%
Bedford	$ 1,325,110	$ 1,228,558	7.86%	$ 16,443,396	$ 15,918,683	3.30%
Grapevine	5,154,006	4,676,723	10.21%	63,812,153	59,420,029	7.39%
Keller	1,303,158	1,278,321	1.94%	16,633,305	16,416,527	1.32%
Hurst	1,442,439	1,326,787	8.72%	18,397,761	18,485,970	-0.48%
Euless	2,282,134	1,771,995	28.79%	26,018,384	25,570,896	1.75%
Southlake	3,382,155	3,093,577	9.33%	39,776,449	41,988,244	-5.27%

Note: Colleyville Collections above include both City General Fund and CEDC collections

Utilities Fund Performance

	FY 25 Budget	FY 25 YTD	% of Budget	FY 24 YTD	FY 24 % of Budget
Revenues	$ 24,424,703	$ 4,602,163	18.8%	$ 3,909,634	16.2%
Expenditures	23,908,883	2,404,741	10.1%	2,044,834	8.5%
Total	$ 515,820	$ 2,197,423		$ 1,864,799	

% of year Completed: 16.7%
% of Budget Spent: 10.1%

TRA			City		
	FY 25 Budget	FY 25 YTD		FY 24 YTD	FY 24 % of Budget
Revenues	$ 19,889,768	$ 3,774,673	Revenues	$ 4,534,935	$ 827,490
Expenditures	19,889,768	1,687,374	Expenditures	4,019,115	717,367
Total	**$ -**	**$ 2,087,299**		**$ 515,820**	**$ 110,123**

Drainage Fund Performance

	FY 25 Budget	FY 25 YTD	% of Budget	FY 24 YTD	FY 24 % of Budget
Revenues	$ 1,758,000	$ 293,555	16.7%	$ 249,157	16.8%
Expenditures	761,805	114,606	15.0%	129,873	17.6%
Total	$ 996,195	$ 178,949		$ 119,284	

% of year Completed: 16.7%

% of Budget Spent: 15.0%

Hotel Tax (HOT) Fund Performance

	FY 25 Budget	FY 25 YTD	% of Budget	FY 24 YTD	FY 24 % of Budget
Revenues	$ 230,000	$ -	0.0%	$ -	0.0%
Expenditures	285,827	35,808	12.5%	36,458	19.3%
Total	$ (55,827)	$ (35,808)		$ (36,458)	

% of year Completed: 16.7%

% of Budget Spent: 12.5%

Debt Service Fund Performance

	FY 25 Budget	FY 25 YTD	% of Budget	FY 24 YTD	FY 24 % of Budget
Revenues	$ 1,477,283	$ 226	0.0%	$ 23,847	1.9%
Expenditures	1,540,894	168,485	10.9%	169,235	13.7%
Total	$ (63,611)	$ (168,259)		$ (145,388)	

% of year Completed: 16.7%

% of Budget Spent: 10.9%

Questions & Discussion

?

City of Colleyville
Monthly Budget vs Actual Report
November 30, 2024

	FY 2025				FY 2024				
	Annual Budget	Actual Thru Mth	Variance Annual	% of Annual Bdg	Annual Actual	Actual Thru Mth	Variance Annual	% of Annual Act	% chg from PY
General Fund									
Current Taxes	18,008,973	-	18,008,973	0.0%	17,101,438	620,174	16,481,264	3.6%	-100.0%
Delinquent	30,000	3,751	26,249	12.5%	8,004	2,612	5,391	32.6%	43.6%
P&I	60,000	2,173	57,827	3.6%	85,287	2,004	83,283	2.4%	8.4%
Property Tax Total	18,098,973	5,923	18,093,050	0.0%	17,194,728	624,790	16,569,938	3.6%	-99.1%
Sales Tax	5,200,000	-	5,200,000	0.0%	5,359,899	-	5,359,899	0.0%	0.0%
Oncor Electric	910,000	-	910,000	0.0%	915,334	-	915,334	0.0%	0.0%
Tri-County Electric	185,000	-	185,000	0.0%	191,546	-	191,546	0.0%	0.0%
Atmos Gas	600,000	-	600,000	0.0%	629,385	-	629,385	0.0%	0.0%
AT&T	15,000	2,522	12,478	16.8%	11,582	2,984	8,598	25.8%	-15.5%
Verizon/Others	12,000	2,009	9,991	16.7%	9,655	2,771	6,884	28.7%	-27.5%
Refuse/Recycling	300,000	15,731	284,269	5.2%	305,337	25,787	279,549	8.4%	-39.0%
Cable TV	200,000	30,248	169,752	15.1%	224,807	59,896	164,912	26.6%	-49.5%
Network Nodes	250	-	250	0.0%	250	-	250	0.0%	0.0%
Franchise Fees	2,222,250	50,510	2,171,740	2.3%	2,287,896	91,438	2,196,458	4.0%	-44.8%
GF Revenues	29,655,370	761,664	28,893,706	2.6%	30,079,559	1,212,220	28,867,339	4.0%	-37.2%
GF Expenditures	27,858,385	4,506,382	23,352,003	16.2%	26,735,539	4,285,628	22,449,911	16.0%	5.2%
Utilities Fund									
Water - Base Rate	2,373,871	398,945	1,974,926	16.8%	2,202,982	351,845	1,851,138	16.0%	13.4%
Sewer - Base Rate	1,722,064	288,917	1,433,148	16.8%	1,640,279	273,116	1,367,163	16.7%	5.8%
Water - Volumetric Rate	16,027,206	3,070,563	12,956,643	19.2%	13,333,796	2,523,477	10,810,320	18.9%	21.7%
Sewer - Volumetric Rate	3,862,562	704,110	3,158,453	18.2%	3,998,532	607,001	3,391,531	15.2%	16.0%
Water & Sewer	23,985,703	4,462,535	19,523,168	18.6%	21,175,589	3,755,439	17,420,151	17.7%	18.8%
Utilities Revenues	24,424,703	4,602,163	19,822,540	18.8%	23,520,725	3,909,634	19,611,092	16.6%	17.7%
Utilities Expenditures	23,908,883	2,404,741	21,504,142	10.1%	20,953,393	2,044,834	18,908,559	9.8%	17.6%
Debt Service Fund									
Current Taxes	911,283	-	911,283	0.0%	652,497	23,662	628,834	3.6%	-100.0%
Delinquent	2,000	143	1,857	7.1%	434	105	329	24.1%	36.6%
P&I	2,000	83	1,917	4.2%	3,332	80	3,252	2.4%	4.5%
Property Tax Total	915,283	226	915,057	0.0%	656,262	23,847	632,416	3.6%	-99.1%
DS Revenues	1,477,283	226	1,477,057	0.0%	1,216,262	23,847	1,192,416	2.0%	-99.1%
DS Expenditures	1,540,894	168,485	1,372,409	10.9%	1,245,535	169,235	1,076,300	13.6%	-0.4%
Drainage Fund									
Drainage Fee	1,733,000	288,632	1,444,368	16.7%	1,445,667	240,755	1,204,913	16.7%	19.9%
Drain Revenues	1,758,000	293,555	1,464,445	16.7%	1,495,540	249,157	1,246,383	16.7%	17.8%
Drain Expenditures	761,805	114,606	647,199	15.0%	732,055	129,873	602,182	17.7%	-11.8%
Hotel Occupancy Tax (HOT) Fund									
HOT Tax	230,000	-	230,000	0.0%	219,059	-	219,059	0.0%	0.0%
HOT Revenues	230,000	-	230,000	0.0%	219,059	-	219,059	0.0%	0.0%
HOT Expenditures	285,827	35,808	250,019	12.5%	239,527	36,458	203,070	15.2%	-1.8%

Note: *The financial figures presented are unaudited and subject to change pending final audit adjustments.*

CITY OF COLLEYVILLE
CITY COUNCIL BRIEFING

Agenda Number 6a **Agenda Date** 12/17/2024 **Number** Ordinance O-24-2305
Type Ordinance
Department Community Development

Title
Consideration of a Special Use Permit to allow for a fence on Lot 1, Block 1, Chelsea Park Addition, located at 5000 Chelsea Drive, Case ZC24-020

Explanation
Second Reading and Public Hearing

The applicant was not present to answer questions from the City Council, and there were no speakers during the public hearing. Staff has reached out to the applicant and asked he be in attendance at the second reading.

First Reading and Public Hearing

Innocent Olengue, the applicant, has submitted a request for a Special Use Permit (SUP) for a fence on Lot 1, Block 1, Chelsea Park Addition, being approximately 0.54 acres, and zoned R-20 Single Family Residential. The SUP request is to allow for the replacement of an existing 6-foot wood fence with an 8-foot wood fence along Glade Road. An SUP is required to allow for a fence to be placed within the required corner street side yard setback along the property line.

Existing Conditions/Background: The subject property, 5000 Chelsea Drive, resides at the intersection of Chelsea Drive and Glade Road and has R-20 Single Family Residential zoning. The property currently has a single family home constructed in 1979.

SUP Request: The applicant is requesting approval of an SUP to allow for a wood fence 8-foot in height to be placed within the street side yard setback along the property line adjacent to Glade Road.

Ordinance – Section 3.26 Fences, Free Standing Walls, and Screening Materials Regulations of the Land Development Code establishes the maximum size and location of fencing to be permitted by staff on a residential lot:

E. Fence and Free-Standing Wall Setback Requirement:

1. Corner Side Yards: Except where allowed elsewhere in this chapter, no fence or freestanding wall greater than thirty (30) inches in height and greater than twenty-five (25) percent opaque construction shall extend into the required street

side yard. A fence that is greater than thirty (30) inches in height and no greater than twenty-five (25) percent opaque construction may extend into the required street yard and be located not less than ten (10) feet from the side property line. The regulations of 1.a through 1.d above shall apply.

Special Use Permit Provision: Any request for a building permit for a fence/wall which does not meet the criteria in this Section shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.

Analysis: The applicant is making the request to replace their 6-foot wood fence which is damaged. The fence being proposed would be an 8-foot tall wood fence, and it would encroach in the street side yard setback. The fencing would be placed on the property line along Glade Road to meet up with the front setback line at the location of the existing fence.

Plat Status: The property is platted as Lot 1, Block 1, Chelsea Park Addition.

DRC Review: The DRC reviewed the request during their October 21, 2024 meeting and determined the case would be scheduled for the next available Planning and Zoning Commission meeting.

Drainage: NA

Surrounding Development: The properties to the north and east are zoned R-20 Single Family Residential and improved with single family homes. The properties to the south and west are zoned R-40 Single Family Residential and improved with single family homes.

Public Notification: Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1,000 feet of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code.

Staff Recommendation: Staff recommends approval of the requested SUP. Although it does not meet the technical requirements of the Land Development Code, it will improve the property by replacing a dilapidated fence.

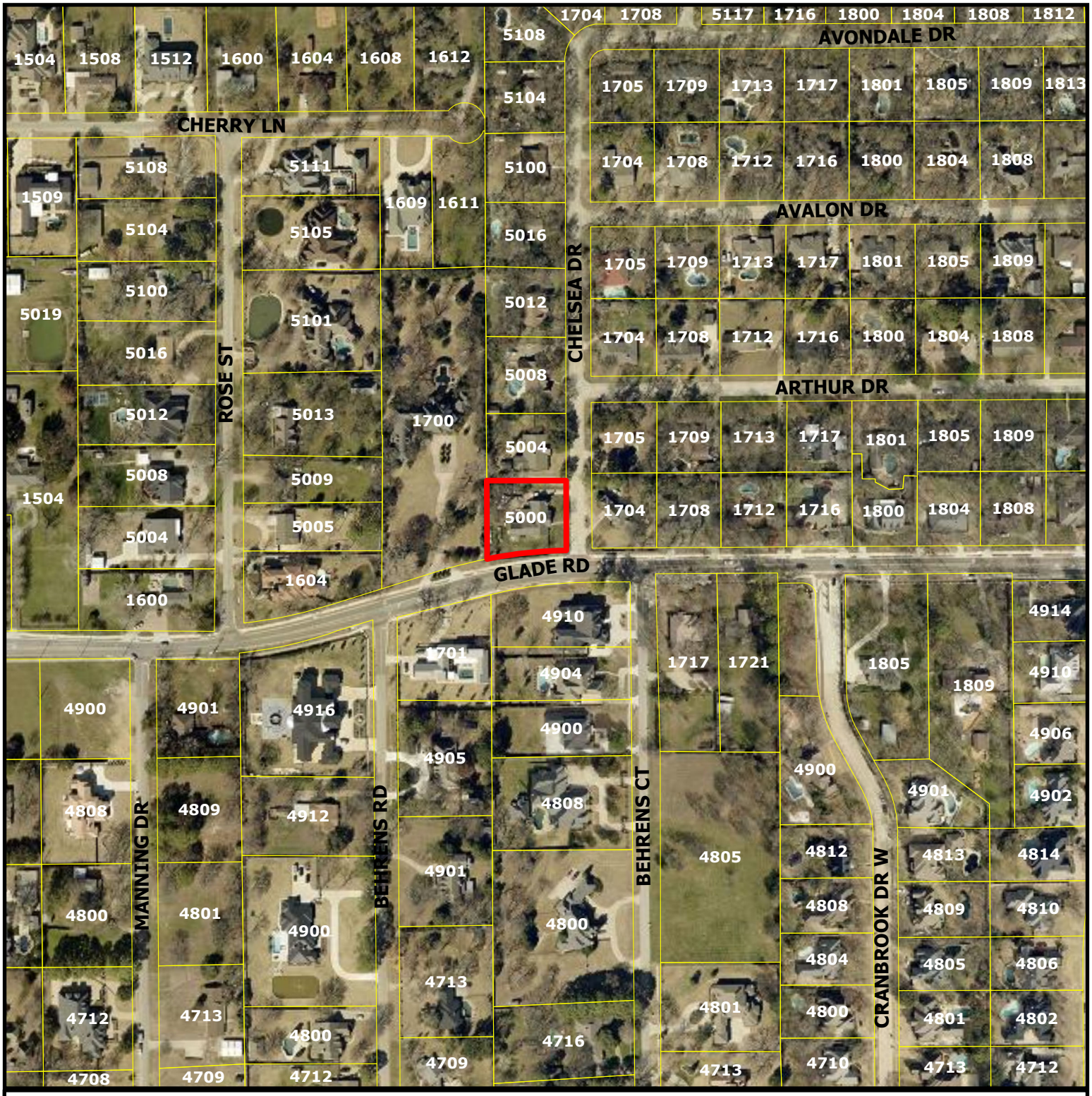
Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval of the request at their November 12, 2024 meeting by a vote of 6-0.

Attachments

1. Aerial Map

2. Zoning Map
3. Future Land Use Map
4. Site Plan Exhibit
5. Notification Map
6. Notification Letter
7. Notification List
8. Ordinance O-24-2305

Aerial Map

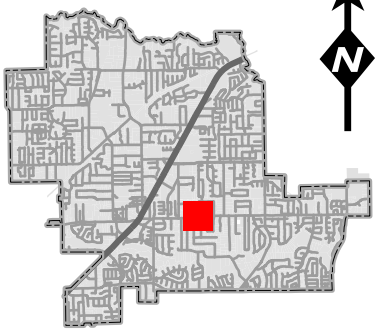


ZC24-020

5000 Chelsea Dr

DISCLAIMER:
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

Subject Property

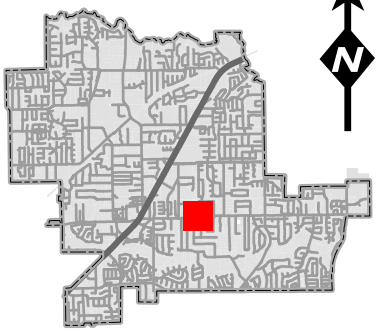


Zoning Map

ZC24-020

5000 Chelsea Dr

Subject Property



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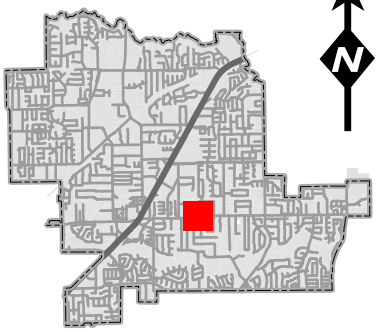
Future Land Use Map

CITY OF COLLEYVILLE TEXAS

ZC24-020

5000 Chelsea Dr



N

Residential

Subject Property

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5000 CHELSEA DRIVE SITE PLAN

REMOVE 6 FT FENCE. INSTALL NEW 8F WOOD FENCE

[Type here]

Notification Map

CITY OF COLLEYVILLE TEXAS

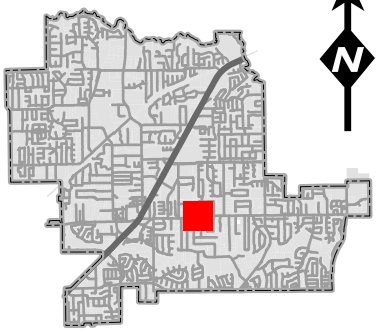
ZC24-020

5000 Chelsea Dr

Parcels to be notified

Buffer

Subject Property



N

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NOTICE OF PUBLIC HEARING

«Owner_Name»
«Owner_Address»
«Owner_City» «Owner_Zip»

The City of Colleyville has scheduled public hearings concerning the below referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Tuesday, November 12, 2024 at 7:00 p.m.
City Council Meetings: Tuesday, December 3, 2024 & Tuesday, December 17, 2024 at 7:00 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request:	Consideration of a Special Use Permit for a fence on Lot 1, Block 1, Chelsea Park Addition. The request is to allow for the replacement of an existing 6 foot wood fence with an 8 foot wood fence along the property line adjacent to Glade Road. The Special Use Permit is required for fences over 30 inches tall and with over 25% opaque construction placed in the required street side yard setback.
Zoning Case:	ZC24-020
Applicant:	Innocent Olengue
Owner:	Innocent Olengue
Location:	5000 Chelsea Drive
Property Description:	Lot 1, Block 1, Chelsea Park Addition
Present Zoning:	R-20 Single Family Residential

This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address below:

Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034
Citizenletters@Colleyville.com

NOTICE OF PUBLIC HEARING

If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas 76034. A brief project description can be found online on the Agenda Packet and Active Development Case map (please use your phone's camera to scan QR code below):

For additional information, please contact the Community Development Department at 817.503.1050. Please reference the zoning case number when requesting information.

Christopher Pham

Christopher Pham
Planner

Owner_Name	Situs_Addr
NGUYEN, HAI	4916 BEHRENS RD
HUBBARD, MATTHEW	4808 BEHRENS CT
REINHARDT LIVING TRUST	4805 BEHRENS CT
DAVID AND KECIA MALDONADO REVOCABLE TRUST	1701 GLADE RD
SAMUEL J MCCOLLOUGH & JOYCE B MCCOLLOUGH RE\	4912 BEHRENS RD
FORDYCE, MARK	5101 ROSE ST
DUCIC, YADRANKO	1700 GLADE RD
VANKAWALA, RAJENDRA C	4910 BEHRENS CT
WILLIAMS, DARYL	4905 BEHRENS RD
HOOKS, DURAN	5004 CHELSEA DR
WEBSTER & KIM MANGHAM FAMILY TRUST	5008 CHELSEA DR
HARRINGTON, D NEAL	5012 CHELSEA DR
KING, MARY	5016 CHELSEA DR
CASILIO JOELLEN TR	1705 AVALON DR
VOSS BRANDON MATTHEW	1716 ARTHUR DR
ABBOTT, LARRY	1712 ARTHUR DR
GOMEZ, ERIC	1708 ARTHUR DR
PARKER, TIMOTHY	1704 ARTHUR DR
DACY INVESTMENT GROUP LLC	1709 AVALON DR
STOWE, STEPHEN	1713 AVALON DR
MILNER, WALTER J	1705 ARTHUR DR
BROWN, KATHARINE M	1709 ARTHUR DR
HANSON, ANNE F	1713 ARTHUR DR
DICKINSON, SPENCER	1717 ARTHUR DR
CHAPPELL, LARRY W	1716 GLADE RD
DIDIER, RICHARD	1712 GLADE RD
PEAK, CAROLYN J	1708 GLADE RD
STANLEY, REBECCA S	1704 GLADE RD
TANG, YUAN	1717 GLADE RD
BAUM, DANIEL	1604 GLADE RD
BACA, CHAD	5005 ROSE ST
STEWART, LARRY R	5009 ROSE ST
WINTERS, DAN L	5013 ROSE ST
HERRON, DAVID	5105 ROSE ST
TRAVIS, COLIN	1609 CHERRY LN
CRANBROOK HOMEOWNERS ASSOCIATION	1725 GLADE RD
LY, DUY	4900 BEHRENS CT
BANTA, STEVEN M	4904 BEHRENS CT
VOLOSEN, MIRCEA	1721 GLADE RD
CHELSEA PARK ADDITION	COURTESY NOTICE
CRANBROOK ESTATES	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	STATE REQUIRED
OLENGUE, INNOCENT	5000 CHELSEA DR

ORDINANCE O-24-2305

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 0.54 ACRES, BEING LOT 1, BLOCK 1, CHELSEA PARK ADDITION BY AUTHORIZING A SPECIAL USE PERMIT TO ALLOW FOR A FENCE TO EXTEND INTO THE STREET SIDE YARD SETBACK AND BE LOCATED ALONG THE PROPERTY LINE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a Special Use Permit to allow for a fence to extend into the street side yard setback and be located on the property line, Case No. ZC24-020; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

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

Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit to allow for a fence on 0.54 acres, being Lot 1, Block 1, of the Chelsea Park Addition, located at 5000 Chelsea Drive, as depicted on the attached as Exhibit "A".

Sec. 2. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.

Sec. 3. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

a. The Special Use Permit shall allow an 8-foot wood fence to extend into the street side yard setback and be placed on the property line.

b. It shall be generally consistent with the site plan and as depicted on the attached Exhibit "B".

c. All requirements of the Land Development Code shall be met, except where amended herein.

Sec. 4. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense.

Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 7. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of December 2024.

The second reading and public hearing being conducted on the 17th day of December 2024.

APPROVED BY A VOTE OF _ AYES, _ NAYS, ON THIS THE 17TH DAY OF DECEMBER 2024.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

ATTEST:

Christine Loven, TRMC
City Secretary

CITY OF COLLEYVILLE

Bobby Lindamood
Mayor

APPROVED AS TO FORM:

Whitt Wyatt
City Attorney

Exhibit "A" - Location and Zoning Map

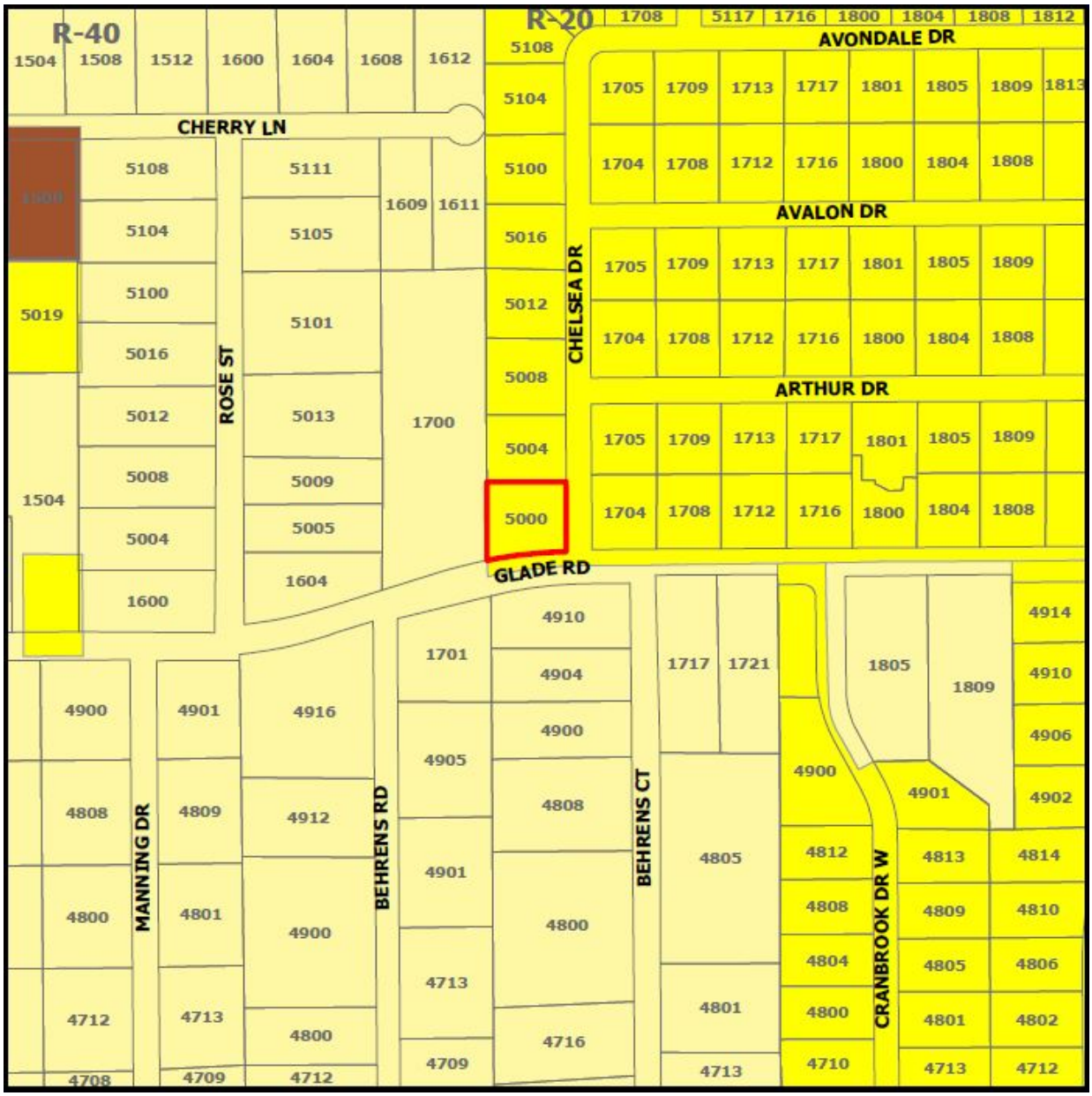


Exhibit "B" – Site Plan

5000 CHELSEA DRIVE SITE PLAN

REMOVE 6 FT FENCE. INSTALL NEW 8F WOOD FENCE

CITY OF COLLEYVILLE
CITY COUNCIL BRIEFING

Agenda Number 6b **Agenda Date** 12/17/2024 **Number** Ordinance O-24-2306
Type Ordinance
Department Community Development

Title
Consideration of changing the zoning from AG Agricultural to CC-1 Village Retail on Lot 2, Block 1, First Baptist Church Addition, located at 1007 Church Street, Case ZC24-021

Explanation
Second Hearing and Public Hearing

The City Council did not have any questions regarding this item, and there were no speakers during the public hearing.

First Reading and Public Hearing

Zach Towery, the applicant, has submitted a request for a rezoning from AG Agricultural to CC-1 Village Retail on Lot 2, Block 1, First Baptist Church Addition, being approximately 2.77 acres, and zoned AG Agricultural. The purpose of the rezoning is to allow for the future platting and expansion of Crosscreek Church's campus with a new office and storage building.

Existing Conditions/Background: The subject property, 1007 Church Street, is zoned AG Agricultural. It is located to the southwest of the intersection of Church Street and Colleyville Boulevard. The property is currently improved with an office building, two accessory buildings, and parking for the church campus. The existing buildings will be removed for future improvements.

Proposed Zoning Change: The request is to rezone from the AG Agricultural district to the CC-1 Village Retail district. The request is to unify the zoning of the entire Crosscreek Church campus to the CC-1 Village Retail district and allow for the development of new buildings in the future.

Analysis: Per the proposed, this project is requesting to rezone the property to allow for a new storage and office building in the future. The property does not currently comply with AG zoning district standards. The property will comply with CC-1 Village Retail, as well as match the zoning of the entire of the church campus once rezoned.

Plat Status: The subject property is platted as Lot 2, Block 1, First Baptist Church Addition.

DRC Review: The DRC reviewed the request during their October 21, 2024 meeting

and determined the case would be scheduled for the next available Planning and Zoning Commission meeting.

Drainage: NA

Surrounding Development: The properties to the south and east are zoned CC-1 Village Retail and are improved with the Crosscreek Church campus, the Baylor Scott & White Emergency Hospital, and a commercial medical office building. The property to the north is zoned AG Agricultural and improved with the Colleyville Church of Christ. The properties to the west are zoned AG Agricultural and CC-1 Village Retail and are improved with a single family home.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property as part of the Colleyville Boulevard Corridor. The proposed request complies with the future land use designation.

Tree Preservation: The development must comply with Chapter 5 (Urban Forestry) of the Land Development Code. Where any tree is slated for removal, no site grading, dirt disturbance or new construction may occur on the property until a Tree Removal Permit has been issued that is associated with an approved Tree Preservation Plan.

In addition to the requirements for submittal of a Tree Removal Permit and Tree Preservation Plan, future development on the site must maintain the minimum existing protected tree canopy coverage as required in Chapter 5.

Public Notification: Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1000 feet of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code.

Staff Recommendation: Staff recommends approval of this request.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval of the request at their November 12, 2024 meeting by a vote of 6-0.

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Site Plan Exhibit
5. Topographic Exhibit
6. Site Area Map Exhibit
7. Notification Map
8. Notification Letter

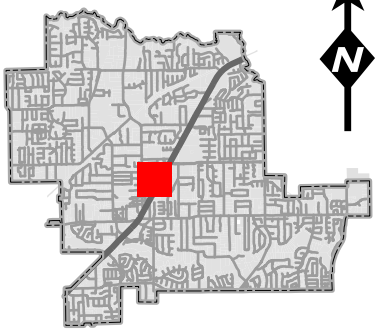
9. Notification List
10. Ordinance O-24-2306

Aerial Map

CITY OF COLLEYVILLE TEXAS

ZC24-021

1007 Church St



Subject Property

DISCLAIMER:
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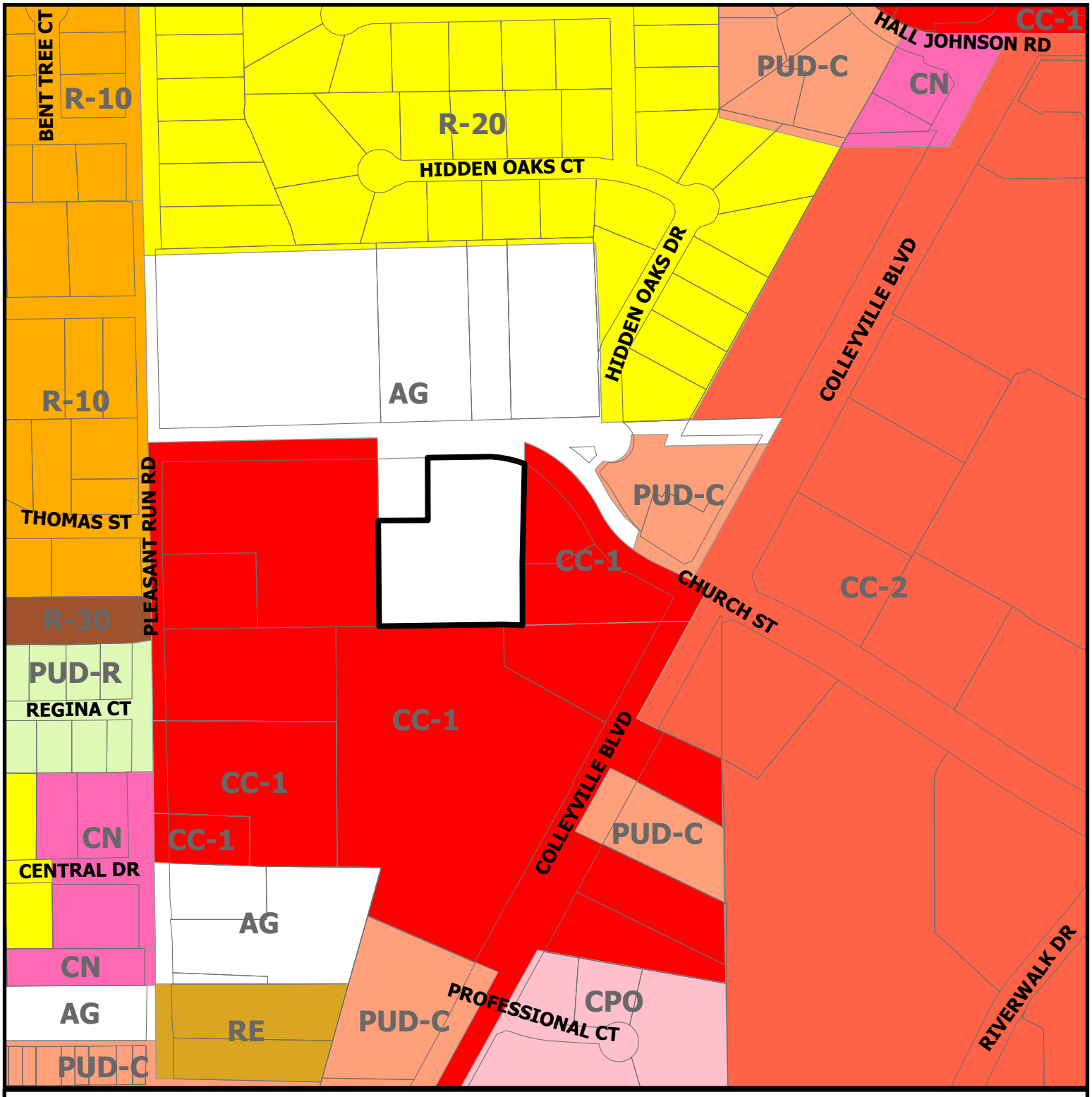
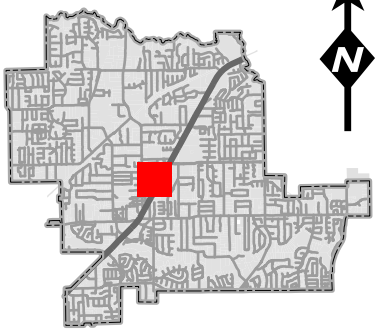
Zoning Map



CITY OF COLLEYVILLE TEXAS

ZC24-021

1007 Church St



Subject Property

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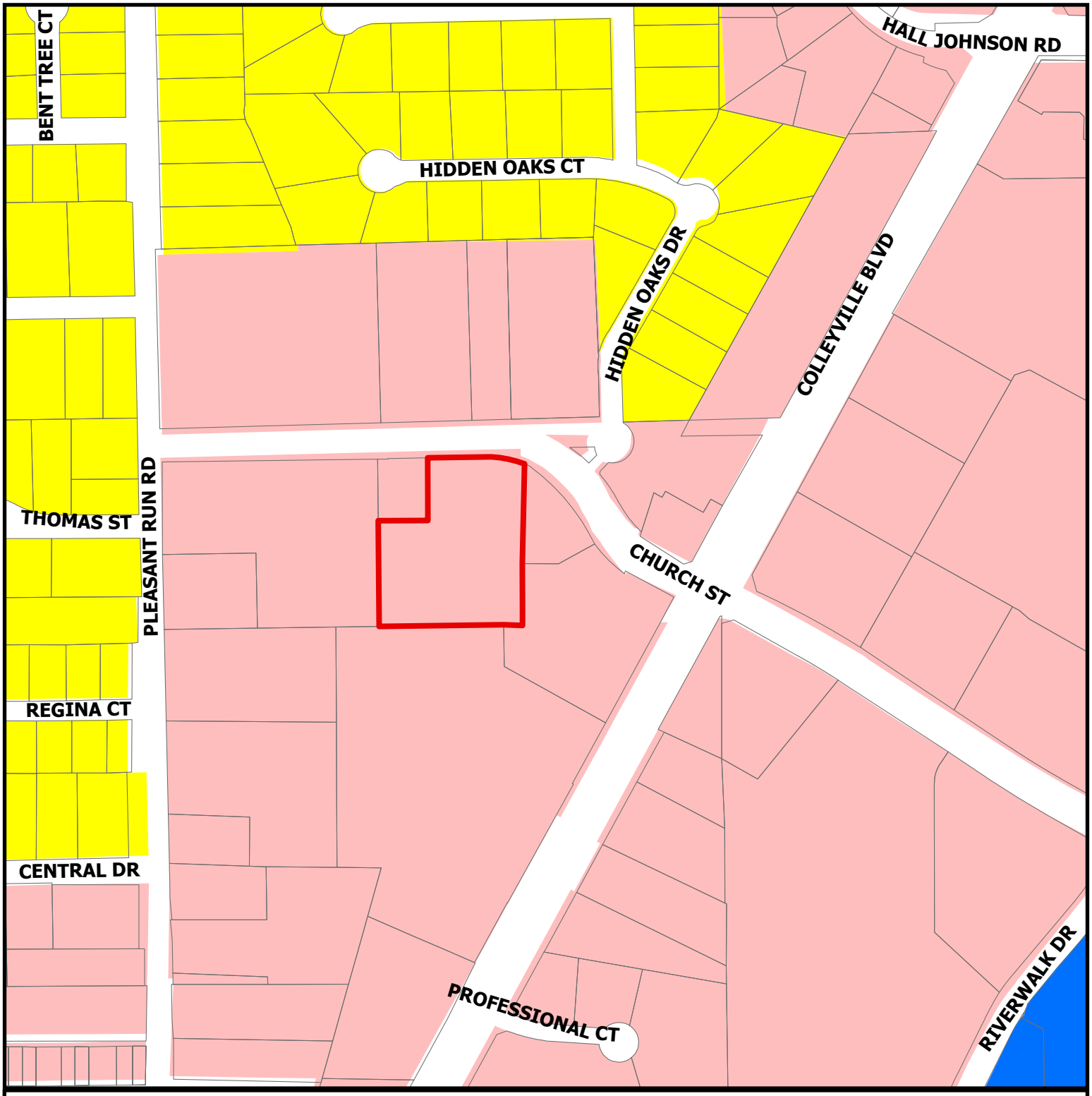
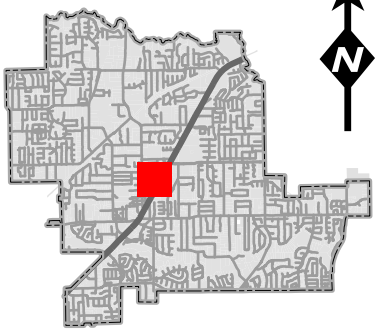
Future Land Use Map



ZC24-021

1007 Church St

- Residential
- Institutional
- Colleyville Blvd Corridor
- Subject Property



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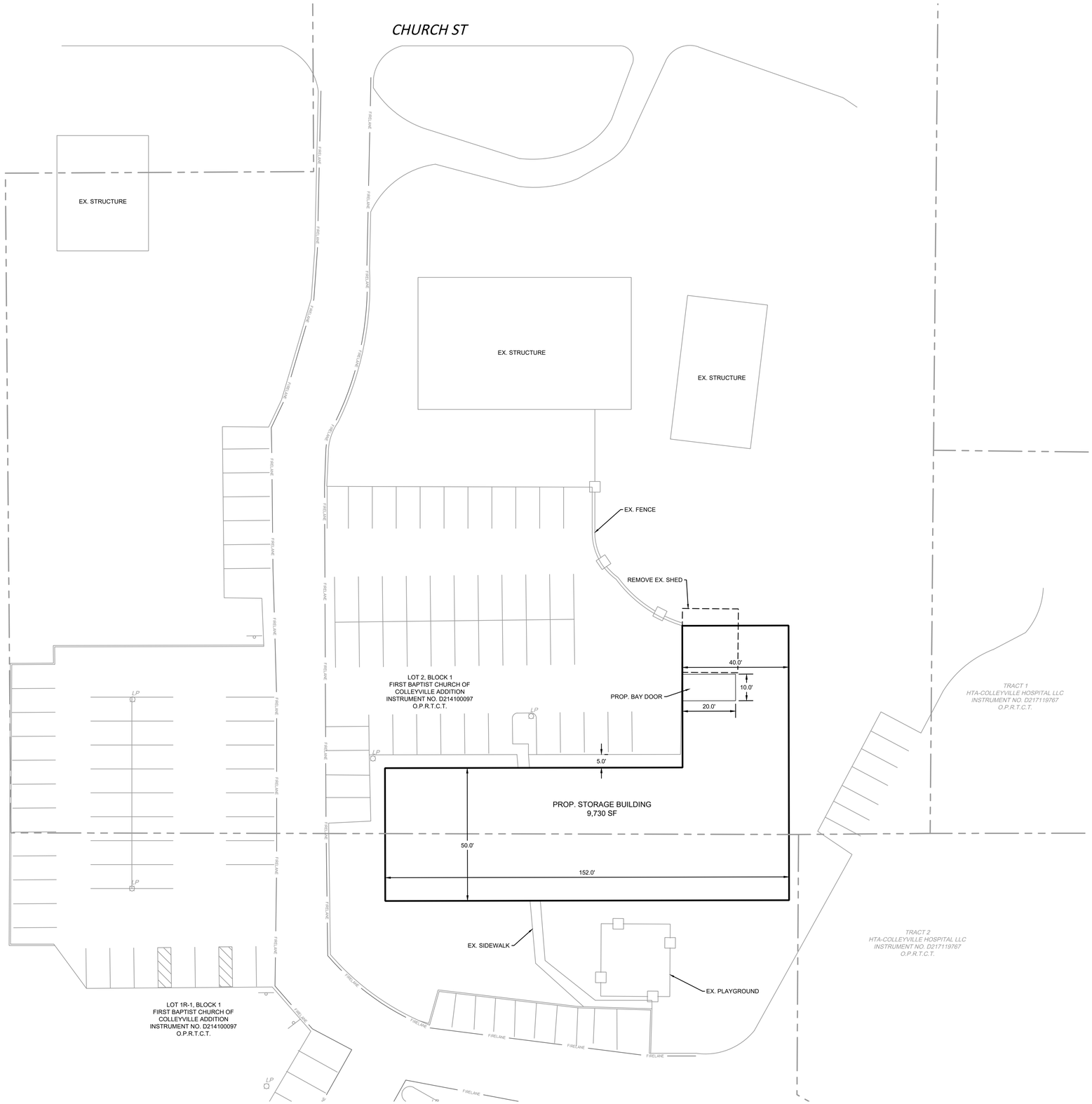


Know what's **below.**
Call before you dig.

SITE BENCHMARK

BM NO. 1 THE BENCHMARK IS A MAG NAIL WITH A WASTER STAMPED "JPH BENCHMARK" SET IN A CONCRETE CURB ON A PARKING LOT, BEING LOCATED APPROXIMATELY 1035' SOUTHWESTERLY FROM THE CENTERLINE INTERSECTION OF CHURCH ST. & SH 26

ELEVATION = 610.85' (NAD '88)

LEGEND

EXISTING FIRE LANE STRIPING	FIRELANE
PARKING COUNT	10
PROPERTY BOUNDARY	

GRAPHIC SCALE

0 20 40 FEET

SCALE: 1" = 20'

PRELIMINARY FOR REVIEW ONLY
THESE DOCUMENTS ARE FOR DESIGN REVIEW ONLY AND NOT INTENDED FOR THE PURPOSES OF CONSTRUCTION, BIDDING OR PERMIT. THEY WERE PREPARED BY, OR UNDER THE SUPERVISION OF:

SHEA O. KIRKMAN
P.E.# 91865
DATE: April 8, 2024

5405 PLEASANT RUN RD.
COLLEYVILLE, TX
817-281-4158

CROSS CREEK CHURCH

LOTS 1-2, BLOCK 1
CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS

REV:	DATE:	DESCRIPTION:

kirkman ENGINEERING

KIRKMAN ENGINEERING, LLC
5200 STATE HIGHWAY 121
COLLEYVILLE, TX 76034
TEXAS FIRM NO. 15874

JOB NUMBER: KE PROJECT NUMBER

ISSUE DATE: DATE

STORAGE CONCEPT PLAN

SHEET:
V1.0

FULL PATH: K:\Jobs\CCC2401_CrossCreekChurch\Drawings\03 - Production\Civil\Drawings\03 - Production\C3.0 SITE PLAN_CCC2401

FILENAME: C3.0 SITE PLAN_CCC2401.dwg
PLOTTED BY: Dalton Black
PLOTTED DATE: 4/8/2024

SURVEYOR'S NOTES:

1. Bearings are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83), distances are surface with a combined scale factor of 1.00012.
2. This property lies within Zone "X" of the Flood Insurance Rate Map for Tarrant County, Texas and Incorporated Areas, map no. 48439C0095K, with an effective date of September 25, 2009, via scaled map location and graphic plotting.
3. Monuments are found unless specifically designated as set.
4. Elevations (if shown) are North American Vertical Datum of 1988 (NAVD '88).

NOTE REGARDING UTILITIES

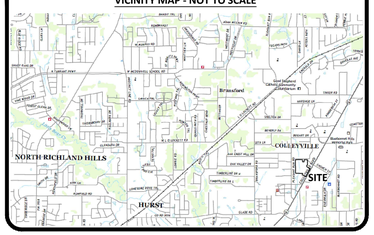
Lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or other similar utility locate requests from surveyors may be ignored or result in an incomplete response. Where additional or more detailed information is required, the client is advised that excavation and/or a private utility locate request may be necessary.

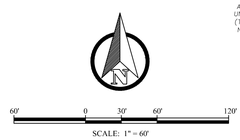
Utility locations are per observed evidence and the below sources ONLY. There may exist additional or different underground utilities than are shown hereon, and surveyor did not perform a full SUE investigation.

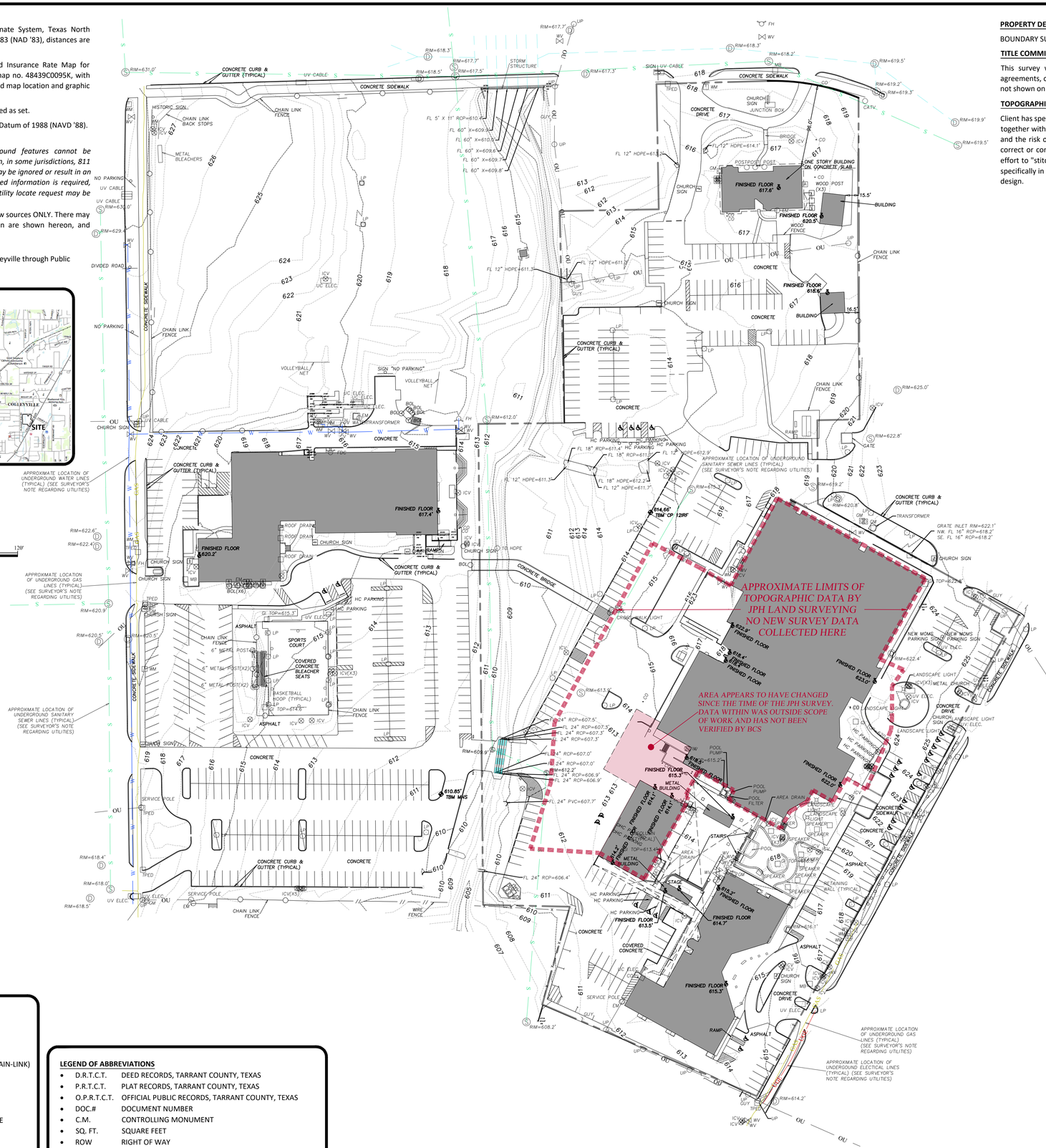
DigTess - Ticket #2461350650

Maps/Plans: Maps and plans provided by the City of Colleyville through Public Open Records Request

VICINITY MAP - NOT TO SCALE







PROPERTY DESCRIPTION

BOUNDARY SURVEY/VERIFICATION WAS SPECIFICALLY EXCLUDED BY CLIENT.

TITLE COMMITMENT NOTES

This survey was prepared without the benefit of a commitment for title insurance. Therefore, easements, agreements, or other documents, either recorded, or unrecorded may exist that affect the subject property that are not shown on this survey.

TOPOGRAPHIC SURVEY WARNING/DISCLAIMER

Client has specifically directed surveyor to limit survey to specific area(s) of the site, and attempt to "stitch" this data together with survey data from a previous surveyor. Client has been advised of the limitations of this methodology, and the risk of discrepancies. Surveyor makes no representation that the data contained in the previous survey is correct or complete, and any data shown within this area is subject to change. At the limits of this area, the best effort to "stitch" this data together was made, as requested, but there may exist differences and/or discrepancies, specifically in these areas. Client is responsible for field verifying all of these areas prior to beginning construction or design.

LEGEND OF SYMBOLS

- air conditioning unit
- ICV irrigation control valve
- CATV cable tv
- EM electric meter
- fence or guardrail
- FDC fire dept. connection
- FH fire hydrant
- BOL bollard
- AD area drain
- GI grate inlet
- GV gas valve
- GM gas meter
- GWELL gas well
- sign
- SS sanitary sewer manhole
- SD storm water manhole
- T telephone manhole
- TFL tank fill lid
- TPED telephone pedestal
- TSP/MA traffic signal pole
- CO utility clean out
- UCC comm. utility cabinet
- UCE electric utility cabinet
- UVC comm. utility vault
- UVE elect. utility vault
- UVW water utility vault
- UP/SP utility/service pole
- utility sign
- water shutoff
- WV water valve
- WM water meter
- CATV cable tv riser
- ARV air release valve
- utility markings
- tree
- shrub/decorative tree or tree with diameter < 4 in.
- contour lines

LEGEND OF LINETYPES

- SUBJECT TRACT BOUNDARY
- ADJOINING TRACT BOUNDARY
- CENTER LINE
- EASEMENT
- FENCE (WIRE/WOOD/METAL/CHAIN-LINK)
- SANITARY SEWER LINE
- STORM SEWER LINE
- WATER LINE
- GAS LINE
- UGFO UNDERGROUND FIBER OPTIC LINE
- UGC UNDERGROUND CABLE LINE
- UGE UNDERGROUND ELECTRIC LINE
- OVERHEAD UTILITY LINE

LEGEND OF ABBREVIATIONS

- D.R.T.C.T. DEED RECORDS, TARRANT COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS, TARRANT COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS
- DOC.# DOCUMENT NUMBER
- C.M. CONTROLLING MONUMENT
- SQ. FT. SQUARE FEET
- ROW RIGHT OF WAY
- CRS CAPPED REBAR SET

SURVEY PREPARED BY BARTON CHAPA SURVEYING LLC, 3641 NE LAMAR BLVD, FORT WORTH, TX, 76137 PHONE: 817-714-9414

kirkman ENGINEERING
5200 State Highway 121
Colleyville, TX 76034
Phone: 817-488-4960

JOB NO.	2024.001.352
DRAWN:	SMW
CHECKED:	JHB

TABLE OF REVISIONS

09/21/2024	ADDITIONAL TOPO

CROSS CREEK CHURCH

COLLEYVILLE, TEXAS

SHEET:

VO1

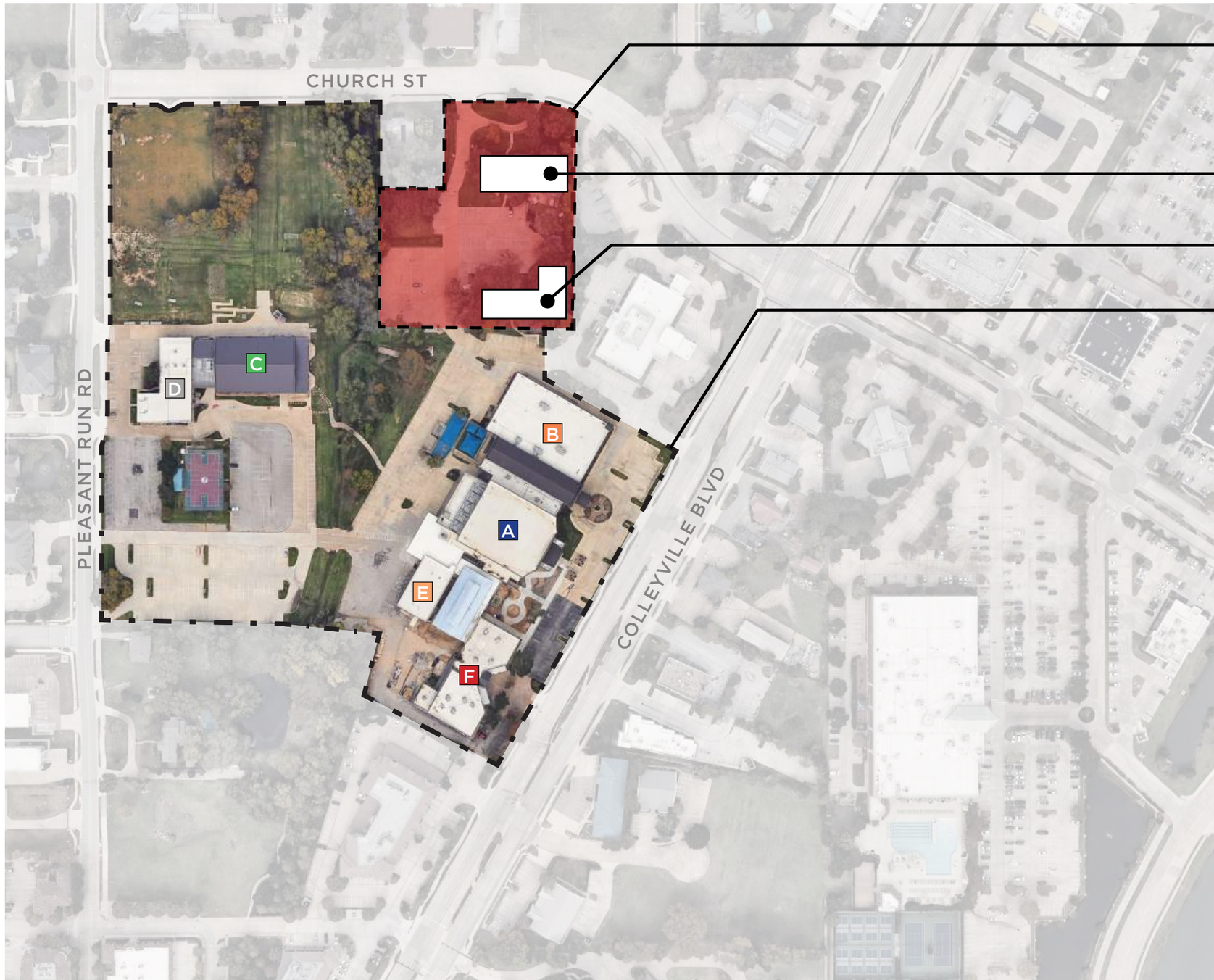
TOPOGRAPHIC SURVEY

TOPOGRAPHIC SURVEY

CROSS CREEK CHURCH - COLLEYVILLE TX
CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS

P:\Survey\001 - Kirkman Engineering\2024\352 - Cross Creek Church Colleyville\Drawings

CROSSCREEK CHURCH
CAMPUS MAP



SITE AREA

OFFICE (FUTURE)

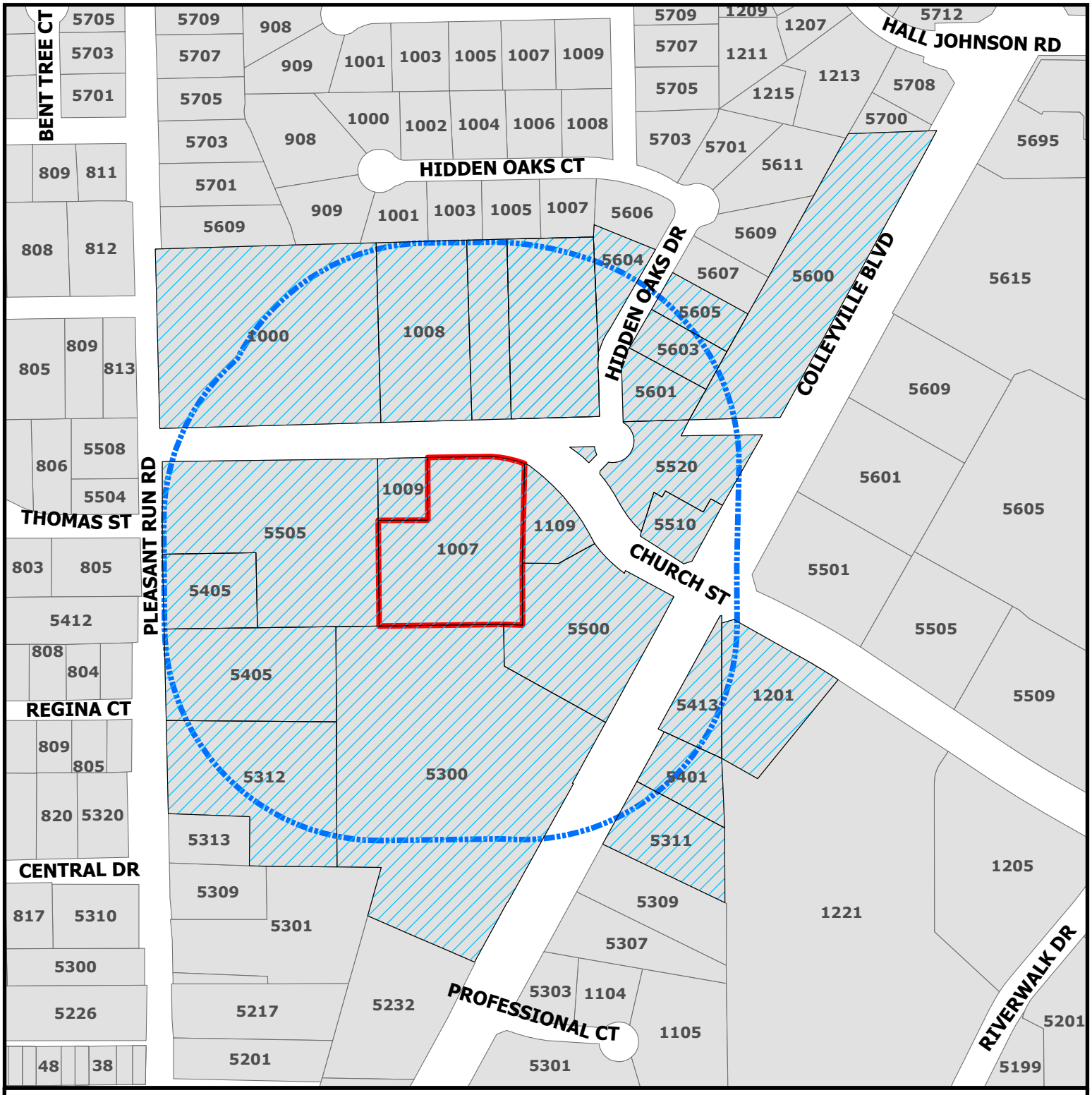
STORAGE (FUTURE)

CAMPUS BOUNDARY

- A WORSHIP CENTER
- B KIDS
- C STUDENTS
- D OFFICES
- E ADULTS
- F ADULTS / CHAPEL

NOT TO SCALE

Notification Map



CITY OF COLLEYVILLE TEXAS

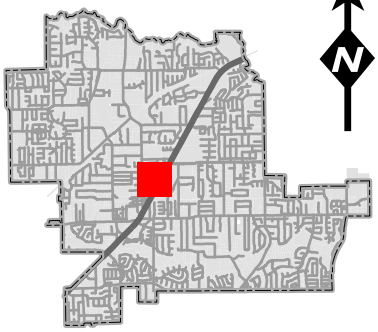
ZC24-021

1007 Church St

Parcels to be notified

Buffer

Subject Property



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NOTICE OF PUBLIC HEARING

«Owner_Name»
«Owner_Address»
«Owner_City» «Owner_Zip»

The City of Colleyville has scheduled public hearings concerning the below referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Tuesday, November 12, 2024 at 7:00 p.m.
City Council Meetings: Tuesday, December 3, 2024 & Tuesday, December 17, 2024 at 7:00 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

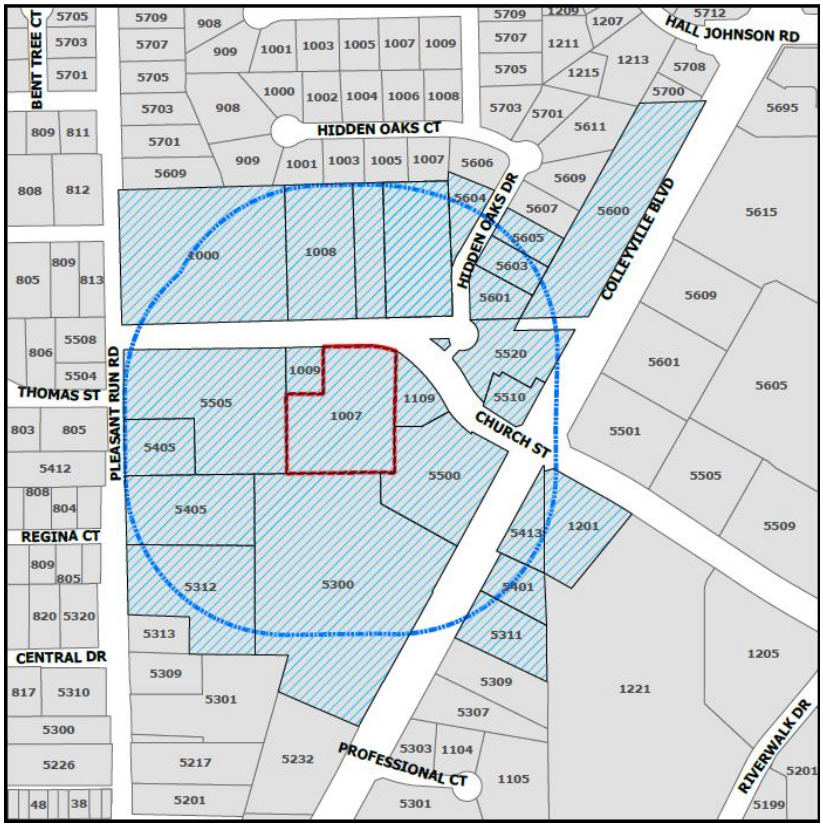
Request:	Consideration of a Rezoning from AG Agricultural to CC-1 Village Retail on Lot 2, Block 1, First Baptist Church-Colleyville Addition. The rezoning request is to allow for a new office and storage building to be built for the Crosscreek Church campus.
Zoning Case:	ZC24-021
Applicant:	Zach Towery
Owner:	First Baptist Church Colleyville
Location:	1007 Church Street
Property Description:	Lot 2, Block 1, First Baptist Church Addition
Present Zoning:	AG Agricultural

This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address below:

Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034
Citizenletters@Colleyville.com

NOTICE OF PUBLIC HEARING



If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas 76034. A brief project description can be found online on the Agenda Packet and Active Development Case map (please use your phone's camera to scan QR code below):

For additional information, please contact the Community Development Department at 817.503.1050. Please reference the zoning case number when requesting information.

Christopher Pham

Christopher Pham
Planner

Owner_Name	Situs_Addr
FIRST UNITED METH COLLEYVILLE	1000 CHURCH ST
BRADY, BLAKE	5401 COLLEYVILLE BLVD
FIRST BAPTIST CH COLLEYVILLE	5405 PLEASANT RUN RD
CORE-FULMER, SARAH ELIZABETH	5604 HIDDEN OAKS DR
LEACH, TERRY	5605 HIDDEN OAKS DR
CORGAN, KYLE D	5603 HIDDEN OAKS DR
CHIVAKULA, LAKSHMI	5601 HIDDEN OAKS DR
GII SHP EBSW DFW LLC	5500 COLLEYVILLE BLVD
JD JUDD REALTY HOLDINGS LLC	1109 CHURCH ST
2727 PN SPE LLC	5520 COLLEYVILLE BLVD
DEDIEGO FAMILY TRUST	5510 COLLEYVILLE BLVD
BRANCH BANKING & TRUST CO	1201 CHURCH ST
EAGLE-COLLEYVILLE TOWNE SQUARE	5600 COLLEYVILLE BLVD
BAJRAM & RUZDI INVESTMENTS LLC	5311 COLLEYVILLE BLVD
LAHODA, BARTON G	1009 CHURCH ST
R P GANTOS VENTURES LLC	5413 COLLEYVILLE BLVD
DIOCESE OF NEWTON FOR THE MELKITES IN THE UNITE	1008 CHURCH ST
COLLEYVILLE CHURCH OF CHRIST	1008 CHURCH ST
LAUREL OAKS ESTATES	COURTESY NOTICE
COLLEYVILLE HEIGHTS	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	STATE REQUIRED
Towery, Zach	5405 PLEASANT RUN RD

ORDINANCE O-24-2306

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 2.77 ACRES, BEING LOT 2, BLOCK 1, FIRST BAPTIST CHURCH ADDITION FROM AG AGRICULTURAL TO CC-1 VILLAGE RETAIL; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a rezoning from AG Agricultural to CC-1 Village Retail under Case No. ZC24-021; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

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

Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning from AG Agricultural to CC-1 Village Retail on 2.77 acres, being Lot 2, Block 1, of the First Baptist Church Addition, located at 1007 Church Street, as depicted on the attached as Exhibit "A".

Sec. 2. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.

Sec. 3. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

a. As depicted in the attached Exhibit "A" and Exhibit "B"

Sec. 4. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense.

Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 7. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of December 2024.

The second reading and public hearing being conducted on the 17th day of December 2024.

APPROVED BY A VOTE OF _ AYES, _ NAYS, ON THIS THE 17TH DAY OF DECEMBER 2024.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

ATTEST:

Christine Loven, TRMC
City Secretary

CITY OF COLLEYVILLE

Bobby Lindamood
Mayor

APPROVED AS TO FORM:

Whitt Wyatt
City Attorney

Exhibit "A" - Location and Zoning Map

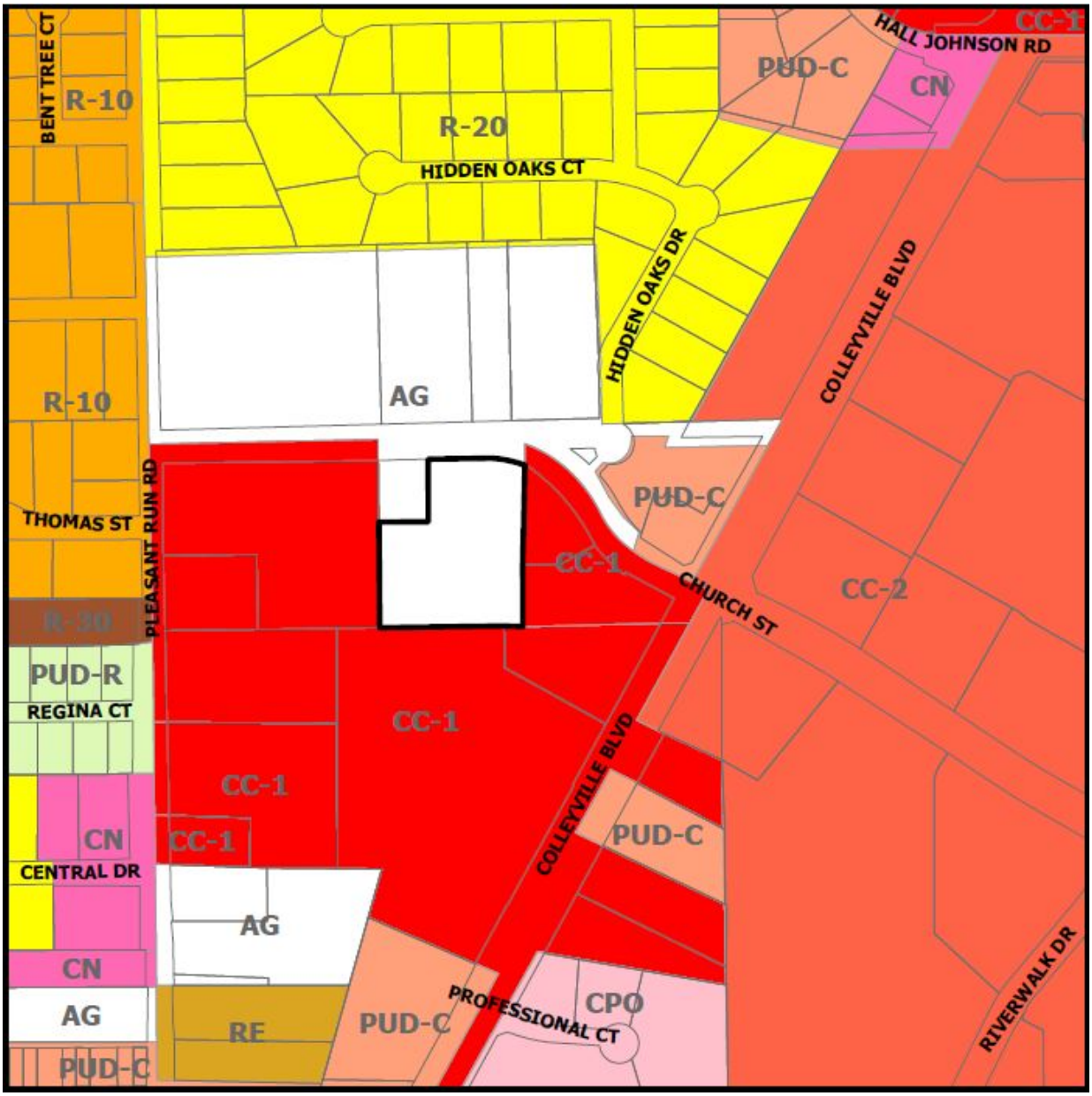
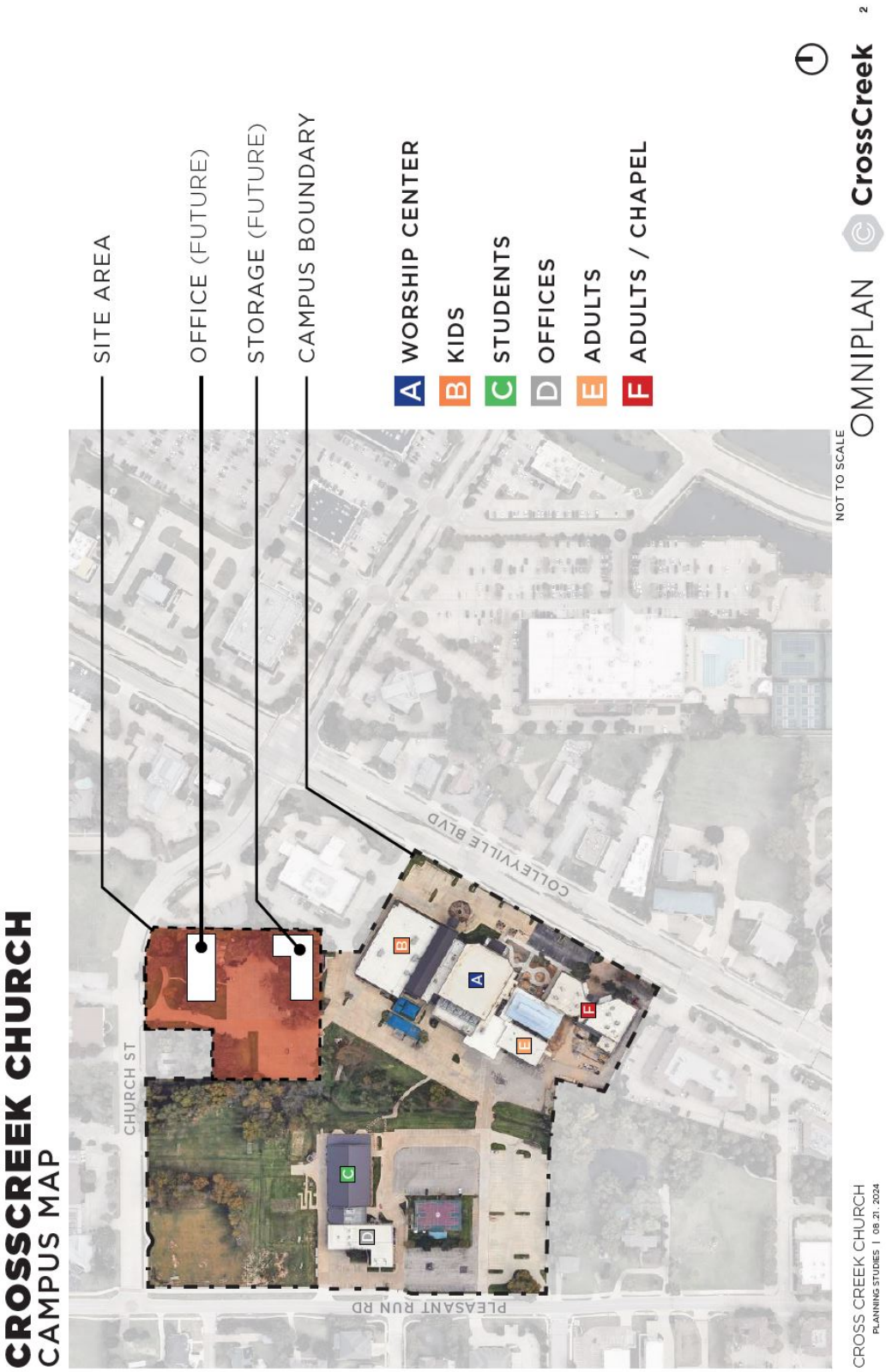


Exhibit "B" – Site Plan



CITY OF COLLEYVILLE
CITY COUNCIL BRIEFING

Agenda Number 6c **Agenda Date** 12/17/2024 **Number** Ordinance O-24-2307
Type Public Hearing Agenda Items
Department Community Development

Title
Consideration of a Special Use Permit to allow for a fence on Lot 16, Block 8, Oak Crest Hills Addition, located at 405 Oak Valley Drive, Case ZC24-022

Explanation
Second Reading and Public Hearing

The applicant was present and answered questions from the City Council. The discussion included the possibility of additional temporary screening attached to the fence for up to 12 months. The applicant indicated that 37 shrubs have been planted but are currently small and do not provide adequate screening.

First Reading and Public Hearing

MA & S Construction, the applicant, has submitted a request for a Special Use Permit for a fence on Lot 16, Block 8, Oak Crest Hills Addition, being approximately 0.54 acres, and zoned R-20 Single Family Residential. The SUP request is to allow a wrought iron fence and a portion of a wood fence that was built within the required street side yard setback approximately along the property line to remain.

Existing Conditions/Background: The subject property, 405 Oak Valley Drive, resides at the intersection of Oak Valley Drive and Bransford Road and has R-20 Single Family Residential zoning. The property currently has a new single family home that is under construction.

SUP Request: The applicant is requesting approval of an SUP to allow for a wrought iron fence 6-foot in height and a portion of a wood fence to encroach into the required street side yard setback and to be placed along the property line.

Ordinance – Section 3.26 Fences, Free Standing Walls, and Screening Materials Regulations of the Land Development Code establishes the maximum size and location of fencing to be permitted by staff on a residential lot:

E. Fence and Free-Standing Wall Setback Requirement:

1. Corner Side Yards: Except where allowed elsewhere in this chapter, no fence or freestanding wall greater than thirty (30) inches in height and greater than twenty-five (25) percent opaque construction shall extend into the required street

side yard. A fence that is greater than thirty (30) inches in height and no greater than twenty-five (25) percent opaque construction may extend into the required street yard and be located not less than ten (10) feet from the side property line. The regulations of 1.a through 1.d above shall apply.

Special Use Permit Provision: Any request for a building permit for a fence/wall which does not meet the criteria in this Section shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.

Analysis: The applicant is making the request to keep a fence that encroaches into the required street side yard setback after a fence permit was issued in error. The fence is composed of wrought iron along Bransford Road and wood along the rear. The wrought iron portion of the fence complies with the 25% opaque construction requirement. The alignment of the fence is consistent with other fences and buildings along the west side of Bransford Road. Additionally, the wood fence provides screening from the adjacent commercial property to the south.

Plat Status: The property is platted as Lot 16, Block 8, Oak Crest Hills Addition.

DRC Review: The DRC reviewed the request during their October 21, 2024 and determined the case would be scheduled for the next available Planning and Zoning Commission meeting.

Drainage: NA

Surrounding Development: The properties to the north and west are zoned R-20 Single Family Residential and improved with single family homes. The properties to the east are zoned R-10 Single Family Residential and improved with single family homes. The property to the south is zoned CN Neighborhood Commercial and improved with an office building.

Public Notification: Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1,000 feet of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code.

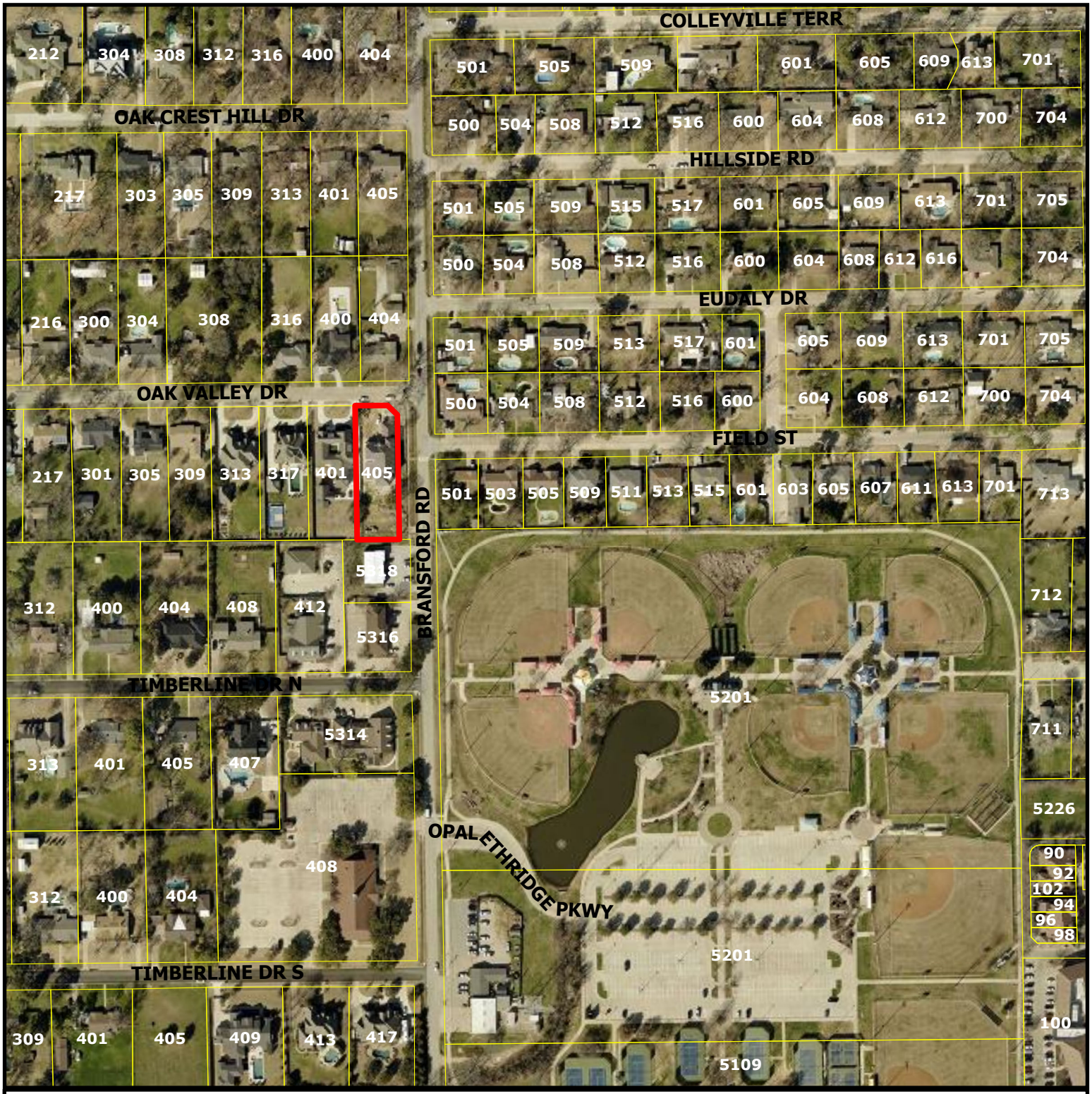
Staff Recommendation: Staff recommends approval of the requested SUP. The fence location is consistent with other fences along Bransford Road and provides screening to the adjacent commercial property to the south.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval with the condition that the additional screening material attached to the fence be removed at their November 12, 2024 meeting by a vote of 6-0.

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Fence Site Plan
5. Photos of Fence
6. Additional Photos of Fence 12.03.2024
7. Notification Map
8. Notification Letter
9. Notification List
10. Ordinance O-24-2307

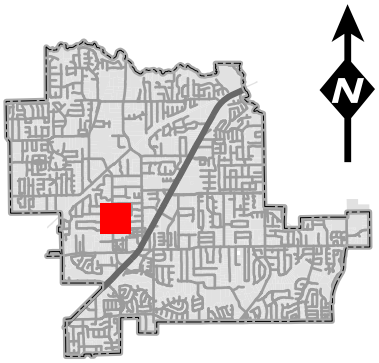
Aerial Map



CITY OF COLLEYVILLE TEXAS

ZC24-022

405 Oak Valley Dr



Subject Property

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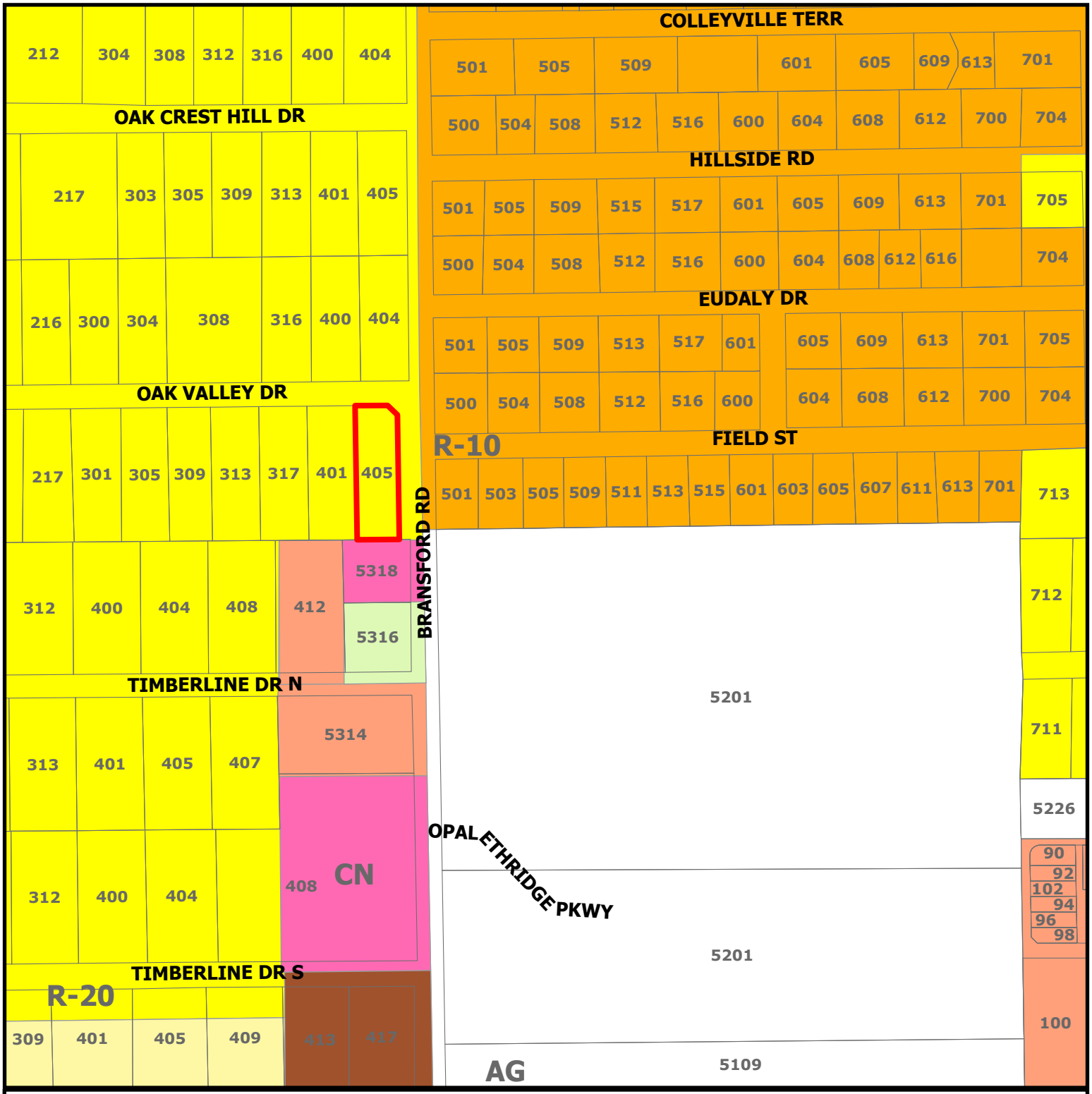
Zoning Map



CITY OF COLLEYVILLE TEXAS

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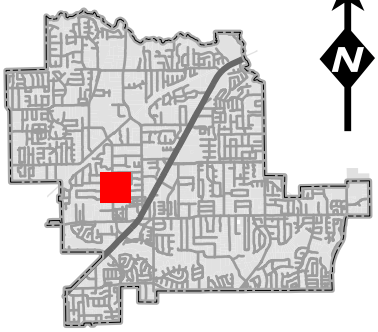
ZC24-022

405 Oak Valley Dr

Subject Property



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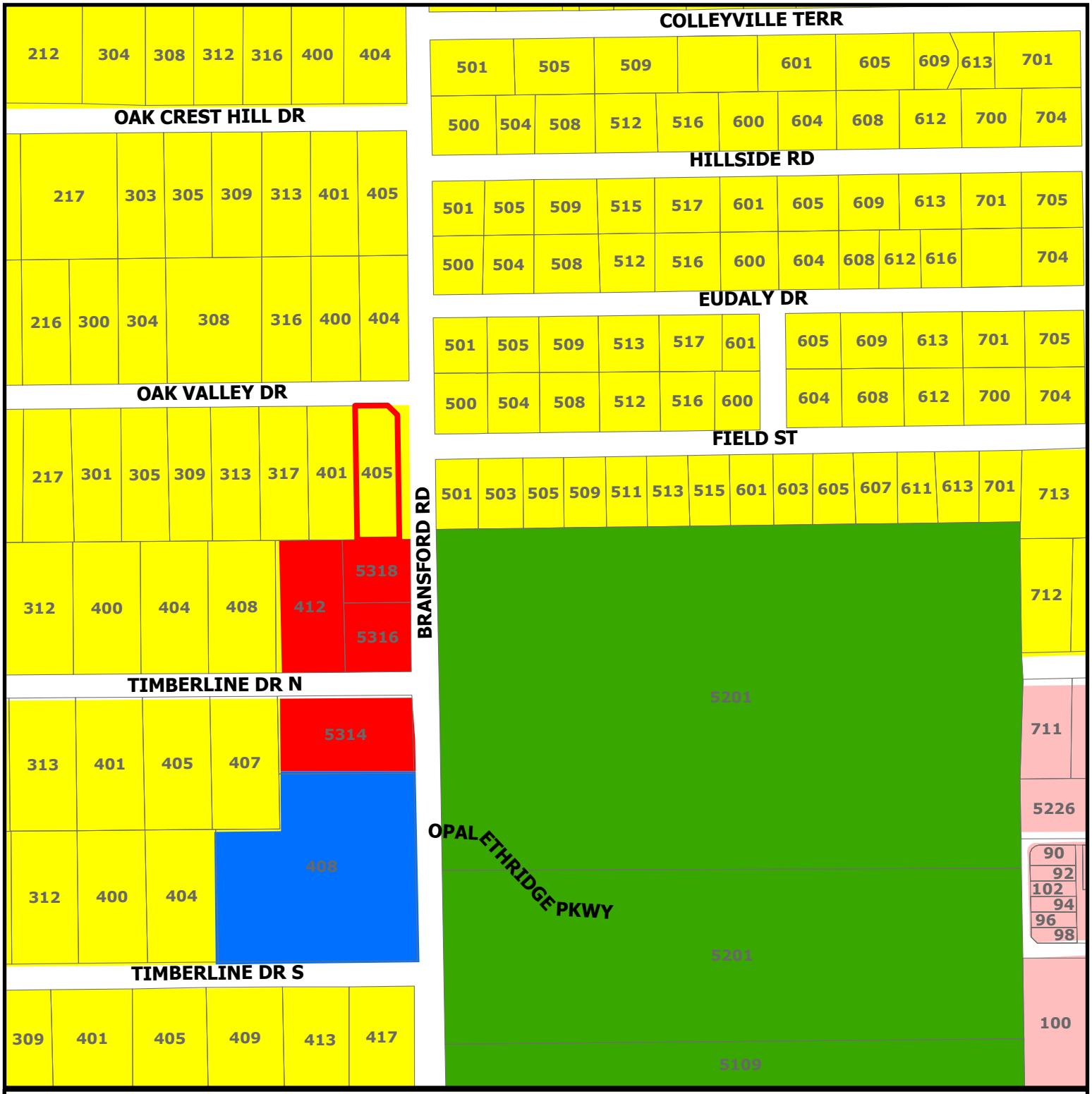
Future Land Use Map



CITY OF COLLEYVILLE TEXAS

ZC24-022

405 Oak Valley Dr

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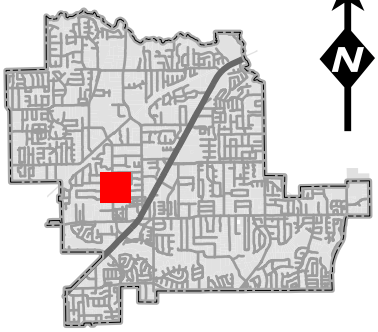
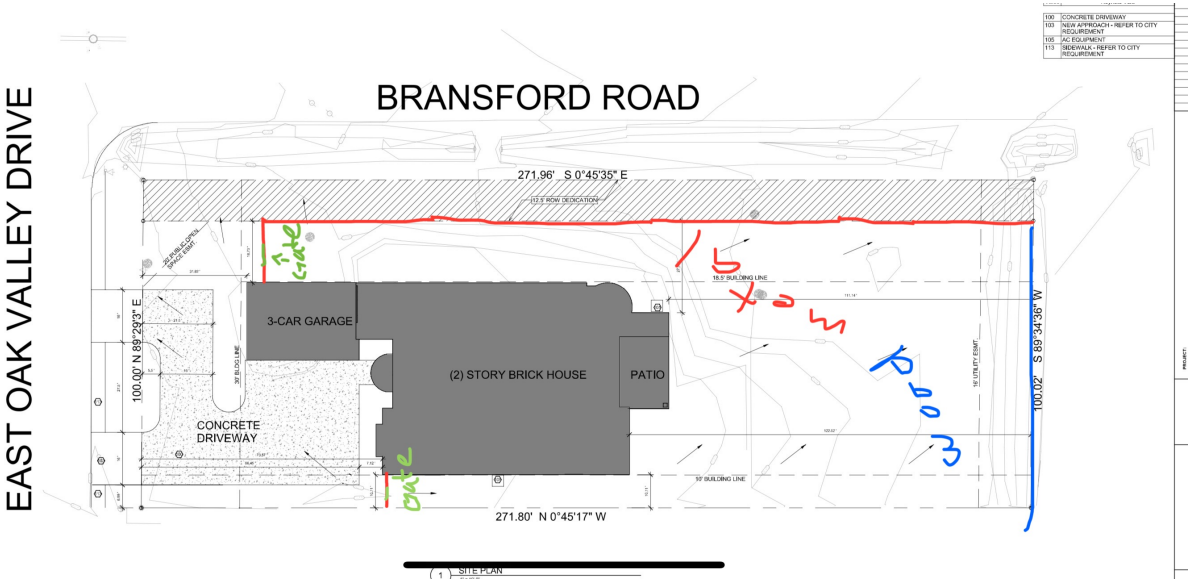
- Residential
- Commercial
- Institutional
- Colleyville Blvd Corridor
- Open Space; Parks
- Subject Property

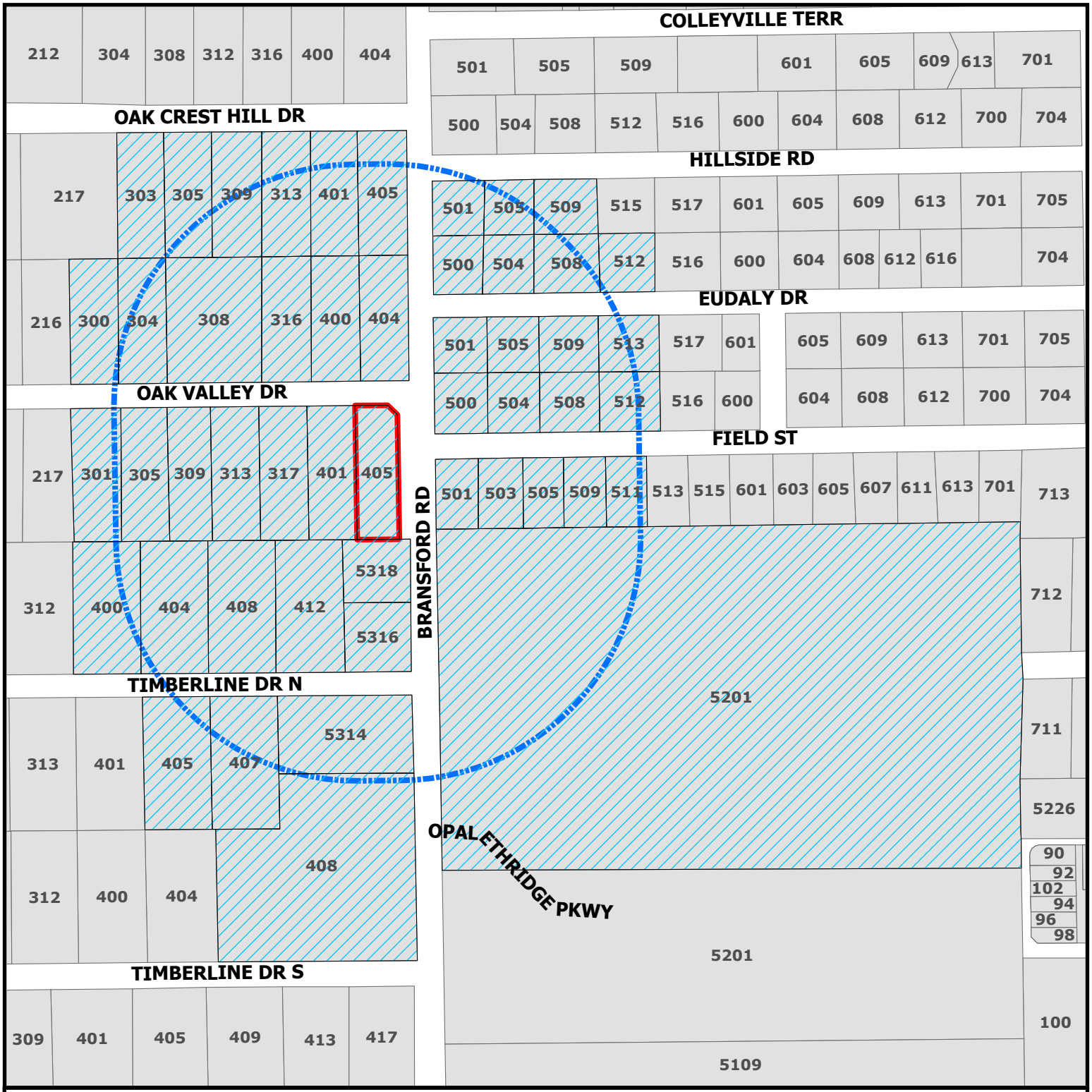



EAST OAK VALLEY DRIVE
BRANSFORD ROAD
271.96' S 0°45'35" E
12.5' ROW DEDICATION
25' PUE (OPEN DRAINAGE)
3-CAR GARAGE
(2) STORY BRICK HOUSE
PATIO
CONCRETE DRIVEWAY
30' BLDG LINE
100.00' N 89°29'3" E
18.5' BUILDING LINE
10' BUILDING LINE
10' UTILITY ESMT
100.02' S 89°34'36" W
271.80' N 0°45'17" W
gate
gate
100 CONCRETE DRIVEWAY
103 NEW APPROACH - REFER TO CITY REQUIREMENT
105 AC EQUIPMENT
113 SIDEWALK - REFER TO CITY REQUIREMENT
1 SITE PLAN

SPORT

OAK
STOP

Notification Map



CITY OF COLLEYVILLE TEXAS

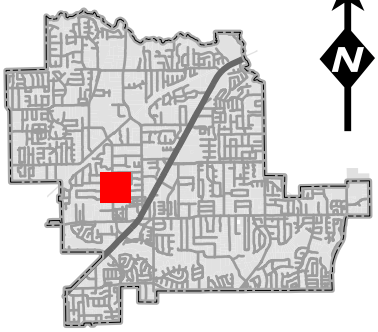
ZC24-022

405 Oak Valley Dr

Parcels to be notified

Buffer

Subject Property



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NOTICE OF PUBLIC HEARING

«Owner_Name»
«Owner_Address»
«Owner_City» «Owner_Zip»

The City of Colleyville has scheduled public hearings concerning the below referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Tuesday, November 12, 2024 at 7:00 p.m.
City Council Meetings: Tuesday, December 3, 2024 & Tuesday, December 17, 2024 at 7:00 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

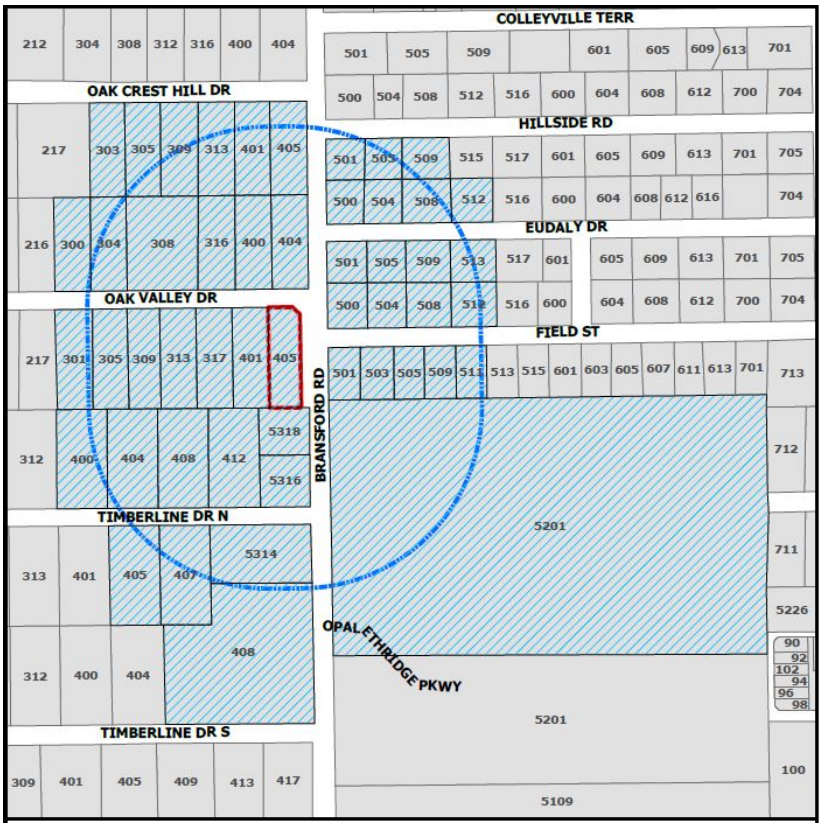
Request:	Consideration of a Special Use Permit for a fence on Lot 16, Block 8, Oak Crest Hills Addition. The request is to allow for a 6-foot wrought iron fence and a portion of a 6-foot wood fence that was built within the required street side yard setback approximately along the property line to remain.
Zoning Case:	ZC24-022
Applicant:	MA & S Construction
Owner:	MA & S Construction
Location:	405 Oak Valley Drive
Property Description:	Lot 16, Block 8, Oak Crest Hills Addition
Present Zoning:	R-20 Single Family Residential

This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address below:

Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034
Citizenletters@Colleyville.com

NOTICE OF PUBLIC HEARING



If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas 76034. A brief project description can be found online on the Agenda Packet and Active Development Case map (please use your phone's camera to scan QR code below):

For additional information, please contact the Community Development Department at 817.503.1050. Please reference the zoning case number when requesting information.

Christopher Pham

Christopher Pham
Planner

Owner_Name	Situs_Addr
ELLENWOOD, ERIC	408 TIMBERLINE DR N
WILLIAMS, ERIC	404 TIMBERLINE DR N
HORST, EVERETT J	400 TIMBERLINE DR N
SOUTHLAKE ASSISTED LIVING LP	412 TIMBERLINE DR N
KIESLING, ROBERT	5316 BRANSFORD RD
RANDY IS DANDY LLC	5318 BRANSFORD RD
VELAZQUEZ, CELIA	407 TIMBERLINE DR N
CHURCH OF JESUS CHRIST OF LDS	408 TIMBERLINE DR S
TORREZ, ROBERT	405 TIMBERLINE DR N
SOUTHLAKE ASSISTED LIVING LP	5314 BRANSFORD RD
FNF PROPERTIES LLC	303 OAK CREST HILL DR
BIRDWELL, JEFF	305 OAK CREST HILL DR
GAUER, FRANCES	309 OAK CREST HILL DR
NORMAN, LESLIE	313 OAK CREST HILL DR
THOMPSON, DONNA V	401 OAK CREST HILL DR
PRESNALL, ROGER	405 OAK CREST HILL DR
AGAPE HOLDINGS LLC	404 OAK VALLEY DR
GAMBILL, MEREDITH	400 OAK VALLEY DR
MARTIN, JERRY WAYNE	316 OAK VALLEY DR
WESTERMAN, THOMAS F	308 OAK VALLEY DR
SIMPSON, VANESSA	304 OAK VALLEY DR
STANKIEWICZ, ANDREW	300 OAK VALLEY DR
SILVEY, ASHLEY	301 OAK VALLEY DR
OAK VALLEY PROPERTY LLC	305 OAK VALLEY DR
WINN, DILLARD R	309 OAK VALLEY DR
MACKEY, SHAWN T	313 OAK VALLEY DR
TAKACS, GERGELY	317 OAK VALLEY DR
SMARTRUST	401 OAK VALLEY DR
MA & S CONSTRUCTION	405 OAK VALLEY DR
BINION, MICHAEL	501 HILLSIDE RD
HERRERA, SARAH	505 HILLSIDE RD
DALTON, JOEL W	512 EUDALY DR
HORAK, JO LANELLE	508 EUDALY DR
QUALLS, JERRY L	504 EUDALY DR
MCINTOSH, DEWITT	500 EUDALY DR
HILLSIDE BLUES LTD	509 HILLSIDE RD
BURY, PAUL M	501 EUDALY DR
HARROD, LARRY D	505 EUDALY DR
ROSE, ANGELA KAREN	512 FIELD ST
HURTADO, ROBERTO	508 FIELD ST
GAYLE, CRYSTAL	504 FIELD ST
SOWELL, JANA M ETAL	500 FIELD ST
FERNANDEZ, CHARLES	509 EUDALY DR
QUEST IRA INC	513 EUDALY DR
BOSHRA, MORKOS	501 FIELD ST
PRESLEY, CHARLES F.	503 FIELD ST
KEEFE, CATHERINE	505 FIELD ST
ABBOTT, MARYANN	509 FIELD ST
SALMERON, ERIC	511 FIELD ST
GRAPEVINE COLLEYVILLE ISD	STATE REQUIRED

ORDINANCE O-24-2307

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY AUTHORIZING A SPECIAL USE PERMIT TO ALLOW FOR A FENCE ON 0.54 ACRES, BEING LOT 16, BLOCK 8, OAK CREST HILLS ADDITION, PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a Special Use Permit to allow for a fence to extend into the street side yard setback, Case No. ZC24-022; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

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

Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit to allow for a fence on 0.54 acres, being Lot 16, Block 8, of the Oak Crest Hills Addition, located at 405 Oak Valley Drive, as depicted on the attached as Exhibit "A".

Sec. 2. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.

Sec. 3. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

a. The Special Use Permit shall allow a fence to extend into the street side yard setback and be placed on the property line.

b. It shall be generally consistent with the site plan and as depicted on the attached Exhibit "B".

c. All requirements of the Land Development Code shall be met, except where amended herein.

Sec. 4. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense.

Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 7. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of December 2024.

The second reading and public hearing being conducted on the 17th day of December 2024.

APPROVED BY A VOTE OF _ AYES, _ NAYS, ON THIS THE 17TH DAY OF DECEMBER 2024.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

ATTEST:

Christine Loven, TRMC
City Secretary

CITY OF COLLEYVILLE

Bobby Lindamood
Mayor

APPROVED AS TO FORM:

Whitt Wyatt
City Attorney

Exhibit "A" - Location and Zoning Map

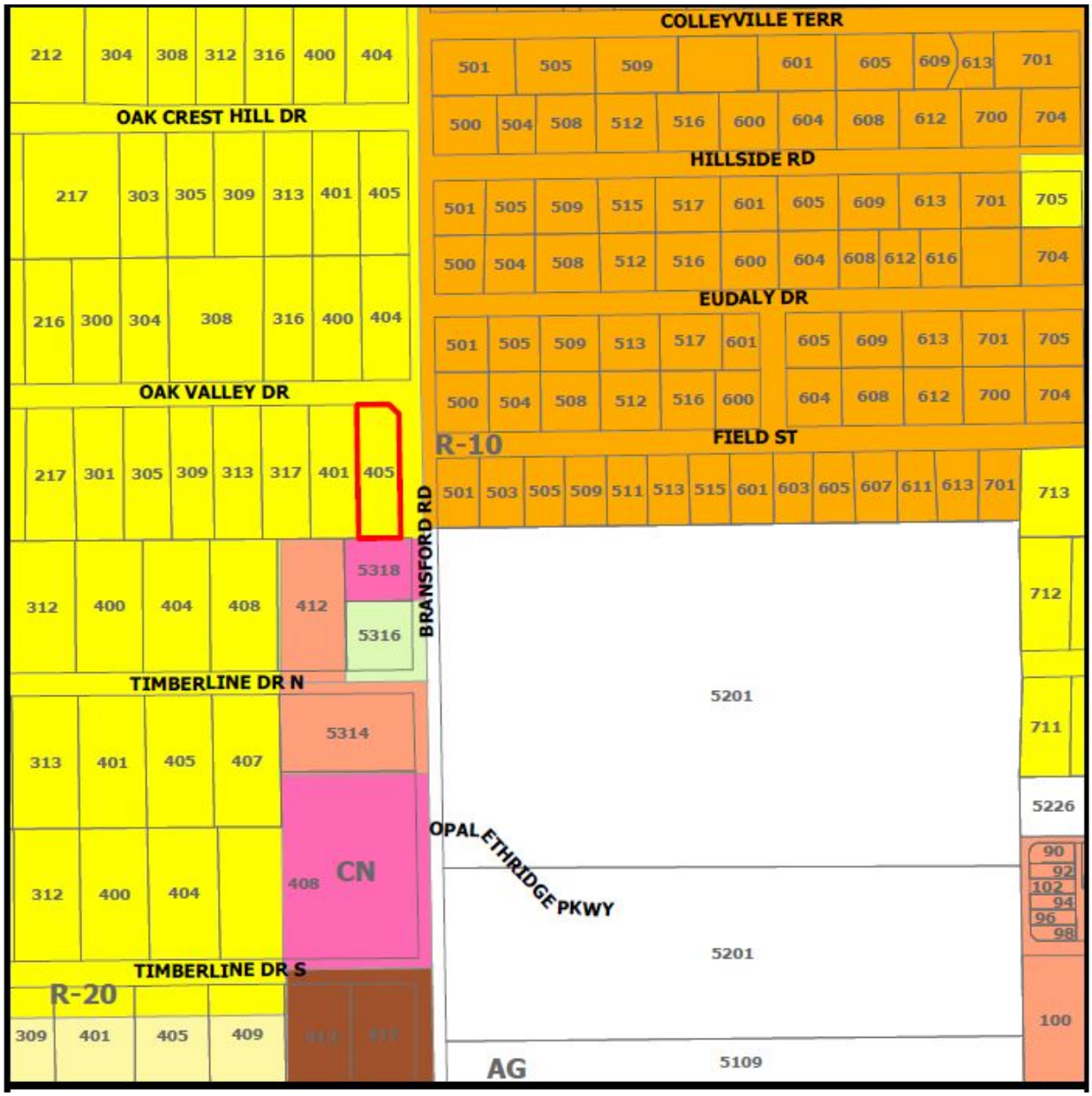
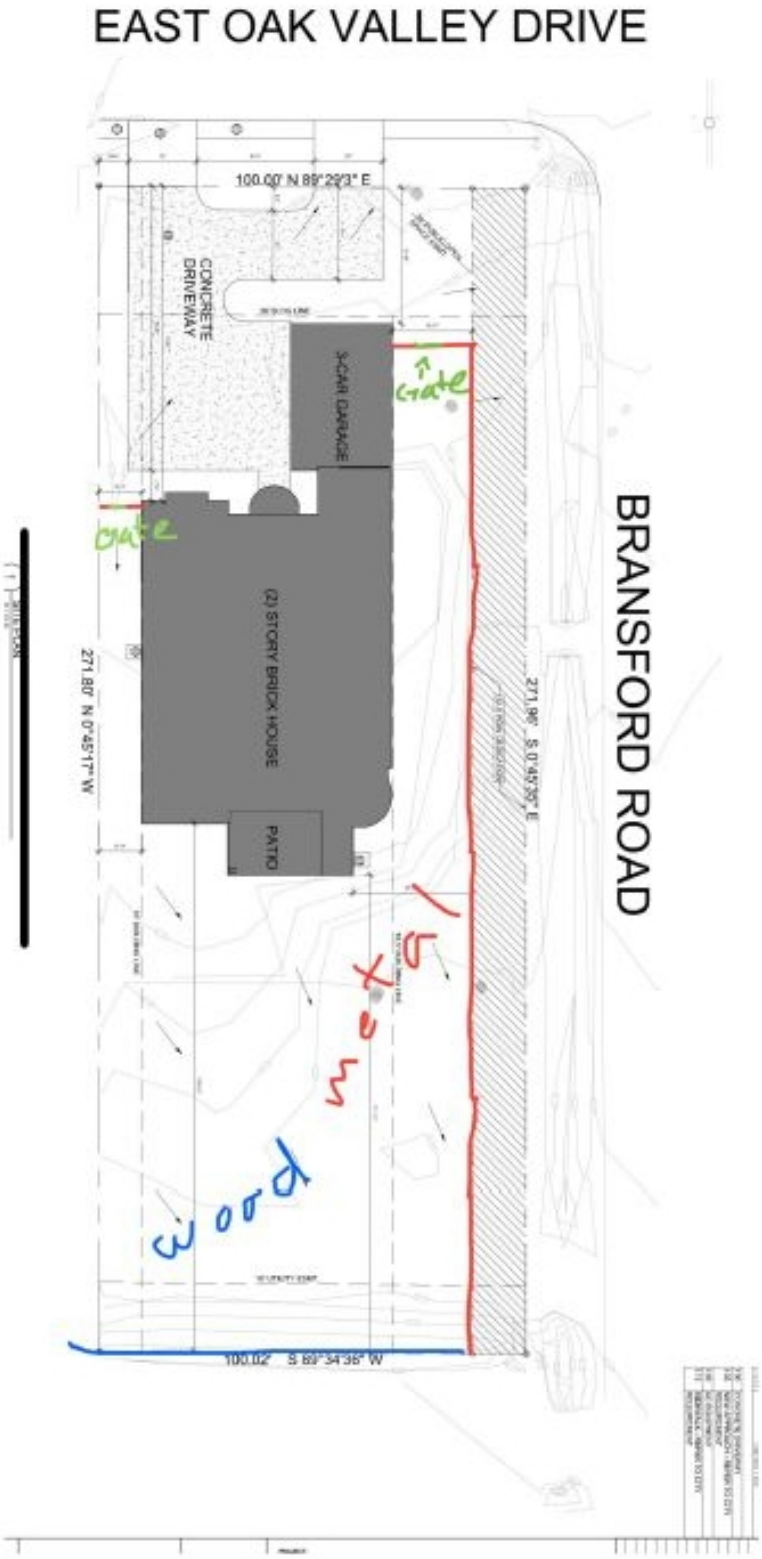


Exhibit "B" – Site Plan



CITY OF COLLEYVILLE
CITY COUNCIL BRIEFING

Agenda Number 6d **Agenda Date** 12/17/2024 **Number** Ordinance O-24-2308
Type Ordinance
Department Community Development

Title
Appeal of decision of denial by the Planning and Zoning Commission for consideration of a Special Use Permit to allow for a residential carport on Lot 8, Block 1, Arbor Estates Addition, located at 2401 Spruce Court, Case ZC24-023

Explanation
Second Reading and Public Hearing

The homeowner was present and answered questions from the City Council. A total of six speakers spoke in favor of the carport. The City Council discussed the differences between carports and garages. Staff reviewed the structure as a garage and identified that a Special Use Permit is still required to address the street side yard setback and size (greater than 4% of the lot area). All other size and material elements would no longer apply.

First Reading and Public Hearing

The Planning and Zoning Commission recommended denial at their November 12, 2024 meeting by a vote of 6-0. The applicant has appealed the case to the City Council for review. When the Planning and Zoning Commission makes a recommendation of denial, a favorable vote of three-fourths (3/4) of all members of the City Council is required for approval of the request.

Joe Chiles, the applicant, has submitted a request for a Special Use Permit to allow for a residential carport on Lot 8, Block 1, of the Arbor Estates Addition, being approximately 0.44 acres, and zoned R-20 Single Family Residential.

Existing Conditions/Background: The subject property, 2401 Spruce Court, is zoned R-20 Single Family Residential. It is located on the south side of the intersection of Spruce Court and Amador Trail. The property is a platted lot and is developed with a single family home. A detached carport was recently built over a section of the home's backyard.

SUP Request: The applicant is requesting approval of an SUP to allow for a carport.

C. Residential Carport Regulations – Carports located in zoning districts, which permit single-family residential dwellings, shall comply with the regulations contained in this section.

1. Approval by Special Use Permit Only: In accordance with the Special Use Permit procedures contained in this Chapter of these zoning regulations, no carport shall be built in the City of Colleyville without approval by the City Council for a Special Use Permit to construct a carport in a zoning district that permits single family residential dwellings.

2. Carport Standards: A carport shall comply with the following regulations, unless the City Council in approving a Special Use Permit for a carport has imposed other requirements necessary in the particular case to protect the public interests.

a. Size: A carport shall not exceed 480 square feet in area. The longest dimension on a carport shall not exceed 24 feet.

b. Height: A carport shall not exceed a maximum height of 15 feet. The height shall be measured from the finished grade to the highest point of the roof.

c. Setbacks:

i. A carport located within ten (10) feet of the principal building shall comply with the front, side and rear yard setbacks of the zoning district. The distance shall be measured between the two closest points of the carport and principal building.

ii. A carport located 10 feet or more from a principal building may extend into a required side yard, provided all of the following conditions are satisfied:
(1) Every part of such carport is unenclosed except for necessary structural supports;
(2) No part of the carport is less than five (5) feet from a side or rear lot line, and
(3) The carport is located completely within the rear yard area as defined in these zoning regulations

d. Design Criteria:

i. Roof - Carports shall have a pitched roof of at least 2:12. Flat roofs shall be prohibited.

ii. Posts - Posts shall be clad or finished of brick, stone, cedar or decorative metal, such as metal lattice. For purpose of this requirement, decorative metal shall consist of twenty-five (25) percent opaque surfaces. The dimension of each post as viewed from each primary elevation shall not be less than eight inches (8”) or more than forty-eight inches (48”). Any carport with two or more elevations that exceed the 48-inch criteria shall be considered an accessory building and be regulated as such. Cedar posts shall be wrapped using masonry stone or brick from the base to at least 50% of the post height. The exposed portion of the cedar post shall be a minimum of 8 inches.

Special Use Permit Provision: Any request for a carport shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in the Land Development Code.

Analysis: The request is to allow for a 1,000 square foot carport that was built to remain. The carport was built without a building permit or the required SUP. The carport is 25 feet in width, 40 feet in length, 20 feet tall, and is located approximately 15 feet from the rear and side property lines. The structure does not currently comply with the material standards, size regulations, height regulations, or setback regulations outlined in the Land Development Code. In the R-20 zoning district, there is a 30-foot setback on the street side yard that structures must not encroach into. The carport was not built with a foundation and is not over an all-weather surface.

Plat Status: The property is platted as Lot 8, Block 1, Arbor Estates Addition.

DRC Review: The DRC reviewed the request during their October 21, 2024 meeting and determined that the application was complete and may be scheduled for the next available Planning and Zoning Commission meeting.

Drainage: NA

Surrounding Development: The properties to the north, south, east, and west are zoned R-20 Single Family Residential and improved with single family homes.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property for residential development. The proposed SUP does not conflict with any portion of the comprehensive plan.

Public Notification: Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1,000 feet of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code.

Staff Recommendation: Staff recommends denial of the Special Use Permit due to technical non-compliance.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended denial of the request at their November 12, 2024 meeting by a vote of 6-0.

Attachments

1. Appeal Request
2. Aerial Map
3. Zoning Map
4. Future Land Use Map

5. Statement of Planning Objectives
6. Statement of Planning Objectives - Updated
7. Site Plan Exhibit
8. Images Provided by Applicant
9. Before and After Photos
10. Notification Map
11. Notification Letter
12. Notification List
13. Letters Received
14. Opposition Map
15. Opposition Report
16. Ordinance O-24-2308

From: Joe Chiles
To: Jackie Reyff
Subject: 2401 Spruce Ct
Date: Thursday, November 14, 2024 1:36:30 PM

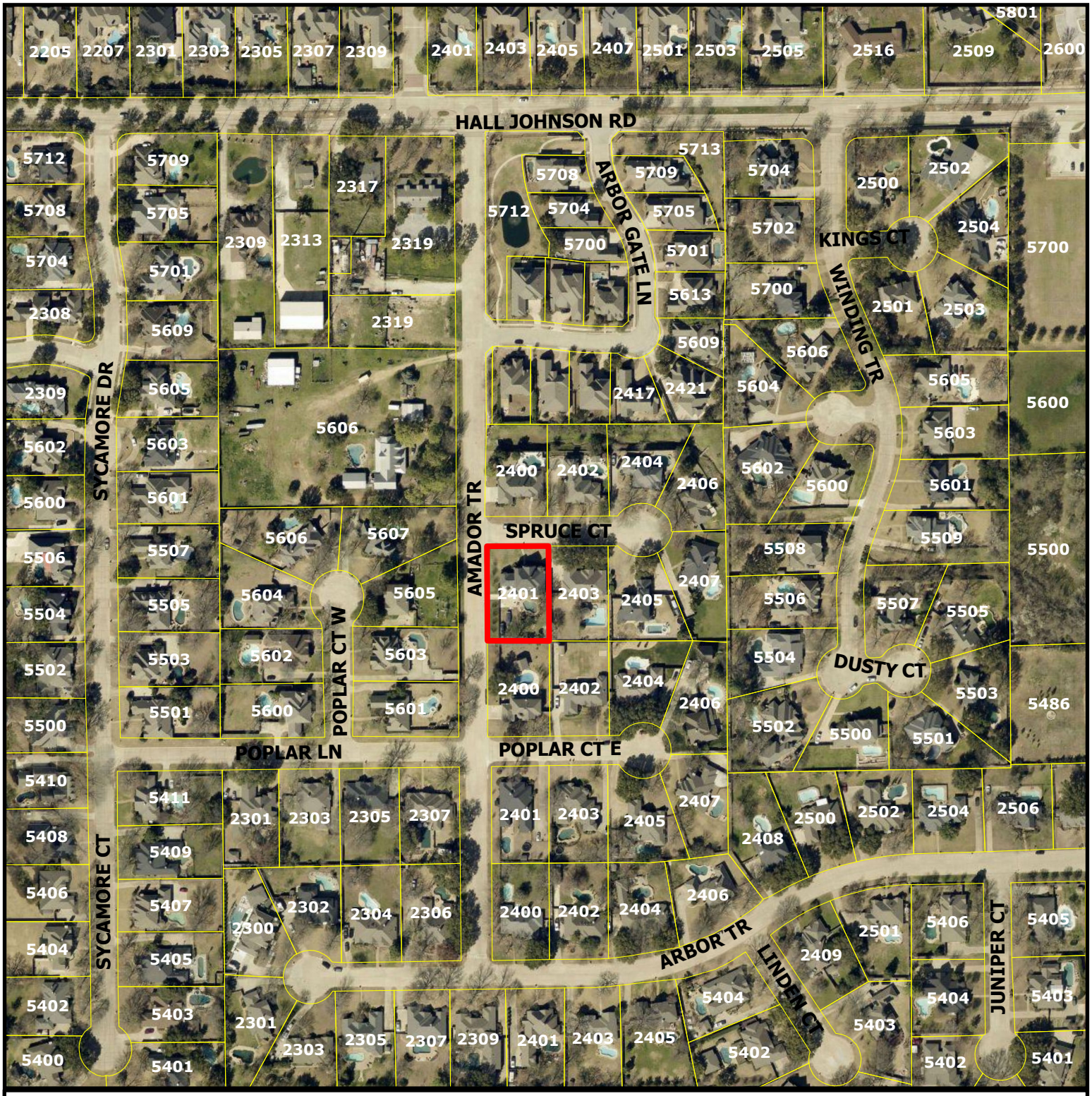
Ms. Reyff,

I would like to appeal to the City Council the P&Z's decision to not grant my SUP and variance requests please.

Thank you,

Joe Chiles
2401 Spruce Ct
Colleyville, TX 76034
(940)999-4926

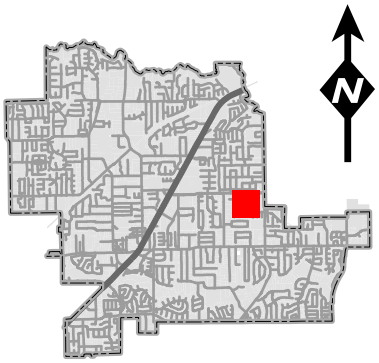
Aerial Map



CITY OF COLLEYVILLE TEXAS

ZC24-023

2401 Spruce Ct



Subject Property

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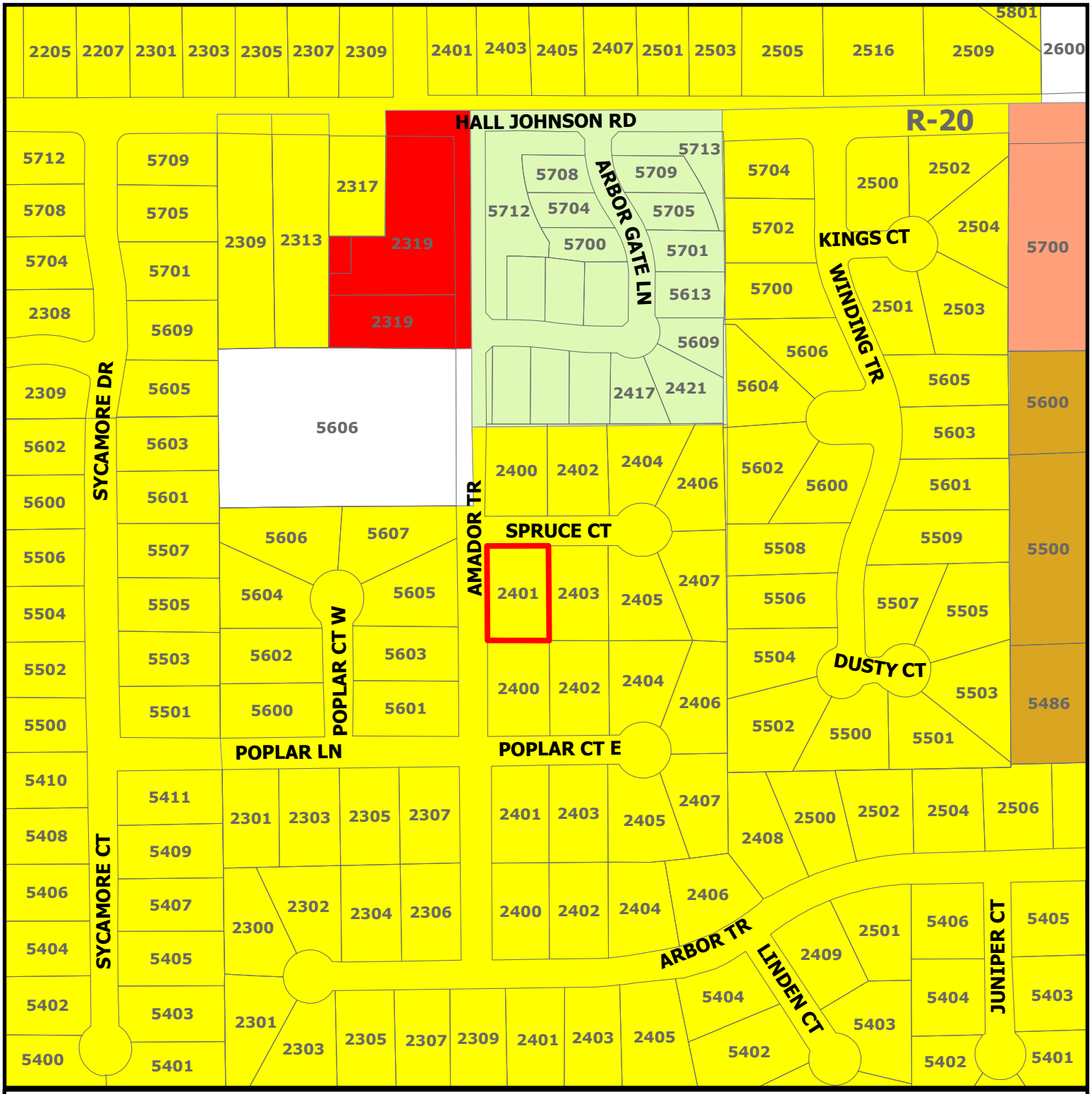
Zoning Map

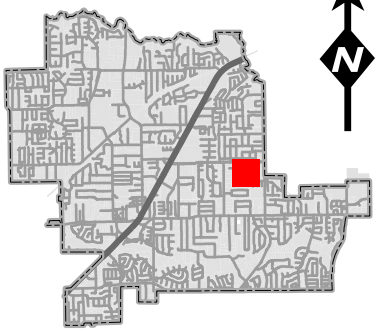


CITY OF COLLEYVILLE TEXAS

ZC24-023

2401 Spruce Ct

Subject Property



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DISCLAIMER:
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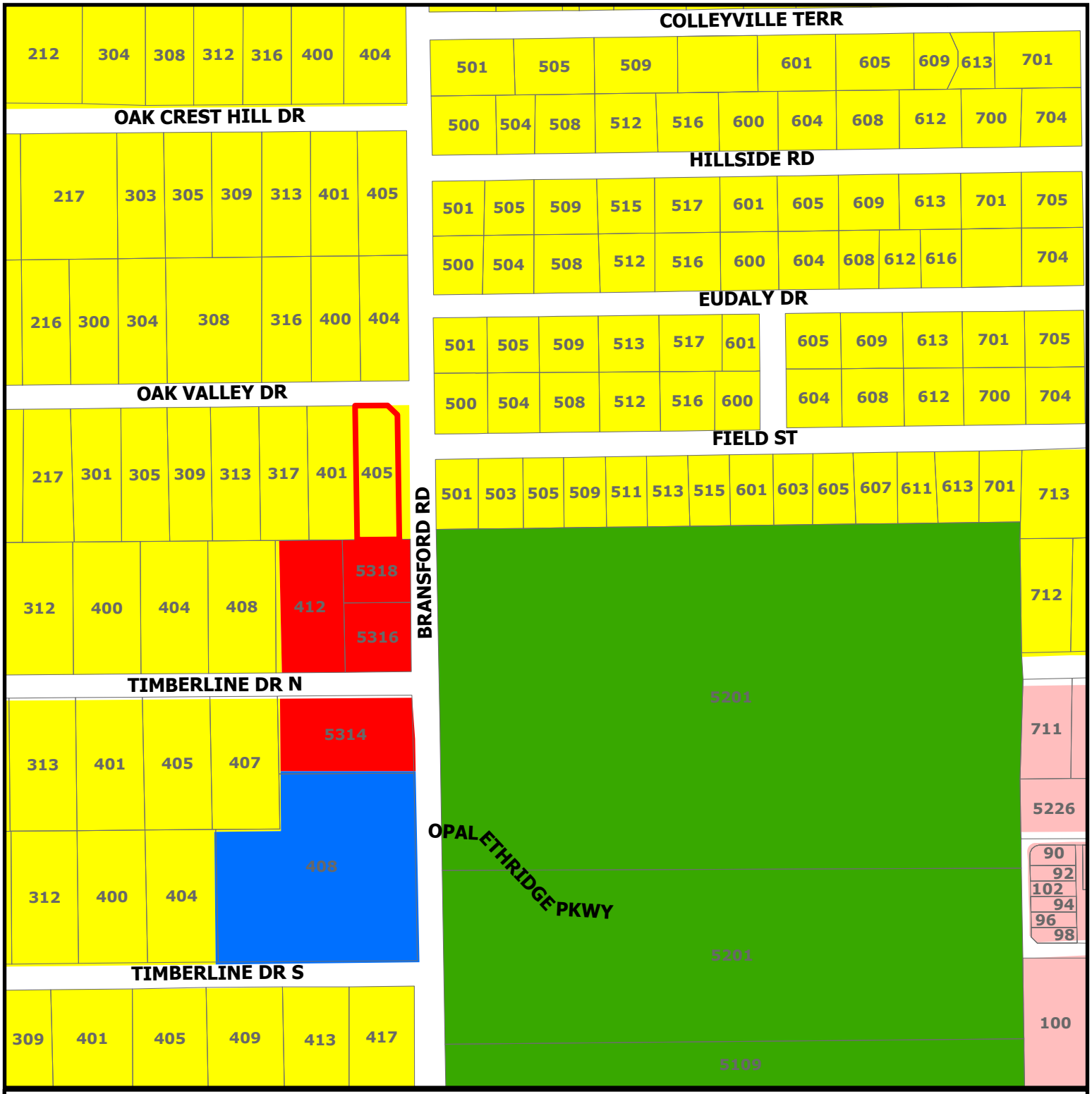
Future Land Use Map



CITY OF COLLEYVILLE TEXAS

ZC24-022

405 Oak Valley Dr

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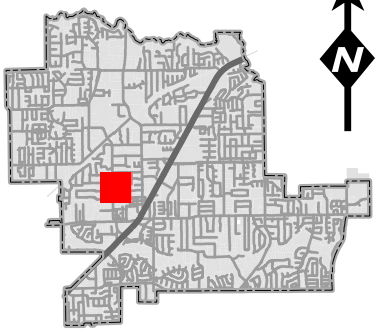
- Residential
- Commercial
- Institutional
- Colleyville Blvd Corridor
- Open Space; Parks
- Subject Property



Joe & Vicki Chiles

2401 Spruce ct
Colleyville TX 76034
United States
940-999-4926

October 10, 2024

City of Colleyville
100 Main Street
Colleyville, TX 76034-1016

To Whom it May Concern,

My wife Vicki and I are lifetime residents of Denton County and moved to Colleyville in May of 2023 after living a short time near Eagle Mountain Lake. We part time in Colorado, so being this close to DFW airport is perfect. We enjoy the small town feel with all the conveniences so near by and are very comfortable here. Thank you for your consideration.

After losing our roof in the damaging hail storms this spring, we decided that we needed to provide protection for our vehicles. We own two classic cars and a Sprinter Van. That is why we built the structure in question. I believe it is within the building lines and outside any easements according to our plat.

I sincerely apologize for not obtaining a Special Use Permit before beginning construction and humbly ask for your consideration to grant our request for a waiver or variance after your review of all the information and inspection of the structure.

Sincerely yours,

Joe Chiles

Joe Chiles

2401 Spruce ct
Colleyville TX 76034
United States
940-999-4926

November 21, 2024

Colleyville City Council
100 Main St.
Colleyville, TX 76034

Honorable Mayor and Esteemed City Council,

I am Joe Chiles. We come before to ask for approval for a Residential Special Use Permit (SUP), possibly with stipulations as to what can be done to satisfy the Council and Building officials to allow the structure in question to remain. I have spoke to many of my immediate neighbors and most would be amicable to let the structure remain with the councils' approval. The folks that are in opposition live between a quarter mile to a half mile from our home. One suggestion from a neighbor was that we raise our fence to the maximum height to help conceal the structure and vehicles. I also have learned that a garage does not have the same restrictions as a carport and I could very easily enclose it and install a door. Another neighbor doesn't mind the structure, but would be more comfortable if the council would grant the SUP. Others are not comfortable getting involved, but admitted to me that they are not opposed to the structure. We are wide open to any suggestions or stipulations in order to permit and finish the structure.

After the super storms this spring we built the shelter to protect our 2 classic cars, Sprinter van and Boat. Parking them on the street or in the open would subject them to possible damage from weather, vandalism and maybe even theft as well as safety concerns. I'm not sure why carports are not allowed as the demand for covered parking is very high and adds value to any property. When we bought our house it had been abandoned by the previous owner for years and was 201 days on the market this time around. When the previous owner tried to dress it up to sell, they made matters worse. Paint was spayed on the roof and windows and nothing was repaired. The

landscape was out of control and the house was covered up and hidden from view. The windows were horrid and the pool was in bad repair. We pulled a dead Raccoon form the attic which had been there for years, Painted the exterior, cleaned up the landscape, removed a giant bolder from the front yard, restrained the fence, etc, etc...

We have invested over $100,000 in this property and brought it back to life. Most people in our area are very happy with all the improvements, including the structure in question. It was designed and built to blend in with our house and surrounding properties, which it does. It looks very similar to other structures in our area such as gazebos, and other detached structures. Currently we have spent about $25,000 on it and it would be very expensive to tear down and haul off.

Real estate professionals have told us that we increased the value of our property significantly and increased the value and curb appeal of all the homes on Amador Trail and Spruce Ct. You are all welcome to come see for yourself and speak to me personally. I have included before and after pictures of the property.

I know this is difficult for all of you, but please consider our side of the story. We must have a unanimous vote from the Council to approve the SUP for the project. So we beg you all to consider granting our application, with or without stipulations, and allow us to consult with the Community Development Director and Building Officials to inspect the structure and report back to you. After Council's consideration of all the information and our commitment in writing to any required stipulations, consider moving forward with the SUP to finish the project to everyones satisfaction. We also pledge to never go forward with any projects without consulting with the City in the future and we sincerely apologize for doing so this time. Thank you for your consideration and thank you for your service.

Sincerely,

Joe Chiles

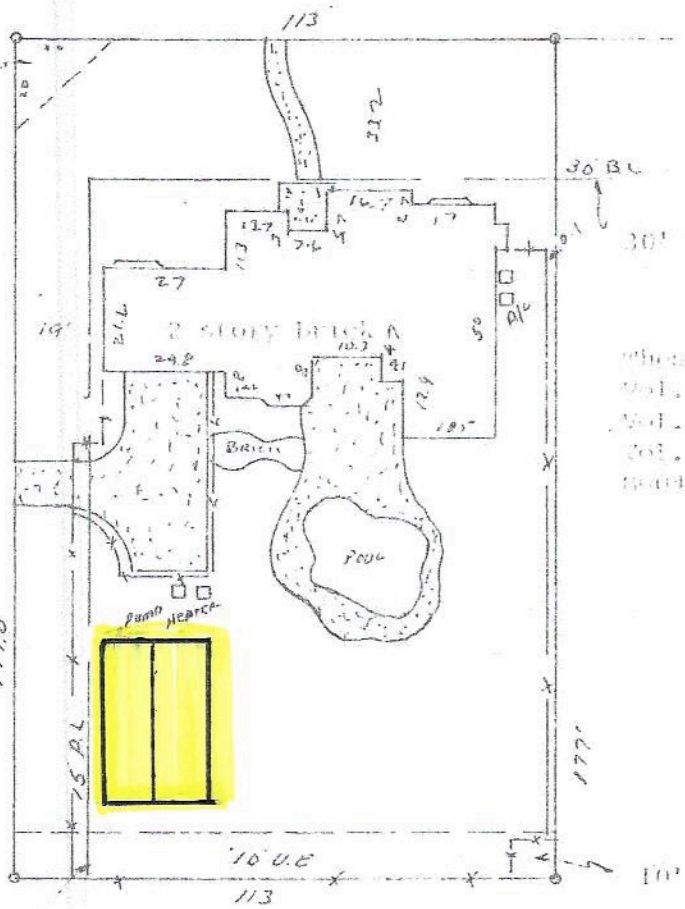
T. D. Disheroon Registered Professional Land Surveyor

6717 Colmont Avenue Fort Worth, Texas 76116 731-0587 FAX 732-2014

LOT 2, BLOCK 1, ARBOR ESTATES, an addition to the City of Colleyville, Tarrant County, Texas, according to the corrected plat thereof recorded in Cabinet A, Slide 1-3, of the Plat Records, Tarrant County, Texas.

2401 [illegible] CODE.

20'X20' Open Space Eqmt. per plat.



30' Bldg. line per plat.

Where easements do not apply Vol. 1972, Pg. 91, [illegible]. Vol. 9644, Pg. 170, [illegible]. Vol. 9644, Pg. 170, and Vol. 9644, Pg. 182, [illegible].

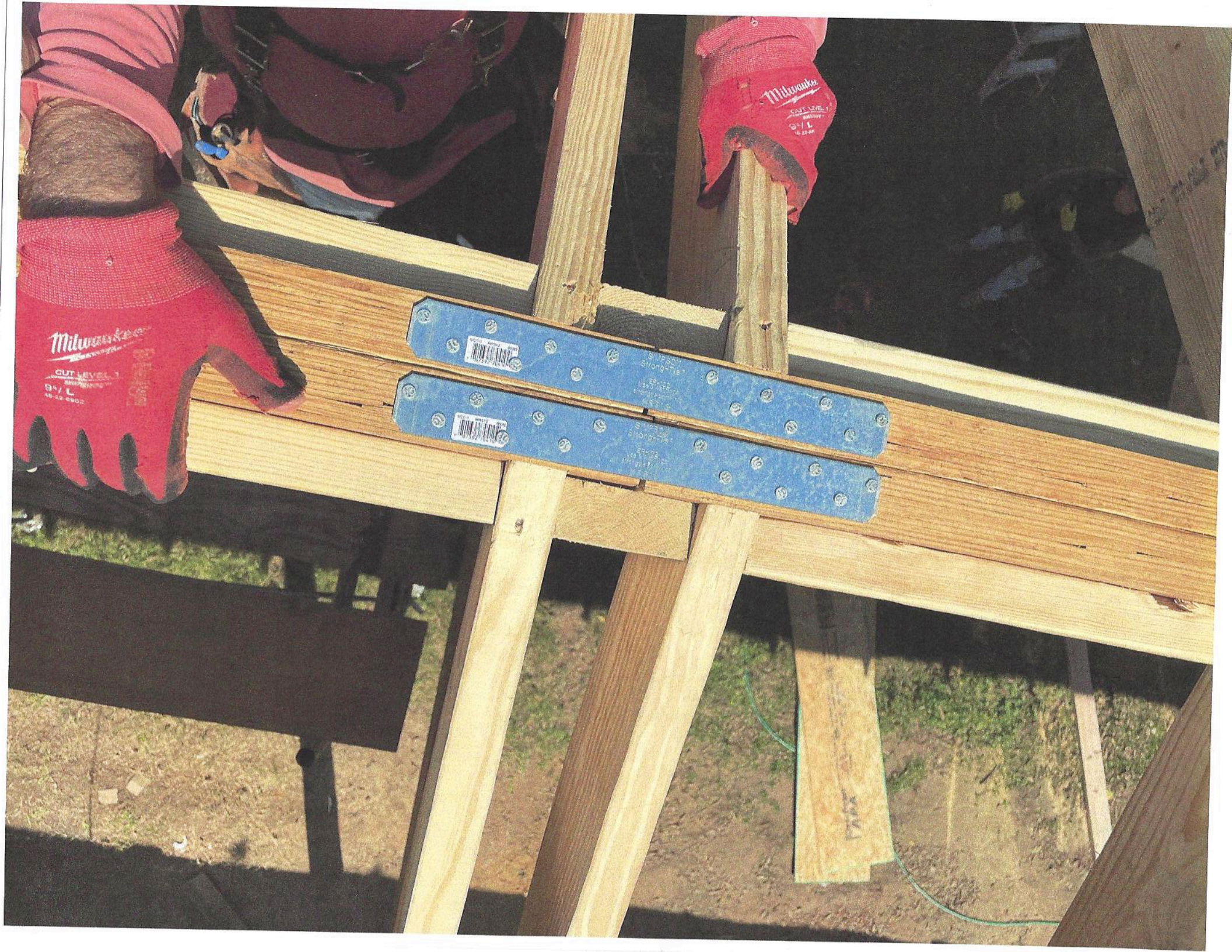
INITIAL HERE

10' utility easement on plat.

15' Bldg. line per plat.

According to FEMA/ U.S. Department of Housing and Urban Development this Property is not in the 100 Year Flood Zone, According to Community Panel Number 480590 0005B Dated December 1, 1982

I hereby certify that this survey was made on the ground of the property legally described hereon and is correct, and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights of way, except as shown hereon, and that said property has access to and from a dedicated roadway.


Milwaukee
CUT LEVEL 1
9 / L
Milwaukee
CUT LEVEL 1
9 / L

PRIVATE PROPERTY
KEEP OUT

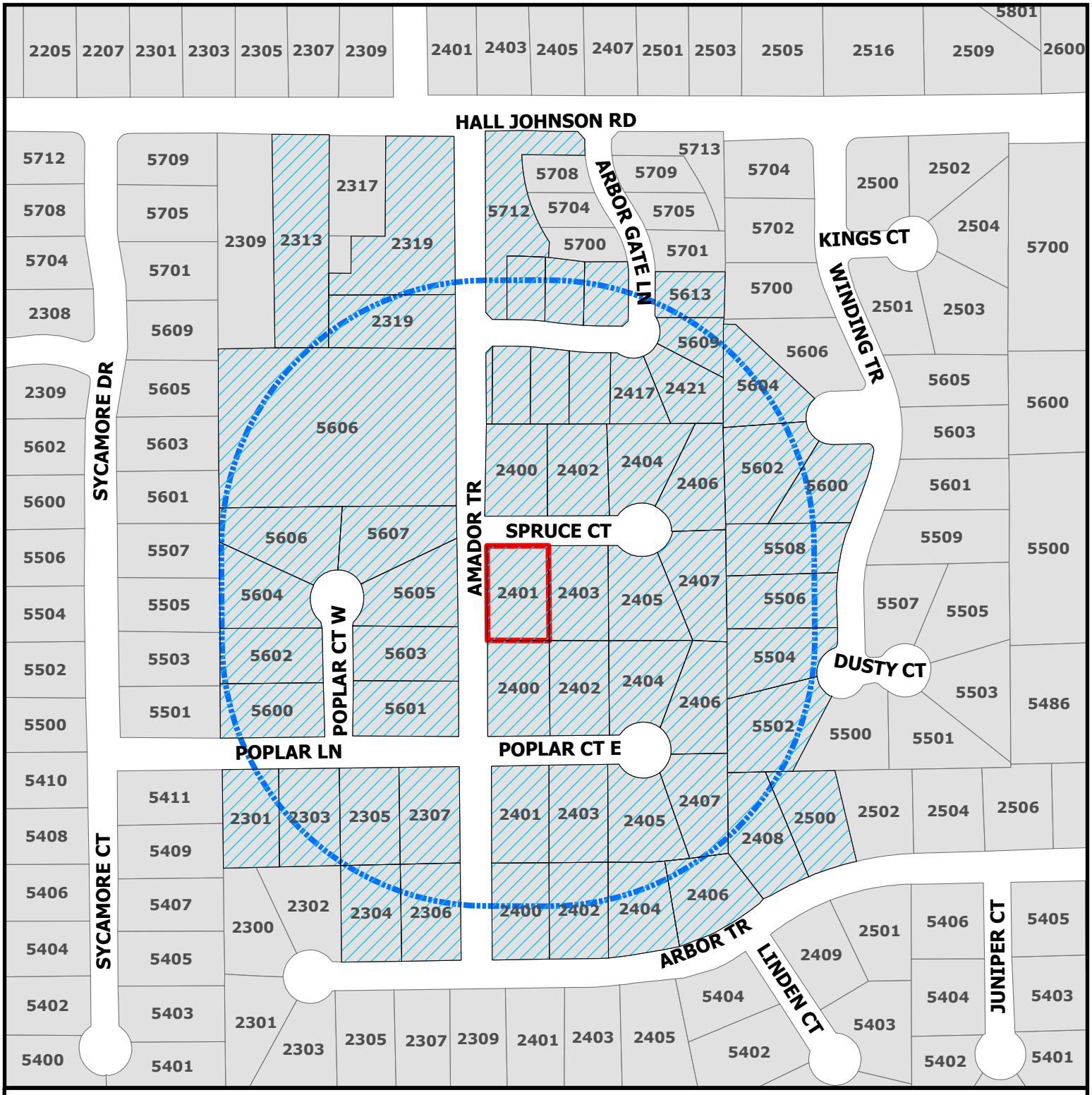
2401
2401

Photos

2401
2401

McClain Trailers

Notification Map



CITY OF COLLEYVILLE TEXAS

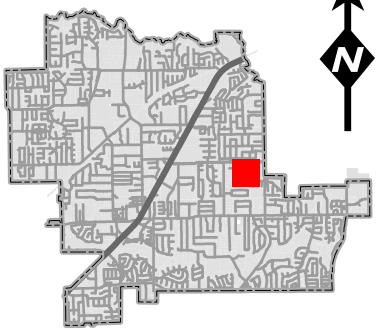
ZC24-023

2401 Spruce Ct

Parcels to be notified

Buffer

Subject Property



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NOTICE OF PUBLIC HEARING

«Owner_Name»
«Owner_Address»
«Owner_City» «Owner_Zip»

The City of Colleyville has scheduled public hearings concerning the below referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Tuesday, November 12, 2024 at 7:00 p.m.
City Council Meetings: Tuesday, December 3, 2024 & Tuesday, December 17, 2024 at 7:00 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

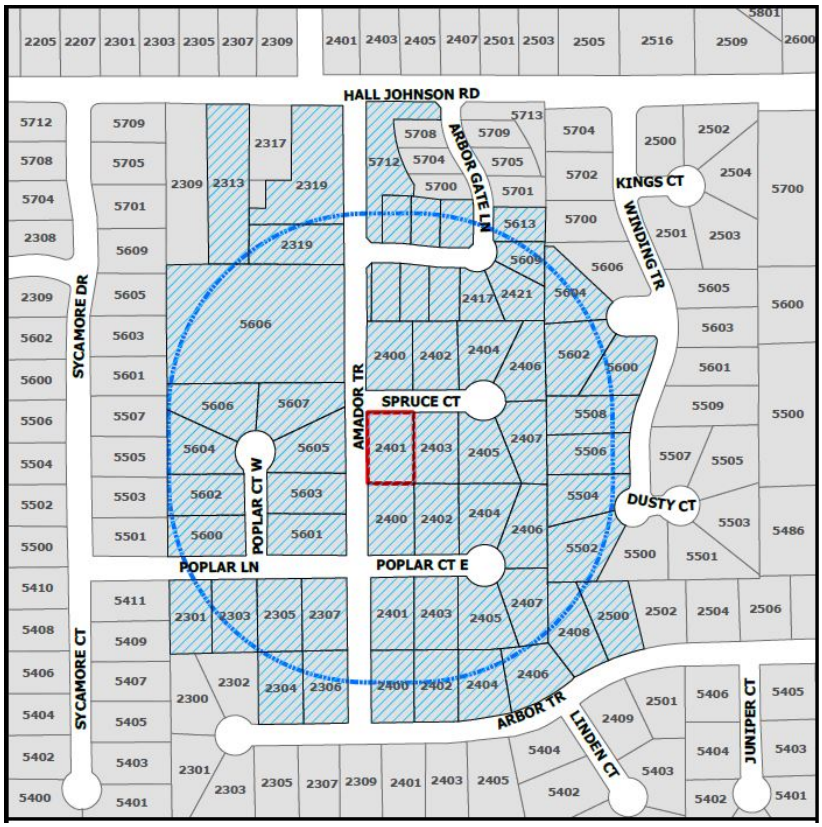
Request:	Consideration of a Special Use Permit to allow for a residential carport that is larger and closer to a property line than allowed on Lot 8, Block 1, Arbor Estates Addition. The request is to allow for a carport that was built without a permit to remain on the property. The carport does not comply with the size and height regulations of the Land Development Code.
Zoning Case:	ZC24-023
Applicant:	Joe Chiles
Owner:	Vickie Colby-Chiles Revocable Trust
Location:	2401 Spruce Court
Property Description:	Lot 8, Block 1, Arbor Estates Addition
Present Zoning:	R-20 Single Family Residential

This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address below:

Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034
Citizenletters@Colleyville.com

NOTICE OF PUBLIC HEARING



If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas 76034. A brief project description can be found online on the Agenda Packet and Active Development Case map (please use your phone's camera to scan QR code below):

For additional information, please contact the Community Development Department at 817.503.1050. Please reference the zoning case number when requesting information.

Christopher Pham

Christopher Pham
Planner

Owner_Name	Situs_Addr
FARES, RABAB	2400 ARBOR GATE LN
SCHAMP, RICK	2404 ARBOR GATE LN
WIESE, SHANNON	2408 ARBOR GATE LN
ENCLAVE AT ARBOR ESTATES HOA	5712 ARBOR GATE LN
ZELLA LIVING TRUST	2405 ARBOR GATE LN
FAULKNER, DENNIS	2409 ARBOR GATE LN
KALAMKAR SHAH REVOCABLE LIVING TRUST	2413 ARBOR GATE LN
MANTEL, RONALD P	2417 ARBOR GATE LN
SMALLWOOD, DAN LEE	2421 ARBOR GATE LN
SWAN, STANLEY	5609 ARBOR GATE LN
TU, YIDONG	5613 ARBOR GATE LN
ENCLAVE AT ARBOR ESTATES HOA	2401 ARBOR GATE LN
PRIMROSE, RANDALL	2313 HALL JOHNSON RD
HALL, CHARLIE W	5606 AMADOR TR
NORTHEAST PROPERTIES INC	2319 HALL JOHNSON RD
HALL, CHARLIE	2319 HALL JOHNSON RD
HEBERT, MICHAEL A	5504 DUSTY CT
GRECO, VINCENT L	5502 DUSTY CT
HARRISON, GARY L	5604 CREEKSIDE CT
GEHLER, CHRISTOPHER	5602 CREEKSIDE CT
KUPPER, CASEY M	5600 CREEKSIDE CT
BLACK, CHRIS	5508 WINDING TR
CORREA, FRANCOSCO	5506 WINDING TR
GILBERT, JASON	2400 SPRUCE CT
SHORT, ANTHONY K	2402 POPLAR CT E
JACKSON, DANIEL	2404 POPLAR CT E
MARSH, MATTHEW	2406 POPLAR CT E
SLOSSON, MARK R	2407 POPLAR CT E
VELLA, DAVID M	2405 POPLAR CT E
THE SSH TRUST	2403 POPLAR CT E
ARITA, JON	2401 POPLAR CT E
ALOTTO, JAMES R	2400 ARBOR TR
HARRINGTON, JON D	2402 ARBOR TR
JONES, RUTH-ANN	2404 ARBOR TR
FOREMAN, NATHAN	2402 SPRUCE CT
FARISS, LANDON	2406 ARBOR TR
WANG, ERIC T	2408 ARBOR TR
BURNETT, MEGAN	2500 ARBOR TR
WOOTEN, JENNIFER	2404 SPRUCE CT
HOELSCHER, SKYLER	2406 SPRUCE CT
SHUMATE, LORA LEIGH	2407 SPRUCE CT
SMITH, TORY	2405 SPRUCE CT
HARRIS MANAGEMENT TRUST	2403 SPRUCE CT
MARRS, KATHI	2400 POPLAR CT E
TOOKEY LIVING TRUST	5601 POPLAR CT W
TOOKEY, RICHARD	2303 POPLAR LN
HALLMARK, SANDRA	2305 POPLAR LN
SCHNEIDER, RONALD	2307 POPLAR LN
THE ARINGTON FAMILY TRUST	2306 ARBOR TR
BOLTON, JEFFREY M	2304 ARBOR TR
WYLIE, C TODD	5603 POPLAR CT W
TIAN, YOUQIN	5605 POPLAR CT W
CASE, GARY	5607 POPLAR CT W
NAJA, NICOLE	5606 POPLAR CT W
FARISS ROBERT AND LESLIE FARISS REVOCABLE LIVIN(	5604 POPLAR CT W
YATES, CLINT	5602 POPLAR CT W
WALLACE, MATTHEW	5600 POPLAR CT W

TAYLOR, THOMAS P	2301 POPLAR LN
LEYTON GROVE ADDITION	COURTESY NOTICE
ARBOR ESTATES	COURTESY NOTICE
ARBOR ESTATES II	COURTESY NOTICE
ENCLAVE AT ARBOR ESTATES, THE	COURTESY NOTICE
HIGHLAND MEADOWS ADDN	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	STATE REQUIRED
VICKIE COLBY-CHILES REVOCABLE TRUST	2401 SPRUCE CT

From: [redacted]
To: Citizen Letters
Subject: Joe Chiles carport ZC24-023
Date: Tuesday, November 5, 2024 12:38:14 PM

To the City of Colleyville,

I received your letter regarding Joe Chiles' car port (ZC24-023). I live directly behind him and view it daily. This note is to inform you that I do not have a problem with his carport or your issuance of a Special Use Permit.

Respectfully,

Kathi Marrs
2400 Poplar Ct E, Colleyville, TX 76034

Please acknowledge receipt of this email and submit it for the hearing.

From: [redacted]
To: Citizen Letters; Kristopher Potts
Subject: Special Use Permit for Case ZC24-023
Date: Tuesday, November 5, 2024 3:07:22 PM

Dear Planning and Zoning Commissioners,

I received a letter from the City of Colleyville regarding a request for a Special Use Permit for Lot 8, Block 1 in the Arbor Estates Addition. While I recognize and appreciate the owner's attempt to make such a huge structure as visually appealing as possible, I am nonetheless opposed to a Special Use Permit because it sets an untenable precedent.

If this property owner is given an after the fact Special Use Permit, what happens when the next neighbor wants to build a similar structure to protect a boat or RV? While a slap-on-the-wrist fine may serve as some measure of punishment, the structure remains a visible testament to others that it is okay to "ask for forgiveness rather than permission" when they want to make additions to their property.

Thank you for your consideration,
Daniel and Norma Jackson
2404 Poplar Ct E, Colleyville, TX 76034

From: [redacted]
To: Citizen Letters
Cc: Kristopher Potts
Subject: Special Use Permit for Case ZC24-023
Date: Thursday, November 7, 2024 3:11:04 PM

Dear Planning and Zoning Commissioners,

I received a letter from the City of Colleyville regarding a request for a Special Use Permit for Lot 8, Block 1 in the Arbor Estates Addition. While I recognize and appreciate the owner's attempt to make such a huge structure as visually appealing as possible, I am concerned about the ability for others in our city/neighbor to build without a permit and seek forgiveness after the fact.

My assumption is that the property owner is aware of requiring a permit prior to building such a large structure. In addition, a certified builder would have also known that a permit is required. As part of the planning and zoning commission is the contractor not at fault as well. Overall, I do pass by the structure multiple times a day and it isn't a horrible structure but rather large. We have other neighbors that have large RV's and as far as I am concerned this may open the door for others to build large structures to cover those RV's. What will the city do at that point? Favor one neighbor over another if approval is provided. Once a decision has been made will we (those that received the initial notification) be notified in writing as to the outcome by the planning and zoning commission? I would hope we would be provided the reasoning for either approval or denial.

Liza and Mark Slosson
2407 Poplar Ct E, Colleyville, TX 76034

From: [redacted]
To: Citizen Letters
Subject: Zoning Case: ZC24-023 - 2401 Spruce Court
Date: Tuesday, November 19, 2024 10:52:02 AM

My husband, Matthew Wallace, and myself own the house at 5600 Poplar CT W in Arbor Estates in Colleyville, TX. We cannot attend the city council meeting on Dec. 3 or Dec. 17, so I am writing this email, it can be made part of the public record.

We received notice of a public hearing regarding a neighbor at 2401 Spruce CT. They are asking for the carport that was built on this property be able to remain on the property.

The carport on this property is a very nice carport, I would hate to see them have to tear it down. It is on the side of their property that is next to the street. **We give approval to their request for this carport**, that does not comply with size and height regulations, **to remain on property**.

Angela Wallace

From: [redacted]
To: Citizen Letters
Subject: Zoning Case ZC24-023, Joe Chiles, 2401 Spruce Court
Date: Friday, November 22, 2024 2:06:12 PM

To Community Development, City of Colleyville, Colleyville City Council:

I would like to express my firm opinion of the zoning change request for this matter.

I have lived at 2407 Spruce Court for 34 years. During that time, the home at 2401 Spruce Court was practically abandoned for many years. Mr. and Mrs. Chiles moved in a year and a half ago and have brought some wonderful changes to our neighborhood. They have invested heavily in the property's value and in turn the value of Arbor Estates. Everything that has been done is top-of-the-line, first class quality improvements.

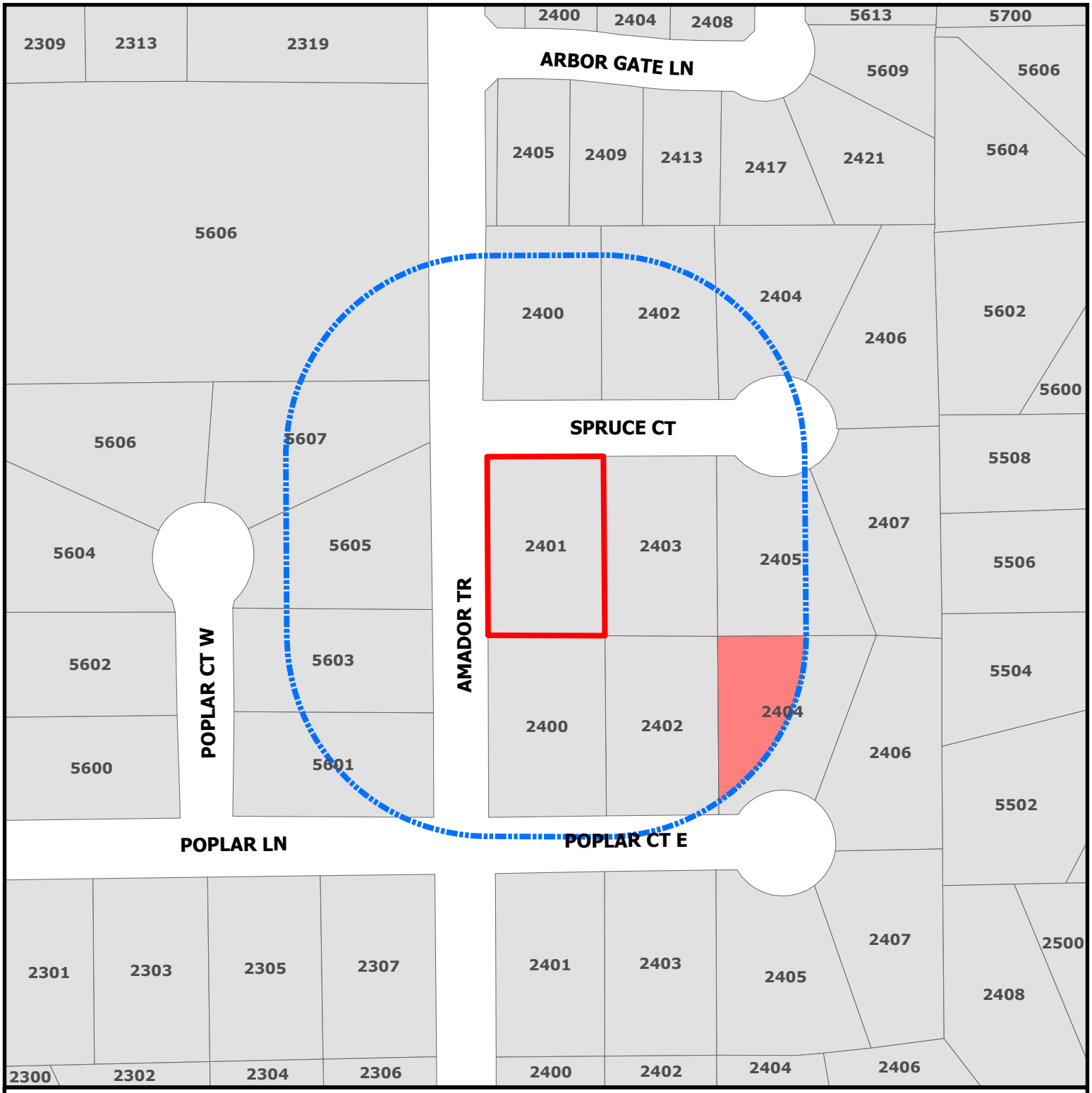
Because we have a "voluntary" HOA in this neighborhood, many owners park large RV's and boats in their backyards where they are easily visible from the street. Over-sized trucks and vans park in the driveway or on the street. Mr. Chiles invested in a quality structure that looks like a covered patio. It does not in any way harm the aesthetics of the neighborhood. And trust me, I have been a realtor for 10 years, and work for Tim Gauntt at Century 21 Judge Fite in Colleyville. I am well qualified to state my evaluation of the property improvements and value.

Please allow an exception for this structure, as it is an excellent addition to the property and neighborhood.

Sincerely,

Lora Shumate
2407 Spruce Court

Opposition Map



CITY OF COLLEYVILLE TEXAS

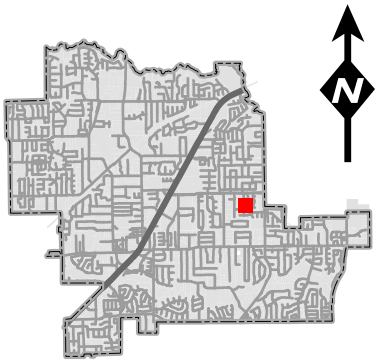
ZC24-023

2401 Spruce Ct

Subject Property

Opposing

Buffer_Protest



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List of Opposing Properties

Address	Owner's Name	Percentage
2404 POPLAR CT E	JACKSON, DANIEL	4.16%

Address Count : 1 **Total Percentage:** 4.16%

Date : 11/5/2024 3:45 PM

ORDINANCE O-24-2308

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON APPROXIMATELY 0.44 ACRES, BEING LOT 8, BLOCK 1, ARBOR ESTATES ADDITION, LOCATED AT 2401 SPRUCE COURT, BY AUTHORIZING A SPECIAL USE PERMIT TO ALLOW FOR A RESIDENTIAL CARPORT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a Special Use Permit to allow for a Carport under Case No. ZC24-023; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

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

Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit for a Residential Carport on 0.44 acres, being Lot 8, Block 1, Arbor Estates Addition, located at 2401 Spruce Court, as depicted on the attached as Exhibit "A".

Sec. 2. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.

Sec. 3. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

a. The Special Use Permit shall allow a carport being 40 feet in length; 1,000 square feet in area; 20 feet in height; encroaching into the street yard 15 feet; no all-weather surface; and posts with no masonry stone or brick 50% of the height.

b. It shall be generally consistent with the site plan and as depicted on the attached Exhibit "B".

c. All requirements of the Land Development Code shall be met, except where amended herein.

Sec. 4. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense.

Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 7. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of December 2024.

The second reading and public hearing being conducted on the 17th day of December 2024.

APPROVED BY A VOTE OF _ AYES, _ NAYS, ON THIS THE 17TH DAY OF DECEMBER 2024.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

ATTEST:

Christine Loven, TRMC
City Secretary

CITY OF COLLEYVILLE

Bobby Lindamood
Mayor

APPROVED AS TO FORM:

Whitt Wyatt
City Attorney

Exhibit "A" - Location and Zoning Map

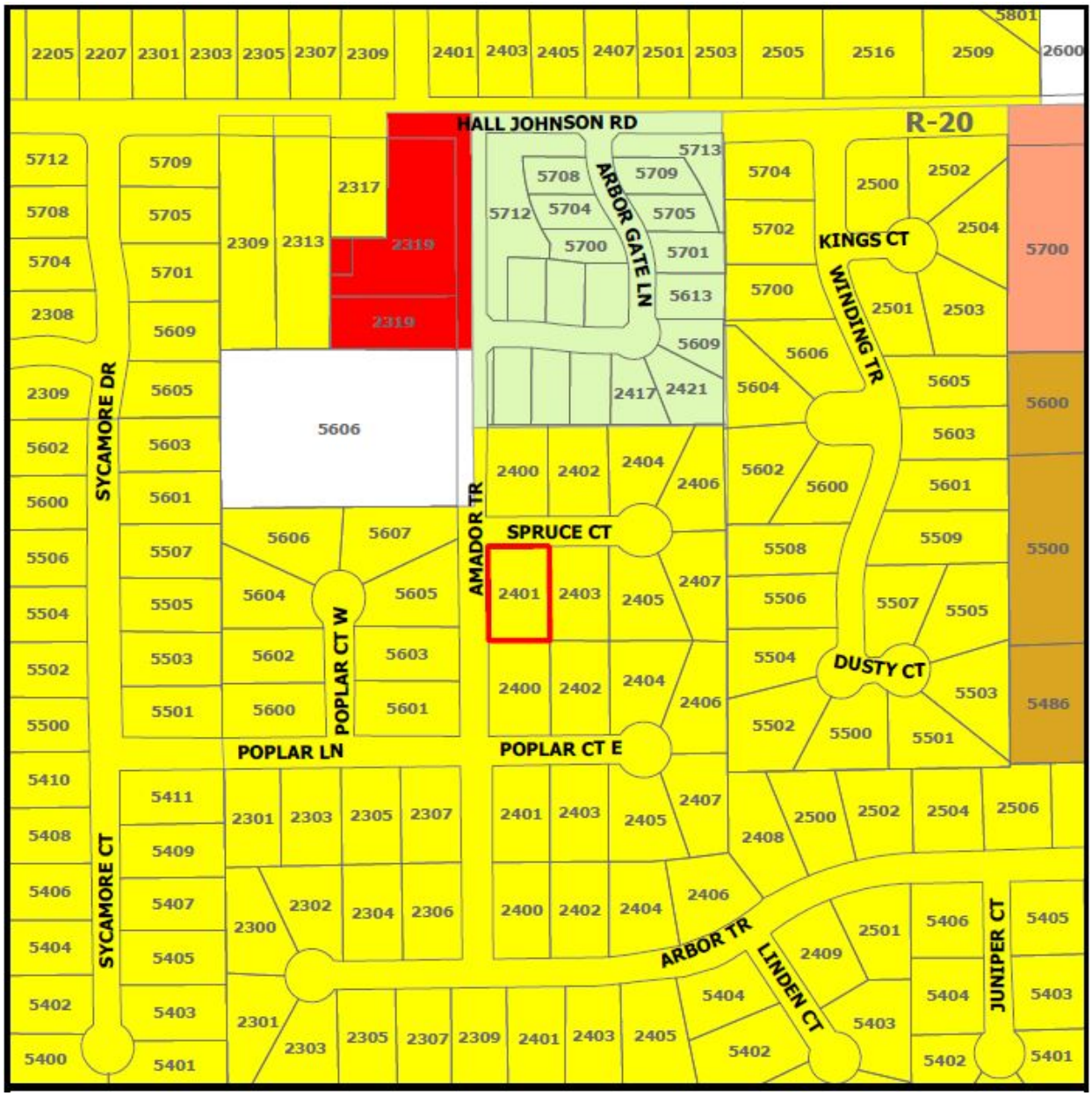
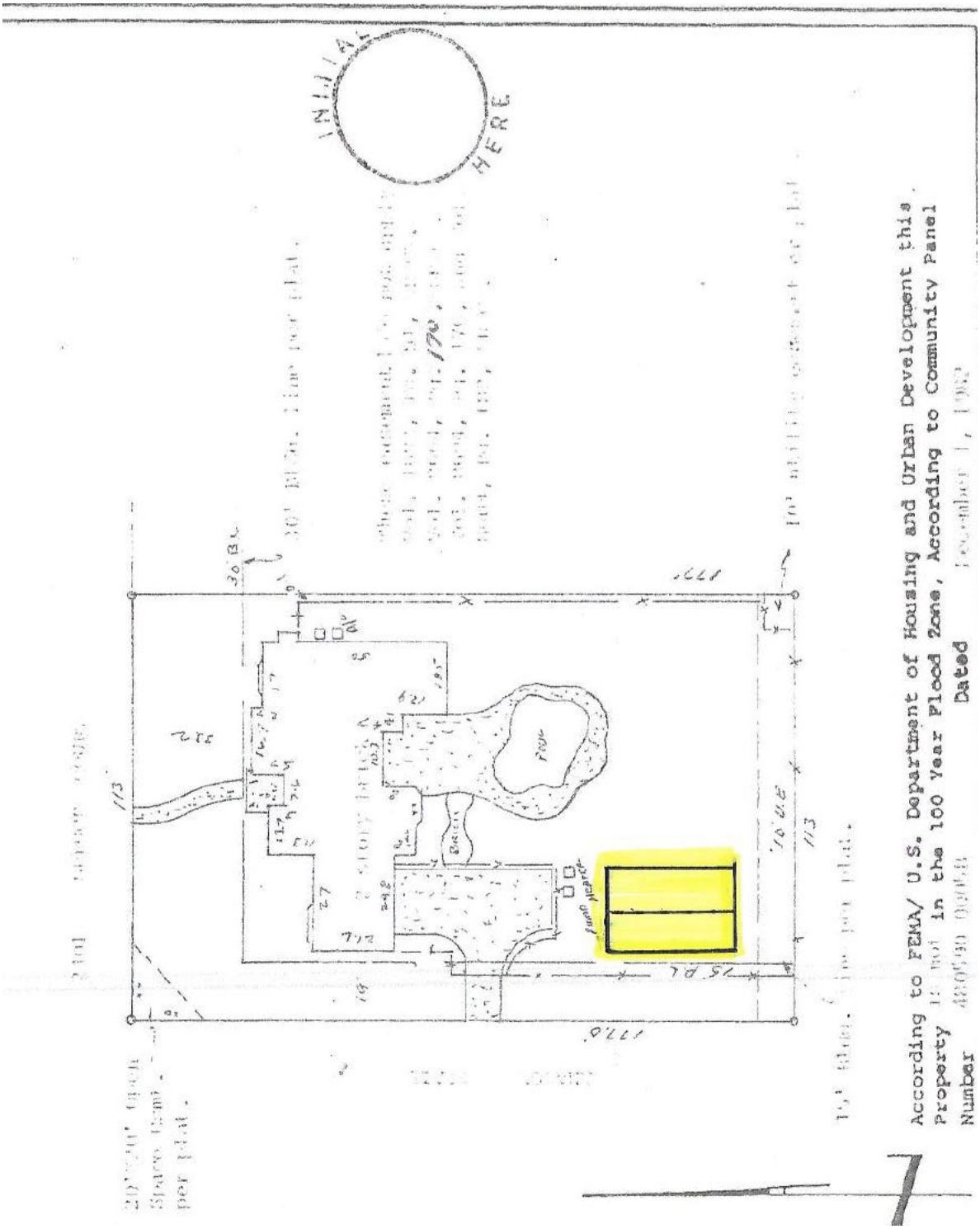


Exhibit "B" – Carport Exhibit



CITY OF COLLEYVILLE
CITY COUNCIL BRIEFING

Agenda Number 6e **Agenda Date** 12/17/2024 **Number** Ordinance O-24-2309
Type Ordinance
Department Community Development

Title
Consideration of a Special Use Permit for a reduction in parking on Lot 1, Block 1, Gonzalez Addition, located at 6609 Colleyville Boulevard, Case ZC24-026

Explanation
Second Reading and Public Hearing

The applicants were present and answered questions from the City Council. The Council asked for building elevations to be submitted. The applicant indicated that they understand the desire for enhanced architecture. There were no speakers during the public hearing.

First Reading and Public Hearing

Russell Motz, the applicant, has submitted a request for a Special Use Permit (SUP) to allow for a reduction in parking on Lot 1, Block 1, Gonzalez Addition, being approximately 0.42 acres, and zoned ML Light Industrial. A reduction in parking is allowed in the ML Light Industrial district with the approval of an SUP.

Existing Conditions/Background: The subject property, 6609 Colleyville Boulevard, is zoned ML and generally located on the east side of Colleyville Boulevard, north of Tarrant Lane. The subject property is a platted lot and is currently undeveloped.

SUP Request: The applicant is requesting approval of an SUP to allow for a reduction in parking at this location.

Ordinance – Land Development Code, Chapter 3, Section 3.29 Parking Requirements I. Supplemental Parking Space Requirements 5:

Special Use Permit Provision: A reduction may be authorized after approval of a Special Use Permit by the City Council when associated with new development or a significant change in use of an existing building or site. A parking analysis report justifying the reduction shall be provided as part of the request for parking reduction.

Analysis: The applicant is requesting the SUP for a reduction in parking. The parking ratio for the use is one space per 200 SF. The applicant is requesting a reduction in parking to allow for a new 5,497 square foot training and baseball facility to be allowed 18 spots rather than the required 27 spots. The applicant states the training facility will

not need the amount of required parking as it is highly specialized one-on-one training. Approval of an SUP at this location for this user should not adversely impact surrounding uses or the character of the neighborhood.

Plat Status: The property is platted as Lot 1, Block 1, Gonzalez Addition.

DRC Review: The DRC reviewed the request during their October 21, 2024 meeting and determined the application was complete and may be scheduled for the next available Planning and Zoning Commission meeting.

Drainage: NA

Surrounding Development: The properties to the north and south are zoned ML Light Industrial district and developed with a mixture of retail and automotive uses. The properties to the east are zoned PUD-C and improved with automotive uses. The property to the west is Colleyville Boulevard.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property as "Colleyville Boulevard Corridor" and located within a Sales Tax Preferred Intersection. The proposed SUP does not conflict with any portion of the comprehensive plan.

Public Notification: Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 500 feet of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code.

Staff Recommendation: Staff recommends approval of this request.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval of the request at their November 12, 2024 meeting by a vote of 6-0.

Attachments

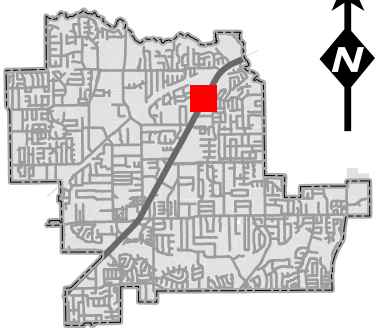
1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Site Plan Exhibit
6. Building Elevations
7. Notification Map
8. Notification Letter
9. Notification List
10. Ordinance O-24-2309

Aerial Map

CITY OF COLLEYVILLE TEXAS

ZC24-026

6609 Colleyville Blvd



N

Subject Property

DISCLAIMER:
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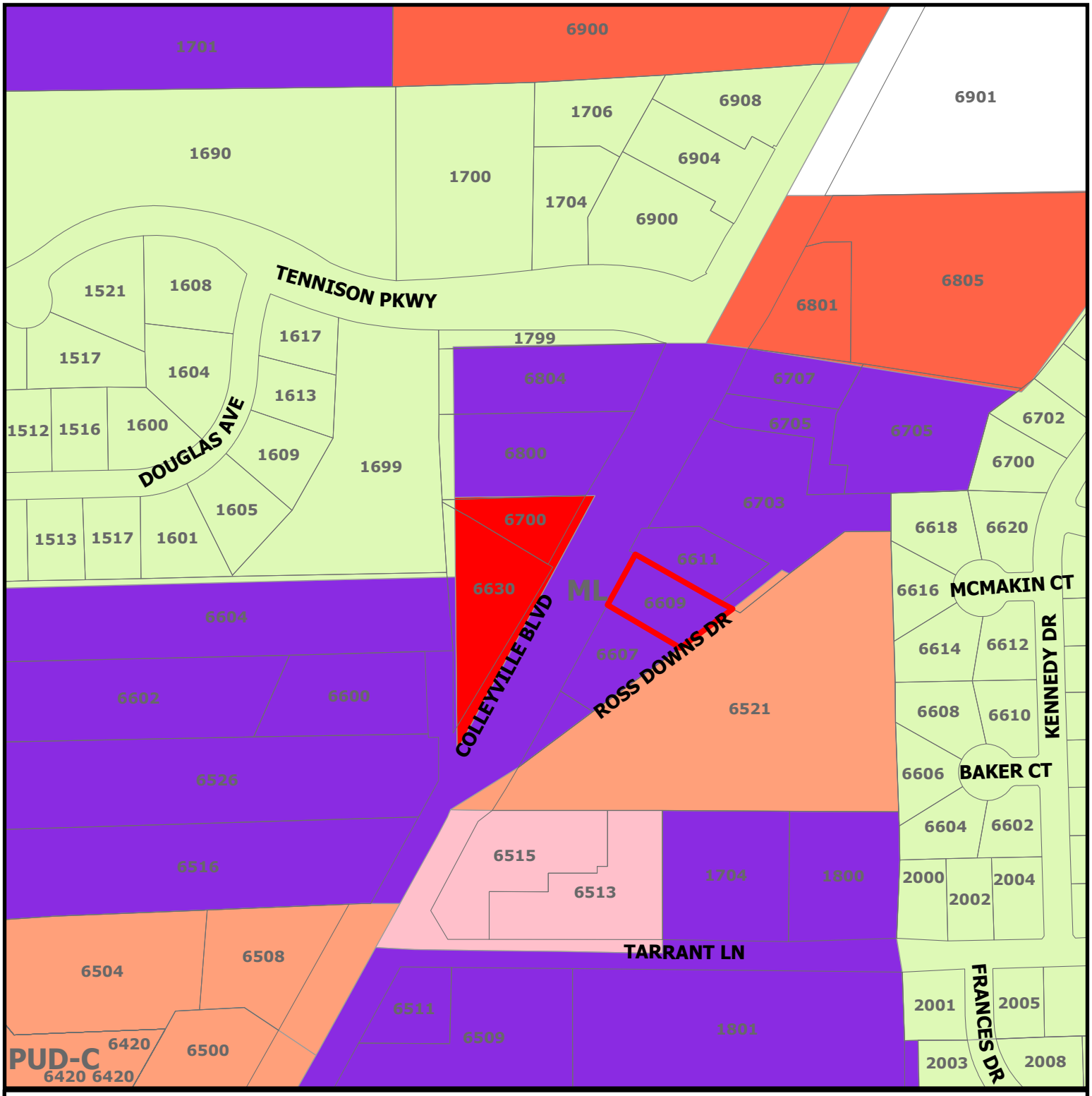
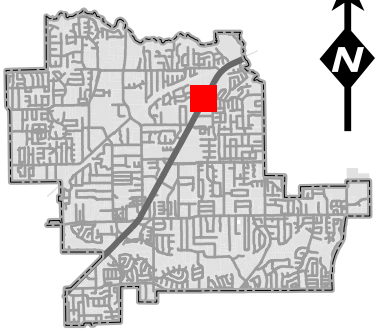
Zoning Map



CITY OF COLLEYVILLE TEXAS

ZC24-026

6609 Colleyville Blvd



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Subject Property

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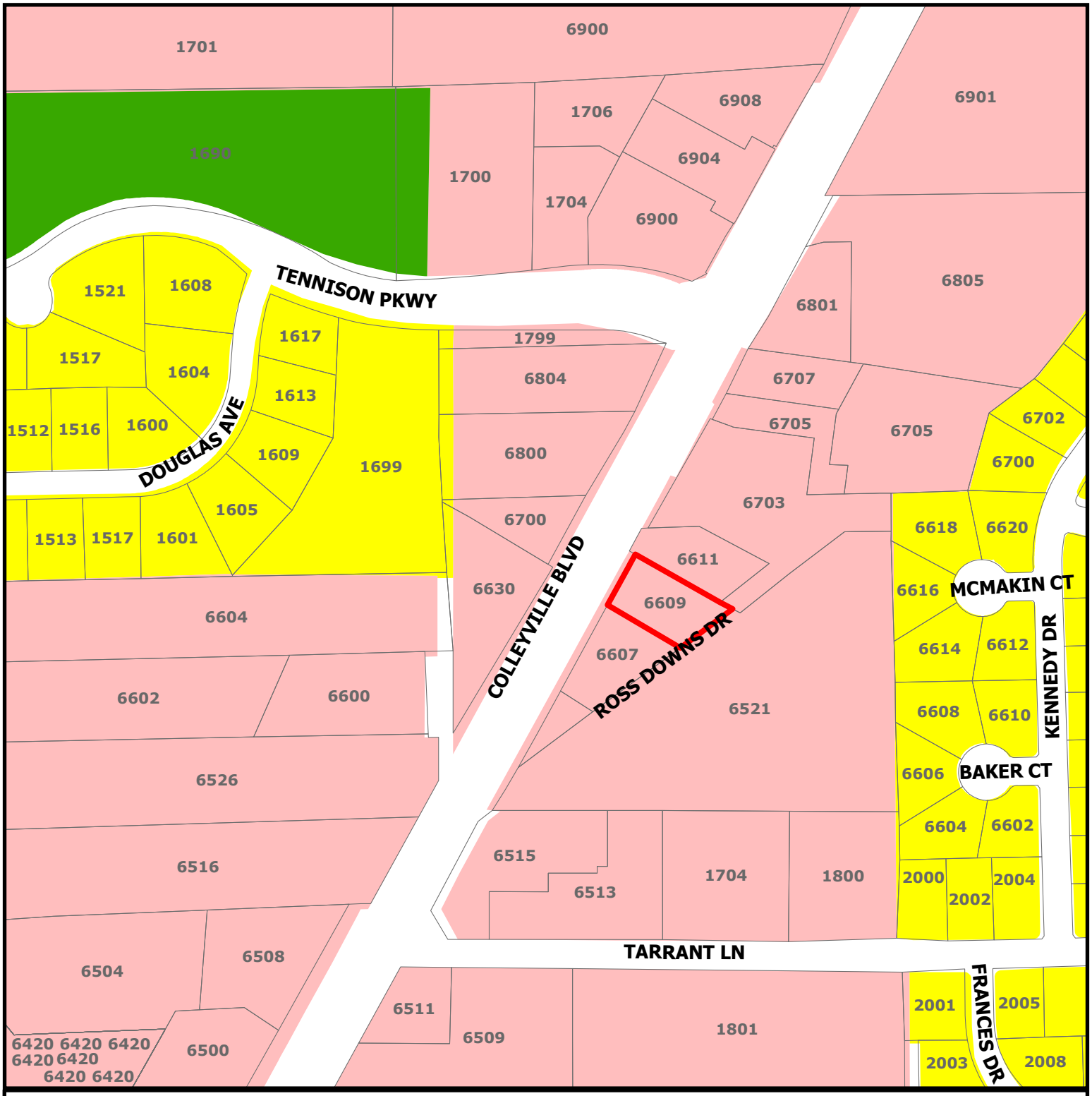
Future Land Use Map



CITY OF COLLEYVILLE TEXAS

ZC24-026

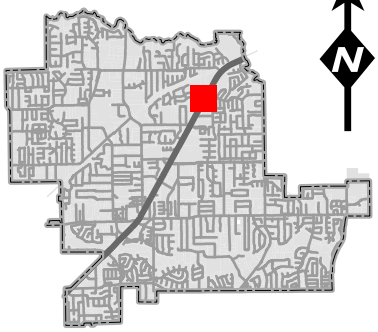
6609 Colleyville Blvd

Residential

Colleyville Blvd Corridor

Open Space; Parks

Subject Property



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Kaizen Sports Performance

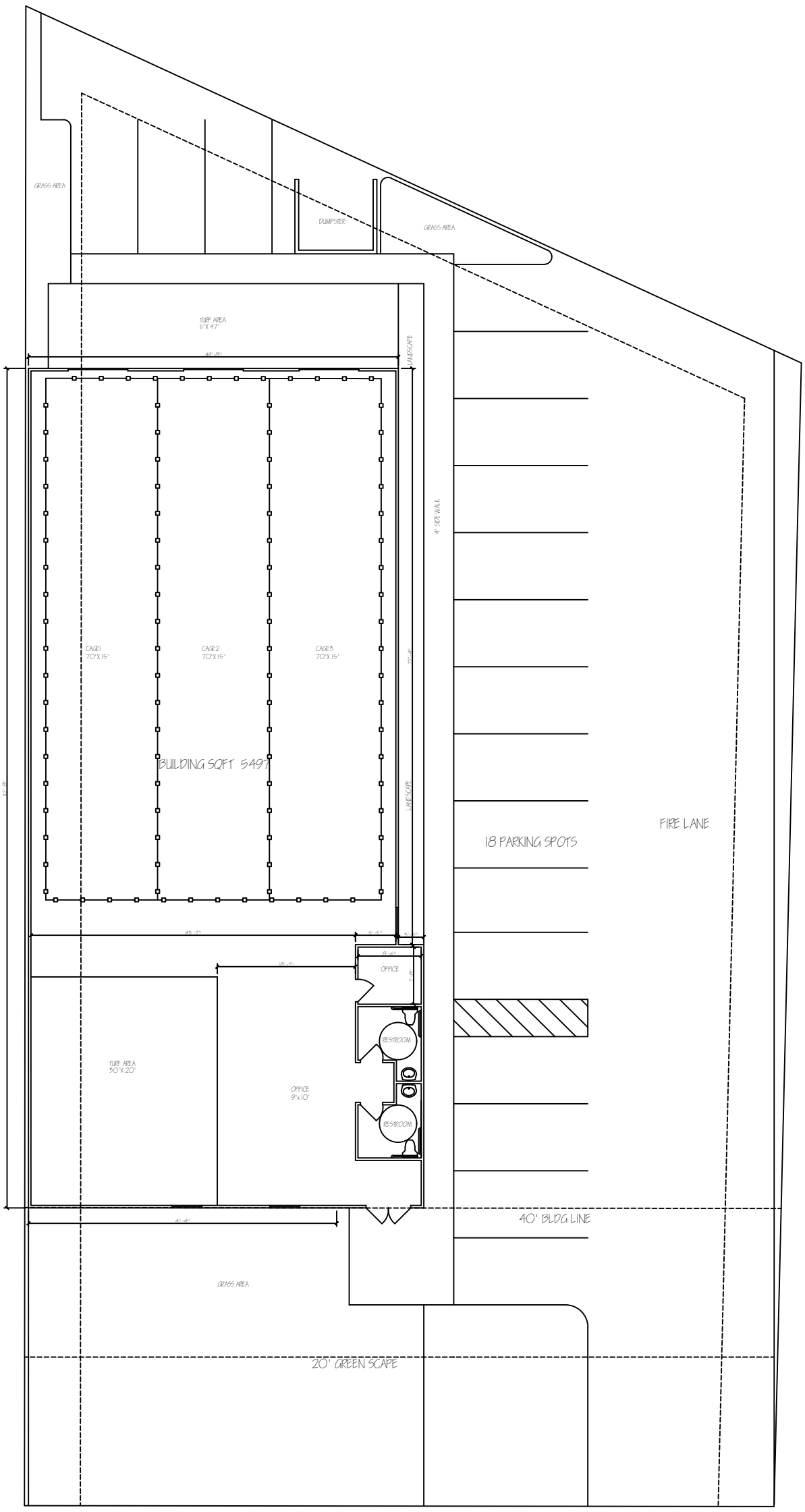
Kaizen Sports Performance is a baseball and softball training facility for individual instruction. Preston Motz is the business owner and grew up in Colleyville playing baseball through CBA and eventually playing for Colleyville Heritage High School during the time when they won the state championship. Baseball had an incredible impact on his life and now after graduating college with an entrepreneurship and marketing degree he is excited to take his life passion and start a business where he grew up. His father will be the landowner and lease the business to his son. This training facility will bring Colleyville tax dollars to the community, keeping residents from having to drive to Southlake and Grapevine for their instructional needs. This will be a top-level training facility with the latest in technology to drive true results on the field. This facility will have 3 training lanes and expect no more than 3 coaches and 3 students in the lanes with possibly 3 more in the waiting area. Our expected parking needs are a max of 9 spots and have 18 built in.

There is a potential project that is going in behind us that has requested us to give them access for a water line and if possible, a road they can use to get to their project cutting through our property. We are building that into our plans and with that they will grant us lifetime use of their parking should the need ever occur. This is more for planning for potential uses for this facility in the future should we outgrow it over time.

We are very excited about this opportunity and know this will be a great compliment to Colleyville and their residents.

Thank you,

Preston Motz



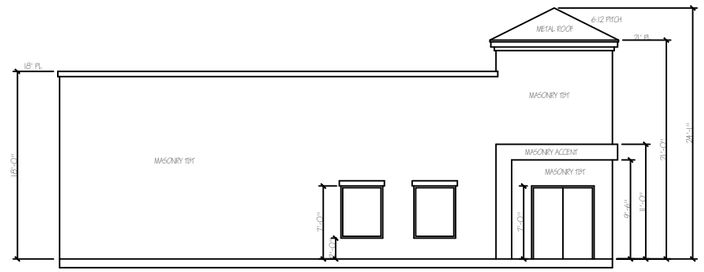
ADDRESS:

Robert Johnson Designs

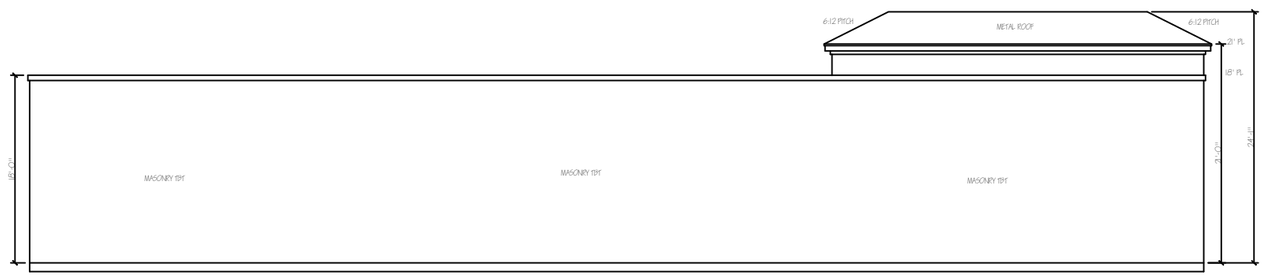
845 ENTERPRISE PL, STE B 76092 SOUTHLAKE TX

(817) 251-4646

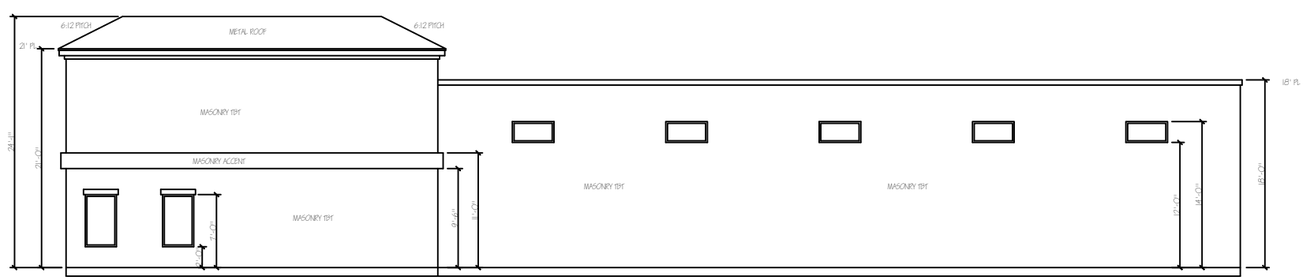
These plans are the property of Robert Johnson Residential Design, and are not to be reproduced, traced or reused for construction without the written permission of Robert Johnson Residential Design. These plans are intended to provide the construction information necessary to build this structure. Builder/Owner shall verify and check all dimensions prior to construction. Limit of designers not to exceed fee paid for plans.



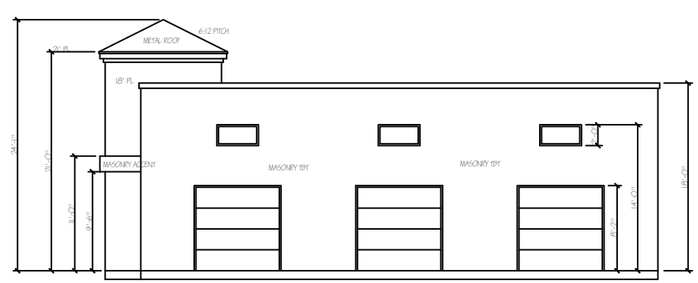
FRONT ELEVATION



LEFT ELEVATION



RIGHT ELEVATION



BACK ELEVATION

ADDRESS:

Johnson

Robert Johnson Designs

845 ENTERPRISE PL, STE B 76092 SOUTHLAKE TX

(817) 251-4646

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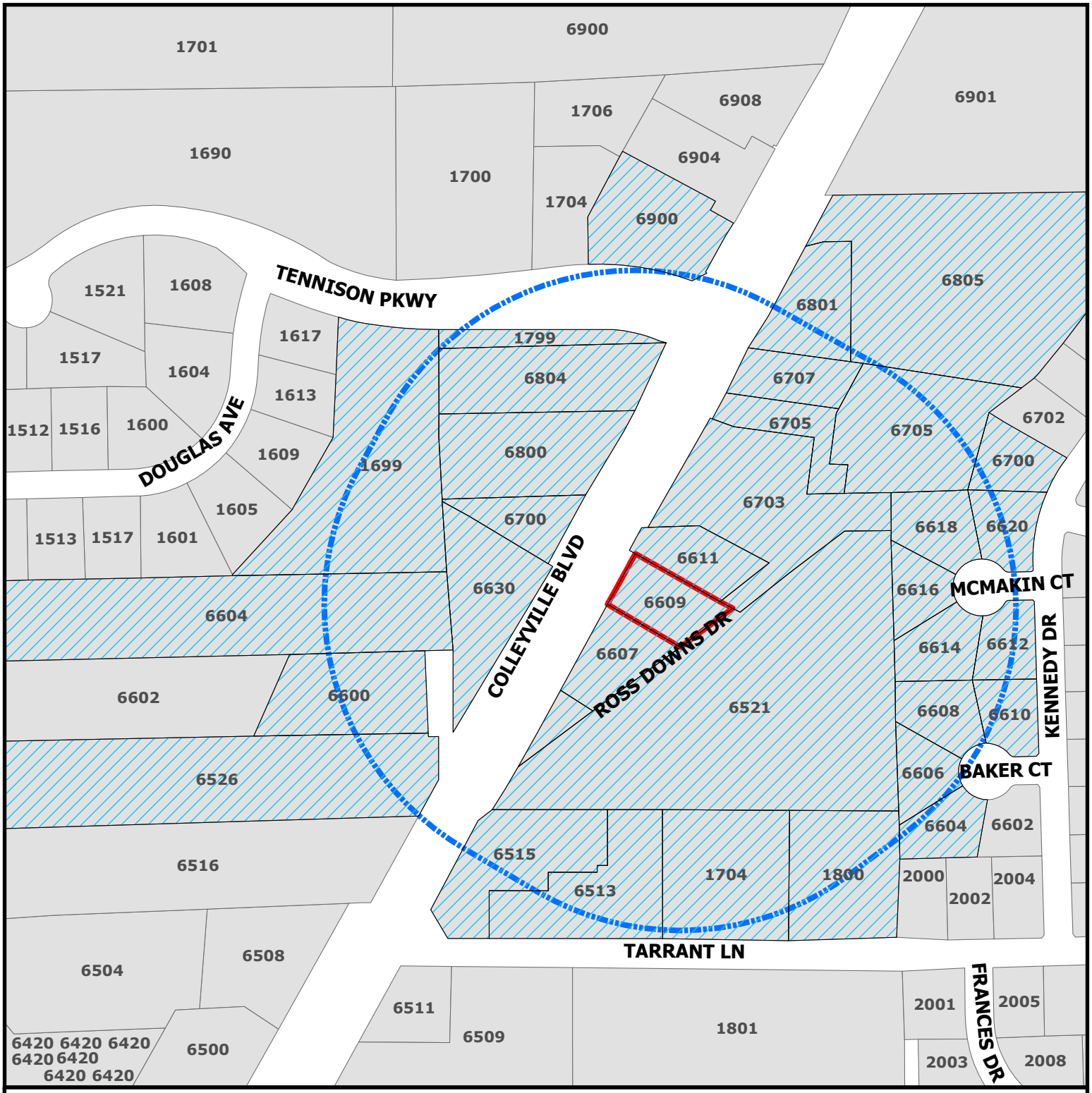
Notification Map



CITY OF COLLEYVILLE TEXAS

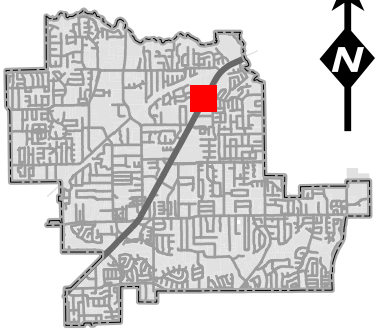
ZC24-026

6609 Colleyville Blvd

Parcels to be notified

Buffer

Subject Property



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NOTICE OF PUBLIC HEARING

«Owner_Name»
«Owner_Addr»
«Owner_City» «Owner_Zip»

The City of Colleyville has scheduled public hearings concerning the below referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Tuesday, November 12, 2024 at 7:00 p.m.
City Council Meetings: Tuesday, December 3, 2024 & Tuesday, December 17, 2024 at 7:00 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

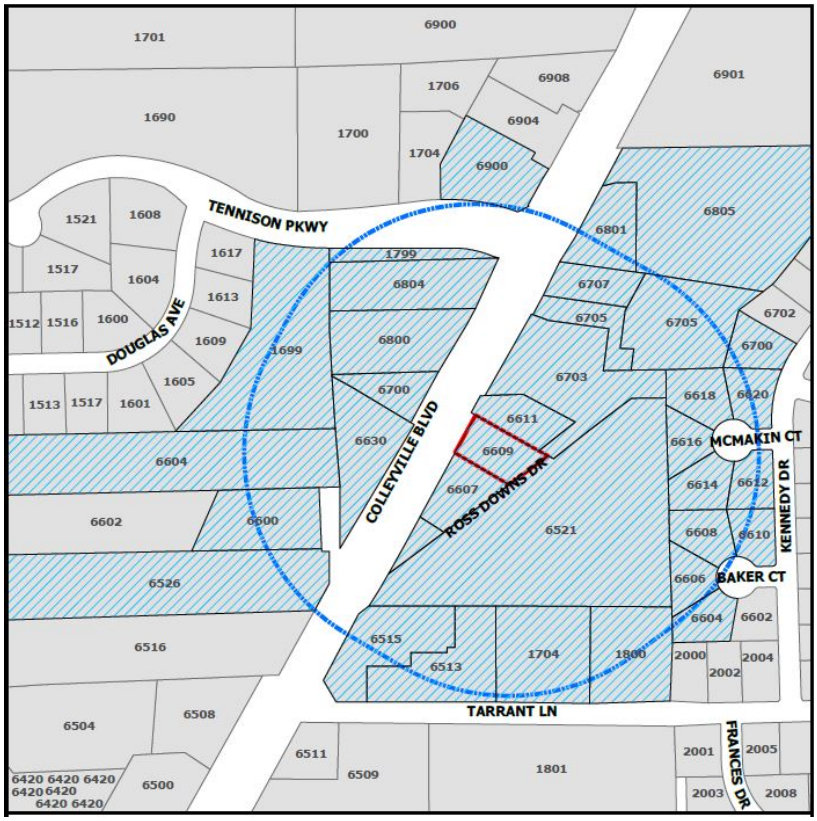
Request:	Consideration of a Special Use Permit for a Reduction in Parking on Lot 1, Block 1, Gonzalez Addition. The request is to allow for a new 5,497 square foot training and baseball batting facility to be allowed 18 parking spots rather than the required 27 spots.
Zoning Case:	ZC24-026
Applicant:	Russell Motz
Owner:	Eric Jose Gonzalez & Cori Michelle Gonzalez Family Trust
Location:	6609 Colleyville Boulevard
Property Description:	Lot 1, Block 1, Gonzalez Addition
Present Zoning:	ML Light Industrial

This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address below:

Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034
Citizenletters@Colleyville.com

NOTICE OF PUBLIC HEARING



If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas 76034. A brief project description can be found online on the Agenda Packet and Active Development Case map (please use your phone's camera to scan QR code below):

For additional information, please contact the Community Development Department at 817.503.1050. Please reference the zoning case number when requesting information.

Christopher Pham

Christopher Pham
Planner

Owner_Name	Situs_Addr
ERIC JOSE GONZALEZ & CORI MICHELLE GONZALEZ FAI	6609 COLLEYVILLE BLVD
COLLEYVILLE JHCC LLC	6804 COLLEYVILLE BLVD
MONTERRA HOME OWNER'S ASSOC	1699 TENNISON PKWY
FELLER-DAVIS ENTERPRISES LLC	6900 COLLEYVILLE BLVD
TX14 COLLEYVILLE LLC	6805 COLLEYVILLE BLVD
COLLEYVILLE CREME DE LA CREME	6801 COLLEYVILLE BLVD
SBJ RESCH FAMILY LTD	1800 TARRANT LN
AMERICA'S STORAGE	1704 TARRANT LN
FLOWERS, GREGG W	6614 MCMAKIN CT
JEWEL, MIRZA	6616 MCMAKIN CT
MCDERMOTT, COLIN	6618 MCMAKIN CT
WILEY, PAUL	6620 MCMAKIN CT
BERGER, ANDREW	6700 KENNEDY DR
MENDIOLA, DAWN RENEE	6604 BAKER CT
FABIAN, SAVANNAH	6606 BAKER CT
MCENTIRE, KENNETH	6608 BAKER CT
FERRIS, DARRELL K	6610 BAKER CT
STEVENS, MICHAEL	6612 MCMAKIN CT
HART, NEIL J	6703 COLLEYVILLE BLVD
IKENOUYE LLC	6705 COLLEYVILLE BLVD
LANI PROPERTIES LLC	6707 COLLEYVILLE BLVD
6515 COLLEYVILLE LLC	6513 TARRANT LN
DD MOORE LLC	6700 COLLEYVILLE BLVD
3 J GREEN LIMITED PARTNERSHIP	6630 COLLEYVILLE BLVD
STRATEGERY REAL ESTATE HOLDING	6800 COLLEYVILLE BLVD
J&C SERVICE GROUP LLC	6521 COLLEYVILLE BLVD
REYNOLDS, JOHN C	6604 COLLEYVILLE BLVD
TRES ROSAS LTD	6526 COLLEYVILLE BLVD
COMBINED ENTERPRISES INC	6607 COLLEYVILLE BLVD
GARDNER, DAVID	6611 COLLEYVILLE BLVD
SELECT ROOFING LLC	6605 COLLEYVILLE BLVD
ROSS DOWNS ESTATES	COURTESY NOTICE
MONTERRA ADDITION	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	STATE REQUIRED
MOTZ, RUSSELL	

ORDINANCE O-24-2309

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON APPROXIMATELY 0.42 ACRES, BEING LOT 1, BLOCK 1, OF THE GONZALEZ ADDITION, LOCATED AT 6609 COLLEYVILLE BOULEVARD, BY AUTHORIZING A SPECIAL USE PERMIT FOR A REDUCTION IN PARKING; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a Special Use Permit for a reduction in parking, Case ZC24-026; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

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

Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit for a reduction in parking on 0.42 acres, being Lot 1, Block 1, Gonzalez Addition, located at 6609 Colleyville Boulevard, as depicted on the attached as Exhibit "A".

Sec. 2. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.

Sec. 3. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

a. The Special Use Permit shall apply to a reduction in parking for a baseball training facility.
b. The Special Use Permit shall automatically expire upon the abandonment of the business, change in use, a change in ownership or upon the expiration or termination of the Certificate of Occupancy.
c. All requirements of the Land Development Code shall be met, except where amended herein.

Sec. 4. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense.

Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 7. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of December 2024.

The second reading and public hearing being conducted on the 17th day of December 2024.

APPROVED BY A VOTE OF _ AYES, _ NAYS, ON THIS THE 17TH DAY OF DECEMBER 2024.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

ATTEST:

Christine Loven, TRMC
City Secretary

CITY OF COLLEYVILLE

Bobby Lindamood
Mayor

APPROVED AS TO FORM:

Whitt Wyatt
City Attorney

Exhibit "A" - Location and Zoning Map

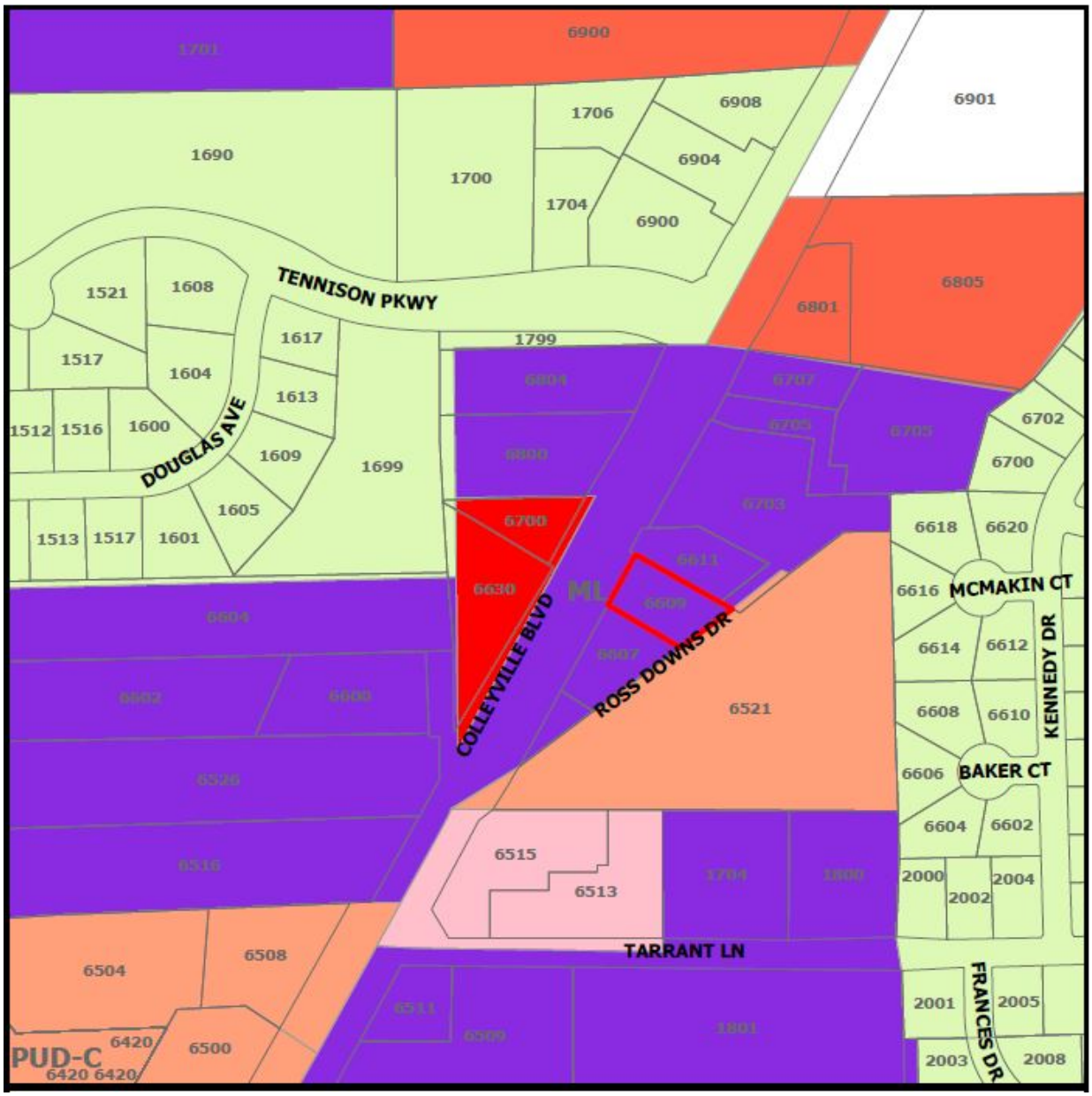
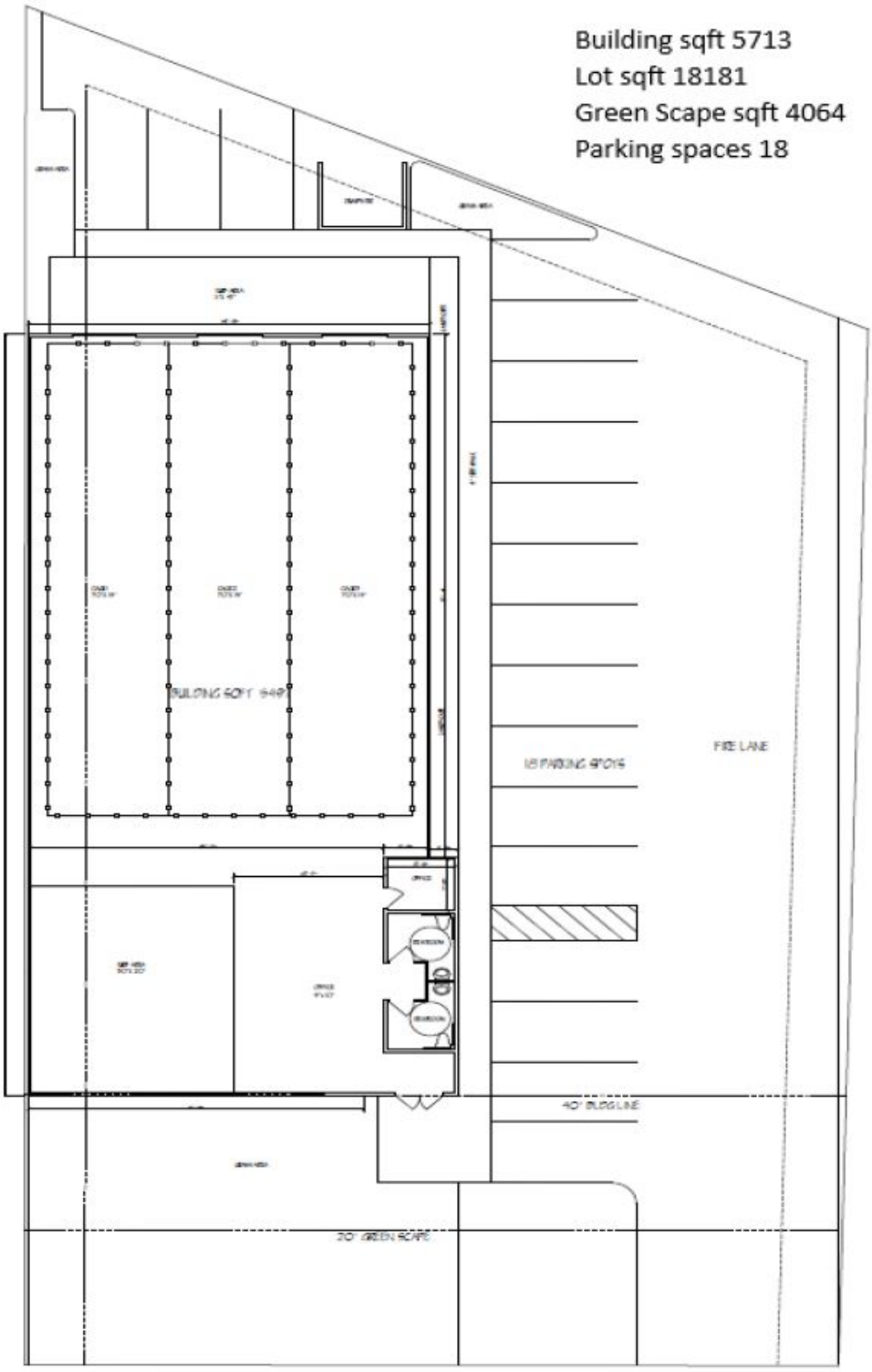


Exhibit "B" – Site Plan



1 SITE PLAN – "A"
SCALE: 1" = 30'-0"

COLLEYVILLE

1717 S.HAMPTON RD.
COLLEYVILLE, TX 75000
T: XXX XXX XXXX

ARCHITECT
James B. Langford
Architects and Planners
3001 Bookhout St.
Dallas, Texas 75201

T: 214 520 9100
F: 214 520 9271

OWNER
SHOAL CREEK CAPITAL
4723 Memphis St.
Dallas, Texas 75207
T: 000 000 0000
F: 000 000 0000

STRUCTURAL & CIVIL ENGINEER
RLG Engineering
12001 N. Central Expy., Suite 300
Dallas, Texas 75243
T: 214 739 8660
F: 000 000 0000

NOT FOR CONSTRUCTION

These drawings are intended for purposes other than construction or regulatory approval. They depict the scope of the work in a complete and accurate manner, but have not been sealed or signed and are therefore not considered complete for official and regulatory uses.
James E. Langford
TX reg. No. 10319

NOT FOR PRICING

NO.	REVISIONS/SUBMISSIONS	DATE

Drawing Title
SITE PLAN

Date 11/08/24
Scale AS SHOWN
Project No. 00000
Drawn by X.X.
Checked by J. Langford
Drawing Number
AC1.01A
SHEET OF

CITY OF COLLEYVILLE
CITY COUNCIL BRIEFING

Agenda Number 6f
Type Ordinance
Department Finance

Agenda Date 12/17/2024

Number Ordinance O-24-2310

Title
Amending Ordinance O-23-2256 relating to the Fiscal Year 2024 budget

Explanation
Second Reading and Public Hearing

There were no speakers regarding this item at the December 3, 2024, meeting.

First Reading and Public Hearing

The proposed ordinance will amend Ordinance O-23-2256 that approved and adopted the Fiscal Year 2024 budget for several purposes:

1. To transfer the FY 2024 General Fund year-end operating surplus to the Capital Projects Fund for future capital projects;
2. To transfer the FY 2024 Utility Fund year-end operating surplus to the Utility Capital Projects Fund for future utility capital projects; and
3. To transfer the FY 2024 Drainage Fund year-end operating surplus to the Drainage Capital Projects Fund for future drainage capital projects.

In accordance with Section 9.04 (D) of the Charter of the City of Colleyville, the proposed ordinance will authorize the City Manager to transfer part or all of any unencumbered appropriation balance from one department to another, if expenditures in a department exceeded the adopted budget.

Financial Impact
This budget amendment sweeps both General Fund and Utility Fund operating surpluses to the Capital Projects Fund and Utility Capital Projects Fund, respectively, providing a significant funding source for capital projects while ensuring compliance with the City's financial policy of maintaining 90 days of operating reserves.

Recommendation
Approve

Attachments
1. Ordinance O-24-2310

ORDINANCE O-24-2310

AMENDING SECTION 3 OF ORDINANCE O-23-2256 OF THE FISCAL YEAR 2024 BUDGET AMOUNTS FOR THE TRANSFER OF GENERAL FUND, UTILITY FUND, AND DRAINAGE UTILITY FUND OPERATING SURPLUSES TO THE CAPITAL PROJECTS FUND, UTILITY CAPITAL PROJECTS FUND, AND DRAINAGE CAPITAL PROJECTS FUND; AND AUTHORIZING THE CITY MANAGER TO TRANSFER UNSPENT FY2024 BUDGET APPROPRIATIONS FROM ONE DEPARTMENT TO ANOTHER IF EXPENDITURES IN A DEPARTMENT EXCEEDED THE ADOPTED BUDGET ON SEPTEMBER 30, 2024

WHEREAS, FY2024 General Fund, Utility Fund, and Drainage Fund projected year end revenues are anticipated to exceed expenditures; and

WHEREAS, the City Council desires to provide funding for future general, utility, and drainage capital projects; and

WHEREAS, necessary expenditures over the course of a fiscal year may cause certain departments to either exceed the FY2024 original budget or conclude the year under-budget, and it is required that original budget appropriation amounts be amended accordingly.

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

Sec. 1. THAT the City Manager is authorized to transfer the FY2024 General Fund operating surplus to the Capital Projects Fund for future capital projects on September 30, 2024.

Sec. 2. THAT the City Manager is authorized to transfer the FY2024 Utility Fund operating surplus to the Utility Capital Projects Fund for future utility capital projects on September 30, 2024.

Sec. 3. THAT the City Manager is authorized to transfer the FY2024 Drainage Fund operating surplus to the Drainage Capital Projects Fund for future utility capital projects on September 30, 2024.

Sec. 4. THAT in the event that expenditures in a department exceed the adopted budget for that department, the City Manager is authorized to transfer all or part of the unencumbered

appropriation balance from one department to another per the Charter of the City of Colleyville, Section 9.04 (D):

Sec. 5. THAT the effective date of this ordinance shall be September 30, 2024.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of December 2024.

The second reading and public hearing being conducted on the 17th day of December 2024.

APPROVED BY A VOTE OF _ AYES, _ NAYS, ON THIS THE 17TH DAY OF DECEMBER 2024.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

ATTEST: **CITY OF COLLEYVILLE**

Christine Loven, TRMC
City Secretary

Bobby Lindamood
Mayor

APPROVED AS TO FORM:

Whitt Wyatt
City Attorney

CITY OF COLLEYVILLE
CITY COUNCIL BRIEFING

Agenda Number 6g **Agenda Date** 12/17/2024 **Number** Ordinance O-24-2311
Type Ordinance
Department Finance

Title
Amending Sections 3A and 3B of the Water and Sewer Policy and Procedure manual as contained in the Code of Ordinances of the City of Colleyville, Texas, adjusting water and wastewater volumetric rates to pass through changes from the Trinity River Authority

Explanation
Second Reading and Public Hearing

There was one speaker regarding this item at the December 3, 2024 City Council Meeting.

First Reading and Public Hearing

On November 15, 2016, the City Council approved Ordinance O-16-1996, implementing the recommendations of the Water and Wastewater Rate Advisory Committee. This ordinance established a new rate structure in which City operating costs are recovered through base rates and volumetric rates are set to pass through the costs charged by the Trinity River Authority (TRA).

The base and volumetric rates are reviewed and updated on an annual basis. The new base rates are reflected in the bills sent out in October to coincide with the City's fiscal year while the new volumetric rates are reflected in the bills sent out in January to coincide with TRA's rate change.

This agenda item provides for formal consideration and approval to amend Sections 3A and 3B of the Water and Sewer Policy and Procedure manual as contained in the Code of Ordinances of the City of Colleyville, Texas, to reflect the proposed new pass through rates to be in effect starting with the January billing for December's usage as follows:

Water Rates
Staff recommends consideration of increasing the current water volumetric rate from $5.5969 to $6.2446. The largest FY25 budgetary increases for the Trinity River Authority are related to debt service and raw water costs.

Wastewater Rates
Staff recommends consideration of increasing the current wastewater volumetric rate from $3.7371 to $4.3115. The largest FY25 budgetary increases for the Trinity River

Authority Wastewater Treatment are related to debt service.

Financial Impact
Adoption of this ordinance will provide the revenue to recover the costs from TRA.

Recommendation
Approve

Attachments
1. Volumetric Rates Presentation FY25
2. Ordinance O-24-2311

FIRST READING AND PUBLIC HEARING ORDINANCE O-24-2311

CITY

Monthly Base Rate (Min. Bill)

+

TRA

Volumetric Charge

=

Total Bill

- Fixed monthly charges calculated based on the amount of revenue necessary to recover the City's operating costs.
  - Water Base Rate
  - Wastewater Base Rate
  - Capital Improvement Plan (CIP) Rate
- Effective Date: October 1

- TRA bills Colleyville for water and wastewater treatment.
  - WATER: Based on volume of treated water purchased
  - WASTEWATER: Based on volume of wastewater treated
- Effective Date: January 1

- Colleyville bills customers:
  - A base rate to recover the operating costs.
  - A volumetric rate based on projected payments to TRA

FIRST READING AND PUBLIC HEARING
ORDINANCE O-24-2311

Water		**2024**	**2025**	
	OM	$3.3088	$3.4440	
	Debt	$2.2882	$2.5032	
		$5.5970	**$5.9472**	6.26%

WW		**2024**	**2025**	
	OM	$1.3714	$1.5830	
	Debt	$2.3656	$2.5232	
		$3.7370	**$4.1062**	9.88%

FIRST READING AND PUBLIC HEARING ORDINANCE O-24-2311

CV

Capital Utility Fund Projects (5-year CIP)

$	4,820,000
$	2,900,000
$	5,000,000
$	1,600,000
$	1,150,000
$	**15,470,000**

	1%	3%	5%	7%	9%
Water Rate	$ 0.0595	$ 0.1784	$ 0.2974	$ 0.4163	$ 0.5352
WW Rate	$ 0.0411	$ 0.1232	$ 0.2053	$ 0.2874	$ 0.3696
Water Annual	$ 176,740.67	$ 530,222.02	$ 883,703.37	$ 1,237,184.72	$ 1,590,666.06
WW Annual	$ 43,583.92	$ 130,751.77	$ 217,919.61	$ 305,087.45	$ 392,255.30
Total Utility	$ 220,324.60	$ 660,973.79	$ 1,101,622.98	$ 1,542,272.17	$ 1,982,921.36
Total 5-Year	$ 1,101,622.98	$ 3,304,868.93	$ 5,508,114.89	$ 7,711,360.85	$ 9,914,606.80

FY25 TRA Rate	Proposed CIP Add-on	Added CIP Revenue	New FY25 TRA Rate
$ 5.9472	$ 0.2974	$ 883,703	**$ 6.2446**
$ 4.1062	$ 0.2053	$ 217,920	**$ 4.3115**

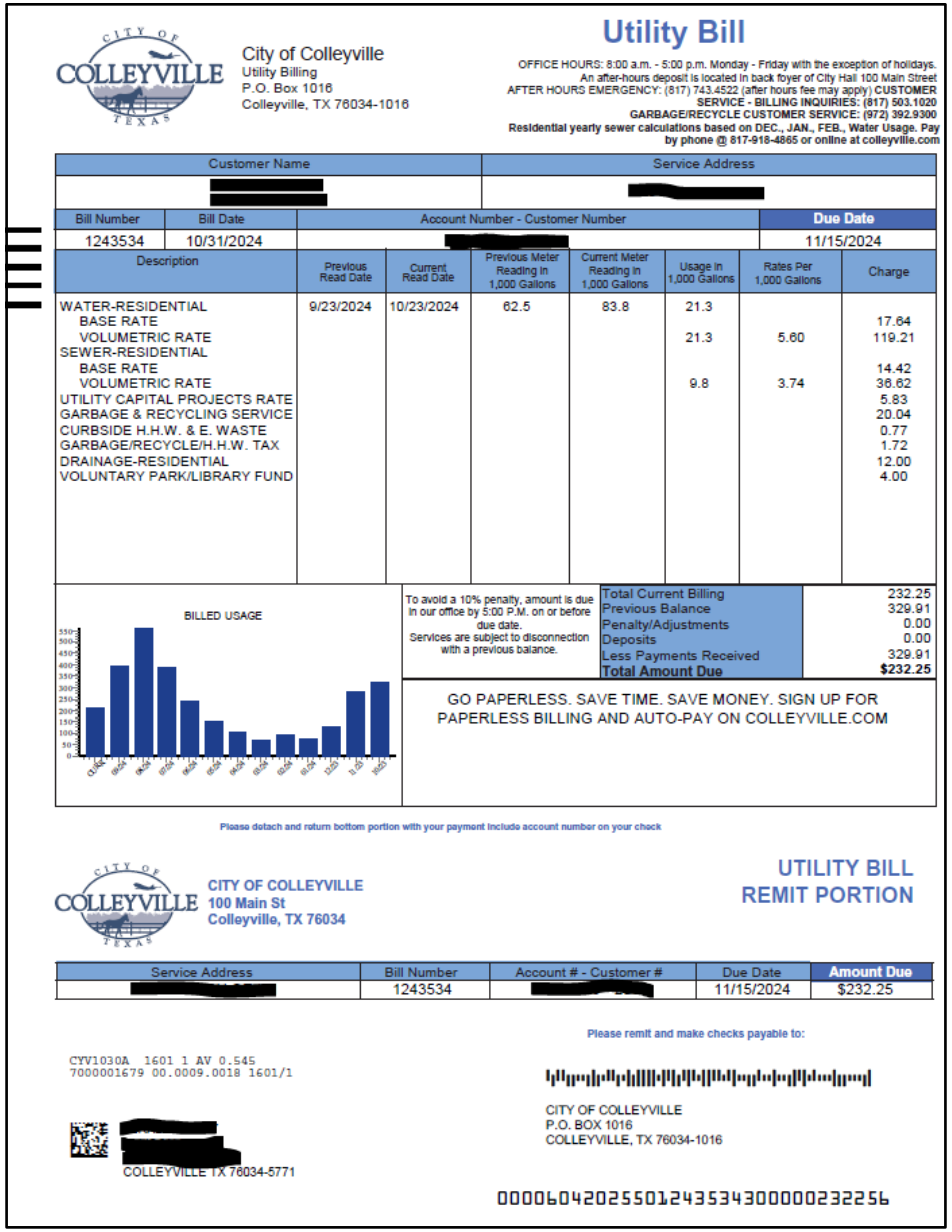
Summary:

- $15M in utility CIP projects over next 5 years
- Adding 5% to TRA rate will generate est. $5.5M in CIP revenue over 5 years
- This strategy will help cash-fund projects to avoid debt
- Based on average usage of 8.1 mgd water/2.9 mgd ww

FIRST READING AND PUBLIC HEARING
ORDINANCE O-24-2311

TRA Rate Increase Only:
Current bill – $232.25
New bill - $243.33
Increase - $11.08 / TRA

TRA Rate Increase Plus CIP:
Current bill – $232.25
New bill - $251.67
Increase - $19.42 ($11.08 / TRA; $8.34 / City CIP)



City of Colleyville
Utility Billing
P.O. Box 1016
Colleyville, TX 76034-1016

Utility Bill

OFFICE HOURS: 8:00 a.m. - 5:00 p.m. Monday - Friday with the exception of holidays. An after-hours deposit is located in back foyer of City Hall 100 Main Street
AFTER HOURS EMERGENCY: (817) 743.4522 (after hours fee may apply) CUSTOMER SERVICE - BILLING INQUIRIES: (817) 503.1020
GARBAGE/RECYCLE CUSTOMER SERVICE: (972) 392.9300
Residential yearly sewer calculations based on DEC., JAN., FEB., Water Usage. Pay by phone @ 817-918-4865 or online at colleyville.com

Customer Name	Service Address
[redacted]	[redacted]

Bill Number	Bill Date	Account Number - Customer Number	Due Date
1243534	10/31/2024	[redacted]	11/15/2024

Description	Previous Read Date	Current Read Date	Previous Meter Reading in 1,000 Gallons	Current Meter Reading in 1,000 Gallons	Usage in 1,000 Gallons	Rates Per 1,000 Gallons	Charge
WATER-RESIDENTIAL	9/23/2024	10/23/2024	62.5	83.8	21.3		
BASE RATE							17.64
VOLUMETRIC RATE					21.3	5.60	119.21
SEWER-RESIDENTIAL							
BASE RATE							14.42
VOLUMETRIC RATE					9.8	3.74	36.62
UTILITY CAPITAL PROJECTS RATE							5.83
GARBAGE & RECYCLING SERVICE							20.04
CURBSIDE H.H.W. & E. WASTE							0.77
GARBAGE/RECYCLE/H.H.W. TAX							1.72
DRAINAGE-RESIDENTIAL							12.00
VOLUNTARY PARK/LIBRARY FUND							4.00

BILLED USAGE

To avoid a 10% penalty, amount is due in our office by 5:00 P.M. on or before due date.
Services are subject to disconnection with a previous balance.

Total Current Billing	232.25
Previous Balance	329.91
Penalty/Adjustments	0.00
Deposits	0.00
Less Payments Received	329.91
Total Amount Due	**$232.25**

GO PAPERLESS. SAVE TIME. SAVE MONEY. SIGN UP FOR PAPERLESS BILLING AND AUTO-PAY ON COLLEYVILLE.COM

Please detach and return bottom portion with your payment include account number on your check

CITY OF COLLEYVILLE
100 Main St
Colleyville, TX 76034

UTILITY BILL
REMIT PORTION

Service Address	Bill Number	Account # - Customer #	Due Date	Amount Due
[redacted]	1243534	[redacted]	11/15/2024	$232.25

Please remit and make checks payable to:

CYV1030A 1601 1 AV 0.545
7000001679 00.0009.0018 1601/1

[redacted]
COLLEYVILLE TX 76034-5771

CITY OF COLLEYVILLE
P.O. BOX 1016
COLLEYVILLE, TX 76034-1016

0000604202550124353430000023225 6

ORDINANCE O-24-2311

AMENDING SECTION 3 – SERVICE CHARGES OF THE WATER AND SEWER POLICY AND PROCEDURE MANUAL OF THE CITY OF COLLEYVILLE, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, water and wastewater base rates are set to recover the City's annual operating costs for the utility system; and

WHEREAS, the Fiscal Year 2025 Utility Fund operating budget has been proposed and the required base rates to fund said budget have been calculated; and

WHEREAS, the FY25 – FY29 capital improvement plan has been proposed and the required capital improvement rates to fund said plan have been calculated.

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

Sec. 1. THAT Section 3 – Service Charges of the Water and Sewer Policy and Procedure Manual of Colleyville, Texas, which is "Appendix A" of the Colleyville Code be replaced in its entirety to read as follows:

Sec. A. - Water rates.

The following base and volumetric charges shall apply to residential and non-residential water customers. Base charges for out-of-city customers shall be $4.00 higher than the charge for in-city customers.

Base charge per month for in-city customers:	
Water meters 1 inch or less	$17.64
Water meters of 1.5 inches	$35.28
Water meters of 2 inches	$56.45
Water meters of 3 inches	$105.85
Water meters of 4 inches	$176.41
Base charge per month for out-of-city customers:	
Water meters 1 inch or less	$21.64
Water meters of 1.5 inches	$39.28
Water meters of 2 inches	$60.45
Water meters of 3 inches	$109.85

Water meters of 4 inches	$180.41
Volumetric charge per 1,000 gallons	$6.2446

Rates for fire hydrant meters:

The use of fire hydrant meters shall only be allowed within the Colleyville city limits. The use of the fire hydrant meters shall be limited to a period of no more than 90 cumulative calendar days. Under special conditions, a customer may submit a written request to the public works department for use of a fire hydrant meter for a period longer than 90 cumulative calendar days, subject to public works director approval. In considering special condition(s), the public works director shall not consider requests which are necessary to relieve a self-created or personal hardship, failure of performance by a contractor, nor for financial reasons. In considering the customer request, the public works director shall solicit the recommendation of the fire chief and fire marshal in consideration of the request. Further, the public works director shall consider alternative means available to the customer. If special condition(s) are approved by the public works director, in no case shall the meter be used for more than an additional 30 calendar days. The public works director may provide a written ruling within 15 working days of receipt of the customer's written request.

In the event a request for special condition(s) is denied by the public works director, customer shall, within 14 calendar days, make written appeal to the city manager of the public works director's decision. The city manager shall render a written decision within 30 working days of receipt of the customer's appeal. Such decision by the city manager shall be final and not appealable to the City Council.

For purposes of this section, written communication shall be considered communication, which is deposited with the United States Postal Service for delivery.

The user must submit in writing, the location of where the meter will be used, and such meter shall be used exclusively at the location on record with the city. For purposes of this section, the use of a meter shall be allowed cumulatively for only one location within an individual subdivision and/or development.

For a period of 90 cumulative calendar days after a meter is returned and read by the city, a user shall not be permitted to check out another meter for use at the same designated location, as defined herein.

The monthly base charge for a fire hydrant meter shall be $50.00. Water usage for a fire hydrant meter shall be charged at a rate of $4.17 per 1,000 gallons of water used.

The customer shall be in possession of and responsible for the meter. The customer will be responsible for bringing the meter to the public works service center by the 20th of each month for reading. The customer is required to use a proper fire hydrant wrench for operation of the fire hydrant. The customer shall be responsible for any damage and repair, as reasonably determined by the city, to the fire hydrant or the fire hydrant meter by the use of a temporary water meter.

The customer will be required to provide for any backflow device necessary to meet the current city ordinance for protection of the city's drinking water supply.

The City of Colleyville, Tarrant County, and Texas Department of Transportation (TxDOT) shall be exempt from the provisions of this policy.

Sec. B. - Sewer rates.

This schedule of rates per month or fraction thereof shall be the basis for determining charges to all customers for rendering sanitary sewage service, where the sewage produced by such customer is a normal strength wastewater (170 mg/l BOD and 260 mg/l suspended solids) and where such customer is located within the City of Colleyville. The base charge for non-residential customers shall be $6.00 higher than the charge for residential customers.

A base charge per month shall be charged as follows:	
Residential customers	$14.42
Non-residential customers	$20.42

A monthly sewer volume charge shall also be charged to all customers as set forth hereinafter. The sewer volume charge for residential customers will be based upon the individual customer's average monthly water use during the months of December, January and February. Where no preceding winter quarter average is available from records, a volume of 9,000 gallons shall be used for this volume charge.

The monthly sewer volume charges to commercial and industrial class customers will be based on total water use each month as measured by appropriate meters, with the provision that if a customer can show to the satisfaction of the public works director that a significant portion of the

metered water usage does not enter the sanitary sewers, the customer will be charged for only that volume entering the sewers, as determined by a method approved by the director of public works.

Volumetric rate per 1,000 gallons:	$4.3115

Sec. C. – Capital Projects rates.

The following base charges shall apply to residential and non-residential customers to provide funding for utility capital projects necessary to maintain the utility system:

Base charge per month for in-city and out-of-city customers:	
Water meters 1 inch or less	$5.83
Water meters of 1.5 inches	$10.78
Water meters of 2 inches	$16.74
Water meters of 3 inches	$30.63
Water meters of 4 inches	$50.46

Sec. D. – Billing; delinquent penalty.

All charges for services furnished or rendered by the City of Colleyville Utility Department are due and payable on the date bill is received. If payment is not received within sixteen days of the billing date a (10%) penalty will be imposed for failure to pay by the due date of the bill.

In the event the meter is not delivered to the city for reading, a penalty fee would be imposed as follows:

$100.00	1st missed reading
$200.00	2nd missed reading
$300.00	3rd missed reading

After the third missed reading, the security deposit will be forfeited and the City of Colleyville will revoke the use of the fire hydrant meter.

Sec. E. – Discontinuance of service, notice; reconnection fee.

1. In the event that any month's charges remain delinquent and unpaid at the time of a subsequent billing's due date, the user or customer shall receive a cut-off notice which will be mailed no later than two working days after the subsequent billing's due date. Services will be

disconnected if any arrearages over 30 days are not paid within six working days of the cut-off notice. Where service has been discontinued for failure to pay for service rendered, a charge of $25.00 shall be made for each meter disconnected before said service shall be restored. In the event the customer requests reconnection at hours other than 8:00 a.m. to 4:30 p.m., said reconnect fee shall be increased to $75.00.

Sec. 2. THAT the effective date of this ordinance shall be for the bills sent out starting January 1, 2024.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of December 2024.

The second reading and public hearing being conducted on the 17th day of December 2024.

APPROVED BY A VOTE OF _ AYES, _ NAYS, ON THIS THE 17TH DAY OF DECEMBER 2024.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

ATTEST: **CITY OF COLLEYVILLE**

Christine Loven, TRMC
City Secretary

Bobby Lindamood
Mayor

APPROVED AS TO FORM:

Whitt Wyatt
City Attorney

CITY OF COLLEYVILLE
CITY COUNCIL BRIEFING

Agenda Number 8 **Agenda Date** 12/17/2024
Type Report
Department City Secretary

Title
Colleyville Library Board Minutes - October 14, 2024
Planning and Zoning Commission Minutes - November 12, 2024
Planning and Zoning Worksession Minutes - November 25, 2024

Attachments
1. Colleyville Library Board Minutes - October 14, 2024
2. Planning and Zoning Commission Minutes - November 12, 2024
3. Planning and Zoning Commission Worksession Minutes - November 25, 2024

CITY OF COLLEYVILLE
COLLEYVILLE LIBRARY BOARD
MINUTES

110 Main Street, Colleyville, Texas, 76034

MONDAY OCTOBER 14, 2024 - 6:00 PM

1. CALL TO ORDER

Chair Molly Skinner called the meeting of the Colleyville Library Board to order at 6:00 p.m.

Present: Chair Molly Skinner, and Board members: Wanda Cotter, Kay Newton, Merry Graves, Gary McPherson, Susan Baum, Joy Fulton Lee, Al Cain, Denise Light. City staff: Library Director Jack Pawlowski and Library Outreach and Program Coordinator Dina Bayles. Guest: Deputy Mayor Pro Tem Scotty Richardson.

Absent: Joseph Stout, Joan Roberts.

2. APPROVAL OF MINUTES

August 12, 2024

A motion was made by Kay Newton and seconded by Joy Fulton Lee to approve the August 12, 2024 minutes. The motion was approved unanimously.

3. REGULAR AGENDA ITEMS

3a Library Board Appointments Update

Director Pawlowski reported the City Secretary emailed notices on September 10, 2024, of library board openings and vacancies to board members with expiring terms in November 2024. Board members whose terms are expiring that would like to continue need to fill out the application due on October 31.

3b City of Colleyville Fiscal Year 2025 (FY25) Budget Update

New budget started October 1 and City Council approved all three budgets (General, CEDC, and Volunteer Library Funds) on September 17. Additional $5,000 added to Volunteer Library budget to be allocated for Cloud Library purchases to keep up with demand. Director Pawlowski discussed exploring costs associated with video streaming apps and services such as Kanopy, Hoopla, and Acorn as potential library

offerings. Feasibility and patron demand will additionally be considered during the exploratory process of offering video streaming options. Director Pawlowski indicated cost and quality of content are considerable factors in the determination process.

3c Remote Locker System Update

Director Pawlowski reported the remote locker was installed on July 15, demonstrated to the public at the Rec Center grand opening in August and went live on September 4. Statistics reported 39 checkouts, with 34 being patron holds, and the remainder being browse and borrow checkouts. More accurate browse and borrow statistics expected next month, due to some training in September and testing of the system. A How-To video was created and shared on the library website and Facebook, thanks to the suggestion of Board member Susan Baum. A manual book return will be installed late October at the Rec Center in response to patron requests for return options at that location. Signage and a return pickup schedule will be established when the manual book return is installed. Deputy Mayor Pro Tem Scotty Richardson discussed the ease of use for checking out items that he experienced as the first patron to borrow a book from the remote locker. Deputy Mayor Pro Tem Richardson gave positive feedback on the appearance of the locker system and was instructed on how to use the Cloud Library app as a digital library card to scan and check out items on the locker.

3d E-Read Texas Update

Director Pawlowski explained E-Read Texas is a program offered by the Texas State Library and Archives Commission, allowing libraries to offer digital books and audiobooks to their patrons at no cost to the library. The Texas State Library replaced Simply-E with Boundless as it's E-Read offering. Simply-E was an open sourced app from the New York Public Library that was not well supported and experienced many IT issues. Boundless by Baker & Taylor is the new supplemental E-book offering and allows a much more user friendly experience similar to Cloud Library. No technical issues have been reported since launching October 1, however since this is a supported app, updates will be rolled out as needed. Patrons will have more options and potentially shorter wait times for holds since Boundless has the ability to have more user licenses available. Simply-E was underutilized by patrons, and the library expects Boundless to be a better patron experience. Board member Joy Fulton Lee asked if Boundless would be replacing Cloud Library and Director Pawlowski assured the board that it is a free supplemental addition to the library's digital offerings. Cloud Library will continue to be the library's primary e-book resource.

3e Discussion of Items for Future Agendas

No items for future agendas.

4. REPORTS

4a Librarian's Report

A. Monthly Statistics

Director Pawlowski detailed the statistics were on track with previous years. Gate count down due to no longer being a voting location, however statistics are similar to previous non-voting numbers. 92,000 patron visits annually is statistically a healthy number for the library, however program attendance down by 900. Youth attendance has decreased in part due to GCISD offering free pre-k options that are full day and five days per week. Emphasis on increasing teens, adults and seniors will help to increase attendance, however not in the same large numbers as youth programs. Circulation numbers are up over last year, by an increase of roughly 1,000. Volunteer statistics are down by 9%, seeing more adult volunteers than teens. Board member Baum asked in what capacity the teens volunteered at the library, and Director Pawlowski explained they typically shelve books, assist in programs, help with crafts, and assist in the prize room during summer reading.

B. Donations

The Friends of the Colleyville Library donated funds for online subscriptions for the GlowForge laser engraver and Cricut. Access to these subscriptions allow the staff to utilize the equipment more efficiently to provide better material used for programming.

C. Library Programs

Director Pawlowski discussed the decision to move up the fall programming by one week (August 26) to better address attendance toward the end of the fall session. Program attendance traditionally declined after the Thanksgiving holiday, so adjusting the programming dates a week earlier and ending before Thanksgiving should better retain attendance throughout the entire session. The library will be offering holiday programs during the Thanksgiving break such as Family Storytime, Family Movie, and Thanksgiving Crafts and Snacks. The programming session change will be evaluated and adjusted as necessary next year. Family Glow in the Dark Bingo is this Friday, October 18, a Halloween party will be on October 31 and the Story Walk runs through October 31. The first two Teen Tuesdays were successful, and Tarrant County Health hosted a Diabetes Prevention program for adults. In December, the library is collaborating with the Colleyville Police Department to provide an educational program regarding how to recognize and prevent being scammed. Outreach efforts in September at the Colleyville Senior

Center Health and Wellness Fair produced future collaboration with Ellery Arbor Memory Care in Colleyville. Ellery Arbor would like to partner with the library to provide Memory Kits for patrons and caregivers to check out in support of the Alzheimer's and Dementia community. Dina was representing the library at National Night Out, and the library will be participating at the Harvest Festival trunk or treat. Dina will also be representing the library at the Ellery Arbor Memory Care Trunk or Treat, and at the City Tree Lighting in November. Board member Baum suggested we share post-event pictures with the community to generate excitement for future events, in addition to our upcoming announcements. The library is actively trying to improve our visibility in the community.

4b Friends of the Colleyville Public Library Report

Merry Graves reported a $360 donation for the GlowForge and Cricut subscription services. Book sale revenue generated for September was $68.50 and October was $58.50. There are currently 12 members of the Friends of the Library and looking for more. A large book fair is planned for December to increase revenue and decrease inventory.

4c Colleyville Public Library Foundation Report

Denise Light indicated that about $1600 was raised through North Texas Giving Day, which was slightly lower than anticipated. Board member Kay Newton thanked Denise for acquiring the signage for the commemorative paintings in the library. Recognition plaque is still in the works.

*Board member Al Cain was asked by a community citizen if the library had any type of Artificial Intelligence training for older adults. Director Pawlowski recommended the Book a Librarian service on the library website for assistance in this area. Pawlowski discussed working with Kara Teeter to offer something with AI and to inquire about a possible collaboration with Tarrant County College on the subject. Wanda Cotter suggested opening possible volunteer opportunities for teens to assist older adults with basic technology assistance.

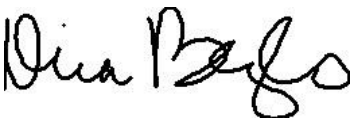
Chair Skinner advised the next meeting will be on December 9, and concluded the agenda was complete and requested a motion to adjourn.

5. ADJOURNMENT

A motion was made by Merry Graves and seconded by Wanda Cotter to adjourn the meeting of the Colleyville Library Board at 6:45 p.m. The motion was approved unanimously.

APPROVED BY A VOTE OF _11_ AYES, _0_ NAYS, AND _0_ ABSTENTIONS ON THIS THE _9th_ DAY OF _December 2024_.

Minutes taken and prepared by:



Dina Bayles

Library Outreach and Program Coordinator

CITY OF COLLEYVILLE
PLANNING AND ZONING COMMISSION MINUTES

100 Main Street, Colleyville, Texas, 76034

TUESDAY, NOVEMBER 12, 2024

CALL MEETING TO ORDER
EXECUTIVE CONFERENCE ROOM

The City of Colleyville Planning and Zoning Commission Worksession Meeting was called to order by Chair Bevill on November 12, 2024 at 6:15 p.m.

Roll Call

Present: David Groves, Richard Remley, Jerry Savoie, Jerome Obinabo, Brandon Arnold, and Claudia Bevill

Absent: Sayeda Syed

Staff Present: Ben Bryner. Jacquelyn Reyff, Kristopher Potts, and Christopher Pham

Also Present: Attorney, Sarah Ross, Fire Marshal, Rob Mckeown

City staff briefed the Commission on the items that would be presented on tonight's agenda. There was general discussion regarding the cases the commission would be voting on at the public meeting.

Chair Bevill adjourned the Planning and Zoning Commission Worksession Meeting at 6:44 p.m.

CALL MEETING TO ORDER
CITY COUNCIL CHAMBERS

The City of Colleyville Planning and Zoning Commission Meeting was called to order by Chair Bevill on November 12, 2024, at 7:00 p.m.

Roll Call

Present: David Groves, Richard Remley, Jerry Savoie, Jerome Obinabo, Brandon Arnold, and Claudia Bevill

Absent: Sayeda Syed

Staff Present: Ben Bryner, Jacquelyn Reyff, Kristopher Potts, and Christopher Pham

Also Present: Attorney, Sarah Ross, Fire Marshal, Rob Mckeown

1. APPROVAL OF MINUTES

1a October 14, 2024 Planning and Zoning Commission Meeting Minutes

October 28, 2024 Planning and Zoning Commission Worksession Meeting Minutes

Commissioner Savoie made a motion to approve the October 14, 2024 Planning and Zoning Commission Meeting Minutes and the October 28, 2024 Planning and Zoning Worksession meeting minutes.

Commissioner Groves seconded the motion.

The motion was carried by the following vote:

Aye: 6 – Groves, Obinabo, Remley, Arnold, Savoie, and Bevill
Nay: 0

2. PUBLIC HEARING AGENDA ITEMS

2a Consideration of a Preliminary/Final Plat for the Oak Creek Subdivision, being Lot 1, Block 1, Allzim Acres Addition and Tracts 2A7B, 2ABC, and 2A9A, Abstract 533, Mary M Freeman Survey, located at 7209 John McCain Road and 7215 John McCain Road, Case PC24-012

Christopher Pham presented case PC24-012 and briefed the Commission. The property meets all R-40 zoning requirements, and the zoning change was recently approved. Staff advised the commission we have received updated drainage plans for this property as well.

Clayton Redinger, Southlake, TX, the applicant spoke to the commission and stated he was available to answer any questions.

The commission did not have any questions for Mr. Redinger.

The public hearing was opened at 7:06 p.m.

Grady Walker, 7301 & 7309 John McCain Road, spoke in support of the case. Mr. Walker spoke highly of the applicant and his efforts to clean up the land.

With no one else wishing to speak, the public hearing was closed at 7:08 p.m.

Commissioner Obinabo made a motion to approve Case PC24-012.

Commissioner Arnold seconded the motion.

The motion was carried by the following vote:

Aye: 6 – Groves, Obinabo, Remley, Arnold, Savoie, and Bevill

2b Consideration of a Preliminary/Final Plat for the Bluffs Subdivision, being Tracts 1B1, 1B2, 1C1, and 1B3, Abstract 294, Robert Chowning Survey and Lot 1, Block 1, Cero Addition, located at 2417 Wilkes Drive and 6900 Pool Road, Case PC24-013

Christopher Pham presented case PC24-013 and briefed the Commission. The property meets all R-40 zoning requirements, and the zoning change was recently approved.

Clayton Redinger, Southlake, TX, the applicant spoke to the commission and stated he was available to answer any questions.

There was discussion regarding the open space lots and the tree preservation easement.

The public hearing was opened at 7:12 p.m.

Bob Egan, 2410 Twelve Oaks Lane, spoke in support of the case, thanking city staff and the commission for their work on the property.

With no one else wishing to speak, the public hearing was closed at 7:14 p.m.

Vice-Chair Groves made a motion to approve Case PC24-013.

Commissioner Savoie seconded the motion.

The motion was carried by the following vote:

Aye: 6 – Groves, Obinabo, Remley, Arnold, Savoie, and Bevill
Nay:

2c Consideration of a Special Use Permit to allow for a fence on Lot 1, Block 1, Chelsea Park Addition, being located at 5000 Chelsea Drive, Case ZC24-020

Kristopher Potts presented case ZC24-020 and briefed the Commission on the request. There is an existing fence that has existed in the location of the proposed fence, the applicant wishes to replace a wood fence with a new wood fence, being a corner lot the wood material does not meet the land development codes 25% opaque regulations. The SUP request is to allow the wood material instead of an opaque material such as iron.

The applicant, Innocent Olengue, 5000 Chelsea Drive, addressed the Commission and gave his reasoning for the SUP request.

The public hearing was opened at 7:18 p.m.

With no one wishing to speak, the public hearing was closed at 7:18 p.m.

Commissioner Obinabo made a motion to approve case ZC24-020.

Vice-Chair Groves seconded the motion.

The motion was carried by the following vote:

Aye: 6 – Groves, Obinabo, Remley, Arnold, Savoie, and Bevill
Nay: 0

2d Consideration of a Rezoning from AG Agricultural to CC-1 Village Retail on Lot 2, Block 1, First Baptist Church Addition, being located at 1007 Church Street, Case ZC24-021

Kristopher Potts presented case ZC24-021 and briefed the Commission on the rezoning request.

Zach Towery, 2504 Independence Road, the applicant, spoke on the case and stated they would address any questions the commission may have.

The commission did not have any questions for the rezoning request.

The public hearing was opened at 7:24 p.m.

With no one wishing to speak, the public hearing was closed at 7:24 p.m.

Commissioner Arnold made a motion to approve case ZC24-021.

Commissioner Remley seconded the motion.

The motion was carried by the following vote:

Aye: 6 – Groves, Obinabo, Remley, Arnold, Savoie, and Bevill
Nay: 0 –

2e Consideration of a Special Use Permit to allow for a fence on Lot 16, Block 8, Oak Crest Hills Addition, being located at 405 Oak Valley Drive, Case ZC24-022

Kristopher Potts presented case ZC24-022 and briefed the Commission on the SUP request. This fence is already built as they did receive a permit in error from the city. The fence does not meet the required side yard setback of 10 feet. The fence currently sits roughly 3 feet off the property line, the applicant is requesting the SUP

to allow the fence to remain in the current location.

Sam Hanna, P.O. Box 1603, Colleyville TX, the applicant spoke on the case and gave their reasoning to allow the fence to remain. The property owner gave 18 feet of ROW to the city which allows room for any future sidewalk improvements along Bransford Rd.

The Commission had questions regarding a piece of fabric/vinyl material that was placed over the fence to provide more privacy. This fabric being on the fence would make the fence not meet the 25 % opaque regulation required by the code. Vice-Chair Groves stated if the material was removed the fence would be allowed to stay; if additional privacy is wanted the Commission asked the home owner to plant live screening behind the fence.

Osama Hanna, 405 Oak Valley Drive, the property owner addressed the Commission and stated he was willing to make those changes to the fence.

The public hearing was opened at 7:31 p.m.

With no one wishing to speak, the public hearing was closed at 7:31 p.m.

Commissioner Savoie made a motion to approve case ZC24-022 with the condition that the vinyl material be removed from the fence, and if additional privacy is wanted to install shrubs or plant material for screening.

Vice-Chair Groves seconded the motion.

The motion was carried by the following vote:

Aye: 6 – Groves, Obinabo, Remley, Arnold, Savoie, and Bevill
Nay: 0 –

2f Consideration of a Special Use Permit to allow for a residential carport on Lot 8, Block 1, Arbor Estates Addition, being located at 2401 Spruce Court, Case ZC24-023

Jacquelyn Reyff presented case ZC24-023 and briefed the Commission on the proposed carport. Specifically regarding the design of the carport and the city's land development code standards. This carport was built without a permit and does not meet the majority of the city's requirements.

Joe Chiles, 2401 Spruce Court, the applicant, thanked the commission and city staff for being here and their hard work. He stated he has served on commissions and he understands what commissions do and go though. He apologized for building the carport without a permit; He was unaware he needed one. He is aware the carport is too large, too long, and too tall.

The applicant was confused by his plat which did show a 15 foot build line, hence why he built it at that setback. He is more than willing to change the carport however possible to get it approved, including modifications to the design to make it meet code requirements.

The public hearing was opened at 7:41 p.m.

Keith Coburn, 5505 Sycamore Drive, spoke in opposition of the case. Mr. Coburn had concerns with the carport stating we cannot know the structural integrity of the carport as it was not permitted or inspected by City Staff.

Fred Mills, 5400 Linden Court, spoke in opposition of the case. Mr. Mills thanked the commission for their efforts and work. There was discussion over this setting a precedent in their neighborhood as this is the second carport they have seen recently. There were also concerns over this carport not meeting city code.

Janet Suedmeier, 2301 Mulberry Court, spoke in opposition of the case. Mrs. Suedmeier also had concerns about this setting a precedent in the neighborhood. Mrs. Suedmeier also stated there has been an increase in crime lately, and open air carports are not ideal as vehicles are more accessible than an enclosed garage.

Eric Holland, 5500 Sycamore Drive, spoke in support of the case. Mr. Holland stated that Mr. Chiles has been making several upgrades to his property, all of which have increased the aesthetic value of the property. He also stated that the carport is mostly hidden behind the fence and that this could benefit the neighborhood by removing cars that would otherwise be parked in the street.

Joe Chiles, 2401 Spruce Court, addressed the commission again thanking Eric Holland for his kind words for his case. He stated he would do anything required by the city to bring the carport into compliance. He is more than willing to bring it into compliance but has stopped for the time being waiting on approvals before doing any additional work.

With no one else wishing to speak, the public hearing was closed at 7:57 p.m.

There was discussion with the Commission that there was not malicious intent from

the applicant and it was an honest mistake. It is deficient in so many ways that the commission does not feel comfortable approving it as it stands. There are too many deviations from the land development code regulations. There was also discussion if the city would be able to verify structural integrity if the case was approved. Ben Bryner stated our construction inspectors would inspect the structure and confirm integrity if it were to be approved.

Vice-Chair Groves made a motion to deny case ZC24-023.

Commissioner Savoie seconded the motion.

The motion was carried by the following vote:

Aye: 6 – Groves, Obinabo, Remley, Arnold, Savoie, and Bevill
Nay: 0 -

Case ZC24-023 was <u>denied</u> 6-0

2g Consideration of an amendment to the Planned Unit Development - Commercial district for The Village at Colleyville for consideration of a specific use to be allowed on Lot 27 of the Village at Colleyville Addition, being located at 55 Main Street, Suite 100, Case ZC24-024

Jacquelyn Reyff presented case ZC24-024 and briefed the Commission on the currently allowed uses in the village per the existing PUD, and the proposed amendment of allowing religious institutions within the PUD.

The commission asked if the applicant was present to answer a few questions, the applicant was not present.

There was little discussion as the commission mainly had questions for the applicant.

The public hearing was opened at 8:08 p.m.

Janet Reed, 33 Main Street, spoke in opposition of the case. She specifically spoke about how this could increase the need for parking within the village as it is already limited.

Debbie Pilgrim, 33 Main Street, spoke in opposition of the case, specifically regarding the entrance to the building, as it does not face a street and faces a walkway that is mainly residential. People visiting the Prayer Room will be walking by residences at

all hours according to the current hours of operation.

With no one else wishing to speak, the public hearing was closed at 8:14 p.m.

The Commission stated it doesn't make sense for the city to deny occupancy to the property due to parking as any business that would come into the village would be required to use the same existing parking.

There was discussion amongst the commission about the applicant not being present, therefore the commission would not be able to support this case without the answers to their questions.

Commissioner Savoie made a motion to table case ZC24-024 to the December 9th Planning and Zoning Commission meeting.

Vice-Chair Groves seconded the motion.

The motion was carried by the following vote:

Aye: 6 – Groves, Obinabo, Remley, Arnold, Savoie, and Bevill
Nay: 0

2h Consideration of a Special Use Permit for a reduction in Parking on Lot 1, Block 1, Gonzalez Addition, being located at 6609 Colleyville Boulevard, Case ZC24-026

Jacquelyn Reyff presented case ZC24-026 and briefed the Commission on the SUP request for a parking reduction.

The applicants, Russell and Preston Motz, 605 Clariden Ranch Road, spoke about their proposed business and provided an idea of how much parking would be required. The business would be a private baseball training facility. They are not anticipating requiring more than 9 people in the business at one point, and have worked out an agreement with an adjacent developer to receive additional parking in the future.

The public hearing was opened at 8:21 p.m.

Alka Mosy, 6607 Colleyville Boulevard did not wish to speak, but wanted to voice her support for the case.

With no one wishing to speak, the public hearing was closed at 8:24 p.m.

Commissioner Obinabo made a motion to approve case ZC24-024.

Commissioner Savoie seconded the motion.

The motion was carried by the following vote:

Aye: 6 – Groves, Obinabo, Remley, Arnold, Savoie and Bevill
Nay: 0 -

4. CITIZEN COMMENTS

The public forum opened at 8:25 p.m.

With no one wishing to speak, the public forum closed at 8:26 p.m.

5. ADJOURNMENT

The meeting adjourned at 8:26 p.m.

The minutes were written and prepared by:

Kristopher Potts

Kristopher Potts
Planner

The meeting minutes were approved on December 9, 2024 by a vote of 5-0.

CITY OF COLLEYVILLE
PLANNING AND ZONING COMMISSION WORKSESSION MINUTES

100 Main Street, Colleyville, Texas, 76034

NOVEMBER 25, 2024

CALL MEETING TO ORDER
EXECUTIVE CONFERENCE ROOM

The City of Colleyville Planning and Zoning Commission Worksession Meeting was called to order by Chair Bevill on November 25, 2024, at 6:15 p.m.

Roll Call

Present: Claudia Bevill, David Groves, Richard Remley, Jerome Obinabo, and Brandon Arnold

Absent: Sayeda Syed

Staff Present: Ben Bryner, Jacquelyn Reyff, Chris Pham, and Kris Potts

Also Present: Fire Marshal, Rob Mckeown, Attorney, Sarah Ross, and City Engineer Larry Wright

2. WORKSESSION AGENDA ITMES

2a Presentation and discussion of a Replat for Lot 1, Block A, Alverson Addition, being located at 605 Beverly Drive, Case PC24-014

Jacquelyn Reyff briefed the Commission on the proposed Replat. There was discussion regarding why the plat was needed, and staff explained it is intended to clean up property lines.

2b Presentation and discussion of an amendment to a Planned Unit Development – Commercial Ordinance to allow for office and medical office buildings, being Tract 1, Abstract 1154, R H McEwing Survey, located at 8060 Precinct Line Road, Case ZC24-027

Chris Pham briefed the Commission on the proposed PUD Amendment. There was discussion regarding the existing home on the property and what the applicant intends to do with the 2 existing buildings. There was also discussion regarding the applicant's request to lower the masonry requirement from 90% to 63%.

2c Presentation and discussion of a Special Use Permit to allow for a Daycare Center on a portion of Lot 1, Block 1, Towne Center Animal Hospital, located at 4313 Colleyville Boulevard, Case ZC24-028

Kris Potts briefed the Commission on the proposed Special Use Permit request. There was discussion regarding the minimum distances required between a liquor store located at the corner of Brown Trail and Colleyville Boulevard and the proposed daycare. The commission had questions regarding ownership of the common Access Easement and the proposed drive lanes connecting with nearby businesses.

2d Presentation and discussion of a change of zoning from AG Agricultural to CC-1 Village Retail, being Tract 2P, Abstract 973, Absalom J Lott Survey, located at 6312 Colleyville Boulevard, Case ZC24-029

Jacquelyn Reyff briefed the Commission on the rezoning request. There was discussion regarding if there was a potential use and or tenant for the proposed development yet. Larry Wright also spoke on the case regarding the drainage and some of the development challenges that the property has; The Army Corps of Engineers must be contacted to approve the work being done due to the blue line stream stream going through the property.

3. ADJOURMENT

The meeting adjourned at 6:57 p.m.

The minutes were written and prepared by:

Kris Potts

Kris Potts
Planner

The meeting minutes were approved on December 9th, 2024 by a vote of 5-0.

RESOLUTION R-24-5000

A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER BUSINESS AT THE REGULAR CITY COUNCIL MEETING OF DECEMBER 17, 2024

WHEREAS, City Council has taken action on certain items on the agenda under Business.

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

Sec. 1. THAT

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS, ON THIS THE 17TH DAY OF DECEMBER 2024.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

ATTEST: **CITY OF COLLEYVILLE**

Christine Loven
City Secretary, TRMC

Bobby Lindamood
Mayor