



City of Colleyville City Council Agenda

City Hall
100 Main Street
Colleyville, Texas 76034
817. 503.1000
www.colleyville.com

Tuesday, January 15, 2013

City Council Chambers

**PRE COUNCIL MEETING
EXECUTIVE SESSION
5:30 P.M.
EXECUTIVE CONFERENCE ROOM
THIRD FLOOR**

CALL TO ORDER

PC-1 Discussion of hydraulic fracturing operations at 7504 Pleasant Run Road

PC-2 Presentation of the 2012 Annual Crime Report

PC-3 Presentation of the Monthly Financial Report - December 2012

PC-4 Discussion of the January 15, 2013, City Council regular agenda items

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

Section 551.071 - Legal - Consultation with attorney on legal issues raised by public hearing or action items on the agenda

Section 551.071 - Litigation - City of Colleyville v. Mitchell

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

Section 551.087 - Economic Development - Discuss and deliberate commercial and financial information received from business prospects the City seeks to have locate, stay, or expand

**RESUME REGULAR MEETING
7:30 P.M.
CITY COUNCIL CHAMBERS**

INVOCATION: Pastor Drew Sherman, Compass Christian Church

PLEDGE OF ALLEGIANCE: City Attorney Matthew Boyle

2. EXECUTIVE SESSION: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - Resolution R-13-3585

3. ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS

Announcements of civic and charitable events
Presentation of calendar events and updates
Announcements of awards and recognition

Proclamation commending Girl Scout Kylee Kittrell, in recognition of earning the Gold Award - Mayor David Kelly

In recognition of board and committee members for years of service

In recognition of Colleyville's featured business - Elixir Salon and Day Maker, 85 Village Lane, Suite 15, Danielle and John Arnett, Owners - Mayor David Kelly and Economic Development Director Marty Wieder

4. CONSENT: READING AND PUBLIC HEARING - Resolution R-13-3586

- 4a** Approval of the minutes of the regular City Council meeting of January 8, 2013
- 4b** Approval of a bid award for the Fiscal Year 2013 (FY 2013) annual purchase of water meters to Texas Products, Inc., in the amount of \$80,105.25, and authorize the city manager to execute the contract
- 4c** Approval of an interlocal agreement with Tarrant County for the rehabilitation of Heritage Avenue, from Cheek-Sparger Road to approximately 550' south of Red River Drive, and authorize the city manager to execute the agreement

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

5a Ordinance O-13-1862

Consideration of a request for a Special Use Permit for a donation station on Lot 8A, Block 1, of the Thompson Terrace Addition located at 5117-B Colleyville Boulevard, Case ZC12-027

**6. ORDINANCE(S):
FIRST READING AND PUBLIC HEARING**

6a Ordinance O-13-1863

Consideration of amendments to Chapter 3 - Land Use, Section 3.24 - Schedule of Permitted Principle Uses of the Land Development Code, Case GC13-001

7. RESOLUTION(S): READING AND PUBLIC HEARING

7a Resolution R-13-3587

Approval of a City/Developer Agreement between the City of Colleyville and Avere Colleyville, L.P. for the Heritage Farms Development, and authorize the city manager to execute the agreement

7b Resolution R-13-3588

Consideration of appointment to the Park Land Dedication Committee

7c Resolution R-13-3589

Consideration of appointments to the Colleyville Tree Board

8. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA

9. REPORTS

Parks and Recreation Advisory Board Meeting Minutes - October 8, 2012

10. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR JANUARY 15, 2013 - Reading and Public Hearing - Resolution R-13-3590

11. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards Friday, January 11, 2013, by 5:00 p.m.

Amy Shelley
City Secretary

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 817.503.1133, and reasonable accommodations will be made to assist you.



City of Colleyville City Council Agenda Briefing

City Hall
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Agenda Number PC-1

Agenda Date 01/15/2013

Type Pre Council

Department Community Development

Title

Discussion of hydraulic fracturing operations at 7504 Pleasant Run Road

Explanation

This item provides an opportunity for staff to update the City Council on intended hydraulic fracturing operations on the part of Atlas Resource Partners, L.P. at 7504 Pleasant Run Road.

Attachments



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
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Agenda Number PC-2

Agenda Date 01/15/2013

Type Presentation

Department Police

Title

Presentation of the 2012 Annual Crime Report

Explanation

Colleyville experienced another decrease in crime in 2012, helping continue an important aspect of the community's quality of life. Overall, Part 1 Crime reported in 2012, was reduced to its lowest number in over two decades. Colleyville's success in lowering crime is directly attributable to the men and women of the Colleyville Police Department and our many community partners, including the Citizen Police Academy Alumni Association, Citizens On Patrol (COPS), and other volunteers, neighborhood crime watches, businesses, and alert citizens. The Colleyville Police Department employed a variety of strategies, technology, and crime analysis to develop intelligence, identify problem areas, and quickly deploy resources in a directed fashion to accomplish the reduction.

Part 1 Crime reporting is used for crime analysis both locally and statewide through the Uniform Crime Report (UCR). The objective of the Uniform Crime Reporting program is to produce reliable crime statistics for law enforcement administration, operation, and management. This is accomplished through the recording and reporting of the eight (8) Crime Index Offenses (Part 1 Offenses); Murder, Rape, Robbery, Aggravated Assault, Burglary, Theft, Auto Theft, and Arson.

Law enforcement agencies report the number of known index crime offenses from their records of complaints from victims, reports from witnesses, and from crimes discovered by the agency during operation. Reports that are determined to be unfounded are eliminated from the totals. The resulting number of "offenses known to law enforcement officials" is reported without regard to whether arrests were made, stolen property recovered, or if prosecution took place.

Each month, the Colleyville Police Department prepares and submits specific known crime statistics to the Federal Bureau of Investigations (FBI), through the Texas Department of Public Safety. Although these crime statistics do not reflect all reported crimes, it is what Colleyville and other police agencies around the country are measured against. Crimes not tracked as index offenses include Criminal Mischief, Criminal Trespass, Simple Assault, Forgery, and other property and minor offenses against individuals.

2012 versus 2011 Crime Comparison

In Colleyville, the UCR Part 1 Offense comparison for 2012 versus 2011 reports an overall decrease in property crime. In 2012, there were 32 burglaries compared to 42 in 2011, a 24% decrease. There were 148 thefts reported in 2012 as compared to 150 in 2011, including Auto Thefts, an 8% decrease. Overall property crime decreased 6% in 2012. Violent crimes, which include robbery and aggravated assault, decreased during this time period from nine to five, a drop of 44%. A year-to-year comparison of 2012 to 2011, shows a total of 185 Part 1 Offenses in 2012, compared to 201, in 2011. Overall crime for Colleyville in 2012 declined 8%.

There are numerous factors that successfully impacted overall crime in Colleyville and led to the crime reduction in 2012. The core element of our crime reduction was ensuring that our officers are proactively addressing crime rather than reacting to it. Timely and accurate intelligence information is provided to officers and community partners. This information is vital in developing proactive strategies and deployments so that crime trends and patterns are quickly recognized and addressed. Patrol officers are permanently assigned geographic patrol areas, and utilize this intelligence and trend information to guide their activity, which also promotes accountability and expertise of their assigned area. These geographic assignments also allow the officers to develop long-term working relationships with residents and business owners.

The department continues to support community partnership programs, such as the Citizens Police Academy and Citizens On Patrol (COPs). These programs represent invaluable crime deterrents and have contributed to the decrease in crime. Citizens on Patrol (COPS) provides an excellent opportunity for our officers and community partners to work hand-in-hand with one another. The citizen volunteers report suspicious incidents, provide traffic control at special events, and provide a visible presence in the high traffic areas of the community.

Three Year Crime Trend Analysis (2010 – 2012)

A three (3) year crime trend analysis for the City of Colleyville shows an overall decrease in Part 1 Crime from 2010 through 2012 of 39%. This downward trend was the result of impacting property crime. Traditionally, property crime accounts for 93% - 99% of total Part 1 Crime. In late 2012, the Colleyville Police Department began utilizing a crime analysis software tool called TrendCaster. TrendCaster utilizes heat-map technology that visualizes trends in crime over a certain period of time. The color scale of the heat-map ranges from deep blue to bright red with blue indicating declining crime and red indicating increasing crime. The TrendCaster mapping software allows management the ability to visually assess the effectiveness of new policing strategies and determine areas where crime is shifting over time. This is an effective tool, and the department will continue to integrate it into our proactive planning methodology.

Attachments

1. 2012 Annual Crime Report



2012 ANNUAL CRIME REPORT

Colleyville Police Department

Chief Michael Holder

January 15, 2013

WHAT IS UNIFORM CRIME REPORTING?

The objective of the Uniform Crime Reporting program is to produce reliable crime statistics for law enforcement administration, operation, and management.

This is accomplished through the recording and reporting of the eight (8) Crime Index Offenses (Part 1 Offenses);

- ☐ **Murder**
- ☐ **Rape**
- ☐ **Robbery**
- ☐ **Aggravated Assault**
- ☐ **Burglary**
- ☐ **Theft**
- ☐ **Auto Theft**
- ☐ **Arson**

2012 ANNUAL CRIME REPORT

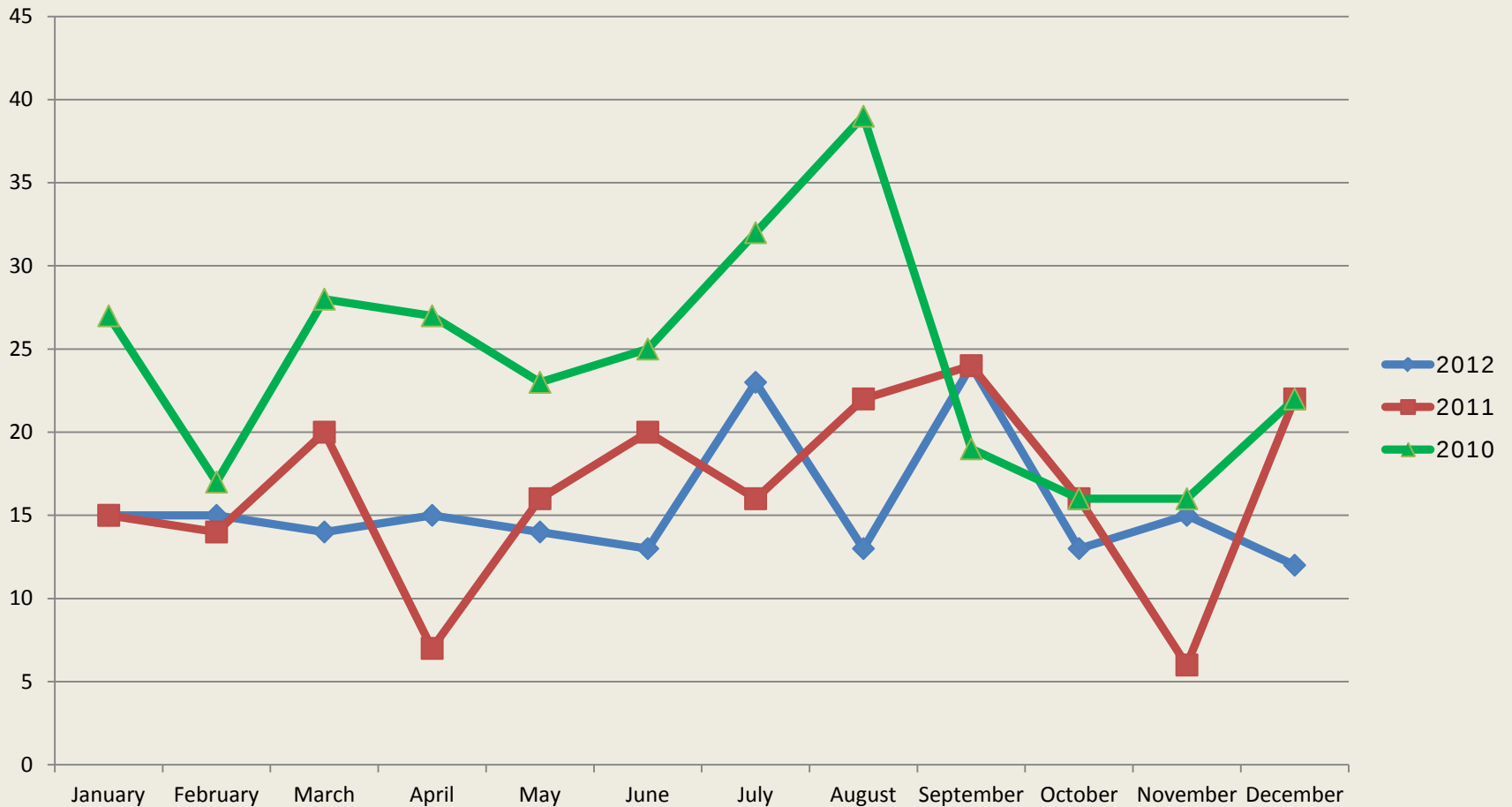
Part 1 Crimes	2011	2012	Change
Murder	0	0	N/A
Rape	0	1	100%
Aggravated Assault	5	3	-40 %
Robbery	4	1	-75 %
Total Violent	9	5	-44 %
Burglaries			
Non-Residential	15	22	47%
Residential	27	10	-63 %
Thefts			
Burglary of Vehicle	59	65	10%
Other Theft	85	80	-6 %
Auto Theft	6	3	-50 %
Arson	0	0	N/A
Total Property	192	180	-6 %
Total Part 1	201	185	-8 %



Change in Crime

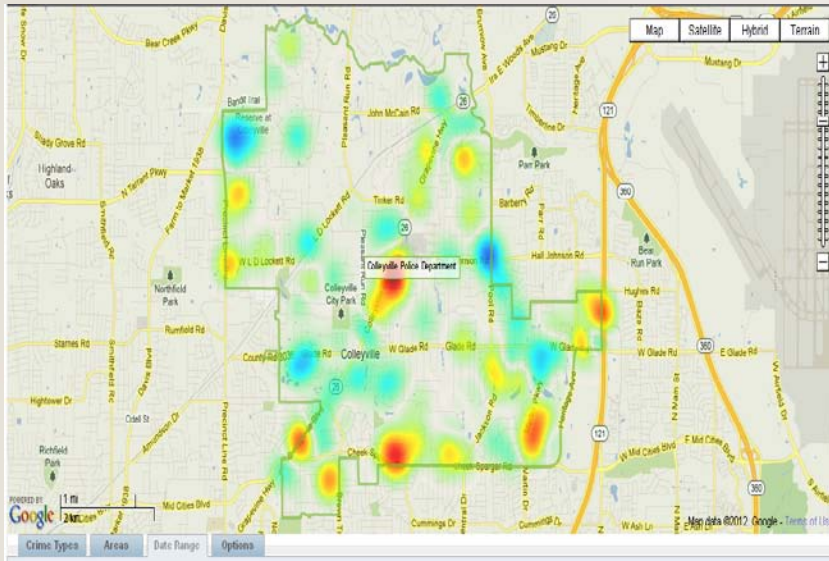
-8 %

2010 – 2012 Part 1 Crime Comparison

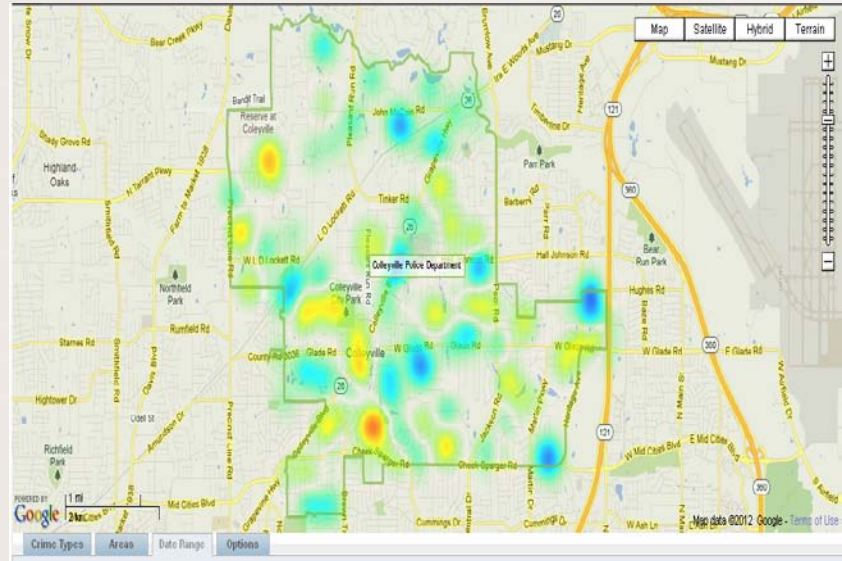


2011-2012 CRIME TREND ANALYSIS

All Part 1 Offenses 2011



All Part 1 Offenses 2012



The TrendCaster is a heat-map that shows where crimes are on the rise or decline over a certain period of time. The TrendCaster allows management to visually assess the effectiveness of new strategies and determine areas where crime is shifting over time. The bright red areas depict a concentration of crime and the deep blue represents a dramatic reduction in crime.



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Agenda Number PC-3

Agenda Date 01/15/2013

Type Pre Council

Department Finance

Title

Presentation of the Monthly Financial Report - December 2012

Explanation

The percentage of current year taxes collected is 62.96%, which is ahead of December 2011 collections. Sales tax revenue received in December was up 12.52% or \$24,286 from revenues reported for the same time period last year. Per governmental accounting rules, the December 2012 sales tax allocation is the first month of sales tax revenue recorded in Fiscal Year 2013. This is the fourth consecutive month of increased sales tax revenues as compared to the prior year, and this is the highest December sales tax allocation ever received. Five new residential building permits were issued compared to 13 for the same period last year. Permit revenues currently exceed the budgeted year-to-date projection by \$28,806. Revenues from ambulance collections exceed budgeted projections by \$7,802 and Colleyville Center's revenues also exceed budgeted projections by \$5,200. The average amount expended by the General Fund departments at the end of December is 19.72% of the total appropriation, versus 22.32%, which was projected to be spent.

Utility Fund

Water usage increased as compared to the amount sold through December 2011. The average amount expended by the Utility Fund departments at the end of December 2012 is 16.17% of the total appropriation, versus 19.26%, which was projected to be spent.

Attachments

1. December 2012 Monthly Financial Report

MONTHLY FINANCIAL REPORT - DECEMBER 2012

GENERAL FUND		RECEIVED	PROJECTED	RECEIPT VS	RECEIVED	PERCENT
REVENUE SOURCE	FY 2013	AS OF	AS OF	PROJECTED	AS OF	CHANGE OVER
	BUDGET	12/31/2012	12/31/2012	INCR (DECR)	12/31/2011	PRIOR YEAR
Current Taxes	\$10,825,606	\$4,858,546	\$3,986,960	21.86%	\$3,852,128	26.13%
Delinquent Taxes	72,000	29,479	35,113	-16.05%	30,723	-4.05%
Penalty & Interest	63,000	8,186	9,885	-17.19%	8,944	-8.47%
TOTAL AD VALOREM TAXES	\$10,960,606	\$4,896,211	\$4,031,958	44.67%	\$3,891,795	25.81%
Oncor Electric	\$840,000	\$0	\$0	0.00%	\$84,133	-100.00%
Tri-County Electric	115,000	0	0	0.00%	0	0.00%
Atmos Gas	335,000	0	0	0.00%	0	0.00%
AT&T	85,000	21,595	21,250	1.62%	21,069	2.49%
Verizon/Others	75,000	16,686	15,625	6.79%	17,177	-2.86%
Refuse/Recycling	145,800	33,459	18,225	83.59%	28,253	18.43%
Cable TV	378,000	114,581	94,500	21.25%	98,036	16.88%
TOTAL FRANCHISE TAXES	\$1,973,800	\$186,320	\$149,600	9.44%	\$248,667	-25.07%
Sales Tax	\$2,675,000	\$218,263	\$202,582	7.74%	\$193,977	12.52%
Mixed Beverage Tax	67,000	17,526	16,750	4.63%	16,157	8.48%
TOTAL SALES TAX	\$2,742,000	\$235,789	\$219,332	8.60%	\$210,133	12.21%
Building	\$485,768	\$128,886	\$121,442	6.13%	\$138,814	-7.15%
Plumbing	48,680	12,804	12,170	5.21%	17,692	-27.63%
Mechanical	28,868	8,375	7,217	16.04%	8,513	-1.63%
Electrical	37,568	13,063	9,392	39.09%	13,629	-4.15%
City License	37,372	7,725	9,343	-17.32%	8,900	-13.20%
Building Plan Review Fee	55,207	29,496	13,802	113.71%	13,832	113.24%
New Business	3,372	1,081	843	28.23%	1,363	-20.69%
Sign Permit	5,463	1,560	1,366	14.22%	1,365	14.29%
Fence Permit	3,500	1,525	875	74.29%	975	56.41%
Fire Permits	6,500	1,050	1,625	-35.38%	1,950	-46.15%
Irrigation Permit	13,660	4,731	3,415	38.54%	3,486	35.71%
TOTAL LICENSES & PERMITS	\$725,958	\$210,296	\$181,490	28.97%	\$210,550	-0.12%
Fines	\$795,000	\$171,250	\$198,750	-13.84%	\$193,658	-11.57%
Alarm Fees	52,000	12,799	13,000	-1.55%	11,975	6.88%
Library Fines	20,969	5,573	5,242	6.31%	5,067	10.00%
TOTAL FINES	\$867,969	\$189,622	\$216,992	21.85%	\$210,700	-10.00%

MONTHLY FINANCIAL REPORT - DECEMBER 2012

REVENUE SOURCE	FY 2013 BUDGET	RECEIVED AS OF 12/31/2012	PROJECTED AS OF 12/31/2012	RECEIPT VS PROJECTED INCR (DECR)	RECEIVED AS OF 12/31/2011	PERCENT CHANGE OVER PRIOR YEAR
Re-zoning	\$7,500	\$2,485	\$1,875	32.53%	\$3,400	-26.91%
Plat Fee/Site Plan	4,000	4,348	1,000	334.75%	2,125	-104.59%
Board of Adjustment	1,250	500	313	60.00%	625	-20.00%
Sale of Material	100	7	25	-71.20%	14	-48.57%
Weed Mowing	6,500	1,610	1,625	-0.92%	3,095	-47.98%
Ambulance	275,000	76,552	68,750	11.35%	82,177	-6.84%
Recreation Program	145,000	26,846	24,167	11.09%	26,498	1.31%
Non-Resident Fee Parks	36,570	20,210	18,285	10.53%	17,160	17.77%
Field Use Charge	22,500	7,450	7,875	-5.40%	10,535	-29.28%
Colleyville Center Rental	230,000	62,700	57,500	9.04%	46,848	33.84%
Lot Drainage Insp Fee	16,875	2,625	4,219	-37.78%	4,500	-41.67%
TOTAL CHARGES FOR SERVICE	\$745,295	\$205,332	\$185,633	27.55%	\$197,516	3.96%
SRO Officer Reimb	\$89,792	\$0	\$0	0.00%	\$0	0.00%
Keller Court	\$216,980	\$0	\$0	0.00%	\$0	0.00%
TOTAL INTERGOVERNMENTAL	\$306,772	\$0	\$0	0.00%	\$0	0.00%
Sale of Surplus Property	\$10,000	\$0	\$0	0.00%	\$6,185	-100.00%
Interest Income	35,000	0	0	0.00%	5,562	-100.00%
Miscellaneous	54,000	32,743	32,419	1.00%	29,099	12.52%
Use of Available Cash	1,000,000	0	0	0.00%	0	0.00%
Antenna Lease	70,040	28,571	26,921	6.13%	30,103	-5.09%
TOTAL MISCELLANEOUS	\$1,169,040	\$61,314	\$59,340	5.24%	\$70,949	-13.58%
Transfer from Utility Fd	\$956,469	\$0	\$0	0.00%	\$0	0.00%
TOTAL TRANSFERS	\$956,469	\$0	\$0	0.00%	\$0	0.00%
TOTAL GENERAL FUND REVENUES	\$20,447,909	\$5,984,883	\$5,044,344	29.27%	\$5,040,311	18.74%

MONTHLY FINANCIAL REPORT - DECEMBER 2012

	FY 2013 BUDGET	THROUGH 12/31/2012	THROUGH 12/31/2011	TOTAL INCREASE (DECREASE)	PERCENT INCREASE (DECREASE)
% OF CURRENT TAX ROLL COLLECTED	99.0%	62.96%	61.73%	1.23%	1.99%
RESIDENTIAL BLDG PERMITS	132	20	36	(16)	-44.44%
COMMERCIAL BLDG PERMITS	7	2	0	2	100.00%
CITATIONS ISSUED	11,750	1,903	2,767	(864)	-31.23%

GENERAL FUND EXPENSES

	FY 2013 BUDGET	EXPENDED THROUGH 12/31/2012	YEAR-TO-DATE PROJECTED EXPENDITURES	% OF BUDGET EXPENDED	BUDGET REMAINING
City Council	\$203,306	\$44,106	\$44,960	21.69%	\$159,200
City Manager	600,530	145,959	152,281	24.31%	454,571
City Secretary	319,696	80,907	109,128	25.31%	238,790
Finance	434,896	122,541	126,692	28.18%	312,355
Legal	130,460	10,601	19,072	8.13%	119,859
Engineering	393,139	102,023	105,865	25.95%	291,116
Economic Development	379,692	53,564	66,905	14.11%	326,128
Building Inspection	307,617	78,319	83,112	25.46%	229,298
Community Development	238,064	51,805	56,440	21.76%	186,259
Fire	4,113,285	1,115,695	1,142,509	27.12%	2,997,590
Police	4,197,317	924,508	1,175,858	22.03%	3,272,809
Parks	1,388,218	245,100	316,717	17.66%	1,143,118
Recreation	309,175	45,541	64,347	14.73%	263,634
Senior Center	51,328	3,732	5,015	7.27%	47,596
Street Maintenance	3,340,996	226,297	235,433	6.77%	3,114,699
Library	717,534	187,777	203,642	26.17%	529,757
Communications	142,676	32,810	33,878	23.00%	109,866
Colleyville Center	382,537	82,242	127,122	21.50%	300,295
Human Resources	237,510	57,154	60,073	24.06%	180,356
Municipal Court	411,805	94,163	99,257	22.87%	317,642
Fleet Maintenance	227,322	62,460	64,030	27.48%	164,862
Building Services	325,559	106,087	110,528	32.59%	219,473
Information Services	757,927	159,220	159,383	21.01%	598,707
Capital Equipment Reserve	231,000	-	-	0.00%	231,000
Strategic Initiatives Fund Transfer	200,000	-	-	0.00%	200,000
Performance Pay	402,751	-	-	0.00%	402,751
TOTAL EXPENSES	\$20,444,340	\$4,032,610	\$4,562,247	19.72%	\$16,411,730

MONTHLY FINANCIAL REPORT - DECEMBER 2012

UTILITY FUND

REVENUE SOURCE	FY 2013 BUDGET	RECEIVED AS OF 12/31/2012	PROJECTED AS OF 12/31/2012	RECEIPT VS PROJECTED INCR (DECR)	RECEIVED AS OF 12/31/2011	PERCENT CHANGE OVER PRIOR YEAR
Water Sales	\$9,361,814	\$2,713,541	\$2,846,816	-4.68%	\$2,431,604	11.59%
Sewer Sales	2,884,565	724,752	721,141	0.50%	760,313	-4.68%
Sewer Installation	7,000	2,000	1,750	14.29%	3,200	-37.50%
Water Installation	21,000	4,370	5,250	-16.76%	6,620	-33.99%
Sewer Tie-on Charges	5,000	0	0	0.00%	0	0.00%
Engineering Charges	5,000	0	0	0.00%	0	0.00%
Penalties	183,696	56,026	45,924	22.00%	72,565	-22.79%
Miscellaneous	13,000	4,772	3,250	46.84%	3,780	26.24%
TOTAL OPERATING INCOME	\$12,481,075	\$3,505,461	\$3,624,131	28.09%	\$3,278,083	6.94%
Interest Income	\$20,300	\$0	\$0	0.00%	\$1,123	-100.00%
TOTAL NON-OPERATING INCOME	\$20,300	\$0	\$0	0.00%	\$1,123	-100.00%
TOTAL INCOME	\$12,501,375	\$3,505,461	\$3,624,131	28.04%	\$3,279,206	6.90%

	THROUGH 12/31/2012	THROUGH 12/31/2011	TOTAL INCREASE (DECREASE)	PERCENT INCREASE (DECREASE)
GALLONS OF WATER SOLD	692,469,060	656,655,700	35,813,360	5.45%
NUMBER OF WATER CUSTOMERS	9,320	9,160	160	1.75%

UTILITY FUND EXPENSES

	FY 2013 BUDGET	EXPENDED THROUGH 12/31/2012	YEAR-TO-DATE PROJECTED EXPENSES	% OF BUDGET EXPENDED	BUDGET REMAINING
Billing	382,501	92,342	\$99,829	24.14%	290,159
Operations	9,414,733	1,692,651	1,996,438	17.98%	7,722,082
Utility Support	661,488	206,151	207,008	31.16%	455,337
Debt Service	827,824	500	68,985	0.06%	827,324
Merit Adjustment	28,470	0	0	0.00%	28,470
Interfund loan repayment	44,286	0	0	0.00%	44,286
Transfer to General Fund	956,469	0	0	0.00%	956,469
TOTAL EXPENSES	\$12,315,771	\$1,991,644	\$2,372,260	16.17%	\$10,324,127



City of Colleyville City Council Agenda Briefing

City Hall
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Agenda Number PC-4

Agenda Date 01/15/2013

Type Pre Council

Department City Secretary

Title

Discussion of the January 15, 2013, City Council regular agenda items



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
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Agenda Number 1

Agenda Date 01/15/2013

Type Executive Session

Department City Secretary

Title

Section 551.071 - Legal - Consultation with attorney on legal issues raised by public hearing or action items on the agenda

Section 551.071 - Litigation - City of Colleyville v. Mitchell

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

Section 551.087 - Economic Development - Discuss and deliberate commercial and financial information received from business prospects the City seeks to have locate, stay, or expand

Attachments

RESOLUTION R-13-3585

**A RESOLUTION APPROVING CITY COUNCIL ACTION
REGARDING EXECUTIVE SESSION ITEMS AT THE REGULAR
CITY COUNCIL MEETING OF JANUARY 15, 2013**

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 the following actions of the City Council are hereby adopted and approved:

a. THAT

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _____ AYES, _____ NAYS, AND _____ ABSTENTIONS ON THIS THE 15TH DAY OF JANUARY 2013.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley
City Secretary

David Kelly
Mayor



City of Colleyville City Council Agenda Briefing

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Agenda Number 3

Agenda Date 01/15/2013

Type Announcements, Proclamations and Presentations

Department City Secretary

Title

Proclamation commending Girl Scout Kylee Kittrell, in recognition of earning the Gold Award - Mayor David Kelly

In recognition of board and committee members for years of service

In recognition of Colleyville's featured business - Elixir Salon and Day Maker, 85 Village Lane, Suite 15, Danielle and John Arnett, Owners - Mayor David Kelly and Economic Development Director Marty Wieder

Attachments

1. Proclamation in recognition of Kylee Kittrell
2. In recognition of board and committee members for years of service

Proclamation

CITY OF

Colleyville,
Texas

WHEREAS: Kylee Kittrell has earned the Gold Award, the highest and most prestigious achievement Girl Scout Seniors and Ambassadors can earn; and

WHEREAS, the Gold Award marks the extraordinary efforts of extraordinary girls, and allows them to find the greatness inside themselves, and make a difference by using their talents to positively impact their communities, and reach people around the world; and

WHEREAS, Kylee Kittrell and her fellow Girl Scouts worked together on their Gold Award project to revive the Grapevine High School (GHS) Pantry, a facility, which provides essentials to the less fortunate students at Grapevine High School. The girls spent over a year and a half revamping the pantry and raising awareness among their peers of the need to help fellow students on campus. Working with the GHS counselors and teachers, these young Colleyville women helped encourage students and community members to fill the pantry on a weekly basis.

WHEREAS, Kylee Kittrell, has not only made a lasting impression on her peers, but also demonstrated the shared value that when the need arises, it is the responsibility of the community to respond.

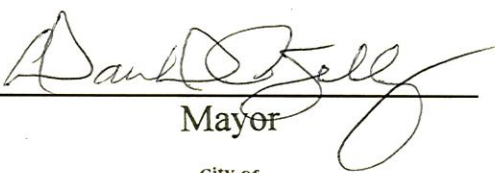
NOW, THEREFORE, I, DAVID KELLY, MAYOR OF THE CITY OF COLLEYVILLE, TEXAS, on behalf of the Colleyville City Council and citizens of Colleyville, congratulate and commend

KYLEE KITTRELL

for this lifetime achievement and encourage her to use the leadership skills she has learned and demonstrated to the betterment of humanity.

IN WITNESS WHEREOF, I do hereby set my hand and seal of the City of Colleyville, Texas, affixed this 15th day of January 2013.




Mayor



**In Recognition of Board and Committee Members
For Years of Service**

**Colleyville Center Advisory
Committee**

Karen Birkes
2001 - 2012

Joyce Hammill
2010 - 2012

Linda Creed
2008 - 2012

**Colleyville Events Steering
Committee**

Charles Bethards
2010 - 2012

Charlie Hewitt
2011 - 2012

Letha Siddons
2010 - 2012

Tom Westerman
2000 - 2012

Colleyville Sidewalks Committee

Debbie Abitz
2008 - 2012

Vishwajit Bhave
2010 - 2012

David Gillan
2011 - 2012

Carel Tornes
2010 - 2012

Colleyville Tree Board

Debbie Abitz
2011 - 2012

Parks and Recreation Advisory Board

Debbie Abitz
2008 - 2012

Tevon Taylor
2010 - 2012

Park Land Dedication Committee

Tevon Taylor
2011 - 2012

Traffic Safety Advisory Committee

Walt Mills
2008 - 2012

Carel Tornes
2009 - 2012

RESOLUTION R-13-3586

**A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER CONSENT
ITEMS AT THE REGULAR CITY COUNCIL MEETING OF
JANUARY 15, 2013**

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 January 8, 2013
 - b. Approval of a bid award for the Fiscal Year 2013 (FY 2013) annual purchase of water meters to Texas Products, Inc., in the amount of \$80,105.25, and authorize the city manager to execute the contract
 - c. Approval of an interlocal agreement with Tarrant County for the rehabilitation of Heritage Avenue, from Cheek-Sparger Road to approximately 550' south of Red River Drive, and authorize the city manager to execute the agreement

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _____ AYES, _____ NAYS, AND _____
ABSTENTIONS ON THIS THE 15TH DAY OF JANUARY 2013.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley
City Secretary

David Kelly
Mayor



City of Colleyville City Council DRAFT - Minutes

City Hall
100 Main Street
Colleyville, Texas 76034
817. 503.1000
www.colleyville.com

Tuesday, January 8, 2013

City Council Chambers

Mayor David Kelly called the Pre Council meeting of the Colleyville City Council to order on January 8, 2013, at 5:31 p.m.

ROLL CALL: Mayor David Kelly, Mayor Pro Tem Tom Hart and Councilmembers Carol Wollin, Stan Hall, Michael Muhm, Jody Short, and Mike Taylor were present. City Manager Jennifer Fadden, Assistant City Manager and Chief Financial Officer Terry Leake, Police Chief Mike Holder, Captain Robert Hinton, Economic Development Director Marty Wieder, Parks and Recreation and Library Director Mary Rodne, Public Works Director Bob Lowry, City Engineer Jeremy Hutt, Finance Manager Karen Hines, Community Development Director Ron Ruthven, Communications and Marketing Director Mona Gandy, Parks Superintendent Tim Hightshoe, Information Systems Manager Chris Pena, City Attorney Matthew Boyle, and City Secretary Amy Shelley were also present.

PC-1 Discussion of the Grapevine-Colleyville Independent School District 83rd Texas Legislative Session agenda

City Manager Jennifer Fadden briefed the City Council regarding the Grapevine-Colleyville Independent School (GCISD) Legislative Agenda for the 83rd Texas Legislative Session. Superintendent Dr. Robin Ryan came forward and stated the school board did adopt this Legislative Agenda to show their strength as a public school.

Mayor Kelly questioned Dr. Ryan regarding if a payment from the Robin Hood funds was required to be made even though there was \$14 million cut from the budget. Dr. Ryan replied yes, \$29 million was paid last year and \$28 million was paid this year.

Councilmember Muhm questioned Dr. Ryan regarding why the \$14 million was taken out. Dr. Ryan replied it was taken for a lack of funds from the State revenues.

Councilmember Taylor questioned Dr. Ryan regarding what are the most important points, as viewed by the Board? Dr. Ryan replied it is having the ability for local control, as a community, for the type of education for the children, and to be able to present it to the community moving forward.

Councilmember Hall questioned Dr. Ryan regarding the number of school districts within the lawsuit. Dr. Ryan replied 800 are involved.

Councilmember Hall questioned Dr. Ryan regarding if the 800 includes the districts receiving Robin Hood benefits. Dr. Ryan replied yes.

Councilmember Hall questioned Dr. Ryan regarding why those school districts would be fighting it? Dr. Ryan replied the funding formulas are still not fair.

Councilmember Muhm questioned Dr. Ryan regarding who agrees to the items such as 45 days of testing. Dr. Ryan replied the Texas Education Agency (TEA) and the Legislature.

Councilmember Muhm questioned Dr. Ryan regarding the options for bringing in the \$5.4 billion. Dr. Ryan replied the solution options are complicated, but the biggest need is a change in the funding formula, which began when the tax laws changed in 2006.

Councilmember Muhm questioned Dr. Ryan regarding if the teachers received step increases. Dr. Ryan replied no and there are no other increases anticipated.

Councilmember Taylor questioned Dr. Ryan regarding if there are federal matching monies which follow this. Dr. Ryan replied in certain districts there are more federal dollars tied to the poverty levels. He further explained in the higher poverty levels there are more federal dollars.

Councilmember Taylor stated there used to be a true inequality from an infrastructure stand point but the money seemed to keep coming in however it did not change poverty rates. He stated it seems the money is being distributed based on political views. He explained the wealthy districts send out more money while their infrastructure still has to be maintained. He further stated this school district has managed its resources.

Mayor Kelly stated the school district has done a better job of getting the information to the people that something has to be done. He further stated it takes City Councils and parents to support resolutions to be presented to Legislation.

Councilmember Muhm concurred and stated this school district is doing a good job. He stated being in support of doing something, in the general spirit, to raise the bar, like drafting a letter for the cause. He stated the difficulty is within the solutions. He explained everybody wants more money to do something, but nobody wants to pay more money to do it.

Mayor Kelly stated the bigger issue is the local control. He explained local taxes are not being spent on local schools. He stated there will always be inequities.

Councilmember Muhm stated there are times when those schools are building larger facilities with our money. Councilmember Hall concurred.

Councilmember Short questioned Dr. Ryan regarding the problem with the vouchering system. Dr. Ryan replied they want all children to be a product of their schools. He stated the vouchering system takes public money and gives it to a private institution without any accountability to those tax dollars.

Councilmember Muhm questioned Dr. Ryan regarding if the TEA regulates only public schools. Dr. Ryan replied yes, but not a private school, which adopts their own set of guidelines and regulations, nothing set by the State; therefore they should be accountable for those dollars.

Mayor Pro Tem Hart stated he did not fully support this 100 percent, but he does support what is being done with the schools. He stated this has been an ongoing issue since 1993 with really no end.

Councilmember Hall concurred and questioned Dr. Ryan regarding what is the anticipated outcome of the lawsuit? Dr. Ryan replied the first thing would be adequacy, local control, and accountability.

Councilmember Hall questioned Dr. Ryan regarding who will be hearing the case. Dr. Ryan replied a judge, at this point and then immediately appealed to the Texas Supreme Court.

Councilmember Muhm questioned Dr. Ryan regarding if this will be a lengthy process. Dr. Ryan replied yes.

Councilmember Taylor questioned Dr. Ryan regarding the core issue. Dr. Ryan explained adequacy is different than equity. He stated there are adequate resources to educate every child with the skills and knowledge that it takes to graduate high school and explained the details of passing tests and courses related to funding. He explained the Constitution states a general diffusion of knowledge must be provided in order to graduate.

Councilmember Muhm questioned Dr. Ryan regarding if the percentage sent back was closer to 40 percent during the old Robin Hood. Dr. Ryan replied it varied with the enrollment and values. He stated last year it was \$29 million and this year it is \$28 million. He stated over the life of the Robin Hood funding, GCISD is the sixth largest contributing school district in the State. He stated it has been just under half-a-billion dollars, this school district has sent back to the State.

Councilmember Muhm questioned Dr. Ryan regarding if the TEA put the STAAR system in place. Dr. Ryan replied yes, along with the Legislature.

Councilmember Muhm questioned Dr. Ryan regarding the rational with putting together these higher testing standards. Dr. Ryan replied the intent was good in order to have the best schools across the nation, but only half of the equation was

presented. He explained "they stated this is what we want you to accomplish but they left out how they were going to get you there."

Councilmember Muhm stated that has always been the case, regulations are put in place, with no funds to be able to get there.

Councilmember Muhm questioned Dr. Ryan regarding the retirement system. Dr. Ryan replied they are looking at doing away with a defined benefit and going with an individual benefit.

Mayor Kelly questioned Dr. Ryan regarding if it will function more like Social Security. Dr. Ryan replied yes.

Councilmember Muhm questioned Dr. Ryan regarding what the district matches. Dr. Ryan replied 6.5 percent.

Councilmember Short questioned Dr. Ryan regarding the actual dedication to taking the test, what are the pass rates and the consequences of failing? Dr. Ryan replied they do not have the results back from the tests taken last spring. He stated that being one of the drawbacks of this testing. He stated the consequences of failing are that the results are printed in the newspaper and talked about around the district. He further explained the teachers feel their jobs are dependent on those scores.

Councilmember Muhm stated it seems even if you have a passing score, they still fail since they are under the minimum bar. Dr. Ryan concurred.

Councilmember Taylor stated it appears many people are retiring and leaving trades and students are finding out they do not have to be a college graduate, instead they will use the skills they have been blessed to have naturally. Dr. Ryan stated some things have to be done differently to increase the workers in the workforce in those types of trades and the multiple testing in high school may not be the answer.

Councilmember Muhm stated college is not for everyone, but are allowed a suitable lifestyle.

Councilmember Hall questioned Dr. Ryan regarding what happens to the student who does not pass the testing. Dr. Ryan stated there are multiple opportunities to retake the tests, which then in turn affect the classroom sizes.

Councilmember Wollin stated the various learning styles cannot be accommodated.

Councilmember Hall questioned Dr. Ryan regarding the GED option. Dr. Ryan stated that option is almost non-existent. He stated it is still there however, they are limited with just having a GED.

Mayor Kelly questioned the City Council members regarding if they would like to draft a general resolution. City Council members concurred.

PC-2 Discussion and update on North Texas drought conditions

Public Works Director Bob Lowry explained the re-evaluation of the drought conditions from Tarrant Regional Water District. He stated he will keep the City Council updated on the situation given the recent rain conditions. He explained there will be watering restrictions put in place however, it will depend on the rainfall for the spring.

Councilmember Muhm stated he would be in favor of a year round water restriction implementation. Director Lowry explained the watering recommendations for lawn irrigation.

Councilmember Muhm questioned Director Lowry regarding how fast evaporation occurs. Director Lowry replied not knowing for sure but he could research it for him.

Mayor Kelly stated he thought it was a half-inch a day.

Councilmember Taylor stated the information in the packet is helpful.

Councilmember Muhm questioned Director Lowry regarding the triggering for the restrictions. Director Lowry explained when the reservoirs reach 75 percent the watering restrictions are put in place.

PC-3 Discussion of the January 8, 2013, City Council regular agenda items

Community Development Director Ron Ruthven presented information for agenda item 7a.

Several Councilmembers stated they had very specific questions in which they were going to ask during the public hearing session.

Councilmember Wollin questioned Director Ruthven regarding why the name in the resolution is Atlas Resource Partners, L.P. versus Atlas Barnett, LLC. Director Ruthven explained he went with the parent company for the resolution. Mayor Kelly explained the same happened recently with the use of the parent company for another business located in Colleyville, either Walmart or 7-Eleven.

Councilmember Taylor questioned Director Ruthven regarding if any of the liability changes? Director Ruthven replied no.

Councilmember Hall questioned Director Ruthven regarding if any of the subsidiary companies are affected by the fracking requirements. Director Ruthven replied all of the language reflected the requirements which will remain in place.

Mayor Kelly adjourned the Pre Council meeting at 6:25 p.m.

The regular meeting of the Colleyville City Council was called to order by Mayor Kelly on December 18, 2012, at 7:13 p.m.

ROLL CALL: Mayor David Kelly, Mayor Pro Tem Tom Hart and Councilmembers Carol Wollin, Stan Hall, Michael Muhm, Jody Short, and Mike Taylor were present. City Manager Jennifer Fadden, Assistant City Manager and Chief Financial Officer Terry Leake, Police Chief Mike Holder, Captain Robert Hinton, Economic Development Director Marty Wieder, Parks and Recreation and Library Director Mary Rodne, Public Works Director Bob Lowry, City Engineer Jeremy Hutt, Finance Manager Karen Hines, Community Development Director Ron Ruthven, Communications and Marketing Director Mona Gandy, Parks Superintendent Tim Hightshoe, Information Systems Manager Chris Pena, City Attorney Matthew Boyle, and City Secretary Amy Shelley were also present.

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

Section 551.071 - Legal - Consultation with attorney on legal issues raised by public hearing or action items on the agenda

Section 551.071 - Litigation - City of Colleyville v. Mitchell

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

Section 551.074 - Personnel - Deliberate the appointment, employment, evaluation, and duties of the Fire Chief

Section 551.087 - Economic Development - Discuss and deliberate commercial and financial information received from business prospects the City seeks to have locate, stay, or expand

Mayor Kelly explained the Executive Session had been called in accordance with the Texas Government Code, Chapter 551, Subchapter D, Section 551.071, Legal, Section 551.072, Real Estate, and Section 551.087, Economic Development. He further explained there would be no decisions made or action taken during this time. The meeting was recessed at 6:26 p.m. and reconvened at 7:40 p.m.

INVOCATION: Pastor David Fedele, First Baptist Church Colleyville

PLEDGE OF ALLEGIANCE: City Attorney Matthew Boyle

2. EXECUTIVE SESSION: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - Resolution R-13-3581

This resolution was not needed.

3. ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS

Announcements of civic and charitable events

Presentation of calendar events and updates

Announcements of awards and recognition

Mayor Kelly announced the upcoming Open House and State of the City event to be held at Colleyville Center on January 24, 2013 at 6:00 p.m.

Mayor Kelly announced the tenth class of the Colleyville Citizen's Police Academy to start on January 31, 2013.

Mayor Kelly announced the seventh class of the Colleyville Citizen's Fire Academy to start on February 21, 2013.

4. CONSENT: READING AND PUBLIC HEARING - Resolution R-13-3582

- 4a** Approval of the minutes of the Special City Council Meeting of December 17, 2012
- 4b** Approval of the minutes of the regular City Council meeting of December 18, 2012
- 4c** Approval of an exchange of real property in accordance with Chapter 272 of the Texas Local Government Code regarding approximately 10,252 square feet of City owned property in the 200 block of Black Drive, Case GC12-014
- 4d** Approval of a final plat of Lots 1-6, Block 1, of the Black Drive Subdivision on 2.78 acres located at 200 Black Drive, Case PC12-019

Mayor Kelly read Resolution R-13-3582 in its entirety.

Councilmember Muhm questioned staff regarding item 4c. Director Ruthven replied this land exchange will allow the developer to incorporate the dead end portion of Black Drive into one of the lots within the subdivision, in exchange for a dedicated portion of Black Drive to then end into a cul-de-sac street.

Councilmember Muhm questioned Director Ruthven regarding if the developer will then build the road. Director Ruthven replied yes.

Mayor Kelly opened the public hearing at 7:48 p.m.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 7:48 p.m.

Councilmember Hall moved to approve Resolution R-13-3582. Councilmember Wollin seconded the motion.

The motion to approve carried by the following vote:

Aye: 7 - Mayor David Kelly, Mayor Pro Tem Tom Hart, and Councilmembers Carol Wollin, Michael Muhm, Stan Hall, Jody Short, and Mike Taylor

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

5a Ordinance O-12-1860

Approval of amendments to Chapter 9-Subdivision Design and Public Facilities in the Land Development Code

Mayor Kelly read the caption of Ordinance O-12-1860 in its entirety.

Mayor Kelly opened the public hearing at 7:49 p.m.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 7:49 p.m.

Councilmember Muhm questioned Mayor Kelly regarding if this will allow applicants an avenue to appeal the decision made by the Planning and Zoning Commission regarding sidewalks. Mayor Kelly replied yes and explained the appeal process.

Councilmember Wollin questioned staff regarding the ten day window to appeal, are those ten straight calendar days? Director Ruthven replied yes.

Councilmember Wollin questioned staff regarding how the applicants who requested sidewalk waiver requests considered by the Planning and Zoning Commission between March 3, 2009 and December 18, 2012 will be notified. Director Ruthven replied staff will notify each applicant by regular mail of the specifics of the ordinance. He stated they would also send emails to those applicants.

Mayor Kelly moved to approve Ordinance O-12-1860. Mayor Pro Tem Hart seconded the motion.

The motion to approve carried by the following vote:

Aye: 7 - Mayor David Kelly, Mayor Pro Tem Tom Hart, and Councilmembers Carol Wollin, Michael Muhm, Stan Hall, Jody Short, and Mike Taylor

5b Ordinance O-12-1861

Consideration of a request for an amendment to the PUD-C-Planned Unit Development Commercial zoning and development requirements on Lot 1A, Block 1, of the Highland Acres Addition located at 412 Timberline Drive North, Case ZC12-026

Mayor Kelly read the caption of Ordinance O-12-1861 in its entirety.

Mayor Kelly opened the public hearing at 7:52 p.m.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 7:52 p.m.

Councilmember Muhm questioned staff regarding the qualifications for the golf cart and does it have to be registered. Mayor Kelly stated it has to comply with the State Transportation Code and Director Ruthven concurred and further stated there are no licensing requirements.

Mayor Kelly moved to approve Ordinance O-12-1861. Councilmember Hall seconded the motion.

The motion to approve carried by the following vote:

Aye: 7 - Mayor David Kelly, Mayor Pro Tem Tom Hart, and Councilmembers Carol Wollin, Michael Muhm, Stan Hall, Jody Short, and Mike Taylor

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

6a Ordinance O-13-1862

Consideration of a request for a Special Use Permit for a donation station on Lot 8A, Block 1, of the Thompson Terrace Addition located at 5117-B Colleyville Boulevard, Case ZC12-027

Mayor Kelly read the caption of Ordinance O-13-1862 in its entirety.

Director Ruthven presented the agenda item and briefed the City Council.

Mayor Kelly opened the public hearing at 7:55 p.m.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 7:55 p.m.

Councilmember Muhm questioned staff regarding if the parking is paved. Director Ruthven replied yes.

Mayor Kelly questioned staff regarding if the west side entrance will be moved to the north side of the building. Director Ruthven replied yes.

7. RESOLUTION(S): READING AND PUBLIC HEARING

7a Resolution R-13-3583

Consideration of approval for a change in ownership from Titan Operating, LLC, to Atlas Resource Partners, L.P., per the requirements of Section 3.1-145(E) 2 of the Land Development Code, for the gas well site located at 7504 Pleasant Run Road, authorized by Special Use Permit Ordinance O-10-1779

Mayor Kelly read Resolution R-13-3583 in its entirety.

Director Ruthven presented this agenda item to the City Council.

Mayor Kelly opened the public hearing at 7:59 p.m.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 7:59 p.m.

Joel Heiser, General Counsel, Atlas Resource Partners, L.P., came forward to answer any questions.

Councilmember Muhm questioned Mr. Heiser regarding the progression from Titan to the company it is now. Mr. Heiser explained a transaction occurred in July 2012 between the Titan entity with a merger sub and then eventually changed the name to Atlas Barnett, LLC, which is the entity now that holds all of the assets that Titan Operating previously held.

Councilmember Muhm questioned Mr. Heiser regarding if the decisions are all being made locally. Mr. Heiser replied yes, and the President of Atlas Barnett, LLC is Mark Schumacher.

Councilmember Muhm questioned Mr. Heiser regarding an update on the pipeline. Mr. Schumacher, President, Atlas Barnett, LLC, 111 West Fourth, #300, Fort Worth, Texas, replied they are continually engaged with Texas Midstream, which used to be a subsidiary of Chesapeake, however; in 2012 they became a separate company owned by Access. He further explained they are working with Access regarding the route of the pipeline, and the technical drawings to present to the surrounding cities with hopes to bring something to the cities around April or May of 2013.

Mayor Kelly clarified with staff that this is a name change only and will not affect the permit for the gas well itself and the liability will remain with the current owners. Director Ruthven replied correct.

Councilmember Taylor questioned Mr. Schumacher regarding the time frame for fracking. Mr. Schumacher replied the time frame would be during February 2013.

Councilmember Taylor stated this would take place during the construction of the roundabout, why now? Mr. Schumacher replied the roundabout was originally scheduled for a summer completion. He explained they have a time line they have to meet in order to move the project along for the completion of the wells. He further stated they will work with City staff regarding the truck transportation of this project. He stated the trucks will only move in one time and then will move out.

Councilmember Taylor expressed his wishes to City Manager Jennifer Fadden to keep the City Council updated on the project. City Manager Fadden concurred.

Councilmember Muhm questioned staff regarding the last time the wells were fracked. Director Ruthven replied February of 2012.

Councilmember Muhm questioned staff regarding if any unresolved issues remain regarding any procedures and processes that are currently in place, from the last time the wells were fracked. Director Ruthven replied all regulations within the ordinance were adhered to, particularly to air and water qualities. He further explained no violations of City, State, or Federal regulations occurred.

Councilmember Muhm questioned Mr. Schumacher regarding how the gases and fluids will be contained during the fracking process. Mr. Schumacher explained the fracking process and how the well bores would then be capped.

Councilmember Muhm questioned Mr. Schumacher regarding if this will then complete the fracking at this site. Mr. Schumacher replied there will be more fracking needed at this site.

Councilmember Muhm questioned Mr. Schumacher regarding if there will be walls installed for this fracking. Mr. Schumacher replied this fracking process will only take three days; therefore they will install 16 foot sound blankets but not a duplicate wall.

Councilmember Muhm questioned Mr. Schumacher regarding if the fracking will continue for three days, 24 hours a day. Mr. Schumacher replied it will not be continual for 24 hours; it will be daytime hours only, 7 a.m. to 7 p.m.

Councilmember Muhm questioned Mr. Schumacher regarding the water to be used. Mr. Schumacher replied there are holding tanks on site that are fed by water wells on site.

Councilmember Muhm questioned Mr. Schumacher regarding a transportation plan. Mr. Schumacher replied there is an existing transportation plan that has not changed, but that he is willing to work with staff regarding the construction site at the roundabout location.

Councilmember Muhm questioned Mr. Schumacher regarding if the construction on SH26 will impact this project. Director Ruthven explained 20 trucks are allowed on site per day. Chris Hammack, Regional Vice President, Operations, Atlas Resource Partners, L.P., replied this will be the same operation as the fracking done last year. He stated the construction on SH26 will not have an effect on this project.

Councilmember Muhm questioned staff regarding if all of the precautionary items will be in place, just as before when fracking was done last year, such as sound walls, security, and so forth. Director Ruthven replied yes.

Mayor Kelly moved to approve Resolution R-13-3583. Councilmember Short seconded the motion.

The motion to approve carried by the following vote:

Aye: 7 - Mayor David Kelly, Mayor Pro Tem Tom Hart, and Councilmembers Carol Wollin, Michael Muhm, Stan Hall, Jody Short, and Mike Taylor

8. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA

David Mullins, 5904 Bettinger Drive, spoke regarding the persistent drainage concerns, and further stated he has not had any response from City staff regarding his drainage issues.

9. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR JANUARY 8, 2013 - Reading and Public Hearing - Resolution R-13-3584

This resolution was not needed.

10. ADJOURNMENT

There being no further business before the City Council, Councilmember Muhm moved to adjourn, and Councilmember Wollin seconded the motion.

The motion carried with the following vote:

Aye: 7 - Mayor David Kelly, Mayor Pro Tem Tom Hart, and Councilmembers Carol Wollin, Michael Muhm, Stan Hall, Jody Short, and Mike Taylor

Mayor Kelly adjourned the City Council meeting at 8:16 p.m.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON
THIS THE 15TH DAY OF JANUARY 2013.

Minutes taken and prepared by:

Amy Shelley
City Secretary



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 4b

Agenda Date 01/15/2013

Number Resolution R-13-3586

Type Resolution

Department Public Works

Title

Approval of a bid award for the Fiscal Year 2013 (FY 2013) annual purchase of water meters to Texas Products, Inc., in the amount of \$80,105.25, and authorize the city manager to execute the contract

Explanation

Reading and Public Hearing

In conjunction with the adoption of the City's first Water Conservation and Emergency Water Demand Management Program on May 3, 1994, the City Council approved a program for the annual replacement of ten percent (10%) of the City's water meters, sized one inch or less, resulting in a replacement cycle of ten years.

On April 17, 2012, City Council approved attached Resolution R-12-3487, awarding the Fiscal Year 2012 (FY 2012) water meter contract to Texas Water Products, Inc., the low bidder, per the attached bid tabulation. The bid was structured so as to provide for two additional one-year contracts for water meters, at no increase in cost, and subject to mutual agreement between the bidder and the City. Approval of this resolution would exercise the first option year for the contract and provide for the Fiscal Year 2013 purchase of water meters.

Financial Impact

Funds are available in the FY 2013 Utility Fund Public Works operating budget in line item account 002-61-10-6654, water meter and fire plug replacement.

Recommendation

Approve

Attachments

1. Resolution R-12-3487
2. Bid Tabulation

RESOLUTION R-12-3487

**A RESOLUTION APPROVING CITY COUNCIL ACTION
UNDER CONSENT ITEMS AT THE REGULAR
CITY COUNCIL MEETING OF APRIL 17, 2012**

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

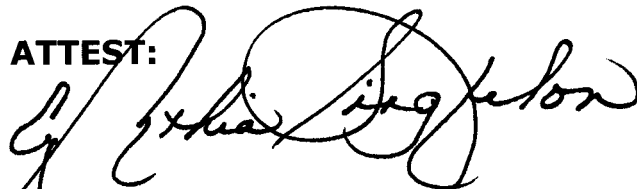
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF COLLEYVILLE, TEXAS:**

- Sec. 1. THAT the agenda decisions approved by City Council action under Consent Items as follows are hereby adopted:
- a. Approval of a bid award for the Fiscal Year 2012 (FY 2012) annual purchase of water meters to Texas Water Products, Inc., in the amount of \$80,105.25, and authorize the city manager to execute the contract

AND IT IS SO RESOLVED.

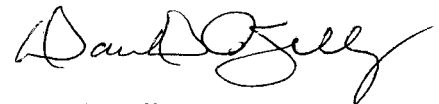
APPROVED BY A VOTE OF 7 AYES, 0 NAYS AND 0
ABSTENTIONS ON THIS THE 17TH DAY OF APRIL 2012.

ATTEST:



Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

BID TAB

Owner:	City of Colleyville
Project:	FY 2012 Annual Water Meter Replacement Program
Bid Date:	April 3, 2012

No.	Bidder	Bid Amount
1	Texas Water Products, Inc.	\$ 80,105.25
2	Mueller Systems, LLC	\$ 85,482.00



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 4c

Agenda Date 01/15/2013

Number Resolution R-13-3586

Type Resolution

Department Public Works

Title

Approval of an interlocal agreement with Tarrant County for the rehabilitation of Heritage Avenue, from Cheek-Sparger Road to approximately 550' south of Red River Drive, and authorize the city manager to execute the agreement

Explanation

Reading and Public Hearing

The City of Colleyville proposes to partner with Tarrant County in Fiscal Year 2013 (FY 2013) to perform the rehabilitation of Heritage Avenue from Cheek-Sparger Road to approximately 550' south of Red River Drive.

The City has previously worked with Tarrant County on similar roadway rehabilitation projects, and each project was completed at a considerable cost savings to the City. The following chart shows a summary of the past four projects that have been completed in conjunction with Tarrant County.

Fiscal Year	Street Name	Project Value	City Cost	Savings %
FY08	Plantation Drive	\$360,000	\$233,000	35%
FY09	Saddlebrook Drive	\$360,000	\$219,000	39%
FY10	Cheek-Sparger Road	\$353,000	\$185,000	48%
FY11	Brown Trail	\$387,000	\$264,000	32%
FY12	Jackson Road	\$220,000	\$125,000	43%

The County will provide the labor and equipment necessary to reconstruct the roadway, and the City is responsible for the cost associated with the following items: materials, construction materials testing, traffic control (including barricades to redirect traffic flow to alternate lanes during the construction) and dump fees at an offsite landfill facility for waste materials generated during the project. The street improvements will include reclamation of the existing roadbed materials, stabilization of the road base with slurry cement, regrade and the placement of a 4-inch asphalt surface. The City will follow the standard process of providing traffic control during the reconstruction, and is recommending the street be closed to through traffic for the duration of construction.

The overall value of the proposed street improvements is approximately \$290,000, with the City's share of the cost for materials, milling, testing, and traffic control estimated to be approximately \$125,000. By utilizing the Tarrant County Interlocal Agreement to perform this work, the City is saving approximately 57 percent, versus

the same work being performed by a contractor hired directly by the City. The project is estimated to take approximately six (6) weeks to complete and is estimated to start in mid-March 2013.

The section of Heritage Avenue that will be constructed as part of this agreement will be north of Cheek-Sparger Road to approximately 550' south of Red River Drive; approximately 3,000 feet total. This section of roadway is in need of complete rehabilitation, and has numerous base failures and surface distresses that prevent any type of basic maintenance from being a viable option. This rehabilitation project will result in the reconstruction of Heritage Avenue from Cheek-Sparger Road to the existing concrete pavement at Red River Drive.

This agreement is consistent with the City's annual street rehabilitation and maintenance program. The attached Interlocal Agreement with Tarrant County allows for the reconstruction of a City street without incurring the full cost of the project. If approved by the City Council, the Interlocal Agreement will be forwarded to the Tarrant County Commissioners Court for approval at the next available meeting.

Financial Impact

Funding is available from the Fiscal Year 2013 Street Maintenance Budget.

Recommendation

Approve

Attachments

1. Interlocal Agreement
2. Heritage Avenue Photos

THE STATE OF TEXAS

INTERLOCAL AGREEMENT

COUNTY OF TARRANT

BACKGROUND

This Interlocal Agreement is between County of Tarrant ("COUNTY"), and the City of Colleyville ("CITY");

Sections 791.001 – 791.029 of the Texas Government Code provide legal authority for this Agreement;

During the performance of the governmental functions and the payment for the performance of those governmental functions the parties will make the performance and payment from current revenues legally available to that party; and

The Commissioners Court of the COUNTY and the City Council of the CITY each find:

- a. This Agreement serves the common interest of both parties;
- b. This Agreement will benefit the public;
- c. The division of costs fairly compensates both parties to this Agreement; and
- d. The CITY and COUNTY have authorized their representative to sign this Agreement.

The Parties therefore agree as follows:

TERMS AND CONDITIONS

1. COUNTY RESPONSIBILITY

COUNTY will furnish the labor and equipment for the following project:

Heritage Avenue from Cheek-Sparger Road to the Euless City Limits: COUNTY will remove trees in the R.O.W., trim back brush, clean the drainage ditches, reclaim and recycle existing roadbed materials, remove excess material, incorporate a stabilization agent of the CITY'S choice, re-grade and place a two-inch HMAC binder layer and a two-inch HMAC surface (approximately 2,922 linear feet).

2. CITY RESPONSIBILITY

- 2.1 CITY will furnish all materials for the project and pay trucking charges.

- 2.2 CITY will furnish a site for dumping waste materials generated during this project.
- 2.3 CITY will furnish all rights of way, plan specifications and engineering drawings.
- 2.4 CITY will furnish necessary traffic controls including Type A barricades to redirect traffic flow to alternate lanes during the construction phase of the project.
- 2.5 CITY will provide temporary driving lane markings.
- 2.6 CITY will coordinate and be responsible for the replacement of all signal related devices if necessary.
- 2.7 CITY will provide the COUNTY with a hydrant meter and all the water necessary for the project at no cost to the COUNTY.
- 2.8 CITY will adjust all utilities, manholes and valve boxes.
- 2.9 CITY will assist with the removal and cleanup of the trees and brush.
- 3.0 CITY agrees the road can be closed during working hours.
- 3.1 CITY will pay for one-half of the fuel used on this project.

3. PROCEDURES DURING PROJECT

COUNTY retains the right to inspect and reject all materials provided for this project.

If the CITY has a complaint regarding the construction of the project, the CITY must complain in writing to the COUNTY within 30 days of project completion. Upon expiration of 30 days after project completion, the CITY becomes responsible for maintenance of the project.

4. NO WAIVER OF IMMUNITY

This agreement does not waive COUNTY rights under a legal theory of sovereign immunity. This agreement does not waive CITY rights under a legal theory of sovereign immunity.

5. OPTIONAL SERVICES

- 5.1 If requested by CITY, the COUNTY may apply permanent striping;
- 5.2 If necessary, COUNTY may furnish flag persons;
- 5.3 If required, the CITY will pay for engineering services, storm water run-off plans, and continuation of services and plan;

6. TIME PERIOD FOR COMPLETION

CITY will give the COUNTY notice to proceed at the appropriate time. However, COUNTY is under no duty to commence construction at any particular time.

7. THIRD PARTY

The parties do not enter into this contract to protect any specific third party. The intent of this contract excludes the idea of a suit by a third party beneficiary. The parties to this agreement do not consent to the waiver of sovereign immunity under Texas law to the extent any party may have immunity under Texas law.

8. JOINT VENTURE & AGENCY

The relationship between the parties to this contract does not create a partnership or joint venture between the parties. This agreement does not appoint any party as agent for the other party.

9. EFFECTIVE DATE

This agreement becomes effective when signed by the last party whose signing makes the agreement fully executed.

CITY OF COLLEYVILLE

COUNTY OF TARRANT

B. Glen Whitley, County Judge

Date: _____

Date: _____

Gary Fickes, Commissioner Pct 3

Date: _____

Attest:

Attest:

APPROVED AS TO FORM

APPROVED AS TO FORM

City Attorney

Assistant District Attorney

By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).



Heritage Avenue Photos

January 10, 2013



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 5a

Agenda Date 01/15/2013

Number Ordinance O-13-1862

Type Ordinance

Department Community Development

Title

Consideration of a request for a Special Use Permit for a donation station on Lot 8A, Block 1, of the Thompson Terrace Addition located at 5117-B Colleyville Boulevard, Case ZC12-027

Explanation

Second Reading and Public Hearing

There were no speakers regarding this request at the January 8, 2013 meeting.

First Reading and Public Hearing

Goodwill Industries has applied for a Special Use Permit (SUP) to continue the use of the existing donation station located at 5117-B Colleyville Boulevard, and allow for the increase in their current space by 360 square feet.

Charitable Donation Station Use. The City Council approved the addition of a charitable donation station use to the Schedule of Principal Permitted Uses in the Land Development Code on February 5, 2008 under attached Ordinance O-08-1656. A charitable donation station use is contingent upon the approval of a SUP only in the CC1-Village Retail, CC2-Shopping Center and CC3-Highway Commercial zoning districts.

Existing Conditions. This subject property is located on the corner of Colleyville Boulevard and Thompson Terrace. Goodwill has operated a donation station at this address for approximately ten years. The property owner has reconstructed the existing commercial building, realigned the parking lot areas and has updated the building façade, including creating new entrances on the northern side of the building. The applicant would like to relocate the entrance to the new northern entrances for safety of the customers, especially when Colleyville Boulevard is widened. Included in the Statement of Planning Objectives is a rendering of the proposed entrance.

The existing donation station use is a principle use only and, therefore, does not permit drop boxes, kiosks or trailers that are typically seen in the parking lots of existing businesses of other area cities. Staff has placed a provision in the proposed ordinance that there shall be no drop boxes, kiosks or trailers permitted.

As noted above, the use of a charitable donation station requires an SUP. Currently, the Goodwill location does not have an SUP for this use, as the business was located in

this space prior to the SUP requirement being added to the Land Development Code. Therefore, it currently operates as a legal non-conforming use. Given the proposed expansion of the business by the applicant, the use must meet all requirements for commercial principle uses described in the Land Development Code and the building code in addition to conditions and requirements included as part of the SUP.

Surrounding Properties. The surrounding properties are a mixture of office, retail, and restaurant uses and are all zoned CC1-Village Retail.

Public Notification. Staff notified 19 property owners within 200 feet as well as all Homeowners Associations within 500 feet of the subject property regarding this request. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. Staff has received no correspondence regarding this request.

Planning and Zoning Commission Recommendation. The Planning and Zoning Commission recommended approval of this request at the December 10, 2012 meeting by a vote of 6-0.

Summary. The proposed zoning change is in compliance with the Future Land Use Plan, which designates the subject property as a future retail development area and is consistent with the surrounding zoning designations. Although the proposed use will not generate sales or property tax revenue for the City, staff recommends approval with the conditions in the proposed ordinance.

Financial Impact

There is no financial impact to the City.

Recommendation

Approval with the following conditions:

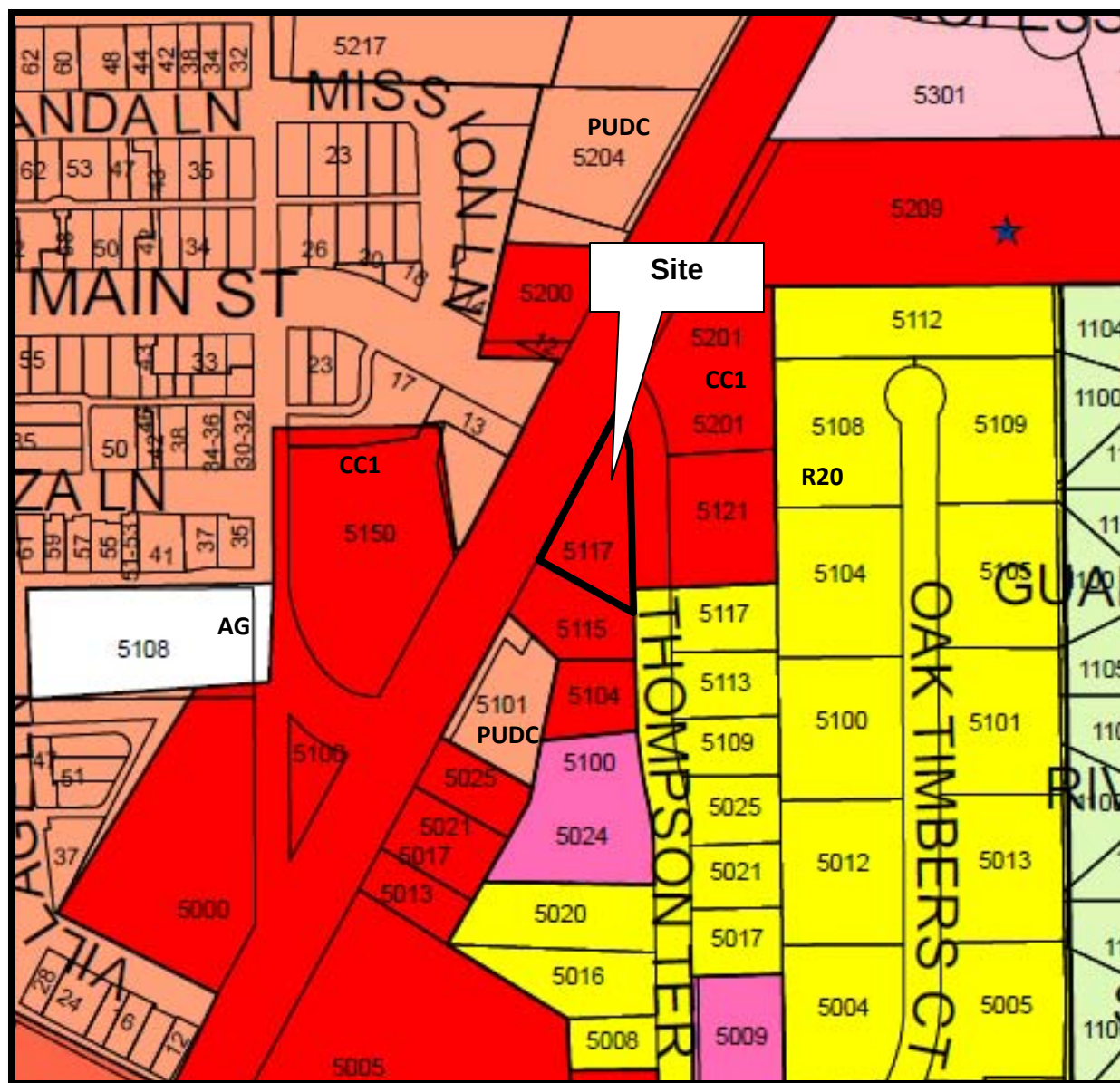
- a. This Special Use Permit shall only apply to the use of a Goodwill Industries charitable donation station on the subject property.
- b. There shall be no overnight parking of any tractor-trailers or trailers on the property.
- c. There shall be no outside storage of any items on the property.
- d. Donated items shall not be placed outside of the building at any time and must be stored within the building immediately upon drop-off.
- e. There shall be no donation kiosks or other related donation structures independent of the main structure located on this property.
- f. 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 for the approved use.

Attachments

1. Location and Zoning Map
2. Notification List
3. Buffer Map
4. Statement of Planning Objectives
5. Site Plan
6. Ordinance O-08-1656
7. Ordinance O-13-1862

Location and Zoning Map

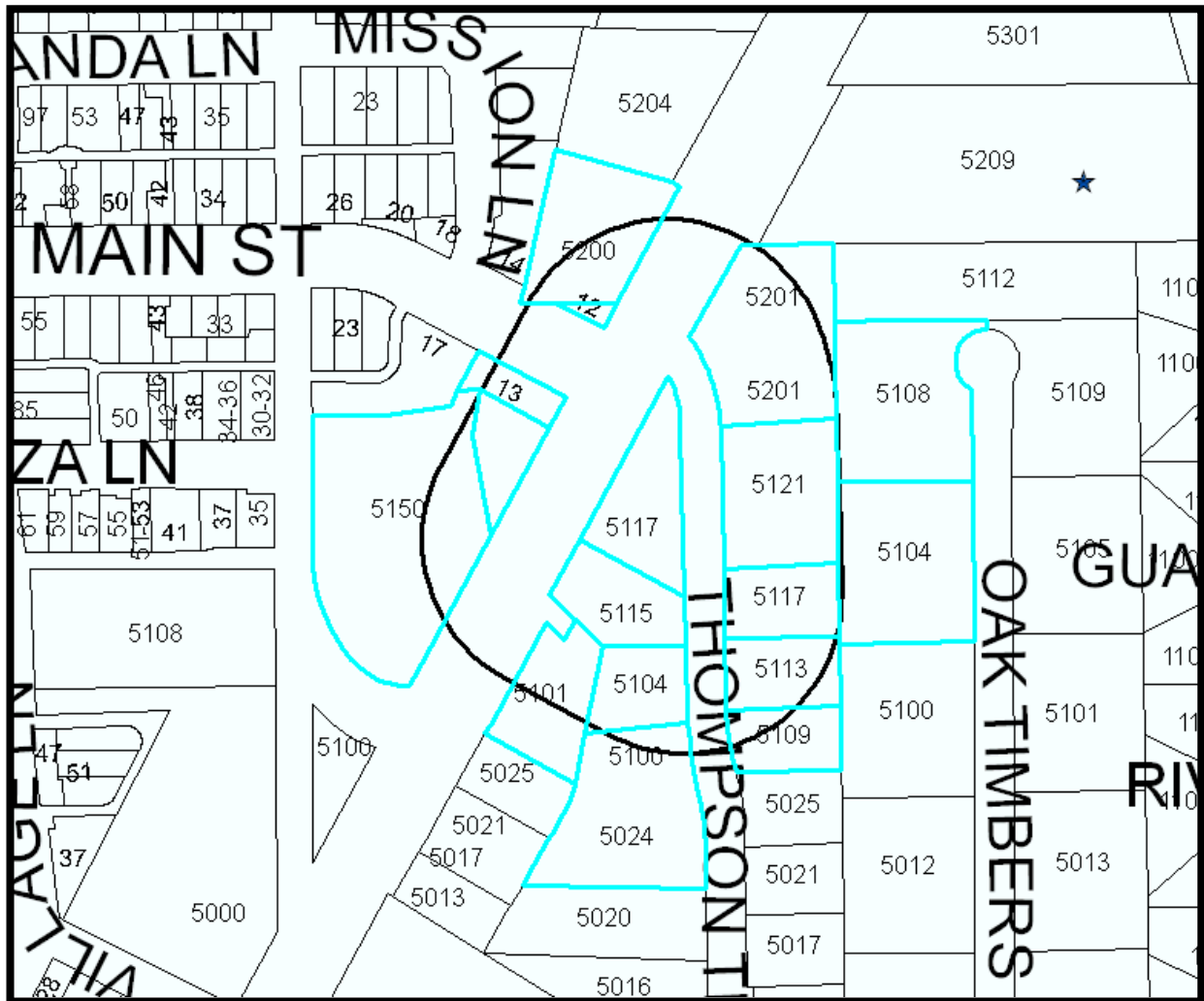


Notification List

OWNER NAME	OWNER ADDRESS	OWNER CITY	OWNER STATE	OWNER ZIP	SITUS ADDRESS
Gibson, Norman C Etux Doris A	113 Timberline Dr S	Colleyville	TX	76034	005117 Colleyville Blvd
Bojku, Afrim	5309 Collyville Blvd	Colleyville	TX	76034	005150 Colleyville Blvd
Seeley, Gerald D	35 Piazza Ln	Colleyville	TX	76034	000035 Piazza Ln #38 110
Pleasant Run Holdings Llc	5115 Collyville Blvd	Colleyville	TX	76034	005115 Colleyville Blvd
McNosky, Anthony T	5108 Pleasant Run Rd	Colleyville	TX	76034	005108 Pleasant Run Rd
Buchwald, Rudolph W III	1309 Ashford Ct	Colleyville	TX	76034	005101 Colleyville Blvd
Gibson, Norman C Etux Doris A	113 Timberline Dr S	Colleyville	TX	76034	005104 Thompson Terr
Buchwald, Rudolph W III	1309 Ashford Ct	Colleyville	TX	76034	005025 Colleyville Blvd
Corvette Property Leasing Lp	1908 Stratton Ct	Colleyville	TX	76034	005017 Colleyville Blvd
Village Monticello Prtns Ltd	8333 Douglas Ave Ste 110	Dallas	TX	75225	000014 Main St
Village Management Ltd	8333 Douglas Ave Ste 110	Dallas	TX	75225	000012 Main St
Village Management Ltd	8333 Douglas Ave Ste 110	Dallas	TX	75225	000017 Main St
Village Management Ltd	8333 Douglas Ave Ste 110	Dallas	TX	75225	000013 Main St
Bbtt LLC	6308 Remington Pkwy.	Colleyville	TX	76034	5100 Thompson Terrace
Joseph Sides	2911 Compton Rd.	Nashville	TX	37215	5109 Thompson Terrace
Joseph Sides	2911 Compton Rd.	Nashville	TX	37215	5113 Thompson Terrace
Joseph Sides	2911 Compton Rd.	Nashville	TX	37215	5117 Thompson Terrace
Colleyville Terrace Salon	PO Box 337	Colleyville	TX	76034	5201 Colleyville Blvd.
Beam Real Estate Llc	14455 Webb Chapel Rd	Farmers Branch	TX	75234	005200 Colleyville Blvd
Goodwill Industries of Ft. Worth	4005 Campus Drive	Fort Worth	TX	76119	applicant

Public hearing notices were mailed
on Nov. 21, 2012 by Amy Shelley

Buffer Map



Statement of Planning Objectives



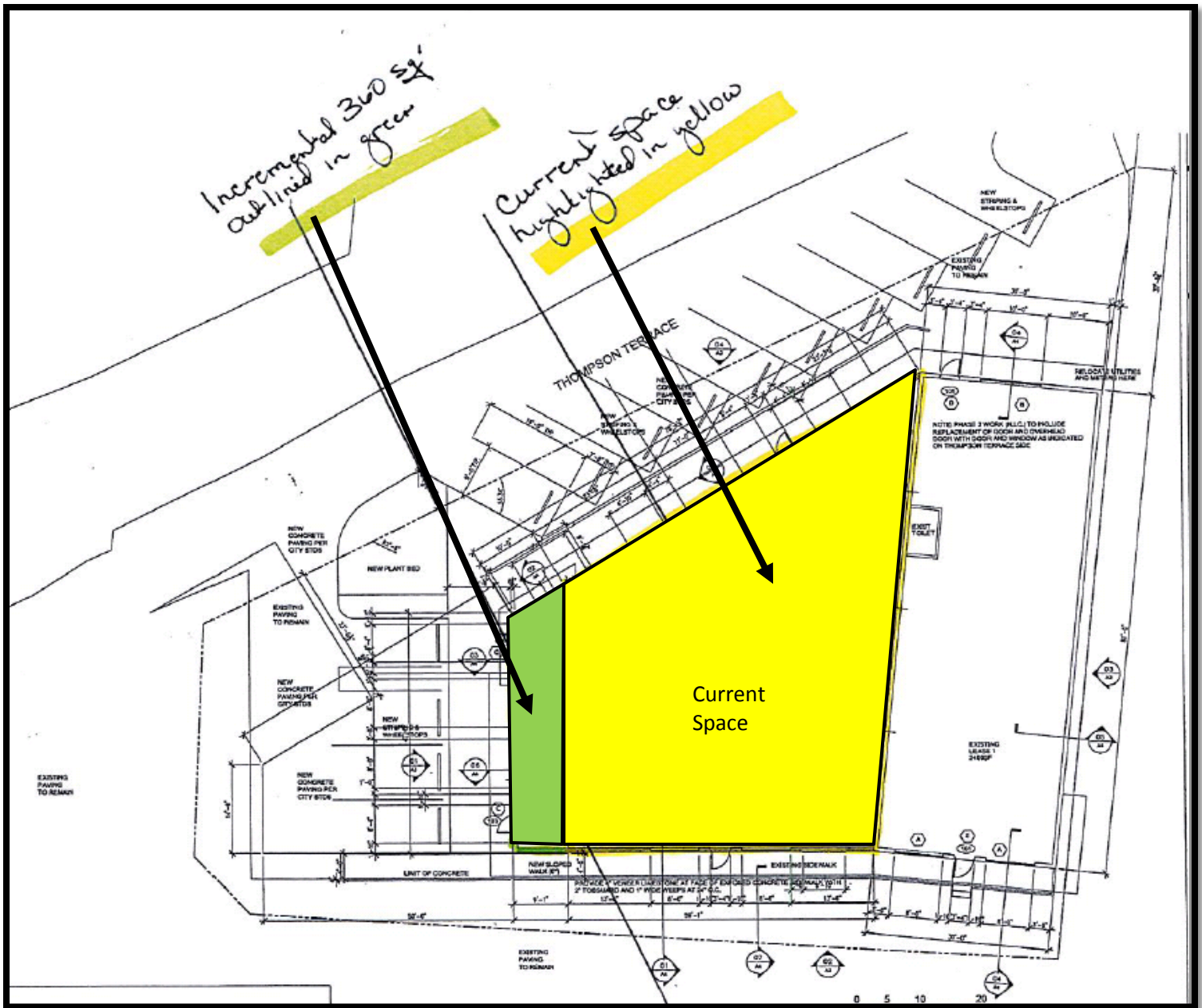
With the remodeling of the shopping center that we currently occupy, Goodwill has the opportunity to expand into the small adjacent space (360 sq ft) and relocate our entrance to the north side of the building. This will allow us to create a **safer** (easier ingress and egress for donors into the parking lot), **more attractive** (donors will now enter into a vestibule with a counter and visually-appealing Goodwill mission-oriented graphics), and **more convenient** donation experience. Additionally, the relocation of our front entrance will be necessary with the widening of Colleyville Boulevard.

We appreciate your consideration of our request.



Rendering of new front entrance

Site Plan



ORDINANCE O-08-1656

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING CHAPTER 3, LAND USE, SECTION 3.24 - SCHEDULE OF PERMITTED USES, OF THE LAND DEVELOPMENT CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Colleyville approved Ordinance O-00-1214 on April 18, 2000, adopting the Land Development Code; and

WHEREAS, the City Council amended Ordinance O-00-1214 on January 16, 2007, by enacting Ordinance O-07-1607 relating to *Chapter 3 Land Use, Section 3.24 – Schedule of Permitted Uses, and Section 3.29 – Parking Requirements*, of the Land Development Code; and

WHEREAS, the City Council amended Ordinance O-00-1214 and O-07-1607 on September 4, 2007, by enacting Ordinance O-07-1633 relating to *Chapter 3 Land Use, Sections 3.17, 3.18, 3.19, 3.20, 3.21, 3.22 and 3.24 – Schedule of Permitted Uses* of the Land Development Code; 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 enact a new zoning ordinance by amending the Schedule of Permitted Uses; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the 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 Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

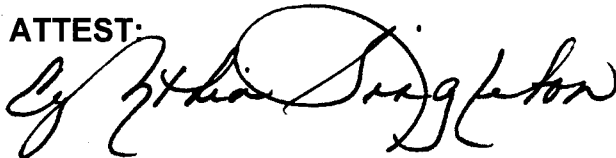
- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT *Chapter 3 Land Use, SECTION 3.24 - SCHEDULE OF PERMITTED USES*, of the Land Development Code, is hereby amended in its entirety to read as shown in the attached as Exhibit "A".
- Sec. 3. THAT Ordinance O-00-1214, O-07-1607 and O-07-1633, the Land Development Code of the City of Colleyville, as amended, shall remain in effect, except where amended by this ordinance.
- 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 it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 15th day of January 2008.

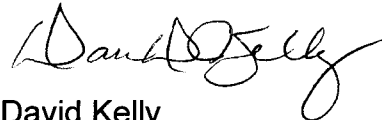
The second reading and public hearing being conducted on the 5th day of February 2008.

ATTEST:



Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:



Matthew C. G. Boyle
City Attorney

Table 3.24.B- - Schedule of Permitted Principal Uses

Table 3.24.B- - Schedule of Permitted Principal Uses																		
Land Use Classification	Residential District									Non-Residential Districts						Special Land Use Standards or Section Ref.	Parking Group	
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
A. RESIDENTIAL ACCOMODATION USES																		
Single Family Detached Dwelling	P	P	P	P	P	P		S									8	3
Duplex – Attached Dwelling							P										8	2
Townhome – Attached Dwellings								P									8	4
Multi-family – Attached Dwellings								P									8	4
HUD Code Manufactured Housing									P								8	2
Assisted Living Facilities	PUD only															2	17	
Bed and Breakfast Lodging	S	S	S	S	S	S	S	S									1,8	18
Private (HOA) Recreational Facilities		P	P	P	P	P	P	P	P								9	5
B. ACCESSORY USES																		
Accessory Building	P	P	P	P	P	P	P	P	P								Sec. 3.27	n.a.
Carport	S	S	S	S	S	S	S	S	S								Sec. 3.27.C	n.a.
Home Occupations Uses	P	P	P	P	P	P	P	P	P								8	n.a.
Servants or Caretakers Quarters	P	P	S	S	S										S		16	1
C. AGRICULTURAL USES																		
Commercial equestrian boarding stable and school	P	S															17	25
Crop Farming	P	P																n.a.
Livestock raising and breeding	P	P															12	n.a.
Private horse stables for domestic use	P	P	P	S	S													n.a.
Roadside produce stands (year round)	S	S	S	S	S	S	S	S	S									n.a.
D. UTILITY USES																		
Electrical Substations	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			21
Public Utility Supply and Storage Yards	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			24

Table 3.24.B- - Schedule of Permitted Principal Uses																	
Land Use Classification	Residential District									Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML		
Solid Waste Disposal Sites															S		24
Telecommunications Towers	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	3	21
Water Pumping Stations	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		24
Wind Driven Generators	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		n.a.
E. PUBLIC AND INSTITUTIONAL USES																	
Colleges or Universities	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		12
Community Centers or Recreation Centers	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P		5
Government Buildings, Offices and Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		8
Fire Stations / Police Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		16
Golf Courses – Public Owned	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		22
Government Maintenance Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		25
Libraries										P	P	P	P	P	P		9
Museums										P	P	P	P	P	P		8
Post Office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		10
Parks and Open Space Areas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		25
Public Maintenance and Storage Buildings	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		25
Private Schools – Elementary and Secondary	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		13
Private Schools – High School	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		14
Public Schools – Elementary and Secondary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		13
Public Schools – High School	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		14
Religious Institutions	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		18
F. OFFICE USES																	
Accountant's Offices										P	P	P	P	P			8

Table 3.24.B- - Schedule of Permitted Principal Uses

Table 3.24.B- - Schedule of Permitted Principal Uses																		
Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Advertising Agencies										P	P	P	P	P			8	
Attorney Offices										P	P	P	P	P			8	
Chiropractic Clinics												P	P	P			8	
Emergency Clinic (24 hrs.)												S	P	P		10	6	
Engineering, Architect's, and Surveyor's Offices										P	P	P	P	P			8	
General Business Offices not elsewhere listed										P	P	P	P	P			8	
Insurance Agencies										P	P	P	P	P			8	
Management and Public Relations Services Offices										P	P	P	P	P			8	
Optometrist Office												P	P	P			8	
Psychologist Offices										P	P	P	P	P			8	
Physician's or Dentist's Offices												P	P			5	7	
Real Estate Agency Offices										P	P	P	P	P			8	
Security Broker Offices										P	P	P	P	P			8	
Telemarketing Offices												P	P	P			5	
Title Abstract Offices										P	P	P	P	P			8	
Trade or Business Schools												S	S	S	P		15	
Travel Agency / Airline Ticket Offices										P	P	P	P	P			8	
G. RETAIL AND SERVICE USES																		
Alcoholic Beverage Sales – Off-premises Consumption												S	S	S		13	n.a.	
Alcoholic Beverage Sales – On-premises Consumption												S	S	S		13	n.a.	
Alcohol or Drug Treatment Center										S	S	S	S	S	S		24	
Antique Stores												P	P				7	

Table 3.24.B- - Schedule of Permitted Principal Uses

Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Apparel and Accessory Stores												P	P				7	
Arts and Crafts Stores and Hobby Shops												P	P				7	
Bakery Stores												P	P				7	
Banks, Credit Unions and Financial Institutions											P	P	P				8	
Barber Shops, Beauty Shops and Day Spas											P	P	P			10	7	
Bicycle Shops												P	P				7	
Book, Stationary or Greeting Card Shops												P	P	P			7	
Camera or Music Stores												P	P				7	
Carnivals and Circuses												S	S				24	
Cemeteries or Mausoleums										S	S	S	S	S	S		24	
Charitable Donation Station												S	S	S			24	
Civic, Social or Fraternal Organizations										S	S	P	P				7	
Convenience Stores with gasoline sales												S	S	S	S		7	
Copy Centers/Print Shops										S	S	P	P	P	P		7	
Dance Studios and Martial Arts Studios										S	S	P	P				7	
Day Care Centers										S	S	S	S	S		17	11	
Department Stores												P	P				7	
Dry Cleaner Pick-up Stations											S	P	P				7	
Dry Cleaners (up to 5,000 s. f. w/on-site laundry)												P	P				7	
Equipment Rental and Leasing Stores														S	P		7	
Florist Shops											P	P	P				7	
Food Catering													P	P			8	
Funeral Homes												S	S	S			24	

Furniture and Appliance Stores													P	P	P		9
Table 3.24.B- - Schedule of Permitted Principal Uses																	
Land Use Classification	Residential District									Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML		
Grocery Stores												P	P			18	7
Hardware, electrical & plumbing w/o outside display											P	P	P	P			
Hardware , electrical & plumbing with outside display													S	P	P		
Hospitals												S	S	S			24
Hotels and Motels													P	P			19
Interior Decoration Stores										P	P	P	P				7
Jewelry Stores											P	P	P				7
Locksmiths											S	S	P	P			8
Mailing and Shipping Stores											P	P	P	P			7
Meat or Fish Market												P	P	P			7
Nurseries and Greenhouses with outside display													S	P	P		16
Pawn Shops															P		7
Pet Stores												P	P				7
Pharmacy											S	P	P	P			7
Photography Studios										P	P	P	P	P	P		8
Restaurants, Cafes and Cafeterias												P	P	P			5
Restaurants with drive-in or drive-thru service													P	P			5
Second hand goods shop												S	S	S			7
Self-service Laundries											S	S	S	S			7
Second hand goods shop												S	S	S			7
Self-service Laundries											S	S	S	S			7
Shoe Repair Shops											P	P	P	P			8

Tailor and Alteration Shops												P	P	P	P		8	
Table 3.24.B- - Schedule of Permitted Principal Uses																		
Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Veterinarian Clinic with indoor kennels													P	P	P	4	8	
Veterinarian Clinic with outdoor kennels													S	P	P		8	
Video Rental and Sales Stores												P	P	P			7	
Wedding Chapels												S	S	S			24	
H. RECREATIONAL AND ENTERTAINMENT USES																		
Adult Entertainment Establishments	See section 22-5 Code of Ordinances																5	
Amusement Centers (indoors)												S	S				24	
Archery and Firearms Ranges														S	S	6	24	
Billiard Parlors												S	S			17	23	
Commercial Recreation (outdoor)	S										S	S	S	S	S		24	
Fitness Centers												P	P	P			7	
Golf Courses – Privately Owned										P	P	P	P	P	P		22	
Golf Driving Ranges												P	P				22	
Miniature Golf Courses												P	P				20	
Roller or Ice Skating Rinks													S	S			24	
Theaters												P	P			7	18	
I. AUTOMOTIVE AND TRANSPORTATION USES																		
Airports and Heliports	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		24	
Auto Alarm / Stereo / Window Tinting Stores													P	P	P	13	7	
Auto Lube Shops													S	P	P	13	9	
Automotive and Motor Vehicle Sales													S	S	S	13	8	
Auto Parts and Accessory Stores												P	P	P		13	7	

Auto, Truck or Trailer Rental																S	S	13	8
Table 3.24.B- - Schedule of Permitted Principal Uses																			
Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group	
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML				
Auto Upholstery Shops														P	P			13	9
Auto Parking Lots and Garages (free standing)										S	S	S	S	S	S				n.a.
Auto Repair Shop													S	S	S			13	9
Boat and Water-craft Sales and Service													S	S	S			13	8
Bus or Passenger Train Stations												S	S	S	S				24
Car Wash (self service and automatic)														S	P				9
Commuter Transit Stations												S	S	S	S				24
Gasoline Service Stations														S	S			13	7
LPG / CNG Dispensing Stations														S	S				24
Motorcycle Sales and Service														S	S			13	8
Paint and Body Shops														S	S			13	9
Park and Ride Facilities												S	S	S	S				24
Railroad or Motor Freight Terminals													S	S	S				24
Recreational Vehicle Sales and Service														S	S			13	8
Tire and Battery Stores													S	S	S			13	7
Truck and Heavy Equipment Sales and Service														S	S			13	8
Vehicle Storage Yards or Facilities												S	S	S	S				24
J. HEAVY COMMERCIAL, INDUSTRIAL & MANUFACTURING USES																			
Asphalt or Concrete Batching (temporary)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S				24
Appliance Repair Shops														S	S				8
Building Material Sales with outside storage														S	P				7
Commercial Laundry														S	S				24

Contractor Office with storage yard																S	S		24
Table 3.24.B- - Schedule of Permitted Principal Uses																			
Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group	
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML				
Contactor Office without storage yard														P	P			8	
Electronic Assembly or Manufacturing															P			25	
Exterminator Shop														S	S			24	
Food Packaging and Manufacturing															S			24	
Furniture and Cabinet Manufacturing															P			25	
Office Showroom															P			25	
Oil and Gas Extraction	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	See Ch. 3.1	24	
Plumbing, HVAC and Electrical Trades Shops														P	P			8	
Printing and Publishing - Commercial															P			8	
Plumbing, HVAC and Electrical Trades Shops														P	P			8	
Printing and Publishing - Commercial															P			8	
Research and Development Labs															P			8	
Scientific Instrument Assembly and Manufacturing															P			8	
Self Storage Facilities (mini-warehouse)															S			24	
Upholstery and Furniture Repair Shops														P	P			8	
Warehouse and Distribution Facilities															S			24	
Wood, Paper or Leather Products															P			25	
Manufacturing not elsewhere listed															S			24	
Welding or Machine Shop															P			25	

ORDINANCE O-13-1862

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF LOT 8A, BLOCK 1 OF THE THOMPSON TERRACE SUBDIVISION LOCATED AT 5117-B COLLEYVILLE BOULEVARD, BY AUTHORIZING A SPECIAL USE PERMIT FOR A CHARITABLE DONATION STATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case No. ZC12-027; 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 enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the 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 Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference

to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. 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 charitable donation station on Lot 8A, Block 1, of the Thompson Terrace Subdivision located at 5117-B Colleyville Boulevard, as depicted on the attached as Exhibit "A".
- Sec. 3. 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. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. This Special Use Permit shall only apply to the use of a Goodwill Industries charitable donation station on the subject property.
- b. There shall be no overnight parking of any tractor-trailers or trailers on the property.
- c. There shall be no outside storage of any items on the property.

- d. Donated items shall not be placed outside of the building at any time and must be stored within the building immediately upon drop-off.
- e. There shall be no donation kiosks or other related donation structures independent of the main structure located on this property.
- f. 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 for the approved use.

Sec. 5. 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. 6. 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. 7. 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. 8. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 8th day of January 2013.

The second reading and public hearing being conducted on the 15th day of January 2013.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the _____ day of _____ 2013.

ATTEST:

CITY OF COLLEYVILLE

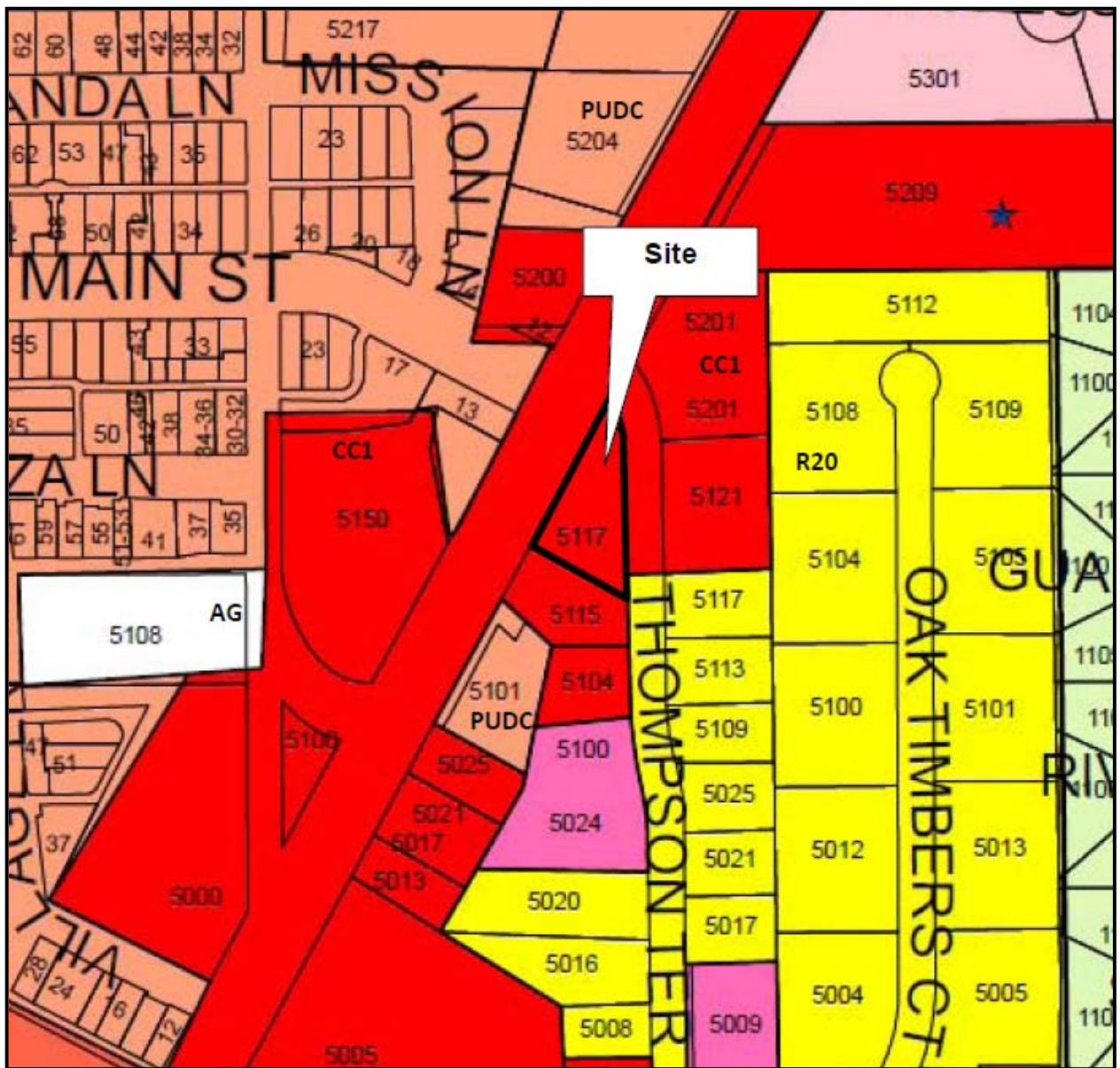
Amy Shelley
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit "A" - Location and Zoning Map





City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 6a

Agenda Date 01/15/2013

Number Ordinance O-13-1863

Type Ordinance

Department Community Development

Title

Consideration of amendments to Chapter 3 - Land Use, Section 3.24 – Schedule of Permitted Principle Uses of the Land Development Code, Case GC13-001

Explanation

First Reading and Public Hearing

One of the key components of Colleyville's zoning regulations, which are contained in Chapter 3 of the Land Development Code, is the Schedule of Permitted Principal Uses. The Schedule of Permitted Principal Uses is a matrix that lists those land uses that are allowed for each of the various zoning districts.

In a review of the revised Schedule of Permitted Principal Uses, staff has determined an amendment to the land use matrix is warranted with regard to the land uses permitted in the CPO-Professional Office Commercial District. According to the attached Land Development Code, *"this district is designed to be compatible adjacent to or near residential areas and to provide office services needed by homeowners on a usual basis."* Staff recommends the Schedule of Permitted Principal Uses be updated to add medical office uses to the CPO-Professional Office Commercial District such as:

- Chiropractic Clinics
- Optometrists' Offices
- Physicians' or Dentists' Offices

Staff recommends this amendment for the following reasons:

1. Under the goal of "Make a Long Term Commitment to Economic Development" in the Colleyville Strategic Plan, one of objectives states "Market Colleyville as a medical specialty destination". Therefore, this amendment will expand the areas available in the City for medical uses, as recommended by the Strategic Plan.

2. All areas of the City that currently contain CPO zoning are either located along SH26, or are located in large office developments along Gateway Drive. Therefore, the higher traffic associated with medical office uses would not negatively impact these areas, as they already contain commercial uses, which generate proportionate amounts of traffic and, likewise, contain zoning allowing such uses.

Per the attached map, there are total of 14 platted lots containing a total of six acres currently zoned CPO-Professional Office Commercial District. These lots are located along SH26 and Gateway Drive.

The proposed amendment would affect only the dental office located at 5303 Colleyville Boulevard. This property is currently zoned CPO and currently considered a legal non-conforming use given the medical office restrictions currently contained in the CPO zoning district. A dentists' office has occupied this building since 1975, when the CPO allowed medical office uses.

The proposed changes are highlighted in the attached copy of the Schedule of Permitted Principal Uses.

Planning and Zoning Commission Recommendation. The Planning and Zoning Commission will consider this item on Monday, January 14, 2013, and Community Development Director Ron Ruthven will provide City Council information on the Commission's recommendation.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. CPO-Professional Office Commercial District
2. Proposed Changes to the Schedule of Permitted Principal Uses
3. Properties Zoned CPO as of January, 2013
4. Ordinance O-13-1863

CPO-Professional Office Commercial District

Colleyville, Texas, Land Development Code

- G. Prohibited Uses – Any use not expressly authorized and permitted herein is expressly prohibited in this district, unless otherwise allowed in conformance with the provisions for the “Classification of New and Unlisted Uses.”
- H. Density; Area; Yard; Height; and Lot Coverage Requirements – The requirements regulating the maximum permissible residential density, minimum lot size, minimum yard sizes (front, side and rear), maximum building height (stories and feet), and maximum percent of lot coverage by buildings, as pertains to this district, shall conform with the provisions of *Section 3.24 - “Schedule of District Regulations”* and other applicable provisions of *Section 3.28 - “Supplementary District Regulations.”*
- I. Off-street Parking and Loading Requirements – Off-street parking and loading requirements pertaining to uses allowed in this district shall conform with the provisions for the “Off-Street Parking Requirements,” and “Off-Street Loading Requirements.”
- J. Site Plan and Supporting Documents Required – Any application for a change in zoning district boundaries on the Official Zoning Map affecting this district, or for a “Special Use Permit” to be issued in this district, shall be accompanied by a site plan and supporting document therefor, unless otherwise waived by the Planning and Zoning Commission or Zoning Board of Adjustment, in conformance with the provisions of *Chapter 1 – General Provisions* of this Land Development Code.

Section 3.17 CPO - Professional Office Commercial District

- A. Purpose – This district is designed to be compatible adjacent to or near residential area and to provide office services needed by homeowners on a usual basis. The lot size maximum is small to encourage small-scale developments, and hours of operation do not permit businesses to be open at night.

B. Permitted Uses

1. See Table 3.24.B - Schedule of Permitted Principle Uses

C. Special Uses

1. See Table 3.24.B - Schedule of Permitted Principle Uses

D. Site Requirements

Minimum lot size:	7, 200 s.f.	Minimum setbacks:		Max. Building height in stories:	2 st.
Maximum lot size:	1 acre	front:	40 ft.	Max. building height in feet:	35 ft.
Minimum lot width at front setback line:	100 ft.	side abutting residential:	25 ft.	Max. building height adj. to residential	
		side abutting non-residential:	15 ft.		
Minimum lot depth:	120 ft.	rear abutting residential:	25 ft.		
Maximum lot coverage:	40%	rear abutting non-residential:	10 ft.		

E. Supplementary Requirements

General:	Landscaping Plans:	Off-Street Parking:
- outdoor storage is not permitted	- required as per Chapter 4	- as required by Sec. 3.29
- uses adjacent to single family uses must be screened as per Sec. 3.26	Commercial Bldg. Design Stds.	Site Plans:
- may be operated in daytime only	- each site must have a minimum of 25 points as per Chapter 5	- plans must be submitted in accordance with Sec. 3.31

Section 3.18 CN - Neighborhood Commercial District

- A. Purpose – This district is designed to be compatible adjacent to or near residential areas and to provide goods needed by homeowners on a usual basis. The lot size maximum is small to encourage small-scale developments, and hours of operation do not permit businesses to be open at night.

Proposed Changes to the Schedule of Permitted Principal Uses

Colleyville, Texas, Land Development Code

Table 3.24.B- - Schedule of Permitted Principal Uses																		
Land Use Classification	Residential District									Non-Residential Districts						Special Land Use Standards or Section Ref.	Parking Group	
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
A. RESIDENTIAL ACCOMODATION USES																		
Single Family Detached Dwelling	P	P	P	P	P	P		S								8	3	
Duplex – Attached Dwelling							P									8	2	
Townhome – Attached Dwellings								P								8	4	
Multi-family – Attached Dwellings								P								8	4	
HUD Code Manufactured Housing									P							8	2	
Assisted Living Facilities	PUD only															2	17	
Bed and Breakfast Lodging	S	S	S	S	S	S	S	S								1,8	18	
Private (HOA) Recreational Facilities		P	P	P	P	P	P	P	P							9	5	
B. ACCESSORY USES																		
Accessory Building	P	P	P	P	P	P	P	P	P							Sec. 3.27	n.a.	
Carport	S	S	S	S	S	S	S	S	S							Sec. 3.27.C	n.a.	
Home Occupations Uses	P	P	P	P	P	P	P	P	P							8	n.a.	
Servants or Caretakers Quarters	P	P	S	S	S										S	16	1	
C. AGRICULTURAL USES																		
Commercial equestrian boarding stable and school	P	S														17	25	
Crop Farming	P	P															n.a.	
Livestock raising and breeding	P	P														12	n.a.	
Private horse stables for domestic use	P	P	P	S	S												n.a.	
Roadside produce stands (year round)	S	S	S	S	S	S	S	S	S								n.a.	
D. UTILITY USES																		
Electrical Substations	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		21	
Public Utility Supply and Storage Yards	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		24	

Proposed Changes to the Schedule of Permitted Principal Uses

Colleyville, Texas, Land Development Code

Table 3.24.B- - Schedule of Permitted Principal Uses																	
Land Use Classification	Residential District									Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML		
Solid Waste Disposal Sites															S		24
Telecommunications Towers	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	3	21
Water Pumping Stations	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		24
Wind Driven Generators	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		n.a.
E. PUBLIC AND INSTITUTIONAL USES																	
Colleges or Universities	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		12
Community Centers or Recreation Centers	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P		5
Government Buildings, Offices and Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		8
Fire Stations / Police Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		16
Golf Courses – Public Owned	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		22
Government Maintenance Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		25
Libraries										P	P	P	P	P	P		9
Museums										P	P	P	P	P	P		8
Post Office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		10
Parks and Open Space Areas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		25
Public Maintenance and Storage Buildings	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		25
Private Schools – Elementary and Secondary	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		13
Private Schools – High School	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		14
Public Schools – Elementary and Secondary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		13
Public Schools – High School	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		14
Religious Institutions	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		18
F. OFFICE USES																	
Accountant's Offices										P	P	P	P	P			8

Proposed Changes to the Schedule of Permitted Principal Uses

Colleyville, Texas, Land Development Code

Table 3.24.B- - Schedule of Permitted Principal Uses																		
Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Advertising Agencies											P	P	P	P	P			8
Attorney Offices											P	P	P	P	P			8
Chiropractic Clinics											P		P	P	P			8
Emergency Clinic (24 hrs.)													S	P	P		10	6
Engineering, Architect's, and Surveyor's Offices											P	P	P	P	P			8
General Business Offices not elsewhere listed											P	P	P	P	P			8
Insurance Agencies											P	P	P	P	P			8
Management and Public Relations Services Offices											P	P	P	P	P			8
Optometrist Office											P		P	P	P			8
Psychologist Offices											P	P	P	P	P			8
Physician's or Dentist's Offices											P		P	P			5	7
Real Estate Agency Offices											P	P	P	P	P			8
Security Broker Offices											P	P	P	P	P			8
Telemarketing Offices													P	P	P			5
Title Abstract Offices											P	P	P	P	P			8
Trade or Business Schools													S	S	S	P		15
Travel Agency / Airline Ticket Offices											P	P	P	P	P			8
G. RETAIL AND SERVICE USES																		
Alcoholic Beverage Sales – (Beer and Wine Only) – Off-Premises Consumption													S	S	S		13	n.a.
Alcoholic Beverage Sales – On-premises Consumption													S	S	S		13	n.a.
Package Store Sales – Off-premises Consumption													S	S	S		13	n.a.
Alcohol or Drug Treatment Center											S	S	S	S	S	S		24
Antique Stores													P	P				7

Proposed Changes to the Schedule of Permitted Principal Uses

Colleyville, Texas, Land Development Code

Table 3.24.B- - Schedule of Permitted Principal Uses																		
Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Apparel and Accessory Stores												P	P				7	
Arts and Crafts Stores and Hobby Shops												P	P				7	
Bakery Stores												P	P				7	
Banks, Credit Unions and Financial Institutions											P	P	P				8	
Barber Shops, Beauty Shops and Day Spas											P	P	P			10	7	
Bicycle Shops												P	P				7	
Book, Stationary or Greeting Card Shops												P	P	P			7	
Camera or Music Stores												P	P				7	
Carnivals and Circuses												S	S				24	
Cemeteries or Mausoleums										S	S	S	S	S	S		24	
Charitable Donation Station												S	S	S			24	
Civic, Social or Fraternal Organizations										S	S	P	P				7	
Convenience Stores with gasoline sales												S	S	S	S		7	
Copy Centers/Print Shops										S	S	P	P	P	P		7	
Dance Studios and Martial Arts Studios										S	S	P	P				7	
Day Care Centers										S	S	S	S	S		17	11	
Department Stores												P	P				7	
Dry Cleaner Pick-up Stations											S	P	P				7	
Dry Cleaners (up to 5,000 s. f. w/on-site laundry)												P	P				7	
Equipment Rental and Leasing Stores														S	P		7	
Florist Shops											P	P	P				7	
Food Catering													P	P			8	
Funeral Homes												S	S	S			24	
Furniture and Appliance Stores												P	P	P			9	

Proposed Changes to the Schedule of Permitted Principal Uses

Colleyville, Texas, Land Development Code

Table 3.24.B- - Schedule of Permitted Principal Uses																		
Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Grocery Stores												P	P			18	7	
Hardware, electrical & plumbing w/o outside display											P	P	P	P				
Hardware , electrical & plumbing with outside display													S	P	P			
Hospitals												S	S	S			24	
Hotels and Motels													P	P			19	
Interior Decoration Stores										P	P	P	P				7	
Jewelry Stores											P	P	P				7	
Locksmiths											S	S	P	P			8	
Mailing and Shipping Stores											P	P	P	P			7	
Meat or Fish Market												P	P	P			7	
Nurseries and Greenhouses with outside display													S	P	P		16	
Pawn Shops															P		7	
Pet Stores												P	P				7	
Pharmacy											S	P	P	P			7	
Photography Studios										P	P	P	P	P	P		8	
Purchasing and/or resale of precious metals including jewelry, gem stones, gold, silver, and platinum and not licensed as a Pawn Shop by the State of Texas												S	S	S			7	
Restaurants, Cafes and Cafeterias												P	P	P			5	
Restaurants with drive-in or drive-thru service													P	P			5	
Second hand goods shop												S	S	S			7	
Self-service Laundries											S	S	S	S			7	
Second hand goods shop												S	S	S			7	
Self-service Laundries											S	S	S	S			7	

Proposed Changes to the Schedule of Permitted Principal Uses

Colleyville, Texas, Land Development Code

Table 3.24.B- - Schedule of Permitted Principal Uses																		
Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Shoe Repair Shops											P	P	P	P			8	
Tailor and Alteration Shops											P	P	P	P			8	
Veterinarian Clinic with indoor kennels													P	P	P	4	8	
Veterinarian Clinic with outdoor kennels													S	P	P		8	
Video Rental and Sales Stores												P	P	P			7	
Wedding Chapels												S	S	S			24	
H. RECREATIONAL AND ENTERTAINMENT USES																		
Adult Entertainment Establishments	See section 22-5 Code of Ordinances																5	
Amusement Centers (indoors)												S	S				24	
Archery and Firearms Ranges														S	S	6	24	
Billiard Parlors												S	S			17	23	
Commercial Recreation (outdoor)	S										S	S	S	S	S		24	
Fitness Centers												P	P	P			7	
Golf Courses – Privately Owned										P	P	P	P	P	P		22	
Golf Driving Ranges												P	P				22	
Miniature Golf Courses												P	P				20	
Roller or Ice Skating Rinks													S	S			24	
Theaters												P	P			7	18	
I. AUTOMOTIVE AND TRANSPORTATION USES												S	S			17	23	
Airports and Heliports	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		24	
Auto Alarm / Stereo / Window Tinting Stores													P	P	P	13	7	
Auto Lube Shops													S	P	P	13	9	
Automotive and Motor Vehicle Sales													S	S	S	13	8	

Proposed Changes to the Schedule of Permitted Principal Uses

Colleyville, Texas, Land Development Code

Table 3.24.B- - Schedule of Permitted Principal Uses																		
Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Auto Parts and Accessory Stores												P	P	P		13	7	
Auto, Truck or Trailer Rental														S	S	13	8	
Auto Upholstery Shops														P	P	13	9	
Auto Parking Lots and Garages (free standing)										S	S	S	S	S	S		n.a.	
Auto Repair Shop													S	S	S	13	9	
Boat and Water-craft Sales and Service													S	S	S	13	8	
Bus or Passenger Train Stations												S	S	S	S		24	
Car Wash (self service and automatic)														S	P		9	
Commuter Transit Stations												S	S	S	S		24	
Gasoline Service Stations														S	S	13	7	
LPG / CNG Dispensing Stations														S	S		24	
Motorcycle Sales and Service														S	S	13	8	
Paint and Body Shops														S	S	13	9	
Park and Ride Facilities												S	S	S	S		24	
Railroad or Motor Freight Terminals													S	S	S		24	
Recreational Vehicle Sales and Service														S	S	13	8	
Tire and Battery Stores													S	S	S	13	7	
Truck and Heavy Equipment Sales and Service														S	S	13	8	
Vehicle Storage Yards or Facilities												S	S	S	S		24	
J. HEAVY COMMERCIAL, INDUSTRIAL & MANUFACTURING USES																		
Asphalt or Concrete Batching (temporary)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		24	
Appliance Repair Shops														S	S		8	
Building Material Sales with outside storage														S	P		7	

Proposed Changes to the Schedule of Permitted Principal Uses

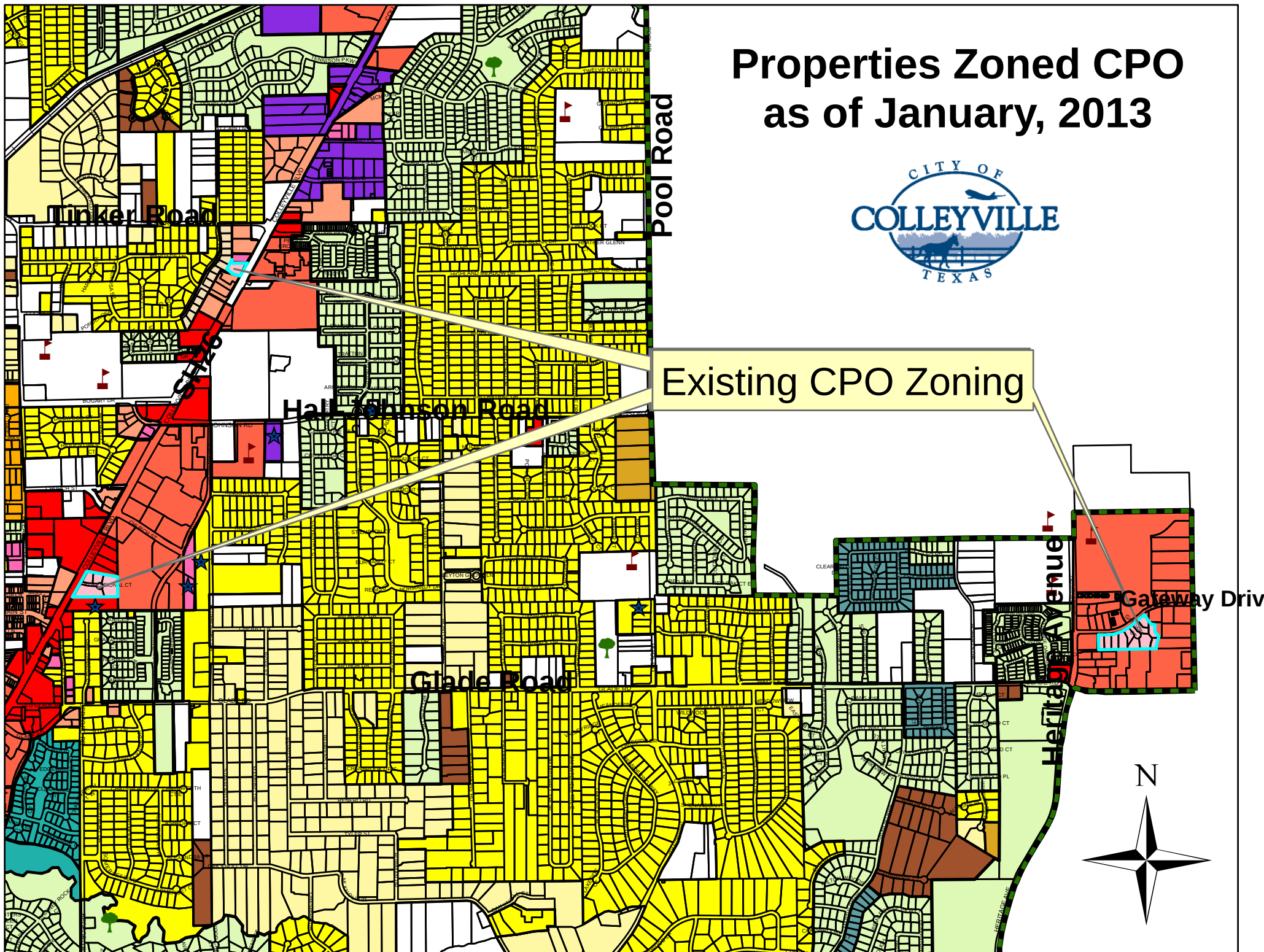
Colleyville, Texas, Land Development Code

Table 3.24.B- - Schedule of Permitted Principal Uses																		
Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Commercial Laundry														S	S		24	
Contractor Office with storage yard														S	S		24	
Contactor Office without storage yard														P	P		8	
Electronic Assembly or Manufacturing															P		25	
Exterminator Shop														S	S		24	
Food Packaging and Manufacturing															S		24	
Furniture and Cabinet Manufacturing															P		25	
Office Showroom															P		25	
Oil and Gas Extraction	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	See Ch. 3.1	24	
Plumbing, HVAC and Electrical Trades Shops														P	P		8	
Printing and Publishing - Commercial															P		8	
Plumbing, HVAC and Electrical Trades Shops														P	P		8	
Printing and Publishing - Commercial															P		8	
Research and Development Labs															P		8	
Scientific Instrument Assembly and Manufacturing															P		8	
Self Storage Facilities (mini-warehouse)															S		24	
Upholstery and Furniture Repair Shops														P	P		8	
Warehouse and Distribution Facilities															S		24	
Wood, Paper or Leather Products															P		25	
Manufacturing not elsewhere listed															S		24	
Welding or Machine Shop															P		25	

Properties Zoned CPO as of January, 2013



Existing CPO Zoning



ORDINANCE O-13-1863

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING CHAPTER 3, LAND USE, SECTION 3.24 - SCHEDULE OF PERMITTED PRINCIPAL USES, OF THE LAND DEVELOPMENT CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Colleyville approved Ordinance O-00-1214 on April 18, 2000, adopting the Land Development Code; and

WHEREAS, the City Council amended Ordinance O-00-1214 on January 16, 2007, by enacting Ordinance O-07-1607 relating to *Chapter 3 Land Use, Section 3.24 – Schedule of Permitted Uses, and Section 3.29 – Parking Requirements*, of the Land Development Code; and

WHEREAS, the City Council amended Ordinance O-00-1214 and O-07-1607 on September 4, 2007, by enacting Ordinance O-07-1633 relating to *Chapter 3 Land Use, Sections 3.17, 3.18, 3.19, 3.20, 3.21, 3.22 and 3.24 – Schedule of Permitted Uses* of the Land Development Code; and

WHEREAS, the City Council amended Ordinance O-00-1214 and O-07-1607 on February 5, 2008, by enacting Ordinance O-08-1656 relating to *Chapter 3 Land Use, Section 3.24 – Schedule of Permitted Uses* of the Land Development Code; 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 enact a new zoning ordinance by amending the Schedule of Permitted Uses; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such

districts in accordance with a comprehensive plan designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the 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 Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT *Chapter 3 Land Use, SECTION 3.24 - SCHEDULE OF PERMITTED USES*, of the Land Development Code, is hereby amended in its entirety to read as depicted in the attached Exhibit "A".
- Sec. 3. THAT Ordinance O-00-1214, O-07-1607, O-07-1633, and O-08-1656 of the Land Development Code of the City of Colleyville, as amended, shall remain in effect, except where amended by this ordinance.

- 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 it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 15th day of January 2013.

The second reading and public hearing being conducted on the 5th day of February 2013.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the _____ day of _____ 2013.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit "A"

[illegible]

Exhibit "A"

Table 3.24.B- - Schedule of Permitted Principal Uses

Table 3.24.B- - Schedule of Permitted Principal Uses																	
Land Use Classification	Residential District									Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML		
Solid Waste Disposal Sites															S		24
Telecommunications Towers	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	3	21
Water Pumping Stations	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		24
Wind Driven Generators	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		n.a.
E. PUBLIC AND INSTITUTIONAL USES																	
Colleges or Universities	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		12
Community Centers or Recreation Centers	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P		5
Government Buildings, Offices and Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		8
Fire Stations / Police Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		16
Golf Courses – Public Owned	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		22
Government Maintenance Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		25
Libraries										P	P	P	P	P	P		9
Museums										P	P	P	P	P	P		8
Post Office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		10
Parks and Open Space Areas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		25
Public Maintenance and Storage Buildings	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		25
Private Schools – Elementary and Secondary	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		13
Private Schools – High School	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		14
Public Schools – Elementary and Secondary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		13
Public Schools – High School	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		14
Religious Institutions	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		18
F. OFFICE USES																	
Accountant's Offices											P	P	P	P	P		8

Exhibit "A"

Table 3.24.B- - Schedule of Permitted Principal Uses

Table 3.24.B- - Schedule of Permitted Principal Uses																		
Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Advertising Agencies											P	P	P	P	P			8
Attorney Offices											P	P	P	P	P			8
Chiropractic Clinics											P		P	P	P			8
Emergency Clinic (24 hrs.)													S	P	P		10	6
Engineering, Architect's, and Surveyor's Offices											P	P	P	P	P			8
General Business Offices not elsewhere listed											P	P	P	P	P			8
Insurance Agencies											P	P	P	P	P			8
Management and Public Relations Services Offices											P	P	P	P	P			8
Optometrists' Office											P		P	P	P			8
Psychologist Offices											P	P	P	P	P			8
Physicians' or Dentists' Offices											P		P	P			5	7
Real Estate Agency Offices											P	P	P	P	P			8
Security Broker Offices											P	P	P	P	P			8
Telemarketing Offices													P	P	P			5
Title Abstract Offices											P	P	P	P	P			8
Trade or Business Schools													S	S	S	P		15
Travel Agency / Airline Ticket Offices											P	P	P	P	P			8
G. RETAIL AND SERVICE USES																		
Alcoholic Beverage Sales – (Beer and Wine Only) – Off-Premises Consumption													S	S	S		13	n.a.
Alcoholic Beverage Sales – On-premises Consumption													S	S	S		13	n.a.
Package Store Sales – Off-premises Consumption													S	S	S		13	n.a.
Alcohol or Drug Treatment Center											S	S	S	S	S	S		24
Antique Stores													P	P				7

Exhibit "A"

Table 3.24.B- - Schedule of Permitted Principal Uses

Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH		CPO	CN	CC1	CC2	CC3	ML		
Apparel and Accessory Stores													P	P				7
Arts and Crafts Stores and Hobby Shops													P	P				7
Bakery Stores													P	P				7
Banks, Credit Unions and Financial Institutions												P	P	P				8
Barber Shops, Beauty Shops and Day Spas												P	P	P			10	7
Bicycle Shops													P	P				7
Book, Stationary or Greeting Card Shops													P	P	P			7
Camera or Music Stores													P	P				7
Carnivals and Circuses													S	S				24
Cemeteries or Mausoleums											S	S	S	S	S	S		24
Charitable Donation Station													S	S	S			24
Civic, Social or Fraternal Organizations											S	S	P	P				7
Convenience Stores with gasoline sales													S	S	S	S		7
Copy Centers/Print Shops											S	S	P	P	P	P		7
Dance Studios and Martial Arts Studios											S	S	P	P				7
Day Care Centers											S	S	S	S	S		17	11
Department Stores													P	P				7
Dry Cleaner Pick-up Stations												S	P	P				7
Dry Cleaners (up to 5,000 s. f. w/on-site laundry)													P	P				7
Equipment Rental and Leasing Stores															S	P		7
Florist Shops												P	P	P				7
Food Catering														P	P			8
Funeral Homes													S	S	S			24
Furniture and Appliance Stores													P	P	P			9

Exhibit "A"

Table 3.24.B- - Schedule of Permitted Principal Uses

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Grocery Stores												P	P			18	7	
Hardware, electrical & plumbing w/o outside display											P	P	P	P				
Hardware , electrical & plumbing with outside display													S	P	P			
Hospitals												S	S	S			24	
Hotels and Motels													P	P			19	
Interior Decoration Stores										P	P	P	P				7	
Jewelry Stores											P	P	P				7	
Locksmiths											S	S	P	P			8	
Mailing and Shipping Stores											P	P	P	P			7	
Meat or Fish Market												P	P	P			7	
Nurseries and Greenhouses with outside display													S	P	P		16	
Pawn Shops															P		7	
Pet Stores												P	P				7	
Pharmacy											S	P	P	P			7	
Photography Studios										P	P	P	P	P	P		8	
Purchasing and/or resale of precious metals including jewelry, gem stones, gold, silver, and platinum and not licensed as a Pawn Shop by the State of Texas												S	S	S			7	
Restaurants, Cafes and Cafeterias												P	P	P			5	
Restaurants with drive-in or drive-thru service													P	P			5	
Second hand goods shop												S	S	S			7	
Self-service Laundries											S	S	S	S			7	
Second hand goods shop												S	S	S			7	
Self-service Laundries											S	S	S	S			7	

Exhibit "A"

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Tailor and Alteration Shops											P	P	P	P			8	
Veterinarian Clinic with indoor kennels													P	P	P	4	8	
Veterinarian Clinic with outdoor kennels													S	P	P		8	
Video Rental and Sales Stores												P	P	P			7	
Wedding Chapels												S	S	S			24	
H. RECREATIONAL AND ENTERTAINMENT USES																		
Adult Entertainment Establishments	See section 22-5 Code of Ordinances																5	
Amusement Centers (indoors)												S	S				24	
Archery and Firearms Ranges														S	S	6	24	
Billiard Parlors												S	S			17	23	
Commercial Recreation (outdoor)	S										S	S	S	S	S		24	
Fitness Centers												P	P	P			7	
Golf Courses – Privately Owned										P	P	P	P	P	P		22	
Golf Driving Ranges												P	P				22	
Miniature Golf Courses												P	P				20	
Roller or Ice Skating Rinks													S	S			24	
Theaters												P	P			7	18	
I. AUTOMOTIVE AND TRANSPORTATION USES												S	S			17	23	
Airports and Heliports	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		24	
Auto Alarm / Stereo / Window Tinting Stores													P	P	P	13	7	
Auto Lube Shops													S	P	P	13	9	
Automotive and Motor Vehicle Sales													S	S	S	13	8	

Exhibit "A"

Table 3.24.B- - Schedule of Permitted Principal Uses

Table 3.24.B- - Schedule of Permitted Principal Uses																		
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Auto Parts and Accessory Stores												P	P	P		13	7	
Auto, Truck or Trailer Rental														S	S	13	8	
Auto Upholstery Shops														P	P	13	9	
Auto Parking Lots and Garages (free standing)										S	S	S	S	S	S		n.a.	
Auto Repair Shop													S	S	S	13	9	
Boat and Water-craft Sales and Service													S	S	S	13	8	
Bus or Passenger Train Stations												S	S	S	S		24	
Car Wash (self service and automatic)														S	P		9	
Commuter Transit Stations												S	S	S	S		24	
Gasoline Service Stations														S	S	13	7	
LPG / CNG Dispensing Stations														S	S		24	
Motorcycle Sales and Service														S	S	13	8	
Paint and Body Shops														S	S	13	9	
Park and Ride Facilities												S	S	S	S		24	
Railroad or Motor Freight Terminals													S	S	S		24	
Recreational Vehicle Sales and Service														S	S	13	8	
Tire and Battery Stores													S	S	S	13	7	
Truck and Heavy Equipment Sales and Service														S	S	13	8	
Vehicle Storage Yards or Facilities												S	S	S	S		24	
J. HEAVY COMMERCIAL, INDUSTRIAL & MANUFACTURING USES																		
Asphalt or Concrete Batching (temporary)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		24	
Appliance Repair Shops														S	S		8	
Building Material Sales with outside storage														S	P		7	

Exhibit "A"

Table 3.24.B- - Schedule of Permitted Principal Uses

[illegible]



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 7a

Agenda Date 01/15/2013

Number Resolution R-13-3587

Type Resolution

Department Community Development

Title

Approval of a City/Developer Agreement between the City of Colleyville and Avere Colleyville, L.P. for the Heritage Farms Development, and authorize the city manager to execute the agreement

Explanation

Reading and Public Hearing

On October 1, 2012, the City Council approved the attached PUD Ordinance O-12-1832, which allows for the Heritage Farms development located on approximately 19 acres at the southeast corner of Wayne Drive and Cheek-Sparger Road. The purpose of this item is to approve the City/Developer Agreement (CDA) required by Section 13 of this ordinance.

Section 13 of Ordinance O-12-1832 states the following:

13. PUBLIC IMPROVEMENTS

a. In lieu of constructing any required perimeter street improvements, the developer shall construct the following roadway improvements: (1) improve the intersection of Cheek-Sparger Road and Bedford Road/Bedford Court such that it may result in the construction of a roundabout; (2) add a right-turn only lane to northbound Wayne Drive where it intersects Cheek-Sparger Road.

b. Given the requirements of Section "a" above, prior to the acceptance of any plat applications as required by this ordinance, the developer shall submit a City/Developer Agreement (CDA) for approval by the City Council that, at a minimum, addresses the following areas:

(1) Total estimated cost, scope, feasibility and traffic impact of the construction of a roundabout at Bedford Road/Court and Cheek-Sparger Road, and a northbound right-turn lane at the intersection of Wayne Drive and Cheek-Sparger Road as determined by a registered professional engineer in the State of Texas;

(2) Plans and details of a schedule for reimbursement of construction costs to the developer by the City or waiver of fees;

(3) Clear delineation of duties and responsibilities with regard to right-of-way acquisition, construction, inspections, and maintenance of all proposed public

improvements.

(4) Any existing escrowed funds for future roadway improvements to Wayne Drive, Cheek-Sparger Road and Bedford Road/Bedford Court paid by the developers of any properties within 2,000 feet of the subject property within the preceding ten years, are hereby eligible to be applied toward the roadway improvements described above, provided a written affidavit is submitted to the City of Colleyville from the developer that paid said escrow, approving the use of said escrow funds for the roadway improvements described above.

(5) Any change to the terms of this section shall require an amendment to this ordinance."

As required by Ordinance O-12-1832, the developer will construct a roundabout at the intersection of Bedford Road/Court and Cheek-Sparger Road. The preliminary design and feasibility study for the roundabout was conducted by Kimley-Horn & Associates, Inc. and was presented to the City Council on December 18, 2012. The developer proposes a total budget of \$875,000 for construction of the roundabout and proposes the City fund \$675,000 of the cost with the remainder to be paid by the developer. The following is a summary of the cost sharing breakdown:

\$278,138: Roadway Impact Fee Credits. As authorized by Section 13-180 of the Land Development Code, given the cost of the new intersection, all roadway impact fees due for this development would be credited to the project and would not be charged to the developer.

\$140,438: Perimeter Street Fees paid for Wayne Drive improvements by Covenant Christian Academy (CCA) as required by PUD Ordinance O-09-1725. Provided CCA submits a signed affidavit as required by Section 13 of Ordinance O-12-1832 releasing these funds to be spent on the construction of the roundabout, these funds are eligible.

\$256,424: Partial reimbursement to the developer of park land dedication and building permit fees paid to the City as part of the development.

\$675,000: Total of City contributions

\$200,000: Amount provided by the developer

\$875,000: Total construction cost

A more detailed breakdown of the cost sharing agreement is attached to the CDA as Exhibit "A".

The following are the proposed provisions of the CDA along with any pertinent

comments in italics:

1. The Developer will provide the City with a report from a Registered Professional Engineer licensed in the State of Texas stating that a roundabout (the "public improvements") at Cheek-Sparger Road and Bedford Road/Court provides the City with a recommended method of traffic mitigation. *This is complete and is attached.*
2. The Developer will contract for the public improvements using reputable contractors. All contract documents will bear the seal of a Registered Professional Engineer licensed in the State of Texas. The scope of work for the public improvements will include a two-year maintenance bond in the amount of 10 percent of the construction cost.
3. The Developer will submit the contract documents to the City for its review and approval. As a prerequisite to commencing construction on the roundabout, the City must approve the contract documents and issue a Notice to Proceed to the Developer.
4. The Developer understands that permit fees and plan review fees associated with Heritage Farms must first be paid to the City in order for the City to reimburse Developer for the cost of the public improvements as outlined in the CDA.
5. The City agrees to the roadway impact fee credit and fee reimbursement schedule per CDA Exhibit "A" for all expenses incurred by the Developer for the purposes of designing and constructing the public improvements.
6. The reimbursements and credits from the City of Colleyville referenced in Section 5. above shall not exceed \$675,000.
7. The Developer understands that no final Certificate of Occupancy will be given for the first completed senior living building at Heritage Farms, either (a) the Assisted Living/Memory Care building, or (b) the Independent Living building, until the public improvements are accepted by the City.
8. The Developer agrees to provide the City with As-Built drawings of the completed public improvements.
9. The Developer understands it has no authority to cancel or amend the terms of this agreement without specific written authority by the City.
10. If for any reason the ownership of the property should change prior to the acceptance of the public improvements by the City, the conditions of this agreement will pass to the subsequent Owner/Developer. The City will require proper documentation from the new Owner/Developer showing acceptance of the terms of this Agreement.

Per the provisions of Ordinance O-12-1832, Section 13, the development, as authorized by the ordinance, is tied to the construction of the roundabout. If the roundabout is not constructed, or approved by the City, no Certificates of Occupancy may be issued for any buildings in the development.

Financial Impact

The financial impact of this item is such that the City will credit roadway impact fees, perimeter street fees, and reimburse building permit and park land dedication fees, in an amount not to exceed \$675,000, as described in the briefing.

Recommendation

Approve

Attachments

1. Proposed Heritage Farms CDA
2. Kimley-Horn Preliminary Roundabout Design and Feasibility Study
3. Ordinance O-12-1832
4. Resolution R-13-3587



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 7a

Agenda Date 01/15/2013

Number Resolution R-13-3587

Type Resolution

Department Community Development

Title

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2. Kimley-Horn Preliminary Roundabout Design and Feasibility Study
3. Ordinance O-12-1832
4. Resolution R-13-3587

Kimley-Horn Preliminary Roundabout Design and Feasibility Study



December 12, 2012

Mr. Randall Johnson
Development Manager
Cirrus Health
2800 E. Hwy 114 #300
Trophy Club, TX 76262

■
12750 Merit Drive,
Suite 1000
Dallas, TX
75251

Re: Cheek-Sparger Road and Bedford Road Intersection Evaluation

Dear Mr. Johnson,

Kimley-Horn and Associates, Inc. (KHA) has completed a review of data and analyses of the Cheek-Sparger and Bedford Road intersection in Colleyville, Texas. The following discussion presents our findings and conclusions.

BACKGROUND

Cheek-Sparger Road is designated a Major Collector with two lanes undivided in 75 feet of right-of-way (ROW) on the City of Colleyville Master Thoroughfare Plan (approved by Council May 6, 2008, Ordinance O-08-1674). It extends from Colleyville Boulevard and the city limits boundary with Hurst on the west to Heritage Avenue and the city limits boundary with Bedford on the east. East and west of the City of Colleyville, the Cheek-Sparger corridor is designated as Mid-Cities Boulevard and is 6-lanes divided. Bedford Road intersects Cheek-Sparger approximately 6,000 feet east of Colleyville Boulevard and approximately 6,500 feet west of Jackson Road. Bedford Road north of Cheek-Sparger is designated as a Minor Collector with two lanes undivided in approximately 60 feet of right-of-way and extends approximately one mile north to Glade Road. Bedford Court south of the intersection with Cheek-Sparger is a two lane undivided local road ending into the Heritage Farms property. Currently, this intersection is two-way stop control (TWSC) with the traffic on Cheek-Sparger allowed to flow freely through the intersection while the traffic on Bedford Road/Court approaching from the north and south is required to stop.

EXISTING INTERSECTION AND ROADWAY CONDITIONS

Cheek-Sparger aligns east-west near the southern boundary of Colleyville and the city of Bedford and for a majority of the 4 mile length is an approximately 24-30 feet wide asphalt pavement section with no shoulders and a "rural" cross-section including open drainage swales and bar ditches. This narrow cross section tends to discourage vehicles from speeding and limits the total number of vehicles that might be inclined to use Cheek-Sparger as a short-cut or an alternate regional route. The ROW varies, but was measured in the vicinity of the intersection to be approximately 100 feet. As the roadway approaches Bedford from both the east and west, the City has constructed short left-turn storage lanes to accommodate traffic turning to

■
TEL: 972.770.1300
CEL: 214.546.6114

Kimley-Horn Preliminary Roundabout Design and Feasibility Study



Mr. Randall Johnson
December 12, 2012
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the north and south. The posted speed limit of Cheek-Sparger is 30 miles per hour. A partially paved Hike and Bike Trail exists on the south side of Cheek-Sparger for several miles, but stops east of McLain Road, approximately 1000 feet east of the Bedford Court intersection.

Bedford Road approaches Cheek-Sparger from the north and is 24 feet wide with a rural cross-section and open drainage. In general the road has a variable ROW for the one mile it extends north to Glade Road and is approximately 60 feet in the vicinity of the intersection. There is a railroad tie retaining wall on the west side of Bedford Road beginning approximately 150 feet north of the intersection that is being studied by the City of Colleyville for reconstruction at some point in the future. A sidewalk exists on the east side of Bedford Road south of Sparger Park to Plantation Drive. Currently, the sidewalk does not extend south to the Cheek-Sparger intersection. The posted speed limit on Bedford Road north of Cheek-Sparger is 30 miles per hour.

Bedford Court approaches the intersection from the south and currently only extends 500 feet south serving the retail center, the day care center and an alley that provides access to a residential subdivision in the City of Bedford. In the future this road will connect to the Heritage Farms development and through public access easements over to Wayne Drive. The ROW of Bedford Court in the vicinity of the intersection is approximately 50 feet wide. The posted speed limit on this local road is 15 miles per hour, possibly because of the presence of the daycare center.

EXISTING TRAFFIC CONDITIONS

We have been able to collect 24-hour traffic volumes on Cheek-Sparger Road from four different sources: the City of Colleyville, NCTCOG, DeShazo Group and Kimley-Horn and Associates, Inc. (KHA).

Time Frame	Cheek-Sparger 24-Hour Traffic Volume	Source
2004	11,707	NCTCOG
2/18/2011	10,678	DeShazo Group
3/5/2012	10,537	City of Colleyville
5/1/2012	12,783	Kimley-Horn & Associates, Inc.

Approximately 2,294 vehicles approached Cheek-Sparger from the north on Bedford Road and 153 approached from the south on Bedford Court during the 24-hour period on May 1, 2012.

Kimley-Horn Preliminary Roundabout Design and Feasibility Study



Kimley-Horn
and Associates, Inc.

Mr. Randall Johnson

December 12, 2012

Page 3 of 6

AM and PM peak period turning movement counts were collected at the subject intersection by DeShazo Group in February of 2011 and by KHA in May 2012. Even though the 24-hour volume on Cheek-Sparger Road collected by KHA in 2012 was almost 20% higher than the DeShazo Group and City of Colleyville counts, the individual turning movement counts during the peak periods are very similar. AM and PM peak hour turning movement counts are presented in the figures below. We counted only 10 pedestrian crossings in the vicinity of the intersection in 24-hours.

Figure 1 - Existing Turning Movement Counts – AM Peak Hour – May 2012

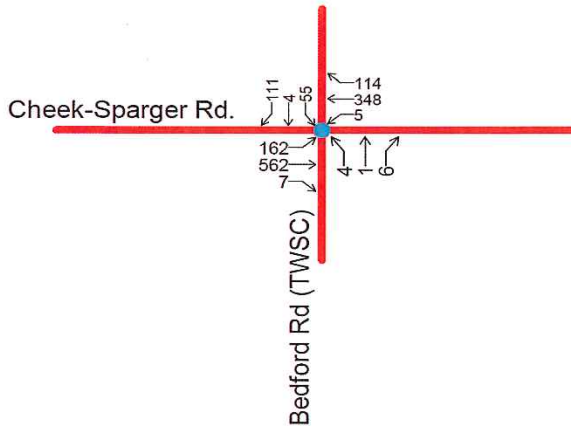
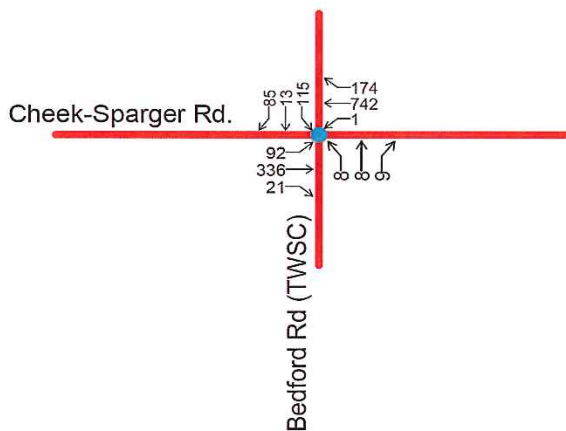


Figure 2 - Existing Turning Movement Counts – PM Peak Hour – May 2012



Kimley-Horn Preliminary Roundabout Design and Feasibility Study

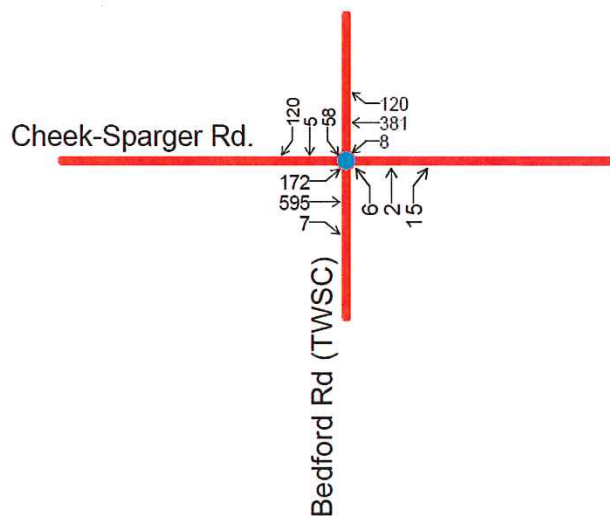


Mr. Randall Johnson
December 12, 2012
Page 4 of 6

PROJECTED (BUILDOUT) TRAFFIC CONDITIONS

Projected Build Out traffic volumes were estimated by increasing the May 2012 peak hour turning movement counts by one percent per year for 5 years (or the year 2017) creating the background traffic and adding the traffic estimated to be generated by the full build out and full occupancy of the Heritage Farms project. We believe this escalation of traffic based on 1 percent per year for 5 years and adding to that the full build out and fully occupied condition for Heritage Farms is a reasonable way to make an informed recommendation about future traffic operations at the Cheek-Sparger/Bedford intersection because the existing intersection is approach saturated flows of traffic during the peak periods. NCTCOG regional planning model parameters estimate that a 2-lane undivided Collector in a suburban residential setting can handle 10,500 vehicles per day. That same road when it functions as a Minor Arterial in a suburban residential setting has a 24-hour capacity of 16,500 vehicles per day. What the data suggest is that the peak periods are growing in time while the peak hours are leveling off.

Figure 3 – Projected Turning Movement Counts – AM Peak Hour – Build Out

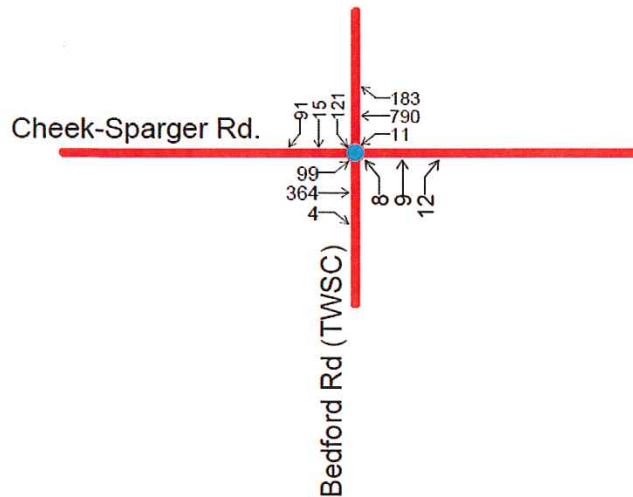


Kimley-Horn Preliminary Roundabout Design and Feasibility Study



Mr. Randall Johnson
December 12, 2012
Page 5 of 6

Figure 4 – Projected Turning Movement Counts – PM Peak Hour – Build Out



EXISTING (2012) AND FUTURE (BUILD OUT) TRAFFIC DELAYS

KHA used Highway Capacity Software (HCS) and special software developed to analyze new modern roundabouts (SIDRA 5.1 and RODEL) to estimate delays and Level of Service (LOS) for vehicles entering the intersection in 2012 and future (Build Out). The following intersection control conditions were studied: two-way stop (existing control), signalized, single-lane roundabout (SLR), single-lane roundabout with a westbound right-turn bypass lane, single-lane roundabout with westbound and southbound right-turn bypass lanes and a two-lane roundabout.

Table 2 provides a comparison of the results of the Level of Service analysis which we performed for the PM Peak Hour during the future Build Out year. A single-lane roundabout provides an overall intersection Level of Service of B with only the north approach (southbound) on Bedford Road experiencing a LOS of D. This D is still better than the existing two-way stop control and better than that provided by a signal. The single-lane roundabout provides a better level of service in each approach and for the intersection overall. The printout of the SIDRA 5.1 analysis of the single-lane roundabout is provided as Attachment A.

Kimley-Horn Preliminary Roundabout Design and Feasibility Study



Kimley-Horn
and Associates, Inc.

Mr. Randall Johnson
December 12, 2012
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Table 2-Future (Build Out) PM Peak Hour Level of Service for Alternative Intersection Controls

Intersection Control	Intersection	EB	WB	NB	SB
Two-way Stop	F	A	A	F	F
Signal	D	B	D	C	D
Single-lane Roundabout	B	A	B	B	D

LEVEL OF SERVICE ANALYSIS GENERAL NOTES:

2012 Existing (Base) volumes are from May 2012 count by KHA.

Future (Build Out) PM Peak Hour volumes are the 2012 existing volumes grown for 5 years at an 1% annual rate, plus the Heritage Farms site-generated traffic.

Two-way stop control analysis uses 2010 HCM procedure as performed by Synchro 8 software.

Signalized analysis uses 2010 HCM procedure as performed by Synchro 8 software.

Roundabout analysis uses SIDRA Intersection 5.1.5.2006 software, Level of Service (LOS) Method: Delay(HCM 2000).

FINDINGS AND CONCLUSIONS

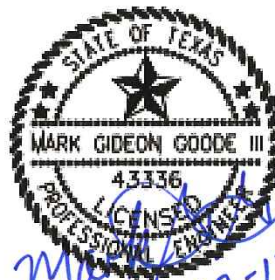
Based on information available at the present time, a single-lane roundabout will accommodate the existing and build out traffic at acceptable levels of service (a concept drawing is provided as Attachment B). A multi-lane roundabout provides a higher level of service, but the existing right-of-way and drainage structures would need to be altered at an expense that we believe is not justified.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

(Texas Registered PE Firm #928)

Mark G. Goode, III, P.E. (TX)
Senior Project Manager



Mark G. Goode III
12-13-2012

ATTACHMENT A-Build Out PM SIDRA Model - 12-13-12

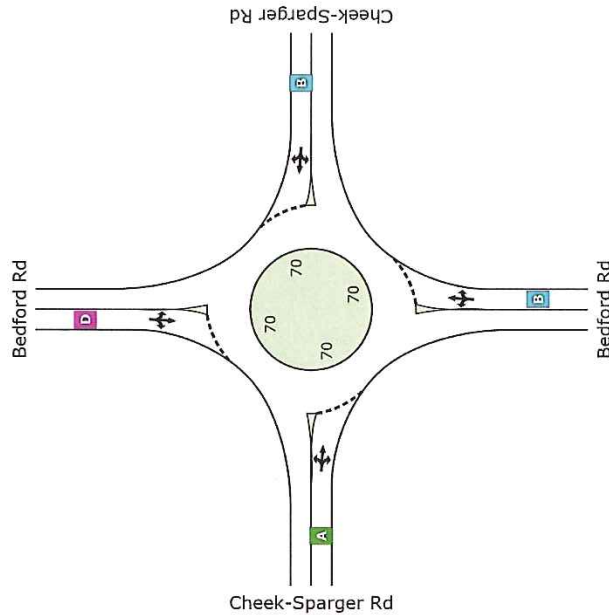
ATTACHMENT B-CS-Bedford_Roundabout_20121212

Kimley-Horn Preliminary Roundabout Design and Feasibility Study

Site: 2017 PM

LEVEL OF SERVICE SUMMARY

Colleyville, Texas - Single Lane Roundabout (SLR)
Roundabout



LOS	South	East	North	West	Intersection
	B	B	D	A	B

Level of Service (LOS) Method: Delay (HCM 2000).
Roundabout LOS Method: Same as Signalized Intersections.
Lane LOS values are based on average delay per lane.
Intersection and Approach LOS values are based on average delay for all lanes.

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www.sidra.com
Project: KAPHX - Traffic/00000002/GWMTexas/VonAhsen - Colleyville Texas/Analysis/Colleyville-TX.sip
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SIDRA
INTERSECTION

Kimley-Horn Preliminary Roundabout Design and Feasibility Study

INTERSECTION SUMMARY

Colleyville, Texas - Single Lane Roundabout (SLR)
Roundabout

Site: 2017 PM

Intersection Performance - Hourly Values

Performance Measure	Vehicles	Pedestrians
Demand Flows (Total)	1855 veh/h	2227 pers/h
Percent Heavy Vehicles	2.0 %	
Degree of Saturation	0.951	
Practical Spare Capacity	-10.7 %	
Effective Intersection Capacity	1950 veh/h	
Control Delay (Total)	7.70 veh-h/h	9.24 pers-h/h
Control Delay (Average)	14.9 sec	14.9 sec
Control Delay (Worst Lane)	38.8 sec	
Control Delay (Worst Movement)	40.8 sec	40.8 sec
Stochastic Delay (Average)	3.5 sec	
Stochastic Delay (Worst Lane)	11.1 sec	
Intersection Level of Service (LOS)	LOS B	
95% Back of Queue - Vehicles (Worst Lane)	31.4 veh	
95% Back of Queue - Distance (Worst Lane)	798.2 ft	
Total Effective Stops	1510 veh/h	1812 pers/h
Effective Stop Rate	0.81 per veh	0.81 per pers
Proportion Queued	0.89	0.89
Performance Index	55.9	55.9
Travel Distance (Total)	645.0 veh-m/h	773.8 pers-m/h
Travel Distance (Average)	184.7 ft	184.7 ft
Travel Time (Total)	57.3 veh-h/h	57.3 pers-h/h
Travel Time (Average)	57.3 sec	57.3 sec
Travel Speed	22.0 mph	22.0 mph
Cost (Total)	528.16 \$/h	528.16 \$/h
Fuel Consumption (Total)	31.5 gal/h	
Carbon Dioxide (Total)	298.2 kg/h	
Hydrocarbons (Total)	0.499 kg/h	
Carbon Monoxide (Total)	20.99 kg/h	
NOx (Total)	0.615 kg/h	

Level of Service (LOS) Method: Delay (HCM 2000).

Roundabout LOS Method: Same as Signalised Intersections.

Intersection LOS value for Vehicles is based on average delay for all vehicle movements.

Roundabout Capacity Model: SIDRA Standard.

SIDRA Standard Delay Model used.

Intersection Performance - Annual Values

Performance Measure	Vehicles	Pedestrians
Demand Flows (Total)	88,089 veh/y	1,068,730 pers/y
Delay	3,686 veh-h/y	4,435 pers-h/y
Effective Stops	724,770 veh/y	869,710 pers/y
Travel Distance	311,525 veh-m/y	373,830 pers-m/y
Travel Time	14,180 veh-h/y	17,016 pers-h/y
Cost	253,515 \$/y	253,515 \$/y
Fuel Consumption	15,111 gal/y	
Carbon Dioxide	143,119 kg/y	
Hydrocarbons	239 kg/y	
Carbon Monoxide	10,076 kg/y	
NOx	295 kg/y	

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8000965, KIMLEY-HORN & ASSOCIATES INC. ENTERPRISE

SIDRA
INTERSECTION

Kimley-Horn Preliminary Roundabout Design and Feasibility Study

MOVEMENT SUMMARY

Colleyville, Texas - Single Lane Roundabout (SLR)
Roundabout

Site: 2017 PM

Movement Performance - Vehicles											
Mov ID	Turn	Demand Flow veh/hr	HV %	Dep. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance ft	Prop. Queued	Effective Stop Rate per veh	Average Speed mph
South: Bedford Rd											
3	L	9	2.0	0.060	14.1	LOS B	0.3	8.3	0.71	0.82	23.1
8	T	10	2.0	0.060	8.5	LOS A	0.3	8.3	0.71	0.67	24.5
18	R	13	2.0	0.060	9.7	LOS A	0.3	8.3	0.71	0.71	24.3
Approach		32	2.0	0.060	10.6	LOS B	0.3	8.3	0.71	0.73	24.0
East: Cheek-Sparger Rd											
1	L	12	2.0	0.951	16.4	LOS B	31.4	798.2	1.00	0.81	21.0
6	T	859	2.0	0.951	13.5	LOS B	31.4	798.2	1.00	0.81	22.8
16	R	199	2.0	0.951	14.8	LOS B	31.4	798.2	1.00	0.81	22.5
Approach		1070	2.0	0.951	13.8	LOS B	31.4	798.2	1.00	0.81	22.5
North: Bedford Rd											
7	L	132	2.0	0.797	40.8	LOS D	8.7	221.4	1.00	1.32	15.7
4	T	16	2.0	0.797	37.1	LOS D	8.7	221.4	1.00	1.32	15.3
14	R	89	2.0	0.797	36.4	LOS D	8.7	221.4	1.00	1.32	15.9
Approach		247	2.0	0.797	38.8	LOS D	8.7	221.4	1.00	1.32	15.7
West: Cheek-Sparger Rd											
5	L	108	2.0	0.524	10.4	LOS B	4.7	118.6	0.62	0.77	24.8
2	T	396	2.0	0.524	4.8	LOS A	4.7	118.6	0.62	0.53	25.7
12	R	4	2.0	0.524	6.7	LOS A	4.7	118.6	0.62	0.61	25.5
Approach		508	2.0	0.524	6.0	LOS A	4.7	118.6	0.62	0.58	25.5
All Vehicles		1855	2.0	0.951	14.9	LOS B	31.4	798.2	0.89	0.81	22.0

Level of Service (LOS) Method: Delay (HCM 2000).
Roundabout LOS Method: Same as Signalised Intersections.
Vehicle movement LOS values are based on average delay per movement.
Intersection and Approach LOS values are based on average delay for all vehicle movements.
Roundabout Capacity Model: SIDRA Standard.
SIDRA Standard Delay Model used.

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800965, KIMLEY-HORN & ASSOCIATES INC, ENTERPRISE

SIDRA
INTERSECTION

Kimley-Horn Preliminary Roundabout Design and Feasibility Study

LANE SUMMARY

Colleyville, Texas - Single Lane Roundabout (SLR)
Roundabout

Site: 2017 PM

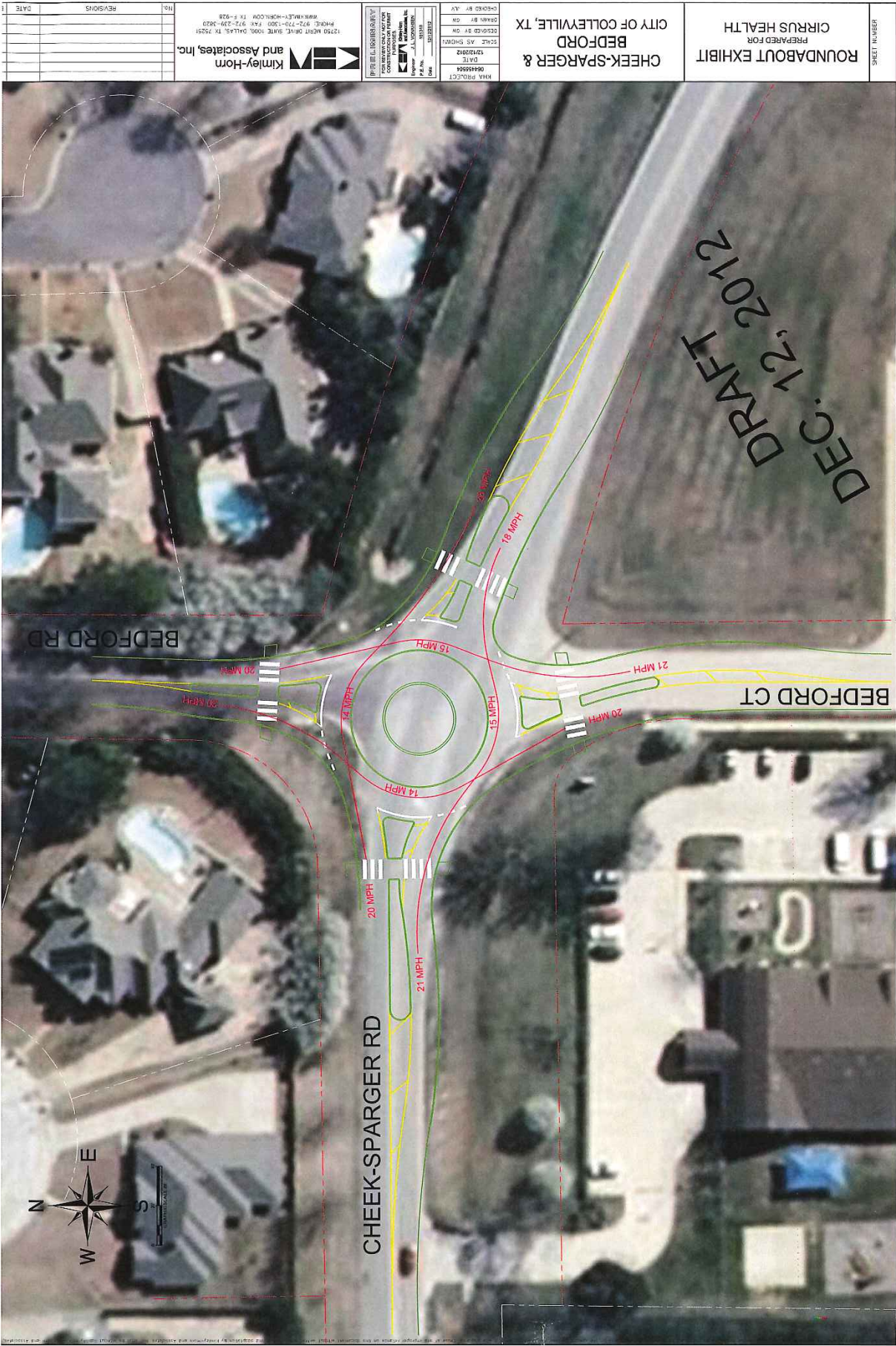
Lane Use and Performance																
Approach	Demand Flows			Total veh/h	HV %	Cap. veh/h	Deg. Satn v/c	Lane Util. %	Average Delay sec	Level of Service	95% Back of Queue veh	Distance ft	Lane Length ft	SL Type	Cap. Adj. %	Prob. Block %
	L veh/h	T veh/h	R veh/h													
South: Bedford Rd																
Lane 1	9	10	13	32	2.0	524	0.060	100	10.6	LOS B	0.3	8.3	100	-	0.0	0.0
Approach	9	10	13	32	2.0		0.060		10.6	LOS B	0.3	8.3				
East: Cheek-Sparger Rd																
Lane 1	12	859	199	1070	2.0	1124	0.951	100	13.8	LOS B	31.4	798.2	100	-	0.0	100.0
Approach	12	859	199	1070	2.0		0.951		13.8	LOS B	31.4	798.2				
North: Bedford Rd																
Lane 1	132	16	99	247	2.0	310	0.797	100	38.8	LOS D	8.7	221.4	100	-	0.0	39.2
Approach	132	16	99	247	2.0		0.797		38.8	LOS D	8.7	221.4				
West: Cheek-Sparger Rd																
Lane 1	108	396	4	508	2.0	969	0.524	100	6.0	LOS A	4.7	118.6	100	-	0.0	10.3
Approach	108	396	4	508	2.0		0.524		6.0	LOS A	4.7	118.6				
Intersection				1855	2.0		0.951		14.9	LOS B	31.4	798.2				

Level of Service (LOS) Method: Delay (HCM 2000).
Roundabout LOS Method: Same as Signalised Intersections.
Lane LOS values are based on average delay per lane.
Intersection and Approach LOS values are based on average delay for all lanes.
Roundabout Capacity Model: SIDRA Standard.
SIDRA Standard Delay Model used.

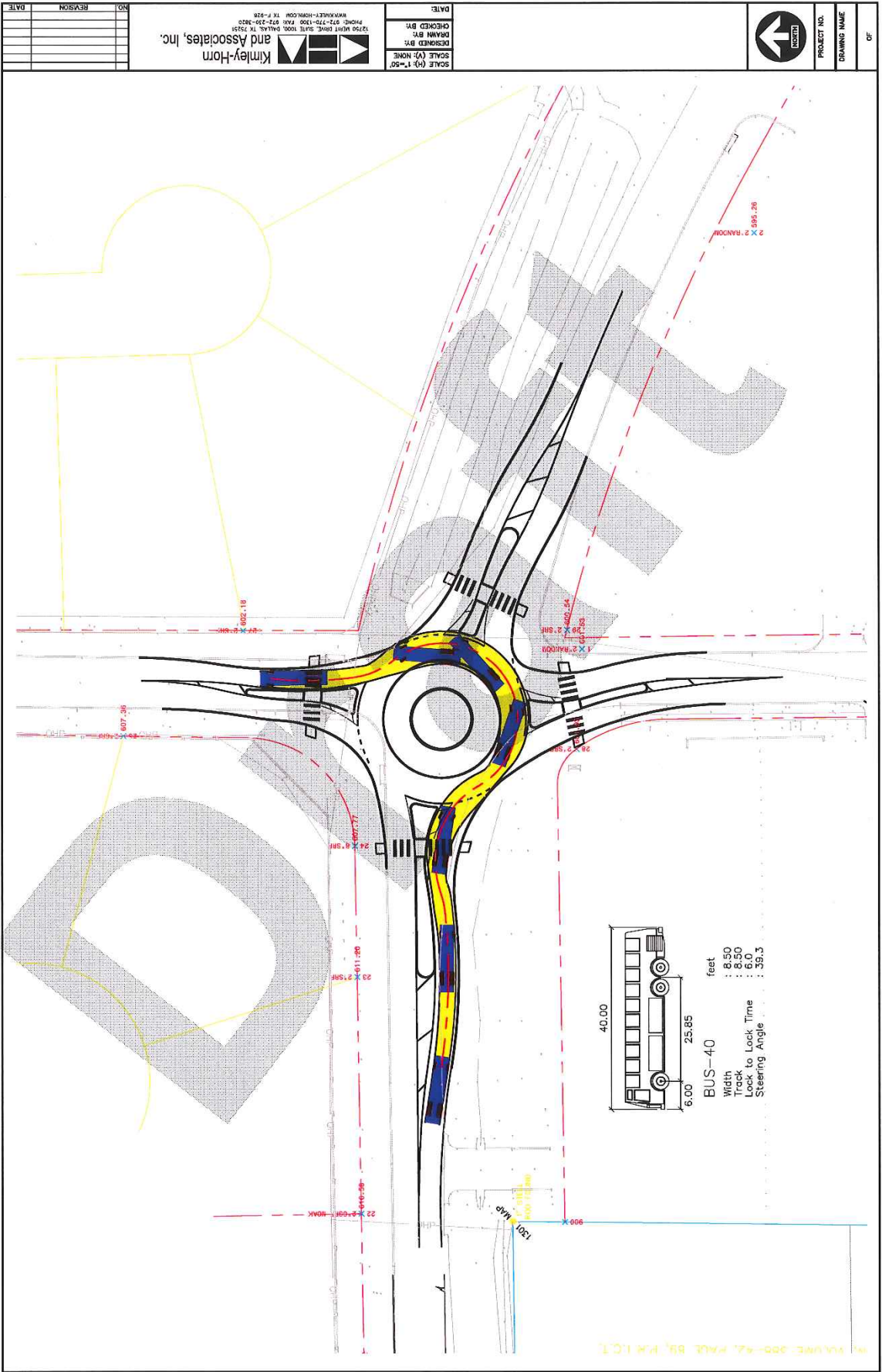
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SIDRA
INTERSECTION

Kimley-Horn Preliminary Roundabout Design and Feasibility Study



Kimley-Horn Preliminary Roundabout Design and Feasibility Study



CHEEK-SPARGER & BEDFORD
CITY OF COLLEEVILLE, TX

ROUNDABOUT EXHIBIT
PREPARED FOR
CIRRUS HEALTH

DRAFT
DEC. 18, 2012

REVISIONS

NO.	REVISIONS	DATE
1		

PROJECT INFORMATION

PROJECT NO. 121001
DATE 12/18/12
SCALE AS SHOWN
DESIGNED BY G.M.
DRAWN BY G.M.
CHECKED BY G.M.
APPROVED BY G.M.
CITY OF COLLEEVILLE, TX

CLIENT INFORMATION

CIRRUS HEALTH
17250 KENT DAKE, SUITE 1000, DALLAS, TX 75244
PHONE: 972-770-1300 FAX: 972-232-3820
WWW.CIRRUSHEALTH.COM TX T-928

DESIGNER INFORMATION

Kimley-Horn and Associates, Inc.
17250 KENT DAKE, SUITE 1000, DALLAS, TX 75244
PHONE: 972-770-1300 FAX: 972-232-3820
WWW.KIMLEY-HORN.COM TX T-928

ORDINANCE O-12-1832

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AS HERETOFORE AMENDED; BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 7.99 ACRES ON LOTS 3 AND 4, BLOCK 1 AND LOTS 1-6, BLOCK 2 OF THE SOUTHGATE ADDITION AND 11.8 ACRES ON TRACTS 5A, 5A1, 5A1A, 5A1B, 5A2A, 5A02B, 5A2C, 5A02D, 5A02E OF ABSTRACT 339 OF THE ALLEN CHRISTIAN SURVEY AND TRACTS 1, 1A AND 1B OF ABSTRACT 1077 OF THE L.L. McLAIN SURVEY FROM THE AG-AGRICULTURAL AND R40-SINGLE FAMILY RESIDENTIAL ZONING DISTRICT TO THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a rezoning request under Case No. ZC12-007; 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 enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the

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 Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 7.99 acres on Lots 3 and 4, block 1 and Lots 1-6, Block 2, of the Southgate Addition and 11.8 ACRES on Tracts 5A, 5A1, 5A1A, 5A1B, 5A2A, 5A02B, 5A2C, 5A02D, 5A02E of Abstract 339 of the Allen Christian Survey and Tracts 1, 1A and 1B of Abstract 1077 of the L.L. McLain survey from the AG-Agricultural and R40-Single Family Residential Zoning District to the PUD-C-Planned Unit Development Commercial zoning district, as depicted on Exhibit "A" and described on Exhibit "B" and Exhibit "C".
- Sec. 3. THAT the above described tract of land shown on Exhibit "A" 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. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUD-C is for a mixed use development consisting of retail and medical office uses on 1.2 acres on the northeast corner of Cheek-Sparger Road and Wayne Drive and a senior housing development on the remaining 17.2 acres with a combination of independent living, assisted living, and memory care.
- b. This facility shall be licensed as a Type A and/or Type B Assisted Living Center by the Texas Department of Aging and Disability Services as required by the Assisted Living Facility Licensing Act. Proof of such licensing shall be required prior to the issuance of a Certificate of Occupancy for this property.
- c. This property is subject to all the regulations contained in the Land Development Code, except where amended by this Ordinance.

2. LAND USE

- a. The commercial uses allowed by this PUD shall include all land uses in the CC1-Village Retail zoning district only and shall not exceed 15,000 square feet total.
- b. Type "A" and Type "B" assisted living facilities are permitted with a maximum of 74 units for assisted living uses and a maximum of 45 beds for memory care uses.
- c. A maximum of 162 multifamily independent living units are permitted as depicted in Exhibit "D".
- d. All residential units permitted by this PUD shall only be occupied by persons who are age 55 or older per the requirements of the United States Department of Housing and Urban Development.

3. HOURS OF OPERATION

- a. Deliveries to the facility for food service and general delivery will be restricted to 7:00 a.m. to 6:00 p.m. daily.

4. CONCEPTUAL PLAN AND PLATTING

- a. The development shall be generally consistent with Exhibit "D", which shall not be considered the preliminary plat.
- b. The developer shall submit, and receive approval from the City of Colleyville, a replat in accordance with the requirements of the Land Development Code prior to development of this PUD-C.

5. BUILDINGS

- a. The maximum square footage for the retail/office facility for this development shall be 15,000 square feet.
- b. Building elevations shall be consistent with the elevations shown on Exhibit "E".
- c. All buildings allowed for this development shall not exceed two and one-half stories in height and 35 feet.
- d. There shall be a ten foot building setback along Cheek-Sparger Road. Otherwise all building setbacks shall comply with minimum requirements of the Land Development Code.
- e. The exterior wall of the buildings in this development shall be as follows:

The Homestead (office/retail): 100 percent masonry minimum

The Inn (assisted living): 50 percent masonry minimum

The Residences (independent living): 50 percent masonry minimum

All buildings shall, at a minimum, meet the provisions of Chapter 6-Building Design in the Land Development Code.

6. OPEN SPACE

- a. This development shall provide a minimum of 54 percent

common open space, as shown on Exhibit "D" and all open space areas shall be landscaped and maintained by the property owner.

- b. All landscaping shall comply with Chapter 4-Landscaping in the Land Development Code.

7. SIDEWALKS

- a. The sidewalk along Cheek-Sparger Road must be at least five (5) feet wide. The sidewalk along Wayne Drive and Bedford Court must be at least four (4) feet wide. The sidewalk must be installed when any new structures are built on the property.

8. PARKING AND ACCESS

- a. This development shall be allowed to have a minimum of 282 parking spaces.
- b. All parking shall be mutually accessible and available across all uses within this development.
- b. As depicted on Exhibit "D", two 24 foot public access and fire lane easements shall be located within the development such that they connect Wayne Drive to a single access point at the southern terminus of the Bedford Court right-of-way boundary. Said easements shall be included on the final plat for the subject property.

9. LIGHTING

- a. All lighting shall be directed away from adjacent residential properties. Illumination from light poles shall not exceed 0.5 foot-candles as measured from any portion of the property line.

10. FENCING

- a. An eight (8) foot fence, which shall be a preponderance of masonry materials, with other materials allowed as necessary to protect trees or as needed in regard to other considerations, shall be constructed along the south and

east property lines adjacent to the existing residential uses located in the City of Bedford.

- b. All decorative split-rail fencing throughout the property shall be no more than 36 inches in height.
- c. All decorative stone walls throughout the property shall be no more than 42 inches in height.

11. SIGNAGE

- a. All monument signs shall meet the minimum requirements of the Land Development Code.

12. DUMPSTER ENCLOSURE

- a. The dumpster enclosure elevations shall be composed of masonry materials and be generally consistent with Exhibit "F".
- b. All requirements of the Land Development Code shall be met, except where amended herein.

13. PUBLIC IMPROVEMENTS

- a. In lieu of constructing any required perimeter street improvements, the developer shall construct the following roadway improvements: (1) improve the intersection of Cheek-Sparger Road and Bedford Road/Bedford Court such that it may result in the construction of a roundabout; (2) add a right-turn only lane to northbound Wayne Drive where it intersects Cheek-Sparger Road.
- b. Given the requirements of Section "a" above, prior to the acceptance of any plat applications as required by this ordinance, the developer shall submit a City/Developer Agreement (CDA) for a approval by the City Council that, at a minimum, addresses the following areas:
 - (1) Total estimated cost, scope, feasibility and traffic impact of the construction of a roundabout at Bedford Road/Court and Cheek-Sparger and a northbound right-turn lane at

the intersection of Wayne Drive and Cheek-Sparger Road as determined by a registered professional engineer in the State of Texas;

- (2) Plans and details of a schedule for reimbursement of construction costs to the developer by the City or waiver of fees;
- (3) Clear delineation of duties and responsibilities with regard to right-of-way acquisition, construction, inspections, maintenance of all proposed public improvements.
- (4) Any existing escrowed funds for future roadway improvements to Wayne Drive, Cheek-Sparger Road and Bedford Road/Bedford Court paid by the developers of any properties within 2,000 feet of the subject property within the preceding ten years are hereby eligible to be applied toward the roadway improvements described above provided a written affidavit is submitted to the City of Colleyville from the developer that paid said escrow approving the use of said escrow funds for the roadway improvements described above.
- (5) Any change to the terms of this section shall require an amendment to this ordinance.

Sec. 5. 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. 6. 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. 7. 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. 8. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

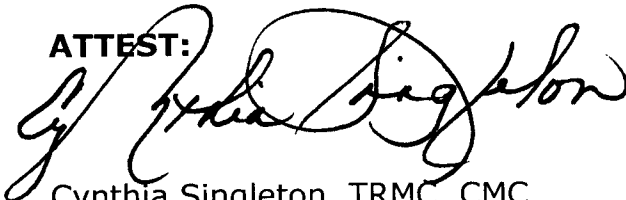
AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 17th day of April 2012.

The second reading and public hearing being conducted on the 1st day of May 2012.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 15th day of October 2012.

ATTEST:



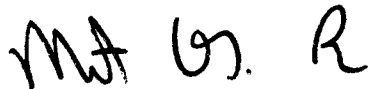
Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:



Matthew C. G. Boyle
City Attorney

EXHIBIT "A" – Location and Zoning Map

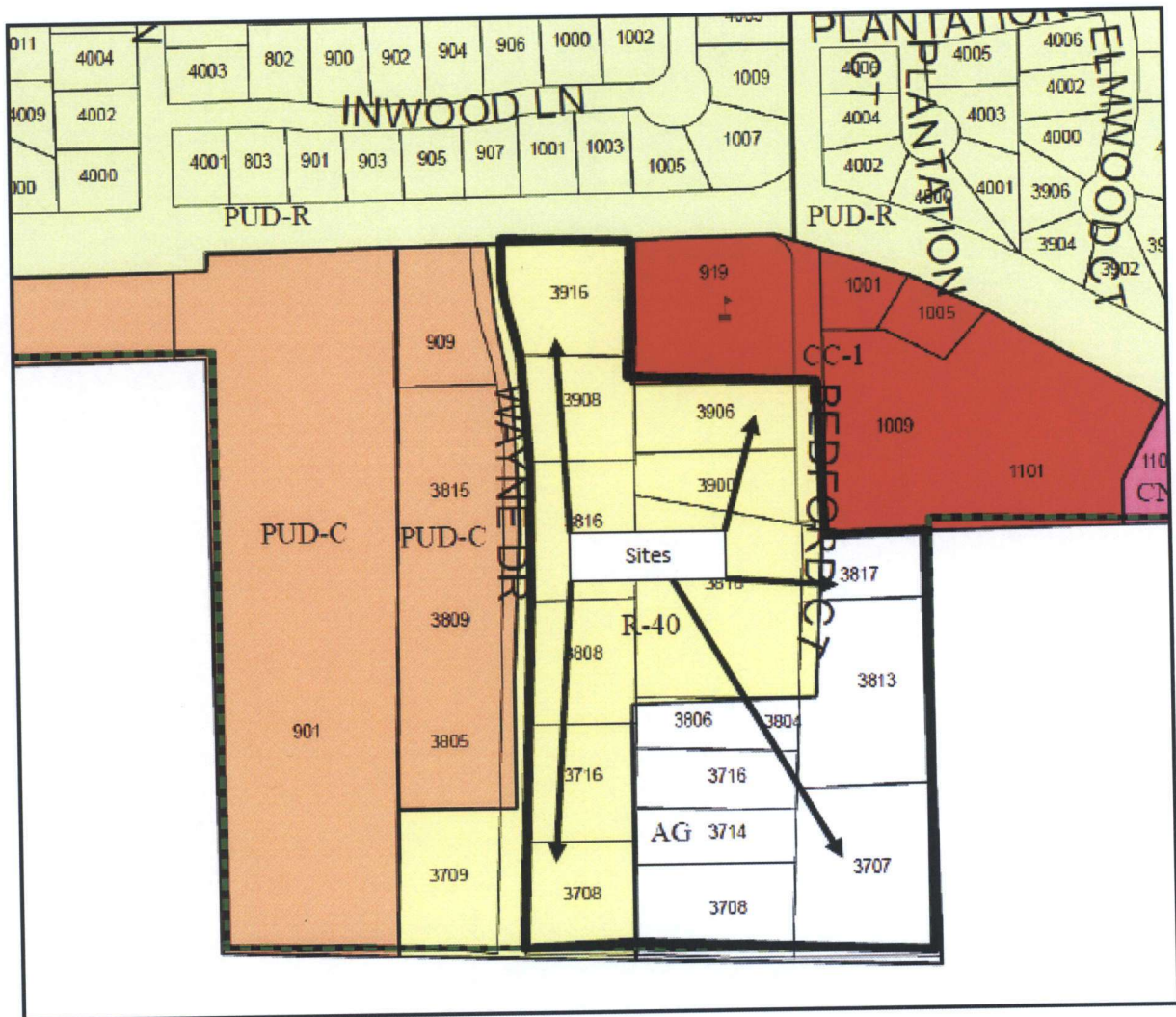


EXHIBIT "B" – Property Description

DESCRIPTION, of a 19.862 acre tract of land situated in the Allen Christian Survey, Abstract No. 339, Tarrant County, Texas; said tract being all of Lots 3 and 4, Block 1, part of County Road No. 3081 (now Bedford Court, a 65-foot right-of-way) and County Road No. 3124 (now Cheek Sparger Road, a variable width right-of-way), Southgate Addition, an addition to the City of Colleyville, Texas according to plat recorded in Volume 388-29, Page 143, all of Lots 1 through 6, Block 2, part of Wayne Drive (a 60-foot right-of-way) Southgate Addition, an addition to the City of Colleyville, Texas according to plat recorded in Volume 388-42, Page 69 both of the Plat Records of Tarrant County, Texas; said tract also being all of a tract of land described in General Warranty Deed to CCDCW, LP recorded in Instrument Number D2063759233, all of a tract of land described as Tract I and Tract II in Warranty Deed to Larry Keith Chatham, David L Meadows, Kem Meadows, Carole Shaw recorded in Instrument Number D205387156, all of a tract of land described in Warranty Deed to Covenant Christian Academy recorded in Instrument Number D207003805, all of a tract of land described in Warranty Deed With Vendor's Lien to Kevin J. Wolfe and Larry Keith Chatham recorded in Instrument Number D207003803, all of a tract of land described in Warranty Deed With Vendor's Lien to CCDCW, LP recorded in Instrument Number D208004590, all of a tract of land described in Warranty Deed With Vendor's Lien to CCDCW, LP recorded in Instrument Number D208115123, all of a tract of land described in General Warranty Deed to Keith Chatham recorded in Instrument Number D206148429, all of a tract of land described in General Warranty Deed to CCDCW, LP recorded in Instrument Number D206375924, all of a tract of land described in Warranty Deed to CCDCW, LP recorded in Instrument Number D208004594, all of a tract of land described in Warranty Deed With Vendor's Lien to CCDCW, LP recorded in Instrument Number D208004592, all of a tract of land described in Warranty Deed With Vendor's Lien to CCDCW, LP recorded in Instrument Number D208082463, all of the Deed Records of Tarrant County, Texas; said 19.862 acre tract being more particularly described as follows:

BEGINNING, at a point for corner, said point being northwest corner of Block 12, Bedford Place, Section II, an addition to the City of Bedford, Tarrant County, Texas according to the plat recorded in Volume 388-136, Page 11 of said Plat Records and being in the south line of Lot 3, Block 1, Tara Addition, an addition to the City of Colleyville according to the plat recorded in Volume 388-192, Page 86 of said Plat Records;

19.682 ACRE TRACT
(Continued)

THENCE, South 00 degrees, 45 minutes, 12 seconds West, departing the said south line of said Lot 3, Block 1 and along the said west line of said Block 12, a distance of 830.79 feet to a point for corner; said point being the northeast corner of a tract of land described in General Warranty Deed to David Meadows and wife, Kem Meadows recorded in Instrument Number D208382171, of said Deed Records;

THENCE, North 87 degrees, 10 minutes, 00 seconds West, departing the said west line of said Block 12 and along the north line of said Meadows tract, at a distance of 763.00 feet passing a point for the northwest corner of said Meadows tract; said point being in the east right-of-way line of said Wayne Drive, continuing in all a total distance of 793.01 feet to a point for corner; said point being in the centerline of said Wayne Drive;

THENCE, along the said centerline of Wayne Drive the following five (5) calls:

North 01 degrees, 38 minutes, 00 seconds East, a distance of 931.85 feet to a point for corner; said point being the beginning of a non-tangent curve to the left;

In a northwesterly direction, along said curve to the left, having a central angle of 14 degrees, 03 minutes, 17 seconds, a radius of 804.76 feet, a chord bearing and distance of North 05 degrees, 31 minutes, 19 seconds West, 196.92 feet, an arc distance of 197.41 feet to a point at the end of said curve;

North 13 degrees, 00 minutes, 46 seconds West, a distance of 29.87 feet to a point for corner; said point being the beginning of a non-tangent curve to the right;

In a northwesterly direction, along said curve to the right, having a central angle of 12 degrees, 39 minutes, 39 seconds, a radius of 676.64 feet, a chord bearing and distance of North 06 degrees, 12 minutes, 50 seconds West, 149.22 feet, an arc distance of 149.52 feet to a point at the end of said curve;

North 00 degrees, 07 minutes, 00 seconds East, a distance of 53.61 feet to a point for corner; said point being in the centerline of said Cheek Sparger Road;

THENCE, Due East, a distance of 276.69 feet to a point for corner;

THENCE, South 01 degrees, 38 minutes, 00 seconds West, at a distance of 60.02 feet passing a point for the northwest corner of Lot 1-R, Block 1, Southgate Addition, an addition to the City of Colleyville according to the plat recorded in Instrument Number D197041345, of said Deed Records; said point being in the south right-of-way line of said Cheek Sparger Road, continuing along the west line of said Lot 1-R, Block 1 and departing the said south line of Cheek Sparger Road, in all a total distance of 304.21 feet to a point for corner; said point being the southwest corner of said Lot 1-R, Block 1;

THENCE, South 89 degrees, 59 minutes, 50 seconds East, along the south line of said Lot 1-R, Block 1, at a distance of 301.30 feet a point for the southeast corner of said Lot

19.682 ACRE TRACT
(Continued)

1-R, Block 1; said point being in the west line of said Bedford Court, continuing in all a total distance of 333.80 feet to a point for corner; said point being in the centerline of said Bedford Court;

THENCE, South 00 degrees, 11 minutes, 09 seconds West, along the said centerline of Bedford Court, a distance of 260.69 feet to a point for corner; said point being in the terminus of said Bedford Court;

THENCE, South 89 degrees, 25 minutes, 01 seconds East, along the said terminus of Bedford Court, at a distance of 32.50 feet passing a point for the southwest corner of said Lot 3, Block 1, continuing along said south line of said Lot 3, Block 1 in all a total distance of 217.16 feet to the POINT OF BEGINNING;

CONTAINING, 865,205 square feet or 19.862 acres of land, more or less.

EXHIBIT "C" – Statement of Planning Objectives

Heritage Farms

Introduction

As the City of Colleyville and surrounding communities move further into the 21st century, the number of residents in the community over the age of 65 is projected to increase. Based on our study of the market and its demographic trends, the total population of residents age 65+ within the greater Colleyville area has increased 54.5% from 2000 to 2009; it's expected to increase another 43.2% by 2014. *This localized rate of increase is more than double the average rate found within the State of Texas (19%).*

We are addressing this need by developing Heritage Farms. This new 'pocket neighborhood' will be geared towards a population of seniors fifty-five years of age and above, and features a continuum of care in three distinct environments: independent living, assisted living, and memory care. The unique philosophy of Heritage Farms is 'hospitality informed by health care', where residents are treated more like guests of a nice hotel. This new approach will yield a level of service, coupled with enriching living environments and amenities, where one can embrace a transformational lifestyle - not simply where one goes to retire.

Design Concept

The architecture of Heritage Farms begins with an understanding of Colleyville's history as a community of farms and settlements connected by country roads, all built in a vernacular style that reflected the timeless values of those early pioneers. There is a certain charm and comfort inherent in that style, and many of us associate those images with the concept of 'home'. We have a unique opportunity on this site to recapture the concept of 'home' for seniors, and pay homage to Colleyville's early historical structures that were indicative of regional construction prominent in the early 20th century, such as the City's restored Webb House. Through careful site planning, building design, and landscape design, the development team is committed to seeing this concept through in the exterior and interior of the buildings, as well as in the motor courts, common areas and courtyards. Only through this cohesive approach can we honor a time that truly reflects the heritage and history of Colleyville.

From the moment one arrives on the site, guests and residents will see an architecture that connects to its community. The fencing will be split-rail, the building exteriors will include a mix of board-and-batten and stone, and the landscaping will have an assortment of trees and grasses that reinforce a sense of relaxation and comfort.

We will preserve many of the large trees and over 47% of the open space around the site in order to create a 'sense of place' on day one. A significant number of the existing trees along the southern and eastern property lines will be protected in an effort to provide an enhanced landscape buffer between the existing Bedford residents and the new

EXHIBIT "C" – Statement of Planning Objectives (Continued)

senior living residents. The existing fencing along these two property lines will be re-built with stained cedar. The development program is spread across three different areas of the site, each with a distinct name and function:

I - The Homestead at Heritage Farms (15,000 SF of Retail and Office)

The vision of The Homestead building is that it could have been the original iconic estate house of Heritage Farms, now re-purposed for commercial use. The architectural style and scale is appropriate for its location and it provides a transition from the residential neighborhoods along Cheek-Sparger to the commercial and educational buildings along Wayne Drive. The one- and two-story structure is intended to be used for general office, medical office, and retail purposes, providing access to services for those residents living on the property, as well as to those within the Colleyville area.

The Homestead's main elevation addresses Cheek-Sparger as the primary street, while also providing for a second vehicular entry from Wayne Drive to the motor court on the south side of the building. Signature landscaping and guest parking is provided, although the intention is that most of the visitors walk or take the shuttle from other buildings within the campus to lessen the need for excess parking. The floor plan of the building is in the shape of an 'L', a nod to the historic Webb House that also has this configuration.

II - The Inn at Heritage Farms (74 Assisted Living Units & 45 Memory Care Units)

Addressing the need for specialized health care and resident services, the assisted living and memory care components are contained within The Inn at Heritage Farms, located along Wayne Drive just south of The Homestead. The Inn is distinguished by its own entry court framed by landscaped walls and an iconic entry feature. The architecture is consistent with early rural wood-framed structures, with simple massing, clean forms and roof shapes, and a classic vernacular style with a human scale.

The Inn will have 74 assisted living units on two levels and 45 memory care units on one level. The facility will be designed for a 'Type B' license. Operating hours will be 24/7, primarily to accommodate visitation by outside family members. Service deliveries will typically occur between the hours of 7am & 6pm, and will be screened by wings of the building.

The common areas for assisted living will contain functions such as reception, kitchen, dining, and salon. Residents will have access to exterior courtyards for recreation and therapy. All floors will be attended by registered nursing aides, who will provide care and assistance as needed.

The memory care units are arranged around internal common activity areas and central private courtyards. The private courtyards will be secure and monitored, as required by the Texas Department for Aging and Disabilities, in order to prevent residents from leaving the memory care areas.

EXHIBIT "C" – Statement of Planning Objectives (Continued)

III - The Residences at Heritage Farms

(162 Independent Living Residences)

Located south of the assisted living and memory care building, The Residences at Heritage Farms will feature 150 age-qualified independent living homes for residents age 55 years and older, as well as an assortment of amenities. Residents will be provided with a selection of recreational activities, dining options, activity areas, and wellness programs, including landscaped courtyards with outdoor pool and spaces for entertaining.

The building is generally two stories, but does increase in height to three stories at its center to provide some visibility to and from Cheek-Sparger Road. The architectural style is once again similar to that of The Inn, maintaining the concept of a cohesive farm vernacular. Operating hours will be 24/7, with service and deliveries typically occurring between the hours of 7am & 6pm.

Development Schedule

PHASE 1

- The Homestead at Heritage Farms: 15,000 SF of office/retail
- The Inn at Heritage Farms: 74 assisted living units, 45 memory care units
- Construction Complete: 1st Quarter, 2014

PHASE 2

- The Residences at Heritage Farms: 162 independent living residences
- Construction Complete: 2nd Quarter, 2016

EXHIBIT "C" – Statement of Planning Objectives (Continued)

Pedestrian Connections

Keeping seniors an active part of the community will be an important concept at Heritage Farms. Social programs and organized trips into the community will certainly be a few of the ways our seniors stay connected with friends and relatives, but our intention is to go beyond those typical programs. Through the use of walking trails and outdoor amenity areas, we will also enable our residents to make pedestrian connections to their surrounding neighborhood. Not only is walking a terrific way to stay fit, but it's also one of the best ways to meet and greet new neighbors. Our residents will have the ability to interact with the Bedford residents to the south, the school teachers and kids to the west, and Tara Village Retail to the north. As the city trail system is finished along Cheek-Sparger, our residents will also be able to enjoy a walk to Sparger Park.

Open Space Amenities

Outdoor amenities will be provided for residents, visitors, and neighbors. These amenities will include an outdoor pavilion and fountain, walking trails with benches, various courtyards, and an assortment of canopy and ornamental trees placed throughout the site for shade and comfort. The public landscape shall be rural in character, with vegetation and native grasses similar to the concept images.

Support for Retail in Colleyville

This new "pocket neighborhood" of seniors will bring a much needed boost to the tenants of Tara Village Shopping Center. The close proximity of Heritage Farms to the existing retail center enables our residents to drive, or even walk, a very short distance to have dinner, pick up their dry cleaning, or just do a little shopping. To the extent there is an unmet need for additional goods and services by our seniors, there may be opportunities for the owner of Tara Village to expand the current list of tenants.

Jobs for the Community

This project will create approximately 100 jobs for the local economy, 70 full-time and 30 part-time. These on-site positions will provide employment in a professional environment and a career path in management, nursing, or facility support.

Utility Provisions

Information obtained from sources at the City of Colleyville, Oncor, Atmos, and AT&T, have each verified there is adequate availability of water, sewer, storm, electric, gas, and phone services to the site.

Traffic Impact

Continuing care retirement centers are low traffic generators. Virtually all of the residents within the independent living portion of the facility are retired and no longer have a daily commute to and from work. Many no longer own a vehicle. Miscellaneous local travel for things like doctor appointments and running errands are done mostly as a group by facility-owned van. As for residents within the assisted living or memory care portion of the facility, they are even less likely to generate traffic, simply due to their advanced age and/or health condition.

Kimley-Horn & Associates, a national engineering firm who specializes in traffic planning and design, has performed additional traffic analysis for this project. A detailed report of the results has been provided to the City.

EXHIBIT "C" – Statement of Planning Objectives (Continued)

Through our conversations with city staff, we understand the intersection of Cheek-Sparger Road & Bedford Road to be a "Special Consideration Intersection", and is thus under consideration by the city for improvements such as signalization or roundabout. We believe a roundabout is the best option for this intersection, as it allows constant movement of east- and west-bound traffic along Cheek-Sparger Road. It will also enable easier north- and south-bound movements onto Cheek-Sparger Road from Bedford Road and Bedford Court.

As a way of funding the construction of the improvements at this intersection, we propose the use of roadway and water/sewer impact fees from Heritage Farms (fees yet to be assessed) and roadway impact fees from Covenant Christian Academy (fees already assessed). A detailed proposal of sources and uses has been provided to the City.

Economic Development

The project will provide a substantial public benefit to all taxing jurisdictions through the assessment of taxes. Below is the projected incremental¹ ad valorem and sales tax revenue over a 15-year period for each entity. (See attached spreadsheet for details)

AD VALOREM TAX REVENUE

City of Colleyville	\$ 2,049,721
Tarrant County	\$ 1,520,445
Tarrant County College	\$ 857,957
Tarrant County Hospital	\$ 1,312,518
HEB School District	\$ <u>8,143,594</u>
Total	\$ 13,884,234

SALES TAX REVENUE

City of Colleyville	\$ 512,590
---------------------	------------

1. Revenue totals are exclusive of ad valorem taxes assessed on current property.
There are no sales taxes on current property.

EXHIBIT "C" – Statement of Planning Objectives (Continued)

Summary of Architectural Guidelines

Development Program

- The Homestead (General Office, Medical Office, Retail) = 15,000 SF
- The Inn (Assisted Living and Memory Care) = 74 AL units, 45 MC units
- The Residences (Independent Living) = 162 homes

Building Setbacks

- 10'-0" setback along Cheek-Sparger Road
- 40'-0" setback along Wayne Drive (10' for The Homestead building)
- 25'-0" setback along east property line
- 25'-0" setback along south property line

Building Height

- The Homestead = maximum height of 35'-0"
- The Inn = maximum height of 35'-0"
- The Residences = maximum height of 35'-0"

Building Elevations

- The Homestead = minimum of 100% masonry
- The Inn = minimum of 50% masonry
- The Residences = minimum of 50% masonry

Parking

- The Homestead (General and Medical Office) = 1 per 300 SF
- The Inn (Assisted Living) = 1 per 2 units
- The Inn (Memory Care) = 1 per 2 units
- The Residences (Independent Living) = 1 per unit; covered parking may be provided for all resident and staff parking

Fences and Walls

- Privacy fencing along south and east property lines shall be constructed of 8'-0" stained cedar.
- Decorative split-rail fencing elsewhere on the property shall be no more than 36" in height (measured to the centerline of top rail); setback from property line shall be 0'-0"
- Decorative stone walls (non-retaining) shall be no more than 42" in height (measured to the top of wall); setback from property line shall be 0'-0"

Building Signage

- Size and shape of building signage shall be based on attached concept drawings; location per concept plan

Dumpster Enclosures

- Size and shape of dumpster enclosures shall be based on attached concept drawings; location per concept plan

HERITAGE FARMS
COLLEYVILLE, TEXAS
AUGUST 3, 2012

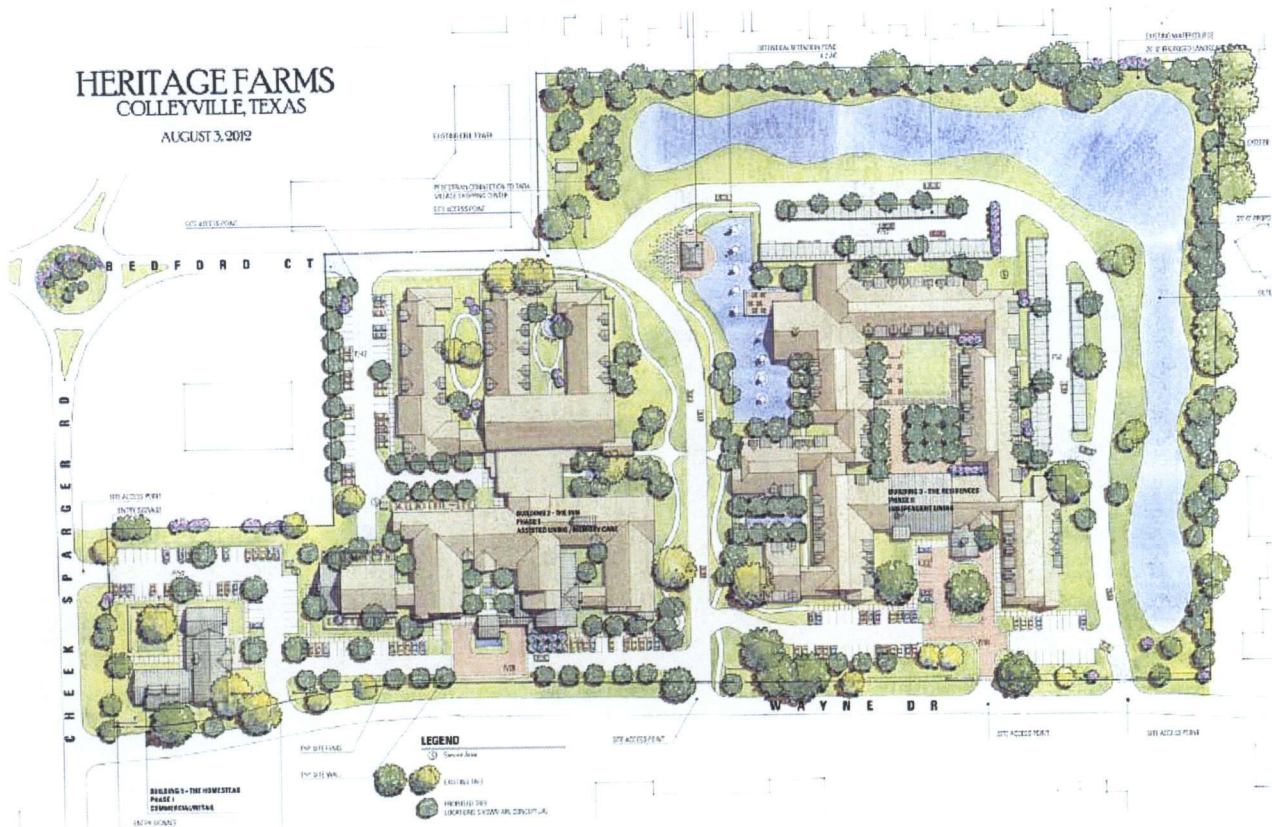


Exhibit "E" – Building Elevations



scale: 1 : 16

THE HOMESTEAD at
HERITAGE FARMS

Conceptual Wayne Drive Elevation

All buildings not to exceed 35'-0" in height



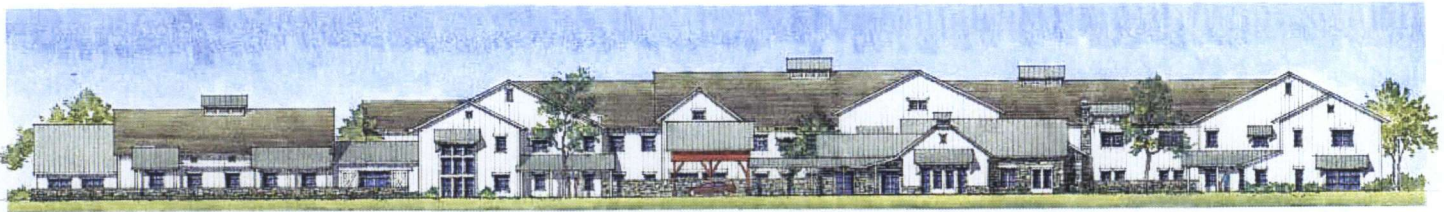
scale: 1 : 16

THE HOMESTEAD at
HERITAGE FARMS

Conceptual Cheek-Sparger Elevation

All buildings not to exceed 35'-0" in height

Exhibit "E" – Building Elevations Continued



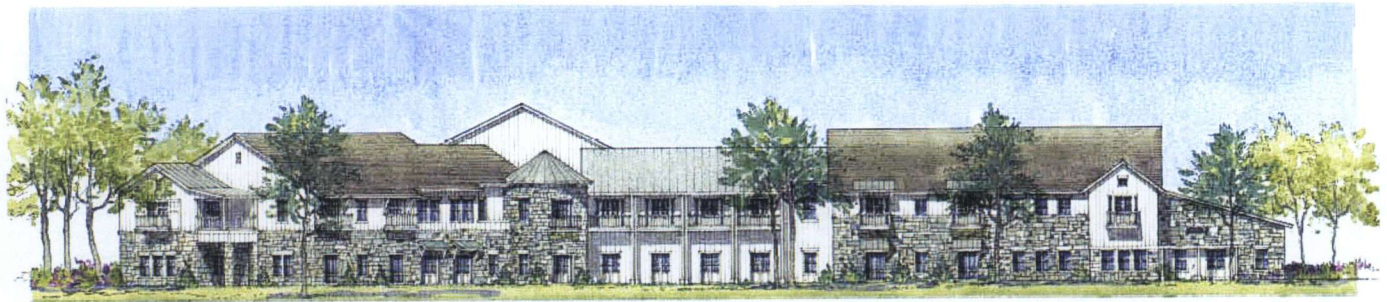
scale: 1 : 25

THE INN at HERITAGE FARMS

Assisted Living and Memory Care

Conceptual Wayne Drive Elevation

All buildings not to exceed 35'-0" in height



scale: 1 : 20

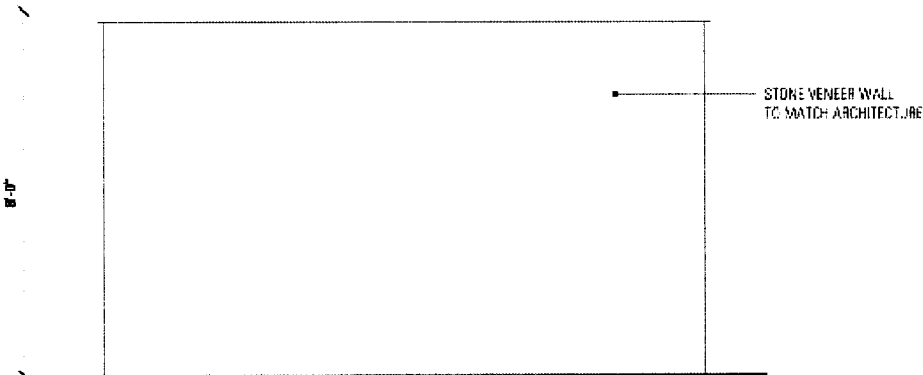
THE RESIDENCES at HERITAGE FARMS

Independent Living Residences

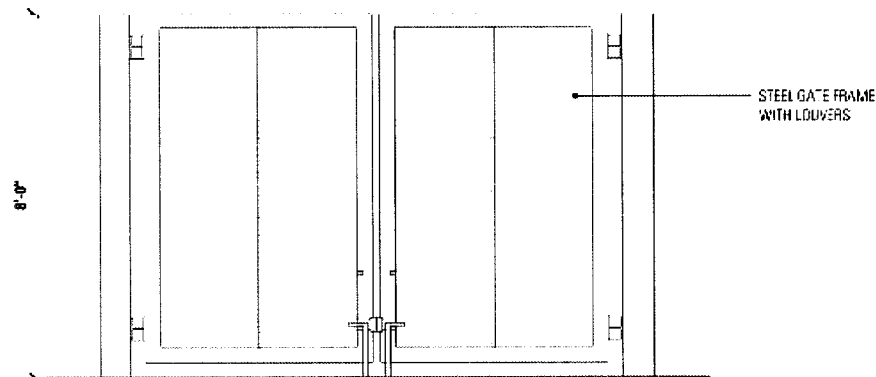
Conceptual Wayne Drive Elevation

All buildings not to exceed 35'-0" in height, with the exception
of area defined by PUD-C site plan where allows to 50'-0".

Exhibit "F" – Dumpster Enclosure Elevations



SIDE ELEVATION



FRONT ELEVATION

1 **DUMPSTER ENCLOSURE**
Scale: 1/4" = 1'

RESOLUTION R-13-3587

**A RESOLUTION APPROVING A CITY/DEVELOPER AGREEMENT
BETWEEN AVERE COLLEYVILLE, L.P. AND THE CITY OF COLLEYVILLE
FOR THE HERITAGE FARMS DEVELOPMENT AND AUTHORIZE THE
CITY MANAGER TO EXECUTE THE AGREEMENT**

WHEREAS, Section 13 of Ordinance O-12-1832, approved by the City Council on October 1, 2012 authorizing the Heritage Farms Development, requires the developer to enter into a City/Developer Agreement (CDA) with the City for the construction of a roundabout at the intersection of Bedford Road/Court and Cheek-Sparger Road; and

WHEREAS, Avere Colleyville, L.P. has agreed to the terms of said agreement in accordance with Ordinance O-12-1832.

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

- Sec. 1. THAT the CDA between Avere Colleyville, L.P. and the City of Colleyville for the Heritage Farms Development, attached as Exhibit "A", is hereby approved.
- Sec. 2. THAT the CDA shall be executed upon the signature of the city manager.

AND IT IS SO RESOLVED.

PASSED BY A VOTE OF _____ AYES, _____ NAYS, AND _____
ABSTENTIONS ON THIS THE 15TH DAY OF JANUARY 2013.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley
City Secretary

David Kelly
Mayor

**City of Colleyville
City/Developer Agreement
for Heritage Farms Development**

That, Avere Colleyville, L.P., hereinafter called "Developer" and the City of Colleyville, Tarrant County, Texas, hereinafter called "City", enters into the following agreement (The "Agreement"), which shall become effective upon the signature of both parties.

NOW, THEREFORE, in consideration of the mutual covenant herein contained and for the purpose of developing Heritage Farms, the parties hereto do agree to the following items:

1. The Developer will provide the City with a report from a Registered Professional Engineer licensed in the State of Texas stating that a roundabout (the "public improvements") at Cheek-Sparger Road and Bedford Road/Court provides the City with a recommended method of traffic mitigation.
2. The Developer will contract for the public improvements using reputable contractors. All contract documents will bear the seal of a Registered Professional Engineer licensed in the State of Texas. The scope of work for the public improvements will include a two-year maintenance bond in the amount of 10% of the construction cost.
3. The Developer will submit the contract documents to the City for its review and approval. As a prerequisite to commencing construction on the roundabout, the City must approve the contract documents and issue a Notice to Proceed to the Developer.
4. The Developer understands that permit fees, and plan review fees associated with Heritage Farms must first be paid to the City in order for the City to reimburse Developer for the cost of the public improvements.
5. The City agrees to the roadway impact fee credit and fee reimbursement schedule per "CDA - Exhibit A" for all expenses incurred by the Developer for the purposes of designing and constructing the public improvements.
6. The reimbursements and credits from the City of Colleyville referenced in Section 5. above shall not exceed \$675,000.

7. The Developer understands that no final Certificate of Occupancy will be given for the first completed senior living building at Heritage Farms, either (a) the Assisted Living/Memory Care building, or (b) the Independent Living building, until the public improvements are accepted by the City.
8. The Developer agrees to provide the City with As-Built drawings of the completed public improvements.
9. The Developer understands it has no authority to cancel or amend the terms of this agreement without specific written authority by the City.
10. If for any reason the ownership of the property should change prior to the acceptance of the public improvements by the City, the conditions of this agreement will pass to the subsequent Owner/Developer. The City will require proper signatures of the new Owner/Developer showing acceptance of the terms of this Agreement.

This Agreement is duly executed by the parties hereto as of the date set forth below.

Avere Colleyville, L.P.

By: Don Wilson

Name: Don Wilson, President

Date

CITY OF COLLEYVILLE

Name: Jennifer Fadden, City Manager

Date

EXHIBIT "A"

CDA – Exhibit "A"

SCHEDULE OF ROADWAY IMPACT FEE CREDITS AND FEE REIMBURSEMENT BY CITY TO DEVELOPER FOR PUBLIC IMPROVEMENTS AT CHEEK-SPARGER ROAD AND BEDFORD ROAD / COURT

	<u>Phase 1</u>	<u>Phase 2</u>	<u>TOTAL</u>
USES			
Construction of Roundabout by Developer	\$875,000		
Less: Developer Contribution	(\$200,000)		
Total Reimbursement by City to Developer:	\$675,000		
SOURCES			
FEES FROM COVENANT CHRISTIAN ACADEMY			
<i>Perimeter Street Fees (already paid)</i>	\$140,438		
FEES FROM, AND CREDITS TO, DEVELOPER			
Roadway Impact Fee (Credit)			
<i>Office</i>	\$4,090		
<i>Memory Care</i>	\$21,420		
<i>Assisted Living</i>	\$35,224		
<i>Independent Living</i>		\$217,404	
TOTAL Roadway Impact Fees	\$60,734	\$217,404	\$278,138
Park Land Dedication Fees			
<i>Office</i>	\$1,200		
<i>Memory Care</i>	\$2,400		
<i>Assisted Living</i>	\$2,400		
<i>Independent Living</i>		\$291,924	
TOTAL Park Land Dedication Fees:	\$6,000	\$291,924	\$297,924
Building Permit & Plan Review Fees			
<i>Office</i>	\$18,434		
<i>Memory Care</i>	\$39,371		
<i>Assisted Living</i>	\$54,302		
<i>Independent Living</i>		\$117,613	
TOTAL Building Permit & Plan Review Fees:	\$112,107	\$117,613	\$229,719
<u>FEE AND CREDIT TOTALS</u>			
TOTAL ELIGIBLE ROADWAY IMPACT FEE CREDITS NOT CHARGED TO DEVELOPER	\$60,734	\$217,404	\$278,138
TOTAL ELIGIBLE FEES PAID FROM DEVELOPER	\$118,107	\$409,537	\$527,644
TOTAL FROM FEES PAID BY CCA	\$140,438		
TOTAL ELIGIBLE FEES & CREDITS	\$319,279	\$626,941	\$946,220

EXHIBIT "A"

CDA – Exhibit "A"

REIMBURSEMENT AND CREDIT TO DEVELOPER TOTALS

	<u>Phase 1</u>	<u>Phase 2</u>	<u>TOTAL</u>
ROADWAY IMPACT FEE CREDITS FROM CITY TO DEVELOPER	(\$60,734)	(\$217,404)	(\$278,138)
FEES REIMBURSED BY CITY TO DEVELOPER	(\$258,545)	(\$138,317)	(\$396,862)
TOTAL FEES AND CREDITS TO DEVELOPER FROM CITY			(\$675,000)
REMAINING SOURCES AFTER REIMBURSEMENT TO DEVELOPER	\$271,200 (from unreimbursed Phase 2 fees)		
BALANCE OF REIMBURSEMENT DUE DEVELOPER	\$0		

NOTE: Roadway impact fee credits are authorized per Section 13-180 of the Colleyville Land Development Code.



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 7b

Agenda Date 01/15/2013

Number Resolution R-13-3588

Type Resolution

Department City Secretary

Title

Consideration of appointment to the Park Land Dedication Committee

Explanation

Reading and Public Hearing

The Park Land Dedication Committee is comprised of two members of the Planning and Zoning Commission and two members of the Parks and Recreation Advisory Board. Ordinance O-91-823, which established the Park Land Dedication Committee, provides that the City Council shall appoint the members of the Park Land Dedication Committee and the terms of the members of the Park Land Dedication Committee shall coincide with their respective terms on the Planning and Zoning Commission or the Parks and Recreation Advisory Board.

Mr. Tevon Taylor's term on the Park Land Dedication Committee expired December 2012. On January 7, 2013, the Parks and Recreation Advisory Board recommended the appointment of Ms. Kathryn Wheat to the Park Land Dedication Committee with a term expiring December 2013.

This item provides for City Council to consider an appointment to the Park Land Dedication Committee.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Park Land Dedication Committee roster
2. Resolution R-13-3588

Park Land Dedication Committee

Parks and Recreation

Representative

Brett Oliver

4812 Bransford Road

Colleyville, TX 76034

H: (817) 689-3714

brett.oliver@ymail.com

TERM:Feb 2012 - Dec 2013

Parks and Recreation

Representative

Tevon Taylor

5907 Crescent Lane

Colleyville, TX 76034

W: (972) 819-2502

H: (469) 952-7867

aggie_ol_army@hotmail.com

TERM:Feb 2011 - Dec 2012

Planning and Zoning

Representative

David Dudziak

2301 Wilkes Court

Colleyville, TX 76034

W: (817) 684-7404

H: (817) 421-8789

dudziakd@colleyville.com

TERM:Oct 2011 - Sep 2013

Planning and Zoning

Representative

Larry Knox

7205 Monticello Parkway

Colleyville, TX 76034

H: (817) 581-0941

knoxl@colleyville.com

TERM:Nov 2012 - Sep 2013

RESOLUTION R-13-3588

**A RESOLUTION APPOINTING A MEMBER TO THE
PARK LAND DEDICATION COMMITTEE**

WHEREAS, the Park Land Dedication Committee is comprised of two members of the Parks and Recreation Advisory Board and two members of the Planning and Zoning Commission; and

WHEREAS, the Park Land Dedication Committee member terms coincide with the member's terms on the Parks and Recreation Advisory Board and the Planning and Zoning Commission; and

WHEREAS, the Parks and Recreation Advisory Board recommends the appointment of Kathryn Wheat to the Park Land Dedication Committee.

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

Sec. 1. THAT the City Council hereby appoints Kathryn Wheat to serve on the Park Land Dedication Committee with a term expiring December 2013.

AND IT IS SO RESOLVED.

PASSED BY A VOTE OF _____ AYES, _____ NAYS, AND _____
ABSTENTIONS ON THIS THE 15TH DAY OF JANUARY 2013.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley
City Secretary

David Kelly
Mayor



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 7c

Agenda Date 01/15/2013

Number Resolution R-13-3589

Type Resolution

Department City Secretary

Title

Consideration of appointments to the Colleyville Tree Board

Explanation

Reading and Public Hearing

The Colleyville Tree Board consists of representatives from the Parks and Recreation Advisory Board, the Keep Colleyville Beautiful Committee, and/or the Colleyville Garden Club. Ordinance O-09-1707 provides the terms of the Colleyville Tree Board members run concurrent with the member's terms on the Parks and Recreation Advisory Board, Keep Colleyville Beautiful Committee, and/or the Colleyville Garden Club.

The terms of Colleyville Tree Board members Ms. Debby Abitz and Ms. Suzanne Hughes expired December 2012. On January 7, 2013, the Parks and Recreation Advisory Board recommended the appointment of Suzanne Hughes and Carel Tornes to the Colleyville Tree Board, to serve a term to December 2014, concurrent with their terms on the Parks and Recreation Advisory Board.

This item is provided for City Council to consider the appointments to the Colleyville Tree Board.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Colleyville Tree Board roster
2. Resolution R-13-3589

Colleyville Tree Board

Keep Colleyville Beautiful

Representative

Moira Brunken

7204 Belle Meade Drive

Colleyville, TX 76034

H: (817) 343-5531

moira@moirasellshomes.com

TERM:Feb 2012 - Dec 2013

Keep Colleyville Beautiful

Representative

Ginny Tighe

4415 Meandering Way

Colleyville, TX 76034

H: (817) 267-5527

gtighe@hotmail.com

TERM:Feb 2012 - Dec 2013

Parks and Recreation

Representative

Suzanne Hughes

901 Hardage Lane

Colleyville, TX 76034

H: (817) 329-0076

suzanne-hughes@tx.rr.com

TERM:Feb 2012 - Dec 2012

Keep Colleyville Beautiful

Representative

Roger Nelson

4509 Dartmoore Lane

Colleyville, TX 76034

H: (817) 577-1916

roger@railnet.com

TERM:Feb 2012 - Dec 2013

Parks and Recreation

Representative

Debby Abitz

1711 Tyler Street

Colleyville, TX 76034

H: (817) 996-0059

md.abitz@hotmail.com

TERM:Feb 2011 - Dec 2012

Parks and Recreation

Representative

Kathryn Wheat

206 Colden Court

Colleyville, TX 76034

W: (415) 218-4930

H: (682) 214-1786

kwheat@gmail.com

TERM:Feb 2012 - Dec 2013

RESOLUTION R-13-3589

**A RESOLUTION APPOINTING MEMBERS TO THE
COLLEYVILLE TREE BOARD**

WHEREAS, the Colleyville Tree Board consists of representatives from the Parks and Recreation Advisory Board, the Keep Colleyville Beautiful Committee, and/or the Colleyville Garden Club; and

WHEREAS, the Parks and Recreation Advisory Board recommends the appointment of Suzanne Hughes and Carel Tornes to the Colleyville Tree Board.

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

Sec. 1. THAT the Colleyville City Council hereby appoints Suzanne Hughes and Carel Tornes, representing the Parks and Recreation Advisory Board, to serve a term to December 2014, concurrent with their term on the Parks and Recreation Advisory Board.

AND IT IS SO RESOLVED.

PASSED BY A VOTE OF _____ AYES, _____ NAYS, AND _____
ABSTENTIONS ON THIS 15TH DAY OF JANUARY 2013.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley
City Secretary

David Kelly
Mayor



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 9

Agenda Date 01/15/2013

Type Report

Department City Secretary

Title

Parks and Recreation Advisory Board Meeting Minutes - October 8, 2012

Attachments

1. Parks and Recreation Advisory Board Meeting Minutes - October 8, 2012



City of Colleyville

Parks and Recreation Advisory Board Minutes

City Hall
100 Main Street
Colleyville, Texas 76034
817. 503.1000
www.colleyville.com

Monday, October 8, 2012
6:00 p.m.

Colleyville Public Library
110 Main Street
2nd Floor Meeting Room

1. CALL TO ORDER

Chairperson Suzanne Hughes called the meeting of the Parks and Recreation Advisory Board to order on October 8, 2012 at 6:01 p.m.

ROLL CALL

Present: Chairperson Suzanne Hughes, Board Members Ken Llewellyn, Charles Bethards, Debby Abitz, Kathryn Wheat, Brett Oliver. Library, Parks and Recreation Director Mary Rodne, Park Supervisor Tim Hightshoe, Assistant City Manager/Chief Financial Officer Terry Leake, Administrative Assistant Kathy Moore

Absent: Board Member Thomas Parker and Tevon Taylor

2. APPROVAL OF MINUTES

July 9, 2012

Board Member Debby Abitz moved to approve the July 9, 2012 minutes as written. Brett Oliver seconded the motion. The motion carried with a unanimous vote.

3. REGULAR AGENDA ITEMS

3a Recreation, Athletics, Tennis, and Seniors' Reports

Mary Rodne, Library, Parks and Recreation Director updated the Board on Recreation, Athletics, Tennis and the Senior Center activities for the months of July through September. She noted that the Recreation Department has moved to the Senior Center and will now office out of that location; additionally she added that Cody Ashton was hired to fill part-time Building Attendant position, which will also office from that location.

The budgets were approved on September 18, with CEDC funds approved for the Senior Center rebranding study; additionally, funds were approved for new and replacement of tables and chairs at the Senior Center.

3b Park Operations and Capital Improvement Status Report

Tim Hightshoe, Parks Superintendant gave an update on the Parks and Recreation CIP Project for Pleasant Run Trail. Additionally, he updated the Committee on other miscellaneous projects preformed by the Parks Department.

3c Review and Discussion of the current bylaws for the Parks and Recreation Advisory Board

Library Director Mary Rodne informed the Committee that the City Secretary's office had prepared a general template for all Boards, Commissions and Committees for their bylaws. Committee members were asked to review the current bylaws and make notes for the January meeting. Rodne concluded that when the update of the Parks and Recreation Advisory Board Bylaws is complete, they will be forwarded to the City Council for approval.

4. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA

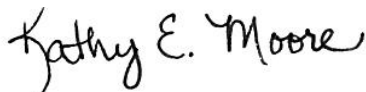
None

5. ADJOURNMENT

Kathryn Wheat moved to adjourn the meeting at 6:25 p.m. Brett Oliver seconded the motion. The motion carried with a unanimous vote.

APPROVED BY A VOTE OF 6 AYES, 0 NAYS, AND 0 ABSTENTIONS ON THIS THE 7TH DAY OF JANUARY 2013.

Minutes taken and prepared by:



Kathy E. Moore
Administrative Assistant

RESOLUTION R-13-3590

**A RESOLUTION APPROVING CITY COUNCIL ACTION
UNDER BUSINESS AT THE REGULAR
CITY COUNCIL MEETING OF
JANUARY 15, 2013**

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 the agenda decisions approved by City Council action under Business this date and not otherwise adopted by Ordinance and/or separate Resolution as follows are hereby adopted:

a. THAT

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _____ AYES, _____ NAYS, AND _____ ABSTENTIONS ON THIS THE 15TH DAY OF JANUARY 2013.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley
City Secretary

David Kelly
Mayor