



City of Colleyville City Council Agenda

City Hall
100 Main Street
Colleyville, Texas 76034
817.503.1000
www.colleyville.com

Tuesday, November 5, 2013

City Council Chambers

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

CALL TO ORDER

PC-1 Update on the Glade Road Project

PC-2 Update and discussion from Keep Colleyville Beautiful

PC-3 Discussion of the distribution of agenda packets for public meetings

PC-4 Update of Utility Rate Study

PC-5 Discussion of the 2014 City Council meeting dates

PC-6 Discussion of the November 5, 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 - Legal - Consultation with attorney regarding pending litigation - Moxie Pest Services - Dallas, LLC v. City of Colleyville

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

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

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

INVOCATION: Reverend Kyle Bauman, Bear Valley Community 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-13-3683**
- 3. ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS**
 - Announcements of civic and charitable events**
 - Presentation of calendar events and updates**
 - Announcements of awards and recognition**
- 4. CONSENT: READING AND PUBLIC HEARING - Resolution R-13-3684**
 - 4a** Approval of the minutes of the regular City Council meeting of October 15, 2013
 - 4b** Approval of a preliminary plat for 53.2 acres on Tracts 1F and 1G, Abstract 1038 of the Hall Medlin Survey and Tracts 1A02 and 1C, Abstract 295 of the William E. Crooks Survey, located at 7612 and 7624 Pleasant Run Road, Case PC13-020
 - 4c** Consideration and approval of a Right-of-Way Encroachment and Joint Use Agreement on Lot 1, Block 1, of the Medlen Addition, located at 7304 and 7401 Pleasant Run Road
 - 4d** Approval of the use of Voluntary Park Funds for professional services, for laser grading of City Park competitive athletic fields, in an amount not to exceed \$30,000 annually
 - 4e** Approval of the Colleyville Tree Board and Senior Center Advisory Committee bylaws
- 5. ORDINANCE(S): SECOND READING AND PUBLIC HEARING**
 - 5a Ordinance O-13-1893**

Consideration of a request for an amendment to the PUD-C-Planned Unit Development Commercial zoning and development requirements for Lot 1R, Block 1, of the Wildwood Estates Addition, located at 5700 Pool Road, Case ZC13-010

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

6a Ordinance O-13-1894

Consideration of a request for a zoning change from R40-Single Family Residential to PUD-R-Planned Unit Development Residential on 15.4 acres of Lot 1, Block 1, of the Breezy Lake Estates, Lots 1A and 1B, Block 1, of the Meadowlake Addition, and Tract 2B, of the McNary Acres Addition, located at 1117, 1121, and 1217 W. L.D. Lockett Road, and a portion of Lot 1, Block 1, of the Bear Valley Community Church Addition, located at 7900 Precinct Line Road, Case ZC13-014

6b Ordinance O-13-1895

Request for approval of amendments to the Future Land Use Map of the Colleyville Master Plan for Lot 1, Block 1, of the Breezy Lake Estates, Lots 1A and 1B, Block 1, of the Meadowlake Addition, and Tract 2B, of the McNary Acres Addition, located at 1117, 1121, and 1217 W. L.D. Lockett Road, and a portion of Lot 1, Block 1, of the Bear Valley Community Church Addition, located at 7900 Precinct Line Road, from a Retail and Institutional Land Use Designation to a Single Family Land Use Designation

6c Ordinance O-13-1896

Approval of a request to amend the filing date of the financial disclosure forms requirement of Ordinance O-02-1322

7. ORDINANCE(S): CONTINUED: READING AND PUBLIC HEARING

7a Ordinance O-13-1887

Consideration of a request for a zoning change from PUD-C-Planned Unit Development Commercial to PUD-R-Planned Unit Development Residential, on 1.82 acres on Lot 1, Block 1, of the San Bar Square Addition, located at 105 Cheek-Sparger Road, Case ZC13-008

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

9. REPORTS

Colleyville Tree Board Meeting Minutes - October 8, 2012
Parks and Recreation Advisory Board Meeting Minutes - April 1, 2013
Senior Center Advisory Committee Meeting Minutes - July 18, 2013
Colleyville Library Board Meeting Minutes - August 12, 2013
Planning and Zoning Commission Meeting Minutes - September 9, 2013
Zoning Board of Adjustment Meeting Minutes - September 10, 2013
Planning and Zoning Commission Meeting Minutes - September 23, 2013
Planning and Zoning Commission Meeting Minutes - October 14, 2013

10. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR NOVEMBER 5, 2013 - Reading and Public Hearing - Resolution R-13-3685**11. ADJOURNMENT**

I hereby certify this agenda was posted on City Hall bulletin boards Friday, November 1, 2013 by 5:00 p.m.

Amy Shelley, TRMC
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
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number PC-1

Agenda Date 11/05/2013

Type Pre Council

Department Public Works

Title

Update on the Glade Road Project

Explanation

The design firm for the Glade Road Project, Transystems, Inc., will provide to the City Council the presentation scheduled for the public meeting to be held on November 18, 2013, at the Colleyville Center.

A copy of the presentation is attached.

Attachments

1. Glade Road Update Presentation
2. Alternative Design Solutions for Consideration
3. Comment form for November 18 Public Meeting

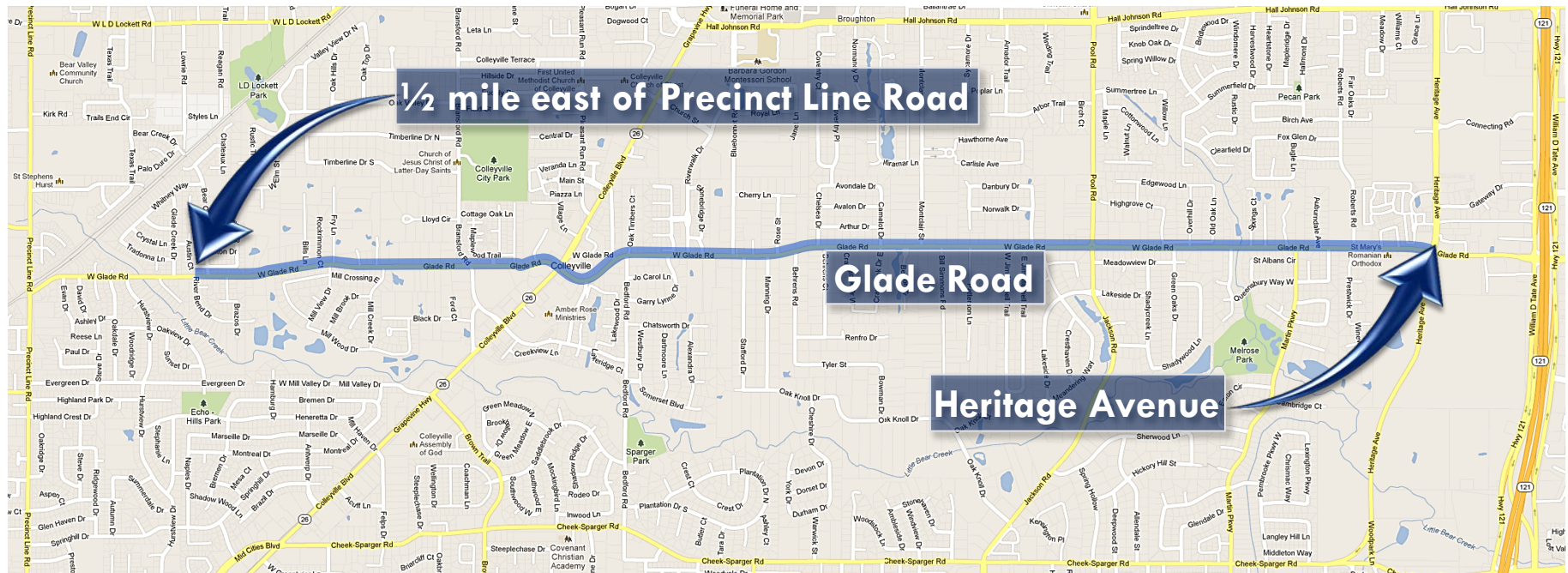


GLADE ROAD PROJECT



Purpose:

Provide a vision and plan for future improvements to Glade Road.



Project Study Approach

Gather / Analyze Data

Roadway Geometry
Traffic Data
Accident Data

Public Involvement

Public meetings and presentations
Gather public input

Recommendation

Develop a preferred alternative that fits Glade Road
Mitigate issues with strategic improvements

Project Schedule

Start Project March 2013

Public Meeting May 23rd 2013

Develop Alternatives September 2013

Public Meeting November 18th 2013

Select Alternative January 2014

Why Glade Road?

- **Pavement Condition**

- Pavement is in poor condition
- Requires regular maintenance

- **Safety Concerns**

- The road has seen a number of collisions.
- Roadside conditions and left/right turning vehicles
- Several areas of poor sight distance (Mill View, Bedford, Bluebonnet, Roberts Road)

- **Traffic Congestion**

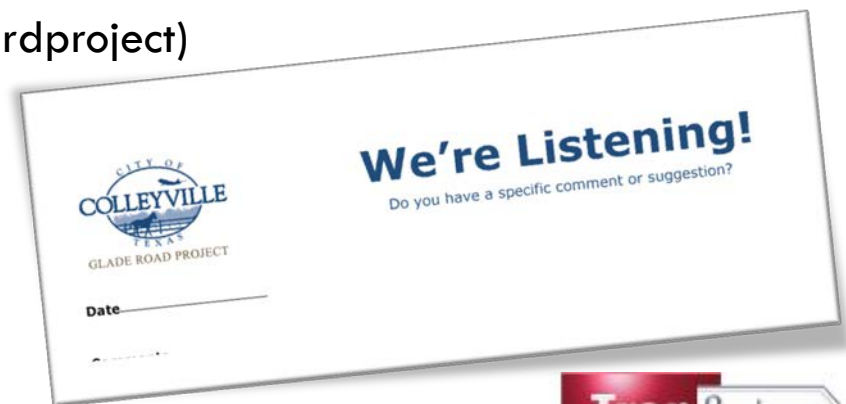
- Colleyville has grown up around Glade Road
- The road experiences heavy traffic congestion at peak hours.
- Intersections experiencing long delays (Bransford, Riverwalk, Bedford, Bluebonnet, Martin)



Goal: To make safety and traffic flow improvements, in order to better accommodate vehicles, pedestrians and bicycles, while preserving the road's rural character.

Public Involvement

- **Public Involvement – Early and Often**
 - Public meeting and presentations to community groups.
 - Approximately 200 people at public meeting May 23rd
 - Approximately 400 people have attended a presentation
- **Online Presence (Website, Facebook, Twitter)**
 - Web: www.gladeroadproject.com
 - Over 1,270 unique visitors
 -  Facebook.com/gladeroadproject
 -  Twitter.com/gladerdproject (@gladerdproject)
 - Email: info@gladeroadproject.com
 - Over 250 e-newsletter subscriptions



Public Comments

116 comments received

- **51 comments related to Roadway Section**

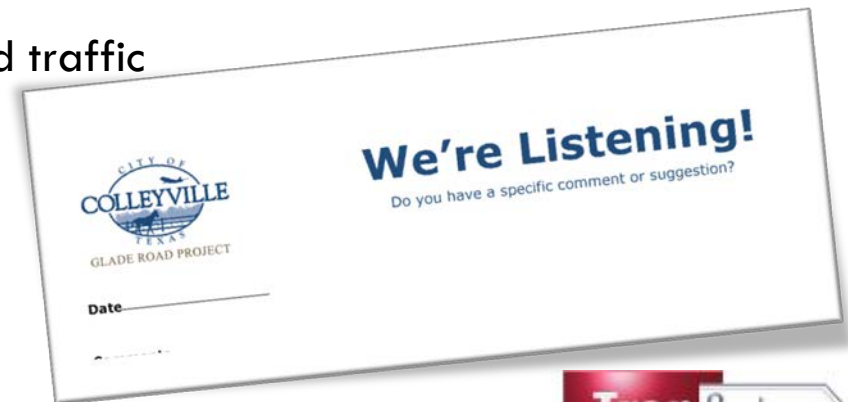
- 43% preferred either no improvements or a 2 lane section
- 47% preferred some variation of a 2 lane section with left turn lanes
- 10% preferred a 4 or 5 lane section

- **32 comments related to the Bluebonnet Intersection**

- Comment ranged from...remove stop sign...lower the grade...close Bluebonnet

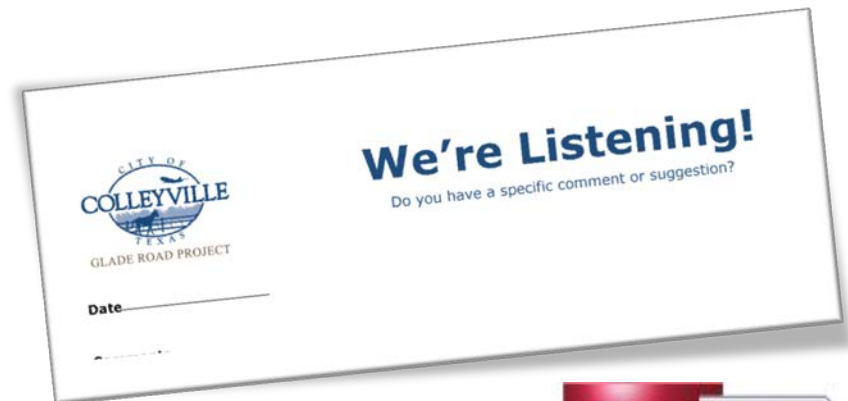
- **25 comments related to other Intersections**

- Roberts Road/Prestwick – Sight distance and traffic
- Riverwalk – Traffic and drainage concerns
- Bransford – Traffic
- Bedford and Mill View – Sight distance



Public Comments

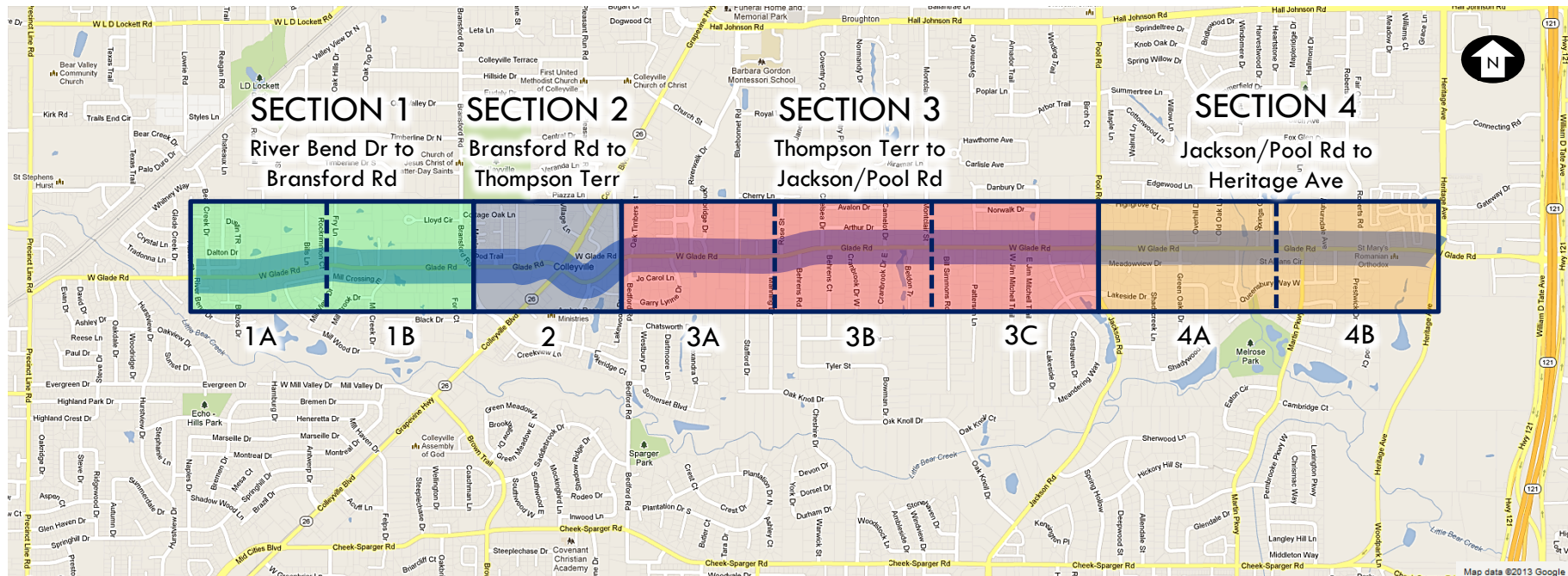
- **32 comments related to Sidewalk/Trail**
 - 23 for some combination of sidewalk and/or trail on north and south side of Glade Rd.
 - 9 against trail on north side of Glade Rd.
- **12 comments inquiring about Traffic Calming**
 - Roundabouts, stop signs and speed bumps
- **11 comments related to Curb Type**
 - 6 preferred ribbon curb
 - 5 preferred curb and gutter
- **7 comments related to Pavement Type**
 - 6 out of 7 preferred asphalt pavement



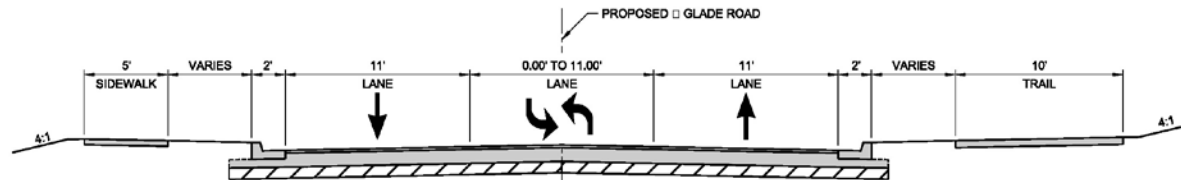


GLADE ROAD PROJECT

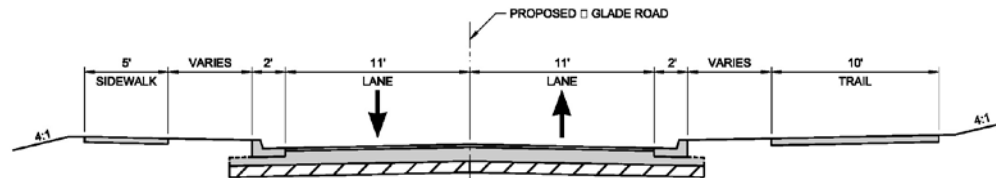
Project Sections



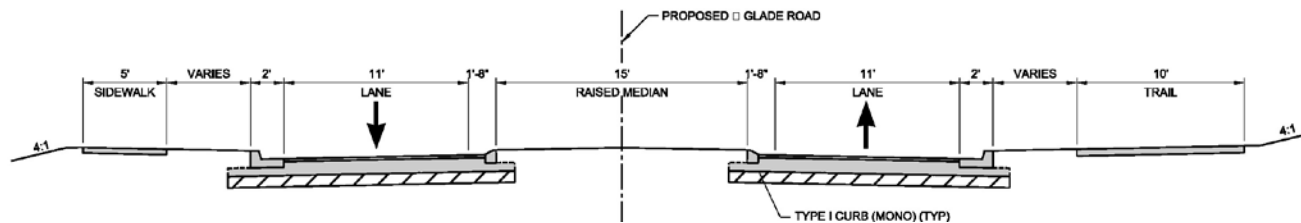
Possible Improvements



TWO LANES WITH CONTINUOUS LEFT TURN LANE



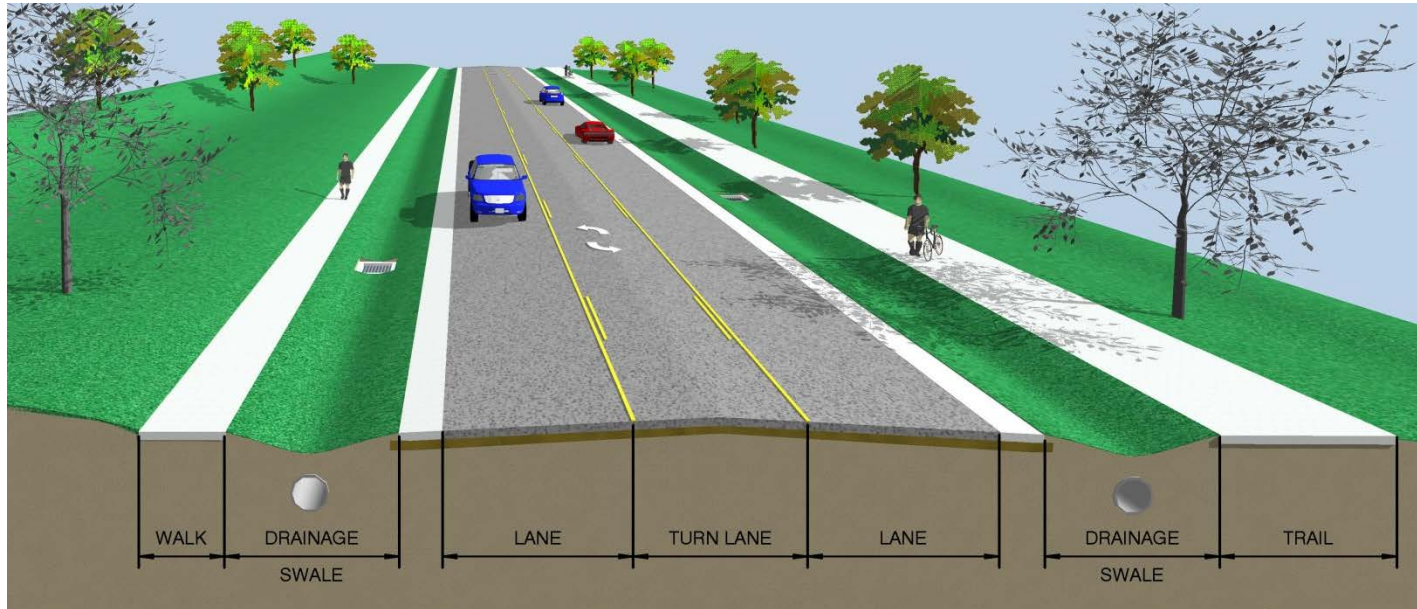
TWO LANES WITH LEFT TURN LANES WHERE WARRANTED



TWO LANES WITH MEDIANS AND LEFT TURN LANES

Possible Improvements

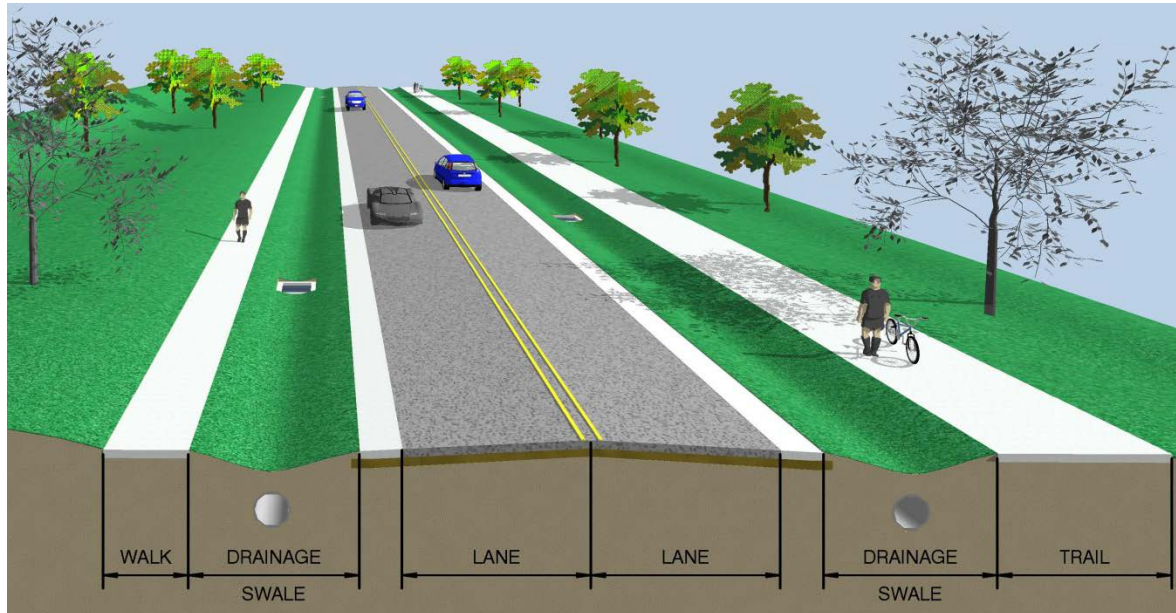
Two Lanes with Continuous Left Turn Lane



- Provides adequate capacity
- Improves safety
- Provides left-turn lanes at side streets
- Improved driveway access
- Pedestrian / Bicycle accommodations

Possible Improvements

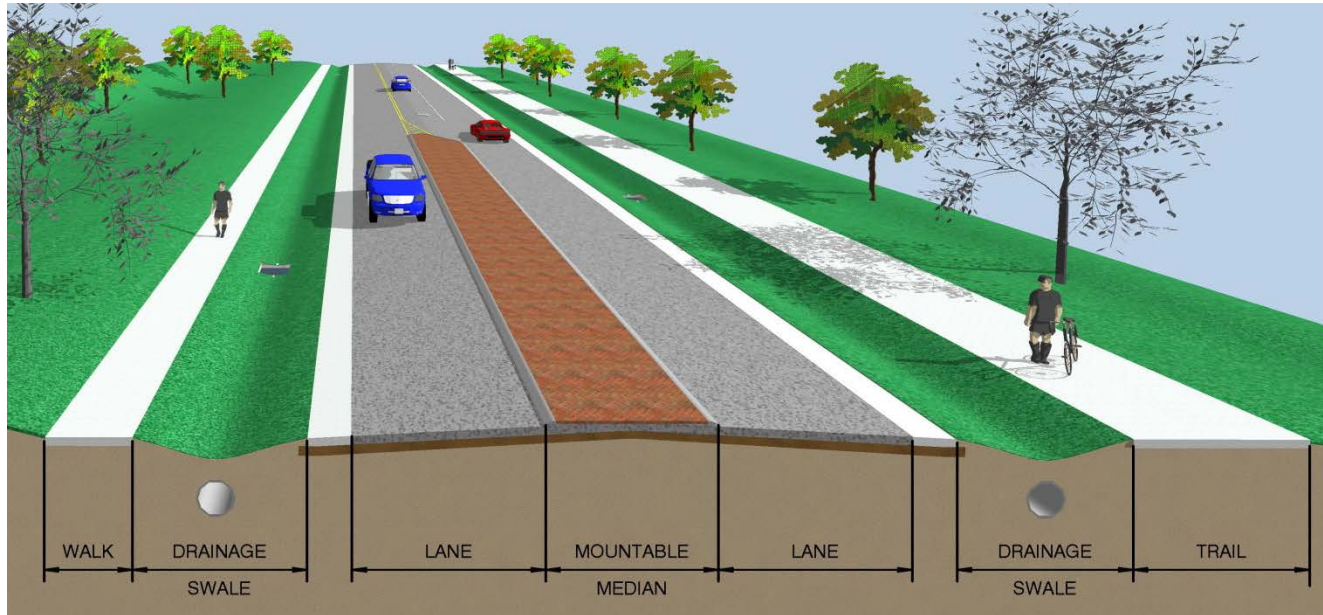
Two Lanes with Left Turn Lanes where Warranted



- Possible in low volume locations
- Can provide left-turn lanes where warranted
- Poor sight distance can be improved
- Pedestrian / Bicycle accommodations
- Minimize impact in the right-of-way

Possible Improvements

Two Lanes with Median and Left Turn Lanes



- Provides adequate capacity
- Improves safety
- Provides left-turn lanes at side streets
- Medians may be landscaped if provisions are made for emergency vehicle access
- Pedestrian / Bicycle accommodations

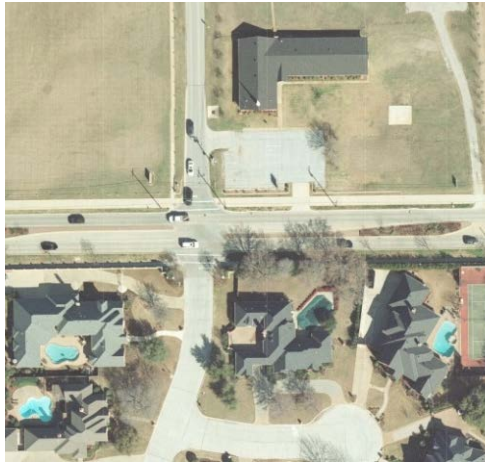
Typical Exhibit

Glade Road Project - Section 1A - River Bend Dr to Rockrimmon Ct -



TranSystems

Intersection Alternatives



Traffic Signal Controlled

Advantages

- Improves Safety - Reduces right angle crashes
- Reduced sight distance required
- Provides gaps in traffic
- Increased capacity
- Maximum control

Disadvantages

- Long term maintenance
- Can increase rear-end crashes
- Increased delay
- Driver's use of less adequate routes
- Disobedience



Stop Sign Controlled

Advantages

- Improves safety
- Cost effective

Disadvantages

- Low volume
- Rear-end crashes

Note: Traffic volumes do not warrant Traffic Signals

Intersection Alternatives

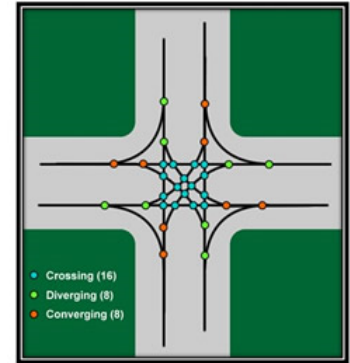
Roundabout

Advantages

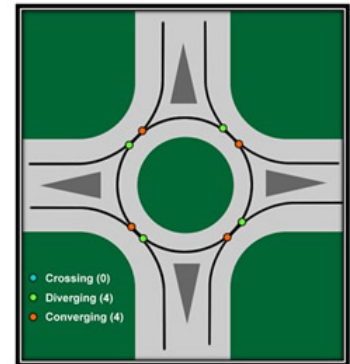
- Safest
- Reduced number of conflict points
- Reduced delays
- Increased capacity
- Traffic calming
- Reduced sight distance requirements

Disadvantages

- Most expensive to construct
- Right-of-way
- Reduced gaps in traffic
- Increased pedestrian delay

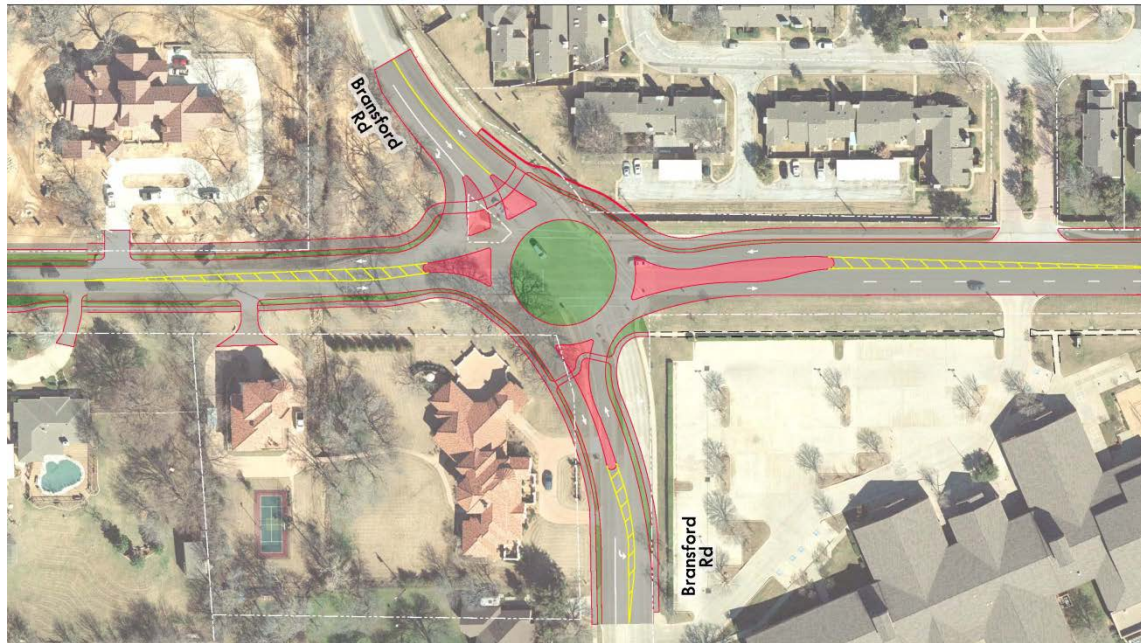


Traditional = 32 conflict points



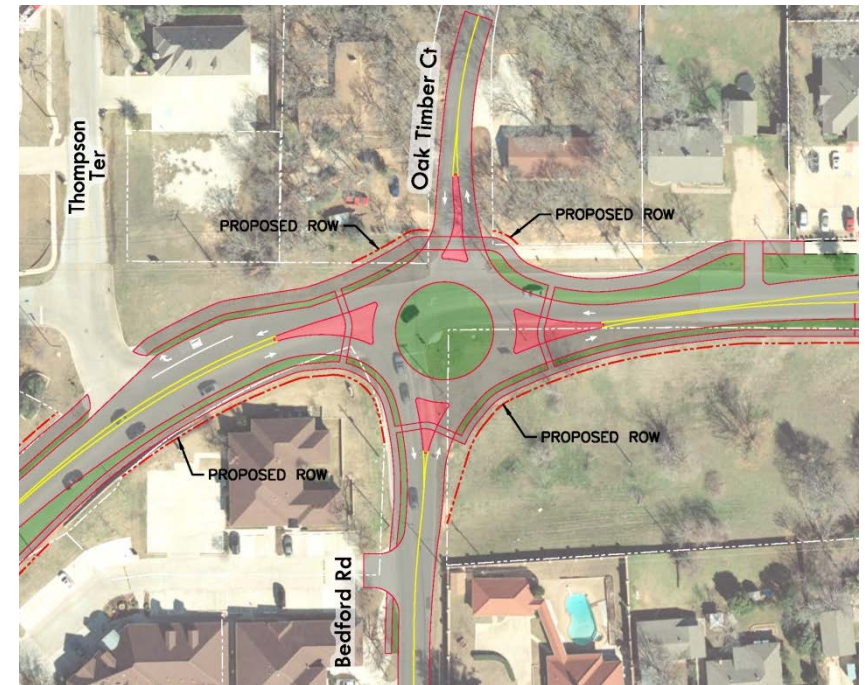
Roundabout = 8 conflict points

Intersection Alternatives



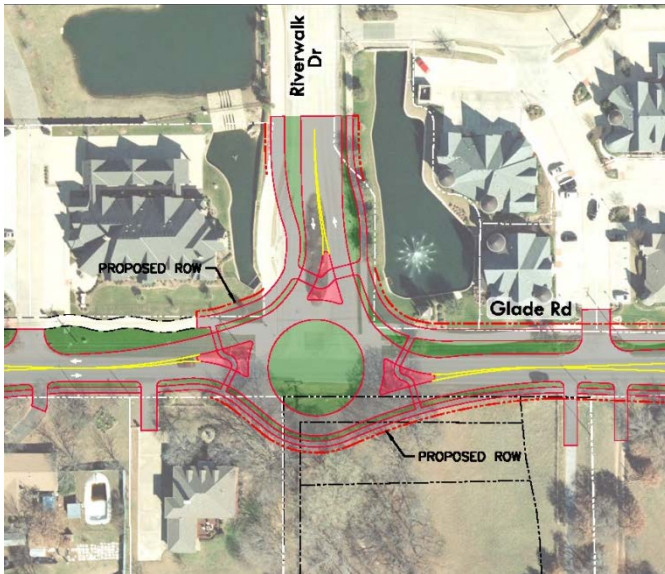
Glade Road at Bransford Road

Intersection Alternatives

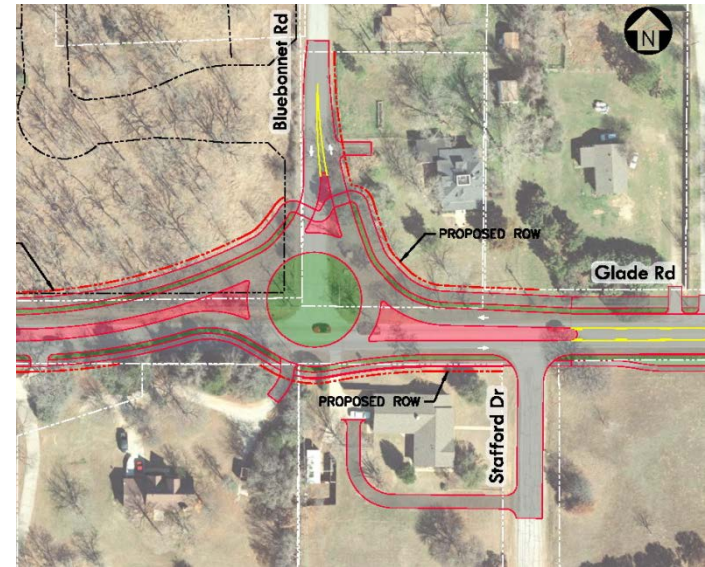


Glade Road at Bedford Road

Intersection Alternatives



Glade Road at Riverwalk Drive



Glade Road at Bluebonnet Road

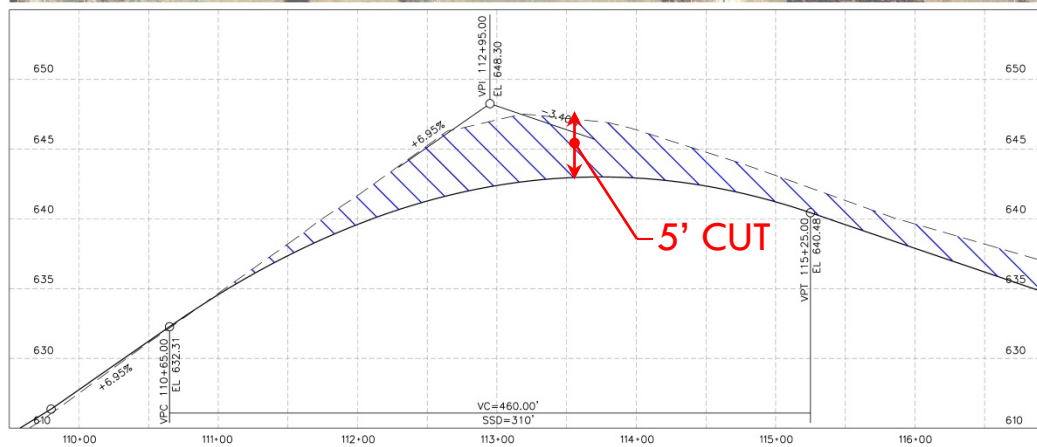
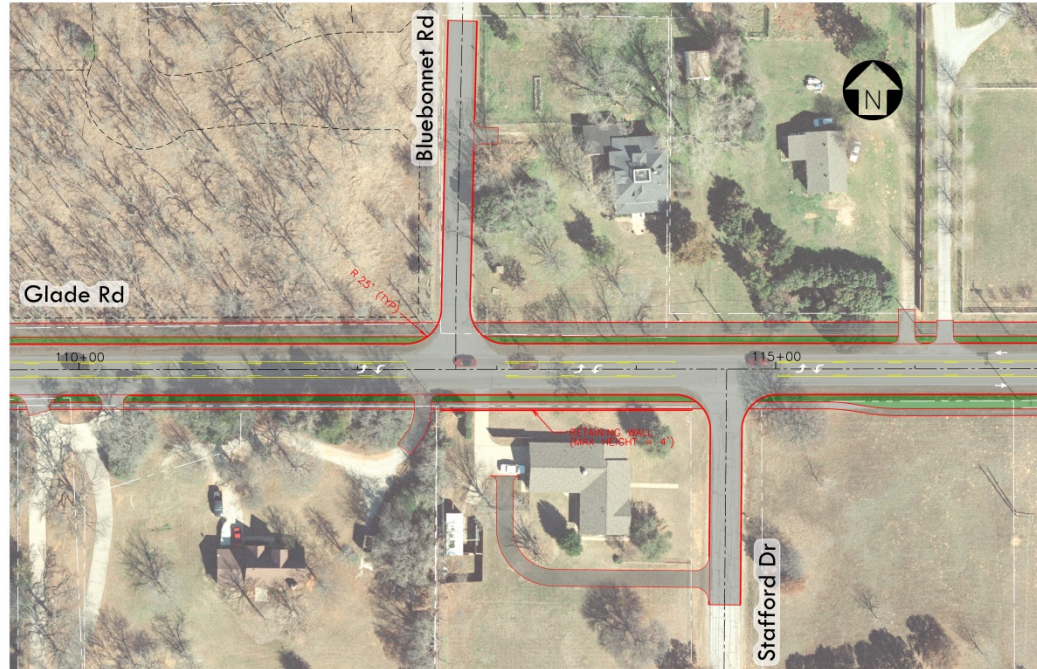
Intersection Alternatives



Glade Road at Martin Parkway

Glade Road at Roberts Road

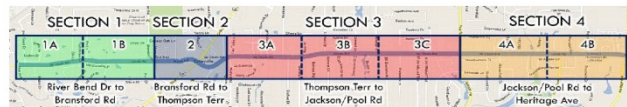
Glade Road at Bluebonnet Road



Comment Card

We're Listening!

Please indicate your preferences or provide comments.



- 1) What is your preferred roadway configuration for **Section 1?** (River Bend Dr. to Bransford Rd)
 - a) Two lanes with left-turn lanes where warranted
 - b) Two lanes with continuous left-turn lane
 - c) Two lanes with medians and left-turn lanes
 - 2) What is your preferred roadway configuration for **Section 3?** (Riverwalk Dr. to Jackson/Pool Rd.)
 - a) Two lanes with left-turn lanes where warranted
 - b) Two lanes with continuous left-turn lane
 - c) Two lanes with medians and left-turn lanes
 - 3) What is your preferred roadway configuration for **Section 4?** (Jackson/Pool Rd. to Heritage Ave.)
 - a) Two lanes with left-turn lanes where warranted
 - b) Two lanes with continuous left-turn lane
 - c) Two lanes with medians and left-turn lanes
-
- 4) Do you have a preference on which pavement type is used for Glade Road?
 - a) Yes, asphalt
 - b) Yes, concrete
 - c) No preference
 - 5) Do you have a preference on whether curb and gutter or a ribbon curb is used for Glade Road?
 - a) Yes, curb and gutter with storm drain
 - b) Yes, ribbon curb with engineered swales with storm drain
 - c) No preference
 - 6) Would you like to have sidewalks/trails along Glade Road?
 - a) Yes, 5' sidewalk on the south side and 10' trail on the north side of Glade Road
 - b) Yes, 5' sidewalk on both sides of Glade Road
 - c) Yes, 5' sidewalk only on one side of Glade Road
 - d) No preference

OVER

We're Listening!

Please indicate your preferences or provide comments.



- 7) At the intersection of Glade Road and **Bransford Road** I would prefer to see:
 - a) A roundabout
 - b) A traffic signal
 - c) Stop sign controlled
- 8) At the intersection of Glade Road and **Bedford Road** I would prefer to see:
 - a) A roundabout
 - b) Bedford Road realigned to improved sight distance
 - c) No improvements
- 9) At the intersection of Glade Road and **Riverwalk Drive** I would prefer to see:
 - a) A roundabout
 - b) A traffic signal
 - c) Stop sign controlled
- 10) At the intersection of Glade Road and **Bluebonnet Road** I would prefer to see:
 - a) A roundabout
 - b) A traffic signal
 - c) Stop sign controlled on Bluebonnet Road only - Improve sight distance and remove stop signs on Glade Road
- 11) At the intersection of Glade Road and **Martin Parkway** I would prefer to see:
 - a) A roundabout
 - b) A traffic signal
 - c) Stop sign controlled
- 12) At the intersection of Glade Road and **Roberts Road / Prestwick Drive** I would prefer to see:
 - a) A roundabout
 - b) A traffic signal
 - c) Stop sign controlled

Please give any additional comment in the space provided below:

What should the public know?

- Nothing has been decided yet.
- This is an opportunity to provide feedback.
- Public input is vital to the design process.
- Different road segments may require different solutions. All solutions will be context-sensitive.
- We do anticipate funding any improvements from existing sources, with no effect on taxes.





Web: www.gladeroadproject.com (submit questions and comments, sign up for e-updates, request a presentation, view project materials)



Facebook.com/gladeroadproject



Twitter.com/gladerdproject (@gladerdproject)

Email: info@gladeroadproject.com

For more information:

Jeremy Hutt, City Engineer, 817-503-1095 or jhutt@colleyville.com

Please ask project representatives specific questions after the presentation.

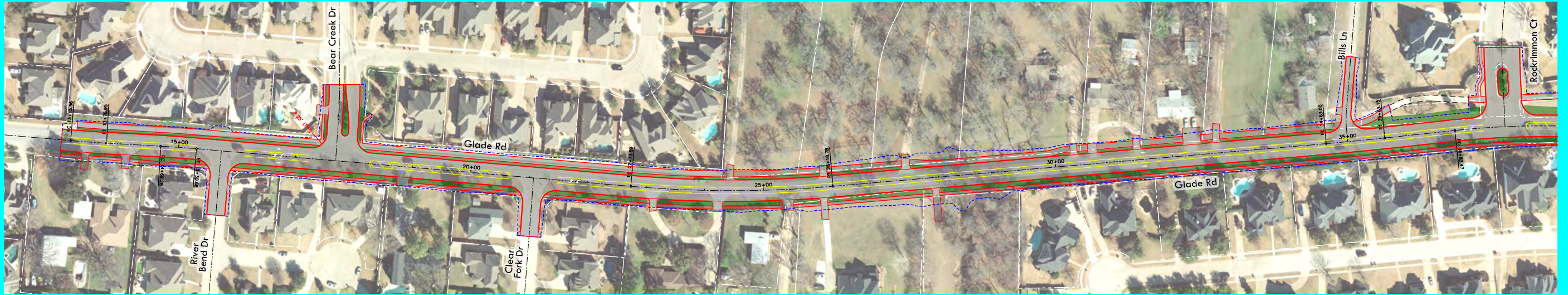
Please fill out comment cards.

Glade Road Project - Section 1A

- River Bend Dr to Rockrimmon Ct -

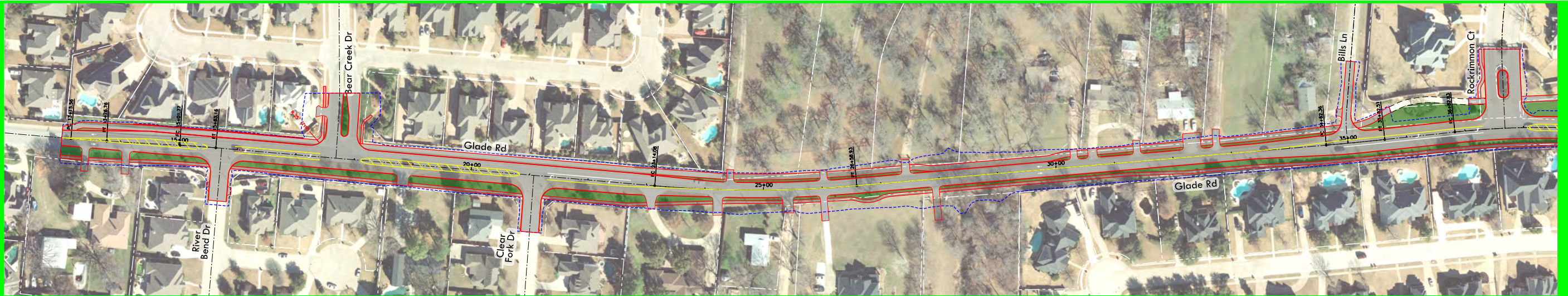


Continuous
Left Turn Lane



Continuous
Left Turn Lane

Left Turn Lane
Where Warranted



Left Turn Lane
Where Warranted

Median With
Left Turn Lane



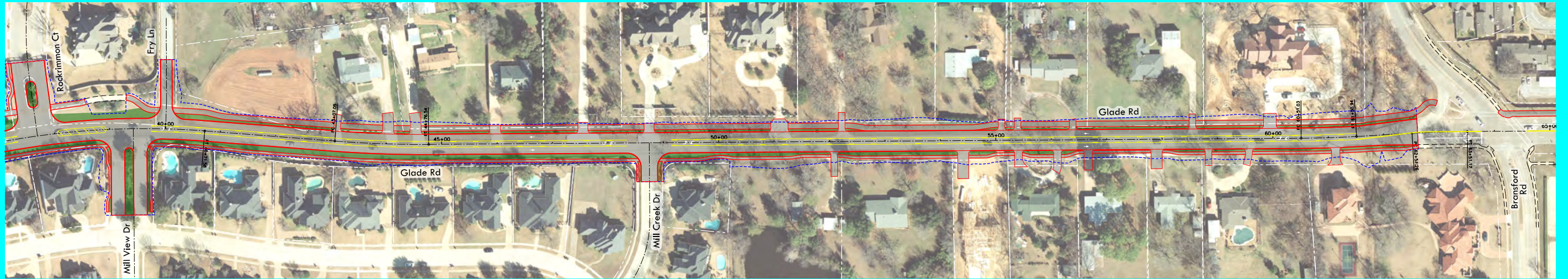
Median With
Left Turn Lane

Glade Road Project - Section 1B

- Mill View Dr to Bransford Rd-

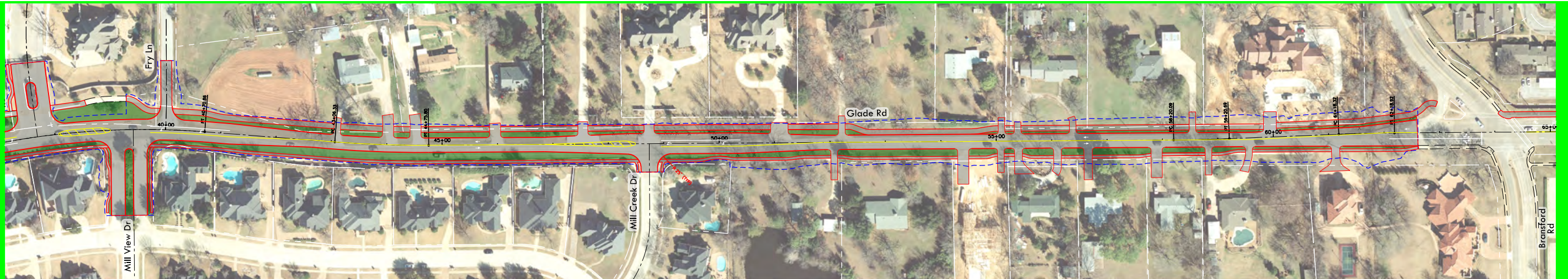


Continuous
Left Turn Lane



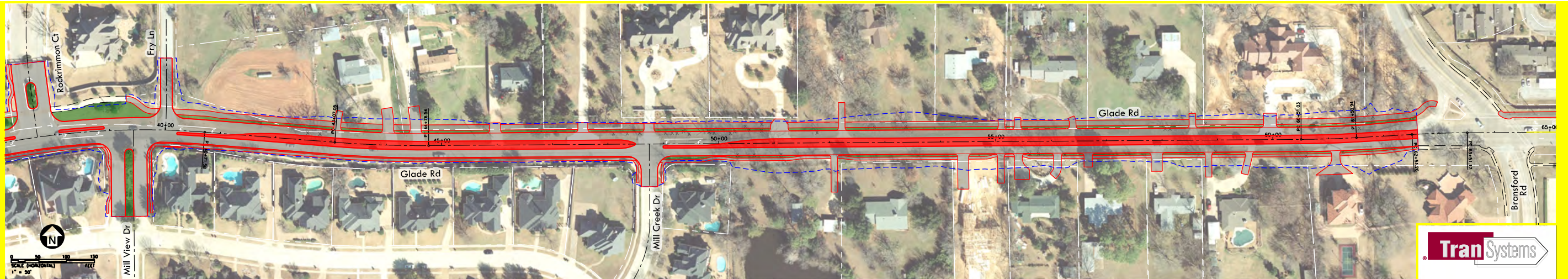
Continuous
Left Turn Lane

Left Turn Lane
Where Warranted



Left Turn Lane
Where Warranted

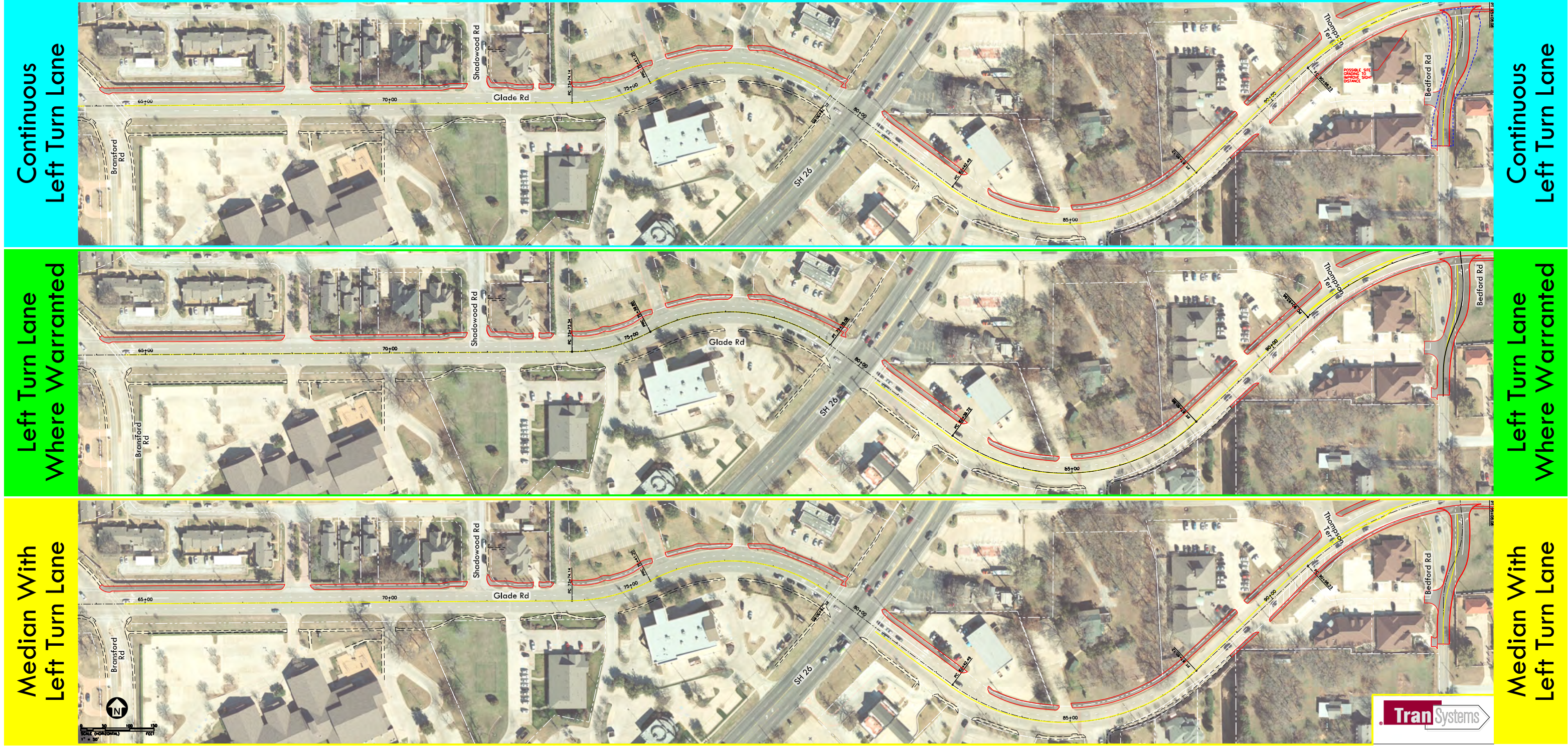
Median With
Left Turn Lane



Median With
Left Turn Lane

Glade Road Project - Section 2

- Bransford Rd to Thompson Ter -

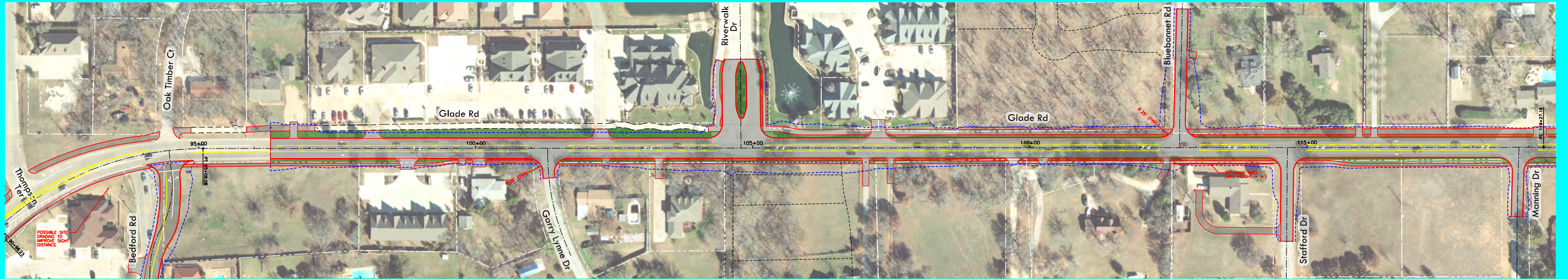


Glade Road Project - Section 3A

- Thompson Ter to Manning Dr -

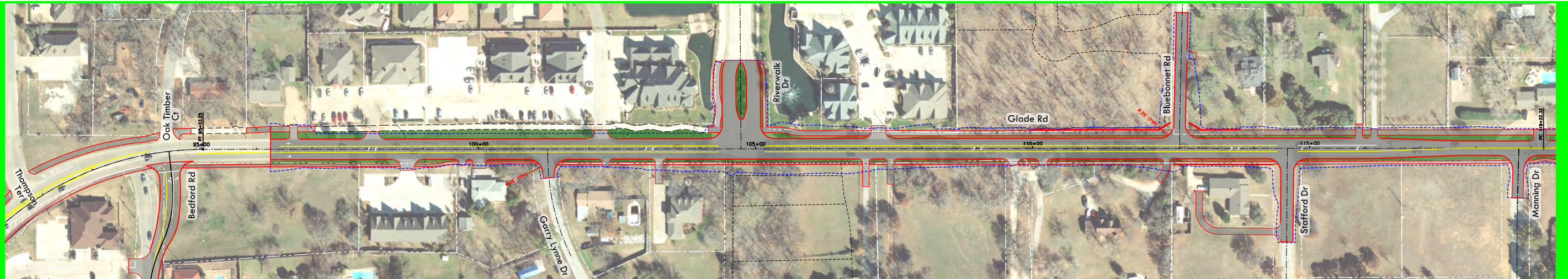


Continuous
Left Turn Lane



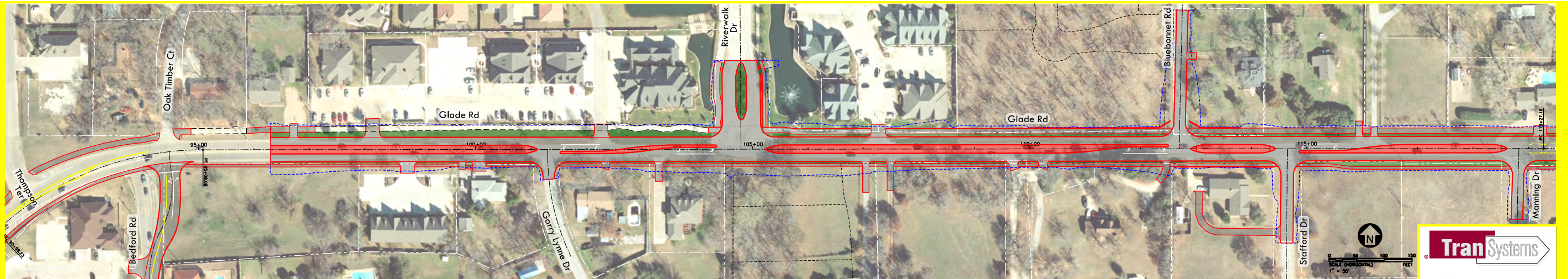
Continuous
Left Turn Lane

Left Turn Lane
Where Warranted



Left Turn Lane
Where Warranted

Median With
Left Turn Lane



Median With
Left Turn Lane

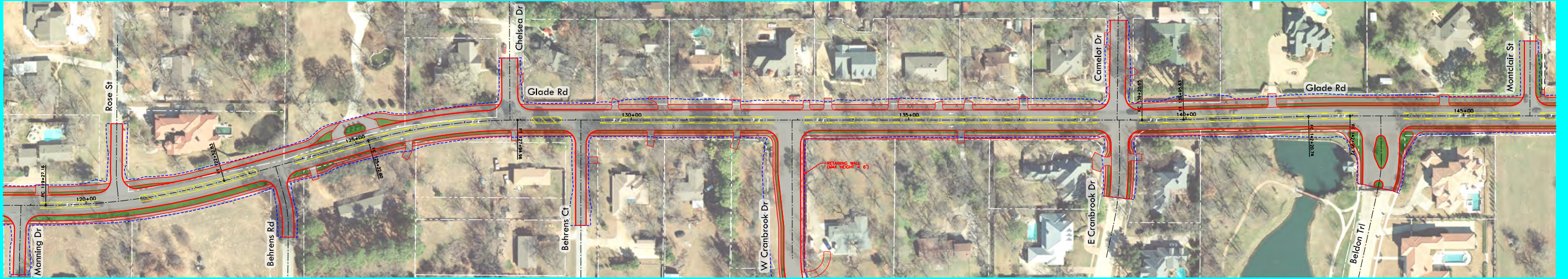


Glade Road Project - Section 3B

- Manning Dr to Montclair St-

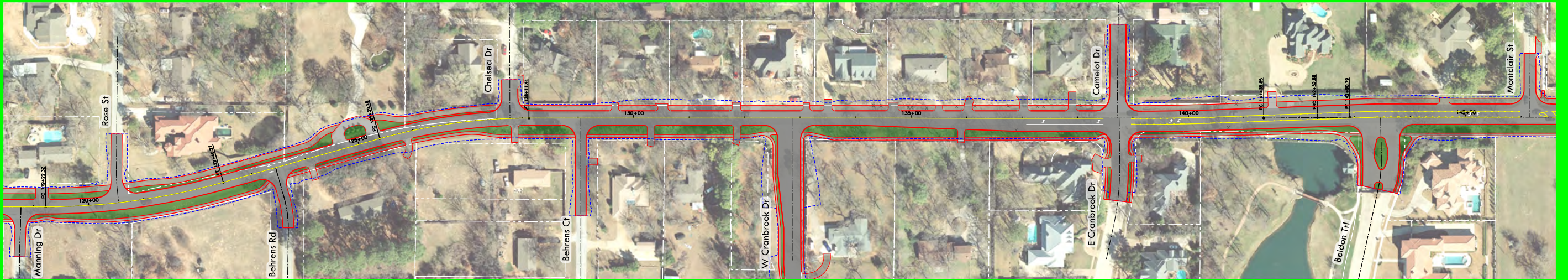


Continuous
Left Turn Lane



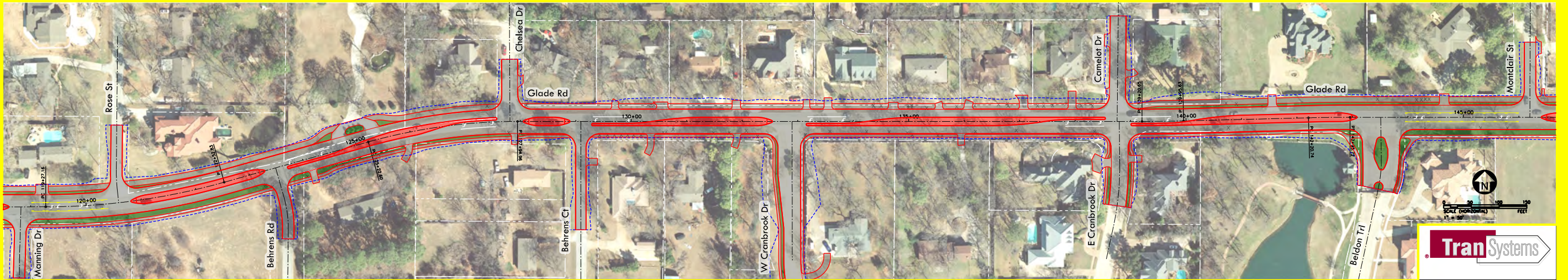
Continuous
Left Turn Lane

Left Turn Lane
Where Warranted



Left Turn Lane
Where Warranted

Median With
Left Turn Lane



Median With
Left Turn Lane

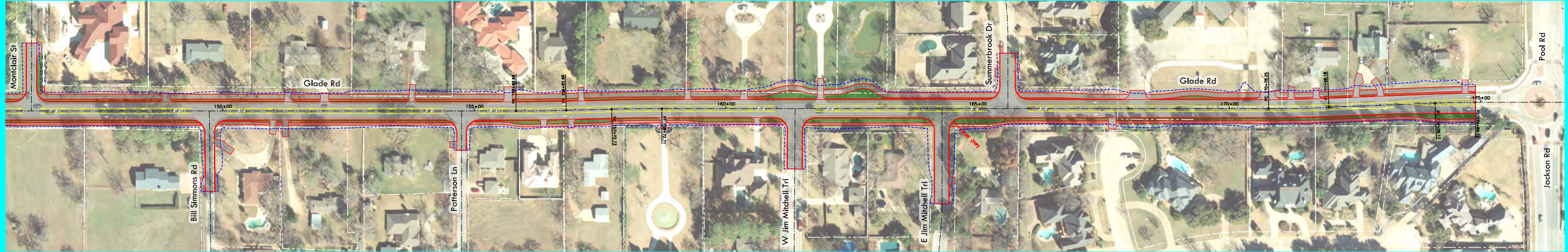


Glade Road Project - Section 3C

- Montclair St to W Jackson/Pool Rd -

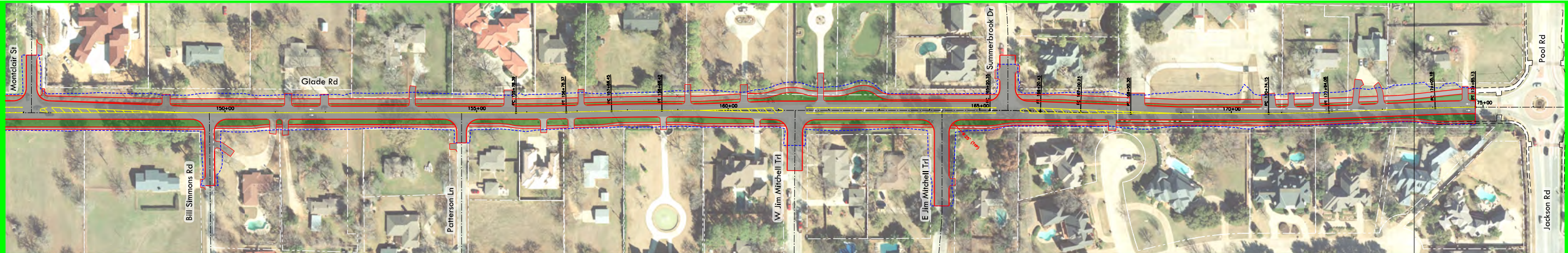


Continuous
Left Turn Lane



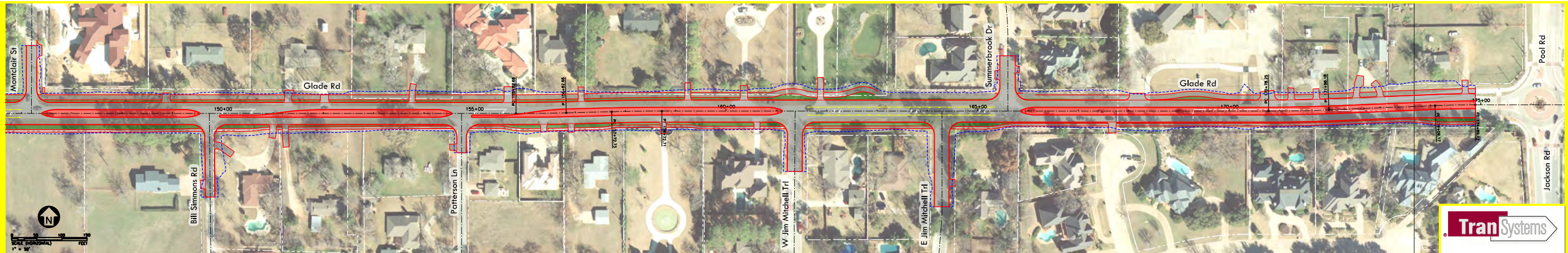
Continuous
Left Turn Lane

Left Turn Lane
Where Warranted



Left Turn Lane
Where Warranted

Median With
Left Turn Lane



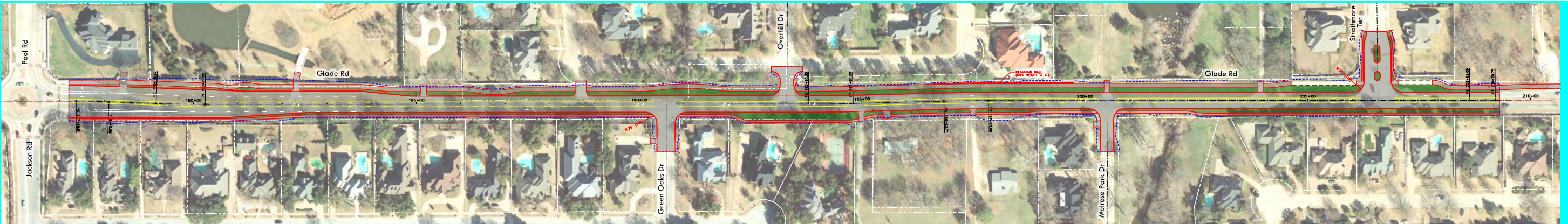
Median With
Left Turn Lane

Glade Road Project - Section 4A

- Jackson / Pool Rd to Strathmore Ter -

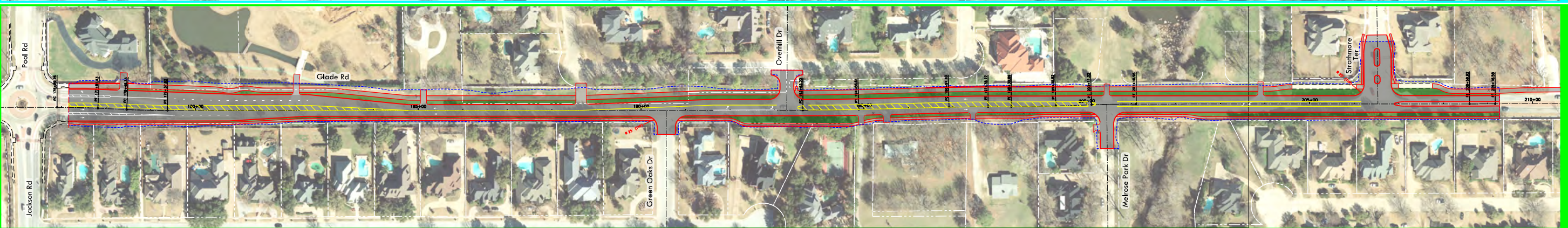


Continuous
Left Turn Lane



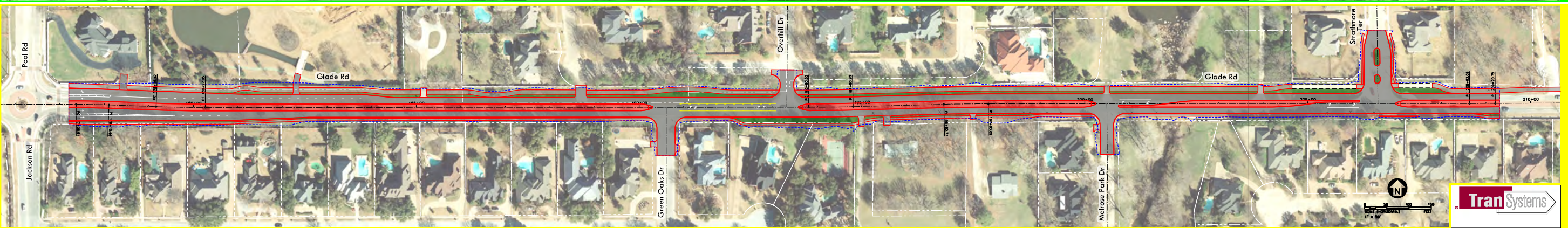
Continuous
Left Turn Lane

Left Turn Lane
Where Warranted



Left Turn Lane
Where Warranted

Median With
Left Turn Lane



Median With
Left Turn Lane

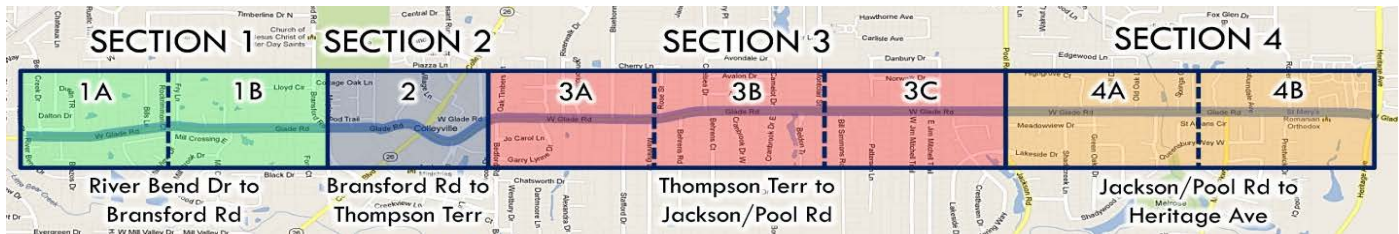
Glade Road Project - Section 4B

- Strathmore Ter to Heritage Ave -



We're Listening!

Please indicate your preferences or provide comments.



- 1) What is your preferred roadway configuration for **Section 1?** (River Bend Dr. to Bransford Rd)
 - a) Two lanes with left-turn lanes where warranted
 - b) Two lanes with continuous left-turn lane
 - c) Two lanes with medians and left-turn lanes
 - 2) What is your preferred roadway configuration for **Section 3?** (Riverwalk Dr. to Jackson/Pool Rd.)
 - a) Two lanes with left-turn lanes where warranted
 - b) Two lanes with continuous left-turn lane
 - c) Two lanes with medians and left-turn lanes
 - 3) What is your preferred roadway configuration for **Section 4?** (Jackson/Pool Rd. to Heritage Ave.)
 - a) Two lanes with left-turn lanes where warranted
 - b) Two lanes with continuous left-turn lane
 - c) Two lanes with medians and left-turn lanes
-
- 4) Do you have a preference on which pavement type is used for Glade Road?
 - a) Yes, asphalt
 - b) Yes, concrete
 - c) No preference
 - 5) Do you have a preference on whether curb and gutter or a ribbon curb is used for Glade Road?
 - a) Yes, curb and gutter with storm drain
 - b) Yes, ribbon curb with engineered swales with storm drain
 - c) No preference
 - 6) Would you like to have sidewalks/trails along Glade Road?
 - a) Yes, 5' sidewalk on the south side and 10' trail on the north side of Glade Road
 - b) Yes, 5' sidewalk on both sides of Glade Road
 - c) Yes, 5' sidewalk only on one side of Glade Road
 - d) No preference

We're Listening!

Please indicate your preferences or provide comments.



- 7) At the intersection of Glade Road and **Bransford Road** I would prefer to see:
 - a) A roundabout
 - b) A traffic signal
 - c) Stop sign controlled
- 8) At the intersection of Glade Road and **Bedford Road** I would prefer to see:
 - a) A roundabout
 - b) Bedford Road realigned to improved sight distance
 - c) No improvements
- 9) At the intersection of Glade Road and **Riverwalk Drive** I would prefer to see:
 - a) A roundabout
 - b) A traffic signal
 - c) Stop sign controlled
- 10) At the intersection of Glade Road and **Bluebonnet Road** I would prefer to see:
 - a) A roundabout
 - b) A traffic signal
 - c) Stop sign controlled on Bluebonnet Road only - Improve sight distance and remove stop signs on Glade Road
- 11) At the intersection of Glade Road and **Martin Parkway** I would prefer to see:
 - a) A roundabout
 - b) A traffic signal
 - c) Stop sign controlled
- 12) At the intersection of Glade Road and **Roberts Road / Prestwick Drive** I would prefer to see:
 - a) A roundabout
 - b) A traffic signal
 - c) Stop sign controlled

Please give any additional comment in the space provided below:



City of Colleyville City Council Agenda Briefing

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

Agenda Number PC-2

Agenda Date 11/05/2013

Type Pre Council

Department City Manager

Title

Update and discussion from Keep Colleyville Beautiful

Explanation

Keep Colleyville Beautiful (KCB) has been in the process of updating their mission over the last several months. As such, the organization did not submit a funding request for FY 2014 for an Agency Agreement, which is how the City financially supports certain non-profit organizations that provide a service to residents which is not provided by the City. KCB had an Agency Agreement with the City of Colleyville for \$3,000 in FY 2013. The same amount was included in the adopted FY 2014 budget as a placeholder, until the organization finalized their new direction, and submitted the funding application paperwork.

The purpose of this update and discussion is to allow KCB to share their updated mission and plans with the City Council, as well as ensure City Council support, prior to executing an Agency Agreement for FY 2014 with the organization. The attached FY 2014 Agency Agreement Funding Application provides summary level detail about the updated mission, as well as basic information about the organization. KCB has also developed a new promotional and educational brochure as a part of their updated mission, which is attached.

Attachments

1. FY 2014 Agency Agreement Funding Application
2. KCB Brochure



FY 2014 Agency Information Sheet

DUE: Friday, April 19, 2013

ORGANIZATION INFORMATION

Name of Organization:	<u>Keep Colleyville Beautiful</u>	Year Established:	<u>2005</u>
Contact Person:	<u>Brenda Ritz</u>		
Title:	<u>Chairman</u>	Please Attach:	
Address:	<u>6700 Colleyville Blvd., Colleyville, TX 76034</u>	☐ IRS Non-profit Determination Letter	
Phone Number:	<u>817-689-0844</u>	☐ Current By-Laws	
E-mail Address:	<u></u>	☐ Annual Report	

BRIEF ORGANIZATION DESCRIPTION:

Keep Colleyville Beautiful is a community outreach organization that supports the efforts of the city of Colleyville in recycling and litter prevention. It promotes education on beautification, community improvement and minimizing the impact of solid waste in Colleyville. It is affiliated with Keep America Beautiful and Keep Texas Beautiful and retains good standing in both organizations by fulfilling their requirements and paying annual dues. KCB's programs include; Clean Sweep, Adopt-A-Park, Adopt-A-Street, Grants, Tree City, Colleyville's Night Out, and Community Outreach.

FUNDING REQUEST FOR FY2014 - OCTOBER 1, 2013 - SEPTEMBER 30, 2014

Contract Request:	<u>\$3,000</u>	Current Annual Revenue Budget:	<u>\$3,000</u>
Current Annual Expenditure Budget:	<u>\$3,000.00</u>	Contract Amount as % of Annual Revenue:	<u>100%</u>
FY2013 Contribution from City of Colleyville:	<u>\$3,000.00</u>		

DESCRIPTION OF SERVICES PROVIDED: (Specifically indicate what the funds will be used for)

See attached sheet

STATISTICS ON SERVICE LEVELS PROVIDED TO THE CITY OF COLLEYVILLE:

<u>20,000</u>	# of Colleyville Residents Served from October 1, 2011 through September 30, 2012
<u>441 volunteers</u>	
<u>1,483 volunteer hours</u>	# of Total Clients Served from October 1, 2011 through September 30, 2012
<u>100%</u>	% of Total Services Provided to Colleyville Residents

CERTIFICATION

SIGNATURE:

Brenda Ritz

By signing this document, I certify that I am an authorized representative of the organization applying for funding from the City of Colleyville and that all information and attachments provided are accurate and complete.

Nancy Coplen

From:
Sent: Thursday, May 02, 2013 4:05 PM
To:
Subject: Form 990-N E-filing Receipt - IRS Status: Accepted

Organization: KEEP COLLEYVILLE BEAUTIFUL INC
EIN: 59-3828664
Submission Type: Form 990-N
Year: 2012
Submission ID: 7800582013122e18664
e-File Postmark: 5/2/2013 4:58:39 PM
Accepted Date: 5/2/2013

The IRS has accepted the e-Postcard described above. Please save this receipt for your records.

Thank you for filing.

e-Postcard technical support
Phone: 866-255-0654 (toll free)
email: ePostcard@urban.org

KEEP COLLEYVILLE BEAUTIFUL INC
6700 Colleyville Blvd
Colleyville, TX 76034

59-3828664

Form 202
(revised 6/81)

This space reserved for office use.

FILED
In the Office of the
Secretary of State of Texas

DEC 15 2005

Corporations Section

Return in Duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
FAX: 512/463-5709ARTICLES OF
INCORPORATION
Pursuant to Article 3.02
Texas Non-Profit
Corporation Act

Filing Fee: \$25

The corporation formed is a non-profit corporation. The name of the corporation is as set forth below:

Keep Colleyville Beautiful, Inc.

The name must not be the same as, deceptively similar to or similar to that of an existing corporate, limited liability company, or limited partnership name on file with the secretary of state. A preliminary check for "name availability" is recommended.

☐ A. The initial registered agent is a corporation (cannot be corporation named above) by the name of:

OR

☒ B. The initial registered agent is an individual resident of the state whose name is set forth below.

First Name Roger M.I. H. Last Name Nelson Suffix

C. The business address of the registered agent and the registered office address is:

Street Address 6700 Colleyville Blvd. City Colleyville TX Zip Code 76034

A. ☐ Management of the affairs of the corporation is to be vested in the members of the corporation.

OR

B. ☒ Management of the affairs of the corporation is to be vested in its board of directors. The number of directors, which must be a minimum of three, that constitutes the initial board of directors and the names and addresses of the persons who are to serve as directors until the first annual meeting or until their successors are elected and qualified are set forth below:

Director 1: First Name RET M.I. Last Name STANSBERGER Suffix

Street Address 6700 Colleyville Blvd. City Colleyville State TX Zip Code 76034

Director 2: First Name ROGER M.I. H. Last Name NELSON Suffix

Street Address 6700 Colleyville Blvd. City Colleyville State TX Zip Code 76034

Director 3: First Name Mabelyn M.I. Last Name GILBERT Suffix

Street Address 6700 Colleyville Blvd. City Colleyville State TX Zip Code 76034

RECEIVED

DEC 15 2005

Secretary of State

Article 4 - Organizational Structure

(You must select either A or B below.)

☒ A: The corporation will have members. ☐ B: The corporation will not have members.

Article 5 - Duration

The period of duration is perpetual.

Article 6 - Purpose

The corporation is organized for the following purpose or purposes:

SEE ATTACHED PAGE - "PURPOSE OF CORPORATION"

Supplemental Provisions Information

Text Area

[The attached addendum are incorporated herein by reference.]

Incorporator

The name and address of the incorporator is set forth below.

Name ROGER H. NELSON

Street Address	City	State	Zip Code
6700 Colleyville Blvd.	Colleyville	TX	76034

Effectiveness of Filing

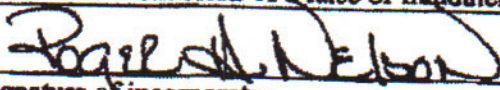
☒ This document will become effective when the document is filed by the secretary of state.

OR

☐ This document will become effective at a later date, which is not more than ninety (90) days from the date of its filing by the secretary of state. The delayed effective date is

Execution

The undersigned incorporator signs these articles of incorporation subject to the penalties imposed by law for the submission of a false or fraudulent document.


Signature of incorporator

Purpose of Corporation.

The corporation is organized for charitable and civic purposes under the Texas Non-Profit Corporation Act, and particularly to empower individuals to act responsibly for the preserving and enhancing the natural beauty and environment of Colleyville, Tarrant County, Texas, as follows:

- (1) To unite and support Colleyville in the understanding, research, preservation, restoration, promotion, appreciation, care and use of Colleyville's natural resources.
- (2) To promote environmental stewardship through appropriate education, marketing, and demonstrating of accepted best practices for natural resource conversation.
- (3) To demonstrate the importance of Colleyville's physical amenities to local citizens and visitors, both present and future.
- (4) To enhance, preserve, restore, and maintain the beauty, both natural and manmade, located within the confines of the City of Colleyville.
- (5) To maintain educational conservation and beautification programs with Colleyville schools.
- (6) To conduct events that promotes the conservation and restoration of Colleyville's beauty.
- (7) The Corporation is organized exclusively for educational purposes within the meaning of Section 501(c) (3).
- (8) To promote the programs of Keep America Beautiful, Inc. to prevent litter, beautify communities and reduce solid waste.

BYLAWS OF **KEEP COLLEYVILLE BEAUTIFUL**

ARTICLE I – NAME

The Name of the organization shall be Keep Colleyville Beautiful, Inc. with its principal place of business at 6700 Colleyville Blvd, Colleyville, TX 76034.

ARTICLE II – PURPOSE

The purpose of the organization shall be educational to promote the Keep America Beautiful and Keep Texas Beautiful program of litter prevention, beautification and community improvement and minimization of the impact of solid waste in Colleyville, TX.

ARTICLE III – MEMBERSHIP

- Section 1. Membership: There shall be one class of membership in Keep Colleyville Beautiful Inc.
- Section 2. Meetings: Membership meetings shall be held annually during the 4th week of January at a time and place to be designated by the Board.
- Section 3. Election: The nominating committee shall present a slate for membership by the January board meeting for approval by a majority vote.

ARTICLE IV – BOARD

- Section 1. The governing body of Keep Colleyville Beautiful Inc. shall be vested in the Board of Directors. The number not to exceed 30 or less than 7 members. The Board shall be responsible for the management of its affairs and the direction of its work and control. The Board shall have full power and authority to promote the objectives for which the Keep Colleyville Beautiful, Inc. is organized.
- Section 2. Rules: The Board shall enact such rules and regulations as may be deemed necessary to conduct business of Keep Colleyville Beautiful, Inc. so long as they are not inconsistent with these Bylaws.
- Section 3. Meetings. The Board shall meet monthly. Special meetings of the Board may be called by the Chairman. Five Board members shall constitute a quorum.
- Section 4. Notice of Meetings: Notice of the monthly meetings of the Board or Executive Committee meetings shall be provided to the members at least 5 days prior to the meeting.
- Section 5. Committee Action: Except for the Executive Committee as set out below the Board shall pass upon all actions of all committees.

Section 6. Election: The Board members shall be nominated by the Nominating Committee and elected by a majority vote at the first meeting of the Board of the year. The Board shall have power to fill all vacancies on the Board for an un-expired term of office at time the vacancy occurs.

Section 7. Term of Office: Elected Board Members shall serve for a term of two years. Each Board member may serve for 3 terms.

ARTICLE V – OFFICERS

Section 1. Term of Office: The Chairman, Vice Chairman, Secretary, and Treasurer shall be elected from the existing Board for a term of one year beginning on January 31st of each year and ending on January 30th of the following year.

Section 2. Chairman: The Chairman shall preside at all meetings of the Board. The Chairman shall perform all duties incidental to the office and advise such action as may be deemed likely to increase the objectives of the Board.

Section 3. Vice Chairman: The Vice Chairman shall act in the absence of the Chairman; and in the absence of disability of the officers named, a member of the Board shall be chosen to act temporarily.

Section 4. Secretary: The Secretary shall keep the records, the minutes of the meeting, a roll of the attendance; shall notify officers, and committee chairperson of meeting time and place, shall send out proper notices of all call meetings, and of other meetings when necessary.

Section 5: Treasurer: The Treasurer shall authorize the paying of monies on such approvals and signatures as the Board may determine; shall be responsible for the maintenance of adequate books of account; shall present periodic financial statements of receipts and expenditures; for the year accompanied by a balance sheet and an income and expense statement audited by an independent public accountant.

ARTICLE VI – COMMITTEES

Section 1. Executive Committee: The Executive Committee shall have the power of the Board between meetings of the Board, except, that it may not modify any action taken by the Board. It shall be composed of the officers and the standing sub-committee chairpersons of Keep Colleyville Beautiful, Inc. at the time of their election and/or appointment. The Executive Committee shall meet between meetings of the Board at a time and place to be determined by the Committee. One-third of all members of the Executive Committee present in person shall constitute a quorum. Other meetings may be called by the Chairman or upon petition of one-third of the members of the Executive Committee.

Section 2. Nominating Committee: The Nominating Committee shall consist of 3 members appointed by the Chairman. The Nominating Committee shall be appointed by the November Board meeting and will present its slate of members at the January Board meeting for election.

Section 3. Standing Committees: All actions by standing committees that commit the organization to an action must be approved by the Board of Directors. This approval may be granted by specific funding in the budget or by presentation and approval by the Board. The following standing sub-committees shall operate under Keep Colleyville Beautiful, Inc.:

- A. Education Committee: Appointed by the Chairman of the Board.
- B. Beautification Committee: Appointed by the Chairman of the Board.
- C. Clean Sweep Committee: Appointed by the Chairman of the Board.
- D. Model Neighborhood Committee: Appointed by the Chairman of the Board.
- E. Illegal Dumping & Enforcement Committee: Appointed by the Chairman of the Board.
- F. Publicity Committee: Appointed by the Chairman of the Board.
- G. Recycling and Solid Waste Management Committee: Appointed by the Chairman of the Board.
- H. Adopt-a-Spot Committee: Appointed by the Chairman of the Board.

Section 4: Other Committees: The Board may establish a temporary committee if needed.

Section 5. Committee Chairs: Each committee shall select a Chair or a Vice Chairman. The names shall be submitted to the Board for confirmation.

Section 6: Committee Members: Committee members shall be recruited by the Board. Membership on committees is open to all interested. A list of committee members shall be provided to the Board.

ARTICLE VII – AMENDMENTS

The Board may amend these bylaws either by mail ballot or at any meeting of the Board at which a quorum is present, provided that the proposed amendment is inserted in the notices of such meeting.

ARTICLE VIII – PARLIAMENTARY AUTHORITY

Any rules of parliamentary procedure not covered by these Bylaws shall be governed by the latest edition of “Robert’s Rules of Order.”

ARTICLE IX – DISSOLUTION

In the event of dissolution, the residual of Keep Colleyville Beautiful, Inc. will be turned over to one or more organizations which themselves are exempt as organizations in Section 501(c) (3) and 170(c) (2) of the Internal Revenue Code of 1954 or corresponding section of any prior or future law, or to the Federal, State, or local government for exclusive public purpose related to litter prevention, beautification and the community improvement or the minimization of solid waste occurs.

Keep Colleyville Beautiful- Annual Report

October 1, 2011- September 30, 2012

Fall 2011- Organized Clean Sweep with the city of Colleyville. There were a little over 100 volunteers at the fall event.

Fall 2011- Two grants were given to youth for the improvement at their schools.

Winter 2012- Litter Index was completed for survey completion with Keep America Beautiful (KAB).

Spring 2012- Organized Clean Sweep with the City of Colleyville. There were over 200 volunteers at the spring event.

Spring and Summer 2012- completed KAB and Keep Texas Beautiful (KTB) webinars and required surveys for 'good standing' status for the city of Colleyville.

Statistics on Services provided to the City of Colleyville

- 20,000 residents served thru various opportunities, i.e. trash pickup. Road signs, flyers
- 441 volunteers participated in events for 1,483 volunteer hours valued at \$30,896.
- 100% of total services provided to Colleyville residents.

Attachment:

Keep Colleyville Beautiful- Services Provided

Requested funds would be used for the following during FY 2014:

1. Adopt-A-Street and Adopt-A-Park Coordination: KCB provides assistance to the city seeking out individuals or groups that may be interested in participation. This will help maintain full coverage for the assigned streets and parks in Colleyville.
 - a. They will continue to do the annual litter index of these streets as required to maintain good standing by KAB.
 - b. KCB also intends to annually recognize those individuals and groups that provide this service. (\$100.00)
2. Keep America Beautiful and Keep Texas Beautiful: KBC completes the necessary reports (such as the litter index) and requirements to maintain membership in good standing with KAB and KTB. Affiliation with these larger organizations provides access to resources, ideas, and information used by other communities. KCB members attend online seminars and/or conferences to keep current on recycling trends and successful programs that could then be implemented in Colleyville.
 - a. Annual required fees for KTB (\$100.00)
 - b. Annual required fees for KAB (\$150.00)
 - c. Cost for conferences/seminars (\$750.00)
3. Clean Sweep: Beginning in FY 2014, KCB will provide volunteers for the Clean Sweep event at Colleyville Heritage High School, as well as support with promoting the event. In past years, KCB has hosted a concurrent city-wide litter pick-up event as a part of Clean Sweep, but the goals of the litter pick-up are typically already accomplished through the Adopt-A-Street and Adopt-A-Park programs. As such, attendance in recent years has been low and there has not been much litter to pick up. KCB believes that focusing on supporting and enhancing the Clean Sweep event at CHHS, which offers bulk trash disposal, household hazardous waste drop off, document shredding, and electronics recycling is a better use of resources.
 - a. Volunteers to work the Clean Sweep event, supply water, coffee, donuts, etc. (\$200.00)
 - b. Promotional t-shirt designed by high school student and purchase of t-shirts (\$1,200.00) for award and purchase of t-shirts.
 - c. Production of 13 new Clean Sweep banners promoting the event at Colleyville Heritage High School, to be displayed along major thoroughfares (\$3,000.00)

4. Community outreach: KCB members will promote recycling, community beautification, and work to educate the community on these issues by participating in numerous outreach opportunities. These opportunities may include a booth at the City's Night Out event, providing presentations and speaking at gatherings of local groups such as clubs, schools, or churches, and providing education materials, particularly to new residents by building relationships with local realtors and HOAs.
 - a. Production of KCB banner to use at promotional and education events(\$140.00)
 - b. Production and printing of new KCB brochure, providing information and resources on recycling opportunities available and what is and is not recyclable (\$250.00)
 - c. Becoming members of the Colleyville Chamber of Commerce (\$150.00)
5. Grants dedicated to those interested in reducing solid waste in the city of Colleyville. Schools, Boy and Girls Scouts have routinely requested grants that within the KCB objectives.
 - a. A moderate fund is available each year for distribution to one or more worthy grants. (\$600.00)

2014 Budget

Adopt-A-Street and Adopt-A-Park	\$100.00
Affiliation Annual Dues and KCB education	\$1,000.00
Clean Sweep	\$4,400.00
Community Outreach	\$540.00
Grants	<u>\$600.00</u>
TOTAL	\$6,640.00

KEEP COLLEYVILLE BEAUTIFUL ADOPT-A-STREET

	RENEWAL DATE	APPLICATION DATE	ORIGINAL DATE	STREET	FROM-TO	CONTACT	SIGNS	
							#	TYPE
1	10/19/2013	10/19/2005	2001	PRECINCT LINE	L.D. Lockett Road to McDonnell School Road	Unique Landscaping	2	NEW
2	10/3/2013	10/3/2005	2001	WESTCOAT	McDonnell School Road to John McCain Road	Dennis Carpenter CFP	2	NEW
3	1/26/2015	1/26/2009	2009	BOGART DRIVE	Pleasant Run Road to Colleyville Boulevard	John Gooding Family	2	NEW
4	12/12/2013	12/12/2005	1995	BRANSFORD	Highway 26 to L.D. Lockett Road	Colleyville Lions Club	2	NEW
5	12/10/2013	12/10/2012	2012	GLADE ROAD	Highway 26 to Bluebonnet Drive	Paul & Lisa Pardo	2	NEW
6	12/7/2013	12/7/2012	2012	CENTER PARK/GLADE CRK	Highway 26 to Bedford Road	The Doody Family	2	NEW
7	8/17/2014	8/9/2012	2008	BROWN TRAIL	Highway 26 to Cheek-Sparger Road	The Bailey Family	2	NEW
8	11/1/2013	11/1/2005	2001	MONTCLAIR	Hall Johnson Road to Glade Road	The Wilbanks Family	2	NEW
9	3/30/2015	3/4/2009	2009	WESTCOAT DRIVE	White Drive to LD Lockett Road	Moschel and Barry Families	2	New
10	10/3/2013	10/3/2005	1995	BEDFORD	Glade Road to Cheek-Sparger Road	The Roger H. Nelson Family	2	NEW
11	10/25/2013	10/25/2005	1998	CHEEK SPARGER	Highway 26 to Brown Trail	Woodbriar H.O.A.	2	NEW
12	10/7/2013	10/7/2005	2002	CHEEK SPARGER	Jackson Road to Heritage Avenue	Frank Aswad of Edward Jones	2	NEW
13	10/17/2013	10/17/2005	2001	GLADE ROAD	Pool Road to Bluebonnet Drive	Boy Scout Troop 28-First United Methodist Church	2	NEW
14	5/16/2015	5/16/2013	2013	BLUEBONNET DRIVE	Glade Road to Riverwalk Drive	Chuck and Jan Mogged	2	NEW
15	10/5/2013	10/5/2005	2002	HERITAGE	Gateway Drive	Steve Bryant, Edward Jones Investments	1	OLD
15	10/5/2013	10/5/2005	2002	HERITAGE	Glade Road to Gateway Drive	Steve Bryant, Edward Jones Investments	1	OLD
16	10/5/2013	10/5/2005	2002	PLEASANT RUN	Highway 26 to Bogart Drive	Clarke Divorce Financial Consultants	2	NEW
17	10/3/2013	10/3/2005	2004	PLEASANT RUN	Bogart Drive to Soccer Complex Entrance	Congregation Beth Israel	2	NEW
18				BROADOAK/LONGWOOD	Highway 26 to Meade Drive		2	OLD
19	12/4/2014	6/4/2010	2010	OAK KNOLL	Jackson Road to end of Street	Anderson and Schollmeyer	2	NEW
20	2/2/2014	2/2/2006	2006	CHEEK SPARGER	Brown Trail to Central Drive	Mayor David and Debbie Kelly	2	NEW
21	3/18/2015	3/18/2013	2013	HALL JOHNSON	Highway 26 to Pool Road	Nelson and Jamie Thibodeaux	2	NEW
22	5/5/2014	5/5/2006	2006	TINKER ROAD	Highway 26 to Pleasant Run Road	Gary and Cynthia Singleton	2	NEW
23	5/5/2014	5/11/2006	2006	SHELTON DRIVE	Shelton Drive	James and Catherine Day	2	NEW
24	5/9/2014	5/9/2006	2006	L.D. LOCKETT ROAD	Bettinger Drive to Pleasant Run Road	Steven J. Way Custom Homes	2	NEW
25	11/8/2013	11/8/2006	2006	L.D. LOCKETT ROAD	Bettinger Drive to Precinct Line Road	Ronald and Sharon Couch	2	NEW
26	2/7/2015	2/7/2013	2013	POOL ROAD	Glade Road to Hall Johnson Road	David Martin & Sons Roofing	2	NEW
27	8/6/2013	8/16/2007	2007	RIVERWALK/CHURCH	Hall Johnson Road to Glade Road	Market Street	4	NEW
28	4/15/2014	04/15/2010	2010	JOHN MCCAIN RD (26)	John McCain Road to Pleasant Run Road	Moir Brunken	2	NEW
29	4/1/2014	4/1/2010	2010	MCDONWELL ROAD	McDonnell School Road	Mormon Youth	2	NEW
30	11/28/2013	11/28/2007	2007	GLADE ROAD	Jackson Road to Heritage Avenue	John and Charna Gray	2	NEW
31	4/3/2015	4/3/2013	2013	GLADE ROAD	SH26 to City Limit	Walmart Neighborhood Market	2	NEW
32	3/9/2013	3/9/2009	2009	PLEASANT RUN	Big Bear Creek to Colleyville Soccer Complex	Metroport Teen Court	2	NEW
33				HERITAGE ROAD	Glade Road to Cheek-Sparger Road		2	NEW
34	8/22/2015	8/22/2011	2011	ROBERTS ROAD	Glade Road to Birch Court	Glenn Campbell	2	NEW
35	6/24/2015	6/24/2013	2013	JACKSON ROAD	Glade Road to Cheek-Sparger Road	Colleyville Leo Club	2	NEW

KEEP COLLEYVILLE BEAUTIFUL ADOPT-A-PARK

PARK	CONTACT	RENEWAL	APPLICATION		SIGNS
			DATE	#	
Colleyville Nature Center	Boy Scout Troop 28	11/17/2013	11/7/2005		
City Park	Moirra Brunken	5/10/2015	9/6/2006	2	NEW
Sparger Park	Mary Alice & Ed Stam	4/10/2014	4/10/2012		NEW
McPherson Park	The Waggoner Family	12/18/2013	12/18/2007	2	NEW
Pleasant Run Practice and Game Fields	Crown of Life	2/23/2014	2/23/2010	2	NEW
Cottonbelt Trail (Bettinger to Pleasant Run)	Cormier Family	4/15/2014	4/15/2010	2	NEW



Colleyville residents participating in Clean Sweep

Who are members of KCB?

Any Colleyville resident can join KCB. Meeting every fourth Thursday of the month. The 'stakeholders' who have an executive director position on the board are:

Chairman Vice Chairman
Exec. Sec/Treasurer
City Manager
City Council
Progressive Waste Solutions
Garden Club
Eagle Scouts/Boy Scouts
Chamber
Lions Club
Rotary Club
Women's Club
Historical Society
Girl Scouts
GCISD/PTA
National Charity League
Realtors Association
KCB Committee Chairs (8 Committees)

For more information email:

keepcolleyvillebeautiful@gmail.com

- template to help you get started.

Recycling Guidelines for Colleyville Residents

Basic information

All containers must be left at curbside no later than 7:00 a.m. on pick-up day.

Recyclables should not be placed at curbside more than twenty-four (24) hours prior to pick-up day.

Additional recycle bins are available to residents for an additional \$3 per month and may be ordered by calling 817-503-1111.

To report a missed recycling pickup on your street, you may call Progressive at 817-222-2221..

Other questions or concerns can be directed to the City of Colleyville at 817-503-1112.

Colleyville Residential Participation

593 average pounds per home per year

Based on from July 2012 through June 2013

Average is based on all homes in Colleyville not just those that participate in recycling.

FY 2011- 9.12 pounds per home, per collection

FY 2012- 12.08 pounds per home, per collection

FY 2013 (YTD) – 11.64 pounds per home, per collection



Keep Colleyville Beautiful

The Purpose of KCB is to educate residents in litter prevention, beautification, community improvement & minimized impact of solid waste in the city of Colleyville.



What can go in the recycling bin?

Paper - Paper clips and staples are OK.

- Advertising circulars
- Carbonless paper
- Cardboard – cereal boxes (liners removed), soda and beer carry cartons, pizza boxes, dry goods packaging, corrugated cardboard, paper towel and toilet paper cores. Large boxes must be broken down or cut to fit inside the bin.
- Catalogs
- Envelopes – with or without windows
- Junk mail
- Magazines
- Newspapers – all sections
- Office paper – file folders, letterhead, sticky notes, printer paper, calendars, school papers
- Paperback books
- Paper bags
- Phone books

Metals - Please rinse. Labels can be left on.

- Aluminum drink cans – do not flatten
- Aluminum baking tins – clean
- Steel or tin food cans and lids
- Empty aerosol cans – with spray nozzle; remove plastic lid unless part of the can
- Steel paint cans – must be empty and dry; a thin skin of dry paint and sides is OK; remove lid and recycle

Glass and Ceramics Please rinse. Labels can be left on. All colors accepted.

- Bottles and jars
- Dishes
- Windowpanes – no auto glass

Plastics - Please rinse. All colors accepted.

- Windowpanes – no auto glass
- Plastics - Please rinse. All colors accepted.
- Plastic items with #1 through #5 recycling symbols on bottom of container such as bottles, cups and jars
 - NEW: Mixed rigid plastics with recycling symbol #7 on bottom of container- plastic tubs, containers and buckets, plastic toys without batteries
 - Plastic eating utensils

“Electronic waste was non-existent three decades ago. It’s not your 70’s garbage in the 21st century! ”

Where to take your Household Hazardous Waste?

The City of Colleyville has contracted with the City of Fort Worth’s Environmental Collections Center (ECC) since 1997. Residents may dispose of their household hazardous waste by dropping off their items at the ECC throughout the year or at the mobile event held here in Colleyville each spring, known as Clean Sweep. More info at the Garbage and Recycling page of the City’s website. Colleyville pays \$47 per household for each visit to the ECC or drop off at the mobile event. 80% of the cities in Tarrant County participate in Fort Worth’s HHW program.

Address:

6400 Bridget Street in Fort Worth (820 and 30).

Have company-branded colors or fonts?



What can you take to ECC (hazardous waste)?

What’s Accepted?

Acids, aerosol cans, antifreeze, batteries (all kinds, including car batteries), brake fluid, cooking oil, craft chemicals, degreasers, drain cleaner, fertilizer, fluorescent light bulbs, compact fluorescent light bulbs (CFLs), herbicides, household chemicals, motor oil, paints & stains, paint thinners, pest strips, pesticides, pharmaceuticals, photo chemicals, pool chemicals, oil filters, solvents, transmission fluid, and varnish.

What’s NOT Accepted?

Ammunition, asbestos, building materials, butane cylinders, electronics, explosives, medical waste, PCBs, propane cylinders, radioactive material, smoke detectors, tires, refrigerators, freezers, and TV’s.

Where to take all of those ‘old’ electronics?

One location is Innovative Electronics Recycling. Their info is at <http://www.ierecycling.com/>. There are many other companies in the DFW area that offer this recycling service.



City of Colleyville City Council Agenda Briefing

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

Agenda Number PC-3

Agenda Date 11/05/2013

Type Pre Council

Department City Secretary

Title

Discussion of the distribution of agenda packets for public meetings

Explanation

At the request of Mayor Pro Tem Mike Taylor, this item is provided for discussion.

Currently, staff prepares and distributes City Council meeting agenda packets as PDF documents that are emailed to the City Council. Staff also prepares two black and white hard copies of each City Council packet, as well as an FTP link for the meeting agenda packets, which directs users directly to the document via a link.

The following is an example of a FTP link:

<ftp://publicdocs.colleyville.com/2013-10-02%20City%20Council%20Agenda%20Packet.pdf>

For Planning and Zoning Commission meetings, staff prepares and distributes color hard copies of the meeting agenda packets directly to Commissioners. A PDF version of the packet is also emailed to the Commissioners and City Council.

For the Zoning Board of Adjustment/Sign Board of Appeals, staff prepares and distributes the meeting agenda packets as PDF documents that are emailed to the Boards and City Council. At the request of Board members, black and white hard copies of the packet are provided at the meeting.

Staff seeks direction on the City Council's preference for agenda packet distribution.

Attachments



City of Colleyville City Council Agenda Briefing

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

Agenda Number PC-4

Agenda Date 11/05/2013

Type Resolution

Department City Manager

Title

Update of Utility Rate Study

Explanation

Annually, staff updates the Utility Rate Study to include changes in consumption patterns, incorporation of Trinity River Authority (TRA) rate increases, and the rate effect of future infrastructure renewal needs. TRA is the sole provider of the City's treated water and sewer. As a part of the FY 2014 budget discussion, staff informed the City Council a rate increase would be necessary in the event TRA's FY 2014 rates were greater than those in the City's current rate structure.

The major cost component of the Utility Fund is the treated water and sewer purchased from TRA, which comprises 68 percent of the FY 2014 Utility Fund budget. Currently, TRA charges the City \$2.53 for treated water and \$1.82 for treated sewer for each 1,000 gallons. Over the next five years, TRA projects the cost for treated water to increase to \$3.26 per 1,000 gallons and the cost for treated sewer to increase to \$2.91 per 1,000 gallons, an increase of \$0.76 and \$1.09, respectively over current rates. Per TRA, these increases are projected to cover forecasted increased costs for the purchase of raw water, chemicals, and debt service for future proposed debt issuances to fund federal environmental mandates and replacement of aging infrastructure.

TRA's FY 2014 budget will go into effect on December 1, 2013. The adopted FY 2014 TRA rate per 1,000 gallons for treated water is \$2.64 and the rate per 1,000 gallons for treated sewer is \$2.20. This is an increase of \$0.11 and \$0.38, respectively, over the FY 2013 rates of \$2.53 for water and \$1.82 for sewer. The FY 2013 TRA rates are those upon which the City's current water and sewer rate structure is based.

Exhibit "A" is a five year projection of Utility Fund expenses and coverage ratios for FY 2014-2018, under the current rate structure. Due to current and future TRA rate increases, the current water and sewer rates do not provide the required debt coverage ratio of 1.20 or provide any funding for infrastructure replacement in the recently approved Capital Improvement Plan for FY 2014 - 2018. For FY 2014, the projected debt coverage ratio is 0.73 with current water and sewer rates, and does not meet the 1.20 coverage ratio required by utility bond covenants. When the coverage ratio is not met, the rating agencies can downgrade ratings on existing bonds and future bonds cannot be sold until the coverage ratio is met. In order to meet the required debt coverage ratio and provide funding for infrastructure replacement in the approved Capital Improvement Plan, a pass through water rate adjustment of \$0.11

per 1,000 and a sewer rate adjustment of \$0.38 per 1,000 is necessary for FY 2014.

Exhibit "B" is a five year projection of Utility Fund expenses and coverage ratio for FY 2014-2018 under the proposed rate structure that includes the TRA pass through rate increases. The FY 2014 water rate adjustment of \$0.11 replicates the TRA increase, as does the \$0.38 sewer rate increase. This exhibit also displays the year-to-year projected rate increase and the cumulative projected rate increase from the FY 2013 rates. It also displays the projected amount that would be available to fund future infrastructure renewals.

For FY 2014, the cities of Bedford, Euless, Grapevine, Hurst, and North Richland Hills have increased their water and sewer rates (reflected in the attached). Per the attached Water and Sewer Rate Comparison of surrounding cities, Colleyville citizens would pay on average \$7.05 less than the surrounding cities for 15,000 gallons of water under this proposed TRA pass through rate increase. For 10,000 gallons of sewer, Colleyville citizens would pay on average \$7.28 less than the surrounding cities under the proposed TRA pass through rate increase. The proposed monthly increase in the combined bill for 15,000 gallons of water and 10,000 gallons of sewer would be \$5.45.

The current rates per tier of water usage are as follows:

2,001-20,000 gallons	- \$3.74
20,001-30,000 gallons	- \$4.30
30,001-40,000 gallons	- \$4.86
40,001-50,000 gallons	- \$5.42
over 50,000 gallons	- \$5.98

Incorporating the pass through of the TRA water rate increase, the proposed rates would be as follows:

2,001-20,000 gallons	- \$3.85
20,001-30,000 gallons	- \$4.41
30,001-40,000 gallons	- \$4.97
40,001-50,000 gallons	- \$5.53
over 50,000 gallons	- \$6.09

As was proposed with the adoption of the tiered water rate structure, revenue received in the Utility Fund in excess of coverage ratio requirements would be reserved for future infrastructure replacement as included in the adopted Capital Improvements Plan.

Ordinance O-89-741, and its subsequent update through Ordinance O-11-1788, allows the direct pass through of increases for treated water and sewer by TRA to be adopted by resolution. If directed by City Council, there will be a resolution on the November 19, 2013 City Council agenda proposing the TRA pass through water rate increase of

\$0.11 on each of the individual water rate tiers and the sewer rate increase of \$0.38, to be effective December 1, 2013 for the utility bills to be received in January 2014.

Attachments

1. Utility Rate Study update presentation
2. FY 2014 - 2018 utility plan - no pass through of TRA rate increase - Exhibit A
3. FY 2014 - 2018 utility plan - pass through of TRA rate increase - Exhibit B
4. FY 2014 rate comparison of surrounding cities



Utility Rate Study Update

City Council Pre Council
November 5, 2013

Current Tiered Water Rates

(effective December 1, 2012)

Current rate per 1,000 gallons - \$3.74

First 2,000 gallons of usage continues to be included in the minimum bill

Differential of lowest to highest rate – **60 %**

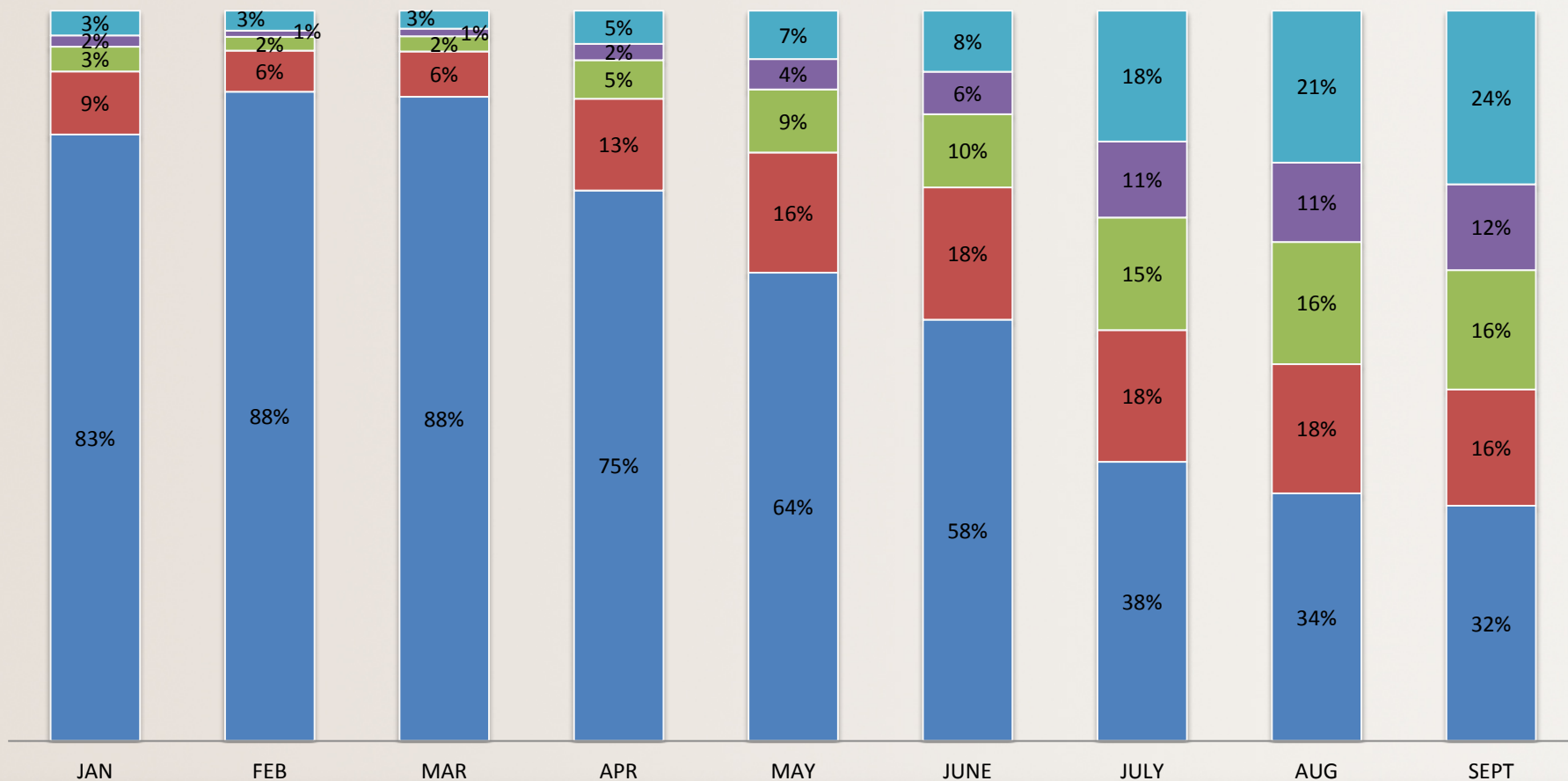
10,000 gallons between tiers beginning at **20,000 gallons**

Tiered rate break points (15% increase between tiers):	
2,000 – 20,000 gallons	\$3.74
20,001 – 30,000 gallons	\$4.30
30,001 – 40,000 gallons	\$4.86
40,001 – 50,000 gallons	\$5.42
Over 50,000 gallons	\$5.98

Water usage by gallon tiers

January - September 2013

■ 0-20,000 ■ 20,001-30,000 ■ 30,001-40,000 ■ 40,001-50,000 ■ Over 50,000



Customer Water Use - % by Tiers - Winter

Water Usage	January 2013	January 2012	March 2013	March 2012
0-20,000	83%	90%	88%	83%
20,001-30,000	9%	4%	6%	9%
30,001-40,000	3%	2%	2%	4%
40,001-50,000	2%	1%	1%	1%
Over 50,000	3%	3%	3%	3%

Customer water use - % by tiers

summer 2013 versus summer 2011

Water Usage	August 2013 98.3° / 1.32"	August 2011 104.3° / .96"		September 2013 94.8° / 3.13"	September 2011 92.5° / .66"
0-20,000	34%	24%		32%	36%
20,001-30,000	18%	10%		16%	18%
30,001-40,000	16%	12%		16%	15%
40,001-50,000	11%	12%		12%	10%
Over 50,000-	21%	42%		24%	21%

August Customer Water Use - % by Tiers

Water Usage	August 2013 98.3° / 1.32"	August 2012 97.5° / 3.19"	August 2011 104.3° / .96"	August 2010 94.8° / 3.13"	August 2009 95.6° / 1.64"
0-20,000	34%	25%	24%	32%	35%
20,001-30,000	18%	13%	10%	16%	16%
30,001-40,000	16%	14%	12%	15%	15%
40,001-50,000	11%	12%	12%	11%	11%
Over 50,001-	21%	36%	42%	26%	23%

Trinity River Authority's Five Year Projection of Water and Wastewater Rates per 1,000 gallons

Fiscal Year	Projected Water Rate	Increase from FY 2013		Projected Wastewater Rate	Increase from FY 2013
2013	\$2.53			\$1.82	
2014	\$2.64	\$.11		\$2.20	\$.38
2015	\$2.78	\$.14		\$2.45	\$.25
2016	\$2.98	\$.20		\$2.61	\$.16
2017	\$3.14	\$.16		\$2.76	\$.15
2018	\$3.26	\$.12		\$2.91	\$.15

- FY 2014 – 2018 wastewater rate increases are to repay \$408M in debt to be issued for treatment plant rehabilitation and plant/collection system improvements / water rate increases are for increases in raw water cost and \$28M in debt to be issued for plant reliability and distribution improvements

Tiered Water Rates – with TRA pass through rate increase

(effective December 1, 2013)

Base rate per 1,000 gallons - \$3.85

First 2,000 gallons of usage continues to be included in the
minimum bill

Tiered rate break points
(15% increase between tiers):

2,000 – 20,000 gallons	\$3.85
20,001 – 30,000 gallons	\$4.41
30,001 – 40,000 gallons	\$4.97
40,001 – 50,000 gallons	\$5.53
Over 50,000 gallons	\$6.09

Effect of TRA pass through rate increase

- Rates would be effective December 1, 2013 for bills received by customer in January 2014
- \$0.11 water rate increase per 1,000 gallons:
 - Average winter usage 10,000 gallons - \$1.10 monthly
 - Summer usage 30,000 gallons - \$3.30 monthly
- \$0.38 wastewater rate increase per 1,000 gallons:
 - Average residential sewer usage 10,000 gallons
 - \$3.80 monthly
 - Remains constant monthly due to winter average of residential sewer rate

Questions?

FIVE YEAR PROJECTION OF UTILITY FUND EXPENSES/COVERAGE FY 2014 - FY 2018
TIERED WATER RATES AND NO PASS THROUGH OF TRA RATE INCREASES

EXHIBIT A

ASSUMPTIONS: 70 NEW WATER/SEWER CUSTOMERS ANNUALLY

4.5% WATER REDUCTION BEGINNING IN FY 2014/ NO ADDITIONAL REDUCTION IN FY 2015 AND 2016

MINIMUM RATE \$3.74 - MAXIMUM RATE OVER 50,000 GALLONS - \$5.98 (60% DIFFERENTIAL BETWEEN MINIMUM AND MAXIMUM RATES)

FISCAL YEAR	2013	2014	2015	2016	2017	2018
AVERAGE ANNUAL WATER CUSTOMERS	9,325	9,395	9,465	9,535	9,605	9,675
AVERAGE MONTHLY USAGE	21,168	21,168	21,168	21,168	21,168	21,168
AMOUNT DERIVED FROM MINIMUM BILL	\$1,403,692	\$1,411,505	\$1,422,022	\$1,432,538	\$1,443,055	\$1,453,572
AMOUNT DERIVED FROM VOLUME CHARGE	\$9,280,214	\$8,929,074	\$8,996,042	\$9,063,512	\$9,131,489	\$9,199,975
AVERAGE ANNUAL SEWER CUSTOMERS	8,675	8,745	8,815	8,885	8,955	9,025
AVERAGE MONTHLY USAGE	10,100	10,100	10,100	10,100	10,100	10,100
AMOUNT DERIVED FROM MINIMUM BILL	\$955,638	\$963,349	\$971,060	\$978,772	\$986,483	\$994,194
AMOUNT DERIVED FROM VOLUME CHARGE	\$2,074,297	\$2,091,034	\$2,107,772	\$2,124,510	\$2,141,248	\$2,157,986
OPERATING REVENUE:						
WATER SALES	\$10,683,906	\$10,340,579	\$10,418,064	\$10,496,051	\$10,574,544	\$10,653,547
CUMULATIVE TRA PASS-THROUGH WATER RATE INCREASE	\$0	\$0	\$0	\$0	\$0	\$0
WATER MINIMUM BILL TRA PASS THROUGH ON 2,000 GALLONS	\$0	\$0	\$0	\$0	\$0	\$0
SEWER CHARGES	\$3,278,271	\$3,054,384	\$3,078,833	\$3,103,282	\$3,127,731	\$3,152,180
CUMULATIVE TRA PASS-THROUGH SEWER RATE INCREASE	\$0	\$0	\$0	\$0	\$0	\$0
SEWER MINIMUM BILL TRA PASS THROUGH ON 2,000 GALLONS	\$0	\$0	\$0	\$0	\$0	\$0
WATER INSTALLATION	\$25,470	\$21,000	\$21,000	\$21,000	\$21,000	\$21,000
SEWER INSTALLATION	\$10,700	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000
ENGINEERING AND DEVELOPMENT	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
PENALTY	\$191,784	\$200,924	\$202,453	\$203,990	\$205,534	\$207,086
SEWER TIE ON REVENUE	\$0	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
MISC REVENUE	\$13,000	\$13,000	\$13,000	\$13,000	\$13,000	\$13,000
TOTAL OPERATING REVENUE	\$14,208,131	\$13,646,887	\$13,750,350	\$13,854,322	\$13,958,809	\$14,063,812
OPERATING EXPENSES:						
SUPPORT	\$878,002	\$1,060,731	\$1,081,946	\$1,103,585	\$1,125,656	\$1,148,169
BILLING	\$349,732	\$386,616	\$394,348	\$402,235	\$410,280	\$418,486
WATER OPERATIONS	\$714,799	\$563,560	\$574,831	\$586,328	\$598,054	\$610,015
WASTEWATER OPERATIONS	\$436,936	\$335,597	\$342,309	\$349,155	\$356,138	\$363,261
TRA WATER	\$6,445,717	\$6,725,775	\$6,778,454	\$7,310,025	\$7,754,639	\$8,130,180
TRA SEWER	\$1,995,708	\$2,375,159	\$2,672,056	\$2,864,625	\$3,058,787	\$3,244,475
OPERATING TRANSFER	\$1,049,222	\$1,037,213	\$1,071,597	\$1,079,752	\$1,087,947	\$1,096,182
TOMORROW FUND REPAYMENT	\$44,286	\$44,286	\$44,286	\$44,286	\$44,286	\$44,286
NON-DEPARTMENTAL	\$0	\$292,868	\$298,725	\$304,700	\$310,794	\$317,010
WATER / WASTEWATER LINE RENEWALS	\$150,233	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000
TOTAL OPERATING EXPENSES	\$12,064,635	\$13,071,805	\$13,508,553	\$14,294,691	\$14,996,582	\$15,622,064
OPERATING INCOME	\$2,143,496	\$575,082	\$241,797	-\$440,368	-\$1,037,773	-\$1,558,252
PLUS NON-OPERATING REVENUE (INT INC)	\$20,300	\$20,300	\$20,300	\$20,300	\$20,300	\$20,300
NET INCOME	\$2,163,796	\$595,382	\$262,097	-\$420,068	-\$1,017,473	-\$1,537,952
2004 REFUNDING SERIES	\$195,723	\$198,673	\$0	\$0	\$0	\$0
2010 REFUNDING BOND ISSUE	\$632,100	\$620,500	\$490,100	\$365,325	\$365,325	\$365,325
ANNUAL DEBT SERVICE	\$827,823	\$819,173	\$490,100	\$365,325	\$365,325	\$365,325
AMOUNT AVAILABLE FOR COVERAGE RATIO	\$2,163,796	\$595,382	\$262,097	-\$420,068	-\$1,017,473	-\$1,537,952
AMOUNT NEEDED FOR COVERAGE RATIO	\$993,388	\$983,008	\$588,120	\$438,390	\$438,390	\$438,390
AMOUNT OVER/(UNDER) DEBT SERVICE AND 1.20 COVERAGE RATIO	\$1,170,408	-\$387,626	-\$326,023	-\$858,458	-\$1,455,863	-\$1,976,342
AMOUNT AVAILABLE FOR CIP/REHAB	\$1,170,408	\$0	\$0	\$0	\$0	\$0
TARGET COVERAGE RATIO	1.20	1.20	1.20	1.20	1.20	1.20
ACTUAL COVERAGE RATIO	2.61	0.73	0.53	(1.15)	(2.79)	(4.21)

PASS THROUGH TRA RATE INCREASES

ANNUAL PASS THROUGH TRA WATER INCREASE - PER 1,000 GALLON	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CUMULATIVE TRA RATE INCREASE FROM CURRENT RATES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
ANNUAL PASS THROUGH TRA SEWER INCREASE - PER 1,000 GALLON	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CUMULATIVE TRA RATE INCREASE FROM CURRENT RATES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

FIVE YEAR PROJECTION OF UTILITY FUND EXPENSES/COVERAGE FY 2014 - FY 2018
TIERED WATER RATES AND PASS THROUGH OF TRA RATE INCREASES

EXHIBIT B

ASSUMPTIONS: 70 NEW WATER/SEWER CUSTOMERS ANNUALLY

4.5% WATER REDUCTION BEGINNING IN FY 2014/ NO ADDITIONAL REDUCTION IN FY 2015 AND 2016

MINIMUM RATE \$3.85 - MAXIMUM RATE OVER 50,000 GALLONS - \$6.09 (60% DIFFERENTIAL BETWEEN MINIMUM AND MAXIMUM RATES)

FISCAL YEAR	2013	2014	2015	2016	2017	2018
AVERAGE ANNUAL WATER CUSTOMERS	9,325	9,395	9,465	9,535	9,605	9,675
AVERAGE MONTHLY USAGE	21,168	21,168	21,168	21,168	21,168	21,168
AMOUNT DERIVED FROM MINIMUM BILL	\$1,403,692	\$1,411,505	\$1,422,022	\$1,432,538	\$1,443,055	\$1,453,572
AMOUNT DERIVED FROM VOLUME CHARGE	\$9,280,214	\$8,929,074	\$8,996,042	\$9,063,512	\$9,131,489	\$9,199,975
AVERAGE ANNUAL SEWER CUSTOMERS	8,675	8,745	8,815	8,885	8,955	9,025
AVERAGE MONTHLY USAGE	10,100	10,100	10,100	10,100	10,100	10,100
AMOUNT DERIVED FROM MINIMUM BILL	\$955,638	\$963,349	\$971,060	\$978,772	\$986,483	\$994,194
AMOUNT DERIVED FROM VOLUME CHARGE	\$2,074,297	\$2,091,034	\$2,107,772	\$2,124,510	\$2,141,248	\$2,157,986
OPERATING REVENUE:						
WATER SALES	\$10,683,906	\$10,340,579	\$10,418,064	\$10,496,051	\$10,574,544	\$10,653,547
CUMULATIVE TRA PASS-THROUGH WATER RATE INCREASE	\$0	\$235,627	\$539,505	\$978,291	\$1,335,863	\$1,610,307
WATER MINIMUM BILL TRA PASS THROUGH ON 2,000 GALLONS	\$0	\$24,803	\$56,790	\$102,978	\$140,617	\$169,506
SEWER CHARGES	\$3,278,271	\$3,054,384	\$3,078,833	\$3,103,282	\$3,127,731	\$3,152,180
CUMULATIVE TRA PASS-THROUGH SEWER RATE INCREASE	\$0	\$319,018	\$533,131	\$673,838	\$808,099	\$944,376
SEWER MINIMUM BILL TRA PASS THROUGH ON 2,000 GALLONS	\$0	\$79,754	\$133,283	\$168,460	\$202,025	\$236,094
WATER INSTALLATION	\$25,470	\$21,000	\$21,000	\$21,000	\$21,000	\$21,000
SEWER INSTALLATION	\$10,700	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000
ENGINEERING AND DEVELOPMENT	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
PENALTY	\$191,784	\$209,244	\$218,543	\$228,772	\$237,694	\$245,406
SEWER TIE ON REVENUE	\$0	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
MISC REVENUE	\$13,000	\$13,000	\$13,000	\$13,000	\$13,000	\$13,000
TOTAL OPERATING REVENUE	\$14,208,131	\$14,314,408	\$15,029,148	\$15,802,671	\$16,477,573	\$17,062,416
OPERATING EXPENSES:						
SUPPORT	\$878,002	\$1,060,731	\$1,081,946	\$1,103,585	\$1,125,656	\$1,148,169
BILLING	\$349,732	\$386,616	\$394,348	\$402,235	\$410,280	\$418,486
WATER OPERATIONS	\$714,799	\$563,560	\$574,831	\$586,328	\$598,054	\$610,015
WASTEWATER OPERATIONS	\$436,936	\$335,597	\$342,309	\$349,155	\$356,138	\$363,261
TRA WATER	\$6,445,717	\$6,725,775	\$6,778,454	\$7,310,025	\$7,754,639	\$8,130,180
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OPERATING TRANSFER	\$1,049,222	\$1,037,213	\$1,115,969	\$1,165,563	\$1,220,117	\$1,267,699
TOMORROW FUND REPAYMENT	\$44,286	\$44,286	\$44,286	\$44,286	\$44,286	\$44,286
NON-DEPARTMENTAL	\$0	\$292,868	\$298,725	\$304,700	\$310,794	\$317,010
WATER / WASTEWATER LINE RENEWALS	\$150,233	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000
TOTAL OPERATING EXPENSES	\$12,064,635	\$13,071,805	\$13,552,924	\$14,380,502	\$15,128,752	\$15,793,581
OPERATING INCOME	\$2,143,496	\$1,242,603	\$1,476,224	\$1,422,170	\$1,348,820	\$1,268,835
PLUS NON-OPERATING REVENUE (INT INC)	\$20,300	\$20,300	\$20,300	\$20,300	\$20,300	\$20,300
NET INCOME	\$2,163,796	\$1,262,903	\$1,496,524	\$1,442,470	\$1,369,120	\$1,289,135
2004 REFUNDING SERIES	\$195,723	\$198,673	\$0	\$0	\$0	\$0
2010 REFUNDING BOND ISSUE	\$632,100	\$620,500	\$490,100	\$365,325	\$365,325	\$365,325
ANNUAL DEBT SERVICE	\$827,823	\$819,173	\$490,100	\$365,325	\$365,325	\$365,325
AMOUNT AVAILABLE FOR COVERAGE RATIO	\$2,163,796	\$1,262,903	\$1,496,524	\$1,442,470	\$1,369,120	\$1,289,135
AMOUNT NEEDED FOR COVERAGE RATIO	\$993,388	\$983,008	\$588,120	\$438,390	\$438,390	\$438,390
AMOUNT OVER/(UNDER) DEBT SERVICE AND 1.20 COVERAGE RATIO	\$1,170,408	\$279,895	\$908,404	\$1,004,080	\$930,730	\$850,745
AMOUNT AVAILABLE FOR CIP/REHAB	\$1,170,408	\$279,895	\$908,404	\$1,004,080	\$930,730	\$850,745
TARGET COVERAGE RATIO	1.20	1.20	1.20	1.20	1.20	1.20
ACTUAL COVERAGE RATIO	2.61	1.54	3.05	3.95	3.75	3.53

PASS THROUGH TRA RATE INCREASES

ANNUAL PASS THROUGH TRA WATER INCREASE - PER 1,000 GALLONS	\$0.00	\$0.11	\$0.14	\$0.20	\$0.16	\$0.12
CUMULATIVE TRA RATE INCREASE FROM CURRENT RATES	\$0.00	\$0.11	\$0.25	\$0.45	\$0.61	\$0.73
ANNUAL PASS THROUGH TRA SEWER INCREASE - PER 1,000 GALLONS	\$0.00	\$0.38	\$0.25	\$0.16	\$0.15	\$0.15
CUMULATIVE TRA RATE INCREASE FROM CURRENT RATES	\$0.00	\$0.38	\$0.63	\$0.79	\$0.94	\$1.09

WATER AND SEWER RATE COMPARISON OF SURROUNDING CITIES

WATER RATE COMPARISON OF SURROUNDING CITIES

CITY	MINIMUM BILL	# OF GALLONS IN MINIMUM BILL	BILL FOR 2,000 GALS	RATE PER 1,000 GALS	CUSTOMER BILL 10,000 GALS	CUSTOMER BILL 15,000 GALS	CUSTOMER BILL 20,000 GALS
BEDFORD	\$18.92	0	\$24.87	\$2.98	\$48.69	\$63.57	\$78.45
EULESS **	\$8.45	0	\$13.41	\$3.54 ^^	\$42.59	\$64.58	\$88.08
GRAPEVINE	\$11.51	2,000	\$11.51	\$3.23	\$37.35	\$53.50	\$69.65
HURST	\$14.82	2,000	\$14.82	\$5.96	\$62.50	\$92.30	\$122.10
KELLER **	\$16.88	0	\$20.80	\$3.17 ^^	\$45.84	\$63.12	\$80.34
NORTH RICHLAND HILLS **	\$10.00	2,000	\$10.00	\$4.43 ^^	\$45.44	\$67.59	\$89.74
SOUTHLAKE **	\$28.35	2,000	\$28.35	\$3.62 ^^	\$54.99	\$74.24	\$93.49
AVERAGE (0-20,000 GALLONS)	\$15.56		\$17.68	\$3.85	\$48.20	\$68.41	\$88.84
COLLEYVILLE CURRENT ~	\$12.52	2,000	\$12.52	\$3.74 ^^	\$42.44	\$61.14	\$79.84
VARIANCE IN RATES	(\$3.04)		(\$5.16)	(\$0.11)	(\$5.76)	(\$7.27)	(\$9.00)
AVERAGE	\$15.56		\$17.68	\$3.85	\$48.20	\$68.41	\$88.84
COLLEYVILLE 2014 TRA PASS THROUGH <<	\$12.74	2,000	\$12.74	\$3.85 ^^	\$42.66	\$61.36	\$80.06
VARIANCE IN RATES	(\$2.82)		(\$4.94)	\$0.00	(\$5.54)	(\$7.05)	(\$8.78)

** TIERED WATER ARE IN EFFECT IN THE FOLLOWING CITIES:

** EULESS' WATER RATE IS \$2.67 FOR 0 TO 2,000 GALLONS, \$3.60 FOR 3,001 TO 8,000 GALLONS, \$4.17 FOR 9,000 TO 15,000 GALLONS, \$4.70 FOR 16,000 TO 35,000 GALLONS, AND \$5.30 FOR ALL USAGE ABOVE 35,000 GALLONS

** KELLER'S WATER RATE IS \$1.96 FOR 0 TO 2,000 GALLONS, \$3.13 FOR 2,000 TO 10,000 GALLONS, \$3.45 FOR 10,001 TO 20,000 GALLONS, \$3.88 FOR 20,001 TO 25,000 GALLONS, \$4.99 FOR 25,000 TO 40,000 GALLONS, AND \$5.42 FOR ALL USAGE ABOVE 40,000 GALLONS

** NORTH RICHLAND HILLS' WATER RATE IS \$4.43 FOR 2,000 TO 22,440 GALLONS AND \$4.49 FOR ALL USAGE ABOVE 22,440 GALLONS

** SOUTHLAKE'S WATER RATE IS \$3.33 FOR 2,000 TO 10,000 GALLONS, \$3.85 FOR 10,001 TO 25,000 GALLONS AND \$4.12 FOR 25,000 TO 40,000, AND \$4.64 FOR ALL USAGE ABOVE 40,000 GALLONS

~ COLLEYVILLE'S WATER RATE IS \$3.74 FOR 2,000 TO 20,000 GALLONS, \$4.30 FOR 20,001 TO 30,000 GALLONS \$4.86 FOR 30,001 TO 40,000 GALLONS, \$5.42 FOR 40,001 TO 50,000, AND \$5.98 FOR ALL USAGE ABOVE 50,000 GALLONS

^^ RATES SHOWN ARE THE AVERAGE OF THE TIERED RATE USAGE OF 0-20,000 GALLONS

<< COLLEYVILLE PROPOSED INCLUDES PASS THROUGH OF TRA RATE INCREASE PER 1,000 GALLONS OF WATER USAGE (\$1.11) ON ALL GALLONS OF USAGE, INCLUDING THE FIRST 2,000 GALLONS INCLUDED IN THE MINIMUM BILL

SEWER RATE COMPARISON OF SURROUNDING CITIES

CITY	MINIMUM BILL	# OF GALS IN MINIMUM BILL	BILL FOR 2,000 GALS	RATE PER 1,000 GALS	WINTER AVERAGE BILLED	CUSTOMER BILL 10,000 GALS
BEDFORD	\$11.21	0	\$14.75	\$1.77	Y	\$28.93
EULESS	\$7.25	0	\$13.63	\$3.19	N	\$39.15
GRAPEVINE	\$9.20	2,000	\$9.20	\$3.85	Y	\$40.00
HURST	\$10.73	0	\$17.61	\$3.44	Y	\$45.13
KELLER	\$11.85	0	\$18.13	\$3.14	Y	\$43.25
N RICHLAND HILLS	\$8.39	0	\$13.31	\$2.46	Y	\$32.99
SOUTHLAKE	\$26.16	2,000	\$26.16	\$3.00	N	\$50.16
AVERAGE	\$12.11		\$16.11	\$2.98	Y	\$39.94
COLLEYVILLE CURRENT	\$9.18	2,000	\$9.18	\$2.46	Y	\$28.86
VARIANCE IN RATES	(\$2.93)		(\$6.93)	(\$0.52)		(\$11.08)
AVERAGE	\$12.11		\$16.11	\$2.98	Y	\$39.94
COLLEYVILLE PROPOSED *	\$9.94	2,000	\$9.94	\$2.84	Y	\$32.66
VARIANCE IN RATES	(\$2.17)		(\$6.17)	(\$0.14)		(\$7.28)

* COLLEYVILLE PROPOSED INCLUDES PASS THROUGH OF TRA RATE INCREASE PER 1,000 GALLONS OF SEWER USAGE (\$3.38) ON ALL GALLONS OF USAGE, INCLUDING THE FIRST 2,000 GALLONS INCLUDED IN THE MINIMUM BILL



City of Colleyville City Council Agenda Briefing

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

Agenda Number PC-5

Agenda Date 11/05/2013

Type Pre Council

Department City Secretary

Title

Discussion of the 2014 City Council meeting dates

Explanation

In accordance with the City Charter, the City Council shall meet regularly at least twice (2) in every month at such times as a City Council may prescribe by rule. The City Council has prescribed the following for regular meetings in the Rules of Procedure: *"shall meet in the City Hall on the first and third Tuesday of each month at 5:30 p.m. unless otherwise officially established by the City Council."*

City staff seeks the City Council's consideration of changes to the following 2014 meeting dates:

May. The City Council may consider changing the date of the second regular City Council meeting of Tuesday, May 20, 2014, due to the International Council of Shopping Centers (ICSC) Conference to be held May 18-20, 2014. The May 2014 meeting dates would then be as follows:

- Tuesday, May 6, 2014
- Tuesday, May 13, 2014

It may be necessary to call a Special Meeting in May, due to the canvassing of the City's election.

August. The City Council may consider prescribing the first regular meeting date of August to be the August 12, 2014 budget worksession, rather than conducting three meetings in August. The August 2014 meeting dates would then be as follows:

- Tuesday, August 12, 2014
- Tuesday, August 19, 2014

October. The City Council may consider changing the date of the first regular City Council meeting of Tuesday, October 7, 2014, due to Texas National Night Out. The October 2014 meeting dates would then be as follows:

- Monday, October 6, 2014
- Tuesday, October 21, 2014

November. The City Council may consider changing the date of the first regular City Council meeting of Tuesday, November 4, 2014, due to the November election, depending on the items on the ballot. The November 2014 meeting dates would then be as follows:

- Monday, November 3, 2014
- Tuesday, November 18, 2014

Based on City Council direction, a formal resolution will be brought forward on the November 19, 2013, City Council agenda.

Attachments



City of Colleyville City Council Agenda Briefing

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

Agenda Number PC-6

Agenda Date 11/05/2013

Type Pre Council

Department City Secretary

Title

Discussion of the November 5, 2013, City Council regular agenda items



City of Colleyville City Council Agenda Briefing

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

Agenda Number 1

Agenda Date 11/05/2013

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 - Legal - Consultation with attorney regarding pending litigation - Moxie Pest Services - Dallas, LLC v. City of Colleyville

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

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

Attachments

RESOLUTION R-13-3683

**A RESOLUTION APPROVING CITY COUNCIL ACTION
REGARDING EXECUTIVE SESSION ITEMS AT THE REGULAR
CITY COUNCIL MEETING OF NOVEMBER 5, 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 5TH DAY OF NOVEMBER 2013.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
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 3

Agenda Date 11/05/2013

Type Announcements, Proclamations, and Presentations

Department City Secretary

Title

Announcements, Proclamations, and Presentations

Announcements of civic and charitable events

Presentation of calendar events and updates

Announcements of awards and recognition

RESOLUTION R-13-3684

**A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER
CONSENT ITEMS AT THE REGULAR CITY COUNCIL MEETING OF
NOVEMBER 5, 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 October 15, 2013
 - b. Approval of a preliminary plat for 53.2 acres on Tracts 1F and 1G, Abstract 1038 of the Hall Medlin Survey and Tracts 1A02 and 1C, Abstract 295 of the William E. Crooks Survey, located at 7612 and 7624 Pleasant Run Road, Case PC13-020
 - c. Consideration and approval of a Right-of-Way Encroachment and Joint Use Agreement on Lot 1, Block 1, of the Medlen Addition, located at 7304 and 7401 Pleasant Run Road
 - d. Approval of the use of Voluntary Park Funds for professional services, for laser grading of City Park competitive athletic fields, in an amount not to exceed \$30,000 annually
 - e. Approval of the Colleyville Tree Board and Senior Center Advisory Committee bylaws

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS
ON THIS THE 5TH DAY OF NOVEMBER 2013.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor



City of Colleyville City Council Minutes - Draft

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

Tuesday, October 15, 2013

City Council Chambers

Mayor David Kelly called the Pre Council meeting of the Colleyville City Council to order on October 15, 2013, at 5:30 p.m.

ROLL CALL: Mayor David Kelly, Mayor Pro Tem Mike Taylor and Councilmembers Carol Wollin, Chuck Mogged, Stan Hall, Jody Short, and Tom Hart.

City Manager Jennifer Fadden, Assistant City Manager and Chief Financial Officer Terry Leake, Police Chief Mike Holder, Captain Robert Hinton, Fire Chief Brian Riley, Economic Development Director Marty Wieder, Parks and Recreation and Library Director Mary Rodne, Human Resources Director Michelle Reyes, 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, Strategic Services Manager Adrienne Lothery, Information Systems Manager Chris Pena, City Attorney Matthew Boyle, and City Secretary Amy Shelley.

Mayor Kelly recessed the Pre Council meeting at 5:31 p.m.

Mayor Kelly reconvened the Pre Council meeting at 6:41 p.m.

PC-1 Update on the SH26/Colleyville Boulevard construction project

City Engineer Jeremy Hutt presented this item and briefed the City Council.

Mayor Kelly stated the entire project limits will consist of Brown Trail to John McCain Road and that Phase II will consist of Brown Trail to Hall-Johnson Road.

Councilmember Short questioned staff regarding Brown Trail to Cheek-Sparger Road. City Manager Jennifer Fadden explained it is not listed in the TIF as such. Engineer Hutt explained the project is listed with the TIF as John McCain to Hall-Johnson Road, therefore, if the project is modified to be shifted to include Brown Trail to John McCain, staff will have to notify TxDOT by October 24, 2013. Engineer Hutt added, by breaking up the project into phases, the project delays, regarding funding, can be controlled.

Mayor Kelly stated the other phases can move forward once funding is acquired.

Councilmember Short stated the project could include up to Cheek-Sparger Road, as an additional phase. Mayor Pro Tem Taylor stated from Brown Trail to Cheek-

Sparger Road is shared with another city and they are not willing to help with this project.

Engineer Hutt explained TxDOT does not need to know the exact funding sources, other than if it will be local, state, or federal funds.

Councilmember Hall questioned staff regarding what is due on October 24. Engineer Hutt replied TxDOT is asking for any changes to be submitted so the construction documents may be drafted.

Councilmember Hall questioned staff regarding if TxDOT wants to know if the project limits have been expanded. Engineer Hutt replied yes.

Mayor Kelly stated it would be better to let TxDOT know that the project limits now include three phases from Brown Trail to John McCain:

Brown Trail to Hall-Johnson = Phase 2, fully funded

Hall-Johnson to Tinker Road = Phase 3

Tinker Road to John McCain = Phase 4

Councilmember Mogged stated if the Cheek-Sparger Road section is not included now, as Phase 5, there could be a delay caused because of not including it in the beginning. Mayor Kelly stated it is not included in the TIF, therefore what would be the funding options for that section?

Mayor Pro Tem Taylor stated he does not want to sacrifice the Hall-Johnson Road to Brown Trail option. He stated he wants to do this project in the order in which City Council would like the project to be completed.

Engineer Hutt stated putting the project in three phases will prevent any delays in moving forward with the available funds. He added, the construction documents will then be ready, once the additional funding is available.

Councilmember Short stated having concerns that if the southern piece is not included, then it may send the message that we do not care about that piece. Mayor Kelly disagreed since the balance of SH26 is within the Colleyville city limits.

Councilmember Short questioned City Council regarding the funding options for Phases 3 and 4. Mayor Kelly stated it would be a local funding option, in other words, we will be putting together the funding sources.

Mayor Pro Tem Taylor stated we are anchoring the part we can do, the south and north end.

Mayor Pro Tem Taylor stated the infrastructure around Colleyville is much better than it has ever been, and therefore traffic movement is better.

PC-2 Update and discussion of the 2014 citizen survey methodology

Strategic Services Manager Adrienne Lothery presented this item and briefed the City Council.

Councilmember Hall questioned staff regarding the cost of Option 3 (mailed postcards – invitations to online survey) and if it includes the mailing of the postcards. Manager Lothery replied yes.

Councilmember Wollin questioned staff regarding if information about the survey will be included in the water bills, which asks the citizen to go online and fill out the survey. City Manager Jennifer Fadden replied we would do that regardless of the methodology.

Mayor Kelly stated Southlake used the online version only, and received only half of the responses as received before. He added Southlake then decided, this year, to have a message from their Mayor go out by phone to everyone, including businesses.

Councilmember Short questioned staff regarding if the demographics of the two groups (online and paper survey) are the same. Manager Lothery stated she would expect the demographic data to be different.

Councilmember Short stated if we eliminate one option, we may be eliminating that particular demographic.

Mayor Kelly stated there are several options to get the word out about the survey.

Councilmember Mogged stated being uncomfortable with eliminating the paper copy, all together. He suggested doing the survey the way it was done the last time with the education being given to the citizens that the next time a paper copy may not be available.

Councilmember Hart stated he is not ready to abandon the mail option either, and that he would rather spend more money to get the most input from the citizens as possible. City Manager Jennifer Fadden stated all typical options would be used to advertise the survey.

Councilmember Wollin questioned staff regarding the number of survey pages. Manager Lothery replied about eight pages.

Councilmember Wollin stated she wants more space for comments.

Councilmember Wollin questioned staff regarding how long it will take to complete the survey online. Manager Lothery replied it will depend on the types of questions asked.

Councilmember Wollin questioned staff regarding if the person will be able to get back in the survey where they left off, if they have to get out of it for some reason? Manager Lothery stated more than likely it will be limited since there will not be a log-in.

Mayor Pro Tem Taylor stated the trend is moving to online; however the numbers are still strong on the written.

Councilmember Short questioned staff regarding if there is an option to have a kiosk set up, in several locations. Manager Lothery replied yes, it is a possibility.

Mayor Pro Tem Taylor questioned staff regarding the limitations of the survey. Manager Lothery explained the survey will be limited to one IP address to ensure the same person is not taking the survey over and over again.

Mayor Pro Tem Taylor questioned staff regarding if the paper copy and the online survey could be submitted by the same person. Manager Lothery replied yes, that could happen.

PC-3 Discussion of the first meeting date in November 2013

City Council did not wish to move the meeting date; therefore, the first meeting date will remain as Tuesday, November 5, 2013.

PC-4 Discussion of Ordinance O-02-1322

City Secretary Amy Shelley presented this item and briefed the City Council.

Councilmember Short questioned staff regarding if the financial disclosure material is required to be filed twice a year. City Secretary Shelley replied yes.

Mayor Kelly questioned staff regarding if the ordinance codified the requirement of the filing of the document. City Secretary Shelley replied yes.

Mayor Kelly stated being in favor of the document being filed once a year or with any changes made during the year.

Councilmember Hall stated once a year, or with material changes, and of course during elections. He suggested reducing or eliminating the fine.

Mayor Kelly stated he did not want to eliminate the fine.

Councilmember Wollin stated the timing of the filing of the document did not seem to be right; maybe it could be done right after the election period.

Mayor Pro Tem Taylor stated this document was drafted from the campaign finance report.

Mayor Kelly stated being in favor of amending the ordinance to state the report will need to be filed when any material changes are made, or upon filing for an office.

Mayor Pro Tem Taylor stated the document only needs to be filed upon any changes or during the election cycle.

Councilmember Wollin stated the document would apply to the Planning and Zoning Commission and Zoning Board of Adjustment upon any changes and after appointment.

PC-5 Discussion of the use of art to enhance public spaces

City Manager Jennifer Fadden presented this item and briefed the City Council.

Mayor Pro Tem Taylor stated these items would be a great item to have in the roundabouts, and it could be done at the end of the budget cycle when there are excess funds. He stated this could help to make Colleyville a unique place.

Mayor Pro Tem Taylor stated the roundabout at Glade Road and Pool Road could be enhanced by these sculptures.

Councilmember Wollin stated there is about \$7,500 in the budget for this use.

Mayor Pro Tem Taylor stated a plan could be put in place, if we want to use these sculptures. He added civic organizations could help to pay for these items.

Councilmember Mogged stated citizen input is needed for items such as these.

Councilmember Hall stated at a minimum, the roundabouts should include these sculptures.

Mayor Kelly stated Southlake has done this in stages.

Mayor Pro Tem Taylor stated he would like a commitment made to items such as these.

Councilmember Wollin stated she would like a plan put in place, so that these sculptures are put in the proper place.

City Manager Jennifer Fadden stated this could be suggested to the landscape architect as a City Council interest.

Councilmember Wollin stated she would like a theme in place with the plan.

PC-6 Discussion of the distribution of agenda packets for public meetings

This item was not discussed.

PC-7 Presentation of the Monthly Financial Report - September 2013

Councilmember Mogged questioned staff regarding how much of the funds are from new businesses versus old businesses. City Manager Jennifer Fadden stated staff can visit with the comptroller to see what data is available regarding the businesses.

PC-8 Discussion of the October 15, 2013, City Council regular agenda items

Mayor Kelly stated he would be moving to items 5b, 5c, 5d, and 5e before hearing agenda item 5a.

Mayor Kelly adjourned the Pre Council meeting at 7:36 p.m.

The regular meeting of the Colleyville City Council was called to order by Mayor Kelly at 7:43 p.m.

ROLL CALL: Mayor David Kelly, Mayor Pro Tem Mike Taylor and Councilmembers Carol Wollin, Chuck Mogged, Stan Hall, Jody Short, and Tom Hart.

City Manager Jennifer Fadden, Assistant City Manager and Chief Financial Officer Terry Leake, Police Chief Mike Holder, Captain Robert Hinton, Code Enforcement Officer Kim Roby, Fire Chief Brian Riley, Economic Development Director Marty Wieder, Parks and Recreation and Library Director Mary Rodne, Human Resources Director Michelle Reyes, Public Works Director Bob Lowry, City Engineer Jeremy Hutt, Finance Manager Karen Hines, Community Development Director Ron Ruthven, Communications and Marketing Director Mona Gandy, Strategic Services Manager Adrienne Lothery, Information Systems Manager Chris Pena, City Attorney Matthew Boyle, and City Secretary Amy Shelley.

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 - Legal - Consultation with attorney regarding pending litigation - Moxie Pest Services - Dallas, LLC v. City of Colleyville

Section 551.071 - Legal - Consultation with attorney regarding solicitor ordinance

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

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

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 5:30 p.m. and reconvened at 5:31 p.m.

INVOCATION: Pastor Dave Jung, Crown of Life 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-13-3680

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 invited everyone to the Haunted Trail Fest taking place Saturday, October 19, 2013, from 7:00-9:00 p.m. at the Colleyville Nature Center.

In recognition of service to a City Board, Commission, or Committee

Mayor Kelly presented a *Colleyville Then and Now* book in recognition of service to a City board, commission, or committee to Timothy Mark Kelso, Colleyville Economic Development Corporation; Carel Tornes, Colleyville Economic Development Corporation; Steve Burak, Historical Preservation Committee; and

David Dudziak, Planning and Zoning Commission, Capital Improvement Advisory Committee, and Park Land Dedication Committee.

In recognition of Colleyville's featured businesses - Walgreens #4085, 4403 Colleyville Boulevard, Leslie Ramirez, Store Manager and Walgreens #4634, 3830 Glade Road, Jackie O'Shea, Store Manager - Mayor David Kelly and Economic Development Director Marty Wieder

Mayor Kelly and Economic Development Director Marty Wieder recognized Walgreens as the businesses of the month and introduced store managers Leslie Ramirez, Walgreens #4085, and Jackie O'Shea, Walgreens #4634.

Recognition of Wellness Champion Nominees

Mayor Kelly introduced the 2013 Wellness Champion nominees Cindy Appleby, Library; Lance Lindley, Fire Department; Robert Lynch, Public Works; and Rob McKeown, Fire Department, and announced Fire Marshal Rob McKeown was the 2013 Wellness Champion.

4. CONSENT: READING AND PUBLIC HEARING - Resolution R-13-3681

- 4a** Approval of the minutes of the regular City Council meeting of October 2, 2013
- 4b** Approval of a construction contract with North Texas Contracting, Inc., for the paving and drainage improvement - Jackson and Cheek-Sparger intersection, in an amount not to exceed \$1,932,126, and authorize the city manager to execute the contract
- 4c** Approval of a contract with Halff Associates, Inc., for the Comprehensive Plan Update, in an amount not to exceed \$249,850, and authorize the city manager to execute the contract
- 4d** Approval of an Interlocal Agreement and funding for the Metroport Teen Court Program
- 4e** Approval of Service Agreements between the City of Colleyville and Trane Service Group, through the Texas Cooperative Purchasing Network (TCPN) to provide for year three of a five year agreement for the inspection, maintenance, and repair of the HVAC systems in the Colleyville City Hall, Colleyville Public Library, and Colleyville Justice Center in an amount not to exceed \$60,550.32

Mayor Kelly read Resolution R-13-3681 in its entirety.

Community Development Director Ron Ruthven provided an explanation of agenda item 4c.

Councilmember Mogged questioned staff regarding the technical side of the project regarding the water and sanitary sewer system. Director Ruthven replied it would be done from a different study, not part of this scope.

Councilmember Wollin questioned staff regarding how the citizens will provide input to the plan. Director Ruthven explained the consultant will provide a variety of ways for citizen input up to and including information in the citizen survey.

Councilmember Wollin questioned staff regarding if the survey will be out in January with the regular citizen survey. Director Ruthven replied yes.

Councilmember Short questioned staff regarding the selection of this particular consultant. Director Ruthven replied the staff committee liked Halff Associates since they are familiar with Colleyville. He stated their presentation was the best.

Mayor Pro Tem Taylor questioned staff regarding agenda item 4b. City Engineer Jeremy Hutt explained the construction contract for the intersection improvement located at Jackson and Cheek-Sparger Roads.

Mayor Pro Tem Taylor questioned staff regarding the funding for this project. Engineer Hutt explained the project is part of the Tarrant County bond package that was released several years ago, and regional funds are being used for this project.

Councilmember Wollin questioned staff regarding the closing of the roads. Engineer Hutt replied Jackson Road will be closed for 30 days, however, Cheek-Sparger Road will remain open, with periodic limited access.

Mayor Kelly opened the public hearing at 8:11 p.m.

There was no one present wishing to speak and Mayor Kelly closed the public hearing at 8:11 p.m.

Councilmember Wollin moved to approve Resolution R-13-3681. Councilmember Hall seconded the motion.

The motion to approve carried by the following vote:

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

5. ORDINANCE(S): SECOND READING AND PUBLIC HEARING**5a Ordinance O-13-1887**

Consideration of a request for a zoning change from PUD-C-Planned Unit Development Commercial to PUD-R-Planned Unit Development Residential, on 1.82 acres on Lot 1, Block 1, of the San Bar Square Addition, located at 105 Cheek-Sparger Road, Case ZC13-008

Mayor Kelly read the caption of Ordinance O-13-1887.

Community Development Director Ron Ruthven presented the item and briefed the City Council.

Mayor Kelly opened the public hearing at 8:26 p.m.

Steve Isbell, 5112 Oak Timbers Court, applicant, presented the item and briefed the City Council. Mark Howe was present for questions as well.

Claudia Bevill, 119 Cheek-Sparger Road, spoke in opposition to this request with concerns for density, open space, lot size, lot width, and lot depth.

James Bevill, 119 Cheek-Sparger Road, spoke in opposition to this request with concerns for density and drainage; however, stated he supported the zoning change to residential, but not to this plan submitted.

There were no others present wishing to speak and Mayor Kelly closed the public hearing at 8:41 p.m.

Mayor Kelly questioned Mr. Isbell and Mr. Howe regarding a house layout or exhibit. Mr. Howe provided an exhibit with the pad sites illustrated.

Mayor Kelly stated having concerns for how the development will look, particularly the layout, and entrance to the subdivision. Mr. Howe stated they had provided home elevations at the last meeting and he provided exhibits for the fencing.

Mayor Kelly questioned Mr. Isbell regarding development, have you developed before? Mr. Isbell replied yes.

Mayor Kelly questioned Mr. Isbell regarding if a reduction of the lot coverage percentage would be acceptable, such as 60 percent coverage versus 65 percent coverage? Mr. Howe replied that would be acceptable and Mr. Isbell stated it should not be an issue for some of the lots.

Councilmember Mogged questioned Mr. Isbell regarding why some of the lots were decreased. Mr. Isbell stated the lot lines have been amended to increase the square footage on some of the lots.

Mayor Kelly stated the lot coverage percentage will help with the proportionality of the homes on the lots.

Mayor Kelly questioned City Council regarding if they are willing to accept right-of-way as open space. Instead, Mr. Howe responded and stated the right-of-way dedication is actually over dedicated. Director Ruthven stated the right-of-way dedicated for Cheek-Sparger Road is over dedicated by 22.5 feet, along the subject property.

Councilmember Short questioned staff regarding if the right-of-way dedication would be 37.5 feet from the center of the street. Director Ruthven concurred and stated a right-of-way encroachment and joint use agreement could be granted to the developer for the use of the right-of-way, or the City could abandon the 22.5 feet of right-of-way.

Mr. Howe stated if the right-of-way is allowed to be considered within the open space calculation; the open space percentage would then be at 19.31 percent.

Mayor Kelly stated there are options to make the lots larger by making the open space smaller.

Councilmember Hall questioned Mr. Howe regarding the distance between the homes. Mr. Howe replied there will be a minimum of 10 feet between the homes. Councilmember Hall stated the spacing is sufficient between the homes.

Councilmember Hall questioned Mr. Howe regarding the square footage of the proposed homes. Mr. Howe stated he anticipates 3,200 square foot homes.

Mayor Kelly questioned staff regarding how detention will work for this development. Director Ruthven explained the detention and options for such. Mr. Howe replied it will be within the right-of-way, rather than in the ditch.

Councilmember Short stated he liked the open space along Cheek-Sparger.

Mayor Pro Tem Taylor questioned Mr. Isbell regarding tree preservation. Mr. Isbell stated they plan to keep as many trees as possible, especially along the Bevill's property.

Mayor Pro Tem Taylor stated he needs more information before he can make a vote.

Mayor Kelly stated being in favor of continuing this item with further information.

Councilmember Hall stated Mr. Howe and Mr. Isbell need to look at the Cambridge Addition to get a better idea of density.

Councilmember Hart concurred with Councilmember Hall.

Councilmember Wollin stated she would like the developer to contact the homeowners regarding what they want. Mr. Isbell stated he has provided the information to the homeowners, and they state being opposed to the proposed density.

Councilmember Hart moved to continue the public hearing to the November 5th meeting. Councilmember Hall seconded the motion.

The motion to approve the continuation of the public hearing to the November 5th meeting carried by the following vote:

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

5b Ordinance O-13-1888

Consideration of a request for a Special Use Permit for an accessory building on Lot 10, Block 4, of the Ashmore Addition, located at 2713 Highgrove Court, Case ZC13-011

Mayor Kelly read the caption of Ordinance O-13-1888.

Community Development Director Ron Ruthven presented the item and briefed the City Council.

Mayor Kelly opened the public hearing at 8:12 p.m.

There were no others present wishing to speak and Mayor Kelly closed the public hearing at 8:12 p.m.

Mayor Kelly moved to approve Ordinance O-13-1888. Councilmember Hall seconded the motion.

The motion to approve carried by the following vote:

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

5c Ordinance O-13-1889

Consideration of a request for a zoning change from AG-Agricultural to R40-Single Family Residential, on 1.06 acres on Lot 8, of the Mrs. Eva Paul's Subdivision, located at 1105 Tinker Road, Case ZC13-012

Mayor Kelly read the caption of Ordinance O-13-1889.

Community Development Director Ron Ruthven presented the item and briefed the City Council.

Mayor Kelly opened the public hearing at 8:14 p.m.

There were no others present wishing to speak and Mayor Kelly closed the public hearing at 8:14 p.m.

Mayor Pro Tem Taylor moved to approve Ordinance O-13-1889. Councilmember Short seconded the motion.

The motion to approve carried by the following vote:

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

5d Ordinance O-13-1890

Consideration of a request for a Special Use Permit for a dance studio on Lot 1, Block 1, of the Ratliff Addition, located at 5310 Pleasant Run Road, Case ZC13-013

Mayor Kelly read the caption of Ordinance O-13-1890.

Community Development Director Ron Ruthven presented the item and briefed the City Council.

Mayor Kelly opened the public hearing at 8:15 p.m.

The following person did not wish to speak but did wish to register his support for this request: John Horobec, 1805 Glade Road.

There were no others present wishing to speak and Mayor Kelly closed the public hearing at 8:15 p.m.

Mayor Kelly stated the parking would be held on the subject property, versus on the street, since the parking lot is sufficient.

Councilmember Wollin stated they only will hold practices in this facility.

Councilmember Wollin moved to approve Ordinance O-13-1890. Councilmember Mogged seconded the motion.

Councilmember Wollin thanked the applicant for choosing to keep his business in Colleyville.

The motion to approve carried by the following vote:

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

5e Ordinance O-13-1891

Approving a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division, regarding the Company's 2013 Annual Rate Review Mechanism filing and adopting tariffs that reflect rate adjustments consistent with the negotiated settlement

Mayor Kelly read the caption of Ordinance O-13-1891.

Strategic Services Manager Adrienne Lothery presented the item and briefed the City Council.

Mayor Kelly opened the public hearing at 8:19 p.m.

Jeff Martinez, Atmos Energy, presented the item and briefed the City Council.

There was no one present wishing to speak and Mayor Kelly closed the public hearing at 8:20 p.m.

Mayor Kelly questioned Mr. Martinez regarding if the Public Utilities Commission controls the utility rates in Texas. Mr. Martinez stated the Railroad Commission has jurisdiction.

Mayor Kelly questioned Mr. Martinez regarding if the City can form a City Steering Committee to work with the public utilities and negotiate a reasonable rate or the City could go independently to the Railroad Commission to negotiate for those rates. Mr. Martinez replied correct.

Mayor Kelly stated if the Steering Committee chose not to do anything, then the Railroad Commission could determine the utility rate, and therefore could choose a higher rate. Mr. Martinez concurred.

Mayor Kelly moved to approve Ordinance O-13-1891. Councilmember Hart seconded the motion.

The motion to approve carried by the following vote:

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

5f Ordinance O-13-1892

Approval of amendments to the Code of Ordinances Chapter 70, Article II, Section 70-28, Relating to Home Solicitation, Distribution, and Miscellaneous Sales

Mayor Kelly read the caption of Ordinance O-13-1892.

Police Chief Mike Holder presented the item and briefed the City Council.

Mayor Kelly opened the public hearing at 9:29 p.m.

There was no one present wishing to speak and Mayor Kelly closed the public hearing at 9:29 p.m.

Mayor Kelly moved to approve Ordinance O-13-1892. Councilmember Short seconded the motion.

The motion to approve carried by the following vote:

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

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

6a Ordinance O-13-1893

Consideration of a request for an amendment to the PUD-C-Planned Unit Development Commercial zoning and development requirements for Lot 1R, Block 1, of the Wildwood Estates Addition, located at 5700 Pool Road, Case ZC13-010

Mayor Kelly read the caption of Ordinance O-13-1893.

Community Development Director Ron Ruthven presented the item and briefed the City Council.

Mayor Kelly opened the public hearing at 9:35 p.m.

Dave Toney, Compass Church, 2600 Hall-Johnson Road, applicant, presented the item and briefed the City Council.

There were no others present wishing to speak and Mayor Kelly closed the public hearing at 9:36 p.m.

Mayor Kelly questioned staff regarding the recommendation by the Planning and Zoning Commission. Director Ruthven stated the original plans were to have full masonry on the columns, however, the Planning and Zoning Commission recommended no masonry on the columns.

Mayor Kelly questioned staff regarding why the Planning and Zoning Commission chose no masonry. Director Ruthven stated the Planning and Zoning Commission wanted all masonry on the columns or nothing at all.

Mayor Kelly questioned staff regarding if the applicant now owns the southern property. Director Ruthven replied yes.

Councilmember Mogged questioned staff regarding if the southern property is vacant. Director Ruthven replied yes. Mr. Toney concurred.

Councilmember Mogged questioned staff regarding if there are any issues with the adjacent property owner. Mr. Toney stated they have not had any luck in getting a response from that property owner.

Director Ruthven stated the use between those two particular properties is residential; therefore, unless the church expanded its use to the southern property, there would be no need for the commercial screening requirements.

Mayor Kelly questioned staff regarding if Colleyville is going to put in a trail for this area since there is currently a sidewalk along Pool Road. Director Ruthven replied the escrow money for the required trail would be used within the neighborhood district. Mayor Kelly added the sidewalk plan is going to be reviewed further in November.

Mayor Kelly questioned Mr. Toney regarding if they are good with escrowing for the trail. Mr. Toney replied yes.

Councilmember Wollin stated she is not in agreement with the Planning and Zoning Commission recommendation of leaving the columns without masonry. She stated she would at least like the requirement of having the columns with six foot of masonry.

Mayor Pro Tem Taylor questioned Mr. Toney regarding why this is being amended. Mr. Toney stated they believe the columns look better without the masonry.

Mayor Pro Tem Taylor stated meeting the half-way is better than none. He stated the first exhibits, approved with the ordinance, with masonry, look better. Mr. Toney stated the plans, without the masonry, were approved by the City, therefore, they thought the masonry was not required. He stated they were informed of the masonry requirement at the time of applying for the certificate of occupancy.

Mayor Pro Tem Taylor questioned Mr. Toney regarding if the adjacent property has since been acquired. Mr. Toney replied yes.

Mayor Pro Tem Taylor questioned Mr. Toney regarding the plans for the property to the south. Mr. Toney replied currently they have no plans for the property.

Councilmember Hall stated he would like the columns to have masonry. Mr. Toney stated the metal columns are easier to maintain, especially from graffiti.

Councilmember Wollin questioned Mr. Toney regarding the athletic fields and their use. Mr. Toney replied the fields are currently being used for church activities; however, they have discussed the usage of the fields with the area associations.

Councilmember Wollin stated having concerns for the height of the fence because of play balls. Mr. Toney stated currently the fencing is six feet and there have been no issues with play balls on Hall-Johnson Road.

Mayor Kelly questioned Councilmembers regarding the columns. Councilmembers agreed with full masonry on the columns. Mr. Toney stated they think the columns look better without the masonry.

Mayor Pro Tem Taylor questioned Mayor Kelly regarding the trail. Mayor Kelly stated there is currently a sidewalk in place, but a trail is required too. Mayor Pro Tem Taylor stated one or the other will suffice. Mayor Kelly concurred.

Mayor Pro Tem Taylor questioned staff regarding if the four foot wide sidewalk is sufficient for a collector road. Director Ruthven replied a five foot wide sidewalk is required for a collector road.

Councilmember Short questioned staff regarding the escrow requirement. Director Ruthven stated the escrow will be used for any sidewalk or trail within the neighborhood district.

Mayor Pro Tem Taylor questioned staff regarding if the four foot sidewalk was constructed prior to the sidewalk requirement width of five feet. Director Ruthven concurred.

Councilmember Mogged stated Pool Road to Colleyville Boulevard has a trail along the Grapevine side.

Mr. Louie Murillo, Compass Church, stated the original exhibit provided for smaller columns versus the wider columns that were actually installed. He stated the size of the columns, with masonry, would be disproportionate to the look and feel of the building. Mayor Kelly stated he would like to see a conceptual plan for the columns, if they included masonry. Architect Gerald Ward further explained the building design.

Mr. Ward stated the original design consisted of constructing 4 x 4 columns; however, they were actually constructed as 10 x 10 columns.

Mayor Pro Tem Taylor stated the masonry would still work with 10 x 10 columns.

Councilmember Hall stated he would like to see masonry on the columns.

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

There was no discussion regarding this item.

8. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR OCTOBER 15, 2013 - Reading and Public Hearing - Resolution R-13-3682

There was no discussion regarding this item.

9. ADJOURNMENT

There being no further business before the City Council, Councilmember Mogged moved to adjourn, and Mayor Kelly seconded the motion.

The motion carried with the following vote:

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

Mayor Kelly adjourned the City Council meeting at 10:07 p.m.

APPROVED BY A VOTE OF _____ AYES, _____ NAYS, AND _____ ABSTENTIONS ON THIS THE 5TH DAY OF NOVEMBER 2013.

Minutes taken and prepared by:

*Amy Shelley, TRMC
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 11/05/2013

Number Resolution R-13-3684

Type Resolution

Department Community Development

Title

Approval of a preliminary plat for 53.2 acres on Tracts 1F and 1G, Abstract 1038 of the Hall Medlin Survey and Tracts 1A02 and 1C, Abstract 295 of the William E. Crooks Survey, located at 7612 and 7624 Pleasant Run Road, Case PC13-020

Explanation

Reading and Public Hearing

Pleasant Run Colleyville, Inc. has submitted a request for approval of the preliminary plat for The Overlook at Big Bear Creek, located at 7612 and 7624 Pleasant Run Road, which includes 73 single family residential lots and two open space lots. Per the preliminary plat, the developer proposes to plat the subject properties in two phases.

Zoning. A rezoning request for PUD-R-Planned Unit Development Residential was approved by City Council on June 18, 2013 with Ordinance O-13-1875, attached.

Lot Dimensions and Setbacks. Ordinance O-13-1875 prescribes the following lot development standards:

Minimum Lot Size: 13,000 square feet

Average Lot Size: 16,050 square feet

Minimum Lot Width: 90 feet

Minimum Lot Depth: 70 feet

Minimum Front Yard Setback: 20 feet for lots with side facing garages so long as the distance from the back of curb to the primary structure is at least 30 feet, and 30 feet for lots with front facing garages.

Minimum Side Yard Setback: 9 feet

Minimum Rear Yard Setback: 25 feet from main structure; 10 feet from accessory structures

Maximum building Height: 35 feet

Building Setback Provision. Special consideration of reduced lot width has been

requested by the applicant for lots located on cul-de-sacs and those located on 90-degree elbows in the streets. The minimum lot width for such lots measured at the building line shall be 70 feet. The minimum lot width for such lots measured at the right-of-way line shall be 35 feet.

Building Design. The surface area of the front exterior walls, excluding windows, doors, gables, and covered porches will be at least 85 percent masonry or hand-troweled, cement-based, three-coat stucco. The surface area of all side and rear walls will be at least 75 percent masonry or hand-troweled, cement-based three-coat stucco.

Street Design. The streets in the development are public and will meet the minimum requirements of the Land Development Code, which includes a 31 foot wide curb and gutter street with a 50 foot right-of-way.

Open Space. Ordinance O-13-1875 requires that a minimum 30 percent of open space be provided in the development. According to the preliminary plat, 37 percent of the development will be designated as open space.

Landscaping and Buffering. All lots are required to have a minimum of two (2) three inch (3") caliper hardwood shade trees to be installed by the builder on each lot.

Tree Preservation. As required by Chapter 5-Tree Preservation of the Land Development Code, approval of a tree survey and mitigation plan is required upon approval of the final plat for the property.

Ordinance O-13-1875 requires a minimum ten (10) foot tree preservation buffer to be maintained along the entire western boundary of the development. This buffer is depicted on the plat.

Gas Well Site Proximity. Ordinance O-13-1875 establishes the following with regard to the Atlas Resource Partners gas well site located at 7504 Pleasant Run Road:

Section 4. 10. General - a. - No building, structure, or other development within this PUD, including any roads and parks, shall trigger any setback requirement for future gas wells and related equipment located on the existing 13.2-acre pad site located directly south of the boundaries of this PUD (the "Existing Pad Site"), regardless of whether such gas wells and equipment are authorized by Ordinance O-10-1779 approving a Special Use Permit for the Existing Pad Site or are authorized by future approvals (if any) for the Existing Pad Site only by the City Council.

Section 4. 10. General - b. - Prior to the recordation of a final plat for any property within this PUD, an instrument shall be recorded in the deed records of Tarrant County, Texas, for the property within this PUD, providing all future purchasers of such property with notice of this paragraph. The form of such instrument shall be approved by the City Attorney. In addition, any rezoning of the property governed by this PUD,

including, but not limited to, an amendment to this PUD, shall require that written notice be given to the gas well operator in the same manner that is required by Chapter 211 of the Texas Local Government Code for all property owners. Notices shall be sent to the gas well permittee based on the address on file with the City.

As stated above, the requirement for Section 4. 10. General - b. must be satisfied prior to the recording of the final plat with the Tarrant County Clerk.

Development Fees. Park land dedication fees are due in the amount of \$1,802 per residential lot.

Roadway impact fees are due in the amount of \$4,941 per residential lot at the time of the building permit application.

Water and Wastewater impact fees are due at the time of the building permit application. Fees for a typical 5/8 inch meter are \$2,491 for the water impact fee and \$643 for the wastewater impact fee.

Perimeter street improvement fees are due at the time of approval of the final plat for Pleasant Run Road. Perimeter street improvements are required for the newly created lots since Pleasant Run Road is considered unimproved adjacent to the subject property. The developer's portion of the costs for infrastructure improvements may not exceed the amount that is roughly proportionate to the projected impact of the proposed development, as determined by a professional engineer, licensed in the State of Texas, and who is retained by the City of Colleyville. In making the rough proportionality determination, consideration shall be given to the availability of adequate and minimum levels of public facilities and accessibility to the site for the delivery of emergency services.

Sidewalks and Trails. According to the Supplemental Sidewalk System Map and the 2005 Colleyville Pathways Plan, a ten (10) foot trail is required to be constructed along Pleasant Run Road, depicted as Trail 14 on the plan. Ordinance O-13-1875 states that *"in lieu of constructing the required ten (10) foot trail along Pleasant Run Road, the developer shall pay into escrow the cost of constructing the trail as determined by the City Engineer, prior to the filing of the final plat for the development."*

Ordinance O-13-1875 also states that *"the portion of the proposed interior park trail that traverses the open space of the development that is closest to Pleasant Run Road shall provide a stub for future connection to the Pleasant Run Road trail shown in the Colleyville Pathways Plan. Said portion of the interior park trail shall be located within a public access easement and shall be constructed by the developer prior to acceptance of final public improvements and shall be maintained by the homeowner's association."*

The centerline of this easement is shown on the preliminary plat. The easement will be required to be depicted on the final plat.

Drainage and Stormwater Runoff. As required by the Land Development Code, drainage and engineering plans have been submitted with the proposed plat. The development will provide on-site retention, where necessary.

Residential Density. The development of 73 residential units on the 53.2 acre property will produce a residential density of 1.37 dwelling units per acre based upon the density calculation method prescribed by the Master Plan. The plat complies with the density requirements of a maximum residential of 1.4 dwelling units per acre, as outlined in Ordinance O-13-1875

Planning and Zoning Commission Recommendation. The Planning and Zoning Commission recommended approval of this request at the October 14, 2013 meeting by a vote of 5-0.

Summary. The preliminary plat complies with the requirements of Ordinance O-13-1875 and the Land Development Code.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Location and Zoning Map
2. Aerial
3. Ordinance O-13-1875
4. Preliminary Plat Exhibit

Location and Zoning Map

City of Southlake

Subject Property

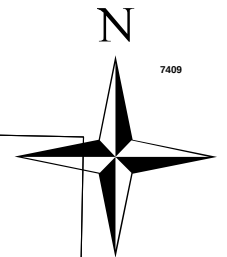
PUDR

AG

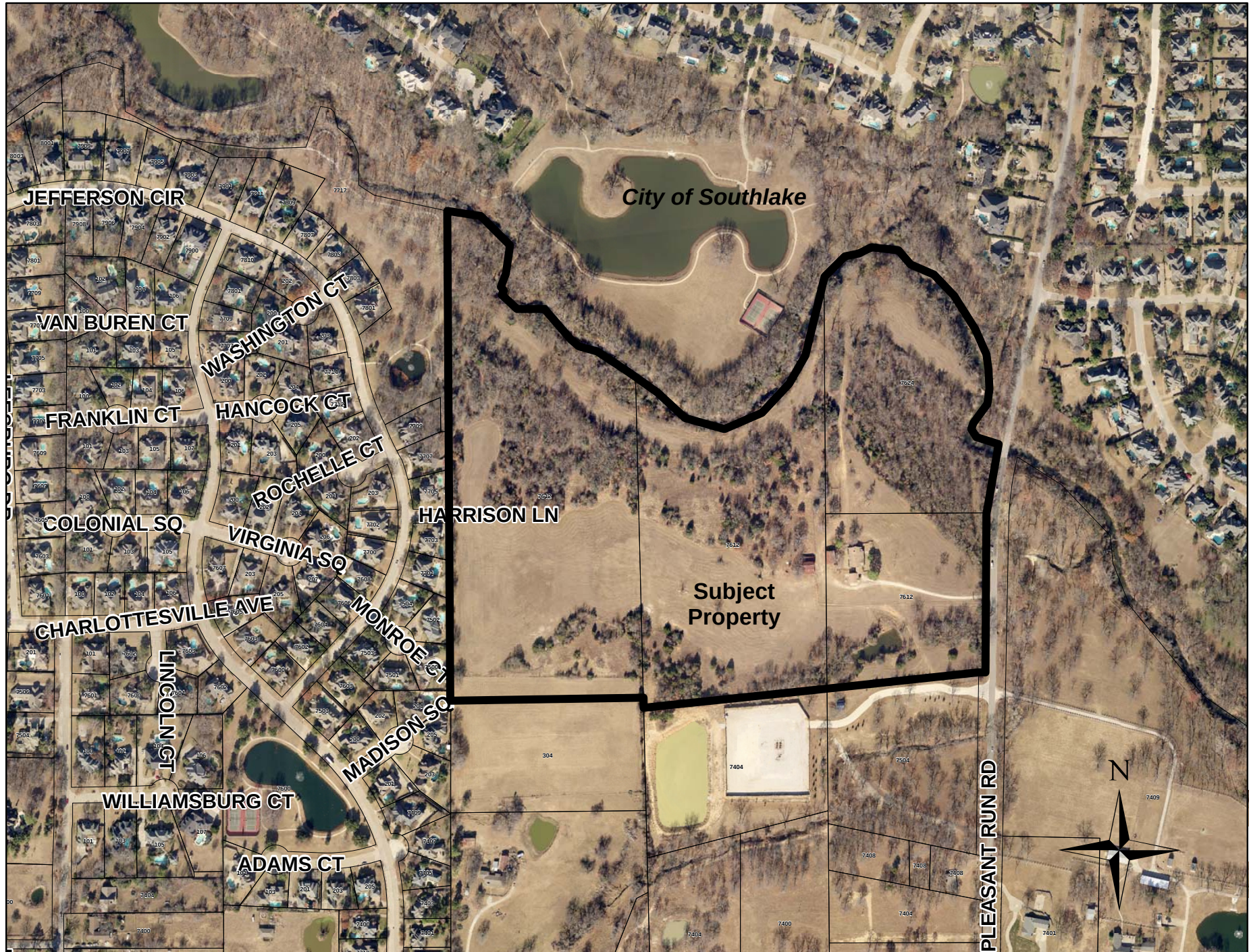
AG

R-40

~~R-30~~



Aerial



ORDINANCE O-13-1875

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 53.2 ACRES ON TRACTS 1F AND 1G, ABSTRACT 1038 OF THE HALL MEDLIN SURVEY AND TRACTS 1A02 AND 1C, ABSTRACT 295 OF THE WILLIAM E. CROOKS SURVEY LOCATED AT 7612 AND 7624 PLEASANT RUN ROAD FROM THE AG-AGRICULTURAL ZONING DISTRICT TO THE PUD-R-PLANNED UNIT DEVELOPMENT RESIDENTIAL 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 under Case No. ZC13-001; 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 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, among other things, to 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 53.2 acres on Tracts 1F and 1G, Abstract 1038 of the Hall Medlin Survey and Tracts 1A02 and 1C, Abstract 295 of the William E. Crooks Survey located at 7612 and 7624 Pleasant Run Road from the AG-Agricultural zoning district to the PUD-R-Planned Unit Development Residential zoning district, as depicted in the attached Exhibit "A" and as described in Exhibit "B".
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved 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-R is for a single-family residential development of detached dwelling units, constructed at a gross maximum density of 1.4 dwelling units per acre as described in Exhibit "C". Exhibit "C" is attached herein for descriptive purposes only and shall not be referenced as a regulatory guide for the purpose of this ordinance.

- b. The proposed development is subject to all the regulations contained in the Land Development Code, except as amended by this ordinance.

2. DEVELOPMENT PLAN AND PLATTING

- a. The development shall be generally consistent with the conceptual site plan, Exhibit "D", which shall not be considered the preliminary plat. The lot arrangement may differ from that shown on the conceptual site plan to accommodate topographic, drainage, or other conditions. The actual street layout shall be consistent with Exhibit "D".
- b. The developer shall submit and receive approval from the City, a preliminary and final plat, approved in one or more phases, in accordance with the requirements of the Land Development Code prior to development of this PUD-R.

3. PERMITTED USES

- a. Single-family residences, detached
- b. Common open space areas

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

- a. Residential lot requirements and setbacks shall comply with the following provisions:
 - 1. The minimum lot width shall be 90 feet and the minimum lot depth shall be 70 feet.
 - 2. The minimum lot size shall be 13,000 square feet, with an average lot size of 16,050 square feet.
 - 3. The minimum front yard setbacks shall be 20 feet for lots with side facing garages so long as the distance from the back of curb to the primary structure is at least 30 feet, and 30 feet for lots with front facing garages.
 - 4. The minimum rear yard setbacks shall be:

- a. From the main structure: 25 feet
 - b. From an accessory structure: 10 feet
- 5. The minimum side yard setbacks shall be 9 feet.
- 6. The maximum building height shall be 35 feet.
- 7. For lots located on cul-de-sacs and half cul-de-sacs, the minimum lot width shall be 70 feet measured at the front yard setbacks and 35 feet measured at the right-of-way line.

5. RESIDENTIAL DESIGN REQUIREMENTS

The following requirements shall apply to all homes constructed in this development:

- a. The surface area of the front exterior wall, excluding windows, doors, gables, and covered porches shall be at least 85 percent masonry or hand-troweled, cement-based, three-coat stucco.
- b. The surface area of all side and rear walls shall be at least 75 percent masonry or hand-troweled, cement-based, three-coat stucco.
- c. Approved masonry materials shall adhere to the masonry materials allowed in Chapter 6-Building Design of the Land Development Code.
- d. Each residence shall contain a minimum of 3,000 feet of gross floor area.

6. OPEN SPACE

- a. This development shall provide a minimum of 30 percent common open space, which shall be configured as shown on Exhibit "D". All open space areas shall be landscaped and maintained by the homeowners association.

7. RESIDENTIAL DENSITY REQUIREMENTS

- a. Residential density shall not exceed 1.4 dwelling units per acre.

8. FENCING, SCREENING, BUFFERING AND TREES

- a. A wrought iron fence shall be constructed between the common open space in the Monticello development and common open space on the subject property. Said fence shall be constructed by the developer prior to the acceptance of final public improvements.
- b. A minimum of two, three (3) inch caliper, hardwood shade trees shall be planted on each lot at the time of new home construction.
- c. All lots shall be equipped with an irrigation system per the requirements of Chapter 4-Landscaping and Buffering in the Land Development Code.
- d. A minimum eight (8) foot solid masonry wall shall be constructed along the common property line of the development and the adjacent property to the south located at 7504 and 7404 Pleasant Run Road prior to the acceptance of final public improvements. Where adjacent to lots not used for residential purposes within this development, the wall may be constructed of wood. The wall shall be maintained by the homeowner's association.
- e. A minimum ten (10) foot tree preservation buffer shall be located along the entire length of the western boundary of the development. All trees located within said buffer shall be preserved in place as shown on the required tree survey at the time of platting. No trees may be removed from this buffer area without a tree removal permit. Section 5(8)C(5) of the Land Development Code exempting residents from the removal requirements shall not apply to said buffer area. Maintenance of the buffer shall be the responsibility of each homeowner.

9. SIDEWALKS AND TRAILS

- a. In lieu of constructing the required ten (10) foot trail along Pleasant Run Road, the developer shall pay into escrow the cost of constructing the trail as determined by the City Engineer, prior to the filing of the final plat for the development.

- b. The portion of the proposed interior park trail that traverses the open space of the development that is closest to Pleasant Run Road shall provide a stub for future connection to the Pleasant Run Road trail shown in the Colleyville Pathways Plan. Said portion of the interior park trail shall be located within a public access easement and shall be constructed by the developer prior to acceptance of final public improvements and shall be maintained by the homeowner's association.

10. GENERAL

- a. No building, structure, or other development within this PUD, including any roads and parks, shall trigger any setback requirement for future gas wells and related equipment located on the existing 13.2-acre pad site located directly south of the boundaries of this PUD (the "Existing Pad Site"), regardless of whether such gas wells and equipment are authorized by Ordinance O-10-1779 approving a Special Use Permit for the Existing Pad Site or are authorized by future approvals (if any) for the Existing Pad Site only by the City Council.
- b. Prior to the recordation of a final plat for any property within this PUD, an instrument shall be recorded in the deed records of Tarrant County, Texas, for the property within this PUD, providing all future purchasers of such property with notice of this paragraph. The form of such instrument shall be approved by the City Attorney. In addition, any rezoning of the property governed by this PUD, including, but not limited to, an amendment to this PUD, shall require that written notice be given to the gas well operator in the same manner that is required by Chapter 211 of the Texas Local Government Code for all property owners. Notices shall be sent to the gas well permittee based on the address on file with the City.

Sec. 5. 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.

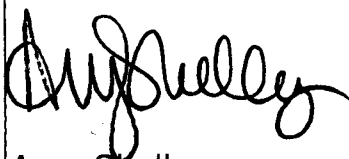
- Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 7. 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. 8. 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. 9. 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.

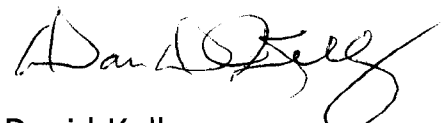
The first reading and public hearing being conducted on the 4th day of June 2013.

The second reading and public hearing being conducted on the 18th day of June 2013.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 18th day of June 2013.

ATTEST:**CITY OF COLLEYVILLE**

Amy Shelley
City Secretary



David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:



for

Matthew C. G. Boyle
City Attorney

Exhibit "A" – Location and Zoning Map

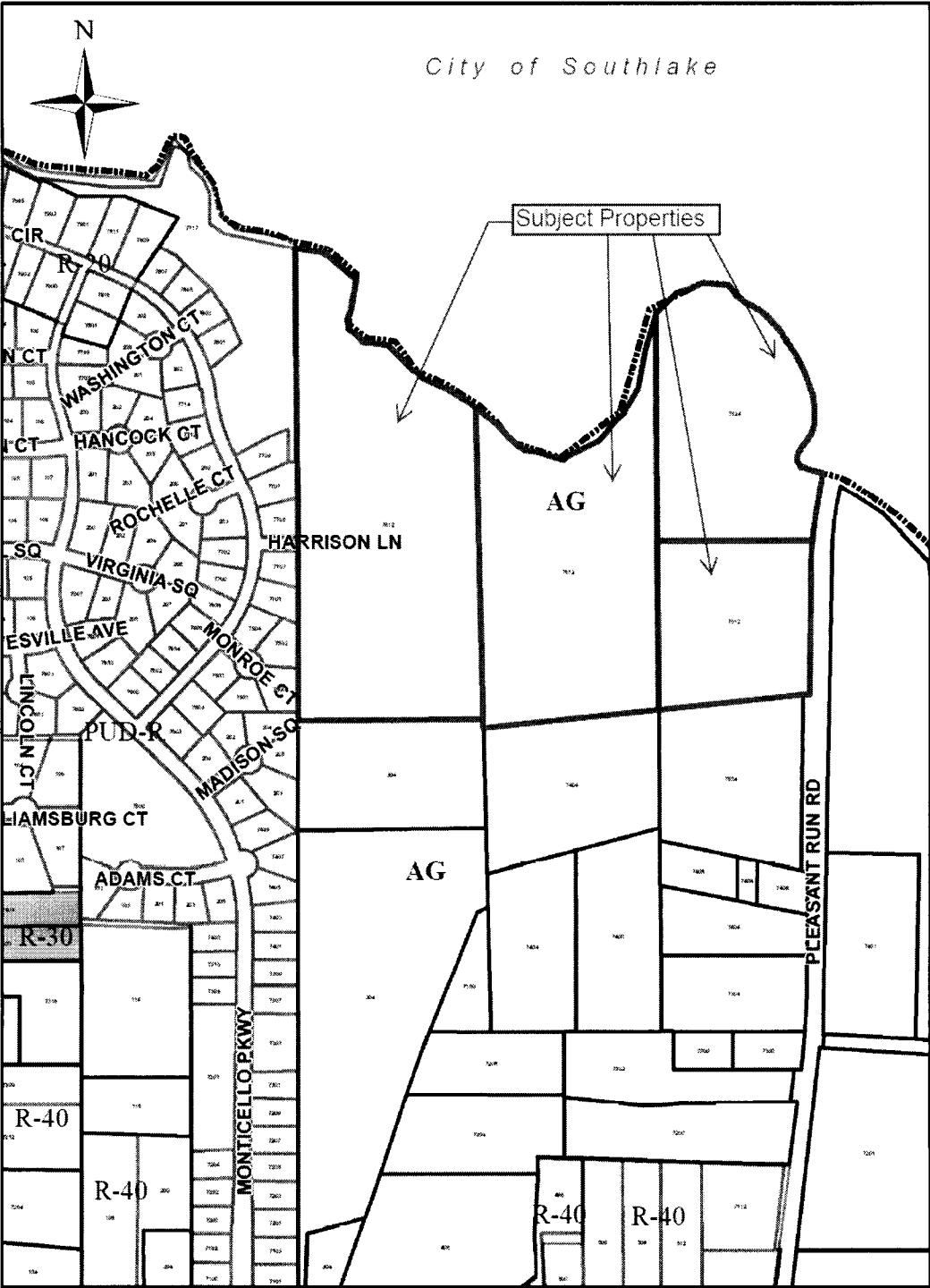


Exhibit "B" – Legal Description

BEING THAT CERTAIN TRACT OF LAND SITUATED IN THE WM. E. CROOKS SURVEY, ABSTRACT NUMBER 295 AND THE HALL MEDLIN SURVEY, ABSTRACT NUMBER 1038, CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS AND BEING ALL OF THOSE CERTAIN TRACTS OF LAND CONVEYED TO JOHN W. QUENICHET AND WIFE OBURN QUENICHET RECORDED IN VOLUME 4384, PAGE 871, TRACTS 1, 2 AND 3 AND IN VOLUME 4957, PAGE 297 OF COUNTY RECORDS, TARRANT COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A 3/4 INCH IRON ROD, FOUND AT THE SOUTHWEST CORNER OF SAID QUENICHET TRACT RECORDED IN VOLUME 4957, PAGE 297 AND BEING THE NORTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO THE ROBERT HIGHTOWER TESTAMENTARY TRUST, RECORDED IN VOLUME 13475, PAGE 388 OF SAID COUNTY RECORDS AND BEING IN THE WEST LINE OF MONTICELLO ADDITION, AN ADDITION TO THE CITY OF COLLEYVILLE, RECORDED IN VOLUME 388-209, PAGE 12 OF PLAT RECORDS, TARRANT COUNTY, TEXAS;

THENCE N 00°11'48" W, WITH THE WEST LINE OF SAID QUENICHET TRACT, AT 1548.07 FEET A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "JACOBS" SET, IN ALL 1648.07 FEET TO THE CENTERLINE OF BIG BEAR CREEK;

THENCE WITH THE CENTERLINE OF BIG BEAR CREEK THE FOLLOWING BEARINGS AND DISTANCES;

S 64°57'48" E, 130.00 FEET;
S 50°01'23" E, 140.00 FEET;
S 10°11'53" W, 174.00 FEET;
S 52°32'20" E, 86.00 FEET;
S 83°50'13" E, 104.00 FEET;
S 37°43'15" E, 143.00 FEET;
S 65°44'16" E, 104.00 FEET;
S 57°57'16" E, 140.00 FEET, THE NORTHWEST CORNER OF AFORESAID TRACT 3, FROM WHICH A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "JACOBS" SET, BEARS 00°29" W, 100.00 FEET;
S 40°13'40" E, 146.00 FEET;
S 59°50'53" E, 67.00 FEET;
S 74°42'01" E, 67.00 FEET,
N 89°44'42" E, 115.00 FEET;
N 47°35'35" E, 213.00 FEET;
N 27°22'07" E, 102.00 FEET;
N 15°46'45" E, 122.00 FEET;
N 21°31'34"E, AT 155.7 FEET THE NORTHEAST CORNER OF SAID TRACT 3 AND THE NORTHWEST CORNER OF SAID TRACT 1, FROM WHICH A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "JACOBS" SET, BEARS S 00°49" E, 100.00 FEET, IN ALL 171.00 FEET;
N 55°19'48" E, 100.00 FEET;
N 72°17'18" E, 100.00 FEET;
S 74°09'29" E, 75.00 FEET;
S 30°07'44" E, 69.00 FEET;
S 53°03'32" E, 180.00 FEET;
S 28°28'40" E, 170.00 FEET;
S 20°31'03" E, 105.00 FEET;
S 00°16'51" E, 80.00 FEET;
S 41°40'16" W, 109.00 FEET;
S 45°24'40" E, 115.00 FEET;

Exhibit "B" – Legal Description Continued

THENCE S 75°34'46" E, 61.00 FEET TO THE INTERSECTION OF SAID BIG BEAR CREEK AND THE APPROXIMATE CENTERLINE OF PLEASANT RUN ROAD (A VARIABLE WIDTH RIGHT-OF-WAY);

THENCE S 10°21'30" W, 160.00 FEET WITH SAID APPROXIMATE CENTERLINE, TO THE SOUTHEAST CORNER OF AFOREMENTIONED TRACT 1 AND THE NORTHEAST CORNER OF SAID TRACT 2, FROM WHICH A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "JACOBS" SET, BEARS S 88°36" W, 100.00 FEET;

THENCE S 01°29'24" W, 612.63 FEET CONTINUING WITH SAID APPROXIMATE CENTERLINE TO THE SOUTHEAST CORNER OF SAID TRACT 2;

THENCE S 84°10'42" W, WITH THE SOUTH LINE OF SAID TRACT 2, AT 40.10 FEET THE NORTHEAST CORNER OF PARK PLACE ESTATES, AN ADDITION TO THE CITY OF COLLEYVILLE, RECORDED IN VOLUME 388-178, PAGE 14 OF SAID PLAT RECORDS, AT 100 FEET A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "JACOBS" SET, IN ALL 558.48 FEET TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "JACOBS" SET, AT THE SOUTHWEST CORNER OF SAID TRACT 2 AND THE SOUTHEAST CORNER OF SAID TRACT 3;

THENCE S 84°37'58" W, 654.81 FEET WITH THE SOUTH LINE OF SAID TRACT 3 AND THE NORTH LINE OF THAT TRACT OF LAND CONVEYED TO TRINITY CHRISTIAN CENTER OF SANTA ANNA, INC., RECORDED IN VOLUME 9325, PAGE 1004 OF SAID COUNTY RECORDS, TO A 3/8 INCH IRON ROD, FOUND AND BEING THE SOUTHWEST CORNER OF SAID TRACT 3 IN THE EAST LINE OF THE AFOREMENTIONED HIGHTOWER TRACT;

THENCE N 01°58'48" W, 106.71 FEET, WITH THE WEST LINE OF SAID HIGHTOWER TRACT, TO A 5/8 INCH IRON ROD, FOUND AT THE SOUTHEAST CORNER OF AFOREMENTIONED QUENICHET TRACT RECORDED IN VOLUME 4957, PAGE 297 OF SAID COUNTY RECORDS;

THENCE N 89°57'05" W, 652.16 FEET, WITH THE NORTH LINE OF SAID HIGHTOWER TRACT AND THE SOUTH LINE OF SAID QUENICHET TRACT, TO THE POINT OF BEGINNING AND CONTAINING 2,318,598 SQUARE FEET OR 53.228 ACRES OF LAND MORE OR LESS.

Exhibit "C" – Statement of Planning Objectives

Planned Unit Development (PUD-R) for Overlook at Big Bear Creek Colleyville, Texas

HISTORY AND STATEMENT OF INTENT

Established in 1988, Wilbow Corporation, the Dallas based U.S. Operation, is a wholly-owned subsidiary of Wilbow Group Pty. Ltd. located in Melbourne, Australia. Wilbow is currently involved in numerous real estate developments in the Dallas/Fort Worth and Houston areas. Wilbow has been the recipient of numerous accolades and won Business and Industry Awards for Excellence in commercial property development including the Urban Design for Tribute at Mills Branch and the McSam award for Marketing of the Heritage residential community. Wilbow Corporation maintains an experienced and well-diversified professional staff with a combined 100 years of real estate development experience, and has consistently been ranked as one of north Texas' largest residential developers by the Dallas Business Journal. Wilbow's financial strength, experience and history of success mean that each development is thoughtfully planned and executed with efficiency and expertise that few other developers possess.

Wilbow Corporation, doing business as Pleasant Run Colleyville, Inc. (PRC), being the applicant and developer of the 53.2-acre "Overlook at Big Bear Creek" property, part of the Wm. E. Crooks Survey, Abstract No. 295, and part of the Hall Medlin Survey, Abstract No. 1038, hereby makes a request to rezone the property, currently zoned Agriculture (AG) per the August 2007 zoning map, to Planned Unit Development-Residential (PUD-R). With PUD-R zoning, the use will be consistent with the adjacent single-family zoning designations and Colleyville's Future Land Use Plan 2025 which designates the property as "Single Family Residential".

PROJECT LOCATION & DESCRIPTION

The Overlook at Big Bear Creek (The Overlook) is located along the north central Colleyville border with Southlake, adjacent to Pleasant Run Road on the east and the Monticello neighborhood to the west. The north property line generally follows the centerline of Big Bear Creek, the same being the municipal

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

boundary. The property is bordered on the south by the Titan well site and undeveloped agricultural land. The property is a generally rectangular, 53.228 acre tract that consists of four smaller parcels, each formally owned by John W. and Obum Quenichet. Overlook will be developed into approximately 73 single-family home sites and additional open space lots, for a density of **1.37 dwelling units per gross acre**, well below the allowed maximum residential density of 1.8 dwelling units per gross acre. Each home site shall be a minimum of 13,000 square feet however, the average lot size shall be approximately 16,000 square feet.

SITE ZONING AND PLANNED DEVELOPMENT STANDARDS

The zoning classification for The Overlook shall be Planned Unit Development-R "PUD-R" and shall be developed according to the following standards:

Item	PUD-R Zoning	Proposed Zoning
Minimum Lot Size	13,000 Square Feet	13,000 Square Feet
Average Lot Size	16,000 Square Feet	16,050 Square Feet
Minimum Lot Width	100 feet	90 feet
Minimum Front Yard	30 feet	20 feet
Minimum Side Yard	10 feet	9 feet
Minimum Rear Yard	25 feet	25 feet for main structure 10 feet for ancillary structures
Maximum Building Height	30 feet	35 feet measured from high point on lot to top of roof line

BUILDING SETBACK PROVISION

Special consideration of reduced lot width is hereby requested for lots located on cul-de-sacs and those located on 90-degree elbows in the streets. The minimum lot width for such lots measured at the building line shall be 70-feet. The minimum lot width for such lots measured at the right-of-way line shall be 35-feet.

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

IMPACT FEES

Because the calculated portion of the City's Perimeter Street Fee is less than the per lot road impact fees generated by this project, PRC shall bear no cost associated with the City's Perimeter Street Fee. Instead, the per lot road impact fee of \$4941.00 shall be paid for by the builder at the time of each applicable building permit. In addition, water and wastewater impact fees shall be paid for at the time of building permit by the builder. There shall be no park impact fee paid for by PRC. No other impact fees shall be applicable.

PARKLAND DEDICATION

In lieu of Park Dedication Fees, we will dedicate via final plat approximately 17 acres of private parkland/open space within the development, which shall include a permanent surface trail system, benches, native and picnic areas. We may elect to dedicate a public access easement over and across the trail system for use by all residents of Colleyville. In addition, we will dedicate approximately 3 acres of private parkland/open space adjacent to Forest Meadow Drive within the development. This 3 acres alone represents approximately ten (10) percent of the developable area of the subdivision. All private parkland/open space will be maintained by the Home Owner's Association (HOA) for the development, which will be created for the purpose of owning, operating and maintaining the common features within the community.

HOMEOWNERS ASSOCIATION

All property owners within The Overlook shall be required to be members of the HOA which shall assume ownership and responsibility for the open space areas, entry features, landscaping, irrigation and all fencing within the open space areas created via the Final Plat. The HOA shall also be responsible for enforcement of all deed restrictions for the community. PRC, as Declarant, shall regulate and approve new home architecture and plot plans in conformity with the deed restrictions for the community.

SUBDIVISION DESIGN CONSIDERATIONS

Streets shall be 31 foot, back to back concrete with curb and gutter within a 50 foot Right of Way. Streets shall be dedicated to the City of Colleyville (City). Similarly, all water lines, sanitary and storm sewer shall be

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

designed and constructed to City standards. Upon construction and inspection by the City, such infrastructure shall be dedicated to the City for continued maintenance and operation.

DRAINAGE DESIGN CONSIDERATIONS

The site generally slopes from south to north and is heavily wooded along the north and east boundaries. Big Bear Creek and its 100-year floodplain traverses the property on the northern boundary receiving the natural runoff from the property. The drainage system for the community shall be designed so that the storm water runoff continues to be conveyed directly into Big Bear Creek. The development of the property will not have significant impact on the total amount of runoff in this reach of Big Bear Creek due to the low density, large lot size and the relatively small contributing area of the project in relation to the entire watershed conveyed by Big Bear Creek, and therefore, no detention shall be required for this project. See accompanying exhibit of offsite drainage area. A small portion of the developable area lies within the FEMA designated 100-year floodplain. PRC intends to mitigate the small areas intended to be developed within the floodplain by providing comparable storage volume elsewhere on-site. The plan for such comparable storage shall be submitted for administrative review and approval by Colleyville's Certified Floodplain Manager (CFM).

LANDSCAPE AND TREE MITIGATION

No tree survey or tree mitigation shall be required for open space areas shown on the attached Development Plan. Areas within proposed rights-of-way, proposed building pads, public and private easements shall also be exempt from tree mitigation requirements; however an inventory of protected trees within such areas shall be shown on a tree survey. Builder installed trees located in front and rear yards shall count towards any mitigation required as a result of the development process so long as the tree species conform to the City's tree mitigation requirements. PRC shall require a minimum of 2 (two) 3" caliper hardwood shade trees be installed by the builder on each lot.

SUBDIVISION TRAFFIC AND CIRCULATION

PRC shall provide a stub-through road to connect to existing Harrison Lane to the west. Wildflower Way

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

shall stub to the property immediately to the south in anticipation of future single-family development. No traffic impact analysis (TIA) shall be required since the development is not projected to generate in excess of 1,000 vehicle trips per day.

SIDEWALKS

PRC hereby requests a variance from the sidewalk requirements and as such, no sidewalks will be constructed along the streets within the development. This request is consistent with adjacent neighborhoods, among them and adjacent to this proposed development is Monticello, which does not contain sidewalks along the streets. Further there is no existing sidewalk or trail along Pleasant Run Road. Due to lack of connectivity and challenging topography, we request a variance from the sidewalk/trail requirement.

TRAIL MASTERPLAN

PRC hereby requests a modification to the Trails and Sidewalk System Masterplan dated October 18, 2005 which shows a trail system along Pleasant Run Road. Due to the natural topography and lack of connectivity to other such facilities along Pleasant Run Road, construction of a trail system here is not viable. In lieu of the roadside location, PRC shall construct a trail system as a continuation of the neighboring Monticello trail system within the private parkland/open space located wholly within the community.

SCREEN WALLS AND FENCES

The existing natural vegetation/trees will provide a natural live screen for the entire property frontage along Pleasant Run Road. Therefore, PRC intends to construct an entry feature and monumentation only at the main entry at Pleasant Run Road as shown on the attached Site Plan. The entry feature shall incorporate masonry, brick, stone and wrought iron fence as necessary to 'tie' back into existing vegetation.

Wrought iron fencing shall be allowed, but not required, along the side and rear property lines of each lot and adjacent to and within the 100-year floodplain. Privacy fences shall not be allowed within the 100-year floodplain.

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

DEVELOPMENT SCHEDULE

PRC intends to obtain approval of zoning by July 2013 with platting and engineering plans to follow immediately thereafter. Construction of the first phase of approximately 33-39 lots to commence immediately following approval of engineering plans. Construction shall take approximately 9 months. Concurrent with development of the first phase, entitlements to include final platting of the second phase will be underway. Upon completion of the first phase and formal approval of the Phase II final plat, PRC will commence construction on Phase II. We anticipate construction on Phase II to commence in the fall of 2014 and be completed by summer 2015. Construction of homes within the first phase shall commence immediately upon City acceptance of the Phase I infrastructure. PRC requests that each phase be given consideration for an early release grading permit upon preliminary plan approval and early release building permits upon substantial completion of paving, as determined by the City inspector during the initial infrastructure walkthrough.

BUILDER PRODUCT

Homes within this community are expected to range in the \$500k to \$1MM+ range. Typical lot pads shall be approximately 70' wide by 70' deep. Minimum house size shall be 3,000 square feet. Maximum height for each home shall not exceed 35' as measured from the highpoint of the lot to the top of the roof.

The surface area of the first floor exterior wall (exclusive of openings for windows and doors, gables over wood framing, areas under covered porches, box and bay windows and other architectural projections) and all second story walls (exclusive of openings for windows and doors, gables over wood framing, areas under covered porches, box and bay windows and other architectural projections) in the same vertical plane as the first floor wall shall be veneered with a minimum of 85% (eighty-five percent) coverage of unit masonry (defined below) or hand troweled, cement-based 3-coat stucco on the front elevation and 75% (seventy-five percent) unit masonry or hand-troweled, cement-based, 3-coat stucco on the side and rear elevations.

Unit Masonry shall mean brick, natural stone, or concrete cast stone (or combination of these materials) laid up by unit and set in mortar.

ECONOMIC DEVELOPMENT INFORMATION

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

As envisioned, The Overlook will generate substantial tax revenue for Tarrant County and the City of Colleyville. PRC estimates homes will be completed according to the following schedule:

<u>Year</u>	<u>Homes Completed</u>	<u>Total</u>
2014	5	5
2015	20	25
2016	20	45
2017	20	65
2018	8	73

Based on the 2010 ad valorem tax rate of \$2.28/\$100 and an average home price of \$750k, estimated ad valorem taxes are as follows:

<u>Year</u>	<u>Ad Valorem Tax</u>
2015	\$86,000
2016	\$428,000
2017	\$770,000
2018	\$1,111,000
2019	\$1,248,300
2020	\$1,248,300

Note: Tax estimate assume a flat rate based on 2010 values.

SUMMARY

The Overlook, when developed, will be a large lot up-scale development featuring 73 residential lots containing custom and semi-custom homes from \$500k on up. PRC believes that The Overlook will be a meaningful contribution to the City of Colleyville, and provide consistency with the adjacent neighborhoods while complying with the City's Future Land Use Plan. The home values will generate significant tax revenues for the City and protect surrounding home values. The requests of the PUD-R made herein are consistent with the PUD-R provisions and have been thoughtfully construed so as to protect surrounding home and community values, while upholding the guidelines created by the City's comprehensive zoning ordinance. PRC respectfully requests the City of Colleyville Planning and Zoning Commission and City Council approve this PUD-R and allow The Overlook to move forward as planned herein.

The map displays a complex land subdivision project. At the top center, a large area is designated as "MONTICELLO PHASE BLOCK 2 LOT 33 OPEN SPACE (CAG. N.A.S. 297 P. 1 C.T.)". This area is surrounded by dense vegetation and water bodies. Below this, the land is organized into three main sections: PHASE 1, PHASE 2, and PHASE 3. Each phase contains multiple lots, each labeled with its number and size in square feet. For example, in PHASE 1, there are lots ranging from LOT 1 (10,000 SF) to LOT 28 (10,000 SF). In PHASE 2, there are lots ranging from LOT 1 (10,000 SF) to LOT 28 (10,000 SF). In PHASE 3, there are lots ranging from LOT 1 (10,000 SF) to LOT 28 (10,000 SF). The map also shows various roads and easements, including "PARKWAY (PRIVATE)", "EASEMENT", and "DRAINAGE EASEMENT". A north arrow and scale bar are located at the bottom left corner.

[illegible]

PLANNER/ENGINEER
JILA CONSULTING, LLC
RENNER ROAD, SUITE 140
HARDSON, TEXAS 75082
(214) 952-0233
FAX (214) 242-2422

OWNER/DEVELOPER
WPC ACQUISITIONS, INC.
331 N. CENTRAL EXPRESSWAY
SUITE 1140
DALLAS, TEXAS 75204
(972) 479-0697
FAX (972) 479-0397

PLANNER/ENGINEER
MLA CONSULTING, LLC
101 W. RENNER ROAD, SUITE 100
RICHARDSON, TEXAS 75080
(214) 952-0233
FAX (214) 242-2422

PRELIMINARY PLAT
THE OVERLOOK AT BIG BEAR
CITY OF COLLEYVILLE, TARRANT COUNTY
BEING 53.234 ACRES IN THE
WM. E. CROOKS SURVEY, ABSTRACT
AND THE HALL MEDLIN SURVEY, ABSTRACT
SEPTEMBER 30, 2013
REVISED OCTOBER 4, 2013



City of Colleyville City Council Agenda Briefing

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

Agenda Number 4c

Agenda Date 11/05/2013

Number Resolution R-13-3684

Type Resolution

Department Public Works

Title

Consideration and approval of a Right-of-Way Encroachment and Joint Use Agreement on Lot 1, Block 1, of the Medlen Addition, located at 7304 and 7401 Pleasant Run Road

Explanation

Reading and Public Hearing

The applicant and property owner, is requesting approval of the attached Right-of-Way Encroachment and Joint Use Agreement for a private telecommunications line at 7304 and 7401 Pleasant Run Road. The encroachment will allow for a private telecommunications line to be installed and cross under Pleasant Run Road to another property that is under the same ownership.

Section 8.170(5), Easement and Right-of-Way Encroachments of the Colleyville Land Development Code, requires City Council approval for a right-of-way encroachment.

The property owner, Trinity Christian Center, Inc., owns property on both sides of Pleasant Run Road and desires to install a private telecommunications line to link the properties. The proposed line would be required to be bored under Pleasant Run Road a minimum of ten feet to allow for adequate clearance from existing utilities.

All utilities have approved the Right-of-Way Encroachment and Joint Use Agreement, and there are no traffic issues or concerns regarding this request. The proposed work will be inspected by City staff during the installation process.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Application for Encroachment and Joint Use Agreement of a Public Drainage and / or Utility Easement or Right-of-Way

**APPLICATION FOR ENCROACHMENT AND JOINT USE AGREEMENT
OF A PUBLIC DRAINAGE AND / OR UTILITY EASEMENT OR RIGHT-OF-WAY**

9-25-13

Date of Submittal

To the City of Colleyville:

The undersigned hereby makes application to allow an encroachment and joint use of a portion of the public drainage and / or utility easement or right-of-way situated on or abutting property located at 7304 & 7401 PLEASANT RUN, and described by metes and bounds in Exhibit No. 1 of the attached agreement.

The reason for the encroachment and use of the easement/right-of-way is as follows:

TO RUN TO CHASE PIPES FOR COMMUNICATION & SECURITY WIRES

TRINITY CHRISTIAN CENTER
OF SAN ANTONIO, INC

Printed Name of Property Owner

714.665-2102

Telephone

J.B. Casoria
Signature of Property Owner

714.665-2168

Fax Number

Assistant Secretary

2442 MICHELLE DR.
Address

TUSTIN

City

CA

State

92180

Zip

Easement / Right-of-Way Joint Use Agreement

THE STATE OF TEXAS §
COUNTY OF TARRANT §

Be it known, that the City of Colleyville, herein after referred to as "City," and its franchised Utility Companies, herein referred to as "Utilities," do consent and agree to permit the following **TRINITY CHRISTIAN CENTER OF SANTA ANNA** herein after referred to as "Applicant," to use an easement / right-of-way, situated on or abutting LOT 1, BLOCK 1, OF MEDLIN IN THE CITY OF COLLEYVILLE, TEXAS, as described on the attached Exhibit No. 1, depicted graphically on the attached EXHIBIT No. 2 and consented to by the public utility companies as listed on the attached EXHIBIT No. 3, to be used for the purposes of PRIVATE LOW VOLTAGE UTILITIES FOR

SECURITY & COMMUNICATIONS

and being subject to the following conditions:

I.

That the Applicant, his successors or assigns shall maintain in good condition all of the easement area and the improvements situated thereon; and, that City and Utilities shall not become responsible for such maintenance at any time in the future.

II.

That the Applicant shall and does hereby agree to indemnify and hold harmless the City and the Utilities from any and all damages, loss or liability of any kind whatsoever by reason of injury to property or third person occasioned by its use of the easement / right of way or act of omission, neglect or wrong doing of Applicant, his officers, agents, employees, invitees or other persons, with regard to the improvements and maintenance of such improvements; and the Applicant shall, at his own cost and expense, defend and protect City and Utilities against any and all such claims and demands.

III.

That the Applicant shall arrange for all activities and improvements in the easements to be discontinued and / or removed within thirty (30) days of written notification, at the discretion of City, for:

- (1) Lack of maintenance to the easement / right-of-way;
- (2) Failure to provide access to the City or its designees; or
- (3) Compliance with a City Council directive that use of the easement by the Applicant be discontinued and the cost associated with the discontinuing of such activities, and the removal of such improvements, as well as property adjacent to the easement / right-of-way necessitated by such discontinuation of the easement / right-of-way use, shall be borne by the Applicant.

IV.

That the Applicant, his successors or assigns shall not seek compensation from City or Utilities for loss of the value of the improvements made hereunder when such improvements are required to be removed by Applicant.

V.

This agreement shall be filed of record in the Deed Records of Tarrant County, Texas, and shall bind all future owners of this lot and shall for all purposes be considered a covenant running with the land.

IN TESTIMONY WHEREOF, Applicant executes this Easement / Right-of-Way Use Agreement on this 23 day of September 2013.

City of Colleyville

By: _____
Director of Public Works

J.B. Casoria

Printed Name

By: _____

J.B. Casoria

Applicant's Signature
Assistant Secretary

NOTE: Complete the attached acknowledgements.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Orange

On Sept. 23, 2013 before me, Erlinda D. de la Cruz,
Date Here Insert Name and Title of the Officer

personally appeared John B. Casoria
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal Above

Signature Erlinda D. de la Cruz
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
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EXHIBIT NO. 1

10' Private Utility Easement
H. Medlin Survey, Abstract No. 1038
City of Colleyville
Tarrant County, Texas

BEING all that certain lot, tract or parcel of land situated in the H. Medlin Survey, Abstract No. 1038, City of Colleyville, Tarrant County, Texas, and being part of the 40 foot right-of-way dedication shown on H. Medlin Addition, an addition to the City of Colleyville, Tarrant County, Texas, according to the plat thereof recorded in Instrument No. D192224273 of the Plat Records of Tarrant County, Texas, and being more particularly described as follows:

BEGINNING at a the southwest corner of said H. Medlin Addition, being the southwest corner of the aforementioned 40 foot right-of-way dedication, and being in the east line of that certain tract of land described in deed to Trinity Christian Center of Santa Ana, Inc., recorded in Volume 10748, Page 138 of the Deed Records of Tarrant County, Texas;

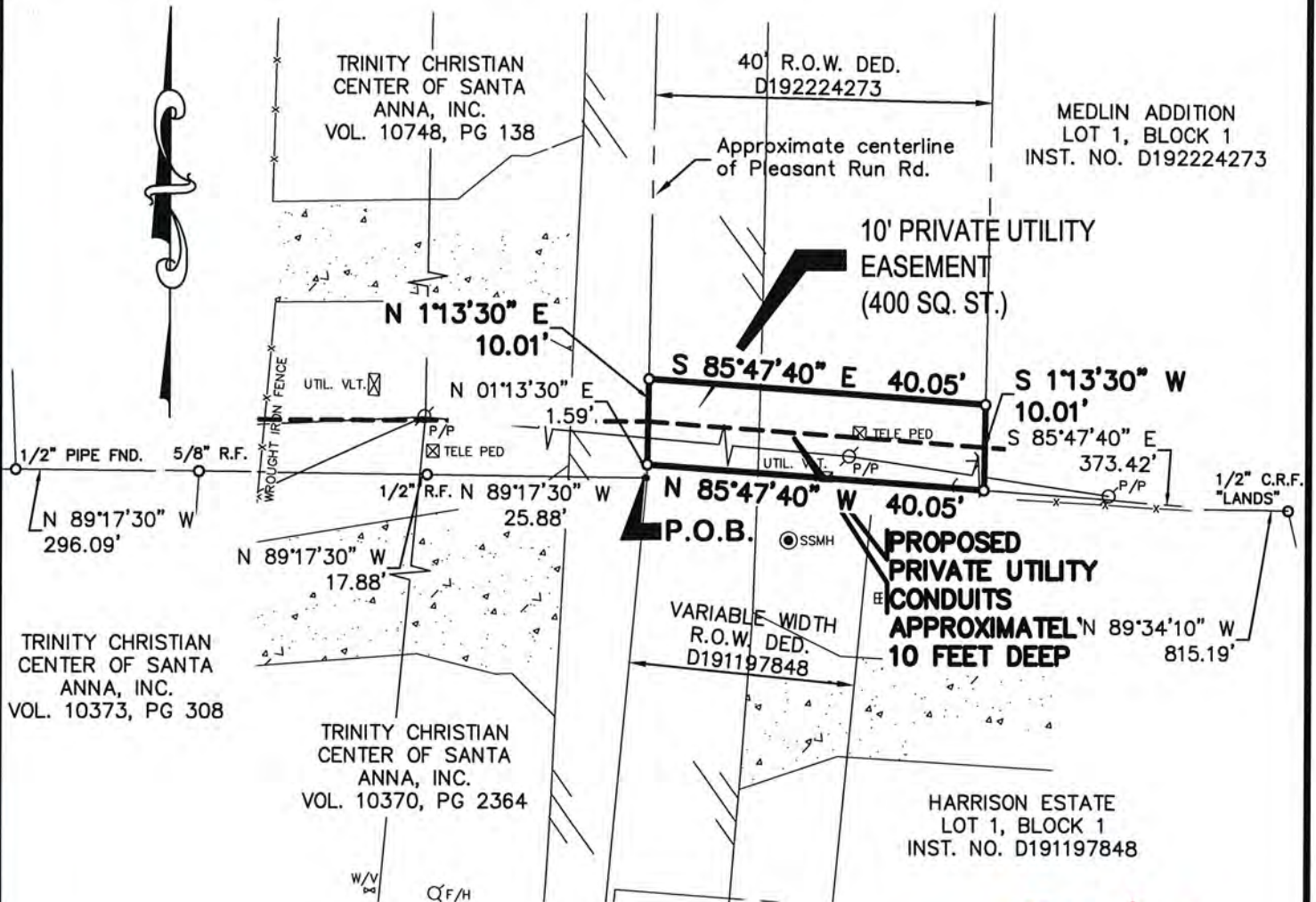
THENCE N 01°13'30" E, with the east line of said Trinity Christian Center of Santa Ana tract and the west line of said Medlin Addition, a distance of 10.01 feet;

THENCE S 85°47'40" E, a distance of 40.05 feet, to the east line of said 40 foot right-of-way dedication, being the west line of Lot 1, Block 1 of said H. Medlin Addition;

THENCE S 01°13'30" W, with the west line of said Lot 1, Block 1, a distance of 10.01 feet to the south line of said Medlin Addition, and being in the north line of Harrison Estate, an addition to the City of Colleyville, Tarrant County, Texas, according to the plat thereof recorded in Instrument No. D191197848 of the Plat Records of Tarrant County, Texas;

THENCE N 85°47'40" W, with the north line of said Harrison Estate, a distance of 40.05 feet to the POINT OF BEGINNING and containing approximately 400 square feet of land.





NOTES:

1. Bearings based on Texas Coordinate System, North Central Zone (4202), NAD '83.
2. Original copies of survey maps and descriptions prepared by the surveyor and firm whose names appear hereon will contain an embossed surveyor's seal. Any map or description copy without that embossed seal is likely a copy not prepared in the office of the surveyor and may contain alterations or deletions made without the knowledge or oversight of the surveyor.
3. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate abstract of title may disclose.
4. An easement in the area of the prescriptive right-of-way, for the private conduit as shown hereon, shall be dedicated at the same time that said right-of-way is dedicated to the City.

EXHIBIT NO. 2

10' PRIVATE UTILITY EASEMENT

in the

H. MEDLIN SURVEY, ABSTRACT NO. 1038

CITY OF COLLEYVILLE

TARRANT COUNTY, TEXAS



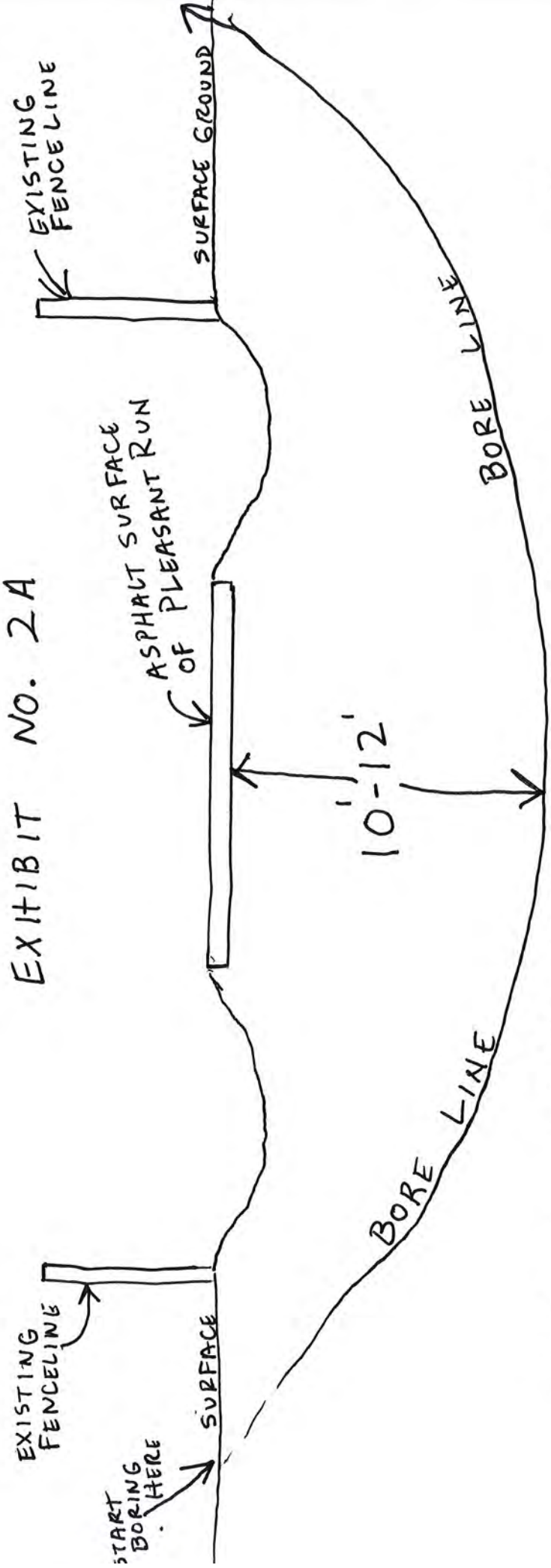
SITE PLANNING CIVIL ENGINEERING PLATTING
CONSULTANTS, LLC
 LAND SURVEYING LANDSCAPE ARCHITECTURE

111 Hillside Drive • Lewisville, TX 75057 • P: 972.436.9712 • F: 972.436.9715
 611 Dallas Drive, Suite 114 • Roanoke, TX 76262 • P: 682.831.9712 • F: 817.890.4043

TBPE Firm
 No. 1798
 TBPLS Firm
 No. 10047700

DRAWN BY: WTM DATE: 08/13/13 SCALE: 1"=20' JOB. NO. **13122**

EXHIBIT NO. 2A



* I WAS TOLD BY THE COLLEYVILLE ENGINEERING DEPT., THAT IF WE COULD GET DOWN TO 10' WE WOULD MISS ALL CITY WATER & SEWER

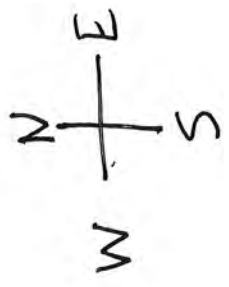


EXHIBIT NO. 3

The undersigned public utility companies, using or entitled to use, under the terms and provisions of our respective franchise with the City of Colleyville, do hereby consent to the encroachment and joint use of the described portion of such drainage and / or utility easement or right-of-way requested in this Application for encroachment and joint use of a public drainage and utility easement or right-of-way Lot(s) 1, Block(s) 1 of the MEDLIN Addition to the City of Colleyville, Tarrant County, Texas.

Street name: PLEASANT RUN

~~ONCOR~~ NO GAS ANYMORE
~~TXU Electric & Gas Company~~

By: DAVID HUTCHASON
(Please Print)

Title: UTILITY DESIGNER
(Please Print)

Signature: David Hutchason

Southwestern Bell Telephone Company (AT&T)

By: ERIC WILLIAMS
(Please Print)

Title: MGR. Eng. Design
(Please Print)

Signature: [Signature]

SIGNATURE
ON
FOLLOWING
PAGE

Verizon Telephone Company

By: PAUL MESSEN HEIMER
(Please Print)

Title: _____
(Please Print)

Signature: _____

Tri-County Electric Company

By: SCOTT D. BAUMBACH
(Please Print)

Title: MANAGER
(Please Print)

Signature: [Signature]

NOW TIME WARNER
~~Comcast Cable, Inc.~~

By: LISA N LAW
(Please Print)

Title: SERVICEABILITY SUPERVISOR
(Please Print)

Signature: _____

City of Colleyville

By: _____
(Please Print)

Title: _____
(Please Print)

Signature: _____

SIGNATURE
ON
FOLLOWING
PAGE

ATMOS ENERGY

BY: Bobby Oney
(PLEASE PRINT)

TITLE: Project Mgr
(PLEASE PRINT)

SIGNATURE: Bobby Oney

From: Rob Wilson
Subject: Scanned from a Xerox Multifunction Device.pdf
Date: September 16, 2013 7:33:21 AM CDT
To: Kelly Wilson

Attachment, 17 KB

Shiloh Ranch

8174285036

P.1

EXHIBIT NO. 3

The undersigned public utility companies, using or entitled to use, under the terms and provisions of our respective franchise with the City of Colleyville, do hereby consent to the encroachment and joint use of the described portion of such drainage and / or utility easement or right-of-way requested in this Application for encroachment and joint use of a public drainage and utility easement or right-of-way Lot(s) _____, Block(s) _____ of the _____ Addition to the City of Colleyville, Tarrant County, Texas

Street name: _____

TXU Electric & Gas Company

Southwestern Bell Telephone Company (AT&T)

By: _____
(Please Print)

By: _____
(Please Print)

Title: _____
(Please Print)

Title: _____
(Please Print)

Signature: _____

Signature: _____

Verizon Telephone Company

Tri-County Electric Company

By: Paul Messinger
(Please Print)

By: _____
(Please Print)

Title: Super-Vision Eng
(Please Print)

Title: _____
(Please Print)

Signature: [Signature]

Signature: _____

Comcast Cable, Inc.

City of Colleyville

By: _____
(Please Print)

By: _____
(Please Print)

Title: _____
(Please Print)

Title: _____
(Please Print)

Signature: _____

Signature: _____

Signature: _____

Signature: _____

Time Warner Cable
Comcast Cable, Inc.

City of Colleyville

By: Lisa N Law
(Please Print)

By: _____
(Please Print)

Title: Serviceability Supervisor
(Please Print)

Title: _____
(Please Print)

Signature: Lisa N Law

Signature: _____



City of Colleyville City Council Agenda Briefing

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

Agenda Number 4d

Agenda Date 11/05/2013

Number Resolution R-13-3684

Type Resolution

Department Parks and Recreation

Title

Approval of the use of Voluntary Park Funds for professional services, for laser grading of City Park competitive athletic fields, in an amount not to exceed \$30,000 annually

Explanation

Reading and Public Hearing

City staff has identified a need for continued professional contractual services for improvements to the City Park baseball and softball fields. The proposed improvements are for three athletic fields to be laser leveled, which involves having the required amount of clay incorporated into the skinned area, making the transition areas of the clay to turf balanced. This increases the safety of the athletic fields by eliminating edges where the skinned area meets the turf and allowing a ball, while in play, to hit the edge of the transition area and bounce in the air, or players to trip. The proposed funds would provide a three year rotation of the nine baseball and softball fields at City Park.

Based on contractor feedback, staff estimates an annual expense of \$30,000 is required to perform this service. As the attached financial status shows, the current fund balance for the Voluntary Park Fund is \$553,287 and funding is requested for the current fiscal year (FY 2014).

At the October 21, 2013, Park and Recreation Advisory Board meeting, members unanimously approved the recommendation to City Council to use the Voluntary Park Funds in an amount not to exceed \$30,000 annually to address this need.

Financial Impact

Funds are available in the Voluntary Park Fund. The current available fund balance as of September 30, 2013, was \$553,287.

Recommendation

Approve

Attachments

1. Voluntary Park Fund financial status as of September 30, 2013

FINANCIAL STATUS OF VOLUNTARY PARK FUND AT 9-30-2013

FUND BALANCE AT 9-30-2012:

\$471,383

FY 2013 REVENUE

Donations:	<i>PROJECTED</i>	<i>ACTUAL</i>
October	\$13,855	\$13,855
November	\$12,636	\$12,636
December	\$12,421	\$12,421
January	\$12,460	\$12,460
February	\$12,492	\$12,492
March	\$12,413	\$12,413
April	\$13,388	\$13,388
May	\$13,932	\$13,932
June	\$11,418	\$11,418
July	\$13,367	\$13,367
August	\$12,905	\$12,905
September	\$12,660	\$12,660
Total Donations	\$153,949	\$153,949
Interest income Received	\$1,618	\$1,618
TOTAL	\$155,567	\$155,567

FY 2013 EXPENDITURES

	<i>RECOMMENDED</i> <i>(PARKS BOARD)</i>	<i>APPROVED</i> <i>(COUNCIL)</i>	<i>EXPENDED</i> <i>YEAR-TO-DATE</i>
BALANCE OF COTTONBELT TRAIL PHASE III ~~	\$44,954	\$44,954	\$0
BALANCE OF MCPHERSON - PHASE II <<	\$28,708	\$28,708	\$6,325
TOTAL	\$73,663	\$73,663	\$6,325

UNENCUMBERED FUND BALANCE AT 9-30-2013 (COUNCIL APPROVED)

\$553,287

EXPENDITURE KEY:

EXPENDITURE KEY:

~~ FY 2013 PROJECT/APPROVED JUNE 2001

<< FY 2013 PROJECT/APPROVED JAN 2006



City of Colleyville City Council Agenda Briefing

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

Agenda Number 4e

Agenda Date 11/05/2013

Number Resolution R-13-3684

Type Resolution

Department City Secretary

Title

Approval of the Colleyville Tree Board and Senior Center Advisory Committee bylaws

Explanation

Reading and Public Hearing

In an effort to provide consistent bylaws and attendance requirements and to assist new members appointed to a board, commission, or committee, staff developed a standard template for bylaws that mirror the City Council and Planning and Zoning Commission attendance requirements. The standardized template also outlines the responsibility of each board, commission, and committee and identifies the resolution or ordinance by which the board, commission, or committee was created. Staff liaisons were asked to present the bylaws for discussion and adoption at a scheduled board, commission, or committee meeting.

As the City Council creates, establishes, and appoints boards, commissions, and committees per the City Charter, (excerpt attached) and reviews the minutes of each board, commission, and committee, under the Reports section of the City Council agenda, staff is seeking City Council approval of all bylaws approved by each board, commission, and committee, as they are approved. As some boards, commissions, and committees, meet on an as needed basis only, bylaws will be attached to the Consent Agenda as they are adopted and approved by the board, commission, and committee.

The Senior Center Advisory Committee approved the attached bylaws at the April 18, 2013 meeting.

The Colleyville Tree Board approved the attached bylaws at the October 21, 2013 meeting.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. City Charter Excerpt

2. Senior Center Advisory Committee bylaws
3. Colleyville Tree Board bylaws

Section 7.06 Department of Finance:

There shall be a Department of Finance headed by the City Manager or his appointee. The City Manager may appoint a deputy director of finance who may be the City Collector of Taxes. (Amended May 7, 2005)

Section 7.07 Other Departments, Boards and Commissions:

The City Council may abolish or consolidate any office or department except those created by this Charter. The City Council may divide the administration of any such departments as it may deem advisable and may create new departments.

The City Council shall create, establish, or appoint, as may be required by State law, circumstances, or this Charter, those Boards, Commissions, and Committees which are deemed necessary to carry out the functions and obligations of the City. The City Council shall prescribe accountability and tenure of each Board, Commission, and Committee where such are not prescribed by State law or this Charter.

ARTICLE VIII
LEGAL AND JUDICIAL SERVICES

Section 8.01 Municipal Court:

There shall be established and maintained a court designated as a "Municipal Court in the City of Colleyville", for the trial of misdemeanor offenses, with all such powers and duties as are now or hereafter may be prescribed by State law relative to municipal courts. All fines imposed by said court shall be paid into the City Treasury for the use and benefit of the City.

Section 8.02 Judge of the Municipal Court:

The Judge of the Municipal Court shall be appointed by the City Council to serve at the discretion of the City Council. He shall be an attorney licensed and practicing in the State of Texas, and shall receive such salary as may be fixed by the City Council. In case of the disability or absence of the Judge of the Municipal Court, the City Council shall appoint a qualified person to act in his place.

Section 8.03 Clerk of the Municipal Court:

There shall be a clerk of the Municipal Court to be appointed by the City Manager. The clerk of the court and deputies shall have the power to administer oaths and affidavits, make certificates, affix the seal of the court, and generally do and perform any and all acts as usual and necessary to be performed by the clerks of courts in issuing process of said courts and conducting the business thereof. (Amended May 7, 2005)

SENIOR CENTER ADVISORY COMMITTEE BYLAWS

ARTICLE I – Identification and Purpose

The Senior Center Advisory Committee was established by the City Council of Colleyville, Texas, by Resolution R-07-2719 on February 6, 2007. The purpose of the Senior Center Advisory Committee is to act in an advisory capacity to the Senior Center staff in matters pertaining to its participants, to help identify the needs of the senior citizens and enhance their quality of life and use all the available resources to inform senior citizens of community activities and services.

ARTICLE II – Membership

- 2.1 The Senior Center Advisory Committee shall consist of seven (7) members who shall be appointed by the City Council for a (2) year term.
- 2.2 Members shall serve without compensation and until their successors are appointed.
- 2.3 Members must be residents of Colleyville, Texas unless City Council waives the residency requirement.
- 2.4 Vacancies on the Senior Center Advisory Committee shall be reported to the City Secretary and filled by appointment of the City Council for the length of the unexpired term.
- 2.5 If a member of the Senior Center Advisory Committee fails to maintain a seventy-five percent (75%) attendance record for all regularly scheduled meetings, the Chair or staff liaison will notify the City Secretary. City Council may, at its discretion, declare a vacancy, advertise the open position, or appoint a replacement without advertising.
- 2.6 The Colleyville Parks and Recreation staff is responsible for the formulation of the policies for the management of the Senior Center. The Senior Center staff is responsible for managing the day-to-day operations of the Senior Center.
- 2.7 Annual memberships are required for participation at the Senior Center, unless people are participating in classes, programs, or activities that require a monthly or one-time fee. There is no membership fee for Colleyville residents; however, there is a \$10.00 annual membership fee for non- residents.

ARTICLE III – Officers

- 3.1 The officers of the Senior Center Advisory Committee shall be the Chair and the Vice-Chair.
- 3.2 The Senior Center Advisory Committee shall elect the Chair and Vice-Chair from among the members annually. The officers shall serve one-year terms or until a successor is elected.
- 3.3 In the event of resignation or incapacity of the Chair, the Vice-Chair shall serve as the Chair for the unexpired portion of the term.
- 3.4 City staff shall take minutes of the meetings and serve as custodian of Senior Center Advisory Committee records.

ARTICLE IV – Meetings

- 4.1 Regular meetings shall be held quarterly on the third Thursday of the month at the Colleyville Senior Center, located at 2512 Glade Road. Meeting dates, times and location may be changed as necessary.
- 4.2 A majority of the voting Senior Center Advisory Committee shall constitute a quorum to conduct business of the Senior Center Advisory Committee. The act of the Senior Center Advisory Committee members, present at a meeting, at which a quorum is in attendance, shall constitute the act of the Senior Center Advisory Committee. Members unable to attend a regular meeting shall notify the Chair or staff liaison by noon of the meeting day.
- 4.3 An agenda shall be prepared by the City staff for each meeting of the Senior Center Advisory Committee. The request for items to be placed on the agenda shall be in written form and presented to the Chair or staff liaison at least seven days prior to the scheduled meeting date. An agenda will be posted in accordance with the Open Meetings Act. Meeting agenda packets will be distributed to each member 72 hours prior to a meeting.
- 4.4 Meeting agendas will be posted on the City Hall bulletin boards and the City's web site 72 hours prior to a meeting. Meeting agenda packets will be available to the public on the City's website 72 hours prior to a meeting. Approved meeting minutes will be included in City Council agenda packets under Reports.
- 4.5 The Chair shall preside at all meetings. In the absence of the Chair, the Vice-Chair shall preside.

- 4.6 The Chair may recognize individuals wishing to speak regarding an item on the agenda.
- 4.7 Special meetings may be called at the request of the Chair; at the request of two or more members; or may be scheduled at any previous meeting. Posting and notification of meeting requirements shall apply to special meetings.
- 4.8 Staff representatives shall be in attendance at Senior Center Advisory Committee meetings. They should participate in meetings to provide staff assistance, reports, and recommendations. The approved minutes from each meeting will be filed with the Parks and Recreation Director with a copy retained by the City.

ARTICLE V – Duties and Responsibilities

- 5.1 The Senior Center Advisory Committee acts in an advisory capacity to the City Council in all matters pertaining to the delivery of senior services to the citizens of Colleyville.
- 5.2 The Chair, or in his/her absence the Vice-Chair, shall preside at all meetings and shall decide all points of order or procedure. Staff representatives shall record, or cause to be recorded, accurate, and complete minutes of all business procedures.
- 5.3 The Senior Center Advisory Committee members will take the Attorney General Texas Open Meetings Act on-line training course, available on this link. http://www.oag.state.tx.us/open/og_training.shtml#22, or obtain a DVD of the training course from the City Secretary, and provide a copy of the Certificate of Course Completion to the City Secretary. The training must be completed not later than the 90th day after the date the member takes the oath of office or otherwise assumes responsibilities as a member of the governmental body.
- 5.4 The Senior Center Advisory Committee shall establish standing committees and other such committees from time to time as may be deemed necessary.

ARTICLE VI – Amendments

- 6.1 These bylaws may be amended by a majority vote at any regular meeting, if all members have been notified of the proposed amendment 72 hours prior to such meeting. Amendments must be in compliance with applicable City ordinances.

COLLEYVILLE TREE BOARD BYLAWS

ARTICLE I – Identification and Purpose

The Colleyville Tree Board was established by the City Council of Colleyville, Texas, by Ordinance O-98-1130 on December 15, 1998 with amendments to Sections 2 and 3 by Ordinance O-09-1709 on February 3, 2009. The purpose of the Colleyville Tree Board is to serve in an advisory capacity to the Colleyville Parks and Recreation Advisory Board and through them, to the City Council.

ARTICLE II – Membership

- 2.1 The Colleyville Tree Board shall consist of six (6) members, consisting of three (3) members of the Parks and Recreation Advisory Board, and three (3) members of Keep Colleyville Beautiful and/or the Colleyville Garden Club, who shall be appointed by the City Council for a term that shall run concurrent with their terms on the Parks and Recreation Advisory Board, Keep Colleyville Beautiful Committee and/or the Colleyville Garden Club.
- 2.2 Members shall serve without compensation and until their successors are appointed.
- 2.3 Members must be residents of Colleyville, Texas unless City Council waives the residency requirement.
- 2.4 Vacancies on the Colleyville Tree Board shall be reported to the City Secretary and filled by appointment of the City Council for the length of the unexpired term.
- 2.5 If a member of the Colleyville Tree Board fails to maintain a seventy-five percent (75%) attendance record for all regularly scheduled meetings, the Chair or staff liaison will notify the City Secretary. City Council may, at its discretion, declare a vacancy, advertise the open position or appoint a replacement without advertising.

ARTICLE III – Officers

- 3.1 The officers of the Colleyville Tree Board shall be the Chair and the Vice Chair.

- 3.2 The Colleyville Tree Board shall elect the Chair and Vice Chair from among the members annually. The officers shall serve one-year terms or until a successor is elected.
- 3.3 In the event of resignation or incapacity of the Chair, the Vice Chair shall serve as the Chair for the unexpired portion of the term.
- 3.4 City staff shall take minutes of the meeting and serve as custodian of the Colleyville Tree Board records.

ARTICLE IV – Meetings

- 4.1 Regular meetings shall be held annually or as needed in the 2nd floor meeting room at the Colleyville Library located at 110 Main Street. Meeting dates, times and location may be changed as necessary.
- 4.2 Members unable to attend a regular meeting shall notify the Chair or staff liaison by noon of the meeting day.
- 4.3 A majority of the voting Colleyville Tree Board shall constitute a quorum to conduct business of the Colleyville Tree Board. The act of the Colleyville Tree Board members, present at a meeting, at which a quorum is in attendance, shall constitute the act of the Colleyville Tree Board.
- 4.4 Meeting agendas will be posted on the City Hall bulletin boards and the City's web site 72 hours prior to a meeting. Meeting agenda packets will be available to the public on the City's website 72 hours prior to a meeting. Approved meeting minutes will be included in City Council agenda packets under Reports.
- 4.5 Meeting agenda packets will be distributed to each member 72 hours prior to a meeting.
- 4.6 The Chair shall preside at all meetings. In the absence of the Chair, the Vice Chair shall preside.
- 4.7 The Chair may recognize individuals wishing to speak regarding an item on the agenda.
- 4.8 Special meetings may be called at the request of the Chair or three members of the Colleyville Tree Board for the transaction of business. Posting and notification of meeting requirements shall apply to special meetings.
- 4.9 The Colleyville Tree Board may establish sub committees as deemed appropriate. Such committees will be dissolved upon completion of the charge or task.

ARTICLE V – Duties and Responsibilities

- 5.1 The Colleyville Tree Board acts in an advisory capacity to the Parks and Recreation Advisory Board, when requested in matters pertaining to a comprehensive City Tree Plan.
- 5.2 The Colleyville Tree Board members shall sign the Acknowledgement Statement in accordance with the Colleyville City Charter, Section 14.02, Personal Financial Interest, Subsection G, Oath, which acknowledges familiarity with the referenced section and Chapter 171 of the Local Government Code pertaining to conflict of interest.
- 5.3 The Colleyville Tree Board member shall meet the filing requirements of The Disclosure Act. The City is required to place all Conflict Disclosure Statements submitted to the City on the City's web site.
- 5.4 The Colleyville Tree Board member will take the Attorney General Texas Open Meetings Act on-line training course or obtain a DVD of the training course from the City Secretary, and provide a copy of the Certificate of Course Completion to the City Secretary. The training must be completed not later than the 90th day after the date the member takes the oath of office or otherwise assumes responsibilities as a member of the governmental body.

ARTICLE VI – Amendments

- 6.1 These bylaws may be amended by a majority vote at any regular meeting, if all members have been notified of the proposed amendment 72 hours prior to such meeting. Amendments must be in compliance with applicable City ordinances.



City of Colleyville City Council Agenda Briefing

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

Agenda Number 5a

Agenda Date 11/05/2013

Number Ordinance O-13-1893

Type Ordinance

Department Community Development

Title

Consideration of a request for an amendment to the PUD-C-Planned Unit Development Commercial zoning and development requirements for Lot 1R, Block 1, of the Wildwood Estates Addition, located at 5700 Pool Road, Case ZC13-010

Explanation

Second Reading and Public Hearing

There were no speakers regarding this request at the October 15, 2013 City Council meeting.

City Council advised the applicant to provide an exhibit with details to include masonry on the existing support columns of the pavilion. As it relates to the City Council's request, the applicant has submitted two exhibits, attached to the briefing, showing how the addition of masonry would look on the existing metal support columns of the pavilion. The first exhibit shows how the columns would look if masonry were added to the entire column. The second exhibit shows how the columns would look if masonry were added to a height of six feet only, as originally proposed by the applicant as part of the current case.

First Reading and Public Hearing

The applicant is requesting an amendment to PUD-C-Planned Unit Development Commercial Ordinance O-12-1822, in order to modify certain conditions for 5700 Pool Road, located at the southwest corner of Pool Road and Hall-Johnson Road.

Existing Conditions and Zoning. The subject property is zoned PUD-C-Planned Unit Development Commercial and contains an athletic field, basketball court, covered pavilion, and parking lot. The zoning was approved on February 21, 2012 by Ordinance O-12-1822 (attached) and allows parking, athletic, and outdoor activities in conjunction with the Compass Church located at 2600 Hall-Johnson Road. The development of the property was completed on July 19, 2013, but has not received final approval from the City, pending the approval of the applicant's request.

The entire zoning case briefing from the City Council meeting held on February 21, 2012 is attached.

Applicant's Request. Per the attached Statement of Planning Objectives, the applicant is requesting the following modifications to the conditions in Ordinance O-12-

1822:

1. Section 4(5)a- The applicant requests that the support columns for the pavilion be clad with masonry materials only up to approximately 6 feet in height. The applicant states that they are requesting this "for the aesthetic desires of the church". Section 4(5)a currently requires that all columns shall be constructed of masonry materials. Attached is an exhibit that shows the amended elevations for the pavilion. The columns currently contain no masonry and, instead, are composed of painted metal.

2. Section 4(6)b- The applicant requests that the requirement for an eight foot masonry screening fence along the southern property line be removed. The applicant states that since Ordinance O-12-1822 was passed, Compass Church has acquired the property to the south, so there is no longer a need to screen the property to the south. The fence has not been built.

3. Section 4(6)c- The applicant requests that the requirement for a decorative eight foot tall open rail steel panel fence be revised to a six foot tall open rail fence. The applicant states that, "given the location and intended use, the fence will act as a sufficient barrier for ball, and players entering the vehicular parking area as well as the street". The fence is currently constructed as a six foot high wrought iron fence.

4. Section 4(7)b- The applicant requests that the requirement for a 20 foot landscape buffer along the southern property line be removed. Since Ordinance O-12-1822 was passed, Compass Church has acquired the property to the south and the applicant states that there is no longer a need to screen the property to the south. There is currently no landscape buffer along the southern property line. However, the required landscape buffer along the western property line is complete.

5. Section 4(8)a- The applicant requests that the verbiage "the developer shall replace and/or repair the existing five (5) foot sidewalk along Hall-Johnson Road and Pool Road" be revised to "the developer shall replace and/or repair the existing sidewalk along Hall-Johnson Road and Pool Road." The sidewalks along Hall-Johnson Road and Pool Road were in place prior to the development of the subject property. The sidewalk along Hall-Johnson Road is five (5) feet in width while the sidewalk along Pool Road is four (4) feet in width. Given the development of the property, all required sidewalks and trails must be built where none exist or improved to current standards where there are existing sidewalks or trails. Along Pool Road, according to both the Supplemental Sidewalk System Map and the Colleyville Pathways Plan (Trail #5), a ten (10) foot wide trail is required. As such, the existing four (4) foot sidewalk is not in compliance. The applicant is requesting the option to place the money for the trail into escrow in lieu of construction and leave the four foot sidewalk in place. The applicant has already repaired the damaged portions of the sidewalk per the requirements of Section 4(8)a.

The only ten foot wide portions of Trail #5 that currently exist are along the frontages

of 5200 to 5212 Pool Road, approximately 2,200 feet south of the subject property.

With the exception of the Planning and Zoning Commission recommendations below, all of the requested amendments above are reflected in the proposed ordinance. All other development conditions of Ordinance O-12-1822 and the Land Development Code are in compliance on the subject property.

Surrounding Properties. The surrounding properties include the following uses: a Compass Church annex to the east in the City of Grapevine, the primary Compass Church campus to the north, and single family residential uses to the west and south of the subject property.

Public Notification. Staff mailed notices to 15 adjacent property owners regarding this request and a courtesy notice was mailed to the City of Grapevine. All school districts within the City of Colleyville were notified per state law that was effective with the most recent legislative session. 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 to date.

Planning and Zoning Commission Recommendation. The Planning and Zoning Commission recommended approval of this request at the September 23, 2013 meeting by a vote of 4-0, subject to the following conditions:

(1) The requirement that the support columns for the main pavilion be composed of masonry materials is hereby deleted.

(2) The deletion of the screening fence and landscape buffer requirement on the south property line of the subject property is approved until such time that the adjacent properties south of the subject property are developed as residential properties; wherein said requirement shall apply.

These conditions have been added to the proposed ordinance.

Summary. The development of the property is complete, and the proposed amendments relate to conditions that are currently not in compliance on the subject property. If the request is approved, a final inspection may be approved on the subject property.

Financial Impact

There is no financial impact to the City.

Recommendation

Approval with the following conditions:

1. AMENDMENTS TO ORDINANCE O-12-1822

a. The following amendments to Ordinance O-12-1822 are hereby authorized:

(1) Section 4(5)a: the requirement that the support columns be constructed of masonry materials is hereby deleted.

(2) Section 4(6)b: this section shall only apply if the adjacent properties to the south of the subject property are developed as residential properties, at which time the screening fence must be constructed prior to the final inspection of any adjacent residential development.

(3) Section 4(6)c: A decorative six (6) foot open rail steel panel fence shall extend along the northern property line along Hall-Johnson Road.

(4) Section 4(7)b: The requirement for a 20 foot landscape buffer along the southern property line is hereby deleted.

(5) Section 4(8)a: the term "five (5) feet" is hereby deleted from this section.

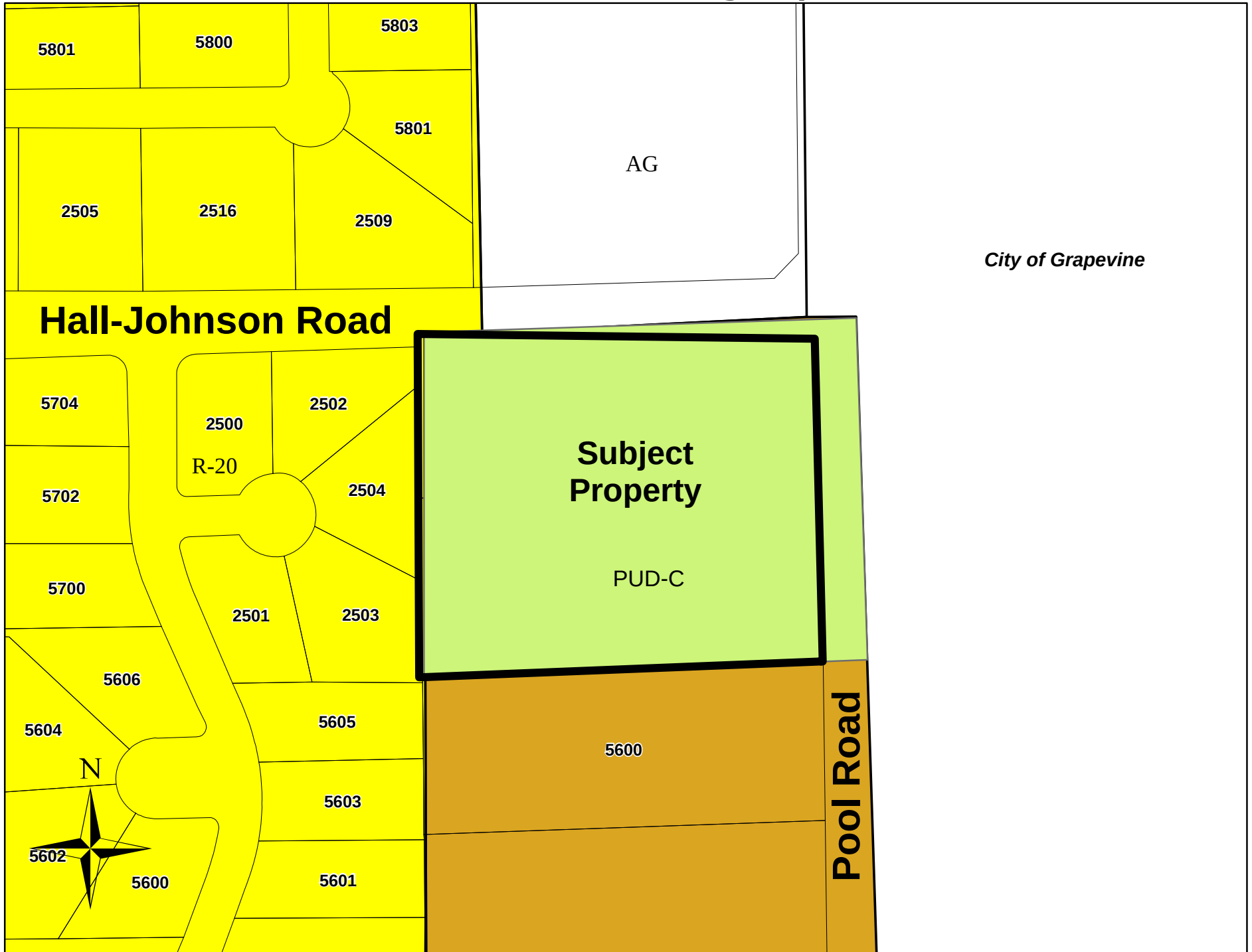
2. GENERAL

a. In lieu of construction, the developer may place into escrow the cost to construct the required ten (10) foot trail along Pool Road per the requirements of the Land Development Code. Said escrow payment, or construction, shall occur prior to the issuance of the final certificate of occupancy.

Attachments

1. Location and Zoning Map
2. Aerial
3. Buffer Map
4. Notification List
5. Pavilion Exhibit - Showing Current Columns with Full Masonry
6. Pavilion Exhibit - Showing Current Columns with Masonry to a Height of Six Feet Only
7. Statement of Planning Objectives
8. Amended Site Plan
9. Amended Pavilion Elevations
10. Original Case Briefing - 2/21/2012 City Council Meeting
11. Ordinance O-12-1822
12. Ordinance O-13-1893

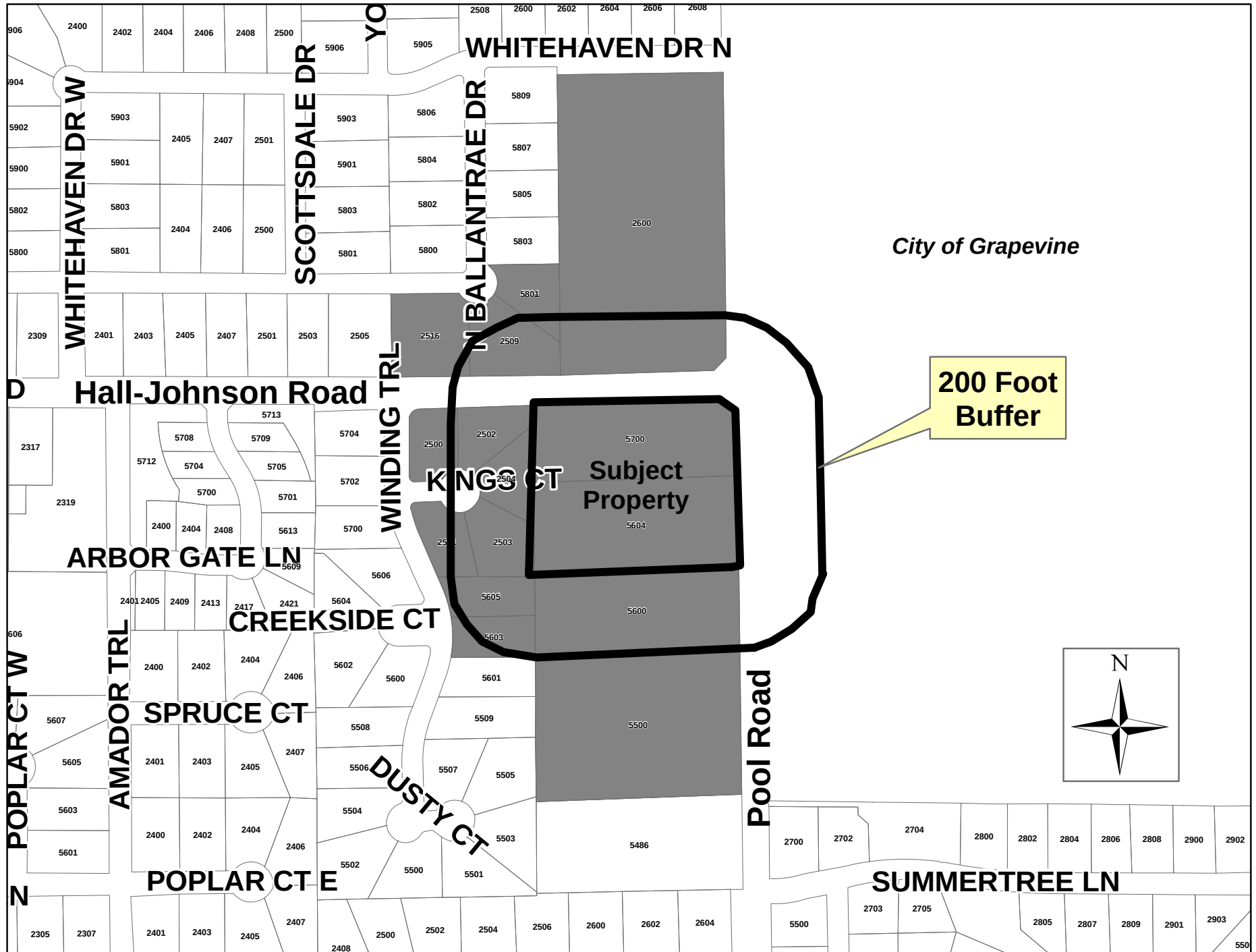
Location and Zoning Map



Aerial



Buffer Map



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
Pearson, Patrick L & Celestine	2500 Kings Ct	Colleyville	Texas	76034	2500 Kings Ct
Lucart, Sean T Etux Linda A	2504 Kings Ct	Colleyville	Texas	76034	2504 Kings Ct
Highland Meadows Christian Ch	2600 Hall Johnson Rd	Colleyville	Texas	76034	5604 Pool Rd
Neisius, Brandon Etux Carolyn	2503 Kings Ct	Colleyville	Texas	76034	2503 Kings Ct
Cohen-Wullaert, Allison Etvir	2502 Kings Ct	Colleyville	Texas	76034	2502 Kings Ct
Highland Meadows Christian Ch	2600 Hall Johnson Rd	Colleyville	Texas	76034	5500 Pool Rd
Intfen, Christopher Etux Marga	5603 Winding Trl	Colleyville	Texas	76034	5603 Winding Tr
Yin, Hai-Kuang Etux Nanyi	2501 Kings Ct	Colleyville	Texas	76034	2501 Kings Ct
Highland Meadows Christian Ch	2600 Hall Johnson Rd	Colleyville	Texas	76034	5600 Pool Rd
Henderson, Gary R Etux Julie	5605 Winding Trl	Colleyville	Texas	76034	5605 Winding Tr
Highland Meadows Christian Ch	2600 Hall Johnson Rd	Colleyville	Texas	76034	5700 Pool Rd
Przano, Anthony P Etux D Dawan	2509 Ballantrae Dr	Colleyville	Texas	76034	2509 Ballantrae Dr
Cloud, Ryan P Etux Britney R	5801 N Ballantrae Dr	Colleyville	Texas	76034	5801 N Ballantrae Dr
Pennington, David Franklin	2516 Hall Johnson Rd	Colleyville	Texas	76034	2516 Hall Johnson Rd
Highland Meadows Christian Ch	2600 Hall Johnson Rd	Colleyville	Texas	76034	2600 Hall Johnson Rd
Grapevine-Colleyville ISD	3051 Ira E. Woods Aven	Grapevine	Texas	76051	Courtesy Notice
Keller ISD	350 Keller Parkway	Keller	Texas	76248	Courtesy Notice
Hurst Euless Bedford ISD	1501 Central Drive	Bedford	Texas	76022	Courtesy Notice
City of Grapevine	P. O. Box 95140	Grapevine	Texas	76099	Courtesy Notice
Louie Murillo, Applicant	2600 Hall Johnson Rd	Colleyville	Texas	76034	Applicant

Public hearing notices were mailed
Friday, September 13, 2013 by Taci Wrisley

Pavilion Exhibit - Showing Current Columns with Full Masonry



Pavilion Exhibit - Showing Current Columns with Masonry to a Height of Six Feet Only



Statement of Planning Objectives



STATEMENT OF PLANNING OBJECTIVES

08-05-2013

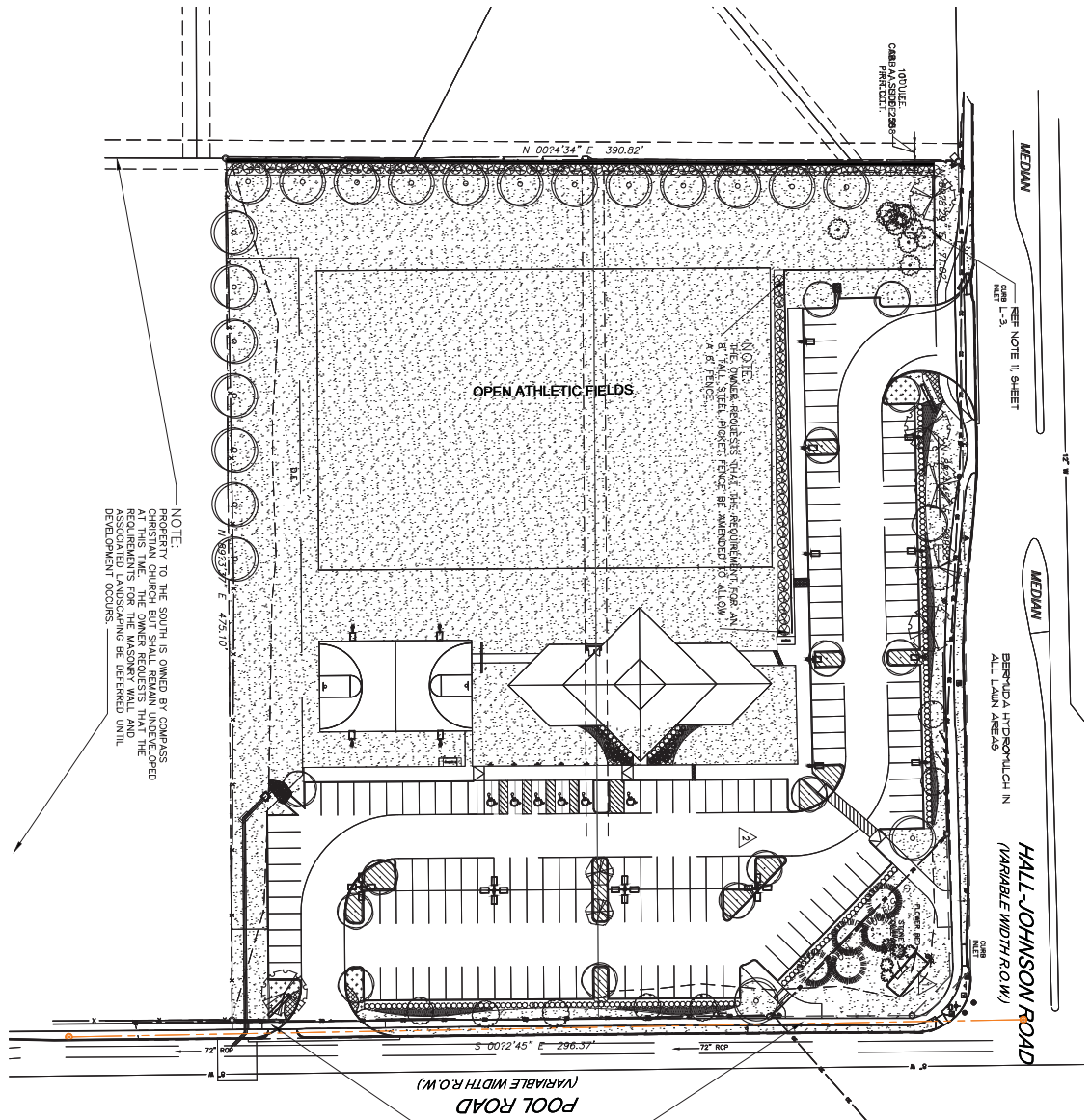
5700 Pool Road
Colleyville, TX 76034

Compass Christian Church is the owner of lots 1&2 of Block 1 of the S.C.H. Witten Survey A-1740. The approximate 4.8 acres was made a PUD per Ordinance 0-12-1822. The property is being developed for athletic and outdoor activities as a compliment to the main worship and Christian education facility to the north and Compass Center, a youth and community outreach center to the east. The church respectfully requests that the PUD be amended to reflect the following modifications:

1. Section 4(5)a- We request that the support columns for the pavilion be clad with masonry materials up to approximately 6 feet in height. We are requesting this for the aesthetic desires of the church.
2. Section 4(6)b- We request the requirement for an eight foot masonry screening fence along the southern property line be removed. Since the Ordinance was passed, the Church has acquired the property to the south so there is no longer a need to screen the property to the south.
3. Section 4(6)c- We request the requirement for a decorative eight foot tall open rail fence be revised to a six foot tall open rail fence, which given the location and intended use will act as a sufficient barrier for ball and players entering the vehicular parking area as well as the street.
4. Section 4(7)b- We request the requirement for a 20 foot landscape buffer along the southern property line be removed. Since the Ordinance was passed, the Church has acquired the property to the south so there is no longer a need to screen the property to the south.
5. Section 4(8)a- We request the verbage 'the developer shall replace and or repair the existing five (5) foot sidewalk along Hall-Johnson Road and Pool Road' be revised to 'the developer shall replace and or repair the existing sidewalk along Hall-Johnson Road and Pool Road'. The church has repaired and replaced the existing sidewalk as damage has occurred during the construction process, however the existing sidewalk width is not currently five feet. Replacing the entire sidewalk to be five feet in width was not indicated as a requirement including any of the Permit plan reviews nor site inspections until the zoning review occurred for final review and occupancy. The church would like to provide earnest money or show funds allocated for future sidewalk replacement when future development of the land may occur.

End of Memo

Amended Site Plan



LANDSCAPE AMENDMENT PLAN



PAVILLION AND PARKING EXPANSION
POOL ROAD AND HALL JOHNSON
COMPASS CHRISTIAN CHURCH
COLLEYVILLE, TEXAS



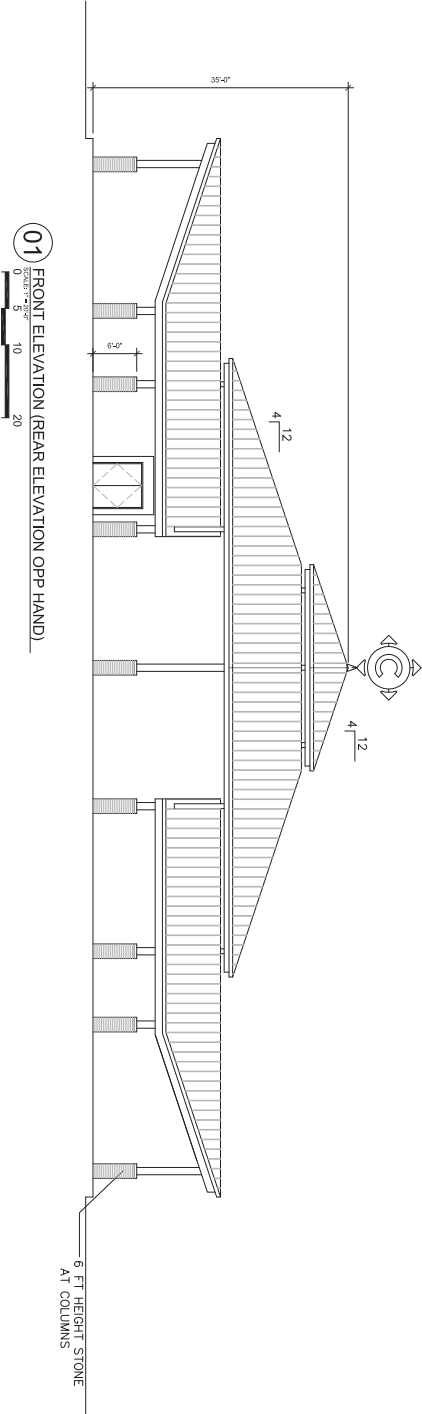
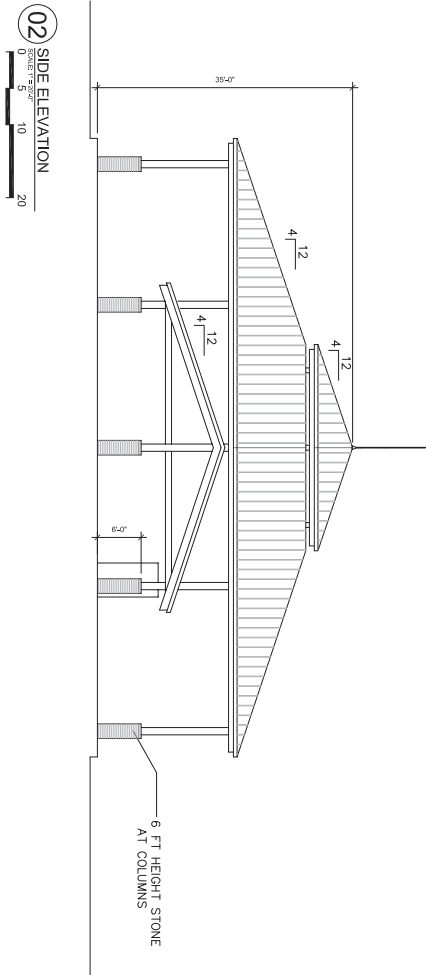
ISSUED FOR REVIEW
BY: [Signature]
DATE: 10-31-2013

WARD ARCHITECTURE PLLC
609 CHERRY STREET, SUITE 119
COLLEYVILLE, TEXAS 76034



L-0

Amended Pavilion Elevations



Original Case Briefing - 2/21/2012 City Council Meeting



City of Colleyville City Council Agenda Briefing

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

Agenda Number 5a

Agenda Date 02/21/2012

Number Ordinance O-12-1822

Type Ordinance

Department Community Development

Title

Approval of a request to rezone 4.8 acres from RE-Single Family 'Estate' Residential to PUD-C-Planned Unit Development Commercial on Lots 1A and 2, Block 1, of the Wildwood Estates Addition, located at 5604 and 5700 Pool Road, Case ZC11-027

Explanation

Second Reading and Public Hearing

There were two people who spoke at the February 7, 2012 meeting; one person in favor of the request and one person in opposition of the request.

First Reading and Public Hearing

Dave Toney, on behalf of Compass Christian Church, submitted a request to change the zoning of 4.8 acres, located on the southwest corner of Hall-Johnson Road and Pool Road. The applicant is requesting to rezone the property from the RE-Single Family 'Estate' Residential zoning district to the PUD-C-Planned Unit Development Commercial zoning district. The applicant is seeking a zoning change in order to develop the property for athletic and outdoor activities and a parking lot to support the overflow parking of the church.

Proposed Development. The applicant proposes an open green space for athletic and outdoor activities, an open basketball court, a 7,200 square foot covered pavilion, and approximately 166 parking spaces for support of the proposed land uses as well as overflow parking for the adjacent church facilities. The use of athletic facilities would be for congregation members, community groups and athletic leagues.

Lighting proposed for the site would illuminate the parking lot, basketball court and covered pavilion. The athletic field would not be illuminated. These provisions have been added to the proposed ordinance.

Religious institutions are allowed in all zoning districts. However, given the accessory nature of the proposed use to the primary use of the Compass Church campus located across the street at 2600 Hall-Johnson Road, the accessory use effectively becomes the actual primary use on the subject property. Therefore, a zoning change is required in order to permit the proposed use.

Existing Conditions. The property is currently vacant, and is platted. Approval of a subdivision amending plat will be required at a later date, upon approval of the

Original Case Briefing - 2/21/2012 City Council Meeting

rezoning

request.

Pavilion Building Design. The applicant has provided elevations for a proposed pavilion building. These elevations have been added to the proposed ordinance. All buildings will be restricted to the building area proposed by the applicant, and all buildings will be required to meet the building height requirements of the Land Development Code.

Parking and Access. The applicant intends to provide 166 parking spaces, which meet the minimum requirements of the Land Development Code.

The property will be accessed by a continuous 24 foot wide fire lane linking the south side of Hall-Johnson Road to the west side of Pool Road. Currently, the property is undeveloped and does not contain any driveway access.

Staff recommends that any parking lot and exterior building/security lighting be directed away from residential areas with a minimum of 0.5 foot-candle illumination as measured at the property line. These provisions have been added to the proposed ordinance.

Sidewalks and Trails. There is an existing sidewalk located on this site along both Hall-Johnson and Pool Roads. The developer will be responsible for replacing or repairing the sidewalk should damage occur during the construction process. The sidewalk must be repaired or replaced prior to the final inspection on the site.

Surrounding Properties. The surrounding properties include the following uses: a Compass Church annex to the east in the City of Grapevine, the primary Compass Church campus to the north, and single family residential uses to the west and south of the subject property.

Master Plan. The 2004-2025 Future Land Use Plan designates the subject property for future residential uses. This rezoning request is not consistent with the *Future Land Use Plan*.

Drainage and Stormwater Runoff. The developer has submitted a preliminary drainage analysis of the site, which has been reviewed and accepted by the Colleyville Public Works Department. Construction plans for drainage improvements will be submitted as part of the building permit process.

Fencing and Screening. The applicant is proposing to construct a ten foot masonry and wood fence with a 20 foot wide evergreen landscape buffer along the western property line. The applicant is proposing to have a 20 foot landscape buffer along the western and southern property lines. Staff recommends that an eight (8) foot masonry screening fence be constructed along the southern property line adjacent to the residentially zoned properties. Additionally, staff recommends that the landscape

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buffers contain live plant material of the evergreen variety, which is expected to grow to six (6) feet height in two (2) years, a minimum of three (3) feet in height at the time of installation and planted on six (6) foot centers.

The applicant is proposing to construct an eight (8) foot open rail steel panel fence with hedges along the northern property line along Hall-Johnson Road to help keep errant balls from making their way into traffic. This provision has been added to the proposed ordinance.

Landscaping. The applicant states that general landscaping and landscaping accents will be provided throughout the site for enhancement and beautification of the land. The site plan provided by the applicant shows the general distribution of the proposed landscaping. Staff recommends that all landscaping, at a minimum, meet the requirements of Chapter 4-Landscaping and Buffering in the Land Development Code including street, buffering and parking lot landscaping.

Open Space. The Land Development Code requires that Planned Unit Developments contain a minimum of 20 percent of open space. Given the recreational nature of the proposed use, there will be over 50 percent of open space on the subject property.

Tree Preservation. As required by Chapter 5-Tree Preservation of the Land Development Code, approval of a tree survey and mitigation plan will be required upon submittal of a building permit for any new structure.

Public Notification. Staff mailed notices to 16 adjacent property owners regarding this request and a courtesy notice was mailed to the City of Grapevine. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. Staff has received two letters of opposition to the rezoning request and one letter to withdraw their opposition. Both letters are within the notification area.

Planning and Zoning Commission Recommendation. The Planning and Zoning Commission recommended approval of the rezoning request at the January 9, 2012 meeting by a vote of 4-2 subject to the following conditions:

1. The athletic fields will not have lighting, stadium seating, score boards or signage.
2. There shall be no lighting within 50 feet of the west and south property line.
3. This rezoning request shall revert back to the RE- Single Family 'Estate' Residential zoning if there are no building permits issued for the proposed development within two years of approval of this ordinance.

Supermajority Vote Requirement. Since the opposition within 200 feet of the

Original Case Briefing - 2/21/2012 City Council Meeting

subject property exceeds 20%, the request can only be approved by a supermajority vote by the City Council. This request must receive at least six (6) affirmative votes in order to be approved.

Summary. The proposed use is not consistent with the *Future Land Use Plan*, as the subject properties are designated for single family uses. However, the Land Development Code allows the primary use of a religious institution in all zoning districts in order to remain consistent with the Religious Land Use and Institutionalized Persons Act (RLUIPA) passed by the United States Congress in 2000. Religious institutions are designated as institutional uses on the Future Land Use Plan. Religious institutions tend to have development characteristics that more resemble commercial as opposed to residential uses. That said, given the detached (or accessory) nature of the proposed use from the primary use of the church across the street at 2600 Hall-Johnson Road, as well as the proposed primary use of the property for a parking lot and athletic uses for use by the greater community, staff agrees that the proposed use is not consistent with the land use policies of the Colleyville Plan and the Land Development Code.

Financial Impact

There is no financial impact to the City.

Recommendation

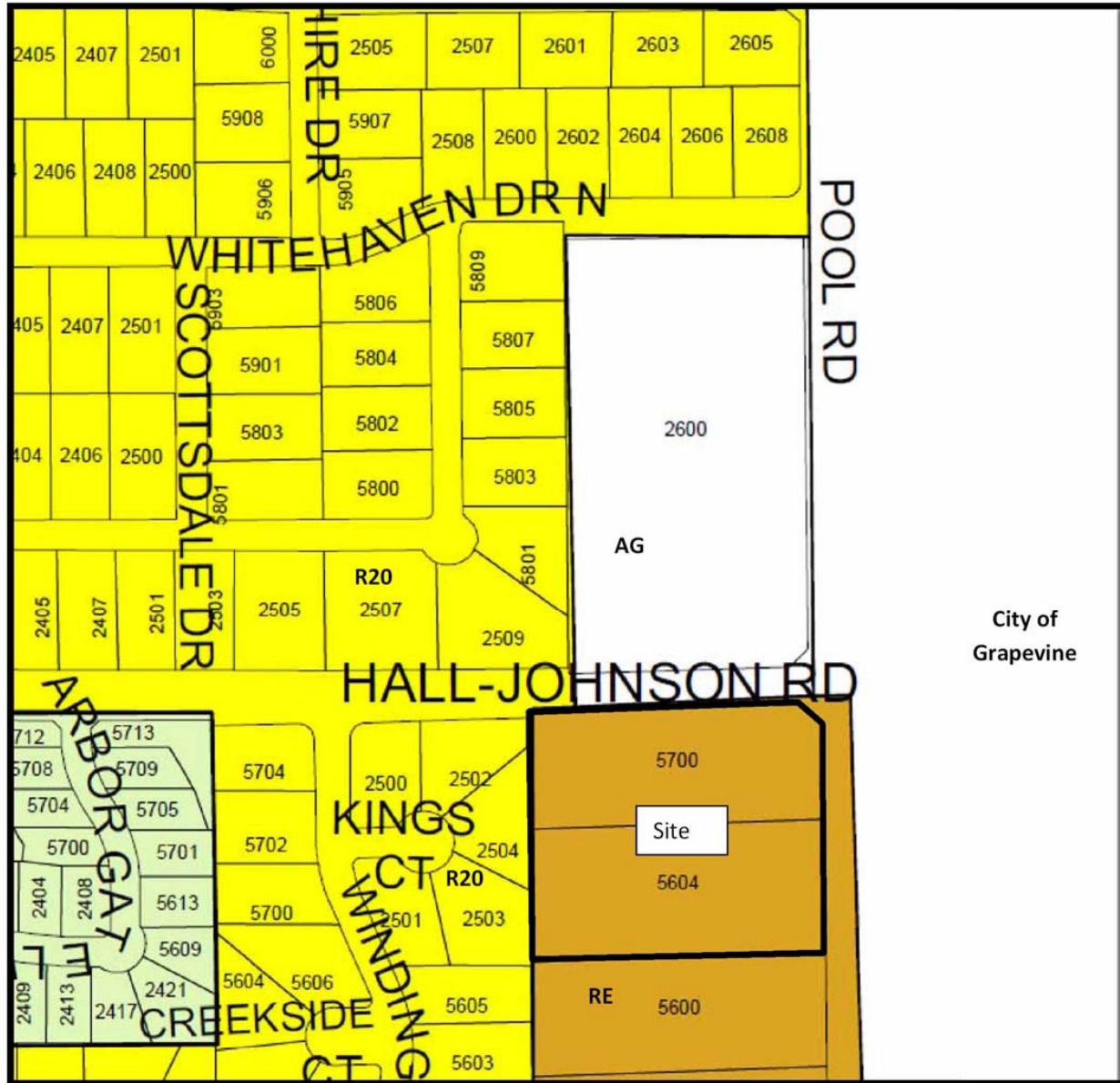
Denial

Attachments

1. Location and Zoning Map
2. Notification List
3. Buffer Map
4. Letters of Opposition
5. Letter Withdrawing Opposition
6. Aerial
7. Statement of Planning Objectives
8. Site Plan
9. Pavillion Exhibit
10. Lighting Exhibit
11. Open Rail Fence Exhibit
12. Ordinance O-12-1822

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Location and Zoning Map



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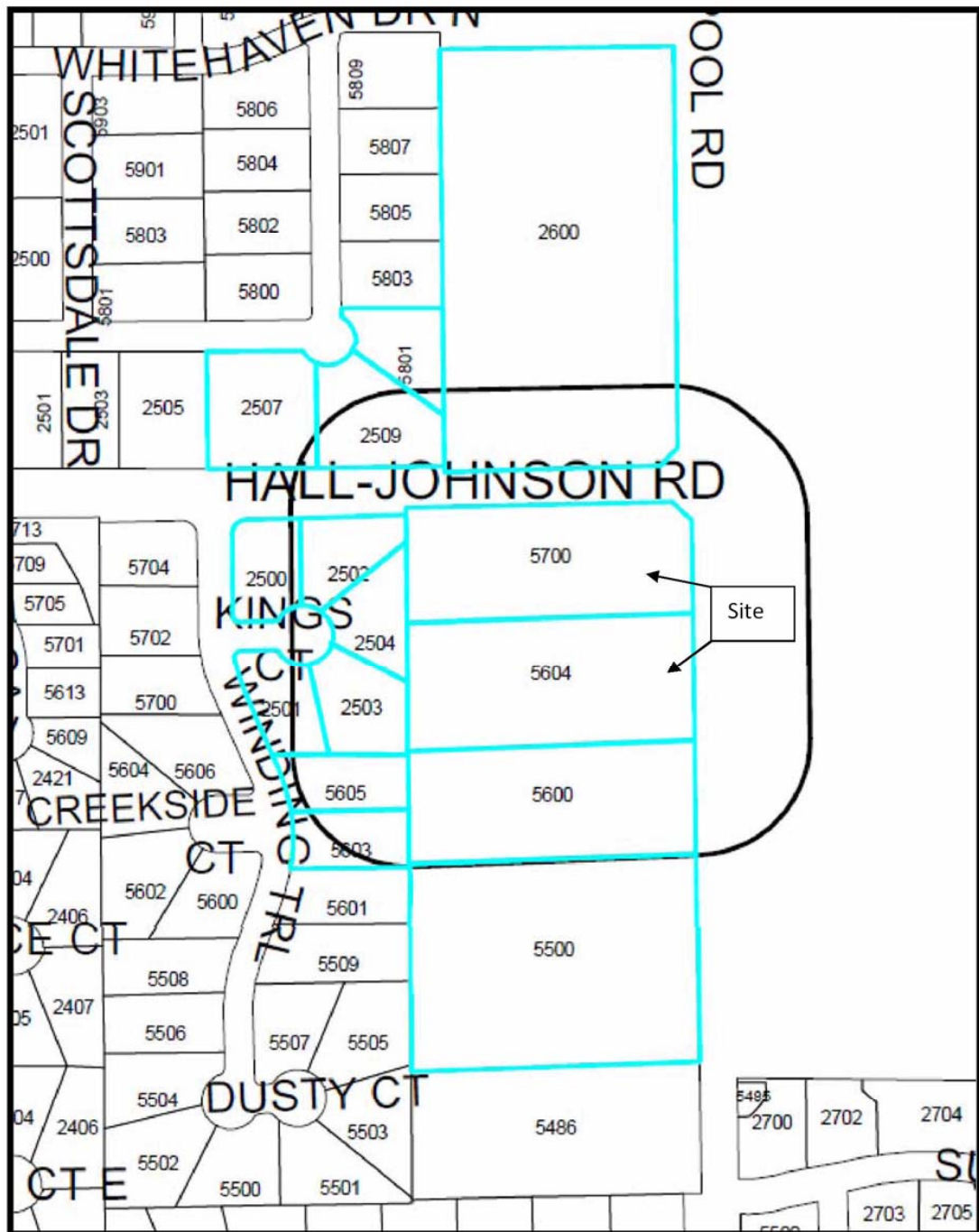
Notification List

OWNER NAME	OWNER ADDRESS	OWNER CITY	OWNER STATE	OWNER ZIP	SITUS ADDR
Highland Meadows Christian Ch	2600 Hall Johnson Rd	Colleyville	TX	76034	002600 Hall Johnson Rd
Gray, Travis P Etux Kathleen	5801 N Ballantrae Dr	Colleyville	TX	76034	005801 N Ballantrae Dr
Przano, Anthony P Etux D Dawan	2509 Ballantrae Dr	Colleyville	TX	76034	002509 Ballantrae Dr
Pennington, David F Etux Marie	2516 Hall Johnson Rd	Colleyville	TX	76034	002516 Hall Johnson Rd
Cohen-Wullaert, Allison Etvir	2502 Kings Ct	Colleyville	TX	76034	002502 Kings Ct
Pearson, Patrick L & Celestine	2500 Kings Ct	Colleyville	TX	76034	002500 Kings Ct
Lucart, Sean T Etux Linda A	2504 Kings Ct	Colleyville	TX	76034	002504 Kings Ct
Baca, Richard Jr & Patricia J	4801 Behrens Ct	Colleyville	TX	76034	005604 Pool Rd
Baca, Richard Jr Etux Patricia	4801 Behrens Ct	Colleyville	TX	76034	005700 Pool Rd
Neisius, Brandon Etux Carolyn	2503 Kings Ct	Colleyville	TX	76034	002503 Kings Ct
Yin, Hai-Kuang Etux Nanyi	2501 Kings Ct	Colleyville	TX	76034	002501 Kings Ct
Sanders, Billie Joyce	5500 Pool Rd	Colleyville	TX	76034	005600 Pool Rd
Henderson, Gary R Etux Julie	5605 Winding Trl	Colleyville	TX	76034	005605 Winding Tr
Intfen, Christopher Etux Marga	5603 Winding Trl	Colleyville	TX	76034	005603 Winding Tr
Sanders, Billie Joyce	5500 Pool Rd	Colleyville	TX	76034	005500 Pool Rd
City of Grapevine	P.O. Box 95140	Grapevine	TX	76099	courtesy notice
Dave Toney, applicant	2600 Hall Johnson Rd	Colleyville	TX	76034	applicant

Public hearing notices were mailed on Thursday, December 22, 2011 by Amy Shelley.

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Buffer Map



Original Case Briefing - 2/21/2012 City Council Meeting

Letters of Opposition

From:

Sent: Monday, January 02, 2012 8:29 AM

To: Amy Shelley

Subject: Zoning case number ZC11-027

Amy,

Please accept this as written notice that we do not want a zoning change to Commercial from residential at this location.

Thank you,

Anthony Przano
2509 Ballantrae Drive
Colleyville, Texas 76034
817-269-6588

Original Case Briefing - 2/21/2012 City Council Meeting

January 6, 2012

Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034

To Whom It May Concern:

I currently have property located at 5500 and 5600 Pool Road in Colleyville and would like to protest the following rezoning request submitted by Dave Toney.

Zoning Case Number: ZC11-027

Location: 5604 & 5700 Pool Road

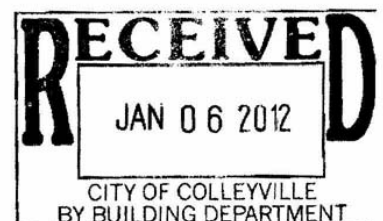
Requested Zoning: PUD-C-Planned Unit Development Commercial

My mother, Billie Sanders, recently deceased on December 18, 2011, but has on record where she has previously protested the rezoning on this same property. I am now trustee of her estate and would like to protest this rezoning request.

Please let me know if any further actions are needed to protest the rezoning.

Sincerely,


Billy Sanders



Original Case Briefing - 2/21/2012 City Council Meeting

Amy Shelley

Letter Withdrawing Opposition

Subject: FW: RE: Zoning case number ZC11-027

From:

Sent: Thursday, January 12, 2012 2:40 PM

To: Amy Shelley

Subject: Re: RE: Zoning case number ZC11-027

Thank you Amy,
This looks to be a good thing. I am not opposed.
Tony

From:

Sent: Thursday, January 12, 2012 10:07 AM

To: Amy Shelley

Subject: Fwd: Zoning case number ZC11-027

Amy,

I was not able to attend the hearing. Did this case pass? What did they want to build?

Thank you,

Tony

-----Original Message-----

From: tprzano@verizon.net

Date: Jan 2, 2012 8:29:23 AM

Subject: Zoning case number ZC11-027

To: ashelley@colleyville.com

Amy,

Please accept this as written notice that we do not want a zoning change to Commercial from residential at this location.

Thank you,

Anthony Przano

2509 Ballantrae Drive

Colleyville, Texas 76034

817-269-6588

Original Case Briefing - 2/21/2012 City Council Meeting

Aerial



Original Case Briefing - 2/21/2012 City Council Meeting

Statement of Planning Objectives

Statement of Planning Objectives Compass Christian Church Southwest Corner of Pool Rd and Hall Johnson Rd

Compass Christian Church is in process of acquiring lots 1 & 2 of Block 1 of the S.C.H. Witten Survey A-1740. The approximately 4.8 acres is across Hall Johnson from the existing Compass Christian Church main facility and across Pool Road from Compass Center, the Youth and Community Outreach facility also owned by the church.

The land uses proposed include an open green space for athletic and outdoor activities, an open basketball court, a 7200 square foot covered pavilion, and an approximately 166 space surface parking lot for support of the proposed land uses as well as overflow parking for the adjacent church facilities.

The intended land uses will allow the church ministry to expand outdoor options for not only the congregation but also for community outreach including educational meetings, athletic league use, and recreation.

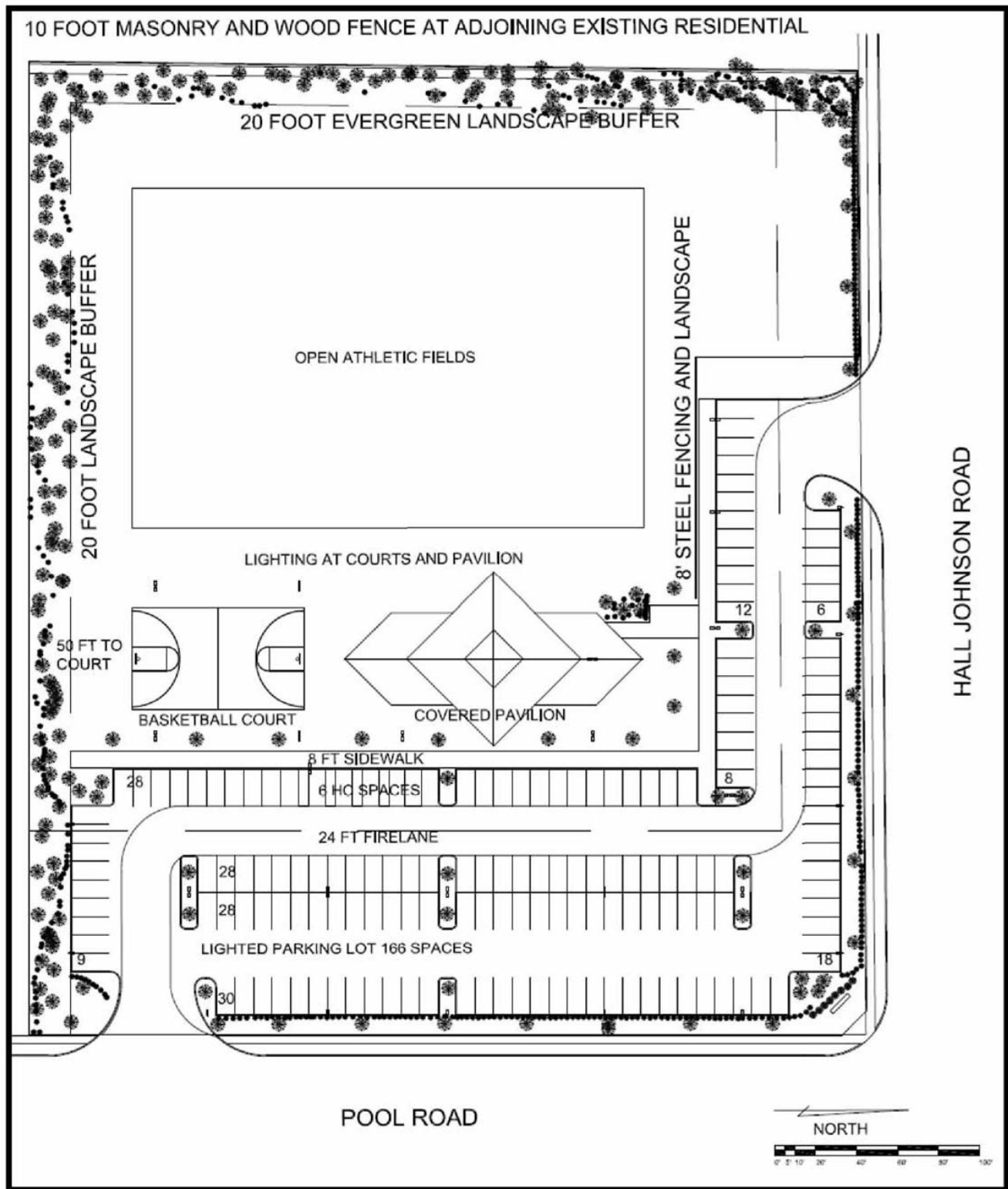
Impact to neighboring communities has been carefully reviewed and is important to the churches emphasis on being a good neighbor. The existing residential community to the west will have ten foot masonry and wood fence barrier as well as a twenty foot minimum deep evergreen landscape buffer planted in a free form or natural style. The land to the south currently zoned residential estate will have a 20 foot minimum deep landscape buffer. Currently the church is looking at an option of lighting the Pool Road side of the site (away from the existing residential area) to include the parking lot, pavilion, and basketball court, but not the open green area. No sound system is being considered at this time.

Safety is also a concern of the church. Currently on worship service or special events, the church does employ security personnel to help with both traffic flow and pedestrian traffic crossing the Hall Johnson — Pool Road intersection. This would continue for this property as well. As a border to the open green space athletic fields, an 8 foot open rail steel panel fence with hedges will be provided down Hall Johnson to help keep errand balls from making their way into traffic. The street scape will include trees and plantings as required by landscape ordinances and hedges at the perimeter of the parking lot.

General landscaping and landscaping accents will be provided throughout the site for enhancement and beautification of the land. The site will be irrigated including the existing landscape near the city sign. A landscape backdrop will be provided for the sign to allow the sign to maintain its identity and shield it from any proposed site lighting that may occur.

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Site Plan



Original Case Briefing - 2/21/2012 City Council Meeting

Covered Pavilion Exhibit



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Lighting Exhibit



Original Case Briefing - 2/21/2012 City Council Meeting

Open Rail Fence Exhibit



Original Case Briefing - 2/21/2012 City Council Meeting

ORDINANCE O-12-1822

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF APPROXIMATELY 4.8 ACRES ON LOTS 1A AND 2, BLOCK 1, OF THE WILDWOOD ESTATES ADDITION FROM THE RE-SINGLE FAMILY 'ESTATE' RESIDENTIAL ZONING DISTRICT TO THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT LOCATED AT 5604 AND 5700 POOL ROAD; 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. ZC11-027; 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

Original Case Briefing - 2/21/2012 City Council Meeting

Ordinance O-12-1822

Page 2 of 5

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 official zoning map on 4.8 acres on Lots 1A and 2, Block 1, of the Wildwood Estates Addition from the RE-Single Family 'Estate' Residential zoning district to the PUD-C-Planned Unit Development Commercial zoning district located at 5604 and 5700 Pool Road, as depicted on Exhibit "A" and described in Exhibit "B".
- 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. The purpose of this PUDC is for parking, athletic, and outdoor activities in conjunction with the Compass Christian Church located at 2600 Hall-Johnson Road.
- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. SITE PLAN AND PLATTING

- a. The development of this property shall be generally consistent with the site plan attached as Exhibit "C".
- b. Prior to the issuance of any building permit, an amending plat of the subject properties must be submitted and approved. No building permit may be issued until said plat is filed with the County Clerk.

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3. PERMITTED USES

- a. Athletic field
- b. Covered pavilion, not to exceed 7,200 square feet
- c. Basketball court
- d. Parking spaces

4. LIGHTING

- a. All lighting including parking lot, building and security lighting shall be directed away from residential areas and shall provide a maximum candle illumination of 0.5 foot candles as measured from the property line.
- b. There shall be no nighttime illumination of any kind for the athletic field.
- c. There shall be no lighting within 50 feet of the west and south property lines.

5. COVERED PAVILION

- a. The covered pavilion area shall be generally consistent with the site plan attached as Exhibit "D" with all support columns and walls constructed of masonry materials. The pavilion shall be required to meet the building height requirements of the Land Development Code.

6. SCREENING

- a. A ten (10) foot masonry and wood fence shall extend along the western property line.
- b. An eight (8) foot masonry screening fence shall extend along the southern property line.
- c. A decorative eight (8) foot open rail steel panel fence shall extend along the northern property line along Hall-Johnson Road to keep errant balls from making their way into traffic as attached Exhibit "E".

7. LANDSCAPING, BUFFERING AND OPEN SPACE

- a. The development shall provide a minimum of 50 percent of open space.
- b. A 20 foot landscape buffer shall be maintained along the western and southern property lines. Additionally, the landscape buffers shall contain live plant material of the evergreen variety, which is expected to

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grow to six (6) feet height in two (2) years, a minimum of three (3) feet in height at the time of installation and planted on six (6) foot centers. The required plantings shall be required in the buffer along the western property line prior to the completion of the athletic field.

8. SIDEWALKS

- a. The developer shall replace and/or repair the existing five (5) foot sidewalk along Hall-Johnson Road and Pool Road should damage occur during the construction process. The sidewalk must be repaired or replaced prior to the final inspection on the site.
- b. All requirements of the Land Development Code shall be met, except where amended herein.

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 _____ day of _____ 2012.

The second reading and public hearing being conducted on the _____ day of _____ 2012.

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Ordinance O-12-1822

Page 5 of 5

ATTEST:

CITY OF COLLEYVILLE

Cynthia Singleton, TRMC, CMC
City Secretary

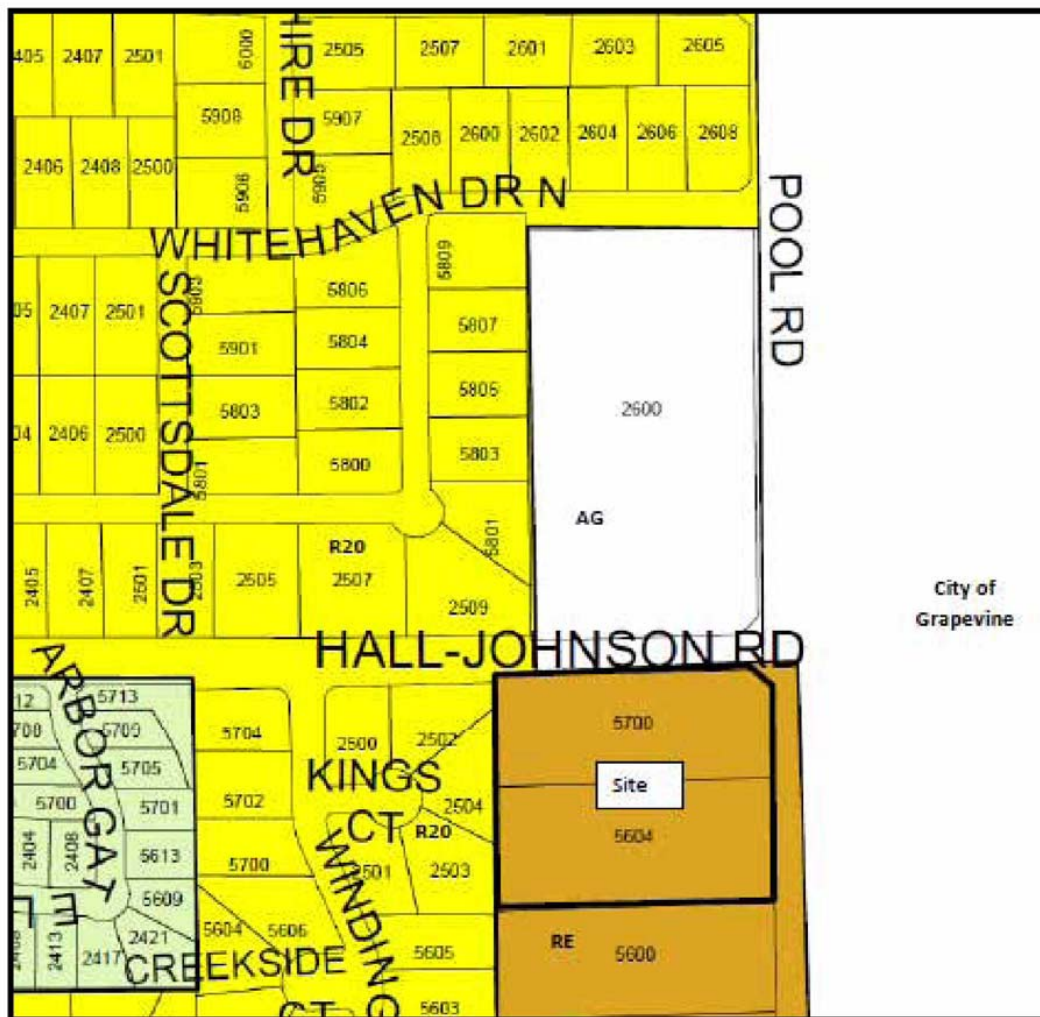
David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Original Case Briefing - 2/21/2012 City Council Meeting

Exhibit "A" - Location and Zoning Map



Original Case Briefing - 2/21/2012 City Council Meeting

Exhibit "B" – Statement of Planning Objectives

Compass Christian Church is in process of acquiring lots 1 & 2 of Block 1 of the S.C.H. Witten Survey A-1740. The approximately 4.8 acres is across Hall Johnson from the existing Compass Christian Church main facility and across Pool Road from Compass Center, the Youth and Community Outreach facility also owned by the church.

The land uses proposed include an open green space for athletic and outdoor activities, an open basketball court, a 7200 square foot covered pavilion, and an approximately 166 space surface parking lot for support of the proposed land uses as well as overflow parking for the adjacent church facilities.

The intended land uses will allow the church ministry to expand outdoor options for not only the congregation but also for community outreach including educational meetings, athletic league use, and recreation.

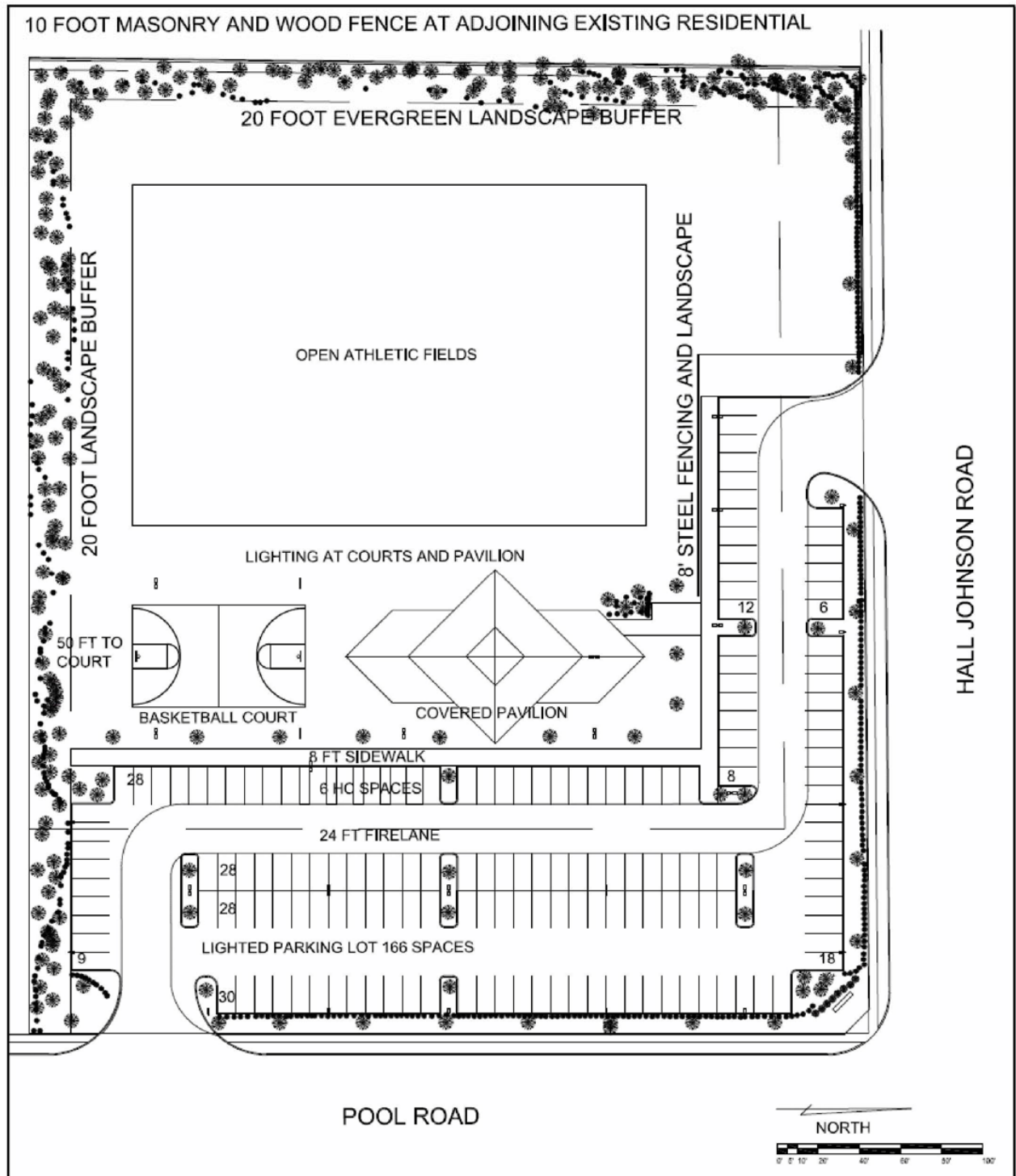
Impact to neighboring communities has been carefully reviewed and is important to the church's emphasis on being a good neighbor. The existing residential community to the west will have ten foot masonry and wood fence barrier as well as a twenty foot minimum deep evergreen landscape buffer planted in a free form or natural style. The land to the south currently zoned residential estate will have a 20 foot minimum deep landscape buffer. Currently the church is looking at an option of lighting the Pool Road side of the site (away from the existing residential area) to include the parking lot, pavilion, and basketball court, but not the open green area. No sound system is being considered at this time.

Safety is also a concern of the church. Currently on worship service or special events, the church does employ security personnel to help with both traffic flow and pedestrian traffic crossing the Hall Johnson – Pool Road intersection. This would continue for this property as well. As a border to the open green space athletic fields, an 8 foot open rail steel panel fence with hedges will be provided down Hall Johnson to help keep errand balls from making their way into traffic. The street scape will include trees and plantings as required by landscape ordinances and hedges at the perimeter of the parking lot.

General landscaping and landscaping accents will be provided throughout the site for enhancement and beautification of the land. The site will be irrigated including the existing landscape near the city sign. A landscape backdrop will be provided for the sign to allow the sign to maintain its identity and shield it from any proposed site lighting that may occur.

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Exhibit "C" –Site Plan



Original Case Briefing - 2/21/2012 City Council Meeting

Exhibit "D" – Pavilion Exhibit



Original Case Briefing - 2/21/2012 City Council Meeting

Exhibit "E" – Open Rail Fence Exhibit



ORDINANCE O-12-1822

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF APPROXIMATELY 4.8 ACRES ON LOTS 1A AND 2, BLOCK 1, OF THE WILDWOOD ESTATES ADDITION FROM THE RE-SINGLE FAMILY 'ESTATE' RESIDENTIAL ZONING DISTRICT TO THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT LOCATED AT 5604 AND 5700 POOL ROAD; 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. ZC11-027; 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 changing the official zoning map on 4.8 acres on Lots 1A and 2, Block 1, of the Wildwood Estates Addition from the RE-Single Family 'Estate' Residential zoning district to the PUD-C-Planned Unit Development Commercial zoning district located at 5604 and 5700 Pool Road, as depicted on Exhibit "A" and described in Exhibit "B".
- 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. The purpose of this PUDC is for parking, athletic, and outdoor activities in conjunction with the Compass Christian Church located at 2600 Hall-Johnson Road.
- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. SITE PLAN AND PLATTING

- a. The development of this property shall be generally consistent with the site plan attached as Exhibit "C".
- b. Prior to the issuance of any building permit, an amending plat of the subject properties must be submitted and approved. No building permit may be issued until said plat is filed with the County Clerk.

3. PERMITTED USES

- a. Athletic field
- b. Covered pavilion, not to exceed 7,200 square feet
- c. Basketball court
- d. Parking spaces

4. LIGHTING

- a. All lighting including parking lot, building and security lighting shall be directed away from residential areas and shall provide a maximum candle illumination of 0.5 foot candles as measured from the property line.
- b. There shall be no nighttime illumination of any kind for the athletic field.
- c. There shall be no lighting within 50 feet of the west and south property lines.

5. COVERED PAVILION

- a. The covered pavilion area shall be generally consistent with the site plan attached as Exhibit "D" with all support columns and walls constructed of masonry materials. The pavilion shall be required to meet the building height requirements of the Land Development Code.

6. SCREENING

- a. A ten (10) foot masonry and wood fence shall extend along the western property line.
- b. An eight (8) foot masonry screening fence shall extend along the southern property line.
- c. A decorative eight (8) foot open rail steel panel fence shall extend along the northern property line along Hall-Johnson Road to keep errant balls from making their way into traffic as attached Exhibit "E".

7. LANDSCAPING, BUFFERING AND OPEN SPACE

- a. The development shall provide a minimum of 50 percent of open space.
- b. A 20 foot landscape buffer shall be maintained along the western and southern property lines. Additionally, the landscape buffers shall contain live plant material of the evergreen variety, which is expected to

grow to six (6) feet height in two (2) years, a minimum of three (3) feet in height at the time of installation and planted on six (6) foot centers. The required plantings shall be required in the buffer along the western property line prior to the completion of the athletic field.

8. SIDEWALKS

- a. The developer shall replace and/or repair the existing five (5) foot sidewalk along Hall-Johnson Road and Pool Road should damage occur during the construction process. The sidewalk must be repaired or replaced prior to the final inspection on the site.
- b. All requirements of the Land Development Code shall be met, except where amended herein.

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.

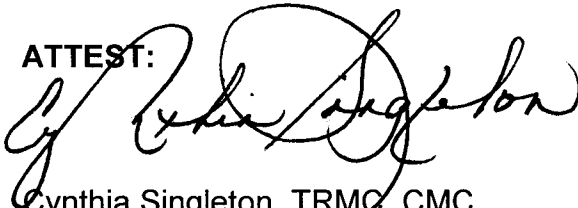
Sec. 8. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires 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 4th day of February 2012.

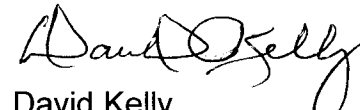
The second reading and public hearing being conducted on the 21st day of February 2012.

ATTEST:



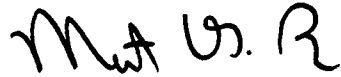
Cynthia Singleton, TRMO, CMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:



Matthew C. G. Boyle
City Attorney

The map displays a grid of land parcels. Key streets include WHITEHAVEN DR N running horizontally across the upper middle, SCOTTS DALE DR running vertically along the left side, and HALL-JOHNSON RD running horizontally across the lower middle. Other streets shown are FIRE DR, POOL RD, ARBOR GATE CT, KINGS MINING CT, and CREEKSIDE CT. Numerous lots are numbered, such as 2405, 2407, 2501, 5809, 5807, 5805, 5803, 5801, 5806, 5804, 5802, 5800, 2505, 2507, 2509, 5704, 5702, 5700, 5613, 5609, 5604, 5606, 5605, 5603, 5700, 5600, 5604, and 5600. Zoning districts are indicated by codes like R20, AG, and RE. A specific parcel is highlighted with a box labeled "Site".

Exhibit "B" – Statement of Planning Objectives

Compass Christian Church is in process of acquiring lots 1 & 2 of Block 1 of the S.C.H. Witten Survey A-1740. The approximately 4.8 acres is across Hall Johnson from the existing Compass Christian Church main facility and across Pool Road from Compass Center, the Youth and Community Outreach facility also owned by the church.

The land uses proposed include an open green space for athletic and outdoor activities, an open basketball court, a 7200 square foot covered pavilion, and an approximately 166 space surface parking lot for support of the proposed land uses as well as overflow parking for the adjacent church facilities.

The intended land uses will allow the church ministry to expand outdoor options for not only the congregation but also for community outreach including educational meetings, athletic league use, and recreation.

Impact to neighboring communities has been carefully reviewed and is important to the churches emphasis on being a good neighbor. The existing residential community to the west will have ten foot masonry and wood fence barrier as well as a twenty foot minimum deep evergreen landscape buffer planted in a free form or natural style. The land to the south currently zoned residential estate will have a 20 foot minimum deep landscape buffer. Currently the church is looking at an option of lighting the Pool Road side of the site (away from the existing residential area) to include the parking lot, pavilion, and basketball court, but not the open green area. No sound system is being considered at this time.

Safety is also a concern of the church. Currently on worship service or special events, the church does employ security personnel to help with both traffic flow and pedestrian traffic crossing the Hall Johnson – Pool Road intersection. This would continue for this property as well. As a border to the open green space athletic fields, an 8 foot open rail steel panel fence with hedges will be provided down Hall Johnson to help keep errand balls from making their way into traffic. The street scape will include trees and plantings as required by landscape ordinances and hedges at the perimeter of the parking lot.

General landscaping and landscaping accents will be provided throughout the site for enhancement and beautification of the land. The site will be irrigated including the existing landscape near the city sign. A landscape backdrop with be provided for the sign to allow the sign to maintain its identity and shield it from any proposed site lighting that may occur.

Exhibit "C" -Site Plan

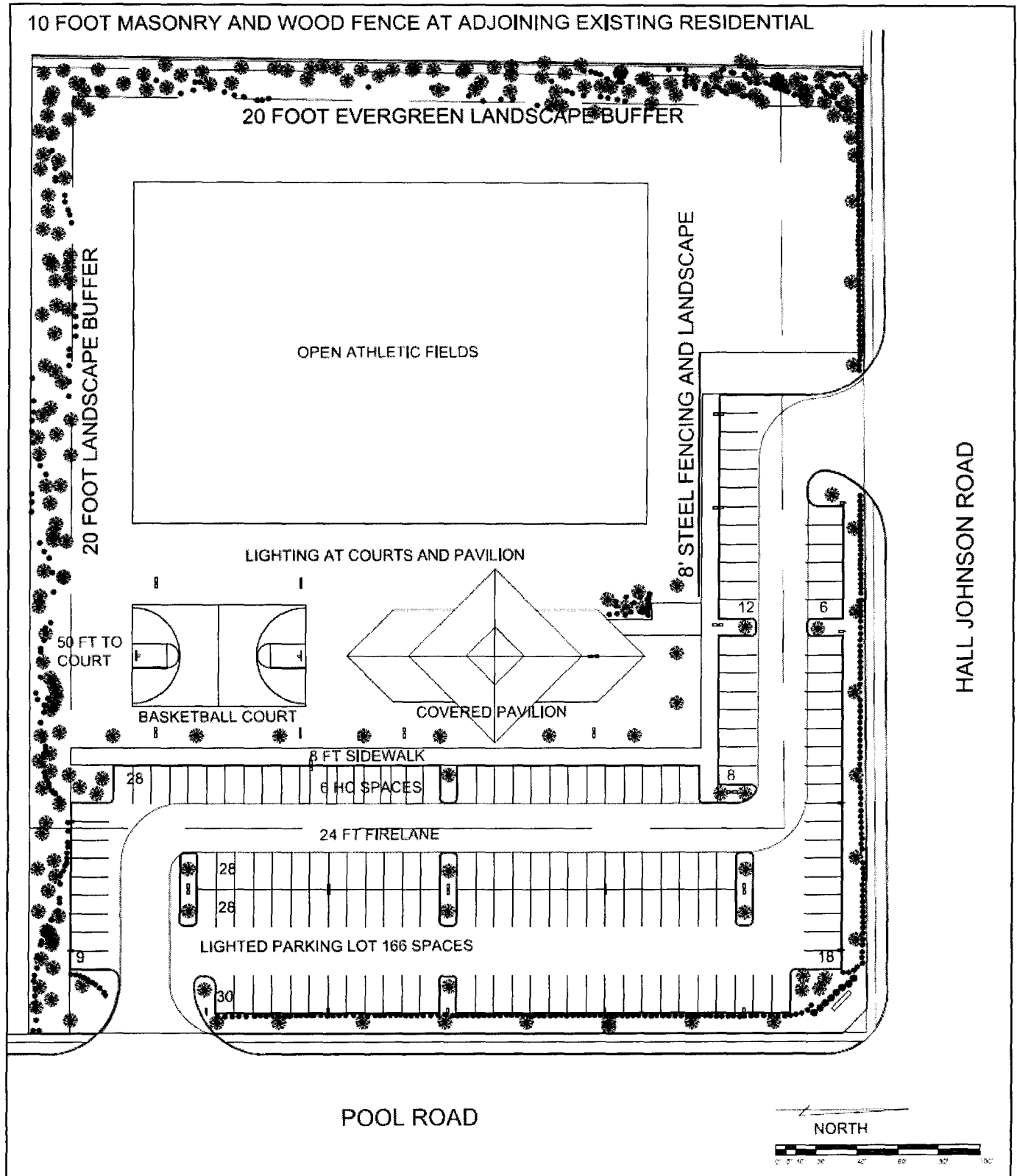


Exhibit "D" – Pavilion Exhibit



Exhibit “E” – Open Rail Fence Exhibit



ORDINANCE O-13-1893

AN ORDINANCE AMENDING ORDINANCE O-12-1822 CONDITIONS; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; 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 Council approved Ordinance O-12-1822 on February 21, 2012, to establish the zoning of 4.8 acres on Lots 1A and 2, Block 1, of the Wildwood Estates Addition; and

WHEREAS, the applicant has requested an amendment to Ordinance O-12-1822; 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 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, among other things, to 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 amending Ordinance O-12-1822.
- Sec. 3. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by amending the zoning and development requirements on 4.8 acres on Lot 1R, Block 1, of the Wildwood Estates Addition as depicted on Exhibit "A" and described in Exhibit "B".
- Sec. 4. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 5. THAT the above described tract of land shall be subject to the following conditions:

1. AMENDMENTS TO ORDINANCE O-12-1822

- a. The following amendments to Ordinance O-12-1822 are hereby authorized:

- (1) Section 4(5)a: the requirement that the support columns be constructed of masonry materials is hereby

deleted, attached as Exhibit "C".

- (2) Section 4(6)b: this section shall only apply if the adjacent properties to the south of the subject property are developed as residential properties, at which time the screening fence must be constructed prior to the final inspection of any adjacent residential development, as seen in the attached Exhibit "D".
- (3) Section 4(6)c: A decorative six (6) foot open rail steel panel fence shall extend along the northern property line along Hall-Johnson Road.
- (4) Section 4(7)b: The requirement for a 20 foot landscape buffer along the southern property line is hereby deleted, as seen in the attached Exhibit "D".
- (5) Section 4(8)a: the term "five (5) feet" is hereby deleted from this section.

2. GENERAL

- a. In lieu of construction, the developer may place into escrow the cost to construct the required ten (10) foot trail along Pool Road, per the requirements of the Land Development Code. Said escrow payment, or construction, shall occur prior to the issuance of the final certificate of occupancy.

Sec. 6. 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. 7. 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. 8. 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. 9. 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. 10. 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.
- Sec. 11. THAT Ordinance O-12-1822 shall remain in full force and effect, except where amended by this ordinance.

AND IT IS SO ORDERED.

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

The second reading and public hearing being conducted on the 5th day of November 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, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit “A” –Location and Zoning Map

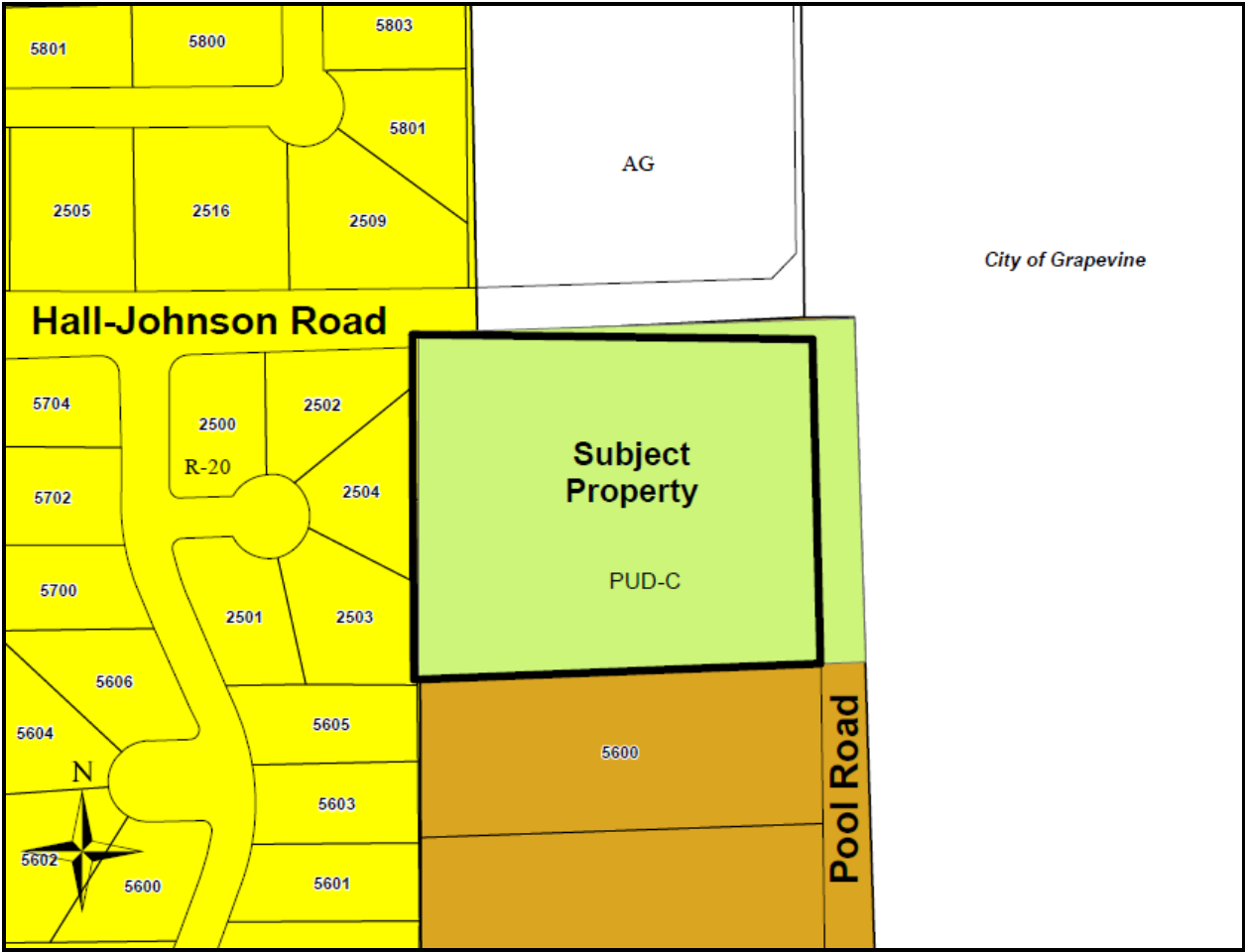


Exhibit “B” – Statement of Planning Objectives

Compass Christian Church is the owner of lots 1&2 of Block 1 of the S.C.H. Witten Survey A-1740. The approximate 4.8 acres was made a PUD per Ordinance 0-12-1822. The property is being developed for athletic and outdoor activities as a compliment to the main worship and Christian education facility to the north and Compass Center, a youth and community outreach center to the east. The church respectfully requests that the PUD be amended to reflect the following modifications:

1. Section 4(5)a- We request that the support columns for the pavilion be clad with masonry materials up to approximately 6 feet in height. We are requesting this for the aesthetic desires of the church.
2. Section 4(6)b- We request the requirement for an eight foot masonry screening fence along the southern property line be removed. Since the Ordinance was passed, the Church has acquired the property to the south so there is no longer a need to screen the property to the south.
3. Section 4(6)c- We request the requirement for a decorative eight foot tall open rail fence be revised to a six foot tall open rail fence, which given the location and intended use will act as a sufficient barrier for ball and players entering the vehicular parking area as well as the street.
4. Section 4(7)b- We request the requirement for a 20 foot landscape buffer along the southern property line be removed. Since the Ordinance was passed, the Church has acquired the property to the south so there is no longer a need to screen the property to the south.
5. Section 4(8)a- We request the verbage 'the developer shall replace and or repair the existing five (5) foot sidewalk along Hall-Johnson Road and Pool Road' be revised to 'the developer shall replace and or repair the existing sidewalk along Hall-Johnson Road and Pool Road'. The church has repaired and replaced the existing sidewalk as damage has occurred during the construction process, however the existing sidewalk width is not currently five feet. Replacing the entire sidewalk to be five feet in width was not indicated as a requirement including any of the Permit plan reviews nor site inspections until the zoning review occurred for final review and occupancy. The church would like to provide earnest money or show funds allocated for future sidewalk replacement when future development of the land may occur.

Exhibit "C" – Pavilion Exhibit

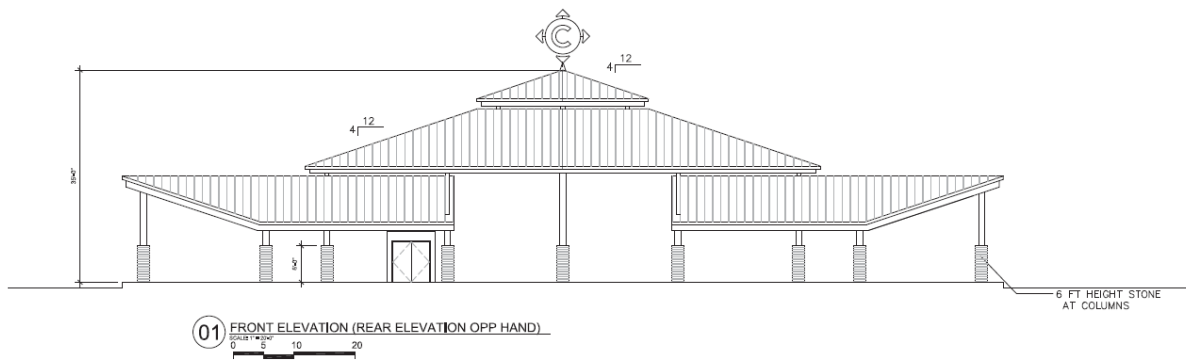
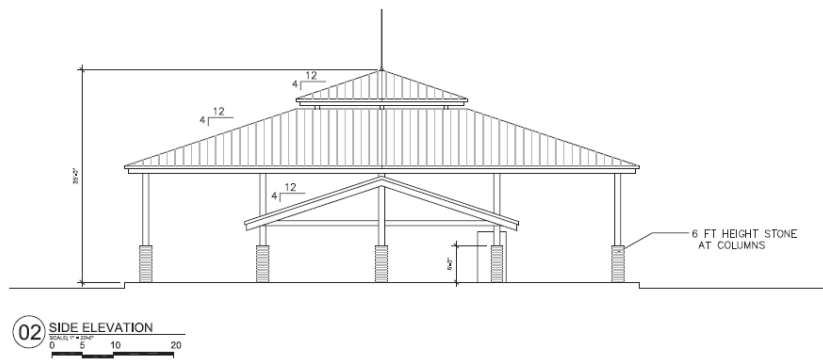
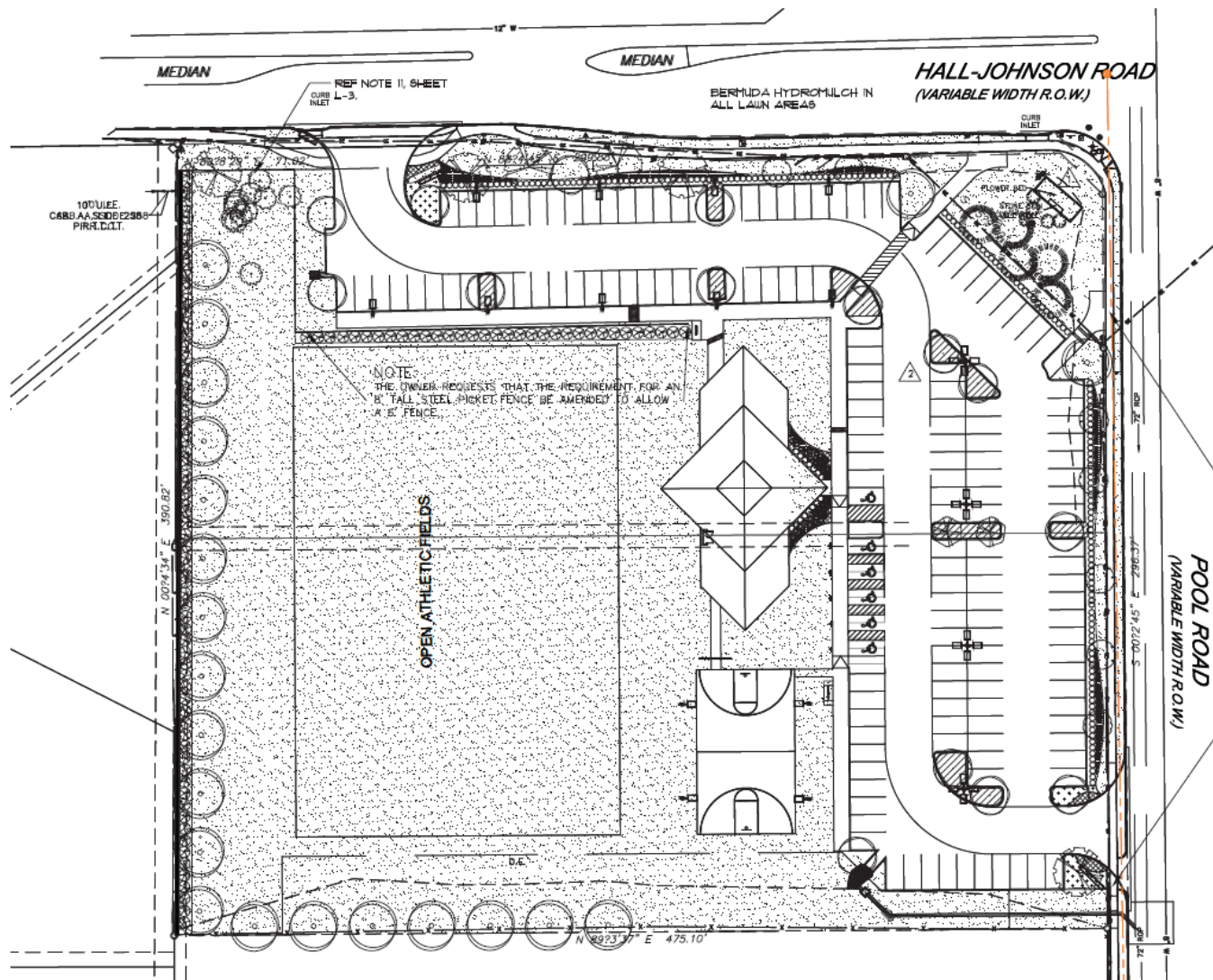


Exhibit "D" – Site Plan





City of Colleyville City Council Agenda Briefing

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

Agenda Number 6a

Agenda Date 11/05/2013

Number Ordinance O-13-1894

Type Public Hearing Agenda Items

Department Community Development

Title

Consideration of a request for a zoning change from R40-Single Family Residential to PUD-R-Planned Unit Development Residential on 15.4 acres of Lot 1, Block 1, of the Breezy Lake Estates, Lots 1A and 1B, Block 1, of the Meadowlake Addition, and Tract 2B, of the McNary Acres Addition, located at 1117, 1121, and 1217 W. L.D. Lockett Road, and a portion of Lot 1, Block 1, of the Bear Valley Community Church Addition, located at 7900 Precinct Line Road, Case ZC13-014

Explanation

First Reading and Public Hearing

Curtis Young submitted a request to change the zoning of approximately 15.4 acres located at 1117, 1121, and 1217 W. L.D. Lockett Road, and a portion of 7900 Precinct Line Road. The applicant is requesting to rezone the property from the R40-Single Family Residential to the PUD-R-Planned Unit Development Residential zoning district. The applicant is seeking a zoning change in order to develop the property for 49 single family residential lots and seven open space lots.

Existing Conditions. The subject property currently consists of four platted tracts of land, including a 1.4 acre portion of another platted tract of land located at 7900 Precinct Line Road. 1117 W. L.D. Lockett Road currently contains a commercial horse boarding business and a single family home. 1121 and 1217 W. L.D. Lockett Road are vacant, and 7900 Precinct Line Road is developed as Bear Valley Community Church. Approval of a preliminary and final plat will be required upon approval of the rezoning request.

Statement of Planning Objectives. The applicant submitted a Statement of Planning Objectives (attached) which contains a detailed description of the proposed development.

Lot Dimensions and Setbacks. The PUD-R regulations require a minimum lot size of 13,000 square feet with a minimum lot width of 100 feet and lot depth of 120 feet. Per the details of the Statement of Planning Objectives and the Development Plan (attached) the applicant proposes the following development standards:

Planning Area "A":

Minimum House Size: 2,800 square feet

Minimum Lot Area: 9,000 square feet

Minimum Lot Width: 74 feet

Minimum Lot Depth: 120 feet

Front Building Line: 15 feet for a swing garage; 20 feet for a front facing garage

Rear Building Line: 30 feet

Side Building Line: 7 feet

Maximum Building Height: 40 feet

Maximum Lot Coverage: 65 percent

There shall be no more than three second story windows on the rear of any home in Planning Area A

Planning Area "B":

Minimum House Size: 2,500 square feet

Minimum Lot Area: 7,000 square feet

Minimum Lot Width: 60 feet

Minimum Lot Depth: 120 feet

Front Building Line: 15 feet for a swing garage; 20 feet for a front facing garage

Rear Building Line: 10 feet

Side Building Line: 0, 5, 9, or 10 feet with a minimum of 10 feet between primary structures

Maximum Building Height: 40 feet

Maximum Lot Coverage: 65 percent

Development Standards. The following development standards are proposed by the applicant:

Minimum Roof Pitch: Minimum of a 10:12 roof pitch.

Roofing Materials: Minimum 240 lb. dimensional shingle.

Garage Standard: Minimum of a two car garage, with enhanced decorative doors.

Masonry Requirement: 80 percent masonry minimum with a requirement that all siding shall be of a cementitious material.

Street Design and Landscaping. The streets in the development are proposed to be private. The gates must conform to the standards of the Land Development Code.

The applicant proposes the following street design standards:

Right-of-Way: 40 feet. A five foot easement will be required on each side to accommodate sidewalks and utilities.

Pavement Width: 31 feet, back of curb to back of curb

Turning Radii: 20 feet

In terms of landscaping, the lots will contain a minimum of two (2) three-inch (3") caliper trees in the front yard adjacent to the street right-of-way, and two (2) three-inch (3") caliper trees in each rear yard where trees do not exist for all lots that back to the eastern boundary of the development.

Open Space. The PUD-R regulations require a minimum 20 percent of the development be reserved for open space for use by the residents of the development. The proposed Development Plan for the development indicates 22 percent of the total development as open space.

The applicant states the pond shown on the Development Plan is an existing pond that will be improved and used as a visual amenity for the development. As such, they state it is not required for detention and if any detention is required, it will be confined to Open Space Lot 2, which is less than the maximum allowance of 25 percent of the required open space, which may be utilized for on-site retention.

All of the open spaces will be landscaped and maintained by the Homeowner's Association (HOA).

Sidewalks and Trails. Sidewalks, a minimum of four (4) feet in width, are required to be constructed on each individual lot at the time homes are constructed on the lots. Sidewalks required along open space lots are required to be constructed by the developer, prior to the final acceptance of public improvements for the development.

The applicant states a five (5) foot trail will be constructed around the interior pond.

According to the Supplemental Sidewalk System Map, a five (5) foot wide sidewalk is required to be built along W. L.D. Lockett Road adjacent to the development prior to the acceptance of final public improvements.

Fences, Walls, and Screening. The applicant proposes to construct a minimum six foot masonry screening wall along W. L.D. Lockett Road adjacent to each entry.

Wood fencing between lots will be permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. All lot boundaries along common open space areas shall be open style fencing of decorative metal, and/or masonry.

Where lots back to the existing residential lots in Reatta Place, the applicant proposes to construct a new eight (8) foot cedar fence on metal poles. Where open space lots border adjacent properties, either the existing fence will be maintained, or a decorative metal or wooden fence will be installed.

Traffic Generation and Access. The developer is not required to provide a Traffic Impact Analysis, since the development is not projected to generate in excess of 1,000 vehicle trips per day. The Institute of Transportation Engineers publication Trip Generation provides estimates of expected traffic generation based on land use. Data has been collected in the United States and Canada since the 1960's, primarily in suburban locations. Single-family residences are expected to generate 9.57 trips per day, on average. Based on this average, a 49 lot development would add approximately 469 vehicle trips per day to the surrounding roadways.

Development Fees. Park land dedication fees are due in the amount of \$1,802 per residential lot, prior to the plat being filed with the Tarrant County Clerk.

Roadway impact fees are due in the amount of \$4,941 per residential lot, at the time of the building permit application.

Water and Wastewater impact fees are due at the time of the building permit application. Fees for a typical 5/8 inch meter are \$2,491 for the water impact fee and \$643 for the wastewater impact fee.

Perimeter street improvement fees are due at the time of approval of the final plat for W. L.D. Lockett Road. Perimeter street improvements are required for the newly created lots since W. L.D. Lockett Road is considered unimproved adjacent to the subject properties. The developer's portion of the costs for infrastructure improvements may not exceed the amount that is roughly proportionate to the projected impact of the proposed development, as determined by a professional engineer, licensed in the State of Texas, and who is retained by the City of Colleyville. In making the rough proportionality determination, consideration shall be given to the availability of adequate and minimum levels of public facilities and accessibility to the

site for the delivery of emergency services.

Tree Preservation. As required by Chapter 5-Tree Preservation of the Land Development Code, approval of a tree survey and mitigation plan will be required upon approval of the final plat for the property and drawn according to the requirements of Chapter 5-Tree Preservation of the Land Development Code.

Infrastructure. Water and sanitary sewer services are available along adjacent rights-of-way. The developer is responsible for the extension of water and sewer service lines to the individual lots.

Drainage and Stormwater Runoff. The developer has submitted a preliminary drainage analysis and a hydrology analysis of the site, which has been reviewed by the Engineering Division of the Public Works Department. Details of the proposed drainage system and stormwater retention ponds will be submitted as part of the platting process.

Master Plan. The Future Land Use Plan designates most of the subject property for retail uses, with the portion of the development that will come from the Bear Valley Community Church property designated for institutional uses. The request is not consistent with the Future Land Use Plan. Therefore, an amendment to the Future Land Use Plan is required.

Residential Density. The Master Plan suggests a maximum residential density of 1.8 dwelling units per acre, in most situations. The 2004 Colleyville Master Plan states densities higher than 1.8 units per acre would be acceptable in those areas deemed consistent with sound land use planning principles, such as a transitional area situated between commercial uses and less dense residential developments, or near major street intersections.

The proposed development would be situated between commercially zoned properties to the west along Precinct Line Road and existing residentially zoned and used properties to the east. The proposed development of 49 residential units on the 15.4 acres will produce a residential density of 3.2 dwelling units per acre, based upon the density calculation method prescribed by the Master Plan; and will produce a residential density of 5.6 dwelling units per acre based upon the density calculation method prescribed by the Land Development Code.

The proposed residential density is comparable to other approved small lot PUD-R developments within the City. The adjacent PUD-R developments contain the following residential density:

- Emerald Park (directly north of the proposed development): 3.53 dwelling units per acre

- Reatta Place (east of the proposed development): 1.75 dwelling units per acre

The attached Small Lot Development Comparison Chart, provides a comprehensive listing of approved developments since 1996 with residential densities that exceed 1.8 dwelling units per acre.

Surrounding Development Trends. The properties to the north are zoned PUD-C-Planned Unit Development Commercial and PUD-R-Planned Unit Development Residential and contain the Emerald Park single family development. The PUD-C zoned properties are currently undeveloped. The properties to the south are zoned R40-Single Family Residential and PUD-R-Planned Unit Development Residential and contain a portion of the Bear Valley Community Church property and the retention area for Reatta Place. The properties to the east are zoned PUD-R-Planned Unit Development Residential and developed as single family uses in the Reatta Place development. The properties to the west are zoned PUD-C-Planned Unit Development Commercial and R40-Single Family Residential. The PUD-C properties contain a convenience store with gasoline sales, and a package store at the corner of W. L.D. Lockett Road and Precinct Line Road, while the remainder of the PUD-C zoned property is vacant. The R40 property is developed as the Bear Valley Community Church.

Public Notification. Staff mailed notices to 34 adjacent property owners as well as all Homeowners Associations within 500 feet of the subject property regarding this request. All school districts within the City were notified as required by state law. Notice was published in the Fort Worth Star-Telegram as required by state law and the Land Development Code. To date staff has received 14 letters of opposition and two letters of support regarding this request.

Planning and Zoning Commission Recommendation. The Planning and Zoning Commission recommended approval of this request at the October 14, 2013 meeting by a vote of 4-0 (Commissioner Wheelwright recused himself from the vote since he lives in Reatta Place), subject to the following conditions:

- (1) The minimum lots widths shall apply:

Planning Area A – 74 feet

Planning Area B – 60 feet

- (2) Homes in Planning Area A shall contain no more than three second story windows on the rear of the home

- (3) A minimum of two, three (3) inch caliper trees shall be planted in the front yard of every home in the development

(4) For Planning Area A, the following setbacks shall apply in addition to the other setback requirements:

Side yard – 7 feet

Rear yard – 30 feet

These provisions have been added to proposed Ordinance O-13-1894 and the briefing above.

Summary. The proposed zoning change is not consistent with the recommendations of the Future Land Use Plan, which recommends retail and institutional uses on the subject properties. Given the topography of the subject properties with the location of the existing pond, and the establishment of the majority of the properties to the north of the subject properties as residential uses, staff agrees that the use of the properties for residential purposes would maintain a consistent pattern of residential development behind all of the commercial uses within the City that are either developed, zoned, and/or recommended for the Precinct Line Road corridor. Staff also agrees that there may be too much land designated for retail uses along the Precinct Line Road corridor, given the existing and proposed retail within a one mile radius of the subject properties, the amount of traffic along Precinct Line Road, and the amount of residential capacity required to support such retail. As such, these factors will be examined as part of the City's comprehensive plan process next year, which will include a comprehensive update to the Future Land Use Plan.

Finally, with regard to residential density, the proposed residential density of 3.2 dwelling units per acre is consistent with recommendations for transitional residential uses contained in the Master Plan. Staff agrees that the subject properties qualify as a transitional area.

Financial Impact

There is no financial impact to the City.

Recommendation

Approval with the following conditions:

1. GENERAL

a. The purpose of this PUD-R is for a single-family residential development of 49 detached dwelling units, constructed at a gross maximum density of 3.2 dwelling units per acre.

b. This development shall be generally consistent with the Statement of Planning Objectives, attached as Exhibit "C".

c. The subject property is subject to all the regulations contained in the Land

Development Code, except where amended by this ordinance.

2. DEVELOPMENT PLAN AND PLATTING

a. The development shall be generally consistent with Exhibit "D", Conceptual Site Plan, which shall not be considered the preliminary plat. The actual street and lot arrangement may differ from that shown on Exhibit "D" to accommodate topographic, drainage, or other conditions.

b. The developer shall submit and receive approval from the City, a Preliminary and Final Plat, approved in one or more phases, in accordance with the requirements of the Land Development Code prior to development of this PUD-R.

3. PERMITTED USES

a. Single-family residences, detached

b. Common open space areas

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

Residential lot requirements and setbacks shall comply with the following provisions:

Planning Area "A"

a. Minimum Lot Size: 9,000 square feet

b. Minimum Lot Depth: 120 feet

c. Minimum Lot Width: 74 feet

d. Front Building Line: 15 feet for a swing garage; 20 feet for a front facing garage

e. Side Building Line: 7 feet

f. Rear Building Line: 30 feet

g. Maximum Lot Coverage: 65 percent

h. Minimum House Size: 2,800 feet

i. There shall be no more than three second story windows on the rear of any home in Planning Area A.

Planning Area "B"

- a. Minimum Lot Size: 7,000 square feet
- b. Minimum Lot Depth: 120 feet
- c. Minimum Lot Width: 60 feet
- d. Front Building Line: 15 feet for a swing garage; 20 feet for a front facing garage
- e. Side Building Line: 0, 5, 9, or 10 feet with a minimum of 10 feet between primary structures
- f. Rear Building Line: 10 feet
- g. Maximum Lot Coverage: 65 percent
- h. Minimum House Size: 2,500 feet

5. RESIDENTIAL DESIGN REQUIREMENTS

The following requirements shall apply to all homes constructed in this development.

- a. Roofing Standards: Minimum roof pitch: 10:12. Roofing Materials: Minimum 240 lb. dimensional shingle.
- b. Garage Standard: A minimum two car garage shall be constructed with architecturally enhanced doors.
- c. Masonry: The exterior wall of all homes shall be composed of 80 percent masonry materials with a requirement that all siding shall be of a cementitious material.

6. OPEN SPACE

- a. This development shall provide a minimum of 22 percent common open space, as shown on Exhibit "D", which shall be for the leisure and recreational use of the development's residents. The open space shall comply with the provisions contained in the Land Development Code. All open space areas shall be landscaped and maintained by the Homeowner's Association (HOA).

7. PRIVATE STREETS AND SIDEWALKS

- a. Sidewalks along lot frontages shall be constructed by each homebuilder. All sidewalks shall be constructed in accordance with the requirements of the Land Development Code. A minimum five (5) foot wide trail shall be constructed within the open space area around and along the interior pond.

b. All streets in this development shall be private. Right-of-way and pavement widths shall meet the following requirements: the minimum right-of-way for streets shall be 40 feet and the minimum pavement width for street shall be 31 feet, measured from back of curb to back of curb. A five foot utility easement shall be located along both sides of all internal streets.

c. All gates shall meet the minimum requirements of Chapter 14-Engineering Design Standards in the Land Development Code.

8. FENCES, SCREENING, AND LANDSCAPING

a. Wood fencing between lots is permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. All lot boundaries along common open space areas shall be open style fencing of decorative metal, and/or masonry.

b. All lots backing to the common open space shall be open style fencing of decorative metal, and/or masonry.

c. Where lots back to the existing residential lots in the Reatta Place development, the developer shall construct a new eight (8) foot cedar fence on metal poles. Said fence shall be constructed prior to the final acceptance of public improvements.

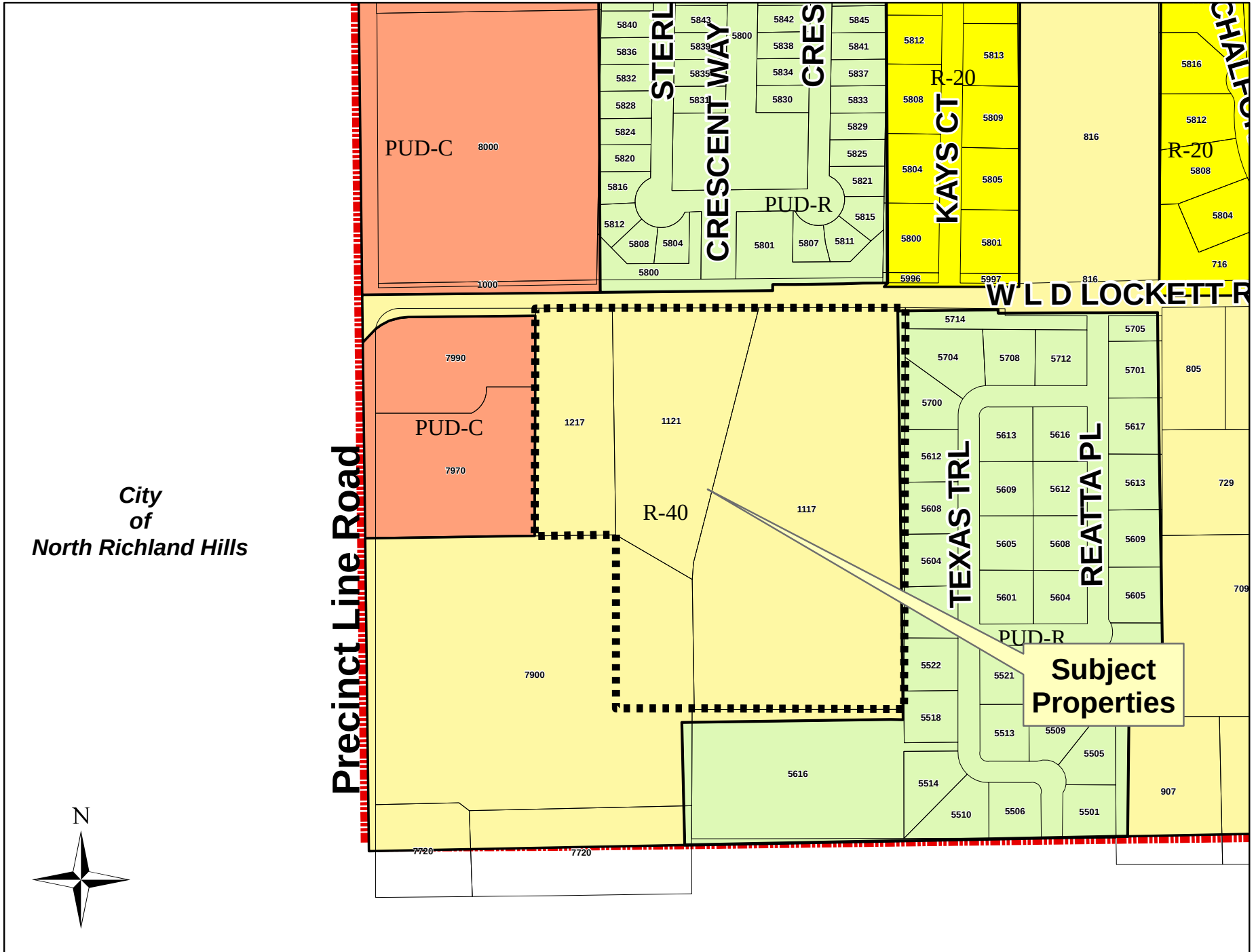
d. All lots shall contain a minimum of two (2) three-inch (3") caliper trees in the front yard adjacent to the street right-of-way. Each lot shall be fully landscaped with an approved irrigation system in the front and rear yard prior to the final inspection.

e. A minimum of two (2) three-inch (3") caliper trees shall be planted in each rear yard where trees do not exist for all lots that back to the eastern boundary of the development prior to the final inspection.

Attachments

1. Location and Zoning Map
2. Future Land Use Map
3. Aerial
4. Notification List
5. Buffer Map
6. Letters of Opposition
7. Letters of Support
8. Statement of Planning Objectives
9. Development Plan
10. Small Lot Development Comparison Chart - 1996 to 2013
11. Ordinance O-13-1894

Location and Zoning Map



Future Land Use Map

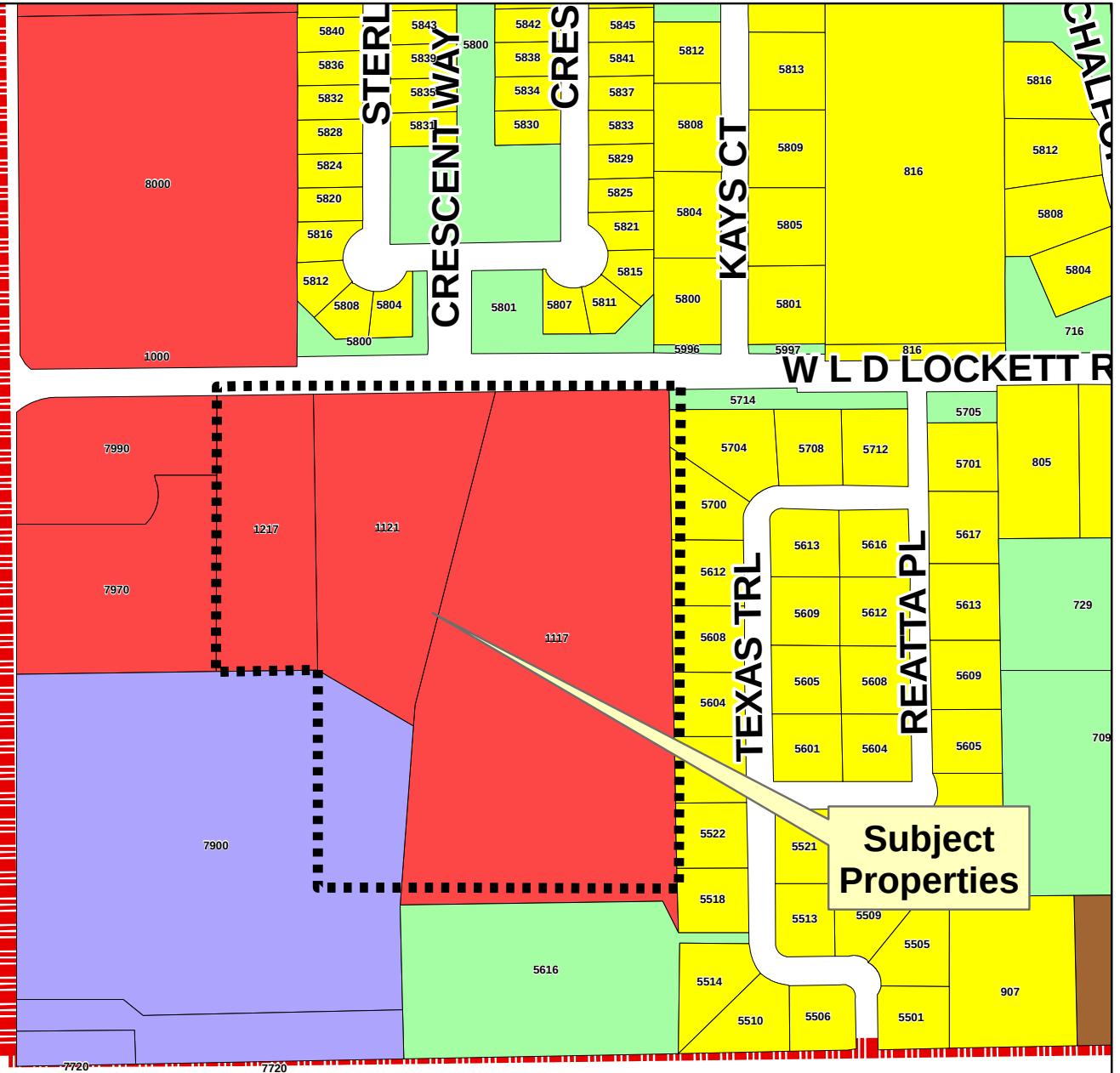
Legend

- Single Family
- Multi-Family
- Office
- Retail
- Institutional
- Industrial
- Roadway
- Utilities
- Parks
- Private Open Space
- Water

City
of
North Richland Hills



Precinct Line Road



Subject
Properties

Aerial



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
Victron Stores Lp	PO Box 2599	Waxahachie	Texas	75168	7990 Precinct Line Rd
Gulamhussain, Didar Etux Dola	5815 Crescent Ln	Colleyville	Texas	76034	5815 Crescent Ln
Emerald Park H A Inc	400 Country Pl	Colleyville	Texas	76034	5802 CRESCENT LN
L T Estates Hoa Inc	215 W College St	Grapevine	Texas	76051	5802 KAYS CT
Anderson, Jared Etux Heather	5800 Kays Ct	Colleyville	Texas	76034	5800 Kays Ct
Gandy, R Craig	1117 W Ld Lockett Rd	Colleyville	Texas	76034	1117 W L D Lockett Rd
Herron, Mark D Etux Bliss A	1500 Bluebonnet Dr	Fort Worth	Texas	76111	1201 W L D LOCKETT RD
Markham, Dian L Etal	5000 Gadsden Ave	Fort Worth	Texas	76244	8000 Precinct Line Rd
Vora, Jay Etux Renu	5808 Sterling Dr	Colleyville	Texas	76034	5808 Sterling Dr
Kuo, Man-Li Etvir L Fiorello	5812 Sterling Dr	Colleyville	Texas	76034	5812 Sterling Dr
American Homes 4 Rent	23815 Stuart Ranch Rd # 302	Malibu	California	90265	5807 Crescent Ln
Huynh, Tuan Q Etux Linh	5811 Crescent Ln	Colleyville	Texas	76034	5811 Crescent Ln
Belford, Christopher Etx Karen	1421 Shady Hollow Ct	Keller	Texas	76248	5700 Texas Tr
Smith, Ted Etux Michele	5704 Texas Trl	Colleyville	Texas	76034	5704 Texas Tr
Adams, Kenneth J Etux Barbara	5708 Texas Trl	Colleyville	Texas	76034	5708 Texas Tr
Bear Valley Community Church	7900 Precinct Line Rd	Colleyville	Texas	76034	7900 Precinct Line Rd
Callahan, Richard J	5600 Texas Trl	Colleyville	Texas	76034	5600 Texas Tr
Follis, Brad W Etux C Renee	5608 Texas Trl	Colleyville	Texas	76034	5608 Texas Tr
Cairns, Randy J Etux Rhonda E	5521 Reatta Pl	Colleyville	Texas	76034	5521 Reatta Pl
Gallagher, William A Etux Leah	5522 Texas Trl	Colleyville	Texas	76034	5522 Texas Tr
Upton, Jarrod & Amanda	5604 Texas Trl	Colleyville	Texas	76034	5604 Texas Tr
May, Ronald A Etux Amy C May	5612 Texas Trl	Colleyville	Texas	76034	5612 Texas Tr
Livingston, J M Etux Marissa	5513 Texas Trl	Colleyville	Texas	76034	5513 Texas Tr
Herron, Mark Etux Bliss	1500 Bluebonnet Dr	Fort Worth	Texas	76111	1121 W L D Lockett Rd
K & W Partnership	5514 Texas Trl	Colleyville	Texas	76034	5514 Texas Tr
Reatta Place Hmowners Assoc	5506 Texas Trl	Colleyville	Texas	76034	5616 Texas Tr
Freeman, Lou Ann	5518 Texas Trl	Colleyville	Texas	76034	5518 Texas Tr
Badders, Nolan	5601 Texas Trl	Colleyville	Texas	76034	5601 Texas Tr
McCure, James III Etux Krystal	5605 Texas Trl	Colleyville	Texas	76034	5605 Texas Tr
Tran, Ngoc Etux Lily	5609 Texas Trl	Colleyville	Texas	76034	5609 Texas Tr
Kim, Tae Woo Etux Hyo J K H	5804 Sterling Dr	Colleyville	Texas	76034	5804 Sterling Dr
Palmer, Lee	5613 Texas Trl	Colleyville	Texas	76034	5613 Texas Tr
Emerald Park H A Inc	400 Country Pl	Colleyville	Texas	76034	5800 Sterling Dr
Markham, Diana L Etal	5000 Gadsden Ave	Fort Worth	Texas	76244	1000 W L D Lockett Rd
L T Estates Hoa Inc	215 W College St	Grapevine	Texas	76051	5803 KAYS CT
A R A F Inc	17290 Preston Rd Ste 114	Dallas	Texas	75252	5801 Kays Ct
Atlantic Oil & Gas Inc	2220 Marsh Ln Ste 109	Carrollton	Texas	75006	7970 Precinct Line Rd
Grapevine-Colleyville ISD	3051 Ira E. Woods Avenue	Grapevine	Texas	76051	Courtesy Notice
Keller ISD	350 Keller Parkway	Keller	Texas	76248	Courtesy Notice
Hurst Euless Bedford ISD	1501 Central Drive	Bedford	Texas	76022	Courtesy Notice
Curtis Young, Applicant	1130 N. Carroll Ave., Suite 200	Southlake	Texas	76092	Applicant

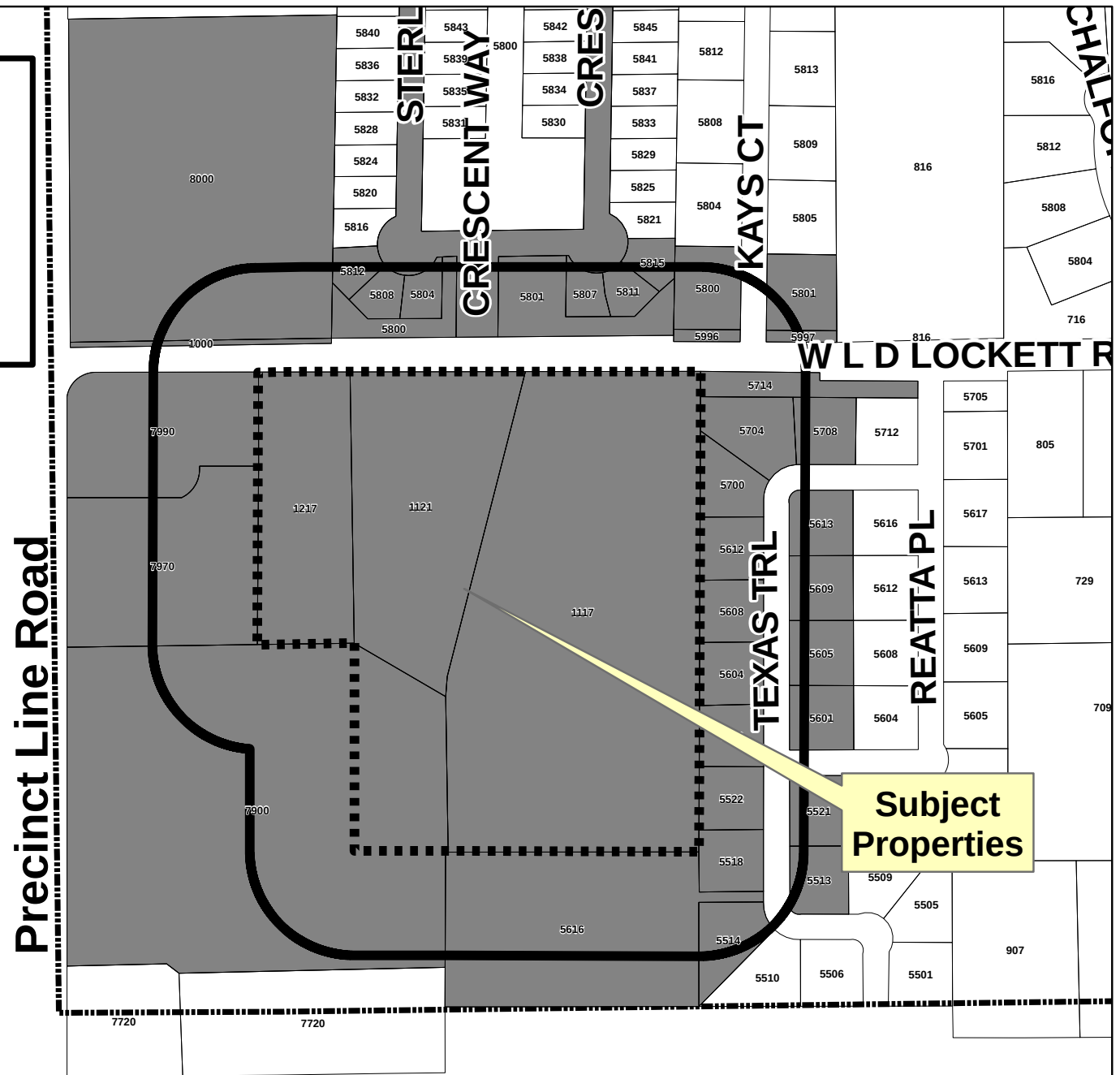
Public hearing notices were mailed
Friday, October 4, 2013 by Taci Wrisley

Buffer Map



-
- 200 Foot Buffer
- Zoning Case Boundary
- Properties within 200 Feet
- City Limit Boundary

**City
of
North Richland Hills**



Letters of Opposition

RE: Zoning Case ZC13-014

I wish to express my opposition to the proposed plan for development known as Heron Park.

Although I am disappointed to see the Twisted G ranch leave, it is unreasonable to think the property would never be sold and developed. My opposition, is not that residential homes will replace this charming ranch, but the number of homes that are planned to be put on this property.

I wish the Commission to consider the following points.

1. **Side setbacks.** The propose plan allows for 5 foot minimums between homes. Presently my backyard has 120 feet of unobstructed view. The proposed plan would call for 1 and a half homes to be directly behind me. That means of my 120 feet, 105 feet will be structures with an average height of 30 feet tall.
2. **Financial impact.** I just had my home appraised for refinancing and asked the licensed appraiser what impact the proposed plan would have compared to 1/3 to ½ acre lots. His assessment is that the smaller lots and close proximity to each other would have a negative impact on the value of the homes that border it. It was not the quality or the price point, but the fact the homes are stacked slow close that would make it unappealing. This would affect the resale value of my home or at least impede the ability of a buyer to get proper financing if the home appraises for less than the sales price.
3. **Traffic.** The proposed 49 homes will add to an already congested traffic problem on LD Lockett. It is quite common to see cars, during the high morning and evening traffic, backed up almost to the entrance to our subdivision, as cars have a difficult time attempting to turn south on Precinct Line Road. Will we have to widen LD Lockett to accommodate the traffic and will the residents on LD Lockett welcome the increased traffic. Do we want LD Lockett to become an east west major thoroughfare.
4. **Continuity.** Existing and adjacent properties are all larger lots. Our subdivision lots are all above 1/3 acre. Lavaca Trail is ½ acre lots. The new development on the former Stadjura property has been approved for 17 R20 lots, which to me tells me there is demand for larger lots.

Letters of Opposition

What is Colleyville's master plan. What do we wish to promote. In my conversations with zoning and planning it was expressed to me that the prevailing sentiment favors larger lots. What attracted me and others to this neighborhood was the fact the houses were not on top of each other with an open country feel. According to D Magazine, which yearly ranks the top communities, this is what they to say about Colleyville.

"Despite Colleyville's vigorous growth, residents of this primarily family community enjoy rural peace, safety, and charm." I believe this is a very important point. In fact the former Mayor Baker in the magazine is quoted to say.

"According to Mayor Baker, the city's big push will be toward attracting more quality retail establishments while maintaining a rural flavor." The good news is that there is room for growth-meaning a more recent survey by the city found 96 percent of residents are satisfied with Colleyville's quality of life, most enjoying the small-town environment. 49 homes stacked 10 feet apart does not reflect a rural small town environment.

Remember, we came and invested in this area for a reason and we were here first.

5. **Environment.** Again consider D Magazines comments from a previous year in it's rankings.

"The best parts of Colleyville are the mature trees that newer suburbs drool over." This plan would destroy all of the mature trees on the property, and along the creek. I believe Colleyville has a committee that seeks to preserve and maintain the trees in our city. Not to mention the creek area is home to beaver, foxes and geese and crane.

6. **Alternative plans.**

I asked the developer if he considered a plan featuring larger lots. He said he didn't feel the demand was there. I find this hard to believe since Lavaca has only a few lots remaining and the new adjacent development will be R20 lots. Someone must think there is a demand for them and the zoning board approved the plan. He said the larger lots would not be feasible. I contend a project would be feasible but may not be as profitable. It is obvious that he wishes to make as much as he can on this project even though all evidence demonstrates that it will negatively impact the surrounding neighborhoods.

6. **Your role.**

I don't have to remind you that your obligation is to the future of Colleyville and it's present tax paying residents

Letters of Opposition

and not to outside developers. I don't have to remind you because you proclaim it so clearly it the community development web site as to your primary purpose and mission statement.

"Zoning regulates how land is used and protects the character of each district. It protects property value and the overall quality of the community as a whole by controlling density of construction and intensity of land use, as well as through setting development standards such as landscaping, screening, building setbacks and height, parking requirements and lot coverage."

7. I would ask that this committee deny this change and require the developer to modify his plan that would be more in line with interests of this city and its residents. I would be in favor of larger lots with greater side setbacks of at least 10 feet to create a more open feel. It is my understanding that Mr Maykus is a very successful and experienced developer. I truly believe it is possible for him to create a plan that will have a positive impact on all the existing residents while still achieving a profitable return on his investment.

I thank the committee for hearing my concerns.

Rich Callahan, 5600 Texas Trail

A handwritten signature in black ink, appearing to read "Rich Callahan", with a long horizontal flourish extending to the right.

Letters of Opposition

From: [Krystlepaige](#)
To: [Taci Wrisley](#)
Subject: Zoning
Date: Monday, October 14, 2013 1:27:02 PM

As a homeowner I would just like to say that I object to the re zoning of the land on LD Lockett near precinct line as it is currently proposed. My home is next door to the proposed development and while I welcome development, I think the developer is making the lots way too small. The lots are nearly half the size of the lots in Reatta Place. Also I think the developer should agree to not have second floor windows on homes that border our subdivision. Thank you for your attention to this matter-

Krystle Joyner
5514 Texas trail
Colleyville

Sent from my iPhone

Letters of Opposition

Colleyville Community Development Department.

RE: Zoning Case ZC13-014

I wish to express my opposition to the proposed plan for development known as Heron Park. It is truly a disappointment to see the rural beauty of Twisted G ranch leave, but I it is unreasonable to think the property would never be sold and developed.

My opposition, is not that residential homes will replace the existing pasture, but the number of homes that are planned to be put on this property. I would sincerely request the Commission to consider the following points.

- **Traffic.** LD Lockett is already a heavily trafficked road experiencing high volumes of back-up problems. Adding this many additional homes to an already existing congestion problem creates a city infrastructure problem. Should this plan be approved will the City of Colleyville widen and/or improvement LD Lockett? What will the capital improvement fee be on the existing residents for roadway expansion and improvements???
- **Setbacks.** The proposed plan allows for a ridiculous 5 foot minimums between homes. Presently my backyard has an expansive unobstructed view of the front acreage on LD Lockett. The proposed plan would call for 1 and a half homes to be directly behind me. That means within 105 feet there will be structures with an average height of 30 feet tall.
- **Environment/Ecology.** The physical features of a community, such as topography, soils, floodplains, climate and similar factors, create the natural environment of the area and can often play important roles in shaping the urban setting. Where is the environmental impact study and the existing ponds that Reatta currently maintains in addition to Little Bear Creek? Heron, Crane, Ducks, Canada Geese - all share in negative impact this will have as a high volume housing development. The existing Reatta pond in addition to sub-outlets of Little Bear Creek would have ecological damage with this high volume of homes, and goes directly against the fundamental programs the City of Colleyville has instituted such as "Keep Colleyville Beautiful". By destroying this ecosystem you will be taking away the very setting you promised to maintain.
- **Financial impact.** We recently had our home appraised for the market. Our agent and appraiser have informed us that due to the close proximity and amount of the homes currently planned, this will have a substantially negative impact on our existing Reatta Place value and asking price. This will affect the resale value of my home as well as impede the ability of a buyer to get proper financing if the home appraises for less than the sales price. This affects the entire Reatta community by de-valuing our existing homes as well as the commitment we made to this community when we chose to live here.
- **Continuity.** Existing and adjacent properties are all larger lots. Our subdivision lots are

Letters of Opposition

all above 1/3 acre. Lavaca Trail is 1/2 acre lots. The new development on the former Stadjuhar property has been approved for 17 R20 lots. Former Mayor Baker states: "Despite Colleyville's vigorous growth, residents of this primarily family community enjoy rural peace, safety, and charm." In fact the former Mayor Baker in the magazine is quoted to say. "According to Mayor Baker, the city's big push will be toward attracting more quality retail establishments while maintaining a rural flavor." 49 homes stacked 10 feet apart does not reflect a rural small town environment. By creating this development we lose everything about Colleyville that brought us to this location and leaves us with a 'tract home' environment living high capacity dwelling. You diminish and again de-value the existing surrounding communities!

- **Your role**. As City Officials we shouldn't have to remind you that your obligation is to the future of Colleyville and it's present tax paying residents and not to outside developers. If this plan approved in its existing capacity, you have taken what little existing green space is left in our community, and sold out for a meager tax revenue.

We ask that this committee to please deny this plan and require the developer to modify his plan that would be more in line with interests of this city and its surrounding residents.

*Larger lots - 1/3 to 1/2 acre

*Side setbacks of greater than 10 feet

*Neighbors affected on the North Entrance to have an even greater setback

*Developer requirement to have single story homes only on the ^{East} North side affecting Reatta neighbors.

We thank the committee for hearing my concerns.

Chris and Karen Belford

(Reatta Place)

5700 Texas Trail

Letters of Opposition

From: [Sylvia Dayer](#)
To: [Ron Ruthven](#); [Taci Wrisley](#)
Subject: Case Number: ZC13-014
Date: Tuesday, October 15, 2013 11:45:38 AM
Importance: High

To whom it may concern,

I was unable to attend the Planning and Zoning meeting yesterday; however, I'd like to state that my husband, Anthony and I, residing at 5505 Texas Trail, are opposed to the proposed development plan. We completely understand that the land has been purchased and the developer must begin building their community. However, what we don't understand is how they expect that their current plan will meet the requirements and standards of the City of Colleyville.

We ask the City of Colleyville planning and zoning committee to reconsider having the developer change his plans. Some points to consider would be plan for larger lots, fewer homes, preserve as many trees as they possibly can. How will the 49 proposed homes affect the Colleyville community? LD Locket is already congested. Reatta's property value may be negatively impacted with their current plan. Please consider denying or continuing the case to allow the developers additional time to modify the proposal.

Please contact me directly with any questions or concerns regarding this email, I can be reached at 817-243-1204.

Kind Regards,

Anthony and Sylvia Dayer
5505 Texas Trail
Colleyville, Tx. 76034
(817) 243-1204

Sylvia Dayer

[LinQ](#) Transport, Inc.

P: (972)522-1500 Ext. 302

F: (972)573-4238

Letters of Opposition

From: [Tran, Ngoc](#)
To: [Ron Ruthven](#); [Taci Wrisley](#)
Subject: Case # ZC13-014
Date: Tuesday, October 15, 2013 8:00:37 AM

Good Morning,

My name is Ngoc Tran and I live in Reatta Place at 5609 Texas Trail, Colleyville, TX. I am writing in reference to Case # ZC13-014. I am opposing the current plan for development as it stands. My main concern is that the proposed home sites are too small and would drastically reduce our and the surrounding homes values.

Thank you very much for your considerations.

Ngoc Tran

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Letters of Opposition

From: [Ron Ruthven](#)
To: [Taci Wrisley](#)
Subject: FW: Please deny case ZC13-014
Date: Monday, October 14, 2013 9:54:18 PM

FYI

Ron Ruthven, AICP, Director
Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034
(817)503-1052
fax (817)503-1059



www.colleyville.com

We value your opinion. Please take a moment to take our survey, [click here](#)

From: Cheryl Stine [mailto:]
Sent: Monday, October 14, 2013 8:55 PM
To: Ron Ruthven
Subject: Please deny case ZC13-014

We live at 5604 Reatta pl, we ask that you
Please deny case ZC13-014.

Thanks,

Cheryl Stine

Letters of Opposition

10-10-13

Lou Ann Freeman
3518 Texas Trail
Colleyville, Texas 76034

Community Development Department
City of Colleyville
100 Main Street
Colleyville, Texas 76034

RECEIVED

OCT 15 2013

Per HW

To The City of Colleyville,

I wish to record my protest regarding the new development planned at the corner of Precinct Line Road and L.D. Gockett. It is unbelievable the city would entertain 50 homes on this small area to be 0 lot line homes with small footage. To me it is an insult to the character of the city and to the adjoining properties. It is very conceivable that when the build-out is complete there would be over 200 people. The additional tax revenue is not worth the damage to the ideal people have of Colleyville - quality homes - large lots - quality homeowners. The additional burden on L.D. Gockett and Precinct Line will be considerable. The traffic will be detrimental to the roads not to mention the nightmare in getting out of the neighborhood. I worry about the security of our pond area and especially the homes that border the pond - my home being one of those. Thank you for making this a part of the public record and for your consideration.

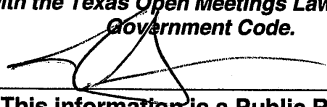
Lou Ann Freeman

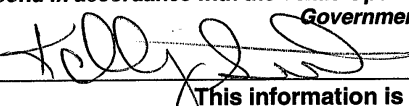
Letters of Opposition

SPEAKER CARD	
Date: <u>10/14/2013</u>	
☒ I will speak In Support of this item.	
☐ I will speak In Opposition to this item.	
☐ I do not wish to speak, but please record my: ☐ support ☐ opposition	
Agenda Item Number: <u>2C13-014</u>	
Name: <u>Bruce Mills</u>	
Address: <u>5509 TEXAS TRAIL</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>214 255-5012</u>	Representing: <u>Self/Realty HBA</u> (organization/self)
I understand I am limited to speaking for five minutes.	
For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.	
Signed: <u>Bruce A. Mills</u>	
This information is a Public Record.	

SPEAKER CARD	
Date: <u>10/14/2013</u>	
☐ I will speak In Support of this item.	
☒ I will speak In Opposition to this item.	
☐ I do not wish to speak, but please record my: ☐ support ☐ opposition	
Agenda Item Number: <u>2C13-014</u>	
Name: <u>ROBERT G. NELSON</u>	
Address: <u>5522 TEXAS TRAIL</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>(817) 369-4126</u>	Representing: <u>Self</u> (organization/self)
I understand I am limited to speaking for five minutes.	
For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.	
Signed: <u>Robert G. Nelson</u>	
This information is a Public Record.	

Letters of Opposition

Date: <u>10/14/2013</u>	SPEAKER CARD
☐ I will speak In Support of this item.	
☒ I will speak In Opposition to this item.	
☐ I do not wish to speak, but please record my: ☐ support ☐ opposition	
Agenda Item Number: <u>2C13-014</u>	
Name: <u>JABROO + AMARDA UPTON</u>	
Address: <u>5604 Texas Trail</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>972-974-5135</u>	Representing: <u>Self + Plover HOA</u> (organization/self)
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: 	
This information is a Public Record.	

Date: <u>10-13-13</u>	SPEAKER CARD
☐ I will speak In Support of this item.	
☒ I will speak In Opposition to this item.	
☐ I do not wish to speak, but please record my: ☐ support ☐ opposition	
Agenda Item Number: <u>2C13-014</u>	
Name: <u>Kelly Smith</u>	
Address: <u>5704 Texas Trail</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817-577-9928</u>	Representing: <u>Self</u> (organization/self)
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: 	
This information is a Public Record.	

Letters of Opposition

Date: 10-14-13

SPEAKER CARD

☐ I will speak In Support of this item.

☐ I will speak In Opposition to this item.

☒ I do not wish to speak, but please record my: ☐ support ☒ opposition

Agenda Item Number: ZC13-014

Name: Krystle Jayner

Address: 5514 Texas Trail

City: Colleyville

State: TX

Zip Code: 76034

Telephone Number: 817-366-9866 Representing: _____
(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: Krystle Jayner

This information is a Public Record.

Date: 10/14/13

SPEAKER CARD

☐ I will speak In Support of this item.

☐ I will speak In Opposition to this item.

☒ I do not wish to speak, but please record my: ☐ support ☒ opposition

Agenda Item Number: ZC13-014

Name: Karen Belford

Address: 5700 - Texas Trail

City: Colleyville

State: TX

Zip Code: 76034

Telephone Number: 817-561-2268 Representing: Self
(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: Karen Belford

This information is a Public Record.

Letters of Opposition

Date: 10/14/13

SPEAKER CARD

☐ I will speak **In Support** of this item.

☐ I will speak **In Opposition** to this item.

☒ I do not wish to speak, but please record my: ☐ support ☒ opposition

Agenda Item Number: KK13-014

Name: Christopher M Belford

Address: 5702 Texas Trail

City: Colleyville

State: TX

Zip Code: 76248

Telephone Number: (817) 581-2268

Representing: _____
(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: [Signature]

This information is a Public Record.

Letters of Support

From: [Craig Walter](#)
To:
Cc: [Ron Ruthven](#); [Bill Elliott](#); [Taci Wrisley](#)
Subject: Heron Pond Development Meeting
Date: Monday, October 14, 2013 12:35:22 PM

Good Afternoon Kosse,

I wanted to send you this email expressing how much I appreciated the presentation and Q&A you and your partner, Jody Boyd, provided for the homeowners of Emerald Park last night concerning the proposed Heron Pond development.

I was impressed with the attention-to-detail that has been invested in this specific proposed development and in what I've found in my experience with other developments you have been part of, especially in the Southlake area. Having been a past homeowner in Southlake before choosing to 'downsize' and purchase our home in Colleyville/Emerald Park, I'm quite familiar with your other developments. I think your proposed development makes excellent use of the property and the natural existing ponds and serves both the city and prospective home buyers with a quality product that is in very high demand from others like myself that want to 'downsize' into a home from 2,800 - 4,000 square feet. There are many affluent couples wanting homes and floor plans similar to what will be available in Heron Pond that possess high-end quality amenities and are built on slightly smaller lots which will require reduced demands of lawn maintenance and constant landscaping work, but yet the lots are large enough to embrace quality outdoor living as well as having a pool, if desired.

I absolutely support your plans and wish you much success! I am copying selected members of the Colleyville Community Development team and I hope they share my email with the proposed new members to the Planning and Zoning committee and any other decision-makers regarding this development. I also plan to be in attendance at the public meeting this evening at 7:00 p.m.

Best regards,

Craig Walter

5910 Crescent Lane
Colleyville, TX 76034
(817) 919-0864

Letters of Support

Date: October 14, 2013

SPEAKER CARD

☒ I will speak **In Support** of this item.

☐ I will speak **In Opposition** to this item.

☐ I do not wish to speak, but please record my: ☒ **Support** ☐ **opposition**

Agenda Item Number: 6a

Name: Craig Walter

Address: 5910 Crescent Lane

City: Colleyville State: TX Zip Code: 76034

Telephone Number: 817-919-0864 Representing: _____
(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: Craig Walter

This information is a Public Record.

Statement of Planning Objectives

Heron Pond

Colleyville, Texas – October 7, 2013

Sage Group, Inc.

Statement of Planning Objectives-

Heron Pond is a proposed residential neighborhood to be developed by Hat Creek Development under the Planned Unit Development regulations for Residential development (PUD-R) in the City of Colleyville. The 15.43 acre property is located on the south side of LD Lockett Road, just east of Precinct Line Road. The property is currently shown on the Future Land Use Plan as Retail, but is zoned for Residential (R-40) and is occupied by an equestrian facility, open space and agricultural areas.

The surrounding area is fully developed. Across the street to the north is the existing Emerald Park neighborhood, to the west lies Community and Commercial Uses, containing the corner gasoline station/ convenience store/ package store, and the Bear Valley Community Church. To our south and east is the Reatta Place PUD-R Residential neighborhood.

The subject tract is shown on the Future Land Use Plan as “Retail,” however we believe there would be a limited market for Retail Uses in this location, as there is no remaining frontage on Precinct Line Road, and that a better use for this property would be to begin a transition from the Commercial to the west, to the PUD-R Single Family Residential to the east with a suitable Single-Family Residential use.

This proposal, which transitions between the Commercial Tracts to the west along Precinct Line Road with residential lots averaging over 8,400 s.f. to the larger lots in Reatta Place, and over 22% Open Space, is consistent with this and- we believe- the surrounding uses.

The property generally slopes toward the drainage swale and lake that runs from the north to the south through the property. All of our street and lot drainage would be directed toward this area and would not affect any of the neighboring properties.

We have commissioned a drainage study to illustrate the current conditions and make sure this development- as proposed- would meet the requirements of the ordinances regulating development and drainage.

Statement of Planning Objectives

Quality and compatibility with the adjacent residential, as well as the rest of Colleyville are essential, and we have designed this proposal with those goals in mind.

The residences planned for Heron Pond will be very upscale, with selling prices estimated to range between \$400,000 to over \$600,000. The development will have as its focal point, and feature, a pond and landscaped perimeter. The main entry road has been located directly across from the Emerald Park Entry, but also to take advantage of the resulting entry view toward the landscaped central lake area.

The internal road is planned to be a gated private road with a Resident/ Visitor gate at the western entry, across from the existing gated entry into Emerald Park, designed to meet all the city standards for such an entry. The eastern entry will be resident-only, providing a second point of access. We propose to build the normal Colleyville street section of 31' (back of curb to back of curb), in a 40' R.O.W. with 5' utility and sidewalk easements on either side.

In addition to some of the existing trees we will save within the open space areas, there will be a requirement of a front yard tree for every residential lot to be installed by the home builders, adjacent to the street right of way. A minimum of two trees will also be installed in the rear yard of each lot backing to the neighboring lots in Reatta Place, at the eastern boundary, where existing trees do not already exist. To encourage pedestrian activity in the neighborhood, sidewalks will be built along the front of each lot, as well as a 5' trail around the lake. The indicated landscaped setback, along LD Lockett, will be preserved within an open space lot, to be owned and maintained by the Heron Pond Homeowners Association.

The scale and orientation of the development has been designed to have an inviting visual flow with the existing neighborhoods and surrounding uses. The design criteria of the homes will create high quality homes in keeping with both the immediate neighborhood and Colleyville as a whole.

Development Schedule

Heron Pond will be developed in a single phase with the development commencing upon the successful completion of the zoning and platting and the subsequent approval of the final plat and engineering plans. Construction of homes is anticipated to start immediately upon completion of the subdivision's infrastructure.

Economic Development Information

Heron Pond will have a total of forty-nine (49) homes, each with an average estimated value upon completion of approximately \$400,000 to over \$600,000, resulting in an overall tax base of \$24,500,000, based on a \$500,000 estimated average. At the current tax rate of 2.694677%, the total taxes generated from the development are projected to be \$654,000, with \$ 91,250 generated directly for the City.

Statement of Planning Objectives

Development Standards

Permitted Land Use: Single Family Residential Detached

Residential Lot Requirements and Setbacks:

Residential lot requirements and setbacks shall comply with the following provisions. Planning Area “A” refers to those lots adjacent to the far eastern property line. All other lots comprise Planning Area “B.”

Planning Area “A”

- | | |
|----------------------------|--|
| a. Minimum Lot Size | 9,000 square feet |
| b. Typical Lot Width | 74 feet |
| c. Minimum Lot Width | 60 feet (inside corner lot) |
| d. Minimum Lot Depth | 120 feet |
| e. Front Building Line | 20 feet; or 15 feet for a front swing garage |
| f. Side Building Line | 5 feet |
| g. Rear Building Line | 25 feet |
| h. Maximum Building Height | 40 feet |
| i. Maximum Lot Coverage | 65% |
| j. Minimum House Size | 2,800 s.f. |

Planning Area “B”

- | | |
|----------------------------|--|
| a. Average Lot Size | 7,800 square feet |
| b. Minimum Lot Size | 7,000 square feet |
| c. Typical Lot Size | 60 feet |
| d. Minimum Lot Width | 47 feet (inside corner lots) |
| e. Minimum Lot Depth | 120 feet |
| f. Front Building Line | 20 feet; or 15 feet for a front swing garage |
| g. Side Building Line | 5 feet, or 0/10 or 1/9 feet with a 10 foot minimum between buildings |
| h. Rear Building Line | 10 feet |
| i. Maximum Building Height | 40 feet |
| j. Maximum Lot Coverage | 65% |
| k. Minimum House Size | 2,500 s.f. |

Exterior Materials: 80% Masonry; all siding shall be of a cementitious material.

Roof Materials: Minimum 240 lb. dimensional shingle.

Minimum Roof Pitch: Minimum of a 10:12 roof pitch.

Garage Standard: Minimum of a two car garage, with enhanced decorative doors.

Fencing: A minimum 6' masonry screen wall will be built along the LD Lockett frontage, and adjacent to each entry.

Statement of Planning Objectives

Wood fencing between lots is permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. All lot boundaries along Common Open Space areas shall be open style fencing of Decorative Metal, and/or Masonry.

Where lots back to existing the existing residential lots in Reatta Place, we have agreed to construct a new 8' Cedar Fence on metal poles. Where open space lots border adjacent properties, either the existing fence will be maintained, or a Decorative Metal or Wooden fence will be installed, as per the Fencing Plan.

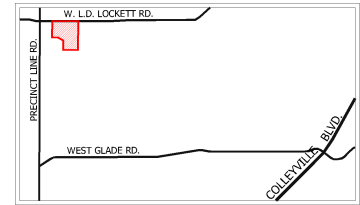
Streetscape Standards: Minimum of one (1) three-inch (3") caliper tree per each front yard, and two (2) three inch (3") caliper trees per each rear yard of lots backing to the eastern boundary (credit toward this requirement for preserving existing trees will be given). Fully landscaped and sprinklered front and rear yard within sixty days of completing a house.

Front Yard Maintenance: The open space lots within the subdivision shall be maintained in a consistent, uniform manner by the Heron Pond Homeowners Association through dues collected from the individual homeowners. Membership in the Homeowner's Association will be mandatory.

Street Design Standards:
Right of Way: Forty feet (40')
Travel Lane Width: Thirty-one foot (31'), back of curb to back of curb
Turning Radii: Twenty feet (20')

Open Space Standards: The Common Open Space shall be either left natural (where disturbance and irrigation may harm existing trees) or fully landscaped and irrigated with a combination of trees and shrubbery pursuant to an approved landscape plan. The Common Open Space shall be owned and operated by the Heron Pond Homeowners Association which shall have a mandatory membership of all homeowners and shall collect dues in amounts satisfactory to maintain the Common Open Space. The Association shall have fine and lien rights as permitted by law to enforce compliance with the rules of the association.

Signage: A monument sign identifying the subdivision shall be built at the entries from LD Lockett and/or incorporated into the masonry wall adjacent to that entry. All street and stop signs, and light standards shall decorative.



Legend

4' Concrete Sidewalk

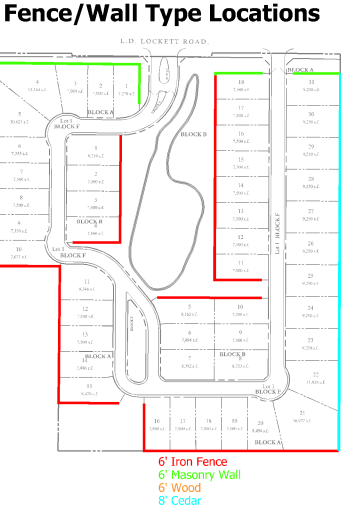
5' Concrete Trail

Common Open Space

60' Residential Lots (38)

74' Residential Lots (11)

R.O.W. Dedication



Owner:
Ronald Craig Gandy
1117 West L.D. Locket Road
Colleyville, TX 76034
817-714-0372

Owner:
Bear Valley Church
7900 Precinct Line Rd.
Colleyville TX, 76034
817-689-0845

Owner:
Mark D. Herron & Bliss A. Herron
1500 Bluebonnet Drive
Fort Worth, TX 76111
817-838-8214

Applicant:
Hat Creek Development
P.O. Box 92747
Southlake, Texas 76092
TEL. 817-329-3111
Contact: Kosse Maykus



Planner:

SAGE GROUP, INC.

Master Planning

Urban Design

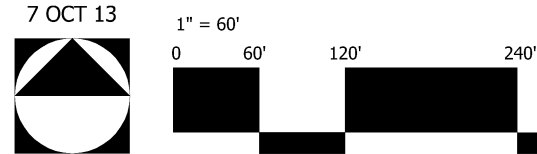
Architecture

Landscape Architecture

1130 N. Carroll Ave., Ste. 200

Southlake, Texas 76092

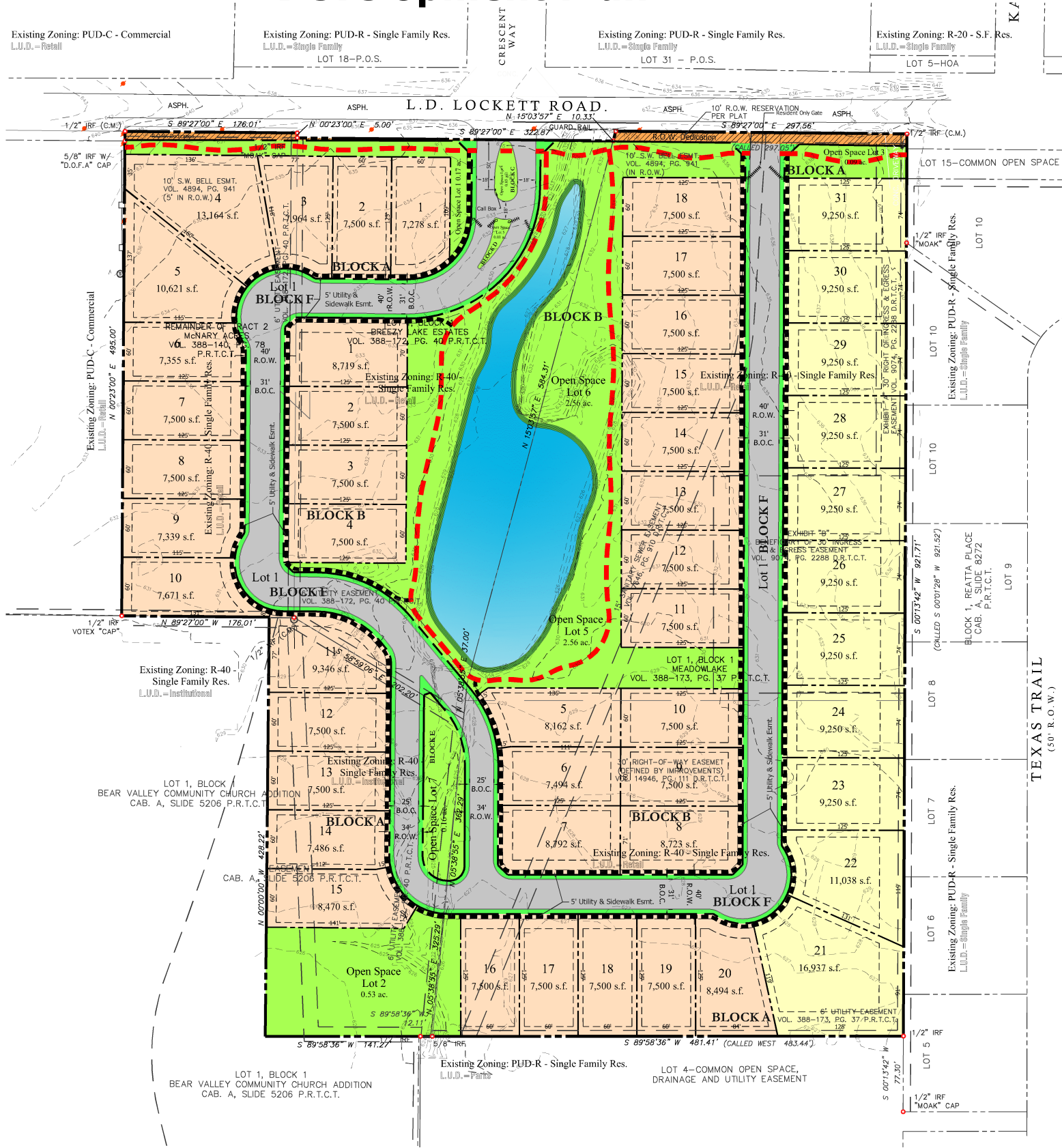
TEL. 817-424-2626



Development Plan

I. Carharrington Survey, Abstract No. 808

Development Plan



METES AND BOUNDS DESCRIPTION FOR ZONING EXHIBIT
FUTURE HERON POND - 15.17 ACRES
IN THE I. CARHARRINGTON SURVEY, A-808
CITY OF EULESS, TARRANT COUNTY, TEXAS

All that certain 15.17 acres of land, which is all of Lot 1, Block 1, Meadowlake, described in the plat recorded in Volume 388-173, Page 37 in the Plat Records of Tarrant County, Texas (P.R.T.C.T.) and all of Lot 1, Block 1, Breezy Lake Estates, described in the plat recorded in Volume 388-172, Page 40 P.R.T.C.T., and part of Tract 2, McNary Acres, described in the plat recorded in Volume 388-140, Page 76 P.R.T.C.T., and part of Lot 1, Block 1, Valley Community Church Addition, described in the plat recorded in Cabinet A, Slide 5206, the 1.002 acre tract, in the I. Caroline Survey, A-356, in the City of Colleyville, Tarrant County, Texas and more particularly described by metes and bounds as follows: (all bearings shown hereon are based on the south right-of-way line of L.D. Lockett Road (right-of-way varies), as shown on the plat of said Breezy Lake Estates and said Meadowlake);

BEGINNING at a 1/2" iron rod found for the northeast corner of said Lot 1, Block 1, Meadowlake, in the south right-of-way line of said L.D. Lockett Road;

THENCE South 00° 13' 42" West - 921.71' to the a 1/2" iron rod found for the southeast corner of the herein described tract, common to the northeast corner of Lot 4, Block 1, Reatta Place, described in the plat recorded in Cabinet A, Slide 8272 P.R.T.C.T.;

South 89° 58' 36" West - 622.68' to the most southerly southwest corner of the herein described tract;

THENCE North - 427.95' to a 1/2" iron rod found for the southeast corner of said Tract 2, McNary Acres, common to the southwest corner of Lot 1, Block 1, Breezy Lake Estates;

THENCE North 00° 23' 00" East - 495.00' to a 1/2" iron rod found for the northwest corner of the herein described tract, in the south right-of-way line of said L.D. Lockett;

THENCE along the south right-of-way line of said L.D. Lockett Road the following courses:

South 89° 27' 00" East - 176.01' to a 1/2" iron rod with a cap stamped "McNary" found for the northeast corner of said Tract 2, McNary Acres;

South 00° 23' 00" East - 5.00' to a 1/2" iron rod with a cap stamped "Moak" found for north west corner of said Lot 1, Block 1, Breezy Lake Estates;

South 89° 27' 00" East - 322.87' to the northeast corner of said Lot 1, Block 1, Breezy Lake Estates;

North 15° 03' 57" East - 10.33' to the northwest corner of said Lot 1, Block 1, Meadowlake;

South 89° 27' 01" East - 297.56' to the POINT OF BEGINNING and containing 15.17 acres of land.

THIS METES AND BOUNDS DESCRIPTION IS ISSUED FOR ATTACHMENT TO ZONING DOCUMENTS. IT IS NOT INTENDED FOR TITLE TRANSFER.

Site Data Summary Chart		
Single Family Residential Lots		
Common Areas		49 7
Residential Lots		
Open Space	62.47%	9.64 ac.
R.O.W.	22.10%	3.41 ac.
R.O.W. Dedication (on L.D. Lockett Rd.)	14.65%	2.26 ac.
Res. Gross Acreage	0.78%	0.12 ac.
	100.00%	15.43 ac.

Site Data	
Gross Acreage	15.43
Gross Density	3.18
Lot Summary	
Residential Lots	49
Minimum Building Lot Area	7,278 s.f.
Average Building Lot Area	8,436 s.f.
Common Areas	7

L.U.D. / Zoning	
Existing Zoning:	R-40
Proposed Zoning:	PUD-R

- Notes:**
- 60' WIDE LOTS - Front Setbacks are 20', or 15' with a swing garage
 - 60' WIDE LOTS - Rear Setbacks are 10' Typical
 - 60' WIDE LOTS -Side Setbacks are 5'
 - 74' WIDE LOTS - Front Setbacks are 20', or 15' with a swing garage
 - 74' WIDE LOTS - Rear Setbacks are 25' Typical
 - 74' WIDE LOTS - Side Setbacks are 7'
 - There will be no outside storage onsite
 - Open space lots & landscape easements will be maintained by the Homeowners Association (HOA).

Zoning Exhibit for
Zoning Change Request
From R-40 to PUD-R
Case # ZC-13-014 R-40 to PUD-R

Zoning Case #ZC13-014

Heron Pond

Colleyville, Tarrant County, Texas

Small Lot Development Comparison Chart - 1996 to 2013

Subdivision Name	Total Lots	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Lot Size (square feet)	Average Lot Size (square feet)	Maximum Lot Coverage	Master Plan Density - Dwelling Units Per Acre *	Land Development Code Density - Dwelling Units Per Acre **	Total Acres	Open Space	Approval Date	Ordinance
Spring Garden	45	36	70	2,520	2,700	90%	8	16.1	5.4	31.3%	12.17.96	O-96-1052
Villas of Caldwell Creek	43	59	115	6,594	7,408	50%	3.7	5.9	11.6	18.3%	4.1.97	O-97-1062
Bridges at Riverwalk	32	56	106	6,001	6,479	50%	3	6.7	10.0	24.0%	12.21.99	O-99-1192
Riverwalk at Colleyville	53	60	115	6,331	7,666	50%	3.2	5.7	20.0	20.0%	4.4.00	O-00-1210
Rosewood Villas	53	59	110	6,482	6,899	60%	3.6	6.3	14.8	21.4%	8.8.01	O-01-1286
Emerald Park	72	60	120	7,200	7,508	50%	3.5	5.8	20.2	19.6%	10.1.02	O-02-1366
Tiffany Park	25	60	100	7,200	7,580	50%	3.5	5.7	7.2	20.0%	10.21.03	O-04-1487
Tuscany	35	60	110	6,600	7,878	50%	3.9	5.5	8.8	6.6%	2.17.04	O-04-1442
Cambridge Place	38	50	58	4,500	5,300	60%	4.2	8.2	9.0	22.0%	7.6.04	O-04-1467
Heritage Oaks	103	30/40	90	2,700/3,600	3,600	90% and 75%	4.6	12.1	22.9	25.0%	03.21.06	O-09-1715
Villas at Oak Pointe	74	30/56	90/95/115	2,700/6,440	5,000	90% and 58%	3.7	8.7	13.6	22.0%	08.02.06	O-06-1584
Copperglen	22	55	105	5,924	6,650	65%	3.9	6.6	5.6	20.0%	10.17.06	O-06-1595
Villas of Colleyville	67	59	115	6,655	8,936	60%	3.4	4.9	19.8	21.0%	08.21.07	O-07-1627
Enclave at Arbor Estates	16	65	120	8,700	9,350	50%	2.9	4.7	5.6	19.3%	09.18.07	O-07-1634
Creekside at Colleyville	269	50	105	5,000	7,257	65%	2.4	6.0	108.5	20.0%	11.27.07	O-07-1645
Somerset Manor	77	50/60	100/110	5,000/6,600	6,000	50%	4	7.3	18.2	20.3%	05.05.08	O-08-1672
Ivy Glen	10	55	110	5,890	8,200	65%	3.4	5.3	3.0	20.0%	03.05.13	O-13-1864
The Preservation	36	60	140	8,500	9,170	50%	3	4.7	12.0	23.0%	05.14.13	O-13-1867
Average	59	56	106	6,207	6,866	57%	3.8	7.0	17.6	20.8%		
Zoning Case ZC13-014	49	47	120	7,000	7,800	65%	3.2	5.6	15.4	22.0%		

* Master Plan Density is calculated by dividing the total units in the development by the total acreage of the development

** Land Development Code Density is calculated by dividing the total units in the development by the total development acreage minus open space and right-of-way acreage



ORDINANCE O-13-1894

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 15.4 ACRES ON LOT 1, BLOCK 1, OF THE BREEZY LAKE ESTATES, LOTS 1A AND 1B, BLOCK 1, OF THE MEADOWLAKE ADDITION, TRACT 2B, OF THE MCNARY ACRES ADDITION, AND A PORTION OF LOT 1, BLOCK 1, OF THE BEAR VALLEY COMMUNITY CHURCH ADDITION, LOCATED AT 1117, 1121, AND 1217 W. L.D. LOCKETT ROAD AND 7900 PRECINCT LINE ROAD FROM THE R40-SINGLE FAMILY RESIDENTIAL ZONING DISTRICT TO THE PUD-R-PLANNED UNIT DEVELOPMENT RESIDENTIAL 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 under Case No. ZC13-014; 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 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, among other things, to 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 15.4 acres on Lot 1, Block 1, of the Breezy Lake Estates, Lots 1A and 1B, Block 1, of the Meadowlake Addition, Tract 2B, McNary Acres Addition, and a portion of Lot 1, Block 1, of the Bear Valley Community Church Addition, located at 1117, 1121, and 1217 W. L.D. Locket Road and 7900 Precinct Line Road from the R40-Single Family Residential zoning district to the PUD-R-Planned Unit Development Residential zoning district, as depicted in the attached Exhibit "A" and as legally described in Exhibit "B".
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved 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-R is for a single-family residential development of 49 detached dwelling units, constructed at a gross maximum density of 3.2 dwelling units per acre.

- b. This development shall be generally consistent with the Statement of Planning Objectives, attached as Exhibit "C".
- c. The subject property is subject to all the regulations contained in the Land Development Code, except where amended by this Ordinance.

2. DEVELOPMENT PLAN AND PLATTING

- a. The development shall be generally consistent with Exhibit "D", Conceptual Site Plan, which shall not be considered the preliminary plat. The actual street and lot arrangement may differ from that shown on Exhibit "D" to accommodate topographic, drainage, or other conditions.
- b. The developer shall submit and receive approval from the City, a Preliminary and Final Plat, approved in one or more phases, in accordance with the requirements of the Land Development Code prior to development of this PUD-R.

3. PERMITTED USES

- a. Single-family residences, detached
- b. Common open space areas

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

Residential lot requirements and setbacks shall comply with the following provisions:

Planning Area "A"

- a. Minimum Lot Size: 9,000 square feet
- b. Minimum Lot Depth: 120 feet
- c. Minimum Lot Width: 74 feet
- d. Front Building Line: 15 feet for a swing garage;
20 feet for a front facing
garage

- e. Side Building Line: 7 feet
- f. Rear Building Line: 30 feet
- g. Maximum Lot Coverage: 65 percent
- h. Minimum House Size: 2,800 square feet
- i. There shall be no more than three second story windows on the rear of any home in Planning Area A.

Planning Area "B"

- a. Minimum Lot Size: 7,000 square feet
- b. Minimum Lot Depth: 120 feet
- c. Minimum Lot Width: 60 feet
- d. Front Building Line: 15 feet for a swing garage;
20 feet for a front facing garage
- e. Side Building Line: 0, 5, 9, or 10 feet with a minimum of 10 feet between primary structures
- f. Rear Building Line: 10 feet
- g. Maximum Lot Coverage: 65 percent
- h. Minimum House Size: 2,500 square feet

5. RESIDENTIAL DESIGN REQUIREMENTS

The following requirements shall apply to all homes constructed in this development.

- a. Roofing Standards: Minimum roof pitch: 10:12. Roofing Materials: Minimum 240 lb. dimensional shingle.
- b. Garage Standard: A minimum two car garage shall be constructed with architecturally enhanced doors.

- c. Masonry: The exterior wall of all homes shall be composed of 80 percent masonry materials with a requirement that all siding shall be of a cementitious material.

6. OPEN SPACE

- a. This development shall provide a minimum of 22 percent common open space, as shown on Exhibit "D", which shall be for the leisure and recreational use of the development's residents. The open space shall comply with the provisions contained in the Land Development Code. All open space areas shall be landscaped and maintained by the Homeowner's Association (HOA).

7. PRIVATE STREETS AND SIDEWALKS

- a. Sidewalks along lot frontages shall be constructed by each homebuilder. All sidewalks shall be constructed in accordance with the requirements of the Land Development Code. A minimum five (5) foot wide trail shall be constructed within the open space area around and along the interior pond.
- b. All streets in this development shall be private. Right-of-way and pavement widths shall meet the following requirements: the minimum right-of-way for streets shall be 40 feet and the minimum pavement width for street shall be 31 feet, measured from back of curb to back of curb. A five foot utility easement shall be located along both sides of all internal streets.
- c. All gates shall meet the minimum requirements of Chapter 14-Engineering Design Standards in the Land Development Code.

8. FENCES, SCREENING AND LANDSCAPING

- a. Wood fencing between lots is permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. All lot boundaries along common opens areas shall be open style fencing of decorative metal, and/or

Masonry.

- b. All lots backing to the common open space shall be open style fencing of decorative metal, and/or masonry.
- c. Where lots back to the existing residential lots in the Reatta Place development, the developer shall construct a new eight (8) foot cedar fence on metal poles. Said fence shall be constructed prior to the final acceptance of public improvements.
- d. All lots shall contain a minimum of two (2) three-inch (3") caliper trees in the front yard adjacent to the street right-of-way. Each lot shall be fully landscaped with an approved irrigation system in the front and rear yard prior to the final inspection.
- e. A minimum of two (2) three-inch (3") caliper trees shall be planted in each rear yard where trees do not exist for all lots that back to the eastern boundary of the development prior to the final inspection.

- Sec. 5. 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. 6. 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. 7. 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. 8. 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. 9. 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 5th day of November 2013.

The second reading and public hearing being conducted on the 19th day of November 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, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit A –Location and Zoning Map

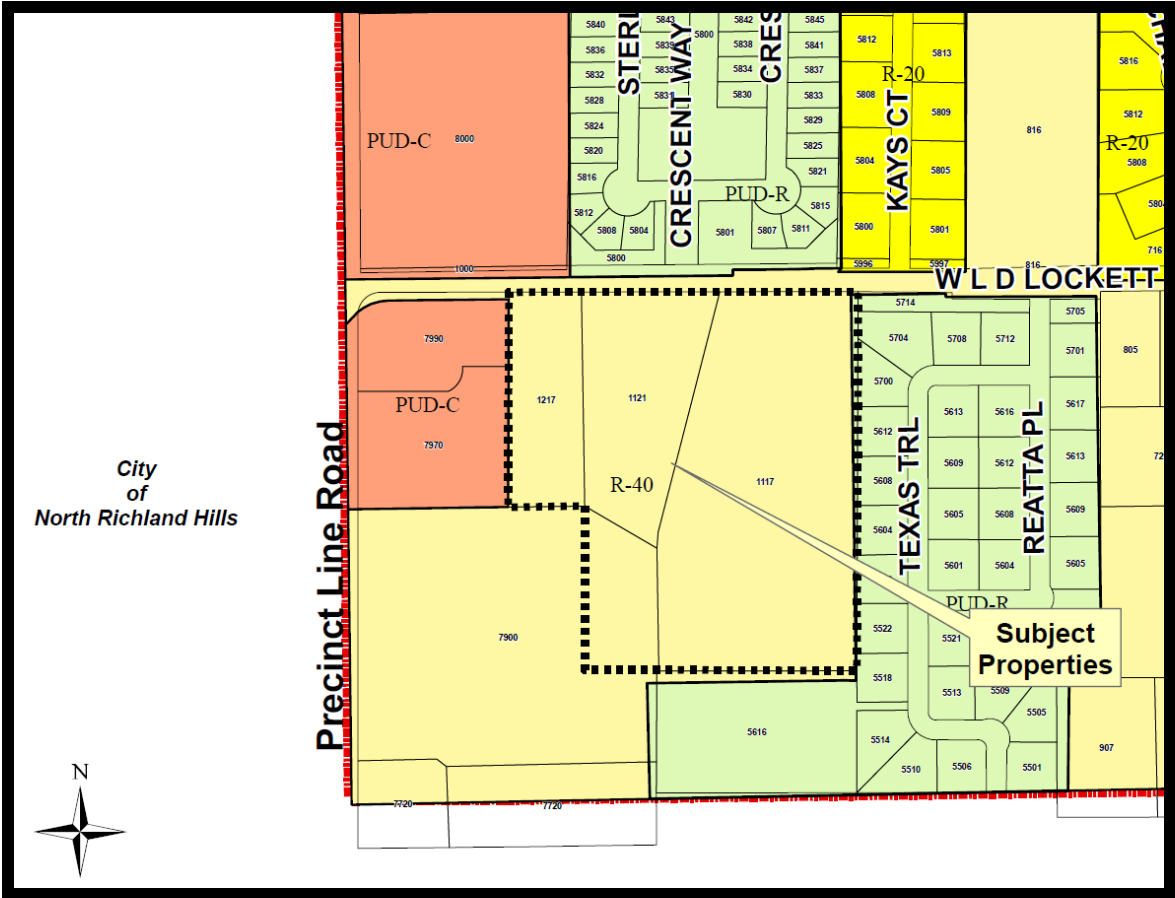


Exhibit B – Legal Description

**METES AND BOUNDS DESCRIPTION FOR ZONING EXHIBIT
FUTURE HERON POND - 15.17 ACRES
IN THE I. CARHARRINGTON SURVEY, A-808
CITY OF EULESS, TARRANT COUNTY, TEXAS**

All that certain 15.17 acres of land, which is all of Lot 1, Block 1, Meadowlake, described in the plat recorded in Volume 388-173, Page 37 in the Plat Records of Tarrant County, Texas (P.R.T.C.T.) and all of Lot 1, Block 1, Breezy Lakes Estates, described in the plat recorded in Volume 388-172, Page 40 P.R.T.C.T., and part of Tract 2, McNary Acres, described in the plat recorded in Volume 388-140, Page 78 P.R.T.C.T., and part of Lot 1, Block 1, Valley Community Church Addition, described in the plat recorded in, Cabinet A, Slide 5206, the 1.002 acre tract, in the I. Carodine Survey, A-356, in the City of Colleyville, Tarrant County, Texas and more particularly described by metes and bounds as follows: (all bearings shown hereon are based on the south right-of-way line of L. D. Lockett Road (right-of-way varies), as shown on the plat of said Breezy Lake Estates and said Meadowlake);

BEGINING at a 1/2" iron rod found for the northeast corner of said Lot 1, Block 1, Meadowlake, in the south right-of-way line of said L. D. Lockett Road;

THENCE South 00° 13' 42" West - 921.71' to the a 1/2" iron rod found for the southeast corner of the herein described tract, common to the northeast corner of Lot 4, Block 1, Reatta Place, described in the plat recorded in Cabinet A, Slide 8272 P.R.T.C.T.;

South 89° 58' 36" West - 622.68' to the most southerly southwest corner of the herein described tract;

THENCE North - 427.95' to a 1/2" iron rod found for the southeast corner of said Tract 2, McNary Acres, common to the southwest corner of Lot 1, Block 1, Breezy Lake Estates;

THENCE North 89° 27' 00" West - 176.01' to a 1/2" iron rod with a cap stamped "Votex" found for the most westerly southwest corner of the herein described tract;

THENCE North 00° 23' 00" East - 495.00' to a 1/2" iron rod found for the northwest corner of the herein described tract, in the south right-of-way line of said L.D. Lockett;

THENCE along the south right-of-way line of said L. D. Lockett Road the following courses:

South 89° 27' 00" East - 176.01' to a 1/2" iron rod with a cap stamped "Moak" found for the northeast corner of said Tract 2, McNary Acres;

South 00° 23' 00" West - 5.00' to a 1/2" iron rod with a cap stamped "Moak" found for north west corner of said Lot 1, Block 1, Breezy Lake Estates;

South 89° 27' 00" East - 322.87' to the northeast corner of said Lot 1, Block 1, Breezy Lake Estates;

North 15° 03' 57" East - 10.33' to the northwest corner of said Lot 1, Block 1, Meadowlake;

South 89° 27' 01" East - 297.56' to the POINT OF BEGINING and containing 15.17 acres of land.

Exhibit C - Statement of Planning Objectives

Heron Pond

Colleyville, Texas – October 7, 2013

Sage Group, Inc.

Statement of Planning Objectives-

Heron Pond is a proposed residential neighborhood to be developed by Hat Creek Development under the Planned Unit Development regulations for Residential development (PUD-R) in the City of Colleyville. The 15.43 acre property is located on the south side of LD Lockett Road, just east of Precinct Line Road. The property is currently shown on the Future Land Use Plan as Retail, but is zoned for Residential (R-40) and is occupied by an equestrian facility, open space and agricultural areas.

The surrounding area is fully developed. Across the street to the north is the existing Emerald Park neighborhood, to the west lies Community and Commercial Uses, containing the corner gasoline station/ convenience store/ package store, and the Bear Valley Community Church. To our south and east is the Reatta Place PUD-R Residential neighborhood.

The subject tract is shown on the Future Land Use Plan as “Retail,” however we believe there would be a limited market for Retail Uses in this location, as there is no remaining frontage on Precinct Line Road, and that a better use for this property would be to begin a transition from the Commercial to the west, to the PUD-R Single Family Residential to the east with a suitable Single-Family Residential use.

This proposal, which transitions between the Commercial Tracts to the west along Precinct Line Road with residential lots averaging over 8,400 s.f. to the larger lots in Reatta Place, and over 22% Open Space, is consistent with this and- we believe- the surrounding uses.

The property generally slopes toward the drainage swale and lake that runs from the north to the south through the property. All of our street and lot drainage would be directed toward this area and would not affect any of the neighboring properties.

We have commissioned a drainage study to illustrate the current conditions and make sure this development- as proposed- would meet the requirements of the ordinances regulating development and drainage.

Exhibit C – Statement of Planning Objectives (Continued)

Quality and compatibility with the adjacent residential, as well as the rest of Colleyville are essential, and we have designed this proposal with those goals in mind.

The residences planned for Heron Pond will be very upscale, with selling prices estimated to range between \$400,000 to over \$600,000. The development will have as its focal point, and feature, a pond and landscaped perimeter. The main entry road has been located directly across from the Emerald Park Entry, but also to take advantage of the resulting entry view toward the landscaped central lake area.

The internal road is planned to be a gated private road with a Resident/ Visitor gate at the western entry, across from the existing gated entry into Emerald Park, designed to meet all the city standards for such an entry. The eastern entry will be resident-only, providing a second point of access. We propose to build the normal Colleyville street section of 31' (back of curb to back of curb), in a 40' R.O.W. with 5' utility and sidewalk easements on either side.

In addition to some of the existing trees we will save within the open space areas, there will be a requirement of a front yard tree for every residential lot to be installed by the home builders, adjacent to the street right of way. A minimum of two trees will also be installed in the rear yard of each lot backing to the neighboring lots in Reatta Place, at the eastern boundary, where existing trees do not already exist. To encourage pedestrian activity in the neighborhood, sidewalks will be built along the front of each lot, as well as a 5' trail around the lake. The indicated landscaped setback, along LD Lockett, will be preserved within an open space lot, to be owned and maintained by the Heron Pond Homeowners Association.

The scale and orientation of the development has been designed to have an inviting visual flow with the existing neighborhoods and surrounding uses. The design criteria of the homes will create high quality homes in keeping with both the immediate neighborhood and Colleyville as a whole.

Development Schedule

Heron Pond will be developed in a single phase with the development commencing upon the successful completion of the zoning and platting and the subsequent approval of the final plat and engineering plans. Construction of homes is anticipated to start immediately upon completion of the subdivision's infrastructure.

Economic Development Information

Heron Pond will have a total of forty-nine (49) homes, each with an average estimated value upon completion of approximately \$400,000 to over \$600,000, resulting in an overall tax base of \$24,500,000, based on a \$500,000 estimated average. At the current tax rate of 2.694677%, the total taxes generated from the development are projected to be \$654,000, with \$ 91,250 generated directly for the City.

Exhibit C – Statement of Planning Objectives (Continued)

Development Standards

Permitted Land Use: Single Family Residential Detached

Residential Lot Requirements and Setbacks:

Residential lot requirements and setbacks shall comply with the following provisions. Planning Area “A” refers to those lots adjacent to the far eastern property line. All other lots comprise Planning Area “B.”

Planning Area “A”

a. Minimum Lot Size	9,000 square feet
b. Typical Lot Width	74 feet
c. Minimum Lot Width	60 feet (inside corner lot)
d. Minimum Lot Depth	120 feet
e. Front Building Line	20 feet; or 15 feet for a front swing garage
f. Side Building Line	5 feet
g. Rear Building Line	25 feet
h. Maximum Building Height	40 feet
i. Maximum Lot Coverage	65%
j. Minimum House Size	2,800 s.f.

Planning Area “B”

a. Average Lot Size	7,800 square feet
b. Minimum Lot Size	7,000 square feet
c. Typical Lot Size	60 feet
d. Minimum Lot Width	47 feet (inside corner lots)
e. Minimum Lot Depth	120 feet
f. Front Building Line	20 feet; or 15 feet for a front swing garage
g. Side Building Line	5 feet, or 0/10 or 1/9 feet with a 10 foot minimum between buildings
h. Rear Building Line	10 feet
i. Maximum Building Height	40 feet
j. Maximum Lot Coverage	65%
k. Minimum House Size	2,500 s.f.

Exterior Materials: 80% Masonry; all siding shall be of a cementitious material.

Roof Materials: Minimum 240 lb. dimensional shingle.

Minimum Roof Pitch: Minimum of a 10:12 roof pitch.

Garage Standard: Minimum of a two car garage, with enhanced decorative doors.

Fencing: A minimum 6' masonry screen wall will be built along the LD Lockett frontage, and adjacent to each entry.

Exhibit C – Statement of Planning Objectives (Continued)

Wood fencing between lots is permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. All lot boundaries along Common Open Space areas shall be open style fencing of Decorative Metal, and/or Masonry.

Where lots back to existing the existing residential lots in Reatta Place, we have agreed to construct a new 8' Cedar Fence on metal poles. Where open space lots border adjacent properties, either the existing fence will be maintained, or a Decorative Metal or Wooden fence will be installed, as per the Fencing Plan.

Streetscape Standards:	Minimum of one (1) three-inch (3") caliper tree per each front yard, and two (2) three inch (3") caliper trees per each rear yard of lots backing to the eastern boundary (credit toward this requirement for preserving existing trees will be given). Fully landscaped and sprinklered front and rear yard within sixty days of completing a house.
Front Yard Maintenance:	The open space lots within the subdivision shall be maintained in a consistent, uniform manner by the Heron Pond Homeowners Association through dues collected from the individual homeowners. Membership in the Homeowner's Association will be mandatory.
Street Design Standards:	
Right of Way:	Forty feet (40')
Travel Lane Width:	Thirty-one foot (31'), back of curb to back of curb
Turning Radii:	Twenty feet (20')
Open Space Standards:	The Common Open Space shall be either left natural (where disturbance and irrigation may harm existing trees) or fully landscaped and irrigated with a combination of trees and shrubbery pursuant to an approved landscape plan. The Common Open Space shall be owned and operated by the Heron Pond Homeowners Association which shall have a mandatory membership of all homeowners and shall collect dues in amounts satisfactory to maintain the Common Open Space. The Association shall have fine and lien rights as permitted by law to enforce compliance with the rules of the association.
Signage:	A monument sign identifying the subdivision shall be built at the entries from LD Lockett and/or incorporated into the masonry wall adjacent to that entry. All street and stop signs, and light standards shall decorative.

Exhibit D - Conceptual Site Plan





City of Colleyville City Council Agenda Briefing

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

Agenda Number 6b

Agenda Date 11/05/2013

Number Ordinance O-13-1895

Type Ordinance

Department Community Development

Title

Request for approval of amendments to the Future Land Use Map of the Colleyville Master Plan for Lot 1, Block 1, of the Breezy Lake Estates, Lots 1A and 1B, Block 1, of the Meadowlake Addition, and Tract 2B, of the McNary Acres Addition, located at 1117, 1121, and 1217 W. L.D. Lockett Road, and a portion of Lot 1, Block 1, of the Bear Valley Community Church Addition, located at 7900 Precinct Line Road, from a Retail and Institutional Land Use Designation to a Single Family Land Use Designation

Explanation

First Reading and Public Hearing

This item serves as a companion item to prior agenda item 6a (Ordinance O-13-1894), Case ZC13-014: Consideration of a request for a zoning change from R40-Single Family Residential to PUD-R-Planned Unit Development Residential on 15.4 acres of Lot 1, Block 1, of the Breezy Lake Estates, Lots 1A and 1B, Block 1, of the Meadowlake Addition, and Tract 2B, of the McNary Acres Addition, located at 1117, 1121, and 1217 W. L.D. Lockett Road, and a portion of Lot 1, Block 1, of the Bear Valley Community Church Addition, located at 7900 Precinct Line Road.

Section 211.004 of the Local Government Code requires that property be zoned in accordance with a comprehensive plan. The request described above and shown in the attached Exhibit "A" is currently designated for retail uses (approximately 90 percent of the subject property) and institutional uses (approximately 10 percent of the subject property) on the future land use plan in the Master Plan. The request for a single family housing development would eliminate any area for retail and institutional uses for the purposes of the future land use plan. Therefore, the request does not comply with the future land use plan. As such, in accordance with Section 211.004 of the Texas Local Government Code, the future land use map must be amended.

If agenda item 6a is approved by City Council, approval of this ordinance will still be required.

Financial Impact

There is no financial impact to the City.

Recommendation

Approval with the following conditions:

The following are City Council's options regarding this agenda item:

If City Council approves agenda item 6a, Ordinance O-13-1894, Case ZC13-014, then this Ordinance O-13-1895 must be approved.

If City Council denies agenda item 6a, Ordinance O-13-1894, Case ZC13-014, then this Ordinance O-13-1895 must be denied.

Attachments

1. Future Land Use Map
2. Ordinance O-13-1895

Future Land Use Map

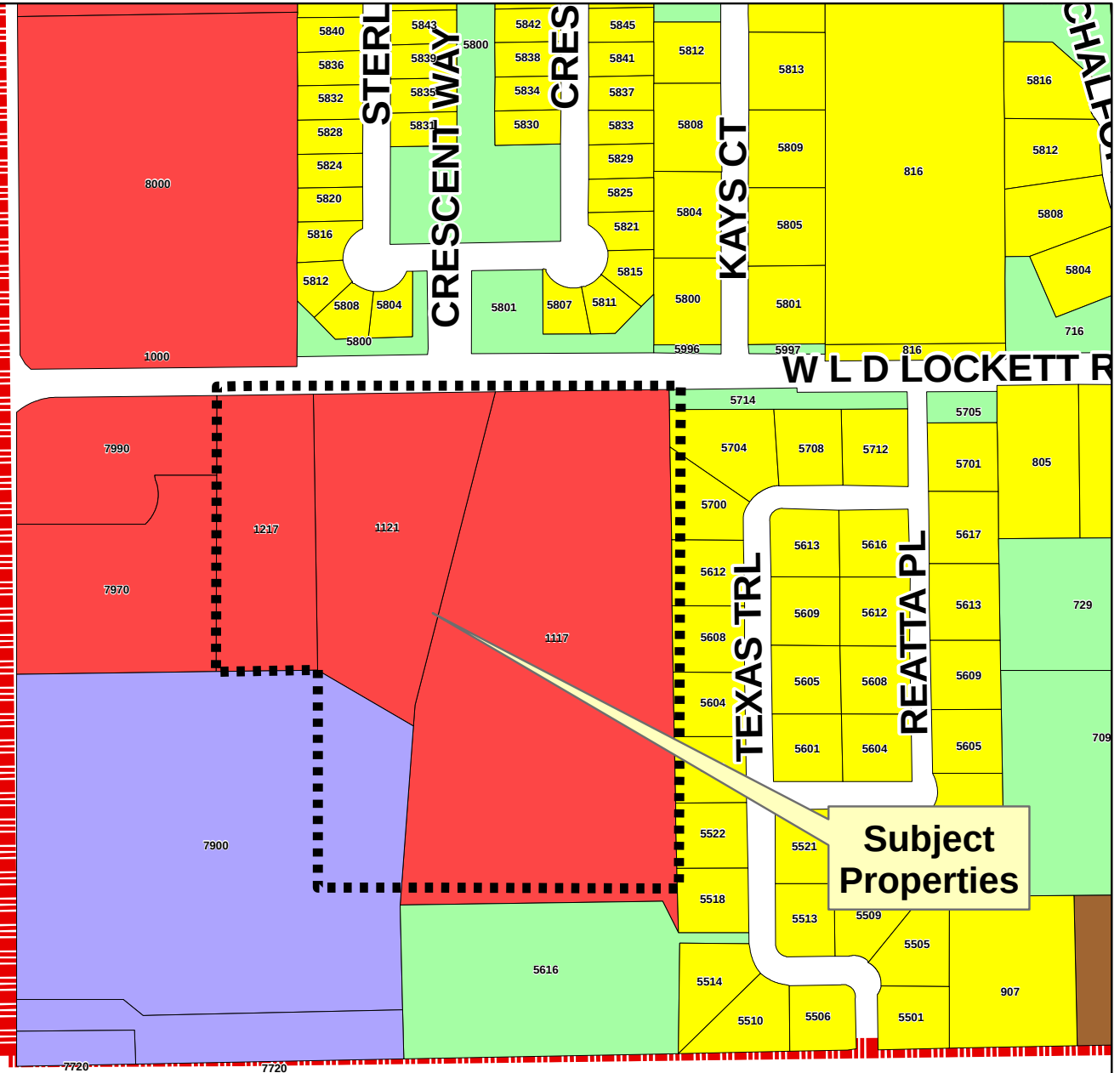
Legend

- Single Family
- Multi-Family
- Office
- Retail
- Institutional
- Industrial
- Roadway
- Utilities
- Parks
- Private Open Space
- Water

City
of
North Richland Hills



Precinct Line Road



ORDINANCE O-13-1895

AN ORDINANCE AMENDING ORDINANCE O-10-1753 BY AMENDING THE FUTURE LAND USE PLAN SPECIFICALLY FOR 15.4 ACRES LOCATED ON LOT 1, BLOCK 1, OF THE BREEZY LAKE ESTATES, LOTS 1A AND 1B, BLOCK 1, OF THE MEADOWLAKE ADDITION, AND TRACT 2B, OF THE MCNARY ACRES ADDITION, LOCATED AT 1117, 1121, AND 1217 W. L.D. LOCKETT ROAD, AND A PORTION OF LOT 1, BLOCK 1, OF THE BEAR VALLEY COMMUNITY CHURCH ADDITION, LOCATED AT 7900 PRECINCT LINE ROAD; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Colleyville approved Ordinance O-04-1483 adopting the 2004-2025 Colleyville Master Plan on October 19, 2004; and

WHEREAS, the City Council approved a new Future Land Use Plan under Ordinance O-10-1753 on June 15, 2010; and

WHEREAS, the City Council of the City of Colleyville desires to update the Future Land Use Plan in order to maintain consistency with approved land uses upon a rezoning of property to a new land use.

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

Sec. 1. THAT Ordinance O-10-1753 is hereby amended by amending the Future Land Use Plan specifically for 15.4 acres located on Lot 1, Block 1, of the Breezy Lake Estates, Lots 1A and 1B, Block 1, of the Meadowlake Addition, and Tract 2B, of the McNary Acres Addition, located at 1117, 1121, and 1217 W. L.D. Lockett Road, and a portion of Lot 1, Block 1, of the Bear Valley Community Church Addition, located at 7900 Precinct Line Road, from a retail and institutional land use to a single family land use as depicted on Exhibit "A".

Sec. 2. THAT this ordinance shall become effective immediately upon publication.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 5th day of November 2013.

The second reading and public hearing being conducted on the 19th day of November 2013.

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

ATTEST:

CITY OF COLLEYVILLE

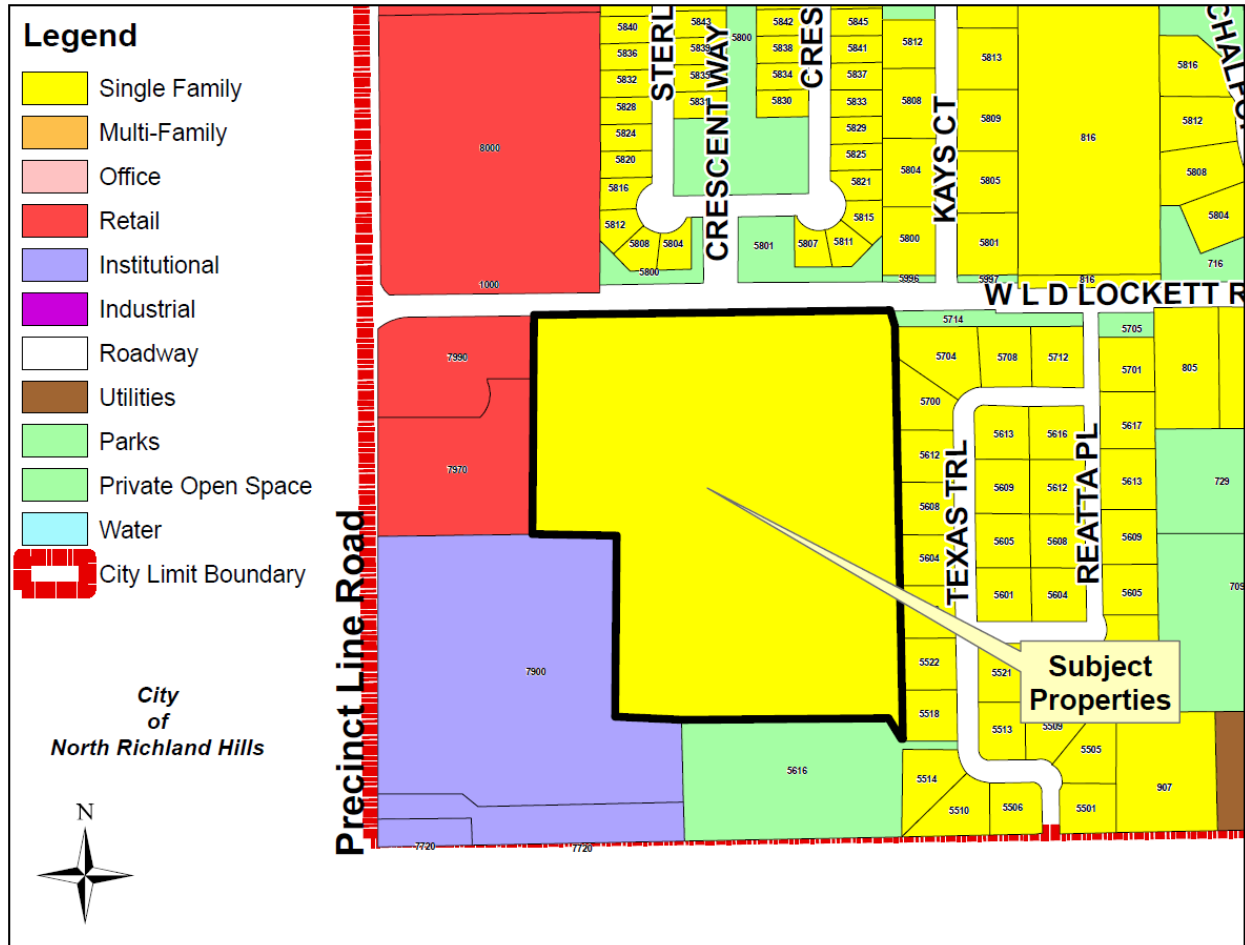
Amy Shelley, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit A





City of Colleyville City Council Agenda Briefing

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

Agenda Number 6c

Agenda Date 11/05/2013

Number Ordinance O-13-1896

Type Resolution

Department City Secretary

Title

Approval of a request to amend the filing date of the financial disclosure forms requirement of Ordinance O-02-1322

Explanation

First Reading and Public Hearing

In 2001, City Council appointed a citizen based Ethics Committee. The Committee's work initially focused on implementing Resolution R-01-1789, however, in February, 2002, City Council rescinded this resolution and approved Ordinance O-02-1322. Both Resolution R-01-1789 and Ordinance O-02-1322 have been attached to this agenda briefing.

Since Texas State law includes ethics for elected officials, City Council stated a supplemental City ethics policy was not necessary, therefore the Ethics Committee was eliminated in 2004, however, Ordinance O-02-1322 remains in effect.

Ordinance O-02-1322. This ordinance requires each member of the City Council, including the Mayor, each candidate for membership in the City Council, including the Mayor, each member of the Planning and Zoning Commission, and Zoning Board of Adjustment, who were appointed after the passage of this ordinance, and each applicant for a position on the Planning and Zoning Commission or the Zoning Board of Adjustment, to file a Financial Disclosure and Business Conflict of Interest Form with the City Secretary.

Currently Section 5 of Ordinance O-02-1322 states:

A. Candidates for membership in the City Council, including the Mayor, who are not currently sitting Council members, shall file within two (2) business days following the date upon which the filing for election for the position for which the individual seeks election is closed.

B. Sitting Council members, including the Mayor, shall file on or before twenty (20) days after the passage of this ordinance and on the first business day following January 15 and July 15 each year.

C. Applicants seeking appointment to the Planning and Zoning Commission or the Zoning Board of Adjustment shall file within two (2) business days following the end of the application period stated in the official City advertisement for application for the

position.

D. Sitting members of the Planning and Zoning Commission and the Zoning Board of Adjustment, who are appointed after the passage of this ordinance, shall file on the first business day following January 15 and July 15 of each year.

This obligation is a continuing obligation, and elected and appointed officials must comply with this ordinance until their successors have qualified for the office.

Recommendation. Based on City Council direction given during the Pre Council discussion on October 15, 2013, specifically to the filing dates, staff recommends the following amendments to the filing requirements currently outlined in Section 5, of Ordinance O-02-1322:

B. Sitting Councilmembers, including the Mayor, shall have a duty to file supplemental disclosures upon the Financial Disclosure and Business Conflict of Interest Forms, which are attached hereto, within three (3) business days of an occurrence of any change in the information reflected in the Financial Disclosure and Business Conflict of Interest Forms previously filed by the individual.

D. Sitting members of the Planning and Zoning Commission and the Zoning Board of Adjustment, shall have a duty to file supplemental disclosures upon the Financial Disclosure and Business Conflict of Interest Forms, which are attached hereto, within three (3) business days of an occurrence of any change in the information reflected in the Financial Disclosure and Business Conflict of Interest Forms previously filed by the individual.

Section 6, of Ordinance O-02-1322, is removed in its entirety from the proposed ordinance, since items B. and D. above cover this requirement:

"THAT the Reporting Individuals shall have a duty to file supplemental disclosures upon the Financial Disclosure and Business Conflict of Interest Forms which are attached hereto within three (3) business days of an occurrence of any change in the information reflected in the Financial Disclosure and Business Conflict of Interest Forms previously filed by the individual or where said information becomes inaccurate or incomplete after the reporting period but prior to the conduct of the election at which they seek office or prior to their appointment"

City Council also recommended that the City Secretary should remind the reporting individual of the filing requirement, however, since the forms will only be due at the time of any change, with an election, or an appointment to the Planning and Zoning Commission or Zoning Board of Adjustment, staff has not included the reminder request in the proposed ordinance.

Summary. All other conditions and/or requirements included in Ordinance O-02-1322

shall remain in full force and effect, except where amended within the proposed Ordinance O-13-1895, such as *"Candidates for membership in the City Council, including the Mayor, who are not currently sitting Council members, shall file within two (2) business days following the date upon which the filing for election for the position for which the individual seeks election is closed."*

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Resolution R-01-1789
2. Ordinance O-02-1322
3. Ordinance O-13-1896

RESOLUTION R-01-1789

A RESOLUTION OF THE CITY OF COLLEYVILLE, TEXAS STATING THAT AS A MATTER OF POLICY EACH ELECTED OFFICIAL OR CANDIDATE FOR CITY OFFICE FILE A FINANCIAL DISCLOSURE STATEMENT AND BUSINESS CONFLICTS OF INTEREST STATEMENT FOR THE INDIVIDUAL, THE INDIVIDUAL'S SPOUSE AND MINOR CHILDREN

WHEREAS, to ensure citizen trust of their elected officials.

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

Sec. 1. **THAT** as a matter of policy the Mayor and Council and Council Candidates should file a financial disclosure statement that shall include:

- A. The account of financial activity required in this section to file a financial statement must include a statement of financial activity of the individual, individual's spouse and minor children if the individual had actual control over the activity for the year or it is community property.
- B. The account of financial activity consists of:
 - i. A list of sources of occupational income, identified by the employer, or if self-employed, by the nature of the occupation; and
 - ii. Identification by description of all beneficial interests in real property, including but not limited to partnerships and limited real estate partnerships in land located in the areas of Northeast Tarrant County and Denton County defined to include Texas Motor Speedway in the northwest border, Lake Grapevine to the north, Interstate 35 to the west and Interstate 30 to the south and the Dallas and Tarrant County line to the east; and
 - iii. Identification of business entities held or acquired; and

- iv. Identification of a person or other organization from which the individual or the individual's spouse or dependent children received a gift of anything of value in excess of \$250 and a description of each gift, except:
 - a. a gift received from an individual at any time within the second degree by consanguinity or affinity as determined under Subchapter A, Chapter 573 of the Government Code; and
 - b. a political contribution that was reported as required by law; and
 - c. an expenditure required to be reported by a person to be registered under Chapter 305 of the Government Code.
- v. A list of all boards of directors of which the individual is a member and executive positions that the individual holds in corporations, not-for-profit corporations, charitable boards, firms, partnerships or proprietorships, stating the name of each corporation, firm partnership, or proprietorship and position held; and
- vi. Any partnership, joint venture, or other business association in which the City Official and Candidate has an interest.

Sec. 3. THAT disclosure of any bankruptcy whether personal or by a business in which the Mayor, Councilmember or Candidate has a ten percent or more ownership interest or is an officer or on the Board of Directors is required.

Sec. 4. THAT the Mayor, Councilmembers or Candidates for those offices shall disclose any felony indictments or convictions personal to them or of corporations, partnerships, companies or proprietorships, in which they have a ten percent or larger financial interest or are officers or board members, stating the name and position on each corporation, firm, partnership, or proprietorship and the nature of the indictment or felony conviction.

- Sec. 5. THAT an Ethics Committee, consisting of five (5) members, will be established by the City Council to review the ethics portion of the Colleyville City Charter and ethics ordinances and resolutions to make recommendations to the City Council.
- Sec. 6. THAT the City Manager is directed to create a disclosure form, the first of which is to be filed eight (8) days prior to election to public office and any changes to be filed on January 15 and July 15, of each subsequent year.
- Sec. 7. THAT this Resolution shall take effect immediately upon passage.

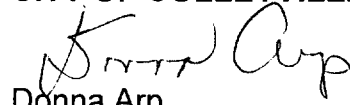
AND IT IS SO RESOLVED.

Passed by a vote of 5 ayes, 0 nays, and 0 abstentions on the 14th day of April, 2001.

ATTEST:


Cynthia Singleton, TRMC
City Secretary

CITY OF COLLEYVILLE


Donna Arp
Mayor

ORDINANCE O-02-1322

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, REQUIRING THE FILING OF A FINANCIAL DISCLOSURE AND BUSINESS CONFLICTS OF INTEREST STATEMENT FOR ELECTED OFFICIALS, CANDIDATES, AND CERTAIN BOARDS AND COMMISSION MEMBERS, ESTABLISHING DEFINITIONS OF TERMS, PROMULGATING REPORTING FORMS, PROVIDING FOR FILING DATES, REPEALING A PRIOR RESOLUTION CONCERNING THE SUBJECT MATTER OF THE ORDINANCE, PROVIDING A PENALTY AND AUTHORIZING PUBLICATION.

WHEREAS, the citizens of the City of Colleyville are entitled to know certain information about candidates for public office, elected officials and members of the Planning and Zoning Commission and the Zoning Board of Adjustment that may influence their decisions or determine whether they can make unbiased decisions; and

WHEREAS, to insure citizen trust of elected and appointed officials of the City,

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

Sec. 1. THAT the terms used in this ordinance shall have the following meaning:

A. Account of Financial Activity. An "Account of Financial Activity" means and shall consist of:

- (i) A list of sources of occupational income during the reporting period, identified by the employer, the employer's address and position held, or if self-employed, by the nature of the occupation, the business address and position held of the individual, their spouse and those under the individual's financial control; and
- (ii) Where an individual or those under the individual's financial control own real property or a beneficial interest in a business entity owning real property within the area crosshatched on Exhibit "A" to this ordinance during the reporting period, the account shall list the name in which legal title to the property is held, the nature of ownership interest, the name of the business entity in which a beneficial interest is held (if applicable), the lot, block, subdivision, city and county, or, if the real property is not part of a subdivision, the number of acres and tract, city and county in which the property is located. Further the account shall list each property identification number assigned by the

county appraisal district to the property and by the street address (if available). Further, the account shall list the names and addresses of other persons or business entities which own an interest in the real property. If a business entity is a limited partnership, the name and address of the general partner shall be included; and

- (iii) The name, address and nature of business of any business entity in which the individual or those under the individual's control held or acquired a beneficial interest of 10% or more during the reporting period; and
 - (iv) The name and address of the person, business entity or other organization from which the individual or those under the individual's financial control during the reporting period received a gift of anything of value in excess of \$250.00 and a description of each gift, except (1) gifts received from an individual within the second degree of consanguinity or affinity as determined under sub-chapter B of Chapter 573 of the Government Code; (2) a political contribution that was reported as required by law; and (3) an expenditure required to be reported by a person required to be registered under Chapter 305 of the Government Code; and
 - (v) The name and address of any business entity, non-profit corporation, charitable association, business association or other type of organization in which the individual or those under the individual's financial control were an officer, director, or held another position during the reporting period and a description of the position held.
- B. Bankruptcy. "Bankruptcy" means the filing of a petition, voluntary or involuntary, under Chapter 7, 11 or 13 of the Bankruptcy Code. (Title 11 of the United States Code).
- C. Beneficial Interest. A "beneficial interest" means an ownership of either legal or equitable title and includes any ownership interest held in trust where the individual is either the trustee or the beneficiary of the trust. Where the ordinance refers to a beneficial interest of 10% or more of a business entity it is meant that the individual owns or is entitled to either a legal or equitable interest in 10% or more of the

outstanding stock, membership interest or other indicia of ownership of the business entity.

- D. Business Entity. A "business entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint stock company, receivership, trust, or any other entity recognized by law through which business or profit is conducted.
- E. Those Under The Individual's Financial Control. "Those under the individual's financial control" means the individual's spouse and dependent children's property or financial interest over which the individual had actual control or where the property was community property during the reporting period.
- F. Reporting Individuals. "Reporting Individuals" means each member of the City Council, including the Mayor, each candidate for membership in the City Council, including the Mayor, each member of the Planning and Zoning Commission and Zoning Board of Adjustment, who are appointed after the passage of this ordinance and each applicant for a position on the Planning and Zoning Commission or the Zoning Board of Adjustment.
- G. Reporting Period. The "reporting period" means the twelve (12) month period immediately preceding the date the Account of Financial Activity is due pursuant to the terms of this ordinance.
- H. Trust. A "trust" means a trust subject to Chapter 9 of the Texas Property Code that owns real property or a beneficial interest in a business entity owning real property within the area crosshatched on Exhibit "A" to this ordinance or where the trust owns a 10% or more beneficial interest in another business entity.

Sec. 2. THAT the Reporting Individuals shall file a report of their Account of Financial Activity for the applicable reporting period.

Sec. 3. THAT the Reporting Individuals shall file a report disclosing the filing of any bankruptcy petition by or against the individual, their spouse, a business entity in which the individual owned a beneficial interest of 10% or more, a business entity in which the individual was an officer or director of the business entity at the time of bankruptcy filing.

- Sec. 4. THAT the Reporting Individuals shall file a report disclosing the filing of any information which charges a misdemeanor involving moral turpitude, a felony indictment, conviction of a misdemeanor involving moral turpitude or conviction of a felony of the individual or of a business entity in which the individual had a 10% or more beneficial interest or where the individual was at the time of the filing or conviction an officer or director of the business entity. The report shall specify the name of the person or business entity charged, the nature of the offense, and if the information or indictment did not result in a conviction, the disposition of the information or the indictment.
- Sec. 5. THAT the disclosures required by Sections 2, 3 and 4 hereof shall be made on the Financial Disclosure and Business Conflict of Interest Forms which are attached hereto, shall be verified as provided therein and shall be filed with the City Secretary on the following dates:
- A. Candidates for membership in the City Council, including the Mayor, who are not currently sitting Council members, shall file within two (2) business days following the date upon which the filing for election for the position for which the individual seeks election is closed.
 - B. Sitting Council members, including the Mayor, shall file on or before twenty (20) days after the passage of this ordinance and on the first business day following January 15 and July 15 each year.
 - C. Applicants seeking appointment to the Planning and Zoning Commission or the Zoning Board of Adjustment shall file within two (2) business days following the end of the application period stated in the official City advertisement for application for the position.
 - D. Sitting members of the Planning and Zoning Commission and the Zoning Board of Adjustment, who are appointed after the passage of this ordinance, shall file on the first business day following January 15 and July 15 of each year.
- Sec. 6. THAT the Reporting Individuals shall have a duty to file supplemental disclosures upon the Financial Disclosure and Business Conflict of Interest Forms which are attached hereto within three (3) business days of an occurrence of any change in the information reflected in the Financial Disclosure and Business Conflict of Interest Forms previously filed by the individual or where said information becomes inaccurate or

incomplete after the reporting period but prior to the conduct of the election at which they seek office or prior to their appointment.

- Sec. 7. THAT the failure to file when due the Financial Disclosure and Business Conflict of Interest Forms, including any supplements required thereto, shall constitute a violation of this ordinance and shall be punishable by a fine not to exceed the sum of \$500.00. It shall be a defense to any prosecution of a violation of this ordinance that within three (3) business days of the due date of any Financial Disclosure and Business Conflict of Interest Form, including any supplements required thereto, the individual filed a Financial Disclosure and Business Conflict of Interest Form in conformity with the provisions of this ordinance.
- Sec. 8. THAT if any section, paragraph, clause or provision of this ordinance for any reason is to be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect the remaining portion of this ordinance and the ordinance shall be read as if such invalid or unenforceable provisions did not exist.
- Sec. 9. THAT upon passage hereof, Resolution R-01-1789 is repealed in its entirety.
- Sec. 10. THAT the City Secretary is hereby authorized and directed to cause publication of a description caption and penalty clause hereof as an alternative method of publication as provided by law.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 15th day of January 2002.

The second reading and public hearing being conducted on the 5th day of February 2002.

ATTEST:



Cynthia Singleton, TRMC
City Secretary

CITY OF COLLEYVILLE



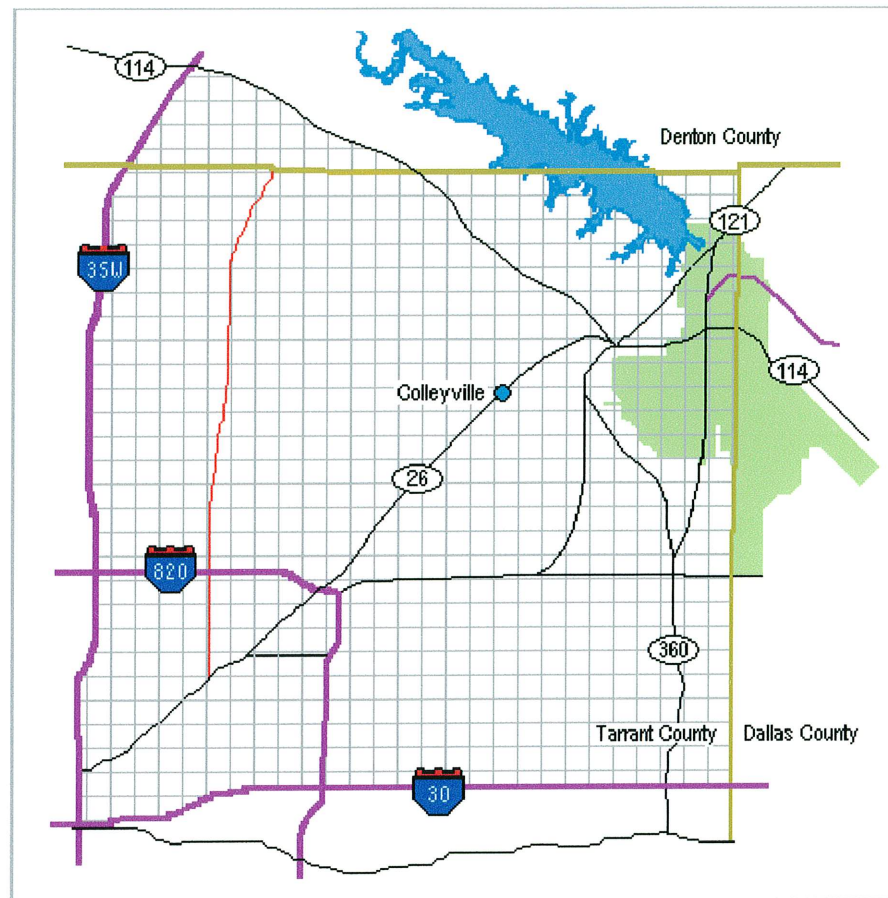
Donna Arp
Mayor

APPROVED AS TO FORM AND LEGALITY:



Ross T. Foster
City Attorney

ORDINANCE NO. 0-02-1322
Exhibit "A"



The crosshatched area is the portion of Tarrant County north of Interstate 30 and east of Interstate 35 W, and that portion of Denton County south of State Highway 114 and east of Interstate 35 W.

Form 1

TOTAL NUMBER OF PAGES FILED:

OFFICE USE ONLY

NICK NAME: LAST: SUFFIX

Account Number

Date Received _____

ADDRESS / CITY / STATE / ZIP

AREA CODE

PHONE NUMBER: EXTENSION

()

Receipt Number

Amount

Date Processed

Date Imaged

☐ CANDIDATE _____ (INDICATE OFFICE)

____ (INDICATE OFFICE)

☐ ELECTED OFFICIAL _____ (INDICATE OFFICE)

- (INDICATE OFFICE)

☐ ZONING BOARD OF ADJUSTMENT (APPLICANT OR APPOINTEE) _____

☐ PLANNING AND ZONING COMMISSION (APPLICANT OR APPOINTEE) _____

☐ TWO (2) BUSINESS DAYS FOLLOWING THE CLOSING OF FILING FOR ELECTIVE OFFICE OR APPOINTMENT

☐ CHANGES TO BE FILED JANUARY 15TH

☐ CHANGES TO BE FILED JULY 15TH

☐ SUPPLEMENTAL CHANGES

SPOUSE _____

☐ DEPENDENT CHILD 1 _____

2 _____

3 _____

In parts 1-4 disclose your financial activity during the 12 months proceeding the date of filing. In part 5 disclose not only your own financial activity, but also that of your spouse and/or dependent child or children, if you had actual control over that person's financial activity.

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INITIAL HERE: _____

DATE: _____

SOURCES OF OCCUPATIONAL INCOME**Form 2**

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on FORM 1.

¹ INFORMATION RELATES TO	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
² EMPLOYMENT ☐ EMPLOYED BY ANOTHER ☐ SELF EMPLOYED	NAME AND ADDRESS OF EMPLOYER / POSITION HELD NATURE OF OCCUPATION / NAME AND ADDRESS / POSITION HELD
INFORMATION RELATES TO	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
EMPLOYMENT ☐ EMPLOYED BY ANOTHER ☐ SELF EMPLOYED	NAME AND ADDRESS OF EMPLOYER / POSITION HELD NATURE OF OCCUPATION / NAME AND ADDRESS / POSITION HELD
INFORMATION RELATES TO	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
EMPLOYMENT ☐ EMPLOYED BY ANOTHER ☐ SELF EMPLOYED	NAME AND ADDRESS OF EMPLOYER / POSITION HELD NATURE OF OCCUPATION

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INITIAL HERE: _____

DATE: _____

INTERESTS IN REAL PROPERTY**Form 3**

Describe all beneficial interests in real property held or acquired by you, your spouse, or a dependent child during the calendar year within the area crosshatched on the map attached to Ordinance 02-1322.
For more information see INSTRUCTION GUIDE

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on Form 1.

1 HELD OR ACQUIRED BY	☐ FILER	☐ SPOUSE	☐ DEPENDENT CHILD _____
2 DESCRIPTION	Lot _____	City _____	
	Block _____	County _____	
	Subdivision _____	Ad Valorem Tax Account Number _____	
	Acres and Tract _____		
3 STREET ADDRESS	STREET ADDRESS, INCLUDING CITY, COUNTY, AND STATE		
☐ NOT APPLICABLE			
4 NAME	LIST THE NAMES AND ADDRESSES OF OTHER PERSONS OR BUSINESS ENTITIES WHICH OWN AN INTEREST IN THE REAL PROPERTY		
☐ INDIVIDUAL			
☐ BUSINESS			
HELD OR ACQUIRED BY	☐ FILER	☐ SPOUSE	☐ DEPENDENT CHILD _____
2 DESCRIPTION	Lot _____	City _____	
	Block _____	County _____	
	Subdivision _____	Advalorem Tax Account Number _____	
	Acres and Tract _____		
3 STREET ADDRESS	STREET ADDRESS, INCLUDING CITY, COUNTY, AND STATE		
☐ NOT APPLICABLE			
4 NAME	LIST THE NAMES AND ADDRESSES OF OTHER PERSONS OR BUSINESS ENTITIES WHICH OWN AN INTEREST IN THE REAL PROPERTY		
☐ INDIVIDUAL			
☐ BUSINESS			

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INITIAL HERE: _____

DATE: _____

Gifts**Form 4**

Identify any person or organization that has given a gift worth more than \$250 to you, or those under your financial control as defined in Ordinance 02-1322. Do not include: 1) expenditures required to be reported by a person required to be registered as a lobbyist under Government Code, Chapter 305, 2) political contributions reported as required by law, or 3) gifts given by a person related to the recipient within the second degree by consanguinity or affinity.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on Form 1.

¹ RECIPIENT	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
² DONOR	NAME AND ADDRESS
³ DESCRIPTION OF GIFT	
RECIPIENT	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
DONOR	NAME AND ADDRESS
DESCRIPTION OF GIFT	
RECIPIENT	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
DONOR	NAME AND ADDRESS
DESCRIPTION OF GIFT	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INITIAL HERE: _____

DATE: _____

BOARDS AND EXECUTIVE POSITIONS**Form 5**

This section is for information concerning executive positions and directorship held by you or those under your financial control. For more information see INSTRUCTION GUIDE

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on Form 1.

¹ POSITION HELD BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
² ORGANIZATION ☐ NON PROFIT ☐ CHARITABLE ASSOCIATION ☐ BUSINESS ASSOCIATION	ADDRESS
³ POSITION HELD	
POSITION HELD BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
ORGANIZATION ☐ NON PROFIT ☐ CHARITABLE ASSOCIATION ☐ BUSINESS ASSOCIATION	ADDRESS
POSITION HELD	
POSITION HELD BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
ORGANIZATION	
POSITION HELD	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INITIAL HERE: _____

DATE: _____

BANKRUPTCIES**Form 6**

Individuals shall disclose any bankruptcy petition by or against the individual, their spouse, a business entity in which the individual owned a beneficial interest of 10% or more, or a business entity in which the individual was an officer or director of the business entity at the time of bankruptcy filing. For more information see INSTRUCTION GUIDE

1 TYPE OF BANKRUPTCY NAME _____	☐ PERSONAL ☐ BUSINESS ☐ N/A ☐ NONE
2 CHAPTER	☐ 7 ☐ 11 ☐ 13
3 IF CHAPTER 7 DID YOU RECEIVE A DISCHARGE	☐ YES ☐ NO
4 IF CHAPTER 11 OR 13 DID YOU COMPLETE A SUCCESSFUL REORGANIZATION	☐ YES ☐ NO

Misdemeanor Involving Moral Turpitude and Felonies

Individuals shall disclose any information which charges a misdemeanor involving moral turpitude, a felony indictment, conviction of a misdemeanor involving moral turpitude or conviction of a felony of the individual or of a business entity in which the individual had a 10% or more beneficial interest or where the individual was at the time of the filing or conviction an officer or director of the business entity.

1 NAME _____ Business or Entity Charged	☐ PERSONAL ☐ BUSINESS
2 TYPE OF INDICTMENT or INFORMATION	
3 NATURE OF OFFENSE	DESCRIPTION
4 DISPOSITION OF INDICTMENT or INFORMATION	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INITIAL HERE: _____

DATE: _____

INTERESTS IN PARTNERSHIPS, JOINT VENTURES, OR OTHER BUSINESS ASSOCIATIONS

Form 7

Describe all interests in business entities held or acquired by you or those under your financial control as defined in Ordinance 02-1322. For an explanation of "beneficial interest" and other specific directions for completing this section, see INSTRUCTION GUIDE.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on Form 1.

¹ HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
² DESCRIPTION	NAME AND ADDRESS
³ NATURE OF BUSINESS	
HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
DESCRIPTION	NAME AND ADDRESS
NATURE OF BUSINESS	
HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
DESCRIPTION	NAME AND ADDRESS
NATURE OF BUSINESS	
COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY	

INITIAL HERE: _____

DATE: _____

**PERSONAL FINANCIAL STATEMENT
AFFIDAVIT****Form 8**

The Ordinance 02-1322 requires that the disclosures in the Financial Disclosure and Business Conflict of Interest Forms be verified. The verification page must have the signatures of the Financial Disclosure and Business Conflict of Interest Forms, as well as the signature and seal of a notary public. Without proper verification, the statement is not considered filed. Falsification of information is subject to criminal prosecution under state penal code.

Before me, the undersigned authority, personally appeared _____
who, after being duly sworn upon their oath deposed and stated as follows:

"My name is _____ and I hereby submit for filing pursuant to
Ordinance No. 0-02-1322 of the City of Colleyville, the attached Financial Disclosure and Business Conflict
of Interest Forms. I have personal knowledge of all information contained in said forms and all information
contained in the forms is true and correct."

"Further, all of the information contained in the forms is complete. There is no information that has
been withheld or not disclosed which is responsive to or required to be disclosed by the forms."

Affiant

Sworn to and subscribed before me, this the _____ day of _____ 20____.

Notary Public, State of Texas

INITIAL HERE: _____

DATE: _____

ORDINANCE O-13-1896

AMENDING ORDINANCE O-02-1322 FILING DATES OF A FINANCIAL DISCLOSURE AND BUSINESS CONFLICTS OF INTEREST FORM; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council approved Ordinance O-02-1322 on February 5, 2002, to establish the filing of a Financial Disclosure and Business Conflicts of Interest Statement for elected officials, candidates, and certain boards and commission members; establish definitions of terms; promulgate reporting forms; and provide for filing dates; and

WHEREAS, the City Council deems it in the best interests of the public to make available certain information about candidates for public office, elected officials, and members of the Planning and Zoning Commission, and the Zoning Board of Adjustment that may influence their decisions, or determine whether they can make unbiased decisions; and

WHEREAS, the City Council wishes to ensure citizen trust of elected and appointed officials of the City; and

WHEREAS, the original disclosure ordinance is in need of an update to make compliance more practicable, while achieving the same basic goals; and

WHEREAS, all statutory and constitutional requirements for the passage of this ordinance have been adhered to, including but not limited to the Open Meetings Act; and

WHEREAS, the purposes of this ordinance are to promote the public health, safety, and general welfare of the citizens of the City of Colleyville.

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

- Sec. 1. That all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.
- Sec. 2. THAT Ordinance O-02-1322 is hereby amended to include the following:
- (1) Section 5B shall read as follows: Sitting Councilmembers, including the Mayor, shall have a duty to file supplemental disclosures upon the Financial Disclosure and Business Conflict of Interest Forms, which are attached hereto, within three (3) business days of an occurrence of any change in the information reflected in the Financial Disclosure and Business Conflict of Interest Forms previously filed by the individual.
 - (2) Section 5D: shall read as follows: Sitting members of the Planning and Zoning Commission and the Zoning Board of Adjustment, shall have a duty to file supplemental disclosures upon the Financial Disclosure and Business Conflict of Interest Forms, which are attached hereto, within three (3) business days of an occurrence of any change in the information reflected in the Financial Disclosure and Business Conflict of Interest Forms previously filed by the individual.
 - (3) Section 6 is deleted entirely.
- Sec. 3. THAT the Financial Disclosure and Business Conflict of Interest Forms which are attached hereto as Exhibit "A", shall be verified as provided therein, and shall be filed with the City Secretary on the aforementioned dates.
- Sec. 4. 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. 5. 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. 6. THAT Ordinance O-02-1322 shall remain in full force and effect, except where amended by this ordinance.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 5th day of November 2013.

The second reading and public hearing being conducted on the 19th day of November 2013.

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

ATTEST:

CITY OF COLLEYVILLE

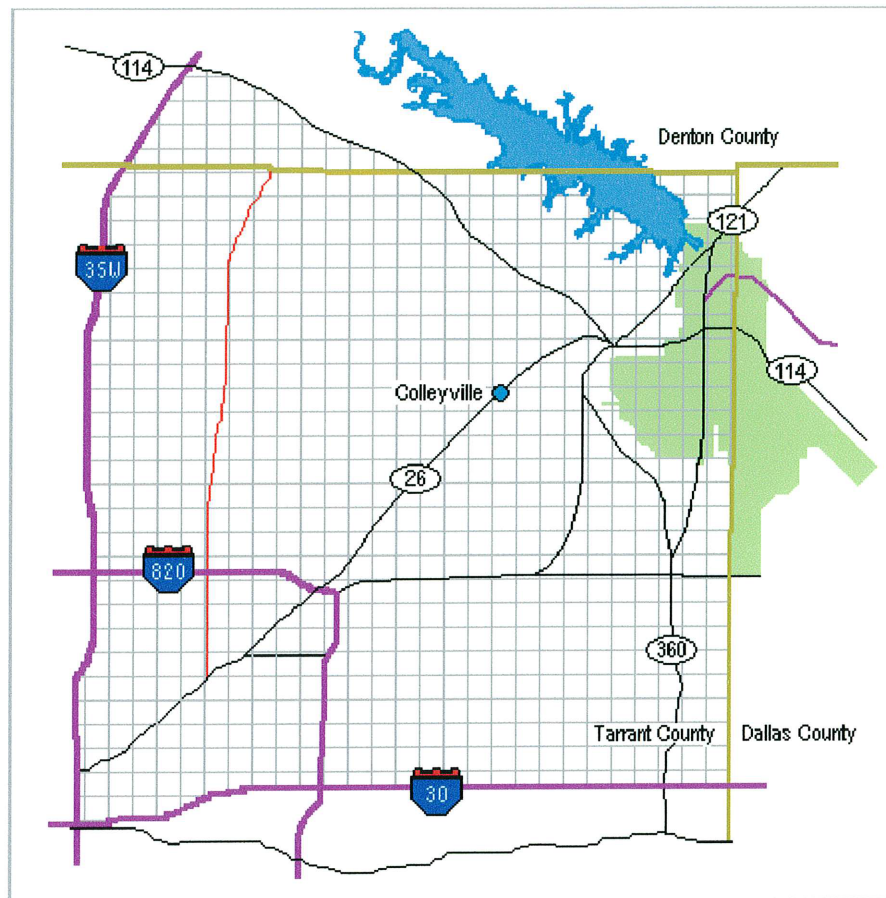
Amy Shelley, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit "A"



The crosshatched area is the portion of Tarrant County north of Interstate 30 and east of Interstate 35 W, and that portion of Denton County south of State Highway 114 and east of Interstate 35 W.

INFORMATION STATEMENT**Form 1**

		TOTAL NUMBER OF PAGES FILED:	
		OFFICE USE ONLY	
1 NAME	TITLE; FIRST; MI	Account Number	
	NICK NAME; LAST; SUFFIX	Date Received	
2 ADDRESS	ADDRESS / CITY / STATE / ZIP		
3 TELEPHONE NUMBER	AREA CODE	PHONE NUMBER; EXTENSION	Receipt Number
			Amount
	()		Date Processed
		Date Imaged	
4 REASON FOR FILING STATEMENT	☐ CANDIDATE _____ (INDICATE OFFICE)		
	☐ ELECTED OFFICIAL _____ (INDICATE OFFICE)		
	☐ ZONING BOARD OF ADJUSTMENT (APPLICANT OR APPOINTEE) _____		
	☐ PLANNING AND ZONING COMMISSION (APPLICANT OR APPOINTEE) _____		
	☐ TWO (2) BUSINESS DAYS FOLLOWING THE CLOSING OF FILING FOR ELECTIVE OFFICE OR APPOINTMENT		
	☐ CHANGES TO BE FILED JANUARY 15TH		
	☐ CHANGES TO BE FILED JULY 15TH		
	☐ SUPPLEMENTAL CHANGES		
5 Provide information for spouse and dependent children whose financial activity the filer had actual control over during this filing period. In addition, the source of annual income of the spouse shall be provided, as subject to federal election reporting requirements for a spouse: ☐ SPOUSE _____ ☐ DEPENDENT CHILD 1 _____ 2 _____ 3 _____ In parts 1-4 disclose your financial activity during the 12 months proceeding the date of filing. In part 5 disclose not only your own financial activity, but also that of your spouse and/or dependent child or children, if you had actual control over that person's financial activity. COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY			

INITIAL HERE: _____

DATE: _____

SOURCES OF OCCUPATIONAL INCOME

Form 2

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on FORM 1.

¹ INFORMATION RELATES TO	☐ FILER	☐ SPOUSE	☐ DEPENDENT CHILD _____
² EMPLOYMENT	NAME AND ADDRESS OF EMPLOYER / POSITION HELD		
☐ EMPLOYED BY ANOTHER			
☐ SELF EMPLOYED	NATURE OF OCCUPATION / NAME AND ADDRESS / POSITION HELD		
INFORMATION RELATES TO	☐ FILER	☐ SPOUSE	☐ DEPENDENT CHILD _____
EMPLOYMENT	NAME AND ADDRESS OF EMPLOYER / POSITION HELD		
☐ EMPLOYED BY ANOTHER			
☐ SELF EMPLOYED	NATURE OF OCCUPATION / NAME AND ADDRESS / POSITION HELD		
INFORMATION RELATES TO	☐ FILER	☐ SPOUSE	☐ DEPENDENT CHILD _____
EMPLOYMENT	NAME AND ADDRESS OF EMPLOYER / POSITION HELD		
☐ EMPLOYED BY ANOTHER			
☐ SELF EMPLOYED	NATURE OF OCCUPATION		

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INITIAL HERE: _____

DATE: _____

INTERESTS IN REAL PROPERTY**Form 3**

Describe all beneficial interests in real property held or acquired by you, your spouse, or a dependent child during the calendar year within the area crosshatched on the map attached.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on Form 1.

1 HELD OR ACQUIRED BY	☐ FILER	☐ SPOUSE	☐ DEPENDENT CHILD _____
2 DESCRIPTION	Lot _____	City _____	
	Block _____	County _____	
	Subdivision _____	Ad Valorem Tax Account Number _____	
	Acres and Tract _____		
3 STREET ADDRESS	STREET ADDRESS, INCLUDING CITY, COUNTY, AND STATE		
☐ NOT APPLICABLE			
4 NAME	LIST THE NAMES AND ADDRESSES OF OTHER PERSONS OR BUSINESS ENTITIES WHICH OWN AN INTEREST IN THE REAL PROPERTY		
☐ INDIVIDUAL			
☐ BUSINESS			
HELD OR ACQUIRED BY	☐ FILER	☐ SPOUSE	☐ DEPENDENT CHILD _____
2 DESCRIPTION	Lot _____	City _____	
	Block _____	County _____	
	Subdivision _____	Advalorem Tax Account Number _____	
	Acres and Tract _____		
3 STREET ADDRESS	STREET ADDRESS, INCLUDING CITY, COUNTY, AND STATE		
☐ NOT APPLICABLE			
4 NAME	LIST THE NAMES AND ADDRESSES OF OTHER PERSONS OR BUSINESS ENTITIES WHICH OWN AN INTEREST IN THE REAL PROPERTY		
☐ INDIVIDUAL			
☐ BUSINESS			

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INITIAL HERE: _____

DATE: _____

Gifts**Form 4**

Identify any person or organization that has given a gift worth more than \$250 to you, or those under your financial Control. Do not include: 1) expenditures required to be reported by a person required to be registered as a lobbyist under Government Code, Chapter 305, 2) political contributions reported as required by law, or 3) gifts given by a person related to the recipient within the second degree by consanguinity or affinity.

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on Form 1.

¹ RECIPIENT	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
² DONOR	NAME AND ADDRESS
³ DESCRIPTION OF GIFT	
RECIPIENT	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
DONOR	NAME AND ADDRESS
DESCRIPTION OF GIFT	
RECIPIENT	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
DONOR	NAME AND ADDRESS
DESCRIPTION OF GIFT	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INITIAL HERE: _____

DATE: _____

BOARDS AND EXECUTIVE POSITIONS**Form 5**

This section is for information concerning executive positions and directorship held by you or those under your financial control. For more information see INSTRUCTION GUIDE

When reporting information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on Form 1.

¹ POSITION HELD BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
² ORGANIZATION ☐ NON PROFIT ☐ CHARITABLE ASSOCIATION ☐ BUSINESS ASSOCIATION	ADDRESS
³ POSITION HELD	
POSITION HELD BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
ORGANIZATION ☐ NON PROFIT ☐ CHARITABLE ASSOCIATION ☐ BUSINESS ASSOCIATION	ADDRESS
POSITION HELD	
POSITION HELD BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
ORGANIZATION	
POSITION HELD	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INITIAL HERE: _____

DATE: _____

BANKRUPTCIES**Form 6**

Individuals shall disclose any bankruptcy petition by or against the individual, their spouse, a business entity in which the individual owned a beneficial interest of 10% or more, or a business entity in which the individual was an officer or director of the business entity at the time of bankruptcy filing. For more information see INSTRUCTION GUIDE

1 TYPE OF BANKRUPTCY NAME _____	☐ PERSONAL ☐ BUSINESS ☐ N/A ☐ NONE
2 CHAPTER	☐ 7 ☐ 11 ☐ 13
3 IF CHAPTER 7 DID YOU RECEIVE A DISCHARGE	☐ YES ☐ NO
4 IF CHAPTER 11 OR 13 DID YOU COMPLETE A SUCCESSFUL REORGANIZATION	☐ YES ☐ NO

Misdemeanor Involving Moral Turpitude and Felonies

Individuals shall disclose any information which charges a misdemeanor involving moral turpitude, a felony indictment, conviction of a misdemeanor involving moral turpitude or conviction of a felony of the individual or of a business entity in which the individual had a 10% or more beneficial interest or where the individual was at the time of the filing or conviction an officer or director of the business entity.

1 NAME _____ Business or Entity Charged	☐ PERSONAL ☐ BUSINESS
2 TYPE OF INDICTMENT or INFORMATION	
3 NATURE OF OFFENSE	DESCRIPTION
4 DISPOSITION OF INDICTMENT or INFORMATION	

COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

INITIAL HERE: _____

DATE: _____

**INTERESTS IN PARTNERSHIPS, JOINT VENTURES,
OR OTHER BUSINESS ASSOCIATIONS****Form 7**

Describe all Interests in business entities held or acquired by you or those under your financial control. For an explanation of "beneficial Interest" and other specific directions for completing this section, see INSTRUCTION GUIDE.

When reporting Information about a dependent child's activity, indicate the child about whom you are reporting by providing the number under which the child is listed on Form 1.

¹ HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
² DESCRIPTION	NAME AND ADDRESS
³ NATURE OF BUSINESS	
HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
DESCRIPTION	NAME AND ADDRESS
NATURE OF BUSINESS	
HELD OR ACQUIRED BY	☐ FILER ☐ SPOUSE ☐ DEPENDENT CHILD _____
DESCRIPTION	NAME AND ADDRESS
NATURE OF BUSINESS	
COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY	

INITIAL HERE: _____

DATE: _____

**PERSONAL FINANCIAL STATEMENT
AFFIDAVIT****Form 8**

Financial Disclosure and Business Conflict of Interest Forms are required to be verified. The verification page must have the signatures of the Financial Disclosure and Business Conflict of Interest Forms, as well as the signature and seal of a notary public. Without proper verification the statement is not considered filed. Falsification of information is subject to criminal prosecution under state penal code.

Before me, the undersigned authority, personally appeared _____
who, after being duly sworn upon their oath deposed and stated as follows:

"My name is _____ and I hereby submit for filing
the attached Financial Disclosure and Business Conflict of Interest Forms. I have personal
knowledge of all information contained in said forms and all information contained in the
forms is true and correct."

"Further, all of the information contained in the forms is complete. There is no information
that has been withheld or not disclosed which is responsive to or required to be disclosed
by the forms."

Affiant

Sworn to and subscribed before me, this the _____ day of _____ 20____.

Notary Public, State of Texas

INITIAL HERE: _____

DATE: _____



City of Colleyville City Council Agenda Briefing

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

Agenda Number 7a

Agenda Date 11/05/2013

Number Ordinance O-13-1887

Type Ordinance

Department Community Development

Title

Consideration of a request for a zoning change from PUD-C-Planned Unit Development Commercial to PUD-R-Planned Unit Development Residential, on 1.82 acres on Lot 1, Block 1, of the San Bar Square Addition, located at 105 Cheek-Sparger Road, Case ZC13-008

Explanation

Update

At the October 15, 2013 City Council meeting, the City Council voted to continue this item to the November 5, 2013 City Council meeting in order to allow the applicant time to submit more details of the development including new home elevations and open space utilization.

The applicant has submitted an exhibit (attached) that contains the following information:

- Pictures of the Cheek-Sparger Road right-of-way adjacent to the development.
- Examples of other landscaped rights-of-way in Colleyville adjacent to residential developments.
- Color site plan exhibits showing the proposed building footprints and landscaping.
- Photo examples of homes in other developments that would be similar to the homes in the proposed development.
- A summary of the changes made from the original proposal.
- Photo examples of the proposed perimeter fencing.

The applicant also states that they have addressed the comments and concerns voiced at the October 15, 2013 meeting as follows:

- The cul-de-sac street has been "shortened by six feet "
- They have "utilized more of the available land for lot development"
- An additional open space analysis has been provided "to give a truer picture of the

actual situation with Briar Grove by incorporating over-dedicated right-of-way".

- Front building lines on the wedge shaped lots are shown.
- Average lot size has increased from 6,874 square feet to 7,206 square feet, "resulting primarily from increased lot widths". Average lot size is not included in Ordinance O-13-1887. As such, this number has not been added to the ordinance.
- "Open space associated with Briar Grove increased to a minimum of 18.4 percent". Ordinance O-13-1887 requires a minimum of 16.2 percent of open space. The additional 2.2 percent noted by the applicant includes the adjacent right-of-way for Cheek-Sparger Road only and does not account for any additional open space on the subject property.

Although the applicant has addressed some of the questions raised by the City Council at the October 15, 2013 meeting, there are no proposed changes to the specific provisions contained in the Statement of Planning Objectives and the Conceptual Site Plan. Therefore, staff has not made any changes to Ordinance O-13-1887 since the October 15, 2013 meeting.

Second Reading and Public Hearing

There were two people who spoke in opposition, and one person who spoke in support of this request at the October 2, 2013 City Council meeting.

There were two people who registered their opposition to this request at the October 2, 2013 City Council meeting, but did not wish to speak.

The City Council asked the applicant to provide a final site plan, as well as a detailed exhibit for the right-of-way area adjacent to the subject property and Cheek-Sparger Road, before it could be considered in the open space percentage requirement for the October 15, 2013 meeting. As of the date of this briefing, the requested information has not been received from the applicant.

First Reading and Public Hearing

Mark Howe, applicant, has submitted a request to change the zoning on 1.82 acres of land located at 105 Cheek-Sparger Road. The applicant is requesting to rezone the property from PUD-C-Planned Unit Development Commercial to PUD-R-Planned Unit Development Residential zoning district. The applicant is seeking a zoning change in order to develop the property for eight new residential lots and three open space lots.

Existing Conditions and Zoning. The subject property is currently vacant and is platted. The property is currently zoned PUD-C-Planned Unit Development Commercial under Ordinance O-85-600 (attached). The uses allowed under Ordinance

O-85-600 are "shopping centers, commercial or service centers, office parks, major recreation and entertainment facilities, and other similar business and commercial centers or facilities, when such uses are in conformance with the various commercial zoning district regulations" of the zoning ordinance as it existed in 1985. It should be noted that these uses are not listed in Ordinance O-85-600. In 1985, the PUD-C uses listed above were allowed by right, as part of the PUD-C ordinance approval, unless a particular use was specifically prohibited by the PUD-C ordinance. In the case of Ordinance O-85-600, no uses were prohibited.

The applicant purchased the property and has decided to pursue a residential use. Additional approval of a preliminary and final plat will be required upon approval of the rezoning request.

Statement of Planning Objectives. The applicant has submitted a Statement of Planning Objectives which contains a detailed description of the proposed development.

Lot Dimensions and Setbacks. PUD-R regulations require a minimum lot size of 13,000 square feet with a minimum lot width of 100 feet, and lot depth of 120 feet. Per the details of the Statement of Planning Objectives and the Conceptual Site Plan, the applicant proposes the following development standards:

Minimum lot width: 55 feet

Minimum Lot Depth: 120 feet (Except for lots fronting on the cul-de-sac)

Lot area is proposed as follows:

The minimum lot size proposed is 5,807 square feet

Setbacks are proposed as follows:

Front Yard Setbacks:

- a. For lots with a J-Swing garage: 10 feet
- b. For lots with a front entry garage: 20 feet

Rear Yard Setback: 10 feet

Side Yard Setbacks: Five (5) feet for center placed structure and one (1) foot and nine (9) feet for other placements; Minimum of 10 feet between structures

Maximum Lot coverage: 65 percent

Maximum Height: 35 feet

Residential Design Requirements. Homes will be both single and two story construction. For two-story homes, there will be no balconies or verandas allowed on the second floor of Lots 3-8.

Screening. A wood screening fence, not to exceed six feet in height will be constructed at the property lines adjacent to other residential properties to the east and south, as shown on the Conceptual Site Plan. At a minimum, the pole side of the screen fence will face into the new development along the south and east property lines.

Open Space. PUD-R regulations require a minimum 20 percent of the development be reserved for open space for use by the residents of the development. The Statement of Planning Objectives states the development shall provide 16.2 percent open space, which is not in compliance with code. All open space shall be landscaped and maintained by the Homeowners Association.

Preliminary Drainage Analysis. The developer has submitted a Preliminary Drainage Analysis of the site, which is to be reviewed by the Engineering Division of the Public Works Department. Conditions associated with drainage and stormwater runoff shall be set and enforced at the time of platting.

Sidewalks and Trails. Sidewalks are required to be installed along any new internal streets at the time of new home construction. According to the Colleyville Pathways Plan, sidewalks are required to be constructed along the frontage of Cheek-Sparger Road and San Bar Lane. The sidewalk along Cheek-Sparger Road is required to be five feet in width, and the sidewalk along San Bar Lane is required to be four feet in width. The sidewalks along the property frontages must be installed prior to the acceptance of final public improvements.

Development Schedule. The applicant provided the following preliminary schedule of key development dates:

- Zoning Approval: September 2013
- Preliminary and Final Plat Approval: October 2013
- Construction Commencing: November 2013
- Construction Completing: May 2014

Traffic Generation and Access. The developer is not required to provide a Traffic Impact Analysis, since the development is not projected to generate in excess of 1,000 vehicle trips per day. The Institute of Transportation Engineers publication Trip

Generation provides estimates of expected traffic generation based on land use. Data has been collected in the United States and Canada since the 1960's, primarily in suburban locations. Single family residences are expected to generate 9.57 trips per day, on average. Based on this average, an eight lot development would add approximately 76 vehicle trips per day to the surrounding roadways.

Only one means of ingress and egress is required for subdivisions with 12 lots or less.

Residential Density. The Colleyville Master Plan suggests a maximum residential density of 1.8 dwelling units per acre, in most situations. The 2004 Colleyville Master Plan states densities higher than 1.8 units per acre would be acceptable in those areas deemed consistent with sound land use planning principles. The proposed development of eight residential units on the 1.82 acre property will produce a residential density of 4.4 dwelling units per acre based upon the density calculation method prescribed by the Colleyville Master Plan. The proposed residential density is greater than other approved small lot PUD-R developments within the City. The Small Lot Development Comparison, attached to this briefing, provides a comprehensive listing of approved developments since 1996 with residential densities which exceed 1.8 dwelling units per acre.

Surrounding Development Trends. Properties to the north and east are zoned R20-Single Family Residential and developed as single family homes. Properties to the south are zoned R15-Single Family Residential and developed as single family homes. The property to the west is zoned PUD-C-Planned Unit Development Commercial and is developed as an office-showroom, multi-tenant retail, and self-storage business.

Master Plan. The Future Land Use Plan designates the entire subject property for single family residential, and is consistent with the proposed use of this development.

Public Notification. Staff mailed notices to 18 adjacent property owners 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. To date, staff has received 12 letters of opposition, and four letters of support, which are attached to this briefing.

Planning and Zoning Commission Recommendation. The Planning and Zoning Commission recommended approval of the rezoning request at the August 26, 2013 meeting by a vote of 5-2.

Supermajority Vote Requirement. More than 20 percent of the property owners within the 200 foot buffer around the subject property is opposed to the request. Given this condition, a super-majority vote by the City Council is required in order to approve this request. The total percent of opposition within the 200 foot buffer stands at 33 percent, as of the date of this briefing.

Summary. The proposed zoning change is consistent with the Future Land Use Plan, which designates the subject property as single family residential uses. While the proposed development exceeds the residential density of 1.8 dwelling units per acre, the proposed density is generally consistent with other small lot subdivisions approved throughout the City, as referenced in the attached "Small Lot Subdivision Comparison" chart. The location of the proposed development will provide a viable transitional element between the commercial uses along Colleyville Boulevard to the west, and the collection of single family residential properties to the east and south. The proposed open space does not meet the minimum requirements of the PUD-R zoning district.

Financial Impact

There is no financial impact to the City.

Recommendation

Approval with the following conditions:

1. GENERAL

- a. The purpose of this PUD-R is for a single-family residential development of eight detached single family dwelling units, constructed at a gross maximum density of 4.4 dwelling units per acre.
- b. This development shall be generally consistent with the Statement of Planning Objectives, Exhibit "B".
- c. The proposed development is subject to all the regulations contained in the Land Development Code, except as amended by this Ordinance.

2. DEVELOPMENT PLAN AND PLATTING

- a. The development shall be generally consistent with the conceptual site plan, Exhibit "C", which shall not be considered the preliminary plat. The actual street and lot arrangement may differ from that shown on the conceptual site plan to accommodate topographic, drainage, or other conditions.
- b. The developer shall submit and receive approval from the City, a preliminary and final plat, approved as a single phase, in accordance with the requirements of the Land Development Code prior to development of this PUD-R.

3. PERMITTED USES

- a. Single-family residences, detached
- b. Common open space areas

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

a. Residential lot requirements and setbacks shall comply with the following provisions:

1. All lots shall be a minimum of 55 feet in width as measured at the building setback line.

2. The minimum lot size shall be 5,807 square feet.

3. The minimum lot depth shall be 120 feet, except for lots which front the cul-de-sac.

4. Front Yard Setbacks:

a. For lots with a J-Swing garage: 10 feet

b. For lots with a front entry garage: 20 feet

5. Minimum Rear Yard Setback: 10 feet

6. Minimum Side Yard Setbacks: 10 feet between structures; One (1) foot and nine (9) feet, or five (5) feet each side property line.

7. Maximum Lot coverage: 65 percent

5. RESIDENTIAL DESIGN REQUIREMENTS

The following requirements shall apply to all homes constructed in this development:

a. Homes may be both single and two-story construction.

b. Two-story homes on lots 3 through 8 shall not contain any balconies and verandas constructed on the second floor.

6. OPEN SPACE

a. This development shall provide a minimum of 16.2 percent common open space, which shall be configured as shown on Exhibit "C". All open space areas shall be landscaped and maintained by the HOA.

b. No more than 25 percent of the open space area may be utilized for detention.

7. SCREENING AND TREES

a. A wood screening fence, not to exceed six (6) feet in height, shall be constructed at the property lines adjacent to other residential properties to the east and south. At a minimum, the pole side of the screen fence will face into the new development along

the south and east property lines. A six foot wrought iron fence may be constructed adjacent to the open space Lot 2A.

b. A variable height screening fence, constructed of a combination of brick, stone, and wrought iron will be constructed along the north and west portion of the property adjacent to Cheek-Sparger Road and San Bar Lane. The screening shall be continuous along the boundary with the exception of entry road right-of-way.

Attachments

1. Location and Zoning Map
2. Aerial
3. Buffer Map
4. Notification List
5. Letters of Opposition
6. Letters of Support
7. Information Received from Applicant on October 29, 2013
8. Statement of Planning Objectives
9. Conceptual Site Plan
10. Small Lot Development Comparison Chart - 1996 to 2013
11. Ordinance O-85-600
12. Ordinance O-13-1887

City of Hurst

GRAPEVINE HWY

CC-3

PUD-C

ACUFF LN

FELPS DR

PUD-C

CN

PUD-R

Subject Property

Cheek-Sparger Road

PUD-C

PUD-C

R-20

FELPS CT

W GREENBRIAR LN

PUD-R

WOODCREST DR

GREENBRIAR LN

WOODBINE DR

R-15

SAN BAR

GREENBRIAR CT

SWEETBRIAR LN

ROSEBRIAR LN

BRIARWICK

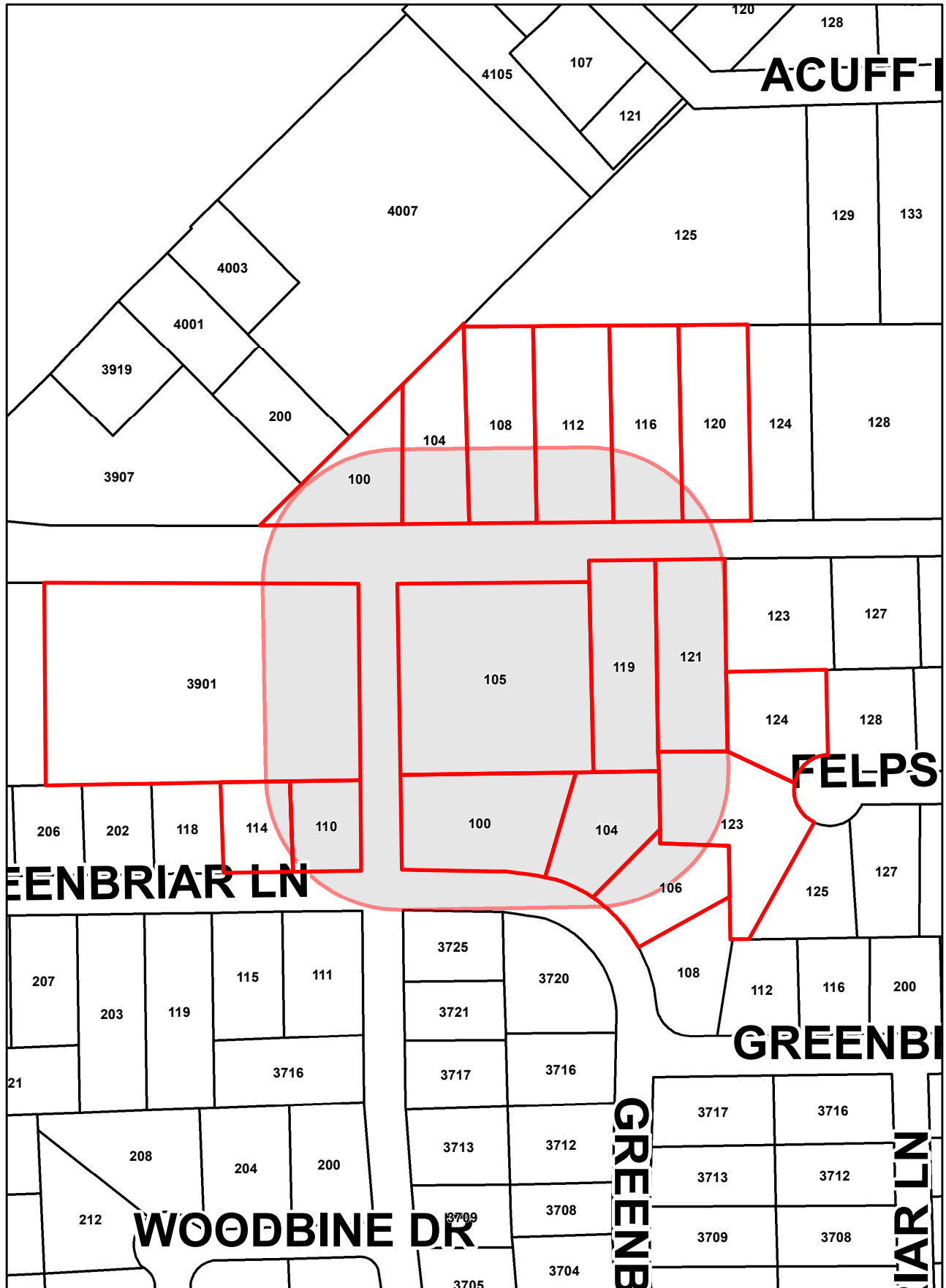
R-20

R-40

Aerial



Buffer Map



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
Wallace, David A Etux Cynthia	104 Greenbriar Ln	Colleyville	TX	76034	104 Greenbriar Ln
Brand, Donald R	121 Cheek Sparger Rd	Colleyville	TX	76034	121 Cheek Sparger Rd
Bevill, James H Etux Claudia M	119 Cheek Sparger Rd	Colleyville	TX	76034	119 Cheek Sparger Rd
Blue Star Land Lp	1 Cowboys Pkwy	Irving	TX	75063	3901 Colleyville Blvd
Harris, D Keith	108 Cheek Sparger Rd	Colleyville	TX	76034	108 Cheek Sparger Rd
Hahn, Edward & Doris Est	7500 Windswept Trl	Colleyville	TX	76034	100 Cheek Sparger Rd
Callaway, Curtis L & Trisha	124 Felps Ct	Colleyville	TX	76034	124 Felps Ct
Morrison, Pamela M	710 Whispering Wood Cir	Southlake	TX	76092	123 Felps Ct
Guest, Elizabeth V	106 Greenbriar Ln	Colleyville	TX	76034	106 Greenbriar Ln
Uhlenhaker, Ronnie R	PO Box 1705	Colleyville	TX	76034	105 CHEEK-SPARGER RD
Davila, Michael Etux Jennifer	100 Greenbriar Ln	Colleyville	TX	76034	100 Greenbriar Ln
Skinner, Edna Etvir Floyd D	110 W Greenbriar Ln	Colleyville	TX	76034	110 W Greenbriar Ln
Rhodes, Gregory Etux Frances	114 W Greenbriar Ln	Colleyville	TX	76034	114 W Greenbriar Ln
Howell, Dean G	104 Cheek Sparger Rd	Colleyville	TX	76034	104 Cheek Sparger Rd
Chatsworth Enterprises Llc	4413 Bowman Dr	Colleyville	TX	76034	112 Cheek Sparger Rd
Burns, Edward H	7713 Lexus Dr	Fort Worth	TX	76137	120 Cheek Sparger Rd
Woodbriar Estates HOA	412 Woodbriar Court	Colleyville	TX	76034	Courtesy Notice
Mark Howe, Applicant	6617 Precinct Line Road, Suite 200	North Richland Hills	TX	76182	Applicant

Public Hearing notices were mailed
Friday, June 21, 2013 by Taci Wrisley

Letters of Opposition

October 29, 2013

City of Colleyville
Mayor and City Council
Ron Ruthven, Director of Community Development
Amy Shelley, City Secretary

RE: ZC 13-008 – Corner of Cheek Sparger Rd. and San Bar Lane

Dear Mayor Kelly and Council Members,

You may remember at the last meeting, Mr. Isbell emphatically stated “It’s going to go one way or the other” with reference to either this site plan or the commercial zoning currently in place. He stated “There is no middle ground!” I believe he is wrong in those statements. Successful development of this property can be achieved even if the current site plan is not approved.

In an effort to reduce the density and increase the open space, you have asked the developer repeatedly to consider seven lots, but unfortunately he is unwilling to compromise. I have spoken with Mr. Ruthven concerning the latitude you might have in approving the residential zoning, while stipulating fewer lots. He has assured me that is a possibility and within your authority. Another acceptable alternative is to deny the request altogether, and while the case is still alive, impose some constraints on the current commercial zoning uses. I’d like to see the zoning modified before rushing to approve a plan that is awkward and out of sync with the existing neighborhood. Please explore these options with Mr. Ruthven and Mr. Boyle before making a decision that could have a negative impact on this entire area.

You have graciously heard all of our concerns. Even after five previous hearings on this case, the applicant continues to challenge the Colleyville Development Code, compromising the standards of development for our City. This may be a transitional area, but at the end of the day there are still serious concerns about the proposed site plan as follows:

- overdevelopment and proper land use
- transition out of proportion to the surrounding area
- insufficient open space (13.2%) and loss of 40+ mature trees
- with only 13.2% open space the retention area is very tight creating drainage concerns in a an already problematic area (this must be addressed)
- and last but not least is the opposition by 33% of the effected property owners.

After weeks of conversation and giving serious consideration to EVERY possibility for future development, my husband and I still oppose this plan. We would rather roll the dice on commercial development than to see this site plan approved. We are that convinced that this awkward plan will be detrimental not only to the adjacent properties both now and in the future, but to the entire area.

Letters of Opposition

Each time they have appeared before you, you have patiently prompted the developer to reduce the number of lots and expand the open space. Unfortunately the developer has been unwilling to meet your requests and continues to decrease the open space while further intruding on our privacy along the property line. I am certain this property can be developed in a manner more compatible with Colleyville standards. Again I humbly ask you to deny this request.

Sincerely

James and Claudia Bevill
119 Cheek Sparger Rd
Colleyville, TX 76034

Letters of Opposition

From: [keith h.](#)
To: [Taci Wrisley](#); [Bill Elliott](#); [Ron Ruthven](#)
Subject: Notice of Protest ;case # zc13-008
Date: Saturday, July 20, 2013 9:53:10 PM

19july2013

Notice of Protest

Please accept this Notice of Protest from me on the re-zone request on the property at ;
105 Cheek sparger rd.

Colleyville Tx.

case # ; ZC13-008

Applicant ; Mark Howe

requested zoning ; PUD-R

From ; D. Keith Harris

108 Cheek sparger rd.

Colleyville Tx. 76034

thank you; D.keith harris
19july2013

Letters of Opposition

From: [greg howell](#)
To: [Taci Wrisley](#)
Cc: [Bill Elliott](#); [Ron Ruthven](#)
Subject: 105 Cheek sparger rd
Date: Sunday, July 21, 2013 10:55:46 AM

July 21st 2013

RE: zoning case ZC13-008

Dear sir and madam,

Please let this server as my written protest to the zoning change requested by Mark Howe for the 1.94 acre lot located at 105 cheek sparger rd to change to PUD_R.

I as the owner of 104 cheek sparger rd think that the purposed change would not be in the best interest of the neighborhood..

Greg Howell

Letters of Opposition

July 23, 2013

Colleyville Planning & Zoning Commission
100 Main St.
Colleyville, TX 76034

To Whom it May Concern:

First, I apologize for not being able to deliver this message in person. I am getting on a plane to leave for vacation one hour before your meeting. Otherwise, I would be there.

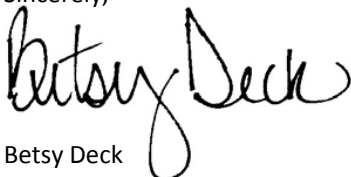
I have some concerns about the proposed development on the corner of San Bar and Cheek-Sparger Road. The conceptual site plan paints a picture of a high-density development in a low-density neighborhood. Nine homes on nearly two acres with a potential height of 35 feet will be a visual eye sore at the entrance of a beautiful, established neighborhood. I believe that will be higher than the commercial development next to it.

The building setbacks on the front and rear property lines are entirely too small. This will not be appealing visually or for resale value. In addition, the developer is only allowing for one way in and one way out of the neighborhood. The intersection of San Bar and Cheek-Sparger is an unusual one at best and currently causes challenges, especially during rush hour, with traffic suddenly merging out of the right turn only lane and into through traffic on Cheek-Sparger. Now, the cars that queue up along San Bar in the mornings will be forced to wait even longer to get on the main road. Furthermore, there are beautiful trees on the property and I don't see any intention of saving the existing trees on this plan.

I fell in love with our neighborhood because of the mature trees, wide roads and well built homes. The setbacks are appropriate for the neighborhood and allow neighbors to feel secluded in their own yards. I have many older neighbors that have recently moved out of our neighborhood, who didn't want to venture far away because they loved it so much. There is a great opportunity here to construct homes for an older demographic. However, I feel certain they would not purchase 2.5 story homes.

Please carefully evaluate this development and make sure it is a good fit for the neighborhood. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Betsy Deck". The signature is fluid and cursive, with the first name "Betsy" and last name "Deck" clearly distinguishable.

Betsy Deck
3601 Cliffwood Dr.
Colleyville, TX 76034
817-832-7783

Letters of Opposition

From: [Claudia Bevill](#)
To: [Taci Wrisley](#)
Subject: Letter to Commissioners with Land Use Table Comparison
Date: Monday, August 12, 2013 3:17:45 PM
Attachments:  [Land Use Comparison.docx](#)
[Questions.docx](#)

August 12, 2013
City of Colleyville
Planning and Zoning Commission

RE: ZC13-008 – 105 Cheek Sparger Road - 8/12/13

Dear Commissioner:

My husband and I live at 119 Cheek Sparger Rd. 325 feet of our property borders the property at 105 Cheek Sparger Rd. which is the subject of the above referenced zoning case to be considered tonight. While I support the rezoning of the property from it's current zoning to residential, I cannot support the revised development plan.

Last Friday I received a diagram of the new development plan. After seriously reviewing the plan, I made a list of my questions concerning the plan (attached), created a Land Use Table Comparison (attached), documenting the differences between the plan that we were given on July 21st and the current plan. I forwarded those documents to Mr. Isbell on Friday. This morning, I received a response to my questions

Letters of Opposition

with the exception of the last question requesting protective barriers at the end of the proposed cul-de sac. I appreciate the effort he has put forth to keep us informed on the project.

During the hearing on July 22nd, you requested that the number of houses be reduced from 9 to 8. The objective of that request, as stated by several of you, was clearly to create more open space and reduce the density of the development!

While the new plan does include only 8 homes as you requested, it actually DECREASES the amount of open space from the original plan (14.02% new vs. 14.72% original). In this respect, it does NOT meet the desired results requested by the Commission. Additionally, this plan has decreased the density by a marginal .24 of one unit, taking it from 4.64 units per acre to 4.4 units per acre. I believe that to be a negligible decrease in density, once again failing to accomplish the objective.

Another difference I noticed is that the original Land Use Table note indicated a "lot coverage not to exceed 65 percent of the individual lot", whereas the new Land Use Table note indicates "lot coverage not to exceed 80 percent of the individual lot". This difference clearly impacts the density of the development. Without a doubt, the revised plan falls significantly short of accomplishing the desired outcome as

Letters of Opposition

requested by the Commission at the July 22, public hearing.

I ask that you deny or once again delay approval of this development plan on the basis that it has not accomplished the intended goals of more open space, while offering an insignificant decrease in density from the original plan.

Thank you for the time you dedicate to development within the City of Colleyville.

Sincerely,

Claudia Bevill
119 Cheek Sparger Road
Colleyville, TX 76034
817-849-1360

Letters of Opposition

Land Use Table Comparison ZC13-008 – 105 Cheek Sparger Road - 8/12/13

The revised Land Use Table has successfully reduced the number of lots from 9 to 8 as requested by the Commission. However, this only reduces the density by .24 of a unit, still a significant variance from the required density set forth in the development code. Has this small reduction in density met the objective of the request by the Commission during the July 22nd Public Hearing?

In reducing the number of houses, the Commission's stated objective was not only to decrease the density, but also INCREASE the open space area for the development. Please note that the open space provided under the new plan is actually REDUCED from the original plan, clearly falling short of the Commission's objective.

Also note the original land use table indicated lot coverage shall not exceed 65 percent of the individual lot where as the current land use table allows for the lot coverage not to exceed 80 percent of the individual lot, decreasing the number of houses but increasing the size of the lot coverage.

Additionally, in the original land use table the development is for 1.94.09 acres whereas under the new land use table, the development is for 1.82 acres. Why did this number change?

Current Land Use Table

LAND USE TABLE

AREA OF DEVELOPMENT	1.82 ACRES (79,466 SF)
NUMBER OF UNITS	8
OPEN SPACE	11,142 SF (14.02%)
DENSITY	4.40 UNITS/AC
MAX BUILDING HEIGHT	2-1/2 STORIES OR 35 FEET
FRONT BUILDING LINE	10 FEET FOR J-SWING & 20 FEET FOR FRONT ENTRY
REAR BUILDING LINE	10 FEET

NOTES:

1. LOT COVERAGE SHALL NOT EXCEED 80 PERCENT OF THE INDIVIDUAL LOT.

Original Land Use Table

LAND USE TABLE

AREA OF DEVELOPMENT	1.9409 ACRES (84,544 SF)
NUMBER OF UNITS	9
OPEN SPACE	12,444 SF (14.72%)
DENSITY	4.64 UNITS/AC
MAX BUILDING HEIGHT	2-1/2 STORIES OR 35 FEET

NOTES:

1. LOT COVERAGE SHALL NOT EXCEED 65 PERCENT OF THE INDIVIDUAL LOT.

Letters of Opposition

QUESTIONS FOR DEVELOPER

DRAINAGE AND RIGHT OF WAY

- The new plan does not include the detention pond. What is the new drainage plan?

DEVELOPER RESPONSE

This is the zoning exhibit, the detention area was conceptual and shown on the drainage plan. We will still have a detention area and it will be in the same location as before, working around as many trees as possible, etc.

- Prefer sidewalk install as opposed to escrow

DEVELOPER RESPONSE

The sidewalk vs escrow has more to do with the eventual improvements the city does on Cheek Sparger.

- Will the City or HOA maintain the 35' between the sidewalk and the drainage ditch?

DEVELOPER RESPONSE

That land will belong to the city.

DEVELOPMENT ON THE EASTERN PROPERTY LINE

- The current plan requires a 142' wood fence on the east side of lot #4 (builder or developer). As discussed previously, can that fence be extended toward the north (to the southern corner of our house) to lend more privacy to our property?

DEVELOPER RESPONSE

As before, we have some flexibility on where to transition between the fences and we can work with you on that.

- Will the wooden fence still include metal poles and a concrete mow strip in keeping with the previous plan but not indicated on the new plan?

DEVELOPER RESPONSE

Yes, metal poles and a mow strip.

- As previously discussed, will the wood fence be installed before the development of the lots?

DEVELOPER RESPONSE

The fence won't be constructed while the lots are being developed, but can go up before the construction starts on the houses. Meaning, as we are grading the lots, putting in sewer, water, drainage, etc, there won't yet be a fence. I think when we talked about it before, I spoke about the house construction instead.

Letters of Opposition

- 6' wrought Iron fence on east side by developer; will that include a concrete mow strip?

DEVELOPER RESPONSE

There won't be a mow strip for the iron fence. That would hurt our flexibility in jogging around and protecting the trees.

MISCELLANEOUS

- Do we still have a commitment to save all existing trees where possible, especially on the east side fence line of the development?

DEVELOPER RESPONSE

Yes, those trees on/near the fence line that we talked about are still safe.

- Location of utility poles and location of street lights?

DEVELOPER RESPONSE

Utility locations have not been determined

- NOTES: #3 - Lot 4 Builder can build within 1' of fence line? How can that fence be maintained and accessed by the HOA?

DEVELOPER RESPONSE

I guess I don't understand the question regarding lot 4. We need to maintain a certain distance between structures under the fire/building code. The language of "5' and 3' or 1' and 7'" reflects that. It's something the engineer put in to highlight setbacks, which differ within the development based on a lot's adjacency to another.

- Can barriers be installed at the center of the cul-de-sac in the common area to prevent an out of control vehicle from coming through the wood fence?

THIS HAS NOT BEEN ADDRESSED

DEVELOPER COMMENTS

As for reducing the lots from 9 to 8, we did that as you'll recall as a specific request of the P&Z chair. The other things regarding the open space we're viewing as suggestions.

Letters of Opposition

From: [Claudia Bevill](#)
To: [Taci Wrisley](#)
Subject: FW: Drainage/high grass and weeds
Date: Monday, August 12, 2013 3:29:29 PM

Hi Taci! This is the email I sent to the Public Works Department earlier today. In it I mention the proposed development and potential problems with the drainage.

My husband believes the City Departments should look at this rather than the P&Z, but since you asked, I'm sending it along!

Regards,
Claudia Bevill

From:
To: blowry@colleyville.com
CC: jfadden@colleyville.com
Subject: Drainage/high grass and weeds
Date: Mon, 12 Aug 2013 10:36:35 -0500

Dear Mr. Lowry,

My home is at 119 Cheek Sparger Rd. and the attached photos were taken today. Pictured is the drainage ditch that runs in front of our property. I measured the grass at the far end of the drain at 46 inches (up to my shoulders). I am certain this is not acceptable by the standards set forth in our City Code. Who is maintaining this? If we had a heavy rain over several days, this ditch in it's current state could not effectively move the water and could result in flooding to the surrounding homes as well as the roadway. I have had to continue calling and monitoring this lack of maintenance for the past 11 years. Is there not a schedule for maintenance?

Additionally, there is a development plan before the P&Z Commission to develop the approx 2 acres to our immediate west, which could present serious problems during the development phase when the ground is turned and dirt will wash into the ditch, making it more shallow and less effective for carrying the run off. I would rather address that before, not after the fact. The developer has dedicated an additional 35' off Cheek Sparger (running the distance from San Bar to our property line - approx 273'). Since the City is not maintaining the right of way area that currently exists, what can we expect in the future in

Letters of Opposition

the way of maintenance with an additional 35'x273'?

In conjunction with the development of this property (105 Cheek Sparger) I would like to suggest improvements to the drainage from San Bar east to Felps Dr. I hope you will evaluate the situation and consider some type of improvement to this unsightly, poorly maintained drainage area where impending development could create a threat to the current residents in this area.

Kindest Regards,
Claudia Bevill
817-849-1360



Letters of Opposition



Letters of Opposition

From: [Claudia Bevill](#)
To: [Ron Ruthven](#); [Larry Knox](#); [jeff.byerly@tx.rr.com](#); [dwheelwright@me.com](#); [Dave Dudziak](#); [Don Davis](#); [jim.gotcher@verizon.net](#); [phelps-david@swbell.net](#)
Cc: [Taci Wrisley](#)
Subject: Letter of Opposition to ZC13-008
Date: Monday, August 26, 2013 3:55:37 PM
Attachments: [LETTER OF OPPOSITION.docx](#)

Dear Sirs:

Attached please find my letter of opposition to Zoning Case 13-008 including appendices.

Respectfully,
Claudia Bevill

Taci, will you please print this out for the Commissioner's packets. Thank you!

Note to Taci and Ron: Thank you for all the help you have provided. I appreciate your hard work on behalf of the citizens of Colleyville.

Letters of Opposition

LETTER OF OPPOSITION

August 26, 2013

City of Colleyville
Community Development Department
Mr. Ron Ruthven, Director
Planning and Zoning Commissioners
100 Main Street
Colleyville, TX

RE: Zoning Case 13-008

Dear Mr. Ruthven and Commissioners:

Please accept this letter of opposition to ZC 13-008.

While it is true that the applicants in this case have made numerous changes to the plan, as well as a few concessions in an effort to move forward in this case, the most needful goals have not been achieved. I oppose this case for the following reasons:

1. With respect to lot coverage, the applicant has reduced the original proposed 80% lot coverage to 65% and while that has apparently satisfied some, it is still well above the historical average of 57% lot coverage for these type developments. Though it is a concession on the part of the applicant, this is still unacceptable.
2. Regarding density; during the meeting of August 12th, several Commissioners expressed ongoing concerns relative to the density of 4.4 units per acre, exceeding the 3.8 average of other small lot developments. That number has not changed as Mr. Howe stated, he is not willing to further alter the number of lots. This is variance is dramatic and unacceptable to our neighborhood as indicated by the number of neighbors opposing this case.
3. Pertaining to lot size - While PUD-R regulations require a minimum lot size of 13,000 square feet, the proposed average lot size of 6,874 square feet barely exceeds half of the PUD-R requirement. The average lot size for other small lot developments within the City (excluding townhomes) is 7,111 square feet. Also, I'd like to point out that 6 of the 8 lots (or 75%) included in this plan come in well under the average of 7,111 square feet. While this may seem like a small difference, it is one more variance from the norm and erodes one more element of the desired standard.
4. Additionally you requested that the open space be increased to comply more nearly with the 20% requirement. Although it is clear the applicant has "worked" at the "appearance" of compliance, this plan is still unacceptable. The obvious change is that the applicant shortened the length of the street and rearranged the lots. (This arrangement is to our detriment.) However, in an effort achieve the 17.6% open space that is reflected in the new site plan, one thing I find puzzling is that the outer corner (outside the masonry fence) at San

Letters of Opposition

Bar and Cheek Sparger (1B) has been included in the open space calculation and similarly the front corners of lots numbered 1 and 8 (1A and 8 A) are included in the open space calculation reflected in the Land Use Table. Omitted from the Land Use Table, but included in the calculation provided, is the island in the street (8B). I believe these broken segments of "open space" simply serve to bump up the open space calculation and do nothing to accomplish the intent of the open space requirements stated in the Master Plan (Chapter 3.9) "to ensure that open space areas function as quality areas for the neighborhood." The actual functional area of this open space plan, if you include the 8B segment equates to 17.2 % and without that segment, it is just 15.8%. While this may seem like a small issue, it looks like a numbers game to me and even at that, it falls short of the required/requested 20% as well as the historic average of 20.8% open space for small lot developments and continues to dilute the standard. This too, is unacceptable.

Regardless of how many changes the applicant has made from the original plan, he is still out of sync with the Development Code as well as historical averages, and more importantly, the requests for compliance by the Commission. Even after two previous hearings on this case, the applicant continues to challenge the limits on density (4.4 vs 3.8) and on lot coverage (65% vs 57%), coming in over the historic average in these areas; and on lot size (6,874sf vs 7,111sf) and open space (17.6%(questionable) vs 20.8%), coming in under the historic average. The plan has earned a score of "0" on compliance in these four critical areas of development. To date, 38% of the neighbors on the notification list have registered opposition to this development (Appendix B).

Please deny this request.

Sincerely,

Claudia Bevill

Additional Comments and Concerns - Appendix A
Opposition Details - Appendix B
Requests and Conditions - Appendix C

Letters of Opposition

APPENDIX A – ADDITIONAL COMMENTS AND CONCERNS

STATEMENT OF PLANNING OBJECTIVES

The applicant states in his planning objectives that this property “has not been developed into an office type development because over the years, that has proven to not be the highest and best use for the property.” I differ with this statement. The property has not been developed in the past because the owner lived adjacent to the land. Since he no longer resides near the property, it is now for sale and the developer is seeking a dense residential development without the best interest of the surrounding residents in mind.

The idea that these homes will appeal to empty-nesters is another misnomer. I don’t know one empty nester that is looking for a “straight up” two story home. Even Mr. Isbell discussed with us the fact that people will want these homes because they want to send their children to Colleyville schools (nothing about empty-nesters). Additionally, I don’t believe the businesses along Highway 26 will be impacted one way or another by the commerce resulting from the anticipated eight “empty nesters” who might occupy these homes.

SMALL LOT DEVELOPMENT INVENTORY

Using the Small Lot Development Chart as a historic reference, there have been no small lot developments approved in Colleyville within the past five years (or since 2008) until this year. This calendar year, you have already approved two such plans (Ivy Glen and The Preservation – a total of 46 lots). Before moving forward with additional small lot developments, I believe it would be in the best interest of the City and our residents to slow this process down. We should ask ourselves if the integrity of our city is slowly being eroded by these non conforming developments.

Over the past few days I have driven several of these developments within Colleyville and you may be surprised to learn that even 6 to 9 years after approval, there are still undeveloped lots in subdivisions such as Copperglen approved in 2004, (3 lots vacant, 1 under construction), Arbor Estates at Colleyville approved in 2007, (1 vacant, 1 under construction), and Cambridge Place, also approved in 2004 (2 under construction, 1 vacant and 2 for sale). From this, one could conclude that this type housing is not in high demand in Colleyville after all. These high dollar, tall, narrow houses built one on top of the other, towering above the surrounding single family homes, each complete with one front yard tree, may work for inner-city living, but are not compatible with suburban living.

Letters of Opposition

TREES

The property in question is covered with over 50 native trees (not including the trees on the property line that have promise of protection. What a shame to develop this land in such a way as to lose the majority of these trees. They are really irreplaceable and a Colleyville treasure.

DRAINAGE

We are seriously concerned about drainage issues from development of this property both during development and post development. We have requested drainage information for this development several times and have simply been told by the applicant “we can’t let water run from our development across your land.” That is not at all reassuring. Although they may not intend to cause any drainage issues, it can certainly happen, as in the Coventry Addition and Country Way situation. No one wants to have their property devalued due to such a careless act on the part of someone who did not plan well. The Country Way residents are victims with no recourse. For over 6 years, they have tolerated this flooding of their properties that occurred through no fault of their own. Who is going to protect us from a poorly designed drainage plan? Who is going to “fix” it if drainage problems occur as a result of this development? My concern is not only for my property, but for my neighbors downstream.

Letters of Opposition

APPENDIX B – OPPOSITION DETAILS

To date the following residents have registered their opposition to ZC13-008. This represents 38% of those on the notification list; add to this additional neighbors who oppose this case on 8/26 as you consider your decision.

1. Mr. Greg Howell, 104 Cheek Sparger Rd.
2. Claudia Bevill, 119 Cheek Sparger Rd.
3. David and Cynthia Wallace, 104 Greenbriar Ln.
4. Gary Guthrie, 505 Woodbriar Ln. (representing Woodbriar Estates HOA)
5. Mike Davila, 100 Greenbriar Ln.
6. Elizabeth Guest, 106 Greenbriar Ln.
7. Keith Harris, 108 Cheek Sparger Rd.
8. Betsy Deck, 3601 Cliffwood (not on the notification list)

Letters of Opposition

APPENDIX C – REQUESTED CONDITIONS FOR APPROVAL

Although this development fails to meet the standards of development in any area of development criteria, should you elect to approve this plan, the following conditions are requested to be documented and approved by the Commission:

- Stipulate in the PUD that the privacy fence along the eastern property line be constructed as early as possible in the development process and prior to the issuance of any building permits for this tract.
- Maintenance of the fence is the ongoing responsibility of the developer/builder until such time as the HOA is functioning, at which time it becomes the responsibility of the HOA
- In the interest of privacy, not only for our home, but for the Davila (100 Greenbriar) and Wallace (104 Greenbriar) families) the stipulation that the largest lot (5) be restricted to a single story structure due to the way it is situated on the lot. (see concept site plan). As it currently stands (diagonal) windows on the north east will seriously threaten the privacy to our family room.
- Conditions associated with drainage and storm water runoff shall be set and enforced at the time of platting to ensure minimization of silt/sedimentation runoff and the attendant damage to adjacent properties during lot clearing and construction of this development.
- Provide location for the detention pond as well as an outline that details the maintenance responsibilities and procedures for the detention pond both now and in the future
- City of Colleyville Public Works Department assessment of current drainage ditch running from San Bar toward Felps and suggested measures for improvement to assist with run-off during big rain events. With this development, we do not want to be victims to another Coventry/Country Way situation. Who is willing to assure us that this will not happen?
- Preservation of ALL mature trees along the 325' property line between 105 and 119 Cheek Sparger as repeatedly promised by the developer. (there is no provision for this in the proposed ordinance).
- In accordance with the Colleyville Pathways Plan, sidewalks are required to be constructed along the frontage of Cheek Sparger Road and San Bar Lane. No escrow waiver.
- Reasonably strict adherence to the Development Schedule and tree preservation throughout the development phase

Comparison Chart for Zoning Case 13-008

VARIANCE REQUESTED	HISTORIC AVERAGE FOR SMALL LOT DEVELOPMENT	ZC 13-008 PROPOSED
DENSITY	3.8%	4.4%
MAXIMUM LOT COVERAGE	57%	65%
MINIMUM LOT SIZE	7,111	6,874
OPEN SPACE	20.8%	17.6%

Letters of Opposition

September 25, 2013 ZC13-008
City of Colleyville
Planning and Zoning Commission
Mr. Ron Ruthven, Director of Community Development
City of Colleyville City Council

Dear Sir/Madam:

Please let this letter serve as notice that any and all letters of support signed by me regarding the above referenced zoning case (ZC13-008) are hereby withdrawn by way of this letter. (see July 22 supporting documents)

Thank you.

Claudia Bevill

Claudia Levitt

James Bevill

James H. B. et al



Letters of Opposition

October 2, 2013

City of Colleyville
Mayor and City Council
Ron Ruthven, Director of Community Development
Amy Shelley, City Secretary

RE: ZC 13-008 – Corner of Cheek Sparger Rd. and San Bar Lane

Dear Mayor Kelly and Council Members,

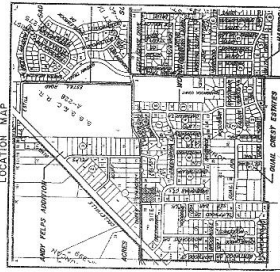
Attached is a chart comparing the City of Colleyville development requirements and historic averages to the variances requested by the applicants for Zoning Case 13-008. If provided an opportunity, I will address this with you during the Council meeting October 2, 2013. I hope this chart will be helpful.

My husband and I own the property along the east side of the development (325'). It is our home and we are both highly opposed to this dense development in such a small space adjacent to our property.

The proposed plan requesting multiple variances, by fair standards, is over development at its worst. Please accept this letter of opposition as our official protest.

Sincerely

James and Claudia Bevill
119 Cheek Sparger Rd
Colleyville, TX 76034
817.849.1360

[illegible]

ZONING REQUEST EXHIBIT
CITY OF COLLEYVILLE, TEXAS

	EXISTING ZONING	R-15 / R-20
	PROPOSED ZONING	PUD - C

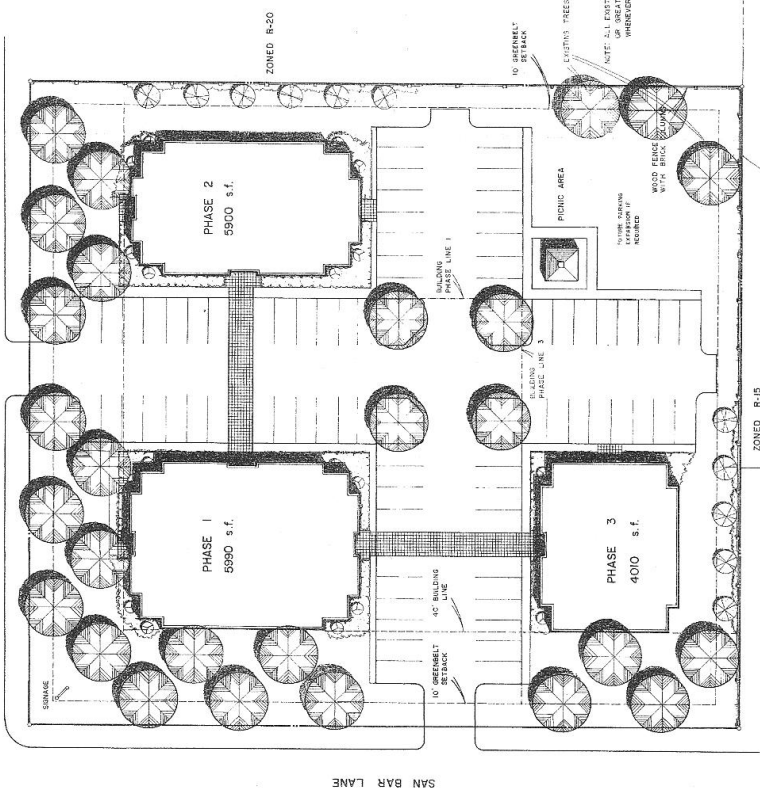
WASHINGTON/WALLACE, INC.
ENGINEERS • PLANNERS • SURVEYORS
500 GRADSTONE HWY., SUITE 212
MURFEE, TEXAS 75055 917/435-0720

OWNER: DR. JERRY MILLS
1054 CENTRAL DR
BEDFORD, TX. 76021
(817) 283-4671

DEVELOPER: BOLLINGER C.M. INC.
3301 AIRPORT FRWY, SUITE 112
BEAUFORD, TX. 76021
1817; 371-1344

SITE INFORMATION

PHASE 1		PHASE 2 (CUMULATIVE)		PHASE 3 (CUMULATIVE)	
BUILDING AREA	5990 sq.ft.	BUILDING AREA	11890 sq.ft.	BUILDING AREA (19%)	15900 sq.ft.
PARKING REQ'D.	20 spaces	PARKING REQ'D.	40 spaces	PARKING REQ'D.	53 spaces
PARKING PRVD.	46 spaces	PARKING PRVD.	62 spaces	PARKING PRVD.	78 spaces
				R.O.W. DEDICATION	3492 sq.ft.
				LANDSCAPED AREA	23732 sq.ft.
				TOTAL AREA	1.96 acres



SCALE 1"=20'

EROSION OF CITY DEVELOPMENT STANDARDS

Comparison Chart for Zoning Case 13-008

VARIANCE REQUESTED	HISTORIC AVERAGE FOR SMALL LOT DEVELOPMENT	ZC 13-008 PROPOSED
DENSITY	3.8%	4.4%
MAXIMUM LOT COVERAGE	57%	65%
MINIMUM LOT SIZE	7,111 sq ft*	6,874sq ft
OPEN SPACE	20.8% (required 20%)	16.2%

*excludes townhomes

October 29, 2013

City of Colleyville
Mayor and City Council
Ron Ruthven, Director of Community Development
Amy Shelley, City Secretary

RE: ZC 13-008 – Corner of Cheek Sparger Rd. and San Bar Lane

Dear Mayor Kelly and Council Members,

You may remember at the last meeting, Mr. Isbell emphatically stated “It’s going to go one way or the other” with reference to either this site plan or the commercial zoning currently in place. He stated “There is no middle ground!” I believe he is wrong in those statements. Successful development of this property can be achieved even if the current site plan is not approved.

In an effort to reduce the density and increase the open space, you have asked the developer repeatedly to consider seven lots, but unfortunately he is unwilling to compromise. I have spoken with Mr. Ruthven concerning the latitude you might have in approving the residential zoning, while stipulating fewer lots. He has assured me that is a possibility and within your authority. Another acceptable alternative is to deny the request altogether, and while the case is still alive, impose some constraints on the current commercial zoning uses. I’d like to see the zoning modified before rushing to approve a plan that is awkward and out of sync with the existing neighborhood. Please explore these options with Mr. Ruthven and Mr. Boyle before making a decision that could have a negative impact on this entire area.

You have graciously heard all of our concerns. Even after five previous hearings on this case, the applicant continues to challenge the Colleyville Development Code, compromising the standards of development for our City. This may be a transitional area, but at the end of the day there are still serious concerns about the proposed site plan as follows:

- overdevelopment and proper land use
- transition out of proportion to the surrounding area
- insufficient open space (13.2%) and loss of 40+ mature trees
- with only 13.2% open space the retention area is very tight creating drainage concerns in a an already problematic area (this must be addressed)
- and last but not least is the opposition by 33% of the effected property owners.

After weeks of conversation and giving serious consideration to EVERY possibility for future development, my husband and I still oppose this plan. We would rather roll the dice on commercial development than to see this site plan approved. We are that convinced that this awkward plan will be detrimental not only to the adjacent properties both now and in the future, but to the entire area.

Each time they have appeared before you, you have patiently prompted the developer to reduce the number of lots and expand the open space. Unfortunately the developer has been unwilling to meet your requests and continues to decrease the open space while further intruding on our privacy along the property line. I am certain this property can be developed in a manner more compatible with Colleyville standards. Again I humbly ask you to deny this request.

Sincerely

James and Claudia Bevill
119 Cheek Sparger Rd
Colleyville, TX 76034

Letters of Opposition

Date: <u>7-22-13</u>	SPEAKER CARD
☐ I will speak In Support of this item.	
☒ I will speak In Opposition to this item.	
☐ I do not wish to speak, but please record my: ☐ support ☐ opposition	
Agenda Item Number: <u>7C13-008</u>	
Name: <u>Greg Howell</u>	
Address: <u>104 Cheek St Allen</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>8177885493</u>	Representing: <u>owner</u> (organization/self)
I understand I am limited to speaking for five minutes.	
For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.	
Signed: <u>[Signature]</u>	
This information is a Public Record.	

Date: <u>7/22/2013</u>	SPEAKER CARD
☐ I will speak In Support of this item.	
☐ I will speak In Opposition to this item.	
☒ I do not wish to speak, but please record my: ☐ support ☒ opposition	
Agenda Item Number: <u>4b</u>	
Name: <u>Cynthia Wallace</u>	
Address: <u>104 Greenbriar Lane</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>214-707-4903</u>	Representing: <u>self</u> (organization/self)
I understand I am limited to speaking for five minutes.	
For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.	
Signed: <u>Cynthia Wallace</u>	
This information is a Public Record.	

Letters of Opposition

Date: _____	SPEAKER CARD
☐ I will speak In Support of this item.	
☐ I will speak In Opposition to this item.	
☐ I <u>do not wish to speak</u> , but please record my: ☐ support ☐ opposition	
Agenda Item Number: _____	
Name: <u>GARY GUTHRIE</u>	
Address: <u>585 WOODBRIDGE LN</u>	
City: <u>COLLEYVILLE</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: _____	Representing: _____ (organization/self)
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u>[Signature]</u>	
This information is a Public Record.	

Date: <u>7/22/13</u>	SPEAKER CARD
☐ I will speak In Support of this item.	
☒ I will speak In Opposition to this item.	
☐ I <u>do not wish to speak</u> , but please record my: ☐ support ☐ opposition	
Agenda Item Number: <u>4b</u>	
Name: <u>Mike Davila</u>	
Address: <u>100 Greenbriar Ln</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>214 563-2211</u>	Representing: <u>Self</u> (organization/self)
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u>[Signature]</u>	
This information is a Public Record.	

Letters of Opposition

SPEAKER CARD

Date: 7-22-2013

☐ I will speak In Support of this item.

☐ I will speak In Opposition to this item.

☒ I do not wish to speak, but please record my: ☐ support ☒ opposition

Agenda Item Number: 46

Name: Elizabeth Guest

Address: 106 Greenbriar Lane

City: Colleyville

State: TX Zip Code: 76034

Telephone Number: 817-503-8750 Representing: Self

(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: Elizabeth Guest

This information is a Public Record.

Letters of Opposition

Date: _____	SPEAKER CARD
☐ I will speak In Support of this item.	
☒ I will speak In Opposition to this item.	
☐ I do not wish to speak, but please record my: ☐ support ☐ opposition	
Agenda Item Number: _____	
Name: <u>GATLY GUTHRIE</u>	
Address: <u>505 WOODBRIAR LN</u>	
City: <u>COLLEXTVILLE</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817-581-7846</u>	Representing: <u>WEHA</u> (organization/self)
I understand I am limited to speaking for five minutes.	
For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.	
Signed: <u>[Signature]</u> This information is a Public Record.	

Date: <u>8-12-2013</u>	SPEAKER CARD
☐ I will speak In Support of this item.	
☒ I will speak In Opposition to this item.	
☐ I do not wish to speak, but please record my: ☐ support ☐ opposition	
Agenda Item Number: <u>3a</u>	
Name: <u>Claudia Bevil</u>	
Address: <u>119 Cheek Sparger</u>	
City: <u>Colleyville</u>	State: <u>Tx</u> Zip Code: <u>76034</u>
Telephone Number: <u>817-8491360</u>	Representing: _____ (organization/self)
I understand I am limited to speaking for five minutes.	
For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.	
Signed: <u>Claudia Bevil</u> This information is a Public Record.	

Letters of Opposition

Date: <u>8/12/13</u>	SPEAKER CARD
☐ I will speak In Support of this item.	
☐ I will speak In Opposition to this item.	
☒ I do not wish to speak, but please record my: ☐ support ☒ opposition	
Agenda Item Number: <u>3a</u>	
Name: <u>David Wallace</u>	
Address: <u>104 Greenbriar Ln</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817 821 6234</u>	Representing: <u>Self</u> (organization/self)
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u>David Wallace</u>	
This information is a Public Record.	

Date: <u>8-12-13</u>	SPEAKER CARD
☐ I will speak In Support of this item.	
☐ I will speak In Opposition to this item.	
☒ I do not wish to speak, but please record my: ☐ support ☒ opposition	
Agenda Item Number: <u>3a</u>	
Name: <u>Cyndi Wallace</u>	
Address: <u>104 Greenbriar Lane</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>214-707-4903</u>	Representing: <u>self</u> (organization/self)
<i>I understand I am limited to speaking for five minutes.</i>	
<i>For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.</i>	
Signed: <u>Cyndi Wallace</u>	
This information is a Public Record.	

Letters of Opposition

SPEAKER CARD	
Date: <u>8/12/13</u>	
☒ I will speak In Support of this item.	
☐ I will speak In Opposition to this item.	
☐ I do not wish to speak, but please record my: ☐ support ☐ opposition	
Agenda Item Number: <u>3</u>	
Name: <u>Betsy Deck</u>	
Address: <u>3201 Cliffwood Dr.</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: _____	Representing: <u>Self</u> (organization/self)
I understand I am limited to speaking for five minutes.	
For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.	
Signed: <u>Betsy Deck</u>	This information is a Public Record.

Letters of Opposition

SPEAKER CARD

Date: 8/12/13

☒ I will speak **In Support** of this item.

☐ I will speak **In Opposition** to this item.

☐ I do not wish to speak, but please record my: ☐ support ☒ **opposition**

Agenda Item Number: 3a

Name: Mike Davila

Address: 100 Greenbriar Ln

City: Collegeville

State: TX

Zip Code: 76034

Telephone Number: 214 563 2211

Representing: Self

(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: 

This information is a Public Record.

Letters of Opposition

SPEAKER CARD

Date: 8/26/13

☐ I will speak In Support of this item.

☐ I will speak In Opposition to this item.

☒ I do not wish to speak, but please record my: ☐ support ☒ ~~support~~ **Opposition**

Agenda Item Number: 5a

Name: Cynthia Wallace

Address: 104 Greenbriar Ln.

City: Colleyville State: TX Zip Code: 76034

Telephone Number: 214-707-4903 Representing: Self
(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: Cynthia Wallace

This information is a Public Record.

Letters of Opposition

SPEAKER CARD

Date: 8/26/13

☐ I will speak **In Support** of this item.

☐ I will speak **In Opposition** to this item.

☒ I do not wish to Speak, but please record my: ☐ support ☒ **opposition**

Agenda Item Number: 5a

Name: David Wallace

Address: 104 Greenbriar Ln

City: Colleyville State: TX Zip Code: 76034

Telephone Number: 817-821-6234 Representing: _____
(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: David Wallace

This information is a Public Record.

Letters of Opposition

SPEAKER CARD

Date: _____

☒ I will speak In Support of this item.

☒ I will speak In Opposition to this item.

☒ I do not wish to speak, but please record my: ☐ support ☐ opposition

Agenda Item Number: 5a

Name: Mike Davila

Address: 100 ~~Greenbriar Ln~~ Greenbriar Ln

City: Colleyville State: TX Zip Code: 76034

Telephone Number: 214 563 2211 Representing: Self
(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: [Signature]

This information is a Public Record.

Letters of Opposition

SPEAKER CARD

Date: 8-26-13

X I will speak In Support of this item.

 I will speak In Opposition to this item.

 I do not wish to speak, but please record my: ☐ support ☒ opposition

Agenda Item Number: 5A

Name: JAMES BEVILL

Address: 119 CHEEK SPARGER

City: CONFEYVILLE State: TX Zip Code: 76034

Telephone Number: 817-849-1340 Representing:
(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: J. Bevil

This information is a Public Record.

Letters of Opposition

SPEAKER CARD	
Date: _____	
☒ I will speak In Support of this item.	
☐ I will speak In Opposition to this item.	
☐ I do not wish to speak, but please record my: ☐ support ☒ opposition	
Agenda Item Number: <u>5a</u>	
Name: <u>Claudia Bevil</u>	
Address: <u>119 Cheek Sparger Rd.</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817-849-1360</u>	Representing: <u>Self</u> (organization/self)
I understand I am limited to speaking for five minutes.	
For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.	
Signed: <u>Claudia Bevil</u>	This information is a Public Record

Letters of Opposition

SPEAKER CARD

Date: 10-2-13

Agenda Item Number: 5A

For example: **5a (this can be found on the far left side of the agenda copy)**

☒ I will speak **In Support** of this item. ☐ I will speak **In Opposition** to this item.

☐ I do not wish to speak, but please record my: ☐ **support** ☐ **opposition**

Name: MARY BENNET

Address: 3705 BRISKOVEN LN City: COLLEYVILLE

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: MARY BENNET
This information is a Public Record

Letters of Opposition

SPEAKER CARD

Date: 8/10/2013

Agenda Item Number: 5a

For example: **5a (this can be found on the far left side of the agenda copy)**

_____ I will speak **In Support** of this item. ☒ I will speak **In Opposition** to this item.

_____ I do not wish to speak, but please record my: _____ **support** _____ **opposition**

Name: Daniel Morrison

Address: 123 Felps Ct.

City: Colleyville, TX 76034

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: Daniel Morrison

This information is a Public Record

Letters of Opposition

SPEAKER CARD

Date: 10-2-13

Agenda Item Number: 5A

For example: 5a (this can be found on the far left side of the agenda copy)

~~I~~ I will speak **In Support** of this item. ~~I~~ I will speak **In Opposition** to this item.

I do not wish to speak, but please record my: support opposition

Name: Claudia Beville

Address: 119 Cheek Sparger Rd City: Colleyville TX
76034

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: Claudia Beville

This information is a Public Record

Letters of Opposition

SPEAKER CARD

Date: 10/2/13

Agenda Item Number: 5A

For example: 5a *(this can be found on the far left side of the agenda copy)*

_____ I will speak **In Support** of this item. _____ I will speak **In Opposition** to this item.

X I do not wish to speak, but please record my: _____ support X opposition

Name: LOWELL MORRISON

Address: 123 Felps CT (owner within 200' of subject) City: COLLEYVILLE

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: Lowell Morrison

This information is a Public Record

Letters of Opposition

Date: 10-2-13

SPEAKER CARD

☐ I will speak **In Support** of this item.

☐ I will speak **In Opposition** to this item.

☒ I do not wish to speak, but please record my: ☐ support ☒ **Opposition**

Agenda Item Number: 5A

Name: JAMES BEVILL

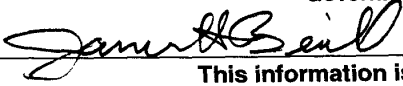
Address: 119 CHEEK SPARGER

City: COLLEYVILLE State: TX Zip Code: 76034

Telephone Number: 817-849-1360 Representing: SELF
(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: 

This information is a Public Record.

Letters of Opposition

SPEAKER CARD

Date: 10-2-13

Agenda Item Number: 5A

For example: **5a (this can be found on the far left side of the agenda copy)**

_____ I will speak **In Support** of this item. _____ I will speak **In Opposition** to this item.

X I do not wish to speak, but please record my: _____ **support** X **opposition**

Name: James Beville

Address: 119 Cheek Sparger Rd City: Colleyville TX
76034

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: See attached signature
This information is a Public Record

Please accept the attached as Jon Beville is out of town and unable to attend.

SPEAKER CARD

Date: 10/15/13

Agenda Item Number: 5a

For example: **5a (this can be found on the far left side of the agenda copy)**

_____ I will speak **In Support** of this item. 5a I will speak **In Opposition** to this item.

_____ I do not wish to speak, but please record my: _____ **support** _____ **opposition**

Name: Claudia Bevil

Address: 119 Cheek Sparger Rd City: Colleyville TX

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: Claudia Bevil

This information is a Public Record

SPEAKER CARD

Date: 10-15-13

Agenda Item Number: 5A

For example: **5a (this can be found on the far left side of the agenda copy)**

_____ I will speak **In Support** of this item. ✓ I will speak **In Opposition** to this item.

_____ I do not wish to speak, but please record my: _____ **support** _____ **opposition**

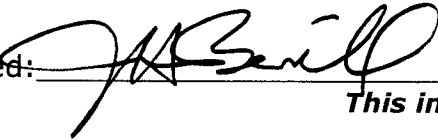
Name: JAMES BEVILL

Address: 119 CHEEK SPARGER

City: COLLEYVILLE

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: _____



This information is a Public Record

I WOULD PREFER TO SPEAK LAST ON THIS ITEM

SPEAKER CARD

Date: 10/15/13

5?

Agenda Item Number: 5a

For example: **5a (this can be found on the far left side of the agenda copy)**

_____ I will speak **In Support** of this item. _____ I will speak **In Opposition** to this item.

/ I do not wish to speak, but please record my: _____ support ☒ **opposition**

Name: Daniel Morrison

Address: 123 Felps Ct.

City: Collegville, TX, 76034

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: Daniel Morrison

This information is a Public Record

Letters of Support

From: [Jerry Bennett](#)
To: [Taci Wrisley](#)
Subject: Proposed Rezoning Change on Cheek Sparger Road
Date: Friday, September 13, 2013 10:43:38 AM

Dear Ms. Wrisley,

I live at 3705 Briarhaven Lane in Colleyville, in Woodbriar Estates. This is to let you know and to put on record that I am delighted that a developer wants to build residential homes in the vacant area on the east corner of Cheek-Sparger and San Bar Lane. This will be a great asset to this part of Colleyville and will raise home values all around.

I do not want the vacant property to remain as commercial zoning. I fear having something being built on that property like another "99 Cent Store." The one that is nearby looks like something you would see in a third-world country and we don't need another one or something like it.

For whatever it is worth, I was not contacted either by the city or by anyone on the board of Woodbriar Estates Homeowner's Association (WEHA) as to my opinion of the zoning change. Therefore, my reason for sending this e-mail to you.

It is my understanding that someone representing WEHA attended 3 P&Z meetings to formally request that the P&Z not approve the zoning change request and that a motion to approve the rezoning request was made in a 4-for and 2-against vote.

I sincerely regret that I did not attend any of the meetings to express my desire to see that property made residential rather than commercial.

It is my understanding that at the WEHA board meeting which was held on September 10, 2013, the board was to decide whether or not to contest the zoning change at the next city council meeting when the council will approve or deny the zoning change. To date, I do not know what the board decided. However, I plan to be at the city council meeting on 9-17 and plan to speak in favor of the zoning change, if that step becomes necessary.

Keep in mind that there are about 200 or more households in Woodbriar Estates. You have heard the opinion of the WEHA board of 12 members. The WEHA board does not speak for me and I am sure they don't speak for many of the other homeowners.

If you could forward this e-mail to city council members, I would very much appreciate it, as I do not have their e-mail addresses.

Thank you for your attention to this matter and please call me if you have any questions.

Mary Bennett
817-577-8838

Letters of Support

Date: _____

SPEAKER CARD

☒ I will speak **In Support** of this item.

☐ I will speak **In Opposition** to this item.

☐ I do not wish to speak, but please record my: ☐ support ☐ opposition

Agenda Item Number: 4b

Name: Claudia Bevil

Address: 119 Cheek Sparger Rd

City: Colleyville

State: TX

Zip Code: 76034

Telephone Number: 817-849-1360

Representing: self

(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: CB

This information is a Public Record.

Date: 2-22-13

SPEAKER CARD

☒ I will speak **In Support** of this item.

☐ I will speak **In Opposition** to this item.

☐ I do not wish to speak, but please record my: ☐ support ☐ opposition

Agenda Item Number: 4B

Name: JAMES BEVILL

Address: 119 CHEEK SPARGER

City: COLLEVILLE

State: TX

Zip Code: 76034

Telephone Number: 817-849-1360

Representing: _____

(organization/self)

I understand I am limited to speaking for five minutes.

For business not listed on the agenda as a Public Hearing, the Planning and Zoning Commission will not respond in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code.

Signed: JB

This information is a Public Record.

Letters of Support

SPEAKER CARD

Date: 10-2-13

Agenda Item Number: 5A

For example: **5a (this can be found on the far left side of the agenda copy)**

☒ I will speak **In Support** of this item. ☐ I will speak **In Opposition** to this item.

☐ I do not wish to speak, but please record my: ☐ **support** ☐ **opposition**

Name: MARY BENNET

Address: 3705 BRISKINVEN LN City: COLLEYVILLE

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: MARY BENNET
This information is a Public Record

Briar Grove Court

The Right of Way

Information Received from Applicant on October 29, 2013



Information Received from Applicant on October 29, 2013



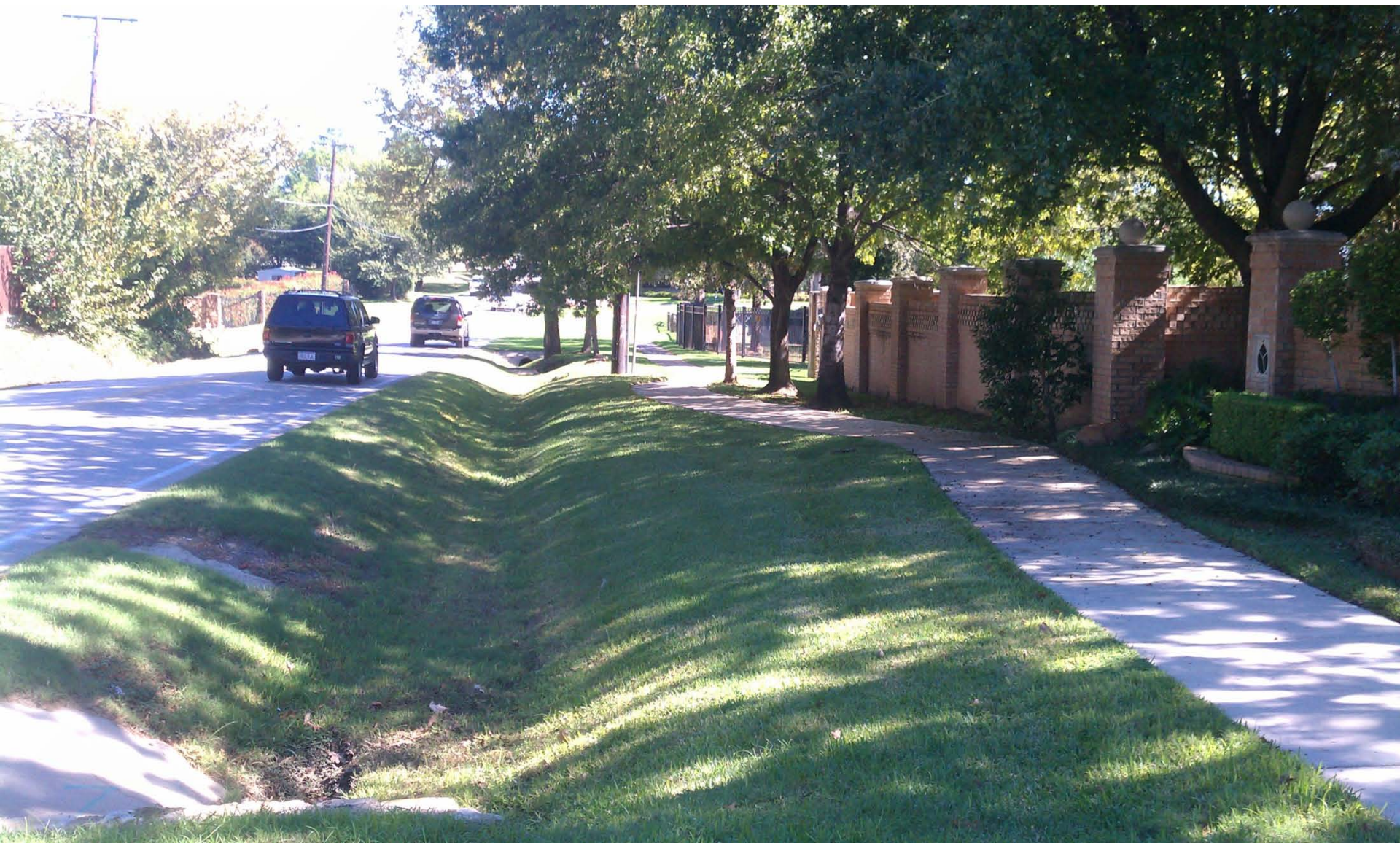
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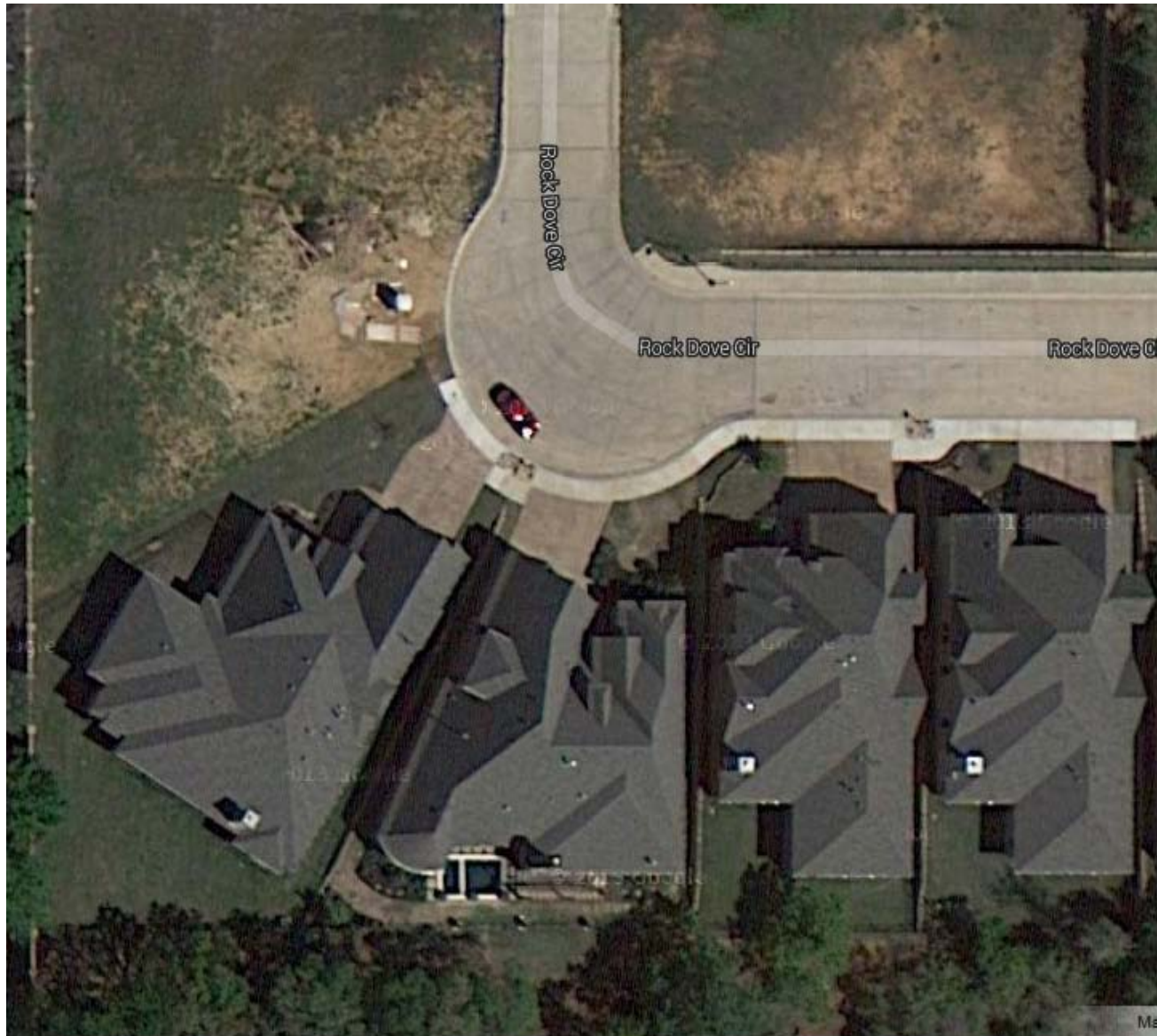


The Site Plan

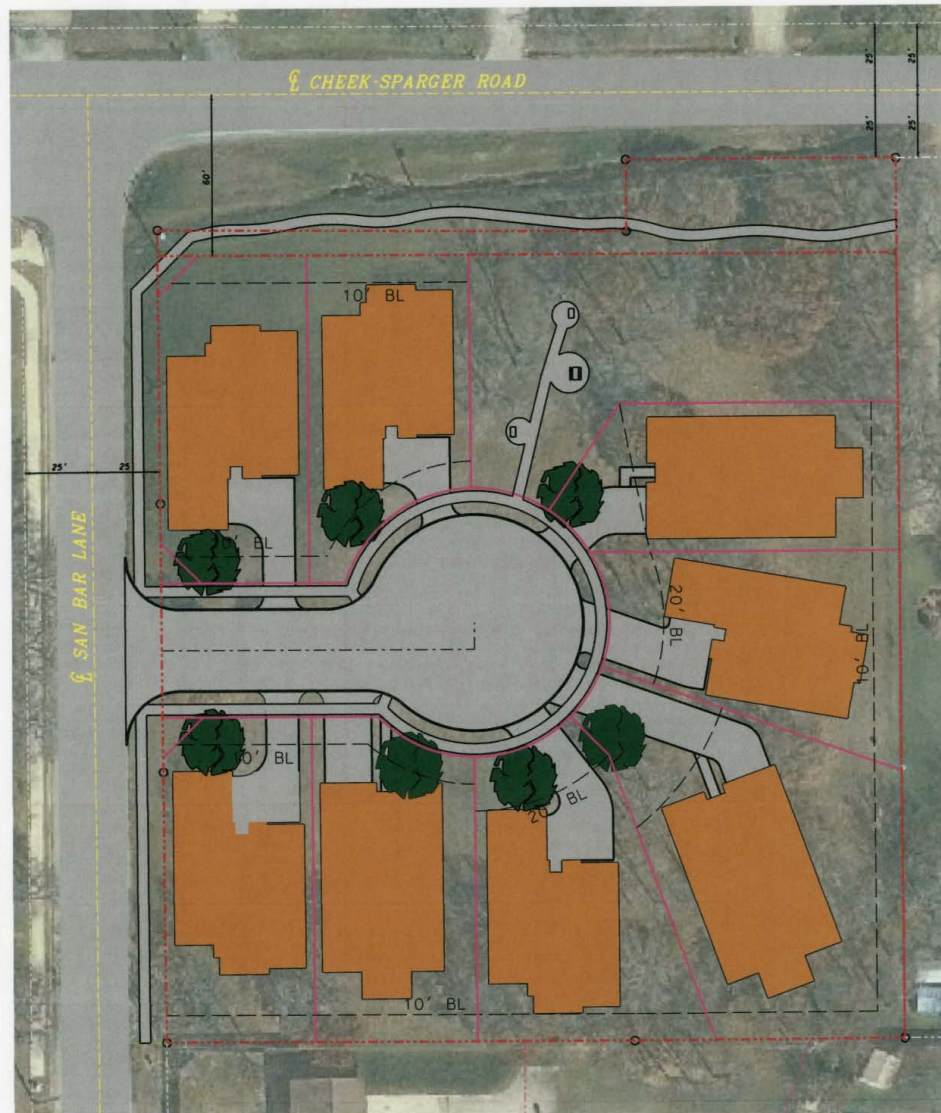
Information Received from Applicant on October 29, 2013



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Information Received from Applicant on October 29, 2013



...\\193-007 BASE PHOTO EXHIBIT 10-23-13.dgn 10/23/2013 10:26:07 AM

...\\193-007 BASE COLOR EXHIBIT 10-23-13.dgn 10/28/2013 9:07:42 AM

Residential Curb Appeal

Information Received from Applicant on October 29, 2013



Information Received from Applicant on October 29, 2013



Information Received from Applicant on October 29, 2013



Information Received from Applicant on October 29, 2013



Information Received from Applicant on October 29, 2013



Information Received from Applicant on October 29, 2013



Information Received from Applicant on October 29, 2013

Summary of changes in response to comments and suggestions offered during the previous Council meeting:

- Shortened the cul de sac by 6'
- Utilized more of the available land for lot development
- Provided an additional open space analysis to give a truer picture of the actual situation with Briar Grove by incorporating over-dedicated ROW
- Showed true front yard building lines on the wedge shaped lots

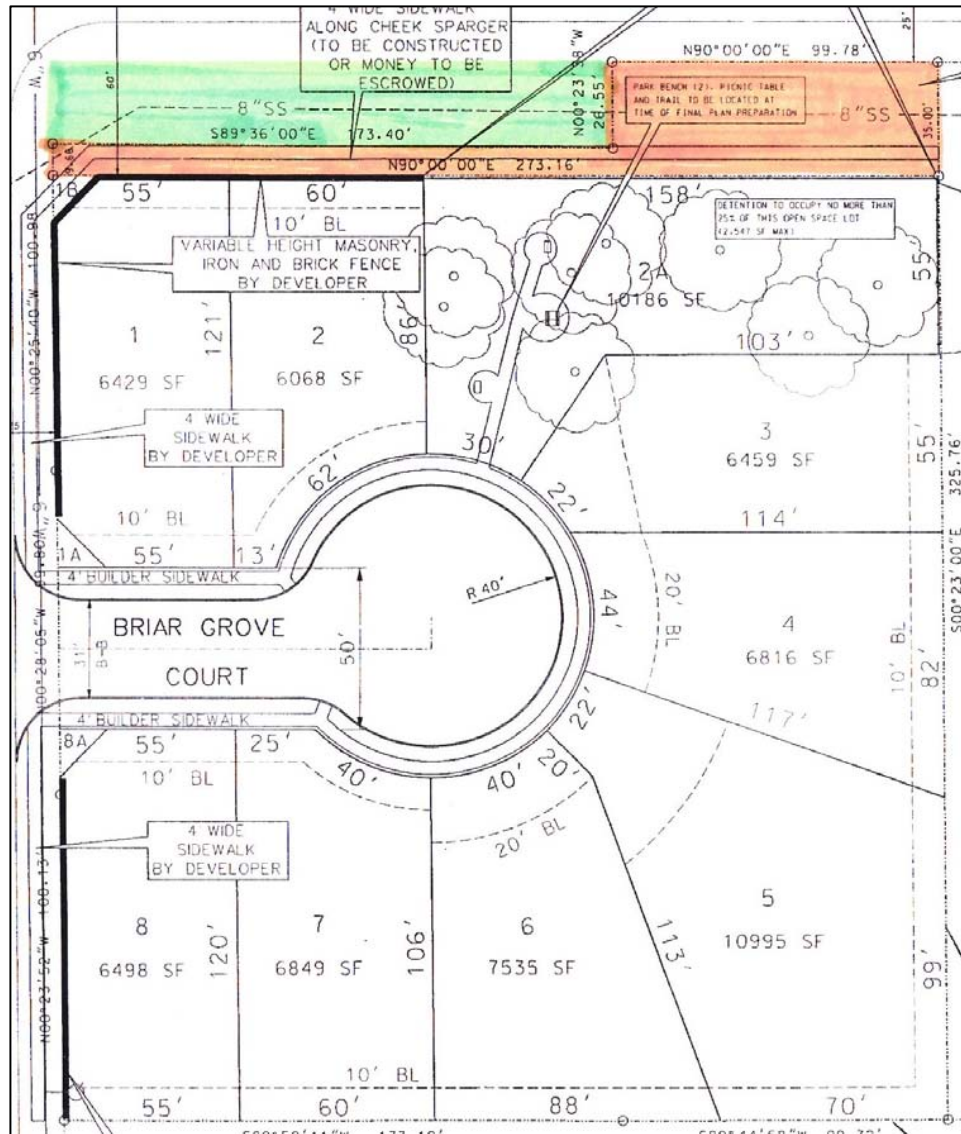
Tangible results of these improvements:

- Increased average lot size from 6,874 sf to 7,206 sf, resulting primarily from increased lot widths
- Open space associated with Briar Grove increased to a minimum of 18.4%
- Varied front yard building lines add articulation to the development, both in the front yard as well as the back yard

Aesthetic results of these improvements:

- Primarily, a less dense feeling development
- Overall heightened curb appeal along Cheek Sparger

Information Received from Applicant on October 29, 2013



Orange shows the current ROW dedication required for this property.

Green shows a portion of the land previously dedicated for ROW.

Utilizing the current dedication for analysis purposes (**orange**), an overall open space percentage of approximately 18.4% was calculated.

On-site open space	10,513 sf
Additional open space in ROW	+ <u>5,047 sf</u>
Total open space	15,560 sf
Open space %	$15,560 / 84,513 = \mathbf{18.4\%}$

Utilizing both current and previously dedicated ROW (**green**), the overall open space climbs to approximately 22.5%.

On-site open space	10,513 sf
Additional open space in ROW	+ <u>9,561 sf</u>
Total open space	20,074 sf
Open space %	$20,074 / 89,027 = \mathbf{22.5\%}$

Information Received from Applicant on October 29, 2013

The current zoning, which is an extraordinarily flexible **commercial** zoning, goes against the city's preferred land use of **residential**.

Additional allowable uses under the current zoning include anything allowed within the following classifications:

CPO: including offices, chiropractic clinics and municipal uses such as schools, fire stations, police stations and city maintenance facilities

CN: which includes most if not all of the uses under **CPO** in addition to uses such as banks, florist shops, hardware, electrical and plumbing stores

CC1: which includes the uses allowed in **CN** in addition to uses such as grocery stores, restaurants, fraternal organizations, dry cleaners with onsite laundry, meat and fish markets, miniature golf courses and auto parts stores

CC2: which includes the uses allowed under **CC1** as well as vet clinics, possibly with outdoor kenneling, auto alarm and window tint, hotels/motels and restaurants with drive-thru service

Summary of Changes

P&Z and Neighbor's Concerns

- Opposed to 9 lots, "too dense"
- 80% lot coverage "too high"
- Open space percentage "too low" at 14%
- Open space lacks quality and details
- Too much open space available for detention
- 50' lots are too small
- Privacy
- Drainage to the east

Developer's responses

- Lower density by 11% to 8 lots
- Limit lot coverage to 65% max
- Increase open space from 14 to 16.2%
- Provide aesthetic details such as benches, paths and tables
- Limit open space available for detention to 25% max
- 55' lot widths
- Limit 2nd story windows and construct eastern boundary fence prior to going vertical
- In addition to adhering to city standards, install an additional underground system along most of the eastern property line

Summary of Changes, cont.

Additional changes in response to various neighbor requests:

- No rear facing, second story windows for south and east lots
- Provide additional details on masonry fence (photos of similar fences)
- Changed site plan to minimize impact on neighbors
- Alleviated the previously stated concern of a runaway car coming through the fence off of Briar Grove Court

Information Received from Applicant on October 29, 2013

Additional concerns previously brought forth:

1) Traffic

- In the original office plan that was shown, the development provided for a total of 78 spaces. Assuming half were used, the development would generate 78 vehicle trips (39 in and 39 out, excluding lunch and customer visits)

- Each Briar Grove resident driver would have to leave the house 5 times per day, assuming two drivers and two vehicles, to equal the same traffic generated by arguably the *lowest* intensity commercial use currently allowed. (A drive-thru use, which is currently allowed, would generate an exorbitant amount of vehicle trips.)

2) Property Values

- currently, surrounding residential uses appear to be valued at between \$52 and \$83 per square foot (source: TAD)

- The projected value of Briar Grove is between \$400,000 and \$450,000, or approximately \$133 per square foot

- The prevailing method for residential valuation is the sales comparison approach in which a value is derived utilizing sales per square foot figures in the area, therefore Briar Grove will ultimately increase surrounding property values

Information Received from Applicant on October 29, 2013



Photo of an actual fence currently being constructed by the developer on another development. This is representative of the combination masonry and brick fence to be constructed for Briar Grove.

Information Received from Applicant on October 29, 2013



Another photo of an actual fence currently being constructed by the developer on another development. Again, this is representative of the combination masonry and brick fence to be constructed for Briar Grove.

Information Received from Applicant on October 29, 2013



This photo is a representation of the wrought iron fence to be constructed along the north and east borders of the major open space. The fence will be aligned in such a way as to not disturb the existing trees near the eastern property line.

Statement of Planning Objectives

August 21, 2013

Briar Grove

Located at the SEC of Cheek-Sparger and San Bar

Zoning change from PUD-C to PUD-R

Revised Statement of Planning Objectives

Steve Isbell and Mark Howe have a contract to acquire approximately 2 acres of land at the southeast corner of Cheek Sparger and San Bar. They are requesting a zoning change from PUD-C to PUD-R. The current site is vacant and has been vacant for many years. The property was zoned several years ago and planned for an office type development. Over the years that has proven to not be the highest and best use for the property and the property has never been developed. The revised plan proposes 8 single family homes with open space, all to be accessed off San Bar by constructing a new Cul-De-Sac from San Bar East across the property. The open space will be owned by a Home Owners Association established for this project. Where drainage and utility easements are proposed, the City of Colleyville will provide normal city services to the open areas. The plan will provide a wrought iron fence along the open space lot backing to Cheek Sparger and a masonry fence along the balance of the perimeter of the property with the entry being on San Bar.

Through the planning process, we are planning on saving as many trees as possible and most of the trees on the perimeter will be retained. Drainage will be address by constructing a detention basin in the open space lot. The open space lot will have a sitting area with two park benches and a picnic table with a side walk to their location which will be selected to be in an area of the open space that will have appropriate shade.

The site is located just east of a self- storage project and the 99 cent store on Hwy 26 and to the south, north and east of the property are residential homes.

This project will provide 8 new households close to Hwy 26 and provide additional buying power for the proposed retail along the center corridor of Colleyville.

It is the developers' anticipation that these will be lifestyle type homes for empty nesters that want to downsize and still live in Colleyville. It is anticipated that the homes will sell from the mid \$400's – mid \$500's

Development Schedule:

Zoning approval: September 2013

Preliminary and Final Plat: October 2013

Construction Commencing: November 2013

Construction Completing: May 2014

Economic Development Information:

1. Total Square footage; 8 homes averaging 3200 sf at \$150/sf = \$3,840,000
2. Estimated sell out for the entire project is 18 months

Statement of Planning Objectives

PUD Single Family - 8 lots

1. GENERAL

- a. The purpose of PUD-R is for a single-family residential development of detached dwelling units, constructed at a gross maximum density of 4.40 dwelling units per acre.
- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. CONCEPTUAL PLAN AND PLATTING

- a. The street layout and arrangement of lots of the subdivision shall be generally consistent with the Conceptual Site Plan.
- b. The developer shall submit and receive approval from the City a Preliminary and Final Plat in accordance with the requirements of the Land Development code prior to development of this PUDR.

3. PERMITTED USES

- a. Single-family residences, detached
- b. Common open space areas

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

Single-family detached residential lot requirements and setbacks shall comply with the following provisions. Building line setbacks established by the Conceptual Site Plan, shall control where such building line setback is different from the following requirements.

- | | |
|-------------------------|--|
| a. Minimum Lot Size | 5807 square feet |
| b. Minimum Lot Width | 55 feet |
| c. Minimum Lot Depth | 120 feet (exception for lot lines on cul-de-sac) |
| d. Front Building Line | 10 feet for J-Swing Garage/ 20 feet for Front Entry |
| e. Side Building Line | 5 feet for center placed structure and 1' and 9' for zero (except for lot 4 which can have side yards of 5' and 3' or 1' and 7') |
| f. Rear Building Line | 10 feet |
| g. Maximum Lot Coverage | 65 percent |
| h. Maximum Height | 35 feet |

5. OPEN SPACE

- a. This development shall provide not less than 16.2% common open space, which will generally be configured as shown on the Conceptual Site Plan. All open space areas shall be landscaped and maintained by the Homeowners Association.
- b. No more than 25 percent of the open space area shall be utilized for storm water detention or retention.

Statement of Planning Objectives

6. SCREENING

a. A wood screening fence, not to exceed six feet in height will be constructed at the property lines adjacent to other residential properties to the east and south, as shown on the Conceptual Site Plan. At a minimum the pole side of the screen fence will face into the new development along the south and east property lines.

b. A variable height screening fence, constructed of a combination of brick, stone and wrought iron will be constructed along the north and west portion of the property adjacent to Cheek Sparger Road and San Bar. The screening will be continuous along the boundary with the exception of entry road right-of-way.

7. SIDEWALKS

Sidewalks will be constructed in accordance with the requirements of the Colleyville Land Development Code.

8. OTHER

a. Homes will be both single and two story construction.

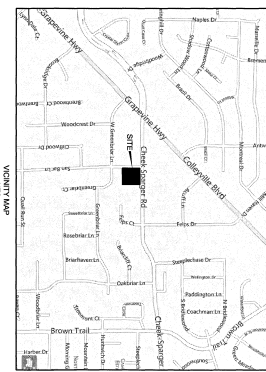
b. For two story homes there will be no balconies or verandas on the second floor of lots 3-8.

c. Maintenance of the wood fence, masonry fence, open space and landscaping will be the responsibility of the HOA governing the new sub-division.

d. Construction times would be limited to City of Colleyville rules and regulations (Monday - Saturday 7:00am - 6:00pm)

e. All agreements made between the home owners to the east and south of development will be recorded in the final development documents/ restrictions.

EXISTING ZONING: PUD-C
EXISTING LAND USE: COM.



AREA OF DEVELOPMENT	1.82 ACRES (79,466 SF)
NUMBER OF UNITS	8
OPEN SPACE	(0.075 1A, 8A, 2A, 8A + 12,871 SF) (16.2%)
DENSITY	4.40 UNITS/AC
MAX BUILDING HEIGHT	35 FEET
FRONT BUILDING LINE	30 FEET FROM FRONT YARD
REAR BUILDING LINE	10 FEET

1. LOT COVERAGE SHALL NOT EXCEED 65 PERCENT OF THE INDIVIDUAL LOT.

1. HOME OWNER'S ASSOCIATION (HOA) TO MAINTAIN DEFENTION POND, OPEN SPACE LOT, RECREATED WALK AND JUMPSCAPER. CITY WILL ACTIVE GIVE TO HOA, MAINTAIN HOA DOCUMENTS AT TALK OF
2. BRIDGE DRIVE CORNER SHALL BE A BUILT STREET CONSIDERED TO CITY STANDARDS (34' R/W WITHIN)
3. LAND LOT 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824,

ZONING EXHIBIT FOR ZONING
CHANGE FROM
PUD-C TO PUD-R (RESIDENTIAL)
BRIAR GROVE COURT

DATE OF PREPARATION 6-7-13

OWNER:	DEVELOPER:	ENGINEER:
RONNIE R. UHLERMAKER P.O. BOX 1405 COLLEGEVILLE, TX 76034-1705	STEVE ISBELL 6617 PRECINCT LINE ROAD NRI, TEXAS 76182 S/E *200	HAILEY TON DUFFY, PC 8240MD CITIES BLVD. NRI, TEXAS 76182 (817) 268-0408

Small Lot Development Comparison Chart - 1996 to 2013

Subdivision Name	Total Lots	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Lot Size (square feet)	Average Lot Size (square feet)	Maximum Lot Coverage	Master Plan Density - Dwelling Units Per Acre *	Land Development Code Density - Dwelling Units Per Acre **	Total Acres	Open Space	Approval Date	Ordinance
Spring Garden	45	36	70	2,520	2,700	90%	8	16.1	5.4	31.3%	12.17.96	O-96-1052
Villas of Caldwell Creek	43	59	115	6,594	7,408	50%	3.7	5.9	11.6	18.3%	4.1.97	O-97-1062
Bridges at Riverwalk	32	56	106	6,001	6,479	50%	3	6.7	10.0	24.0%	12.21.99	O-99-1192
Riverwalk at Colleyville	53	60	115	6,331	7,666	50%	3.2	5.7	20.0	20.0%	4.4.00	O-00-1210
Rosewood Villas	53	59	110	6,482	6,899	60%	3.6	6.3	14.8	21.4%	8.8.01	O-01-1286
Emerald Park	72	60	120	7,200	7,508	50%	3.5	5.8	20.2	19.6%	10.1.02	O-02-1366
Tiffany Park	25	60	100	7,200	7,580	50%	3.5	5.7	7.2	20.0%	10.21.03	O-04-1487
Tuscany	35	60	110	6,600	7,878	50%	3.9	5.5	8.8	6.6%	2.17.04	O-04-1442
Cambridge Place	38	50	58	4,500	5,300	60%	4.2	8.2	9.0	22.0%	7.6.04	O-04-1467
Heritage Oaks	103	30/40	90	2,700/3,600	3,600	90% and 75%	4.6	12.1	22.9	25.0%	03.21.06	O-09-1715
Villas at Oak Pointe	74	30/56	90/95/115	2,700/6,440	5,000	90% and 58%	3.7	8.7	13.6	22.0%	08.02.06	O-06-1584
Copperglen	22	55	105	5,924	6,650	65%	3.9	6.6	5.6	20.0%	10.17.06	O-06-1595
Villas of Colleyville	67	59	115	6,655	8,936	60%	3.4	4.9	19.8	21.0%	08.21.07	O-07-1627
Enclave at Arbor Estates	16	65	120	8,700	9,350	50%	2.9	4.7	5.6	19.3%	09.18.07	O-07-1634
Creeside at Colleyville	269	50	105	5,000	7,257	65%	2.4	6.0	108.5	20.0%	11.27.07	O-07-1645
Somerset Manor	77	50/60	100/110	5,000/6,600	6,000	50%	4	7.3	18.2	20.3%	05.05.08	O-08-1672
Ivy Glen	10	55	110	5,890	8,200	65%	3.4	5.3	3.0	20.0%	03.05.13	O-13-1864
The Preservation	36	60	140	8,500	9,170	50%	3	4.7	12.0	23.0%	05.14.13	O-13-1867
Average	59	56	106	6,207	6,866	57%	3.8	7.0	17.6	20.8%		
Zoning Case ZC13-008	8	55	120	5,807	6,874	65%	4.4	6.6	1.8	16.2%		

* Master Plan Density is calculated by dividing the total units in the development by the total acreage of the development

** Land Development Code Density is calculated by dividing the total units in the development by the total development acreage minus open space and right-of-way acreage



Posted
12-13-85
4:30 P.M.
by

ORDINANCE 0-85-600 ✓✓✓

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF A TRACT OF LAND SITUATED IN THE JONATHON RILEY SURVEY, ABSTRACT 1356, TRACT 3G AND WOODBRIAR ESTATES ADDITION, BLOCK 7, LOTS 20,21, AND 22 TO THE CITY OF COLLEYVILLE, TEXAS FROM R-15 AND R-20 TO PUD-C; PROVIDING A PENALTY AND AUTHORIZING PUBLICATION.

WHEREAS, an application for zoning change was filed by C. M. Bollinger, Inc. , October 22, 1985 under Case No. Z-85-547; and,

WHEREAS, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 10 days before such hearing; and,

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Colleyville at least 15 days before such hearing; and,

WHEREAS, notices were posted on the subject land as provided by the zoning ordinance; and,

WHEREAS, public hearings to change the zoning on the property herein described were held before both the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation concerning the zone change; and,

WHEREAS, the City Council is of the opinion that the zone change herein effectuated furthers the purpose of zoning as set forth in the Zoning Ordinance and is in the best interest of the citizens of the City of Colleyville;

NOW, THEREFORE,

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

Sec. 1. THAT Zoning Ordinance of the City of Colleyville, Texas, and the accompanying Zoning Map are hereby amended insofar as they relate to certain land located in Colleyville, Tarrant County, Texas, and described as follows:

1
2 BEING a tract of land in the JONATHON RILEY SURVEY,
3 Abstract NO. 1356, City of Colleyville, Tarrant
4 County, Texas, as surveyed by C.K. Vermillion,
Registered Public Surveyor No. 552, in August 1966,
and being more particularly described as follows:

5 BEGINNING at an iron pin in the South line of
6 Cheek-Sparger Road, said point being 202.0 feet
east and 15.0 feet south of the most westerly NW
corner of said Riley survey;

7 Thence East 100.00 feet along the south line of
said Cheek-Sparger Road to an iron pin;

8 Thence S 00° 23' E, 325.9 feet to an iron pin;

9 Thence S 89° 42' W, 100.0 feet to an iron pin;

10 Thence N 89° 36' W, 173.4 feet to an iron pin;

11 Thence N 00° 06' E, 300.00 feet to a point;

12 Thence S 89° 36' E, 173.4 feet to a point;

13 Thence N 00° 06' W, 23.60 feet to the point of
beginning and containing 1.943 acres of
land.

14 by changing the zoning thereof from R-15 and R-20
15 to PUD-C. **

16 Sec. 2. Any person, firm or corporation violating any of
17 the provisions of this ordinance as read together
18 with the Zoning Ordinance of the City of Colleyville
19 and accompanying official Zoning Map thereto shall
be guilty of a misdemeanor and upon conviction thereof
shall be fined in a sum not to exceed Two Hundred
Dollars (\$200.00). Each and every day such violation
continues shall constitute a separate offense and
shall be punishable as such.

20 Sec. 3. The City Secretary is hereby authorized and directed
21 to cause publication of the descriptive caption
and penalty clause hereof as an alternative method
of publication provided by law.

22 AND IT IS SO ORDERED.
23
24
25
26

The ^{17th} first reading and public hearing being conducted on the December, 1985.
The ^{17th} second reading and public hearing being conducted on the January, 1986.
The ^{21st} third reading and public hearing being conducted on the January, 1986.

ATTEST:

CITY OF COLLEYVILLE

Lavada Johnson
Lavada Johnson
City Secretary

J.R. "Buck" Hubbard
J.R. "Buck" Hubbard
Mayor

Approved as to Form and Legality:

Ross T. Foster
Ross T. Foster, City Attorney

**together with all site plans, supporting documents,
and other conditions and restrictions imposed by
and approved by the Council, which are incorporated
herein by reference.

ORDINANCE O-13-1887

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 1.82 ACRES ON LOT 1, BLOCK 1, OF THE SAN BAR SQUARE ADDITION, LOCATED AT 105 CHEEK-SPARGER ROAD FROM THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT TO THE PUD-R-PLANNED UNIT DEVELOPMENT RESIDENTIAL 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 under Case No. ZC13-008; 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 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, among other things, to 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 1.82 acres on Lot 1, Block 1, of the San Bar Square Addition, located at 105 Cheek-Sparger Road from the PUD-C-Planned Unit Development Commercial zoning district to the PUD-R-Planned Unit Development Residential zoning district, as depicted in the attached Exhibit "A" and "C", and as described in Exhibit "B".
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved 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-R is for a single-family residential development of eight (8) detached single family dwelling units, constructed at a gross maximum density of 4.4 dwelling units per acre.
- b. This development shall be generally consistent with the Statement of Planning Objectives, Exhibit "B".
- c. The proposed development is subject to all the regulations contained in the Land Development Code, except as amended by this Ordinance.

2. DEVELOPMENT PLAN AND PLATTING

- a. The development shall be generally consistent with the conceptual site plan, Exhibit "C", which shall not be considered the preliminary plat. The actual street and lot arrangement may differ from that shown on the conceptual site plan to accommodate topographic, drainage, or other conditions.
- b. The developer shall submit and receive approval from the City, a preliminary and final plat, approved as a single phase, in accordance with the requirements of the Land Development Code prior to development of this PUD-R.

3. PERMITTED USES

- a. Single-family residences, detached
- b. Common open space areas

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

- a. Residential lot requirements and setbacks shall comply with the following provisions:
 1. All lots shall be a minimum of 55 feet in width as measured at the building setback line.
 2. The minimum lot size shall be 5,807 square feet.
 3. The minimum lot depth shall be 120 feet, except for lots which front the cul-de-sac.
 4. Front Yard Setbacks:
 - a. For lots that have a J-Swing garage: 10 feet
 - b. For lots that have a front entry garage: 20 feet
 5. Minimum Rear Yard Setback: 10 feet

6. Minimum Side Yard Setbacks:

10 feet between structures; One (1) foot and nine (9) feet, or five (5) feet each side property line.

7. Maximum Lot coverage: 65 percent

5. RESIDENTIAL DESIGN REQUIREMENTS

The following requirements shall apply to all homes constructed in this development:

- a. Homes may be both single and two-story construction.
- b. Two-story homes on lots 3 through 8 shall not contain any balconies and verandas constructed on the second floor.

6. OPEN SPACE

- a. This development shall provide a minimum of 16.2 percent common open space, which shall be configured as shown on Exhibit "C". All open space areas shall be landscaped and maintained by the HOA.
- b. No more than 25 percent of the open space area may be utilized for detention.

7. SCREENING AND TREES

- a. A wood screening fence, not to exceed six (6) feet in height, shall be constructed at the property lines adjacent to other residential properties to the east and south. A six foot wrought iron fence may be constructed adjacent to the open space Lot 2A.
- b. A variable height screening fence, constructed of a combination of brick, stone, and wrought iron will be constructed along the north and west portion of the property adjacent to Cheek-Sparger Road and San Bar Lane. The screening shall be continuous along the boundary with the exception of entry road right-of-way.

- Sec. 5. 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. 6. 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. 7. 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. 8. 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. 9. 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 2nd day of October 2013.

The second reading and public hearing being conducted on the 15th day of October 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, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit "A" – Location and Zoning Map

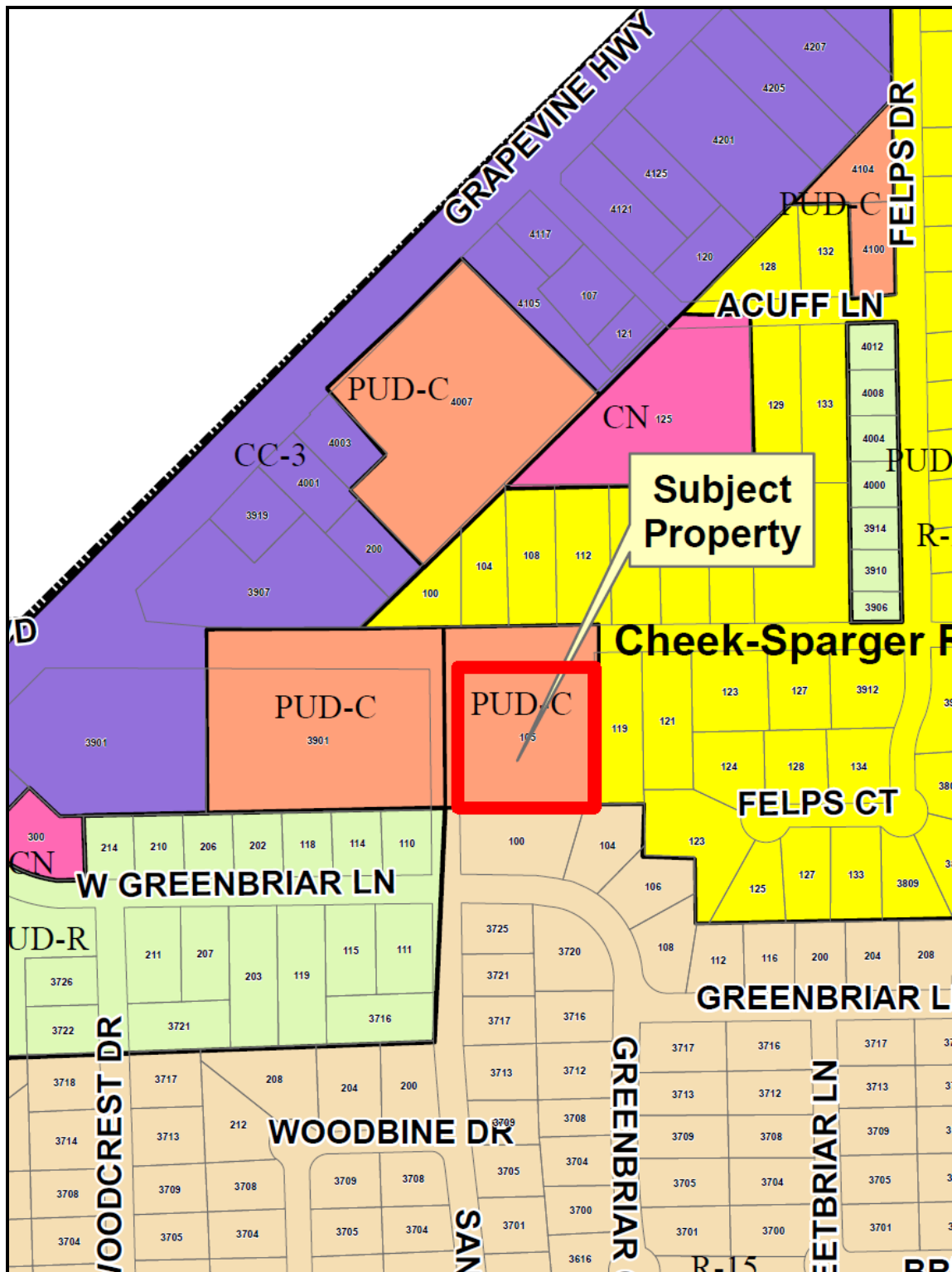


Exhibit B – Statement of Planning Objectives

August 21, 2013

Briar Grove

Located at the SEC of Cheek-Sparger and San Bar

Zoning change from PUD-C to PUD-R

Revised Statement of Planning Objectives

Steve Isbell and Mark Howe have a contract to acquire approximately 2 acres of land at the southeast corner of Cheek Sparger and San Bar. They are requesting a zoning change from PUD-C to PUD-R. The current site is vacant and has been vacant for many years. The property was zoned several years ago and planned for an office type development. Over the years that has proven to not be the highest and best use for the property and the property has never been developed. The revised plan proposes 8 single family homes with open space, all to be accessed off San Bar by constructing a new Cul-De-Sac from San Bar East across the property. The open space will be owned by a Home Owners Association established for this project. Where drainage and utility easements are proposed, the City of Colleyville will provide normal city services to the open areas. The plan will provide a wrought iron fence along the open space lot backing to Cheek Sparger and a masonry fence along the balance of the perimeter of the property with the entry being on San Bar.

Through the planning process, we are planning on saving as many trees as possible and most of the trees on the perimeter will be retained. Drainage will be address by constructing a detention basin in the open space lot. The open space lot will have a sitting area with two park benches and a picnic table with a side walk to their location which will be selected to be in an area of the open space that will have appropriate shade.

The site is located just east of a self- storage project and the 99 cent store on Hwy 26 and to the south, north and east of the property are residential homes.

This project will provide 8 new households close to Hwy 26 and provide additional buying power for the proposed retail along the center corridor of Colleyville.

It is the developers' anticipation that these will be lifestyle type homes for empty nesters that want to downsize and still live in Colleyville. It is anticipated that the homes will sell from the mid \$400's – mid \$500's

Development Schedule:

Zoning approval: September 2013

Preliminary and Final Plat: October 2013

Construction Commencing: November 2013

Construction Completing: May 2014

Economic Development Information:

1. Total Square footage; 8 homes averaging 3200 sf at \$150/sf = \$3,840,000
2. Estimated sell out for the entire project is 18 months

Exhibit B – Statement of Planning Objectives (Cont.)

PUD Single Family - 8 lots

1. GENERAL

- a. The purpose of PUD-R is for a single-family residential development of detached dwelling units, constructed at a gross maximum density of 4.40 dwelling units per acre
- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. CONCEPTUAL PLAN AND PLATTING

- a. The street layout and arrangement of lots of the subdivision shall be generally consistent with the Conceptual Site Plan.
- b. The developer shall submit and receive approval from the City a Preliminary and Final Plat in accordance with the requirements of the Land Development code prior to development of this PUDR.

3. PERMITTED USES

- a. Single-family residences, detached
- b. Common open space areas

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

Single-family detached residential lot requirements and setbacks shall comply with the following provisions. Building line setbacks established by the Conceptual Site Plan, shall control where such building line setback is different from the following requirements.

- | | |
|-------------------------|--|
| a. Minimum Lot Size | 5807 square feet |
| b. Minimum Lot Width | 55 feet |
| c. Minimum Lot Depth | 120 feet (exception for lot lines on cul-de-sac) |
| d. Front Building Line | 10 feet for J-Swing Garage/ 20 feet for Front Entry |
| e. Side Building Line | 5 feet for center placed structure and 1' and 9' for zero (except for lot 4 which can have side yards of 5' and 3' or 1' and 7') |
| f. Rear Building Line | 10 feet |
| g. Maximum Lot Coverage | 65 percent |
| h. Maximum Height | 35 feet |

5. OPEN SPACE

- a. This development shall provide not less than 16.2% common open space, which will generally be configured as shown on the Conceptual Site Plan. All open space areas shall be landscaped and maintained by the Homeowners Association.
- b. No more than 25 percent of the open space area shall be utilized for storm water detention or retention.

Exhibit B – Statement of Planning Objectives (Cont.)

6. SCREENING

a. A wood screening fence, not to exceed six feet in height will be constructed at the property lines adjacent to other residential properties to the east and south, as shown on the Conceptual Site Plan. At a minimum the pole side of the screen fence will face into the new development along the south and east property lines.

b. A variable height screening fence, constructed of a combination of brick, stone and wrought iron will be constructed along the north and west portion of the property adjacent to Cheek Sparger Road and San Bar. The screening will be continuous along the boundary with the exception of entry road right-of-way.

7. SIDEWALKS

Sidewalks will be constructed in accordance with the requirements of the Colleyville Land Development Code.

8. OTHER

a. Homes will be both single and two story construction.

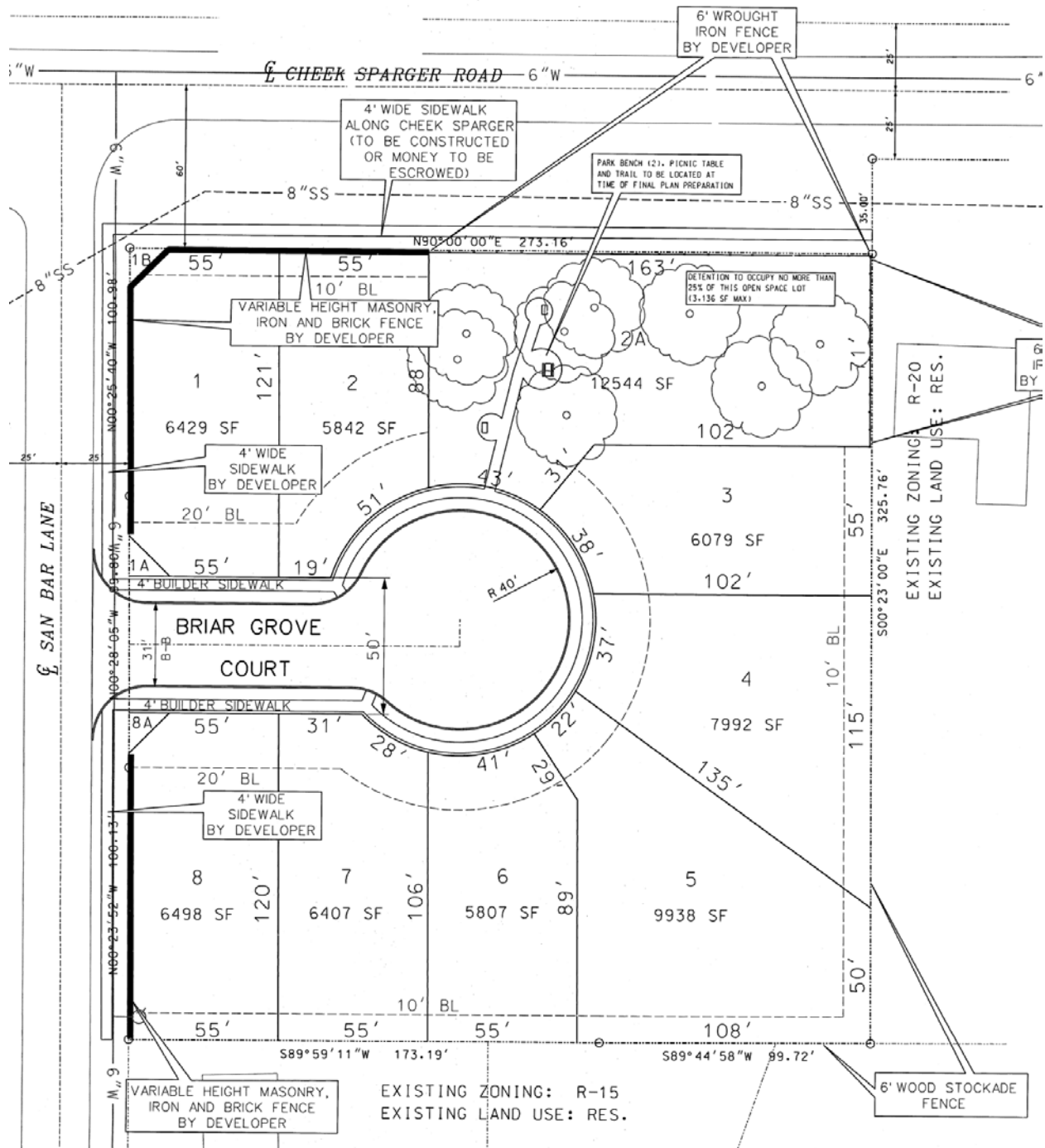
b. For two story homes there will be no balconies or verandas on the second floor of lots 3-8.

c. Maintenance of the wood fence, masonry fence, open space and landscaping will be the responsibility of the HOA governing the new sub-division.

d. Construction times would be limited to City of Colleyville rules and regulations (Monday - Saturday 7:00am - 6:00pm)

e. All agreements made between the home owners to the east and south of development will be recorded in the final development documents/ restrictions.

Exhibit C – Conceptual Site Plan





City of Colleyville City Council Agenda Briefing

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

Agenda Number 9

Agenda Date 11/05/2013

Type Report

Department City Secretary

Title

Colleyville Tree Board Meeting Minutes - October 8, 2012
Parks and Recreation Advisory Board Meeting Minutes - April 1, 2013
Senior Center Advisory Committee Meeting Minutes - July 18, 2013
Colleyville Library Board Meeting Minutes - August 12, 2013
Planning and Zoning Commission Meeting Minutes - September 9, 2013
Zoning Board of Adjustment Meeting Minutes - September 10, 2013
Planning and Zoning Commission Meeting Minutes - September 23, 2013
Planning and Zoning Commission Meeting Minutes - October 14, 2013

Attachments

1. Colleyville Tree Board Meeting Minutes - October 8, 2012
2. Parks and Recreation Advisory Board Meeting Minutes - April 1, 2013
3. Senior Center Advisory Committee Meeting Minutes - July 18, 2013
4. Colleyville Library Board Meeting Minutes - August 12, 2013
5. Planning and Zoning Commission Meeting Minutes - September 9, 2013
6. Zoning Board of Adjustment Meeting Minutes - September 10, 2013
7. Planning and Zoning Commission Meeting Minutes - September 23, 2013
8. Planning and Zoning Commission Meeting Minutes - October 14, 2013



City of Colleyville

Colleyville Tree Board Minutes

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

Monday, October 8, 2012
6:30 pm

Executive Conference Room
Third Floor, City Hall

1. CALL TO ORDER

Library/Parks and Recreation Director Mary Rodne called the meeting of the Colleyville Tree Board to order at 6:28 p.m.

Roll Call: Present Board members Moira Brucken, Ginny Tigue, Debby Abitz, Suzanne Hughes and Kathryn Wheat. City Staff Mary Rodne, Tim Hightshoe, Terry Leake and Kathy Moore

Absent Board member Roger Nelson

2. APPROVAL OF MINUTES

December 5, 2011

Board member Debby Abitz moved to approve the December 5, 2011 minutes as written. Moira Brucken seconded the motion. The motion carried with a unanimous vote.

3. REGULAR AGENDA ITEMS

3a Tree City USA Update

Tim Hightshoe, Parks Superintendant gave an update on the ongoing Tree City USA program and stated that we will be entering into our fifteenth year when we submit for recertification in December.

He informed the Board that the City would like to set October as the month for their annual meeting; noting that this would fulfill one criterion for the Tree City USA recertification.

3b Tree Inventory and Maintenance Update

Tim Hightshoe, Parks Superintendant passed out informational handouts from the Texas Forest Service that addressed the issues that have resulted from drought conditions within Texas. He continued with a review of the dead tree inventory that was performed by Parks staff; stating that staff is in the process of creating an inventory of all trees and species, which will be available at next year's meeting.

3c Review and Discussion of current bylaws for the Colleyville Tree Board

The Board members were asked to review the current bylaws and make suggestions on any updates they deem necessary. Changes will be incorporated into the new template and approved at a future meeting. Once approved they will be forwarded to City Council.

Discussion continued concerning Section 13 Trimming Corner Clearance. Ordinance O-98-1130 states that there shall be a clear space of seven feet (7 ft.) above the surface of the street or right-of-way. Board members do not feel this is high enough for bigger vehicles; they would like to see this changed to ten feet (10 ft.).

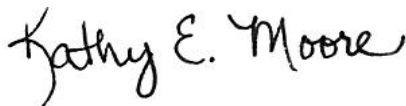
4. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA

There were no citizen comments/presentations regarding items not on the agenda.

5. ADJOURNMENT

Board member Suzanne Hughes moved to adjourn at 6:47 p.m. Kathryn Wheat seconded the motion. The motion carried with a unanimous vote.

Minutes taken and prepared by:



Kathy E. Moore
Administrative Assistant

The meeting minutes were approved on October 21, 2013 by a vote of 5-0.



City of Colleyville

Parks and Recreation Advisory Board Minutes

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

Monday, April 1, 2013
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 April 1, 2013 at 6:01 p.m.

ROLL CALL

Present: Chairperson Suzanne Hughes, Board Members Ken Llewellyn, Charles Bethards, Carel Tornos, Michelle McGarry. City staff: Library, Parks and Recreation Director Mary Rodne, Assistant City Manager/Chief Financial Officer Terry Leake, Park Superintendant Tim Hightshoe, Recreation Manager Lisa Escobedo, and Administrative Assistant Kathy Moore.

Absent: Board Member Thomas Parker, Kathryn Wheat and Brett Oliver

2. APPROVAL OF MINUTES

January 7, 2013

Board Member Carel Tornos moved to approve the January 7, 2013 minutes as written. Charles Bethards seconded the motion. The motion carried with a unanimous vote.

3. REGULAR AGENDA ITEMS

3a Recreation, Athletics, Tennis, and Senior Reports

Lisa Escobedo, Recreation and City Events Manager updated the Board on Recreation, Athletics, Tennis and the Senior Center activities for the months of January through March. Noted highlights for the Recreation Department included the Daddy Daughter Dance in February with over 200 in attendance. The Candy-Free Hoppin' Good Egg Hunt was held on March 23, due to rain the event was moved indoors to the Library and some activities had to be cancelled; she noted that with the rain, attendance was good with approximately 500 patrons.

Escobedo stated that the spring athletic season is in full swing with the start of baseball, softball, soccer, lacrosse and girls volleyball; she noted that volleyball had the highest number of teams this season, with 151 players forming 17 teams. The tennis program is also underway and continues to have good participation; along with the spring tennis leagues which had the largest number of teams playing out of Colleyville to date.

Highlights from the Senior Center included the annual Senior Prom hosted by the Colleyville Heritage High School leadership class, AARP free tax help started on February 5 and will continue through April 9. Additionally, the seniors took a trip to Covenant Christian Academy for their production of Oliver.

3b Parks Operations and Capital Improvement Status Report

Tim Hightshoe, Parks Superintendant gave an update on the Parks and Recreation CIP Project for Pleasant Run Trail, noting that on February 19 City Council approved funding for the Pleasant Run Road improvements which includes the design of the trail. Additionally, he reported on other miscellaneous projects preformed by the Parks Department, which included the addition of "quick start" lines on tennis courts 1 and 2; and the demolition and removal of the pole barn at L.D. Lockett Park, which had become a safety concern.

Tim informed the Board on the upcoming items of interest, to include the Clean Sweep event scheduled for April 20, and Texas Junior Anglers on April 27.

3c Update on the Colleyville Senior Center Rebranding Study

Library, Parks and Recreation Director Mary Rodne gave an update on the rebranding study for the Colleyville Senior Center. Rodne stated that she and Lisa Escobedo have researched similar projects throughout the country and now have the first draft of necessary components ready for the request for proposals (RFP). She stated that some components to the project would include community input; analysis of the current condition of the Center; a space needs assessment; current programming; community needs; and an overall implementation plan. Additionally, Rodne noted that the Senior Center rebranding project would be coordinated with the upcoming update of the City's Master Plan.

3d Update of Future Park Plans

Tim Hightshoe presented an update on future park projects, stating that along with the rebranding study, the consultant will look at the Pleasant Glade property adjacent to the Senior Center. He noted that a conceptual plan for the property was completed several years ago.

Hightshoe stated that there was \$100,000 in CEDC funds available for park improvements at the L.D. Lockett Park. The City plans to hire a consultant to look at possible uses and/or improvements for the park.

Board Chairperson, Suzanne Hughes stated that the Colleyville Garden Club wanted to help fund a botanical garden project, with the possibility of using parkland. Several areas of interest were discussed, noting that she would get with management at a later date.

3e Discussion on items for future agendas

Parks and Recreation Board Chair Suzanne Hughes introduced new member Michelle McGarry to the Board, along with Board member and staff introductions.

The Board had questions and concerns on connectivity within the trail system, along with issues for funding. Assistant City Manager/Chief Financial Officer Terry Leake stated that she would request City Engineer, Jeremy Hutt to attend the next Parks and Recreation Advisory Board meeting to answer questions and concerns voiced by the Board members.

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

Colleyville citizen Chuck Mogged was in attendance for the meeting. There were no citizen comments/presentations regarding items not on the agenda.

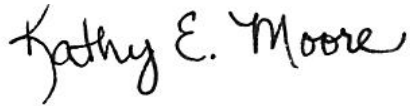
Board member Carel Tornes suggested the need for citywide training on drought resistant plantings. Mary Rodne informed the group that the Colleyville Garden Club would be hosting a four-part gardening series at the Colleyville Public Library on Saturdays through the month of April; noting that each class would be taught by a master gardener and that one class would cover drought tolerant gardening information.

Suzanne Hughes reminded the Board that the next regularly scheduled meeting would be July 1; noting that this date may have to be adjusted due to summer vacation schedules. She requested that members inform staff of any such conflicts.

5. ADJOURNMENT

Charles Bethards moved to adjourn the meeting at 6:58 p.m. Carel Tornes seconded the motion. The motion carried with a unanimous vote.

Minutes taken and prepared by:

A handwritten signature in black ink that reads "Kathy E. Moore". The signature is written in a cursive, flowing style.

Kathy E. Moore
Administrative Assistant

The meeting minutes were approved on October 21, 2013 by a vote of 5-0.



City of Colleyville

Senior Center Advisory Committee Minutes

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

Thursday, July 18, 2013
1:30 p.m.

Senior Center
2512 Glade Road

1. CALL TO ORDER

Chairperson Debra Minea called the regular meeting of the Colleyville Senior Advisory Committee to order on July 18, 2013, at 1:34 p.m.

Roll Call: Present Chairperson Debra Minea, Committee members Heath Dowell, Charna Gray, Anna King, Denise LaPosta, Molly Skinner; Library/Parks and Recreation Director Mary Rodne, Recreation and City Events Manager Lisa Escobedo, Recreation Specialist Cody Ashton, Assistant City Manager/Chief Financial Officer Terry Leake, and Administrative Assistant Kathy Moore

Absent Committee member Dorothy Parker

Debra Minea introduced new member Anna King to the Committee members and staff.

2. APPROVAL OF MINUTES

April 18, 2013

Committee member Molly Skinner moved to approve the April 18, 2013 minutes as written. Charna Gray seconded the motion. The motion carried with a unanimous vote.

3. REGULAR AGENDA ITEMS

3a Update on the Colleyville Senior Center Rebranding Study

Recreation and City Events Manager Lisa Escobedo presented an update on the progress of the Colleyville Senior Center rebranding study, stating that Hidell Associates had been selected to perform the rebranding study. Escobedo noted that to date, Hidell Associates met with staff and looked at the existing facility and programming; they toured facilities in several surrounding cities; and a public meeting was held on June 20, 2013 at the Colleyville Center for citizen input.

Lisa Escobedo stated that the next step would be to conduct a survey, which would be made available online and with printed copies. Discussions continued on how to get the word out in regard to the survey; several options were brought forward to include:

- Surveys to all HOA's
- Online at City webpage
- Email blast-E News
- Handouts at the Senior Center, Library and City Hall
- Committee members to spread the word

Assistant City Manager/Chief Financial Officer Terry Leake informed the Committee that staff anticipated the report to be complete by the end of August; at such time a special joint meeting will be called with the Colleyville Senior Center Advisory Committee and the Parks and Recreation Advisory Board to review the findings.

3b Discussion and Consideration of the Senior Center Wish List

Chairperson Minea stated that the piano had been tuned and was a great success; the Center now has a theater group using it weekly and performing at the Meals on Wheels luncheons.

Minea noted that the wish list only has two items at this time, which included decorations for the facility and window coverings. The window coverings have been put on hold until after the rebranding study.

Molly Skinner reminded the Committee that the plaque recognizing 90/older members had been moved to the completed section of the wish list, however, it was never fully implemented. The Committee requested that the plaque be added back on the list until fully completed.

Charna Gray questioned if it was possible to recognize Jack Olsen for all his work on the computer lab at the Colleyville Senior Center. Discussion continued on ways to recognize citizens who have contributed to the Senior Center. It was agreed that staff would look into some type of certificate of achievement for the Senior Center.

3c Discussion of items for future agendas

No items were brought forward for future agendas.

4. REPORTS

Cody Ashton, Recreation Specialist gave an overview of the Senior Center activities and upcoming events. Ashton stated that the Senior Center Health Fair was scheduled for September 13, 2013 with approximately 40 vendors. He noted that the date for the Health Fair was moved up in hopes of eliminating schedule conflicts with

other Health Fairs. Additionally, he noted that several trips were added to the Senior Center programming and the webpage was updated.

Chairperson, Debra Minea invited everyone to attend Friday's Meals on Wheels luncheon; the Colleyville Lion's Club will be grilling hotdogs and hamburgers and the mayor will be calling bingo. She noted that this has become an annual event and very popular with the seniors.

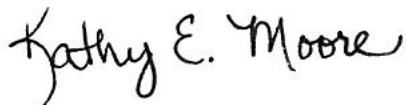
5. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA

There were no citizen comments, however, staff informed the Committee that they will be notified if a joint meeting needs to be called before their regularly scheduled meeting on October 17, 2013.

6. ADJOURNMENT

Charna Gray moved to adjourn at 2:18 p.m. Molly Skinner seconded the motion. The motion carried with a unanimous vote.

Minutes taken and prepared by:



Kathy E. Moore
Administrative Assistant
Parks and Recreation

The meeting minutes were approved on October 17, 2013 by a vote of 5-0.



City of Colleyville

Colleyville Library Board Minutes

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

Monday, August 12, 2013
6:00 p.m.

Colleyville Public Library
110 Main Street

1. CALL TO ORDER

Chair Jerome Davis called the meeting of the Colleyville Public Library to order at 6:10 p.m.

Roll Call: Present Chairperson Jerome Davis, Board members Billie Tuttle, Thad Bolline, Kay Newton, Charna Logan-Gray; Library, Parks and Recreation Director Mary Rodne, Assistant City Manager/Chief Financial Officer Terry Leake, Administrative Assistants Kathy Moore and Kristi Isbell

Absent Board members Victoria Kennedy-Ziegler, Melissa Orlando and Pam Jones; Ex-Officio member Cecilia Monacelli

2. APPROVAL OF MINUTES

June 10, 2013

A motion was made by Thad Bolline and seconded by Kay Newton to approve the June 10, 2013 minutes as presented. **Motion approved unanimously.**

3. REGULAR AGENDA ITEMS

3a Library Board appointment updates

Library Director Mary Rodne reminded the Board members with expiring terms that appointment applications were due to the City Secretary's office by August 30 for those who wanted to reapply for the Colleyville Library Board. It was noted that there were five (5) positions on the Library Board whose terms were expiring in September 2013.

3b City of Colleyville Fiscal Year 2014 (FY 2014) budget update

Director Rodne presented an update on the proposed Colleyville Public Library FY2014 budget and noted that the City Council would be adopting the FY2014 budget at the September 17, 2013 City Council meeting. She noted that the Library's budget was basically the same as last year and that the budget have been incorporated as submitted.

There was extended discussion concerning the budgetary needs within the Library; Assistant City Manager/Chief Financial Officer Terry Leake gave an overview of the FY2014 budget process focusing on the Library's operating budget, the general fund and the salary compensation update.

3c Approval of the use of the Voluntary Library Fund for the purchase of library materials, materials processing supplies, and library programs

Library Director Rodne presented an overview of the Voluntary Library Fund report, which gave projections through July 2013. Rodne stated that the anticipated available funds were \$155,000, and requested \$145,000 be used for the purchase of library materials, materials processing supplies and programs. The Board discussed the proposed expenditures of \$145,000 for the purchase of collection materials, materials processing supplies and library programs. A motion was made by Billie Tuttle and seconded by Charna Gray to make a recommendation to City Council to proceed with the expenditure of these funds for the purchase of library materials, materials processing supplies and library programs, in an amount not to exceed \$145,000 for the FY2014 budget year. **Motion approved unanimously.**

3d Discussion of Library meeting room policy

Director Rodne explained to the Board the need to update the Colleyville Public Library meeting room space policy to reflect changes due to the Second Floor Expansion project. Rodne noted that as a result of the high internal usage for Library programming and City uses, the current policy no longer supported the needs of the Library.

Rodne informed the Board members that the update would include new verbiage for the Statement of Purpose to read: that the policy is to support the goals and missions of the Colleyville Public Library. In addition, she noted that item 4 – *Colleyville non-profit organizations engaged in educational, cultural, intellectual, civic, or charitable activities* would be deleted along with all the general information pertaining to space rentals. In closing, Rodne stated that the Colleyville Center is the designated rental facility and is designed to provide for the meeting room rental needs within the community.

Director Mary Rodne concluded that she would update the policy and bring it forward for approval at a future meeting.

3e Discussion of the Colleyville Public Library tenth anniversary year events

Director Rodne stated that the Summer Reading Program kicked off the ten year celebration with larger events which included the opening and the finale. It was noted that both were family focused and included activities for children. Rodne noted that the November event would include a program to celebrate accomplishments

and thank the groups and individuals who have supported the Library over the last ten years.

Discussion ensued with the exchange of several thoughts and ideas. It was agreed that the planning Committee would meet with staff and start formulating plans for the event.

3f Suggested items for future meetings

No items were brought forward for future agendas.

4. REPORTS

4a Librarian's Report

Monthly Statistics

Library Director Rodne distributed Colleyville Public Library Usage Statistics, for review and discussion. In June and July, patrons had checked out a total of 63,132 items, 392 patrons had registered for library cards, library patron visits totaled 27,277, attendance for programs totaled 7,535 and volunteer hours totaled 1,649 hours. Rodne noted that the total circulation of library materials this year was 3% higher than the total circulation of library materials last year at this time. Additionally, Rodne noted that virtual visits, tracked through the Library's downloadable collection websites, were now being included in the Library's patron visit statistics.

Donations

Director Rodne reported that the Library had received a total of \$500 in donations in June and July. In June, there were no donations. In July, donations included \$500 from the Friends of the Colleyville Public Library for the purchase of summer reading grand prizes.

Library Programs

Director Rodne reported that the Summer Reading Program, *Have Book Will Travel*, had ended on July 27 and that the Summer Reading Program Finale was held on August 2. Around 850 had attended the finale program, which featured inflatable rides, games, crafts, balloon art, and face painting, etc. A total of 1,305 participants included 1,182 children, 82 adults, and 41 teens in the Summer Reading Program. Around 9,640 had attended 144 library sponsored programs, which was highest number of programs presented to date. Additionally, Rodne noted that the Chess Club had been a very popular program again this summer and that a Northeast Tarrant Libraries Chess Club Tournament was scheduled to be held at the Colleyville Public Library on August 17, 2013. Rodne concluded that overall the Summer Reading Program had once again been very successful and that statistics in several areas had

reached record-breaking numbers. The Board reviewed the statistics and discussed the outstanding community response to the program.

Rodne concluded that the Library's fall program brochure was now available online.

4b Friends of the Colleyville Public Library Report

President Kay Newton reported that the Friends of the Colleyville Public Library had held an annual meeting in June. Newton announced that during the meeting, Executive Board officers for FY 2013-2014 had been elected and included: President, Kay Newton; Vice-President, Nancy Tuuling; Secretary, Billie Tuttle; and Treasurer, Vicki Smith. Additionally, Newton noted that the Friends had voted to donate \$500 for Summer Reading Program grand prizes and that the meeting program featured an interactive program on how to use the Library's free digital content: eBooks, eMagazines, and more. Newton concluded that the Friends plan to sponsor more hands-on programs in the future to promote the usage of the Library's digital material collection.

4c Colleyville Public Library Foundation Report

Mary Rodne stated that the Library Foundation had not met recently, and that a Committee was still working on the redesign of the adult reading area.

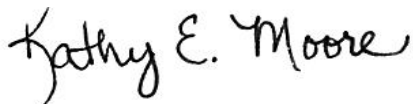
5. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA

There were no citizen comments/presentations regarding items not on the agenda.

6. ADJOURNMENT

A motion was made by Charna Logan-Gray and seconded by Kay Newton to adjourn the meeting of the Colleyville Library Board at 7:05 p.m. **Motion approved unanimously.**

Minutes taken and prepared by:



Kathy E. Moore
Administrative Assistant

The meeting minutes were approved on October 14, 2013 by a vote of 5-0



City of Colleyville Planning and Zoning Commission Minutes

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

Monday, September 9, 2013

City Council Chambers

CALL MEETING TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by Commissioner Dudziak on September 9, 2013 at 7:00 p.m.

Roll Call

Present: Commissioners Larry Knox, Dave Dudziak, David Wheelwright, Jim Gotcher, and Don Davis

Absent: Commissioners David Phelps and Jeff Byerly

Staff Present: Ron Ruthven, Taci Wrisley, Dale Crown, Rob McKeown, Marty Wieder, and Matt Butler (City Attorney)

1. APPROVAL OF MINUTES

Commissioner Knox made a motion to approve the minutes as written. Commissioner Davis seconded.

The motion to approve the minutes as written carried by the following vote:

Aye: 5 – Knox, Dudziak, Wheelwright, Gotcher, and Davis

2. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA AS A PUBLIC HEARING ITEM

There were no citizen comments/presentations regarding items not on the agenda as a public hearing item.

3. REGULAR AGENDA ITEMS

3a Approval of a final plat on 10.07 acres on Lot 1, Block 1, Stajduhar Addition located at 816 W. L. D. Lockett Road, Case PC13-015.

Ron Ruthven presented the case and briefed the Commission.

The applicant was available but did not wish to speak.

Commissioner Davis questioned staff regarding any changes that may have been made to the final plat. Ron Ruthven replied there were only minor changes such as corner clips at the intersections.

Commissioner Wheelwright made a motion to approve case PC13-015. Commissioner Davis seconded.

The motion to approve case PC13-015 carried by the following vote:

Aye: 5 – Knox, Dudziak, Wheelwright, Gotcher, and Davis

- 3b** Approval of a final plat for 12.0 acres on Tracts 3, 3E and 3F, of Abstract 936 of the Joseph M Looney Survey and Lot 1, Block 1, of the Bone Addition, located at 5008 and 5100 Bluebonnet Drive, case PC13-016.

Ron Ruthven presented the case and briefed the Commission.

The applicant was available but did not wish to speak.

Commissioner Davis questioned staff regarding any changes that may have been made to the final plat. Ron Ruthven replied no.

Commissioner Dudziak questioned staff regarding when the City Developer Agreement needed to be submitted. Ron Ruthven replied before the final plat is filed with the County.

Commissioner Davis made a motion to approve case PC13-016. Commissioner Gotcher seconded.

The motion to approve case PC13-016 carried by the following vote:

Aye: 5 – Knox, Dudziak, Wheelwright, Gotcher, and Davis

4. PUBLIC HEARING AGENDA ITEMS

- 4a** Request for a Special Use Permit for an accessory building on Lot 10, Block 4, of the Ashmore Addition located at 2713 Highgrove Court, case ZC13-011.

Ron Ruthven presented the case and briefed the Commission.

Commissioner Dudziak questioned staff regarding whether the entire

footprint would be covered. Ron Ruthven replied approximately 712 square feet that would be unenclosed and the rest would be enclosed. Commissioner Davis added the unenclosed square footage would be a porch. Ron Ruthven concurred.

The public hearing was opened at 7:15 p.m.

Perry Roberts, the applicant, and Zachary Johnson, the property owner, came forward to answer questions from the Commission.

Commissioner Gotcher questioned Mr. Johnson regarding whether he had made contact with the adjacent property owners to brief them on his plans. Mr. Johnson replied he has made contact with the neighbor to the east but has not made contact with the neighbor to the west.

There being no one else wishing to speak, the public hearing was closed at 7:16 p.m.

Commissioner Davis made a motion to approve case ZC13-011. Commissioner Knox seconded.

The motion to approve case ZC13-011 carried by the following vote:

Aye: 5 – Knox, Dudziak, Wheelwright, Gotcher, and Davis

- 4b** Request for a zoning change from AG-Agricultural to R-40 Residential on 1.06 acres on Lot 8 of the Mrs. Eva Paul's Subdivision located at 1105 Tinker Road, case ZC13-012.

Ron Ruthven presented the case and briefed the Commission.

The public hearing was opened at 7:20 p.m.

Frank Ritz, the applicant and property owner, came forward to answer any questions.

Commissioner Gotcher questioned Mr. Ritz regarding whether this would be his private residence or a build and sale. Mr. Ritz replied it will be his private residence.

There being no one else wishing to speak, the public hearing was closed at 7:20 p.m.

Commissioner Gotcher made a motion to approve case ZC13-012. Commissioner Wheelwright seconded.

The motion to approve case ZC13-012 carried by the following vote:

Aye: 5 – Knox, Dudziak, Wheelwright, Gotcher, and Davis

- 4c** Request for a Special Use Permit for a dance studio on Lot 1, Block 1, of the Ratliff Addition, located at 5310 Pleasant Run Road, case ZC13-013.

Ron Ruthven presented the case and briefed the Commission.

Commissioner Wheelwright questioned staff regarding whether the property owner of 5300 and 5310 Pleasant Run Road were the same. Ron Ruthven replied yes.

Commissioner Dudziak questioned staff regarding the process for permitting any exterior modifications. Ron Ruthven replied a building permit would need to be applied for and approved by city staff. He further explained if the improvements total valuation exceeded the current building valuation, the property owner would be required to bring the building up to the requirements in the Land Development Code.

Commissioner Davis questioned staff regarding the driveway entrance/exit along Central Drive and whether it met code. Ron Ruthven replied yes.

Commissioner Gotcher questioned Rob McKeown, the fire marshal, regarding whether he would be calculating the building occupancy. Rob McKeown replied yes, as part of the Certificate of Occupancy process, the building official will determine the classification and group in which the building shall be labeled as.

The applicant was not present.

The public hearing was opened at 7:29 p.m.

Robert Figueroa, 817 Central Drive, came forward and spoke in opposition.

There being no one else wishing to speak, the public hearing was closed at 7:31 p.m.

Commissioner Wheelwright questioned staff regarding the possibility of patrons parking on the adjacent lot, 5300 Pleasant Run Road. Ron Ruthven replied the property would have to be developed. He further

explained if anyone were to park on the adjacent property as it is today, they would be in violation of the Land Development Code.

Discussion continued between staff and the Commission regarding parking on the adjacent property.

Commissioner Dudziak questioned staff regarding whether there would be any type of productions planned for this location; would this violate the ordinance? Ron Ruthven replied if the production or showcase was for the students, no.

Commissioner Dudziak questioned staff regarding whether the building could be rented out to other organizations. Ron Ruthven replied no.

Commissioner Dudziak questioned staff regarding another business moving into the building; would they also need to apply for a special use permit? Ron Ruthven replied as long as it is a use that is allowed by right in the Commercial Neighborhood zoning district, they would only need to apply for a Certificate of Occupancy.

Discussion continued between Commissioner Dudziak and staff regarding allowed uses.

Commissioner Wheelwright made a motion to approve case ZC13-013 with the condition that Sections 4(1) d and e in the proposed ordinance be removed. Commissioner Gotcher seconded.

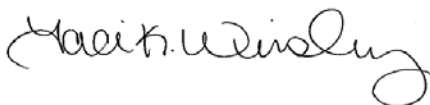
The motion to approve case ZC13-013 with the condition that Sections 4(1) d and e in the proposed ordinance be removed carried by the following vote:

Aye: 5 – Knox, Dudziak, Wheelwright, Gotcher, and Davis

5. ADJOURNMENT

The meeting adjourned at 7:42 p.m.

The minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on September 23, 2013 by a vote of 4-0.



City of Colleyville Zoning Board of Adjustment Minutes

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

Tuesday, September 10, 2013

City Council Chambers

Call to Order

The Sign Board of Appeals meeting of the City of Colleyville was called to order by Board member McNosky on September 10, 2013 at 7:00 p.m.

Roll Call

Present: Board members Mike Patino (Alternate 2), Mike Leathers, Mark Collier, Larry Kainer (Alternate 1), and Dee McNosky

Absent: Board members Jason Elms and Judson Orlando

Staff Present: Ron Ruthven and Taci Wrisley

1. SWEARING IN OF NEWLY APPOINTED MEMBER

Taci Wrisley swore in newly appointed member, Mike Patino as Alternate 2.

2. APPROVAL OF MINUTES

Board member Collier moved to approve the August 14, 2013 meeting minutes as written. Board member Leathers seconded.

The motion to approve as written carried by the following vote:

Aye: 5 – Patino, Leathers, Collier, Kainer, and McNosky

3. PUBLIC HEARING AGENDA ITEMS

3a Request for a variance to the rear yard setback requirements of the Land Development Code on Lot 55, of the Pecan Park Estates Addition, located at 6201 Ponderosa Street, case VC13-011.

Ron Ruthven presented the case and briefed the Board.

Brian Claffey, the applicant and property owner, came forward and briefed the Board.

The public hearing was opened at 7:06 p.m.

There being no one wishing to speak, the public hearing was closed at 7:07 p.m.

Board member Leathers made a motion to approve case VC13-011. Board member Kainer seconded.

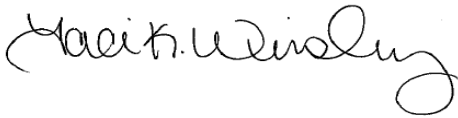
The motion to approve case VC13-011 carried with the following vote:

Aye: 5 – Patino, Leathers, Collier, Kainer, and McNosky

4. ADJOURNMENT

The meeting was adjourned at 7:07 p.m.

Minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on October 8, 2013 by a vote of 4-0.



City of Colleyville Planning and Zoning Commission Minutes

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

Monday, September 23, 2013

City Council Chambers

CALL MEETING TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by Chairman Byerly on September 23, 2013 at 7:00 p.m.

Roll Call

Present: Commissioners Larry Knox, Don Davis, David Phelps, and Jeff Byerly

Absent: Commissioners Dave Dudziak, David Wheelwright, and Jim Gotcher

Staff Present: Ron Ruthven, Amy Shelley, Dale Crown, Rob McKeown, Marty Wieder, and Matt Butler (City Attorney)

1. APPROVAL OF MINUTES

Commissioner Davis made a motion to approve the minutes as amended. Commissioner Knox seconded.

The motion to approve the minutes as amended carried by the following vote:

Aye: 4 – Knox, Davis, Phelps, and Byerly

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

There were no citizen comments/presentations regarding items not on the agenda as a public hearing item.

3. REGULAR AGENDA ITEMS

3a Consideration of a waiver request to the sidewalk requirements on Lot 1, Block 1, of the Hodgson Addition located at 4609 Behrens Road, Case GC13-018

Ron Ruthven presented the case and briefed the Commission.

Wes Poole, the applicant and the property owner, came forward and

briefed the Commission.

Commissioner Davis questioned Mr. Poole regarding what his understanding of the escrow fees were and did he believe at some point those fees would be refunded to him? Mr. Poole replied he was not sure what would happen to the fees but he would like a better understanding of what would happen with them. Ron Ruthven explained how sidewalk escrow works.

Mr. Poole stated that while they would prefer a waiver, they have no issues participating in escrow for the neighborhood sidewalks.

Discussion occurred between Chairman Byerly, Ron Ruthven, and Mr. Poole regarding procedure for paying into escrow and determining the amount that will be due.

Commissioner Davis made a motion to deny the waiver request with the requirement to escrow as determined by the City Engineer in the amount of \$3,325.44. Commissioner Phelps seconded.

The motion to deny the waiver request with the requirement to escrow as determined by the City Engineer in the amount of \$3,325.44 carried with the following vote:

Aye: 4 – Knox, Byerly, Davis, and Phelps

- 3b** Approval of a minor plat for 1.029 acres on Tracts 2K02, 2K01, and 2B01 of Abstract 1692 of the Joseph White Survey, located at 900, 904, and 908 Tinker Road, Case PC13-018

Ron Ruthven presented the case and briefed the Commission.

Commissioner Phelps questioned staff regarding whether the applicant was proposing to cover this area in cement, not asphalt. Ron Ruthven replied correct.

The applicant did not wish to come forward and speak.

Commissioner Phelps made a motion to approve Case PC13-018. Commissioner Knox seconded.

The motion to approve Case PC13-018 carried with the following vote:

Aye: 4 – Knox, Byerly, Davis, and Phelps

4. PUBLIC HEARING AGENDA ITEMS

- 4a** Request for an amendment to the PUD-C-Planned Unit Development Commercial zoning and development requirements for Lot 1R, Block 1, of the Wildwood Estates Addition located at 5700 Pool Road, Case ZC13-010

Ron Ruthven presented the case and briefed the Commission.

Commissioner Phelps questioned staff regarding the lots included in the request; had the applicant purchased 5600 & 5500 Pool Road and not 5486 Pool Road? Ron Ruthven replied correct. Commissioner Phelps also questioned staff regarding the demolition of the house that was on 5600 Pool Road. Ron Ruthven replied yes, the house has been demolished.

The public hearing was opened at 7:18 p.m.

Matt Watterson, on behalf of Compass Church, came forward and briefed the Commission.

Dave Tony, Pastor at Compass Church, and Gerald Ward, Architect for the project, was also present.

Commissioner Davis questioned Mr. Tony regarding the church's plans for the two additional lots that were purchased to the south of 5700 Pool Road. Mr. Tony replied they currently do not have plans for the recently purchased lots. Commissioner Davis stated that he felt he could make a better decision on a waiver to the fence if he knew what was being proposed for the lots in question. Mr. Tony replied he could suggest putting wordage in the ordinance that says they shall construct a fence if they decide to sell those properties.

Commissioner Davis questioned Mr. Watterson regarding the proposed materials to be used on the pavilion; would it be rock? Mr. Watterson replied, if required, they would use rock.

Commissioner Davis questioned Mr. Watterson regarding the reason for not wanting to use masonry. Mr. Watterson replied they feel that it is a clash of styles to use masonry with their structure.

Mr. Ward came forward and explained the thought process for making the decision to not use masonry.

Discussion continued between the Commission and Mr. Watterson regarding the materials and the height of the pavilion.

Commissioner Phelps stated he felt that adding masonry only six (6) foot up the columns would make them look spindly.

Commissioner Knox stated he felt it was better to leave the structure as is. Commissioner Davis concurred.

Commissioner Phelps questioned Mr. Tony regarding would the church extend the buffer between the residential properties and their property if they decided to develop their newly acquired lots? Mr. Tony replied yes.

There being no one else wishing to speak, the public hearing was closed at 7:34 p.m.

Commissioner Knox questioned staff regarding was the required width for the trail on Pool Road ten (10) foot? Ron Ruthven replied correct.

Discussion occurred amongst the Commission on how to word the motion.

Mr. Watterson came forward to get clarification on how the sidewalk escrow would work. Chairman Byerly explained how escrow would work.

Commissioner Phelps made a motion to approve Case ZC13-010 with the following conditions: 1) The requirement that the support columns for the main pavilion be composed of masonry materials is hereby deleted 2) The deletion of the screening fence and landscape buffer requirement on the south property line of the subject property is approved until such time that the adjacent properties south of the subject property are developed as residential properties; wherein said requirement shall apply. Commissioner Davis seconded.

The motion to approve Case ZC13-010 with the following conditions: 1) The requirement that the support columns for the main pavilion be composed of masonry materials is hereby deleted 2) The deletion of the screening fence and landscape buffer requirement on the south property line of the subject property is approved until such time that the adjacent properties south of the subject property are developed as residential properties; wherein said requirement shall apply

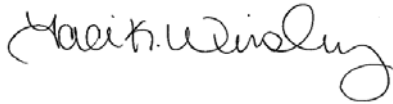
carried with the following vote:

Aye: 4 – Knox, Byerly, Davis, and Phelps

5. ADJOURNMENT

The meeting adjourned at 7:43 p.m.

The minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on October 14, 2013 by a vote of 4-0.



City of Colleyville Planning and Zoning Commission Minutes

City Hall
100 Main Street
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www.colleyville.com

Monday, October 14, 2013

City Council Chambers

CALL MEETING TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by Chairman Byerly on October 14, 2013 at 7:05 p.m.

Roll Call

Present: Commissioners Larry Knox, David Wheelwright, Jim Gotcher and Jeff Byerly

Absent: Commissioners Don Davis and David Phelps

Staff Present: Ron Ruthven, Taci Wrisley, Dale Crown, Rob McKeown, Marty Wieder, and Matt Butler (City Attorney)

1. APPROVAL OF MINUTES

Commissioner Wheelwright made a motion to approve the minutes as amended. Commissioner Gotcher seconded.

The motion to approve the minutes as amended carried by the following vote:

Aye: 4 – Knox, Wheelwright, Gotcher, and Byerly

2. SWEARING IN OF NEWLY APPOINTED MEMBERS

Taci Wrisley swore in newly appointed members Carel Tornes, Place 5 and Larry Knox, Place 7.

3. ELECTION OF OFFICERS

Commissioner Gotcher made a motion to elect Chairman Byerly as Chairman, Commissioner Knox as Vice-Chairman, and Taci Wrisley as Recording Secretary. Commissioner Wheelwright seconded.

The motion to elect Chairman Byerly as Chairman, Commissioner Knox as Vice-Chairman, and Taci Wrisley as Recording Secretary carried with the following vote:

Aye: 5 - Knox, Tornes, Wheelwright, Gotcher, and Byerly

4. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA AS A PUBLIC HEARING ITEM

There were no citizen comments/presentations regarding items not on the agenda as a public hearing item.

5. REGULAR AGENDA ITEMS

- 5a** Approval of a preliminary plat for 53.2 acres on Tract 1G, Abstract 1038 of the Hall Medlin Survey and Tracts 1A02 & 1C, Abstract 295 of the William E Crooks Survey located at 7612 & 7624 Pleasant Run Road, Case PC13-020

Ron Ruthven presented the case and briefed the Commission.

Commissioner Knox questioned staff regarding whether the developer was requesting any waivers with this plat. Ron Ruthven replied no.

Craig Mallard, on behalf of the developer, came forward and briefed the Commission.

Commissioner Wheelwright questioned Mr. Mallard regarding the open space that was offered to the City. Mr. Mallard replied he did not believe that the City accepted their offer of the open space. Mr. Mallard further explained that part of their trail on the North end of the property would be public access; however, the remainder of the open space would be private.

Commissioner Tornos questioned Mr. Mallard regarding Lot 1 and Lot 2 being in the 100 Year Flood Plain. Mr. Mallard replied the lots would be built up during construction to remove them from the flood plain.

Commissioner Knox made a motion to approve Case PC13-020. Commissioner Wheelwright seconded.

The motion to approve Case PC13-020 carried with the following vote:

Aye: 5 - Knox, Tornos, Wheelwright, Gotcher, and Byerly

- 5b** Approval of a minor plat for 3.02 acres on Tract 2B, of Abstract 328 of the Simon Cotrail Survey, located at 5016 Montclair Drive, Case PC13-022

Ron Ruthven presented the case and briefed the Commission.

Nelson Mitchell, the property owner, came forward to answer any

questions.

Commissioner Gotcher made a motion to approve Case PC13-022. Commissioner Tornes seconded.

The motion to approve Case PC13-022 carried with the following vote:

Aye: 5 - Knox, Tornes, Wheelwright, Gotcher, and Byerly

6. PUBLIC HEARING AGENDA ITEMS

- 6a** Request for a zoning change from R-40 Single Family Residential to PUD-R-Residential on 15.4 acres of Lot 1, Block 1 of the Breezy Lake Estates, Lots 1A and 1B, Block 1 of the Meadowlake Addition and Tract 2B, McNary Acres Addition located at 1117, 1121 and 1217 W. L. D. Lockett Road and a portion of Lot 1, Block 1 of the Bear Valley Community Church Addition located at 7900 Precinct Line Road, Case ZC13-014

Commissioner Wheelwright recused himself from this item.

Ron Ruthven presented the case and briefed the Commission.

Commissioner Tornes questioned staff regarding what is just to the South of this property? Ron Ruthven replied there is a retention pond that belongs to the neighboring subdivision as open space.

The public hearing was opened at 7:28 p.m.

Curtis Young, on behalf of the Sage Group, came forward and introduced the developer.

Kosse Maykus, on behalf of Hat Creek Development, came forward and briefed the Commission.

Commissioner Tornes questioned Mr. Maykus regarding the gated secondary entrance to the development. Mr. Maykus replied the secondary gated entrance is to allow a second point of ingress and egress for emergency personnel and a second point of egress for residents only. He further explained the residents would not be able to enter the development from this gated access point.

Commissioner Byerly questioned Mr. Maykus regarding the discrepancy on the documents provided to the Commission and the presentation regarding lot width sizes. Mr. Maykus clarified that the lot width sizes would be 60 feet and 74 feet.

Commissioner Tornes questioned Mr. Maykus regarding where the property lines for Heron Pond and Reatta Place would be. Mr. Maykus replied the property lines for Heron Pond would back up to the existing property lines of Reatta Place.

Robert Nelson, 5522 Texas Trail, came forward and spoke in opposition.

Jarrold Upton, 5604 Texas Trail, came forward and spoke in opposition.

Bruce Mills, 5509 Texas Trail, came forward and spoke in opposition.

Kelly Smith, 5704 Texas Trail, came forward and spoke in opposition.

Craig Walter, 5910 Crescent Way, came forward and spoke in support.

Krystle Joyner located at 5514 Texas Trail, Karen Belford located at 5700 Texas Trail, and Christopher Belford located at 5700 Texas Trail all wished to record their opposition but did not wish to speak.

There being no one else wishing to speak, the public hearing was closed at 8:05 p.m.

Mr. Maykus came forward and addressed comments and concerns.

Commissioner Tornes questioned Mr. Maykus regarding tree preservation along W. L. D. Lockett Road. Mr. Maykus replied they would go to the site with their surveyor and flag where the sidewalk will be constructed in order to save as many trees as possible. He further explained their processes for tree preservation.

Commissioner Tornes questioned Mr. Maykus regarding drainage on the Southeast side of the property. Mr. Maykus replied there is no way drainage from their development would affect Reatta Place. He further explained he was confident there would be no drainage issues from this development.

Chairman Byerly questioned Mr. Maykus regarding whether any open space was lost with the discrepancy that was discussed previously. Mr. Maykus replied no.

Discussion occurred between Chairman Byerly, Ron Ruthven, Mr. Young, and Mr. Maykus to clarify lot width sizes.

Commissioner Tornes questioned Mr. Maykus regarding the number of floor plans that were proposed for this development. Mr. Maykus

replied they have some ideas but have not developed the floor plans yet.

Commissioner Tornes questioned Mr. Maykus regarding his willingness to limit the number of windows on second story homes. Mr. Maykus replied that while he did not see many second story homes going into this development, he would compromise and limit the number of windows allowed on the lots on the Eastern side of the development, if any second story homes were built there.

Commissioner Tornes questioned staff regarding the ability to work with the Texas Department of Transportation to configure the light that will be installed at W. L. D. Lockett Road and Precinct Line Road. Ron Ruthven replied yes.

Chairman Byerly stated this was a very good transitional development and would be happier with a development like the proposed development versus commercial.

Commissioner Gotcher echoed Chairman Byerly.

Commissioner Tornes stated as long as the windows were limited on the second story homes, the traffic light was addressed, the drainage was addressed properly, and trees were preserved he felt the development would reflect the country feel the residents love.

Commissioner Knox echoed Commissioner Tornes.

Chairman Byerly made a motion to approve Case ZC13-014 with the following conditions: (1) The minimum lots widths shall apply: Planning Area A - 74 feet, Planning Area B - 60 feet (2) Homes in Planning Area A shall contain no more than three 2nd story windows on the rear of the home (3) A minimum of two, three (3) inch caliper trees shall be planted in the front yard of every home in the development (4) For Planning Area A, the following setbacks shall apply in addition to the other setback requirements: Side yard - 7 feet, Rear yard - 30 feet. Commissioner Gotcher seconded.

Commissioner Gotcher questioned Mr. Maykus regarding the developer's agreement to not interfere with the Bear Valley Church's baseball field. Mr. Maykus replied the development will not be interfering with the baseball fields because their open space lot is adjacent to the baseball fields and there will be no amenities in this space and is not fenced in.

The motion to approve Case ZC13-014 with the following conditions: (1) The minimum lots widths shall apply: Planning

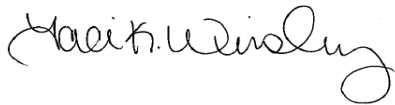
Area A - 74 feet, Planning Area B - 60 feet (2) Homes in Planning Area A shall contain no more than three 2nd story windows on the rear of the home (3) A minimum of two, three (3) inch caliper trees shall be planted in the front yard of every home in the development (4) For Planning Area A, the following setbacks shall apply in addition to the other setback requirements: Side yard - 7 feet, Rear yard - 30 feet carried with the following vote:

Aye: 4 - Knox, Tornes, Gotcher, and Byerly

7. ADJOURNMENT

The meeting adjourned at 8:45 p.m.

The minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on October 28, 2013 by a vote of 7-0.

RESOLUTION R-13-3685

**A RESOLUTION APPROVING CITY COUNCIL ACTION
UNDER BUSINESS AT THE REGULAR
CITY COUNCIL MEETING OF
NOVEMBER 5, 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 5TH DAY OF NOVEMBER 2013.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor