



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, April 14, 2014

City Council Chambers

**PRE COMMISSION MEETING
6:15 P.M.
EXECUTIVE CONFERENCE ROOM
THIRD FLOOR**

LEGAL BRIEFING BY CITY ATTORNEY REGARDING PLANNING, ZONING, PLATTING, AND LAND USE

REVIEW OF REGULAR AGENDA ITEMS AND DISCUSSION OF PREVIOUS MEETING MINUTES

DISCUSSION OF ITEMS TO BE PLACED ON FUTURE AGENDAS AND UPDATES ON DEVELOPMENT TRENDS, PROGRESS AND CITY COUNCIL ACTIONS ON PAST AGENDA ITEMS

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

**7:00 P.M. - REGULAR MEETING
CALL TO ORDER AND ROLL
INVOCATION: Commissioner Knox
PLEDGE OF ALLEGIANCE**

1. APPROVAL OF MINUTES

March 24, 2014

2. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA AS A PUBLIC HEARING ITEM

3. CONTINUED PUBLIC HEARING AGENDA ITEM

- 3a** Request for a Special Use Permit for a wedding chapel on Lot 1R1, Block 1, of the Monterra Place Addition located at 1700 Tennison Parkway, ZC14-002

4. REGULAR AGENDA ITEMS

- 4a** Approval of the updated bylaws for the Planning and Zoning Commission
- 4b** Request for a vacating plat on Lot 13-R, Block 8, of the Oak Crest Hills Addition located at 313 Oak Valley Drive, Case PC14-005

5. PUBLIC HEARING AGENDA ITEMS

- 5a** Request for a Special Use Permit for on-premise alcohol sales on Lot 3, Block 1, of the Tara Addition located at 1009 Cheek-Sparger Road, Suite 122A, Case ZC14-003
- 5b** Request for an amendment to the Special Use Permit for a Package Store development requirements for Lot 1, Block 1, Atlantic Oil & Gas Addition located at 7990 Precinct Line Road, Case ZC14-005

6. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards April 11, 2014 by 5:00 p.m.

Taci Wrisley
Planning and Zoning Assistant

A quorum of the Colleyville City Council may be in attendance at this meeting.

Any matter on this agenda may, at the discretion of the governing body, be opened for public comment and discussion.

If you plan to attend this public meeting and have a disability that requires special accommodations, please advise the City Secretary at least 48 hours in advance at 817.503.1133, and reasonable accommodations will be made to assist you.



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number	Agenda Date 04/14/2014	Number
Type Approval of Minutes		
Department Community Development		

Title

March 24, 2014

Explanation

Recommendation

Attachments

1. Planning and Zoning Commission Meeting Minutes - March 24, 2014



City of Colleyville Planning and Zoning Commission Minutes

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

Monday, March 24, 2014

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 March 24, 2014 at 7:12 p.m.

Roll Call

Present: Commissioners Larry Knox, Carel Tornes, David Wheelwright, Don Davis, David Phelps, and Chairman Byerly

Absent: Commissioner David Gotcher

Staff Present: Ron Ruthven, Mary Elliott, Taci Wrisley, Rob McKeown, Brian Riley, Marty Wieder, Dale Crown, and Matt Butler (City Attorney)

1. APPROVAL OF MINUTES

Commissioner Davis made a motion to approve the minutes as written. Commissioner Tornes seconded.

The motion to approve the minutes as written carried by the following vote:

Aye: 6 – Knox, Tornes, Wheelwright, Davis, Phelps, and Byerly

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. PUBLIC HEARING AGENDA ITEMS

- 3a** Request for a Special Use Permit for a wedding chapel on Lot 1R1, Block 1, of the Monterra Place Addition located at 1700 Tennison Parkway, Case ZC14-002

Mary Elliott presented the case and briefed the Commission.

Commissioner Davis questioned staff regarding if Tennison Parkway ran through the subject property or if it was adjacent to it. Mary

Elliott replied Tennison Parkway does not run through the property.

Commissioner Davis stated he wondered if there would be problems with parking along Tennison Parkway and should the City install No Parking signs. The Fire Marshall came forward and stated the City would not install signs unless there was an issue. He further stated they would monitor the situation, as needed.

Commissioner Tornos questioned staff regarding whether the applicant had submitted documentation on plans to mitigate noise and how would alcohol be addressed without the applicant having a permit. Mary Elliott replied with regards to the noise, the property is heavily wooded and the hours of operations had been modified to reflect the City of Colleyville's nuisance ordinance. She also explained the facility would have a security guard on site during events.

Chairman Byerly questioned staff regarding which uses were allowed in the CC-1 Village Retail zoning district. Mary Elliott explained the permitted uses for CC-1 Village Retail.

The public hearing was opened at 7:25 p.m.

The applicant was not present to address the Commission.

Craig Cairns, 1617 Douglas Avenue, came forward and spoke in opposition.

Dan Swart, 6811 Milton Drive, came forward and spoke in opposition.

Dee Kamerman, 1521 Tennison Parkway, came forward and spoke in opposition.

Gary Grosbeck, 1608 Douglas Avenue, Grace Grosbeck, 1608 Douglas Avenue, and Suresh Vashish, 1604 Douglas Avenue 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 7:38 p.m.

Commissioner Tornos questioned staff if there was a fence surrounding the property. Mary Elliott replied no. Ron Ruthven added there is open space between this property and the rest of the development.

Discussion continued between staff and the Commission regarding the

fence requirements for the development.

Commissioner Wheelwright questioned staff regarding if there were any guidelines that addressed the business allowing alcohol to be consumed at an event without actually serving it themselves. Mary Elliott replied they would still be required to obtain a permit from the Texas Alcoholic Beverage Commission (TABC). Ron Ruthven added caterers would not be allowed to provide alcohol because that would be considered a sale and would require a Special Use Permit.

Discussion continued between staff and the Commission regarding the guidelines for allowing the consumption of alcohol at this facility.

Commissioner Tornes questioned staff regarding the number of parking spaces available. Mary Elliott replied the same ratio used to calculate parking spaces for other community spaces was used, such as churches. Mary Elliott replied the facility has a total of 74 parking spaces, including their shared parking agreement.

Commissioner Phelps stated he is not opposed to what is being proposed and was open to adding requirements where they may have been missed previously.

Discussion continued between staff and the Commission regarding the options for the case moving forward.

Chairman Byerly made a motion to continue Case ZC14-002 to the April 14, 2014 Planning and Zoning Commission Meeting. Commissioner Phelps seconded.

The motion to continue Case ZC14-002 to the April 14, 2014 Planning and Zoning Commission Meeting carried by the following vote:

Aye: 6 – Knox, Tornes, Wheelwright, Davis, Phelps, and Byerly

- 3b** Request for a Special Use Permit for a concrete batch plant 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 ZC14-004

Mary Elliott presented the case and briefed the Commission.

The public hearing was opened at 7:57 p.m.

Mark Leonard, on behalf of Gil Co. Contracting, came forward and briefed the Commission.

Commissioner Davis questioned Mr. Leonard regarding the number of yards a regular cement truck carries. Mr. Leonard replied ten (10). He further explained it sometimes depends on the city's requirements.

Commissioner Davis questioned Mr. Leonard regarding the number of yards he was anticipating for this project. Mr. Leonard replied about 2,500 cubic yards.

Discussion continued regarding the number and types of trucks that would possibly be traveling to the site.

Commissioner Phelps questioned Mr. Leonard if he had any concerns regarding the roundabout at John McCain Road. Mr. Leonard replied he felt turn may be a little difficult to maneuver but had been told it would work.

Discussion occurred between Commissioner Phelps and Mr. Leonard regarding possible routes.

Chairman Byerly questioned Mr. Leonard regarding where the trucks would be coming from. Mr. Leonard replied Midlothian.

Commissioner Phelps questioned Mr. Leonard regarding if the prep work would be completed prior to the arrival of material for the batch plant. Mr. Leonard replied he would have about a two (2) day head start.

Commissioner Davis questioned Mr. Leonard regarding the timeline of set-up of the batch plant. Mr. Leonard replied set-up would take approximately one (1) day. He further explained it would take approximately three (3) days from start of set-up to the completion of pouring.

Commissioner Tornos questioned Mr. Leonard regarding the amount of dust that is expected from the batch plant and the process for managing run-off of water or materials. Mr. Leonard replied there would be some dust but it would be a very small amount. Mr. Leonard further explained the process for the clean-out of their trucks and the batch plant itself.

Thomas Schneider, on behalf of Stormcon LLC., came forward and briefed the Commission regarding the environmental aspects of the batch plant.

There being no one else wishing to speak, the public hearing was closed at 8:11 p.m.

The public hearing was re-opened at 8:12 p.m.

Chris Monroe, 1500 S. White Chapel Blvd, came forward and spoke in opposition.

There being no one else wishing to speak, the public hearing was closed at 8:13 p.m.

Commissioner Knox made a motion to approve Case ZC14-004. Commissioner Tornes seconded.

Chairman Byerly made a friendly amendment to recommend an alternate route from John McCain Road and to clarify 21 consecutive days.

Commissioner Knox and Commissioner Tornes both accepted the amendments.

Discussion occurred between staff and the Commission regarding potential routes.

Commissioner Phelps questioned staff regarding whether or not there was language in the ordinance stating the contractor will be responsible for damage done to the roadways. Ron Ruthven replied, if proven, the contractor would be held liable.

The motion to approve Case ZC14-004 with the following conditions: 1) staff consider an alternate route to John McCain Road, to Church Street, to Tinker Road 2) staff clarify 21 consecutive days carried by the following vote:

Aye: 6 – Knox, Tornes, Wheelwright, Davis, Phelps, and Byerly

- 3c** Request for a Special Use Permit for a temporary concrete batch plant on an approximate 37,500 square foot portion of 108.5 acres out of the Elizabeth Cox Survey, Abstract 352, The John H. Havens Survey, Abstract 685, The Jesse Doss Survey, Abstract 441, and the S.C.H. Witten Survey, Abstract 1734, located at the northwest corner of Heritage Avenue and Cheek Sparger Road, Case ZC14-006

Mary Elliott presented the case and briefed the Commission.

The public hearing was opened at 8:22 p.m.

Mark Leonard, on behalf of Gil Co. Contracting, came forward and briefed the Commission.

There being no one else wishing to speak, the public hearing was closed at 8:23 p.m.

Commissioner Phelps made a motion to approve Case ZC14-006 with the following condition: 1) staff clarify 21 consecutive days. Commissioner Wheelwright seconded.

The motion to approve Case ZC14-006 with the following condition: 1) staff clarify 21 consecutive days carried by the following vote:

Aye: 6 – Knox, Tornes, Wheelwright, Davis, Phelps, and Byerly

- 3d** Approval of amendments to Chapter 3 - Land Use, Section 3.24.B-Schedule of Permitted Uses and Section 3.24.D-Temporary Buildings and Uses in the Land Development Code, Case GC14-006

Mary Elliott presented the case and briefed the Commission.

Commissioner Phelps questioned staff regarding whether there is a difference between a concrete batch plant and an asphalt batch plant. Mary Elliott replied no.

Commissioner Tornes questioned staff regarding if the amendments were being made to streamline the process so that these types of request could be approved by staff, unless there was a waiver being requested. Mary Elliott replied yes.

Discussion occurred between staff and the Commission regarding possible conditions.

The public hearing was opened at 8:33 p.m.

There being no one wishing to speak, the public hearing was closed at 8:33 p.m.

Commissioner Davis made a motion to approve Case GC14-006 with the following conditions: 1) Staff to clarify the distance requirements from residential and religious uses and adding schools to the distance requirements 2) Staff to clarify 21 consecutive days. Commissioner Tornes seconded.

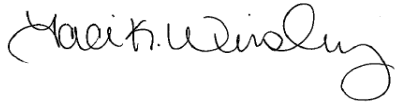
The motion to approve Case GC14-006 with the following conditions: 1) Staff to clarify the distance requirements from residential and religious uses and adding schools to the distance requirements 2) Staff to clarify 21 consecutive days carried by the following vote:

Aye: 6 – Knox, Tornos, Wheelwright, Davis, Phelps, and Byerly

4. ADJOURNMENT

The meeting adjourned at 8:35 p.m.

The minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on April 14, 2014 by a vote of _____.



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 3a	Agenda Date 04/14/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for a Special Use Permit for a wedding chapel on Lot 1R1, Block 1, of the Monterra Place Addition located at 1700 Tennison Parkway, ZC14-002

Explanation

Update

The Planning and Zoning Commission continued this agenda item to the April 14, 2014 meeting, since the applicant was not present at the March 24th meeting.

The applicant met with the Monterra Home Owners Association board and agreed to change the outdoor venue to only allow wedding ceremonies with a maximum of 75 people, including 65 attendees and ten support staff. Outdoor evening ceremonies will conclude no later than 9:00 p.m. Receptions or party events will only be held inside. The applicant has submitted a Revised Statement of Planning Objectives reflecting these changes (see attached). The applicant has also submitted Revised Seating Layout and Outdoor Amenities (see attached) with the reference to a "possible tent location" removed from the plans.

Planning and Zoning Commission - April 14, 2014

Robin Scheuerman with Monarch Photographic Corporation has submitted a request for a Special Use Permit to add a wedding chapel to an existing photography studio at 1700 Tennison Parkway.

Existing Conditions and Zoning. The subject property contains an 8,946 square foot building, which is currently occupied by Monarch photography studio. The property is platted as Monterra Place Addition, Block 1, Lot 1R1. The site is zoned Planned Unit Development-Residential (PUD-R), which allows CC-1-Village Retail uses at this location. A wedding chapel is allowed in the CC-1-Village Retail zoning district with Special Use Permit approval.

Statement of Planning Objectives. The request is for a Special Use Permit for a wedding chapel that will host other small venue receptions. There will be two rooms, one for 65 attendees and the other for 45 attendees. Both rooms will allow for ten support staff for any given event. The building will not exceed 125 people at one time,

including the support staff.

Food will be catered to the site, so facilities for commercial food preparation will not be required. The owner will not hold a license to sell alcohol. Alcohol sales will require a separate Special Use Permit, if the owner chooses to sell alcohol at a later date. Six new employees will operate the facility to host events and to provide security.

Hours of Operation. Events will usually occur on weekend and week night schedules when the photography studio and adjacent businesses are not in operation. Hours of operation will be 7:00 a.m. to 10:00 p.m., Sunday through Thursday, and 7:00 a.m. to 11:00 p.m., Friday through Saturday. Outdoor events will occur between the hours of 7:00 a.m. to 9:00 p.m., Sunday through Saturday.

Parking and Access. The property is located along Tennison Parkway, west of Colleyville Boulevard. Tennison Parkway has four lanes and is divided by a landscaped median. There is an opening in the median to accommodate traffic from the driveway. There is a fire lane at the back of the property that connects to State Highway 26.

There is not a specific number of parking spaces designated for this use. However, churches are also community spaces and require one space for every three seats. Using the church ratio, 42 parking spaces would be required. The site provides 39 spaces, and the owner has a shared parking agreement for 35 spaces with the adjacent property owner (attached).

Surrounding Land Uses and Zoning. The property to the north is zoned CC-2-Shopping Center district and is currently vacant. The property to the east is zoned Planned Unit Development-Residential (PUD-R) and is developed for various office and service uses. The property to the south is zoned Planned Unit Development-Residential and provides drainage and open space uses for the Monterra residential subdivision. On the hard corner of Tennison Parkway and Colleyville Boulevard is Lone Star Collision, zoned Light Manufacturing (ML) district. To the south and west of the subject property are single family residences and open space uses.

Master Plan. The Future Land Use Plan designates the subject property for retail uses. Retail and service uses are consistent with the Future Land Use Map and 2005 Comprehensive Plan.

Public Notification. Staff mailed notices to 11 adjacent property owners within 200 feet, as well as 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. There were seven letters of opposition regarding this request.

Summary. The existing photography studio can adapt to the proposed use with very minor alterations to the existing facility. In addition, the site has adequate parking

spaces to accommodate the proposed use. With the median cut, the proposed use has access to Tennison Parkway in both directions. There are existing commercial and retail uses to the east of the property and open space as a buffer to the residential properties to the west. Taking these factors into account, staff recommends approval of the Special Use Permit for a wedding chapel.

Recommendation

Approval with the following conditions:

1. HOURS OF OPERATION

a. The hours of operation for indoor events shall be as follows:

Sunday – Thursday: 7:00 a.m. – 10:00 p.m.
Friday – Saturday: 7:00 a.m. – 12:00 a.m.

The hours of operation for outdoor events shall be as follows:

Sunday – Thursday: 7:00 a.m. – 7:00 pm
Friday – Saturday: 7:00 a.m. – 10:30 p.m.

b. This development shall be generally consistent with the Statement of Planning Objectives, attached as Exhibit "B".

2. PERMITTED USES

a. The uses allowed by this Special Use Permit shall be for a wedding chapel. The following shall be acceptable accessory uses: birthday, graduation, anniversary or other special receptions, and conference center.

b. The Special Use Permit shall automatically expire upon the abandonment of the business; change in use or upon the expiration or termination of the Certificate of Occupancy for the wedding chapel.

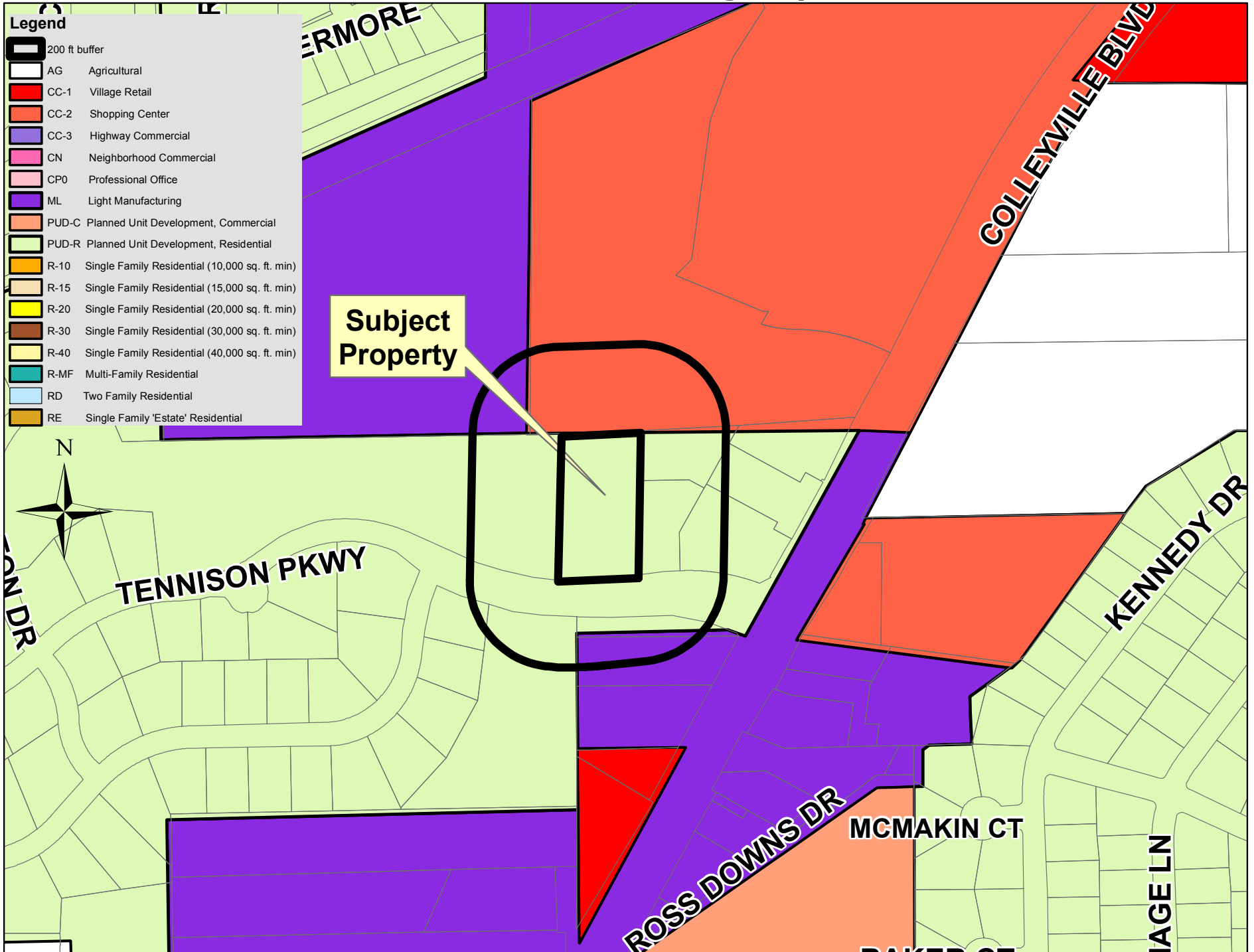
c. The site and building layout of the wedding chapel shall generally conform to the attached, Exhibit "C" labeled as Site Plan and Floor Plan.

Attachments

1. Location and Zoning Map
2. Aerial
3. Buffer Map
4. Notification List
5. Letters of Opposition
6. Revised Statement of Planning Objectives
7. Statement of Planning Objectives
8. Revised Seating Layout and Outdoor Amenities

9. Seating Layout and Outdoor Amenities
10. Shared Parking Agreement
11. Street View
12. O-98-1098
13. Ordinance O-14-XXXX

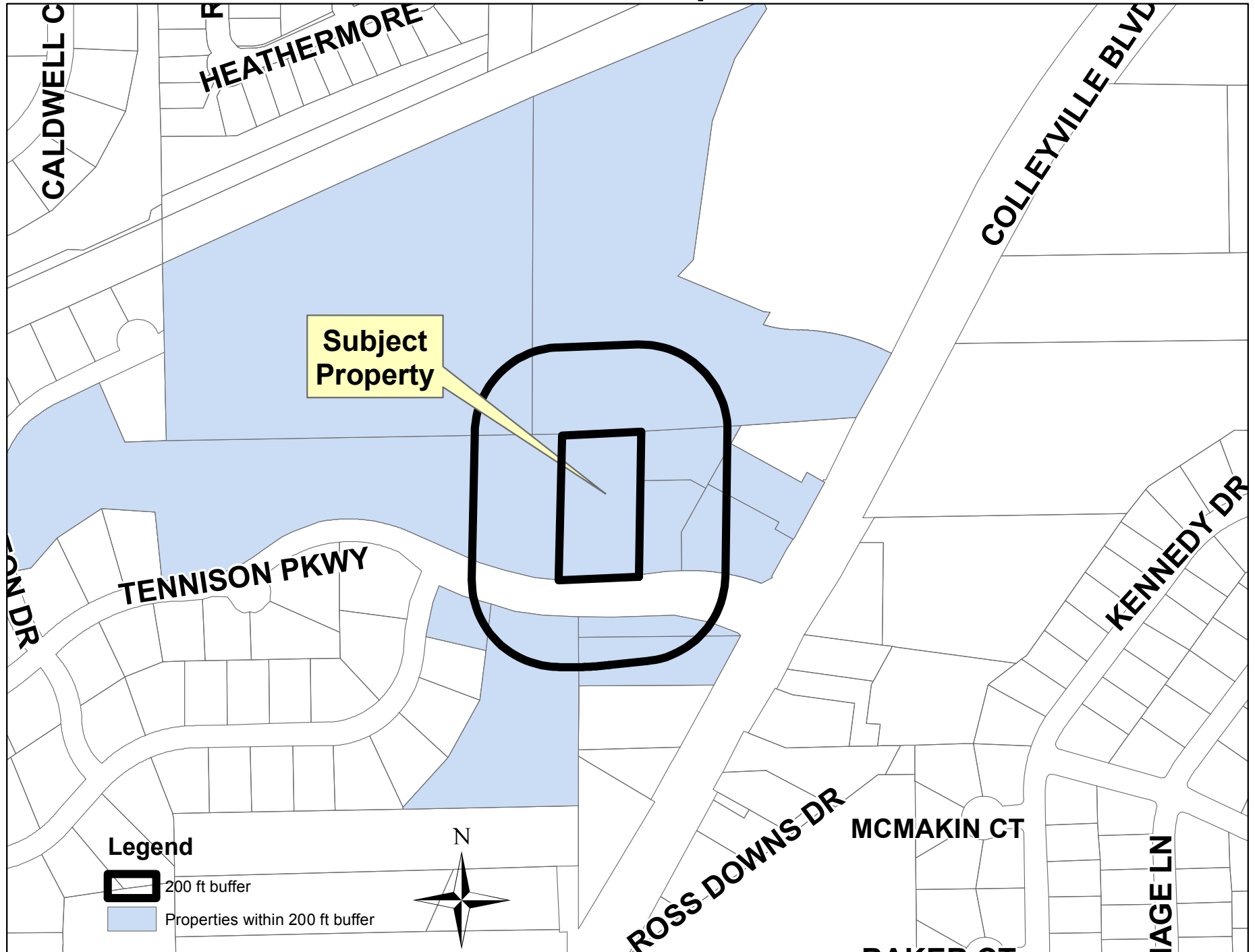
Location and Zoning Map



Aerial



Buffer Map



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
MONTERRA HOME OWNER'S ASSOC	6707 BRENTWOOD STR RD	FORT WORTH	TEXAS	76112	001799 TENNISON PKWY
FELLER-DAVIS ENTERPRISES LLC	3300 SPRING VALLEY DR	BEDFORD	TEXAS	76021	006900 COLLEYVILLE BLVD
LFP PROPERTIES INC	7505 GLENVIEW DR STE 150	RICHLAND HILLS	TEXAS	76180	001704 TENNISON PKWY
MONARCH PHOTOGRAPHIC CORP	1700 TENNISON PKWY	COLLEYVILLE	TEXAS	76034	001700 TENNISON PKWY
LFP PROPERTIES INC	7505 GLENVIEW DR STE 150	RICHLAND HILLS	TEXAS	76180	001706 TENNISON PKWY
MONTERRA HOME OWNER'S ASSO	6707 BRENTWOOD STAIR RD	FORT WORTH	TEXAS	76112	001690 TENNISON PKWY
CAIRNS, CRAIG ETUX NANCY	1617 DOUGLAS AVE	COLLEYVILLE	TEXAS	76034	001617 DOUGLAS AVE
CHESAPEAKE LAND DEV CO LLC	6100 N WESTERN AVE	OKLAHOMA CITY	OKLAHOMA	73118	001701 JOHN MCCAIN RD
CHESAPEAKE LAND DEV CO LLC	6100 N WESTERN AVE	OKLAHOMA CITY	OKLAHOMA	73118	006900 COLLEYVILLE BLVD
LONE STAR COLLISON LTD	6804 COLLYVILLE BLVD	COLLEYVILLE	TEXAS	76034	006804 COLLEYVILLE BLVD
MONTERRA HOME OWNER'S ASSOC	6707 BRENTWOOD STR RD	FORT WORTH	TEXAS	76112	001699 TENNISON PKWY
CTAJ LTD	6904 COLLYVILLE BLVD	COLLEYVILLE	TEXAS	76034	006904 COLLEYVILLE BLVD
GRAPEVINE-COLLEYVILLE ISD	3051 IRA E. WOODS AVE	GRAPEVINE	TEXAS	76051	COURTESY NOTICE
Monterra HOA, Daniel Swart	6811 MILTON DRIVE	COLLEYVILLE	TEXAS	76034	COURTESY NOTICE
Monterra HOA, Michelle Williams	4113 GATEWAY DRIVE #100	COLLEYVILLE	TEXAS	76034	COURTESY NOTICE
Robin Sheuerman, Applicant	1700 TENNISON PKWY	COLLEYVILLE	TEXAS	76034	APPLICANT

Public hearing notices were mailed
Fri., Mar. 7, 2014 by Taci Wrisley

Letters of Opposition

March 23, 2014

To: Planning and Zoning Commission for the City of Colleyville

From: HOA President of Monterra

Subject: Special Use Permit for a wedding chapel

The HOA of Monterra strongly objects to the rezoning and turning 1700 Tennison Parkway into a Special Events location. The HOA opposes a special use permit for a wedding chapel.

We strongly object to a facility having events with 10,000 visitors to the entrance of Monterra and Sapphire, as the entrance for over 125 homes.

We strongly question and reject that parking will be adequate. If rezoned and parking is an issue it will be too late. People will be parking in the fire lane and on Tennison Parkway.

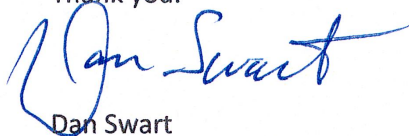
We strongly object to events being held until 10:00pm weeknights and 12:00am weekends. The noise and lighting from these events will be an issue.

If the estimate for 10,000 visitors per year is close, this amount of traffic to the entrance of two subdivisions will be a traffic nightmare and unacceptable. We strongly reject that traffic will be nominal. 10,000 visitors would be 153 events.

We strongly reject the market research. A business of this nature does not belong at the entrance to 2 residential communities. It will be a nightmare and devalue our property by thousands of dollars, thereby actually reducing the tax base, counter-productive to the estimated added sales tax to the City, suggested by the application.

Therefore, we respectfully ask the Commission to reject the special issue permit.

Thank you.

A handwritten signature in blue ink that reads "Dan Swart". The signature is stylized with a large, looped initial "D".

Dan Swart

President Monterra HOA

Letters of Opposition



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 <u>speak</u> , but please record my: ☐ support ☒ opposition	
Agenda Item Number: <u>34</u>	
Name: <u>Suresh Vashishth</u>	
Address: <u>1604 Douglas Ave.</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817-875-2216</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.	

SPEAKER CARD	
Date: <u>3/24/14</u>	
☐ I will speak In Support of this item.	
☐ I will speak In Opposition to this item.	
☒ I do not wish to <u>speak</u> , but please record my: ☐ support ☒ opposition	
Agenda Item Number: <u>3a</u>	
Name: <u>Bruce Groesbeck</u>	
Address: <u>1608 Douglas</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817-488-0002</u>	Representing: <u>homeowner in</u> (organization/self) <u>Montana</u>
<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>Bruce Groesbeck</u>	
This information is a Public Record.	

Letters of Opposition

Date: <u>3/24/14</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>3a</u>	
Name: <u>Gary Groesbeck</u>	
Address: <u>1608 Douglas Ave</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817 4880002</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>Gary Groesbeck</u>	This information is a Public Record.

Date: <u>3/24/14</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>3a</u>	
Name: <u>Dee Kamerman</u>	
Address: <u>1521 Tennison Parkway</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>817-416-2277</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>Dee Kamerman</u>	This information is a Public Record.

Letters of Opposition

Date: <u>3/24/14</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>CRAIG CAIRNS</u>	
Address: <u>1617 Douglas Ave.</u>	
City: <u>Colleyville</u>	State: <u>TX</u> Zip Code: <u>76034</u>
Telephone Number: <u>8176569161</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>Craig Cairns</u>	
This information is a Public Record.	

Date: <u>3-24-14</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>DAN SWART</u>	
Address: <u>6811 MILTON DR</u>	
City: <u>COLLEYVILLE</u>	State: _____ Zip Code: _____
Telephone Number: <u>817-582-0048</u> <u>-3038</u>	Representing: <u>HOA Monterra</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>Dan Swart</u>	
This information is a Public Record.	

Revised Statement of Planning Objectives

Monarch Photographic Corp
1700 Tennison Parkway
Colleyville, TX 76034

MONTERRA PLACE SUP Statement of Planning Objectives

Concept

The Monarch Photographic Corporation currently operates the metroplex's largest facility at our "**Marcel's at Monterra**" studios, located along Bear Creek, one block west from Colleyville Boulevard on Tennison Parkway in the Monterra Place Addition. Our company has provided graduating senior photography services to school districts since 1962. The facility covers nearly 9000 sq. ft. on a 2 acre site on Bear Creek. Indoors, the studio is quite elegant complete with chandelier, 25 ft. ceiling, baby grand piano, dressing areas, sunroom and kitchenette on the west side. The east side space is utilized as overflow studio and additional proposed venue space. Our outdoor portrait park contains a half-acre wildflower garden, year round stream, gazebo, archways, terraces, waterfall, and large lawn to facilitate superior imaging. Because of the picturesque setting, we are often beset with requests to hold special events at this location from our clients, their families, and school groups seeking banquet locations.

Market Research

Citing a lack of small event venues in the City of Colleyville, our feedback from the public has been quite favorable. The location is far removed from both busy roads and residential neighborhoods, separated by a natural stream corridor, and is a pleasing respite for the passing motorists entering the Monterra subdivision. We foresee a highly sought after venue that will generate funding to further develop the garden spot we have created.

Conversion Activity and Occupancy

With the SUP dual use designation, we will be converting space in two (of four) camera rooms. There will be no construction involved in the conversion of the rooms, other than rearranging of sets, screening those that remain, setting up tables and seating, and cleaning. Including the hosts and support staff, proposed occupancy of the west side studio is 75 people (including 10 support staff). The east side space is event ready for parties of 55 (including support staff). The facility possesses 39 parking spaces and has secured a shared parking arrangement with the adjacent property owner for 35 more. There is also additional street side parking on the unnamed road at the rear of the complex, outside of the fire lane. Outdoor events will be available to the extent they do not interfere with our photographic sets. Clients will be given their choice of sets (gazebo, waterfall, arch, or patio) for outdoor ceremonies. Maximum attendance for the outdoor ceremonies is 65 people. Outdoor operation hours are between 7:00 am and 9:00 pm to comply with Code of Ordinances, Article II, Section 42.27. Late night or early morning cleaning crews may be present indoors as need arises. The facility will not apply for TABC licenses at this time, and will not sell alcoholic beverages. All catering, florist, and equipment services will be supplied from off-site contractors.

Revised Statement of Planning Objectives

Economic Development

Operation of the facility will require the hiring of six new employees to set up/ tear down, host events, and provide security. Traffic through the facility will likely increase from the 5,000 annual visits occurring currently, to perhaps 10,000 visits annually. Events likely occur on weekend/ weeknight schedules when the studio and adjacent businesses are not in operation, so impacts on traffic will be nominal. Indoor events will be completed by 10:00 pm weeknights and 11:00 pm on weekends. Once both venues are 100% utilized we estimate the additional revenues to the facility to generate \$16850 in additional sales tax revenues to the city (2%).

Negotiated Concessions

The SUP was revised on 4-8-14 to reflect good faith negotiations with area residents. The following concessions were made to the board of The Monterra Neighborhood Association. Outdoor events, once estimated to host 125 guests has been rescinded to terms below. It was agreed that the only outdoor operations would be wedding ceremonies as requested in the garden area of the client's choice. Subsequent receptions and parties will be relocated to the indoor areas with all outdoor night-time activities to end by 9:00 pm. The staff will utilize existing lighting as needed to restore the grounds. It was agreed that this reduction of the proposed outdoor occupancy would contribute significantly to the concerns of noise and traffic as voiced in earlier hearings.

Marcel's at Monterra has agreed to attend homeowner's association meetings as requested to work together to address any unforeseen issues that may arise. We affirmed our commitment to enhance the neighborhoods gateway as the center grows, adding aesthetic improvements and privacy safeguards for both neighbors and clients. We agree to maintain the friendly cooperation with the neighborhood park and creek area on adjoining property lines, and foresee no changes to the use of these areas by the neighborhood.

Monarch Photographic Corp
1700 Tennison Parkway
Colleyville, TX 76034

MONTERRA PLACE SUP Statement of Planning Objectives

Concept

The Monarch Photographic Corporation currently operates the metroplex's largest facility at our "**Marcel's at Monterra**" studios, located along Bear Creek, one block west from Colleyville Boulevard on Tennison Parkway in the Monterra Place Addition. Our company has provided graduating senior photography services to school districts since 1962. The facility covers nearly 9000 sq. ft. on a 2 acre site on Bear Creek. Indoors, the studio is quite elegant complete with chandelier, 25 ft. ceiling, baby grand piano, dressing areas, sunroom and kitchenette on the west side. The east side space is utilized as overflow studio and additional proposed venue space. Our outdoor portrait park contains a half-acre wildflower garden, year round stream, gazebo, archways, terraces, waterfall, and large lawn to facilitate superior imaging. Because of the picturesque setting, we are often beset with requests to hold special events at this location from our clients, their families, and school groups seeking banquet locations.

Market Research

Citing a lack of small event venues in the City of Colleyville, our feedback from the public has been quite favorable. The location is far removed from both busy roads and residential neighborhoods, separated by a natural stream corridor, and is a pleasing respite for the passing motorists entering the Monterra subdivision. We foresee a highly sought after venue that will generate funding to to further develop the garden spot we have created.

Conversion Activity and Occupancy

With the SUP dual use designation, we will be converting space in two (of four) camera rooms. There will be no construction involved in the conversion of the rooms, other than rearranging of sets, screening those that remain, setting up tables and seating, and cleaning.

Including the hosts and support staff, proposed occupancy of the west side studio is 75 people. The east side space is event ready for parties of 55 (including support staff). The facility possesses 39 parking spaces and has secured shared arrangements with the adjacent property owner for 35 more. There is also additional streetside parking on the unnamed road at the rear of the complex.

Outdoor events will be available to the extent they do not interfere with our photographic sets. A proposed tent site is indicated at the rear of the building to minimize neighborhood noise and maximize privacy. Clients will be given their choice of sets (gazebo, waterfall, arch, or patio) for fair weather ceremonies. Maximum occupancy for the grounds is 125 people. Operation hours between 7:00 am and 10:30 pm comply with Code of Ordinances Article II, Section 42.27. We foresee early event preparations beginning from 11:00 -3:00, and evening events 4:30 -9:30. The facility will not apply for TABC licenses at this time, and will not offer alcoholic beverages. All catering, florist, and equipment services will be supplied from off-site contractors.

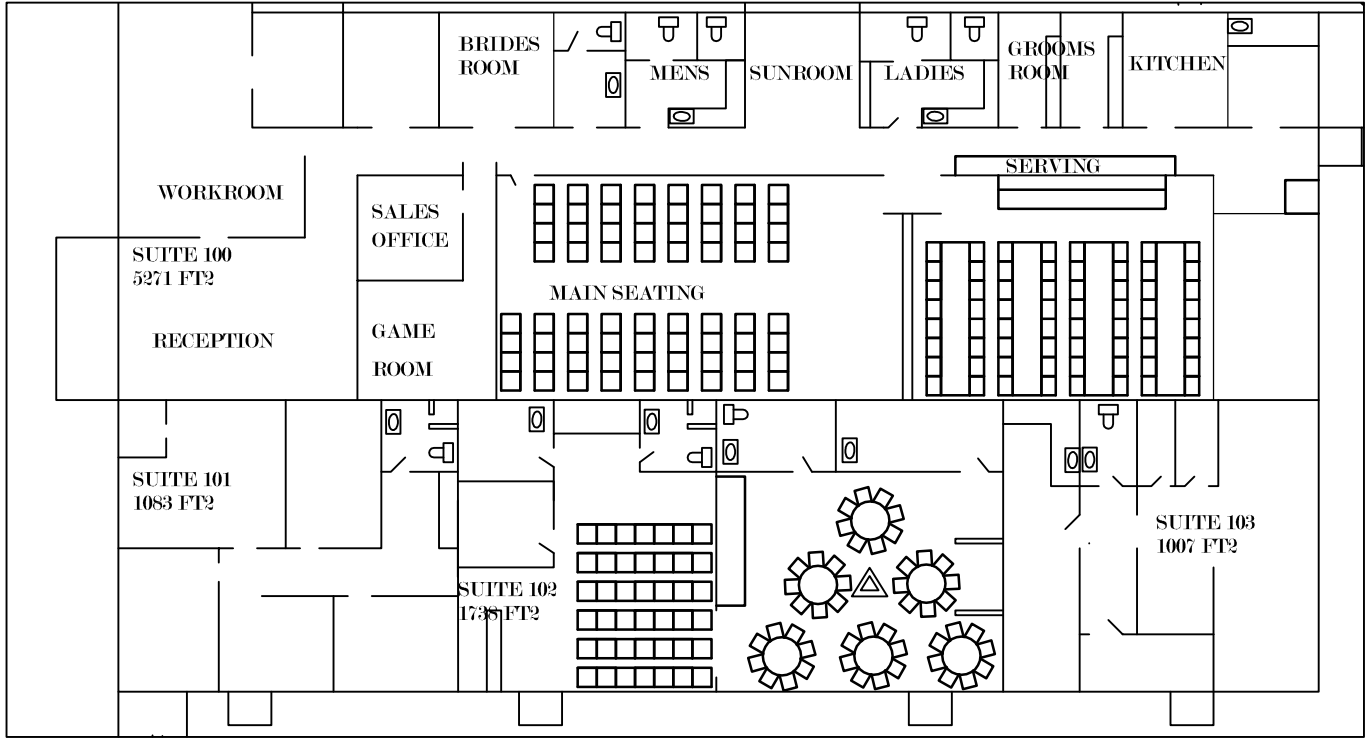
Economic Development

Operation of the facility will require the hiring of six new employees to set up/ tear down, host events, and provide security. Traffic through the facility will likely double, bringing the total number of visitors to Colleyville up to approximately 10,000 annually. Events will occur on weekend/ weeknight schedules when the studio and adjacent businesses are not in operation, so impacts on traffic will be nominal. Indoor events will be completed by 10:00 pm weeknights and 12:00 am on weekends. Once both venues are 100% utilized we estimate the additional revenues to the facility to generate \$16850 in additional sales tax revenues to the city (2%).

Revised Seating Layout and Outdoor Amenities

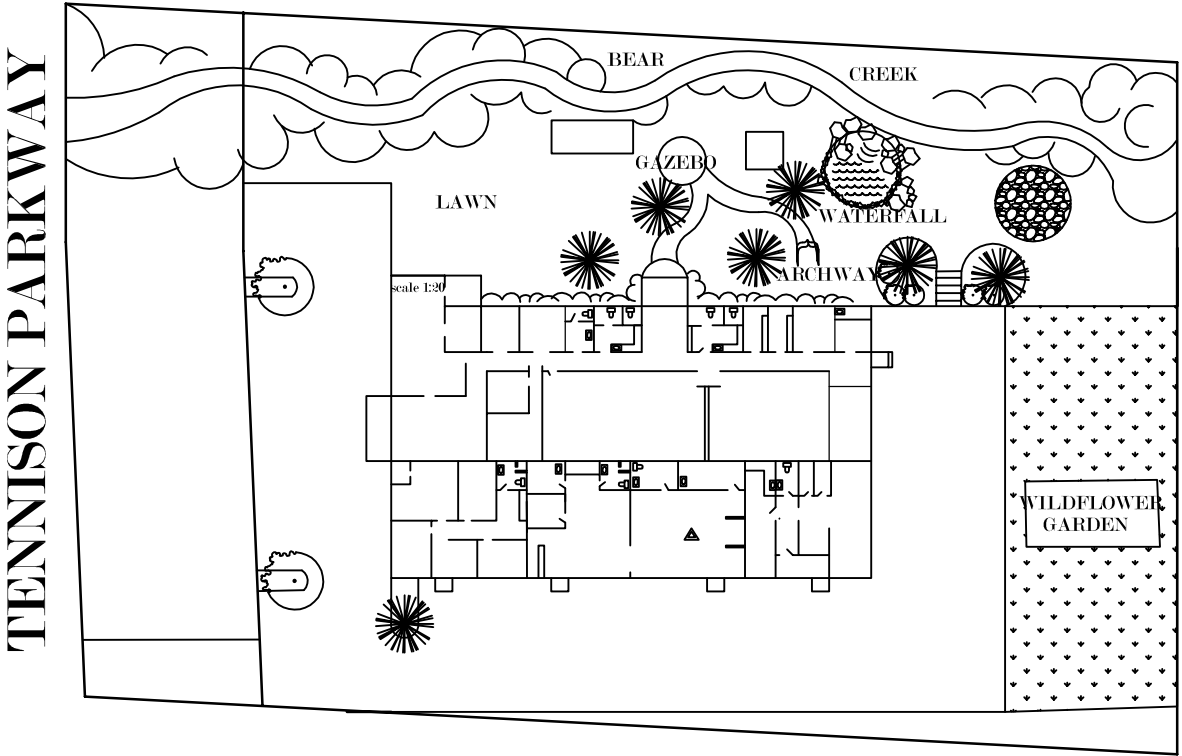
SEATING LAYOUT

SCALE 1:20

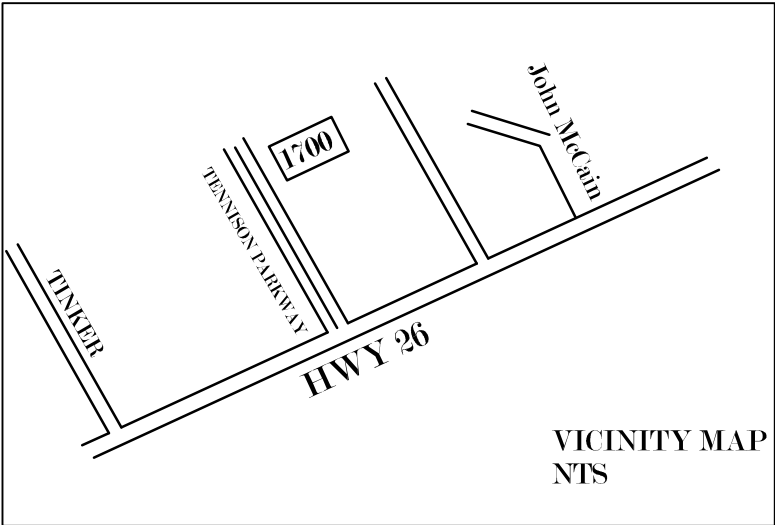


LOT 1R1

scale 1:50



REVISIONS				
ZONE	REV	DESCRIPTION	DATE	APPROVED
Monterra Gallery			2/14	RS
Monterra Gallery			4/8	RS



 Landscape & Environmental Design & Consulting 2080 RAVENWOOD DR ROANOKE, TX 76262 Contact: Robin Scheuerman 903-732-8426	Monterra Gallery SUP			
	1700 Tennison Parkway Colleyville, TX 76034			
SIZE B	FSCM NO.	DWG NO.	PROPOSED	
SCALE 1:20			SHEET	1 of 1

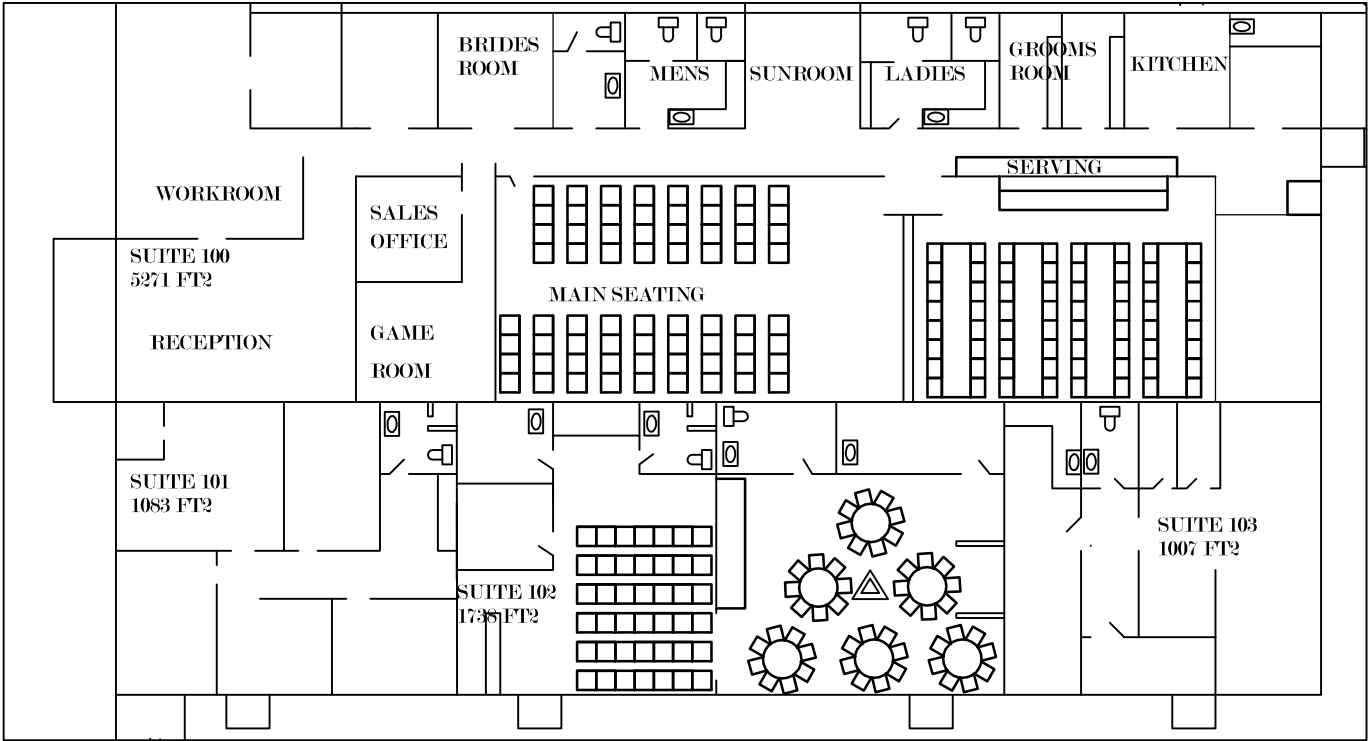
Seating Layout and Outdoor Amenities

MONTERRA PLACE SUP

2-14-14

SEATING LAYOUT

SCALE 1:20



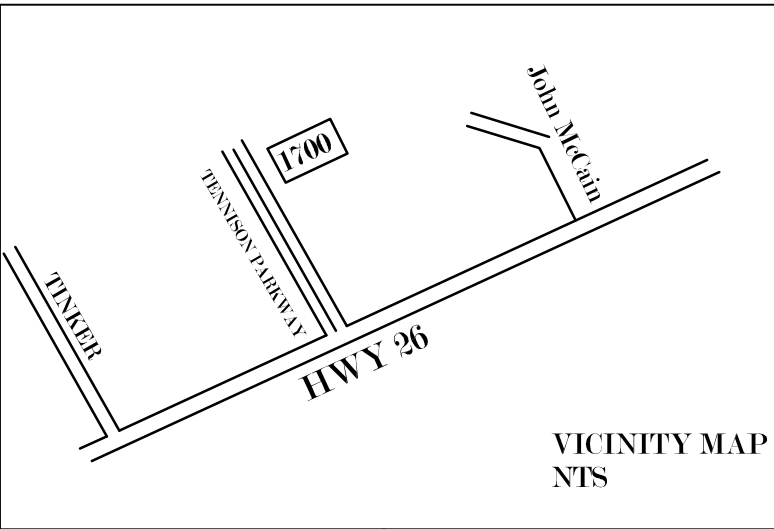
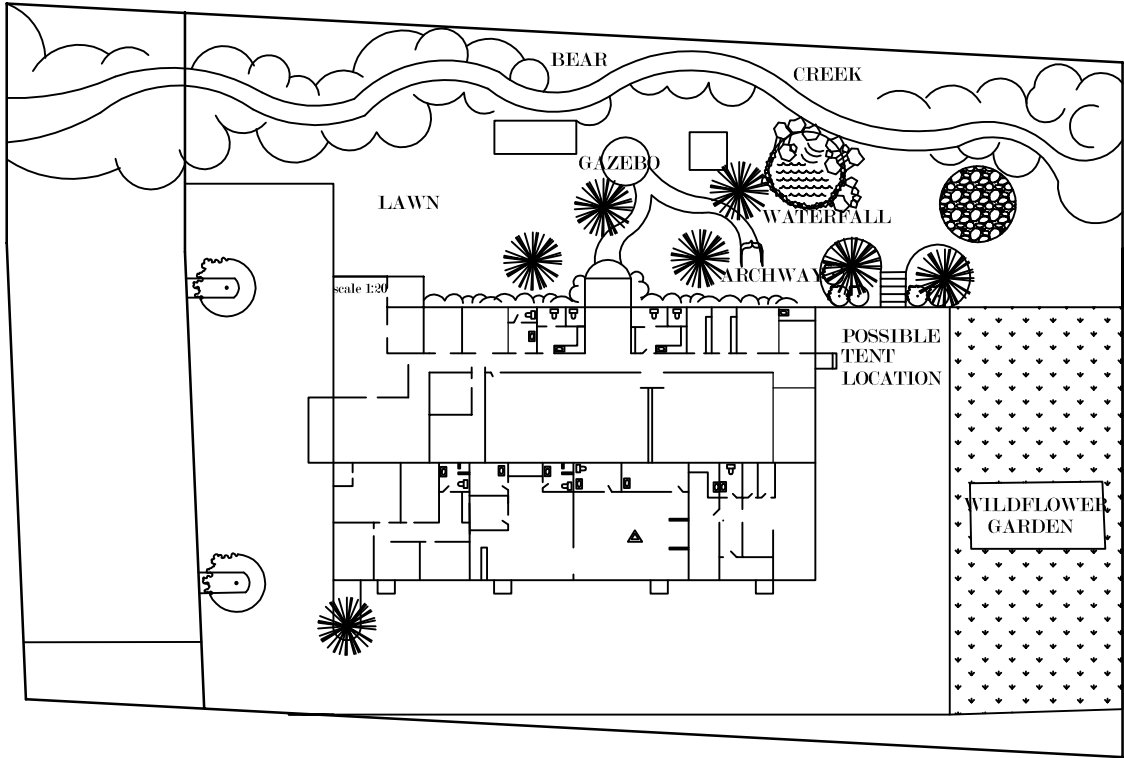
REVISIONS				
ZONE	REV	DESCRIPTION	DATE	APPROVED

Monterra Gallery 2/14 RS

LOT 1R1

scale 1:50

TENNISON PARKWAY





AVIAN
Landscape & Environmental Design & Consulting
2080 RAVENWOOD DR
ROANOKE, TX 76262
Contact: Robin Scheuerman
903-732-8426

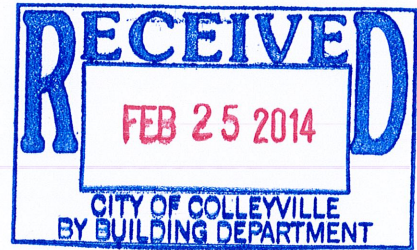
Monterra Gallery SUP

1700 Tennison Parkway
Colleyville, TX 76034

SIZE B	FSCM NO.	DWG NO. PROPOSED	REV
SCALE 1:20	SHEET 1 of 1		

Shared Parking Agreement

PARKING AGREEMENT SHARED PARKING



THE STATE OF TEXAS COUNTY OF TARRANT

THIS PARKING AGREEMENT is made and entered into as of Aug 5, 2013 by and between

Menarch Photographic Corp and Luis F. Pardo

WHEREAS, Menarch Photographic Corp is the owner of

1700-1704 Tennyson Pkwy located at within the City of Colleyville, Texas

WHEREAS, Luis F. Pardo is the owner of

1704 and 1706 Tennyson Pkwy located at within the City of Colleyville, Texas

WHEREAS in order for properties to be utilized as commercial office space as well as special events centers.

NOW, THEREFORE, in consideration of the mutual covenant and agreements set forth herein,

the sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. Agreement applies to only the mutual use of parking areas
2. This grant of Easement between the two properties is mutually granted with conditions.
 - a. Special event usage is unlimited during non-business (before 8:00 am and after 5:00 pm) hours on weekends and Holidays.
 - b. Special event and business usage during normal business hours will not exceed the scope of parking available to each properties individual capacity unless:
 1. prior notification is posted 3 days in advance to owners and tenants and
 2. no written objections are communicated during notification period.
 - c. The easement is nonexclusive and irrevocable, but only for so long as the mutual properties are used for the purposes stated above. This Easement shall remain in full

Shared Parking Agreement

force and effect for so long as the property use adheres to the description above. Changes to said land use is null and void by its own terms, and shall not be required to file any release, termination or other document to evidence the termination of this Easement.

MAINTENANCE & LIABILITY:

1. Maintenance and liability shall remain unchanged from current individual responsibilities.
2. No Portion of the drives or parking areas on the neighboring property shall be used for any purpose other than authorized by this instrument. No fence, barricade, or improvement shall be constructed by either party that would prohibit the use of the or the for the Easement purpose.
3. It is mutually agreed that the intention of the parties is that this Agreement is for the private benefit of the parties and their respective successors and assigns and shall be strictly limited to and for the purposes herein expressed.
4. The rights and obligations contained in this Agreement and the terms and condition hereof shall be deemed to be covenants running with the land and binding upon the parties and their respective successors and assigns.

Luis F Pardo

(property owner)

Luis F. Pardo

(printed name)

(signature)

(title)

Robin Scheuerman/MPC

(property owner)

Robin Scheuerman

(printed name)

(signature)

(title)

VP Monarch Photo Corp

Shared Parking Agreement

STATE OF TEXAS COUNTY OF Tarrant

This instrument was acknowledged before me on by

August 5, 2013
(date)

Notary Public, State of Texas

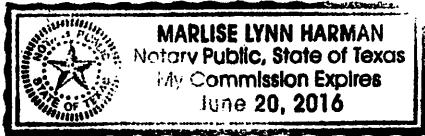
STATE OF TEXAS COUNTY OF Tarrant

This instrument was acknowledged before me on by

Aug 6 2013
(date)

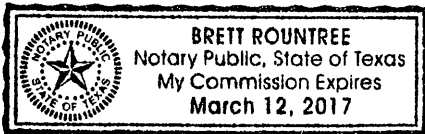
Luis Pardo
(property owner)

Brent Monarch Photo Corp
property owner)



Marliese L. Harman 8-5-13

Notary Public, State of Texas



Brett Rountree

8-6-13

Shared Parking Agreement

MARY LOUISE GARCIA

COUNTY CLERK



100 West Weatherford Fort Worth, TX 76196-0401

PHONE (817) 884-1195

MONARCH PHOTOGRAPHIC CORP
1700 - 1704 TENNISON PKWY
COLLEYVILLE, TX 76034

Submitter: ROBIN SCHEUERMAN

DO NOT DESTROY
WARNING - THIS IS PART OF THE OFFICIAL RECORD.

Filed For Registration: 8/21/2013 12:55 PM

Instrument #: D213222148

A

4

PGS

\$24.00

By: _____

Mary Louise Garcia

D213222148

ANY PROVISION WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY
BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

Street View



ORDINANCE 0-98-1098

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF 63.832 ACRES OUT OF THE HARRELL HUGHES SURVEY, ABSTRACT 656, TRACTS 2E, 2F AND 2, AND THE ABSALOM J. LOTT SURVEY, ABSTRACT 963, TRACTS 3A1, 2E AND 2F, IN THE CITY OF COLLEYVILLE, TEXAS FROM THE AG (AGRICULTURAL) AND ML (LIGHT MANUFACTURING) DISTRICTS TO THE PUD-R (PLANNED UNIT DEVELOPMENT-RESIDENTIAL) DISTRICT; PROVIDING A PENALTY AND AUTHORIZING PUBLICATION.

WHEREAS, an application for zoning change was filed by Don Allen, Carter & Burgess, Inc., on March 13, 1998 under Case No. Z-98-016; 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 and the Master Plan 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; and,

WHEREAS, the City Council is of the opinion that the zoning 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** the Master Plan, the Zoning Ordinance of the City of Colleyville, Texas, and the accompanying Zoning Map (as indicated in Exhibit A) are hereby amended insofar as they relate to certain land located in Colleyville, Texas, described by metes and bounds (Exhibit B) by changing the zoning of said property from the AG and ML districts to the PUD-R district together with all site plans, supporting documents, and other conditions and

restrictions imposed and approved by the Council which are incorporated herein by reference including, but not limited to the site plan which is Attachment 1 to this ordinance; the planning objectives which are Attachment 2 to this ordinance; the left turn lane detail conceptual plan which is Attachment 3 to this ordinance; the landscape concept plan which is Attachment 4 to this ordinance; and the preliminary drainage and utility plan which is Attachment 5 to this ordinance.

Sec. 2. Any person, firm or corporation violating any of the provisions of this ordinance as read together with the Zoning Ordinance of the City of Colleyville 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 Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such.

Sec. 3. The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

AND IT IS SO ORDERED.

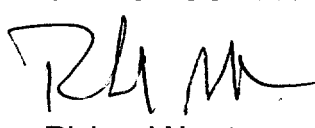
The first reading and public hearing being conducted on the 2nd day of June, 1998.

The second reading and public hearing being conducted on the 16th day of June, 1998. TABLED BY THE CITY COUNCIL ON JUNE 16, APPROVED BY THE CITY COUNCIL ON JULY 21, 1998, BY A VOTE OF 5-0-0.

ATTEST:

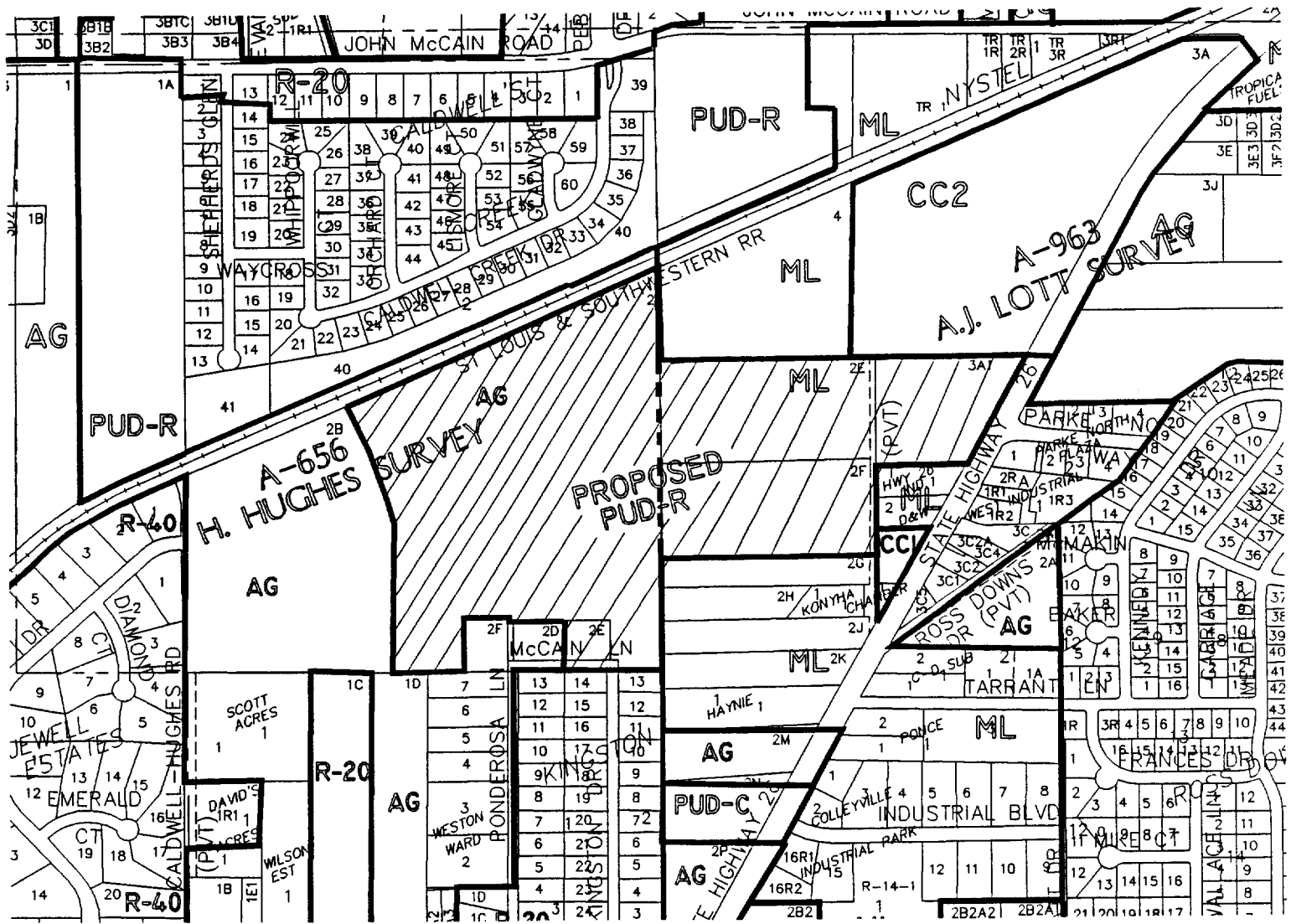
CITY OF COLLEYVILLE


Jean Harris, CMC
City Secretary


Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:


Ross T. Foster
City Attorney



ORDINANCE O-98-1098
EXHIBIT "A"

BRENTWOOD MANOR PUD ZONING REQUEST

BOUNDARY DESCRIPTION

BEING a tract of land situated in the Harrell Hughes Survey, Abstract No. 656 and the Absalom J. Lott Survey, Abstract No. 963, in the City of Colleyville, Tarrant County, Texas and being more particularly described as follows:

BEGINNING at a concrete monument found for corner, said point being the southeast corner of a tract of land as conveyed to Robert Weese and wife, Mary L. Weese by deed recorded in Volume 4047, Page 249 of the Deed Records of Tarrant County, Texas, said point also being 1186.30 feet west of the southeast corner of the above said Harrell Hughes Survey;

THENCE N. 00°15'23" W, 647.13 feet along the east line of the said Weese tract to a concrete monument found for corner;

THENCE N. 13°34'58" W., 200.74 feet continuing along the said east line of the Weese tract to a concrete monument found for corner;

THENCE N. 24°39'43" W., 364.93 feet continuing along the said east line of the Weese tract to a concrete monument found for corner on the southerly line of the Dart Rail Right-of-way as recorded in Volume 54, Page 609 of the Deed Records of Tarrant County, Texas;

THENCE N. 66°20'07" E., 1507.89 feet along the said southerly line of the Dart Rail Right-of-way to a concrete monument found for corner;

THENCE S. 00°12'24" E., 420.00 feet leaving the said southerly line of the Dart Rail Right-of-way to a ½" iron rod set for corner;

THENCE N. 89°47'36" E., 912.80 feet to a ½" iron rod found for corner;

THENCE N. 85°51'19" E., 691.72 feet to a ½" iron rod found for corner being on the west line of Colleyville Boulevard (a variable width right-of-way);

THENCE S. 28°22'54" W., 553.14 feet along the said west line of Colleyville Boulevard to a ½" iron rod set for corner;

THENCE S. 87°48'59" W., 409.85 feet leaving the said west line of Colleyville Boulevard to a ½" iron rod set for corner;

THENCE S. 02°12'24" E., 392.99;

THENCE S. 89°47'36" W., 942.31;

THENCE S. 00°12'24" E., 517.07;

THENCE S. 89°57'56" W., 187.84;

THENCE N. 00°07'52" W., 60.00 feet;

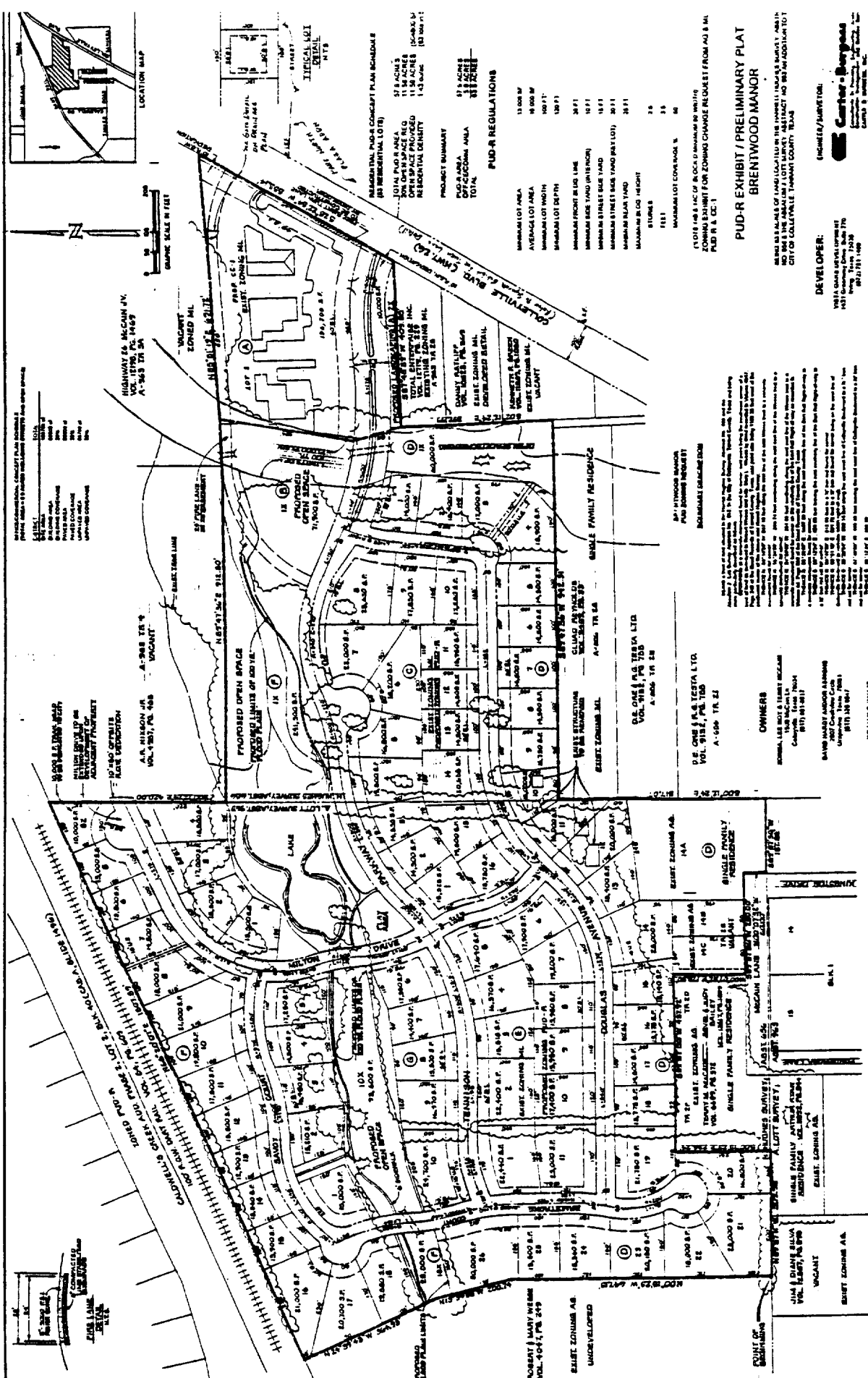
THENCE S. 89°57'56" W., 250 feet;

THENCE N. 00°07'52" W., 178.50 feet;

THENCE S. 89°57'56" W., 437.92 feet;

THENCE S 00°15'23" E., 235.24 feet to a ¼" iron rod found for corner, said point being on the north line of the Weston Ward Addition, an addition to the City of Colleyville as recorded in Volume 388-17, Page 397 of the Deed Records of Tarrant County, Texas;

THENCE N. 89°57'11" W., 309.96 feet along the said north line of Weston Ward Addition to the Point of Beginning and containing 63.832 acres of land.



BRENTWOOD MANOR PUD APPLICATION

Statement of Planning Objectives:

The primary objective of this PUD application is to establish a residential neighborhood. The lots will be an average of 16,000 sf with a minimum lot size of 13,000 sf. The existing creeks crossing the property will be preserved where possible, creating open spaces and responding the natural character of the land. The open spaces will be owned and maintained by a mandatory homeowners association made up of the residents of the community.

In addition, three community commercial lots will be created by this PUD, which will be in character with the adjacent uses along Colleyville Boulevard.

Development Schedule

The platting and engineering of this property will commence immediately upon approval of the PUD zoning. The development schedule anticipates having developed residential lots available for building permit by autumn of 1998.

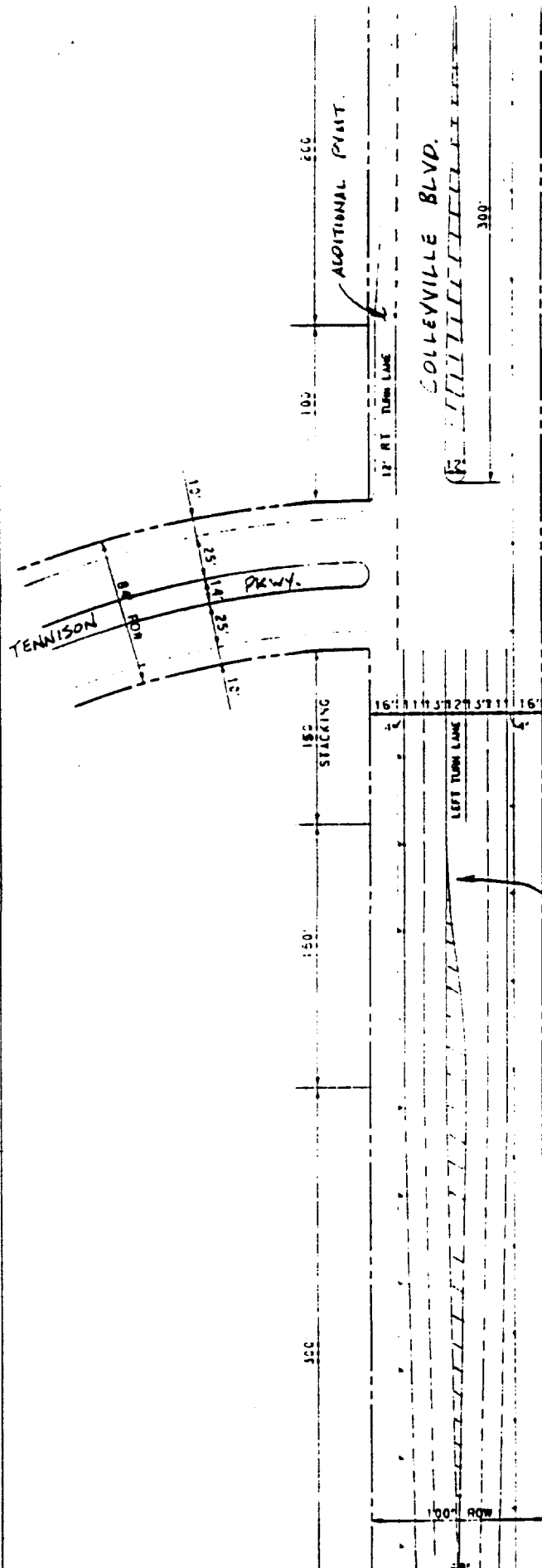
Statement of Proposed Ownership

These parcels are to be owned and developed by Vista Oaks Development, 1431 Greenway Drive, Suite 770, Irving, Texas 75038 (Steve Gee, President).

Statement of Utilities to be Provided

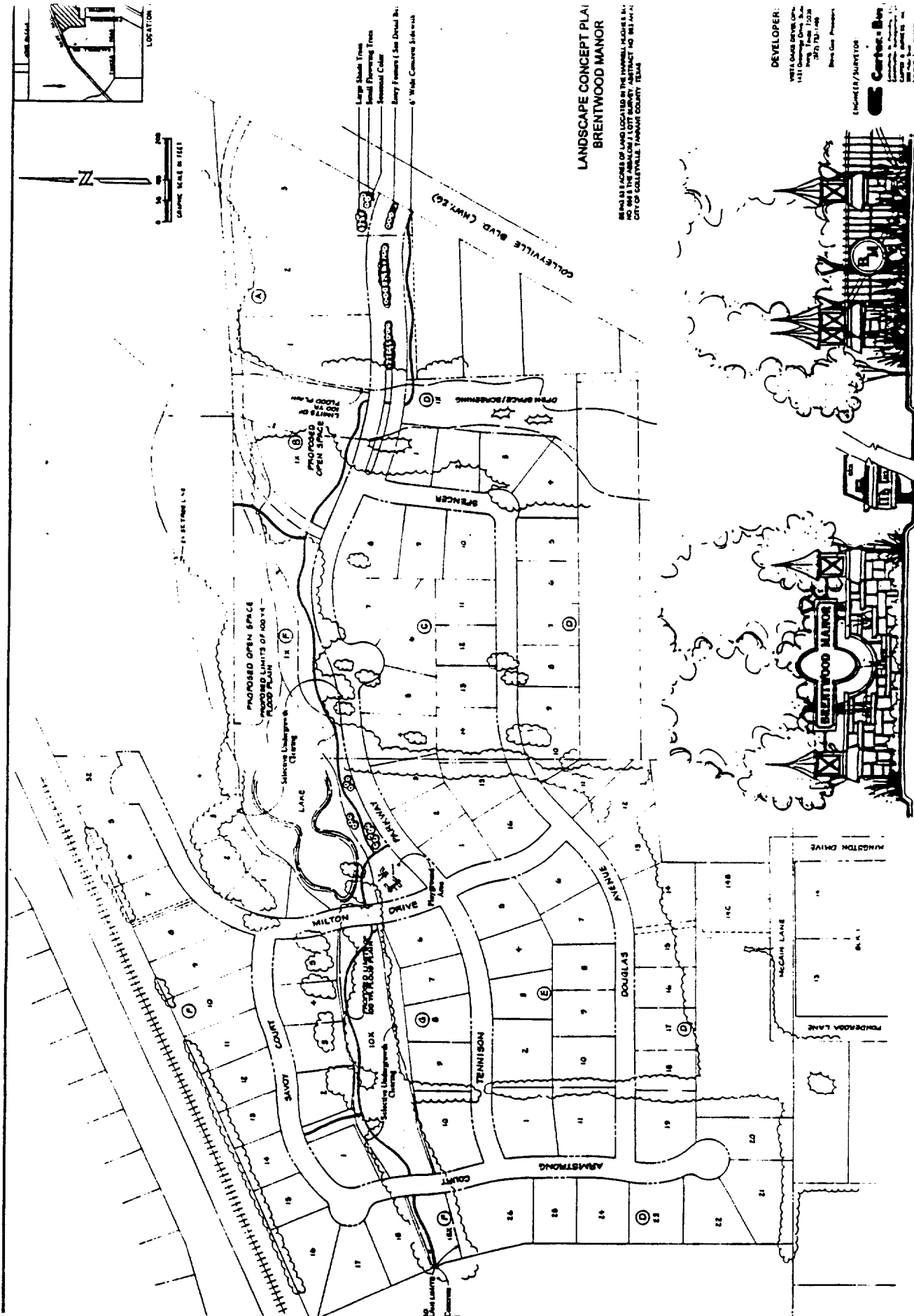
Water service to this site will be provided by connecting to an existing 12" water main in Colleyville Boulevard. A second water feed will be established by connecting to an existing main in McCain Lane.

Sewer service will be provided by constructing an offsite main north and east of the property, along the existing creek, to connect to City sewer mains at John McCain Road. The City staff has been working other parties regarding this sewer routing for several months in anticipation of development.



LEFT TURN LANE
DETAIL
(CONCEPT ONLY)

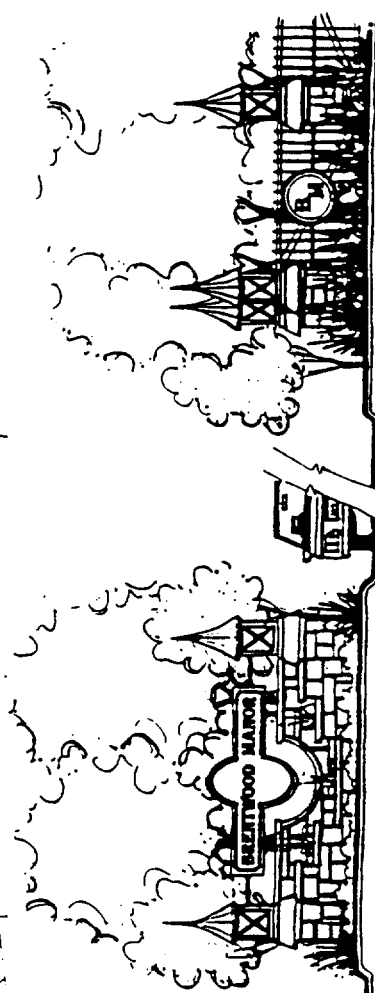
Carter-Burgess
CARTER & BURGESS, INC.
3000 Hudson Street
Brentwood, TN 37027-1750
(615) 730-0000 FAX (615) 730-0100
CARTER & BURGESS



LANDSCAPE CONCEPT PLAN BRENTWOOD MANOR

BEING 31.1 ACRES OF LAND LOCATED IN THE HARBORLANDS IN
NO. 943 THE ABSTRACT 1 LOT SURVEY ABSTRACT NO. 943 IN
CITY OF LOUISVILLE, JEFFERSON COUNTY, KENTUCKY

DEVELOPER:
WEST GARDEN DRIVE, INC.
1411 CHERRY DRIVE, SUITE
100, LOUISVILLE, KY 40204
(502) 751-1000
Brentwood Manor
ENGINEER/ARCHITECT:
Carter & Box
1411 CHERRY DRIVE, SUITE
100, LOUISVILLE, KY 40204
(502) 751-1000



Entry Feature Elevation
NOT TO SCALE



Entry Feature Elevation

Not To Scale

ORDINANCE O-14-XXXX

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF LOT 1R1, BLOCK 1 OF THE MONTERRA PLACE ADDITION, LOCATED AT 1700 TENNISON PARKWAY, BY AUTHORIZING A SPECIAL USE PERMIT FOR A WEDDING CHAPEL; 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. ZC14-002; 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 Lot 1R1, Block 1 of Monterra Place Addition, located at 1700 Tennison Parkway, by authorizing a Special Use Permit for a wedding chapel, as depicted on Exhibit "A," labeled as Location and Zoning Map.
- 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. HOURS OF OPERATION AND MAXIMUM NUMBER OF ATTENDEES

- a. The hours of operation and maximum number of attendees for indoor receptions and party events shall be as follows:

Sunday – Thursday: 7:00 a.m. – 10:00 p.m.

Friday – Saturday: 7:00 a.m. – 11:00 p.m.

The maximum number of attendees for indoor events is 125 people at any one time.

- b. The hours of operation and maximum number of attendees for outdoor wedding ceremonies shall be as follows:

Sunday – Saturday: 7:00 a.m. – 9:00 pm

The maximum number of attendees for outdoor events is 65 people.

- c. This development shall be generally consistent with the Statement of Planning Objectives, attached as Exhibit "B".

2. PERMITTED USES

- a. The uses allowed by this Special Use Permit shall be for a wedding chapel. The following shall be acceptable accessory uses: birthday, graduation, anniversary or other special receptions or party events.
 - b. The Special Use Permit shall automatically expire upon the abandonment of the business; change in use or upon the expiration or termination of the Certificate of Occupancy for the wedding chapel.
 - c. The site and building layout of the wedding chapel shall generally conform to the attached, Exhibit "C" labeled as Seating Layout and Outdoor Amenities.
- 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 by City Council on the 6th day of May 2014.

The second reading and public hearing being conducted by City Council on the 13th day of May 2014.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the _____ day of _____ 2014.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit A –Location and Zoning Map

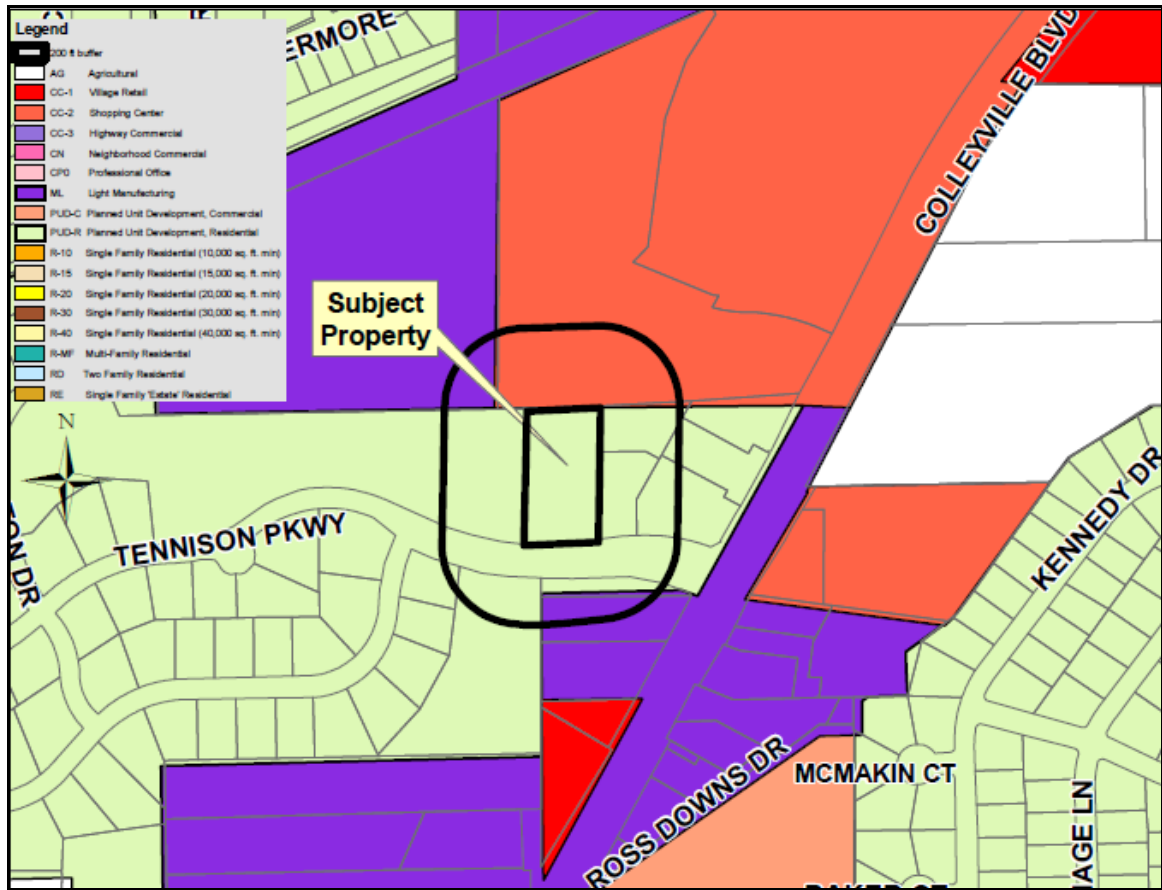


Exhibit B–Statement of Planning Objectives (1 of 2)

Monarch Photographic Corp
1700 Tennison Parkway
Colleyville, TX 76034

MONTERRA PLACE SUP Statement of Planning Objectives

Concept

The Monarch Photographic Corporation currently operates the metroplex's largest facility at our "**Marcel's at Monterra**" studios, located along Bear Creek, one block west from Colleyville Boulevard on Tennison Parkway in the Monterra Place Addition. Our company has provided graduating senior photography services to school districts since 1962. The facility covers nearly 9000 sq. ft. on a 2 acre site on Bear Creek. Indoors, the studio is quite elegant complete with chandelier, 25 ft. ceiling, baby grand piano, dressing areas, sunroom and kitchenette on the west side. The east side space is utilized as overflow studio and additional proposed venue space. Our outdoor portrait park contains a half-acre wildflower garden, year round stream, gazebo, archways, terraces, waterfall, and large lawn to facilitate superior imaging. Because of the picturesque setting, we are often beset with requests to hold special events at this location from our clients, their families, and school groups seeking banquet locations.

Market Research

Citing a lack of small event venues in the City of Colleyville, our feedback from the public has been quite favorable. The location is far removed from both busy roads and residential neighborhoods, separated by a natural stream corridor, and is a pleasing respite for the passing motorists entering the Monterra subdivision. We foresee a highly sought after venue that will generate funding to further develop the garden spot we have created.

Conversion Activity and Occupancy

With the SUP dual use designation, we will be converting space in two (of four) camera rooms. There will be no construction involved in the conversion of the rooms, other than rearranging of sets, screening those that remain, setting up tables and seating, and cleaning. Including the hosts and support staff, proposed occupancy of the west side studio is 75 people (including 10 support staff). The east side space is event ready for parties of 55 (including support staff). The facility possesses 39 parking spaces and has secured a shared parking arrangement with the adjacent property owner for 35 more. There is also additional street side parking on the unnamed road at the rear of the complex, outside of the fire lane. Outdoor events will be available to the extent they do not interfere with our photographic sets. Clients will be given their choice of sets (gazebo, waterfall, arch, or patio) for outdoor ceremonies. Maximum attendance for the outdoor ceremonies is 65 people. Outdoor operation hours are between 7:00 am and 9:00 pm to comply with Code of Ordinances, Article II, Section 42.27. Late night or early morning cleaning crews may be present indoors as need arises. The facility will not apply for TABC licenses at this time, and will not sell alcoholic beverages. All catering, florist, and equipment services will be supplied from off-site contractors.

Exhibit B-Statement of Planning Objectives (2 of 2)

Economic Development

Operation of the facility will require the hiring of six new employees to set up/ tear down, host events, and provide security. Traffic through the facility will likely increase from the 5,000 annual visits occurring currently, to perhaps 10,000 visits annually. Events likely occur on weekend/ weeknight schedules when the studio and adjacent businesses are not in operation, so impacts on traffic will be nominal. Indoor events will be completed by 10:00 pm weeknights and 11:00 pm on weekends. Once both venues are 100% utilized we estimate the additional revenues to the facility to generate \$16850 in additional sales tax revenues to the city (2%).

Negotiated Concessions

The SUP was revised on 4-8-14 to reflect good faith negotiations with area residents. The following concessions were made to the board of The Monterra Neighborhood Association. Outdoor events, once estimated to host 125 guests has been rescinded to terms below. It was agreed that the only outdoor operations would be wedding ceremonies as requested in the garden area of the client's choice. Subsequent receptions and parties will be relocated to the indoor areas with all outdoor night-time activities to end by 9:00 pm. The staff will utilize existing lighting as needed to restore the grounds. It was agreed that this reduction of the proposed outdoor occupancy would contribute significantly to the concerns of noise and traffic as voiced in earlier hearings.

Marcel's at Monterra has agreed to attend homeowner's association meetings as requested to work together to address any unforeseen issues that may arise. We affirmed our commitment to enhance the neighborhoods gateway as the center grows, adding aesthetic improvements and privacy safeguards for both neighbors and clients. We agree to maintain the friendly cooperation with the neighborhood park and creek area on adjoining property lines, and foresee no changes to the use of these areas by the neighborhood.

SEATING LAYOUT

SCALE 1/32"

LOT IRI

scale 1/32"

REVISIONS

ZONE	REV	DESCRIPTION	DATE	APPROVED
------	-----	-------------	------	----------

Monterra Gallery 2/14 RS
Monterra Gallery 4/8 RS

		Monterra Gallery SUP 1700 Tennon Parkway Colleyville, TX 76034	
		2080 RAVENWOOD DR ROANOKE, TX 76262 Contact: Robin Schaeffer 901-233-8426	DWG NO. PROPOSED PCEM NO. 1-290 SCALE 1"=20' SHEET 1 of 1



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 4a	Agenda Date 04/14/2014	Number
Type Regular Agenda Items		
Department Community Development		
Title		
Approval of the updated bylaws for the Planning and Zoning Commission		

Explanation

All boards, commissions and committees were asked to review and update their current bylaws and to submit them in a new uniformed template provided by the City Secretary's office.

Since the Planning and Zoning Commission did not have specific bylaws outlined, staff has incorporated the approved Rules of Procedure (attached to this agenda briefing) into this new bylaw template.

The proposed bylaws for the Planning and Zoning Commission is attached for the consideration of approval. Once approved, the new bylaws will be presented to City Council for their approval.

Attachments

1. Planning and Zoning Commission Rules of Procedure
2. Proposed Planning and Zoning Commission Bylaws

**RULES OF PROCEDURE
PLANNING AND ZONING COMMISSION
OF THE CITY OF COLLEYVILLE, TEXAS**

ARTICLE I – DECLARATION OF POLICY

It is hereby declared to be the policy of the Planning and Zoning Commission of the City of Colleyville, Texas that members are appointed to serve the City of Colleyville and the community. Members of the Commission are to attend and participate in the proceedings of the Commission. The Commission shall conduct itself in accordance with all applicable law.

ARTICLE II - ORGANIZATION

Section A. Officers.

The officers of the Commission shall be a Chairman and a Vice-Chairman. The membership of the Commission shall be in accordance with Article XI, Section 11.01 of the Charter of the City of Colleyville. The Commission shall elect its Chairman and Vice-Chairman from among its members once a year, at its first regular meeting following the appointment of its new members, or as deemed necessary.

1. The Chairman shall preside at all meetings. The Chair shall rule on all procedural matters, subject only to being over-ridden by the contrary vote of 4 Commission members. The Chairman shall call special meetings as may be needed for the orderly conduct of the business of the Commission. The Chairman also signs the minutes of each meeting of the Commission and all Plats.
2. The Vice-Chairman shall preside at commission meetings in the absence of the Chairman and shall fulfill all the duties of the Chairman. Should the Chairman resign, or that office become vacant for other reasons, the Vice-Chairman shall act as Chairman until election of a new Chairman.
3. The Commission shall appoint a Recording Secretary to record the minutes of the proceedings of every meeting. The appointment shall be made at time of re-election of officers.

ARTICLE III - MEETINGS

Section A. Arrangements

1. Time and Place. The regular meeting place of the Commission shall be in the Council Chamber in the City Hall. The Commission shall, from time to time, set a schedule for its regular meetings which shall not occur less frequently than once a month. Special meetings may be called by the Commission or by its Chairman. All meetings shall be open to the public.

2. Quorum. Four (4) members present shall be necessary to constitute a quorum of the Commission.
3. Preparation. The Chairman shall secure from staff all such materials and analyses as may be useful to the Commission in considering any matter before it.
4. Work Session. Work sessions of the Commission shall be at the call of the Chairman. The meeting place for work sessions shall be at the discretion of the Chairman. All work sessions shall be open to the public.
5. Representation. Any person seeking a change in zoning or presenting any other matter to the Commission shall appear before the Commission in person, by agent, or by attorney.
- .6. Except as legally permitted executive sessions discussions, all deliberations of the Commission shall be conducted, and all of its decisions shall be made, at a meeting that is open to the public.

Section B. Conduct of Meeting.

1. Hearings.
 - a. The Chairman shall call for each application or proposal. The Chairman shall read the public notice and request staff to present the facts on the application or proposal. The Chairman will subsequently open a public hearing.
 - b. The applicant and any experts, invited by the applicant, of said application shall have up to 20 minutes to present their case for adoption of their application.
 - c. The Commission shall hear other interested parties, individually and separately. Each person shall be allowed no more than five (5) minutes to address the Commission. No questions nor debate shall be permitted during the public hearing.
 - d. The applicant shall be permitted up to a five (5) minute rebuttal.
 - e. Following the rebuttal, the Commission may direct questions to the applicant, proponents, opponents or staff.
 - f. The Chairman may request a recommendation from the city staff.
 - g. The public hearing shall then be closed by the Chairman after which the applicant or citizens may NOT present additional testimony unless the public hearing is reopened by the Commission.

Section C. Voting Procedure.

1. To call a measure for vote requires a motion being made and the same motion being seconded. Once made and seconded, debate shall follow. Once made and seconded, a motion can only be disposed of by a vote of the Commission, unless both the movant and the second agree to either revise or withdraw the motion.
2. When the question is put to a vote, the Chairman shall call the roll with each member answering "Aye," or "Nay," or "Not Voting." Consistent with the City Charter, the affirmative vote of at least 4 members of the Commission is required to take any action. Any member of the Commission "Not Voting" shall give a statement of his reason for not voting. On completion of the roll call, the Chairman shall announce the results and the effect of the motion.
3. The Planning and Zoning Commission shall comply with all applicable conflict of interest laws.
4. Members shall not leave the meeting table to discuss pending matters with members of the audience, nor shall members of the audience discuss matters with individual Commission members during the meeting.

ARTICLE IV - AMENDMENTS

These rules of procedure may be amended after introduction of the proposed amendment at a regular meeting and voted upon at the next meeting and shall become effective upon an affirmative vote of the Commission.

~~

PASSED AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF COLLEYVILLE ON THE 2nd DAY OF November, 2006. (AMENDED THE RULES OF PROCEDURE PREVIOUSLY APPROVED ON THE 27TH DAY OF JULY, 1987, and amended on October 23, 2000.)

~~

ADOPTED:

ATTESTED:

Signed: Jeff Byerly

Signed: Amy Shelley

Chairman

Board Secretary

Filed in the Office of the City Secretary this 27 day of November, 2006.

Signed: Cynthia Singleton

City Secretary

PLANNING AND ZONING COMMISSION BYLAWS

ARTICLE I – Identification and Purpose

The Planning and Zoning Commission was established by the City Council of Colleyville, Texas, by Ordinance 08 on May 18, 1956; however, several amendments to this ordinance have been approved and codified through the Colleyville City Charter and the Colleyville Code of Ordinances. The purpose of the Planning and Zoning Commission is to act as an advisory board to the City Council relating to all physical development, proposed changes to zoning, the platting and/or the subdividing of land in the City.

ARTICLE II – Membership

- 2.1 The Planning and Zoning Commission shall consist of seven (7) members, who shall be appointed by the City Council for a two (2) year term; three (3) members shall be appointed each odd-numbered year and four (4) members shall be appointed each even-numbered year. Places on the Planning and Zoning Commission shall be numbered one (1) through seven (7).
- 2.2 Members must be residents of Colleyville, Texas, unless City Council waives the residency requirement.
- 2.3 Members shall serve without compensation and until their successors are appointed.
- 2.4 Vacancies created by resignation, removal by vote of a majority of the City Council, or by any other reason, shall be filled by the City Council for the remainder of the term.
- 2.5 If a member of the Planning and Zoning Commission fails to maintain a seventy-five percent (75%) attendance record for all regularly scheduled meetings, the Chairman 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 Planning and Zoning Commission shall be the Chairman and the Vice-Chairman.
- 3.2 The Planning and Zoning Commission shall elect the Chairman and Vice- Chairman from among the members once a year, at the first regular meeting following the appointment of the new members, or as deemed necessary.
- 3.3 The Chairman shall preside at all meetings and be a voting member. The Chairman shall rule on all procedural matters, subject only to being over-ridden by the contrary vote of four (4) Planning and Zoning Commission members.
- 3.4 The Chairman shall call special meetings and/or work sessions as may be needed for the orderly conduct of the business of the Planning and Zoning Commission.
- 3.5 The Chairman shall sign all plats approved by the Planning and Zoning Commission.
- 3.6 The Vice-Chairman shall preside at Planning and Zoning Commission meetings in the absence of the Chairman, and shall fulfill all of the duties of the Chairman. Should the Chairman resign, or that office become vacant for other reasons, the Vice-Chairman shall act as Chairman until the election of a new Chairman.
- 3.7 The Planning and Zoning Commission shall appoint a Recording Secretary to record the minutes of the proceedings of every meeting. This appointment shall be made at the time of the election of the officers. The Recording Secretary is usually a staff member.

ARTICLE IV – Duties and Responsibilities

- 4.1 The Planning and Zoning Commission shall be responsible to and act as an advisory body to the City Council, and shall have and perform such additional duties as may be prescribed by ordinance.
- 4.2 The Planning and Zoning Commission recommends a City plan for the physical development of the City.

- 4.3 The Planning and Zoning Commission recommends approval or disapproval of proposed changes in the Zoning Plan.
- 4.4 The Planning and Zoning Commission exercises control over the platting or subdividing of land within the corporate limits of the City and outside same corporate limits to the extent authorized by state law; provided, however, this grant of authority shall not limit the City Council's right to provide that the City Council shall have final approval of plats, as provided by state law.
- 4.5 The Master Plan for the physical development of the City of Colleyville shall contain the Planning and Zoning Commission's recommendation for growth, development, and beautification of the City. A copy of the Master Plan, or any part thereof, shall be forwarded to the City Council, which may adopt this plan in whole or in parts, and may adopt any amendment thereto after at least one (1) public hearing on the proposed action. The Planning and Zoning Commission shall act on such plan, or part thereof, and again forward it to the City Council for consideration.
- 4.6 All amendments to the Master Plan recommended by the Planning and Zoning Commission shall be submitted in the same manner as outlined above to the City Council for approval, and all other recommendations affecting the Master Plan shall be accompanied by a recommendation from the Planning and Zoning Commission.
- 4.7 Upon adoption of the Master Plan by the City Council, no subdivision, street, park, or any public way, ground, or space, public building, or structure, or public utility, whether publicly or privately owned, which is in conflict with the Master Plan shall be constructed or authorized, by the City until and unless the location and extended thereof shall have been submitted to the Planning and Zoning Commission and approved by the City Council. In case of Planning and Zoning Commission disapproval, they shall communicate their reasons to the City Council, which shall have the power to overrule such disapproval. The widening, narrowing, relocating, vacating, or change in the use of any street, alley, or public way, or ground, or sale of any public building, or real property, shall be subject to similar submission and approval of the Planning and Zoning Commission, and failure to approve may be similarly overruled by the City Council.
- 4.8 The Planning and Zoning Commission members will take the Attorney General Texas Open Meetings Act on-line training course, available at

this link: http://www.oag.state.tx.us/open/og_training.shtml#22; or the member may 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 no 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 V – Meetings

- 5.1 Regular meetings shall be held not less than once a month at City Hall, located at 100 Main Street. Regular, special, or work session meeting date, time, and location may be changed as necessary.
- 5.2 Except as legally permitted executive session discussions, all deliberations of the Planning and Zoning Commission shall be conducted, and all of its decisions shall be made, at a meeting that is open to the public.
- 5.3 A majority of the members shall constitute a quorum; however, no action shall be approved with less than four (4) affirmative votes.
- 5.4 Meeting agendas will be posted on the City Hall bulletin boards, and the City's website 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.
- 5.5 Approved meeting minutes will be included in the City Council agenda packets under Reports.
- 5.6 The Chairman shall secure from staff all such materials and analyses as may be useful to the Planning and Zoning Commission in considering any matter before it.
- 5.7 Any person seeking a change in zoning, or presenting any other matter to the Planning and Zoning Commission shall appear before the Planning and Zoning Commission in person, by agent, or by attorney.

ARTICLE VI – Conduct of Meetings

- 6.1 The Chairman shall call for each application or proposal. The Chairman shall read the public notice and request staff to present the facts on the application or proposal. The Chairman will subsequently open a public hearing.

- 6.2 The applicant and any experts, invited by the applicant, of said application shall have up to 20 minutes to present their case for adoption of their application.
- 6.3 The Planning and Zoning Commission shall hear other interested parties, individually and separately. Each person shall be allowed no more than five (5) minutes to address the Planning and Zoning Commission. No questions nor debate shall be permitted during the public hearing.
- 6.4 The applicant shall be permitted up to a five (5) minute rebuttal.
- 6.5 Following the rebuttal, the Planning and Zoning Commission may direct questions to the applicant, proponents, opponents, or staff.
- 6.6 The Chairman may request a recommendation from staff.
- 6.7 The public hearing shall then be closed by the Chairman after which the applicant or citizens may NOT present additional testimony unless the public hearing is reopened by the Planning and Zoning Commission.

ARTICLE VII – Voting Procedure

- 7.1 To call a measure for vote requires a motion being made and the same motion being seconded. Once made and seconded, debate shall follow. Once made and seconded, a motion can only be disposed of by a vote of the Planning and Zoning Commission, unless both the movant and the second agree to either revise or withdraw the motion.
- 7.2 When the question is put to a vote, the Chairman shall call the roll with each member answering “Aye,” or “Nay” or “Not Voting.” Consistent with the City Charter, the affirmative vote of at least four (4) members of the Planning and Zoning Commission is required to take any action. Any member of the Planning and Zoning Commission “Not Voting” shall give a statement of his reason for not voting. On completion of the roll call, the Chairman shall announce the results and the effect of the motion.
- 7.3 The Planning and Zoning Commission shall comply will all applicable conflict of interest laws.

- 7.4 The Planning and Zoning Commission members shall not leave the meeting table to discuss pending matters with members of the audience, nor shall members of the audience discuss matters with individual Planning and Zoning Commission members during the meeting.

ARTICLE VIII – Amendments

- 8.1 These bylaws may be amended by a majority vote at any regular meeting, if all members have been notified of the proposed amendment(s) 72 hours prior to such meeting. Amendment(s) must be in compliance with applicable City ordinances and the Colleyville City Charter.
- 8.2 The bylaw amendment(s) shall become effective upon an affirmative vote of the Planning and Zoning Commission.
- 8.3 Approved bylaw amendment(s) will be included in the City Council agenda packets under Consent.



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 4b	Agenda Date 04/14/2014	Number
Type Regular Agenda Items		
Department Community Development		

Title

Request for a vacating plat on Lot 13-R, Block 8, of the Oak Crest Hills Addition located at 313 Oak Valley Drive, Case PC14-005

Explanation

Ryan Panno, the applicant, is requesting approval of a vacating plat in order to revert Lot 13R, Block 8, Oak Crest Hills Addition to the original four single family lots on 2.496 acres, located at 313 East Oak Valley Drive approved as part of the original Oak Crest Hills Addition plat on April 12, 1966 (attached). The applicant is requesting the vacating plat in order to construct four single family detached homes on the subject property. The subject property fronts East Oak Valley Drive and Bransford Road and is currently vacant. The property was previously the site of the Colleyville City Hall building before the current City Hall was constructed.

Zoning. The subject property is zoned R-20-Single Family Residential district.

Lot Dimensions and Setbacks. The R-20-Single Family Residential zoning regulations require a minimum lot size of 20,000 square feet with a minimum lot width of 100 feet, and lot depth of 125 feet. Per Section 3.24 G, Schedule of District Regulations, the following residential zoning standards apply:

Minimum Front Yard Setback: 30 feet

Minimum Side Yard Setback: 10 feet

Minimum Rear Yard Setback: 25 feet

Maximum Lot Coverage: 30 percent

Although the lot widths are slightly less than 100 feet at the front property lines along East Oak Valley Drive, they are 100 feet in width at the 30 foot front building line. According to the Land Development Code, lot width is measured at the front building line.

History of Property. The subject properties were replatted, per the attached replat, on August 26, 1985 in order to place the City Hall building on the property. The City Hall building was then demolished in 2003 given the opening of the current City Hall building at 100 Main Street. The property has been vacant since 2003. On December

17, 2013, the City Council approved the sale of the subject property to the applicant under Resolution R-13-3697 (attached). Among other conditions, the sale of the property is contingent upon the approval of a vacating plat for the property.

Request for Waiver. The applicant is requesting a waiver to the 15 foot right-of-way dedication requirement for Bransford Road. Bransford Road is designated as a Major Collector (Four Lane) on the Master Thoroughfare Plan, which requires 80 feet of right-of-way. Therefore, as part of the platting process, 40 feet of right-of-way is required to be dedicated west of the centerline of Bransford Road for the subject property. When the original plat was approved, Bransford Road required only a 50 foot right-of-way, which is why the original lot configuration exists as proposed. The reason for the waiver request is that, although the plat is a vacating plat and is proposing to bring back the original lot configuration, the plat must meet all current Land Development Code requirements.

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

Development Fees. Park land dedication fees are required, in the amount of \$1,802 per residential lot, for the four lots where new homes are proposed. Park land dedication fees are due at the time of final plat and must be paid before the final plat is recorded with the County Clerk's office.

Roadway impact fees are due in the amount of \$4,941 per residential lot, at the time of the building permit application, which will total \$29,646 for the proposed development.

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.

Summary. The Oak Crest Hills Addition Vacating Plat complies with the requirements of the Land Development Code with the exception of the right-of-way dedication requirement for Bransford Road. Given the waiver request, staff recommends denial due to technical non-compliance with the Land Development Code.

Recommendation

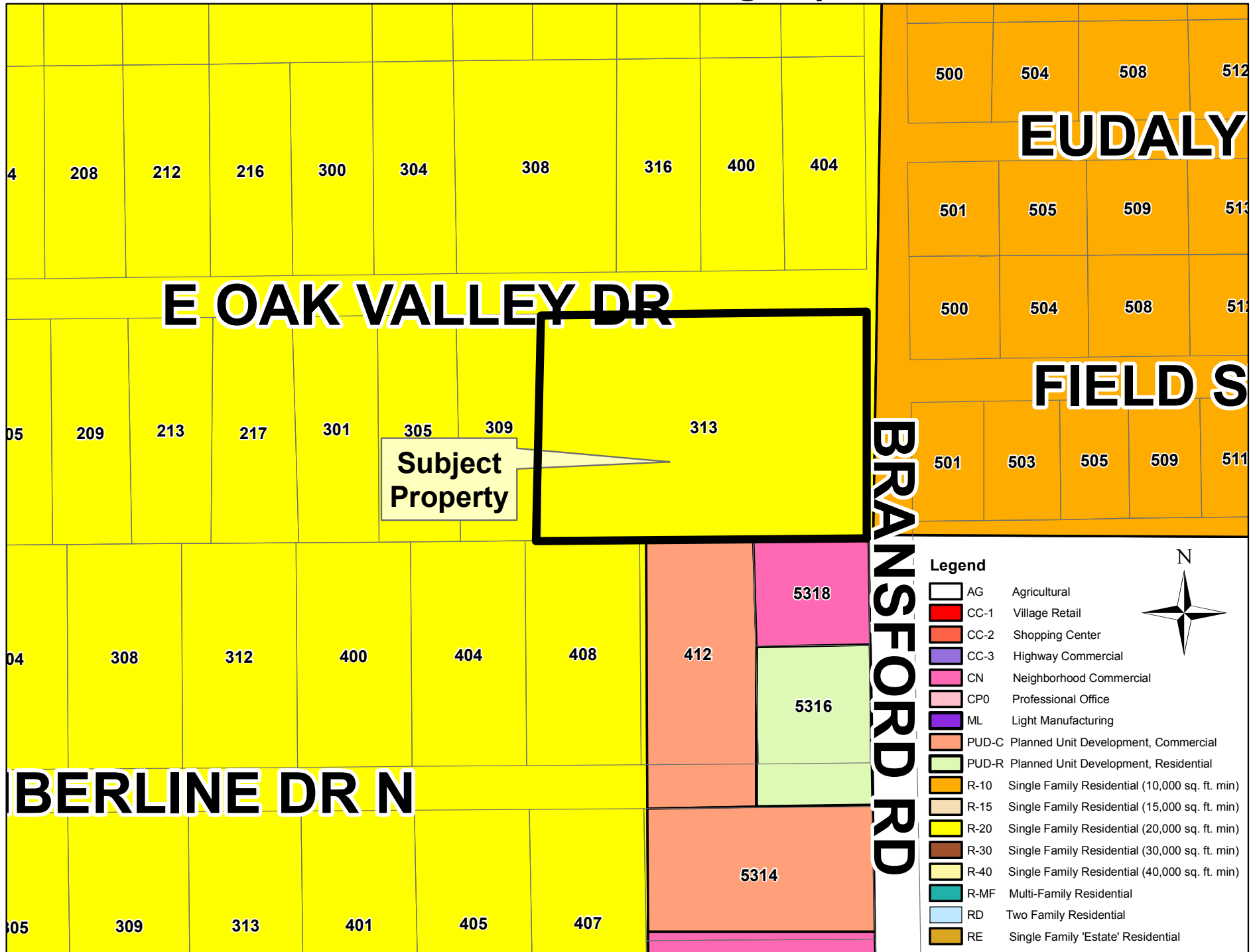
Denial

Attachments

1. Location and Zoning Map
2. Aerial
3. Vacating Plat

4. Oak Crest Hills Final Plat
5. Oak Crest Hills Replat Lot 13-R
6. Resolution R-13-3697

Location and Zoning Map



EUDALY

E OAK VALLEY DR

FIELD S

BRANSFORD RD

BERLINE DR N

Subject Property

Addresses visible on the map include: 208, 212, 216, 300, 304, 308, 316, 400, 404, 500, 504, 508, 512, 501, 505, 509, 513, 209, 213, 217, 301, 305, 309, 313, 501, 503, 505, 509, 511, 308, 312, 400, 404, 408, 412, 5318, 5316, 5314, 309, 401, 405, 407, 5313.

FIELD S

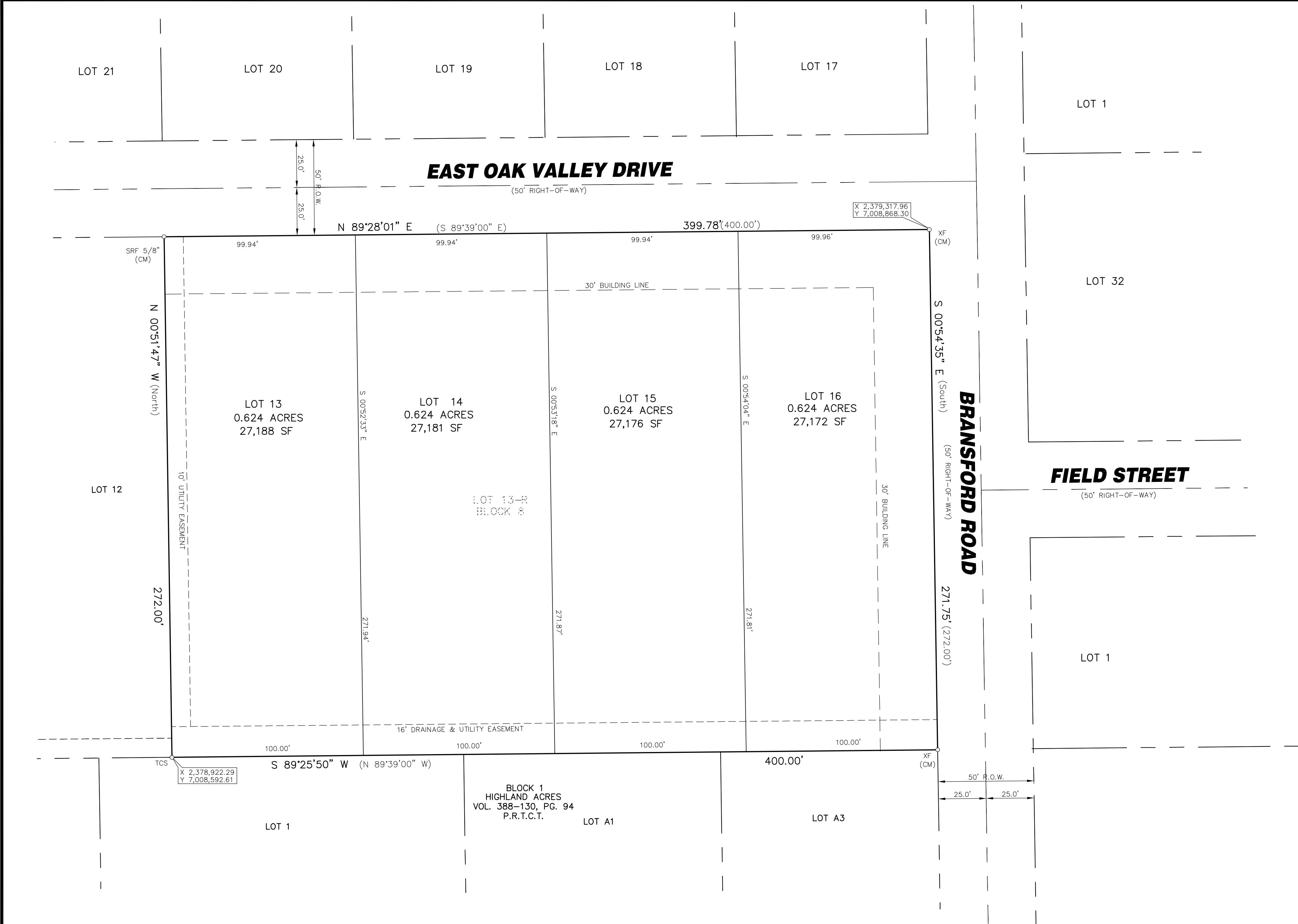
E OAK VALLEY DR

An aerial photograph of a road intersection. A large, bold, white text overlay with a black outline reads "BRANSFORD RD" vertically across the center of the image. The background shows a road with a yellow center line and surrounding greenery.

BERLINE DR N

Subject Property

Vacating Plat



OWNER'S DEDICATION

STATE OF TEXAS §
COUNTY OF TARRANT §

WHEREAS Gary Panno Inc. is the owner of Lot 13R, in Block 8, of Oak Crest Hills Addition, an addition to the City of Colleyville, Tarrant County, Texas, according to the Plat thereof recorded in Volume 388-190, Page 54, Plat Records, Tarrant County, Texas, said tract being more particularly described as follows:

BEGINNING at "+" cut in concrete found at the intersection of the South right-of-way line of Oak Valley Drive (a 50 foot wide right-of-way) and the West right-of-way line of Bransford Road (a 50 foot wide right-of-way), said point bing the Northeast corner of said Lot 13-R;

THENCE South 00°54'35" East with said West right-of-way line for a distance of 271.75 feet to a "+" cut in concrete found at the Northeast corner of Block 1, Highland Acres, an addition to the City of Colleyville, Tarrant County, Texas according to the plat thereof recorded in Volume 388-130, Page 94 of the Plat Records of Tarrant County, Texas;

THENCE South 89°25'50" West departing said West right-of-way and with the North line of said Highland Acres for a distance of 400.00 feet to a 5/8-inch steel rod with "TERRACORP" cap set at eh Southeast corner of Lot 12, Block 8, Oak Crest Hills Addition, an addition to the City of Colleyville, Tarrant County, Texas according to the plat thereof recorded in Volume 388-29, Page 415 of the Plat Records of Tarrant County, Texas;

THENCE North 00°51'47" West with the East line of said Lot 12 Drive for a distance of 272.00 feet to a 5/8-inch steel rod found in the said South right-of-way line of Oak Valley;

THENCE North 89°28'01" East with said South right-of-way line for a distance of 399.78 feet to the POINT OF BEGINNING.

CONTAINING: 108,718 square feet or 2.496 acres of land, more or less

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

That, Gary Panno Inc. the owner, does hereby adopt this plat designating the hereinbefore described property as **LOTS 13, 14, 15 & 16, BLOCK 8, OAK CREST HILLS ADDITION**, an addition to the City of Colleyville, Tarrant County, Texas, and do hereby dedicate fee simple to the public use forever all streets, right-of-way, and alleys shown thereon, and do hereby reserve the easements shown on this plat for the mutual use and accommodation of all public utilities desiring to use or using the same, any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of the easements, an any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of construction, reconstruction, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. this plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Colleyville, Texas.

WITNESS our hands this ____day of _____, 2014

Ryan Panno Gary Panno
Owner Owner

STATE OF TEXAS §
COUNTY OF TARRANT §

Before me, the undersigned notary public in and for said county and state on this day personally appeared Ryan Panno and Christie A. Panno, known to me to be the persons whose names are subscribed to the forgoing instrument and acknowledged to me that they executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ____day of _____, 2014,

NOTARY PUBLIC IN AND FOR TARRANT COUNTY
MY PRINTED NAME
MY COMMISSION EXPIRES:

This is to certify the I, Neil D. Culver a Registered Professional Land Surveyor of the State of Texas, having platted the above subdivision from an actual survey on the ground and that all lot corners, angle points and point of curvature shall be properly marked on the ground by required monuments and markers in accordance with the provisions of Chapter 9 of the City of Colleyville Code and that this plat correctly represents that survey made by me or under my direction and supervision.

PRELIMINARY NOT TO BE
FILED FOR ANY PURPOSE

Neil D. Culver
Registered Professional Land Surveyor
Texas Registration No. 5211



PLAT VACATION
OF
**LOT 13-R, BLOCK 8
OAK CREST HILLS ADDITON**

REVERTING TO LOTS 13,14,15 AND 16, BLOCK 8
OAK CREST HILLS ADDITION

AND BEING SITUATED IN THE
O.C. STRUM SURVEY, ABSTRACT No. 1487
CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

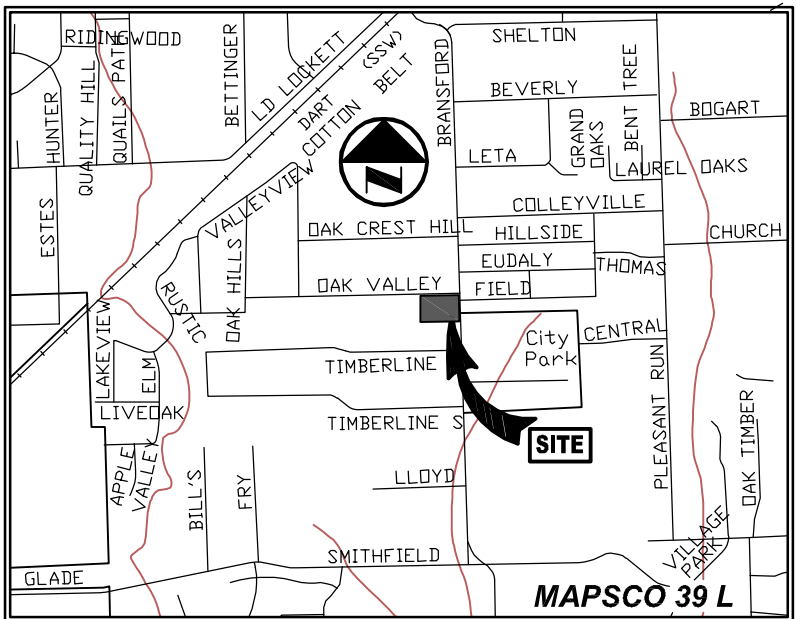
This plat filed by Instrument #_____, Date_____

2/25/2014

OWNER:
GARY PANNO INC
PO BOX 715
COLLEYVILLE, TX 76034

TerraCorp Associates LLC
3960 Broadway Blvd. Ste 236
Garland, TX 75043
ph. 972-805-4529, fax 972-805-4527
www.terraccorpsurvey.com TBPLS Reg No. 101858-00

NOTES
1. Bearings shown hereon are based on NAD83(CORS96, EPOCH 2002) tied to the Texas Coordinate System of 1983, North Central Zone (4202) using the Geoshack "GeoNet" RTK GPS Network.



VICINITY MAP

STAFF APPROVAL AUTHORITY
This Amending Plat is approved in accordance with Section 212.0065 of the Texas Local Government Code and the City of Colleyville Subdivision Regulations.

Date _____

Community Development Director _____

Public Works Director _____

MAP OF BLOCKS 7 and 8,
OAK CREST HILLS
AN ADDITION TO COLLEYVILLE
TARRANT COUNTY, TEXAS
OUT OF THE J. J. NEWTON SURVEY, ABST. No. 117

OUT OF THE J. J. NEWTON SURVEY, ARST. NO. 1176

Billie 212

TERAY STANLEY

→ no permit to be issued for Oct 15th
over 99 = 47 frontage (Feb. 6.25.13

[illegible]

2000

2. THEORY

1

350 Vrs N. of
SE cor J. J. Newton
Survey.

SE Cor of the
JJ Newton Survey
Abst 1176

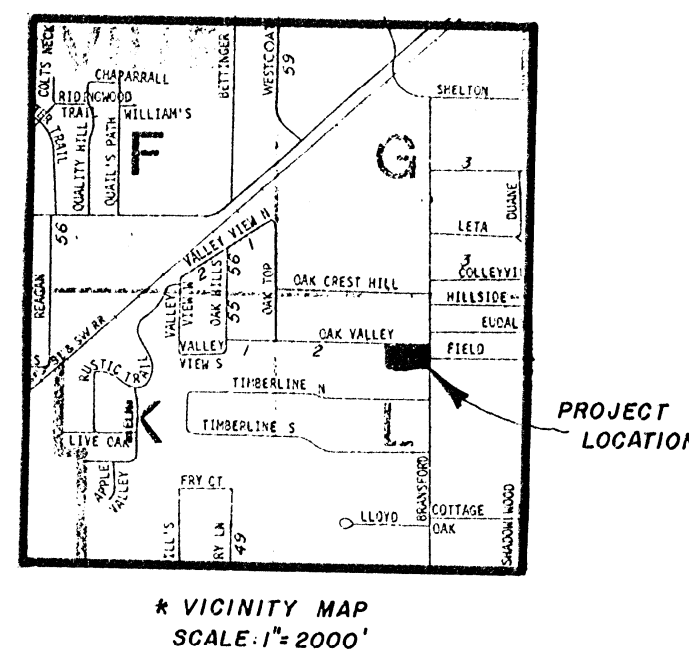
W. R. "Bob" HARVEY
Reg. Public Surveyor
6800 Meadowbrook Dr.
Fort Worth, Texas
phone 64-1-5931

APPROVED: 4-12-66
DATE
CITY OF COLLEYVILLE, TEXAS
BY: ERENDAY
MAYOR
BY: Helen Bailey
CITY SECRETARY

OWNER - NU-WAY FOUNDATION, INC.
P.O. Box 13245
FORT WORTH, TEXAS

1" = 200'
SURVEYED BLKS 7-8
Nov 1964

FILED
TARRANT COUNTY TEXAS



COUNTY OF TARRANT
STATE OF TEXAS }

I hereby certify that this instrument was FILED on this
date and at the time stamped hereon by me and was duly
RECORDED in the Volume and Page of the Named Record.
of Tarrant County, Texas, as stamped hereon by me.

AUG 30 1985

The seal is circular with a five-pointed star in the center. The words "COUNTY CLERK" are written in a circle around the star, and "TARRANT COUNTY TEXAS" is written in a larger circle at the bottom.

Madeline Huffman
COUNTY CLERK
TARRANT COUNTY, TEXAS

GRAPHIC SCALE IN FEET



50 0 50 100

SCALE : 1" = 50'

AUGUST 5, 1985

OWNER - DEVELOPER
CITY OF COLLEYVILLE
P.O. BOX 185
COLLEYVILLE, TEXAS 76034

Judy Atwood
Chairman

JOB NO. 85-5-14051

13

RESOLUTION R-13-3697

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

WHEREAS, the City solicited sealed bids for the potential sale of a parcel of land owned by the City of Colleyville, consisting of 2.5 acres, located on Lot 13R, Block 8, of the Oak Crest Hills Addition, 313 Oak Valley Drive; and

WHEREAS, the minimum bid requirement was \$834,000, an amount which exceeds the City's appraised value for the parcel; and

WHEREAS, the City opened sealed bids on Monday, December 9, 2013, at 2:00 p.m. and the highest bid for the parcel was in the amount of \$836,460.

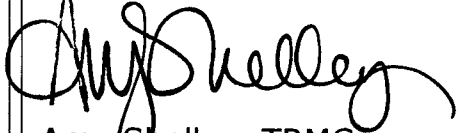
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

- Sec. 1. THAT the above findings are found to be true and correct and are incorporated herein by reference as if copied in their entirety.
- Sec. 2. THAT the sale of the parcel on Lot 13R, Block 8, of the Oak Crest Hills Addition, 313 Oak Valley Drive, in the amount of \$836,460, to Gary Panno Inc., is hereby approved.
- Sec. 3. THAT the city manager is authorized to execute all associated documents for the transaction.

AND IT IS SO RESOLVED.

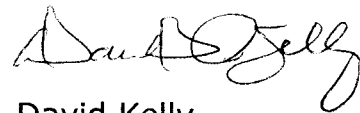
APPROVED BY A VOTE OF 1 AYES, 0 NAYS AND 0
ABSTENTIONS ON THIS THE 17TH DAY OF DECEMBER 2013.

ATTEST:



Amy Shelley, TRMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 5a	Agenda Date 04/14/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for a Special Use Permit for on-premise alcohol sales on Lot 3, Block 1, of the Tara Addition located at 1009 Cheek-Sparger Road, Suite 122A, Case ZC14-003

Explanation

The applicant, Beatriz Dickson, has submitted a request for a Special Use Permit (SUP) to allow alcoholic beverage sales for on-premise consumption at 1009 Cheek Sparger Road, Suite 122A. The subject property, Tara Village Shopping Center, is zoned CC-1-Village Retail district and is comprised of different businesses and vacant space totaling 39,902 square feet. The proposed space will be developed as a restaurant. Alcoholic beverage sales for on-premise consumption are allowed in the CC-1-Village Retail zoning district with the approval of a SUP-Special Use Permit.

Existing Conditions. The subject business will occupy 5,200 square feet of a suite in the middle portion of the building that was previously used as a restaurant with alcohol sales. A copy of the ordinance for the previous Special Use Permit for on-premise alcohol sales is attached (Ordinance O-97-1064). Currently, there are retail and office uses occupying neighboring suites, along with some vacant space.

Proposed Restaurant. The applicant is proposing to open a new restaurant named Ana's Mexican Grill. The applicant will make minor alterations to the interior of the suite, with an application for a Certificate of Occupancy pending. The proposed site plan, floor plan, and business plan information have been added to the agenda briefing.

Parking. The Land Development Code requires one parking space per 100 square feet of gross floor area for a restaurant use. Given the size of the proposed restaurant, the applicant is required to have 52 parking spaces. Tara Village Shopping Center has 230 parking spaces; therefore, the use meets the requirements of the Land Development Code.

The remaining uses for the property are a mix of office and retail uses. The Land Development Code requires one (1) parking space per 200 square feet for general retail use, and one (1) parking space per 300 square feet for general office use. Using the most restrictive ratio of one (1) space for every 200 square feet, the required

parking for the entire property is 200 parking spaces.

Hours of Operation. The applicant is proposing the hours of operation to be: Sunday through Thursday, 11:00 a.m. to 10:00 p.m.; and Friday and Saturday, 11:00 a.m. to 11:00 p.m.

Distance Requirements. The City of Colleyville Code of Ordinances require businesses that serve alcoholic beverages to be located at least 300 feet from a church, school or public hospital. The distance is measured from property line to property line for schools, and from front door to front door along the street front property lines for churches and hospitals. The property is in compliance with this requirement.

Master Plan. The Colleyville Master Plan designates the future use of this area for retail and commercial land uses. The request is consistent with the goals and objectives of the Master Plan.

Surrounding Land Uses and Zoning. The adjacent property to the south and west is zoned PUD-C-Planned Unit Development-Commercial. The property is currently vacant, and is part of the Heritage Farms assisted and independent living community. The property to the immediate west is zoned CC-1-Village Retail and is developed for office use. The properties to the north are zoned Planned Unit Development-Residential, and are developed for single family residential uses. The property to the east is zoned CN-Neighborhood Commercial, and is developed for general office use. The City of Bedford is to the southeast of the site, and includes a single family residential subdivision.

Public Notification. Staff notified 50 property owners within 500 feet of the subject property regarding this request. Notice was published in the Fort Worth Star-Telegram as required by state law and the Land Development Code. Staff has received no correspondence for this request.

Summary. The proposed Special Use Permit would authorize the sale of alcoholic beverages for on-premise consumption. The Special Use Permit shall automatically expire upon the abandonment of the business, change in the use, a change in ownership, or upon termination of the Certificate of Occupancy. The restaurant will be required to meet the 60 percent food versus 40 percent maximum alcohol sales requirement in the Code of Ordinances. The property satisfies the distance requirements to churches, schools, and public hospitals.

Recommendation

Approval with the following conditions:

1. GENERAL

a. The Special Use Permit shall apply to the sale of alcoholic beverages for on-premise

consumption in conjunction with a restaurant use only.

b. The name of the business authorized for on-premise alcohol sales by this Special Use Permit shall be called "*Ana's Mexican Grill*" and shall not exceed 5,200 square feet.

c. The Special Use Permit shall automatically expire upon the abandonment of the business, change in use, a change in ownership, or upon the expiration or termination of the Certificate of Occupancy.

d. The establishment shall be required to meet the 60 percent food versus 40 percent maximum on-premise alcohol sales requirement in the City of Colleyville Code of Ordinances.

2. HOURS OF OPERATION

a. The hours of operation shall be as follows:

- Sunday through Thursday: 11:00 a.m. to 10:00 p.m.

- Friday and Saturday: 11:00 a.m. to 11:00 p.m.

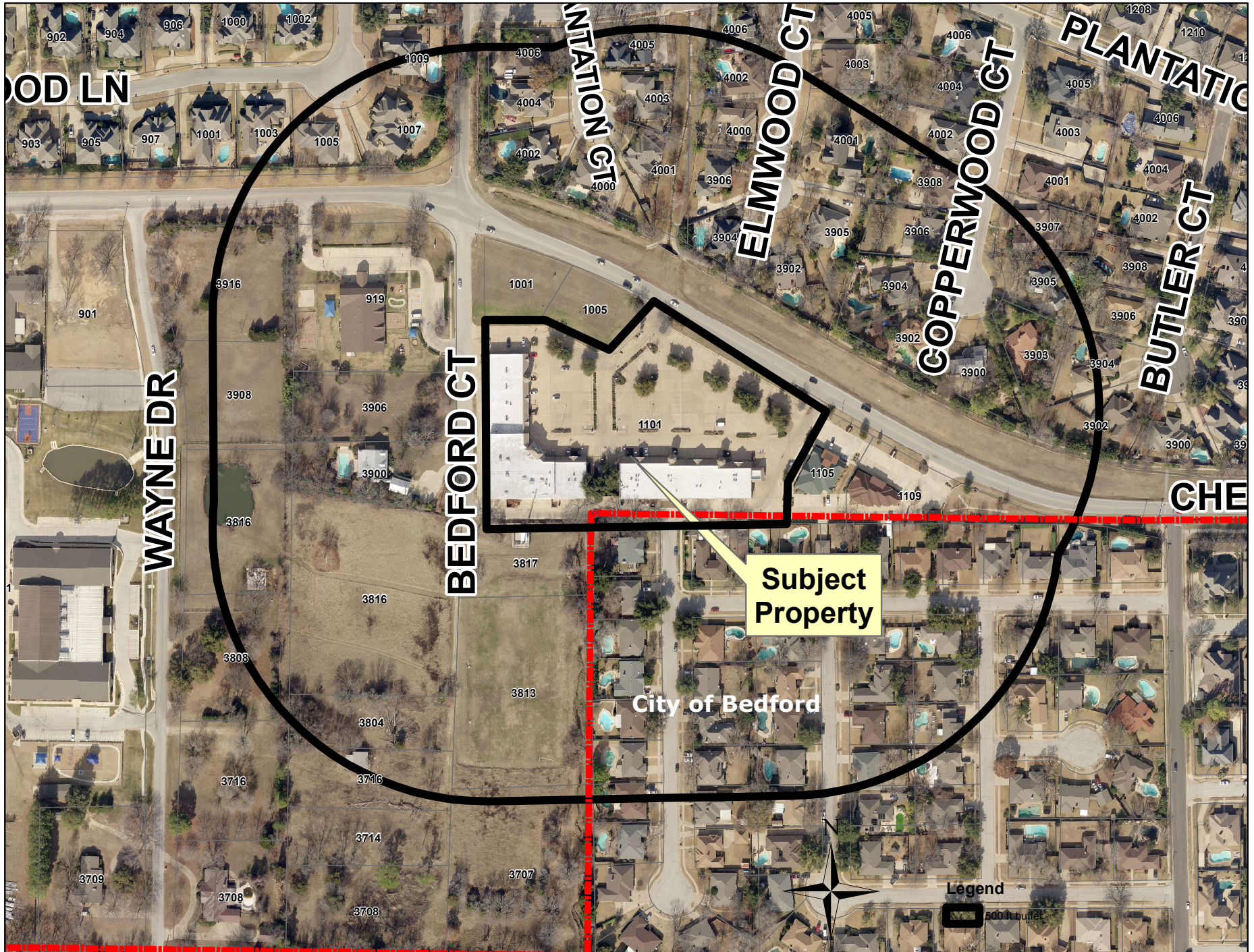
Attachments

1. Location and Zoning Map
2. Aerial
3. Buffer Map
4. Notification List
5. Statement of Planning Objectives
6. Site Plan and Floor Plan
7. Ordinance O-97-1064
8. Ordinance O-14-XXXX

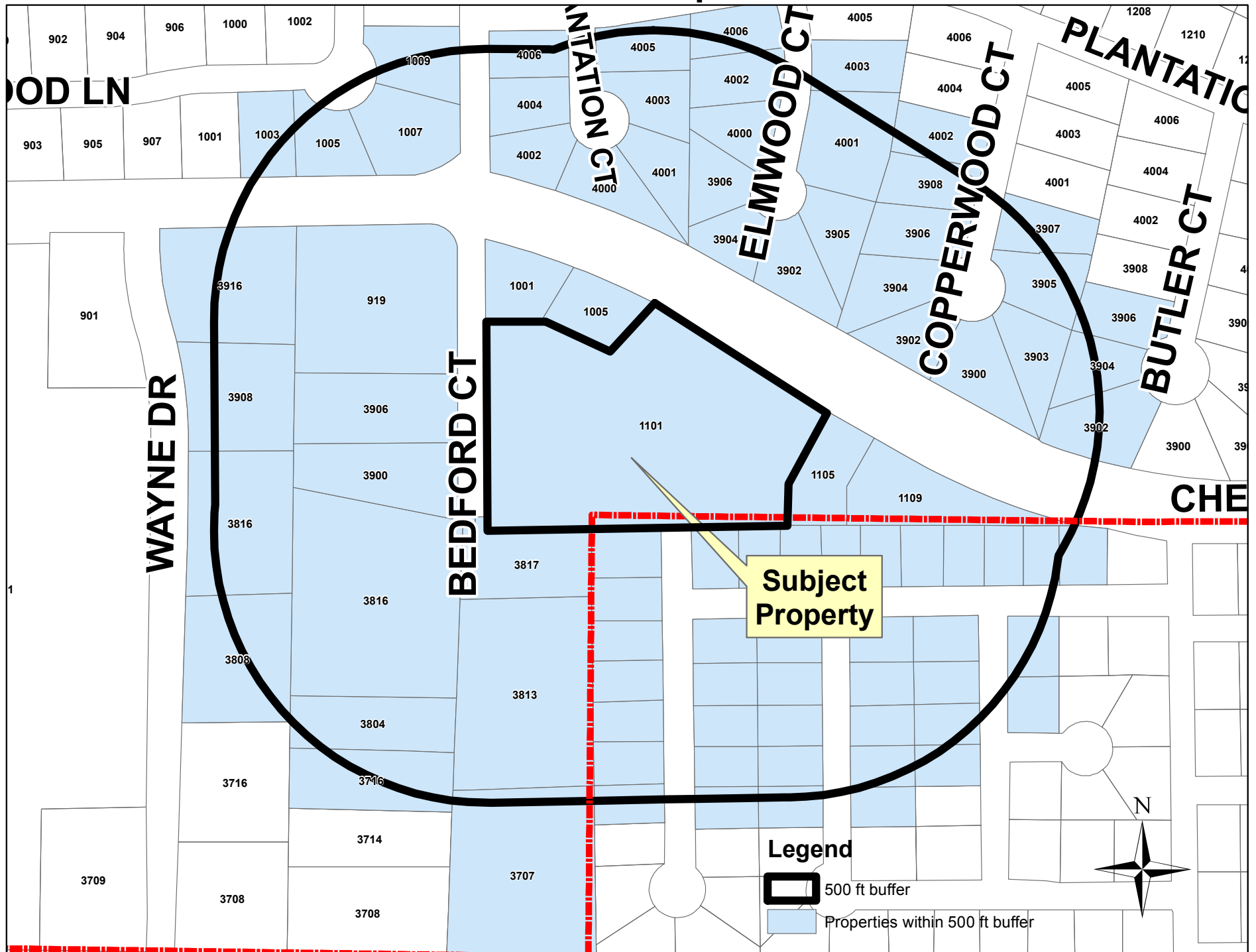
Legend

[Thick black line]	500 ft buffer
[Light green]	AG Agricultural
[Red]	CC-1 Village Retail
[Orange]	CC-2 Shopping Center
[Purple]	CC-3 Highway Commercial
[Pink]	CN Neighborhood Commercial
[Light pink]	CO Professional Office
[Dark purple]	ML Light Manufacturing
[Light orange]	PUD-C Planned Unit Development, Commercial
[Light green]	PUD-R Planned Unit Development, Residential
[Yellow]	R-10 Single Family Residential (10,000 sq. ft. min)
[Light yellow]	R-15 Single Family Residential (15,000 sq. ft. min)
[Yellow]	R-20 Single Family Residential (20,000 sq. ft. min)
[Brown]	R-30 Single Family Residential (30,000 sq. ft. min)
[Light yellow]	R-40 Single Family Residential (40,000 sq. ft. min)
[Teal]	R-MF Multi-Family Residential
[Light blue]	RD Two Family Residential
[Orange]	RE Single Family 'Estate' Residential

Aerial



Buffer Map



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
CCDCW LP	2800 E HIGHWAY 114 STE 30C	ROANOKE	TX	76262	003804 BEDFORD CT
BAERG, HAROLD J ETUX KATHLEEN	3848 CAMPUS DR STE 112	NEWPORT BEACH	CA	92660	001101 CHEEK SPARGER RD
MYERS, DAVID W & MARY A REV TR	7017 OAK HILLS CT	NORTH RICHLAND HILLS	TX	76180	001105 CHEEK SPARGER RD
BAERG, HAL	3848 CAMPUS DR STE 112	NEWPORT BEACH	CA	92660	001005 CHEEK SPARGER RD
DAISY HILL ACADEMY LTD	919 CHEEK SPARGER RD	COLLEYVILLE	TX	76034	000919 CHEEK SPARGER RD
KILE, DANIEL A ETUX SHIRLEY	3907 COPPERWOOD CT	COLLEYVILLE	TX	76034	003907 COPPERWOOD CT
MONTALVO, RODNEY L ETUX MARIA	3903 COPPERWOOD CT	COLLEYVILLE	TX	76034	003903 COPPERWOOD CT
PECHACEK, JOHN A ETUX EILEEN F	3905 COPPERWOOD CT	COLLEYVILLE	TX	76034	003905 COPPERWOOD CT
RICHEY, RUTH JEAN MURRAY	3906 BUTLER CT	COLLEYVILLE	TX	76034	003906 BUTLER CT
ABBOTT, RHONDA C	3904 BUTLER CT	COLLEYVILLE	TX	76034	003904 BUTLER CT
FOREMAN, BARBARA R	4006 ELMWOOD CT	COLLEYVILLE	TX	76034	004006 ELMWOOD CT
IOVINELLI, LUCI & ROBERT C	4006 PLANTATION CT	COLLEYVILLE	TX	76034	004006 PLANTATION CT
WELCH, CHARLES LEE ETUX LORI L	4004 PLANTATION CT	COLLEYVILLE	TX	76034	004004 PLANTATION CT
RHEE, UN YOUNG	4002 COPPERWOOD CT	COLLEYVILLE	TX	76034	004002 COPPERWOOD CT
TIRHI, GHALEB ETUX LYNDA	4003 ELMWOOD CT	COLLEYVILLE	TX	76034	004003 ELMWOOD CT
LINDSEY, CHARLES B JR	4002 ELMWOOD CT	COLLEYVILLE	TX	76034	004002 ELMWOOD CT
EDWARDS, SHERIDAN B	4003 PLANTATION CT	COLLEYVILLE	TX	76034	004003 PLANTATION CT
ANDREWS, MARY	4001 PLANTATION CT	COLLEYVILLE	TX	76034	004001 PLANTATION CT
PURSLEY, TEX ETUX BARBARA	4000 ELMWOOD CT	COLLEYVILLE	TX	76034	004000 ELMWOOD CT
RINGO, CASEY K ETVIR JOHN L	3906 ELMWOOD CT	COLLEYVILLE	TX	76034	003906 ELMWOOD CT
ELKAN, BRYAN	4005 PLANTATION CT	COLLEYVILLE	TX	76034	004005 PLANTATION CT
USREY, LEWIS B ETUX TAMMY R	4001 ELMWOOD CT	COLLEYVILLE	TX	76034	004001 ELMWOOD CT
GRIFFITH, JAMES C ETUX CYNTHIA	4002 PLANTATION CT	COLLEYVILLE	TX	76034	004002 PLANTATION CT
TORRES, NOLBERTO ETUX JOSEPHIN	3904 COPPERWOOD CT	COLLEYVILLE	TX	76034	003904 COPPERWOOD CT
LANDRY, LLOYD M JR ETUX SANDRA	3900 COPPERWOOD CT	COLLEYVILLE	TX	76034	003900 COPPERWOOD CT
OLDHAM, KEVIN R	3902 ELMWOOD CT	COLLEYVILLE	TX	76034	003902 ELMWOOD CT
MCDOWELL, CHS A JR ETUX SHERRY	3902 COPPERWOOD CT	COLLEYVILLE	TX	76034	003902 COPPERWOOD CT
HUGGINS, SAMUEL E	4000 PLANTATION CT	COLLEYVILLE	TX	76034	004000 PLANTATION CT
CRAVER, PETE F III	3908 COPPERWOOD CT	COLLEYVILLE	TX	76034	003908 COPPERWOOD CT
KENVIN, KEN M JR ETUX AMANDA J	3905 ELMWOOD CT	COLLEYVILLE	TX	76034	003905 ELMWOOD CT
MILLER, RAY ETUX PATRICIA	3904 ELMWOOD CT	COLLEYVILLE	TX	76034	003904 ELMWOOD CT
BYNO, THOMAS J ETUX NINA K	3906 COPPERWOOD CT	COLLEYVILLE	TX	76034	003906 COPPERWOOD CT
PEYTON, JOHN ETUX GEORGE-ANNE	3902 BUTLER CT	COLLEYVILLE	TX	76034	003902 BUTLER CT
COLLINS, STEPHEN B ETUX JANE	1009 INWOOD LN	COLLEYVILLE	TX	76034	001009 INWOOD LN
JACKSON, WILLIAM D ETUX MELBA	1003 INWOOD LN	COLLEYVILLE	TX	76034	001003 INWOOD LN
CHATELAIN, GARY M ETUX GLORIA	1007 INWOOD LN	COLLEYVILLE	TX	76034	001007 INWOOD LN
ALLRED, SHANE ETUX KELLY	1005 INWOOD LN	COLLEYVILLE	TX	76034	001005 INWOOD LN
Hurst-Eules-Bedford ISD	1501 CENTRAL DRIVE	BEDFORD	TX	76022	COURTESY NOTICE
City of Hurst	1505 PRECINCT LINE ROAD	HURST	TX	76054	COURTESY NOTICE
City of Bedford	2000 FOREST RIDGE	BEDFORD	TX	76021	COURTESY NOTICE
Tara Neighborhood Association	PO BOX 565	COLLEYVILLE	TX	76034	COURTESY NOTICE
BEATRIZ DICKSON, APPLICANT	1009 CHEEK-SPARGER ROAD, SUITE 122A	COLLEYVILLE	TX	76034	COURTESY NOTICE

Public hearing notices were mailed
Thurs. April 3, 2014 by Taci Wrisley

*Ana's
Mexican Grill*

Business Plan

November 2013

Statement of Planning Objectives

Executive Summary

The population around the city of Colleyville, Texas is increasing and so is the demand of more restaurants. In addition, Tex-Mex food is becoming more popular not only for Latinos but to all ethnicities. Ana's Mexican Grill is willing to become part of the city as a new Tex-Mex restaurant in the area.

Ana's Mexican Grill has strong reasons to become a successful restaurant. It will be offering a unique and authentic taste of Tex-Mex food. Also, the demand and the low amount of restaurants in the area make Ana's Mexican Grill to be more attractive.

Mission

Ana's Mexican Grill will establish itself as a fine casual Tex-Mex dining restaurant in Colleyville, Texas and will maintain high-quality principles. The six following principles will help us measure the appropriateness of our decisions.

- Provide a great work environment and treat employees with dignity and respect.
- Embrace diversity as an essential component in the way that we do business.
- Apply the highest standards of excellence to the food production, preparation, and service to our customers.
- Build lasting relationships with the guests.
- Contribute positively to communities and our environment.
- Recognize that profitability is essential to our future success.

Statement of Planning Objectives

Company Summary

Ana's Mexican Grill is the first creation of the company however the owner and partners of this new company had an extended experience in the restaurants business. Some of them began as servers, and then become general managers. They have gained knowledge on customer service, administration, hospitality and cooking skills.

Ana's Mexican Grill will be operating under great hands. They have definitively acquired experience when it comes to open a new restaurant because they have successfully open several in the past years.

Betty Dickson

Work experience has been as follows:

1996 – 2001 Manager at Ninfa's Restaurant in Dallas, Texas

2001 – 2002 Manager at J Pepe's Restaurant in Bedford, Texas

2002 Manager at Mi Cocina in Fort Worth, Texas

2003 – 2010 Manager at Anamia's in Coppell, Texas (open this location)

2003 – 2010 Manager at Anamia's in Southlake, Texas (open this location)

2011 Manager at Lola's Restaurant in Irving, Texas

Alfredo Gonzalez

Work experience has been as follows:

2002 – 2006 Manager at Anamia's in Flower Mound, Texas

2006 – 2013 Manager at Baja Mexican Grill

At Keller, TX (open this location)

At Southlake, TX (open this location)

At Grapevine, TX

Statement of Planning Objectives

Market Analysis Summary

1. Market Segmentation

According to the U.S. Census Bureau Colleyville has a population of around 22,000. Ana's Mexican Grill target market customers will be residential individuals from the surrounding area. According to the census more than 90% of the residents in Colleyville are White and statistics exhibit that they are the most demanding consumers of Tex-Mex food.

2. Target Market Segment Strategy

Consumers are always searching for the first class food. Ana's Mexican Grill food will be 100% fresh prepared using high quality products and ingredients every day and will allow customers to customize their food to their specific needs.

3. Market Competitors

Cantina Laredo is one of the restaurants in the area however their prices are over the normal range. Ana's Mexican Grill will provide good quality food at a more reasonable price.

Strategy and Implementation Summary

1. Marketing Strategy

Advertising costs can overwhelm a new business, so keeping marketing simple and creative will be challenging. Another weakness that can be experienced is the uneasy visibility of the Tara Village Shopping Center. However, Ana's Mexican Grill will utilize a combination of local media and event marketing. Radio will be another effective way to promote us, followed by local print media. Fortunately, now days there is a new form to advertise thanks to all those free social media networking such as Twitter, Facebook and Instagram. We will offer discount prices and coupons promotions as well. In order to overcome the issue of uneasy visibility, Ana's Mexican Grill will display billboards in the closest frequently used routes.

Statement of Planning Objectives

2. Pricing Strategy

All menu items are moderately priced. A typical customer will spend between \$10 – 15 including food and drink. Our prices are determined based on the current prices of resources.

3. Promotion Strategy

There is going to be a major event were besides promoting our business the event will be held to sponsor a nonprofit organization such as the Breast Cancer Association, Saint Jude, and local athletic schools teams. Ana's Mexican Grill will not be doing it only at the begging to promote its business but it will continue sponsoring these organizations.

Financial Plan

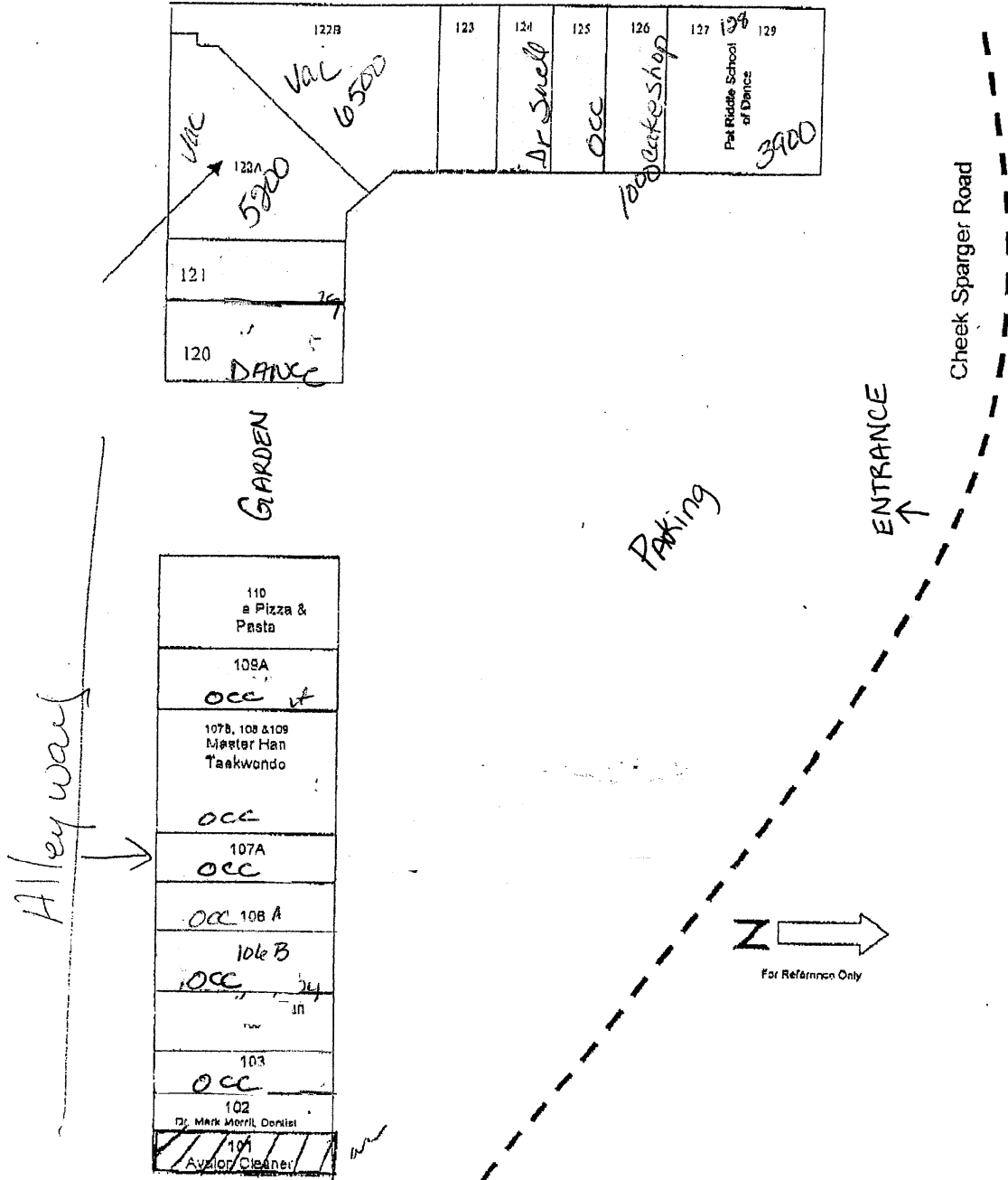
Ana's Mexican Grill will be primary financially supported by the owner. In addition, it will have a back up from a financial institution.

Statement of Planning Objectives

Exhibit B

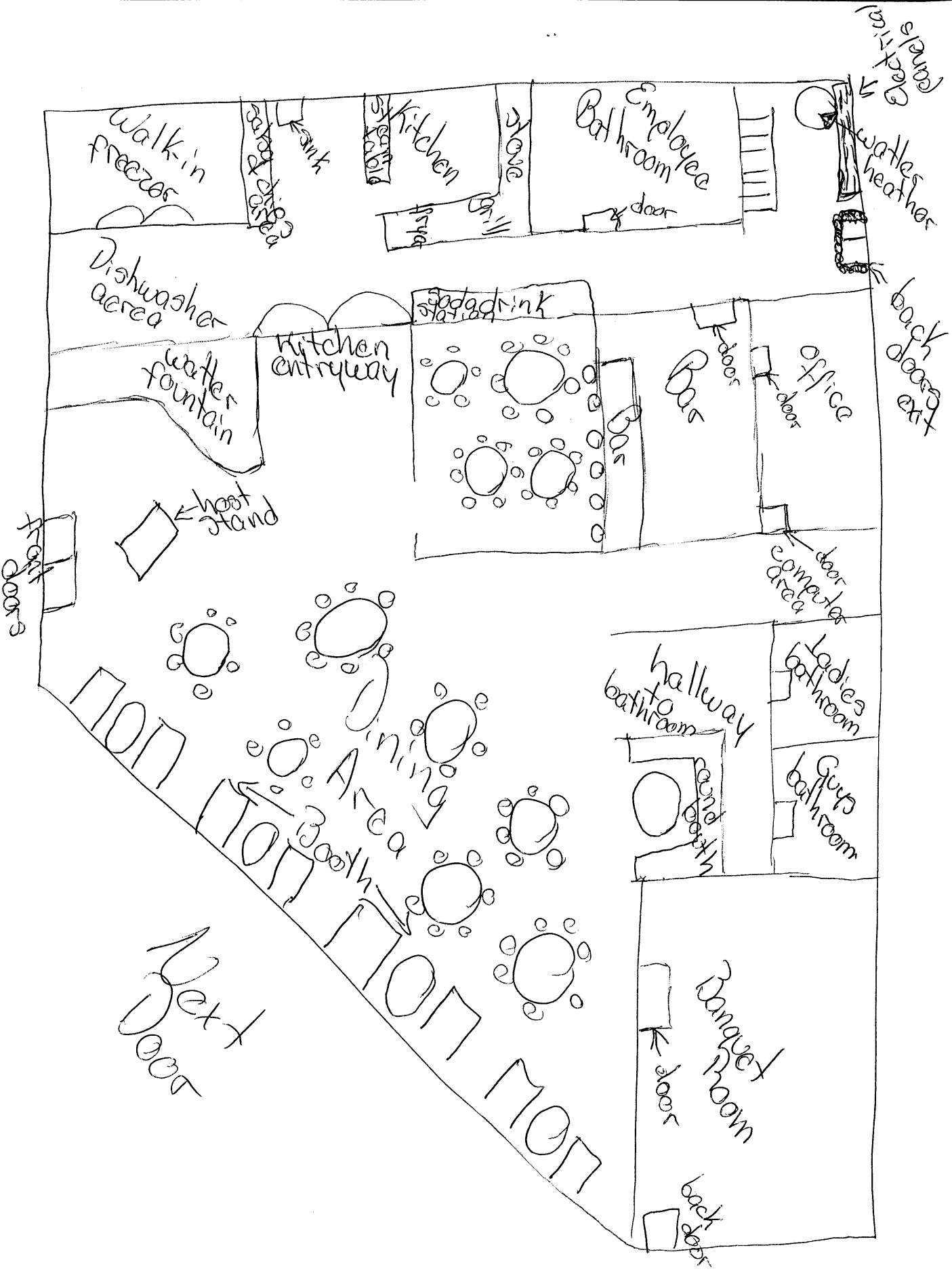
1009-1101 Cheek Sparger Road, Colleyville, TX 76034

Property Site Plan



JWJ
19/25

Statement of Planning Objectives

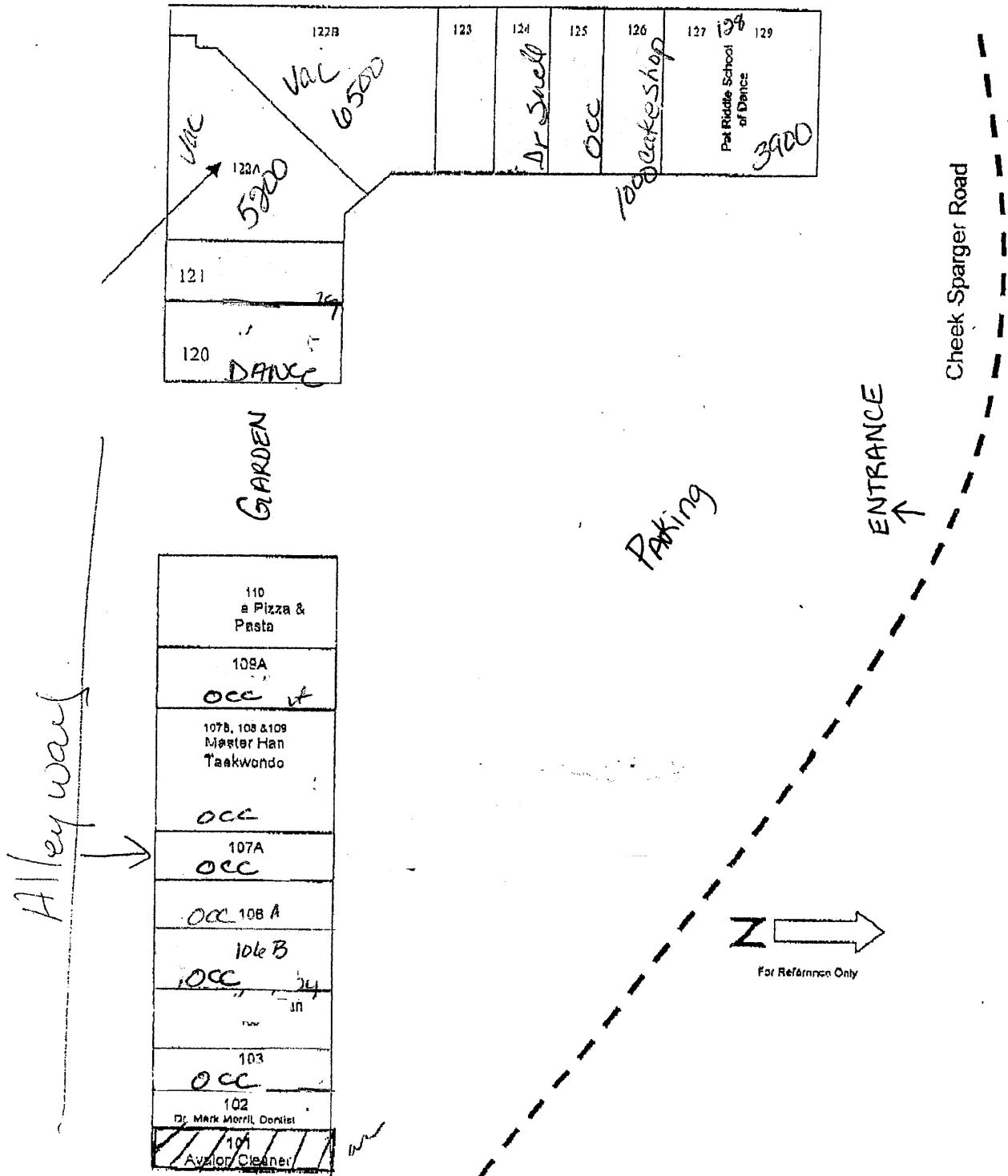


Site Plan and Floor Plan

Exhibit B

1009-1101 Cheek Sparger Road, Colleyville, TX 76034

Property Site Plan



JWJ
19/25

Site Plan and Floor Plan

**TARA VILLAGE CENTER
1009-1101 CHEEK SPARGER ROAD
COLLEYVILLE, TEXAS 76034**

MARCH 4, 2014

CITY OF COLLEYVILLE
MARY ELLIOT, AICP
PLANNING & DEVELOPMENT
COORDINATOR

REF: ANNA'S MEXICAN GRILL @ TARA VILLAGE CENTER
1101 CHEEK SPARGER ROAD, SUITE 122A, COLLEYVILLE, TX 76034

MS. ELLIOT:

TARA VILLAGE IS VERY PLEASED TO HAVE ANNA'S MEXICAN GRILL OPENING UP IN THE CENTER AND WE ARE SURE THAT ANNA'S WILL BE A WELCOME TO THE CENTER AND THE NEIGHBORHOODS SURROUNDING TARA VILLAGE.

WE ARE VERY SUPPORTIVE TO THE PROPRIETORS' OF ANNA'S MEXICAN GRILL TO RECEIVE A LIQUOR LICENSE FOR THEIR RESTAURANT SPACE. WE HAVE HAD SEVERAL BUSINESS' IN THE PAST AT TARA VILLAGE THAT HAD LIQUOR LICENSES AND HAD NO ISSUES OR NEGATIVE EFFECTS CONCERNING THIS MATTER.

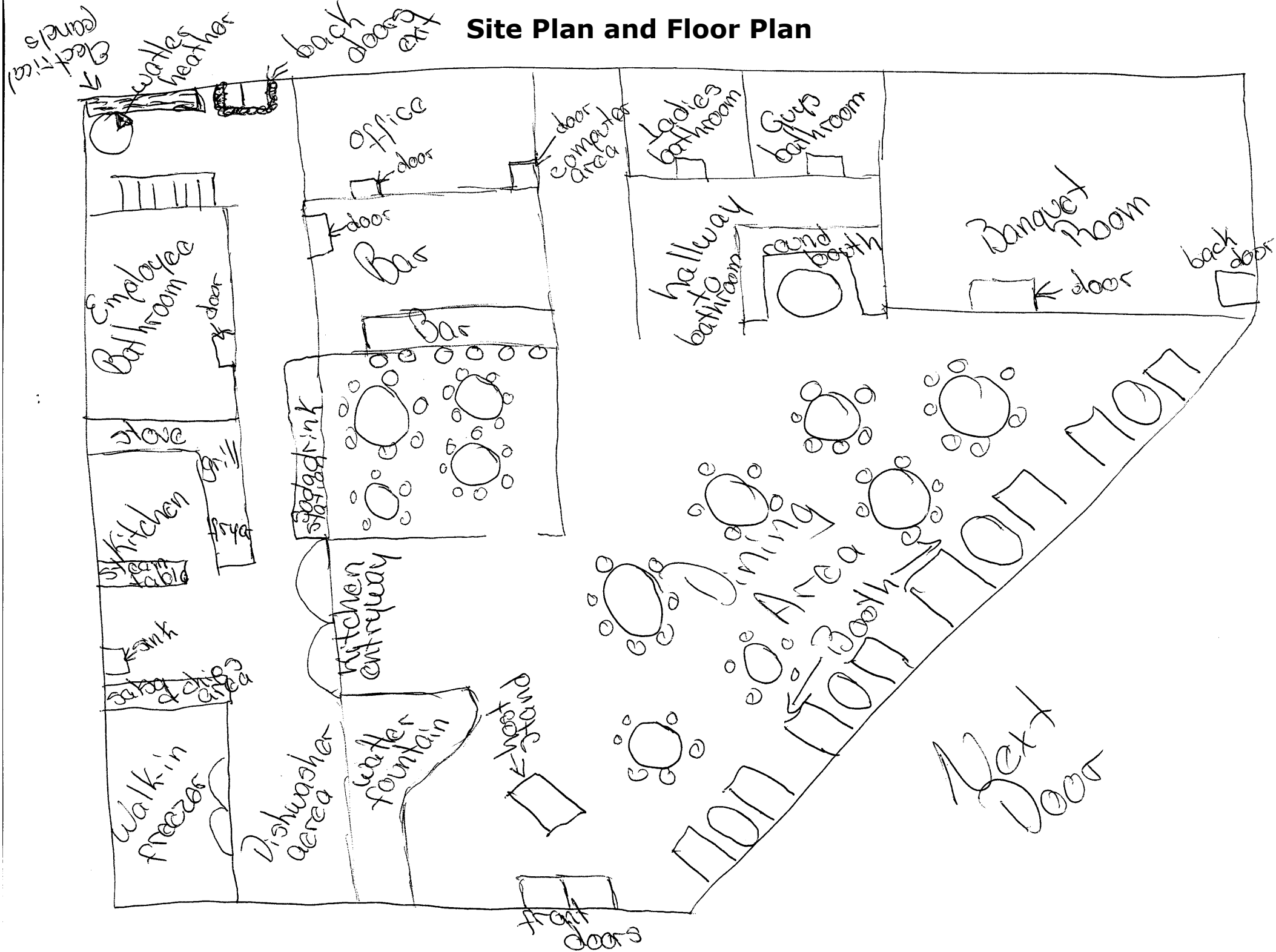
IF YOU SHOULD REQUIRE ANY FURTHER INFORMATION FROM US AS OWNERS OF TARA VILLAGE CENTER, PLEASE DO NOT HESITATE TO CONTACT US.

SINCERELY,



HAL AND KATHY BAERG
3848 CAMPUS DRIVE #112
NEWPORT BEACH, CA 92660
949-489-5622

Site Plan and Floor Plan



ORDINANCE 0-97-1064

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF 4,732 SQUARE FEET BEING A PORTION OF LOT 3, BLOCK 1, TARA III, IN THE CITY OF COLLEYVILLE, TEXAS FROM THE CC-1 (VILLAGE RETAIL) DISTRICT TO THE CC-1 (VILLAGE RETAIL) DISTRICT WITH A SPECIAL USE PERMIT TO ALLOW ALCOHOLIC BEVERAGE SALES FOR ON-PREMISE CONSUMPTION IN A RESTAURANT SETTING; PROVIDING A PENALTY AND AUTHORIZING PUBLICATION.

WHEREAS, an application for zoning change was filed by Michael Soo, Pacific Rim Cuisine on January 30, 1997 under Case No. S-97-002; 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 and the Master Plan 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; and,

WHEREAS, the City Council is of the opinion that the zoning 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 the Master Plan, the Zoning Ordinance of the City of Colleyville, Texas, and the accompanying Zoning Map (as indicated in Exhibit A) are hereby amended insofar as they relate to certain land located in Colleyville, Texas, described by metes and bounds (Exhibit B) by changing the zoning of said property from the CC-1 district to the CC-1 district with a special use permit to allow alcoholic beverage sales for on-premise consumption in a

restaurant setting, together with all supporting documents, and other conditions and restrictions imposed and approved by the Council which are incorporated herein by reference including, but not limited to the Statement of Planning Objectives (Attachment #1) and the Zoning Exhibit (Attachment #2).

Sec. 2. Any person, firm or corporation violating any of the provisions of this ordinance as read together with the Zoning Ordinance of the City of Colleyville 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 Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such.

Sec. 3. The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

AND IT IS SO ORDERED.

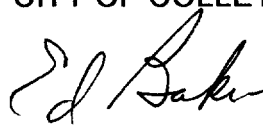
The first reading and public hearing being conducted on the 4th day of March, 1997.

The second reading and public hearing being conducted on the 18th day of March, 1997.

ATTEST:


Jean Harris, CMC
City Secretary

CITY OF COLLEYVILLE


Ed Baker
Mayor

APPROVED AS TO FORM AND LEGALITY:


Ross T. Foster
City Attorney



V & M Properties, L.C.

TARA VILLAGE SHOPPING CENTER

18352 Dallas Parkway, Suite 136-328, Dallas, Texas 75287

Tel: (972) 403-8023

Fax: (972) 403-1546

SUP REQUEST

TARA VILLAGE SHOPPING CENTER

1101 Cheek Sparger Road #122a

Colleyville, Texas 76034

Legal Description Of The Site

Being Part of LOT 3, BLOCK 1, TARA III ADDITION to the City of Colleyville, , Tarrant County, Texas, according to the Plat recorded Volume 388-192, Page 86, Plat Record, Tarrant County, Texas, and being more particularly described as follows:

BEGINNING at a point N45°50'48"E , a distance of 71.78 feet from a ½" iron at the southwest corner of said BLOCK 1, said point being the beginning of a line bears N00°04'07" W, 32.00 feet;

THENCE N44°55'53" E, 63.62 feet;

THENCE S44°55'53" E, 17.00 feet;

THENCE N89°55'53" E, 25.00 feet;

THENCE S00°04'07" E, 65.00 feet;

THENCE N89°55'53" W, 83.50 feet to the POINT OF BEGINNING and containing 4,732.00 square feet of land.

SUP REQUEST

Tara Village Shopping Center
1009-1101 Cheek Sparger Road #122A
Colleyville, Tx 76034

Statement of planning objectives

The concept of the Pacific Rim Cuisine in Tara Village Shopping Center came about due to the absence of same kind business in the vicinity. The objective is to provide a place of high food quality, first-class service and variety of food to patrons. Taking the physical advantage of being located 10 minutes from the DFW International Airport, we are not only targeting patrons from the City of Colleyville-trade area, but also executives from the DFW Metroplex and overseas.

Of the approximately 5,000 s. ft. interior, we will divide out two private rooms for executive meetings. There will be an open sushi bar which serves a variety of sashimi and sushi, another open grill bar will be serving barbecue in skewers. The kitchen inside will prepare salads and hot food in Pacific Rim style. Due to the nature of the dishes and the target customers that we serve, there is a necessary to serve beer and wine at the same time. The proportion of food and alcoholic beverage sale is estimated to be 7 to 3.

The Restaurant will not only provide a pleasant atmosphere for eat-in patrons, it also offers delivery service, catering, banquet for special occasions such as wedding and graduation. The management strongly feels that the concept is appealing and aggressive.

Statement of Planning Objectives

The Pacific Rim Restaurant plans to open in April/May upon City Approval of SUP.

Statement as to proposed ownership

Proposed ownership of the Restaurant is Michael Soo.

Statement of Utilities to be provided

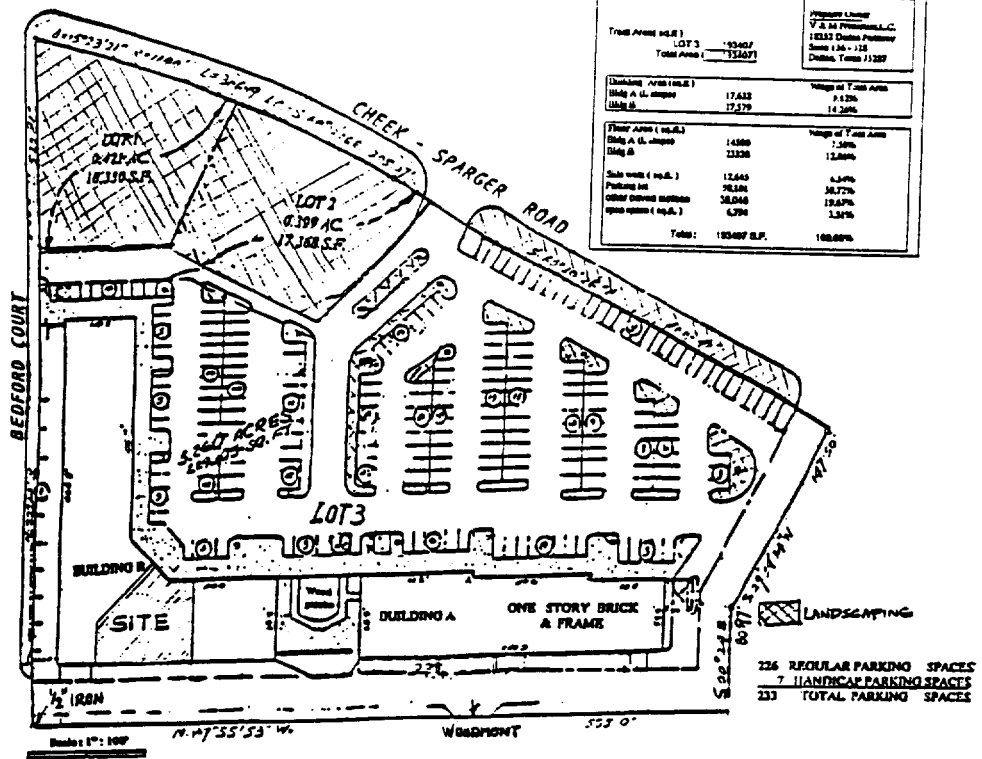
Water and sewer/grease trap are in place and no major public capital improvements are necessary to utility systems.



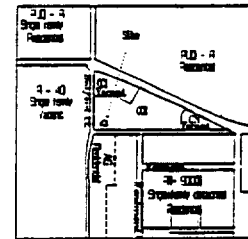
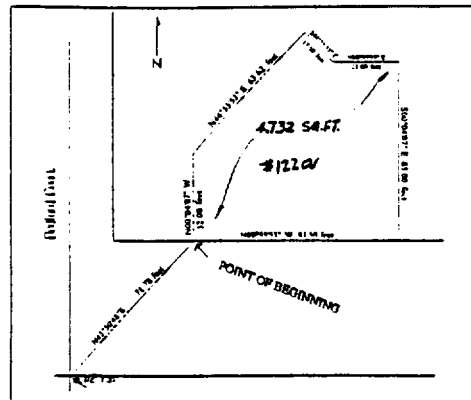
Patrick Demeester, Manager

TARA VILLAGE SHOPPING CENTER
1101 Cheek Sparger Road #122a, Colleyville, Texas 76034
(Existing Shopping Center)

INFORMATION OF THE SHOPPING CENTER



INFORMATION OF THE SITE



Being Part of LOT 3, BLOCK 1, TARA III ADDITION to the City of Colleyville, Tarrant County, Texas, containing the Plat recorded Volume 385-172, Page 86, Plat Record, Tarrant County, Texas, and being more particularly described as follows:

BEGINNING at a point N45°39'47"E, a distance of 71.75 feet from a "W" line at the southeast corner of said BLOCK 1, and point being the beginning of a line to the N89°06'07"W, 32.00 feet;

THENCE N44°39'33"E, 61.62 feet;

THENCE S44°39'33"E, 17.00 feet;

THENCE N89°39'33"E, 13.00 feet;

THENCE S89°06'07"E, 61.00 feet;

THENCE N89°39'33"W, 61.30 feet to the **POINT OF BEGINNING** and containing 4,732.00 square feet of land.

(Note: According to the F.I.R.M. in Community Panel No. 18439C0307H, this property does lie in Zone X and not lie within the 100 year flood zone)

ZONING EXHIBIT
FOR
ZONING CHANGE REQUEST FROM CC1 TO CC1 WITH SUP FOR WINE & BEER SALES IN A RESTAURANT SETTING
January 29, 1997

ORDINANCE O-97-1064
ATTACHMENT "2"

ORDINANCE O-14-XXXX

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF LOT 3, BLOCK, 1 OF THE TARA ADDITION, LOCATED AT 1009 CHEEK SPARGER ROAD, SUITE 122A, BY AUTHORIZING A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION; 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 on-premise consumption of alcohol under Case No. ZC14-003; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

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

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

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

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on Lot 3, Block 1, of the Tara Addition, located at 1009 Colleyville Boulevard, Suite 122A, by authorizing a Special Use Permit for the sale of alcoholic beverages for on-premise consumption, 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 Special Use Permit shall apply to the sale of alcoholic beverages for on-premise consumption in conjunction with a restaurant use only.
- b. The name of the business authorized for on-premise alcohol sales by this Special Use Permit shall be called "Ana's Mexican Grill" and shall not exceed 5,200 square feet.
- c. The Special Use Permit shall automatically expire upon the abandonment of the business, change in the use, a change in

ownership or upon the expiration or termination of the Certificate of Occupancy.

- d. The establishment shall be required to meet the 60 percent food versus 40 percent maximum on-premises alcohol sales requirement in the City of Colleyville Code of Ordinances.
- e. All requirements of the Land Development Code shall be met, except where amended herein.

2. HOURS OF OPERATION

- a. The hours of operation shall be as follows:

Sunday - Thursday: 11:00 a.m. - 10:00 p.m.

Friday – Saturday: 11:00 a.m. – 11:00 p.m.

- 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 6th day of May 2014.

The second reading and public hearing being conducted on the 13th day of May 2014.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the _____ day of _____ 2014.

ATTEST:

CITY OF COLLEYVILLE

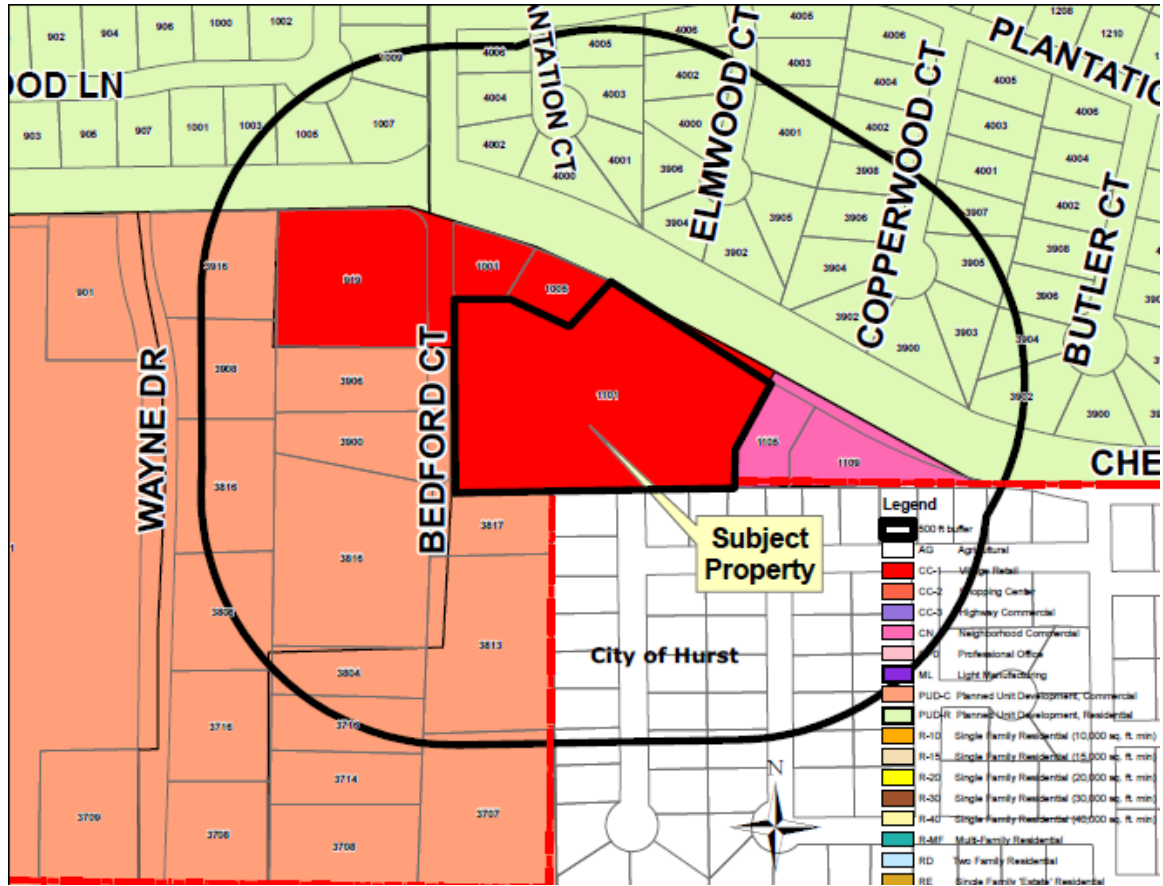
Amy Shelly, TMRC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit "A" – Location and Zoning Map



Ana's Mexican Grill

Business Plan

November 2013

Exhibit "B"-Business Plan, Site Plan, and Floor Plan

Executive Summary

The population around the city of Colleyville, Texas is increasing and so is the demand of more restaurants. In addition, Tex-Mex food is becoming more popular not only for Latinos but to all ethnicities. Ana's Mexican Grill is willing to become part of the city as a new Tex-Mex restaurant in the area.

Ana's Mexican Grill has strong reasons to become a successful restaurant. It will be offering a unique and authentic taste of Tex-Mex food. Also, the demand and the low amount of restaurants in the area make Ana's Mexican Grill to be more attractive.

Mission

Ana's Mexican Grill will establish itself as a fine casual Tex-Mex dining restaurant in Colleyville, Texas and will maintain high-quality principles. The six following principles will help us measure the appropriateness of our decisions.

- Provide a great work environment and treat employees with dignity and respect.
- Embrace diversity as an essential component in the way that we do business.
- Apply the highest standards of excellence to the food production, preparation, and service to our customers.
- Build lasting relationships with the guests.
- Contribute positively to communities and our environment.
- Recognize that profitability is essential to our future success.

Exhibit "B"-Business Plan, Site Plan, and Floor Plan

Company Summary

Ana's Mexican Grill is the first creation of the company however the owner and partners of this new company had an extended experience in the restaurants business. Some of them began as servers, and then become general managers. They have gained knowledge on customer service, administration, hospitality and cooking skills.

Ana's Mexican Grill will be operating under great hands. They have definitively acquired experience when it comes to open a new restaurant because they have successfully open several in the past years.

Betty Dickson

Work experience has been as follows:

1996 – 2001 Manager at Ninfa's Restaurant in Dallas, Texas

2001 – 2002 Manager at J Pepe's Restaurant in Bedford, Texas

2002 Manager at Mi Cocina in Fort Worth, Texas

2003 – 2010 Manager at Anamia's in Coppell, Texas (open this location)

2003 – 2010 Manager at Anamia's in Southlake, Texas (open this location)

2011 Manager at Lola's Restaurant in Irving, Texas

Alfredo Gonzalez

Work experience has been as follows:

2002 – 2006 Manager at Anamia's in Flower Mound, Texas

2006 – 2013 Manager at Baja Mexican Grill

At Keller, TX (open this location)

At Southlake, TX (open this location)

At Grapevine, TX

Exhibit "B"-Business Plan, Site Plan, and Floor Plan

Market Analysis Summary

1. Market Segmentation

According to the U.S. Census Bureau Colleyville has a population of around 22,000. Ana's Mexican Grill target market customers will be residential individuals from the surrounding area. According to the census more than 90% of the residents in Colleyville are White and statistics exhibit that they are the most demanding consumers of Tex-Mex food.

2. Target Market Segment Strategy

Consumers are always searching for the first class food. Ana's Mexican Grill food will be 100% fresh prepared using high quality products and ingredients every day and will allow customers to customize their food to their specific needs.

3. Market Competitors

Cantina Laredo is one of the restaurants in the area however their prices are over the normal range. Ana's Mexican Grill will provide good quality food at a more reasonable price.

Strategy and Implementation Summary

1. Marketing Strategy

Advertising costs can overwhelm a new business, so keeping marketing simple and creative will be challenging. Another weakness that can be experienced is the uneasy visibility of the Tara Village Shopping Center. However, Ana's Mexican Grill will utilize a combination of local media and event marketing. Radio will be another effective way to promote us, followed by local print media. Fortunately, now days there is a new form to advertise thanks to all those free social media networking such as Twitter, Facebook and Instagram. We will offer discount prices and coupons promotions as well. In order to overcome the issue of uneasy visibility, Ana's Mexican Grill will display billboards in the closest frequently used routes.

Exhibit "B"-Business Plan, Site Plan, and Floor Plan

2. Pricing Strategy

All menu items are moderately priced. A typical customer will spend between \$10 – 15 including food and drink. Our prices are determined based on the current prices of resources.

3. Promotion Strategy

There is going to be a major event were besides promoting our business the event will be held to sponsor a nonprofit organization such as the Breast Cancer Association, Saint Jude, and local athletic schools teams. Ana's Mexican Grill will not be doing it only at the begging to promote its business but it will continue sponsoring these organizations.

Financial Plan

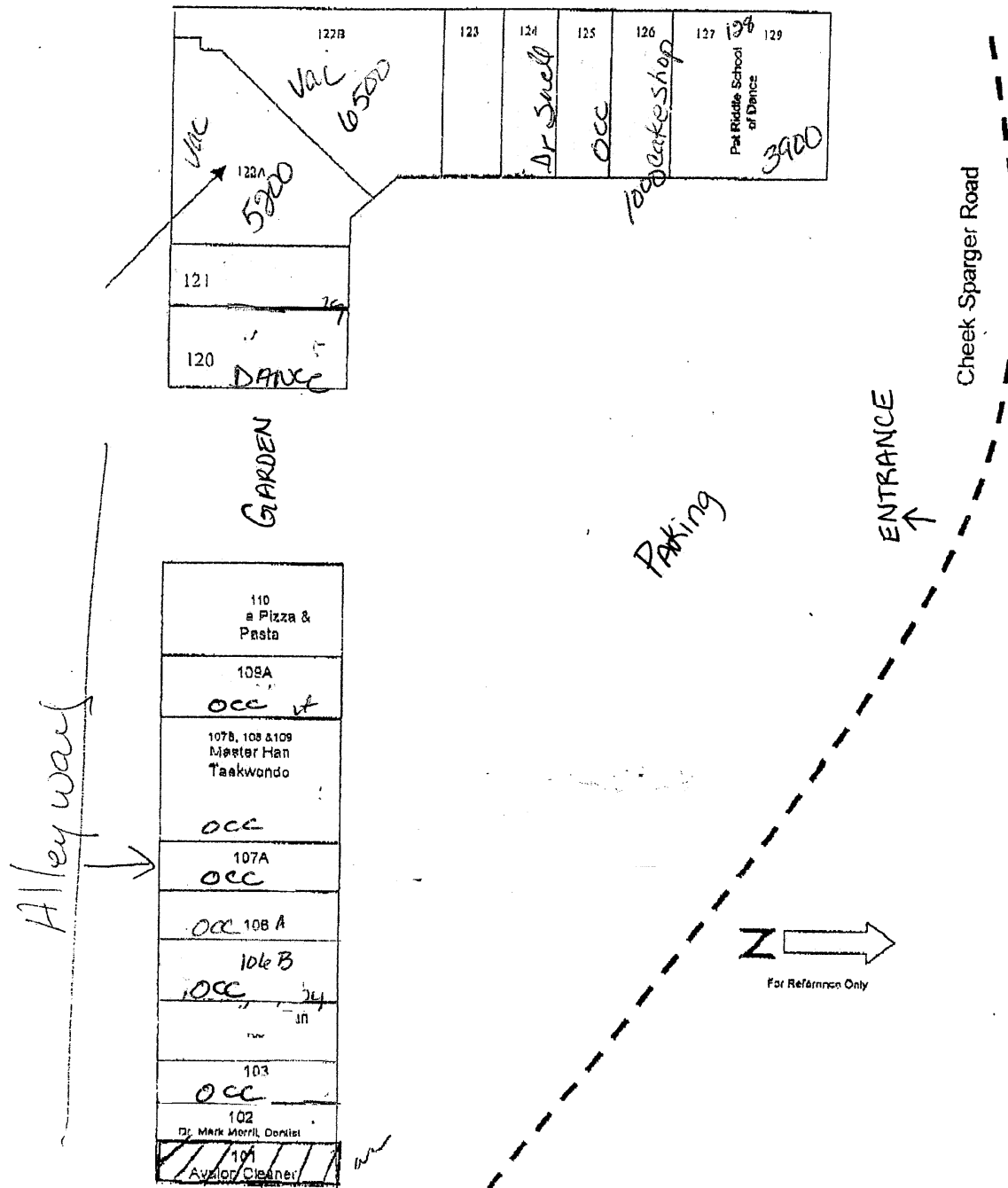
Ana's Mexican Grill will be primary financially supported by the owner. In addition, it will have a back up from a financial institution.

Exhibit "B"-Business Plan, Site Plan, and Floor Plan

Exhibit B

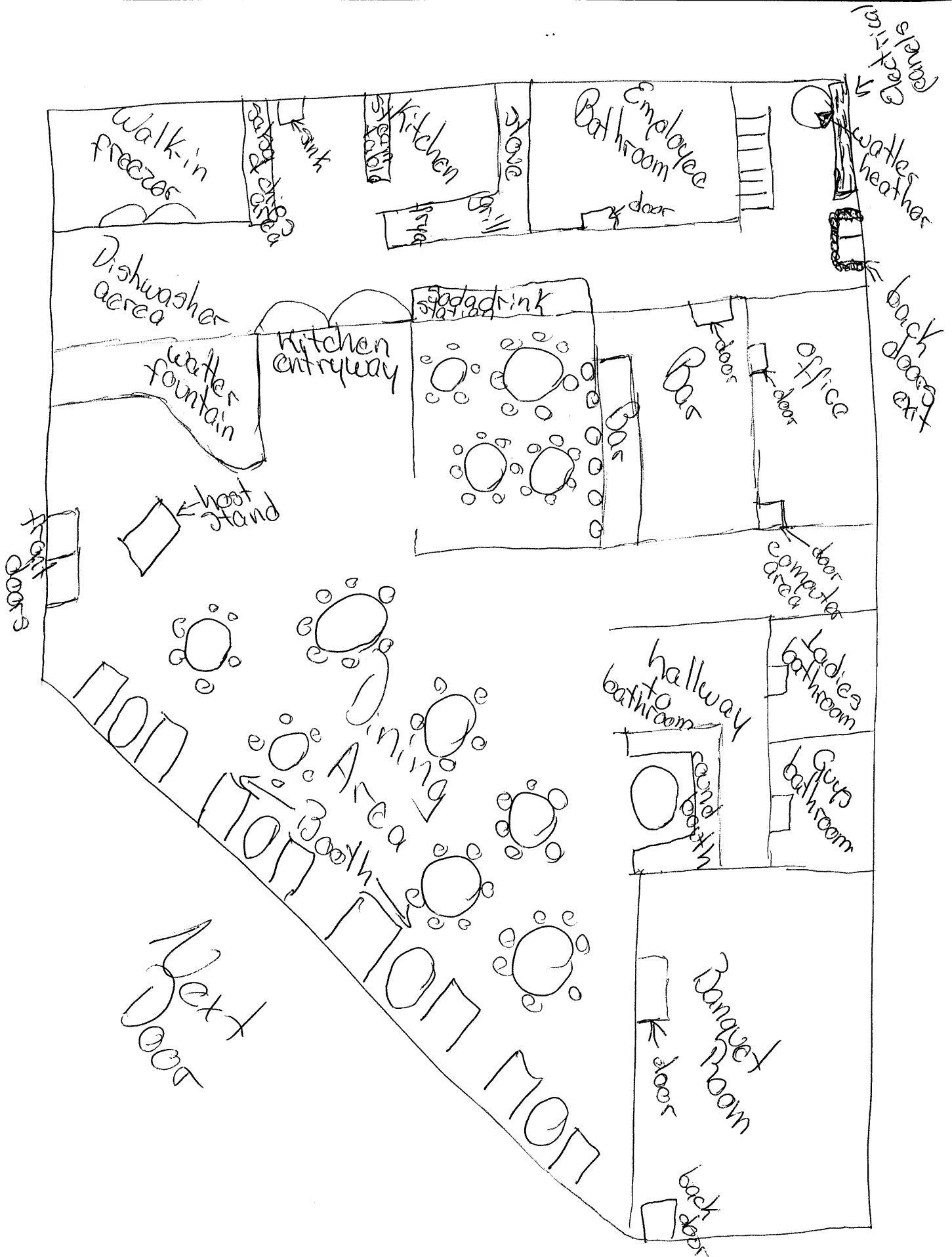
1009-1101 Cheek Sparger Road, Colleyville, TX 76034

Property Site Plan



JWJ.
19/25

Exhibit "B"-Business Plan, Site Plan, and Floor Plan





City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 5b	Agenda Date 04/14/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for an amendment to the Special Use Permit for a Package Store development requirements for Lot 1, Block 1, Atlantic Oil & Gas Addition located at 7990 Precinct Line Road, Case ZC14-005

Explanation

Charanjit Singh with Naggi Corporation, the applicant on behalf of Victron Stores, L.P., has submitted a request to amend an existing SUP-Special Use Permit for a Package Store. The existing shopping center is located at 7990 Precinct Line Road. The shopping center includes 3,554 square feet of existing retail space on 1.62 acres of land. The proposed package store will utilize 1,108 square feet out of the total space.

Applicant's Request. The subject property is zoned PUD-C-Planned Unit Development-Commercial district. The PUD-C Ordinance, O-96-1053, specifies uses that are allowed in the CC-1-Village Retail zoning district for this site. Package store sales for off-premises consumption is allowed in the CC-1-Village Retail district with the approval of a SUP-Special Use Permit.

This amendment to the SUP will allow package store sales for off-premises consumption under a new Certificate of Occupancy. This amendment is due to Section 4.1.h., "The Special Use Permit shall automatically expire upon the abandonment of the business, change in the use, a change in the ownership, or upon the expiration or termination of the Certificate of Occupancy." The owner will remain Victron Stores, L.P. and the name of the store will remain "Tri-City Spirits."

The amendment will also include Exhibit "D," which was referenced in the original ordinance, but was omitted from the original ordinance. Section 4.1.g. states "The package store authorized by this Special Use Permit shall be required to comply with all provisions of the attached Exhibit D." Exhibit "D" is *Crime Prevention Recommendations for Convenience Stores and Package Stores*.

Required Distance Measurements and Findings. Section Six-Alcoholic Beverage Regulations of the Code of Ordinances requires a minimum distance of 300 feet between any establishment that sells alcoholic beverages and a church, public or private school, or hospital. The measurement distance must be calculated from closest front door to closest front door for churches and hospitals and from closest property

line to closest property line for public or private schools.

Adjacent Zoning and Land Uses. Properties to the east are zoned PUD-R-Planned Unit Development-Residential, and are currently vacant. The property to the immediate south is zoned PUD-C-Planned Unit Development-Commercial for CC-1-Village Retail uses, and is currently vacant. The properties to the west of Precinct Line Road are in the City of North Richland Hills. Properties to the north are zoned PUD-C-Planned Unit Development-Commercial, and are currently vacant. These parcels allow a combination of CC-1-Village Retail and CC-2-Shopping Center district uses. To the northeast of the site is the Emerald Park subdivision, zoned PUD-R-Planned Unit Development-Residential.

Master Plan. The Colleyville Master Plan designates this property for future retail uses. The proposed use of the property complies with the plan, with the approval of a SUP-Special Use Permit.

Public Notification. Staff notified 18 property owners within 500 feet of the subject property regarding this request as well as all homeowner's associations within 500 feet. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. Staff has not received any correspondence regarding this request.

Summary. This property has previously operated as a package store with off-premises consumption, and still meets required distance measurements and findings. The amendments to the SUP will allow a change in the Certificate of Occupancy, and add Exhibit "D" to the ordinance. Staff recommends approval of these amendments.

Recommendation

Approval with the following conditions:

1. GENERAL

g. The package store authorized by this Special Use Permit shall be required to comply with all provisions of the attached Exhibit "D."

h. The Special Use Permit shall automatically expire upon the abandonment of the business, change in the use, a change in the ownership, or upon the expiration or termination of the Certificate of Occupancy.

Attachments

1. Location and Zoning Map
2. Aerial
3. Buffer Map
4. Notification List
5. Letter from Victron
6. Ordinance O-96-1053

7. Ordinance O-10-1782
8. Proposed Ordinance

Location and Zoning Map

Legend

-  500 ft buffer
-  AG Agricultural
-  CC-1 Village Retail
-  CC-2 Shopping Center
-  CC-3 Highway Commercial
-  CN Neighborhood Commercial
-  CP0 Professional Office
-  ML Light Manufacturing
-  PUD-C Planned Unit Development, Commercial
-  PUD-R Planned Unit Development, Residential
-  R-10 Single Family Residential (10,000 sq. ft. min)
-  R-15 Single Family Residential (15,000 sq. ft. min)
-  R-20 Single Family Residential (20,000 sq. ft. min)
-  R-30 Single Family Residential (30,000 sq. ft. min)
-  R-40 Single Family Residential (40,000 sq. ft. min)
-  R-MF Multi-Family Residential
-  RD Two Family Residential
-  RE Single Family 'Estate' Residential



**City of
North Richland Hills**

Precinct Line Road

W. LD Lockett Road

STERLING

CRESCENT WAY

CRESCENT

KAYS CT

TEXAS TRL

**Subject
Property**

7990

7970

7900

8000

1000

1217

1121

1117

5844

5840

5836

5832

5828

5824

5820

5816

5812

5843

5839

5835

5831

5800

5842

5838

5834

5830

5845

5841

5837

5833

5829

5825

5821

5815

5812

5808

5804

5800

5996

5813

5809

5805

5801

5997

5714

5704

5700

5612

5608

5604

5600

5522

5518

5714

5704

5700

5612

5608

5604

5600

5522

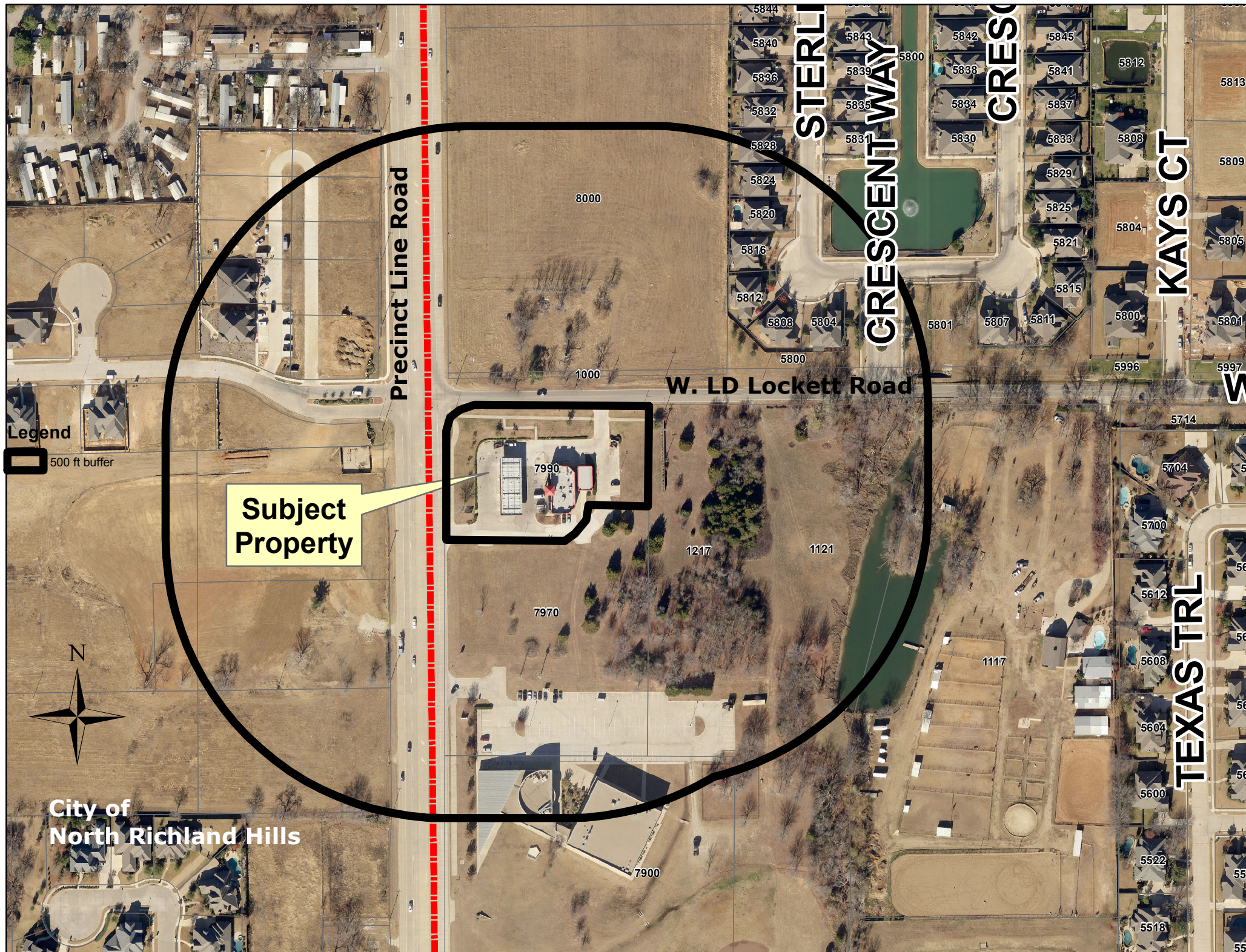
5518

5514

5510

5506

5502



Legend

- 500 ft buffer
- Properties within 500 ft buffer
- City Limit Boundary

Subject Property

Precinct Line Road

W. LD Lockett Road

STERLING

CRESCENT WAY

CRES

KAYS CT

TEXAS TRL

City of North Richland Hills

Map showing property boundaries and city limits. The subject property is highlighted in yellow. The map includes a north arrow and a legend.

City of North Richland Hills

Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
VICTRON STORES LP	PO BOX 2599	WAXAHACHIE TX	TX	75168	007990 PRECINCT LINE RD
EMERALD PARK H A INC	400 COUNTRY PL	COLLEYVILLE	TX	76034	005801 CRESCENT LN
GANDY, R CRAIG	1117 W LD LOCKETT RD	COLLEYVILLE	TX	76034	001117 W L D LOCKETT RD
HERRON, MARK D ETUX BLISS A	1500 BLUEBONNET DR	FORT WORTH	TX	76111	001201 W L D LOCKETT RD
MARKHAM, DIAN L ETAL	5000 GADSDEN AVE	FORT WORTH	TX	76244	008000 PRECINCT LINE RD
HERRON, MARK ETUX BLISS	1500 BLUEBONNET DR	FORT WORTH	TX	76111	001121 W L D LOCKETT RD
BEAR VALLEY COMMUNITY CHURCH	7900 PRECINCT LINE RD	COLLEYVILLE	TX	76034	007900 PRECINCT LINE RD
PURVIS, CONRAD J ETUX BRENDA J	5828 STERLING DR	COLLEYVILLE	TX	76034	005828 STERLING DR
VARGHESE, GEORGE ETUX V	5824 STERLING DR	COLLEYVILLE	TX	76034	005824 STERLING DR
SIRISAKD, NED ETUX KEODARA	5816 STERLING DR	COLLEYVILLE	TX	76034	005816 STERLING DR
GIEBLER, TERRY L	5820 STERLING DR	COLLEYVILLE	TX	76034	005820 STERLING DR
KIM, TAE WOO ETUX HYU J K H	5804 STERLING DR	COLLEYVILLE	TX	76034	005804 STERLING DR
VORA, JAY ETUX RENU	5808 STERLING DR	COLLEYVILLE	TX	76034	005808 STERLING DR
KUO, MAN-LI ETVIR L FIORELLO	5812 STERLING DR	COLLEYVILLE	TX	76034	005812 STERLING DR
ATLANTIC OIL & GAS INC	2220 MARSH LN STE 109	CARROLLTON	TX	75006	007970 PRECINCT LINE RD
Keller ISD	350 KELLER PARKWAY	KELLER	TX	76248	Courtesy Notice
City of Keller	PO BOX 770	KELLER	TX	76244	Courtesy Notice
CITY OF NORTH RICHLAND HILLS	7301 NE LOOP 820	NORTH RICHLAND HILLS	TX	76180	Courtesy Notice
EMERALD PARK H A INC	5837 CRESECENT	COLLEYVILLE	TX	76034	Courtesy Notice
CHARANJIT SINGH, APPLICANT	7056 WELSHMAN DRIVE	FORT WORTH	TX	76137	APPLICANT

Public hearing notices were mailed
Thurs., April 3, 2014 by Taci Wrisley

Letter From Victron



Mr. Ron Ruthven
Director of Community Development
The City of Colleyville
100 Main St.
Colleyville, TX 76034

March 10, 2014

RE: Special Use Permit Amendment, Tri City Spirits, 7990 Precinct Line Rd., Suite B, Colleyville, TX 76034

Dear Ron:

Please accept the enclosed Community Development Services Application for Tri City Spirits. We are submitting the Special Use Permit Amendment, due to the operator/tenant change. The property ownership has not changed, it is still Victron Stores, LP.

The applicant is a Mr. Charanjit Singh, Naggi Corporation. Mr. Singh has extensive experience in the c-store, retail and liquor store business. He is a resident of Ft. Worth.

Thanks very much.

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Baca', is written over the word 'Sincerely,'.

Kenneth D. Baca
Vice President Business Development
Victron Stores, LP

ORDINANCE 0-96-1053

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF 4.3057 ACRES OUT OF THE I. CARODINE SURVEY, ABSTRACT 356, TRACT 1 AND A PORTION OF TRACT 2, McNARY ACRES, IN THE CITY OF COLLEYVILLE, TEXAS FROM THE R40 (SINGLE FAMILY RESIDENTIAL, MINIMUM LOT SIZE OF 40,000 S.F.) DISTRICT TO THE PUD-C (PLANNED UNIT DEVELOPMENT-COMMERCIAL) DISTRICT; PROVIDING A PENALTY AND AUTHORIZING PUBLICATION.

WHEREAS, an application for zoning change was filed by Bob Kohsmann, President, Classic Concepts Homes, Inc. on December 19, 1995 under Case No. Z-95-042; 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 and the Master Plan 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; and,

WHEREAS, the City Council is of the opinion that the zoning 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 the Master Plan, the Zoning Ordinance of the City of Colleyville, Texas, and the accompanying Zoning Map (as indicated in Exhibit A) are hereby amended insofar as they relate to certain land located in Colleyville, Texas, described by metes and bounds (Exhibit B) by changing the zoning of said property from the R40 district to the PUD-C district, subject to all site plans, supporting documents, and other conditions and restrictions imposed and approved by the Council which are incorporated herein by reference including, but not limited to: the Statement of Planning Objectives which is

Attachment 1 to this ordinance; the Conceptual Site Plan, which is Attachment 2 to this ordinance; and subject to the following conditions:

- A. The Site plan attached to this ordinance as Attachment 2 shall be conceptual only. The final location of all buildings shall be determined by the Development Review Committee during normal site plan review. Except as modified by the conditions B through J below, all development within this PUD-C district shall be subject to the zoning and subdivision regulations of the CC-1 (Village Retail) district in effect at the time a final site plan is submitted.
- B. In addition to any other landscaping requirements for the site, a 40 foot landscaped setback shall be required along Precinct Line Road and L.D. Lockett Road from the front property line to the nearest building or paved parking surface. The total area of open space on the site including the front open space setback shall be not less than 20 percent.
- C. The total number of trees on the site measuring three inches in diameter or greater at a point twelve inches above the ground shall be not less than one tree for every twenty feet of street frontage plus one tree for every ten parking spaces.
- D. Not more than one drive access point shall be permitted on Precinct Line Road. The distance from the centerline of the driveway to the front property line on L.D. Lockett Road shall be not be less than 330 feet.
- E. Not more than one drive access point shall be permitted on L.D. Lockett Road. The distance from the centerline of the driveway to the front property line on Precinct Line Road shall be not less than 230 feet.
- F. The curb return radius for driveways at the point they enter public streets shall be not less than 20 feet nor more than 30 feet.

- G. Except for areas of curb return thresholds, the width of driveways crossing the front landscaped setback shall be not less than 24 feet nor more than 26 feet.
- H. Prior to the issuance of any building permit on the site, a legal instrument granting cross access easement to property owners east or south of the site shall be recorded in Tarrant County Deed Records.
- I. Any building on the site shall have translucent openings facing in not less than three separate compass directions. As measured on a compass, the three separate directions shall be separated from one another by not less than 60 degrees.
- J. Not less than 65% of the total floor space in the aggregate shall be dedicated to one or more of the following uses:
 - (1) dry cleaners (station only)
 - (2) apparel alterations
 - (3) interior decorator
 - (4) all uses classified as CC-1 Retail uses in Section 22.3 of the zoning ordinance.

Sec. 2. Any person, firm or corporation violating any of the provisions of this ordinance as read together with the Zoning Ordinance of the City of Colleyville 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 Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such.

Sec. 3. The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 19th day of November, 1996.

The second reading and public hearing being conducted on the 3rd day of December, 1996.

ATTEST:

CITY OF COLLEYVILLE



Jean Harris, CMC
City Secretary



Ed Baker
Mayor

APPROVED AS TO FORM AND LEGALITY:



Ross T. Foster
City Attorney

5079

NO. 1

4A

AF
DR

4

4B

PRECINCT LINE

W.C.

A-1182
NEWTON

W.C.
NEWTON
SUB

1

1E

1C

R-40

LD LOCKETT ROAD

1A1

CO RD

2

4D

PROPOSED
R-40 TO PUD-C

4D1

TR 1
MCNARY

ACRES

TR 2

BREEZY
LAKE
ESTATES

1

MEADOW
LAKE

R-40

3

R-40

1AA

200 FT.

2

2C

2B

TR B

A-357
CARADINE SUR

Ordinance O-96-1053

EXHIBIT A

DESCRIPTION

ALL of that certain tract or parcel of land situated in the L. CARODINE SURVEY, Abstract No. 356, Tarrant County, Texas and embracing portions of TRACT 1 and TRACT 2, McNARY ACRES an Addition to the City of Colleyville, Tarrant County, Texas as recorded in Volume 388-140, Page 78 of the Plat Records, Tarrant County, Texas and described by metes and bounds as follows:

BEGINNING at the intersection of the Southerly boundary line of said Tract 2 and being in the East right of way line of Precinct Line Road from which a Texas Highway Department concrete Monument bears South 00 degrees 22 minutes 25 seconds West, 0.17 feet;

THENCE North 00 degrees 23 minutes 46 seconds East with said right of way line and passing at 50.09 feet a Texas Highway Department concrete Monument, in all 377.42 feet to a Texas Highway Department concrete Monument;

THENCE North 00 degrees 06 minutes 21 seconds East continuing with said right of way line 105.79 feet to a Texas Highway Department concrete Monument;

THENCE North 48 degrees 12 minutes 31 seconds East continuing with said right of way line 14.33 feet to a Texas Highway Department concrete Monument; THENCE North 00 degrees 06 minutes 21 seconds East continuing with said right of way line 2.14 feet to the Northerly boundary line of said Tract 1 and the Southerly right of way line of L. D. Lockett Road;

THENCE South 89 degrees 27 minutes 00 seconds East with said Northerly boundary line and said South right of way line passing at 269.86 feet the Northeast corner of said Tract 1 and the Northwest corner of said Tract 2, in all 368.86 feet to a 1/2 inch capped steel rod stamped "Moak Surv. Inc." for the Northwest corner of the tract described in the deed to Mark D. Herron and wife, Bliss A. Herron recorded in Volume 11255, Page 1216 of the Deed Records, Tarrant County, Texas;

THENCE South 00 degrees 23 minutes 00 seconds West with the Westerly boundary line of said Herron tract 495.00 feet to a 1/2 inch capped steel rod stamped "Moak Surv. Inc." for the Southwest corner of same, and being in the Southerly boundary line of said Tract 2; THENCE North 89 degrees 27 minutes 00 seconds West 379.04 feet to the place of beginning and containing 4.3057 Acres of land, more or less, as surveyed by David C. Moak Surveyors, Inc. during the month of October, 1995.

Classic Concept's

COMMERCIAL REAL ESTATE
BUILDER & DEVELOPER
PROPERTY MANAGEMENT

ROBERT F. KOHSMANN, PRESIDENT
P.O. BOX 1425
BEDFORD, TEXAS 76095
817-267-3373

PLANNING OBJECTIVES BY CLASSIC CONCEPT'S

December 20, 1995

City of Colleyville

RE: Zoning Change on Property Located at the corner of L.D. Lockett and Precinct Line

To Whom It May Concern:

Classic Concepts would like to have this tract zoned for commercial retail. In the past I have had some interest shown in this land for a variety of businesses. At that time I felt it could not be zoned anything along the commercial lines. Since Precinct Line is now planned for a five lane major thoroughfare, and L.D. Lockett is also planned as a major collector, this land could be better suited to tax generating commercial land.

It has also come to my attention that Colleyville has a real need for more commercial business. I believe this is the best place to convert residential land to commercial.

If this property is zoned commercial, I will promote it for retail in the highest use. What is not used for retail, I will develop into office use as that need becomes available. Classic Concepts has built many office buildings of this type in the past.

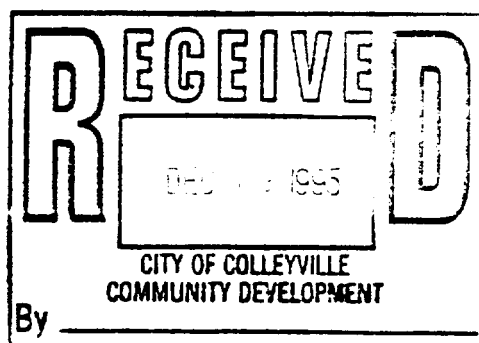
I would assume that the retail will be ready to develop as soon as the road is complete sometime in 1996. It would just come quicker if it had the zoning in place. Classic Concepts will own the complete tract when it is complete.

The water is just south of this property on Precinct Line. The sewer is just east of this property on L.D. Lockett.

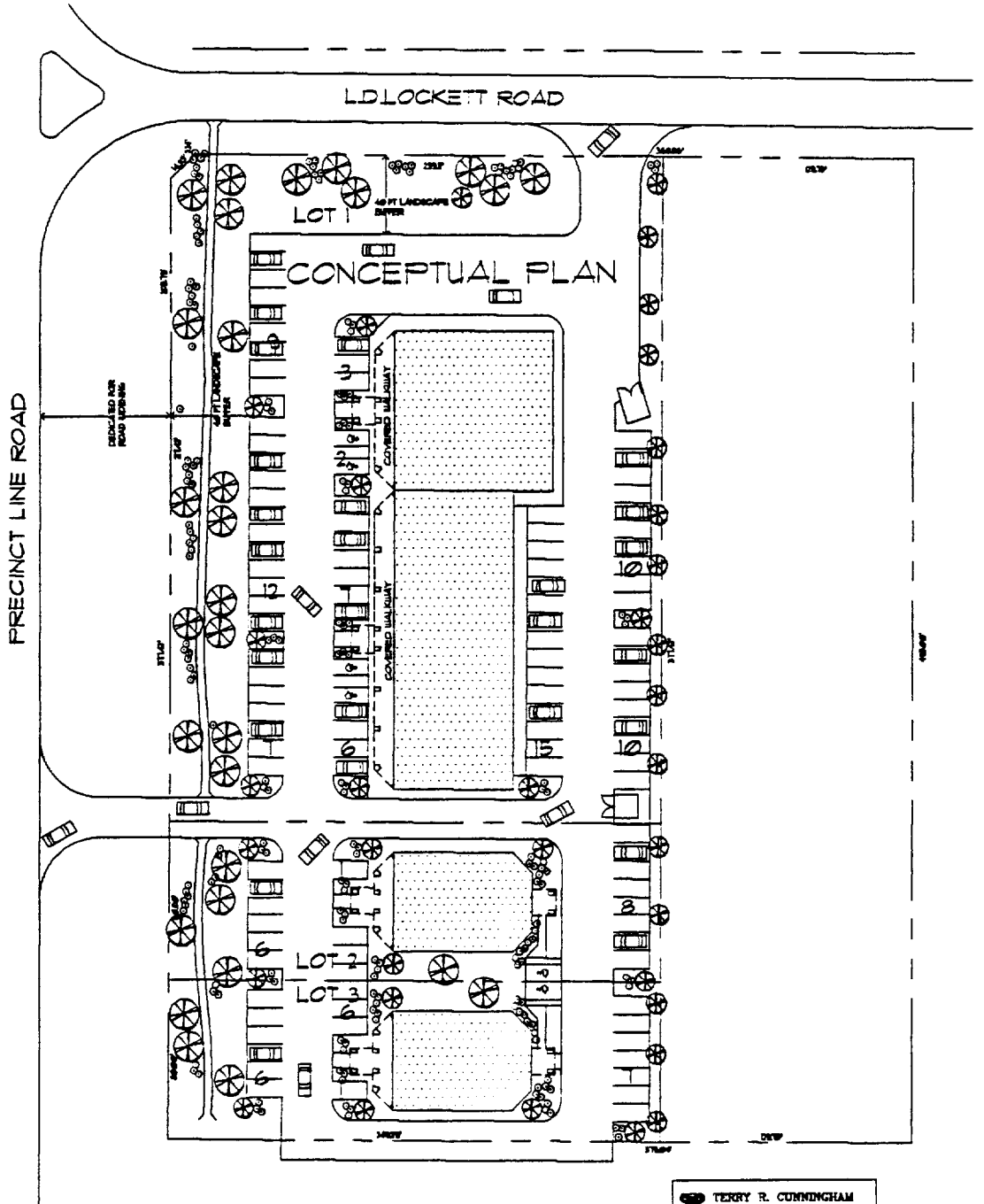
Sincerely,


Robert F. Kohsmann
President

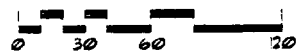
RFK/ell



0-96-1019
Ordinance O-96-1053
Attachment 1



TERRY R. CUNNINGHAM
ARCHITECTS
10000 W. 10TH AVE. SUITE 100
DENVER, CO 80202



Ordinance O-96-1053

Attachment 2 A

CLASSIC LIMITED CENTER

SOUTHEAST CORNER OF PRECINCT LINE ROAD & LD LOCKET ROAD , COLLEYVILLE, TEXAS

SITE DATA -LOT 1

GROSS AREA	83,475 SF (1.92 ACRES)
BUILDING COVERAGE (PERCENT)	15,400 SF (18.45 %)
PROPOSED OCCUPANCY/USE	RETAIL SALES
PARKING SPACES REQUIRED	77 (4 HANDICAP)
PARKING SPACES PROVIDED	81 (4 HANDICAP)

SITE DATA -LOT 2

GROSS AREA	19,714 SF (0.45 ACRES)
BUILDING COVERAGE (PERCENT)	3,400 SF (17.25 %)
PROPOSED OCCUPANCY/USE	OFFICE
PARKING SPACES REQUIRED	17 (1 HANDICAP)
PARKING SPACES PROVIDED	19 (1 HANDICAP)

SITE DATA -LOT 3

GROSS AREA	19,714 SF
BUILDING COVERAGE (PERCENT)	3,400 SF
PROPOSED OCCUPANCY/USE	OFFICE
PARKING SPACES REQUIRED	17 (1 HANDICAP)
PARKING SPACES PROVIDED	18 (1 HANDICAP)

Ordinance O-96-1053

Attachment 2 B

ORDINANCE O-10-1782

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF LOT 1, BLOCK 1, OF THE ATLANTIC OIL AND GAS ADDITION LOCATED AT 7990 PRECINCT LINE ROAD BY AUTHORIZING A SPECIAL USE PERMIT FOR A PACKAGE STORE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case No. ZC10-026; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to 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 amending the official zoning map by authorizing a Special Use Permit for a package store on Lot 1, Block 1, of the Atlantic Oil and Gas Addition located at 7990 Precinct Line Road, as depicted on Exhibit "A".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. This Special Use Permit shall only apply to the use of a package store as depicted on Exhibit "A" and described and shown in Exhibit "B" Exhibit "C".
- b. The package store authorized by this Special Use Permit shall not exceed 1,108 square feet in size.
- c. The business name for this package store shall be "Tri-City Spirits".
- d. All signs advertising the package store shall meet the following conditions: (1) all signage, including existing signage, shall, at a minimum, meet the minimum requirements of Chapter 7-Sign Regulations in the Land Development Code; (2) Section 108.52 of the Texas Alcoholic Beverage Code is hereby adopted by reference of which all requirements pertaining to signage shall apply to this Special Use Permit; (3) Upon abandonment of the business authorized by this Special Use Permit, all signage advertising the package store shall be removed in its entirety at the expense of the business and/or property owner within thirty (30) days of abandonment.
- e. All landscaping shall meet the minimum requirements of Chapter 4-Landscaping and Buffering in the Land Development Code prior to the

issuance of the certificate of occupancy.

- f. The building shall meet the minimum design score of 30 as required by Chapter 6-Building Design in the Land Development Code prior to the certificate of occupancy.
- g. The package store authorized by this Special Use Permit shall be required to comply with all provisions of the attached Exhibit "D".
- h. This Special Use Permit shall automatically expire upon the abandonment of the business, change in the use, a change in ownership or upon the expiration or termination of the Certificate of Occupancy.
- i. 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.

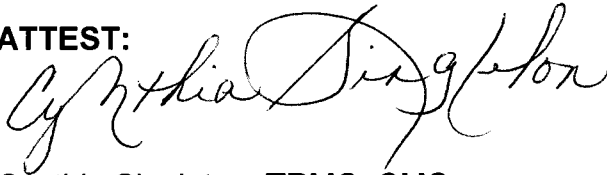
Sec. 8. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires 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 3rd day of November 2010.

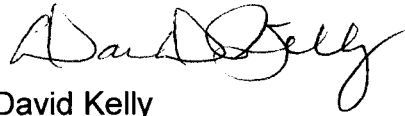
The second reading and public hearing being conducted on the 14th day of November 2010.

ATTEST:



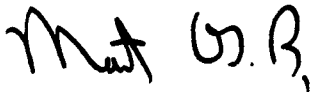
Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:



Matthew C. G. Boyle
City Attorney

Exhibit "B" – Statement of Planning Objectives

**Statement of Planning Objectives and Business Plan
Colleyville Spirits
7990 Precinct Line Rd.
Colleyville, Texas 76034**

Development/Opening schedule for business:

The subject business will open after all of the permitting is achieved, including city public hearings and site and building plan reviews. A 60 day construction period is anticipated. The subject location is part of an existing structure, which will have to be renovated, including the installation of a demising wall between the convenience store and the proposed development. A Pizza restaurant in this area will be closing. Estimated opening date is March of 2011.

Operations Plans:

The hours of operation will be consistent with those allowed by the Texas Alcoholic Beverage Commission. For a packaged store, or P Permit, the hours of operation will be 10 a.m. to 9 p.m., Monday through Saturday. Packaged stores are closed on Sundays, Thanksgiving Day, Christmas Day and New Year's Day. If Christmas or New Year's Day fall upon a Sunday, then we would be closed on the following Monday. Deliveries of distilled spirits, wine, ale and malt liquor from a wholesaler can be from 5 a.m. to 9 p.m. Monday through Saturday.

It is anticipated that there will be full three time employees and two part time employees to work at the facility.

Marketing Plan:

The name of the proposed business is Colleyville Spirits. The targeted customer bases are those people of age to buy spirits, generally within a three mile radius. Additionally, because of the limited areas where package stores are allowed, we feel that we will gain business from parts of Watauga, Hurst, Bedford and even Keller. Further, Precinct Line carries around 30,000 vehicles per day, presenting a north/south thoroughfare, which takes potential customers from Highway 183 to FM 1709.

We are forecasting 90 to 100 customers per day with an average customer purchase of around \$35. In addition to liquor or distilled spirits, we plan on selling beer and wine through a 7 door refrigerated cooler. We further plan on carrying a limited amount of salty snacks (Frito Lay) and tobacco products behind the sales counter.

Economic Development Information: (attached)

Exhibit "B" – Statement of Planning Objectives continued

Colleyville Spirits

7990 Precinct Line Road
Colleyville, TX 76034

**Total Building Area
(SF)**

1108

**Estimated Sales Tax
(per SF per year)**

\$1,083.03

**Estimated Sales Tax
Generated (per year)**

\$99,000

**Estimated Cost of
Improvements**

\$150,000

Exhibit "B" – Statement of Planning Objectives continued

Financial Information:

The estimated annual gross revenue is \$1,200,000. or \$100,000. per month. Cost of improvements is \$150,000.

Operational History in Industry:

The property and building are owned by Victron Stores, LP, located at 105 YMCA Dr. in Waxahachie, Texas. The facility will be operated under a triple net lease by Amer Fakri, Fakri Investments, Inc. Mr. Fakri will obtain all requisite licenses necessary to run the packaged store business.

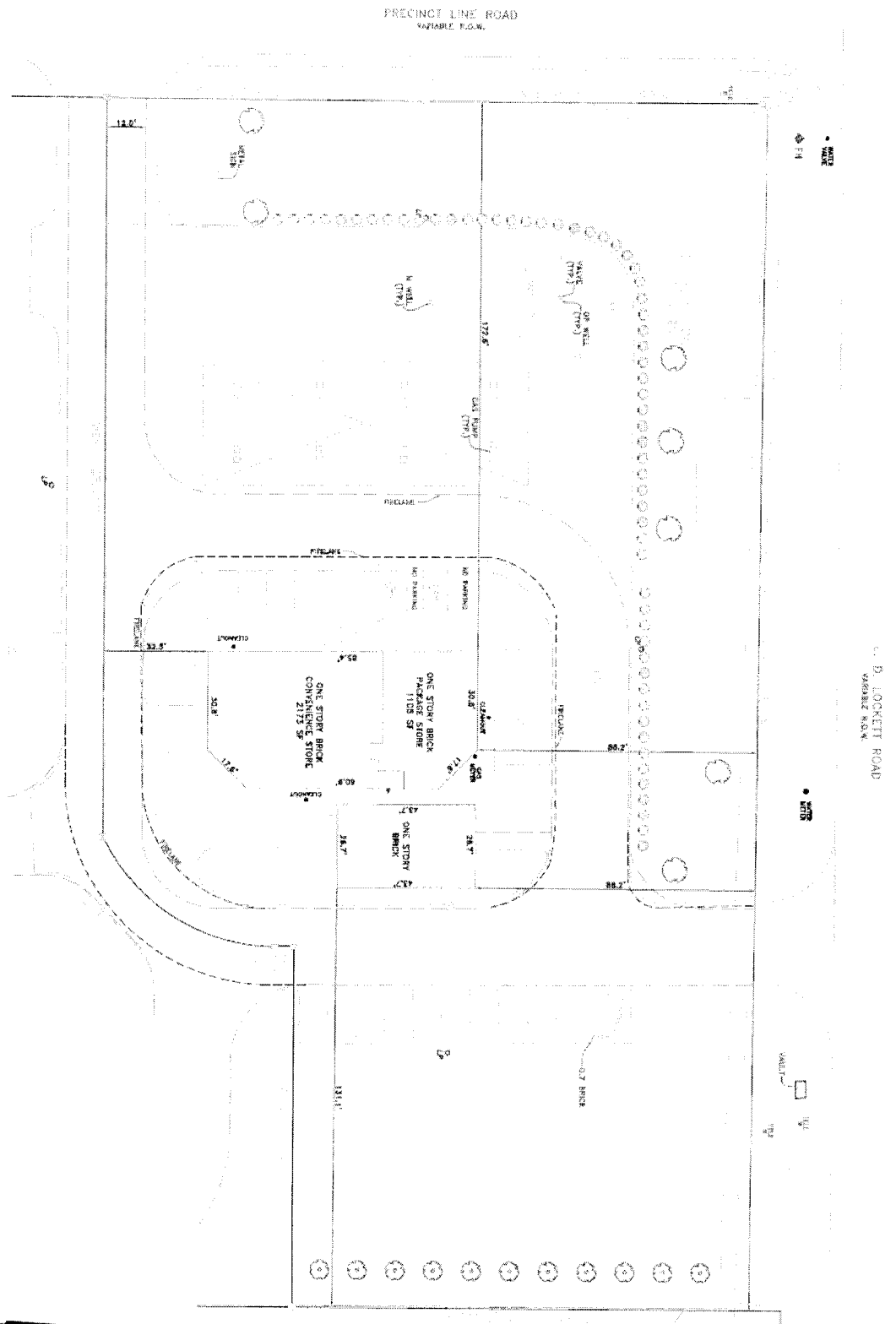
Mr. Fakri already runs what will be the adjacent convenience store to the proposed development. He has a long term lease on this facility.

Mr. Fakri has operated similar businesses beginning in October of 2006, leasing a facility under the name of Tiger Mart #13, 100 W. Main, Midlothian, Texas. The store sold both beer and wine under Mr. Fakri's corporation. Mr. Fakri sold this facility in August of 2010.

Mr. Fakri further leased a similar store in Arlington, Gateway #33, located specifically at 3710 Cooper St. in Arlington, Texas. This store sells both beer and wine under Mr. Fakri's corporation. Mr. Fakri has operated this store since August of 2008 and possesses a long term lease.

As stated above, Fakri Investments, Inc. already controls what will be the adjacent c-store to the proposed development. Mr. Fakri has leased this location since November of 2009.

There is a high degree of familiarity with this industry as Mr. Fakri has operated multiple stores which sell alcoholic beverages.



ORDINANCE O-14-XXXX

AN ORDINANCE AMENDING ORDINANCE O-10-1782 SECTION 4.1.G. AND SECTION 4.1.H. CONDITIONS AND ADDING EXHIBIT "D"; 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-10-1782 on November 16, 2010, authorizing a package store on Lot 1, Block 1 of the Atlantic Oil and Gas Addition located at 7990 Precinct Line Road under zoning case ZC10-026; and

WHEREAS, the applicant has requested an amendment to Ordinance O-10-1782; 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-10-1782.
- 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 Special Use Permit for the above described tract of land shall be amended due to a change in the Certificate of Occupancy, required for an operator/tenant change from Fakri Investments, Inc. to Naggi Corporation. The business shall remain "Tri-City Spirits" and the ownership shall remain Victron Stores, L.P. This amendment shall also include Exhibit "D," which was referenced in Section 4.1.g. of the original ordinance, but the exhibit itself was omitted from the original ordinance. These amendments are required due to the following conditions:

1. GENERAL

- g. The package store authorized by this Special Use Permit shall be required to comply with all provisions of the attached

Exhibit "D."

- h. The Special Use Permit shall automatically expire upon the abandonment of the business, change in the use, a change in the ownership, or upon the expiration or termination of the Certificate of Occupancy.

- 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.
- Sec. 10. THAT Ordinance O-10-1782 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 6th day of May 2014.

The second reading and public hearing being conducted on the 13th day of May 2014.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the _____ day of _____ 2014.

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 “D”

CRIME PREVENTION RECOMMENDATIONS FOR CONVENIENCE STORES AND PACKAGE STORES

Purpose

The purpose of these recommendations are to protect the health, safety, and welfare of the citizens of the City of Colleyville by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that may occur in a convenience store or package store in the City. To this end, these recommendations address best practices in crime prevention through environmental design including height markers, visibility into and around the business, alarm systems, physical security, drop safes, surveillance camera systems, and minimum staffing requirements.

Definitions

Unless otherwise expressly stated, the following terms shall, for the purposes of these recommendations, have the meanings indicated in this section:

“Convenience Store” means an establishment designed, intended, adapted or used primarily to provide for consumer shopping of a brief duration, characterized by a limited product mix (generally emphasizing prepared and snack foods, beverages, tobacco products or gasoline/motor vehicle fuel), close-in parking, and limited retail space.

“Drop Safe” means a cash management device in which money can be deposited without the depositor having access to the contents.

“Employee” means any person listed on the payroll of a convenience store or package store as an employee, whether part-time, full-time, permanent, or temporary. The term does not include a person providing only janitorial or security services to the store.

“Height Marker” means a measuring strip that is attached on or near the door frame of doors used for ingress and egress to the store to aid in identifying the height of a person suspected of committing a crime.

“Package Store” means a retail establishment that sells “liquor”, as defined by the Texas Alcoholic Beverage Commission, to the public for the purpose of off-premise consumption.

“Manager” means the person designated as the supervisor or person in charge of the operations of the store.

“Owner” means the person or persons who hold title to, leases or has a possessory interest in property for the purpose of operating a convenience/package store.

Height strips

A convenience/package store shall have height strips posted at all public exits to aid in obtaining a physical description on any suspicious person or suspect in a criminal offense.

Visibility

- A) A convenience/package store shall maintain an unobstructed line of sight allowing a clear view of and from the cash register and sales transaction area through all windows and public access doors. Such windows and doors must be clear of all items that would obstruct a clear view including, but not limited to, tinting, signage, advertisements, shelving, and merchandise. Such unobstructed line of sight must, at a minimum, extend from three feet above the ground to at least six feet above the ground.
- B) Landscaping shall be maintained in a manner that allows an unobstructed view of all windows and doors in an attempt to prevent blind spots or places of concealment.

Alarm system

- A) A convenience/package store shall have a silent panic or holdup alarm system for which a permit has been issued by the City. This system shall, at a minimum, include a panic button located within reach of the cash register and out of view of the customer. Such panic button will generate an alarm signal indicating a holdup or other life-threatening emergency requiring a police department response.
- B) A convenience/package store shall have posted at all public exits and entrances signs or decals indicating that a security alarm system is in use.

Entrances and Exits

- A) All doorways shall be secured with a deadbolt lock. Deadbolt locks within 40 inches of a breakable surface must be a double cylinder lock.

- B) Service or delivery entrances shall be equipped with an exterior, high resolution digital video camera or a “peep hole”, which enables employees to visually observe the area immediately outside the door.

Drop safe

- A) A convenience/package store shall have a drop safe on the premises to keep the amount of cash available to employees to a minimum. A drop safe must be bolted to the floor and may have a time-delay mechanism to allow small amounts of change to be removed.
- B) A convenience/package store shall have a written cash accountability policy mandating the maximum amounts of cash that can be kept in cash registers.
- C) A convenience/package store shall have posted, at or near the point(s) of sale, decals or signs indicating that employees cannot open the safe and that employees have minimum cash on hand.

Surveillance camera system

- A) A convenience/package store shall have a minimum of two, color digital high-resolution surveillance cameras. One camera must have an overall view of the counter/register area and the other camera a view of the main entrance/exit area and both shall display the correct date and time of the recording.
- B) The entrance/exit area camera shall be placed to provide a clear and identifiable full frame of the filmed individual's face.
- C) The cameras shall be operated at all times including hours when the store is not open for business.
- D) The owner or manager shall provide the police department, upon request, digital color images in connection with any criminal investigation.
- E) The owner or manager shall maintain a library of the recorded digital images for not less than 30 days.
- F) A convenience/package store shall have posted, at or near the point(s) of sale, signs or decals indicating that surveillance cameras are in use.

Minimum Staffing

(A) A convenience/package store will maintain a minimum staffing of at least two (2) employees on-site at all times when the business is open.