



City of Colleyville Zoning Board of Adjustment Agenda

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

Monday, May 5, 2014

City Council Chambers

**7:00 PM
CITY COUNCIL CHAMBERS
THIRD FLOOR
CALL TO ORDER**

1. PUBLIC HEARING AGENDA ITEMS

- 1a** Request for a variance to the provisions of Chapter 6-Commercial Design Standards in the Land Development Code on Lot 6A, Block 2, of the Village Park Addition located at 4725 Colleyville Blvd, Case ARC14-001

2. ADJOURNMENT

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

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 Architectural Review Commission Agenda Briefing

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

Agenda Number 1a	Agenda Date 05/05/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Request for a variance to the provisions of Chapter 6-Commercial Design Standards in the Land Development Code on Lot 6A, Block 2, of the Village Park Addition located at 4725 Colleyville Blvd, Case ARC14-001

Explanation

Scott Woodruff, representing AC Village Park Partners, has submitted an application for a variance from the provisions of Chapter 6-Commercial Design Standards in the Land Development Code (attached) for a building to be remodeled at 4725 Colleyville Boulevard. The building contained the former *Arby's* restaurant and is located on a pad site along Colleyville Boulevard in the Colleyville Downs Shopping Center, which is currently being remodeled and will contain the new Whole Foods Market scheduled to open this summer.

The building is currently vacant and will soon be occupied by a new restaurant called *Einstein Brothers Bagels*, which is why the building is being remodeled. According to the building permit application for the remodel, the total cost of construction will be \$250,000. According to the Tarrant Appraisal District (TAD) records, the current improvement value for the building stands at \$180,780. As it relates to improvements to existing buildings, Section 6.4 states the following:

"For any new commercial and institutional buildings or, additions, or alterations exceeding 50% of the building improvement value based on the current certified tax roll, it shall be the duty of the administrative official responsible for review of site plans to calculate the design score for all commercial and institutional buildings as part of the building permit and site planning process.....The provided worksheet shall be attached to all commercial and institutional building plan submissions for review. The final design will be evaluated by the staff on a pass/fail basis."

Therefore, the proposed building improvements exceed the 50% threshold of \$90,390 given the TAD improvement appraisal of 180,780 noted above thereby requiring full compliance with the provisions of Chapter 6.

Given the cost required to retrofit the building such in order comply with Chapter 6, the applicant is requesting a waiver. Attached are exhibits showing the building as it currently exists along with the proposed improvements.

The current design score for the building is a 19 and the proposed improvements to the building do not comply with the building design requirements given the proposed score of 21 detailed below.

Variance Request. Section 6.6 states that any variance to the provisions of Chapter 6 shall be considered by the Architectural Review Commission.

Based on the attached Commercial Building Design Factors Worksheet, the building improvements do not comply with Section 6.4-Building Design Requirements. A minimum score of 30 total points is required in the following areas of façade articulation, vertical departure, shade coverage, horizontal and diagonal roof planes and fenestration. An individual score for each of the design variables cannot exceed ten points. The proposed improvements to the building breakdown as follows:

Façade Articulation – 5.03

Vertical Departure - 0

Shade Coverage – 10

Horizontal and Diagonal Roof Planes – 2

Fenestration – 4

Total Score: 21.03

Recommendation

The Architectural Review Commission's options regarding the variance request are as follows:

- (1) Approve the variance as requested allowing a design score of 21;
- (2) Approve the variance with conditions;
- (3) Deny the variance.

Attachments

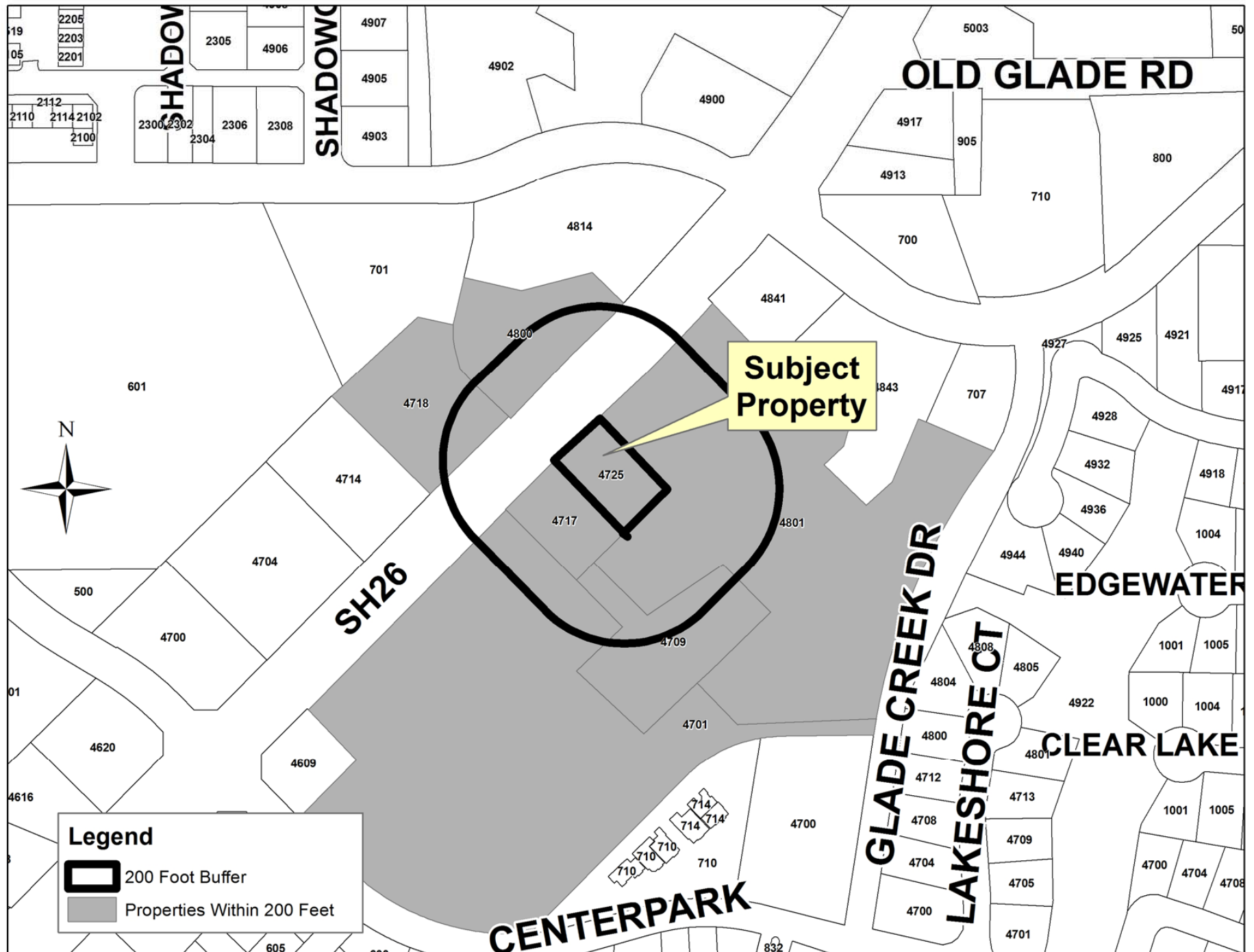
1. Location Map
2. Buffer Map
3. Application
4. Proposed Building Improvements
5. Commercial Building Design Factors Worksheet

6. Chapter 6-Commercial Design Standards
7. Current Photos of Building

Location Map



Buffer Map



Community Development Services Application

City of Colleyville
100 Main Street
Colleyville TX 76034
817.503.1050

APPLICATION TYPE

PLEASE CHECK THE APPROPRIATE BOX BELOW.

- | | | |
|---|---|--|
| ☐ Zoning Change | ☐ Preliminary Plat | ☐ Zoning Variance (ZBA) |
| ☐ Special Use Permit | ☐ Final Plat | ☐ Sign Variance (SBA) |
| ☐ Planned Unit Development | ☐ Minor Plat | ☐ Sidewalk / General Waiver |
| ☐ Site & Landscape Plan | ☐ Amended Plat | ☐ Interpretation Appeal |

PROPERTY INFORMATION

Project Name: COLLEYVILLE DOWNS

Project Address (Location): 4725 COLLEYVILLE BLVD.

Legal Description: LOT 6A BLK 2 VILLAGE PARK ADDITION

Proposed Number of Lots: _____ Gross Acres: _____ Neighborhood District: _____

Existing Zoning: _____ Proposed Zoning: _____

Existing Use: _____ Proposed Use: _____

Application Requirements: The applicant is required to submit sufficient information that describes and justifies the proposal.
See appropriate checklist and fee schedule for minimum requirements. Incomplete applications will not be processed.

APPLICANT - OWNER INFORMATION

Applicant: AC VILLAGE PARK PARTNERS, LLC Company: CENTENNIAL REAL ESTATE MGMT.

Address: 8235 DOUGLAS AVE SUITE 635 Tel: 972-888-8002 Fax: 972-888-8023

City: DALLAS State: TX ZIP: 75225 Email: SWANDR@CENTENNIALREC.COM

Applicant's Status: (check one) ☐ Owner ☐ Representative ☐ Tenant ☐ Prospective Buyer

Property Owner: ACVIL (SAME AS ABOVE) Company: _____

Address: _____ Tel: _____ Fax: _____

City: _____ State: _____ ZIP: _____ Email: _____

Ownership Status: (check one) ☐ Individual ☐ Trust ☒ Partnership ☐ Corporation

SIGNATURE OF APPLICANT (SIGN AND PRINT OR TYPE NAME)

BY: AC VILLAGE PARK PARTNERS, LLC
BY: CENTENNIAL COLLEYVILLE MANAGER, LLC

SIGNATURE: [Signature] Date: 4-21-14

SIGNATURE OF PROPERTY OWNER (SIGN AND PRINT OR TYPE NAME)

BY: AC VILLAGE PARK PARTNERS, LLC
BY: CENTENNIAL COLLEYVILLE MANAGER, LLC

SIGNATURE: [Signature]

(Letter of authorization required if signature is other than property owner)

The property owner must sign the application or submit a notarized letter of authorization.

For Departmental Use Only

Case #: ARC14-001

Total Fee(s): \$125.00

Receipt #: R11452

Date Submitted: 4/18/14

Accepted By: [Signature]

Public Hearing Date: _____

Rev: 5/10

	VARIANCE OR APPEAL APPLICATION	City of Colleyville 100 Main Street Colleyville TX 76034 817.503.1050
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REQUEST INFORMATION
Please answer the following questions as completely as possible. Failure to outline fully the situation by answering these questions could cause unnecessary delay in evaluating your appeal. Additional pages may be attached if necessary. Have you applied for a building permit? ☐ Yes ☐ No Have you filed an appeal or petition on this property before? ☐ No ☐ Yes 1. Completely describe the variance you are requesting. _____ _____ _____ _____ 2. Do similar conditions exist in the area? Explain. _____ _____ _____ 3. Describe how the unique conditions or circumstances do not result from your actions. _____ _____ _____ _____ 4. Is there any way to do what you want without this request? _____ _____ _____

Acknowledgments

I certify that the above information is correct and complete to the best of my knowledge and ability and that I am now or will be fully prepared to present the above proposal at the Zoning Board of Adjustment hearing.

I understand that in the event that I am not present or represented at the public hearing, the Board shall have the power to dismiss this proposal either at the call of the case or after the hearing, and that such dismissal shall constitute a denial.

I reserve the right to withdraw this proposal at any time upon written request filed with the Community Development Department, and such withdrawal shall immediately stop all proceedings. I understand the filing fee is not refundable upon withdrawal of the proposal after public notice.

I understand that if the request is approved, I must obtain a building permit from the City before any work is started on the property, and that the Board's action does not constitute the approval of a building permit.

Applicant's Initials Date

	VARIANCE OR APPEAL CHECKLIST	City of Colleyville 100 Main Street Colleyville TX 76034 817.503.1050
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GENERAL INFORMATION

Jurisdiction The Zoning Board of Adjustment's powers and authority are vested in Section 211 of the Texas Local Government Code, the Colleyville Land Development Code of the City of Colleyville, and the Board's Rules of Procedure. The Board may only decide issues authorized by Chapter 1 of the Land Development Code, or in other areas where it is given specific authority.

Structure The Board consists of 5 regular members and 2 alternate members, appointed by the City Council. The Board is a quasi-judicial body and does not have the authority to amend ordinances or create new laws.

Meetings The Board meets on the second Tuesday of each month at 7:00 p.m., as needed, in the City Council Chambers at City Hall.

TYPES OF REQUESTS

Variance Request The Board may authorize a variance from the specific terms of the Land Development Code when the literal enforcement of the ordinance would result in an unnecessary hardship or practical difficulty in the development of a specific property. Variances may not be granted to serve as a convenience or to relieve a financial hardship.

Special Exception Request The Board may authorize a special exception land use where allowed by the Land Development Code.

Interpretation Appeal An appeal for an interpretation of the regulations or zoning map designations may be filed with the Board. An interpretation by the Board establishes guidelines for ruling in future administrative actions.

See Chapter 1 of the Colleyville Land Development Code and the Zoning Board of Adjustment Rules of Procedure for complete information.

INSTRUCTIONS

1. **Application Procedure** - Applicants shall submit a written application to the Community Development Department using the form included in this packet. Detailed submittal requirements for each type of application are contained in this packet.

A filing fee established by the City Council shall accompany every application. The amount of the fee is based on the actual cost of processing the application by the City. The application fee for a variance is \$175.

2. **Stay of Proceedings** - An appeal stays all proceedings of the action appealed from unless the Administrative Official, after the notice of appeal has been filed, certifies in writing to the Board that a stay would cause imminent peril to life or property. In such cases, proceedings shall only be stayed by a restraining order granted by the Board or by a court of record.
3. **Notice of Hearing** - Official written notice of public hearing on every application for a variance or for an interpretation of regulations applying solely to an individual property are sent to all owners of real property lying within two hundred feet of the property on which the variance is requested. The notice of hearing is mailed to each property owner as the ownership appears on the last approved city tax roll. The notice will state the date, time and place of the hearing, and the nature of the subject to be considered.
4. **Public Hearing Procedure** - Public hearings are required for all requests for variances or permits for nonconforming uses or structures. Upon submittal of the application, the Community Development Department will schedule the application for public hearing before the Zoning Board of Adjustment. The public hearings provide an opportunity for the Board to hear from appellants; examine evidence; question the appellant, city staff, or any

witnesses; or seek additional information. At the public hearing, the applicant, all proponents and all opponents will be given the opportunity to speak about the proposal. After completion of the public hearing, the Zoning Board of Adjustment will discuss the merits of the case and render a decision

5. **Decision and Voting** - Every decision of the Board must be based upon findings of fact and detailed in the record of the meeting. The standards for consideration of a variance request are detailed in Chapter 1 of the Land Development Code. The affirmative vote of four members is necessary in order for a request to be approved. A 3-2 vote in favor of the request is not considered approval of the request.
6. **Approval of Request** - In approving any request, the Board may establish conditions, including time limits, in order to secure substantially the objectives of the regulation or provision to which such variance is granted and to provide adequately for the maintenance of the integrity and character of the zone in which such permit is granted. When necessary the Board may require guarantees, in the form as its deems proper, to insure that conditions designated are being or will be complied with.
7. **Denial of Request** - No appeal or application that has been denied shall be further considered by the Board, unless the Board affirmatively finds: ① that new plans materially change the nature of the request, or ② the permitted development of other nearby property in the same zone has been substantially altered or changed by a ruling of the Board so as to support an allegation of changed conditions.
8. **Appeal of Board Actions** - A decision of the Board of Adjustment may only be appealed to district court. The petition setting forth that such decision is illegal, in whole or in part, must specify the grounds of such illegality. The petition must be presented to the court within thirty days of the Board's decision. The City Council does not have the authority to review a decision of the Zoning Board of Adjustment.

APPLICATION SUBMITTAL REQUIREMENTS

Variance Request	▫ Completed application form and application fee ▫ Site plan, drawn to scale, showing all lot dimensions and all existing or proposed improvements to the lot ▫ Other supporting data related to the request
Special Exception Request	▫ Completed application form and application fee ▫ Site plan, drawn to scale, showing all lot dimensions and all existing or proposed improvements to the lot ▫ A written statement from the applicant describing how all conditions of the Land Development Code have been or will be met
Interpretation Request	▫ Completed application form and application fee ▫ Statement by the applicant describing the way the Regulation should be interpreted, together with diagrams or charts illustrating the proposed application of the text or map provisions ▫ Letter from the Administrative Official detailing the basis for denial of the request

FOR MORE INFORMATION

Community Development Department
City of Colleyville
100 Main Street
Colleyville, Texas 76034
817.503.1050 office
817.503.1059 fax

Proposed Building Improvements



5310 HARVEST HILL RD
SUITE 146
DALLAS, TEXAS 75230
972 385 9651

*Look @ WEST SIDE
BREAKS*

EINSTEIN BROS BAGELS
at COLLEYVILLE DOWNS
COLLEYVILLE, TEXAS

03/31/14



Commercial Building Design Factors Work Sheet

Project Information

Case File No.
 Project Name Einstein Brothers Bagels
 Location 4725 Colleyville Blvd.
 Zoning CC2
 Required Score 30

A. Façade Articulation Variables

L 156 Length (in feet) of building perimeter visible from street
 F 62 Length (in feet) of longest horizontal straight section
 A 2.516129 Articulation Ratio L/F

Ka 5.03 Total Articulation Score (Use This if Score is 10 or less)

B. Vertical Departure Variables

Q 4 Number of test surfaces (1 to 4)
 P 7500 Total surface area of all elevations
 R 0 Total surface area of all sloping or vertical departure surfaces
 V 0 Vertical Departure Ratio R/P

Kv 0.00 Total Vertical Departure Score

Elevation	Total Area	Sloping Area
North	1240	0
South	1240	0
East	5020	0
West	0	0
Total	7500	0

Reviewer Ron Ruthven
 Community Development Director
Date May 2, 2014

C. Shade Coverage Variables

S 240 Total covered but unenclosed structural exterior area
 G 2137 Total area of interior ground floor of building
 C 0.11231 Shade Coverage Ratio S/G

Kc 10.00 Total Shade Score (Use This if Score is 10 or less)

D. Horizontal and Diagonal Roof Planes Variables

E 6 Total horizontal/diagonal eave, ridge, & parapet top planes
 Q 3 Number of test surfaces from B
 H 2 Horizontal/Diagonal Planes Ratio E/Q

Kh 2.00 Total Horizontal/Diagonal Planes Score

E. Fenestration Variables

W 16 Total windows, doors and other openings
 Q 4 Number of test surfaces from B
 N 4 Fenestration Ratio W/Q

Kn 4.00 Total Fenestration Ratio (Use This if Score is 10 or less)

Design Score Requirements			
CN	30	CC2	30
CPO	30	CC3	30
CC1	30	ML	30

FINAL SCORE

21.03

Denied

Chapter 6

Commercial Design Standards

Amended 12/13/2011

Section 6.1 Purpose of This Chapter

The purpose of this Chapter is to establish rules and regulations for the exterior design and exterior building materials of commercial and institutional buildings in all zoning districts.

Section 6.2 Authorization for Adoption of This Chapter

The regulations contained in this Chapter have been adopted under the authority of the following:

1. *Chapter 51 – General Powers of Municipalities of the Texas Local Government Code*, which authorizes a municipality to adopt ordinances, rules, or police regulations that are for the good government, peace, or the trade and commerce of the municipality.
2. *Chapter 211 – Municipal Zoning Authority of the Texas Local Government Code*, which authorizes a municipality to divide a municipality into districts and, within each district, regulate the erection, construction, reconstruction, alteration, repair, or use of buildings, other structures, or land.
3. *The Home Rule Charter of the City of Colleyville*, which authorizes the City Council to exercise all powers granted to municipalities by the Constitution or the laws of the State of Texas.

Section 6.3 Definitions

Definitions applicable to this Chapter may be found in *Chapter 2 – Definitions* of this Land Development Code.

Section 6.4 Building Design Standards

6.4. REQUIREMENTS

For any new commercial and institutional buildings or, additions, or alterations exceeding 50% of the building improvement value based on the current certified tax roll, it shall be the duty of the administrative official responsible for review of site plans to calculate the design score for all commercial and institutional buildings as part of the building permit and site planning process. For institutional buildings, if no relevant appraisal data exists on the certified tax roll, the building improvement value shall be obtained through an independent third party appraiser, paid by the building permit applicant and provided to the City. Paragraphs A through G are the basis for the design calculation to meet the requirements of the design standards. The provided worksheet shall be attached to all commercial and institutional building plan submissions for review. The final design will be evaluated by the staff on a pass/fail basis.

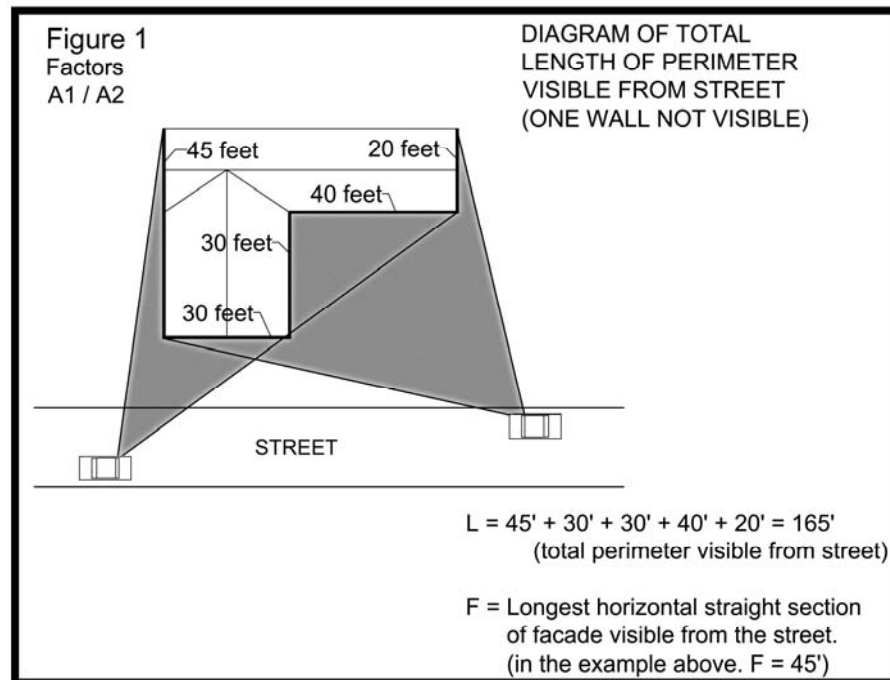
Commercial/Institutional Building Design Factors Work Sheet

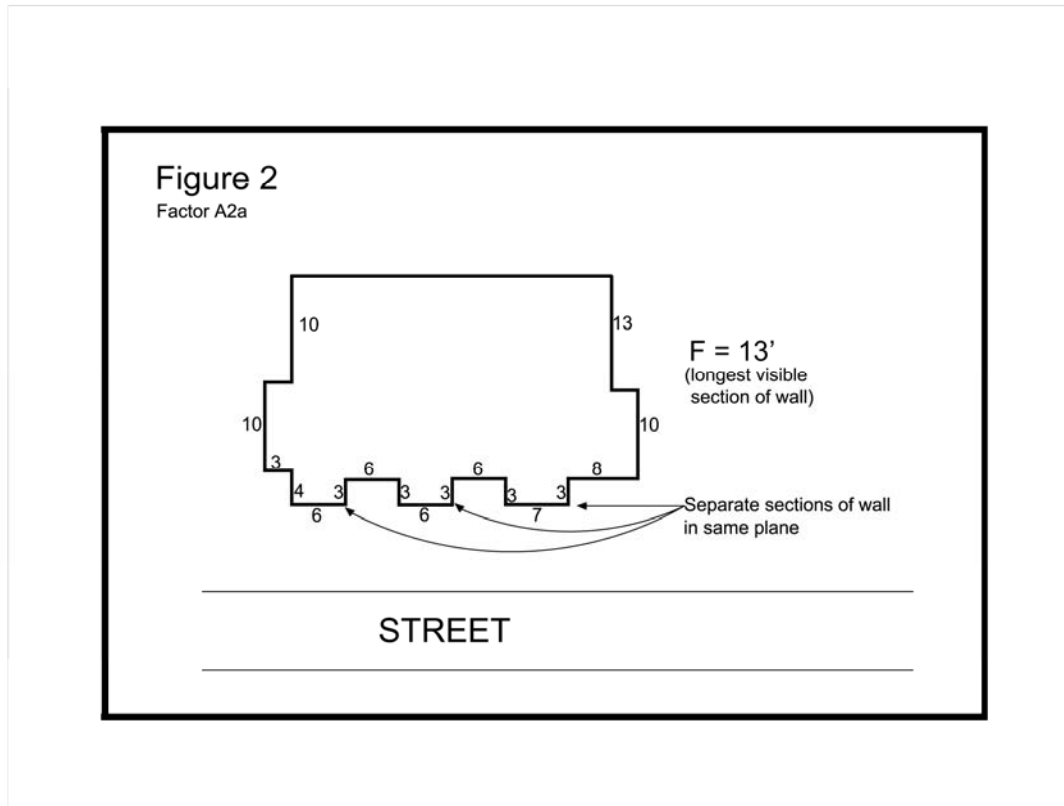
A. Façade Articulation Variables (10 total possible points – See Figure 1 and 2 below)

1. **L** = Length in feet of building perimeter visible from the street. _____ ft.
2. **F** = Length of the longest horizontal straight section of the exterior façade visible from the street. _____ ft.

In order to determine that any two horizontal straight sections of wall in the same plane are separate walls:

- a. There shall be an intervening physical separation of space or other wall sections which separate the two subject walls by not less than three feet.
 - b. The average offset distance of the intervening space and/or wall section shall be not less than one foot from the subject plane.
 - c. The total perimeter beam length of the intervening space and/or wall section shall not be less than five feet.
 - d. Materials used within the intervening separation may not be identical to materials used in more than one of the two same plane test sections
 - e. Any two or more same-plane wall sections which do not meet all of the requirements of Paragraphs a, b and c above shall be determined to be part of one complete wall section.
3. **A** = Articulation ratio or $L/F =$ _____
 4. **Ka** = Articulation Score = $A \times 2 =$ _____ (Sum)





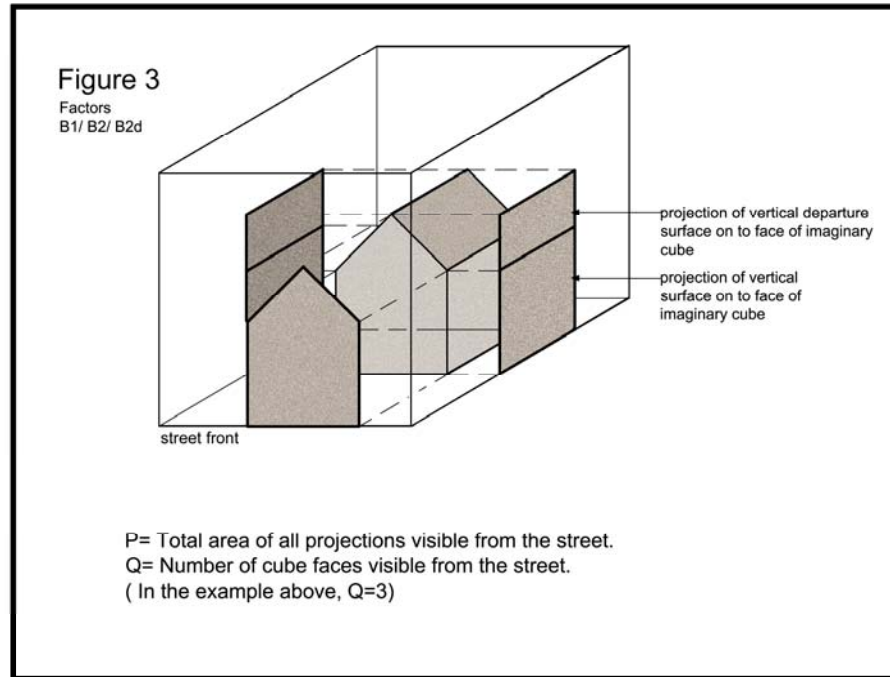
B. Vertical Departure Variables (10 total possible points – See Figure 3 below)

1. **P** = Total surface area of a projection of all surfaces visible from the street and which are relative to the four vertical planes of an imaginary cube which would enclose the building. _____ s.f.
2. **R** = Total surface area of a projection of all sloping or vertical surfaces visible from the street of the building relative to the four vertical planes of an imaginary cube which would enclose the building. _____ s.f.

For the purpose of the calculation of “R”;

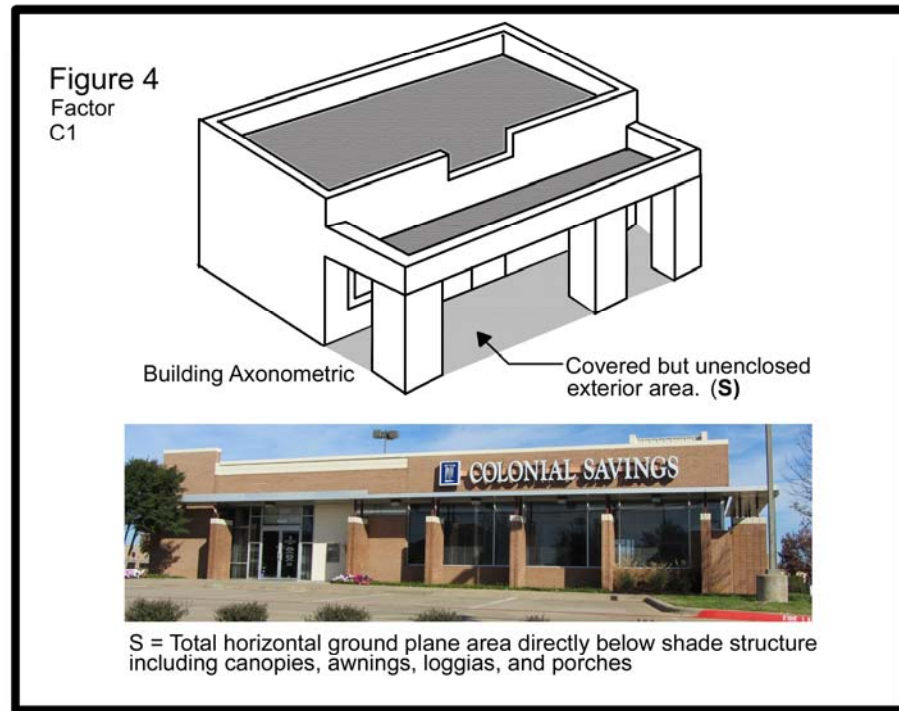
- a. Buildings with principal wall sections which are generally rectangular must be aligned so that principal wall sections are parallel to a face of the test cube.
 - b. Only those surfaces which slope at an angle of not less than 15 degrees nor more than 75 degrees from the vertical plane may be included in this area calculation.
 - c. Circular, convex or concave regular surfaces which are offset at the central point of the curve by not less than one foot from the vertical surface and have a central angle of not less than 60 degrees may also be included.
- d. **Q** = Number of test cube vertical surface projections (1,2,3 or 4) visible from the street.

3. **V** = Vertical departure ratio or $R/P =$ _____
 4. **Kv** = Vertical Departure Score = $10 \times V =$ _____ (Sum)



C. Shade Coverage Variables (10 total possible points – See Figure 4 below)

1. **S** = Total covered but unenclosed structural exterior area attached to the building as measured in square feet on a horizontal plane. _____ s.f.
 - a. The floor area of covered exterior balconies may be included. Attached canopies, porches, verandas, and other shade oriented structural design features may also be included.
 - b. The area under detached canopies shall be excluded.
2. **G** = Total area of the interior ground floor of the building. _____ s.f.
3. **C** = Shade coverage ratio or **S/G** = _____
4. **Kc** = Shade Score = **100** x **C** = _____ (Sum)



D. Horizontal and Diagonal Roof Planes Variables (10 total possible points – See Figure 5 below)

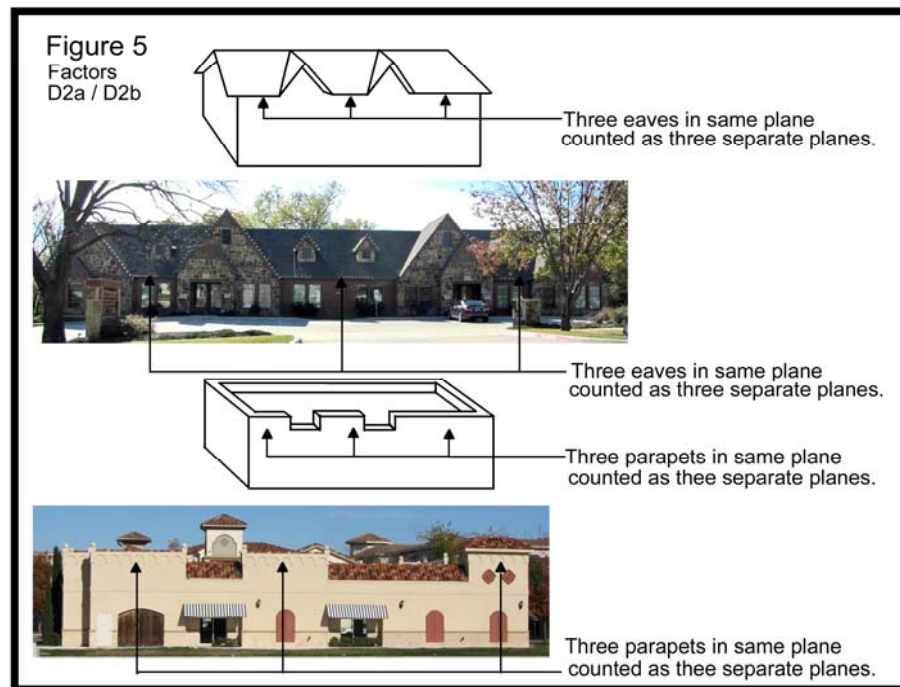
1. **F** = "F" as previously calculated in Paragraph A(2) above. _____
5% of **F** = _____
2. **E** = Total visible horizontal and diagonal eave planes, ridge planes and/or parapet top planes on the building. _____

For the purpose of this paragraph:

- a. Two eaves in the same horizontal plane but which are separated by not less than 5 percent of "F" shall be considered separate planes.
- b. Two parapets in the same horizontal plane but which are separated by not less than 5 percent of "F" shall be considered separate planes.
- c. A parapet with a wall length of less than 5 percent of "F" shall be considered a crenellation and shall not be counted as a parapet.
- d. For every five crenellations, regardless of elevation, one equivalent plane may be added to the calculation of total planes. In like manner, one crenellation shall equal 0.2 horizontal / diagonal planes.
- e. For an eave, canopy or mansard which overhangs the vertical surface of the building by not less than 18 inches, one plane shall be counted for the outer edge of the eave and one plane shall be counted at the intersection of the eave and the wall.

- f. One plane shall be counted for each diagonal ridge or edge of a sloped roof and, if the edge is also an eave which overhangs the wall by not less than eighteen (18") inches it shall be counted as two planes.
 - g. For mansards which wrap around a building corner, planes shall not be counted as separate unless there are actual changes in elevation.
 - h. Two parapet tops which intersect at 90 degrees in the same horizontal plane shall be counted as separate planes.
3. **Q** = Total # of surfaces visible from the street as identified in Paragraph B(2)(d) above.

 4. **H** = Horizontal / Diagonal Planes Ratio or **E/Q** = _____ (Sum)



E. Fenestration Variables (10 total possible points)

1. **W** = Total number of windows, doors, and other openings into the structure through which light may pass. _____

For the purpose of this paragraph each opening must be framed on the sides, top and/or bottom by structural building materials with a surface area equal in the aggregate to not less than 50 percent of the surface area of the opening.

2. **Q** = As previously calculated in Paragraph B(2)(d) above. _____
3. **N** = Fenestration Ratio = **W/Q** = _____ (Sum)

F. Total Design Score: Add all sum scores above to reach a total design score. The submission will be evaluated by the reviewer and a score provided. The reviewer will review as part of your submission your scoring provided based upon your design submission.

- G. Minimum Design Score Requirement:** Notwithstanding any variance per Section 6.6 below, the minimum design score for all commercial and institutional buildings constructed as provided for by this chapter shall be 30 in all zoning districts, except that the design score may require a higher or lower value as a condition of a Special Use Permit or Planned Unit Development zoning district as authorized by the City Council.

Zone –	CN	CPO	CC1	CC2	CC3	ML
Score –	30	30	30	30	30	30

Section 6.5 Exterior Building Color and Material Requirements

- A. **Materials:** The exterior walls of all commercial and institutional buildings constructed as provided for in this chapter shall be composed of 100% percent masonry, glass, or other equivalent material. However, building accents such as wood, EIFS, Hardie Plank or decorative metal trim are permitted such they do not exceed 15 percent of the total exterior wall surface area. Mixing of more than one type of masonry material for exterior walls is encouraged. For the purposes of this chapter, approved non-glass, masonry materials may include brick, finished concrete, stone (natural and man-made), and cementitious stucco. Unfinished concrete masonry unit products such as cinder block or tilt-wall sections are permitted but must have an architecturally finished surface such as split-face, rusticated, natural stone, etc.
- B. **Color:** Primary exterior wall colors shall contain natural colors that reflect the natural environment of the cross-timbers prairie including soils and vegetation. Fluorescent colors are prohibited. Building elevations showing the proposed exterior wall color shall be submitted with the site plan application at the time of new construction as provided for by this chapter. Any applicant for a building that does not meet the requirement of this section as determined by the Community Development Director may request a variance to the Director's interpretation per Section 6.6 below.
- For commercial and institutional buildings that exist as of the passage of this section, upon the repainting and/or alteration of any structure, the paint and material color shall comply with section B above.

Section 6.6 Variances; Architectural Review Commission

- A. A person may request a variance from a requirement contained in *Chapter 6 – Commercial Design Standards* by filing said request with the administrative official. A request for a variance shall be accompanied by a non-refundable application fee. A request for variance shall be referred for consideration to the Architectural Review Commission (ARC). The variance procedure shall proceed as follows:
- Submit a variance application and pay applicable fee. No action shall be taken on any application submitted to the ARC until all applicable fees have been paid in full. No refund of any application fee shall be made after the request has been advertised and scheduled for consideration by the Commission.
 - Not later than 30 days from date of the application, a quorum of the Architectural Review Commission (ARC) shall convene a meeting to review the variance request;
 - Public Hearing and Written Notification** – No action to approve or deny any application shall be taken until the Commission has held a public hearing and received comment, and only after written notice of the public hearing of the date, time and place where the variance request is to be considered has been sent to the owners of real property lying within two hundred (200) feet of the property where the application is being considered. Such notice shall be given to each property owner as listed on the last approved tax roll not less than ten

(10) days before the date set for hearing by depositing letters properly addressed and postage paid in the United States Post Office

4. Appeal to City Council – The decision by the ARC shall be final, unless the applicant submits a written notice of appeal within ten (10) days from the date of the action by the Commission. The administrative official shall re-notify all property owners lying within two hundred (200) feet of the area being considered and place the applicant's appeal request on the next available agenda for consideration by the City Council.

Section 6.7 Amendments to This Chapter

Reserved for listing of amendments to this Chapter.

Ord. Number	Date	Subject
O-11-1818	12/13/2011	Amendments to design standards; addition of exterior material and color requirements; amendments to variance procedures and addition of architectural review committee

Current Photos of Building



Current Photos of Building



Current Photos of Building

